

Final History Document - 3/13/2023

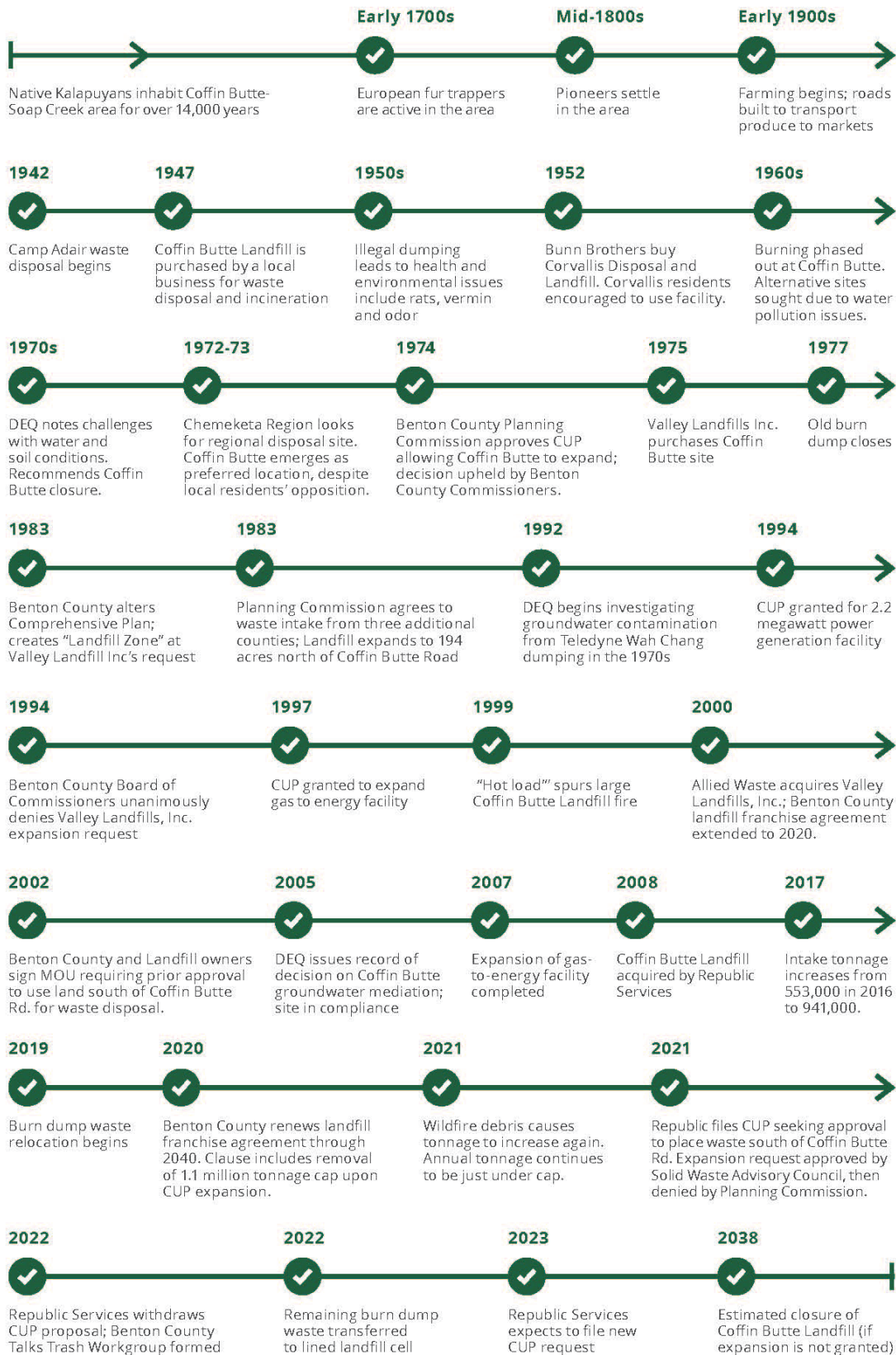
A. History of Coffin Butte

Main Themes

- The siting of the Coffin Butte landfill reflected Benton County's early desire to control random dumping in rural areas and the initial choice of location stemmed from the historical uses of Camp Adair in the 1940s. Alternative sites were explored in the 1970s.
- Coffin Butte Landfill transitioned incrementally from local ownership to becoming part of a national corporate strategy under Allied Waste. Republic Services acquired Allied Waste and the Landfill in 2008, following a Department of Justice review of the merger.
- 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 are based on industrial modeling and have been historically overestimated.
- Issues surrounding the Coffin Butte Landfill have been subject to strong public involvement. Periodic conflicts were equitably 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. No public notice was found for either the 2020 Franchise Agreement or the 2021 CUP application.
- Increased pressure for landfill expansion stems largely from interests outside Benton County. This includes the other counties who represent 88% of CBL annual intake.
- Benton County discretionary revenue from the surcharge on tonnage delivered to the Coffin Butte Landfill in 2022 is estimated to be \$2,040,000.¹
- There is presently no Solid Waste Management Plan active in Benton County. The BCTT subcommittee C is charged with preparing for the creation of a Sustainable Materials Management Plan (SMMP).

¹ Benton County, OR Adopted Biennium Budget 2021-2023 page 11.

Coffin Butte: Key dates and ownership changes



The Historical and Geographical Context of the Coffin Butte Landfill

The Coffin Butte landfill can be thought of as a 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.

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 seven miles north of Corvallis on Highway 99W. The site is at the Highway 99 and Coffin Butte Road intersection, 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 Benton and neighboring Polk, Linn, Marion, and Yamhill counties, 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, Adair Village, areas to the east which can see the operation and are most likely to be impacted by the potential for off-site odor, and Independence Road which bears much of the truck traffic and debris.

