

**From:** [Kenneth Edwardsson](#)  
**To:** [Benton Public Comment](#)  
**Subject:** Oppose/Deny LU-24-027  
**Date:** Monday, April 28, 2025 2:46:20 PM  
**Attachments:** [Edwardsson Testimony.pdf](#)

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Benton County Planning Commission

Benton County Community Development

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We assert that any approval of Application LU-24-027 would directly violate Benton County Code criteria that are outlined in the attached Edwardsson Testimony PDF document.

We further assert that such a decision would violate or otherwise evade County Comprehensive Plan policies.

Ken & Sarah Edwardsson  
28840 Daystar Drive and 28903 Tampico Road  
Corvallis, OR 97330

Date: April 28, 2025

Reference: LU-24-027, Coffin Butte Landfill Conditional Use Permit Application

To: Benton County Planning Commission  
Benton County Community Development  
4500 SW Research Way  
Corvallis, OR 97333-1139

We appreciate the opportunity to comment on the future of the Coffin Butte Landfill, a county planning decision of great concern to us as a directly adjacent parcel to the parcels of this Conditional Use Permit application.

**Situation:**

Since 2017, my wife and I have worked in conjunction with the Natural Resource Conservation Service and have made a significant investment (over \$150,000) to conserve and improve the rare oak woodland and savanna habitats found on our parcel. Oak habitat conservation is a key objective for both state and federal agencies as well as local environmental organizations. These rare and historically important oak habitats currently represent just 1% of their original (pre-settlement) area. There are several key species of note that exist in our oak habitat, one is Kincaid's lupine which is a critical element in supporting E.E. Wilson's management efforts to establish this imperiled plant species and its efforts to foster the Fender's blue butterfly populations in this area. Our parcel is also a key migration corridor for Roosevelt elk moving between Soap Creek and E.E. Wilson Wildlife Refuge. Additionally, our land has been a working farm continuously since the establishment of the Donation Land Claims (DLC) act of 1850, there after recorded as the George W. Roberts Donation Land Claim.

The landfill is completely visible to our north from the house and is both a land scar and eyesore. Daily noise from the sound of machinery and truck backup alarms significantly disrupt the tranquility of our natural surroundings. Lastly, we have significant concern for our air quality from both the foul odors and from the health consequences of high discharges of methane leaking from the site. Increasing the size of this adjacent nuisance is not consistent with Benton County's development plan.

We oppose any further expansion of the Coffin Butte Landfill and urge the Planning Commission to reject this application. We believe the Planning Commission will find that the Applicant, Republic Services, does not provide evidence to conclude that conditional use permit issuance would not violate County Development Code criteria and Comprehensive Plan policies. Further, based on its current performance, Republic Services cannot be expected to demonstrate that it can assure the County of its future compliance with any conditions that the county might issue.

We assert that any approval of Application LU-24-027 would directly violate Benton County Code criteria that are subsequently outlined. We further assert that such a decision would violate or otherwise evade County Comprehensive Plan policies.

## **Significant Conflict #1 with the Benton County Development Plan**

### **Development Code Chapter 53: Conditional Uses; Administrative Procedures, General Review**

*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 zone;*

*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;*

**The proposed use does seriously interfere with our adjacent private property. Current landfill operations significantly alter and disrupt the ecological, visual, and rural character of both the zoned area and all other surrounding zoned uses, and thereby greatly exceeds the purpose of the zone. The landfill is dominantly surrounded by EFU, Forest Conservation, Wildlife Conservation, and Rural Residential properties, and it has been clearly established that the current landfill use already imposes an undue burden on public rights-of-way, transportation routes, esthetic and scenic values, and nearby recreational opportunities at state facilities, along with greatly increased traffic, incidental refuse, incompatible noise, noxious odor, combustible vapor, and contaminated air, soil and water. Such grievous current offenses cannot justify its furtherance or any proposed increase in its size or use.**

## **Significant Conflict #2 with the Benton County Development Plan**

### **Benton County Comprehensive Plan Goal 5 Overview: Natural Resources, Scenic & Historic Areas, Open Spaces.**

#### **Relevant Policies**

**5.4.2** *Benton County shall promote private land stewardship of farm and forest lands, respect private property rights, and work with non-profit groups and others to maintain a comprehensive system of connected open spaces that will protect the most valued natural, scenic, and recreational areas of the county.*

