



CAFO 2024 ANNUAL REPORT



OREGON
DEPARTMENT OF
AGRICULTURE

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INTRODUCTION

The mission of the Oregon Department of Agriculture (ODA) Natural Resources Program Area is to ensure healthy natural resources, environment, and economy for Oregonians now and in the future through inspection and certification, regulation and promotion of agriculture and food.

The Oregon Department of Agriculture remains able to serve the changing needs of Oregon's diverse agricultural and food sectors to maintain and enhance a healthy natural resource base and strong economy in rural and urban communities across the state.

Oregon Department of Agriculture Core Values:

We are proud to be AGGIES, embodying our mission and values to achieve our vision.

- » Approachable
- » Genuine
- » Growth-oriented
- » Inclusive
- » Experts
- » Sustainable

As part of protecting Oregon's natural resources, the Oregon Legislature established a regulatory program for Confined Animal Feeding Operations (CAFO) in 1989. The legislation required the Oregon Department of Environmental Quality (DEQ) to issue CAFO permits and directed ODA to inspect CAFO facilities. In 1993, the CAFO statutes were amended to direct the Environmental Quality Commission (EQC) and ODA to enter a formal memorandum of understanding (MOU). The MOU authorizes ODA to perform the CAFO related functions of DEQ and the EQC. ODA has continued to operate the CAFO Program in concert with DEQ under this MOU.

The current CAFO Program MOU was signed on August 31, 2021, by the Director of ODA, Alexis Taylor, and the Director of DEQ on behalf of the EQC, Richard Whitman. The MOU will remain effective until December 31, 2026.

This report has been prepared as required by the MOU. The CAFO Program Annual Report describes the CAFO Program's activities that have occurred over the last year. The report includes:

- » Program statistics
- » CAFO inspection types and results
- » Enforcement actions
- » Administrative functions

PROGRAM OVERVIEW

CAFO Geographic Boundaries

Permitted CAFO facilities are located across the entire State of Oregon. The CAFO Program has divided the state into six geographic regions. The CAFO areas have been created to capitalize on geographic similarities, CAFO facility similarities, and equitable distribution of work responsibilities. Below is a map detailing the six CAFO areas. The number of permitted CAFO facilities located in each area can be found in Table 1, Page 7.

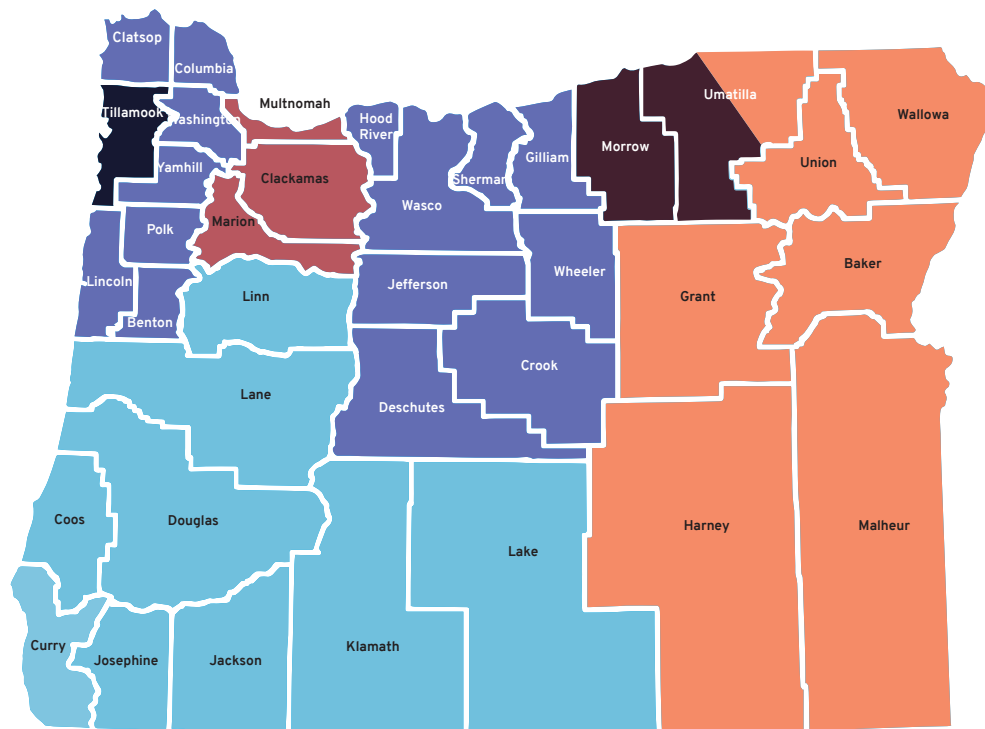
CAFO Program Staff

The program is led by the Water Quality Compliance Program Manager and has a total staffing level of 11 FTE. The CAFO Program consists of seven regional Livestock Water Quality Specialists (LWQS) with one position being a hybrid position that is half time permit coordinator and half-time inspector. The LWQS are primarily responsible for assessing a facility's compliance with the CAFO Program. In addition to the LWQS, the CAFO Program has a Program Analyst, Permit Coordinator, and a Program Support staff position.

