

Requested by SENATE COMMITTEE ON NATURAL RESOURCES

**PROPOSED AMENDMENTS TO  
SENATE BILL 85**

1 In line 2 of the printed bill, after “operations” insert “; and declaring an  
2 emergency”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. (1) The Department of Environmental Quality and the  
5 State Department of Agriculture may not issue or renew a license or  
6 permit to allow the construction or operation of:**

7 **“(a) A new Large Tier 2 confined animal feeding operation for  
8 poultry;**

9 **“(b) An addition to, or expansion of, an existing Large Tier 2 con-  
10 fined animal feeding operation for poultry; or**

11 **“(c) An addition to, or expansion of, an existing livestock farm if  
12 the addition or expansion would cause the livestock farm to become  
13 a Large Tier 2 confined animal feeding operation for poultry.**

14 **“(2) As used in this section, ‘Large Tier 2 confined animal feeding  
15 operation for poultry’ means a confined animal feeding operation, as  
16 defined by rule by the Department of Environmental Quality or the  
17 State Department of Agriculture pursuant to ORS 468B.050, that has  
18 at least:**

19 **“(a) 200,000 turkeys;**

20 **“(b) 125,000 chickens of any type, if using a wet waste treatment  
21 works;**

1       “(c) 300,000 laying hens, if using a dry waste treatment works;  
2       “(d) 350,000 broiler chickens, if using a dry waste treatment works;  
3       “(e) 125,000 ducks, if using a dry waste treatment works; or  
4       “(f) 20,000 ducks, if using a wet waste treatment works.

5       “SECTION 2. Section 1 of this 2023 Act is repealed on June 30, 2025.

6       “SECTION 3. (1) The State Department of Agriculture, the Depart-  
7       ment of Environmental Quality, the Department of Land Conservation  
8       and Development, the Water Resources Department and any other  
9       organizations with which the State Department of Agriculture decides  
10      to consult or engage shall collaboratively, with the State Department  
11      of Agriculture taking the lead role, conduct the research necessary,  
12      including research on best practices in other jurisdictions, to discern,  
13      and develop specific, science-based recommendations concerning, is-  
14      sues related to large-scale poultry operations, including but not lim-  
15      ited to:

16      “(a) The regulatory requirements that would reliably minimize ad-  
17      verse impacts of large-scale poultry operations on the water supply of  
18      adjacent or nearby properties.

19      “(b) The regulatory requirements that would reliably minimize ad-  
20      verse impacts, and especially human health impacts, of large-scale  
21      poultry operations on air quality at adjacent or nearby locations, in-  
22      cluding but not limited to the adverse impacts of ammonia emissions.

23      “(c) What, if any, requirements for poultry waste disposal might  
24      be warranted to further safeguard water resources and public health.

25      “(d) The system and resources that would be needed to establish  
26      and ensure compliance with requirements referenced in paragraphs (a)  
27      to (c) of this subsection.

28      “(e) Any regulatory authority, consistent with state land use law,  
29      that could be specifically delegated to local governments to respond  
30      to perceived or potential conflicts between large-scale poultry oper-

1 ations and other businesses, facilities or individuals in the communi-  
2 ties in which the large-scale poultry operations are located.

3 “(2) On or before December 1, 2024, the State Department of Agri-  
4 culture shall report to a committee or interim committee of the Leg-  
5 islative Assembly related to natural resources, in the manner  
6 described in ORS 192.245, on the research and recommendations de-  
7 scribed in subsection (1) of this section.

8 “SECTION 4. Section 3 of this 2023 Act is repealed on January 2,  
9 2025.

10 “SECTION 5. This 2023 Act being necessary for the immediate  
11 preservation of the public peace, health and safety, an emergency is  
12 declared to exist, and this 2023 Act takes effect on its passage.”.

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