

## MINUTES

Joint Elected Officials  
Harris Hall

May 8, 1996  
7 p.m.

**BOARD OF COUNTY  
COMMISSIONERS:**

Bobby Green, Chair; Jerry Rust (until 7:10 p.m. via telephone hookup),  
Steve Cornacchia, Ellie Dumdi, Cindy Weeldreyer.

**EUGENE CITY  
COUNCIL:**

Mayor Ruth Bascom, Tim Laue (until 7:40 p.m.), Laurie Swanson  
Gribskov, Shawn Boles (until 10:10 p.m.), Kevin Hornbuckle, Barbara  
Keller, Nancy Nathanson, Jim Torrey (until 8:30 p.m.); Pat Farr.

**SPRINGFIELD  
CITY COUNCIL:**

Mayor Bill Morrisette, Stu Burge, Anne Ballew, Maureen Maine, Elizabeth  
Beyer, Greg Shaver.

**ABSENT:**

Springfield City Councilor Norm Dahlquist.

**I. JOINT PUBLIC HEARING**

**II. BOARD OF COMMISSIONERS PUBLIC HEARING**

Mr. Green called the meeting of the Lane County Board of County Commissioners to order. He read Ordinance PA 1083 and PA 1084 into the record:

"ORDINANCE PA 1083—In the matter of amending the Eugene-Springfield Metropolitan Area General Plan to modify Policy 2, Section III.G., to provide for the extension of sanitary sewer service from the Eugene-Springfield metropolitan area to the Lane County Short Mountain landfill site and govern similar extensions to other sites, and adopting an exception to Land Conservation and Development Commission Goal 11; and adopting savings and severability clauses.

"and

"ORDINANCE PA 1084—In the matter of amending the Rural Comprehensive Plan to add a policy governing the extension of sanitary sewer service from the Eugene-Springfield metropolitan area to the Lane County Short Mountain landfill site, and adopting an exception to Land Conservation and Development Commission Goal 11; and adopting savings and severability clauses."

Mayor Ruth Bascom called the meeting of the Eugene City Council to order. She called the roll, and read the Eugene Ordinance relative to the matter before the elected officials:

"An ordinance amending Policy 2, Section III-G of the Metropolitan Plan to provide for the extension of sanitary sewer service from the Eugene-Springfield metropolitan area to the Lane County Short Mountain landfill site and to establish criteria for future amendments to Policy 2, Section III-G (Lane County Short Mountain Landfill, MA 96-1); and adopting an exception to Land Conservation and Development Commission Goal 11; and adopting a savings and severability clause."

Mayor Bill Morrisette called the Springfield City Council to order. Springfield Planning staff Greg Mott called the roll. Mr. Mott read the first reading of the following ordinance into the meeting record:

"An ordinance amending Policy 2, Section III-G of the Metropolitan Plan to provide for the extension of sanitary sewer service from the Eugene-Springfield metropolitan area to the Lane County Short Mountain landfill site and establishing criteria to be used in considering future plan amendments which are applicable to Policy 2, Section III-G; and adopting a severability clause (Jo. No. 96-04-73)."

Mr. Mott reported that the Springfield City Council had tentatively scheduled May 20 for the second reading of the ordinance and for final action.

Mr. Green said that the commission would combine the two agenda items into a single hearing.

Mr. Green noted that Mr. Rust was present via telephone hookup and wished to make an opening statement.

Mr. Rust said that he was a member of the Metropolitan Wastewater Management Commission, a member of the County's Resource Recovery Advisory Committee, a group that addressed solid waste issues, and a member of the urban growth boundary (UGB) resolution committee. He said that Lane County had considered many options for disposal of the leachate from the Short Mountain landfill site, but the high cost of those options had led the County to the proposal for a sanitary sewer line. Mr. Rust noted his own concerns about extending sewer service outside the UGB but said he believed that the solution before the elected officials was responsible and reasonable. He said that the elected officials would have to act in concert before any further connections were allowed.

Mr. Rust indicated he had a meeting and would hang up the telephone.

Mr. Green requested ex parte contacts from the board regarding the matter at hand. None were declared.

Mayor Morrisette requested ex parte contacts from the Springfield City Council. None were declared.

Mayor Bascom requested ex parte contacts from the Eugene City Council. Mr. Boles indicated he had received a telephone call from an individual associated with the Friends of Buford Park and Mount Pisgah requesting information on the topic. Ms. Swanson Gribkov said that she had a contact with the Creswell City Manager, who had directed her to the letter from Creswell in the agenda packet. Mr. Torrey noted his membership on MWMC and said that the recent MWMC rate hearing included notice of tonight's hearing. Ms. Nathanson said that she had a brief conversation with two

Eugene Planning Commissioners indicating that the commission was working on the issue and noting concerns about the need for the line and the route.

Ms. Weeldreyer said that, given the nature of the contacts discussed by the Eugene councilors, she wished to state that she had discussed the subject with representatives of the Goshen neighborhood group. In addition, because the proposed line was included within her district, she had contact with the Waste Management Engineering staff about the routing.

Mayor Morrisette acknowledged Scott Engstrom, a citizen member of the MWMC from Springfield.

Mr. Green recognized Eugene MWMC member Ruth Duemler and Lane County member Katherine Schacht.

