



March 5, 2021

Clackamas County Board of Commissioners
Policy Position
HB 2310: Related to Pipes for Local Water Projects

Clackamas County opposes HB 2310: The Board of County Commissioners opposes legislation that removes local authority and places profit above health and safety concerns.

HB 2310 suggests that it aims to protect the public by ensuring that all options for materials are considered for public works contracts; but that is not the case. Rather, the bill benefits an industry seeking to use legislation to accomplish what it cannot with engineering design, and to have its pipe used predominantly because they are made from more affordable materials.

Materials for public works projects go through an extensive engineering review and public process. Engineering teams examine ground conditions, slope, nature of the flow, and other factors to make a determination of the best materials to be used for a project. The same is done on a broader scale when local elected officials adopt design standards, providing clarity and consistent standards for new development that may occur. If passed, this bill would call into question both of these processes, and seek to establish a yet-undetermined state-level review of the judgment of professionals and the local jurisdictions with elected bodies that are more aware of and focused on local needs and conditions.

An approach that removes local authority, informed by professional engineers and public works experts, is inconsistent with Oregon's system of local responsibility and control. It also would create a system that leads to unnecessary litigation, with the threat of companies outside Oregon suing small entities (who are more likely to run afoul of complex rules) to require using sub-optimal material choices for the system.

We urge a "NO" vote on HB 2310.

Please contact Chris Lyons at clyons@clackamas.us for more information.