



CENTER FOR
FOOD SAFETY

March 9, 2017

Senator Michael Dembrow, Chair
Senate Committee on Environment and Natural Resources
senr.exhibits@oregonlegislature.gov

RE: Hearing on SB197

Members of the Committee and Chair Dembrow:

We urge you to support SB197 and to refer the measure to the full Senate with a “do-pass” recommendation. Center for Food Safety (CFS) is a national non-profit organization dedicated to supporting farmers, empowering people, and protecting the environment from harmful food production technologies, while supporting truly sustainable food production, like organic and beyond. CFS works, through its Animal Factories program, to improve oversight of industrial animal factories at all levels of government, including by better addressing and preventing their health, environmental, and economic impacts. On behalf of our 850,000 members nationwide and tens of thousands in Oregon, CFS supports SB197 to require air quality protections for large dairy factory farms.

This legislation is long overdue – nearly ten years ago the recommendations of the Dairy Air Task Force for a combination of incentivized voluntary and regulatory measures garnered wide support from the dairy industry, family farmer organizations, and environmental conservation groups.¹ Some will testify today that the recommended air quality protections are no longer needed, but the truth is that these protections are needed now more than ever. While Oregon historically was home to small and mid-sized dairy operations, it is increasingly home to large factory farm dairies (over 1,000 head) and one of, if not the, largest dairy confined animal feeding operation (CAFO) in the country – Threemile Canyon. This increase in large factory farms is accompanied by a reduction of the smaller family dairies.² As other states, notably California, pass legislation to reduce greenhouse gas emissions from large CAFOs, states like Oregon without any air quality protections could become targets for even more of these giant operations.

The potential for Oregon to become home to many of these massive operations is already manifesting. Morrow County, already home to Threemile Canyon, is facing yet another

¹ Oregon Dairy Air Quality Task Force, Final Report to the Department of Environmental Quality & Department of Agriculture (July 1, 2008).

² See Food & Water Watch, *Air Pollution From Oregon's Large Dairies* (March 2017), http://www.centerforfoodsafety.org/files/fs_1702_oregoncafo-final_10705.pdf.

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mega-dairy factory farm, Lost Valley Ranch. This proposed operation would add another 30,000 head to the existing 70,000 head at Threemile and would generate 187 million tons of manure each year, similar to a large Oregon city, but without wastewater treatment or any requirement to prevent or mitigate the release of air pollutants.

The massive amount of waste generated by factory dairies is stored in giant multi-acre open cesspools deceptively called “lagoons,” which release numerous types of harmful air pollutants, including: ammonia, hydrogen sulfide, volatile organic compounds, particulate matter, and the greenhouse gases methane and nitrous oxide. These gases are not just smelly, they can be deadly and cause various respiratory and other health problems and severely reduce quality of life.³ Ammonia, a toxic form of nitrogen released in gas form during waste disposal, can be carried more than 300 miles through the air before being dumped back onto the ground or into the water, where it causes algal blooms and fish kills in addition to health problems. Up to 80 percent of a lagoon’s nitrogen may be converted into ammonia gas in a process known as ammonia volatilization.⁴ Factory farms are the nation’s leading source of ammonia pollution; even when operating at less than capacity (50,000 head) Threemile Canyon reported ammonia emissions that ranked among the highest reported in the nation.⁵ These toxic gasses leave the mega-dairies to impact surrounding communities (and even treasured scenic areas like the Columbia River Gorge), but they also pose serious danger to CAFO workers. Especially in the summer, workers can be overcome by the gas released from massive cesspools, like ammonia, hydrogen sulfide, and carbon dioxide and monoxide. There are numerous reports of these tragic incidents.⁶

Methane is a powerful greenhouse gas roughly 30 times more potent in causing climate change than carbon dioxide. Livestock production is a dominant source of methane emissions,⁷ but Oregon is currently lacking a program to address the biggest source of these emissions (factory farms). Climate change is not going away, and states like Oregon must take action to address sources of greenhouse gases, especially when action at the federal level is highly unlikely. While some dairies in Oregon have adopted methane digester technology, in part due to generous state tax credits, the lack of independent monitoring of actual methane releases from the growing number of large and extremely large dairies makes unclear the extent to which digesters are actually mitigating overall methane output from factory farms. Moreover, even if digesters are effective at reducing methane, they do not address the other types of dangerous air pollutants associated with large dairy CAFOs.

Not only should Oregon act now to finally adopt the recommendations of the Task Force, it must act before Oregon becomes even more attractive to the worst actors. For example, California’s 2016 state law, California S.B. 1383, requires state agencies to adopt regulations that will significantly reduce methane emissions in the livestock industry, focusing on the dairy industry. The potential for California dairies to move north and set up shop in Oregon to take advantage of Oregon’s lack of methane emissions regulation for

³ CAFO, *The Tragedy of Industrial Animal Factories, Myth: CAFO Manure is a Benign Resource* (2013) http://www.cafothebook.org/thebook_myths_8.htm.

⁴ Robbin Marks, *Cesspools of Shame: How Factory Farm Lagoons and Sprayfields Threaten Environmental and Public Health* (2001) at 17, <https://www.nrdc.org/sites/default/files/cesspools.pdf>.

⁵ *Supra* n.2 at 3.

⁶ *Supra* n.3 at 26-27;

⁷ *Id.* at 3-4.

factory farms is real, and would not only be contrary to the public interest but anathema to the image and imperiled reality of Oregon's small and mid-sized family dairy industry. Mega-dairies may claim to bring jobs to Oregon, but the reality is that these facilities are largely automated and the costs to human health and our environment outweigh any claimed benefits. On the other hand, smaller sustainable pasture-based operations can have a *positive* impact on climate change, by storing or sequestering carbon in soil, and also support robust local economies. Before Oregon faces the consequences of any additional mega-dairies, Oregon must level the playing field for air emissions. SB197 would accomplish this and help maintain Oregon's remaining small and mid-sized dairies.

Respectfully submitted,



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