

Oregon Senate Committee on Natural Resources
Requested Amendments to SB 85 -3
March 21, 2023

Senate Committee on Natural Resources
900 Court Street, NE
Salem, OR 97301

Chair Golden, Vice-Chair Girod, and Members of the Senate Committee on Natural Resources:

This testimony is submitted as an addition to Willamette Riverkeeper's previously submitted testimony linked [here](#).

SB 85 -3 is insufficient to protect water quality, listed-species habitat, municipal water, rural communities, and schools. If the legislature decides to go forward and only issue a moratorium on poultry CAFOs, then a new amendment needs to be created that will protect communities until sufficient research has been conducted and new laws have been put in place regulating them.

While Willamette Riverkeeper believes that the moratorium should cover all CAFOs, we do recognize that poultry CAFOs have more unknowns associated with them and new research has been released showing the dangers of poultry CAFOs and the dry litter poultry produce. Willamette Riverkeeper has two suggestions for a new amendment to SB 85.

- I. The moratorium needs to be longer than two years.

If the legislature believes that eight years is too long for a moratorium, then a compromise needs to be made instead of reducing the length to two years. Two years does not provide enough time to sufficiently research the issues surrounding poultry CAFOs nor does it provide enough time for the legislature to update any laws after reviewing the research. At minimum, the moratorium needs to last four years, if not more. This will provide time for the state agencies and OSU to conduct research and report to the committees at least twice, as SB 85 -1 required. This issue is significant and could negatively affect the communities, waterways, and habitat for many years if the legislature rushes this process along.

- II. The bill needs to cover Tier 1 and Tier 2 poultry CAFOs.

Currently, the bill only covers Tier 2 poultry CAFOs. This is not sufficient for the legislature to address siting issues, among others. If this bill continues to cover only Tier 2 poultry CAFOs, there will be a great risk to water quality, air quality, and habitat quality. By only covering Tier 2 poultry CAFOs, the legislature will allow poultry CAFOs that house 349,000 broiler chickens to continue to build and house chickens. In terms of pollution, there is not

much of a difference between an operation that holds 349,000 chickens per flock rather than 351,000 chickens per flock.

As Willamette Riverkeeper expanded on in our previous comment letter, one of the main issues the research needs to study, and the legislature needs to consider, is siting. Currently, poultry CAFOs are proposed along the North Santiam River, Thomas Creek, and a mere half mile from a rural charter school. Poultry CAFOs should not be sited along waterways, especially not on properties that flood yearly, and definitely not on waterways that provide important salmonid habitat and is a water source for ten cities. Poultry CAFOs should also not be permitted to be sited so close to schools as they could harm the children from their ammonia output.

Rural communities need the legislature to protect their groundwater, schools, recreation areas, and surface waters. By allowing any size of poultry CAFO to be built during this moratorium is irresponsible and harming the communities that these CAFOs would be located in.

Willamette Riverkeeper requests that the Senate Committee on Natural Resources updates SB 85 to make the moratorium at least four years and to include both Tier 1 and Tier 2 poultry CAFOs.

Sincerely,

Lindsey Hutchison
Staff Attorney
Willamette Riverkeeper
lindsey@willametteriverkeeper.org

Travis Williams
Riverkeeper and Executive Director
travis@willametteriverkeeper.org

Willamette Riverkeeper
1210 Center Street
Oregon City, OR 97214
503.223.6418
www.willametteriverkeeper.org