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 southwest side of Coffin Butte has a rock quarry operated by Knife River. The rock quarry area, which would be Cell Six, is currently planned to be the next area of expansion for the landfill unless the permits are changed.



Coffin Butte Landfill



Figure 1 - Coffin Butte Landfill & Pacific Region Compost Annual Report 2021 Page 1

The landfill is located in a topographic divide between the two valleys. Groundwater flows both east and west from the area of Coffin Butte Landfill and Tampico Ridge, depending on the underlying geology.² Steve 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.”³ Rainfall in the area is approximately 42 inches a year, with the majority falling between November and May.⁴

² 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=a9aee5b-8ac7-4658-b0e5-d475ca0c6ebd.pdf&s=CoffinButteROD\(10-05\).pdf](https://www.deq.state.or.us/Webdocs/Controls/Output/PdfHandler.ashx?p=a9aee5b-8ac7-4658-b0e5-d475ca0c6ebd.pdf&s=CoffinButteROD(10-05).pdf)

³ Steve Taylor, Bryan Dutton, and Pete Poston. “Luckiamute River Watershed, Upper Willamette Basin: An Integrated Environmental Study for K-12 Educators”. This is an instructional field note for a course taught by full professors of Earth Sciences and Biology.

⁴ 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=a9aee5b-8ac7-4658-b0e5-d475ca0c6ebd.pdf&s=CoffinButteROD\(10-05\).pdf](https://www.deq.state.or.us/Webdocs/Controls/Output/PdfHandler.ashx?p=a9aee5b-8ac7-4658-b0e5-d475ca0c6ebd.pdf&s=CoffinButteROD(10-05).pdf)

The earthquake hazard in this area is significant, particularly because of the Cascade subduction zone. Kent Yu et al. note that there have been over 40 great earthquakes of a magnitude of over eight and in 1700, one of magnitude 9.⁵ A published study by Ram Kulkarni and others states: "... the probabilities of an M9 earthquake during the next 50 and 100 years were estimated to be 0.17 and 0.25, respectively."⁶ When approving the expansion of the Riverbend Landfill in Yamhill County, the DEQ noted that the only westside landfill rated for a 9.0 earthquake was Short Mountain, while Coffin Butte and Hillsboro were rated to withstand quakes lower than the 8.5 that Riverbend was designed for.⁷ Nevertheless, Coffin Butte landfill is in compliance with all EPA regulations regarding the construction of landfills to withstand seismic activity and, according to Republic Services, is rated for an 8.48 event.

