

March 20, 2019

RE: Oregon Senate Bill 103

Dear Oregon Legislative Assembly Member:

The undersigned organizations urge you to support Senate Bill 103 and the enactment of a legislative moratorium on new and expanding mega-dairies in Oregon.

Oregon agriculture is at a crossroads. A rapidly changing dairy industry has fueled the rise of huge dairy factory farms in Oregon, often referred to as “mega-dairies.” These industrial facilities concentrate large numbers of animals and their waste, and have brought with them dangerous manure spills, the risk of groundwater contamination, threats to animal welfare, and large amounts of air pollution that threaten public health and the iconic Columbia Gorge. And as mega-dairies have become more prevalent, Oregon has lost many of its small and mid-sized family-owned dairies, once the backbone of rural Oregon’s economy.

The Lost Valley Farm mega-dairy disaster, which is still unfolding outside of Boardman, has made clear that the state’s current approach to regulating industrial dairies is woefully inadequate. Permitted to house 30,000 cows near Boardman in 2017, Lost Valley racked up more than 200 environmental violations in the year and a half that it operated, including manure pit and mortality storage overflows that threatened the already polluted Lower Umatilla Basin Groundwater Management Area. Photos of cows at Lost Valley standing in deep manure also revealed the threats to animal welfare these operations can create. The state finally took action to shut Lost Valley down, but another operation already appears ready to take its place if the legislature does not act.

Lost Valley was built near Threemile Canyon Farms, the largest dairy operation in Oregon — as well as one of the largest in the country — permitted to house 70,000 cows.¹ The number of small and mid-sized dairies in Oregon has declined steeply since Threemile began operating in 1999; in 1997 there were 363 Grade A licensed dairies operating in the state, and in 2017 there were just 228 left, a decline of nearly 40% even as overall cow numbers increased.²

Mega-dairies are a type of large confined or concentrated animal feeding operation (CAFO) that typically flush untreated waste into large manure lagoons, where it is stored until it is applied as fertilizer on fields. In 2018, Oregon’s large dairy CAFOs produced 2.5 billion pounds of manure —over 3 times the waste produced by the entire population of Portland.³ The sheer amount of manure mega-dairies produce often exceeds what crops can absorb, resulting in

¹ Plaven, George. “Waste permit revoked for controversial Oregon dairy.” *Capital Press (OR)*. June 27, 2018.

² State of Oregon Employment Department. “Oregon Dairy Production Stalls as Milk Prices Fall. Aug. 30, 2018.

³ ODA. “Oregon AFO Spreadsheet 2018.” 2018. Available on file at FWW; EPA. “Risk Assessment Evaluation for Concentrated Animal Feeding Operations.” EPA/600/R-04/042. May 2004 at 9; World Population Review.

over-application and runoff into local waterways.⁴ This past summer, for example, there were warnings at some of Oregon's most popular beaches as a result of elevated fecal bacteria — partly attributable to manure from livestock operations.⁵ And it isn't just Lost Valley Farm: recurring accidents and spills at other Oregon mega-dairies have had a significant impact on our surface water.

Mega-dairies threaten the quantity of our water supplies. They use enormous amounts of water to irrigate crops and to flush manure from barns, water cattle, and run milking operations. All told, the water demand adds up to that of a small city. When Lost Valley was at one third of its permitted size, it was using nearly one million gallons of water per day -- just for stockwatering and dairy operations.⁶ Lost Valley was obtaining some of this water under a stockwatering loophole from permitting, tapping an aquifer that had been closed to new withdrawals for decades.⁷ This immense water use threatens Oregon's rivers, streams and groundwater aquifers, particularly since most of Oregon's rivers and streams already suffer from low summer flows and much of its groundwater is already stressed by excess demand.

Mega-dairy waste disposal also threatens to contaminate our scarce groundwater resources. Oregon's Department of Environmental Quality has identified CAFOs as a primary source of dangerous nitrate contamination in the Lower Umatilla Basin Groundwater Management Area, where both Threemile Canyon Farms and Lost Valley Farm are located.⁸ High nitrate levels threaten both aquatic species and public health.⁹

Oregon's mega-dairies are a significant source of unregulated air pollution and climate emissions in our state. The large quantities of manure animals confined in these facilities produce emits substantial amounts of harmful air pollutants, including ammonia, hydrogen sulfide and particulate matter. These pollutants are known to cause respiratory symptoms and nuisance odors and also contribute to regional haze¹⁰, which is harming the iconic Columbia River Gorge National Scenic Area.¹¹ Mega-dairies contribute to climate change through

⁴ FWW. "Factory Farm Nation: 2015 Edition." 2015 at 21.

⁵ Williams, Kale. "Water unsafe at these popular Oregon beaches, health officials say." *The Oregonian*. August 29, 2018.

⁶ Loew, Tracy. "State officials let mega-dairy use loophole to tap endangered Oregon aquifer." *Statesman Journal (OR)*. March 22, 2018.

⁷ *Ibid.*

⁸ Oregon Department of Environmental Quality (DEQ). "Estimation of Nitrogen Sources, Nitrogen Applied, and Nitrogen Leached to Groundwater in the Lower Umatilla Basin Groundwater Management Area." June 13, 2011 at ii and 1; Oregon DEQ. "Analysis of Groundwater Nitrate Concentrations in the Lower Umatilla Basin Groundwater Management Area." February 23, 2012 at Table 5-1, Table 5-2, Figure 1-1; Oregon DEQ. ODA. "Lost Valley Farm CAFO Permit – Frequently asked questions." at 1.

⁹ Royte, Elizabeth. "The simple river-cleaning tactics that big farms ignore." *National Geographic*. December 7, 2017 at 2 to 3.

¹⁰ Oregon Department of Environmental Quality. "Oregon Regional Haze Plan: 5-Year Progress Report and Update." February 2016 at i and 21.

¹¹ Flatt, Courtney. "Mega-dairy air pollution threat puts environmentalists on alert." *EarthFix*. April 11, 2017 at 2.

methane and nitrous oxide emissions.¹² Livestock production is the dominant source of the greenhouse gas methane in the United States¹³; in Oregon, agriculture is the leading source of methane emissions.¹⁴

The same extreme confinement that leads to water and air pollution can threaten animal welfare. Cows that are highly confined often lack any access to the outdoors, and the lack of physical movement can result in disease and infection, stress disorders, and other health problems.¹⁵

The expansion of mega-dairies is wreaking havoc on Oregon's family farms, rural communities and environment. A moratorium will give legislators and regulators an overdue opportunity to evaluate the public health, economic, animal welfare and environmental impacts of mega-dairies while providing Oregon's communities with important statutory protections.

We urge Oregon Senators and Representatives to support legislative proposals for a moratorium on new and expanded mega-dairies in Oregon.

Sincerely,

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¹² U.S. EPA. "Greenhouse Gas Emissions: Overview of Greenhouse Gases." Available at <https://www.epa.gov/ghgemissions/overview-greenhouse-gases> and on file at Food & Water Watch. Accessed February 15, 2017.

¹³ U.S. EPA. "Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2008." Table 2-1. April 15, 2010 at 2 to 4.

¹⁴ Oregon Global Warming Commission. "2018 Biennial Report to the Legislature: For the 2019 Legislative Session." 2018 at 37.

¹⁵ The Humane Society of the United States. "An HSUS Report: The Welfare of Cows in the Dairy Industry." 2009 at 1, 2, 4, 5.

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