

**Oregon Department of Agriculture
Proposed Registration of Columbia River Ranch, Inc.
Oregon CAFO WPCF General Permit No. 01-2015
Response to Public Comments**

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I. Summary of public comment process

The Oregon Department of Agriculture (ODA) and the Oregon Department of Environmental Quality (DEQ) (collectively the Department) are proposing to register Columbia River Ranch, Inc. to the Oregon Confined Animal Feeding Operation (CAFO) Water Pollution Control Facilities (WPCF) General Permit #01-2015 as a large tier II feedlot.

ODA provided a public notice and comment period for the proposed registration in ODA Area 5 (Central Oregon). On May 14, 2025, the Department issued a public notice. On June 16th, 2025, ODA cancelled the public notice. On June 30, 2025, the Department issued a second public notice. On July 30, 2025, ODA hosted a virtual public hearing, during which 8 oral comments were made. ODA continued to accept written comments from the public until 5:00 pm on August 4, 2025. ODA received a total of 471 written comments on the proposed registration of Columbia River Ranch, Inc. to the CAFO WPCF General Permit.

II. Summary of oral public comments

Oral comments in favor

One oral comment received at the virtual public hearing was in favor of the proposed registration and listed reasons that included adequately engineered designs, beneficial pasturing, and allowable water use.

Oral comments in opposition

Seven oral comments received at the virtual public hearing were opposed to the proposed registration based on concerns regarding water quality, water scarcity, climate change, insufficient permit conditions, animal welfare, Department credibility, and insufficient engineering.

Responses to these concerns, as well as a description of permit modifications made in response to the comments, can be found below.

III. Responses to comments beyond the scope of the permit:

Many of the comments addressed the following areas of concern: 1) animal welfare, 2) food quality and food safety, 3) conflicting values, 4) Department credibility and trust, 5) air pollution, 6) issues with dairies, and other miscellaneous issues. The Department's authority to regulate confined animal feeding operations is defined by Oregon Revised Statutes and is limited to the regulation of discharges to waters of the state. Comments concerning issues that fall outside the Department's statutory and jurisdictional limits are acknowledged, but they are not within the scope of this water quality permit and are addressed through other regulatory mechanisms. A summary addressing each concern is found below.

1. Animal welfare

Commenters expressed concerns about the impact of large scale confinement on animal health and wellbeing.

Comments regarding animal health and welfare concerns are beyond the scope of the proposed registration to the CAFO WPCF general permit. The permit to which the Department is proposing to register the operation regulates discharges to waters of the state. Animal welfare concerns, including any alleged violations of Oregon animal welfare laws, could be handled by the local sheriff's office or the [Oregon Humane Society](#). The Oregon Humane Society has Humane Special Agents who are certified police officers commissioned by the Oregon State Police to investigate animal crimes.

2. Food quality and food safety

Commenters expressed concerns about this operation contributing to reduced food quality and food safety that could impact human health.

Concerns surrounding the potential for reduced food quality and food safety are beyond the scope of the proposed registration to the CAFO WPCF general permit. The permit to which the Department is proposing to register the operation regulates discharges to waters of the state. Any food safety concerns could be addressed through the ODA's Food Safety Program or the Oregon Health Authority's Foodborne Illness Prevention Program.

3. Conflicting values

Several commenters expressed general disagreement with the use of land for a CAFO and disagreement with large scale animal agriculture, expressing that the

operation is at odds with Oregon values and the state's commitment to environmental protection.

Value judgments related to large scale animal agriculture are beyond the scope of the permit. With regard to Oregon's commitment to environmental protection, the permit is consistent with this commitment. The CAFO WPCF general permit regulates discharges to waters of the state and is protective of water quality. A permit ensures that an operation complies with the requirement to protect waters of the state of Oregon for beneficial uses.

4. Department credibility and trust

Commenters expressed concerns over Department credibility and trust due to an error in the initial publicly noticed water supply plan for Columbia River Ranch.

Thank you for your comments regarding an initial error in the publicly noticed permit materials. The purpose of the public notice and comment process is to engage the public and increase transparency. The revision and subsequent new public notice period are a testament to the important input the public can have and value that it can add to the Department's permitting process.

