# Benton County Talks Trash Workgroup Report

Draft 2

1-17-23



**Facilitator Notes**

1. The purpose of this draft is to give the readers a quick snapshot as to where we are as of 1/17/22 at 9:45 PM… nothing more.
2. All of the sections are works-in-progress, and the subcommittees are still vetting their sections. Some material is included as a placeholder and/or is alternative language, yet to be vetted. There are several topics (issues, points, facts, charts, and tone, etc.,) where the subcommittees have not yet reached agreement and may not. Ultimately, it will be for the full workgroup to make the call on the contents of the final document.
3. During Thursday’s meeting, we will briefly tour this draft, each subcommittee will highlight key areas, and solicit workgroup input. I will send an Agenda out on 1/18, but it will look like generally like this.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Topic** | **Lead** | **Start** | **Duration** | **Materials** |
| Welcome  Review Agenda  Approve Draft M6 Minutes  M6 Meeting Evaluation Summary  Workgroup Report D2 Overview | Facilitator | 3:00 | 15 mins | Working M7 Agenda  Draft M6 Minutes  M6 Evaluations  Workgroup Report D2 |
| Comment Period | Public  Workgroup | 3:15 | 15 mins | Comments (Updated 1/XX/22) Link Expires \_\_\_\_\_)  Password: Benton1! |
| Subcommittee Reports and Member Feedback:  Topic E. Community Education (~30 mins)  Topic A.1. Landfill Capacity/Longevity (~45 mins) | Subcommittee-Led Workgroup  Discussions | 3:45 | 75 mins | Workgroup Report D2, Page x-x  Workgroup Report D2, Page x-x |
| Dinner with Subcommittee Connection Opportunity | All | 5:00 | 30 mins |  |
| Subcommittee Reports and Feedback, Cont.:  Topic A.2. Past CUP Conditions (~40 mins)  Topic A.3. Legal Issues and Topic B.1. Land Use Review (~35 mins)  Topic C.1. SMMP (~35 mins) | Subcommittee-Led Workgroup  Discussions | 5:30 | 110 mins | Workgroup Report D2, Page x-x  Workgroup Report D2, Page x-x  Workgroup Report D2, Page x-x |
| Next Steps:   1. Key Dates 2. Next Meeting: 2/23/23 @ 3:00 PM 3. Last Meeting: 3/16/23 @ 3:00 PM   **Happy New Year!** | Facilitator | 7:20 | 10 mins | Key Dates |
| Adjourn | All | 7:30 |  |  |

1. County staff will capture the suggestions/comments and place them as “comments” in the body of the Report for subcommittee consideration next week.
2. A major style edit will be done to the overall look and feel of the document.
3. The findings and recommendations will be hyperlinked to the subcommittee reports so readers can learn more about a particular statement.
4. Draft 3 will be prepared based upon your Thursday feedback and the subsequent subcommittee work. I will send the then-existing version on 1/25/23 for SWAC/DSAC and Planning Commission feedback, which will be due on 2/10/23.
5. During that time, the subcommittees will continue to refine their findings, recommendations, and full subcommittee reports.
6. Here are the key dates.

|  |  |
| --- | --- |
| **Task** | **Dates** |
| Informal Member Survey on Draft 1 | Completed |
| Draft 2 Published with Subcommittee Updates | 1/17/23 |
| Workgroup Meeting 7 to Explore Key Issues in Draft 2 | 1/19/23 |
| SWAC/DSAC & PC give feedback on Draft 3, and  Subcommittees Continue Refinement Process | 1/25/23 to 2/10/23 |
| Draft 4 Published | 2/17/23 |
| Workgroup Meeting 8 to Provide Feedback | 2/23/23 |
| Informal Workgroup Polling and Public Survey on Then-Existing Version of Report (Draft 5,) and Subcommittees Meet for Final Revisions | 2/27/23 to 3/06/23 |
| Final Draft (6) Published | 3/13/23 |
| Workgroup Meeting 9: Final Polling | 3/16/23 |
| Member Statements Due | 3/21/23 |
| Final Report to Board | 3/24/23 |
| BCTT Presentation to Board | On or after 3/28/23 |

TABLE OF CONTENTS

[**Letter of Transmittal**](#LetterofTransmittle)

[**Executive Summary**](#ExecutiveSummary)

**[Project Acknowledgments](#ProjectAcknowlegments)**

[**Land Use Acknowledgment**](#LandUseAcknowledgment)

[**I. Process Background and Context**](#ProcessBackground)

1. [Context](#BackgroundA)
2. [History of Coffin Butte](#HistoryofCoffinButte)
3. [Membership](#Backgroundb)
4. [Charter](#BackgroundCCharter)

[1. Scope & Charge](#ScopeandCharge)

[2. Process for Workgroup Recommendations](#ProcessforWGRecommendations)

1. [Subcommittee Introduction](#SubsIntroduction)

[**II. Project Website and Workplans**](#ProjectWebsiteandWorkplan)

1. [Project Website](#ProjectWebsiteandWorkplanA)
2. [Initial Project Workplan](#ProjectWebsiteandWorkplanB)
3. [Updated Project Workplan](#ProjectWebsiteandWorkplanC)
4. [Final Project Workplan](#ProjectWebsiteandWorkplanD)

[**III. Workgroup Meetings Topics and Tours**](#WGMeetings)

1. [Meeting 1](#WGM1)
2. [Meeting 2](#WGM2)
3. [Landfill Tour](#LandfillTour)
4. [Neighborhood Tour](#NeighborTour)
5. [Meeting 3](#WGM3)
6. [Meeting 4](#WGM4)
7. [Meeting 5 & Open House](#WGM5OpenHouse)
8. [Meeting 6](#WGM6)
9. [Meeting 7](#WGM7)
10. [Meeting 8](#WGM8)
11. [Meeting 9](#WGM9)

**I**[**V. Key Workgroup Findings & Recommendations**](#WGRecs)

1. [SECTION A: Landfill Size/Capacity/Longevity](#WGRecsSECTIONA)
2. [SECTION B: Past Land Use Application Conditions](#WGRecsSECTIONB)
3. [SECTION C: Sustainable Materials Management Plan (SMMP)](#WGRecsSECTIONC)
4. [SECTION D: Legal issues & Land Use Review](#WGRecsSECTIOND)
5. [SECTION E: Community Education & Outreach](#WGRecsSECTIONE)
6. [Final Polling](#FinalPolling)

**Last Meeting Transcript**

**[List Member statements in Alpha Order]**

[**V. Public Outreach and Process Reflections**](#ProcessReflections)

**a. Public Outreach**

**b. Member Process Evaluation Summary**

**c. Facilitator Process Reflections**

**VI. Conclusion**

[**VII. Appendix**](#Appendix)

[A. Meeting Summary and Open House Topics](#AppendixA)

[B. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_](#AppendixB)

C. [Subcommittee “Meeting Notes”](#AppendixD)

* + - 1. [Landfill Size/Capacity/Longevity](#AppendixD1)
      2. [Sustainable Materials Management Plan (SMMP)](#AppendixD2)
      3. [Past Land Use Application Conditions](#AppendixD3)
      4. [Legal Issues & Land Use Review](#AppendixD4)
      5. [Community Education & Outreach](#AppendixD5)

[D. Subcommittee Reports](#SubReports)

* 1. [Landfill Size/Capacity/Longevity](#SubReports1Capacity)
  2. [Sustainable Materials Management Plan (SMMP)](#SubReports2SMMP)
  3. [Past Land Use Application Conditions](#SubReports3CUP)
  4. [Legal Issues & Land Use Review](#SubReports4Legal)
  5. [Community Education & Outreach](#SubReports5Outreach)

**Report**

**Letter of Transmittal**

March \_\_\_\_, 2023

To: Benton County Board of Commissioners,

From: BCTT though Sam Imperati, Facilitator .

RE: BCTT Workgroup Report

Please accept this final report, which summarizes the above process.

The Benton County Board of Commissioners (BOC) hired ICMresolutions to facilitate a Workgroup process for findings and recommendations for future Conditional Use Permits (CUP) and a Sustainable Materials management Plan (SMMP).

To accomplish this, the Board appointed Workgroup members that were representative of community voices. We then organized the Charter elements into different categories which later became Subcommittees. The Workgroup process began on September 8, 2022, and ended March \_\_\_\_\_\_, 2023, with the submission of this report. During that time, we conducted nine Workgroup meeting to address the following topics:



Our role was to facilitate these meetings, organize information, help develop recommendations, and produce this approved report. Our "client" was \_\_\_\_\_\_\_\_\_. At the final Workgroup meeting on March 16, 2023, the Workgroup recommended a series of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The results of that meeting can be found in section \_\_\_\_\_ of this report.

Thank you for the opportunity to support this important project.

*Respectfully Submitted*

Text, letter

Description automatically generated

**A picture containing text, indoor, screenshot

Description automatically generated**Black text on a white background

Description automatically generated

Text

Description automatically generated

**Executive Summary**

Benton County’s “Benton County Talks Trash” Workgroup met nine times between September 8, 2022, and March 16, 2023. All Workgroup meetings were open to the public, and the project hosted an open house on November 17, 2022, after the fifth Workgroup meeting. Throughout the process \_\_\_#\_\_ press releases were sent out and notifications for each Workgroup meeting went to \_\_\_\_\_\_, \_\_\_\_, and \_\_\_\_\_\_\_ channels. Recordings of the Workgroup meetings are available [here](https://www.co.benton.or.us/cd/page/solid-waste-process-work-group), as well as meeting minutes and summaries.

During its process, the Workgroup created five Subcommittees to take on various parts of the Charter Elements. Information on the Subcommittee’s work product can be found on page \_\_\_\_\_ of this report, and recordings of the Subcommittee meetings are available [here.](https://www.co.benton.or.us/cd/page/solid-waste-process-work-group)

The Workgroup’s findings and recommendations will be provided to the Board of Commissioners on March \_\_\_\_, 2023, for their consideration. A summary of these findings and recommendations follows:

1. **Major Findings**

**TO BE PROVIDED**

1. **Major Recommendations**

**TO BE PROVIDED**

**Project Acknowledgments**

**Board of Commissioners**

Nancy Wyse – Chair

Pat Malone

Xan Augerot

**Workgroup Members**

**Voting Members**

Brandon Bates

Catherine Biscoe

Christopher McMorran

Chuck Gilbert

Ed Piteria

Elizabeth (Liz) Irish

John Deuel

Kathryn Duvall

Louisa Shelby

Marge Popp

Mary Parmigiani

Russ Knocke

Ryan McAlister

Shawn Edmonds

**Non-Voting / Ex-Officio Members**

Audrey O’Brian

Brian May

Daniel Redick

Sean McGuire

Shane Sanderson

**Alternates**

Andrew Johnson

Ginger Rough

Jen Brown

Julie Jackson

**Previous Members**

Brian Fuller

Joel Geier

Nancy Whitcomb

Scott Kruger

**Project Team at Benton County**

Cory Grogan

Daniel Redick

Darren Nichols

Greg Verret

Inga Williams

JonnaVe Stokes

Linda Ray

Sean McGuire

**Facilitation Team**

Sam Imperati, Facilitator, Institute for Conflict Management, Inc.

Amelia Webb, Associate Facilitator, Institute for Conflict Management, Inc

**Project Website**

<https://www.co.benton.or.us/cd/page/solid-waste-process-work-group>

**How to read this document**

For a general overview of the process and key recommendations, please see the Executive Summary (page \_\_\_). For more detail, please read the body of the report.

**Land Use Acknowledgment**

Indigenous tribes and bands have been with the lands that we inhabit today throughout Oregon and the Northwest since time immemorial and continue to be a vibrant part of Oregon today. We would like to express our respect to the First Peoples of this land, the nine federally recognized tribes of Oregon: Burns Paiute Tribe, Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians, Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation, Coquille Indian Tribe, Cow Creek Band of the Umpqua Tribe of Indians, and The Klamath Tribes.

It is important that we recognize and honor the ongoing legal and spiritual relationship between the land, plants, animals, and people indigenous to this place we now call Oregon. The interconnectedness of the people, the land, and the natural environment cannot be overstated; the health of one is necessary for the health of all. We recognize the pre-existing and continued sovereignty of the nine federally recognized tribes who have ties to this place and thank them for continuing to share their traditional ecological knowledge and perspective on how we might care for one another and the land, so it can take care of us. We commit to engaging in a respectful and successful partnership as stewards of these lands.

**I. Process Background**

**a. Context**

**Before the formation of the “Benton County Talks Trash” (BCTT) workgroup, the County** contracted with Oregon Consensus to conduct a situation assessment with the following Scope:

Benton County and key stakeholders seek assistance identifying and implementing a constructive path forward relating to sustainable materials management and the future of solid waste disposal in the Mid-Willamette Valley, including at the Coffin Butte regional landfill. Following a [December 7, 2021] Benton County Planning Commission denial of a proposed conditional use permit to expand the landfill, key participants recognize that a constructive path forward could benefit from the assistance of a third-party facilitator. Key stakeholders believe that an objective assessment of the situation, conducted by an impartial third party, would be a good first step. (Emphasis added.)

Based on this original Scope, the County asked Oregon Consensus to complete a third-party situational assessment. The Benton County Solid Waste Situational Assessment Report (Assessment Report) can be found [here.](https://www.co.benton.or.us/sites/default/files/fileattachments/planning_commission/page/2966/benton_county_solid_waste_assessment_7-12-22_final_report.pdf) The BOC accepted the Report during its July 19, 2022 meeting and approved funding for the process at its July 26, 2022 meeting.

Subsequently, on August 23, 2022 the Board approved a Charter for the BCTT workgroup, which can be found [here.](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/benton_county_talks_trash_charter_and_bylaws_approved_8-23-22_final.pdf)

1. **History of Coffin Butte**

**Main Themes**

* The siting of the Coffin Butte location as a landfill was random and stemmed from historical uses by Camp Adair in the 1940s. Particularly in the 1970s, alternate sites were explored.
* Its designation as a regional landfill was driven by interests beyond Benton County.
* Coffin Butte Landfill ownership morphed unobtrusively from local ownership to becoming part of a national corporate strategy.
* Historically, the interests of landfill owners and operators and those of the neighbors and other Benton County residents have not always coincided.
* Both remaining landfill capacity and lifespan have been historically overestimated.
* Issues surrounding the Coffin Butte Landfill have been subject to strong public involvement. Periodic conflicts were equably resolved with both parties reporting adequate acceptance. Sometimes expansion was allowed and sometimes not.
* Before the late 2020s, SWAC meeting notices and major upcoming Franchise Agreement renewals were regularly posted in the local papers. There was no public notice found for either the 2020 Franchise Agreement nor for the 2021 CUP application.
* Republic Services has interests beyond Benton County and our region that increase pressure for landfill expansion.

**Timeline Coffin Butte Landfill (CBL)**

Native Kalapuyans had inhabited the Coffin Butte-Soap Creek area for over 14,000 years.

Early 1700s: European trappers associated with the fur trade were active in the area.

Mid 1800s: Pioneers appeared in the area and began settlements.

Early 1900s: Farming in the area took hold and roads were built to transport produce to markets.

Early 1940s Army begins landfilling and incinerating as part of waste disposal for Camp Adair.

1947 CBL was purchased by a local business for deposit and burning of refuse.

1950s: Bunn Brothers acquired CBL, and Corvallis residents were encouraged to use the facility.

1960s: Burning was phased out at CBL. Alternative dump sites were sought because of water pollution issues, but an extension through 1974 was approved.

1970s: Difficulties with water and soil conditions at CBL were noted by DEQ.

1973-4: Despite resident opposition, the regional Chemeketa Region Solid Waste Board approved the use of CBL as a regional disposal center.

1983: Benton County Planning Commission approved an expansion to allow waste intake from three adjoining counties.

1994: Expansion requested by Valley Landfills is unanimously denied by Benton County Board of Commissioners.

1999: Largest fire in the history of Oregon to this point erupts at CBL.

2000: Valley Landfills is acquired by Allied Waste; Landfill franchise agreement renewed to 2020.

2002: Memorandum of Understanding signed to requiring prior approval to emplace waste south of Coffin Butte Rd.

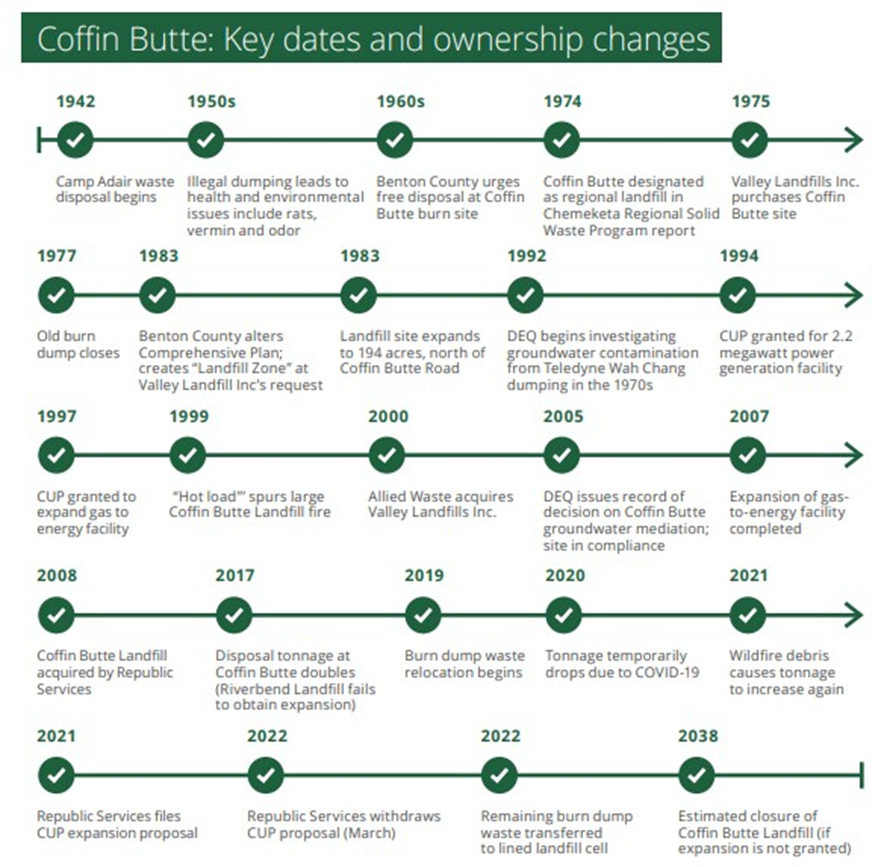
2008: Republic Services merges with Allied Waste and Valley Landfills ownership changes.

2017: Annual intake tonnage roughly doubles from 553,000 tons to 941,000 tons and remains near the 1.1 million ton cap at present.

2020: Landfill Franchise Agreement is renewed through 2040 with clause removing annual tonnage cap based on a successful expansion CUP.

2021: Republic Services applies for a CUP allowing expansion south of Coffin Butte Road. After approval by Solid Waste Advisory Board, CUP is unanimously denied by Planning Commission.

2022: Republic Services withdraws CUP appeal and Benton County Talks Trash (BCTT) Workgroup is formed.

****

**Historical and Geographical Context of the Coffin Butte Landfill**

The Coffin Butte landfill can be thought of as a relatively random product of diverse historical factors. The current Benton County operation evolved in response to a longstanding local need for a place to dispose of refuse, the development of the specific Coffin Butte site through a series of incremental decisions, and the search for lower cost refuse sites in Western Oregon and Washington.

As the science behind landfill siting and maintenance progressed, sites with high rainfall and soils that have low compaction have lost favor. Also, as landfills increase in size, location in remote areas is preferable. Therefore, the newer largelandfills, such as Roosevelt and Columbia Ridge disposal sites, are located east of the Cascades where meteorological, geologic and population density conditions are ideal.[[1]](#footnote-2) Many landfills on the west side of the Cascades have been closed or are in the process of closing. However, the current issue of Coffin Butte is not about closure, but about the manner of expansion.

To explain this history, this essay has three parts: 1) a review of the geographical and historical context of the Coffin Butte location, 2) Benton County’s history of landfill decision-making leading up to Coffin Butte becoming the preeminent site for the county and region, and 3) the social context surrounding specific events regarding ownership, operation, and permitting leading to the current facilities and practices found at Coffin Butte in 2023.

