



Staff Report Presentation

Benton County Planning Commission Hearing

July 8, 2025

APPLICATION TYPE	Conditional Use Permit
LOCAL FILE NO.	LU-24-027
APPLICANT	Republic Services
PROPERTY OWNER	Valley Landfills, Inc.

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.

INTRODUCTION

July 8, 2025 | LU-24-017

BACKGROUND

Event	Date
Pre-application conference	June 27, 2024
Conditional Use application received by CDD	July 19, 2024
CDD deems application to be incomplete	August 16, 2024
Completeness response from applicant is received by CDD	October 30, 2024
CDD requests additional information	December 11, 2025
Additional information and a request to begin review is received by CDD	January 15, 2025
Applicant requests a 58-day review extension	January 15 - March 14, 2025
CDD deems application to be "complete"	January 15, 2025
Additional information from applicant is received by CDD	March 14, 2025
Planning Commission hearings begin	April 29, May 1, May 6, May 8, 2025
Applicant agrees to 47-day extension to the 150-day review timeline New deadline for final decision: <u>September 26, 2025</u>	May 8, 2025
Additional information from applicant is received by CDD	June 6, June 12, June 16, June 23, 2025

APRIL 22 STAFF REPORT RECOMMENDATION

The April 22 Staff Report recommendation for **denial** was based on:

53.215 Criteria (1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, [...]

- Noise
- Odor

60.405 Siting Standards (1), (2), (6), (7)

- Missing information for proposed shop/maintenance building
- Compliance with BCC 53.215 and 53.220

SUPPLEMENTAL STAFF REPORT ADDITIONS

The Supplemental Staff Report:

- Includes and evaluates **agency comments** and **public testimony**
- Includes and evaluates testimony from **adjacent property** residents/owners
- Includes and evaluates **32** new or modified applicant exhibits
- Comments and testimony are **quoted** or **summarized** alongside applicant responses

AGENCY COMMENTS

Responded

Oregon Department of Geology and Mineral Industries (DOGAMI) - **April 9, 2025**

Oregon Department of Fish and Wildlife (ODFW) - **April 11 and 18, 2025**

Benton County Environmental and Natural Resources Advisory Committee (ENRAC) - **April 16, 2025**

Adair Rural Fire Protection District - **April 21, 2025**

Oregon Department of Transportation (ODOT) - **May 13, 2025**

Did not respond

Adair Village

Army Corps of Engineers

City of Corvallis

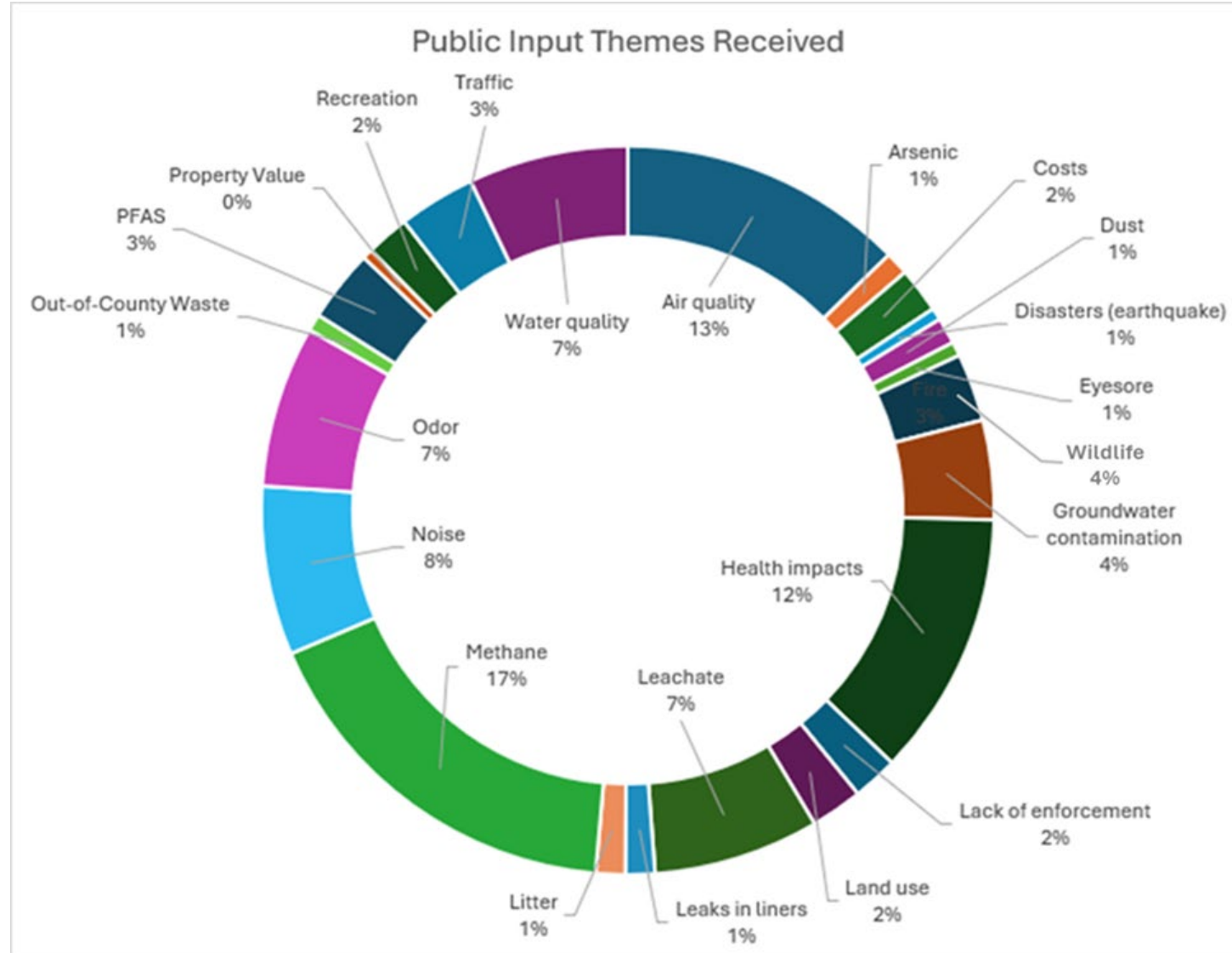
Oregon Department of Environmental Quality (ODEQ)

Oregon Department of Land Conservation and Development (DLCD)

Oregon Department of State Lands (DSL)

PUBLIC COMMENTS

1,961 records received by June 10, 2025



ADDITIONAL IMPACTS REVIEWED

Supplemental Staff Report:

- **Additional testimony, evidence, and staff responses** on noise, odor, traffic, and visual impacts
- **Additional testimony, evidence, and staff responses** for:
 - Litter
 - Fire risk
 - Wildlife
 - Air quality
 - Water quality (replacing “groundwater”)

ADDITIONAL FINDINGS

Supplemental Staff Report:

- Added findings in response to **BCC Chapter 87 - Goal 5 Resources**

RELEVANT CODE CHAPTERS

BCC 51 - Development Code Administration

BCC 53 - General Review Criteria and Procedures

BCC 60 - Forest Conservation Zone (FC)

BCC 77 - Landfill Site Zone (LS)

BCC 87 - Goal 5 Resources

BCC 99 - General Development Standards

KEY FINDINGS

July 8, 2025 | LU-24-017

RECOMMENDATION

Staff recommends Approval of this application with Conditions.