The History of the Coffin Butte Area

The archeology and history of the region are of great importance to many people involved in Coffin Butte's decision-making. In his oral history of the Soap Creek Valley, Zybach notes how before Western contact, the Pacific Northwest was one of the world's more densely populated nonagricultural regions. 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 1831-1832.⁸

Tools from the Kalapuyan people have been found throughout the Soap Creek and Coffin Butte area.⁹ 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 Republic Services has hired the firm Archaeological Investigations to research the area. Their report is expected in Spring 2023. 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 The Soap Creek Valley was settled early by white pioneers, probably aided by the indigenous fire management practice of field burning.

⁵ Kent Yu, 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. <https://www.researchgate.net/publication/281411611> Overview of the Oregon Resilience Plan for next Cascadia Earthquake and Tsunami\

⁶ Ram Kulkarni, Ram Kulkarni; Ivan Wong; Judith Zachariassen; Chris Goldfinger; and Martin Lawrence, "Statistical Analyses of Great Earthquake Recurrence along the Cascadia Subduction Zone." *Bulletin of the Seismological Society of America*. October 8, 2013. P. 3205.

⁷ Scott Learn, "Bigger Yamhill Landfill OK'ed". *The Oregonian* (May 31, 2013).

⁸ Zybach, 2000, p. 72-73.

⁹ *Ibid.*, P. 120.

¹⁰ 2022 Conditional Use Permit Staff Report. Benton County Development Department. **File No.** LU-21-047

¹¹ Zybach, 2000, pp. 118-119.

The area had a colorful history in the 1800s and 1900s. For example, the town of Tampico, located 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 “[o]n 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

Figure 2 - View of Coffin Butte Before the Landfill: Rohner family on their farm in the 1930s (photo by Bob Zyback).



Letitia Carson, one of the first black pioneers in the Willamette Valley, was a very early resident of Soap Creek Valley. A formerly enslaved African American, 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 The Black Oregon Land Trust has expressed interest in establishing a model farm on the Letitia Carson homesite.



Figure 3 - Construction of Camp Adair & Coffin Butte Road: Overlook of Camp Adair in early 1940s, from slope on Coffin Butte looking east/southeast (photo from the Salem, OR Library's "Ben Maxwell Collection").

The biggest local change after the 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 were 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 that emptied wetlands and channelized streams.¹⁴

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>

¹³ Letitia Carson Legacy Project. Oregon State University. <<https://letitiacarson.oregonstate.edu/about-letitia-carson/>>

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>

Following the war, the residential population slowly increased until the 1970s, at which time growth accelerated rapidly. While there are no estimates of the population of other north Benton County areas close to Coffin Butte, *Nextdoor* estimates that Soap Creek Valley has 1992 residents.¹⁵ 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 a primary emergency exit route for Soap Creek residents and a commuter route for those working in Monmouth-Independence and Salem.

Figure 4 - Soap Creek Schoolhouse (photo by Charles Risen at Adobe Stock Images).



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 fundraising event.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 E.E. Wilson Wildlife Area, located just across Highway 99W from Coffin Butte Landfill. Beyond the importance of Soap Creek Valley and Camp Adair, numerous small towns such as Airlie, Palestine, and Wells, each with a unique local significance, dotted the area. Regarding natural areas, Oregon State University’s McDonald Forest and Dunn Forest provide major research and recreational opportunities. But the most proximate notable natural area is E.E. 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, which features substantial wetlands, 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 the production of game species.¹⁷

¹⁵ “Soap Creek, Corvallis”. *Nextdoor*. <https://nextdoor.com/neighborhood/soapcreek--corvallis--or/>.

¹⁶ Historic Soap Creek Schoolhouse Foundation, “Soap Creek Schoolhouse”, 2021. <<https://soapcreekschoolhouse.org/index.html>>

¹⁷ Oregon Department of Fish and Wildlife, E.E. Wilson Wildlife Management Plan (Updated January 2019) https://www.dfw.state.or.us/wildlife/management_plans/wildlife_areas/docs/ee_wilson.pdf



Figure 5 - View of E.E. Wilson Wetlands opposite Angler's Pond, 2023 (photo by Marge Popp).