A complete list of CAFO Program staff is available below:

- » **Water Quality Compliance Manager:** Vacant, (located at ODA, Salem)
- » **Area 1 - Tillamook County:** Armando Macias, Livestock Water Quality Specialist
- » **Area 2 - Benton, Clatsop, Columbia, Crook, Deschutes, Jefferson, Hood River, Gilliam, Lincoln, Polk, Sherman, Wasco, Washington, Wheeler and Yamhill counties:** Charlene Olson, Livestock Water Quality Specialist
- » **Area 3 - Clackamas, Marion, and Multnomah, Morrow and Umatilla counties:** Ben Krahn, Livestock Water Quality Specialist
- » **Area 4 - Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lake, Lane and Linn counties:** Chris Anderson, Area IV Livestock Water Quality Specialist
- » **Hybrid Position:** Katie Kearney, Livestock Water Quality Specialist
- » **Area 6 - Baker, Grant, Harney, Malheur, Umatilla, Union, and Wallowa counties:** Hilary Collinsworth, Livestock Water Quality Specialist
- » **Livestock Water Quality Specialist:** Vacant (Located in Hermiston)
- » **Program Analyst:** Christy Caldwell
- » **Program Support Staff:** Mackinzey Landry
- » **Permit Coordinator:** Vacant

Figure 1: CAFO Geographic Boundaries Map



PROGRAM MANAGER: Vacant

- AREA 1:** Armando Macias, 503.801.1630, armando.macias@oda.oregon.gov
- AREA 2:** Charlene Olson, 503.931-7778, charlene.olson@oda.oregon.gov
- AREA 3:** Ben Krahn, 503.510.8213, ben.krahn@oda.oregon.gov
- AREA 4:** Chris Anderson, 541.660.9611, chris.anderson@oda.oregon.gov
- AREA 5 (hybrid position):** Katie Kearney, 971.707.8386, katie.kearney@oda.oregon.gov
- AREA 6:** Hilary Collinsworth, 541.881.6020, hilary.collinsworth@oda.oregon.gov

PROGRAM STATISTICS

General Statistics

Together, ODA and DEQ issued the Oregon CAFO National Pollutant Discharge Elimination System (NPDES) General Permit Number 01-2016. This permit was issued on March 31, 2016, was effective on April 20, 2016, and expired February 28, 2021. The permit is administratively extended until a new permit is approved.

On October 1, 2015, ODA and DEQ issued the Oregon CAFO Water Pollution Control Facilities General Permit Number 01-2015. The WPCF CAFO General Permit became effective on October 21, 2015, and expires September 30, 2025. In addition to the General Permit, ODA and DEQ also administer Individual NPDES and WPCF Permits.

On December 31, 2024, the CAFO Program had a total of 485 permitted CAFO facilities. Of the permits issued:

- » 340 CAFO operators are registered to the General NPDES Permit.
- » 4 CAFO operators are registered to Individual NPDES Permits.
- » 140 CAFO operators are registered to the General WPCF Permit.
- » 1 CAFO operator is registered to the Individual WPCF Permit.

Table 1 summarizes CAFO Permit types by area and designation.

Table 2 provides North American Industry Classification System (NAICS) categories by area.

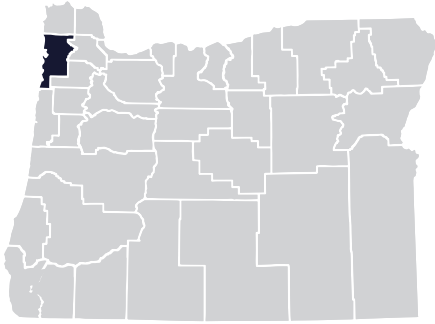
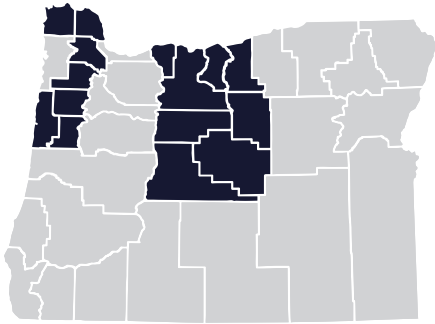
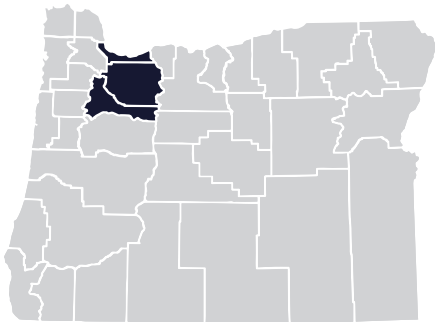