(29) Preliminary Conditions

(6) Phase 1 ("P1-#") – only activities necessary to meet these conditions

(23) Phase 2 ("P2-#") – ground-disturbing activities identified in these conditions may occur only upon completion of Phase 1 conditions

(56) Operational Conditions ("OP-#") –

Upon completion of Phase 2 conditions and to be met for the duration of the business

BCC 53 - Conditional Use

July 8, 2025 | LU-24-017

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;

KEY FINDINGS

BCC 53.215 (1) -
uses on adjacent
property

**Testimony from
14 properties**



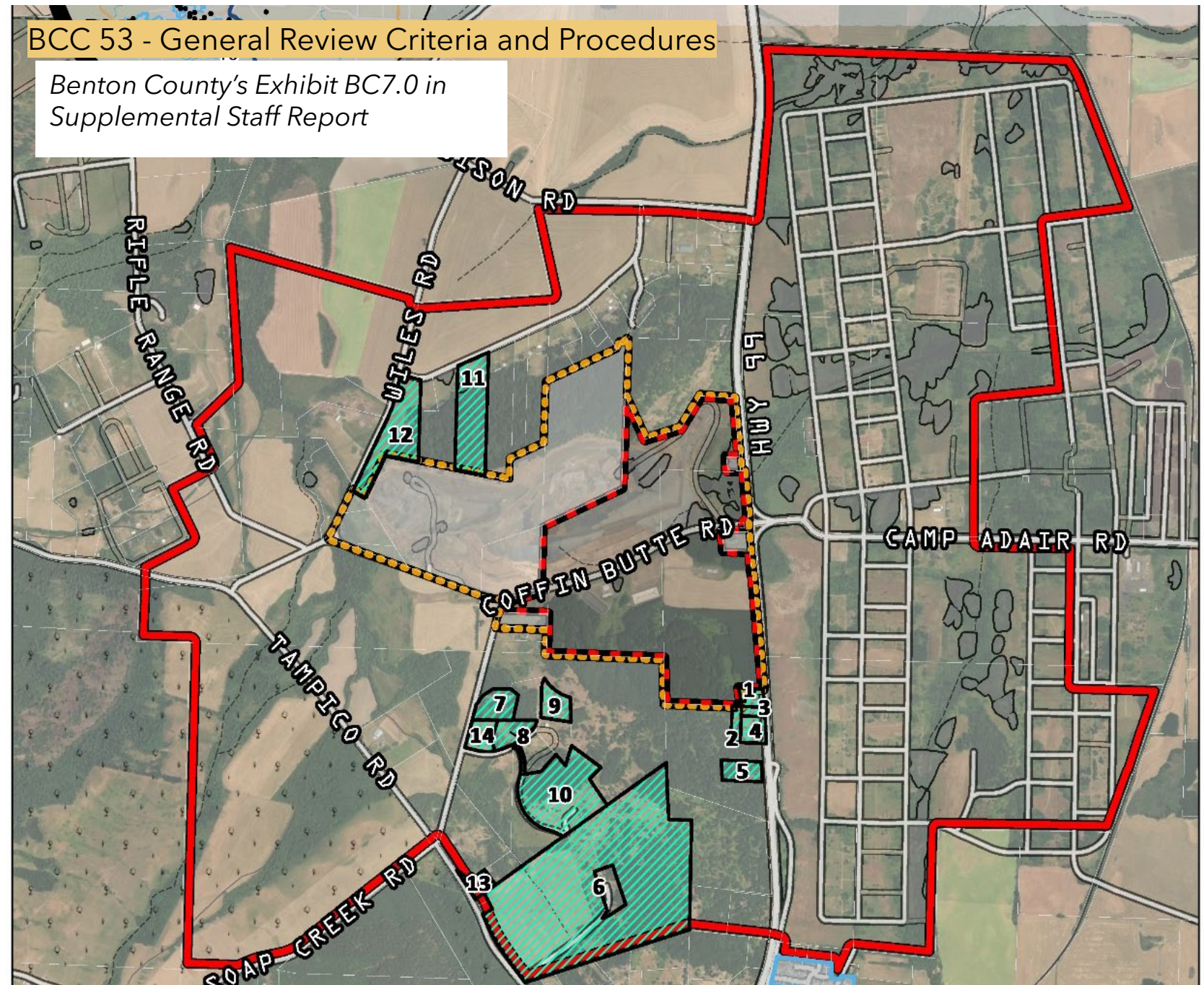
June 20, 2025

-  Taxlots
-  Analysis Area
-  Development Area
-  Properties with Landfill Operations
-  Adjacent Properties
-  Comments



BCC 53 - General Review Criteria and Procedures

*Benton County's Exhibit BC7.0 in
Supplemental Staff Report*



KEY FINDINGS

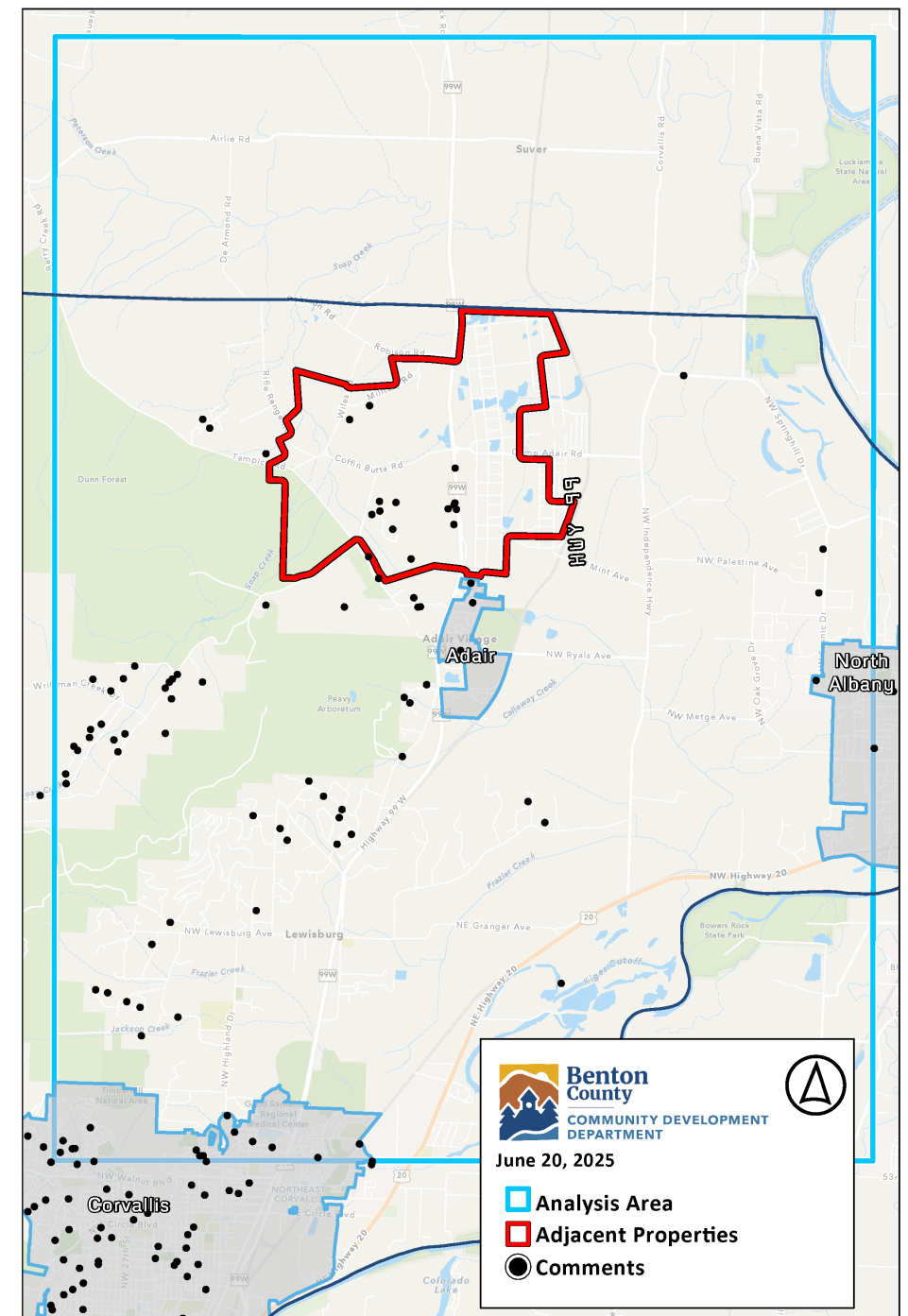
BCC 53 - General Review Criteria and Procedures

