

HB 2179 B STAFF MEASURE SUMMARY

Carrier: Sen. Baertschiger Jr

Senate Committee On Environment and Natural Resources

Action Date: 05/08/17

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Baertschiger Jr, Dembrow, Olsen, Prozanski, Roblan

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Adds onsite treatment of septage prior to land application as an allowed use on any area zoned for exclusive farm use. Limits authorization to onsite treatment using facilities that are portable, temporary and transportable by truck trailer. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Existing permit process to approve land application of biosolids
- Differing county interpretations of current law

EFFECT OF AMENDMENT:

Clarifies that new use allowed on exclusive farm use land is for onsite treatment of septage prior to land application of biosolids. Limits authorization to onsite septage treatment using treatment facilities that are portable, temporary and transportable by truck trailer during time period within which land application is authorized by license, permit or other approval.

BACKGROUND:

Oregon law establishes that agricultural use is an efficient means of conserving natural resources; that the preservation of land for agricultural use is a priority; and that the expansion of urban development into rural lands is of concern because of conflicts between farm and urban activities, such as noise, dust or odor, and loss of open spaces from such expansion (ORS 215.243). To address these issues, exclusive farm use (EFU) designation limits the use of rural land by restricting uses that can have significant adverse effects on agricultural and forest land, farm and forest uses or accepted farming or forest practices (OAR 660-015-0000(3)). Counties are responsible for planning and zoning, subject to approval by the Oregon Department of Land Conservation and Development.

Certain nonfarm uses may be allowed on EFU lands. Among these is the land-based application of reclaimed water, agricultural or industrial process water or biosolids for farm use.

House Bill 2179B would add the treatment of septage prior to land-based application to the list of nonfarm uses allowed on EFU land. The use is limited to onsite treatment using facilities that are portable, temporary and transportable by truck trailer.