



# CENTER FOR FOOD SAFETY

March 14, 2023

Chair Golden, Vice Chair Girod, and members of the Natural Resources Committee:

I submit these comments on behalf of the Center for Food Safety and our 27,000 members and supporters in Oregon. CFS works to empower people, support farmers, and protect the environment from industrial agriculture, including the harms of animal factories like industrial CAFOs as defined in SB 85-1.

CFS has worked for 25 years to address the harms of the industrial food system and promote a food system that is healthy and safe for people and the planet.<sup>1</sup> We have seen what happens in other states when industrial CAFOs proliferate, and it isn't pretty. Polluted water supplies, harmful algal blooms, community health issues from air pollutants, and harm to rural economies that once supported many small and mid-size farms. We need a time out on mega-sized factory farming in Oregon to strengthen our laws and regulations to protect our family farmers, climate, community health, and ecosystems.

## **Health and Environmental Harms in Oregon:**

Our current laws do not protect a livable climate from factory farm greenhouse gas emissions. In the short term, methane is 84x more powerful than CO<sub>2</sub>, but according to the EPA, manure management is a *growing* source of methane.<sup>2</sup> Despite acknowledging the need, Oregon has no limits to greenhouse gas emissions from factory farms. When CFS and other petitioners asked the Environmental Quality Commission to direct our Department of Environmental Quality to regulate the methane and other air emissions from mega-dairies, the answer was: we don't have the money. This is not consistent with our climate goals<sup>3</sup> and what we must do now to avoid the worst climate crisis.<sup>4</sup>

Despite the recommendations of the Dairy Air Quality Task Force 15 years ago,<sup>5</sup> our current laws do not prevent air pollution from factory farms which threatens our

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<sup>1</sup> [www.centerforfoodsafety.org](http://www.centerforfoodsafety.org).

<sup>2</sup> EPA, U.S. Greenhouse Gas Inventory 2022, <https://www.epa.gov/system/files/documents/2022-04/us-ghg-inventory-2022-chapter-5-agriculture.pdf>.

<sup>3</sup> E.O. 20-04, <https://www.epa.gov/system/files/documents/2022-04/us-ghg-inventory-2022-chapter-5-agriculture.pdf> (directing DEQ and other agencies to do everything in their power to reduce GHGs in Oregon).

<sup>4</sup> IPCC Sixth Assessment Report, <https://www.ipcc.ch/report/ar6/wg3/> (showing methane reductions are most urgently needed).

<sup>5</sup> <https://www.ipcc.ch/report/ar6/wg3/>.

environment and public health through uncontrolled emissions of respiratory irritants like ammonia and hydrogen sulfide. Currently proposed mega-chicken farms are very close to schools and communities (see testimony from Farmers Against Foster Farms and others in Scio, Stayton, and Jordan communities).

Our current laws also do not protect water quality. Despite the existing ODA permitting system, we know factory farms have and continue to contaminate drinking water supplies in Eastern Oregon, contributing significantly to the crisis of nitrate-contaminated wells in Morrow and Umatilla counties.<sup>6</sup> Last year, Morrow County even declared a state of emergency due to the unsafe levels of nitrates in drinking water wells.<sup>7</sup> Once groundwater is contaminated it is nearly impossible to clean up and rural, low-income people often cannot afford the expensive whole-home water filtration necessary to keep their families safe. As detailed in the recent expert report of hydrogeologist Dave Erickson (attached), dairies in Yakima WA (which is similar to parts of Eastern Oregon) cause groundwater pollution with nitrogen (nitrates and ammonia). Nor is the water contamination limited to mega-dairies: even so-called “dry litter” broiler chicken operations can and do contaminate surface and groundwater. A recent report by the Nebraska Farmers Union shows that poultry litter generation and spread on fields negatively impacts stream health (attached).

This is an environmental justice issue.<sup>8</sup> Because of the lack of equitable regulation of factory farms in Oregon and the lack of community say in their siting, Black, Indigenous, and people of color and rural low-income people suffer disproportionately from the health harms of living near these operations. People have no say as to whether to live next to a factory farm, nor are there sufficient backstops on a statewide level to protect the most marginalized. Nowhere should be a sacrifice zone to profit huge corporations or venture capitalists.

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<sup>6</sup> DEQ, Nitrate Sources Report for LUB GWMA, <https://www.oregon.gov/deq/FilterDocs/gw-lubgwma-nitrogen.pdf>; Food & Water Watch *et al.*, Petition to EPA for Emergency Action Pursuant to the Safe Drinking Water Act, <https://www.documentcloud.org/documents/6657182-2020-01-16-FINAL-Petition-for-Emergency-Action.html>.

