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Oregon State Senate  
Committee on Natural Resources  
900 Court St. NE  
Salem, Oregon 97301

**RE: SB 85-1 (Senate Committee on Natural Resources) CAFO Moratorium — SUPPORT**

Dear Chair Golden, Vice Chair Girod, and Members of the Committee:

The Animal Legal Defense Fund, a national animal protection nonprofit with thousands of supporters in Oregon and a member of the Stand Up to Factory Farms coalition, writes to express **support for the full factory farm moratorium as laid out in SB 85-1** and **opposition to the -3 amendments** which would limit it to only a poultry moratorium for just two years.

SB 85-1 would create a moratorium on the construction of new industrial confined animal feeding operations (CAFOs), as well as the expansion of existing industrial confined animal feeding operations – defined by the Oregon Departments of Environmental Quality and Agriculture. The moratorium would be in effect until 2031 while the State studies and addresses, through passage of additional statutes and rules, the impacts of industrial confined animal feeding operations on the public interest, including air quality, climate, water quality, water quantity, small- and medium-sized livestock farms, and animal welfare.

We oppose the -3 amendments to exclude all species but poultry and reduce the moratorium time period to only two years because the bill then wouldn't apply to new mega-dairies like Lost Valley Farm, which racked up over 200 environmental violations in its first year of operation before finally being shut down by regulators in 2019, or the currently proposed Easterday Farms mega-dairy, which is violating groundwater pollution limits even with no animals yet on site and being mired in financial scandals.

One of the largest dairies in the entire country is located in Eastern Oregon near the Columbia River in Morrow County. Some 70,000 head of dairy cattle are all housed in a small amount of land generating massive manure lagoons, sucking as much water out of the ground as a small Oregon city, and creating unhealthy air pollution that also contributes to climate change.

But not to fear: existing Tier 2 Large CAFO permit holders seeking renewal during the moratorium period would still be able to do so. The only farms to be affected would be those that are seeking new Tier 2 Large CAFO permit for the first time or due to expanding from a smaller size into the affected threshold.

**All our clients are innocent**

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While existing Tier 2 Large CAFOs would not be affected by this moratorium, the load they bear on the state's environment should point to the need to take a pause on allowing more operations of that size to proliferate under the current regulatory scheme without further examination of how to mitigate their impacts.

For example, Morrow County is struggling with low groundwater levels and with dangerous levels of nitrates in the groundwater that people rely on to drink. So much so that in June 2022, the county declared a local state of emergency after private well testing showed high levels of nitrate contamination. It's the first time in history that an Oregon county has declared a state of emergency because of water quality issues.

The decades-long problem with drinking water contamination in the Lower Umatilla Basin Groundwater Management Area, driven in significant part by mega-dairies and their waste, demonstrates that existing state laws and regulations have failed to prevent this pollution.

SB 85-3 won't help stop the proliferation of mega-dairies in eastern Oregon and it won't protect environmental justice communities nearby which are already struggling with heavily contaminated drinking water and other pollution. Leaving mega-dairies out of the bill is an affront to environmental justice at a time when impacted communities in eastern Oregon need urgent help now.

An industrial CAFO moratorium would halt the development of new industrial factory farms and prevent the expansion of existing ones. That means that this moratorium will at least ensure that this destructive method of food production doesn't spread further within our state until we can address the existing harms. Given the gaps in our current laws, we need to do more to protect all Oregonians before it is too late.

It is for these reasons that the Animal Legal Defense Fund supports the passage of SB 85-1 while opposing the -3 amendments and asks you to do the same. Thank you for your consideration of this important issue.

Sincerely,



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