**Section 1: The History and Geography of the Coffin Butte Area**

**Geography, Geology and Climate of the Coffin Butte Area**

The Coffin Butte landfill site is located about 7 miles north of Corvallis on Highway 99W. The site is at the intersection of Highway 99 and Coffin Butte Road, immediately west of the E.E. Wilson State Wildlife Refuge. Coffin Butte is at the northern end of Soap Creek Valley, but Soap Creek and its valley continue north along the west side of Coffin Butte before entering the Willamette Valley. While the needs and concerns regarding waste disposal and associated issues affect the entire county, the area most impacted by Coffin Butte operations are the neighboring areas to the north and south along Highway 99W, Soap Creek Valley, the E.E. Wilson Wildlife Area, agricultural areas to the east. ~~These areas are particularly affected by the odors, traffic and litter associated with the landfill.~~

Coffin Butte itself is approximately 738 feet above sea level. The operating landfill is on the southeastern slope of Coffin Butte, north of Coffin Butte Road, but ancillary facilities such as administrative offices, leachate ponds and a power station fueled by methane from the landfill are located south of Coffin Butte Road. The south-southwest side of Coffin Butte has a rock quarry operated by Knife River. The rock quarry area is currently planned to be the next area of expansion for the landfill unless the permits are changed to allow ~~for Coffin Butte Road to be closed and~~ the landfill to expand to the south ~~to fill in the area between Coffin Butte and Tampico Ridge to the south.~~

The landfill is located in a topographic divide between the two valleys. Surface water drainage coming off the landfill actually flows into Soap Creek in both west and east directions before Soap Creek joins the Luckiamute River and the Willamette mainstem. [[2]](#footnote-3) Groundwater flows both east and west from the area of Coffin Butte and Tampico Ridge, depending on the underlying geology.[[3]](#footnote-4) Taylor et al note that there is an unnamed tributary between Coffin Butte and Tampico Ridge and that “associated wetlands drain east-ward toward the E.E. Wilson National Wildlife Refuge.”[[4]](#footnote-5) Rainfall in the area is approximately 42 inches a year, with the majority falling between November and May.[[5]](#footnote-6)

The earthquake hazard of this area is significant, particularly because of the Cascade subduction zone. Yu et al note that there have been over 40 great earthquakes of magnitude of over 8 and in 1700 one of magnitude 9. They calculate that, “The current calculated odds that a Cascadia earthquake will occur in the next 50 years range from 7-15 percent for a great earthquake affecting the entire Pacific Northwest …”[[6]](#footnote-7) The Oregon Department of Environmental Quality(DEQ) noted that the Coffin Butte landfill was one of three in Western Oregon that were designed to handle less than an 8.5 magnitude earthquake, well below the possible “Big One” predicted for the region.[[7]](#footnote-8)

**The History of the Coffin Butte Area**

The archeology and history of the region is of great importance to many people involved in Coffin Butte decision-making. In his oral history of the Soap Creek Valley, Zybach notes how before Western contact, the Pacific Northwest was one of the more densely populated nonagricultural regions of the world. However, with the introduction of smallpox, malaria, measles, influenza, and other diseases from explorers and traders, over 96% of the local Kalapuyan people died within two generations, particularly from malaria in 1831-2.[[8]](#footnote-9)

Tools from the Kalapuyan people have been found throughout the Soap Creek and Coffin Butte area.[[9]](#footnote-10) In 2022, the Oregon State Archeologist, John Pouley, recommended a professional archaeological survey of the proposed expansion area and consultation with all appropriate Native American tribes.[[10]](#footnote-11) One significant cultural practice of the Kalapuyans was the use of annual prescribed fires. Zybach notes this “broadcast burning” served a variety of purposes, including control of unwanted plants (such as Douglas Fir), the enhancement of favored plants (such as camas), easier hunting, and other benefits such as gathering grasshoppers.[[11]](#footnote-12) The Soap Creek Valley was settled early by white pioneers, probably aided by the native American clearing of land by burning.

The area had a colorful history in the 1800s and 1900s. For example, the town of Tampico, located to the south of Coffin Butte in Soap Creek Valley on the Applegate Trail, was briefly a thriving and boisterous place until purchased by the wealthy pioneer Greenberry Smith. A local driving guide notes that, “On January 23, 1860, the pious Smith purchased Tampico and burned the entire town to the ground including stores and homes as well as the saloons, brothels, and gambling dens.”[[12]](#footnote-13)

Letitia Carson is one of the most notable pioneers to settle in Soap Creek Valley. A freed African American slave, Carson came to Oregon with David Carson in 1845. When David died in 1852 her neighbor Greenberry Smith (the same man who burned down Tampico) took advantage of her unclear legal status to sell off her property. Letitia soon moved to Douglas County, but successfully sued Greenberry for $300 in lost wages and $1400 for the loss of her cattle and legal costs.[[13]](#footnote-14)

The biggest local change after white settlement occurred in 1941, when the U.S. Army chose to build a huge training base on the site of the town of Wells which was at the center of the present day E.E. Wilson Wildlife Area. Within one month, the town was vacated and houses and barns bulldozed to be replaced by barracks. The camp itself covered an area two miles wide and six miles long with 1800 buildings. The camp was the second largest city in Oregon at the time and housed roughly 40,000 troops. The area that eventually became E. E. Wilson was referred to as “Swamp Adair” due to the constant rain, mud and standing water. The Army built sewer and drainage systems which emptied wetlands and channelized streams.[[14]](#footnote-15)

Following the war, the residential population slowly increased until the 1970s, at which time growth accelerated rapidly. By the 2020s, hundreds of people lived in the regions to the north and south of Coffin Butte and in Soap Creek Valley. Although there is extensive farming along the transit routes leading to Coffin Butte, most area adults commute to work; most homes are on lots less than 10 acres in size; and most families are not directly associated with large-scale farming or forestry practices. But the values generated by ‘living on the land’ are still strongly felt. Coffin Butte Road serves as the primary route for Soap Creek residents commuting north to Monmouth-Independence and Salem for work.

Today, the unusually cohesive Soap Creek community works together to restore and maintain the Soap Creek Schoolhouse, a symbol of the valley. Built in 1935 and in use until 1946, the structure was restored by the community and remains a meeting place for local activities and an annual fund-raising event.[[15]](#footnote-16)

**The Coffin Butte Area Today: Wildlife Habitat and Protection**

Besides the vibrant community in Soap Creek Valley and the historical significance of Camp Adair, this area is noteworthy today as the home to the EE Wilson Wildlife Area, located just across Highway 99W from Coffin Butte Landfill.

E. E. Wilson Wildlife Area

The E.E. Wilson Wildlife Area came into existence in 1950 when the U.S. Government gave quitclaim title to the property to the Oregon Department of Fish and Wildlife. The site was originally built to serve as a US Army cantonment in 1940 and functioned as Camp Adair during the WWII era. The wildlife area covers approximately 1,788 acres of oak woodland, upland shrub, and grassland habitats. The refuge management plan’s primary goal is to manage the area consistent with conservation and enhancement priorities for native wildlife and production of game species.[[16]](#footnote-17)

The Coffin Butte Landfill and the EE Wilson Wildlife Area are located at the midpoint of a triangle of National Wildlife Refuges. This system of National Wildlife Refuges (refuges or NWRs), managed by the U.S. Fish and Wildlife Service (Service), was established in the mid-Willamette Valley during the 1960s when the Migratory Bird Commission approved establishment of three refuges: Ankeny, Baskett Slough, and William L. Finley.

The area containing Coffin Butte Landfill is part of a wildlife corridor and refuge system connecting the Basket Slough, Ankeny, Luckiamute and E. E. Wilson refuges to the William L. Finley refuge south of Corvallis on through to the Fern Ridge Wildlife area near Eugene. Soap Creek Valley, E.E. Wilson Refuge and entire area surrounding the landfill has been identified by Benton County as a high priority area for conservation actions to benefit key local species.[[17]](#footnote-18) Tampico Ridge, the next ridge immediately south of Coffin Butte, hosts a complex mix of habitats, particularly Oak Savannah, and is the site of an ongoing research project looking at plant succession being conducted by Western Oregon University faculty and students.[[18]](#footnote-19)

**Benton County Confronts Its Waste Issues: Up to 1983[[19]](#footnote-20)**

Waste disposal was simple in the early days of Benton County. What little waste there was could simply be deposited into rivers, ravines, or anywhere convenient. Dumping along roadsides was particularly favored. Over time, however, unsystematic dumping created health and sanitation problems, and eyesores. For example, on July 27, 1906, The *Corvallis Gazette* advised: “Another thing in connection to cleaning up, don’t dump your trash, dead cats, dogs, and other rubbish onto the vacant lot just over the fence”. By May 15, 1911, Corvallis residents could use a “garbage ground” available just a ferry ride across the river and in June 1921, the *Daily Gazette-Times* advised residents to burn their refuse rather than dispose of it in nearby streams. By May 7, 1937, the *Gazette-Times* was reporting on the city dump’s location by Kiger Island and reminding citizens they would be fined if they continue to simply dump their trash along roads.

By April 5, 1950, Benton County had established a free dump at the Coffin Butte Site. By April 8, 1954, Robert and Daniel Bunn owned and operated Corvallis Disposal and the Coffin Butte dumpsite, and the *Gazette Times* boasted of the clean efficient service. But roadside dumping remained a problem for decades even after commercial trash pickup was extended to nearly all parts of the county by 1964, roadside dumping remained a challenge.[[20]](#footnote-21)

The late 1960s brought changing attitudes towards traditional practices of burning and dumping. By 1967 burning was being phased out at Coffin Butte as it evolved to be a landfill operation involving covering and sealing refuse. Accordingly, the volume of waste became an increasing problem. The early 1970s brought pressure to re-locate the dump and the exploration of several alternate approaches to disposal. As early as October 9, 1969, Corvallis Disposal began looking for an alternate landfill site and had begun negotiating with Oregon State University to use lands east of Corvallis for that purpose. In the March 19, 1971 *Gazette-Times*, County SanitarianRoger Hayden speculated that one day soon Benton County would be barging its wastes down river to a regional site where proper sorting and recycling could take place, but without a ready alternative, in November of 1971, the County Commissioners approved an extension of Corvallis Disposal to use the Coffin Butte are as a landfill until December 31, 1974. Still complications relating to the landfill were ongoing and in 1972, Robert Bunn, still owning and operating the Corvallis Disposal, noted that in the past he had to attend only one meeting per year on sanitation issues, but now he had sometimes 11 in a week. In preparation for change, Corvallis Disposal negotiated a 99-year lease option on the “Granger” site on the Independence Road near Highway 20 where they hoped to develop a landfill despite some concerns about the proximity of the Willamette River.[[21]](#footnote-22)

The push for closing Coffin Butte was reinforced by the state Department of Environmental Quality(DEQ) which encouraged the development of proper regional landfill sites. Benton County Sanitarian Roger Heyden said at the time that eventually local solid waste would have to be taken to the Eastern side of the state since Western Oregon had location, water, and soil condition difficulties.[[22]](#footnote-23)

Despite the opposition of local residents, however, county and regional officials acting through the Chemeketa Region Solid Waste Board meeting in McMinnville, Yamhill County, approved the use of Coffin Butte as a regional disposal site because of its lower cost, present use as a disposal site, and its potential for development as a recycling center.(November 21, 1973). The County Commission hearings on whether Coffin Butte should become a regional disposal center featured significant public opposition, especially by the North Benton Citizens Advisory Group. Opposition noted concerns over water contamination issues and property values, but the Chemeketa group, which represented five counties and other officials strongly supported the Benton county site over proposed alternatives.(April 4, 1974).

Despite a meeting of over 3.5 hours in Adair Village, where 75 citizens gave testimony and the submission of a petition with over 200 signatures, the Benton County Planning Commission approved the Conditional Use Permit(CUP) for the Coffin Butte to become the regional disposal site. People in the meeting noted they had purchased their lands with the understanding the landfill would be closed and also noted that it seemed that Benton County bore the brunt of the region’s refuse problems. (March 6, 1974)

Pressures for expansion renewed by 1981, notably with the closure of the Roche Road landfill in Linn County. The next level of expansion for Coffin Butte came in 1983 when the Benton County Planning Commission approved another expansion that they estimated would “add half a century to the dump’s useful life.” (April 27, 1983) Although this expansion provoked less protest than in the early 1970s, the North Benton CAC specified that there would be no disposal of municipal solid waste on the 59.23 A(cre) property south of Coffin Butte Road, a similar stipulation as requested to the 2021 CUP application.[[23]](#footnote-24)

During the 1980s, the landfill operator purchased several properties surrounding the landfill, some belonging to residents whose water supplies were compromised as a result of landfill operations. One household well in sediments west of the landfill, on the former Helms home site, received sufficient contamination from the landfill site that the well had to be decommissioned under DEQ supervision.[[24]](#footnote-25)

**Coffin Butte Landfill History: Operating as a Landfill, 1983-2010[[25]](#footnote-26)**

In the early 1980s, plans for Coffin Butte began to evolve, driven by increasing demand to expand the volume embedded at the site and changes in ownership. The 1983 Benton County decision to allow Linn County waste operators to use Coffin Butte generated significant attention and a new ‘landfill site’ zone was created for the 266-acre CBL site and the site development plan allowed Valley Landfills to expand the dumping site by 10 acres immediately. This expansion was estimated to, “add half a century to the dump’s useful life.”[[26]](#footnote-27) There was also a specification that there would be no disposal of municipal solid waste on the southside of Coffin Butte Road, a similar stipulation that citizens requested in the 2021 CUP application process.[[27]](#footnote-28)

~~Notwithstanding ongoing, and continuing concerns regarding the problems of waste along Highway 99W and other roads leading to Coffin Butte,~~ in the mid-1980s the landfill operated with relatively little controversy. The vision that the existing footprint would be adequate for decades to come was reinforced by Valley Landfills purchase of a ‘Horizontal Fixed Hammer Hog’ which will ‘pig out’ on wood, ‘eating’ all sorts of wood debris and scrap lumber and extend the landfill life for “another 60 or 70 years.”[[28]](#footnote-29)

In 1994, ~~Coffin Butte seemed to be operating very well. A~~ *GT* article from July 21, 1994 noted that Benton County officials increased the franchise fee for Coffin Butte Landfill from $500 annually to approximately $86,000 or 1% of gross revenues. Environmentalists and others were pleased to see progress on the $2.4 million power plant that would generate electricity from the landfill’s methane.[[29]](#footnote-30) The Coffin Butte Landfill Annual Review of Operations for 1994 actually noted a decline in the amount being dumped at the site that was expected to continue, having a tonnage of 258,472 in 1994, down from a peak of 317,628 in 1992, reflecting the demolition of the James River Paper Plant in Linn County.[[30]](#footnote-31)

But the same year, Valley Landfill again requested to expand its Coffin Butte operations, seeking to rezone 26 rural residential acres to landfill use from its current use in hay and other fields irrigated with leachate. As noted in the *Gazette Times* on November 3, 1994, this request encountered stiff opposition by landfill neighbors and other county residents concerned about smell, noise, groundwater contamination and how the expansion would harm the natural beauty of the area. About 50 people attended a Board of Commissioners’ meeting and the additional submitted comments were numerous.

The active citizen’s perspectives in 1994 are similar to those generated in the 2020s. Community members argued that approval of the expansion by the County Commission after the extensive public testimony would show a lack of concern about what the community thinks. Specifically concerns regarded the potential impact on springs and water supplies of local residents, that the change would be an exception to our state land-use goals, and how it could set precedent for even more massive change in dumping wastes in the future. Citizens also testified that: 1) eventually the county would have to close Coffin Butte Road, a critical emergency route; 2) they had existing concerns about traffic, noise, smells, and roadside litter; and 3) that potential earthquake damage to liners could cause contaminants to seep into the underground water supply.[[31]](#footnote-32) After delaying the vote at an earlier date, in a December 14, 1994 hearing, the Board of Commissioners denied the expansion unanimously. One Commissioner declared that, “the Willamette Valley is not a good place for landfills”.[[32]](#footnote-33)

Expansion of Coffin Butte landfill was on the backburner through the rest of the 1990s. Public worries about spillages and other issues regarding leachate processing seemed to be resolved through cooperation between the landfill management and neighbors.[[33]](#footnote-34) Meanwhile, the county considered its relationship with the Landfill to be ‘absolutely wonderful.”[[34]](#footnote-35)

By 1997, the Landfill property had grown to 790 acres and was serving seven counties. Meeting tombstones regularly reported in the local paper by the county Solid Waste Advisory Committee (SWAC) show that the public was invited to hearings that were held to approve the extension of services to each of these counties

The second half of 1999 was eventful for Coffin Butte. On August 24, the 1999 landfill fire, which was reported to have been the biggest fire in Oregon history up to that date, took hold at about 6:30 PM.[[35]](#footnote-36) Probably more notable in the long run, on December 14, 1999, after 40 years if operating Corvallis Disposal and Coffin Butte Landfill, the Bunn Family announced they had sold their operation to Allied Waste Industries, the second largest solid waste services company in the world. Residents were assured “We’re really excited about these guys, they run pretty decentralized just like we do…you won’t see any change.”[[36]](#footnote-37)

Operations at Coffin Butte operated with relatively little change in the early 2000s. Throughout this period, the Solid Waste Advisory Council was very active, frequently posting notices in the local paper. In November of 2002, the Benton County Board of Commissioners signed a Memorandum of Understanding with Valley Landfills stating that Valley Landfills, Inc (VLI), “will not conduct, without the prior approval of Benton County and the State of Oregon, the placement of solid waste on the approximate 56 acres, within the landfill zone which it owns south of Coffin Butte Road.”~~[[37]](#footnote-38)~~

In 2008, Republic Services merged with Allied Waste Industries, and acquired control over the Coffin Butte facility. Republic Services, headquartered in Phoenix has managed the landfill since.

**Coffin Butte Landfill: The Contemporary Context**

Rate increases occurred throughout the 2000s and 2010s with relatively little public concern. In 2018, that changed when Republic Services announced that the tipping rate would rise from $28.75 a load to $85.75. Republic Services said the rate increase sought to discourage the general public from bringing their trash to the landfill as this interfered with high-ticket commercial haulers, which outraged rural residents who had few transfer station facilities to dispose of waste.[[38]](#footnote-39) After a testy well-attended Board of Commissioners meeting, Republic Services dropped the rate to $40, still a 39% price hike.[[39]](#footnote-40)

Benton County does not have authority to regulate the rates Republic charges, but there was leverage in 2018 since the county was in the process of negotiating a franchise fee for the company to operate in the county which was expiring in 2020.

The current pressure for expansion is inexorably tied to the volume emplaced in Coffin Butte. The capacity issue is discussed in great detail in another section of this report, but there is a historical component to it. This volume deposited varied somewhat from 1993 to 2016, but almost doubled in 2017 and remained at that higher level to the present. Using information from the Coffin Butte Annual PRC reports, the volume emplaced between 1993-1999 averaged about 349,000 tons, in 2001-2009 the average was 536,000 tons and between 2010-2016 the volume averaged 497,000 tons. Between 2017-2021 the average doubled to 979,000 tons. [[40]](#footnote-41) Some of the increase in 2017 might be explained by an unusual escalation in volume coming from Washington County that leapt from 49,000 tons in 2016 to 254,000 tons in 2017, an increase of 418%. But Washington County’s share of the total tonnage received accounts for less than 10%. In terms of tonnage increase from 2000 to 2020, Marion County’s contribution rose from 11% to 21%. Marion is the only county whose relative contribution increased more than one percentage point over that period when all but two of the other contributor counties’ shares have fallen.[[41]](#footnote-42)

The current Benton County Talks Trash(BCTT) process is a reaction to specific decisions made by Benton County officials and Republic Services regarding three situations. First, the public process and outcome of December 2020 franchise agreement between Benton County and Republic Services regarding the operation of Coffin Butte created the legal context and colors the current political context. Second, the BCTT process is heavily focused on the issues raised when Republic Services applied for a Conditional Use Permit to expand landfill operations south of Coffin Butte Road in 2021, an application approved by the SWAC, but unanimously rejected by the county Planning Committee. The third action leading to the creation of the BCTT process was the decision of Republic Services to not appeal the Planning Commission decision and instead request another CUP in the future and the County Commission’s decision to prepare the county for the request.

In the meantime, Benton County also negotiated a separate, not directly related, franchise agreement for trash hauling with Republic Services. County officials viewed this process very positively. That franchise fee agreement was settled on June 7, 2022 with a ten-year agreement, with the possibility of re-negotiation July 1, 2024. As County Commissioner Xan Augerot observed, “… while county officials have a long-standing working relationship of trust with Republic’s local staff, many members of the community haven’t been party to that.”[[42]](#footnote-43) One explanation for the disconnect between county officials and their constituents is the apparent breakdown in communication between citizens and officials regarding landfill issues, as became very apparent in the process creating a new franchise agreement over Coffin Butte itself signed in mid-December 2020, which assumed an expansion of the landfill.

Unlike the prior franchise negotiations that led to the signing of the 2000 franchise, a review of the local newspapers through 2020 when the landfill franchise agreement was being negotiated did not reveal any announcements about the process nor did the public seem to be made aware of this new franchise agreement in any way. At the Board of Commissioners meeting to vote on the franchise agreement, the county attorney attested that there were no public comments.[[43]](#footnote-44) Members of the SWAC acknowledged that they were told that this was not a matter for their consideration. This is surprising in light of the fact that a September 2020 solicitation notice for Advisory Board membership explicitly states ‘review franchise agreements’ as a primary responsibility.[[44]](#footnote-45)

The 2020 franchise agreement over landfill operations enhanced the financial incentives of the county for increased tippage. Under the 2020 agreement, Benton County receives compensation in two forms. The “franchise fee” given for allowing the landfill to operate starts at $2 million in 2021 and rises to $3.5 million by 2024. The agreement was designed to financially pressure the county to favor increased volume of disposal and the expansion of the landfill by the addition of a ”host fee” compensation model. The “host fee” starts at $2.87 per ton of waste in 2021 to $3.99 per ton in 2024. Before the county receives the “host fee”, however, the franchise fee is first subtracted from the per ton charge. If too little is disposed of, the county may receive no host fee and the county is rewarded if more waste goes to Coffin Butte. As the franchise fee goes up, the volume required to receive the host fee also goes up. Furthermore, the fees go up slightly If the landfill expansion is approved by 2023, and will go down slightly if the landfill expansion is not approved by 2025.[[45]](#footnote-46) Before the vote to sign the franchise agreement, Benton County Counsel Vance Croney stated that Republic Services maintained that its ability to pay higher fees was dependent on reducing cost or increasing capacity.[[46]](#footnote-47) In contrast to the image of Republic’s Services’ finances as represented by Croney, in January 2021 the company reported $2.5 Billion of Cash Flow from Operations and Over $1.2 Billion of Adjusted Free Cash Flow and returned $621 million in cash to shareholders in 2020.[[47]](#footnote-48)

In May, 2021, Republic Services submitted an application to Benton County for a Conditional Use Permit to expand the landfill. At the July 28, 2021 meeting, the Benton County Solid Waste Advisory Committee ‘strongly supported’ the CUP according to a memo submitted to the Planning Commission the next day. A search of the local papers did not reveal a public notice regarding the 2020 Franchise Agreement process nor the Republic Services CUP request that followed, but by August, members of the local community formed a coordinated effort to educate themselves and fellow Benton County residents regarding what could be a doubling of the size of the Coffin Butte Landfill. Letters to the editor, critical of the planned expansion began to appear in the local papers and public meetings were well-attended by folks objecting to the expansion.[[48]](#footnote-49) Reporting at the time also noted Croney’s financial arguments in favor of the expansion, particularly the revenue implications and possible future costs of disposal for county residents of denying the expansion request.[[49]](#footnote-50) These arguments engendered a *Gazette Time*s editorial endorsing the expansion.[[50]](#footnote-51)

Public notice of the Planning Commission Hearing for the Republic Services CUP application LU-21-047(this is the planning commission’s label for this specific process) regarding the Coffin Butte Landfill appeared in the local papers on October 14. Public outcry had been building over the past few months as residents began to understand the ramifications of the 2020 Franchise Agreement and the corresponding CUP which proposed extending the landfill area south of Coffin Butte Road, which had long been viewed locally as a ‘case closed’ impossibility given the 1983 and 1994 agreements. During the period leading up to first LU-21-047 Planning Commission meeting, neighbors of the landfill and residents throughout the county wrote numerous letters to the editor in the local papers, convened meetings and gathered data regarding the proposed expansion.