Table 1: CAFO Permit Type by Area and Designation

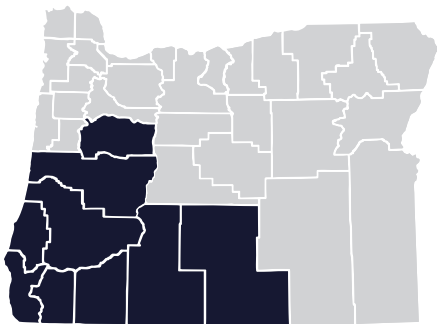
Area 1	NPDES General Permit Registrations	Individual Permits	WPCF General Permit Registrations	Total
TOTAL	83	0	19	102
Large Tier 2 Concentrated	1	0	0	1
Large Tier 2 Confined	0	0	0	0
Large Tier 1 Concentrated	11	0	0	11
Large Tier 1 Confined	0	0	0	0
Medium Concentrated	48	0	0	48
Medium Confined	0	0	6	6
Small Concentrated	23	0	0	23
Small Confined	0	0	13	13



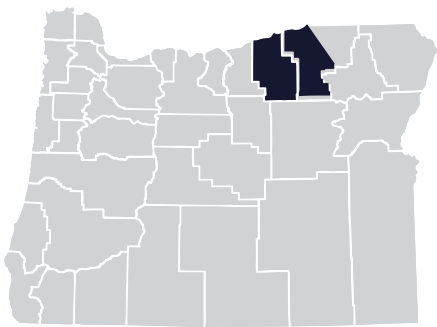
Area 2	NPDES General Permit Registrations	Individual Permits	WPCF General Permit Registrations	Total
TOTAL	50	0	13	63
Large Tier 2 Concentrated	5	0	0	5
Large Tier 2 Confined	0	0	0	0
Large Tier 1 Concentrated	11	0	0	11
Large Tier 1 Confined	0	0	1	1
Medium Concentrated	21	0	0	21
Medium Confined	0	0	3	3
Small Concentrated	13	0	0	13
Small Confined	0	0	9	9



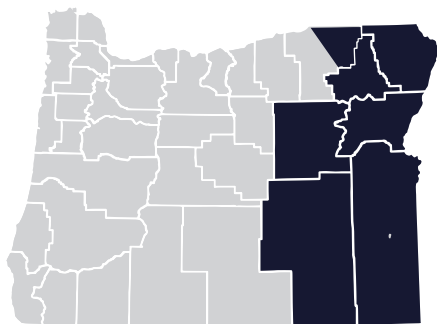
Area 3	NPDES General Permit Registrations	Individual Permits	WPCF General Permit Registrations	Total
TOTAL	55	0	23	78
Large Tier 2 Concentrated	5	0	0	5
Large Tier 2 Confined	0	0	0	0
Large Tier 1 Concentrated	10	0	0	10
Large Tier 1 Confined	0	0	1	1
Medium Concentrated	21	0	0	21
Medium Confined	0	0	5	5
Small Concentrated	19	0	0	19
Small Confined	0	0	17	17



Area 4	NPDES General Permit Registrations	Individual Permits	WPCF General Permit Registrations	Total
TOTAL	33	1	46	80
Large Tier 2 Concentrated	2	1	0	3
Large Tier 2 Confined	0	0	2	2
Large Tier 1 Concentrated	9	0	0	9
Large Tier 1 Confined	0	0	3	3
Medium Concentrated	11	0	0	11
Medium Confined	0	0	12	12
Small Concentrated	11	0	0	11
Small Confined	0	0	29	29



Area 5	NPDES General Permit Registrations	Individual Permits	WPCF General Permit Registrations	Total
TOTAL	51	4	19	74
Tier 2 Individual	0	1	0	1
Tier 1 Individual	0	3	0	3
Large Tier 2 Concentrated	14	0	0	14
Large Tier 2 Confined	0	0	0	0
Large Tier 1 Concentrated	16	0	0	16
Large Tier 1 Confined	0	0	5	5
Medium Concentrated	15	0	0	15
Medium Confined	0	0	6	6
Small Concentrated	6	0	0	6
Small Confined	0	0	8	8



Area 6	NPDES General Permit Registrations	Individual Permits	WPCF General Permit Registrations	Total
TOTAL	68	0	20	88
Large Tier 2 Concentrated	8	0	0	8
Large Tier 2 Confined	0	0	1	1
Large Tier 1 Concentrated	14	0	0	14
Large Tier 1 Confined	0	0	5	5
Medium Concentrated	39	0	0	39
Medium Confined	0	0	11	11
Small Concentrated	7	0	0	7
Small Confined	0	0	3	3

Total Permits	NPDES General Permit Registrations	Individual Permits	WPCF General Permit Registrations	Total
	340	5	140	485