The Coffin Butte Landfill and the E.E. Wilson Wildlife Area are located at the midpoint of a triangle of National Wildlife Refuges. This National Wildlife Refuges (refuges or NWRs) system, managed by the U.S. Fish and Wildlife Service, was established in the mid-Willamette Valley during the 1960s when the Migratory Bird Commission approved the 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 the entire area surrounding the landfill have been identified by Benton County as a high-priority area for conservation actions to benefit key local species.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.¹⁹

¹⁸ 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

¹⁹ 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>**

Section 2: Historical and Social Context of Coffin Butte Landfill

Benton County Confronts Its Waste Issues: Up to 1983,²⁰

Waste disposal was simple in the early days of Benton County. What little waste there was before the age of plastics would 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.

On February 28, 1950, the county sanitarian warned the public to stay clear of the dumpsite south of town since they would be poisoning the approximately 200,000 rats there.²¹ By April 5, 1950, Benton County had established a free refuse facility at the Coffin Butte Site. By April 8, 1954, Robert and Daniel Bunn owned and operated Corvallis Disposal and the Coffin Butte facility, 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 1964.²²

The late 1960s brought changing attitudes toward traditional practices of burning and dumping. By 1967 burning was being phased out as Coffin Butte 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 Benton County’s landfill 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. On March 19, 1971, *Gazette-Times*, County Sanitarian-Roger Hayden speculated that one day soon Benton County may be barging its wastes downriver to a regional site where proper sorting and recycling could take place. Hayden suggested 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.²³ Without a ready alternative, however, in November of 1971, the County Commissioners approved an extension of Corvallis Disposal to use the Coffin Butte area as a landfill until December 31, 1974. 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 by officials about the proximity of the Willamette River.²⁴

²⁰ Unless otherwise noted, all information here is from the *Corvallis Gazette-Times*.

²¹ *Corvallis Gazette-Times*, February 28, 1950.

²² *Corvallis Gazette-Times*, June 24, 1966.

²³ *Corvallis Gazette-Times*, May 12, 1972.

²⁴ *Corvallis Gazette-Times*, August 26, 1972.

In 1970, there were 17 disposal sites in a five-county area that included Benton County.²⁵ Only two met the new standards for landfills, as set by the Oregon DEQ. Coffin Butte was one of many sites recommended for “phasing-out” and “closure” at a later date. In April 1970, individuals representing Benton, Linn, Marion, Polk, and Yamhill counties met to discuss solid waste solutions for the five-county area. Two years later, they formed the Chemeketa Region, a cooperative program funded via a grant from the Environmental Protection Agency(EPA).²⁶ The Chemeketa program is no longer in existence. No record can be found of an updated plan after the projected timelines expired.

At the time, “the Granger site” was the leading location for a regional landfill in Benton County. However, Benton County officials and residents soon expressed concerns about the plan, noting that the parcel was on prime farmland and the Willamette River Flood Plain. The opposition prompted the Chemeketa Board to go back to the drawing table, and by September 1973, four sites were under consideration for a regional landfill.

Two months later, Coffin Butte was designated as a preferred site due to cost and convenience considerations. The selection came following a public hearing in which residents opposed all four sites and a written public comment period during which Benton County received five letters opposed to Coffin Butte and four in favor. Two additional public hearings were held in February and March 1974. At the first, testimony was overwhelmingly in favor of the project. At the second, there was significant public opposition to the proposal, especially from the North Benton County Citizens Advisory Group. Testimony lasted more than 3.5 hours.²⁷

Ultimately, the Benton County Planning Commission approved a conditional use permit(CUP) request allowing Coffin Butte to be expanded into a regional landfill, one of several designated by the Chemeketa agreement.²⁸ Residents appealed but two months later Benton County officials upheld the Planning Commission’s decision. The Chemeketa agreement is not a sweeping commitment by Benton County to take all refuse from the other counties. While the charge of the Resource Recovery center being planned for the former Camp Adair site, and now in operation, was broad, access to use Coffin Butte for refuse disposal was limited to specific areas within the partnering counties, including the general areas of Monmouth/Independence (MI), West Salem (WS), Dallas (DA), Kings Valley (KV), Corvallis (CO), Albany (AL), Lobster Valley (LV), and Monroe/Harrisburg/Halsey.²⁹

²⁵ *Chemeketa Region Solid Waste Management Program Summary, Volume 1*. Stevens, Thompson, and Runyan, Inc. 1974. P. 9.
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_summary_volume_i.pdf

²⁶ *Chemeketa Region Solid Waste Management Program Summary, Volume 1*. Stevens, Thompson, and Runyan, Inc. 1974. PP. 3-4.
https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_summary_volume_i.pdf

²⁷ *Corvallis Gazette-Times*, March 6, 1974.

