

Submitter: Cindy Land

On Behalf Of:

Committee: House Committee On Rules

Measure, Appointment or Topic: HB3971

****To the Members of the Oregon Legislative Assembly****

****Subject: Strong Objection to HB 3971 and Proposed Amendment Replacing "Willamette Valley" with "Lane County"****

Dear Members of the Oregon Legislative Assembly,

I am writing to express my strong opposition to House Bill 3971 (HB 3971), which seeks to override local zoning authority in the Willamette Valley, by mandating Lane County approve land use applications for mixed-waste facilities.

I also object to the amendment that would replace "Willamette Valley" with "Lane County," as this does not address the core issue: the inappropriate use of state legislation to strip local governments of their rightful authority over zoning decisions. Especially since the current proposed facility in Goshen, (just south of Eugene) has been denied because of zoning restrictions.

HB 3971 represents a blatant overreach by the state government, undermining the ability of local communities to make decisions that best reflect their unique needs and circumstances. Zoning and land use decisions are inherently local issues, shaped by the specific environmental, economic, and social conditions of a region. For instance, Lane County has distinct challenges—such as its proximity to sensitive ecosystems, waterways, residential areas, and agricultural lands—that the state legislature cannot fully understand or address through a one-size-fits-all mandate. HB 3971 disregards local nuances and sets a dangerous precedent for state interference in community governance.

Moreover, the declaration of an "emergency" in Section 4 of the bill to justify immediate implementation is unjustified and manipulative. There is no evidence that the solid waste disposal situation in the Willamette Valley—or Lane County, if amended—constitutes an immediate threat to public peace, health, or safety. This misuse of emergency powers erodes public trust in the legislative process and prioritizes the interests of waste management industries over the well-being of residents.

Local governments, as outlined in ORS 197 and ORS 215, are entrusted with the authority to plan and regulate land use because they are closest to the communities they serve. HB 3971 not only violates this principle but also risks long-term harm by

imposing industrial facilities in areas will be ill-suited for such development, potentially leading to environmental degradation, public health concerns, and decreased quality of life for residents.

Additionally, HB 3971 directly violates OAR 660-015-0000(1) Goal 1, which calls for "the opportunity for citizens to be involved in all phases of the planning process." Oregon's Land Use Goal 1, specifically put citizen involvement in all phases of the land use planning process first in the LCRC Goals. By bypassing local input and forcing counties to approve these facilities, this state bill shuts out community voices and denies residents their right to participate in decisions that profoundly affect their lives.

Furthermore, Section 2(3)(b) of the bill punitively suppresses public opposition by requiring a reviewing court to award attorney fees to the county and any intervening applicant if the county's approval prevails on appeal. This provision chills citizen engagement by imposing a severe financial penalty on those who dare to challenge the state's overreach, effectively silencing dissent and undermining the democratic principles enshrined in Goal 1.

I urge you to reject HB 3971 in its entirety, including any amendments that would replace "Willamette Valley" with "Lane County." Instead, I encourage the state to let Lane County and the community address waste management challenges through collaborative, not coercive state laws—

Thank you for your serious consideration to OPPOSE HB3971.