Table 2: NAICS (North American Industry Classification System) by Area

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Total
All Other Animal Production, includes, dog kennels, alpaca, bison, worm production, and llama production	0	0	2	5	3	0	10
Auction Yard	0	0	0	2	1	1	4
Beef Cattle Ranching and Farming, Back Grounding Cattle, Veal Calf Production	0	5	6	16	5	6	38
Broiler Chicken Production	0	9	7	8	1	0	25
Cattle Feedlots, Fattening cattle	9	9	5	8	35	65	131
Chicken Egg Production	0	1	8	2	2	0	13
Dairy Cattle and Milk Production	93	33	38	31	20	11	226
Fur-Bearing Animal and Rabbit Production, includes mink, chinchilla, and fox	0	0	6	1	0	0	7
Goat Farming (e.g., meat, milk, mohair production)	0	1	1	2	3	3	10
Hog and Pig Farming	0	4	4	1	0	1	10
Horses and Other Equine Production, includes burro, donkey, mule, and pony	0	0	1	1	2	0	4
Nature Parks and Other Similar Institutions	0	0	0	1	0	0	1
Other Poultry Production	0	0	0	0	0	0	0
Sheep and Lambs	0	1	0	2	2	1	6
Total	102	63	78	80	74	88	485

INSPECTIONS

Inspection type

The CAFO Program conducts multiple types of inspections on permitted and non-permitted facilities. Most of the inspections conducted are routine inspections of permitted facilities. Routine inspections are used to assess the facility's compliance with permit conditions and state water quality laws. Routine inspections are conducted on a 10-month rotational schedule.

In 2024, CAFO Program staff completed 604 inspections of all types, 464 of those being routine inspections. These inspections took place on both permitted and non-permitted operations.

Eleven complaints were received in 2024, 10 of which resulted in complaint inspections (CI) with various outcomes. The complaint not resulting in an inspection was transferred to the Agriculture Water Quality Program to be addressed through their compliance program process.

Below is a list, and descriptions, of the inspection types completed by the CAFO Program. Table 4 also provides a summary of the number of inspections, by type, completed during 2024.

- » **Administrative (ADMS):** Business transaction completed in the office.
- » **Close Out:** A final facility inspection conducted to assess if the permitted facility is appropriately prepared to prevent discharge during a permit transfer or permit cancellation.
- » **Complaint (CI):** Complaint investigations for water quality concerns on permitted and non-permitted animal agriculture facilities.
- » **Complaint Follow-up (CFUP):** Follow-up inspection to a complaint investigation for water quality concerns to determine whether a facility found to be in violation during a prior compliant inspection is now in compliance with the terms of their permit.
- » **Construction Inspection Approval to Build (Construct ATB):** Construction Approval Request (CAR), and design package received. Operator approved/conditionally approved to start construction. Letter from ODA must be received before construction starts.
- » **Construction Inspection Approval to Occupy/Use (Construct ATO/Use):** Construction complete, according to design package, approval/conditional approval to occupy/use facility.
- » **Drive By:** A visual inspection of a facility (permitted or non-permitted) from public access. Contact is not typically made with landowner of the facility. Typically used when the program receives a complaint. The drive-by allows for a quick assessment to determine next steps.
- » **Educational Review (EDR):** Requested by permitted CAFO operators, LWQS discusses performance standards and best management practices for enabling producers to attain permit compliance. LWQS may also evaluate new proposals from producers. An EDR is not a formal inspection and generally will not result in enforcement action.

- » **EPA/ODA Joint Compliance Inspections (EPA):** Program Compliance inspections led by EPA.
- » **Fall Storage Check (Fall S/C):** Inspect liquid and solid storage to ensure sufficient winter storage.
- » **Follow-up (FUP):** Follow-up inspections are performed to determine whether a facility found to be in violation during a prior inspection is now in compliance with the terms of their permit.
- » **Initial Visit:** This is the first on-site meeting with a potential CAFO operator.
- » **Planning Assistance (PA):** LWQS provided both planning and technical assistance designed to increase client awareness of pollution prevention practices and innovative technologies to enhance their environmental performance and maintain Permit compliance.
- » **Routine (RI):** An announced regular, routine inspection on a scheduled frequency determined by overall program resources and workload, number of facilities, and size of inspection staff.
- » **Routine Drive By – (R/Drive by):** Scheduled inspections done due to circumstances that person to person or person to animal contact is a risk.
- » **Self-Reported Discharge (SR):** CAFO operator reports a discharge to surface water.