²⁸ *Chemeketa Regional Solid Waste Program Technical Report*. 1974. pp. 105-112.

https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_technical_report_volume_ii.pdf

²⁹ *Chemeketa Regional Solid Waste Program Technical Report*. 1974.

https://www.co.benton.or.us/sites/default/files/fileattachments/community_development/page/8136/1974_chemeketa_region_solid_waste_management_program_technical_report_volume_ii.pdf. Also see BCTT, Subcommittee A, Compliance with Past Land Use Actions and Their Status

Pressures for expansion were 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 the Landfill's operators said would add half a century to the site's life.³⁰ Although this expansion provoked less protest than in the early 1970s, the North Benton Citizen's Advisory Committee (CAC) specified that there would be no disposal of municipal solid waste on the 59.23-acre property south of Coffin Butte Road³¹ It is this parcel that was part of Republic Services' 2021 CUP application.

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. A DEQ report on the situation noted that practices at the landfill were being adjusted to minimize future problems, and the responses included the decommissioning of some wells. "Decommissioning water wells within the LOF ("Location of Facility") or in areas potentially downgradient of impacts removes potential exposure to contaminants in groundwater. Two wells currently proposed for decommissioning include PW-1, which is within the LOF, but currently unused, and the Helms well, which is outside and downgradient of the LOF. The Helms well will be used (with carbon filter unit) until September 2006 at which time it will be disconnected from use and scheduled for decommissioning."³²

Coffin Butte Landfill History: Operating as a Landfill, 1983-2010³³

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 but not powerful opposition 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 landfill site by 10 acres immediately.

In the 1980s, there appeared to be little concern about Coffin Butte's site life. An article in the *Gazette-Times* in August 1990 noted that Coffin Butte had an estimated lifespan of 60 to 70 more years and detailed the purchase of a new machine, the "Horizontal Fixed Hammer Hog", that could process wood into compost and wood chips. At the time, company officials said the machine would extend the Landfill's life by 20 years.³⁴

³⁰ *Corvallis Gazette-Times*, April 27, 1983.

³¹ North Benton County Citizen's Advisory Council submission, Benton County File PC-83-07-c(5)

³² *Record of Decision for Coffin Butte*, October 2005. Oregon Department of Environmental Quality, October, 2005, p. 16. Also see: 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

³³ References in this section are from the *Corvallis Gazette Times* or *Albany Democrat Herald*, which generally share their reporting on these issues.

³⁴ *Corvallis Gazette-Times*. August 26, 1990.

In April 1994, Benton County Commissioners proposed eliminating a 10 percent surcharge on all waste coming to Coffin Butte from surrounding counties and replacing it with a 1 percent franchise fee levied on all customers. The move was an attempt to keep waste from coming into Coffin Butte from Lincoln and Tillamook counties; the latter was being sued by a company that said it could offer a better rate for disposal elsewhere. County Commissioners approved the franchise fee in July to provide a “more stable funding source” for the County’s solid waste program.³⁵ In 1994, Coffin Butte lost a significant amount of business, including 43,000 tons of paper from the James River Paper Plant and 12,000 tons from Tillamook County. Overall tonnage at Coffin Butte was 270,645 in 1994, down from 313,572 in 1993.³⁶

In addition to the surcharge debate, there was significant newspaper coverage of Valley Landfills’ gas-to-energy project, a \$2.4 million effort to turn methane into electricity. At its inception, this facility was capable of powering 1,500 homes with clean energy. Today, PNGC Power Plant is capable of powering 4,000 homes with clean energy. Generating energy in this way is a partial solution to controlling methane produced by decomposing waste at the Landfill.