<sup>7</sup> <https://www.co.morrow.or.us/emergency/page/nitrate-emergency#:~:text=If%20you%20test%20high%20for,Seek%20water%20treatment%20options>.

<sup>8</sup> Arbor, *et al.*, *Disparities of industrial animal operations in California, Iowa, and North Carolina* (Oct. 2022) (attached) (concluding that swine CAFOs in North Carolina and dairy CAFOs in California are disproportionately located in low-income communities and near POC, while swine CAFOs in Iowa are located in rural areas that lack resources, and that this environmental injustice harms neighboring communities as water and air pollution associated with CAFOs are linked to adverse health effects), [https://earthjustice.org/wp-content/uploads/quistreport\\_cafopetition\\_oct2022.pdf](https://earthjustice.org/wp-content/uploads/quistreport_cafopetition_oct2022.pdf).

The lack of protections for our air and water result in adverse health effects. As detailed in the attached letter from the Johns Hopkins Center for a Livable Future, industrial CAFOs risk: “infections resulting from transmission of harmful microorganisms from animal operations to nearby residents; respiratory effects from increased exposure to air pollution from animal operations; and multiple negative health impacts due to increased exposure to soil, ground and/or surface waters that can be contaminated by manure from animal operations.” These implicate the health of both workers, animals, and the communities around these operations. In the wake of the COVID-19 pandemic, disease transmission, particularly of emerging infectious diseases,<sup>9</sup> should be of high concern. Not only that, the vast majority of antibiotics, including medically important ones, are used in industrial CAFOs to prevent disease spread in crowded conditions and to promote growth. As the Johns Hopkins Center for a Livable Future letter explains, antibiotic resistance is costly and deadly, and on the rise. The significant health threats posed by industrial dairy CAFOs is also outlined in the attached expert report by Keeve Edward Nachman, PhD, regarding mega-dairies in Yakima, WA that are similar to mega-dairies in Oregon. This report details how nitrates impact the human body, *id.* at 15-18, and the difficulties associated with removing nitrates once groundwater is contaminated. *id.* at 34-38.

### **Food Costs:**

Talking points from the Oregon Farm Bureau claim that this 8 year pause on new or expanded industrial CAFOs will somehow cause food prices to increase. Not only does this ignore the complex ways in which our global food supply chains and inflation affect food prices, but it also ignores the reality that we are *already* paying the externalized costs of this method of producing animal products. **First**, industrial food is the cause of, not the solution to, rising food costs. Because large corporations have consolidated the livestock industry into monopolies, they control the prices – we saw this at the beginning of the covid-19 outbreak.<sup>10</sup> And crowded confined conditions of factory farms lead to widespread outbreaks of disease like the recent avian flu that drive prices up.<sup>11</sup>

**Second**, we are already paying for the externalized costs from these operations. Having to buy bottled water when your well is contaminated is unaffordable for many.<sup>12</sup> Property values are devastated by neighboring factory farms. Not to mention health care costs: 12,700 deaths each year are attributable to fine particulate pollution from animal

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<sup>9</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7106093/>.

<sup>10</sup> <https://www.marketplace.org/2022/12/06/consolidation-meat-industry-supply-chain/>.

<sup>11</sup> <https://www.usatoday.com/story/news/health/2023/02/18/bird-flu-outbreak-costs-billions/11290771002/>; <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7106093/>; <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8784678/>.

<sup>12</sup> <https://www.opb.org/article/2023/02/27/morrow-and-umatilla-county-residents-still-contending-with-contaminated-water/>.

agriculture and emissions like ammonia cause or worsen ailments like asthma.<sup>13</sup> Finally, with the increasing climate crisis we are seeing costs from wildfires, drought, floods, and more. Industrial agriculture's promise of cheap food is false: what will actually feed us for generations to come are small and mid-sized farms using ecological practices.

Because our current laws do not protect Oregonians or our sustainable local food system, I urge this committee to schedule a work session and pass SB 85-1.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy van Saun". The signature is fluid and cursive, with a long horizontal stroke at the end.

Amy van Saun  
Senior Attorney  
CENTER FOR FOOD SAFETY

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<sup>13</sup> <https://www.washingtonpost.com/climate-environment/2021/05/10/farm-pollution-deaths/>.