*Table 3: Total Number of Inspections by Type
(Permitted and Non-Permitted Facilities)*

Inspection Type	Number of Inspections	Percentage (%)
ADMS	5	0.8%
CI	10	1.7%
Close Out	18	2.8%
Construct ATB	1	0.2%
Construct ATO	2	0.3%
CFUP	1	0.2%
Drive By	1	0.2%
EDR	9	1.5%
EPA	4	0.7%
FALL S/C	41	6.8%
FUP	23	3.7%
INITAL VISIT	1	0.2%
PA	23	3.7%
RI	451	75.0%
R/Drive By	13	2.0%
SR	1	0.2%
Total	604	100%

Inspection Outcome

During the closing conference of each inspection, an inspection result is issued. An inspection report form is completed and records compliance, or noncompliance, with permit conditions or state water quality laws or rules. Inspection results may be delivered after ODA receives results of sampling, confirms data, and/or confers with management on matters identified during the inspection.

Below is a list and descriptions of the inspection outcomes used by the CAFO Program. Table 4 provides a summary of the inspection outcomes completed during CY 24.

- » **Consent Order (CO):** A negotiated Final Order for an appealed NACP. A CO outlines owner/operator Required Actions (RAs) including timelines for implementation. A CO often specifies future enforcement action if RAs are not completed, or if repeat violations occur.
- » **Educational Review (EDR):** Educational review was completed.
- » **Facility in Compliance (FIC):** The permittee operated in compliance with their permit, state water quality law or rule.
- » **Final Inspection Result Pending (FIRP):** Additional time needed to assess the full extent of an inspection. This result is often issued if samples have been collected and results are needed before a conclusion can be issued.
- » **Follow Up (FUP):** Follow-up inspections are performed to determine whether a facility found to be in violation during a prior inspection is now in compliance with the terms of their permit.
- » **Notice of Noncompliance/Plan of Correction (NON/POC):** See 2024 CAFO Enforcement Activities - Formal Enforcement Actions.
- » **Notice of Assessment of Civil Penalty (NACP):** See 2023 CAFO Enforcement Activities - Formal Enforcement Actions.
- » **On-Schedule (O/S):** The owner/operator is completing the step-by-step required actions (RAs) of their compliance schedule and is currently on schedule with all RAs.
- » **On-Schedule (O/S) A:** On schedule Written
- » **On-Schedule (O/S) B:** On Schedule Verbal
- » **Planning Assistance (PA):** LWQS provided both planning and technical assistance to prepare and submit required AWMP(s), reports, or applications.
- » **Water Quality Advisory (WQA):** The permittee was in compliance during the inspection event, however, potential problems were noted, and voluntary efforts were encouraged to prevent future permit violations.

Table 4: Inspection Outcomes (Total all Permitted and Non-Permitted Facility Inspections)¹		
Inspection Outcome	Number of Inspections	Percentage (%)
EDR	8	1.3%
FIC	522	86.5%
FIRP	20	3.3%
NCP	1	0.2%
NON/POC	15	2.5%
O/S	9	1.5%
O/S A	3	0.4%
O/S B	1	0.2%
PA	21	3.4%
WQA	4	0.7%
Total	604	100%

¹ Also includes facilities in the process of applying for permit coverage.

Dam Safety Inspections

In 2011, the Oregon Department of Agriculture entered a Memorandum of Understanding (MOU) with the Oregon Water Resources Department (OWRD). This MOU allows the CAFO Program to conduct dam safety inspections on statutory dams (as defined by ORS 540.340 through 540.400) during site inspections. OWRD completed rulemaking that includes the dam safety program, and the agencies updated and signed a new Internal Agency Agreement (IAA) on July 6, 2020. The 2020 IAA is in effect until June 30, 2030.

Statutory dams on CAFO operations are earthen manure lagoons that have an earthen embankment of 10 feet or higher and have a storage capacity of equal, or greater than, 9.2 acre-feet.

Of the 485 permitted CAFO facilities, there are 30 earthen manure lagoons that meet the definition of a statutory dam. Each of these manure lagoons statutory dam(s) are classified as a 'low hazard' by the OWRD. According to the IAA with the Oregon Water Resources Department, inspections for low hazard dams need to be conducted at least once every six years. However, the program aims to inspect these dams during normal routine inspection that occur every 10 months. ODA provides an annual report of dam safety inspections completed to OWRD.

Key Performance Metric

The CAFO program has a legislatively established Key Performance Metric (KPM). The CAFO program track and reports the percent of permitted Oregon Confined Animal Feeding Operations (CAFOs) found to be in compliance with their permit during routine inspections for each calendar year.

A total of 464 routine inspections were completed on permitted CAFOs in 2024. Program staff use a progressive compliance approach and assist permit holders with practical solutions to problems whenever possible. Additional technical assistance and outreach is done to assist producers with planning assistance and education on best management practices enabling producers to maintain permit compliance.

For all routine inspections completed during 2024, 97% of outcomes were facilities in compliance with permit conditions.