The first LU-21-047 Planning Commission meeting generated so much ire that over a hundred residents signed up to testify at the 4.5 hour hearing and a second meeting had to be scheduled to listen to public comment. The more than 30 citizens speaking at the November 2, 2021 and the November 16, 2021 Planning Commission hearings, all opposed the expansion.[[51]](#footnote-52) Objections raised in public comments in this process are partially why the County Commission created the Benton County Talks Trash process.

On December 7, 2021, the Planning Commission unanimously denied the LU-21-047 CUP.

Republic Services filed an appeal to the County Commission, but on March 15, 2022 the company informed the Board of Commissioners that they would pull the appeal. Meanwhile, over the period from October of 2021 to January of 2022 the membership of the Solid Waste Advisory Council changed radically as four members resigned without comment and new members were appointed.

The Benton County Board of Commissioners, seeking to find common ground between the very strong community resistance to the landfill and the operators, Republic Services, hired a consultant from Oregon Consensus and an Assessment Report was filed on July 12, 2022. This led to the Solid Waste Process Workgroup “Benton County Talks Trash” being formed. The first Solid Waste Process Workgroup meeting convened on September 8, 2022. According to its charter, Benton County Solid Waste Process Workgroup, also entitled BCTT (Benton County Talks Trash), is charged by the Benton County Commissioners to serve as a

“bridge” process between past events and next steps. The process is designed to reset the current dynamics with the development of “common understandings” and recommended protocols for the future substantive consideration of the solid waste issues.

The workgroup charges are reflected in the subcommittees that have been formed to drill down into clarifying aspects of solid waste management in Benton County. The workgroup must arrive at common understandings regarding the landfill and the pending Republic Services CUP, the legalities surrounding the relationship between the Republic Services and Benton County, preparing for the creation of a Sustainable Materials Management Plan, and formulating effective communication channels between Benton County and its residents.

**Membership**

There are two categories: a) Polling Member; and b) Ex Officio Member. Polling Members have full rights of participation and “polling.” Ex Officio Members are “non-polling” information sources. Each could bring technical resources to the meetings. The technical resources could be used to participate in the discussions with permission of the Facilitator after a WORKGROUP discussion on the advantages and disadvantages surrounding their participation.

Each member was allowed to assign one WORGROUP alternate for the process. That person was required to have full authority to represent their Organization/Interest Group. If the alternate was attending, the primary member was required to provide written notice to Facilitator at least 72 hours in advance of a meeting’s start time.

Original Membership - Provided in the Charter

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Organization/Interest Group** | **WORKGROUP Member** | **Polling** | **Ex Officio** | **Charge** |
| SWAC/DSAC | Joel Geier | X |  | All |
| SWAC/DSAC | Marge Popp | X |  | All |
| Planning Commission | Nancy Whitcombe | X |  | All |
| Planning Commission | Elizabeth Irish | X |  | All |
| Republic: National | Russ Knocke | X |  | All but C |
| Republic: Local | Shawn Edmonds | X |  | All but C |
| Public | Brandon Bates | X |  | All |
| Public | John Deuel | X |  | All |
| Public | Kathryn Duvall | X |  | All |
| Public | Christopher McMorran | X |  | All |
| Public | Ryan McAlister | X |  | All |
| Public | Mary Parmigiani | X |  | All |
| Public | Ed Pitera | X |  | All |
| Public | Louisa Shelby | X |  | All |
| DEQ | Brian Fuller |  | X | All but D |
| Neighboring Jurisdiction | Marion County: Administrator Designee |  | X | Only C |
| Neighboring Jurisdiction | Linn County: Administrator Designee |  | X | Only C |
| Benton County Staff | Daniel Redick |  | X | All |
| Benton County Staff | Scott Kruger |  | X | All |

Membership at the End of the Process

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Organization/Interest Group** | **WORKGROUP Member** | **Polling** | **Ex Officio** | **Charge** |
| SWAC/DSAC | Chuck Gilbert | X |  | All |
| SWAC/DSAC | Marge Popp | X |  | All |
| Planning Commission | Elizabeth Irish | X |  | All |
| Planning Commission | \_\_\_\_\_\_\_\_\_\_\_\_\_ | X |  | All |
| Republic: National | Russ Knocke  ALT: Ginger Rough | X |  | All but C |
| Republic: Local | Shawn Edmonds  ALT: Julie Jackson | X |  | All but C |
| Public | John Deuel | X |  | All |
| Public | Kathryn Duvall | X |  | All |
| Public | Christopher McMorran | X |  | All |
| Public | Ryan McAlister | X |  | All |
| Public | Mary Parmigiani | X |  | All |
| Public | Ed Pitera | X |  | All |
| Public | Louisa Shelby | X |  | All |
| Public | Catherine Biscoe | X |  | All |
| DEQ | Audrey O’Brien |  | X | All but D |
| Marion County | Brian May  ALT: Andrew Jonson |  | X | Only C |
| Linn County | Shane Sanderson |  | X | Only C |
| Benton County Staff | Daniel Redick |  | X | All |
| Benton County Staff | Sean McGuire  ALT: Jen Brown |  | X | All |

1. **Charter**

**1. Scope & Charge**

This was a “bridge” process between past events and next steps. The process was designed to reset the current dynamics with the development of “common understandings” and recommended protocols for the future substantive consideration of the solid waste issues.

This Workgroup is not a decision-making body. It is a recommendation-making group with the following Scope. (See, [Assessment Report](http://www.co.benton.or.us/sites/default/files/fileattachments/planning_commission/page/2966/benton_county_solid_waste_assessment_7-12-22_final_report.pdf) for details.) The recommendations are not binding on decision makers in any subsequent land use review but will help inform all parties going into a review process.

The WORKGROUP, with concurrence of the County staff, prioritized the following topics.

1. Develop Common Understandings to form the basis of the work.
2. Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion.
3. Scope the necessary tasks to start a Long-Term Sustainable Materials Management Plan process.
4. Provide input on additional topics raised in the [Assessment Report](http://www.co.benton.or.us/sites/default/files/fileattachments/planning_commission/page/2966/benton_county_solid_waste_assessment_7-12-22_final_report.pdf):
5. Consider creating a public-facing document and community education campaign on these topics.

**2. Process for Workgroup Recommendations**

The Facilitator assisted the WORKGROUP and its members in identifying objectives, addressing the diversity of perspectives, and developing substantive, practical recommendations. The WORKGROUP strove for and used a “consensus” recommendation-making approach to determine their level of agreement on proposals. This allowed members to distinguish underlying values, interests, and concerns with a goal of developing widely accepted solutions.

Consensus does not mean 100% agreement on each part of every issue, but rather support for a decision, “taken as a whole.” This means that a member may poll to support a consensus proposal even though they would prefer to have it modified in some manner to give it their full support. Consensus is a process of “give and take,” of finding common ground and developing creative solutions in a way that everyone can support. Consensus is reached if all members support an idea or can say, “I can live with that.”

When developing recommendations, the WORKGROUP addressed each issue individually, and in various combinations. It decided it wanted to make packaged or individual recommendations at the end of the process.

“1-2-3” Consensus Polling: The Facilitator assisted the WORKGROUP in articulating points of agreement, as well as articulating concerns that require further exploration. It used a “Consensus Polling” procedure for assessing the group’s opinion and adjusting proposals. In “Consensus Polling,” the Facilitator articulates the proposal. Each voting member then offers “one,” “two,” or “three,” reflecting the following:

* + - “One” indicates full support for the proposal as stated.
    - “Two” indicates that the participant agrees with the proposal as stated but would prefer to have it modified in some manner to give it full support. Nevertheless, the member will support the consensus even if his/her suggested modifications are not supported by the rest of the group because the proposal is worthy of general support, as written.
    - “Three” indicates refusal to support the proposal as stated.

The Facilitator repeats the consensus voting process as reasonably practical and as time allows to assist the group in achieving consensus regarding a particular recommendation, so that all Polling Members are voting “one” or “two.” The results are noted in the WORKGROUP Report.

**No Consensus – Majority and Minority Recommendations:** If a consensus on an issue is not likely, as determined by the Facilitator, the poll results for the options considered will be presented to the BOC.

**Summary of WORKGROUP Recommendations:** The meeting summaries serve as the record of the WORKGROUP recommendations as supplemented by the addition of Polling Member statements who elect to submit additional information by the deadline established. The Facilitator packaged all this information into the WORKGROUP’S report to the BOC.

1. **Subcommittee Introduction**

At the third Workgroup meeting (October 6, 2022), the Workgroup identified five Subcommittees that would take on various parts of the Charter elements, consistently reporting back to the Workgroup as they progressed. This was done so specific Charter elements could be addressed at the level of depth deemed necessary by the Workgroup by those with the most expertise and investment. Once formed, each Subcommittee met roughly twice between each Workgroup meeting.

The information surrounding these Subcommittees (such as charge, members, and key work products) can be found in their respective sections of part IV. of this report, “[Key Workgroup Findings & Recommendations](#WGRecs).” These sections also include a link to reach Subcommittee’s webpage, where more detailed information and meeting recordings can be found. Each Subcommittee’s section is organized as follows for ease of your review. First we provide the Subcommittee’s webpage link, then its Charge and Members. Over the course of a Subcommittees meeting’s a running “Meeting Notes” was created that contains the agendas, attendance, and notes for each of its’ meetings. A link to this document is provided next, and in Appendix D. Finally, the Subcommittee’s Key Findings are provided, followed by their Recommendations.

**II.** **Project Website and Workplans**

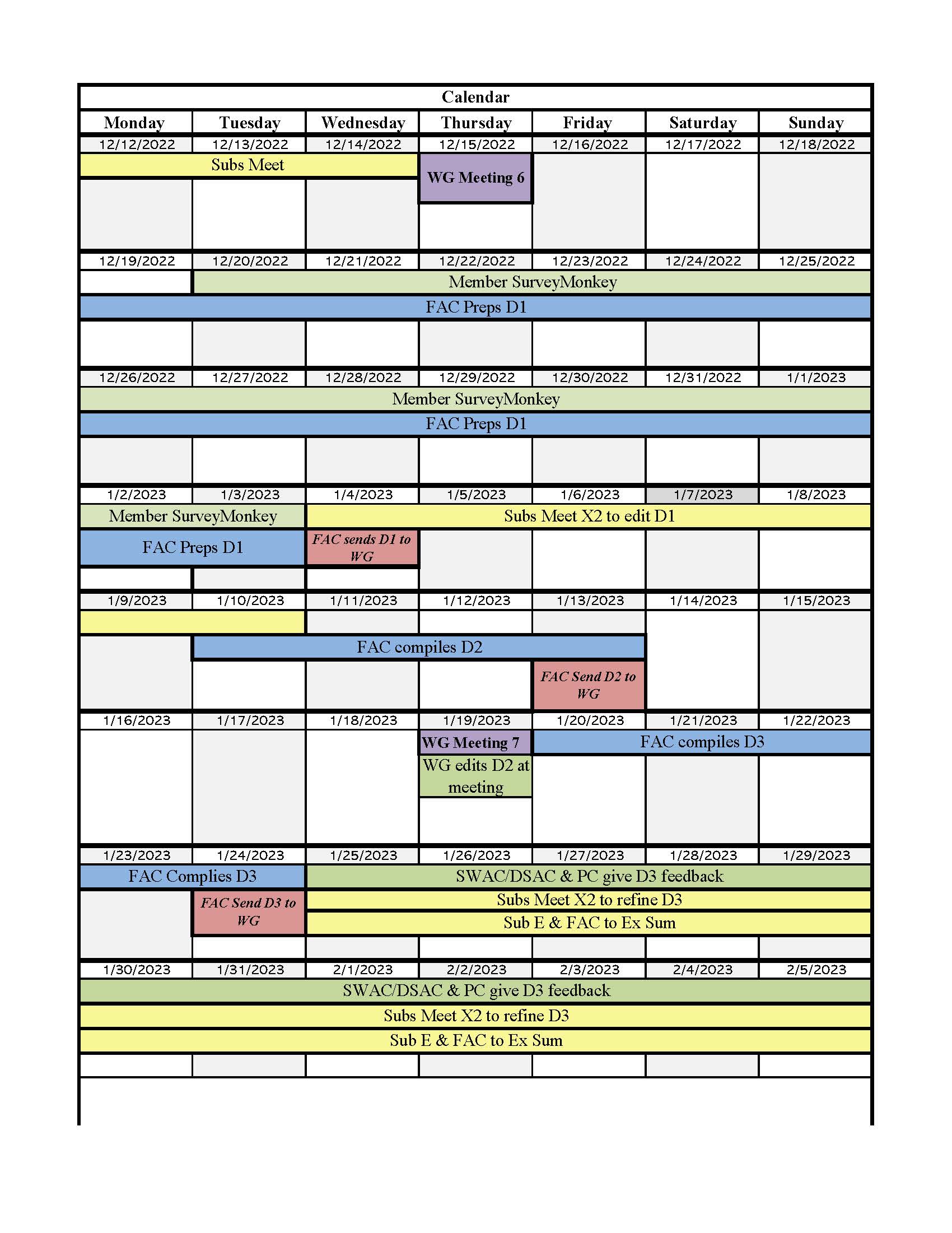
1. **Project Website:** [**Link**](https://www.co.benton.or.us/cd/page/solid-waste-process-work-group)
2. **Initial Project Workplan:** (Charter)

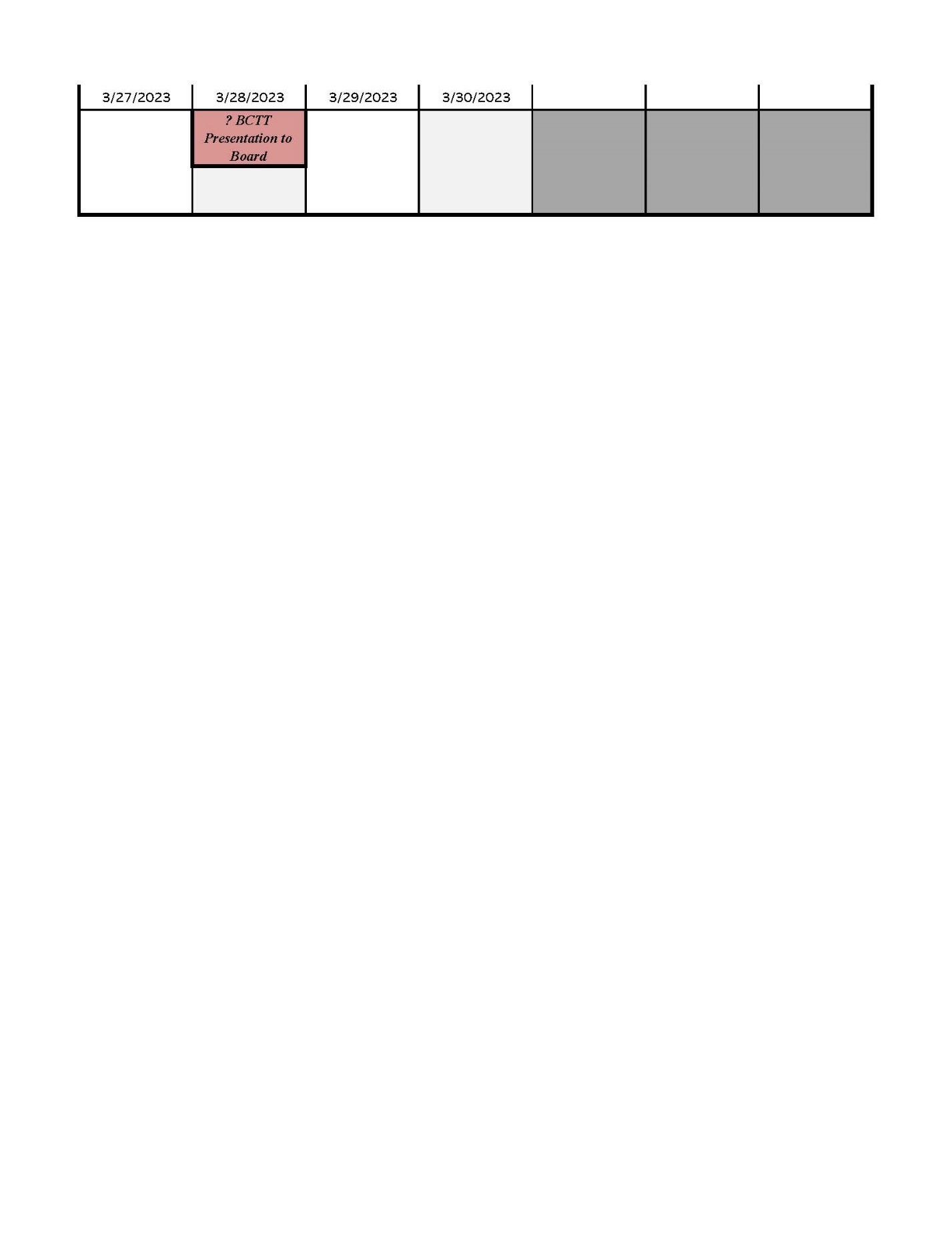
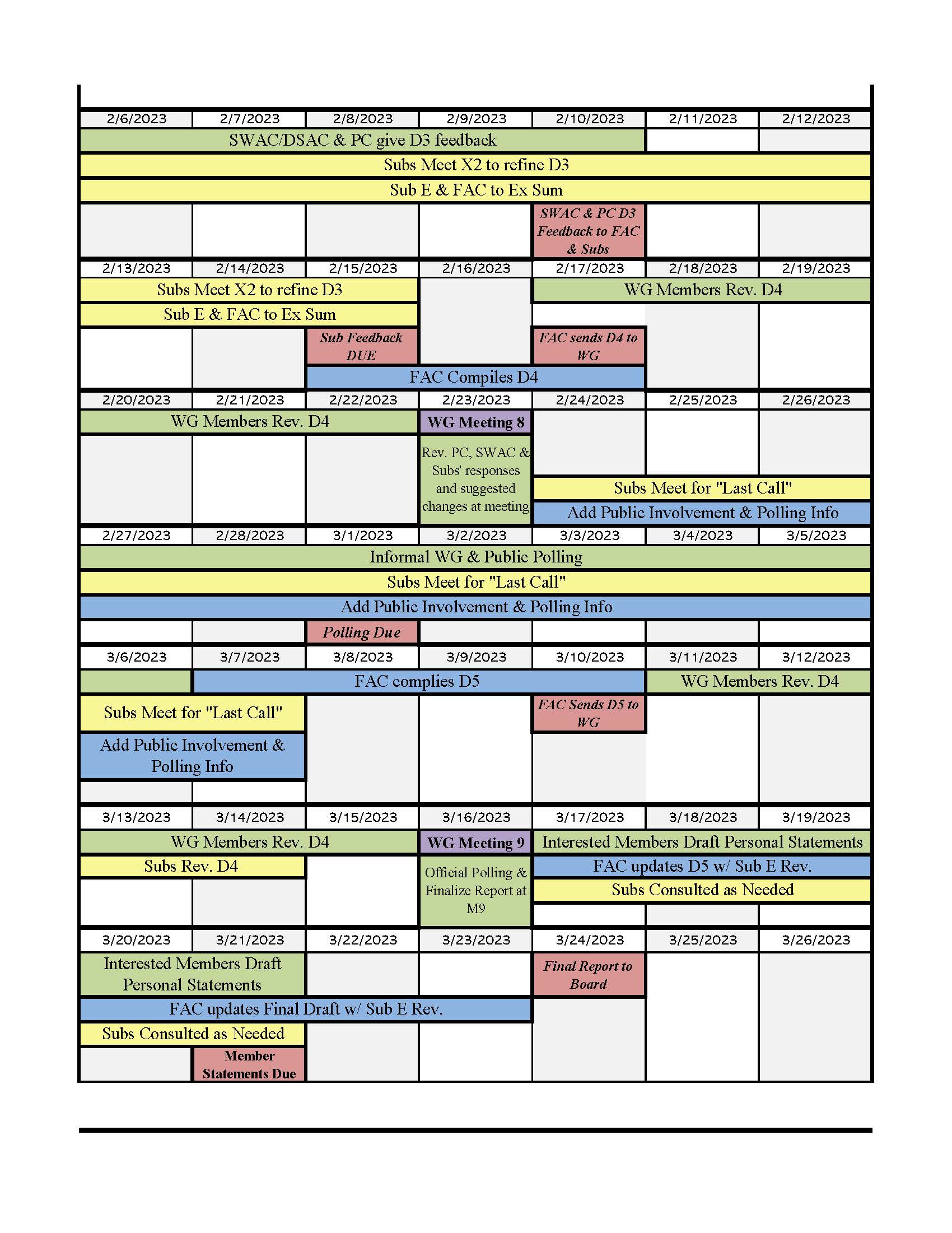
|  |
| --- |
| **Meeting One: 9/8/22** |
| * Introductions * Review of Charter with Process Overview * Member Comments * Charge A: Discuss Common Understandings document draft * Next Steps and Homework * Meeting Evaluation |
| **Meeting Two: 9/15/22** |
| * Charge A continued: Develop Common Understandings * Coffin Butte Tour * Next Steps and Homework |
| **Meeting Three: 10/6/22** |
| * Charge B: Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion * Next Steps and Homework |
| **Meeting Four: 10/27/22** |
| * Charge B continued: Clarifying existing criteria and information requirements for the land use review process for any proposed landfill expansion * Next Steps and Homework * Mid-Process Evaluation |
| **Meeting Five: 11/3/22** |
| * Charge B continued, and Charge C: Scope the necessary tasks to start a Long-Term Sustainable Materials Management Plan process * Next Steps and Homework |
| **Meeting Six: 11/17/22** |
| * Provide input on Charges D and E: Additional Topics   + Hauling Reopening   + Roles/Responsibilities   + Timeline for code changes   + Consider creating a public-facing document and community education campaign on these topics * Authorize Draft to SWAC/DSAC and Planning Commission for comment * Next Steps and Homework |
| **Meeting Seven: 12/1/22** |
| * Review SWAC/DSAC and Planning Commission Feedback * Edit Draft Report * Next Steps and Homework |
| **Meeting Eight: 12/15/22** |
| * Finalize Report to BOC * Next Steps: The BOC is expected to consider the findings and recommendations in January 2023. * Process Evaluation * Celebration! |