John Cole, Lane County Planning Director, said that the request before the elected officials was to connect the Short Mountain landfill to the Metropolitan Wastewater Treatment Plant system, a connection that would require an amendment to both the Eugene-Springfield Metropolitan Area General Plan and the Rural Lane County Comprehensive Plan as well as an exception to State land use goal 11.

Mr. Cole said that the extension request was driven by the need for the County to respond to the Department of Environmental Quality's demand that Short Mountain find a different approach to treating leachate.

Mr. Cole said that the proposal before the elected officials had been reviewed and approved by the Lane County Planning Commission at its meeting on February 27, the Eugene Planning Commission at its meeting on March 4, and the Springfield Planning Commission on March 5. Mr. Cole said that the Eugene Planning Commission had modified the proposed text to address possible future connections to the line from properties outside the UGB. That text was provided to the Springfield Planning Commission at its meeting on March 5, and the commission included the modification in its approval of the proposal. Mr. Cole said that the legal counsels of Springfield, Eugene, and Lane County had reviewed the modification made by Eugene and offered text to clarify the modification's intent regarding property outside the city limits but within the UGB.

Mr. Cole acknowledged the staff efforts of Greg Mott of Springfield and Cathy Czerniak of the Eugene Planning Division.

Mr. Cole noted two areas of concern raised during the planning commission review. The first area of concern regarded land use, whether the sewer line extension would create or promote development outside the UGB, and what preventative measures were taken to preclude such connections. He emphasized that for any other connections to occur, the elected officials must take specific action to allow the connection.

Mr. Cornacchia asked if property owners inside the UGB would have to seek approval from the elected officials to connect to the line. Mr. Cole did not know, and indicated he would provide Mr. Cornacchia with that answer. Mr. Burge read from the notice of pending land use action, which indicated that the main would be used only for leachate disposal, and that connections by properties along the route would not be authorized by approval of the route.



Ms. Keller noted that the amendment to Metropolitan Area General Plan Policy 2, III(C) indicated that connections inside the UGB would be made in accordance with the Metro Plan.

Mr. Boies asked what controls existed for extension of gravity lines less than eight inches in diameter, and who had authority over connection to such lines.

Mr. Cole said that a second area of concern raised during the planning commission review involved questions as to the content of the leachate and the ability of the treatment plant to absorb the additional load created by the leachate line. He said that staff attempted to address those questions in the agenda packet and would provide additional information throughout the hearing.

Mr. Cole suggested that there was an equity issue to be considered in the proposal. He said that 87 percent of the materials that go to Short Mountain landfill was from within the Eugene-Springfield UGB. He said that distinguished the proposal from other extension proposals that might be made. He reminded the elected officials of the DEQ deadline.

Ken Kohl, Lane County Waste Management Division, responded to Mr. Cornacchia's earlier question by noting that the amendment to the Metropolitan Area General Plan included text that specified the line would handle leachate from Short Mountain only and that all other connections outside the UGB would require an amendment to the plan. Connections inside the UGB would be made in accordance with the Metro Plan.

Mr. Kohl introduced Wes Gavits of EMCON, the consultant who prepared the leachate management plan, Terry Smith of Eugene Public Works, and Chuck Donaldson of the DEQ.

Mr. Kohl provided an overhead presentation on the Short Mountain landfill, discussing the history of the landfill, the history of DEQ enforcement that precluded the County from irrigating leachate on site due to the presence of wetlands, the County's development of options to manage leachate in the long term in response to the DEQ, design issues regarding leachate disposal through the proposed line, and the proposed line route and line size.

Mr. Kohl said that following the initial line routing proposal, staff learned that the route being considered was already congested with utilities and as a result, considered other less costly alternatives. The selected alternative followed Dillard Access Road, crossed Highway 58 onto Seavy Loop Road and then to Blossom Road, back to Seavy Loop and north to the Wildish haul road. Mr. Kohl noted that some private easements would be needed in the vicinity of Blossom and for the Wildish haul road. When the route reached the UGB, it would follow Franklin Boulevard to Nugget Way, onto 19th Avenue to Henderson Road, up to 17th Avenue and onto Glenwood, where the line would be connected to the sewer system.

Mr. Kohl said that the County began discussions with Wildish Sand and Gravel about obtaining an easement, and the firm had indicated its interest in annexation and development of the Wildish Industrial Park along Nugget Way and proposed a cooperative approach to the line that included Wildish providing easements to the County for the route at no cost.

Mr. Boies asked about the size of the Wildish line. Mr. Kohl clarified that it would be an 18" gravity fed main. He confirmed that the line would change from 4" to 18" along that portion of the

route until it reached the pump station, where the line would probably be 4" again. Mayor Morrisette asked about the distance between the UGB and the intake at Nugget Way. Mr. Kohl estimated that the distance was three-quarters to one-half mile. He said that there would be a pump station at the landfill and two intermediate pump stations whose locations were dependent on a hydrological analysis. There would also be a truck loading facility at the landfill to facilitate emergency trucking of leachate if needed. A 2 million gallon single line lagoon was being constructed for emergency storage to which leachate could be diverted in case the sanitary sewer line was out of order.