The program has been able to maintain routine inspection schedules overall, however with the passage of SB 85 in 2023 there has been an increased workload of implementation combined with education and outreach to livestock industry. In addition, the impacts of highly pathogenic avian influenza, and the increased biosecurity measures have delayed some poultry operation inspections beyond the program's self-initiated goal of routine inspections every ten months. Despite this permit compliance among the industry remains high.

ENFORCEMENT ACTIVITIES

Enforcement Actions

If a discharge occurs or violation has been identified and the CAFO operator fails to complete corrective action(s) as required, the CAFO Program does take enforcement actions. Formal enforcement actions include, but are not limited to, Notice of Noncompliance/Plan of Correction (NON/POC), Notice of Civil Penalty Assessment (NCPA), and permit modification.

Listed below are the types of enforcement actions used by the CAFO Program.

- » **Consent Order (C/O):** A negotiated Final Order for an appealed NACP. A CO outlines owner/operator Required Actions (RAs) including timelines for implementation. A CO often specifies future enforcement action if RAs are not completed, or if repeat violations occur.
- » **Final Order (FO):** A department order issued after settlement conference between CAFO operator and department representative. The FO reflects modifications to the original order issued by the department.
- » **Notice of Noncompliance/Plan of Correction (NON/POC):** A negotiated department order that contains milestones describing required actions (RAs) that must be completed by the owner or operator to correct permit violations.
- » **Notice of Assessment of Civil Penalty Assessment (NACP):** A department order assessed against an owner or operator of a CAFO for failure to comply with a provision of Oregon Revised Statutes (ORS) Chapter 468 or 468B or any rule adopted under a permit relating to the control and prevention of water pollution from a CAFO.
- » **Permit Registration Modification:** A department order that is used to change the permit conditions for a permitted operator. The modification of the permit is based on the permittee's program compliance history.

Notice of Assessment of Civil Penalty (NACP)

During 2024, there was one NACP's issued for discharge or other permit non-compliance. No NACP issued for administrative permit violations. Table 5 and 6 summarize the NACPs issued in 2024.

Table 5: NPCAs issued for administrative permit violations

County	Amount	CAFO Permit Violation
None		

Table 6: NACP issued for discharge or other permit non-compliance

County	Amount	CAFO Permit Violation
Marion	\$6,720	S2.C Land Application Limitations S2.H Proper Operation and Maintenance
Total	\$6,720	

Other Enforcement Actions

Following the issuance of a NACP, the CAFO operator has the opportunity to file an appeal and to request an informal meeting to discuss the enforcement action or complete a Contested Case Hearing. A Final Order Incorporating Settlement Agreement, Final Order or a Contested Case Hearing are the possible outcomes of this process.

In 2024, the CAFO Program received two appeal requests that resulted in Order and Mutual Agreements.

S4.E Order on Permit Modification

The Permit directs ODA to consider a Permit modification when a registrant has more than 2 discharges in any 24-month period. ODA also may issue a Permit modification to registrants that are experiencing difficulty maintaining Permit compliance.

Compliance Actions

See Tables 7, 8 and 9 for a summary of enforcement actions other than NACPs.

*Table 7: Other Enforcement Actions:
Notice of Permit Registration Modification*

County	Total
	0

Table 8: Appeals

Appeals	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Total
Final Order	0	0	1	0	0	0	1
Total	0	0	1	0	1	0	3

Table 9: Court Proceedings Program Wide

Type	Total	Outcome
Circuit Court Cases	0	Ongoing appeals
Contested Case Hearings	0	
Federal District Court	0	

ADMINISTRATIVE ACTIVITIES

2024 Administrative Activities

In addition to conducting field inspections, the CAFO Program staff performs several administrative functions.

The largest ongoing administrative function performed by the CAFO Program includes the review and approval of Nutrient Management Plans (NMP). The NMP is a document unique to the CAFO facility that describes the CAFO's manure production, storage, transfer, and application activities. Every permitted CAFO operator must implement an ODA approved NMP. The approved NMP is incorporated into the CAFO permit by reference in section (S3.A.) of the permit.

Every NMP submitted to the CAFO Program is reviewed to ensure that it meets the required NMP Elements (S3.C.) of the permit. In certain circumstances, the NMP may require public notice as described in (S3.B.) of the permit. NMPs requiring public noticing does add additional time to the approval process.

Once the NMP has been approved, LWQS reviews the NMP in advance of inspections to ensure that the NMP still reflects the CAFO's operation and maintenance. If there is a discrepancy between the operation and management of the CAFO and the NMP, the LWQS will work with operators to update the NMP and ensure that it reflects current activities on the CAFO operation while being in compliance in accordance with the required NMP elements.

The second most common administrative function performed by LWQS is pertaining to construction of manure storage facilities. New construction or modification of existing manure storage facilities must be approved in advance as described in section (S2.E.2.) of the permit.

Table 10 summarizes the NMP, and construction activities completed during 2024.