Also in 1994, Valley Landfills filed another CUP, seeking to rezone 26 acres it owned from rural residential for use as a landfill, as part of its long-term planning efforts. This was estimated to increase the capacity of the landfill by 64 to 80%.³⁷ As reported in the *Gazette-Times* on November 3, 1994, this request encountered stiff opposition when local landowners cited concern over the smell, noise, and groundwater contamination while other county residents wondered how large the county would let the landfill grow and whether increased capacity would affect the incentives to reduce consumption or recycle. About 50 people attended a Board of Commissioners’ meeting in early November.³⁸

The residents’ perspectives in 1994 are similar to those in the 2020s. Community members argued that approval of the expansion by the County Commission after the extensive negative public testimony would show a lack of concern about what the community thinks. Specific concerns focused on the potential impact on springs and water supplies, that the change would be an exception to our state land-use goals, and how it could set precedent for even more massive changes in waste disposal in the future. Newspaper archives indicate that numerous residents wrote letters to the editor, authored op-eds, or said they were concerned 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.³⁹ After delaying the vote at an earlier date, in a December 14, 1994 hearing, the Board of Commissioners denied the expansion unanimously. An article in the *Albany Democrat-Herald* reported that Commissioner Pam Folts said the Willamette Valley is not a good place for landfills because the high amount of rainfall can cause leachate to reach groundwater.⁴⁰

³⁵ “Proposed Franchise Fee May Eventually Boost Garbage Rates,” Wed. April 6, 1994, *Corvallis Gazette-Times*. See also: “County Increases Fee on Landfill,” Thursday, July 21, 1994, *Corvallis Gazette-Times* and original sourcing in draft: “Wilson, Bob and Gordon Brown, Benton County Environmental Health Division. Coffin Butte Landfill Annual Review 1994 Operations.” August 22, 1995. P. 4

³⁶ *Coffin Butte Landfill and Pacific Region Compost Annual Report, 1993*, and *Coffin Butte Landfill and Pacific Region Compost Annual Report, 1994*.

³⁷ *Corvallis Gazette-Times*, November 3, 1994.

³⁸ *Corvallis Gazette-Times*, November 3, 1994.

³⁹ Example: *Corvallis Gazette-Times*. November 3, 1994 and November 14, 1994.

⁴⁰ *Albany Globe Democrat*. December 15, 1994.

In the mid-1990s, Coffin Butte, its neighbors, and elected officials worked cooperatively to solve problems related to leachate. Heavy rains in 1996 led DEQ to authorize the Landfill to pump leachate into the Willamette River on an emergency basis. (The agency later said the rain had diluted the liquid and there was no environmental harm to the area.) To avoid a similar situation, the Landfill announced plans to raise the walls on its storage ponds, sent some leachate to the City of Corvallis for treatment, and tried new techniques for processing the liquid.⁴¹

By 1997, the landfill property had grown to 790 acres of which 194 acres were zoned for disposal. Meeting tombstones regularly placed 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, 1999, at around 6:30 pm, the landfill caught fire.⁴² This particular fire, large enough to be covered by the Associated Press as national news, burned for more than 24 hours, prompting fire crews from Adair Village, Corvallis, Albany, and Polk County to respond. The Landfill's owner said the blaze was caused by a 'hot load' delivered to the site.

Probably more notable in the long run, on December 14, 1999, after 40 years of 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. Company President Duane Sorensen said of Allied, "We're really excited about these guys, they run pretty decentralized just like we do...you won't see any change."⁴³

Figure 6 - Karl Maasdam/Gazette-Times August 25, 1999. Permission to use granted by OWH News Archives and Licensing Manager.



Operations at Coffin Butte changed little in the early 2000s. On December 31, 2000, Benton County renewed its Franchise Agreement with Valley Landfills. A specification of that Agreement was to establish a Baseline for determining and measuring adverse effects of the Landfill. In 2001, a 322-page Baseline Study was completed by the Benton County Health Department. Benton County did not insist on a similar specification in the 2020 franchise agreement. 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."⁴⁴ The required Benton County

⁴¹ *Corvallis Gazette-Times*, July 16, 1996.