**5.9.4** *In making land use decisions, Benton County shall protect identified sensitive wildlife habitat types and wildlife corridors from adverse impacts.*

**5.9.5** *Benton County shall notify the Oregon Department of Fish and Wildlife (ODFW) early in the review process and collaborate with that agency regarding zone and plan amendments, conditional use permits, and subdivision and series partition applications in areas that include habitat types identified by ODFW as Habitat Conservation Priorities: in-stream habitat, native prairie grasslands, oak woodlands and savannas, riparian floodplains and wetlands.*

**We are not aware of any discussions between Benton County and ODFW, or any other state or federal agency to identify and protect sensitive plant and wildlife habitats on adjacent parcels to the current landfill site. We are concerned that any continued expansion of landfill operations southward will disrupt these sensitive habitats found on our land, but also other parcels along Tampico Ridge. We have no evidence of discussions that consider the impact a landfill expansion would have on our conservation parcel of oak woodlands and savannas or any other parcels in proximity to the current site.**

## **Relevant Policies**

**5.8.2** *Benton County shall require developers to provide sufficient information to enable Benton County to evaluate whether a proposed use could adversely affect the sustainability of aquifer production when reviewing land use applications.*

**6.1.2** *In cooperation with appropriate agencies, Benton County shall manage its air, water and land resources to insure their protection, conservation, restoration, or enhancement.*

**6.5.7** *Benton County shall maintain a committee that advises the Board of Commissioners on solid waste and disposal site issues.*

**6.5.8** *Benton County shall assure safe, accessible, and environmentally sound disposal of solid waste at the Coffin Butte Regional Sanitary Landfill.*

**By policy, Benton County is required (“shall”) manage its air, water and land resources to insure their protection or conservation. Approval of Application LU-24-027 will create the following conflicts #3, #4, #5, and #6 with the Benton County Development Plan policies.**

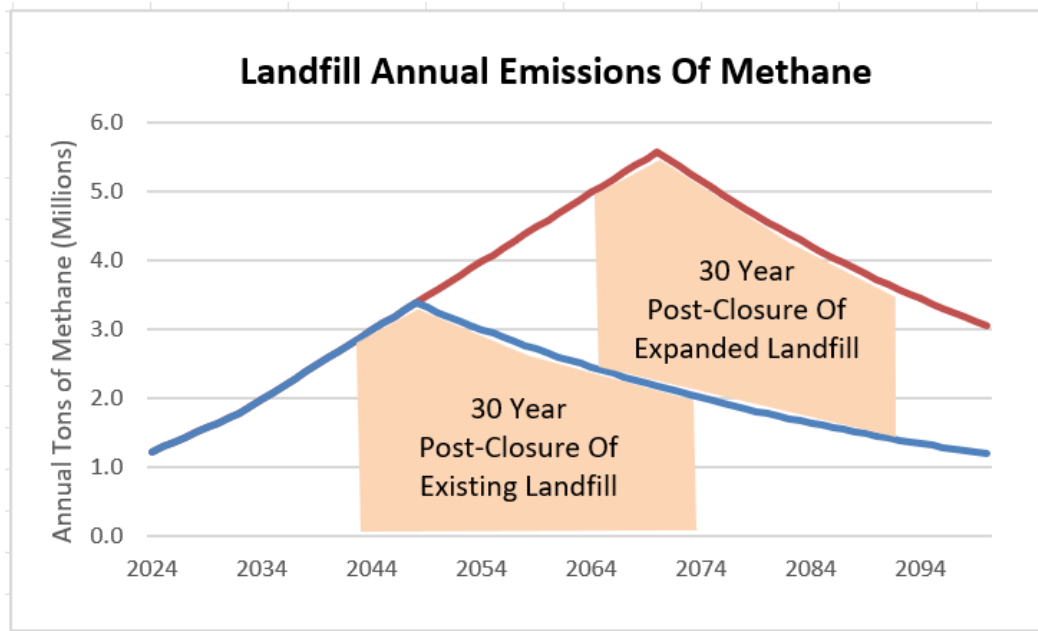
### **Conflict #3: Landfill Impact on Air Quality – Today and long into the future**