1. **Updated Workplan:** (10/27/2022)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Subcommittee**  **Meetings**  **10/19 through 10/25** | **10/27/22 Meeting Four**  **Major Topics** | **Subcommittee**  **Meetings**  **10/31 through 11/9** | **11/17/22 Meeting Five Major Topics**  **and**  **Public Open House** | **Subcommittee**  **Meetings**  **11/21 through 12/7** | **12/15/22 Meeting Six**  **Major Topics** |
| Staff organizes existing documents by subcommittee  One, 1.5-hour Subcommittee Kickoff Meeting  Specific Dates Pending Doodle Poll Results | 1. Four Subcommittee Reports 2. SMMP Goals: Vision 2040 3. Local Jurisdictions Discuss Charge C. SMMP and Charge E. Public Education Campaign |  | 1) Four Subcommittee Reports  2) Introduce Charge D and Create Subcommittee:  a) Scope tasks to Plan Hauling Reopener  b) SWAC/DSAC Role Clarity and PC/BOC Criteria Use  c) Code Change Timeline  3) Introduce Charge E and Create Subcommittee: Public-Facing Document and Community Education Campaign  4) Open House – Process Status, Future SMMP, and Public Ed/Notification |  | 1) Review Work, Authorize Draft, and Request Feedback |
| **Staff Draft Report**  **12/19 through 1/4** | **Subcommittee**  **Meetings**  **1/5 through 11/11** | **1/19/22 Meeting Seven Major Topics** | **Final Report**  **Subcommittee**  **1/23 through 2/7** | **2/23/23 Meeting Eight**  **Major Topics** | **Target Date: 3/3/23**  **Could be: 3/31/23** |
|  |  | 1. Last Call 2. Review SWAC/DSAC and Planning Commission Feedback 3. Edit Report and Poll | Final Draft to Workgroup on 2/16 | 1. Loose Ends 2. Finalize Report and Official Poll 3. Member Statements Due: 3/6/22 @ Noon | **Final BCTT WG Report**  **Assumes:**   1. Benefit-Cost Topics are only Outlined as part of SMMP Scoping 2. Landfill CUP Conditions From Other Jurisdictions is reserved for other processes. 3. WG Focus is on substance –   not process. |

1. **Final Workplan:** (12/20/22)
   1. [Calendar View](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_calendar.pdf)



****

**III.** **Workgroup Meeting Topics**

**Meeting Summaries and be found on the Project’s Website** [**Here**](https://www.co.benton.or.us/cd/page/solid-waste-process-work-group)

1. **Meeting One: September 8, 2022, Main Topics**

* Welcome & Introductions
* Participant Meeting Instructions
* Participant Commitments
* How We Got Here
* Review Major Charter Sections:
* Collaboration 101 Training
* Public Comment
* Triage Charge Elements
* Draft Report Structure Explore Common Understandings Section
* Mechanics: Add Representative Table
* Next Steps

1. **Meeting Two: September 15, 2022, Main Topics**

* Welcome & New Member Introductions
* Participant Meeting Instructions
* Participant Commitments
* Approve Draft Minutes from Meeting One
* Public Comment
* Meeting One Evaluation Highlights
* Homework Highlights
* Explore Common Understandings & Refine List of Missing Topics/Questions
* Discuss SWMP Table of Contents Concept
* Triage Charge Elements/Workplan
* Next Steps

1. **Landfill Tour: September 24, 2022**

* Republic (Ian) gave agenda, safety, & scale liner model speech.
* At the top of Coffin Bute hill observed the dumping area and machinery, observed the self-tipping/emptying trailers, and discussed the gas pump vacuum system.
* At an overlook of the quarry had Q&A time.
* At the power plant a CPI representative (Roman Gillan) spoke about PNCG Power owning this landfill power plant, and the Facility Manager (Steve King) gave an overview of the facility.
  + The tour was split into two groups to view the generators and interior of the power plant.

1. **Neighborhood Tour: October 1, 2022**

* Joel (tour guide) began with some geology, local history, and comments about the community. Then Joel and Nancy provided comments on topics including bird watching, disc golf, airport for model airplanes, North Palestine Baptist church, Santiam Christian school, local geology, and fault lines
* At a stop three miles from the landfill discussed tree cover and property siting.
* As the tour moved to the archie rang the discussion covered vehicle traffic, Yamhill landfill, Red Barn Farm, composting facility, WWII maintenance shed, zoning, land use, terracing v. continuous slope, vegetated or productive slopes, settling and gasification process, zoning, and siting of landfills.
* The tour stops at, and discusses, Bit-By-Bit Horse Farm.
* When viewing the quarry the discussion focuses on the leachate facility, republic’s office, invasive species, properties purchased by landfill, OSU beef ranch, monitoring wells and water contamination.
* At the Santiam Christian School, Kevin Higgins, a firefighter with the Sherriff’s office gave a talk on growing up in the area, landfill fires, types of items in landfill, and DEQ. This was followed by a video testimony from Priya Tucker, of Rising Joy Flower Farm, and resident Elisabeth Pott.
* The discussion on the bus ride back focused on affordable housing and local buildings.

1. **Meeting Three: October 6, 2022, Main Topics**

* Welcome & New Member Introductions
* Review Participant Meeting Instructions & Agenda
* BOC Presentation
* Approve Draft Minutes: Last Meeting & Tours
* Landfill Tour Questions
* Public Comment
* Comments on Meeting Two Evaluation Suggestions
* Discuss County Counsel Deference Memo & Set Stage for Legal Subcommittee
* Check-in Activity
* Big Picture Discussion
* Stand-Up the Subcommittees
* Review Amended Workplan
* Next Steps

1. **Meeting Four: October 27, 2022, Main Topics**

* Welcome & New Member Introductions
* Review Participant Meeting Instructions & Agenda
* Approve M3 Draft Minutes
* BOC Action on Updated Workplan
* Public Comment
* Update on Tour Questions & Answers
* SMMO Values & Goals Discussion
* Q&A Session with Representatives from other Counties
* Subcommittee Reports
* Next Steps

1. **Meeting Five and Open House: November 17, 2022, Main Topics**

* Welcome
* Review Participant Meeting Instructions & Agenda
* Approve M4 Draft Minutes
* Approve Updated Tour Q&A
* Updated Workplan Facilitator 11/16/22
* Public Comment
* Subcommittee Reports
* Reintroduce Charges D & E
* Next Steps
* Open House

1. **Meeting Six: December 15, 2022**
   * Welcome & New Member Introduction
   * Review Agenda
   * Member Shares Original Document
   * Public Comment
   * Subcommittees A.1. & E.1. Report
   * Review & Approve M5 Minutes & Evaluation Summary
   * Discuss Consultant/Attorney for Next CUP
   * Subcommittee A.2 Report and A.3 B.1 Report
   * Introduce & Approve Third Attorney with Poll
   * Subcommittee C.1. Reports
   * Updated Project Workplan
   * Next steps
2. **Meeting Seven: January 19, 2023**

**j.** **Meeting Eight: February 23, 2023**

**k.** **Meeting Nine: March 16, 2023****IV. Key Workgroup Findings & Recommendations**

Each of the following Subcommittee sections is organized as follows for ease of your review. First, we provide the Subcommittee’s webpage link, then its Charge and Members. Over the course of a Subcommittees meeting’s a running “Master Document” was created that contains the agendas, attendance, and notes for each of its’ meetings. A link to this document is provided next, and the full text can be found in Appendix D. Finally, the Subcommittee’s Key Findings are provided, followed by their Recommendations.

**SECTION A: Landfill Size/Capacity/Longevity**

**Introduction:**

The following is a complete list of findings and recommendations put forth by individual members of the subcommittee. They have not been vetted and approved by the full subcommittee, and the majority and minority opinions have not been noted. The subcommittee will continue to work to refine these elements further. The subcommittee has worked collaboratively to develop a draft report focused on investigating and discussing elements of the charge.

* The full Subcommittees Report can be found linked [here](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8317/subcommittee_a1_report_work_group_report_draft_2_011723.pdf), and in Section 1 of Appendix C.
* The full Subcommittee “Meeting Notes” can be found linked [here](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8317/a1_landfill_size_capacity_logevity_subcommittee_report_working_document_011723.pdf), and in Section 1 of Appendix D.

|  |
| --- |
| [Webpage Link](https://www.co.benton.or.us/cd/page/bctt-subcommittee-a1-landfill-sizecapacitylongevity) |
| **Charge: A chronological history of key Coffin Butte Landfill topics:**   1. Size 2. Specific locations 3. Assumptions (e.g., when will the landfill close? |
| **Members:**   * Bill Bromann * Brian May * Chuck Gilbert * Daniel Redick * Ginger Rough * Ian Macnab * Ken Eklund * Mark Yeager * Paul Nietfeld * Shane Sanderson * Staff: Daniel Redick |
| **Subcommittee Meetings and Notes:** [Document Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8317/a1_landfill_size_capacity_logevity_subcommittee_report_working_document_011723.pdf) |

**Key Findings:**

1. Size
   1. 194 acres zoned landfill site. An additional 56-acre parcel south of Coffin Butte Road, while zoned LS, would not be used for disposal of solid waste unless approved by a conditional use permit and Department of Environmental Quality permit for solid waste landfill use.
   2. The landfill has changed visually over time.
   3. 23 tax lots associated with the landfill. Five tax lots include landfill cell disposal area. The most recent tax lots associated with the landfill were purchased in 2001 (non-disposal areas).
   4. Historical permitted capacity benchmarks
   5. Reported remining airspace increased by over 6,000,000 Cubic Yards between 2003 and 2004. Since 2004, reported remaining airspace has decreased gradually, while total permitted airspace has remaining somewhat constant. As of end 2021 approximately 44% of permitted capacity remained unused.
   6. Near-term (circa 2025) capacity
   7. Both the 2000 Landfill Franchise Agreement and the 2020 Landfill Franchise Agreement acknowledge the potential for “adverse effects to the County’s infrastructure and environmental conditions due to increased annual volumes of Solid Waste accepted at the Landfill.”
   8. Both the 2000 Landfill Franchise Agreement and the 2020 Landfill Franchise Agreement define landfill solid waste intake limits immediately following and in the same document section as the acknowledgement of the potential for adverse effects.
   9. The 2000 Franchise agreement included a tonnage threshold (blue line) at which an updated baseline study may be conducted to determine the impacts of the landfill on infrastructure and the environment, which then could result in increases to the landfill fees paid to the county.
   10. Work in Progress: Explaining 2000 and 2020 Franchise agreement tonnage limits
   11. Due to an expected additional influx of volume in 2017 resulting from the disruption onset of the closure process for Riverbend landfill in Yamhill County, in December 2016 the franchisee and Benton County executed a MOU acknowledging an expected increase in Coffin Butte intake volume “for a term of 1-2 years.”
   12. In documents provided to the A.1 Subcommittee, representatives of the franchisee have indicated that the approximately 70% year-over-year increase in CY2016-2017 was primarily due to redirected flow from Riverbend to Coffin Butte. 2017-2019 volume increases are primarily due to the diversion of waste from Riverbend Landfill, in an effort to extend landfill life, and also rapid population growth in Willamette Valley and Western Oregon.
   13. The 2020 Landfill Franchise Agreement states that the total tonnage deposited at the Landfill shall not exceed 1.1M tons per calendar year until “application to expand the Landfill on to the Expansion Parcel are granted (following any and all appeals to final judgement).” The 2020 intake limit is denoted in the chart by the dashed red line (“2020 FA Limit.”)
   14. The slow downward trend in intake volume in the 2006-2010 period is explained by the franchisee as resulting from the economic downturn of 2008.
   15. The drop in volumes to Coffin Butte in 2020 is due to the global COVID-19 pandemic, coupled with diversion of tonnage from Riverbend Landfill to other landfills besides Coffin Butte. However, tonnage volumes increased again in 2021 due in part to changes in lifestyle/development/at home shopping patterns as a result of the pandemic, as well as debris from the Oregon wildfires.
   16. Increased business development at the landfill impacted accepted tonnage.
   17. The amount of waste placed into the landfill has grown dramatically over the past 40 years. In 1983, 375 tons per day were placed into the landfill (117,000 tons per year). By 1993, the tonnage volume increased to 310,000 tons per year. In 2003 550,000 tons were placed into the landfill. By 2013, the waste tonnage was 479,000, and in 2021, 1,046,000 tons were emplaced.
   18. Near-term (circa 2025) capacity adjustments for 5-year operating plan
   19. Due to an expected additional influx of tonnage in 2017 (approximately 70% year-over-year increase in CY2016-2017 was partially due to redirected flow from Riverbend to Coffin Butte), in December 2016 the franchisee and Benton County executed a MOU agreeing to an expected increase in Coffin Butte intake volume “for a term of 1-2 years.” The slow downward trend in intake volume in the 2006-2010 period is explained by the franchisee as resulting from the economic downturn of 2008. The decreased intake volume in 2020 is attributed to the Covid-19 outbreak.
   20. Washington County waste tonnage accepted at the landfill increased by over 400% between 2016-2017, with the increased tonnage continuing through 2019.
2. Specific locations
3. Map of the landfill shows current and planned cells (G-03)
4. The overview map included in the [Benton County & Valley Landfills MOU Relating to Land Use Issues (2002)](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/landfill_mou_2002.pdf) document, included here as Figure 6, clarifies the zoning boundaries. Of these 266 acres, 194 acres, all on the north side of Coffin Butte Road, were approved for waste disposal.
5. In the 1983 rezoning action the Benton County Planning Department diluted SWAC and CAC recommendations from “No landfill be allowed on property south of Coffin Butte Road” to “no additional landfill activities unless approved by the Planning Commission at a public hearing.”
6. Per the Board of Commissioners Order of June 15, 1983, approval of additional landfill activities on the LS-zoned parcel south of Coffin Butte Road (Taxlot 104180001107, Index #14 in Appendix C) requires only 1) approval of the site plan by the Planning Commission and 2) approval by the Planning Commission at a public hearing.
7. Assumptions (e.g., when will the landfill close?)

1. The most recent estimates from Republic Services project the site life of the landfill to be between 14.54-15.99 years, with two scenarios of accepting either 1,000,000 tons/year or 1,100,000 tons/year, each at a 2022 3-year Density Average of 0.999 Tons/CY, which assumes the quarry area will be fully excavated by the time the current cell disposal areas are full.
2. The quarry dynamics are construction of the needed cells for future disposal areas. The herculean construction task is to excavate basalt rock to form the excavated design dimensions for construction of future disposal cells. The assumption is that the excavated rock and the construction of future cells keep pace with the demands of increased volumes of refuse needed for disposal without interruption.
3. The complexities of demand and availability of refuse disposal is the crux of the puzzle to provide a viable sustainable material management process under consideration.

**Key Recommendations:**

* 1. The Sustainable Materials Management Plan should further develop scenarios and factors that may impact the landfill lifespan, including detailed analyses of likely projections.

**Additional Information:**



**SECTION B: Past Land Use Application Conditions**

**Introduction:**

* The full Subcommittees Report can be found linked [here](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8322/compliance_with_past_land_use_approvals_-_12-30-22.pdf), and in Section 2 of Appendix C.
* The full Subcommittee “Meeting Notes” can be found linked [here](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8322/master_summary_document_of_committee_meetings_1-17.pdf), and in Section 2 of Appendix D.

|  |
| --- |
| [Webpage Link](https://www.co.benton.or.us/cd/page/bctt-subcommittee-a2-past-land-use-application-conditions) |
| **Charge: A chronological history of key Coffin Butte Landfill topics:**   1. Conditions of past land use approvals; 2. Compliance with prior land use approvals and SWMP; |
| **Members:**   * Catherine Biscoe * Ed Pitera * Jeff Condit * Mark Yeager * Staff: Inga Williams |
| **Subcommittee Meetings and Notes:** [Document Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8322/master_summary_document_of_committee_meetings_1-17.pdf) |

**Context**

This document contains a historical summary of land use actions[[52]](#footnote-53) including adopted conditions of approval for past land use applications and Conditional Use Permits (CUPs) relevant to the Coffin Butte Landfill. It provides the context needed to better understand how we got to where we are now. Our goals for this section included:

1. Identify and organize the relevant documents;
2. Explain the key points clearly;
3. Identify areas of agreement on whether the various conditions of approval remain applicable or inapplicable today; and
4. Identify areas of agreement on the current status of compliance, monitoring, and enforcement.

For context, Benton County’s Development Code (BCC) describes conditional uses as “land uses which may have an adverse effect on surrounding uses in a zone.” (BCC 53.205). To lessen the adverse impacts, the county may “impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code.” (BCC 53.220).

For context, Benton County’s Development Code (BCC) describes “permitted uses” as land uses that are “consistent with the purpose of the zone” (BCC 53.105); and conditional uses as “land uses which may have an adverse effect on surrounding uses in a zone.” (BCC 53.205). Permitted uses are generally considered compatible in the zone in which they are allowed, without any review process. (BCC 53.110).[[53]](#footnote-54) Conditional uses are required to demonstrate that compatibility by establishing compliance with specific criteria. (BCC 53.215.)[[54]](#footnote-55) To lessen the adverse impacts of conditional uses, the county may “impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code.” (BCC 53.220).  Implementation of the conditions of approval is requirement to ensure that the proposed use complies with the approval criteria. To be effective, conditions of approval must be monitored and enforced.

Implementation of the land use decision conditions of approval are required to ensure that the proposed land use complies with the Development Code and the resultant land use activity, assuming compliance with the conditions of approval is compatible with adjacent land uses. However, to be effective, the conditions of approval must be monitored and enforced.

Implementation of the land use decision conditions of approval are required to ensure that the proposed land use complies with the Development Code. Uses allowed in a given zone have already been deemed to have a sufficient level of compatibility. Therefore, a finding of “compatibility with adjacent land uses” is not required, per se. However, a land use must be found to "not seriously interfere with uses on adjacent property” and conditions of approval may be imposed “to mitigate negative impacts to adjacent property.” ~~However, the application of the Development Code provides the specific criteria for general compatibility~~. Those conditions must be complied with, monitored, and enforced to be effective.

Conditions of approval must be related to and necessary to ensure compliance with approval criteria. They cannot expand the approval criteria; nor can they substitute for a finding of compliance with a criterion for approval. Rather, after the decision maker has determined compliance, or feasibility of compliance, with approval criteria, conditions may be imposed to ensure compliance with those criteria. BCC 53.215 establishes the approval criteria for conditional use permits in Benton County. All conditions of approval must relate to those approval criteria. Accordingly, for conditional use permits for landfill expansion in the Landfill Site Zone, conditions of approval may be imposed to mitigate negative impacts to adjacent property in order for the decision maker to find that “[t]he proposed use does not seriously interfere with uses on adjacent property, with the character or the area, or with the purpose of the zone”; and that “the proposed use does not impose an undue burden on any public improvements, facilities, utilities or services available to the area.” (BCC 53.215(1) and (2).[[55]](#footnote-56) To be effective, conditions must be monitored and enforced.

Compliance with the required conditions of approval is the responsibility of the applicant. The County, along with DEQ, etc., is responsible for monitoring and enforcement. In Benton County, monitoring, and enforcement are ~~resident~~ complaint-driven (by residents, businesses, the traveling public, other governmental entities, or others) because Benton County has acknowledged it did not and does not have the resources to actively monitor or enforce the landfill conditions of approval. This is also true for other land use decisions in Benton County.

The Benton County Talks Trash Workgroup (BCTT) was not charged with deciding the actual legal status of the factual and legal issues raised herein. The “common understandings” noted identify the BCTT’s consensus agreements. Where there was no consensus, the differing points of views have been documented for consideration by the Benton County Board of Commissioners and others. Additionally, each workgroup member was given the opportunity to share their views, be they supportive or oppositional, as noted in Appendix X.

