

Requested by SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

**PROPOSED AMENDMENTS TO
SENATE BILL 1513**

1 On page 1 of the printed bill, line 2, after “provisions;” delete the rest
2 of the line and insert “amending ORS 468B.050; and declaring an
3 emergency.”.

4 In line 6, delete “This section applies only to” and insert “As used in
5 sections 2 and 3 of this 2020 Act, ‘qualifying operation’ means”.

6 In line 22, delete “feeding” and insert “qualifying”.

7 In line 23, delete “feeding” and insert “qualifying”.

8 On page 2, line 2, delete “feeding” and insert “qualifying”.

9 In line 5, delete “feeding” and insert “qualifying”.

10 In line 7, delete “feeding” and insert “qualifying”.

11 In line 9, delete “and”.

12 In line 10, after the first “not” delete the rest of the line.

13 In line 11, delete “to populating the feeding operation,” and insert “pop-
14 ulate a qualifying operation”.

15 In line 13, delete the period and insert “;

16 “(c) If expansion of an animal feeding operation will cause the animal
17 feeding operation to constitute a qualifying operation under subsection (1)
18 of this section, a person may not expand the animal feeding operation unless
19 the permit holder obtains preliminary approval for the expansion from the
20 Department of Environmental Quality or the State Department of Agricul-
21 ture; and

1 “(d) If expansion of an animal feeding operation will cause the animal
2 feeding operation to constitute a qualifying operation under subsection (1)
3 of this section, a person may not populate the expanded portion of the animal
4 feeding operation unless the permit holder obtains final approval for the
5 expansion from the Department of Environmental Quality or the State De-
6 partment of Agriculture.”.

7 Delete lines 14 through 20 and insert:

8 “(4) Prior to the Department of Environmental Quality or the State De-
9 partment of Agriculture granting final approval under subsection (3)(b) or
10 (d) of this section, the State Department of Agriculture shall determine, in
11 consultation with the Water Resources Department, that the use of water for
12 supplying the needs of the qualifying operation at the level and duration
13 described in the proposed qualifying operation permit is legally authorized.
14 The water needs of the qualifying operation that are subject to a determi-
15 nation under this subsection:

16 “(a) Must include irrigation, stockwatering and any other commercial or
17 industrial use of water by the qualifying operation; and

18 “(b) May include a water use described in ORS 537.141 or 537.545, unless
19 the water use is limited or prohibited by law.”.

20 In line 28, delete “feeding” and insert “qualifying”.

21 In line 34, delete “feeding” and insert “qualifying”.

22 In line 35, delete “feeding” and insert “qualifying”.

23 In line 36, delete “feeding” and insert “qualifying”.

24 In line 37, delete “feeding” and insert “qualifying”.

25 In line 38, delete “feeding” and insert “qualifying”.

26 In line 41, delete “feeding” and insert “qualifying”.

27 On page 3, line 3, delete “feeding” and insert “qualifying”.

28 Delete lines 39 through 45 and delete page 4 and insert:

29 **“SECTION 5. (1) Section 2 of this 2020 Act and the amendments to**
30 **ORS 468B.050 by section 4 of this 2020 Act apply to:**

1 “(a) Permits first issued on or after the effective date of this 2020
2 Act; and

3 “(b) An expansion of an animal feeding operation, occurring on or
4 after the effective date of this 2020 Act, that causes the animal feeding
5 operation to constitute a qualifying operation under section 2 (1) of
6 this 2020 Act.

7 “(2) Section 3 of this 2020 Act applies to qualifying operation facili-
8 ties that an operator vacates or abandons on or after the effective date
9 of this 2020 Act.

10 “SECTION 6. This 2020 Act being necessary for the immediate
11 preservation of the public peace, health and safety, an emergency is
12 declared to exist, and this 2020 Act takes effect on its passage.”.

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