

Greetings, Chair Bowman and committee members. My name is Paul Carbaugh, I live in Saginaw, near Cottage Grove.

I am strongly opposed to HB 3971. This bill is a land use bill that allows the Government to ignore land use and zoning regulations. HB 3971 does not mention the CleanLane project, but we know that the passing of this bill would allow Lane County to build on the property in Goshen. This is not a political issue. It's about common sense and upholding the value of rules and regulations. This property is zoned specifically to not allow a waste related facility. The regulations and zoning have been adopted by Lane County in coordination with the community of Goshen to best control human and environmental needs with protections that best serve a community and the land. This is called the Greater Goshen Plan. Lane County's code 16.280 is titled Goshen Industrial Zones (GI,LI) which specifically forbids waste related facilities in this zone. HB 3971 would allow Lane County to circumvent their own code and reverse all the efforts made in the past to protect Goshen and help the community to thrive in a clean and safe manner. If zoning needs to be changed then the county needs to go through the proper procedures to change the zoning codes.

Why would anyone allow a garbage and recycling facility to be built on a wetland? Wetlands are an important part of Oregon's ecosystem. Oregon has recognized this for years and implemented rules and regulations to protect them. As you saw in the photos and video during Wednesday's hearing, that area is subject to flooding annually and Wild Hog Creek, which is the northern border of the property, contains wildlife which is all part of the area's ecosystem.

Those that are voicing in support of HB 3971 don't seem to be concerned about the wetland or its ecosystem. In some of the written testimony, supporters have a sentence that ends, "...and in zoned appropriately". This is not zoned appropriately.

Commissioner Triege claimed that CleanLane would be the only place in the Willamette Valley for trash disposal after Coffin Butte closes. As I mentioned in my testimony, that wasn't true. ReHub is a planned mixed waste facility that is to be built in Polk County near the community of Rickreall. Apple Tree Holdings LLC will

be building this, and they have experience in solid waste and recycling. Apple Tree Holdings owns Loren Sanitation in Keizer along with co-owning Marion Resource Recovery Facility (MRRF). Bulk Handling System (BHS) built the equipment for MRRF and were sued for breach of contract by the haulers who co-owned the MRRF. For some reason that outcome is sealed by the court, but from my contacts it didn't go well for BHS.

As a committee you are not here to decide on the merits of CleanLane, it is not in the bill. You must decide whether government can ignore their own long-standing land use regulations to build a mixed waste facility that doesn't conform to those regulations.

Supporters claimed CleanLane will be "state of the art" and the "future direction for handling solid waste". I take exception to that. The main claim is that food waste will be separated from the garbage and placed in anaerobic digesters to capture the methane gases and not go to the landfill. I did a lot of research and made a lot of phone calls up and down the west coast to find a facility that is doing this. None! There are some that are collecting food waste separately in a food waste recycling program and using it for anaerobic digesters, but nobody is trying to separate food waste from a load of garbage. In fact, some laughed at that method. Haulers in Lane County have a food waste recycling program that takes the food waste to one of two composting facilities in Lane County. I'm not saying it's impossible to do but nobody is doing it. Bulk Handling Systems has never developed a method of doing that and with my 25 years in the solid waste industry I don't know how that could be done knowing how a truck load of compacted garbage looks when it is ejected from the truck. Additionally, what doesn't get sorted out still goes to the landfill.

Methane gas is being collected at Lane County's Short Mountain Landfill by Emerald People's Utility District (EPUD) and has been since the 90's. EPUD has upgraded their capture equipment over the years and is ready to make more changes that will increase the capture rate to nearly 90%, which according to the EPA is about as good as it gets.

There is no “Emergency” about this bill. Garbage and Recycling is still being picked up and processed in a clean and healthy manner by the local haulers.

Again, HB 3971 is a bill, if passed, that would allow Lane County to circumvent its own zoning codes to build a mixed waste facility in a wetland which is not allowed by its current zoning code. This bill is not about the merits of CleanLane, which could be sited on another piece of property, if properly zoned.

Thank you for allowing me to testify.

Paul Carbaugh

Paul.carbaugh@yahoo.com