**Key Findings:**

|  |  |  |
| --- | --- | --- |
| **CP-74-01** A Conditional Use Permit for approval to designate Coffin Butte Landfill as a regional sanitary landfill | | |
| **Summarized Condition** | **Key Findings** | **Compliance Assessment** |
| A2KF-CP-74-01-1.  Defined the original area to be served by the landfill | 1. Further searches of County and RSI files and DEQ permits are needed to establish if or when this condition was superseded to authorize landfilling materials outside of the 1974 defined area. 2. Current federal rules prohibit the county from limiting access to the landfill | Ed Petera, Catherine Biscoe, Mark Yeager: Not in Compliance  Staff: County Requirement Superseded  Republic: |
| A2KF-CP-74-01-2.  The County Sanitarian should make a report on compliance to the Planning Commission annually | 1. Solid Waste Advisory Committee reportedly receives annual landfill reports however neither the County Sanitarian nor the Planning Commission are involved in reviewing the reports. 2. Planning Commission originally received updates from County Sanitarian. There is no longer a County Sanitarian position and updates are made to the SWAC. | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: In Compliance  Republic: |
| A2KF-CP-74-01-3.  Establish efficient leachate collection and treatment and wells to monitor any potential seepage into underground aquifers | The fate of leachate generated by the landfill should not simply be ignored by the County and delegated to DEQ. The requirement to “insure against pollution of nearby waterways” is very much still relevant. | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: County Requirement Superseded  Republic: |
| A2KF-CP-74-01-4.  Provide visual reclamation of the Coffin Butte cliff side and screen along roadway | 1. DEQ has oversight of the geotechnical design of the landfill and regulates timing and scope of reclamation through closure and post closure requirements. 2. It is unclear how the County’s requirements for the appearance of the closed landfill are reflected in closure and post closure plans. | Ed Petera, Catherine Biscoe, Mark Yeager:  A. Physical Design Requirements: In Compliance  B. Reclamation & Visual Requirements: Compliance Status Unclear  Staff:  A. Reclamation: County Requirement Superseded  B. Visual Buffer: Compliance Status Unclear  Republic: |
| A2KF-CP-74-01-5.  Valley Landfills need to complete a solid waste resource recovery plan by July 1, 1976 | 1977 Waste Control Systems, Inc. Solid Waste Management Plan | All: In Compliance |
| A2KF-CP-74-01-6.  Phase landfill operations so that only a small acreage is used for fill at one time and return to grazing | Landfill operations and closure are governed by DEQ requirements. Some of the landfill areas have not received wastes since the 1990s, others since 2011. RSI has determined areas of the landfill are “In Closure” under Federal rules. Approximately 41.7 planimetric acres have already received Final Closure. This area should already have a 1.5 feet thick Vegetative Cover per Federal requirements and be suitable for reuse. | Ed Petera, Catherine Biscoe, Mark Yeager:  A. Compliance Opinion for “small acreage” condition: In Compliance.  B. Compliance Opinion for “…shall be returned to grazing…” condition: Compliance Status Unclear  Staff:  A. In Compliance.  B. County Requirement Superseded  Republic: |
| A2KF-CP-74-01-7.  Encourage voluntary separation of recoverable materials | RSI is “In Compliance” in Benton County based on personal experience but Benton County contributes less than 10% of the total volume sent to the landfill and is only one of more than 20 counties RSI draws material from. | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: In Compliance  Republic: |

|  |  |  |
| --- | --- | --- |
| **PC-83-07/L-83-07** Amendments to the County’s Comprehensive Plan Map and Zoning Map and text amendments to Comprehensive Plan and Development Code to create a Landfill Site Zone | | |
| **Summarized Condition** | **Key Findings** | **Compliance Assessment** |
| A2KF-PCL-83-07-12345.  1. Cross reference the narrative and the map in both documents.  2. Expand the narrative statement on reclamation  3. In the narrative, describe the method of screening in more detail  4. Include in the narrative the anticipated chemical composition of any leachate material to be used for irrigation  5. Include in the narrative review of the Environmental and Operational Factors for 10-acre addition | The narrative was updated to provide information related to all of these conditions. The updated narrative is found in the document titled “PC-83-07-C(3)” starting on Page 3 of 60 | Ed Petera, Catherine Biscoe, Mark Yeager:  Compliance opinions based on the content of narrative:  1) A. Physical Design & Geotechnical Requirements: Compliance Status Unclear  B. Reclamation Requirements: Compliance Status Unclear  2) County Requirements Superseded  3) A. Physical berm: County Requirement Superseded by subsequently issued DEQ Site Development Plans  B. Vegetative screening: Not In Compliance  C. Maintenance: Not In Compliance based on current appearance of site  4) In Compliance  5) County Requirement Superseded  Staff compliance opinion based on the stated condition: In Compliance  Republic: |
| A2KF-PCL-83-07-6.  Provide a detailed reclamation plan | There is a very detailed description of the promised screening in the narrative. | Ed Petera, Catherine Biscoe, Mark Yeager compliance opinion based on the content of the reclamation plan: Compliance Status Unclear  Staff compliance opinion based on the stated condition: In Compliance  Republic: |
| A2KF-PCL-83-07-7. Submit a plan detailing the proposed method to protect the small ponds found in the Northeast corner of the property**.** | Pond location unclear. | Ed Petera, Catherine Biscoe, Mark Yeager compliance opinion based on the content of the plan: Compliance Status Unclear  Staff: In Compliance  Republic: |
| A2KF-PCL-83-07-8. Submit an updated, long-term leachate control plan as part of the DEQ permit renewal process | Leachate storage exists on site for holding leachate prior to trucking to off-site locations. No leachate is currently being land applied on landfill properties. No soil study needed | Ed Petera, Catherine Biscoe, Mark Yeager: County Requirement Superseded  Staff: County Requirement Superseded  Republic: |
| A2KF-PCL-83-07-9. Provide additional monitoring wells as site expands eastward | Documentation unclear as to what wells involved and which organization is to provide it. Presumed in RSI Annual Report. | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: County Requirement Superseded  Republic: |
| A2KF-PCL-83-07-10.  Screen the landfill operation with fencing or berms so it cannot be seen from the County Road or adjacent properties. | The screening may have been done but has eroded or died in the interim. It should be recreated and maintained to be in compliance with the requirement | Ed Petera, Catherine Biscoe, Mark Yeager: Not in Compliance  Staff: Compliance Status Unclear  Republic: |
| A2KF-PCL-83-07-11.  Adhere to daily compaction of refuse and limit exposed refuse areas to 2 acres during the periods of October 15 to June 1 and to ¾ of an acre during all other periods. | The landfill uses an alternative daily cover approved by DEQ, which includes Covanta Ash material. The landfill also uses temporary cover. | All: County Requirement Superseded by Subsequent DEQ Operating and Monitoring Permits |
| A2KF-PCL-83-07-12.  Channel occasional leachate seeps into the leachate collection system within a timely period | Republic Services complies with all current regulatory requirements, which include liners. Leachate does not seep through perimeter berms. | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: County Requirement Superseded  Republic: |
| A2KF-PCL-83-07-13.  DEQ requires updated operational, and construction plans to reflect the current permit period and changes in environmental controls may be required | Advisory | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: In Compliance  Republic: |

|  |  |  |
| --- | --- | --- |
| **PC-94-03** A Conditional Use Permit for approval ofa 2.2-megawatt gas generated power facility | | |
| **Summarized Condition** | **Key finding** | **Compliance Assessment** |
| A2KF-PC-94-03-1.  The facility shall be housed in a structure approximately 50 by 100 feet or less in size | None | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-PC-94-03-2.  Noise levels shall comply with the New Industrial and Commercial Noise Standards | Noise testing completed in 1997. | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: In Compliance  Republic: |
| A2KF-PC-94-03-3.  The applicant is responsible for ongoing monitoring of noise levels. | Available records do not indicate any noise monitoring requests by the Planning Official. | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: In Compliance  Republic: |
| A2KF-PC-94-03-4.  The applicant shall obtain and comply with all applicable permits from Oregon Department of Environmental Quality (DEQ). The applicant shall provide copies of all DEQ permits to the County. |  | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |
| A2KF-PC-94-03-5.  The Planning Official may require that the applicant obtain a new conditional use permit in order to expand the facility | A new conditional use permit was submitted for expansion of the facility | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |
| A2KF-PC-94-03-6.  Lighting shall not impact streets or adjacent property | There is no record of complaints received by the County | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: Compliance Status Unclear  Republic: |
| A2KF-PC-94-03-7.  Obtain required building permits | None | Ed Petera, Catherine Biscoe, Mark Yeager: No opinion  Staff: In Compliance  Republic: |

|  |  |  |
| --- | --- | --- |
| **S-97-58** A Conditional Use Permit for approval ofan expansion of the generating capacity of the existing electric generation plant | | |
| **Summarized Condition** | **Key Finding** | **Compliance Assessment** |
| A2KF-S-97-58-1.  Phase I facility shall be located in a structure approximately 75 by 85 feet; Phase 2 expansion shall be located in a building approximately 120 by 200 feet | The expansion added 4,300 square feet to the original building. | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-S-97-58-2.  Both the Phase 1 and Phase 2 expansions shall be constructed in accordance with the application materials. | Zoning compliance during building permit review checks to make sure the site plan meets code requirements. | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-S-97-58-3**.**  Noise levels for both Phase I and Phase 2 shall comply with the Noise Control Regulations for Industry and Commerce | Noise Compliance Monitoring memorandum submitted on June 11, 1997, by Pacific Northwest Generating Cooperative. | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: In Compliance  Republic: |
| A2KF-S-97-58-4.  The applicant is responsible for ongoing monitoring of noise levels. | Available records do not indicate any noise monitoring requests by the Planning Official. | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |
| A2KF-S-97-58-5.  Provide sanitation facilities for the generation plant employees | None | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Unclear  Staff: In Compliance  Republic: |
| A2KF-S-97-58-6.  The applicant shall obtain and comply with all applicable permits from the DEQ | None | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |
| A2KF-S-97-58-7.  Lighting shall not impact an adjacent road or property | No record of complaints received by the County | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |
| A2KF-S-97-58-8.  Declaratory statement to be recorded that recognizes the rights of adjacent forest uses, | None | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-S-97-58-9.  The applicant shall prepare a site-specific development plan addressing emergency water supplies for fire protection. | No information related to this condition has been found | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: Compliance Not Demonstrated  Republic: |
| A2KF-S-97-58-10.  Obtain all required building permits | None | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |

|  |  |  |
| --- | --- | --- |
| **PC-02-07** A Conditional Use Permit for approval of landfilling an additional 1.43 acres. | | |
| **Summarized Condition** | **Key Finding** | **Compliance Assessment** |
| A2KF-PC-02-07-1.  Obtain approval from the DEQ | None | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: In Compliance  Republic: |
| A2KF-PC-02-07-2.  Keep unpaved, main access roads dust-free | Coffin Butte Road is now paved | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-PC-02-07-3**.**  Ensure that the landfill operation does not exceed the maximum sound level permitted by DEQ | Available records do not indicate any noise monitoring requests by the Planning Official. | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-PC-02-07-4.  Provide on-site parking | Security fence is present | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-PC-02-07-5.  Maintain a security fence between the landfill operation and the public road | None | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Unclear  Staff: In Compliance  Republic: |
| A2KF-PC-02-07-6.  The landfill operation hours  8:00 a.m. and 5:00 p.m. Monday through Saturday,  12:00 p.m. through 5:00 p.m. on Sundays,  24-hour access for commercial customers. | Condition is written poorly and would be improved with better clarification on Hours of Operation | Ed Petera, Catherine Biscoe, Mark Yeager: Not in Compliance  Staff: In Compliance  Republic: |
| A2KF-PC-02-07-7.  The applicant shall retain the dual-access road system | None | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-PC-02-07-8.  The landfill activity shall be limited to the 600-foot contour elevation | None | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: Compliance Not Demonstrated  Republic: |
| A2KF-PC-02-07-9.  Copies of water quality and air quality permits, and data shall be placed on file with the Benton County | The county receives copies of these permits | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: In Compliance  Republic: |
| A2KF-PC-02-07-10.  Copies of storm-water runoff permits, and data shall be placed on file with the Benton County Community Development Department | The county receives copies of these permits | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Status Unclear  Staff: In Compliance  Republic: |

|  |  |  |
| --- | --- | --- |
| **PC-03-11** A Conditional Use Permit for excavation and landfilling of 9.45 acres adjacent to the existing landfill operation | | |
| **Summarized Condition** | **Key Finding** | **Compliance Assessment** |
| Conditions 1, 2, 3, 4, 5, 6 7, and 8 are exact copies from PC-02-07 Conditions. |  |  |
| A2KF-PC-03-11-9.  Provide landscape buffer plan between Hwy 99 and east triangle | This buffer is not evident | Ed Petera, Catherine Biscoe, Mark Yeager: Not in Compliance  Staff: Not in Compliance  Republic: |
| A2KF-PC-03-11-10**.**  Obtain DSL approval for activities that effect wetlands | None | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |

|  |  |  |
| --- | --- | --- |
| **PC-11-016** A Conditional Use Permit for approval of the construction of a new public recycling and refuse transfer facility | | |
| **Summarized Condition** | **Key Finding** | **Compliance Assessment** |
| A2KF-PC-11-016-1. Development shall comply with the plans and narrative in the applicant's proposal identified as Attachment 'A' except as modified by the approval or the conditions | Compliance is not actively monitored | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |
| A2KF-PC-11-016-2.  The applicant shall record a declaratory statement acknowledging the rights of adjacent and nearby property owners to conduct forest operations | None | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |
| A2KF-PC-11-016-3**.**  The applicant shall demonstrate compliance with the applicable siting standards specified in BCC 60.405 | None | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-PC-11-016-4.  All new facilities constructed under this approval shall comply with the applicable provisions of Building Code | None | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| Conditions one through 10 of PC-03-11 carried over |  |  |

|  |  |  |
| --- | --- | --- |
| **LU-13-061** Conditional Use Permit for "minor additions and modifications" at Coffin Butte Landfill to change the location of a construction staging and storage area in the vicinity of the existing office structure | | |
| **Summarized Condition** | **Key Finding** | **Compliance Assessment** |
| A2KF-LU-13-061-1.  Development shall comply with the plans and narrative in the applicant's proposal identified as Attachment 'A' except as modified by the approval or the conditions | Compliance is not actively monitored | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-LU-13-061-2.  The applicant shall record a declaratory statement acknowledging the rights of adjacent and nearby property owners to conduct forest operations | None | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-LU-13-061-3**.**  Get a Public Works permit for any new access to a county road or change to an existing access | None | Ed Petera, Catherine Biscoe, Mark Yeager: None  Staff: In Compliance  Republic: |
| A2KF-LU-13-061-4.  A National Pollutant Discharge Elimination System NPDES) permit is required for all construction activities that disturb one acre or more. | Advisory | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |
| Prior conditions regarding a DEQ permit, unpaved roads, noise, parking, security fence, hours of operation, dual-access road system, copies of water quality and air quality permits, and copies of stormwater runoff permits copied from prior approvals |  |  |

|  |  |  |
| --- | --- | --- |
| **LU-15-001** Alteration of a nonconforming use to continue and enhance a stormwater treatment facility | | |
| **Summarized Condition** | **Key Finding** | **Compliance Assessment** |
| A2KF-LU-15-001-1.  Development shall comply with the plans and narrative in the applicant's proposal identified as Attachment 'A' | Compliance is not actively monitored | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |
| A2KF-LU-15-001-2.  The applicant shall obtain and maintain compliance with the terms of all necessary federal, state, and local permits | Compliance is not actively monitored | Ed Petera, Catherine Biscoe, Mark Yeager: Compliance Not Demonstrated  Staff: In Compliance  Republic: |

**Key Recommendations:**

1. Ascertain if the Site Plan and Narrative included in the applicant submittals for PC-83-07/L-83-07 are regulatory conditions the landfill was required to follow.
2. Consider the impact of leachate management on traffic safety, road maintenance, wastewater treatment plant, and the Willamette River (water, sediments, wildlife, etc.) in future assessment of the impact of landfilling in Benton County.
3. Clarify what appropriate reclamation will look like to appropriately manage community expectations for the ultimate disposition of the landfill.
4. Refine recycling program to encompass all jurisdictions that contribute product to the landfill and align expectations among all contributors.
5. Clarify the roles of the County and DEQ in future CUP actions.
6. Establish and widely advertise a County process for receiving, tracking, and resolving complaints.
7. Assess the landfill’s emergency management plan.
8. Future conditional use permit conditions of approval and decisions should clearly convey basis of approval and completion.
9. Odor issues do not seem to be mentioned in any of the conditions but there should be further discussion on how to address this issue.
10. Review how the acquisition of buffer land by RSI is consistent with Vision 2040.

**Additional Information:**



**SECTION C: Sustainable Materials Management Plan (SMMP)**

**Introduction:**

The following is a complete list of findings and recommendations put forth by individual members of the subcommittee. They have not been vetted and approved by the full subcommittee, and the majority and minority opinions have not been noted. The subcommittee will continue to work to refine these elements further. The subcommittee has worked collaboratively to develop a draft report focused on investigating and discussing elements of the charge.

* The full Subcommittees Report can be found linked [here](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8321/smmp_subcommittee_report_work_group_report_draft_2_011723.pdf), and in Section 3 of Appendix C.
* The full Subcommittee “Meeting Notes” can be found linked [here](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8321/smmp_subcommittee_report_working_document_011223.pdf), and in Section 3 of Appendix D.

|  |
| --- |
| [Webpage Link](https://www.co.benton.or.us/cd/page/bctt-subcommittee-c1-sustainable-materials-management-plan-smmp) |
| **Charge: Long Term Sustainable Materials Management Plan (SMMP) tasks:**   * 1. Contracting out;   2. Subjects to be covered;   3. (Moved from Common Understandings) Benefit-Cost Topics are only Outlined   4. (New) Add in Vision 2040 and related County documents with similar from other counties referenced   5. Who needs to be at the table beyond those in the County;   6. A workplan outline with a timeline for completion;   7. Topics covered in recent similar planning efforts across the state; and   8. What “lessons learned” should be brought forward in this process. Includes necessary foundational “common understandings” and protocols needed before beginning the actual planning process.   NOTE: This charge does not include completing the plan. It only includes a discussion of the preliminary scoping to start that planning process Possible Amendment for BOC Consideration: If there is sufficient time to complete the original Charge and the following activities, subcommittee to provide recommendations on: 1. the most important topics/subjects from the draft of the SWMP Table of Contents; 2. the brainstormed options for those topics/subjects; and 3. the reasoning, both pro and con, for their selection. |
| **Members:**   * + - Brian May     - Daniel Redick     - Joel Geier     - John Deuel     - Ken Eklund     - Marge Popp     - Ryan McAlister     - Sean McGuire     - Staff: Daniel Redick |
| **Subcommittee Meetings and Notes:** [Document Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8321/smmp_subcommittee_report_working_document_011223.pdf) |

**Key Findings:**

1. Contracting out;
   1. Some contracting processes include Technical Advisory Committees (TAC), which Vet technical information from consultant, get to a place of consensus, and Community Advisory Committee (CAC), which Review in areas of disagreement for technical experts.
2. Subjects to be covered;
   1. The charges of the total work group are intimately related and are included within this RFP.
   2. There are many best practices and model SMMP’s in Oregon and beyond.
3. (Moved from Common Understandings) Benefit-Cost Topics are only Outlined
   1. In Progress
4. (New) Add in Vision 2040 and related County documents with similar from other counties referenced
   1. In Progress
5. Who needs to be at the table beyond those in the County;
   1. In Progress
6. A workplan outline with a timeline for completion;
   1. Length of overall project can be heavily impacted and defined by the level of public interaction/engagement included in the project.
   2. The research and development of the plan can occur in the background, not using as much time as outreach.
7. Topics covered in recent similar planning efforts across the state; and
   1. In Progress
8. What “lessons learned” should be brought forward in this process.
   1. In Progress

