



Feb. 7, 2020

Dear Chair Dembrow and Members of the Senate Committee on Environment and Natural Resources:

The below signed members of Stand Up to Factory Farms (a coalition of local, state, and national organizations concerned about the harmful impacts of mega-dairies on Oregon's family farms, communities, environment, and animal welfare), believe that climate change is the greatest environmental challenge of our time, created and exacerbated by our ongoing actions and inactions. In the face of unforgivable federal inaction, we thank you for your attempts to take action here in Oregon to address our own contributions to climate change and to prepare Oregonians for the future.

However, we are concerned that the proposed legislation, SB 1530, which does not put any controls on emissions from mega-dairies, but would allow them to profit from selling methane capture credits, could perversely incentivize more of these polluting operations to flock to Oregon or expand here. SB 1530's failure to address these significant emissions thereby threatens to lead to an *increase* in methane emissions, in direct conflict with the attempts by Oregon legislators to curb climate change.

Mega-dairies, which are confined animal feeding operations with thousands of dairy cows, contribute significantly to climate change in Oregon and nationwide, through methane and nitrous oxide emissions.¹ Livestock production is indeed the main source of the powerful greenhouse gas methane in the United States, and in Oregon, agriculture is the *leading source* of methane emissions.²

Without any required controls on methane (and other air emissions), new or expanding mega-dairies are free to set up shop in Oregon and undermine efforts to reduce the State's greenhouse gas emissions. For example, the site of the disastrous Lost Valley mega-dairy

¹ U.S. EPA, *Greenhouse Gas Emissions: Overview of Greenhouse Gases*, <https://www.epa.gov/ghgemissions/overview-greenhouse-gases> (last accessed Feb. 6, 2020). See also The Urgent Case for a Moratorium on Mega-Dairies in Oregon (Mar. 2019),

https://stoporegonmegadairies.files.wordpress.com/2019/03/fs_2903_or-dairies-web.pdf.

² See Urgent Case for a Moratorium on Mega-Dairies in Oregon, n.39-40 (Mar. 2019),

https://stoporegonmegadairies.files.wordpress.com/2019/03/fs_2903_or-dairies-web.pdf.



(permitted for 30,000 cows), is already under consideration to re-open as a new mega-dairy of nearly the same size, just under different ownership.³

Even if mega-dairies voluntarily attempt to “control” their methane emissions through manure digesters, these technologies are expensive – and typically divert public funding from truly renewable energy, only work on the largest mega-dairies – further disadvantaging Oregon’s family-scale farms, and do nothing to address the water pollution and other environmental problems caused by factory farms. This technology does not even capture the majority of methane emitted by factory farms. Moreover, by creating a revenue source from the sale of methane capture ‘credits,’ digesters serve to further entrench this disastrous method of food production.

Indeed, methane digesters encourage factory farms to get bigger and bigger in order to profit from this dirty energy production.⁴ Threemile Canyon mega-dairy’s recent permit to expand its dirty gas production, using fossil fuel pipelines to send it to California as supposedly “renewal” gas,⁵ is a prime example of the unintended consequences of the failure to regulate mega-dairy emissions coupled with allowing the industry to sell digester credits into a cap-and-trade system. Soon mega-dairies won’t be in the cheap milk business, they will be in the dirty gas business. But because the majority of climate change emissions from these massive operations are not even captured by digesters, mega-dairies’ overall methane emissions (and other pollution) stand to increase as a result of SB 1530.⁶

And Oregon taxpayers are the ones subsidizing this dirty gas production: Threemile entities received \$1.84 million in 2018 through Oregon’s Bovine Manure Tax Credit.⁷ It would be a costly mistake to further incentivize the expansion and construction of mega-dairies in Oregon,

³ George Plaven, *Groups oppose permit for Easterday Farms Dairy*, Capital Press (Nov. 21, 2019), <https://stoporegonmegadairies.wordpress.com/2019/07/09/statement-regarding-lost-valley-easterday-farms/>.

⁴ Jessica McKenzie, *The misbegotten promise of anaerobic digesters*, The Counter (Dec. 3, 2019), <https://thecounter.org/misbegotten-promise-anaerobic-digesters-cafo/?fbclid=IwAR3JHUu-I4hMpRcPF29SOTLLuRF6rMVXc5J4UrFhWsOlPjI5eCHOLofKd9A>; Food & Water Watch, *FACT SHEET: Dirty Biogas Has No Place in the United States’ Clean Energy Future*, <https://www.foodandwaterwatch.org/insight/biogas-factory-farm-waste-has-no-place-clean-energy-future>.

⁵ Cassandra Profita, *Environmental Groups Oppose New Gas Project at Oregon Mega-Dairy*, OPB (Apr. 26, 2019), <https://www.opb.org/news/article/environmental-groups-oppose-new-natural-gas-project-oregon-mega-dairy/>.

⁶ The Urgent Case for a Moratorium on Mega-Dairies in Oregon (Mar. 2019), https://stoporegonmegadairies.files.wordpress.com/2019/03/fs_2903_or-dairies-web.pdf.

⁷ Paul Shukovsky, *Farms’ Plans to Make Gas from Manure Draw Environmentalists’ Ire*, Bloomberg Environment, (June 14, 2019), <https://news.bloombergenvironment.com/environment-and-energy/farms-plans-to-make-gas-from-manure-draw-environmentalists-ire>.



without any greenhouse gas emission requirements, and further allow them to profit off of publicly-funded digesters.

Oregonians deserve better than dirty mega-dairies. Again, while we applaud your efforts to address climate change, we urge you not to make the problem worse by ignoring the biggest source of methane in our state. Particularly without a much-needed moratorium on new mega-dairies,⁸ any effective climate legislation simply must address this significant and expanding source of greenhouse gas emissions in Oregon.

Respectfully,

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Farm Forward

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Center for Biological Diversity

⁸ Tracy Loew, *Groups Ask Oregon Legislature for Mega-Dairy Moratorium*, OPB (Dec. 11, 2018), <https://www.opb.org/news/article/oregon-mega-dairy-moratorium-request/>; Stand Up to Factory Farms, <https://stoporegonmegadairies.wordpress.com/>; Center for Food Safety, <https://centerforfoodsafety.org/issues/5630/pacific-northwest/mega-dairy-moratorium-campaign>.