Based on information sourced from the current landfill operations, annual methane emissions exceeded 1.2 million tons in 2024. The gas collection wells used to collect methane from the existing cells collected about 70% of this volume, directing half for conversion into electricity, and the other half being flared into the atmosphere. The remaining volume of 30% represents fugitive emissions into the atmosphere as documented by Carbon Mapper. These fugitive emissions are under study by the EPA and Oregon DEQ as these are very high levels and greatly exceed the regulatory standards for lawful landfill operation. Republic has not demonstrated the capability to collect and contain these emissions, as prior inspections have documented. As trash continues to be added to the current landfill area through a future closure, methane emissions will continue to rise until well after the landfill is closed. Since the current capacity for onsite gas to electricity and flaring also has a fixed capacity, without further upgrades to that equipment, future emissions will continue to be a major issue.

### **Conflict #4: with the Benton County Development Plan:**

#### **Benton County Has No Reserve Fund Against the Future Liability and Cost for Methane:**

The landfill operator is required to complete a DEQ mandated Post Closure Report every four years. Looking at the numbers provided in this report, it suggests that the by the end of the landfill post-closure term of 30 years, that the landfill emissions of methane and leachate will be minimal. This implies that when the landfill is returned to Benton County it will have no related ongoing costs. One of the key assumptions imbedded in this report is that the closure process will decrease the leachate and methane production quantities dramatically by the end of the 30 Year post-closure period. Looking at comparative data from other landfills, it would suggest that the management of leachate and methane will continue to represent a significant cost for the residents of Benton County after the post-closure period. The post-closure report also shows methane production decreasing from closure Year 1 quickly through Year 10 (down to 70% of Year 1), then declining to 60% of Year 1 by Year 30. The assumption is that the landfill cap liner will help reduce methane production rapidly, however the process that enables the production of methane is a non-oxygen environment and that is not created immediately after closure. Instead, it keeps building after closure, and rises from Year 1 through Year 10, after which it begins a slow stable decline into the future. Methane emissions for the existing landfill will be roughly twice as large as current day emissions at the end of the post-closure period. If landfill operations are expanded this could increase to three times current day emissions at the end of an expansion based post-closure period.



Given these findings, it is very likely that much greater quantities of methane will be generated post-closure than are currently represented in the current landfills post-closure report. Therefore, methane emissions from the landfill will still be an important management issue long after the end of the Year 30 of the post-closure period. Benton County does not have on staff any expertise or capability to manage the collection and processing of these emissions, as such the county will need to hire external expertise or contract services to perform this function. This fact alone means that Benton County should have in place a contingency fund to cover future post-closure management costs and the potential for landfill environmental liability. A reserve fund was established early on for the landfill operator Valley Landfills to handle any unforeseen or unexpected environmental issues, but no equivalent mechanism was established to protect Benton County once the landfill closure period is completed. The existence of a reserve fund for the county is also necessary to protect against a situation where should Valley Landfills declare bankruptcy due to an excessively difficult or costly environmental issue, the burden could shift to Benton County for resolution or ongoing management. These costs mentioned are significant for the planned closure of the current landfill. Benton County should establish an annual reserve amount in the range of \$1.5-2 million dollars annually for each remaining year that the current landfill remains in operation. This reserve is a necessary safeguard for county taxpayers to protect them from the environmental risks and the associated financial repercussions.

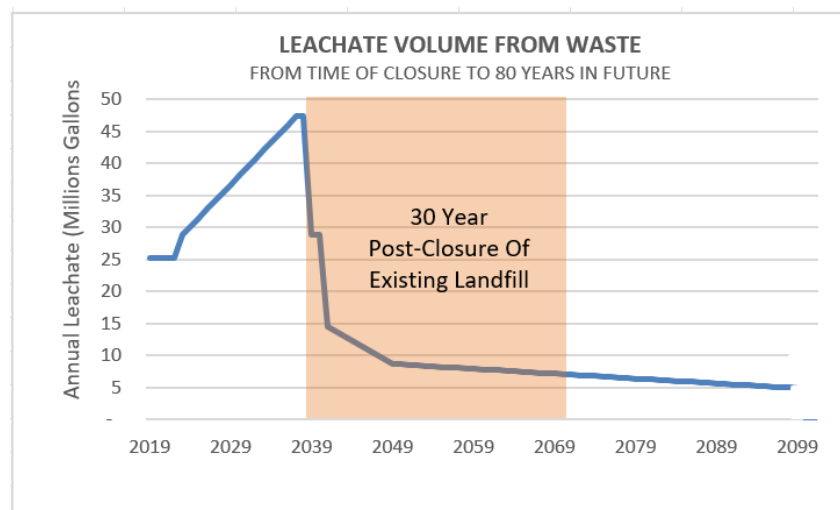
Given the potential liability of the existing landfill, moving to approve any new expansion of landfill operations will only serve to magnify the amount of methane that the landfill will produce annually and in total, and it would also create an even larger methane management problem for the future residents of Benton County. For this reason, we oppose any expansion of the existing landfill operations.

