

Submitter: Bruce Brooks
On Behalf Of: Brooks Auto Doctor
Committee: House Committee On Rules
Measure, Appointment or Topic: HB3971

Opposition to House Bill 3971

Date:05/17/2025

To: Members of the State Legislature

From: Bruce Brooks

Subject: Strong Opposition to House Bill 3971

Overview:

House Bill 3971 poses a significant threat to local governance, environmental safety, and public participation in land use decisions. If enacted, this bill would strip counties of their ability to manage zoning and land use planning, remove essential checks and balances, and endanger communities by fast-tracking potentially harmful industrial projects without due process.

Key Concerns with HB 3971:

1. Undermines Local Control and Zoning Authority

This bill overrides existing local zoning laws and comprehensive land use plans. It eliminates the discretion counties currently have to deny landfill and waste-related projects that do not align with community goals, values, or environmental priorities.

2. Eliminates Public Input

HB 3971 mandates the approval of certain applications without public hearings or opportunities for community engagement. This effectively silences residents, business owners, and local stakeholders — those most directly impacted by these projects.

3. Bypasses Environmental Review and Appeals

The bill circumvents critical environmental review processes and severely restricts appeal rights. This removes essential accountability mechanisms designed to ensure projects are responsibly sited, thoroughly vetted, and legally compliant.

4. Promotes Poor Siting of Industrial Projects

The language of HB 3971 allows waste facilities to be sited on any qualifying public or industrial land outside urban areas — regardless of environmental sensitivity or proximity to residential areas and schools.

A clear example of poor siting is the "Clean Lane/IMERF Project" in Lane County, which is:

Located near a school;

Situated in a wetland that floods at least once every year;

Opposed by local residents and businesses;

Denied by the Lane County Land Use Hearings Official for violating long-standing zoning designations.

5. Disregards Established Land Use Plans

The proposed Clean Lane/IMERF facility directly conflicts with Lane County's "Great Plan," a land use policy adopted over a decade ago to protect the area from incompatible industrial development. This plan designates the site as unsuitable for waste-related use.

6. Accelerates Implementation Without Justification

The inclusion of an "Emergency Clause" in HB 3971 is an unjustified maneuver to push this legislation into immediate effect — bypassing the usual legislative scrutiny and public debate. This is particularly inappropriate given there is no genuine emergency requiring such action.

Community Impact Example: The Clean Lane/IMERF Project

Traffic Safety Risks: The proposed site is accessed from a 55 mph highway (Highway 99) with no turn lanes. Trucks will be entering a small residential road that turns into gravel. A fatal accident occurred just a block away due to similar unsafe traffic conditions.

Community Opposition: Over 1,600 residents have signed a petition opposing this project. Every business along Highway 99 near the site has voiced strong objections. Yet, the Lane County Board of Commissioners continues to push the project forward, ignoring community will.

Conclusion:

House Bill 3971 is a deeply flawed piece of legislation that threatens public safety, environmental integrity, and democratic process. It grants sweeping powers that override local voices and long-standing planning efforts. We urge lawmakers to reject this bill and stand with the communities they represent.

We respectfully request your NO vote on HB 3971.

Signed,

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