BCC 53.215 (1) - character of the area

- 90 square miles
- Rural and urban development
- Resource land
- Varying topography and natural habitats
- “[O]ccasional odors, sounds, noises, and trips from the existing landfill operation and surrounding resource-extraction uses” (Exhibit BOP p. 37)

Exhibit BC3 in Supplemental Staff Report

July 8, 2025 | LU-24-017



KEY FINDINGS

BCC 53 - General Review Criteria and Procedures

BCC 53.215 (1)

Noise impacts vs. uses on adjacent properties and character of the area

Can be mitigated through COAs

COAs OP-2(A-B) monitors equipment noise and **OP-5** limits the maximum landfill height to 450 feet

Odor impacts vs. uses on adjacent properties and character of the area

Table 1. Odor Index Examples¹

Odor Unit or D/T	Odor Description
1,000,000	Rendering plant uncontrolled exhaust
100,000	Venting anaerobic digester gases
10,000	Sludge centrifuge vent
1,000	Primary clarifier weir cover exhaust
500	Dewatering building exhaust
100	Multistage scrubber exhaust
50	Carbon filter exhaust
30	Ambient odor adjacent to biosolids land application
15	Ambient odor adjacent to aeration basin
10	Design value sometimes used in odor modeling
7	Ambient odor level sometimes considered a nuisance
5	Design value sometimes used in odor modeling
4	Ambient odor level common in a city
2	Ambient odor level usually considered "just noticeable"
1	Ambient air in a community with "no odor" noticeable

Reference
⁽¹⁾ McGinley, Charles & Michael McGinley. (2006). An Odor Index Scale for Policy and Decision Making Using Ambient and Source Odor Concentrations. Proceedings of the Water Environment Federation. 2006. 244-250. 10.2175/193864706783791696.

Odor impacts vs. uses on adjacent properties and character of the area

Can be mitigated through COAs

OP-5 limits the maximum landfill height to 450 feet

OP-7(A-B) monitoring and logging odors

OP-7(C-D) third-party monitoring and limitation to amount of landfill trash intake consistent with applicant model

OP-11(A-F) limits working face area and daily cover requirements

Transportation impacts vs. uses on adjacent properties and character of the area

COAs P2-1(A-N) and **OP-6** require consistency with applicant proposal, and Public Works and roadway construction requirements

Water quality impacts vs. uses on adjacent properties and character of the area

County is limited in ability to evaluate and regulate beyond the multiple levels of state and federal regulation

COAs monitor and ensure compliance

P1-5(B) requires stormwater report and designs prior to ODEQ solid waste permitting

P2-1(F) requires approval of county Post-Construction Stormwater Management permit

OP-8 maintain all required federal, state, and county permits for construction and operation

OP-10 requires compliance with [any agency of competent jurisdiction] regulations regarding PFAS/PFOA, methane, other landfill gas component

OP-11(A-G) site operations including installation and monitoring of groundwater sampling wells

OP-13 (A-B) monitoring adjacent property wells and arsenic levels

Visual impacts vs. uses on adjacent properties and character of the area

Can be mitigated through COAs.

OP-5 and **OP-6** limit landfill expansion height to 450 feet above mean sea level and footprint consistent with the applicant proposal

Litter impacts vs. uses on adjacent properties and character of the area

Can be mitigated through COAs.

OP-5 limits the final elevation to 450 feet, **OP-11(A-F)** site operation including daily cover, and **OP-15(A)** requires litter control measures such as fencing, a collection program, monitoring and reporting

Fire risk impacts vs. uses on adjacent properties and character of the area

Can be mitigated through COAs.

OP-11(F) and **OP-12(A-C)** limit accepted waste, maintain a working fire truck on site, monitor and log, and provide records relating to fires.

Air quality impacts vs. uses on adjacent properties and character of the area

County is limited in ability to evaluate and regulate beyond the multiple levels of state and federal regulation

COAs monitor and ensure compliance

OP-8 and **OP-10** require maintenance of required permits and compliance with state and federal regulations relating to methane, PFAS, and air quality

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

[...]

(2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and

Traffic - COAs P2-1(A-N) and OP-6

Leachate and Groundwater- empirical consistency with best practices, DEQ review and enforcement, no agency comments

Fire risk - OP-6, OP-11(F), and OP-12(A-C)

BCC 60 - Forest Conservation (FC) Zone

July 8, 2025 | LU-24-017

BCC 60.220 Conditional Use Criteria.

Key criteria

- No significant change or cost increase to accepted farm or forest uses
- No significantly increased fire risks

Applicant provided sufficient expert testimony and evidence responding to raised concerns

COAs OP-10 requires compliance with state and federal regulations and **P2-4** ensures consistency with FC zone fire break standards

KEY FINDINGS

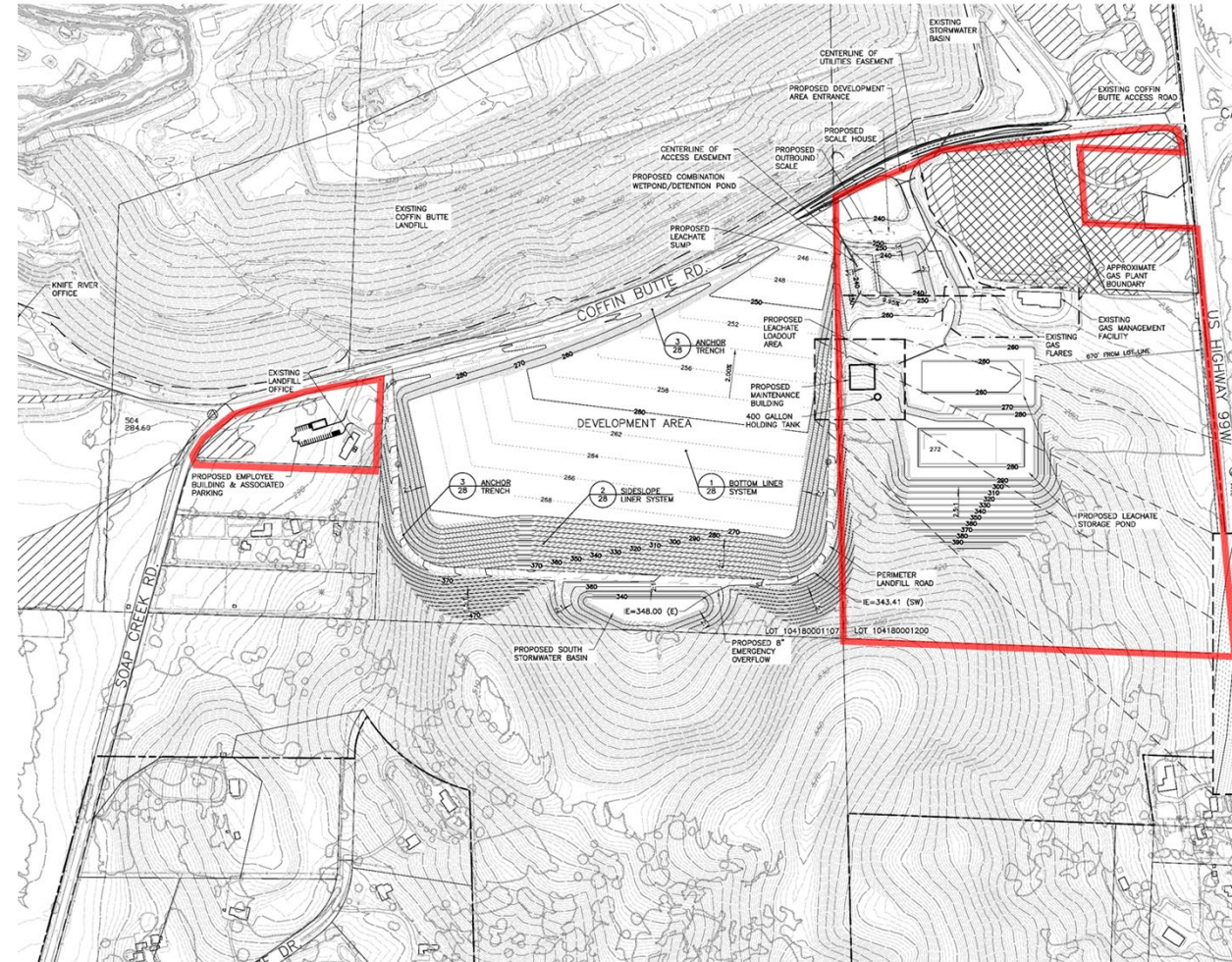
BCC 60 - Forest Conservation Zone (FC)

BCC 60.405 Siting Standards.

