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Eugene Reverses Zone Verification Decision for Biofuels Transloading Facility

Beyond Toxics' appeal stops a risky project in pollution-burdened neighborhood

Eugene, OR. – Local environmental justice nonprofit Beyond Toxics and community advocates are celebrating a victory for public health in Trainsong and surrounding neighborhoods. The Planning Division of the City of Eugene **reversed** its initial zone verification approval for USD Clean Fuels, a biofuels transloading facility proposed for 799 Bethel Dr., deciding that the facility is prohibited in this location.

In June of 2024, the Planning Division approved a zone verification request for USD Clean Fuels. Beyond Toxics learned about the proposed facility in September when concerned residents alerted them to the proposed facility. Represented by nonprofit Crag Law Center, Beyond Toxics filed an appeal with the Land Use Board of Appeals on Sept. 30. The City withdrew its verification for reconsideration on Oct. 18. On Dec. 3, the City opened a 14-day public comment period and accepted additional written testimony. It received 229 pieces of written testimony in response, mostly from concerned community members, as well as Beyond Toxics, and USD Clean Fuels.

After further investigation, the city determined that the site is zoned for I-3 Heavy Industrial use, and was not unzoned, railroad right-of-way as previously determined. It further concluded that the proposed facility qualifies as a “regional distribution center,” which is not a permitted use within that zone.

“This was the quintessential David and Goliath fight. The fuel transfer project proposed by a huge Texas fuels company for a tiny community in Eugene was unfair from the start,” said Lisa Arkin, Executive Director of Beyond Toxics. “Although the City’s reversal of their original approval was the right outcome, the process of the appeal revealed a plethora of weak land use policies that fail to recognize public health and safety impacts on the people of Eugene.”

Beyond Toxics is holding a community meeting on Sunday, Jan. 26, in partnership with Active Bethel Community, River Road Community Organization and Trainsong

Neighborhood Association. Members of the railroad workers union Local 471 will speak about their concerns and objections to plans for Class I Union Pacific to lease local rail yards and tracks to Class III Central Oregon & Pacific Railroad. The deal would give full control over rail yard operations and maintenance to a small and under-resourced company, as well as eliminate 40 union jobs in Eugene.

For more information, please see the attached zone decision notification and visit JusticeForTrainsong.org.