**Key Recommendations:**

1. Contracting out;
   1. Benton County should use an RFP to find consultant(s) for developing a Sustainable Materials Management Plan.
   2. Recruitment needs to be extensive, and selection of successful proposal should be careful and thorough.
   3. The scope of work for this project is expected to be broad and comprehensive, with specific goals recommended for the County to consider as reaching for as milestones.
   4. Qualities of a successful applicant should include those listed in the full subcommittee report.
   5. The RFP development process should:
      1. Provide details about Workgroup process and its findings to RFP applicants
      2. Prioritize topics, adding additional topics that are important to consider
      3. Communicate accurate priorities to applicants
      4. Members of this BCTT SMMP subcommittee should be offered to participate in subsequent stakeholder group meetings for RFP development and review
      5. SWAC/DSAC should have an advisory role during the development of the plan
      6. RFP Release/Announcement should:
         1. communicate an expectation that this plan can be approached by teams (multiple firms), instead of just single firms
         2. Put guidelines on the size/length of proposals and sections of proposals
         3. Be distributed to allow enough time for it to be posted to various trade groups, equity-minded sharing to underrepresented groups, internationally minded outlets
      7. The county should share with the public the various steps of the process, making updates available, and demonstrating transparency (Cross-referencing subcommittee E.1. work)
      8. The RFP should demonstrate flexibility through allowing further work plan development after applications are reviewed and accepted
      9. Length of overall project:
         1. Can be heavily impacted and defined by the level of public interaction/stakeholder engagement included in the project, and by requirements from the county
         2. R&D from consultant can occur in the background
         3. Applicants should include various scope/cost options for 1 year, 2 years, and 3-year timelines.
         4. The report should be released in sections, based on timeline and content priorities.
      10. Include Technical Advisory Committees (TAC), which Vet technical information from consultant, get to a place of consensus, and Community Advisory Committee (CAC), which Review in areas of disagreement for technical experts.
          1. SMMP Sub-Committee members should be included in the CAC.
   6. Proposals contain the following information, with parameters around each of these items in terms of document length:
      1. Cover Letter (P/F).
      2. Project Team Experience and Qualifications.
         1. Experience, Capabilities and Resources of the Proposer. 25 points.
         2. Experience of project team members. 25 points.
         3. Experiences with other SMMP in the last 5 years
      3. Understanding of Project.
      4. Approach to the Scope of Work. 25 points
         1. Fully and completely address all of the questions listed
      5. Cost Proposal (based on cost matrix)
         1. Reasonableness of the Cost Proposal. 15 points
         2. Various options based on timeline and scope
         3. Review committee is not given the cost information until initial review is complete
         4. Important consideration, but not the most important consideration
      6. Project Schedule. 10 points
      7. Social/environmental responsibility
      8. References.
      9. Interview/presentation (how important compared to other criteria?)
         1. Separate scoring criteria/process for the interview
   7. An evaluation team consisting of County staff and members of stakeholder groups should determine the best proposal deemed most qualified based on the above criteria.
2. Subjects to be covered;
   1. Emphasize impacts of the results of the RFP on social equity, innovation, to understand and emphasize the upstream aspects of material sustainability, and creative solutions that provide pathways for tangible long-term outcomes.
   2. The SMMP should address the subjects listed in the full subcommittee report, answering the questions listed as RFP priorities allow.
3. (Moved from Common Understandings) Benefit-Cost Topics are only Outlined
   1. SMMP content should include cost-benefit analyses in the evaluation and recommendations of major topics.
   2. Circular economy costs/benefits should be addressed in the SMMP.
   3. The SMMP should clarify Benefit-Cost perspectives being addressed through an equity analysis, including:
      1. Financial cost impacts associated with materials management and outcomes
      2. A perspective that goes beyond landfilling
      3. Equity of circular economy, how it engages and impacts consumers (product/material oriented)
      4. “who’s at the table” list of stakeholder perspectives
4. (New) Add in Vision 2040 and related County documents with similar from other counties referenced
   1. The Benton County Sustainable Materials Management Plan should be developed within a Sustainable Materials Management framework, reflecting full lifecycle impacts. The following information should be considered during the development of a Sustainable Materials Management Plan:
5. 2040 Thriving Communities Initiative and our communities’ Core Values
6. National, State, and local goals, vision documents, plans, policies, ordinances, etc. relating to materials management and climate change
7. Examples of values and goals expressed in state and local jurisdiction materials management plans
8. Long-term strategies (to 2040) with short-term action items (5 years or less)
9. Who needs to be at the table\* beyond those in the County\*\*;
10. DEQ
11. Economic Development Office County/Corvallis
12. Small Cities
13. Neighboring counties
14. Community Members
15. Waste generation sources (jurisdictions)
16. Local Advocacy groups (Willamette valley) – (sustainability coalition, river keepers, watershed councils, etc.)
17. National Advocacy groups
18. Equity, Diversity, Inclusion coordinator
19. Low-income populations, multi-family residents
20. Larger industry groups
21. Large waste generators
22. Building industry - USGBC
23. Architecture (AIA) American Institute of Architects
24. Designers – various materials, products, etc.
25. OSU – Business/Administration
26. OSU – Innovation, science around materials
27. \*at the table - meaning who to be consulted for feedback through the development of this plan, discuss regional coalitions/partnerships/collaboration
28. \*\*County government/staff
29. A workplan outline with a timeline for completion;
    1. The plan should include ongoing adaptive management and refinement
    2. The workplan outline and timeline should include:
       1. RFP Development
          1. RFP Development feedback opportunity from Technical Advisory Committees (TAC) and Community Advisory Committee (CAC)
       2. RFP Release/Announcement
          1. Distribution to allow time for it to be posted to various trade groups, equity-minded sharing to underrepresented groups, international-minded
       3. Webinar – interact ***live***, field questions, make presentation
       4. Pre-proposal/bid/RFP Q&A opportunity for prospective applicants – possible to make this element required/mandatory
          1. Early in the RFP release period
       5. Opportunity for respondents to express interest as primary or sub-contractors
       6. RFP Response Due Date
          1. At least 4 weeks’ time that the RFP is available prior to application deadline.
       7. Review committee to shortlist firms
          1. 2 weeks
       8. Shortlisted firms awarded additional time for presentation with optional funding for expected presentation/deliverables
          1. Additional month (within 1 week if no work product/report is due, just an interview).
       9. Evaluation and Selection Timeline
          1. Evaluation team review period
             1. Including Technical Advisory Committees (TAC) and Community Advisory Committee (CAC) review opportunity
          2. Presentations/Interviews
       10. Develop work plan further with contractor selected
       11. Length of overall project
       12. Plan Development
           1. Technical Advisory Committees (TAC) - Vet technical information from consultant, get to a place of consensus
           2. Community Advisory Committee (CAC) - Review in areas of disagreement for technical experts
           3. SWAC/DSAC advisory role during the development of the plan
       13. General public meetings – number of meetings
30. Topics covered in recent similar planning efforts across the state;
    1. The SMMP should consider the topics covered in the following recent similar planning efforts across the state:

* 1. [Materials Management in Oregon 2020 Framework for Action](https://www.oregon.gov/deq/mm/Documents/mmFramework2020.pdf" \t "_blank)
  2. [Materials Management in Oregon 2050 Vision and Framework for Action (2012)](https://www.oregon.gov/deq/FilterDocs/MManagementOR.pdf)
  3. [Deschutes County Solid Waste Management Plan (2019](https://www.deschutes.org/sites/default/files/fileattachments/solid_waste/page/11560/deschutes_county_swmp_2019.pdf))
  4. [Lane County Solid Waste Management Plan (2019](https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_3585797/File/Lane_Co_SWMP-2019-07-26-FINAL.pdf))
  5. [Lincoln County Integrated Solid Waste Management Plan (2004)](https://www.co.lincoln.or.us/sites/default/files/fileattachments/solid_waste_district/page/303/final_plan_04.pdf)
  6. Marion County
     1. [Marion County, Oregon Solid Waste Management Plan Update (2009](https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/9547/Marion_County_Solid_Waste_Update_2009.pdf;sequence=1))
     2. [Marion County Solid Waste System Assessment Report (2016](https://www.co.marion.or.us/PW/ES/disposal/programs/SWMAC/Documents/Final%20Marion%20Co%20Assessment%20May%2016%202016.pdf))
     3. [Marion County, Oregon Solid Waste and Energy Final Report (2017](https://www.co.marion.or.us/PW/ES/Documents/GBB%20Report.pdf))
  7. Metro:
     1. [Metro 2030 Regional Waste Plan (2019](https://www.oregonmetro.gov/sites/default/files/2019/06/06/2030_Regional_Waste_Plan.pdf))
     2. [Waste Prevention & Environmental Services Regional Waste Plan Progress Report (January 2022)](https://www.oregonmetro.gov/sites/default/files/2022/01/21/Regional-waste-plan-progress-report-Jan-2022.pdf)
  8. [Tillamook County Comprehensive Materials and Solid Waste Management Plan (2012)](https://www.co.tillamook.or.us/sites/default/files/fileattachments/solid_waste_administration/page/8658/tillamook_county_solid_waste_plan_final.pdf)

1. What “lessons learned” should be brought forward in this process.
   1. Feedback from other counties who have developed materials management plans
   2. International examples of landfill alternatives (such as Germany, Finland, Sweden, and South Korea)
   3. Examples from California and Washington
   4. Lessons from past Benton County experiences with contracts with Republic, engagement,
   5. Lessons from individual processes vs. integrated systems
   6. Workgroup process and its findings

**Additional Information:**



**SECTION D: Legal issues and Land use Review**

**Introduction:**

* The full Subcommittee Report can be found linked [here](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/subcommittee_report_for_1-19_bctt_-_legal_land_use_subcommittee.pdf), and in Section 4 of Appendix C.
* The full Subcommittee “Meeting Notes” can be found linked [here](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_land_use_subcommittee_meeting_notes_1-17-23.pdf), and in Section 4 of Appendix D.

|  |
| --- |
| [Webpage Link](https://www.co.benton.or.us/cd/page/bctt-subcommittee-a3-legal-issues-and-b1-land-use-review) |
| **Charge A: A Summary of the County’s current rights and obligations to Republic Services, and vice versa, surrounding:**   1. The hauling franchise; 2. The landfill CUP; and 3. What legally can and cannot be conditions of any land use approvals (e.g., past compliance, compliance with future laws, codes, and policies, DEQ compliance, reopening, limitations on what can be brought into the County from where, required facilities and practices, reporting/compliance/financial monitoring requirements, etc.) 4. Interpretation and Deference: A Summary of the rights and obligations of other entities surrounding landfills, hauling, and sustainability initiatives, etc.:    * + 1. Federal;        2. Tribal; 5. State (e.g., Is DEQ prohibited from permitting another landfill west of the Cascades and what does the “regional landfill” designation mean?); 6. Local Government; and 7. Summary of the step-by-step process in ORS chapter 459 and associated timing for the cross-jurisdictional approvals of landfill applications, (e.g. DEQ) including:    * + 1. What topics are within whose authority, and        2. Whether, for example, the County can or should consider the topics it does not have permitting authority over when assessing the criteria outlined in Code section 53.215?   **Charge B: Land Use Review Tasks:**   1. Create a common understanding document outlining which Development Code criteria are applicable to the review of a conditional use application for landfill expansion by reviewing:    * + 1. 53.215 (Criteria)        2. 77.305 (Conditional Uses)        3. 77.310 (Review)        4. 77.405 (DEQ) 2. Review Chapters 50 and 51 for context, and then prepare a conceptual list of any other Development Code criteria the WORKGROUP recommends be applicable. 3. Developing recommended guidelines for interpreting any ambiguous provisions recognizing current statutes, regulations, case law, and County precedent, etc. In doing so, refer to Comprehensive Plan for policy guidance regarding interpretation of any ambiguous Development Code provisions (see, BCC 50.015,) and Review the Planning Commission comments made during its last review of Republic Services’ CUP application for context. Examples for consideration include:    * + 1. The phrase, “Other information as required by the Planning Official” 77.310(e)        2. The terms found in Section 53.215, e.g.        3. “seriously interfere”        4. “character of the area”        5. “purpose of the zone”        6. “undue burden”        7. “any additional criteria which may be required for the specific use of this code.        8. Other: \_\_\_\_\_\_\_\_\_\_\_\_ 4. Necessary Tasks to Start Planning Reopening of Existing Hauling Agreement 5. Roles, Responsibilities, and Protocols of SWAC and DSAC 6. Specific Recommended Review Criteria for the Evaluation of Landfill CUP applications 7. SWAC/DSAC, Planning Commission, and BOC Use of the Review Criteria 8. Future Timeline for Discussing any Needed Changes to the Benton County Code Flowing From WORKGROUP Recommendations 9. Recommendations |
| **Members:**   * Jeff Condit * Liz Irish * Vance Croney * Staff: Greg Verret |
| **Subcommittee Meetings and Notes:** [Document Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_land_use_subcommittee_meeting_notes_1-17-23.pdf) |

**Key Findings:**

***Disclaimer: These findings have not been vetted by the subcommittee and are subject to revision. The findings are staff’s summary pulled from the subcommittee’s report but need review and refinement.***

1. Unless a later land use approval expressly addresses whether conditions of a prior land use approval are superseded, the issue will be subject to interpretation by the local government (the Board of County Commissioners, in this case). [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=3)
2. Only the current franchise agreement has bearing. The previous franchise agreement is superseded at the time a new agreement takes effect. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=4)
3. Up-front and ongoing financial assurance to cover the cost of closure, post-closure, and corrective actions are required by DEQ. Where this preliminary line of defense fails, Oregon statute holds any person owning or controlling the disposal site liable for closure and post-closure maintenance. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=4)
4. What legally can and cannot be conditions of any land use approvals? In order to be approved, an application must demonstrate compliance with all discretionary approval standards. The county may find compliance by establishing compliance is feasible, subject to compliance with specific condition(s) of approval. Conditions of approval may be imposed to assure the criteria are met; however, there must be substantial evidence supporting a finding that the condition is “likely and reasonably certain” to result in compliance. Conditions of approval must relate to approval criteria. To lessen adverse impacts on surrounding uses, the county may “impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code.” (BCC 53.220) [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=14)
5. In reviewing a CUP for landfill expansion, the County has jurisdiction over only the proposed expansion. Existing and past operations are not within the County’s scope of review. Prior decisions are final and cannot be revisited or collaterally attacked as part of the CUP application for the expansion. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=14)
6. Benton County may not prohibit a private landfill operator from accepting solid waste from outside Benton County. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=16)
7. Ambiguous terms. The rules of statutory construction describe how ambiguous terms are to be interpreted: text, context, and legislative history. When a local government interprets its plan and regulations, as long as the interpretation is plausible, LUBA’s standard of review is highly deferential to that interpretation. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=21)
8. Is DEQ prohibited from permitting another landfill west of the Cascades? No. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=35)
9. What does the “regional landfill” designation mean? Oregon Revised Statute (ORS) 459.005(23) defines a Regional Disposal Site as “a disposal site that receives … more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located….” The immediate service area of Coffin Butte is Benton County. Coffin Butte Landfill has received more than 75,000 tons from outside its immediate service area in every year since at least 1993. Coffin Butte Landfill is by definition a regional landfill. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=35)
10. The review criteria for a landfill-expansion conditional use permit require subjective determinations on the context of a specific application. In the criterion of “*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”*, the term “seriously interfere” has generally been interpreted in Benton County land use decisions as: does the proposed use make it difficult to continue uses on adjacent property; would it create significant disruption to the character of the area; would it conflict, in a substantive way, with the purpose of the zone. “Seriously interfere” has been applied as meaning more than an inconvenience or irritation to neighboring property residents but is a lesser threshold than rendering impossible the uses on adjacent property. Speculated effect on property values has not been a primary consideration in determining serious interference. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=43)
11. In the criterion of: “*The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area”,* a burden on public infrastructure and service is clearly “undue” if it overloads the system or causes significant degradation in terms of quality, effectiveness or timeliness of infrastructure or service. Lesser burdens may also be “undue” if the effect is to jeopardize the health, safety or welfare of people. Burdens that have typically not been considered “undue” include those that can be mitigated through planned improvements, that are incremental service additions consistent with that generated by other uses in the area, or that fall below an established threshold (such as road classification standards). [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=45)
12. Statements made by the applicant do not become conditions of approval unless those statements are specifically included or incorporated, directly or by reference, into the final decision. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=49)
13. BCC 77.305 directs the Solid Waste Advisory Council (SWAC) to review and make recommendations on a landfill-expansion CUP; however, the code does not specify what criteria or considerations that recommendation should be based on. SWAC’s overall role as articulated in its bylaws: “assist the Board of Commissioners (Board) in Planning and implementation of solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance.” As such, SWAC should review the proposal and provide input from a solid waste management perspective. The Planning Commission’s role is to review the proposal from a land use perspective, relative to specific criteria listed in the Development Code, and to make a decision. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=54)
14. Pursuant to BCC 77.310(1)(e), to what extent may the Planning Official require additional information from an applicant for a Landfill Site Zone Conditional Use Permit? Only “other information” that relates to the approval criteria for a conditional use permit may be required under BCC 77.310(1)(e), and the applicant may choose to provide some, all or none of the requested information. The land use decision must be based on a demonstration of compliance with the code criteria, not on whether the applicant provided requested information or not. [*draft memo; still under review*]

**Key Recommendations:**

***Disclaimer: These recommendations have not been vetted by the subcommittee and are subject to revision. The recommendations are staff’s summary pulled from the subcommittee’s report but need review and refinement.***

1. SWAC’s role in reviewing and landfill-expansion CUP should be from the perspective of solid waste management (see LLU-KF-13). The workgroup may wish to recommend specific areas of consideration by SWAC. For example: Is the proposed expansion consistent with long-term plans for the landfill site? Is the proposal consistent with principles of responsible solid waste management? What (solid waste management) benefits do you see to the proposed expansion? What potential (solid waste management) negative effects do you see? Are there ways to minimize or mitigate those effects, or do you think the proposal should be rejected? [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=54)
2. BCC 77.405 states that “*Copies of materials submitted to the Oregon Department of Environmental Quality as a part of any permit process shall be submitted to the Planning Official. If at any time the Planning Official determines that permit application materials or conditions of DEQ permit are judged to merit public review, a Public Hearing before the Planning Commission shall be scheduled.*” This provision is unclear. Staff interprets that this section requires a new review of a conditional use permit if the use originally approved has been modified. Recommend code amendment to clarify this provision. A workgroup recommendation on how public review of DEQ permit requirements could most benefit the public would also be helpful. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=48)
3. The determination of whether a land use application is complete must happen fairly quickly. With a complex application, such as a landfill expansion, reviewing the submitted materials takes substantial time and benefits from having guidelines identified prior to receiving an application. The BCTT Workgroup could identify elements that should be considered in the determination of whether a land use application concerning the landfill is “complete”. This is a more workable way for public input into the completeness determination than engaging a public review process for completeness during the limited time available once an application has been submitted. [Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_issues_land_use_review_subcommittee_-_master_working_document_v8.pdf#page=50)

**Additional Information:**



**SECTION E: Community Education & Public Involvement Summary**

**Introduction:**

* The full Subcommittees Report can be found linked here, and in Section 5 of Appendix C.
* The full Subcommittee “Meeting Notes” can be found linked here, and in Section 5 of Appendix D.

|  |
| --- |
| [Webpage Link](https://www.co.benton.or.us/cd/page/bctt-subcommittee-e1-community-education) |
| **Charge:**   1. General History:    1. Directed at public and those new to the issue    2. Not as detailed as initial draft    3. Narrative more than table of newspaper articles    4. Other historical details will appear in the Capacity and CUP reports for cross-referencing. 2. Next CUP Communications Protocols:    1. Start with legal requirements from Legal Subcommittee    2. Develop protocols for the timely and broad distribution of CUP-related information to the public, other governmental entities, and internal committees, groups, and divisions.    3. Look at wide distribution via multiple communication channels    4. Note opportunities for input from the jump    5. Possible Open House/Community Forum events    6. Benton County devoted website with public comment email/form, Etc.    7. Legal Issue: Apply to just landfill CUP or all CUPs – perhaps, two processes; one for big/large area impacts vs. smaller/localized impacts, etc. May require code amendments. 3. Executive Summary:    1. Emphasis will be on recommendations    2. Note where “consensus” and MAJ- MIN 4. Community Education Plan:    1. Focus on the ending of the BCTT process and preparation for next CUP    2. SMMP info?    3. FAQs from a process perspective – not the substantive perspective    4. Outreach Plan 5. Recommendations |
| **Members:**   * Ginger Rough * Cory Grogan/ JonnaVe Stokes * Louisa Shelby * Marge Popp * Mark Henkels * Mary Parmigiani * Staff: Amelia Webb |
| **Subcommittee Meetings and Notes:** [Document Link](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8384/bctt_subcommittee_e1_master_document_12-8-22_version.docx) |

**Key Findings:**

Public engagement needs to be widened and become more inclusive. This is mostly likely to be achieved though the following measures:

1. Insure language accessibility for at least the County’s most used languages. (English, Spanish, and Chinese.)
2. Use methods that help target underserved populations, practically the youth and low-income demographics.
   1. This can be achieved through more SMS communication and insuring all websites and surveys are mobile friendly.
   2. Increase social media communication and expand to more platforms. (Reddit, TikTok, Sub-Reddit, etc.)
   3. Utilize social media advertising.
3. Use outreach methods that do not require people to be pre-signed up or self-selected. This includes, but is not limited to, flyers in public spaces, paid advertising on social media, in newspapers, and on the radio, informational mailers, and other resources.)
4. Create user friendly access to public input documents and testimonies during the process to ensure Benton County, Planning Commission, SWAC and other citizens can access information. This could be on a dedicated landfill website or open house website.