⁴² *Corvallis Gazette-Times*. August 25, 1998.

⁴³ *Corvallis Gazette Times*. December 15, 1999.

⁴⁴ "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

approval process specifies the need for a Conditional Use Permit (CUP) issued by the Planning Commission.

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.

Section 3: Current Political and Social Context of Coffin Butte Landfill

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.⁴⁵ “We have a lot of traffic in and out of Coffin Butte Landfill,” Julie Jackson, Republic Services’ municipal manager told the Board of Commissioners. “It’s becoming increasingly dangerous to have the public there.”⁴⁶



Figure 7 - View of Coffin Butte Landfill, Feb. 2023, from E.E. Wilson Archery Park (photo by Marge Popp).

Even after Republic Services dropped the rate to \$40, county residents voiced their displeasure at a Commissioners Meeting.⁴⁷ Because Coffin Butte is a privately-owned landfill, Benton County could not then, and cannot now, regulate the rates Republic charges. However, the county was able to encourage a lower fee increase because it was in the process of renegotiating its franchise fee agreement.

The current pressure for expansion is inexorably tied to the volume emplaced in Coffin Butte. Although Benton County contributed less than 12% of the total intake at Coffin Butte in 2021, pressures to expand the landfill’s footprint include population growth, diversion rate, wildfire debris, and, according to EPA data, more waste is being generated per capita today than ever before in

⁴⁵ *Corvallis Gazette Times*. December 8, 2018.

⁴⁶ *Corvallis Gazette Times*, December 8, 2018.

⁴⁷ *Corvallis Gazette Times*. December 19, 2018. This article was entitled: “Public rips dump rate hike”.

history.⁴⁸ It is important to recognize that the current issue of Coffin Butte is not about closure, but about the manner of expansion. 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 large-landfills, such as Roosevelt and Columbia Ridge disposal sites, are located east of the Cascades where meteorological, geologic, and population density conditions are ideal.⁴⁹ Locating landfills must take into consideration factors other than environmental conditions and immediate impacts on close neighbors, including the costs to local residents of refuse disposal, the suitability of alternative disposal sites, and the financial impacts on local government of hosting a facility. Still, many landfills on the west side of the Cascades have been closed or are in the process of closing, and the impending closure of Riverbend Landfill in Yamhill County is one justification for Coffin Butte expansion.⁵⁰

The capacity issue is discussed in great detail in another section of this report, but there is a historical component to it. The amount of waste (tonnage) being delivered to Coffin Butte has increased steadily in recent years. Annual reports submitted to the county show that tonnage in 2016 was 552,978.53. The following year, tonnage increased by 66.63 percent. Republic Services has noted that much of that increase is due to the diversion of waste from the Riverbend Landfill in Yamhill County, which was having difficulties with its expansion plans.⁵¹ Tonnage has continued to increase on an annual basis, with the exception of 2020, a year that was marked by significant lifestyle changes due to the global COVID-19 pandemic. There was 1,046,066.96 tons of waste deposited at Coffin Butte in 2021, an 89.17 percent increase compared to 2016 numbers. Coffin Butte currently operates under a tonnage cap of 1.1 million.⁵²

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 the December 2020 franchise agreement between Benton County and Republic Services. Second, the BCTT process examined the issues raised when Republic Services applied for a CUP 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 withdraw their Board of Commission appeal of the Planning Commission decision. Instead, it reserved the option to request another CUP in the future. As a result, BCTT was created by the County Commission to prepare for a possible future request.

⁴⁸ Environmental Protection Agency, *National Overview: Facts and Figures on Materials, Wastes and Recycling*. December 2020. <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/national-overview-facts-and-figures-materials#GenerationTrends>

⁴⁹ Republic Services, "Roosevelt Landfill Site: FAQs". <https://www.republicservices.com/roosevelt-landfill>

⁵⁰ BCTT Subcommittee A.1 Revision 5 1/10/2023

⁵¹ The ongoing difficulties with Riverbend Landfill can be seen at: [Nicole Montesano](#), *Yamhill County New-Register*. "Riverbend landfill stops accepting garbage". June 18, 2021.