5. Air pollution and aerial emissions

Commenters expressed concerns that aerial emissions from the feedlot including methane, dust, ammonia, and other pollutants would threaten air quality for human health and the environment and worsen climate change.

The comments regarding air pollution and aerial emissions are beyond the scope of the CAFO WPCF general permit. The permit to which the Department is proposing to register the operation regulates discharges to waters of the state. DEQ is the Oregon agency responsible for implementing the Clean Air Act (CAA) and for issuing air quality permits where required. ORS 468A.020(1)(a) exempts agricultural operations from most air quality laws. DEQ Air Programs monitor air pollutants to determine status with National Ambient Air Quality Standards (NAAQS). When ambient monitoring reveals a NAAQS violation, DEQ takes necessary steps to identify the pollutant sources and to implement strategies to retain compliance with the standards. Currently, the DEQ monitoring station in closest proximity to the operation is located in Madras, Oregon. The air quality data from the Madras monitoring site is contained in the 2022 DEQ Air Quality Report available at the following link: [Oregon Air Quality Monitoring 2022 Annual Report](#).

6. Issues with dairies

Commenters urged the Department to deny a permit registration for a new dairy and expressed issues with large dairies.

Value judgments related to dairy operations are beyond the scope of the permit. However, this proposed operation is not a dairy, but a feedlot.

IV. Responses to comments within the scope of the permit:

The Department's responses are based on a comprehensive review of the entire administrative record, which includes the Application to Register (ATR), the Land Use Compatibility Statement (LUCS), the Nutrient Management Plan (NMP), the Construction Approval Package, the Water Supply Plan (WSP), all public comments received, and the Department's technical analysis of this information.

Written comments in favor

One commenter ***expressed support for the proposed permit registration.***

Written comments in opposition

Various commenters urged the Department to deny the proposed CAFO permit registration due to concerns regarding water quality, insufficient permit conditions, and water usage. This section summarizes such comments and provides Department responses to the concerns.

7. Water Quality

Commenters expressed concerns regarding threats to water quality resulting in negative health impacts and loss of beneficial uses in Crooked River, Lake Billy Chinook, and downstream waterways. Commenters suggested that this operation will result in the degradation of groundwater through leaching, and the degradation of surface water through a direct discharge or the functional equivalent of a direct discharge.

Direct Discharges

The permit to which the Department is proposing to register the operation is a non-discharge permit, and the operation is prohibited from discharging to surface waters. Additionally, the permit conditions require monitoring and construction standards to prevent water quality violations. Once a permit registration has been approved, the permittee must comply with the conditions of the permit. Any subsequent violations of the permit requirements are handled through compliance and enforcement procedures.

The operation has no direct discharge infrastructure, and facilities are designed for and have operational characteristics so that they will not cause any discharges to surface waters or degradation of water quality. Manure at the operation will be handled in solid form and scraped and mounded within feedlot pens designed to meet compaction with a coefficient of permeability of 1×10^{-5} cm/s. Any precipitation

that comes into contact with manure in the pens will run off to compacted or lined conveyance ditches that carry the liquid wastes to compacted or lined evaporation ponds.

The Nutrient Management Plan (NMP) estimates that average annual rainfall on the site is 10.37 inches, and average annual evaporation is 40.96 inches. The evaporation ponds are designed to meet Natural Resources Conservation Service (NRCS) compaction standards with a coefficient of permeability of 1×10^{-7} cm/s or they will have a bentonite clay liner. Given high rates of evaporation, limited rainfall, and compaction or lining, there will be minimal standing water in the ponds, manure will be handled mostly in a solid state, and groundwater will be protected with minimal seepage in accordance with S2.B Production Area Limitations of the permit. Additionally, there will be no solid manure applications to any fields on the proposed CAFO as all stored manure will be scraped and exported. Please refer to S2.K Manure, Litter, or Process Wastewater Transfers in the permit for details regarding export requirements.

Functional equivalent of a direct discharge

For concerns regarding surface water discharges via aerial depositions, please see response to comment 5. Air pollution and aerial emissions.

