



To: Chair Fowler and Benton County Planning Commission members

From: Paul Nietfeld, Benton County resident and former member BCTT A.1 Subcommittee
37049 Moss Rock Dr., Corvallis, OR 97330

Subject: Response to Commissioner Biscoe's question of 5/8/2025: Site Development Plan approval

Date: July 9, 2025

Chair Fowler and Planning Commissioners:

During my public testimony on LU-24-027 I noted that Benton County could not locate

- any record of a permit for placement of solid waste into Cell 6 (the former quarry cavity),
- any record of a review of the Site Development Plan for this cell,
- any record of an approved Site Development Plan document for this cell.

Following this testimony, Commissioner Biscoe asked for the Benton County Code section defining which county department is responsible for review and approval of the Site Development Plan.

Short Answer

The June 26, 2025 Supplemental Staff Report Page 113 documents the Section of Benton County Code (BCC 7.305) that assigns responsibility within the Benton County administration for review of the Site Development Plan for any proposed landfill area expansion within the Landfill Site Zone.

Complications

BCC 77.305 assigns this responsibility to the Benton County Environmental Health Division and the Solid Waste Advisory Council, both of which have been stripped of authority in this matter. Management of solid waste is now the responsibility of the Community Development Department, which presumably includes review and approval responsibility for the Site Development Plan. However, County Staff now take the position that "BCC 77.035 is a procedural requirement that was adapted in 1990. It does not contain substantive criteria for reviewing the Site Development Plan Map and narrative." [Supplemental Staff Report, Page 114.] While reducing the approval of the site development plan to a procedural formality, this still does not explain the absence of any Benton County approved Site Development Plan for Cell 6. Finally, note that per BCC 77.305, Benton County review of the Site Development Plan is distinct from any review and approval by ODEQ.

Relevance to LU-24-027

The review and approval process failures of Cell 6 are indicative of the extent to which the burdens of managing and overseeing the Coffin Butte landfill operation already overwhelm our county resources, and are a reasonable guide to the likely level of county oversight which would be applied to the new landfill cells which are the subject of LU-24-027. The unreviewed and unconstrained implementation of Cell 6, *the largest landfill cell by far in the history of Benton County*, is a clear warning that under Republic Services the Coffin Butte landfill has grown beyond the capability of our county government to limit and control harms and burdens caused by this landfill.

Lastly, I would like to express my appreciation for your significant personal time, effort and attention on this latest Coffin Butte land use request. The hearings have been conducted in a serious and respectful manner, with many thoughtful questions posed by Planning Commission members. Thank you.