



Submitted via online portal at <https://olis.oregonlegislature.gov/>

March 8, 2023

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

Dear Chair Golden and Members of the Committee,

The Center for Biological Diversity (Center) submits the following written testimony in support of Senate Bill 85, which would enact a moratorium on the permitting of new and expanding industrial confined animal feeding operations (CAFOs) in the state of Oregon. For the reasons explained below, the Center supports an industrial CAFO moratorium in Oregon and respectfully requests that the committee move forward with passing Senate Bill 85 into law.

The Center is a national, nonprofit conservation organization with more than 1.7 million members and supporters, including approximately 32,000 members and supporters across Oregon. At the Center, we believe that the welfare of human beings is deeply linked to nature — to the existence in our world of a vast diversity of wild animals and plants. Because diversity has intrinsic value, and because its loss impoverishes society, the Center works to secure a future for all species, great and small, especially those hovering on the brink of extinction. Following that mission, the Center advocates against unsustainable industrial agricultural practices and for sustainable agricultural solutions so that those who come after us to inherit a world where the wild is still alive.

The Center is testifying today in support of Senate Bill 85 because it will give legislators and regulators a much-needed opportunity to stop and evaluate the public health, economic, animal welfare, and environmental impacts of industrial CAFOs in Oregon, and provide Oregon's communities, wildlife, and natural resources with important statutory protections.

Over the last twenty years, Oregon has experienced a steep rise in industrial CAFOs. As it relates to large industrial dairy operations, for example, the average size of a large dairy herd in the state nearly doubled between 1997 and 2012, while the number of dairy cows more than tripled during that same period. These industrial facilities, which concentrate huge numbers of animals and their waste in a small geographic area, generate dangerous amounts of air and water pollution, and can cause considerable harm to groundwater quality and quantity.

The Lost Valley Farm disaster, followed quickly by the Easterday debacle, is not only an embarrassment to the State of Oregon but also vividly highlights the problems inherent in these operations. It also makes clear that the state's current approach to regulating industrial CAFOs is woefully inadequate. Permitted in 2017 to house 30,000 cows, Lost Valley quickly racked up

more than 200 environmental violations, including manure pit and mortality storage overflows that threatened the already polluted Lower Umatilla Basin Groundwater Management Area. Photos of cows standing in deep manure at Lost Valley further provided a glimpse into the lives of the animals on this facility and the welfare threats that they faced. In 2018, the state finally took action to shut Lost Valley down, but another operation quickly attempted to pop up in its place. If the legislature does not act, that second operation or even a third may move into that same polluted, water-insecure location and further deepen the problems this area is already experiencing.

Significantly, if the mechanisms necessary to properly control pollution and water use from industrial CAFOs in Oregon are not established by way of Senate Bill 85, then this industry will also continue to put wildlife — including threatened and endangered species — at risk of further imperilment and potential extinction. Pollution from industrial CAFOs can impair waterways that contain designated critical habitats for numerous federally-listed threatened and endangered species, such as coho salmon, steelhead, bull trout, and chinook salmon (as well as the Southern Resident orcas that depend on healthy chinook populations for their survival). Contaminated surface water can cause nitrates, animal waste pollutants such as pharmaceuticals, and other nutrients to build up, leading to harmful algal blooms and oxygen depletion that can kill aquatic life. Significant withdrawals of fresh water for the purpose of raising farm animals in these industrial operations can also reduce water flow in rivers, further putting native species and their critical habitats at risk.

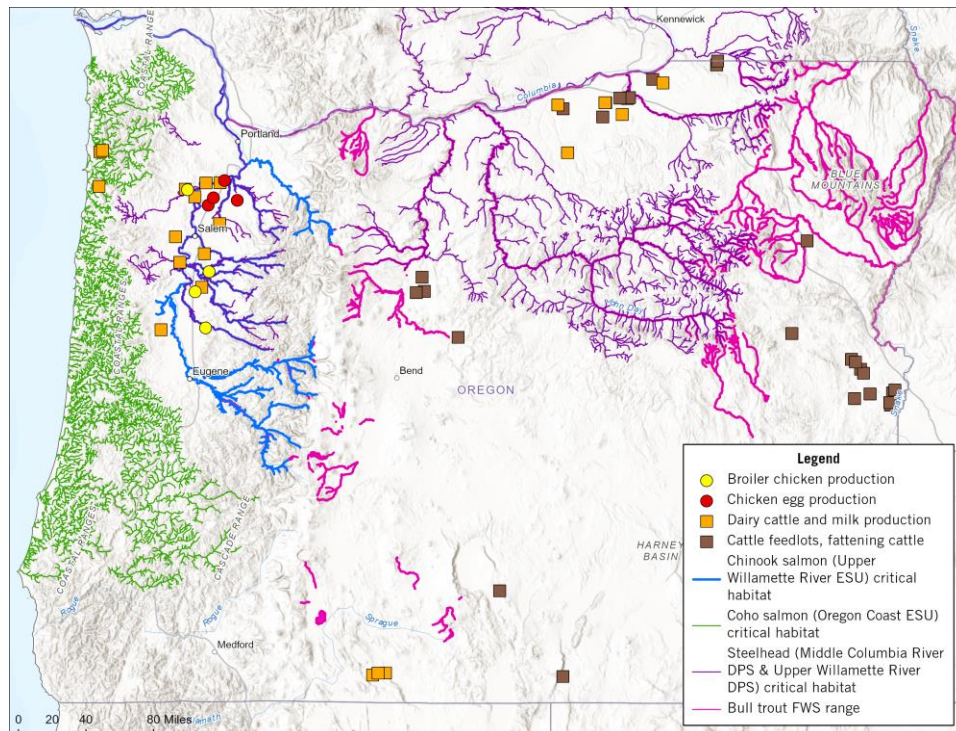


Figure One. Designated critical habitats for several federally-listed threatened and endangered species in Oregon compared against the locations of existing industrial CAFOs. All industrial CAFOs included on this map meet or exceed the size thresholds incorporated into Senate Bill 85. (Map by Kara Clauser, Center for Biological Diversity.)

As the above map demonstrates, many of Oregon's most imperiled fish species rely on waterways that are in close proximity to Oregon's largest CAFOs. This creates enormous risks to the continued survival of these species — a risk that will be compounded if more and larger industrial CAFOs are constructed without first addressing Oregon's currently deficient laws and rules. Illustratively, in 2017 a storage tank at a CAFO in Oregon failed, releasing 190,000 gallons of manure into the Tillamook River, putting at risk the wildlife and people that rely on that river and the downstream bay. Additionally, just north in Yakima County, Washington, an increasing concentration of industrial CAFOs has coincided with declining salmon populations. These are just examples, but as this map and the science make evidently clear, Oregon's threatened and endangered species — including iconic species such as salmon and steelhead — *need* the protections afforded through Senate Bill 85, and they need those protections *now*.

Accordingly, the Center supports an industrial CAFO moratorium in Oregon and respectfully requests that the committee move forward with passing Senate Bill 85 into law.

Respectfully Submitted,



Hannah Connor
Senior Attorney
Center for Biological Diversity
hconnor@biologicaldiversity.org



Quinn Read
Oregon Policy Director
Center for Biological Diversity
qread@biologicaldiversity.org