



From the Desks of Representative Harbick and Senator Hayden

May 19, 2025

RE: HB 3971

Chair Bowman, Vice Chairs Drazan and Pham, and Members of the House Rules Committee:

We respectfully express our strong opposition to HB 3971, which was introduced last week without any prior notice or consultation with either of us—despite the proposed supersiting facility being located in the Goshen area, within Senate District 6 and House District 12.

Although the bill broadly references the Willamette Valley, its effect is highly specific: it seeks to override an ongoing local land use issue in Lane County involving the proposed CleanLane Resource Recovery Facility. The County has entered into a contract with a private equipment dealer for the operation of this facility, but the necessary land use approvals have not been secured.

On April 22, Lane County's application for a Special Use Permit for the facility was formally denied by the County's Land Use Hearings Officer, Joe Turner, Esq., AICP. That decision is now under appeal before the Land Use Board of Appeals (LUBA). HB 3971 appears to be an attempt to bypass the standard land use process—despite that process being both active and unresolved.

The property in question lies within the Goshen Region Employment and Transition (GREAT) Plan area. This plan, developed collaboratively by local residents, Lane County, 1000 Friends of Oregon, state officials (department directors, state legislators, and representatives from the Governor's Office) and the Department of Land Conservation and Development (DLCD), represents years of coordinated effort to promote responsible, economically viable development in an economically disadvantaged area. The plan expressly prohibits waste-related and gas-generating uses on this site.

Furthermore, the proposed site includes 11 acres of sensitive wetlands and borders a stream that feeds into the Willamette River. Although the area is not currently mapped as a floodplain by FEMA due to outdated or incomplete mapping, other sources—including EPA flood data—clearly show that the site regularly floods during Western Oregon's rainy seasons.

The facility would handle significant volumes of Lane County's solid waste and includes elements such as gas collection, manufacturing, storage, and the use of hazardous chemicals—activities expressly prohibited under current zoning and potentially hazardous in a flood-prone area.

We are deeply concerned that HB 3971 sets a troubling precedent. It would override existing land use processes and community-based planning efforts, sidestep environmental safeguards, and disregard the voices of local residents who have engaged in good-faith collaboration to shape their community's future. The bill poses serious environmental risks, undermines both state and federal conservation goals, and conflicts with longstanding principles of Oregon's land use system, which was designed to encourage cooperative solutions to land use needs. A legislative supersiting bill introduced last minute in the

session undermines the public process and truncates the review steps necessary to ensure this project is safe for the community.

We urge the Committee to allow the existing land use process to proceed without legislative interference and to consider the long-term implications of this proposal on thoughtful planning, environmental integrity, and community trust.

Thank you for your attention and consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Darin Harbick". The script is fluid and cursive, with the first name "Darin" written in a larger, more prominent style than the last name "Harbick".

Darin Harbick

House District 12

A handwritten signature in dark ink, appearing to read "Cedric Hayden". The script is fluid and cursive, with the first name "Cedric" written in a larger, more prominent style than the last name "Hayden".

Cedric Hayden

Senate District 6