Mr. Kohl discussed flow rates and the constituents of the flow, reporting that the treatment plant had indicated it could handle both the flow and flow constituents. He said that the treatment plant had requested that the landfill perform a whole effluent toxicity test, and the results of that testing indicated no effect at a dilution rate of one percent, which was comparable to the proposed flow.

Mr. Kohl discussed the timing of the proposal's implementation, saying that staff anticipated that construction would begin in July 1996, with boundary commission approval expected in August, followed by pumping in October. He said that delays could significantly add to the precipitation that fell on the lagoons as well as to the disposal problem. Existing lagoons would fill up and leachate would have to be trucked at a much higher cost than it would be to pump it. Mr. Kohl said that additionally, the temporary lagoon where leachate was being stored would be unavailable for use as a waste cell, forcing use of other parts of the landfill that could in turn force the methane gas collection system of the Emerald Peoples Utility District out of service. That would impact both the district's revenues and add to air emissions.

Briefly addressing other issues, Mr. Kohl said that the cost of the line would be covered by revenue reserves from tipping fees. He said that privatization of the landfill facility was not being considered at this time. He anticipated that the remaining life of the landfill was approximately 30 years, and after its closure the landfill would continue to generate leachate for another 10 to 15 years.

Mr. Cole clarified for Mr. Cornacchia that property owners within the UGB would have to request annexation to connect to the line.

Mr. Burge asked if staff was aware of any property owners within the UGB who would be interested in connecting to the line. Mr. Kohl said that Wildish was the only property owner of which he was aware who had expressed interest in connecting to the line. He did not know how far the company had progressed in its development plans.

Ms. Nathanson asked staff to provide the elected officials with examples of solutions to similar problems that had been put in place in other areas. Mr. Kohl said that he had no evaluative information about the approaches taken by other landfills in the Willamette Valley. He said that there were a range of existing approaches to leachate disposal, including trucking to wastewater treatment facilities. Ms. Nathanson asked about the condition of the groundwater in the area of the proposed route, particularly in the residentially developed portions. Mr. Kohl did not know. Ms. Nathanson requested information about the condition of the groundwater in the residential areas along the proposed route.

Ms. Nathanson asked staff to provide information to the elected officials about the cost differences between the previously proposed route and newly proposed route. Mr. Kohl said that construction

costs along utility corridors were approximately \$15 per linear foot; construction costs in undeveloped areas were about \$8 per linear foot. Mr. Farr requested more specific information about the construction costs for the previously proposed and newly proposed route.

Mr. Farr asked how construction would commence in July if boundary commission approval did not occur until August. Mr. Kohl clarified that the construction in July would be of on site facilities, and that the facilities would be needed in any case.

Referring to the DEQ deadline of June 30, 1996, Mr. Torrey asked what the County's fall back position would be if the proposal was approved but appealed to LUBA, and how long would the County be in that fall back position before it would be cost-effective to move to the secondary option. Mr. Kohl said that implementation of the proposal could include trucking and on site storage until the pipeline was constructed, meeting the intent of the DEQ order. Mr. Torrey noted the length of time needed for some appeals, and asked if the increased costs of trucking would mitigate the savings realized by pipe construction. Mr. Kohl did not think so.

Mr. Torrey requested analysis of the cost of a delay as opposed to the cost of the plan. Mr. Kohl estimated an additional \$1 million to \$2 million in added costs if the proposal was delayed. Mr. Cornacchia suggested that it was more appropriate to consider the costs in light of the life of the landfill rather than over a brief appeal period. Mr. Cole pointed out that other alternatives could be appealed as well.

Mayor Morrisette asked how many trucks it would take each day to haul leachate to the treatment plant. Mr. Kohl estimated that it would require about 8-1/2 trips per day, assuming a truck could handle 6,000 gallons. He added that the number of trips would go up during times of peak flow.

Mayor Morrisette asked where the leachate from Day Island landfill went. Mr. Kohl did not know.

Ms. Keller asked Mr. Donaldson if the DEQ would support trucking the leachate to the wastewater treatment plant as a permanent solution. Mr. Donaldson responded that the DEQ's position was based on the need to eliminate the existing leachate disposal manner; the agency did not propose a specific alternative. He said that if the permanent solution proposed by Lane County could not be implemented by June 30, the agency would accept trucking as an intermediate solution. He stressed that a permanent solution must be found.

Ms. Keller stated that there was no information in the meeting packet about the County's discussion with Wildish or the proposed 18" line, and she requested more information about both the physical and financial agreements the County was contemplating with Wildish. She asked if an additional pump station would be needed to convert the 18" line to a 4" line. Mr. Kohl said yes. He said that the County had already planned on an intermediate station in about the vicinity of the conversion.

Ms. Keller asked that information provided by Eugene staff to the Eugene council regarding the costs of the various alternatives be provided to the Springfield council and the board. She also requested that the costs of the on site trucking facilities be called out specifically in the estimates.

Ms. Keller noted that she had asked Eugene staff to superimpose the proposed route onto an aerial photograph, and asked that the photograph be entered into the record and provided to the elected officials.