#### **Conflict #5: Existing Landfills Impact on Water Quality – Today and long into the future**

In the case of leachate, it has great potential to have major environmental impacts related to groundwater and surface waters. It is well documented that Republic Landfill sends about 30 million gallons of leachate to Salem and Corvallis water treatment plants (WTP) for disposal. These facilities do not have the

required technologies to remove the standard components of leachates. As such, it passes through these facilities into the Willamette River retaining much of its original toxic impact. Down river from these WTPs, there are multiple cities that source the Willamette River for drinking water – both people and aquatic species that are dependent on the river should not be exposed to this waste product in any form.

**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.**



Existing leachate annual volumes are already high and will continue to rise in direct relation to the amount of waste being added to the landfill. Once the existing landfill reaches closure circa 2040, leachate will have almost doubled, and will continue to be produced for future decades. Although decomposition will change the nature of the leachate chemistry, its toxic nature persists. Many investigations report concentrations of ammonia-nitrogen in the range of 500 to 2000 mg/l, and no decreasing trend in concentration with time. Ammonia is released from the waste mainly by decomposition of proteins. The only mechanism by which the ammonia concentration can decrease during refuse decomposition is leaching because there is no mechanism for its degradation under late stage (methogenic) conditions. (Robinson, 1995; Burton and Watson-Craik, 1998). Leachate toxicity to aquatic species is well documented. For this reason, several researchers have identified ammonia as the most significant component of leachate for the long term. Many county residents find the current landfill odors unpleasant, but future ammonia dominated leachate will be much more offensive and difficult to mitigate.

Lastly, risk calculations indicated that municipal solid waste landfill leachates may present as great a cancer risk as those from co-disposal and industrial solid waste landfills.

**Conflict #6: Benton County Has No Reserve Fund Against the Future Liability and Cost for Leachate:**

The leachate production is a function of moisture produced by the decomposing garbage and the annual rainfall the site receives. Being that the landfill site exists in a coastal moisture regime, the leachate the landfill produces will drop more slowly after closure, as the methane extraction wells are likely to allow additional moisture to enter under the closing liner. The existing post closure report assumes very little leachate at the end of the post closure period, but this is not consistent with other similar landfills for both leachate and methane projections.

Furthermore, in assessing the long-term stability of a landfill, the possibility that the integrity of the landfill cover will decrease must be considered. Should the cover integrity deteriorate, the quantity of leachate could actually increase long after landfill closure.

**Significant Conflict #7 with the Benton County Leadership Policies and Practices**

Operational Agreements of the Board of Commissioners, County Administrator, and Counsel

Policy 2.5. County Counsel Communication

The County Counsel is responsible for ensuring the Board is informed and supported in all legal matters. The desire of the Board is to delegate the legal representation to the County Counsel while recognizing the quality of County government depends upon the partnership and team concept between the Board, County Administrator, County Counsel, and County staff.

2.5.1. Accordingly, the County Counsel will:

a. Inform and seek the guidance of the Board on all significant legal issues that may expose the County to detrimental liability;

**The Benton County government team has not done enough independent homework to understand the impact of current landfill operations and the future consequences of the post-closure landfill on the residents of Benton County. A wealth of study exists about working landfills and ones that have been decommissioned that provide insight into this complex topic.**

**The existing landfill currently represents a significant liability for all county taxpayers from both potential environmental risks to human health, and the economic impact of a significant negative environmental event. Both risks have significant financial implications for Benton County. For this reason, we strongly oppose any further expansion to operations of the landfill.**

We appreciate the opportunity to share our observations with you.

Ken and Sarah Edwardsson  
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