

Submitter: Harrison Tibbetts
On Behalf Of:
Committee: House Committee On Rules
Measure, Appointment or Topic: HB3971

Honorable Members of the Oregon State Legislature,

My name is Jack Tibbetts. I am a farmer, a business owner, and a decade-long public servant, holding both elected and appointed positions in government. I am writing to you today to implore you to vote “No” on House Bill 3971.

HB 3971 seeks to usurp our local land use laws using this emergency legislation to site a highly controversial recycling facility on wetlands in South Lane County. Lane County staff and the Board of Commissioners may have acted with the best of intentions when moving this project forward to help achieve the County’s climate goals, but what this project has morphed into is a costly burden on Lane County taxpayers, guaranteed rate increases for ratepayers, and a complete and total flouting of our land use laws, processes, and years of citizen input.

Recently, an independent hearing officer weighed the merits of the project against Lane County’s land use laws and ruled that this project violated the current laws. While this should have been the end of it, it is not. Now, HB 3971 has been introduced to circumvent the decision made by the independent Hearing Officer.

In addition to submitting HB 3971, the Lane County Board of Commissioners has appealed the Hearing Officer’s decision to the Land Use Board of Appeals (LUBA). Appealing to LUBA is consistent with our land use policies and procedures, which provides sufficient time for public awareness, input, and testimony. Conversely, HB 3971 is a flagrant attempt to usurp the rightful process. This is bad government, and actions like this betray the public’s trust.

What’s more, years ago, the small unincorporated community of Goshen (where this plant is to be located), took years to develop the Goshen Great Plan. This plan was documentation of the voices of Goshen residents who are continually seeking to enhance the livability of their community. Notably, this plan explicitly called out the future exclusion of more waste-related facilities. With the landfill already located in Goshen, the citizens of Goshen rightfully felt they were already doing their part to support the County’s waste, refuse, and recycling needs. They knew that the addition of more waste-related sites would only injure Goshen’s future prosperity.

Personally, I am incensed. In a state that has been built upon public input and government transparency, HB 3971 is a circumvention of the rightful process and the

public. This bill is not just about locating waste, refuse, and recycling centers – it is a veiled attempt to push a fouled-up project across the finish line. Allowing HB 3971 to pass will threaten the integrity of our land use laws and processes, creating an avenue for any politically well-connected individual, government, or corporation to turn to emergency legislation to achieve their goals.

Do not let this genie out of the bottle. Show the public that the integrity of government process remains. Show the public that our legislature's commitment to engagement, public input, and transparency remains. Immediately stop House Bill 3971, and let this project's appeal to LUBA run its rightful and transparent course. The public deserves ample opportunity to learn about the pros and cons of this project and be heard. And, finally, the public deserves a government that does not circumvent its own process with emergency legislation like HB 3971.

Respectfully Submitted,

Harrison "Jack" Tibbetts