

March 19, 2023

Chair Golden and members of the committee:

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

We support Senate Bill 85 because we're concerned about the effect large industrial poultry operations will have on our community, environment and way of life. We believe that a pause on the new and expanding chicken factories is important for the protection of our air, water, roads and highways, and local towns and communities.

We would like to encourage the committee to reconsider two things. One, the time allowed for the pause on Tier 2 poultry CAFO's and two, limiting the bill to only Tier 2 poultry factory operations.

Pause on Large Tier 2 Poultry CAFO's

The time period from bill passage to report summary submittal will be less than 21 months, possibly less than 20 months. This is not enough time for the ODA to adequately plan, develop and publish proposed rules and procedures for legislative committees to consider. The project managers assigned responsibility for heading the program will need time to develop the charter, plan the project, identify and interview non-government stakeholders, assemble steering committees, complete collaboration with other state agencies, and survey best practices from other jurisdictions.

Each of the 5 report requirements would require hundreds of hours of research, data collection and compilation, in addition to report writing. If current ODA staff is used to complete this project, then the work would be done concurrently with their current assignments. If new employees will do the work, then they will need time to advertise, interview, hire and train them before they can start the process.

ODOT should be consulted concerning the effect on bridges, roads, and highways. These factories will impact travel on country roads.

The pause on the poultry CAFO's is too important to force state employees to submit less than complete reports because of limited time to respond. I recommend extending the ODA reporting date for an additional 2 years (until December 1, 2026) and then allow enough time for the committees to review and write new legislation afterward.

Tier 2 versus Tier 1 Operations

The effect of large Tier 1 poultry operations can be just as harmful to our environment as a Tier 2 operation. I believe the pause should be on ALL new poultry CAFO permits regardless of size until the ODA has time to develop new regulatory requirements for air quality, water quality, water quantity and waste management.

As the amendment is currently written, large industrial chicken factories can easily change their business model to get around the Tier 2 pause. They can simply divide their operations into multiple Tier 1 operations. Pieces of land could be leased to multiple operators. Each operator could apply for Tier 1

permits on operations that are contiguous, that would foul the same air and mine water from the same aquifer.

I have a Bachelor of Science degree in Agriculture from Montana State University. After graduation I worked for USDA Farm Service Agency for 14 years as the County Executive Director in three different counties in Montana. I was responsible for managing the federal farm programs at the local level for several thousand farms.

I found that large farming and ranching operators would try to find ways to legally circumvent program rules. Many were successful. They changed part of their farming operation from a corporation or LLC to a sole proprietorship or partnership and used a lease to divide their farm into smaller units. This was successful until the loophole was found and the program rules corrected. Unfortunately, the new rules did not change the past. The rules only applied going forward.

These large industrial chicken factory operators will do whatever is necessary to work around the rules and expand production. Once they're established as multiple Tier 1 operations it will be too late.

Please pause all new or expanding poultry CAFO's. This won't affect existing CAFO's.

Hazard to Air Quality

Our farm is located between Scio and Stayton, centered between three proposed large chicken factories. One to the southwest, one to the northwest, and one to the southeast. We receive almost all our wind and weather from these directions. Our community would be forced to constantly breathe air polluted by one or more of these operations regardless of time of year or wind direction. Worse yet, our area of the Willamette Valley experiences long periods of fog and stagnant air that would hold and intensify the bad air from the chicken factories. Add this to the smoke from wood burning fireplaces and the air would be very dangerous to breathe long term. It would be especially dangerous to people with respiratory problems.

For all of the above reasons, it is only prudent that we put a pause on the permitting of new and expanding poultry CAFOs until ODA and other agencies can adequately study and address the impacts that these operations will have on our community and state. Please don't put the wants of a few factory poultry producers ahead of the well-being of thousands of Oregonians.

Thank you for your consideration.

Jack and Connie Williams
Scio, Oregon