



## **The Factual Basis for HB 3971**

House Committee on Rules | Public Hearing – May 21

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Lane County

## **POST PUBLIC HEARING UPDATE**

Lane County wishes to express our sincerest thanks for the Committee's attention to HB 3971 and the significant impact it would have for our region and the state. Situated on 26-acres outside the FEMA mapped flood zones, CleanLane will lead Oregon into the future of responsible waste management, recyclable recovery, and natural gas recovery. It requires multiple federal and state environmental permits, ensuring transparency and public review. This project aligns with our need to address the growing solid waste capacity crisis by creating jobs and reducing greenhouse gas emission through innovating management. This project represents a significant investment with substantial economic and environmental benefits for us all.

## **THE FACTS**

### **Fact: The CleanLane Project Will Not Be Built in a Flood Zone**

The 26-acre property is located entirely outside of the existing FEMA Flood Insurance Rate Map (FIRM) (June 1, 1999) and also outside of the newly released preliminary FIRM (April 18, 2025) for Central Lane County.

### **Fact: The CleanLane Project's Wetlands Impact Will Be Fully Mitigated**

The project will impact 8.7 acres of wetlands. Separate permitting under the federal Clean Water Act will be required before CleanLane construction can proceed. Lane County is proposing to mitigate wetland impacts by purchasing wetland mitigation bank credits from within the southern Willamette Valley. The purchase will provide for replacement of lost wetland functions and values at an established site that is protected and managed with an enhanced level of stewardship in perpetuity. CleanLane was sited to preserve the highest quality wetland onsite.

### **Fact: CleanLane will Require Extensive Environmental Permit Reviews.**

Each of these permitting processes include transparent processes for public review and comment. Permitting required for CleanLane includes the following:

- Nationwide 401 Water Quality Certification from U.S. Army Corps of Engineers and the Oregon Department of Environmental Quality
- Joint Permit Application (JPA) for wetlands from the U.S. Army Corps, the Oregon Department of State Lands, and the Oregon DEQ (Section 404, Clean Water Act)
- 1200-C Construction Stormwater Permit - Oregon DEQ
- 1200-Z Industrial Stormwater Permit - Oregon DEQ
- Onsite septic permit - Lane County
- Solid Waste Transfer Station Permit - Oregon DEQ
- Solid Waste Composting Facility Permit (includes Anaerobic Digestion) - Oregon DEQ
- Solid Waste Commingled Recycling Processing Facility Permit - Oregon DEQ
- Standard Air Contaminant Discharge Permit - Lane Regional Air Protection Agency (LRAPA)

**Fact: HB 3971 Does Not “Short Circuit Local Planning.”**

The subject property has been zoned rural industrial since the 1960's. In 2015, Lane County completed a zoning update for the Goshen area that created a new rural light industrial zone unique to this area which confusingly included “recycling” but not “waste-related” uses. CleanLane is a recovery facility and will not have onsite waste disposal. Rather than engage in years of litigation, HB 3971 enables the fully financed CleanLane Project to move beyond land use to environmental permitting.

**Fact: CleanLane Supports the Ongoing Development of Goshen**

Goshen was recognized by Business Oregon as a Regionally Significant Industrial Area. Lane County obtained a Goal 14 exception from DLCD to “up-zone” rural industrial land in Goshen to allow for urban levels of industrial development. CleanLane fits with Lane County's Goshen Region Employment and Transition (GREAT) Plan to add jobs that pay above 150% of the median income in the Goshen Area. Lane County appreciates community values and is committed to bringing much needed investment forward. CleanLane is designed with enclosed operations to mitigate noise and odor.

**Fact: CleanLane is Needed for Oregon's Solid Waste Capacity Problem.**

While Lane County's Short Mountain Landfill has 70 years of capacity remaining, Oregon has a significant solid waste capacity problem. Marion County is now having to export solid waste out of state following the unexpected closure of the Covanta incinerator.

Other regional landfills including Coffin Butte (Benton County), Douglas County, Deschutes County are rapidly running out of capacity. Recycling rates have plateaued or are declining. Oregon's statewide material recovery rate for 2022 was 39.4%, trending well below the 55% goal by 2025. With CleanLane, Lane County will demonstrate a new model for waste handling that will add disposal capacity and dramatically improve recovery rates.

**Fact: CleanLane is a Lane County Solution to Multiple Oregon Problems**

Oregon is facing a waste capacity crisis. CleanLane will enable Lane County to achieve a 70% diversion rate to conserve permitted capacity generations into the future. Oregon's rural communities struggle to attract investment. CleanLane's initial investment of \$150 million investment will drive over \$270 million in total economic impact. Construction and fabrication will support 190 jobs, and once operational, CleanLane will create 65 family wage jobs. Oregon continues to suffer from increasingly frequent climate change-driven extreme events and methane is a potent driver of warming. CleanLane is a scalable greenhouse gas mitigation strategy for addressing the Waste Management "wedge" documented by the Oregon Climate Action Commission's Roadmap to 2030 Report.