

Chair Golden and members of the committee:

My name is Jack Williams. My wife, Connie Williams and I live on a small farm outside of Scio. We have lived here for 12 years and produce livestock hay.

We support this bill because we're concerned about the effect that large industrial livestock operations will have on our community, environment, and way of life.

I suggest that a definitions section be added to the bill to define the meaning of farm, operator, farm operation, and when two or more operations should be considered one entity for purposes of the bill.

I also suggest that the livestock numbers section be clarified.

I have a Bachelors Degree in Agriculture from Montana State University. My studies focused on animal production and range management.

After college I worked for the USDA Farm Service Agency for 14 years as a County Executive Director.

The Farm Service Agency administers the federal farm programs at the local level. One of my responsibilities as a director for the Agency was insuring that farmers and ranchers complied with program rules. This required specific definitions of a farm operation and an operator. The definitions provided rules that needed to be followed in order to be eligible and in compliance with a program. Without the rules operators could not be held accountable or be required to comply with program provisions.

What is the time frame? Producing 349,000 broiler chickens 6 times a year is not the same as producing 349,000 chickens annually. Broiler chickens can be commercially harvested as early as 7 weeks old. Potentially an operation at a single location could produce over 2 million broilers a year but never have more than the 350,000 chickens at any one time. If there is a

time frame rule then it should be stated clearly.

The bill doesn't include the definition of a farm, operator, operation or combining an operation that is not separate and distinct from a second operation. Potentially, a producer could split a new or existing single large operation into multiple smaller contiguous "farms" having the same corporate or private ownership, management, employees and/or equipment. They could claim exemption from the rule by applying separately for permits under different farm names and smaller animal numbers. The bill refers to issuing a license or permit to an operator. It should define any limitations to the licensee or permittee based on ownership, management, and/or commingled equipment and labor. All interests owned, operated, or controlled by one entity at a single location should be combined as a single operation if they are not separate and distinct. This could include multiple corporations or individuals controlled by the same entity.

There should be consideration of combining operations for purposes of this bill that are controlled by the same operator that are located close together where management, labor, and/or equipment are commingled, but may not be contiguous or have the same name. This should be clearly stated in a rule.

When determining an operator or farm for this bill consider whether the operator is able to make independent management decisions. If an operation is not separate in management, equipment, and labor, from a second entity then they should be combined as one operation.

As an example: (From : Macon County Times dated Feb 2, 2023, titled Avian Flu hits Tennessee Farm, 267,000 birds destroyed)

https://www.lebanondemocrat.com/maconcounty/news/avian-flu-hits-tennessee-farm-267-000-birds-destroyed/article_bc57b3a6-3fb6-5766-b57b-21941801f0e2.html

In Tennessee, "Tyson contractors buy up land and establish large-scale industrial chicken operations in close proximity to family farms, residential homes and neighborhoods. Tyson, which does not own the farm, relies on its contractor to build barns according to Tyson specifications, raise chicks supplied by Tyson, feed them grain supplied by Tyson, sell them at rates set by Tyson and abide by all Tyson rules."

In this example I believe that Tyson would be the true operator in this case and should be considered as one entity with the contractor operators. Tyson and the contractors operations are not separate and distinct.

I believe that defining a farm operation, operator, and when operations should be combined, along with a production time frame would be important to ensure operators stay with the intent of Senate Bill 85.

This would give guidance to responsible

agencies for approving or denying permits. It would allow agencies to begin enforcing the bill immediately because it would be clear what operations will be effected.

Thank you for your consideration.

Jack Williams