Key standards

- Proper fire mitigation and minimize fire risks
- Least impact on forest operations and accepted farming practices
- Minimize use of forest lands

Concur with applicant and county engineers, no significant impact, impacts and uses are minimized



*Tax Lot location of proposed structures over the
Applicant's Exhibit E2, Sheet 6 in Staff Report*

BCC 87 - Goal 5 Resources

July 8, 2025 | LU-24-017

KEY FINDINGS

BCC 87 - Goal 5 Resources

SENSITIVE FISH AND WILDLIFE HABITAT

OVERLAY (/FW)

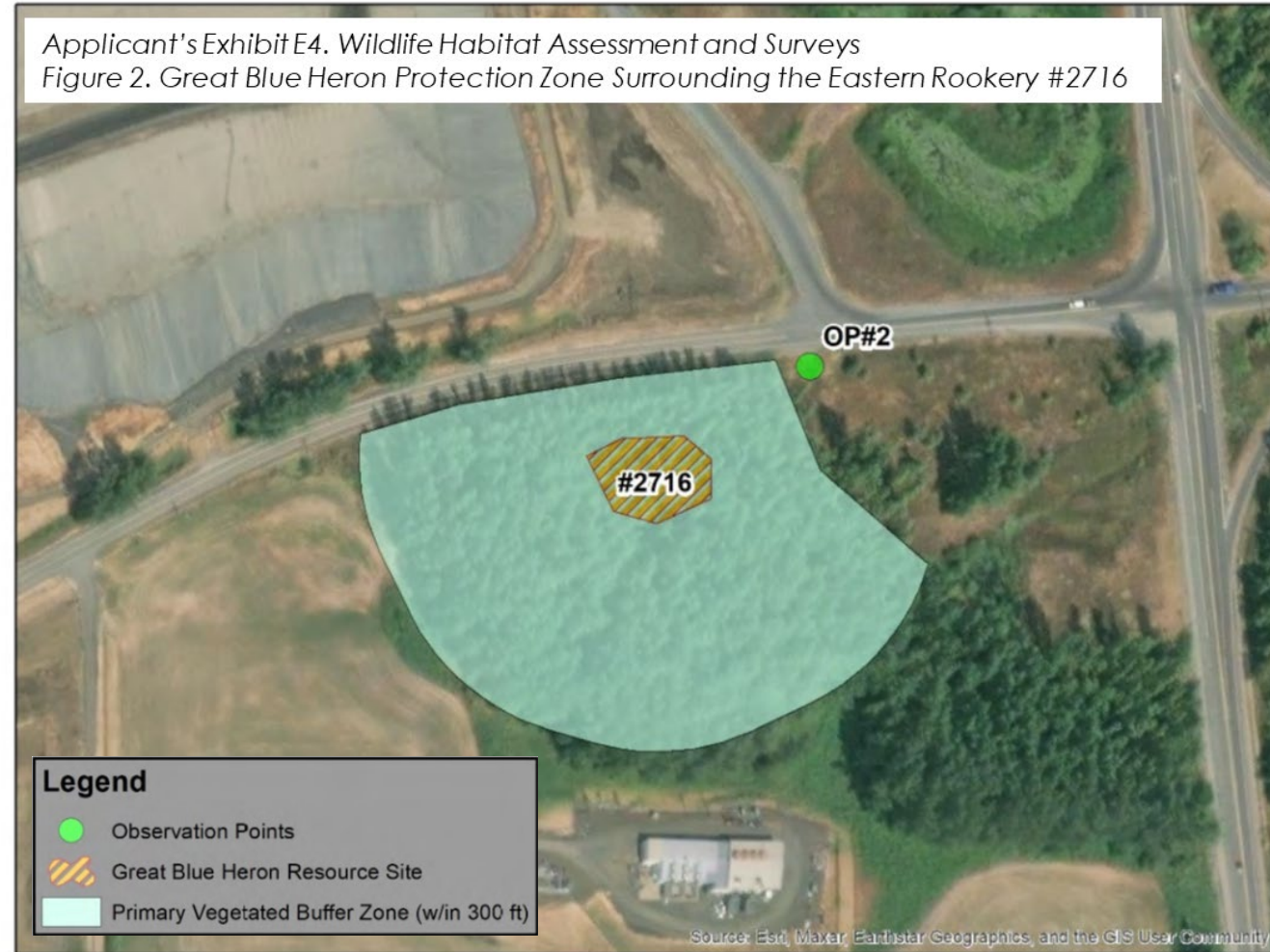
87.210 - Application.

87.220 - Development Permit Review Required.

87.230 - Review Procedure and Evaluation Criteria.

Applicant, in coordination with ODFW, has met the requirements

COAs P2-3(A-C) and **OP16(A-C)** require annual monitoring active rookeries, identification of 300-foot buffer, and prohibit construction during critical nesting period



BCC 99 - General Development Standards

July 8, 2025 | LU-24-017

99.225 Development Activities in Wetlands.

Standards can be met with COA

P1-1 requires preparation and approval from DSL of a wetland delineation prior to ground-disturbance

RECOMMENDATION

July 8, 2025 | LU-24-017

RECOMMENDATION

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(29) Preliminary Conditions

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(23) Phase 2 ("P2-#") – ground-disturbing activities identified in these conditions may occur only upon completion of Phase 1 conditions

(56) Operational Conditions ("OP-#") –

Upon completion of Phase 2 conditions and to be met for the duration of the business

MOTIONS

July 8, 2025 | LU-24-017

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 additional conditions].

OR,

B) DENIED, based on evidence in the record, findings in opposition, and conclusions developed at the public hearing.

SUPPLEMENTAL SLIDES

July 8, 2025 | LU-24-017

Phase 1 Preliminary Approval Conditions – Only those activities necessary to complete the following conditions are authorized until all of these Phase 1 Preliminary Approval Conditions have been met.

Ref.	Recommended COA	Applicable code citation
P1-1	Wetlands. On Tax Lot 1200, Applicant shall prepare and obtain approval from the Oregon Department of State Lands (DSL) of a wetland delineation. Applicant shall not locate any portion of the project within the mitigation wetland and required buffer of the mitigation wetland as shown in Applicant’s Exhibit 2.	99.255(1) Development Activities in Wetlands.
P1-2	Site Plan Map. Applicant shall submit to the Planning Official a final site plan map per County specifications of the approved proposal. The map shall contain 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.	77.310(2) LS Zone Conditional Use Review.
P1-3	Covenant. If not already completed, the property owner shall sign a 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.	60.220(2) FC Zone Conditional Use Criteria.
P1-4	Screening. Applicant shall install the landscape screening as shown in Applicant Exhibit 2 and the Site Development Plan. The trees shall be at least eight feet tall upon planting and be of a species to reach a height of at least 40 feet upon maturity.	53.215(1) Adjacent Properties and Character of the Area, Visual Impacts
P1-5	DEQ. (A) Applicant must provide copies of DEQ permits from the last 10 years to the County prior to beginning site preparation or grading activities. (B) Prior to the ODEQ solid waste permitting submittal, 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.	53.215(1) Adjacent Properties and Character of the Area, Water Quality

Phase 2 Preliminary Approval Conditions – Upon completion of the Phase 1 Preliminary Approval Conditions, Applicant may initiate the ground-disturbing activities identified in the following Phase 2 Preliminary Approval Conditions. Elements of this phase that do not include ground disturbance may be initiated in Phase 1.