Ms. Weeldreyer referred to Table II-1 in the consultant's report, which outlined the range of options considered by the County. She said that there was a significant annual operational savings to be realized from the proposed sewer line, although the initial capital investment was considerable. Ms. Weeldreyer said that the hearing was about land use and should not be an opportunity for others to "second-guess" the board's selection of the proposed option.

Mr. Green opened the public hearing on behalf of Lane County.

Mayor Bascom opened the public hearing on behalf of Eugene.

Mayor Morrisette opened the public hearing on behalf of Springfield.

James Weaver, 1601 Olive Street, Eugene, noted community concern about the impact of growth. He said that the community should not commit at this time to the proposed sewer line extension across the UGB. Mr. Weaver said that the staff appeared to be acting without authority when it negotiated for easements without approval of the amendment by the elected officials.

Mr. Weaver maintained that the sewer line extension would create intense pressure for development along its route and in its vicinity. He advocated for another option to address the leachate, such as poplars.

Mr. Weaver noted the interests of major property owners along the proposed route in development and suggested that those interests were given more weight than the interests of ordinary citizens. He said that "something is rotten in the state of our cities and county," and called for the appointment of a citizen advisory committee to investigate the proposal.

Jeff Shields, general manager of the Emerald Peoples Utility District (EPUD), testified that EPUD owned and operated the Short Mountain Landfill Gas-to-Electricity Plant at the landfill. He said that the methane gas recovery facility and generation project helped provide the energy needs of about 1,700 customers living near Eugene and Springfield. Mr. Shields supported the proposed amendments to the Metropolitan Area General Plan and the rural comprehensive plan. He said that EPUD's facility provided a local renewal resource, mitigated the impact of methane gas on air quality, and contributed royalties for gas production to the County.

Mr. Shields said that if the County was unable to operate the landfill in a manner consistent with the district's need to capture the methane, EPUD would lose the ability to economically operate the plant and would have to cease operations. If EPUD did not capture the methane, it would be an issue again for the County, forcing it to build its own collection system at a cost to the taxpayers. Mr. Shields supported the sewer line as the most viable solution to leachate disposal.

Mr. Boles asked Mr. Shields if he would support other alternatives that did not affect EPUD's facility. Mr. Shields said yes.

Opal Batchelor, 34238 Matthews Road, Eugene, said that she and her husband owned the property at the corner of Matthews and Peeples roads. She expressed concern about the impact of the line on area groundwater and wells. She said that the residents were dependent on groundwater, and the proposed line easement would be located within six feet of some area wells. Ms. Batchelor said that a line break would seriously impact the groundwater quality. She also wished to preserve a heritage tree on her

property that could be affected by the line. Ms. Batchelor also expressed concern that when she had asked for more information after seeing County surveyors on her property in March, no plan had been available. She suggested that the process was being "ram-rodged" too quickly and questioned how well-thought out the County's plans were.

Ms. Batchelor expressed concern about the cost of the project and suggested that the flow might overtax the wastewater treatment plant given current population growth and the level of development. She suggested that the leachate be treated on site.

Ms. Batchelor noted her neighbors' concerns about the impact of the line on the quality of the area groundwater.

Alan Zelenka, Resources and Energy Services Supervisor of EPUD and project manager for the gas-to-electricity facility, spoke in support of the proposal. He said that the facility could be harmed by delays in the disposal of leachate from the site. He described the impact of a shift in landfill operations on the gas-to-electricity facility, saying that most of the existing collection facilities could be put out of commission and electricity production reduced significantly. Mr. Zelenka said that failure to adopt the amendment would create more greenhouse gases because the collection system would be disrupted, the landfill odor would increase, and EPUD would be forced to rely on energy from "dirtier" sources, such as coal, gas, and oil. Local dollars would be invested outside the community to purchase power.

Mr. Zelenka said that EPUD's contract with Lane County indicated that the County would be responsible for all costs of the removal or relocation of EPUD's collection system, a cost that could be as much as \$3.3 million over the next four years.

Mr. Zelenka said that failure to adopt the amendment would also be inconsistent with the Metropolitan Area General Plan's energy elements, in particular objectives 3, 4, 6, and 13, and policies 2, 4, 8 and 12.

Mr. Zelenka believed the force main option developed by Lane County was the best option available because it was environmentally responsible, would cause the least amount of disruption to EPUD's facility, and was cost-effective. He said that trucking leachate would be at odds with the State's goals for reductions in vehicle miles traveled and was more expensive than the selected option.

Ms. Keller asked Mr. Zelenka if he agreed with Mr. Shields that the key was to get a solution to the leachate problem, rather than the specific option proposed to the elected officials. Mr. Zelenka said that EPUD did not care how the issue was resolved, but supported a timely solution that could be implemented without delay and did not affect EPUD's operations. He did not think that there was a better option than that proposed.

Scott Meisner, President of the Eugene Planning Commission, said that the commission had held a joint public hearing with the Springfield and Lane County planning commissions to consider the proposed amendment to allow sewer service to the Short Mountain landfill. Based on the information available to it at the time, the Eugene Planning Commission had recommended approval of the proposal with text modifications that specifically addressed the commission's concerns about requests for future connections outside the UGB. Mr. Meisner said that at its meeting May 7, the commission was provided with the agenda packet for tonight's meeting, and was asked to consider whether the text revisions proposed by



the legal counsels of Springfield and Lane County were consistent with its intent. The commission had agreed that the modifications were acceptable.