**Key Recommendations:**

|  |  |  |  |
| --- | --- | --- | --- |
| **Benton County Talks Trash Notifications Chart** | | | |
| **Notification Subject** | **Notification Type** | **Who is Notified** | **Timeline** |
| **BCTT Report** | Email blast  SWG Interested Parties List, Organic Subscribers, make sure those who spoke at meeting are on the list  Soap Creek Neighbors Group, other landfill neighbors | \*Radii maps mentioned in table are below  10 Mile Radius Proposed | 48 hrs.  72 hrs.?  After report if finished |
| **BCTT Survey re: Public thoughts on workgroup report** | Email blast, website post.  Possible postcard to the entire county here with a link to go to and/or scan to get on a list to be informed of further updates and/or have an open house event/public informational meeting-  weekend in the daytime where the link and email list is available. | 10 Miles proposed | Open 1 month |
| **Board Hearing on Report** | Email blast, website post | 10 Miles proposed | 24 hrs. after scheduled |
| **CUP Filing** | Post Card, email blast, newspaper  Social media posts and ads | 10 or 15 miles | 24 hrs. after initiation |
| **CUP Completion** | Email blast, website post, newspaper  Social Media | Entire County  Same as CUP filing | 24 hrs. after |
| **Franchise Agreement** |  |  |  |
| **Planning Commission Meetings** | Website, email to interested groups | People on existing email list | 2 weeks before meeting |
| **SWAC Meetings** | Website, email to interested groups | People on existing email list | 1 to 2 weeks before meeting |

**Additional Information:**



**Final Polling**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **WORKGROUP Member** | **Polling** | **Charge** | **Not Here** | **Abstain** | **1** | **2** | **3** |
| Chuck Gilbert | X | All |  |  |  |  |  |
| Marge Popp | X | All |  |  |  |  |  |
| Elizabeth Irish | X | All |  |  |  |  |  |
| Russ Knocke | X | All but C |  |  |  |  |  |
| Shawn Edmonds | X | All but C |  |  |  |  |  |
| John Deuel | X | All |  |  |  |  |  |
| Kathryn Duvall | X | All |  |  |  |  |  |
| Christopher McMorran | X | All |  |  |  |  |  |
| Ryan McAlister | X | All |  |  |  |  |  |
| Mary Parmigiani | X | All |  |  |  |  |  |
| Ed Pitera | X | All |  |  |  |  |  |
| Louisa Shelby | X | All |  |  |  |  |  |
| Catherine Biscoe | X | All |  |  |  |  |  |
| **Polling Totals:** |  |  |  | **3** | **8** | **0** | **0** |
| **EX-Officio** | **Polling** | **Charge** | **Not Here** | **Abstain** | **1** | **2** | **3** |
| Brian Fuller |  |  |  |  |  |  |  |
| Brian May |  |  |  |  |  |  |  |
| Shane Sanderson |  |  |  |  |  |  |  |
| **County** | **Polling** | **Charge** | **Not Here** | **Abstain** | **1** | **2** | **3** |
| Daniel Redick |  |  |  |  |  |  |  |
| Sean McGuire |  |  |  |  |  |  |  |
| **Ex-Officio Totals:** |  |  | **0** | **0** | **5** | **0** | **0** |
| **Grand Totals:** |  |  |  |  |  |  |  |

**RESULT:** Consensus / No Consensus

**Minority Proposal:** None

**Last Meeting Transcript**

**Member Statement in Alpha Order or group by Support, Neutral, or do not Support [List in Alpha Order]**

|  |  |  |
| --- | --- | --- |
| **Member** | **Affiliation** | **Statement Number** |
| Audrey O’Brien | DEQ | 1 |
| Brian May  ALT: Andrew Jonson | Marion County | 2 |
| Catherine Biscoe | Public | 3 |
| Christopher McMorran | Public | 4 |
| Chuck Gilbert | SWAC/DSAC | 5 |
| Daniel Redick | Benton County Staff | 6 |
| Ed Pitera | Public | 7 |
| Elizabeth Irish | Planning Commission | 8 |
| John Deuel | Public | 9 |
| Kathryn Duvall | Public | 10 |
| Louisa Shelby | Public | 11 |
| Marge Popp | SWAC/DSAC | 12 |
| Mary Parmigiani | Public | 13 |
| Russ Knocke  ALT: Ginger Rough | Planning Commission | 14 |
| Ryan McAlister | Public | 15 |
| Sean McGuire  ALT: Jen Brown | Benton County Staff | 16 |
| Shane Sanderson | Linn County | 17 |
| Shawn Edmonds  ALT: Julie Jackson | Republic: National | 18 |

**V. Public Outreach and Process Reflections**

**a. Public Outreach Summary**

**b. Member Process Evaluation Summary**

**c. Facilitator Process Reflections**

**VI. Conclusion**

**TO BE PROVIDED**

**VII. Appendix**

**A.** **Meeting Summary and Open House Topics**

* 1. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
  2. **Subcommittee Reports – TO BE PROVIDED**
     + 1. Landfill Size/Capacity/Longevity
       2. Sustainable Materials Management Plan (SMMP)
       3. Past Land Use Application Conditions
       4. Legal Issues & Land Use Review
       5. Community Education & Outreach
  3. **Subcommittee “Meeting Notes” – TO BE PROVIDED**
     + 1. Landfill Size/Capacity/Longevity
       2. Sustainable Materials Management Plan (SMMP)
       3. Past Land Use Application Conditions
       4. Legal Issues & Land Use Review
       5. Community Education & Outreach

**Appendix A: Meeting and Open House Topics**

**a. Meeting One: 09/08/2022**

**1.** **Main Topics**

* Welcome & Introductions
* Participant Meeting Instructions
* Participant Commitments
* How We Got Here
* Review Major Charter Sections:
* Collaboration 101 Training
* Public Comment
* Triage Charge Elements
* Draft Report Structure Explore Common Understandings Section
* Mechanics: Add Representative Table
* Next Steps

**2. Materials Presented**

* [Agenda](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_9-8-22_agenda_updated_9-7-22.pdf)
* [Assessment](chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https:/www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/benton_county_solid_waste_assessment_7-12-22_final_report.pdf)
* [Facilitator Observations](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_workgroup_facilitators_initial_observations_9-7-22.pdf)
* [Charter](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/benton_county_talks_trash_charter_and_bylaws_approved_8-23-22_final.pdf)
* [PowerPoint](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/6_bctt_9-7-22_meeting_facilitator_powerpoint.pdf)
* [Survey Summary](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_workgroup_homework_summary_for_9-8-22_meeting_one.pdf)
* [First Draft of Report](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_draft_workgroup_report_common_understandings_083122.pdf)

**3. WORK GROUP Discussion**

The workgroup reviewed the major Charter sections: these were the general scope, charge elements, guiding principles, how polling works, and the “one table” concept. The workgroup triaged the draft report structure, exploring the Common Understandings section. The major themes were refining the list of missing topics/questions, providing additional information where needed, and commenting on the next draft. When discussing the mechanics of the workgroup, the central topics were establishing meeting times, and scheduling suggestions for the landfill and neighborhood tours.

For the complete Workgroup discussion, please review the [09/08/2022 Meeting Minutes here](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/9-8-22_bctt_meeting_draft_minutes.pdf).

The Zoom video recording is available [here.](https://www.youtube.com/watch?v=ib7rf-ysB_A)

**4. Action Items**

Members were given the Meeting One Evaluation link. Homework for the next meeting included providing information on member alternates and submitting any final topics and/or questions with supporting materials.

The County agreed to work on increasing project visibility and public information and expanding the interested party list in the making with those that were on the CUP process list.

**5. Public Comment**

Themes from Public Comments:

1. Mountain of garbage. Need to keep existing capacity in mind and what this means for the County.
2. Only 7% of waste comes from Benton county and should not be dumping ground for others.
3. Process should focus more on SMMP – not a CUP application.
4. Once a cutting-edge facility; now never-ending community problem.
5. Coffin Butte a tragedy of commons; make those furthest away pay more.
6. Future-orientated focus removed from the Charter – focus on more than landfilling.
7. Consider options for harvesting energy from the landfill
8. He workgroup is in a unique position regarding common understandings. The workgroup should get the facts and work hard to develop common understandings. This could be a worthy outcome in and of itself.

**b. Meeting Two: 09/15/2022**

**1.** **Main Topics**

* Welcome & New Member Introductions
* Participant Meeting Instructions
* Participant Commitments
* Approve Draft Minutes from Meeting One
* Public Comment
* Meeting One Evaluation Highlights
* Homework Highlights
* Explore Common Understandings & Refine List of Missing Topics/Questions
* Discuss SWMP Table of Contents Concept
* Triage Charge Elements/Workplan
* Next Steps

**2. Materials Presented**

* [Agenda](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_9-15-22_working_agenda_-_draft.pdf)
* [Draft 9/8/22 Minuets](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/9-8-22_bctt_meeting_draft_minutes.pdf)
* [Comments](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/comments_received_091422.pdf)
* [Meeting One Evaluation](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_m1_evaluation.pdf)
* [Homework Summary](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_workgroup_homework_summary_for_9-15-22_meeting_two.pdf)
* [Common Understandings Table of Contents](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/draft_report_common_understandings_table_of_contents_presentation_version.pdf)
* [SWMP Table of Contents](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/swmp_table_of_contents_9-15-22_review_draft.pdf)

**3. WORK GROUP Discussion**

Sam shared the results and explained how the evaluations and homework answers are compiled. Amelia pulls comments from SurveyMonkey and formats it for ease of review. The workgroup then had a brief discussion about fairness and balance. Important themes from exploring the Common Understandings Section and the SWMP include emphasizing that the workgroup’s current purpose is to grow a full list of topics (not to finetune or get precise placement), brainstorming different areas of questioning. The workgroup then triaged the Charge Elements/Workplan. The overarching theme was flushing out what the workgroup has the ability and resources to do.

For the complete Workgroup discussion, please review the [09/15/2022 Meeting Minutes here.](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_9-15_draft_meeting_minutes.pdf)

The Zoom video recording is available [here.](https://us06web.zoom.us/rec/play/MB1Fyp6HIKt9MPcIccF59Rv4OdT3N4rhLZEVKbr4QdNLXbUdGBp0ObBoYRI3s1FJWDeiypffrt0O-6eP.fIkTlamo3FFworcf?continueMode=true&iet=1N2Zn6XT7erihxzr96O3aUDF_BNSnK9eYB4nmZf87Xk.AG.WxvwQOwjkQis3Blv9ivm_Wwh8r7uqwg3xr7KrDTJwiEy-Trg3TEtDsYRtzjpxBCSG85UnPx4-YJC7PHskGKLyzfQKePqwmon9zsYMrLyNl1AbVrkUUps_5BPaao0qO5J5P_1f4hZDhjYRw.9fLs9fGwJEaHv7ozfuCF3A._dszMYE55TVhNNsa&_x_zm_rtaid=-V882E_ARJmvEL3ijoLllw.1663343325510.945a629fbf07b0285470c7f1fb2685a9&_x_zm_rhtaid=596)

**4. Action Items**

Members were given the Meeting Two Evaluation link, and tour updates were given. Homework for the next meeting included members track changing the Charge Common Understandings and SMMP Table of Contents with any topics/questions they think are missing.

**5. Public Comment**

* Paul Nietfeld (engineer and resident living between Corvallis city limits and the landfill): Issues: Historic intake for coffin butte. Shows a graph with landfill input and a table with projections for landfill life, including Cell 6. Quarry challenge. Shared a desire to document intake, life, and quarry in a final report.
* Sam’s shared an example about assumptions used by different parties and the need to test them collaboratively. The use of sensitivity analyses.
* Ryan McAlister adds that life events make landfill input ebb and flow.
* Chuck Gilbert: Referenced the memo submitted on sustainability & looking at the landfill as a resource and encouraged the members to read it.
* Ken Ekland: Followed up on Paul’s presentation. He had concerns about volume numbers in the report/document being incorrect, so the lifespan Paul predicted may be too generous. Shared comments on the history of the Solid Waste Advisory Council (SWAC) and the Disposal Site Advisory Committee (DSAC.)
* Brian Fuller also shared comments on the topic of comparing the different assumptions and metrics used by different groups.
* A subcommittee should be set up so people from different groups can discuss these assumptions and then present them together to the workgroup. Sam also encourages people to send in additional written comments on these topic.

**c. Meeting Three: 10/06/2022**

**1. Main Topics**

* Welcome & New Member Introductions
* Review Participant Meeting Instructions & Agenda
* BOC Presentation
* Approve Draft Minutes: Last Meeting & Tours
* Landfill Tour Questions
* Public Comment
* Comments on Meeting Two Evaluation Suggestions
* Discuss County Counsel Deference Memo & Set Stage for Legal Subcommittee
* Check-in Activity
* Big Picture Discussion
* Stand-Up the Subcommittees
* Review Amended Workplan
* Next Steps

**2. Materials Presented**

* Agenda
* [Draft 9/15/2022 Minutes](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_9-15_draft_meeting_minutes.pdf)
* [Landfill Tour Minutes](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/republic_landfill_tour_minutes.pdf) & [Landfill Tour Questions](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/republic_landfill_tour_-_member_questions.pdf)
* [Neighborhood Tour Minute](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_neighborhood_tour_draft_minutes_10-2-22.pdf)s & [Neighborhood Tour Questions](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/neighborhood_tour_-_member_questions.pdf)
* [Meeting Two Evaluation](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_m2_evaluation.pdf)
* [Email Attachment Comments](https://sftp.co.benton.or.us/public/folder/e_0e-u6SUUK_ierd7uFc9w/Emails)
* [County Council Deference Memo](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/county_counsel_deference_memo_220926.pdf)
* [Common Understandings Table of Contents](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/common_understandings_toc_homework_track_changes_9-29_draft.pdf) with Track Changes
* [SWMP Table of Contents](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/swmp_toc_homework_track_changes_9-29_draft.pdf) with Track Changes
* [CUP Conditions](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/compiliation_of_compliance_with_past_land_use_approvals_-_homework_9-30-22_draft.pdf) with Track Changes
* Member Memo
* [Republic Memo: Section 2 C and Section 3](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/common_understandings_feedback_-_republic_9-30-22.pdf)
* [Charge C](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/charge_c_-_scope_smmp_and_possible_amendment.pdf)
* [Charge B](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/charge_b_-_clarifying_reuirements_for_future_cup.pdf)

**3. WORK GROUP Discussion**

The workgroup discussed what to do with the mass number of emails that get sent between meetings. Between meeting one and two it was roughly 1,600 emails. Many of these emails focused on understanding Charge b, so a legal subcommittee to present to the group on what the law was proposed. The big picture process discussion emphasized that the workgroup is engaging in a bridge process that will set the stage for subsequent processes and decisions. The subcommittees to stand up are as follows:

1. Landfill Size/Capacity/Longevity Subcommittee (Existing)
2. CUP Conditions Subcommittee (Existing)
3. Law Subcommittee (Pending)
4. Land Use Law 101
5. Deference Memos
6. Rights and Obligations
7. Entity Rights and Obligations
8. Reporting Requirements
9. Potential SWMP Subcommittee and Potential Amendment Request to BOC

For the complete Workgroup discussion, please review the [10/06/2022 Meeting Minutes here.](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_10-6_draft_meeting_minutes_10-13-22_draft.pdf)

The Zoom video recording is available [here.](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/meeting/8315/bctt_meeting_3_recording.pdf)

**4. Action Items**

Members were given the Meeting Three Evaluation link. The facilitation team will schedule and conduct the subcommittee meetings before the next workgroup meeting. County staff will organize and add additional materials to the discussed documents and present them to the workgroup at the next meeting. Republic also committed to responding to tour questions for the subcommittees to review.

**5. Public Comment**

* Audrey Sterling (Community Member): Reflects that the talk in the community focuses on the idea that the landfill is full and what to do with the trash. They need to find a place for it, so the landfill does not overflow.
* Kristen Mitchell (Executive Director of Oregon Refuse & Recycling): Explains what her company does, noting that Coffin Bute is in very good standing. She also notes that because Senate Bill 882 was passed, RMA should come into effect soon
* Cris Reese (Community Member and Small Business Owner): Expresses appreciation for the work Republic does at Coffin Bute and notes he does not want small businesses to be forced to pay garbage trucks to haul longer distances.
* Chuck Gilbert (Community Member): Comments on how the landfill and rock removal are both valuable resources.
* Jennifer Holworth (Community Member): Reflects positively on Republic’s compost and recycling programs.

**d. Meeting Four: 10/27/2022**

**1. Main Topics**

* Welcome & New Member Introductions
* Review Participant Meeting Instructions & Agenda
* Approve M3 Draft Minutes
* BOC Action on Updated Workplan
* Public Comment
* Update on Tour Questions & Answers
* SMMO Values & Goals Discussion
* Q&A Session with Representatives from other Counties
* Subcommittee Reports
* Next Steps

**2. Materials Presented**

* [Agenda](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/bctt_10-27_working_agenda_m4.pdf)
* [Draft M3 Minutes](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/bctt_10-6_draft_meeting_minutes_updated_10-25-22.pdf)
* [M3 Evaluation Summary](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/bctt_m3_evaluation_summary.pdf)
* [Updated Workplan](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/updated_bctt_meeting_and_subcommittee_workplan_boc_10-25-22_approval.pdf)
* [Public Comments Document](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/public_comments_meeting_4_100622_102422_redacted.pdf)
* [Member Comments Document](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/work_group_comments_meeting_4_102622_redacted_reduced.pdf)
* [BCTT Tour Questions 10/25](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/bctt_tours_qa_as_of_10-26-22.pdf)
* [SMMP Values & Goals Presentation: 2040 Initiative History & Overview](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/2040initiative-historyoverview-bctt-10-27-22-full.pdf)
* [Charge C](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/charge_c_-_scope_smmp_and_possible_amendment.pdf)
* [A.1 Subcommittee Report](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8316/eklund_102722_ttwg-subca1-report1.pdf)
* A.2 Subcommittee \_\_\_\_
* [A.3 Subcommittee Webpage](https://www.co.benton.or.us/cd/page/bctt-subcommittee-a3-legal-issues-and-b1-land-use-review)
* [C.1. Subcommittee Report](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8321/meeting_1_smmp_subcommittee_work_group_report_102722.pdf)

**3. WORK GROUP Discussion**

The Facilitator reviewed the agenda, M3 Minutes, and updated workplan. The minutes were approved and the only significant change to the BOC Action and Workplan was more time was added between the Workgroup meetings, so there is time for subcommittees to meet. After the public comment, the group went over the updated Tour Questions - Joel requested they be changed so it does not appear that the neighborhood leadership neglected to respond to Republic tour questions. Sean then presented on the SMMP Values & Goals with coverage of the 2040 Initiative, including History & Overview. Daniel had previously reached out to other Counties so they could talk about the issues/topics they have been dealing with. Key takeaways from this discussion:

1. Public engagement is critical, especially with the SWMP or SMMP.
2. Subcommittees can be very effective
3. The Recycling Modernization Act should be front and center
4. They should consider different housing types. EX: Multi-family homes have different recycling resources. How can you still support these homes?
5. Remember that solid waste is a transportation issue.
6. Keep in mind changing technologies (EX: JUNO)
7. Recycling is vital to the transient community. It is an equity issue.

Subcommittee reports were given to the group and there was discussion on ways to improve their action plans.

For the complete Workgroup discussion, please review the 10/27/2022 Meeting Minutes [here.](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/meeting/8316/m4_minutes_-_amended_11-17-22_final_002.pdf)

The Zoom video recording is available [here.](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/meeting/8316/bctt_meeting_4_recording.pdf)

**4. Action Items**

Members were given the Meeting Four Evaluation link. The facilitation team will continue scheduling and conducting the subcommittee meetings with County staff. The discussion of applying Values to the CUP will be added to the agenda for the next applicable meeting. Staff and the Facilitation team will plan and communicate to members the plans for the Open House element of Workgroup Meeting Five.

**5. Public Comment**

* Doug Pollock (neighbor of the landfill, engineer, and parent): He explained how he documented that inkjet cartridges being sent to the landfill from HP were leaking ink into the landfill as they were crushed by landfill equipment. In response he helped develop a recyclable ink cartridges program which processed 200 tons of cartridges in its first year, half of that being ink. He also discussed how Corvallis public schools have been resistant to recycling and continue to put hazardous materials such as fluorescent tubes and epoxy into bins going to the landfill. Essentially, there is no audit of what is going into the landfill. He also emphasized that these consensus processes are hard for the real public to get involved with and be heard. He said these processes tend to favor process insiders more than the public.
* Debbie Palmer (resident) 11/16/22 Submittal: [She] expressed her opinion that the facilitator misrepresented the neighbors as wanting to close the landfill as soon as possible. She elaborated that the neighbors just want it to stop expanding, and that the County should take the estimated 10-15 years of landfill life left via already-permitted airspace to plan for post-closure waste management. She also noted the difference between intentionally-sited and accidentally-sited landfills, pointing out that Coffin Butte is an accidentally-sited one, and commented that since Republic Services profits substantially from landfilling garbage, they have no incentive to pursue alternatives to landfilling. She summarized that she felt everyone wants to do something to combat the climate crisis, and that working towards eventual closure of the landfill would help.
* Linda Brewer (resident, soil scientist, and ten-year member of SWAC): stated that, in her opinion, Republic is doing a good job managing the landfill. She also noted that the Benton County trash rate has been held artificially low.
* Pat Schwartz (resident): expressed the belief that the Republic is an important part of the community.
* Cat Newsheller (resident): expressed the belief that Republic is simply trying a new tactic to get what they want – expanding the landfill and taking in more trash. She feels that Republic should not be making money off people's health, and if the County lets them expand, they will become out of control. She also shared personal experiences concerning the traffic and debris on HWY 99 from landfill trucks.
* Dale Elizabeth Draeger (resident): explained that they recently visited the landfill and were concerned that people were throwing away recyclable materials like metal. Republic should have someone to monitor the sorting.
* Pat Hare (City Manager of Adair Village): Pat reflected on their positive experiences working with Republic and noted that they are a large employer in the community. He also notes that when the cost to get rid of trash increases, more trash ends up on the street.
* James Rodell (resident, but not close to the landfill): He would like clear and transparent communication on whether Republic broke certain agreements and the consequences.

**e. Meeting Five**

**1. Main Topics**

* Welcome
* Review Participant Meeting Instructions & Agenda
* Approve M4 Draft Minutes
* Approve Updated Tour Q&A
* Updated Workplan Facilitator 11/16/22
* Public Comment
* Subcommittee Reports
* Reintroduce Charges D & E
* Next Steps
* Open House

**2. Materials Presented**

* [Agenda](http://www.co.benton.or.us/sites/default/files/fileattachments/community_development/meeting/8342/bctt_11-17_working_agenda_m5.pdf)
* [Draft M4 Minutes](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8342/10-27_draft_meeting_minutes_-_m4.pdf)
* [M4 Evaluation](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8342/m4_evaluation_.pdf)
* [Tour Q&A Final Version](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8342/bctt_tours_qa_final_version_10-30-22.pdf)
* [Updated Workplan](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8342/updated_bctt_workplan_facilitator_11-16-22_final_draft.pdf)
* [Public Comments](https://sftp.co.benton.or.us/public/folder/ZISaqFdrGUmYp6V90_kZLQ/Nov%2017%20Meeting%20Comments)
* [Public & Member Comments](https://sftp.co.benton.or.us/public/folder/ZISaqFdrGUmYp6V90_kZLQ/Nov%2017%20Meeting%20Comments) (passcode: Benton1!)
* [A.1. Subcommittee Report](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8317/a1_landfill_size_capacity_logevity_subcommittee_report_working_document_111522.pdf)
* [A.2. Subcommittee Homepage](https://www.co.benton.or.us/cd/page/bctt-subcommittee-a2-past-land-use-application-conditions)
* [A.3. & B.1. Subcommittee Homepage](https://www.co.benton.or.us/cd/page/bctt-subcommittee-a3-legal-issues-and-b1-land-use-review)
* [C.1. Subcommittee Report](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8321/smmp_subcommittee_report_working_document_111422.pdf)

**3. WORK GROUP Discussion**

Joel Geier introduces a motion to revise the M4 notes as per the recent email exchange, which Ed Pitera seconds. Ed also suggests alternative ideas like using a transcript. Sam holds a quick poll on the original motion: Substituting the language that Joel Geier presented in place of the existing Doug Pollock comments in the Public Comments section of the Meeting 4 Minutes. (See Polling Issue 1, below, and 07:53 – 10:00 of meeting recording). Sam responds to the alternative ideas raised by Ed and suggests that people can bring in written statements if they would like or send in a written statement the next week to encapsulate the comment they made at the Workgroup. This is viewed favorably by the workgroup. Daniel explains how the comments are currently accessible on the meeting agendas via FTP’s, and the Tour Q&A and Project Workplan updates are approved.