Table 10: NMP Type and Construction status by Area

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Total
NMP							
Approved	0	0	2	1	1	1	5
Cancelled	0	0	0	0	0	0	0
Conditionally Approved	0	1	0	0	0	0	1
Approvable (Notice)	0	0	0	1	0	0	1
Not Approvable	0	0	1	0	0	0	1
Pending/Under Review	1	1	1	3	2	0	8
Superseded	0	0	1	0	0	0	1
Transferred	0	0	0	0	0	0	0
ANIMAL INCREASE							
Approved	0	0	1	0	0	0	1
Conditionally Approved	0	0	0	0	0	2	2
Under Review/Pending	2	0	1	0	0	0	3
NMP AMENDMENTS							
Approved	0	0	1	0	0	0	1
Total	3	2	8	5	3	3	24
CONSTRUCTION							
Approval to Construct/Install	1	2	0	1	2	1	7
Conditionally Approved to Construct/Install	0	0	0	0	2	1	3
Approval to Occupy/Populate/Utilize	0	0	1	0	2	1	4
Conditionally Approved to Occupy/Populate/Utilize	0	0	1	0	0	0	1
Under Review	0	0	0	0	0	0	0
Not Approvable	0	0	0	0	0	0	0
TOTAL	1	2	2	1	6	3	15

Cancellation of CAFO Permits

In 2024, the program cancelled 19 registrations to CAFO permits. The majority of the permits cancelled were for dairy CAFOs.

The primary reason CAFO permits were cancelled was because the facility was sold or leased to a new CAFO operator, and subsequently the permit must be transferred to a new owner or operator and the previous owner or operator permit registration is cancelled. The second most common reason a CAFO permit was cancelled was because the facility no longer met the definition for requiring a CAFO permit. In this case, the operator sold the animals and/or the facility and the operator was no longer going to use or maintain the waste systems on the farm.

Table 11: Number of CAFO Permits cancelled by NAICS Code and Area

NAICS Code	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Total
Broiler Chicken Production	0	0	0	2	0	0	2
Cattle Feedlots, Fattening cattle	1	2	0	0	0	3	6
Dairy Cattle and Milk Production	4	0	1	0	2	0	7
Goat Farming (e.g., meat, milk, mohair production)	0	0	0	2	0	0	2
Horses and Other Equine Production, Includes burro, donkey, mule, and pony	0	0	0	2	0	0	2
Total	5	2	1	6	2	3	19

CAFO Permit Registrations Issued

A total of 10 CAFO permit registrations were issued in 2024. The primary reason for issuance of a new CAFO permit registration was a transfer of permit from a previously permitted operator.

Table 12: Number of CAFO Permit Registrations issued by NAICS Code and Area for 2023 CY

NAICS Code	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Total
All Other Animal Production, includes, Dog kennels, Alpaca, Bison, worm production, llama production	0	0	0	0	1	0	1
Broiler chicken production	0	0	0	2	0	0	2
Cattle Feedlots, Fattening cattle	0	1	0	0	0	3	4
Dairy Cattle and Milk Production	3	0	0	0	0	0	3
Total	3	1	0	2	1	3	10

Pending Permit Applications

A total of 8 applications to register (ATR) were received in 2024, 7 remain pending, and 1 application was cancelled. 4 applications received in 2023 remain pending, 1 is for an Individual Permit, 6 applications received in 2021 are still pending, 5 fell off the NPDES Permit and are waiting for a new NPDES Permit to be issued and 1 for an Individual Permit was cancelled in 2024. 2 applications received in 2020, remain pending, these applications are for Individual CAFO NPDES Permits which require Permit development by the agencies and Public Notice opportunities.

Table 13: Pending Permit Applications

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Total
NPDES Permit							
Small Concentrated	1	2	0	0	0	0	3
Medium Concentrated	0	1	0	0	0	0	1
Large Tier 1 Concentrated	0	1	0	0	0	0	1
Large Tier 2 Concentrated	0	0	1	0	0	0	1
Total	1	4	1	0	0	0	6
WPCF Permit							
Small Confined	0	1	0	1	3	0	5
Medium Confined	0	0	0	1	0	0	1
Large Tier 1 Confined	0	0	1	1	0	0	2
Large Tier 2 Confined	0	0	0	0	1	0	1
Total	0	1	1	3	4	0	9
Individual Permit							
Tier 1	1	0	0	0	0	1	2
Tier 2	0	0	0	0	1	0	1
Total	1	0	0	0	1	1	3

Civil Penalty Fund Financial Agreements Administered

When the CAFO Program issues a Notice of Civil Penalty Assessment (NCPA), the money received from these activities is placed into an account to be used for educational and technical assistance projects supportive of CAFO operators. Funds are awarded through a grant agreement process.

