

Chair & Committee Members,

**I STRONGLY OPPOSE SB 80.** It's important to make informed decisions. I urge all who are testifying in support of this bill to take the time to understand CAFO's and the impacts this law will have on not only agriculture in Oregon large and small but to your kitchen tables and grocery bills. SB 85 for instance was created by these same legislators last year and was a law they passed that had grave effects on not just large farms, but small-scale farms as well in Oregon that are now having to fight back or close.

### **WHAT IS CAFO?**

CAFO stands for Confined Animal Feeding Operation. The term applies to animal agriculture production operations such as dairies, beef feedlots, swine and poultry facilities to name a few. The purpose of a CAFO is to efficiently feed livestock to maximize their growth, production of products for consumers and available resources necessary to take care of livestock. Operations like these provide consumers with an abundance of high-quality meat, milk, and eggs making them vital to the food supply chain.

Because livestock is reliant on humans running the operations for feed, water, and health care, CAFO operators must prioritize animal needs to ensure their animals receive the highest quality of care. And they do! Trust me, we didn't eat until our animals eat and my grandparent's days revolved around making sure our cattle were healthy.

Critics of CAFOs point to the close proximity of animals being a potential source of the spread of pathogens and the release of methane, as well as impacting the quality of the animal's life. There have also been concerns raised over the general nature of consolidation in agricultural operations and the reliance on corporate contracts.

### **FOOD SECURITY IS A MAJOR BENEFIT OF CAFO OPERATIONS:**

The Centers for Disease Control and Prevention says that CAFOs "can provide a low-cost source of meat, milk, and eggs, due to efficient feeding and housing of animals, increased facility size, and animal specialization." CAFOs are also known to improve local economies and increase employment opportunities. And as animal housing has been modernized with climate controlled systems and advanced health and welfare monitoring, as well as limited amount of land being available for agriculture in the U.S., many see CAFOs as a valuable path forward in animal production and care.

CAFO is a term meant to define the size of a farm, and those that are considered a CAFO have to prove to the government that they are not polluting waterways. So CAFOs are actually just farms that are farming sustainably and proving it through a rigorous inspection and documentation process.

So when Democrat legislators and their allies try to eliminate CAFOs, they are trying to eliminate a huge system that helps farms keep pollution out of water, is an important piece of food security for Americans, and provides support in events of an accident or storm.

### **OREGON HAS THE HIGHEST STANDARDS & MOST STRINGENT REQUIREMENTS FOR CAFOS:**

Owners and managers are required to keep extensive records, fill out paperwork, undergo inspections and apply and pay for permits annually. Regulations on these operations extend to manure management, animal care, animal spacing, water quality, and more - based on their "Tier". Qualifications for these "Tiers" of operations are based on how many animals are in the facility, how long the animals are in the

facility, and their manure management techniques. OR Dept. of Agriculture (ODA), OR Dept of Env. Quality (DEQ) and US Env. Protection Agency (EPA) are the regulatory agencies overseeing CAFO permitting. They monitor static ground water, soil moisture, soil testing, inspections of production area, surveillance sampling of drinking water, record keeping and have a 24-hour reporting system for permit non-compliance. The ODA-DEQ Water Quality Permitting for CAFOs in Oregon Report from 2/23 saw a 95.5% compliance rate with water permitting regulations across beef, dairy, and poultry CAFO sectors. They also reported a 97% compliance rate for all routine CAFO inspections which take place every 10 months or more frequently. \*

### **FACTS BACK UP BENEFITS OF CAFOS PLUS 1000 OTHER REASONS WHY CAFOS ARE CRUCIAL TO THE FOOD SUPPLY CHAIN:**

I believe it is most important to reject the following lies:

- we **ARE NOT** "factory farms"
- we **ARE NOT** "in it for the money"

The misconception about the nature of CAFOs is damaging and misleading. We are the ultimate conservationists, stewarding Oregon's rich natural resources because we know it's the right thing to do. CAFO isn't a code word for a big bad factory farm – it is simply a sizing guideline created by the EPA. Across the United States, 98% of all farms are family owned, and those family-owned farms make up 88% of production – whether they're CAFOs or not. The primary reason CAFOs have grown in number is because instead of supporting one family unit, farms now support multiple generations of the same family. SB 80 is to the detriment of the people of this state and an unfair and unnecessary burden to producers.