Subcommittee reports were given to the group and there was discussion on ways to improve their action plans.

For the complete Workgroup discussion, please review the 11/17/2022 Meeting Minutes [here.](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8374/11-17_m5_meeting_and_open_house_minutes_draft_002.pdf)

The Zoom video recording is available [here.](https://us06web.zoom.us/rec/play/n4SkeYFOrGvfFcYSe3e8JE5ewT_529jWQnIfTyFlvNDS_n-JemedoE2tLNhml7f_jw2s_GzAsJ9HoSeM.W5MC5EK4eQ_9B6KV?startTime=1668724476000&_x_zm_rtaid=25UQ2Iy_QNq5yn1rh2UDRQ.1668794266959.1dd8366a7b8991d3a1a6b9c6657d34d4&_x_zm_rhtaid=469)

**4. Action Items**

Members were given the Meeting Five Evaluation link. The facilitation team will continue scheduling and conducting the subcommittee meetings with County staff, and subcommittee E will be formed and begin meeting. Notes created from the open house will be prepared for presentation at the next meeting.

**Polling Issue 1:** Substituting the language that Joel Geier presented for Doug Pollock’s current comments in the Public Comments section of the Meeting 4 Minutes.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **WORKGROUP Member** | **Polling** | **Charge** | **Not Here** | **Abstain** | **Yes** | **No** |
| Joel Geier | X | All |  |  | X |  |
| Marge Popp | X | All |  | X |  |  |
| Elizabeth Irish | X | All |  | X |  |  |
| Russ Knocke | X | All but C |  |  | X |  |
| Shawn Edmonds | X | All but C |  | X |  |  |
| John Deuel | X | All |  |  | X |  |
| Kathryn Duvall | X | All | X |  |  |  |
| Christopher McMorran | X | All | X |  |  |  |
| Ryan McAlister | X | All |  |  | X |  |
| Mary Parmigiani | X | All |  |  | X |  |
| Ed Pitera | X | All |  |  | X |  |
| Louisa Shelby | X | All |  |  | X |  |
| Catherine Biscoe | X | All | X |  |  |  |
| **Polling Totals:** |  |  |  | **3** | **7** | **0** |
| **EX-Officio** | **Polling** | **Charge** | **Not Here** | **Abstain** | **Yes** | **No** |
| Brian Fuller |  |  |  | X |  |  |
| Brian May |  |  | X |  |  |  |
| Shane Sanderson |  |  |  | X |  |  |
| **County** | **Polling** | **Charge** | **Not Here** | **Abstain** | **Yes** | **No** |
| Daniel Redick |  |  |  |  | X |  |
| Sean McGuire |  |  |  | X |  |  |
| **Ex-Officio Totals:** |  |  |  | **3** | **1** | **0** |
| **Grand Totals:** |  |  |  | **6** | **8** | **0** |

**RESULT:** Consensus / No Consensus

Facilitator counts a Majority, so the group is going to move forward with making the changes.

**Minority Proposal:** None

**5. Public Comment**

* Schmidt Pathman: His company promotes research on Solid Waste Management and partners with Universities, national, and international organizations. Some of their concerns about landfills are: 1) the underestimation of methane produced by landfills and lessoning organic materials thrown away, and 2) lessening cross contamination of recyclable materials, which can be better achieved with the sorting system they have designed. (Pending receipt (full statement) by speaker to be placed in Appendix A of Meeting Minutes.)
* Debbie Palmer: Notes that the link to the FTP links is only good for a month. She also notes that she likes the need for fidelity between the oral and written public comments.
* Daniel: Explains that, yes, the links need to be reset each month. However, they will ensure the links are always updated and available.
* Dr. Skip Rochefort: (Associate Professor of Chemical Engineering at Oregon State University) He presents a recorded lecture/slideshow on how they have created a way to create diesel fuel from plastics using only heat. (See [Appendix B](#AppendixB) of Meeting Minutes for slideshow).

**f. Meeting Six**

1. **Main Topics**

* + Welcome & New Member Introduction
  + Review Agenda
  + Member Shares Original Document
  + Public Comment
  + Subcommittees A.1. & E.1. Report
  + Review & Approve M5 Minutes & Evaluation Summary
  + Discuss Consultant/Attorney for Next CUP
  + Subcommittee A.2 Report and A.3 B.1 Report
  + Introduce & Approve Third Attorney with Poll
  + Subcommittee C.1. Reports
  + Updated Project Workplan
  + Next steps

**2. Materials Presented**

* [Working M6 Agenda](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/meeting/8374/draft_m6_agenda.pdf)
* [Draft M5 Minutes and Open House Notes](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8374/11-17_m5_meeting_and_open_house_minutes_draft_002.pdf)
* [M5 Evaluations](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8374/bctt_m5_evaluation_summary.pdf)
* [Comments](https://sftp.co.benton.or.us/public/folder/Ic8PTfbb4ECVptRei5zyRw/December%2015%202022%20Meeting%20Comments)
* [Topic A.1. Landfill Capacity/Longevity](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8317/a1_landfill_size_capacity_logevity_subcommittee_report_working_document_120622.pdf)
* [E.1](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8384/bctt_subcommittee_e1_master_document_12-8-22_version.docx) Community Education
* [Topic A.2. Past CUP Conditions](https://www.co.benton.or.us/cd/page/bctt-subcommittee-a2-past-land-use-application-conditions)
* [A.3. Legal Issues and Topic B.1. Land Use Review](http://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/legal_land_use_subcommittee_report_11-29-22.pdf)
* [Legal Subcommittee PPT](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/12-15-22_report-out_slides_legal_land_use_subcommittee.pdf)
* [Legal Subcommittee Statement](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8323/12-15-22_report-out_text_legal_land_use_subcommittee.pdf)
* [Virginia Gustafson Lucker Resume](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8374/virginia_gustafson_lucker_resume.pdf)
* [C.1. SMMP](https://www.co.benton.or.us/cd/page/bctt-subcommittee-c1-sustainable-materials-management-plan-smmp)
* [BCTT Draft Workplan Gantt Chart](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_gantt_chart_-_weekly.pdf)
* [BCTT Draft Workplan Calendar](https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8208/bctt_calendar.pdf)

**3. WORK GROUP Discussion**

For the complete Workgroup discussion, please review the 12/15/2022 Meeting Minutes here. The meeting recording can be found [here.](https://us06web.zoom.us/rec/share/XqN67ilyODKYdj7XBrsB6st35_-zRmbXbyGfmtpvC4ATtv0EUUyMp_PFPKc8Norn.HsTxXmQRsWm03m30)

**4. Action Items**

Members were given the Meeting Six Evaluation link. The facilitation team will continue scheduling and conducting the subcommittee meetings with County staff, an Informal Member Survey will be sent out for Members to complete over the holiday, and facilitation staff will begin drafting the first draft of the final report.

**Polling Issue 1:** Virginia (Ginny) Lucker will join the Legal Subcommitee to serve as the neutral “third leg of the stool.“

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **WORKGROUP Member** | **Polling** | **Charge** | **Not Here** | **Abstain** | **1** | **2** | **3** |
| Chuck Gilbert | X | All |  |  | X |  |  |
| Marge Popp | X | All | X |  |  |  |  |
| Elizabeth Irish | X | All |  |  | X |  |  |
| Russ Knocke | X | All but C |  |  |  | X |  |
| Shawn Edmonds | X | All but C |  |  |  | X |  |
| John Deuel | X | All |  |  | X |  |  |
| Kathryn Duvall | X | All |  |  | X |  |  |
| Christopher McMorran | X | All | X |  |  |  |  |
| Ryan McAlister | X | All | X |  |  |  |  |
| Mary Parmigiani | X | All |  |  | X |  |  |
| Ed Pitera | X | All |  |  | X |  |  |
| Louisa Shelby | X | All |  |  | X |  |  |
| Catherine Biscoe | X | All |  |  | X |  |  |
| **Polling Totals:** |  |  |  | **3** | **8** | **0** | **0** |
| **EX-Officio** | **Polling** | **Charge** | **Not Here** | **Abstain** | **1** | **2** | **3** |
| Brian Fuller |  |  |  |  | X |  |  |
| Brian May |  |  |  |  | X |  |  |
| Shane Sanderson |  |  |  |  | X |  |  |
| **County** | **Polling** | **Charge** | **Not Here** | **Abstain** | **1** | **2** | **3** |
| Daniel Redick |  |  |  |  | X |  |  |
| Sean McGuire |  |  |  |  | X |  |  |
| **Ex-Officio Totals:** |  |  | **0** | **0** | **5** | **0** | **0** |
| **Grand Totals:** |  |  | **3** | **0** | **13** | **2** | **0** |

**RESULT: Consensus** / No Consensus

**Minority Proposal:** None

**5. Public Comment**

* Camille Hall: (Resident) She is sad that the Board chose to remove Nancy, and now, Joel. These members have unique experiences and knowledge that was valuable. The County currently does not have a process to deal with the tons of trash that go into the landfill. She understands that the two removed people had complained about the facilitator and commissioners and is saddened they chose to remove them.
* Debbie Palmer: (Resident) Question: Who, in the end, will be writing the SMMP? Who will write the RFP? Darren: Answering - He does not know for sure, but staff will put together a draft RFP to hire the consultant. They may ask the Board and maybe some Subcommittees / WG if appropriate. They are looking at other counties’ successful plans, and they are invested in getting it right.
* Tom Hewes: (Resident since 1974.) He seconds Camille’s statement and is also extremely disappointed in the facilitator and the County for removing the two members. Question - How does having the second biggest landfill on OR align with the Country's values?
* Kate Harris: (Lives in Soap Creek and kids go to school in Adair Village) Thanks the group for being here. Explains that the Adair Village water source is in an area that gets contaminated by the landfill. The contaminants go to the Corvallis treatment plant, but how do we know the water from the park is getting cleaned for all the things? What is the filtration process? We know fires at the landfill, earthquakes, even air quality is starting to be tracked, but water is a big issue too. She hopes the focus can be on minimizing the landfill need. How can we move landfill storage to drier climates, so they are not so hazardous?
* Ron Thompson: (From Newport and is a third-generation garbage disposal business.) Wants to share his concerns if Coffin Butte were to close. It is expensive to haul stuff farther away, more emissions from trucks, and more wear on roads. They also had rates go way up when their local landfill closed, and as they already have a notable dumping problem, raising rates so people cannot afford it would make things worse. He would love to recycle everything, but landfills are an important and needed tool.
* Marge Popp: (Workgroup Member) She is also disappointed that Nancy and Joel were removed. They were hardworking and knowledgeable - and while they could challenge authority, she wishes that their positive qualities could have been more prioritized.
* Brain Fuller: (DEQ Workgroup Member) lets folks know he is retiring from DEQ, and that Audrey O’Brien will be replacing him. Audrey then introduced herself and shared some of her background at DEQ.

**g. Meeting Seven**

1. **Main Topics**

2. Materials Presented

3. WORK GROUP Discussion

4. Action Items

5. Public Comment

**h. Meeting Eight**

1. **Main Topics**

2. Materials Presented

3. WORK GROUP Discussion

4. Action Items

5. Public Comment

**C.** **Subcommittee “Meeting Notes” – LINKS ABOVE AND HARD COPIES TO BE PROVIDED**

* + - 1. Landfill Size/Capacity/Longevity
      2. Sustainable Materials Management Plan (SMMP)
      3. Past Land Use Application Conditions

* + - 1. Legal Issues & Land Use Review
      2. Community Education & Outreach

**D. Subcommittee Reports**

* + - 1. Landfill Size/Capacity/Longevity
      2. Sustainable Materials Management Plan (SMMP)

* + - 1. Past Land Use Application Conditions

* + - 1. Legal Issues & Land Use Review
      2. Community Education & Outreach

1. Republic Services, “Roosevelt Landfill Site: FAQs”. https://www.republicservices.com/roosevelt-landfill [↑](#footnote-ref-2)
2. Zybach, Bob. Oregon State University “Using oral histories to document changing forest cover patterns : Soap Creek Valley, Oregon, 1500-1999”, Masters Thesis: [Master of Arts in Interdisciplinary Studies (M.A.I.S.)](https://ir.library.oregonstate.edu/catalog?f%5Bdegree_name_sim%5D%5B%5D=Master+of+Arts+in+Interdisciplinary+Studies+%28M.A.I.S.%29&locale=en), Oregon State University, ScholarsArchive@OSU. 2000, pps. 8-11. <https://ir.library.oregonstate.edu/concern/graduate\_thesis\_or\_dissertations/3197xr742? [↑](#footnote-ref-3)
3. Oregon Department of Environmental Quality, “Coffin Butte: Record of Decision”, October 2005, p. 4.

   https://www.deq.state.or.us/Webdocs/Controls/Output/PdfHandler.ashx?p=a9aeec5b-8ac7-4658-b0e5-d475ca0c6ebd.pdf&s=CoffinButteROD(10-05).pdf [↑](#footnote-ref-4)
4. Taylor, Steve, Bryan Dutton, and Pete Poston. “Luckiamute River Watershed, Upper Willamette Basin: An Integrated Environmental Study for K􏰁12 Educators”. [↑](#footnote-ref-5)
5. Oregon Department of Environmental Quality, “Coffin Butte: Record of Decision”, October 2005, p. 3.

   https://www.deq.state.or.us/Webdocs/Controls/Output/PdfHandler.ashx?p=a9aeec5b-8ac7-4658-b0e5-d475ca0c6ebd.pdf&s=CoffinButteROD(10-05).pdf [↑](#footnote-ref-6)
6. Yu, Q.-S, J Wilson, and Y, Yang. “Overview of the Oregon Resilience Plan for Next Cascadia Earthquake and Tsunami”. *Proceedings of the 10th National Conference in Earthquake Engineering*, Earthquake Engineering Research Institute, Anchorage, AK, 2014. [↑](#footnote-ref-7)
7. Scott Learn, “Bigger Yamhill Landfill OK’ed”. *The Oregonian* (May 31, 2013). [↑](#footnote-ref-8)
8. Zybach, 2000, p. 72-73. [↑](#footnote-ref-9)
9. Ibid., P. 120. [↑](#footnote-ref-10)
10. 2022 Conditional Use Permit Staff Report. Benton County Development Department. **File No.** LU-21-047 [↑](#footnote-ref-11)
11. Zybach, 2000, pp. 118-119. [↑](#footnote-ref-12)
12. “Northwest Benton County Route”. Benton County, Oregon. < <https://www.co.benton.or.us/sites/default/files/fileattachments/historic_resources_commission/page/6876/driving_tour_part_ii.pdf>> [↑](#footnote-ref-13)
13. Leticia Carson Legacy Project. Oregon State University. < https://letitiacarson.oregonstate.edu/about-letitia-carson/> [↑](#footnote-ref-14)
14. Oregon Department of Fish and Wildlife. “Visitor Guide: E.E. Wilson Wildlife Area History”. <https://www.dfw.state.or.us/resources/visitors/ee\_wilson\_wildlife\_area/history.asp> [↑](#footnote-ref-15)
15. Historic Soap Creek Schoolhouse Foundation, “Soap Creek Schoolhouse”, 2021. <<https://soapcreekschoolhouse.org/index.html>> [↑](#footnote-ref-16)
16. Oregon Department of Fish and Wildlife, EE Wilson Wildlife Management Plan (Updated January 2019) <https://www.dfw.state.or.us//wildlife/management_plans/wildlife_areas/docs/ee_wilson.pdf> [↑](#footnote-ref-17)
17. For one example, see: “Benton County Prairie Species Habitat Conservation Program”, Benton County Natural Areas and Parks Department, 2010. <https://scholarsbank.uoregon.edu/xmlui/bitstream/handle/1794/20770/BentonCo_001-13_ADOPTION.PDF?sequence=1&isAllowed=y> [↑](#footnote-ref-18)
18. Dickey, Eric. **“**Tampico Ridge LTER Provides Research Opportunities for WOU Students.**”** Western Oregon University. May 14, 2021. <https://wou.edu/research/2021/05/14/tampico-ridge-lter-provides-research-opportunities-for-wou-students/>**. A video of this project can be found at** <https://www2.wou.edu/nora/woutv.video.viewer?pvideoid=1754> [↑](#footnote-ref-19)
19. Unless otherwise noted, all information here is from the *Corvallis Gazette-Times*. [↑](#footnote-ref-20)
20. *Corvallis Gazette-Times*, June 24, 1966. [↑](#footnote-ref-21)
21. *Corvallis Gazette-Times*, August 26, 1972. [↑](#footnote-ref-22)
22. *Corvallis Gazette-Times*. May 12, 1972. [↑](#footnote-ref-23)
23. North Benton County Citizen’s Advisory Council submission, Benton County File PC-83-07-c(5) [↑](#footnote-ref-24)
24. Wilson, Bob and Gordon Brown, “1993 Coffin Butte Annual Report”, July 19, 1994. P. 4 https://www.co.benton.or.us/sites/default/files/fileattachments/community\_development/page/8139/1993\_coffin\_butte\_landfill\_annual\_report.pdf [↑](#footnote-ref-25)
25. References in this section are from the *Corvallis Gazette Times* or *Albany Democrat Herald*, which generally share their reporting on these issues. [↑](#footnote-ref-26)
26. *Corvallis Gazette-Times*. April 27, 1983. [↑](#footnote-ref-27)
27. *Corvallis Gazette Times,* April 27, 1983. This is also found in: Affirmation of the “IV Workgroup Recommendations” from draft\_report\_iv\_a\_common\_understandings\_1\_a\_solid\_waste\_history, 2022 [↑](#footnote-ref-28)
28. *Corvallis Gazette-Times*. August 26, 1990. [↑](#footnote-ref-29)
29. *Corvallis Gazette-Times*. September 1, 1994. [↑](#footnote-ref-30)
30. Wilson, Bob and Gordon Brown, Benton County Environmental Health Division. *Coffin Butte Landfill Annual Review 1994 Operations*. August 22, 1995. P. 4 [↑](#footnote-ref-31)
31. *Corvallis Gazette-Times*. November 3, 1994, and November 14, 1994. [↑](#footnote-ref-32)
32. *Corvallis Gazette-Times*. December 15, 1994. [↑](#footnote-ref-33)
33. *Corvallis Gazette-Times*. April 27, 1996, also December 17, 1997. [↑](#footnote-ref-34)
34. *Corvallis Gazette-Times*. August 12, 1996. [↑](#footnote-ref-35)
35. *Corvallis Gazette-Times*. August 25, 1998. [↑](#footnote-ref-36)
36. *Corvallis Gazette Times*. December 15, 1999. [↑](#footnote-ref-37)
37. “Memorandum of Understanding Relating to Land Use Issues”. Benton County and Valley Landfills, Inc (2002) <https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/landfill_mou_2002.pdf> [↑](#footnote-ref-38)
38. *Corvallis Gazette Times*. December 7, 2018. [↑](#footnote-ref-39)
39. *Corvallis Gazette Times*. December19, 2018. [↑](#footnote-ref-40)
40. Benton County Trash Talks, “Data from Coffin Butte Landfill Annual Reports – 2014-2021”, <https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8317/data_from_coffin_butte_landfill_annual_reports.pdf> [↑](#footnote-ref-41)
41. Data from Coffin Butte Landfill PRC Annual Reports 1999-2012, hardcopies stored at Benton County offices, The 2013 Report is missing in those files. [↑](#footnote-ref-42)
42. *Corvallis Gazette Times*. June 9, 2022. [↑](#footnote-ref-43)
43. Benton County Commissioner Meeting, December 15, 2020. From recording archive. [↑](#footnote-ref-44)
44. *Corvallis Gazette-Times*. September 8, 2020. [↑](#footnote-ref-45)
45. Benton County/Valley Landfills, Inc. Franchise Agreement. PP. 5-6. <https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/valley_landfills_landfill_franchise_agrmt_2020.pdf>> [↑](#footnote-ref-46)
46. Benton County Board of Commissioners Meeting. December 15, 2000. Recording. [↑](#footnote-ref-47)
47. “Republic Services, Inc. Reports Fourth Quarter and Full-Year Results; Provides 2021 Full-Year Guidance”. Republic Service News Release. February 22, 2021. <https://investor.republicservices.com/node/23311/pdf> [↑](#footnote-ref-48)
48. There were at least three letters alone on October 20, 2021. The letters emphasized that the waste was overwhelmingly from outside of Benton County, transportation implications of an enlarged facility, and impacts on a great blue heron rookery. Another news article from that day discussed the hearing that Republic Services held to explain their plan. [↑](#footnote-ref-49)
49. *Corvallis Gazette-Times*. October 31, 2021, and November 12, 2021. [↑](#footnote-ref-50)
50. *Corvallis Gazette-Times*. December 2, 2021. [↑](#footnote-ref-51)
51. *Corvallis Gazette-Times*. December 8, 2021. [↑](#footnote-ref-52)
52. Findings of Fact, notices of decision, conditions of approval, zone changes, code adoptions, code amendments, etc. [↑](#footnote-ref-53)
53. BCC 53.110 requires that, In some instances, permitted uses must go through a review process. In those cases, the approval is based on “clear and objective standards.” [↑](#footnote-ref-54)
54. Under BCC 53.215, in order for a conditionally allowed use to be approved, the Planning Commission must determine that:

    “(1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;

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

    “(3) The proposed use complies with any additional criteria which may be required for the specific use by this code.” [↑](#footnote-ref-55)
55. [↑](#footnote-ref-56)