P2-1	<p>Public Works.</p> <p>(A) 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.</p> <p>(B) To accommodate westbound left turns into the new facility, 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.</p> <p>(C) Historically, the County has employed a section of 5” of HMAC over 17” of CAB for facilities that receive heavy truck traffic. The Applicant shall complete a pavement design analysis in conformance with the AASHTO Guide for Design of Pavement Structures to determine if the above section is adequate on Coffin Butte Road given the high volume and loaded weights of the heavy truck traffic. The Applicant shall construct either the section identified in the analysis or a minimum 5” of HMAC over 17” CAB, whichever is more restrictive.</p> <p>(D) 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.</p> <p>(E) At the time of submittal of engineering drawings and specifications for road improvements in the County right of way, Applicant shall provide further geotechnical analysis and clarification related to the slope stability 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. Applicant shall also provide a complete seismic analysis of the subject slope, including the potential of earthquake-induced deformation which may impact the County’s facility or the utilities contained within the right of way.</p> <p>(F) Construction and post-construction storm drainage discharge shall conform to the standards and tenets established by Oregon Drainage Law and shall conform to all ODEQ and County Stormwater Support Documents, erosion and sediment control details, and best management practices. The applicant shall apply, pay fees, and obtain approval for a County Post-Construction Stormwater Management (SWM) Permit.</p>	<p>General</p> <p>99.510 Road Approach Permits.</p> <p>99.515 Road Design and Construction Standards.</p>
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Phase 2 Preliminary Approval Conditions – Upon completion of the Phase 1 Preliminary Approval Conditions, Applicant may initiate the ground-disturbing activities identified in the following Phase 2 Preliminary Approval Conditions. Elements of this phase that do not include ground disturbance may be initiated in Phase 1.

P2-1	<p>Public Works.</p> <p>(G) 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.</p> <p>(H) Applicant shall provide calculations, design, and specifications for all proposed public infrastructure to County Public Works staff for review and approval.</p> <p>(I) 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.</p> <p>(J) 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.</p> <p>(K) Applicant shall obtain a DEQ 1200-C permit, and a County Erosion and Sediment Control (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.)</p> <p>(L) Applicant shall obtain approval for all required local, state and federal permits prior to start of road improvements.</p> <p>(M) Construction of improvements to Coffin Butte Road will require a Miscellaneous Permit to Perform Work on the County Right of Way. Issuance of this permit may require the Applicant to enter into an Agreement for Improvements (AFI) to secure the proposed work.</p> <p>(N) 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 including a circulation plan endorsed by public safety officials.</p>	<p>General</p> <p>99.510 Road Approach Permits.</p> <p>99.515 Road Design and Construction Standards.</p>
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Phase 2 Preliminary Approval Conditions – Upon completion of the Phase 1 Preliminary Approval Conditions, Applicant may initiate the ground-disturbing activities identified in the following Phase 2 Preliminary Approval Conditions. Elements of this phase that do not include ground disturbance may be initiated in Phase 1.

P2-2	<p>Construction Phase.</p> <p>During construction of the expansion area for commercial use (construction of the leachate ponds, haul road, new landfill cell, and employee building), Applicant shall:</p> <p>(A) Limit construction to the hours of 6 a.m. to 6 p.m.</p> <p>(B) Limit any required blasting to the hours of 12 p.m. to 5 p.m.</p> <p>(C) Conduct all blasting pursuant to its approved permit issue by the Oregon Department of Geology and Mineral Industries (DOGAMI).</p> <p>(D) Obtain all required permits applicable to the work.</p> <p>(E) Comply with all applicable DEQ regulations applicable to the work.</p>	<p>Construction conditions – not responding to CU criteria</p> <p>99.110 Sensitive Land consideration.</p>
P2-3	<p>Active Rookery Protection.</p> <p>(A) Applicant shall hire a qualified biologist to monitor active rookeries throughout the critical nesting period of February 15 through July 31 to determine site-specific nesting chronology, nest productivity, the degree of habituation to disturbance, and nearby foraging habitat. Applicant’s biologist shall submit a rookery location map of active rookeries by January 1 of each year to the County and ODFW.</p> <p>(B) Applicant shall identify a buffer of 300 feet around the primary nest zone of active rookeries and limit activities to maintain alternate nest trees, allow for growth of the colony, protect against windthrow, and prevent harassment.</p> <p>(C) Applicant shall not engage in major construction within a quarter mile of an active rookery during the critical nesting period from February 15 through July 31.</p>	<p>Chapter 87 Sensitive Wildlife Habitat</p>
P2-4	<p>Structures within the FC zone</p> <p>Applicant shall maintain a primary and secondary fuel-free fire-break surrounding each structure on land within the FC zone 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 (ODF).</p>	<p>60.405(1) FC Zone Fire Break</p>

Operational Conditions of Approval.**Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.**

Ref.	Recommended COA	Applicable code citation
OP-1	<p>Hours of Operation. Operating hours for disposal of waste in the landfill shall be as follows:</p> <p>(A) Monday through Saturday, the site may open to commercial customers 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.</p> <p>(B) On Sunday, the site will not open to any customers before 12 p.m. and will close no later than 5 p.m. (C) Internal operations, including opening and closing of the site and equipment preparation and inspection, shall start no earlier than one hour prior to opening the site for commercial customers and shall conclude no later than two hours after closing the site to all customers.</p> <p>(D) Following the start of commercial operations in the expansion area, scheduled infrastructure construction projects, such as new cell and gas facilities construction and road and driveway improvements, will be limited to the hours that the landfill is open to commercial customers. Emergency construction may occur outside these hours. An “emergency” is any unforeseen site condition that could result in property damage, affect site safety, or create negative off-site impacts.</p> <p>(E) Staff or consultants may be on site or visit the site after the hours listed in sections A through D above for security, when necessary to respond to complaints or concerns, for equipment cleaning and maintenance, or to ensure that leachate disposal is adequately managed.</p> <p>(F) During an emergency or when requested by a federal, state, or Benton County agency, Applicant may open the landfill outside the hours listed in sections A through D above.</p>	53.215(1) Adjacent Properties and Character of the Area – Noise

Operational Conditions of Approval.

Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.

OP-2	<p>Noise.</p> <p>(A) Prior to the start of commercial operations in the expansion area, Applicant shall verify by field measurement using a Type 1 sound level meter and overseen by a licensed engineer in the state of Oregon that sound levels of on-site equipment have been reduced by at least 10 dB compared to levels in Table 5.3 of the Noise Study dated September 25, 2023 (Applicant’s Exhibit 11). Mitigation measures could include but would not be limited to upgraded engine mufflers, quieter equipment, and local noise barriers around stationary equipment. This condition is limited to on-site vehicles. To verify equipment sound levels, remain 10 dB below the levels shown in the Noise Study:</p> <ul style="list-style-type: none">(i) Sound levels from on-site equipment will be measured at least once each week using a sound level meter or application installed on a mobile device.(ii) Additional measurements will be made every three years after commencement of operations in the expansion area using a Type 1 sound level meter and will be overseen by a licensed engineer in the state of Oregon. These triennial measurements will be used to prepare updated noise studies.(iii) The Applicant shall conduct sound measurements for onsite equipment using the same methodology that was used to establish the baseline data in the 2023 noise assessment (see Exhibit E11). The study shall be conducted during normal operating hours. <p>(B) Prior to the start of commercial operations in the expansion area, Applicant shall replace all tonal back-up alarms on its on-site equipment with ambient sensing back-up alarms.</p>	53.215(1) Adjacent Properties and Character of the Area – Noise
OP-3	<p>Maintenance of Tree Buffer. Applicant shall maintain the existing tree buffer along Hwy 99W and the new screening measures required in P1-4 above. Applicant will replace any dead trees annually during the rainy season.</p>	53.215(1) Adjacent Properties and Character of the Area – Visual Impacts

