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# OREGONrural ACTION

SOWING SEEDS OF CHANGE



April 3, 2024

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Chair Golden, Vice Chair Nash, and members of the Senate Committee on Natural Resources & Wildfire,

Oregon Rural Action (ORA) writes to express our **support for SB 80** as a common-sense bill to prevent some of Oregon's worst groundwater pollution from being made worse by increased levels of pollution from Confined Animal Feeding Operations, or CAFOs.

Since 2022, ORA has worked extensively with community members who have nitrate-contaminated drinking water wells in the Lower Umatilla Basin Groundwater Management Area, which spans the northern parts of Morrow & Umatilla Counties in eastern Oregon. The groundwater in this region is heavily polluted by nitrate, a chemical linked to a long list of severe health impacts including cancer, miscarriage, birth defects, thyroid dysfunction, and several types of cancer. Through our organizing, many residents of the Basin have self-reported these conditions and unknowingly drinking the contaminated water for years or, in some cases, decades.

We've heard from representatives for the CAFO industry that Oregon has the "most stringent CAFO program" in the country. Even if that were true, it would still be clear that Oregon's rules for preventing and reducing pollution from CAFOs – even in places like the Lower Umatilla Basin – have failed to deliver on Oregon's statutory goal of reducing nitrate pollution in the Basin to ensure safe drinking water levels.

CAFOs produce massive amounts of nitrate in the form of manure and wastewater, which is disposed of by spreading it on farmland. This nitrate must be managed with extreme caution to prevent overloading fields, which increases the risk that nitrate will leach to groundwater or runoff to surface water. In the Lower Umatilla Basin, monitoring wells testing the groundwater beneath CAFOs have shown extremely high levels of contamination – for example, one pollution monitoring well at the Threemile Canyon Farms mega-dairy complex in Morrow County has shown an increase from 60.2 mg/L in 2002, nearly doubling to 113 mg/L in 2022, according to data from the 2022 annual report required under its CAFO permit. During all this time, Threemile operated inside a state-designated Groundwater Management Area under a CAFO permit which was repeatedly allowed to

expand over the years, resulting in more pollution produced in a region already experiencing a nitrate pollution crisis.

In January 2025, a DEQ analysis found that nitrate levels continue to increase in the Lower Umatilla Basin. And, as the state conceded in the recently developed Nitrate Reduction Plan for the Basin in September 2024, the “most effective and feasible way to clean up groundwater contamination of this scale is to control the sources of pollutants.” However, operations like Threemile have continued to grow.

Allowing sources of pollution to be added or to increase the amount of pollution they produce is in direct conflict with Oregon’s goal of resolving the nitrate crisis in the Lower Umatilla Basin. We cannot address groundwater pollution if we do not address the sources of that pollution, and that starts with controlling and limiting sources of pollution like CAFOs.

SB 80 seeks simply to close a loophole in Oregon’s laws that should not exist in the first place. We urge your support for this common sense bill to protect our groundwater and the Oregonians who rely on it for their drinking water.

Sincerely,

Kaleb Lay  
Director of Policy & Research, Oregon Rural Action