



February 20, 2025

Dear Chair Tran, Vice Chairs Grayber & Lewis, Members of the Committee -

The Associated General Contractors, Asphalt Paving Association of Oregon and the Oregon Concrete and Aggregate Producers Association oppose HB 3062. HB 3062 requires Oregon's local governments to go through another costly mapping exercise that restricts ordinary economic development of industrial uses that are at the heart of Oregon's job creators.

Oregonians have rejected the idea of regulating through mapping. The recent wildfire mapping program was just withdrawn by the chief legislative sponsors after the people of Oregon rebelled and said "no" to these types of indirect regulatory factors that sweep in vast amounts of land without citizen participation. We would encourage this committee to recognize the wildfire map exercise and reject another expensive mapping program that restricts jobs, growth and business development.

HB 3062 has both significant drafting problems and devastating impacts to the construction industry. Here is a partial list of both the drafting issues and their implications to the construction and construction materials industry:

- 1.) The bill, for practical purposes, ends "mix use" zoning by creating an unresolvable land use barrier to siting industrial businesses. A "public health impact analysis" becomes the new land use requirement. It is defined broadly and requires an applicant seeking an industrial use to mitigate effects of air, noise, water, climate, traffic, light pollution, and pedestrian safety.
- 2.) The bill requires both the local government and the applicant to do an expensive, overlapping and unnecessary "sensitive use" mapping exercise.
- 3.) The bill will interfere with large construction projects that require an onsite DEQ discharge permit. The bill will require an additional local land use process before construction can begin on the project. This would include both the City of Portland and ODOT projects including the Interstate 5 Bridge Replacement Project. It would result in more expensive projects and longer delays to complete these construction projects.
- 4.) The bill would push construction material manufacturing out of a city's Urban Growth Boundary (UGB). Moreover, the bill fails to define available land supply for industrial uses to exist.
- 5.) The bill fails to set a standard nor define the process to identify and mitigate conflicts with the sensitive uses under the newly created local government land use process.
- 6.) The bill is overbroad and includes applicants that fall under "other manufacturing that requires an environmental discharge" that sweeps in all DEQ air and water contamination permits within a UGB. This includes concrete, aggregate and asphalt batch plants regulated under DEQ's Air and Water Quality discharge permits. DEQ already regulates these types of emissions. Moreover, DEQ has the expertise to regulate these activities, where local governments do not. This turns the local land use process into a political event, especially given the broad expansive nature the bill outlines for the public hearing on the local approval for the business.
- 7.) This bill will upend Oregon's past and productive work in developing both enterprise zones and shovel ready industrial projects throughout the state in "mixed use" areas within city limits.

The undersigned has many more concerns with the bill as drafted as well as the overall concept and its impacts for industrial uses that are already regulated by the state of Oregon. For these reasons, we oppose HB 3062.

For more information, please contact Rich Angstrom.