

HB 2061 A STAFF MEASURE SUMMARY

Carrier: Rep. Holvey

Joint Committee On Ways and Means**Action Date:** 05/17/19**Action:** Do Pass the A-Eng bill.**House Vote****Yeas:** 7 - Gomberg, Holvey, McLain, Nosse, Piluso, Rayfield, Smith G**Nays:** 2 - McLane, Stark**Senate Vote****Yeas:** 7 - Beyer, Frederick, Johnson, Manning Jr, Roblan, Steiner Hayward, Wagner**Nays:** 4 - Girod, Hansell, Heard, Thomsen**Exc:** 1 - Winters**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** John Terpening, Budget Analyst**Meeting Dates:** 5/16, 5/17**WHAT THE MEASURE DOES:**

Changes the annual permit fee structure for concentrated and confined animal feeding operations. Requires any concentrated animal feeding operation under a National Pollutant Discharge Elimination System (NPDES) or water pollution control facility (WPCF) permit to pay an annual permit fee. Authorizes the Oregon Department of Agriculture (ODA) to establish annual permit fees by rule for both concentrated and confined animal feeding operations not to exceed \$125, \$250, and \$900 for small, medium, and large operations. Allows ODA to adopt rules that establish size category tiers for confined animal feeding operations for the purposes of annual permit fee assessment. Establishes a maximum total of \$10,000 for an individual permit-holder to pay for annual permit fees. Requires ODA to charge a permit application fee for new concentrated or confined animal feeding operations or for the transfer of an NPDES or WPCF permit, not to exceed \$100, \$150, and \$300 for small, medium, and large operations, and not to exceed \$200 for the transfer of an operation under a general or individual NPDES or WPCF permit. Establishes a maximum total of \$15,000 for an individual permit applicant to pay for new concentrated or confined animal feeding operations. Becomes operative on January 1, 2020. Takes effect on the 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Fiscal impact of the measure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Department of Agriculture (ODA) issues confined animal feeding operations (CAFO) permits to facilities that meet the state or federal CAFO definition and pay an annual permit fee. ORS 561.255 directs ODA to charge small, medium, and large CAFOs \$100, \$200, and \$300 respectively, and to define size category tiers by rule. CAFO owners are currently charged a \$50 permit application fee.

The measure would require ODA to establish annual permit fees and permit application fees for confined and concentrated animal feeding operations by rule, with statutorily established maximums.