Operational Conditions of Approval.**Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.**

OP-4	Outdoor Lighting. (A) All outdoor lighting fixtures shall be fully shielded and directed downward to prevent light trespass and skyglow. (B) Fixtures must utilize beam angles and shielding that confine light to the intended area, with no upward light emission. (C) Lighting shall comply with the Five Principles for Responsible Outdoor Lighting: (i) All light shall have a clear purpose. (ii) Light shall be directed only where needed. (iii) Light levels shall be no higher than necessary. (iv) Lighting shall be used only when useful. (v) Warmer color temperatures ($\leq 3000\text{K}$) shall be used where possible.	53.215(1) Adjacent Properties and Character of the Area – Visual Impacts
OP-5	Maximum Elevation. The final grade of the new landfill cell shall not exceed 450 feet above mean sea level in elevation.	53.215(1) Adjacent Properties and Character of the Area – Noise, Odor, Visual Impacts, Litter
OP-6	Compliance with Application Materials. Applicant shall construct and operate the expanded landfill as described in the application materials, except as modified by these conditions of approval.	General 53.215(1) Adjacent Properties and Character of the Area – Traffic

Operational Conditions of Approval.

Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.

OP-7	<p>Odor Monitoring and Mitigation.</p> <p>(A) After Applicant completes construction of the new landfill cell, but prior to commencing disposal operations, Applicant shall determine a minimum of four odor survey points located on the perimeter of the development site boundary. Applicant shall designate two site personnel to be trained to detect odors on an n-butanol scale by using a Nasal Ranger Field Olfactometer or comparable technology. Each working day, one of the trained personnel will conduct at least one odor survey at each odor survey point and record the observations on a survey form, including data about the time, location, weather conditions, and intensity and description of any odor. If odors are detected, steps shall be taken to attempt to identify the source. If it is determined to be attributable to the Project, Applicant shall mitigate the source of the odor. Applicant shall maintain the survey documentation and documentation about steps taken to mitigate odors detected at the survey points for a minimum of four years. A summary format of the information will be provided in the Applicant's annual report to the County. In addition, while site personnel are conducting the daily odor patrol, he/she will wear a portable gas monitor (or similar portable device) set to measure the level of hydrogen sulfide (H₂S), which at certain thresholds can indicate the presence of landfill gas odors. The monitor will be set to an appropriate threshold; if the monitor detects levels of H₂S above the threshold, it will be recorded in the survey documentation and site personnel will promptly attempt to identify and mitigate the source of the elevated level if it is determined to be attributable to the Project.</p> <p>(B) Applicant shall maintain a log of odor complaints that are received directly by the landfill (via phone, e-mail, or website) to include the following information (if provided): date, time, person making complaint, and location of reported odor. Applicant will maintain the log of odor complaints for five years. Applicant shall also maintain any odor complaints received via ODEQ for five years. Odor complaints which are verified by site personnel shall be remediated where possible.</p>	53.215(1) Adjacent Properties and Character of the Area – Odor
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Operational Conditions of Approval.**Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.**

OP-7	<p>Odor Monitoring and Mitigation.</p> <p>(C) Applicant’s evidence submitted to support the conclusion that the proposed expansion will not seriously interfere with uses on adjacent properties or with the character of the area with regard to odor impacts is based on Applicant’s submitted odor studies’ assumption that the maximum organic waste acceptance will be no more than 41,110,068 tons by 2052. Accordingly, a condition of approval is appropriate to align with the Applicant’s studies assumed total organic waste acceptance volume, with provision that the annual organic waste acceptance volumes are within 10% of the modeled 930,373 tons per year through 2052.</p> <p>(D) During the first 48 months of landfill operations, the Applicant shall employ at its cost the services of a qualified third-party for an independent verification of the daily odor surveys conducted using certified inspectors with training in how to appropriately use a Nasal Ranger Field Olfactometer. Applicant is required to perform independent third-party verification at least once every 30 days and the third-party survey shall be documented and recorded. The standard D/T dial settings for a Nasal Ranger Field Olfactometer are set to 2, 4, 7, 15, 30, and 60. If independent verification results in a measured D/T of 4 or greater, Applicant shall immediately take steps to mitigate the odor level measured by independent verification. In addition, if Applicant consistently measures lower D/T values than the independent third-party, County should consider extending the independent third-party verification surveys beyond the 48-month timeframe.</p>	53.215(1) Adjacent Properties and Character of the Area – Odor
OP-8	<p>Maintenance of Other Required Permits. Applicant shall obtain and maintain all required federal, state, and County permits for construction and operation of the landfill. Applicant shall file copies of all such permits with the County Planning Division within 30 days of issuance.</p>	General 53.215(1) Adjacent Properties and Character of the Area – Water Quality, Air Quality
OP-9	<p>Compliance with Archeological Report Conditions. Applicant will comply with the operational conditions set forth in Applicant’s Exhibit 26.</p>	General

Operational Conditions of Approval.**Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.**

OP-10	Environmental Regulations. Applicant shall comply with all applicable regulations adopted by DEQ, the United States Environmental Protection Agency (EPA), or any other agency of competent jurisdiction regarding PFAS/PFOA, methane, and any other landfill gas component.	53.215(1) Adjacent Properties and Character of the Area – Water Quality, Air Quality
OP-11	Site Operations. (A) The working face (area of active disposal operations) shall not exceed two acres in size unless it is necessary to increase the size to accommodate disposal due to a natural disaster such as a fire or other event requiring a larger working face to meet public health needs. (B) Applicant shall install daily cover over the working face at the conclusion of every day that the expansion area is open to the public. (C) Applicant shall provide interim daily cover of twelve inches of compacted soil on all areas of the expansion area not actively receiving waste in compliance with applicable rules and regulations. (D) Applicant shall keep all landfill infrastructure in good repair, and shall repair as promptly as possible any disabled, damaged, or nonworking infrastructure. (E) Applicant shall not develop a use, construct any structures, or make any site improvements that are not contained in the approved site plan (Applicant's Exhibit 2) unless such uses or facilities are outright permitted uses in the zone. Any other structures, uses, or site improvement not shown in the approved site plan will require a conditional use permit to modify the site plan. (F) Applicant shall not accept regulated hazardous waste as defined in 40 CFR 258.20(b) at the site. (G) Groundwater sampling wells shall be installed as provided in Applicant's Exhibit 2 and monitored in accordance with state and federal requirements.	53.215(1) Adjacent Properties and Character of the Area – Odor, Litter, Fire Risk, Water Quality, Visual Impacts

Operational Conditions of Approval. Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.		
OP-12	<p>Fire Protection.</p> <p>(A) Applicant shall maintain the 4000-gallon water truck in good repair so that it is always fully available to help extinguish fires. At such time as Applicant may replace or update the water truck or other firefighting infrastructure in the expansion area, such new truck or equipment will provide protection equal to or better than the truck or equipment being replaced.</p> <p>(B) Applicant shall maintain a log of all fire incidents on Applicant’s property use for landfill activities and accessory uses. Applicant will provide a verbal report of any fire events that have occurred since the last meeting at each Benton County Disposal Site Advisory Committee (DSAC) meeting. Applicant shall report all fire incidents to DEQ.</p> <p>(C) Applicant shall conduct semi-annual fire-protection and emergency preparedness training of its on-site personnel.</p>	<p>53.215(1) Adjacent Properties and Character of the Area – Fire Risk</p>
OP-13	<p>Groundwater Monitoring.</p> <p>(A) Well Volume Impacts. The Applicant shall take the follow methodological, step-by-approach to monitoring and evaluation of potential groundwater impacts to wells on adjacent properties.</p> <p>(i) As part of the proposed expansion project and prior to excavation of the new cell in the expansion area, a network of four monitoring wells will be constructed along the southern side of the development. (Anticipated/approximate well locations are shown on Exhibit 50, though terrain and other ground conditions may dictate some adjustment in placement). Water levels in these four wells will be regularly monitored as part of the CBL routine monitoring program. These wells will effectively function as “sentinel” wells to provide an added level of monitoring.</p> <p>(ii) Should these four new wells show four successive decreases demonstrating a 10% decrease in the potentiometric surface over the baseline established prior to excavation, or a dramatic change across two events (not associated with local climactic conditions or residential water use), the Applicant will request the ability to evaluate yield and water levels at residential wells. As part of this analysis VLI may install additional sentinel wells to the south of the four new monitoring wells.</p>	<p>53.215 (1) Adjacent Properties and Character of the Area - Water Quality</p> <p>53.215(2) Water Quality</p> <p>60.220(1)(a) Farm Impacts</p>