Mr. Meisner said that the commission had also extensively discussed the revised route. Its earlier recommendation had been based upon the previously proposed route. The commission supported the earlier route because it was sensitive to the problem of land speculation and pressure for development outside the UGB. Mr. Meisner said that the route now proposed traveled through existing rural residential development and through private property—the Wildish property—proposed for development. The commission believed that the newly proposed route presented a serious risk of pressure to expand the UGB. Mr. Meisner said that in light of the change, the commission unanimously approved a motion to convey to the elected officials its extreme concern about the route changes made after the planning commissions' consideration and action on the proposal. The commission was particularly concerned about the route's location through existing development, potential future development, and potential wetlands outside the UGB. In addition, Mr. Meisner said, the commission requested that the elected officials prescribe the route for any sewer service or to limit any changes in the route that staff may recommend either through intergovernmental agreements or permits required for service extension to avoid a route that created pressure for speculation, development, and sprawl.

Mr. Meisner concluded by saying that the commission agreed that, had the route now proposed been before the commission at the time of its deliberation, the commission would not have recommended approval of the proposal.

At the request of Mr. Cornacchia, Mr. Cole identified the original route alignment shown to the commissions. Mr. Meisner said that the commission had been told several times that the route would parallel I-5.

Mr. Cornacchia asked staff to be prepared to discuss why the route changes were proposed.

Mr. Boles asked if the Eugene commission had considered revisiting its decision regarding the proposed amendment. Mr. Meisner said no, adding that the commission had no time for a full discussion of the proposal prior to the hearing.

Chris Orsinger, Executive Director of the Friends of Buford Park and Mount Pisgah, said his organization had previously expressed opposition to any extension of services beyond the UGB to serve the Wildish property. He said that his organization continued to work toward public acquisition of those lands with the assistance of Bonneville Power Administration wildlife mitigation funds.

Mr. Orsinger said that his organization was concerned about urban impacts on fish and wildlife, recreation uses, and drinking water in the Mount Pisgah area and the Willamette River confluence. He noted that many who had testified at public hearings regarding the Buford Park Master Plan in 1993 had expressed support for retaining the rural character of the park and its surroundings by retaining the present agricultural zoning and preventing urban development in the vicinity.

Mr. Orsinger said that his organization was happy that the County was seeking a solution to the leachate problem, but was concerned about the proposed route. In addition, the organization supported the establishment of a leachate reduction program; Mr. Orsinger suggested that such a program could reduce the amount of leachate that must be disposed, making trucking a more cost-effective option. He asked

if the landfill staff had considered on-site leachate treatment. Mr. Orsinger said that if the sewer line must be built, his organization preferred the original alignment, which would ameliorate its concerns about the line's passage over riparian areas, wetlands, waterways, and wildlife habitat. He indicated that the Board of the Friends of Buford Park and Mount Pisgah had adopted a resolution reflecting his remarks on May 7.

Responding to a question from Mayor Morrisette, Mr. Orsinger said that his organization did not have sufficient time to analyze whether the pipe line was a good solution to the leachate management problem at Short Mountain. The organization was concerned about the pipe route.

Responding to a question from Mr. Cornacchia, Mr. Orsinger said that many of his organization's concerns would be addressed by a return to the original alignment.

Cecil Saxon, 85769 2nd Street, Eugene, identified himself as a Goshen area resident. He objected to the realignment of the proposed line after the close of public testimony before the planning commissions. Mr. Saxon said that surveying crews had been surveying the new route a week after the hearing was closed, and asked what had changed within less than a week.

Mr. Saxon objected to the lack of information given residents about the proposal before the elected officials. He said that Lane County was using scare tactics to extend sewer service beyond the UGB. Mr. Saxon said that he had previously suggested that Goshen School be allowed to connect to the line but was told it was not possible. He said that statement should preclude other connections as well.

Mr. Saxon noted the area's dependence on groundwater and said that the County should make a commitment to Goshen area residents that it would supply them with water in case the sewer line breaks.

Responding to a question from Mayor Morrisette, Mr. Saxon said that he would not object to the line if the original alignment was maintained. He said that if the County was going to install a line, it should be dedicated to leachate movement.

Rob Castleberry, 86701 Franklin Boulevard, requested that the record be held open until May 17 for the submission of additional comments. He supported a solution to the leachate management problem at Lane County but was opposed to the change in the route that had occurred since the planning commissions' deliberations. He said that the secrecy and misrepresentation was toxic to public trust and confidence in government.

Mr. Castleberry shared the concerns of those who were worried about the pressure for development that could occur with the extension of services outside the UGB and the extra capacity in the line beyond that needed for leachate movement. He urged the elected officials to reconsider the new alignment and the line's capacity and return to the original route. Mr. Castleberry supported a single purpose line, and suggested that leachate reduction programs be considered to ensure the line was as small as possible. He said that the leachate lagoon should also be covered to reduce leachate.

