



Oregon

Kate Brown, Governor

Department of Agriculture

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Date: February 12, 2020

To: Senate Committee on Environment and Natural Resources

From: Stephanie Page, Program Director
Oregon Department of Agriculture

Subject: Follow up from Committee Hearing on February 11, 2020

Thank you for the opportunity to expand on the requirements of the Oregon Department of Agriculture's Confined Animal Feeding Operation (CAFO) program. Below is some more information about existing requirements for expansions of Confined Animal Feeding Operations, as well as some additional information regarding ODA's existing evaluations of water supply as part of the CAFO permitting process.

The goals of the CAFO program are to mitigate water pollution and ensure manure and waste management in a way that protects surface and groundwater quality.

1. What are existing requirements for CAFO expansions?

There are requirements related to infrastructure changes on existing permitted CAFOs, and also requirements related to substantial modifications to a facility's Animal Waste Management Plan.

Any existing permitted CAFO that wishes to substantially modify or expand its infrastructure must first get ODA approval. Oregon Administrative Rules 340-51-0015 require the facility to submit detailed plans and specifications to ODA and obtain ODA approval prior to starting construction. Examples of activities that would need prior approval from ODA include construction of additional waste storage facilities, modifications to the way animal waste is collected and transported to waste storage facilities, and construction of additional livestock barns.

All permitted CAFOs in Oregon are required to have an Animal Waste Management Plan. Oregon's General Permits (NPDES and WPCF) for Confined Animal Feeding Operations, and all individual permits issued, require notification to ODA as well as public notice before substantial modifications to the facility's Animal Waste Management Plan can be approved by ODA.

Examples of substantial modifications to a facility's Animal Waste Management Plan include:

- Expansion of a small or medium facility to a large facility. (a large facility has 700 or more dairy cattle)
- A change in the type of manure handling system such as switching from dry to liquid manure, from liquid to dry manure, or changing the manure system to accommodate an animal species or type of operation not included in the scope of the current Animal Waste Management Plan.
- Addition of new acres that are not previously included in the facility's Animal Waste Management Plan (for large facilities only)
- Any changes to the field-specific maximum annual rates for land application (for large facilities only)



All of this must be done before an applicant may expand an existing facility.

2. Which water sources does ODA currently evaluate as part of its CAFO and Grade A permitting of a dairy operation?

In our typical permitting process of a dairy facility, ODA first determines whether we can issue a CAFO permit, and once that permit is issued, our Food Safety program then works with the facility to meet the requirements for a Grade A dairy license.

As part of the CAFO permitting process, ODA evaluates whether the facility has enough irrigation water to grow the crops described in its Animal Waste Management Plan and to carry out its manure management system. The irrigation water needed to grow the crops is included in the evaluation because we need to confirm that the crops can use up the nutrients in the manure applied by the operation to the cropland.

ODA also issues Grade A dairy licenses to dairies in Oregon. This license is required before a dairy can sell any milk to a dairy processor. As part of the Grade A dairy license evaluation process, ODA evaluates whether the facility has a potable water supply sufficient for sanitation and cleaning of all milking facilities and equipment.

Once the dairy meets the requirements for a Grade A dairy license, the Food Safety program issues the license. The facility can then sell milk to a processor. Dairies are inspected by the program at a minimum of two times per year to ensure that they continue to meet all requirements, including an ongoing supply of potable water.