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RE: Opposition to HB 3971

Members of the committee, my name is Sam Miller and I'm the owner of Apex Recycling & Disposal Service which is a solid waste and recycling collection company that has operated in in Eugene area of Lane County for over 45 years. I am opposed to house bill 3971 for multiple reasons.

There is no emergency. This bill is Lane County seeking to avoid long standing and relevant land use laws and processes that protect the environment and the public from misuse of land. There are some property parcels that Lane County that fit the use of a waste facility, but Lane County has chosen and purchased a parcel of land that does not meet those requirements. This shows Lane County has disregarded the land use laws and appeals process and is trying to supersede that by this bill.

There is no emergency for another reason, the Recycling Modernization Act (RMA) which was passed by the Oregon legislature nearly three plus years ago is ready to begin on July 1, 2025. This new program will significantly enhance waste diversion through increasing opportunities for residents to recycle curbside and through depots with existing infrastructure that cost nothing additional to the public. This Clean Lane facility is not needed to meet Lane County's waste diversion goals.

Lane County has not acted in good faith or the best public interest in the pursuit of this facility. The process of citing this facility has been misrepresented to local residents, lenders, and Business Oregon to secure funding before even ever acquiring a legally issued building permit for the site. Lane County did not complete due diligence on the land parcel they chose and if they had they would have discovered that this is not even a legal lot that could be utilized. This does not even begin to address the issue of valuable wetlands that would have to be mitigated and filled to allow this site to be built.

In summary Lane County should not be excused from a poor decision through a state statute. This is an egregious attempt to use government power to pursue a venture that is not needed and declare an emergency in a situation where there is not one.

Respectfully submitted,

Sam Miller  
Owner  
Apex Recycling & Disposal