Steve Stewart, 85658 Dillard Access Road, indicated that his remarks were made on behalf of the Goshen Neighborhood Association and said he had submitted written testimony. He said that, following the public hearing and staff description of the proposed route, a survey of the new route was done. He said

that he and Mr. Saxon met with Ken Kohl to discuss the route. Mr. Kohl had indicated to them that the original route was not feasible, and an alternate route was being proposed. Mr. Stewart said that he had proposed another route along I-5 to avoid residents' wells along Dillard Access Road. Staff had explained that such a route was not feasible because of the need for accessibility for cleanout purposes, although staff had previously stated that the line would be a sealed force main along its length to Glenwood.

Mr. Stewart said the neighborhood association supported the original route alignment. He said that changes have occurred without notice to the association or residents, and the association expected the original plan to be put into place without changes. Mr. Stewart emphasized residents' concern about groundwater contamination, and said that there was a potential for spills at cleanout accesses. In addition, the neighborhood was concerned that other connections of an industrial nature would be allowed that might have a further impact on groundwater.

Mr. Stewart suggested that an alternative to the leachate line was a small-scale, on site treatment plant.

Paul Jasheway, 3247 Crocker Road, expressed concern about the toxic effect of the leachate contents. He asked the elected officials to consider the following issues: the contents of the leachate as the landfill aged; the integrity of the line because it could be carrying toxic materials; and the fact that sludge from the treatment plant was used on farmlands.

Mr. Jasheway also expressed concern about possible development pressure that might occur as a result of the construction of the sewer line. He said that the elected officials should also consider the impact of the line on farmlands, forestlands, and wetlands. Mr. Jasheway said that once the line was installed, it would only take the action of elected officials to avoid the restrictions to connections under consideration at the current time. He said that the elected officials should consider the indirect costs created by the sewer line in the form of the costs of serving development. Mr. Jasheway also pointed out the increased costs of open space when land speculation occurred.

Mr. Jasheway opposed the new proposed line route and supported the original alignment. He did not support development of the Wildish property near Mount Pisgah. He encouraged the elected officials to consider all the costs involved in the sewer line, and consider whether there was another long-term solution to leachate disposal closer to the landfill.

Len Kerns, 34074 East Peeples Road, identified himself as a property owner in the area affected by the new route. He said that he was opposed to the sewer line being proposed, and its extension across his property. Mr. Kerns said that the issue of property rights had not been addressed in the proposal. He said that near his property, the sewer line would be very close to several wells. He asked what would happen to property owners dependent upon wells if the sewer line broke, and suggested that the area might have to be provided with municipal water to maintain property values.

Mr. Kerns criticized the landfill as a bad neighbor, noting its detrimental impact on traffic in the area and upon a local bridge. He said that the landfill also smelled, even with EPUD's gas-to-electricity facility, and said that DEQ should monitor how much of the landfill was uncovered at any given time.

Mr. Kerns proposed that rather than install a sewer line, Lane County work with the private short line rail operator to install a railroad spur and rail the leachate to spur near Nugget Way, where a gravity



dump could be installed and connected to an existing sewer line. A rail car could hold 200,000 liquid gallons. Mr. Kerns pointed out that the solution would eliminate the issue of property rights and the cost would be lower.

Tom Pringle, 3295 Kincaid Street, said that he represented the organization Friends of the Coast Fork. Mr. Pringle said that the landfill had the option of reducing leachate production. The landfill had only recently installed a tarp over the active working area of the cell to keep rain from entering. He said that the landfill staff has resisted placing clay caps over older cells in the landfill and daily tarp covers over working areas. Mr. Pringle said that County staff has never explained why it will not work to reduce leachate volume, a win-win solution that would make all parties happy.

Mr. Pringle said that the leachate from the landfill has been discharged into the Willamette River via Camas Swale for 20 years. There were 103 intake pipes on the river downstream of the swale. He said that the landfill has experienced breakouts of raw leachate into the river annually. Mr. Pringle suggested the possibility that the proposed sewer line could experience failure and contaminate groundwater.

Mr. Pringle said that a reduction in leachate volume would cause a commensurate reduction in the proposed pipe size. He said that a 2" pipe would be sufficient for the leachate volume at the landfill, while a 4" line would quadruple the line capacity. After the temporary lagoon was emptied, the pipe would exist with considerable unused capacity.

Mr. Pringle said that his organization had received no notice of the proposal under consideration, in spite of its long-term interest in matters relating to Short Mountain.

Mr. Pringle said that the landfill site was mistakenly chosen in the first place as it was clearly a wetland. He said that before the elected officials made a final decision, it should direct staff to prepare a new recommendation and make the recommendation subject to peer review.

Bill Montgomery, 34211 Seavy Loop, identified himself as a resident of the area along the proposed sewer line route, asked if Lane County had considered how much it would cost to address a break in the line in a residential area. Mr. Montgomery was concerned about the condition of the groundwater and irrigation water supplies.

Mr. Montgomery was not supportive of the proposal for a sewer line. He expressed concern about development pressure that might occur if the line was installed. He said that he was a farmer and did not want to have to face nuisance complaints as a result of his farming activities. Mr. Montgomery suggested that the County find another, more appropriate location for the landfill.

