



March 13, 2023

Written Testimony in Support of Senate Bill 85
Senate Committee on Natural Resources

Dear Members of the Committee,

The Northwest Environmental Defense Center (“NEDC”) submits the following written testimony in support of Senate Bill 85 (“bill”). This bill would establish a moratorium on granting permits for both new and expanding concentrated animal feeding operations (CAFOs) in Oregon. NEDC urges the committee to move this vital bill forward for the reasons outlined below.

NEDC is an independent, nonprofit environmental organization established in 1969 by a group of professors, law students, and attorney alumni at Lewis & Clark Law School. NEDC’s mission is to preserve and protect the environment and natural resources of the Pacific Northwest, and our members throughout Oregon support a moratorium on new and expanding CAFOs. NEDC has played an active role in monitoring permit applications for proposed CAFOs in the Pacific Northwest and opposing CAFOs that present an imminent and substantial harm to natural resources and nearby communities.

As the scale of modern CAFOs continues to expand, so do the environmental and public health risks associated with the siting and operation of the facilities. Considering the increasing number of Oregon CAFOs, it is imperative that state agencies have the best data available to them when making permitting decisions that have the potential to adversely impact water quality, groundwater availability, biodiversity, animal welfare, rural and farmworker communities, and air quality. SB 85 will give legislators and regulators a critical chance to evaluate the effects of the largest animal agriculture facilities in Oregon.

Agriculture is the leading polluter of U.S. rivers and streams. The rise of large CAFOs in Oregon has led to a parallel rise in polluted waterways. In 2018, Oregon’s largest dairy CAFOs produced 5 billion pounds of manure — 42 times the amount of waste produced by the population of Portland. The problems associated with the massive volume of waste generated by CAFOs are well documented. CAFOs endanger public health by releasing untreated animal waste, which typically contains over 150 pathogens, and fumes and particulate matter from CAFOs elevate rates of asthma, lung disease, and bronchitis among farm workers and nearby communities.



Water pollution from CAFOs affects both the habitability of our state's surface waters for native species and the health of those who rely on groundwater sources for their drinking water supply. CAFO pollutants like ammonia can kill aquatic life when they enter waterways by causing algal blooms that eventually block out sunlight to the organisms that need it to survive. Some of the algae found in algal blooms spurred by nutrient overloads can even be toxic to aquatic life, harming endemic and endangered species of fish, as well as the organisms above and below them in the food chain.

Pollutants from large CAFOs can also seep into groundwater due to poor waste management practices, as is the case in the Lower Umatilla Basin Groundwater Management Area, which has seen heightened levels of nitrates in drinking water attributed to several nearby CAFOs. Levels of nitrates in drinking water beyond the EPA-regulated standard of 10 parts per million can lead to increased instances of respiratory infections, thyroid dysfunctions and bladder cancer. In an area where many residents rely on groundwater wells for their residential water supply, well testing has shown levels over five times the federal standard for safe consumption.

Large CAFOS also present serious air pollution concerns. Large dairy CAFOS emit harmful air pollutants, including particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide, volatile organic compounds, and carbon dioxide. They are also significant sources of less-regulated gasses, including methane, ammonia, and hydrogen sulfide. These air pollutants can have negative impacts on human health and the environment. Methane, for instance, which CAFOs produce in large amounts, is a greenhouse gas that is twenty times more powerful than carbon dioxide over a 100 year period. Ammonia and nitrous oxides contribute to ground-level haze pollution, impairing visibility and contributing to acid rain. Even at low concentrations, ammonia, hydrogen sulfide, and particulate matter can cause negative respiratory symptoms, including asthma, bronchitis, and other respiratory diseases. The Oregon Department of Environmental Quality itself has found that livestock manure management is "by far the most significant source of ammonia" in the Columbia River Gorge region.

Additionally, CAFO locations in Oregon implicate environmental justice issues. Morrow and Umatilla Counties alone are home to 14 Large Tier II CAFOs as of 2020. Morrow County is ranked in the 81st percentile of the air toxics respiratory hazard index, and in the 74th percentile of cancer risk due to air toxics. The county is ranked in the 69th percentile for low-income households, and in the 65th percentile for people of color. Umatilla County ranks similarly, and is also home to the Confederated Tribes of the Umatilla Indian Reservation, demonstrating how frontline communities have historically been forced to bear the brunt of the worst environmental hazards.



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The time for state regulators and legislators to dedicate resources to studying the broad-sweeping impacts of large CAFOs in Oregon is long overdue. Accordingly, NEDC supports placing a moratorium on CAFOs and respectfully urges the committee to advance SB 85.

Respectfully submitted,

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