



WaterWatch of Oregon

Protecting Natural Flows in Oregon Rivers

Testimony of WaterWatch of Oregon (Brian Posewitz) on Senate Bill 583 Senate Committee on Energy and Environment

March 31, 2021

Chair Beyer, Vice Chair Findley and members of the Committee:

WaterWatch of Oregon is a non-profit river conservation organization founded in 1985. WaterWatch works to ensure that enough water is protected in Oregon’s rivers, lakes and streams to sustain fish, wildlife, recreation and other public uses. We also work for balanced water laws and policies, including wise management of Oregon’s groundwater resources.

WaterWatch supports Senate Bill 583.

SB 583 would put a moratorium on industrial-scale dairies of 2,500 cows or more “until the impacts of industrial dairies, including impacts to air quality, climate, water quality, water supplies, small- and medium-sized dairies, community and worker health and animal welfare, have been adequately studied and addressed through laws and rules.”

WaterWatch supports SB 583 because, in addition to other negative consequences, industrial dairies put enormous, concentrated demands on Oregon’s water resources. Industrial dairies need water to irrigate crops that both feed the cows and absorb nitrates from the large amount of animal waste. Industrial dairies also need water for cows to drink, and for a variety of dairy operations, including running machinery and cooling milk.

As an example, the currently proposed Easterday Dairy, which would have about 30,000 cows near Boardman, would use about 20 million gallons of water a day (as an annual average) – more than the municipal water supply system of the City of Bend.¹ To make things worse, mega-dairies can exploit a loophole in the law that allows unlimited “stockwatering” without a permit. ORS 537.130 (surface water); ORS 537.535 (groundwater).

In Easterday’s case, the water would come from the Columbia River (for irrigation) and groundwater (for year-round non-irrigation uses). Flows in the Columbia River are important to

¹ Attachment 1 (public record showing Easterday’s estimated water demands). Note: last row is estimated irrigation demand in acre feet per year. To convert acre feet per year to million gallons per day, divide by 1,121. (Click [here](#) for conversion calculator.) The City of Bend currently uses about 12 million gallons of water per day (per telephone conversation with operations manager, 11/20/20.)

several threatened and endangered fish species. Groundwater in the area includes several “Critical Groundwater Areas.” Wells on the Easterday site have shown a dramatic drop in groundwater levels in recent years, probably due in part to recent use by Lost Valley Farm, a previous industrial dairy on the same site.²

The need for a moratorium is illustrated by the number of existing industrial dairies in Oregon and the recent spate of new ones. Oregon already has one of the largest dairies in the country – Threemile Canyon Farm near Boardman, which opened in the late 1990s. At least two others in the same area have permits for more than 2,500 cows – the Sage Hollow/Bosma dairy, which is about a mile northeast of the proposed Easterday site, and the Meenderinck dairy, which is about two miles east of the Easterday site. In 2017, Lost Valley Farm opened with a permit for up to 30,000 cows but filed for bankruptcy and closed two years later after repeated permit violations and water supply problems. Now Easterday is proposing another 30,000 cows on the same site.

For the above reasons, Oregon needs a moratorium on new industrial-scale dairies. Thank you for considering our comments.

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² See Attachment 2 (Water Resources Department emails regarding decline in area wells). Note: “Bosma’s wells” are wells at an industrial dairy about a mile northeast of the proposed Easterday site – wells that were supposedly idled under a deal with Lost Valley Farm to make up for Lost Valley’s groundwater use.

Water Description Use
Easterday Farms Dairy

*single use
of water
Port to
CAFO 9/15/20*

Description	Average Daily Gallons	<i>Mean over year</i> Average Daily CFS	Annual Acre Feet	Source	Approval/Contract Required
Domestic Use for human consumption and sanitation - both employees and owners/operators	4850	0.0075	5.43	1) Port of Morrow 2) Ground Water/Surface Water use transfer <i>Bosma + Mecum</i>	1) Current LOI & future contract POM 2) ODWR Transfer Approval
Watering Livestock	336,400	0.5205	376.64	1) Port of Morrow 2) Ground Water/Surface Water use transfer	1) Current LOI & future contract POM 2) ODWR Transfer Approval
<i>k</i> Water for the milking system, cleanup, and maintenance	46,500	0.0719	52.06	1) Port of Morrow 2) Ground Water/Surface Water use transfer	1) Current LOI & future contract POM 2) ODWR Transfer Approval
Water for air misting	35,000	0.0541	39.19	1) Port of Morrow 2) Ground Water/Surface Water use transfer	1) Current LOI & future contract POM 2) ODWR Transfer Approval
Other Water use for milk/dairy production	40,000	0.0618	44.79	1) Port of Morrow 2) Ground Water/Surface Water use transfer	1) Current LOI & future contract POM 2) ODWR Transfer Approval
Water used in flushing system for cleaning livestock holding areas	360,000	0.557	403.07	1) Port of Morrow 2) Ground Water/Surface Water use transfer	1) Current LOI & future contract POM 2) ODWR Transfer Approval
Totals	822,750	1.2728	921.18		
Water for dilution of wastewater for application at agronomic rates	N/A	<i>apply to ground under farm comp or overrange crops</i>			
Crop Production 5333 Acres		84.96	23998	CID	Certificates 80062, 83517, 86856, 86857, 86992, 86993

8/12/20

Part of mean - 1,0200 AP annually

From: [REDACTED] * WRD [REDACTED] >
Sent: Thursday, September 24, 2020 7:44 AM
To: [REDACTED] T * WRD <[REDACTED]>
Subject: RE: Data - Wells near Easterday Dairy

Bosma's two wells, MORR 595 and MORR 591 show no use for water years 2017,2018,2019. Neither of these wells has been measureable for the last 3 years. MORR 595 was measureable in 2016, and we know it tracks with other Ordnance "deep basalt" wells. There is not good news in the water level trend: I noticed this Feb an unusual drop since last feb- on the order of 10 feet since 2019 Feb measurements. I can't point to any known cause to this year's drop, but also haven't looked beyond flowmeter data on wells we visit. Note MORR 52314 is the well on Easterday property that started as an alluvial well, then was deepened into basalt. We now have a transducer in that well. MORR 601 is airline only. MORR 667, 938, 1719, 1720 are on the Depot and are etape measurements I collect quarterly.