In 2024, the CAFO Program awarded two grant agreements for a total of \$64,184.96. The grant agreements were for the following projects:

The financial agreements were for the following projects:

CAFO Record Keeping Calendars, Oregon Dairy Farmers Association

A record keeping tool developed and printed for permitted CAFO operators to maintain the required CAFO records.

Projected total: \$2,522.50

Final amount billed for: \$2,301.96

OSU Bio-Resource Engineering, Permeable Reactive Membrane (Woodchip Bioreactor) for tile drain water treatment. Project is located at the OSU dairy. (ODA-4319A)

Total Paid in 2024: \$58,583.00

Nutrient Management Planning Tool (NMPT) (ODA-4447)

Total Paid in 2024: \$3,300.00

Public Records Requests

Most information associated with the CAFO NPDES or WPCF Permit is subject to Oregon's Public Records Law (ORS Chapter 192) and NPDES Program and Permit (S1.G) and Clean Water Act requirements and is publicly available. The CAFO Program received numerous requests for program files and information. Requests range from a single document to complete registrant files. In 2024, the CAFO Program responded to 59 different public records requests. The time estimated to produce the requests ranged from less than 30 minutes to 24 hours. Total staff time on PRR in 2024 was approximately 76 hours.

A public records request is not required when program or permit records are requested during a public notice and participation opportunity.

2024 CAFO Individual Permit Development Activities

The program staff were involved with development of one, CAFO Individual NPDES Permits and related materials. Individual Permits are jointly developed by ODA and DEQ staff. These Permits require a multi-agency coordination with OWRD, DEQ, ODA, DSL, OHA and ODFW. Consultations on both technical and policy questions occur during development of these Permits. All Individual Permits require Public Notice and a hearing.

2024 General CAFO Permit Renewal Activities

The CAFO NPDES Permit No. 1-2016 expired on February 28, 2021. On September 25, 2020, CAFO NPDES Permit Renewal forms were mailed to all permittees registered to the CAFO NPDES Permit. ODA and DEQ developed and reviewed General Permit drafts in preparation for issuing a new CAFO NPDES General Permit in 2022. Since that time the process has been delayed in order to evaluate challenges facing other northwest state permits and to prioritize the implementation of Senate Bill 85 (2023). This work is prioritized for 2025.

The CAFO WPCF General Permit No. 01-2015 will expire on September 30, 2025. Renewal notices for this permit will be mailed in April of 2025. It is anticipated that due to the work on the NPDES permit that the WPCF permit will be administratively extended.

CAFO Rulemaking

On July 27, 2023, Governor Tina Kotek signed Senate Bill 85 (SB 85) into law. The bill created new provisions for Oregon's CAFOs, amending ORS 468B.050, 468B.215, and 537.545. The changes in SB 85 are enforced by ODA. ODA took a holistic look at its rules and made changes and updates to their program rules (OAR chapter 603 division 74) outside of the scope of SB 85 as well.

The Oregon Department of Agriculture (ODA) invited the public to provide comment on proposed rule changes regarding SB 85 and making significant modifications to existing rules. The comment period was open from June 18 to July 22, 2024, a hearing was held on July 15, 2024. Proposed Rule highlights included:

- » Water Supply Plan
- » Permit Designations
- » Definitions
- » Permit Application Procedures
- » Construction Requirements

SB 85 Rules became final on September 25, 2024. Review the final CAFO rules online.

CAFO Education and Research Activities

CAFO Program staff were invited to make presentations on the CAFO Program operations and activities in 2024. A list of these activities includes:

Senate Bill 85 Outreach – ODA & DEQ

- » 5/2/24- Association of Clean Water Administrators Annual CAFO Roundtable presentation on groundwater (with WA state)
- » 5/17/24- ODA Food Safety Virtual Spring Dairy Meeting presentation on SB85 rules

- » 10/23/24- Salem SB85 Outreach Event
- » 10/30/24- Willowcreek OR Dairy Farmers Association area meeting
- » 10/30/24- Ontario SB85 Outreach Event
- » 11/13/24- Redmond SB85 Outreach Event
- » 11/18/24- Hermiston SB85 Outreach Event
- » 12/6/24- Pendleton OR Cattlemen's Association Convention
- » 12/18/24- Klamath Falls SB85 Outreach Event

CAFO Advisory Committee

Each year the CAFO Program holds three regularly scheduled CAFO Advisory Committee (CAC) meetings. The CAC was created to provide feedback to the department about the CAFO Program. The membership of the committee is comprised of permitted CAFO operators, technical advisors, stakeholder representatives, and the public. Meeting agenda and minutes can be found on the agency's webpage at <https://www.oregon.gov/oda/natural-resources/Pages/meetings.aspx>.

CAFO Program Activities specific to Ground Water Management Areas (GWMA)

There are permitted CAFOs in each of the three, DEQ established GWMA's.

ODA and DEQ are reviewing all new CAFO Permits to ensure harmonization on land application activities and other similar Permit conditions.