### **MAJOR CAFO STATES:**

North Carolina, Iowa, Wisconsin, and California are among the states with the largest numbers of CAFOs, and EPA data show the total number of CAFOs across the U.S. as topping 20,000.

### **DAIRIES IN OREGON CLOSING DUE TO OVERREGULATION:**

In 2023, Rickreall Dairy in Polk Co. closed its doors after 33 years citing "Most people will say it's because none of my kids wanted to continue the business," he said, noting that dairy farming is normally a family endeavor with a succession mechanism in place to ensure the industry's continued existence for decades. "But, the truth is, they would have wanted to take it over if the industry wasn't so volatile."\*

On December 12, 2023, Linn County, Oregon, recently utilized Oregon Senate Bill 85 to severely restrict the number and locations of large CAFOs by changing their county code to include a setback of one mile for livestock buildings from the property line of neighboring property. This action was taken in response to a proposal to build an 11-barn poultry farm in a rural area of Linn County. \*

Originally, SB 85 called for an 8-year moratorium on building new large CAFOs and expanding existing large CAFOs. Along with the moratorium, it would have required the Oregon Department of Agriculture to conduct studies and recommend legislation with expanded regulations.\*

According to an article in the Statesman Journal, "The bill that passed scaled back some of those proposed regulations. Advocacy groups said they'll keep working to tighten restrictions." The website

linked in the article shows that these “advocacy” groups are radical animal rights and environmental organizations like Animal Legal Defense Fund, Farm Sanctuary, World Animal Protection, the American Society for the Prevention of Cruelty to Animals, the Humane Society of the United States, Physicians for Responsible Medicine, Mercy for Animals, The Center for Biological Diversity, Food and Water Watch, Riverkeepers, and more.\*

### **SMALL DAIRIES SUE OREGON FOR OVERREGULATIONS:**

Democrats pressed onward last year with SB 85 touting that this bill was a win for rural Oregon. This bill has now been rescinded as small dairy CAFO lawsuits persist. A huge disgrace to our agriculture in this state is to attack it and overregulate it. Last year, ODA determined small farms technically meet the definition of CAFOs if they confine livestock indoors during milking and generate wastewater by washing the associated equipment. As agency officials prepared to enforce the policy in 2024, four small dairies filed a federal complaint in January claiming ODA lacked a rational basis for the regulatory change and wasn’t implementing it uniformly for all livestock owners. The small dairy plaintiffs claim CAFO regulations would force them to install expensive equipment and comply with onerous record-keeping mandates, even though the amount of wastewater they produce is minimal and unlikely to pollute waterways. Ari Bargil, senior attorney for the dairies, said “economic protectionism is flatly unconstitutional and our lawsuit will continue on until the courts acknowledge precisely that.”\*

Please do your own research before making any preposterous statements and referring to these operations as factory farms.

PLEASE DO NOT PASS THIS BILL! ENOUGH IS ENOUGH ON ATTACKING AGRICULTURE IN THIS STATE!

\*All information included in post can be found in these links:

- **Rickreall Dairy Closing Article:**  
<https://www.thebullvine.com/news/after-33-years-an-oregon-dairy-is-closing-its-doors/>
- **Small Farms in Oregon Suffer as new CAFO Definitions Threaten Livelihoods:**  
<https://thatoregonlife.com/2024/03/small-farms-in-oregon-suffer-as-new-cafo-definitions-threaten-livelihoods/>
- **Oregon Rescinds Small Dairy CAFO Policy but Lawsuit Persists:**  
<https://capitalpress.com/2024/03/22/oregon-rescinds-small-dairy-cafo-policy-but-lawsuit-persists/>
- **What is a CAFO and what is its role in agriculture?**  
<https://www.agdaily.com/livestock/what-is-a-cafo-role-in-agriculture/>
- **Oregon County Uses New Law to Restrict Livestock Operations:**  
<https://www.agpros.com/articles-and-information/oregon-county-uses-new-law-to-restrict-livestock-operations>
- **State of Oregon: CAFO Reports:**  
<https://www.oregon.gov/oda/natural-resources/pages/cafo.aspx>
- **Oregon Secretary of State CAFO Guidelines:**  
<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=2751>

- **EPA National Pollutant Discharge Elimination System:**

<https://www.epa.gov/npdes/animal-feeding-operations-npdes-cafo-permitting>