

Dear State of Oregon Representatives and Senators:

March 2, 2023

I spent 15 years working in Building and Planning as a Permit Technician. I am familiar with the permitting process and land use designations in Oregon. **I am very concerned about the precedent that could be set for CAFO's if permitted under current laws.** The laws surrounding agriculture and farming practices do not seem to address the potential for contamination of land, air and water caused by large CAFO's.

My parents were raised in Iowa and came to the Northwest when large corporations began to buy small family farms. The heartland of USA and the southern areas of USA have been exploited in many ways. We do not want to expose Oregon to the same fate. Oregon is the last frontier, a beautiful place where nature can provide for all it's residents, if respected. **Careful planning and legislation can preserve both our farming practices and resources.**

At the hearing on February 28th, I heard testimony from ODA, DEQ, and Water Resources. While they presented their criteria and processes for permits, the collaboration between departments to ensure the permit process was met by applicants, they failed to address the following details and how these might be resolved:

1. They repeatedly used the word "try" when referring to meeting their required inspections and duties - over 600 soil inspections per year, inspections for contamination of surface water and seepage into creeks and rivers.

How can a staff of 5 people possibly manage the entire state's inspections and follow up with enforcement?

And, how did they arrive at a 97% success rate? If major damage can occur to soils in 2-4 months and they are only required to inspect every 10 months, how would they catch it in time to prevent contamination? "Trying to respond in a timely manner" infers they are not able to respond adequately. It appears their success rate is flawed.

2. The definition of laws surrounding EFU and FF zoning included ORS.30.933, regarding nuisance, damage, trespass and exemptions from damage by farming practices appears to have been created for small farms, not CAFO's. The state did not face the same levels of population growth, environmental challenges from drought, fire and contamination of clean water it does today. With no limits on the amount of water extracted from wells, it leaves the future open to exploitation. **Times have changed and with it the laws must change to reflect the needs of everyone who lives here and the challenges ahead. There should be protections for the all the resources and the citizens, in addition to agriculture and farming.**

3. The Water Resources Commission and laws for water usage were created long ago and intended for small farms and residential use, not large CAFO's. The testimony

revealed the state does not have an accurate recorded history of well uses, well logs and well locations for both farm use and residential use and relies heavily on well diggers to supply much of that information. **In regard to the future, the water regulations and uses need review and change; especially if drought becomes a bigger challenge and more CAFO's are using wells from shared aquifers that could go dry as they have in other states.**

4. ODA, DEQ, AND WATER RESOURCES and their clients could be under great pressure to approve CAFO's because of influences from lobbyists and politics. Each department is required to do their review without outside influences. When citizens health, residential land use and small farms are not part of the consideration due to agricultural laws, their own land, air and water are subject to unhealthy conditions and hypocritical rules from various departments. There appears to be one set of laws enforced by the state's zoning laws that conflict with ODA laws. **How can Oregon regulate fair enforcement when in conflict?**

5. I was living in rural Oregon during the last major flood in 1996. **Two of the proposed CAFO's appear to be sited in the 100 year flood plain.** It's only a matter of time before Oregon experiences another major flood. When that happens, there could be millions of dead chickens distributed by flood waters into surrounding areas. Because it's an "exempt" disaster; an "act of God" the CAFO's would not be responsible for clean up or damages.

In summary, there are serious considerations that need to be examined regarding CAFO's in Oregon. The "right to farm" laws should not supercede all others who live here. This is not a ban on CAFO's, but a plan for the future. Oregon's resources are at risk and your support is needed.

Thank you.

Sincerely,

Alicia Van Driel