Harry Fariel, 630 West 27th Place, asked the elected officials to reject the proposal before them. He said that the sewer line would weaken the integrity of the UGB. He said that the elected officials now in office were not the same people that would make decisions about where development should occur in the future. Mr. Fariel also objected to the size of the line, saying that it had as much capacity as a line serving a residential area. He supported Mr. Kerns' proposal for using railcars to move the leachate to the sewer line. Mr. Fariel suggested that the methane gas produced by the landfill could be used to concentrate the leachate by evaporation. Any toxic materials could be scrubbed out in that process, making trucking or rail much more economically feasible than the proposed sewer line.

Responding to a question from Mr. Farr, Mr. Fariel said that the rail line was privately held, and he was unaware of the cost of moving a railcar along the line. However, he said that he did not think that more than one car per day would be required.

Harvey Spurgent, 34907 Seavy Loop Road, said that his well was 60' from the proposed sewer line route. He supported Mr. Kerns' proposal for moving the leachate by rail. He also supported leachate reduction efforts to reduce the amount of material being moved, and suggested that trucking costs might be reduced by the addition of a trailer to each truck used to move the leachate. Mr. Spurgent asked about the proposed sewer line's ability to resist seismic impacts.

Kathy Ging, 2878 Harris Street, Eugene, noted that analysis indicated that there were no pesticides or PCBs in the leachate but said that it did not appear that Lane County had tracked the contents of the leachate over time. She expressed concern about the possibility of development impinging on the greenway in the vicinity of Mount Pisgah.

Ms. Ging said that she was concerned that insufficient information existed about the treatment plant's ability to treat the leachate from the landfill, particularly in light of the river's importance as a drinking water source downstream. She suggested that a trickle filter be added to the waste process before any leachate went into the proposed sewer line.

Ms. Ging encouraged the elected officials to read "Toxic Sludge is Good for You: Lies, Damn Lies, and the Public Relations Industry" by John Starbur. Noting outstanding court cases regarding the use of municipal sludge, Ms. Ging said that sludge from the treatment plant should not be used on local fields.

Paula Carson, 225 Maple Street, Eugene, called for the reexamination of other alternatives to leachate disposal. She also supported the original line route if the sewer line option was chosen, and suggested that the line be used in conjunction with alternative treatment methods. Ms. Carson did not want the UGB to be expanded as a result of the proposed sewer line. She also expressed concern about the impact of the line on the wastewater treatment plant and asked if the long-term impact on plant capacity had been studied. Ms. Carson opposed connections to other properties outside the UGB.

Mr. Green closed the public hearing on behalf of Lane County.

Mayor Bascom closed the public hearing on behalf of Eugene.

Mayor Morrisette closed the public hearing on behalf of Springfield.

Mr. Boles said that the County was asking for an exception to a statewide planning use goal, Goal 11, which he considered quite serious. He was concerned that a solution to the leachate problem be found and was willing to consider all alternatives. Mr. Boles encouraged the elected officials to rethink the amendment process which now allows a single jurisdiction to initiate an amendment that involves an exception to a statewide planning goal to avoid the need to act under pressure in the future. Mr. Boles suggested that the County should not predicate a single solution on anticipated support from its partnership jurisdictions.

Mr. Boles referred to an earlier proposal to extend water service to Short Mountain, and asked if the record of that proposal addressed the need for a sewer line to the landfill. He asked for a cost reanalysis

of the proposed alternatives, particularly the proposal for off-site spray irrigation as opposed to the sewer line proposal using the original route, with the addition of insurance to protect the County and treatment plant against suits for spills. Mr. Boles also requested outside professional advice about the probability of a 4" sewer line breaking over the next 30 years. He asked for a cost breakdown for the spray irrigation and sewer line alternatives on a user basis.

Mr. Boles indicated interest in knowing whether the text being considered by the elected officials would allow for the immediate connection of Lane Community College to the line. He asked if the issue of extraterritorial connections was addressed by the revised text. Mr. Boles also expressed interest in knowing whether, if the elected officials approved the proposal as presented, it would be possible to have all property owners contiguous to the route to agree by deed restriction never to use the line.

Mr. Boles asked for information about the experience of other jurisdictions facing the need for similar extensions; did such extensions spur development along the sewer line?

Mr. Boles expressed interest in the rail solution proposed by Mr. Kerns and asked staff to prepare an analysis of a rail option. He also requested a response to the proposals for leachate reduction programs and the impact of such programs upon the alternative before the elected officials.

Mr. Boles left the meeting at 10:10 p.m.

Ms. Swanson Gribkov supported Mr. Boles' request for more information about the rail option proposed by Mr. Kerns. She asked if the old lagoon on the landfill could be used to reduce the size of the proposed line.

Ms. Keller asked if the proposed sewer line would require wetland fill permits, and if there was a cost estimated for wetland mitigation in the proposal. She asked about the timing of greenway or wetland fill permits as it related to line construction. Ms. Keller supported testimony calling for peer review of the staff analysis, and said that such reviews could occur for future proposals as well.

Ms. Keller questioned whether the proposed pipe size contained adequate capacity to meet the deadline established by DEQ, and if there was a possibility that trucking might also have to occur in conjunction with the sewer pipe installation to meet the deadline.

Ms. Keller asked for a comparative analysis, on a per household basis, of the poplar option and pipe line option.

