

Chair Beyer and members of the committee;

My name is Kendra Kimbirauskas and I live and farm in Scio. I grew up farming with my dad on a commercial dairy farm. My grandfather also milked cows and so did my great grandmother. And as far as I can tell, so did the generation before that.

In Scio, I farm on 70 acres. We raise beef, pork, chickens and goat. I also have a small dairy and milk cows every day. When Covid hit, we opened up a farmstand and we sell products from our farm and our neighboring farms year round straight from the farmgate.

I am testifying in support SB 583 because out of state industrial dairy operations are targeting Oregon, undermining our local family dairies and threatening our rural way of life. But, I don't think SB 583 goes far enough and I want to share with you what is happening in my community and why I believe we need a moratorium on ALL new mega livestock operations.

Recently, California -based Foster Farms has targeted Linn and Marion counties as ground zero for their next big mega poultry operation expansion. There are three proposed sites and we have heard there are more to come. The site that is closest to me will raise approximately 3.5 million birds, 1100 feet from the Santiam River - a river that has listed Steelhead, Salmon and lamprey.

Foster Farms is a newcomer in our community. Many of the surrounding farm families have been on their land for generations and as you can imagine they are very concerned how millions of chickens raised in factories will change their rural and farming way of life. In fact, if you take a drive in Senator Girod's district right now, you will see over 400 yard signs with people vocalizing their opposition to Foster Farms' plans.

But let me tell you why we need a moratorium on ALL new mega livestock operations. Foster Farms purchased the land and applied for permits at the county level without any notice to neighbors. When the local farmers raised the issue with the county, they were told that since these were "agricultural operations" there was no public noticing process and that the county had no jurisdiction over permitting the operation.

When we reached out to the Oregon DEQ and federal EPA about our concerns over water and air quality, both agencies said that they don't oversee the permitting of livestock operations. That responsibility lies with the Oregon Department of Agriculture (ODA).

When we reached out to ODA to raise our concerns, ODA confirmed they are responsible for issuing a water pollution permit for large livestock operations, they don't regulate air pollution at all. They also claimed they have no authority to deny an operation from being sited, even in a terrible location right next to the Santiam River. Further, upon reviewing records from ODA we see that their folder for the Scio Foster Farms site says "approved pending public comment," which sounds like the agency is planning to rubber stamp the permit without seriously considering what local impacted residents have to say.

Lastly, when we looked into what we could do if this site causes other harms, like decreasing our property values, impacting our kids' health, and ruining our rural way of life - we found that Oregon's Right to Farm law ties our hands from bringing any nuisance suit against an agricultural operation, even one that is more akin to a factory than a farm.

So why do we need a moratorium on ALL new mega livestock operations? 1) There is not a single agency in Oregon willing to deny a permit to an industrial livestock operation, even those proposed in the worst possible locations. 2) Oregon has no meaningful air or water rules that truly protect neighbors, our way of life or our communities. 3) If a bad actor comes in and causes problems, there is literally no legal recourse to bring a nuisance suit for harms done by a mega livestock operation.

So please support SB 583, pausing the expansion of mega dairies and include other species.