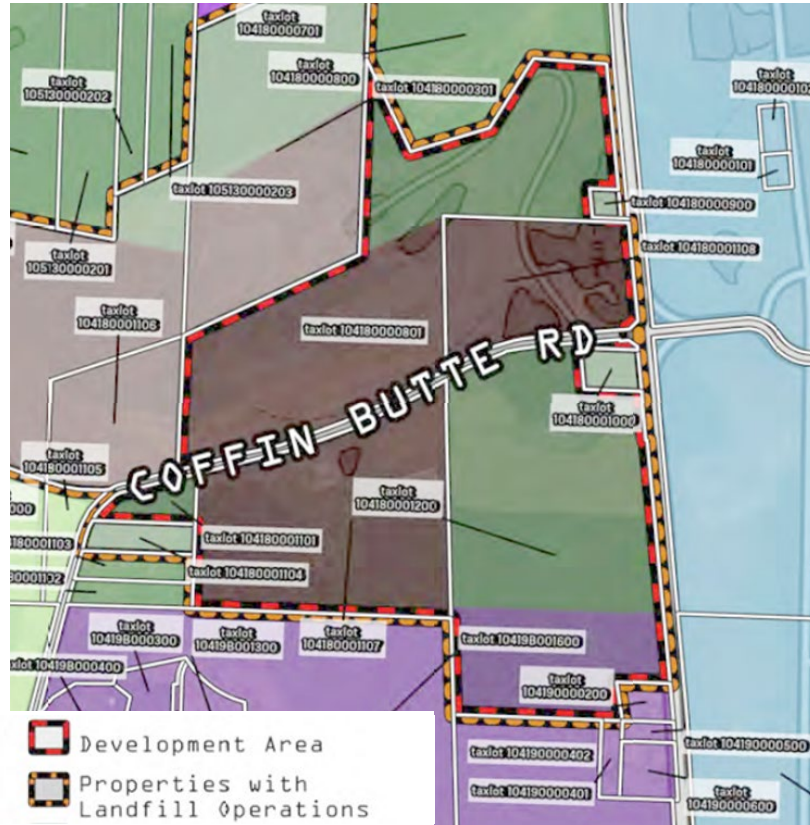
Operational Conditions of Approval. Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.		
OP-13	<p>Groundwater Monitoring.</p> <p>(iii) If the sentinel wells show a decrease that is affecting neighbors that is unrelated to local climate conditions or changes in residential use, VLI will conduct outreach to those neighbors to evaluate and implement mutually agreeable solutions at VLI's expense.</p> <p>(iv) VLI will remain open to discussion with interested residents about their wells and water levels and will promptly respond to any concerns or complaints.</p> <p>(B) Arsenic. The four sentinel wells noted above will also be used to obtain background water quality data prior to placement of waste in the new cell. In addition, the Applicant, subject to property-owner approval, will sample the domestic water wells immediately south of the landfill (i.e., along Blaze Drive and Ploughshares Road) for arsenic once a year to track levels moving forward. This sampling program will begin before landfill construction to establish a baseline for arsenic concentrations in those wells. If changes in arsenic concentrations above baseline levels are measured and can be attributed to landfill operations, the Applicant will work with property owners to remedy the condition.</p>	<p>53.215 (1) Adjacent Properties and Character of the Area - Water Quality</p> <p>53.215(2) Water Quality</p> <p>60.220(1)(a) Farm Impacts</p>
OP-14	<p>Working Face. Applicant shall not dispose waste north of Coffin Butte Road during the Development Area's operation. Only one working face shall operate at a time.</p>	General
OP-15	<p>Litter Control.</p> <p>(A) General Compliance. The Applicant shall implement and maintain all current litter control measures as described in the Applicant's June 20, 2025 Letter to the Benton County Planning Commissioners, including all measures applicable to the expansion area.</p>	53.215(1) Adjacent Properties and Character of the Area – Litter

Operational Conditions of Approval. Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.		
OP-15	<p>Litter Control.</p> <p>(B) Working Face Fencing</p> <p>(i) The Applicant shall ensure continuous deployment of bull fencing around the entire landfill working face to minimize windblown litter.</p> <p>(ii) A secondary line of bull fencing shall be deployed behind the existing line along the entire landfill working face, providing an added barrier for litter containment.</p> <p>(C) Perimeter Fencing and Containment. The Applicant shall install and maintain Defender Fencing in appropriate high-risk areas as identified in operational plans.</p> <p>(D) The main haul road shall have continuous deployment of wire fencing reinforced with orange snow fencing to control roadside litter.</p> <p>(E) The entire landfill property, including portions zoned as Forest Conservation (FC), shall be enclosed with a chain link fence to mitigate off-site litter dispersion.</p> <p>(F) Off-Site Litter Management. The Applicant shall expand its litter collection program to include Tampico Road and Soap Creek Road, conducting regular patrols and clean-up operations to address any landfill-related litter.</p> <p>(G) Private Delivery Requirements. To prevent litter originating from uncovered private vehicles, the Applicant shall implement and enforce a policy that prohibits acceptance of any trash delivery unless fully covered or secured in accordance with DEQ standards and site-specific requirements.</p> <p>(H) Monitoring and Reporting. The Applicant shall document litter control efforts and submit semi-annual reports to the County demonstrating compliance with these conditions, including photographic evidence, inspection logs, and corrective actions taken.</p> <p>(I) Enforcement and Review. Failure to maintain compliance with these conditions may result in enforcement action or review of permit approval, at the discretion of Benton County</p>	53.215(1) Adjacent Properties and Character of the Area – Litter

