

Submitter: Cheryl McDowell
On Behalf Of:
Committee: Joint Committee On Transportation
Measure: HB3382

House Bill 3382 would exempt Ports in Portland, Astoria, Newport, Coos Bay, and Saint Helens from local and state land use laws when constructing, maintaining, or expanding facilities on land or in waterways associated with deep draft channel improvements. This vague and broadly written bill would allow Ports to bypass local and state laws meant to protect environmental health and community safety. It would allow Ports to bypass basic public process and involvement mechanisms. Ports would no longer be accountable to statewide planning goals, administrative rules, comprehensive plans, or local zoning requirements so long as a port could demonstrate that the project is “served by the navigation channel.”

Ports are massive land owners that have tremendous impacts on our environmental health, community safety and livability, and our economy. The idea of broadly exempting Ports from local and state regulations is outrageous and should never have seen the light of day. This legislation provides no rationale or explanation for these exemptions – it simply gives Ports a free pass to develop without constraint or accountability.

HB 3382 is an extreme and dangerous bill. The list of local and state regulations that could be waived is staggering and includes: public involvement requirements, environmental zoning to protect in-water, riparian and upland habitat, protections for floodplains and wetlands, protections for Oregon’s coastal zone, zoning restrictions to protect adjacent communities, dredging and dredge disposal regulations... the list goes on and on. This bill would have made it almost impossible to stop terrible projects like the development of West Hayden Island and Pembina Propane. It would have taken away some of the community's most important tools to stop new fossil fuel facilities. Waiving these protections would give powerful ports and their powerful industrial allies the ability to simply trample long standing protections for our community and our environment.