



March 22, 2023

To: Senate Committee on Natural Resources
Re: Support for SB 85-1

Dear Chair Golden and members of the Senate Committee on Natural Resources,

Thank you for the opportunity to testify in support of Senate Bill 85-1 and in opposition to SB 85-3 amendment.

My name is Kristin Ostrom, and I am the Executive Director of Oregon Rural Action, a grassroots, community-based organization in eastern Oregon. Led by the diverse communities in the region, we are building a rural movement for the well-being of all people and our environment.

We support SB 85-1 because, especially at this moment, it is in the best interests of all Oregonians to temporarily pause the expansion of all industrial confined animal feeding operations until their impact on people and the environment can be studied, and recommendations to prevent significant adverse impacts can be reviewed.

From the perspective of people living in the Lower Umatilla Basin in eastern Oregon, struggling daily with undrinkable water, this pause is common sense. The region's groundwater is already contaminated with high nitrate levels from large-scale agriculture, including industrial confined animal feeding operations. The current regulatory system has not worked to protect the quality of the region's water or people's health.

The drinking water emergency in the Lower Umatilla Basin - first declared in Morrow County in June 2022 following door-to-door testing of domestic wells - is a public health crisis. It will take decades to reduce nitrate levels, a persistent pollutant, and ensure a safe water source for all residents.

On Monday, March 20th, the EPA came to the Basin and toured neighborhoods and residences impacted by the ongoing nitrate contamination from the region's economic engine, industrial agriculture. In a meeting with community members that stretched well into the evening, EPA Region 10 Administrator Sixkiller and Director of Enforcement and Compliance Kowalski heard stories of how the crisis has affected people's lives.

The meeting grew emotional as Basin residents shared stories of cancer, miscarriages, lost friends and neighbors, and the pain from decades of exposure to high nitrate levels in their drinking water wells. Nitrate consumption is known to cause "Blue-Baby Syndrome" and is linked to numerous adverse health effects, including spontaneous abortion, birth defects, thyroid problems, and various cancers.

"I can't let my grandkid come over because they might drink the water," said one rural Boardman resident.

Holding handmade signs with numbers that ranged from 28 to 50.6, people told the EPA that their drinking water wells tested 3, 4, and 5 times the federal safe drinking water level of 10 mg/l. And now studies in other large-scale agricultural states, including Iowa and Nebraska, have linked adverse health effects at lower levels of nitrate consumption in water.

People spoke of how the nitrate levels in their homes were so high that reverse osmosis filters could not render it safe and of how some of their friends and neighbors have become hesitant to speak out in support of clean water for fear of retaliation from their employers.

Community members not only expressed to the EPA great concern for the health of themselves, their neighbors, and their children but also voiced their deep frustration with the state. For decades, the state has known excess nitrate levels from large-scale industrial agriculture, including CAFOs. State regulators have documented the increasing trends and agricultural sources.

We've heard from industry representatives that Oregon has the "most stringent CAFO program" in the country. It may be, and yet the state's current regulatory approach has not protected the Lower Umatilla Basin's groundwater, let alone reduced the level of nitrate back to below 7 mg/l required by state law.

The January 2023 Secretary of State's Advisory Report, "State Leadership Must Take Action to Protect Water Security for All Oregonians," highlighted the drinking water crisis in eastern Oregon. "Water is life. And the findings in this advisory report are shocking," said Secretary Fagan. She called on the Oregon Legislature to take decisive action to address water insecurity, "prioritizing the human right to water in state policy and exploring policy changes that could better protect community and ecosystem health."

Passing SB85-1 is a step in that direction. It simply asks for a temporary pause of the continued expansion of CAFOs so that the Oregon Department of Agriculture can study, assess the impact, summarize the best practices of other jurisdictions, and recommend needed laws or rules - to reduce the adverse impacts of large industrial-size operations on people and the environment.

We are opposed to SB85-3 amendment. Removing large-scale industrial dairies from the review and focusing only on large-scale poultry will limit the state's ability to study and understand the impact of the majority of CAFOs, leaving out possible protections for rural low-income communities and communities of color in eastern Oregon already living with undrinkable water.

We can not protect some communities while leaving others out.

It is in the best interests of all Oregonians to temporarily pause the expansion of all industrial confined animal feeding operations until their impact on people and the environment can be studied, and recommendations to prevent significant adverse impacts can be reviewed.

We support the passage of SB85-1.

Sincerely,
Kristin Anderson Ostrom

Executive Director