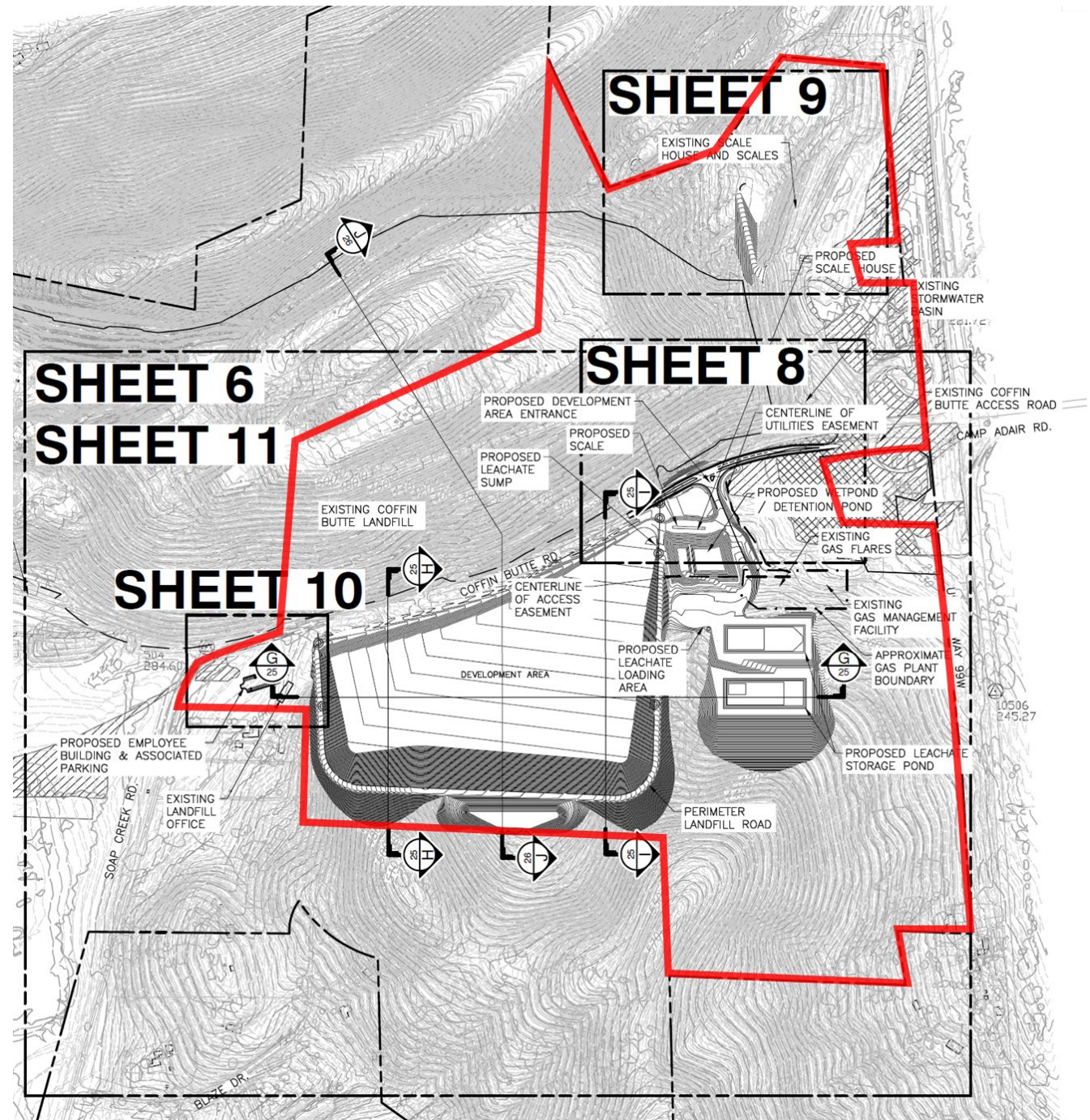
Operational Conditions of Approval. Monitoring of operating COAs will be subject to BCC Title 31. Enforcement.		
OP-16	Active Rookery Protection. <p>(A) Applicant shall hire a qualified biologist to monitor active rookeries throughout the critical nesting period of February 15 through July 31 to determine site-specific nesting chronology, nest productivity, the degree of habituation to disturbance, and nearby foraging habitat. Applicant’s biologist shall submit a rookery location map of active rookeries by January 1 of each year to the County and ODFW.</p> <p>(B) Applicant shall identify a buffer of 300 feet around the primary nest zone of active rookeries and limit activities to maintain alternate nest trees, allow for growth of the colony, protect against windthrow, and prevent harassment.</p> <p>(C) Applicant shall not engage in major construction within a quarter mile of an active rookery during the critical nesting period from February 15 through July 31.</p>	53.215(1) Adjacent Properties and Character of the Area – Wildlife Chapter 87

DEVELOPMENT AREA

Benton County Exhibit BC6 in Staff Report



Approximate "Development Area", over the Applicant's Exhibit E2, Sheet 5 in Staff Report



Benton County Exhibit BC6 in Staff Report



**Benton
County**

**COMMUNITY DEVELOPMENT
DEPARTMENT**

April 18, 2025



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



RIFLE RANGE RD

WILES RD

COFFIN BUTTE RD

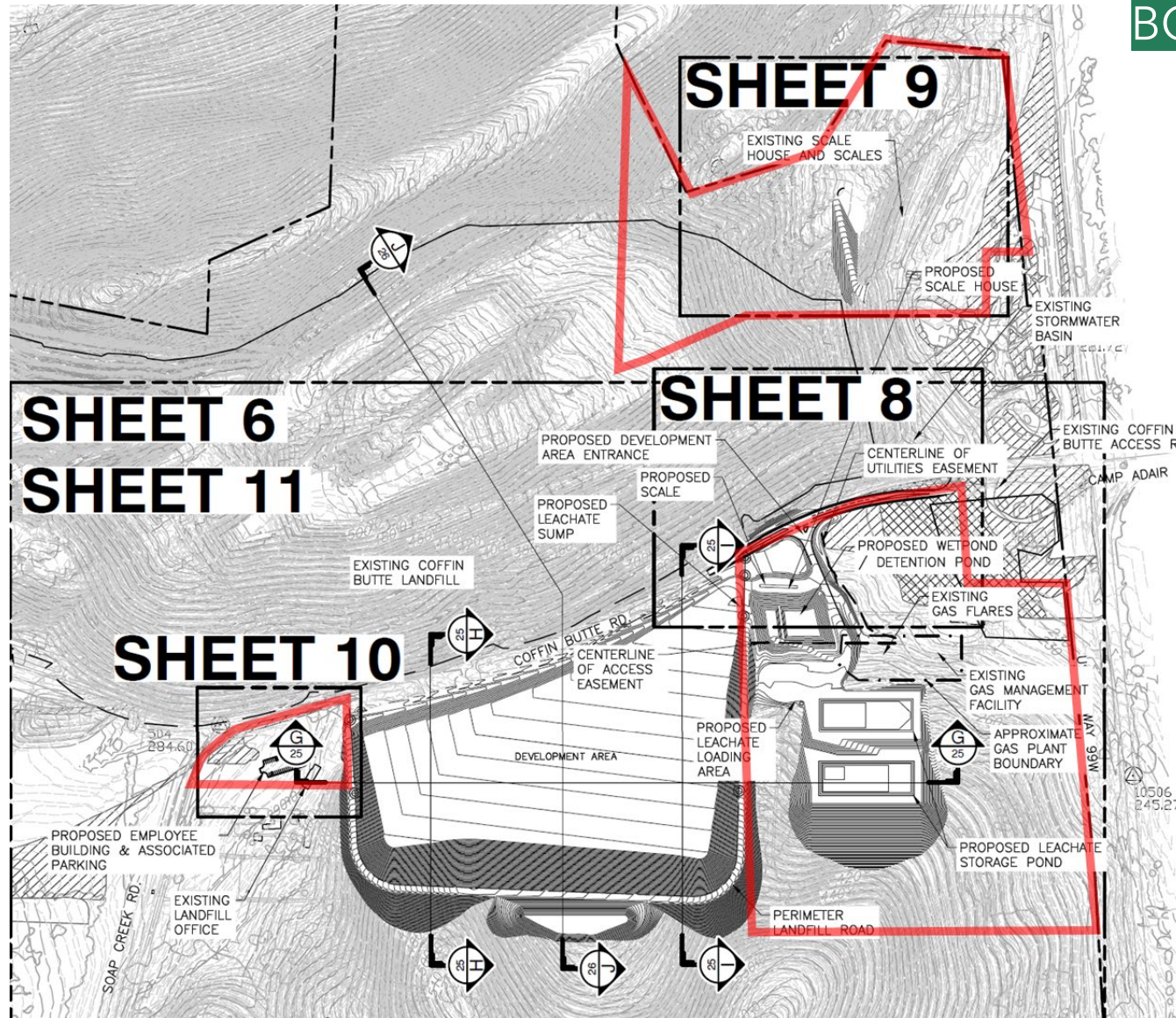
SOAP CREEK RD

CAMP ADAIR RD

PROPOSAL DESCRIPTION

BCC 60 - Forest Conservation Zone (FC)

BCC 60.215 Conditional Uses.



Resource Zones
Forest Conservation

Approximate FC zoned areas over the Applicant's Exhibit E2, Sheet 5 in Staff Report