⁵² 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

In each of the above situations, some residents have raised concerns about the public notice process and the lack of information given to residents before decisions were made and contracts were signed. Recommendations for fixing these communication gaps are part of this Subcommittee (E's) charge: "Develop protocols for the timely and broad distribution of CUP-related information to the public, other governmental entities, and internal committees, groups and divisions."⁵³

Benton County officials viewed the negotiations with Republic Services leading to the 2020 franchise agreement for trash hauling very positively. That franchise fee agreement was settled on June 7, 2022, with a ten-year agreement, with the possibility of re-negotiation on 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."⁵⁴

A communication breakdown between some residents and county officials regarding landfill issues became very apparent following the signing of a new franchise agreement over Coffin Butte in mid-December 2020, which assumed an expansion of the landfill. Unlike the more highly publicized prior franchise negotiations, 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.⁵⁵ Members of the SWAC acknowledged that they were told that this was not a matter for their consideration. This is surprising considering that a September 2020 solicitation notice for Advisory Board membership explicitly states 'review franchise agreements' as a primary responsibility.⁵⁶

The 2020 franchise agreement over landfill operations enhanced the financial incentive for the county to support increased refuse intake. 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 incentivize the county to favor increased disposal volume and the landfill's expansion by adding 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 hosting fee, and the county is rewarded if more waste goes to Coffin Butte. As the franchise fee increases, the volume required to receive the hosting fee also increases. Furthermore, the fees will go up slightly if the landfill expansion is approved by 2023 and will go down slightly if the landfill expansion is not approved by 2025.⁵⁷ Before the vote to sign the

⁵³ Benton County Talks Trash. BCTT Subcommittee E, January 23, 2023. <https://www.co.benton.or.us/cd/page/bctt-subcommittee-e1-community-education>

⁵⁴ *Corvallis Gazette Times*. June 9, 2022.

⁵⁵ Benton County Commissioner Meeting, December 15, 2020. From recording archive.

⁵⁶ *Corvallis Gazette-Times*. September 8, 2020.

⁵⁷ 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_agmt_2020.pdf>

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.⁵⁸

In May 2021, Republic Services submitted an application to Benton County for a CUP 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.⁵⁹ Reporting at the time also noted Croney’s financial arguments in favor of the expansion, particularly the revenue implications and possible future disposal costs for county residents of denying the expansion request.⁶⁰ These arguments engendered a *Gazette Times* editorial endorsing the expansion.⁶¹

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, 2021. 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 the 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. It should be noted that, while much public commentary in attributed editorials and letters to the editor opposed the expansion, several *Gazette Times* articles written by veteran reporter James Day throughout the period from October 2021 through January 2022 gave a very positive account of the Coffin Butte expansion and could be said to advocate for its approval. In addition, on November 12, 2021, an unattributed full-length staff editorial in the *Gazette-Times* recommended approval of Coffin Butte expansion, and on December 19, 2021, the paper’s editorial page feature “Roses and Raspberries” assigned a raspberry rating “to the Benton County Planning Commission for unanimously denying a proposal by Republic Services to expand the Coffin Butte landfill.”

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 November 16, 2021, Planning Commission hearings all opposed the expansion.⁶² Objections raised in public

⁵⁸ Benton County Board of Commissioners Meeting. December 15, 2000. Recording.

⁵⁹ 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.

⁶⁰ *Corvallis Gazette-Times*. October 31, 2021 and November 12, 2021.

⁶¹ *Corvallis Gazette-Times*. December 2, 2021.

⁶² *Corvallis Gazette-Times*. December 8, 2021.

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 Benton County Board of Commissioners, claiming the evidence didn't support the Planning Commission's conclusions. Republic also said the landfill has maintained compliance with ODEQ's air quality permit regulations. But on March 15, 2022, the company informed the Board of Commissioners that they would withdraw the appeal. Meanwhile, from October 2021 to January 2022, the Solid Waste Advisory Council membership 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-resistance to the landfill expansion from members of the community and the Landfill's owner/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, the legalities surrounding the relationship between Republic Services and Benton County, prepare for the creation of a Sustainable Materials Management Plan, and formulate effective communication channels between Benton County and its residents.