Ms. Keller asked staff to estimate the costs of processing requests to connect to the sewer line and requests to expand the UGB caused by the installation of the line.

Ms. Maine asked for more information about leachate reduction programs and how much the leachate could be reduced.

Ms. Maine suggested that it might be appropriate to refer the proposal to the planning commissions, given the change in route. Mr. Green responded that the proposal could be remanded to the commissions if the elected officials chose to do so. He pointed out that remanding the proposal to the commissions would entail additional time and expense. Mr. Cornacchia said that the commissions had already



considered the proposal and made a recommendation. He felt that the proposal was appropriately addressed by the elected officials. Ms. Maine pointed out that the proposal before the commissions was not the same one being considered by the elected officials. Mr. Cornacchia proposed that the elected officials make a decision on the basis of the original route, adding that the Board of County Commissioners had not seen the new route before the hearing. He said that the new proposal was the result of staff innovation as it attempted to find ways to work in partnership with the private sector to save money. Mr. Cornacchia said that the board was not in favor of one route over the other.

Mayor Bascom believed that the option of trucking the leachate from Short Mountain should be more fully explored.

Ms. Nathanson observed that the option to construct a forced main to Creswell appeared to be the most appropriate solution to the leachate disposal and expressed regret that the option had to be dropped because of the timing of regulatory processes governing Creswell's wastewater management efforts. She said that she wished that the County and cities had been able to work with the State and Federal agencies to get Creswell's permitting issues resolved more quickly, and maybe solve the leachate disposal problem and Creswell's treatment plant issues by working together.

Mr. Hornbuckle expressed interest in Mr. Fariel's suggestion to use methane to reduce the leachate through evaporation. He suggested that it would be appropriate for the public to be involved in selecting private partners to work with government, rather than staff or the private sector. Mr. Hornbuckle said that changes such as that proposed to the sewer line route caused people to lose faith in government.

Mr. Farr expressed concern about the changed line route, and asked who proposed the change and who would benefit from the change. He said that the material received by the Eugene Planning Commission contained the original route, and it was difficult to make a decision when the change was presented only prior to the public hearing.

Mr. Shaver indicated he would forward several technical questions to staff via e-mail. He asked staff to analyze the types of development that could be served by a 4" sewer line given the capacity that would be taken up by leachate flow. Mr. Shaver asked if, in the Metro Plan document, the elected officials could specify the size of the line outside the UGB to ensure that connections would be limited.

Ms. Weeldreyer said that she had asked staff to analyze what process the County would have to go through with the Federal Highway Administration to use the I-5 corridor. Staff had indicated that the FHA was unlikely to grant permission for the use of the right-of-way. Ms. Weeldreyer stressed that the Board of County Commissioners intended for the line to be a single purpose line that served the Short Mountain landfill. She said that the option appeared to be the most cost-effective option presented to the board, and suggested that the board would accept the original route. Ms. Weeldreyer pointed out that the landfill primarily served the Eugene-Springfield metropolitan area, and said it would not be fair to ask Creswell to treat the leachate as it struggled to meet DEQ's requirements for its own wastewater treatment problems.

Mayor Morrisette asked what penalties Lane County would face if it did not meet DEQ's deadline. He indicated support for the previously proposed route, but said that he was also interested in the rail proposal and leachate reduction efforts. He also supported Mr. Shaver's suggestion that the line be sized to preclude other connections.

Ms. Dumdi said she supported the original route because it had the least impact on residents in the vicinity of Seavy Loop and Dillard Access roads. She found several ideas proposed in testimony interesting, but questioned whether the County had time to explore those options.

Mr. Burge asked Mr. Donaldson if the DEQ would extend its deadline. Mr. Donaldson said that the County was required to select a permanent leachate management plan by the deadline. The DEQ's enforcement order stipulated that if the County could not execute the plan within its own resources, it must have another option and implement that option. Mr. Donaldson said that he assumed that the alternate option would be trucking. The DEQ would accept trucking as an interim solution. He said that the County did not need an extension of the deadline to truck the leachate. He said that the County could not continue to irrigate the leachate on-site.

Mr. Cornacchia asked that the city councils consider both routes in their deliberations. He said that County staff was operating in good faith, and the commission was supportive of its efforts. Mr. Cornacchia said that the board was concerned about its credibility, and he was personally concerned that the situation caused an atmosphere of distrust. Mr. Farr indicated that his remarks were not intended to convey any distrust of County staff.

Mr. Green recommended that the board continue the proposal for a decision to its meeting of June 5. Responding to a question from Mr. Green, County Administrator Bill Van Vactor said that the County would work with the city staffs to prepare responses to the elected officials' questions.

Ms. Dumdi moved, seconded by Ms. Weeldreyer, to hold Lane County's public record open for the submission of written materials for seven days. The motion passed unanimously, 4:0.

Ms. Swanson Gribkov moved, seconded by Ms. Nathanson, to hold Eugene's public record open for the submission of written materials until May 17, 1996. The motion passed unanimously, 5:0.

Mr. Burge moved, seconded by Mr. Shaver, to hold Springfield's public record open for the submission of written materials for seven days. The motion passed unanimously, 5:0.

The meeting adjourned at 10:50 p.m.

(Recorded by Kimberly Young)  
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*Linda H. Norris*