For concerns regarding surface water discharges via groundwater discharges, the Department does not have information that demonstrates that a functional equivalent discharge will occur to surface water via groundwater. The facilities are designed for and have operational characteristics so that they will not cause any discharges to surface waters or degradation of water quality. Manure at the operation will be handled in solid form and scraped and mounded within feedlot pens designed to meet compaction with a coefficient of permeability of 1×10^{-5} cm/s. Any precipitation that comes into contact with manure in the pens will run off to compacted or lined conveyance ditches that carry the liquid wastes to compacted or lined evaporation ponds. These evaporation ponds will not have greater than 5,000 gallons per acre per day seepage, as was suggested by one commenter, based on an incorrect design with a coefficient of permeability of 1×10^{-5} cm/s. Rather, seepage volume will be far lower with the more stringent designs put forward by the operation. The operation is located just over 1 km from surface water. While there are sandy soils, given the distance to surface waters and the minimal amount of seepage below the evaporation ponds, if any pollutant does eventually make it to surface waters, that amount would be diluted and chemically distinct from any discharge that occurred at the facility. Thus, the Department has concluded that the operation is unlikely to have the functional equivalent of a direct discharge from the proposed CAFO to navigable waters.

Additionally, the permit to which the Department is proposing to register the operation is a non-discharge permit, and the operation is prohibited from discharging

to surface waters through a functionally equivalent discharge or otherwise. Once an operation is registered to a permit, the permittee must comply with the conditions of the permit. Any violations of the permit requirements are handled through compliance and enforcement procedures.

8. Insufficient permit type, documentation, and conditions

Commenters suggested that the proposed permit registration and permit related documents are insufficient. One commenter suggested that the WPCF permit is inappropriate for the operation and that it requires coverage under an NPDES individual permit. The same commenter also highlighted specific elements of the Application to Register (ATR), Nutrient Management Plan (NMP), Construction Approval Package, and Water Supply Plan (WSP) that this commenter believes are inaccurate or insufficient to proceed with permitting. Another commenter asked whether neighbors were notified of the public notice period.

Individual Permit and Insufficient Monitoring

The Department analyzed whether the operation will have a functional equivalent of a direct discharge to navigable waters, which is described in response to comment 7. Water Quality. Based on this, the Department believes that registration of Columbia River Ranch to the CAFO WPCF General Permit is appropriate and current monitoring requirements are sufficient. The Department will require confirmation that any manure storage facilities do not exceed seepage design rates approved by the Department.

Application to Register (ATR)

The expected solid manure produced by the CAFO annually is 47,330.5 and the missing unit of measurement is tons. The ATR shows an initial estimate of manure generation that has been replaced by the more accurate estimate of manure generation in the NMP.

Nutrient Management Plan (NMP)

There was no prior permitted CAFO located at 8700 SW Green Ave in Culver, Oregon, so references to 2021 in the application materials are not related to a previous operation but rather the start of Columbia River Ranch's permitting process. Calculations and construction plans developed in 2021 remain applicable to the operation today and do not expire.

Additionally, the permit does not authorize manure or wastewater application for the operation and requires that all manure produced be exported for final disposition to receivers consistent with S2.K Manure, Litter, or Process Wastewater Transfers, which must be recorded according to S4.C Recordkeeping and Availability Requirements of the permit. NMPs must meet minimum required elements but often include contingency planning or broader language should the CAFO request to

make land applications in the future, which explains references to applications and utilization at the operation. Before making changes to the operation, Columbia River Ranch would have to submit an updated NMP for review, participate in any required public noticing per the permit, and obtain Department approval. Manure receivers can use agronomic application rates, cropping guidance, and more discussed in the NMP as references for their applications of manure off site. Nutrient applications discussed on pg. 28-29 do in fact refer to cattle grazing across 76 acres of pasture at Columbia River Ranch from March-October of any given year.

The Department has determined adequate information is included in the NMP.

Construction Approval Package

The construction designs show that the evaporation ponds will be designed to meet NRCS compaction standards with a coefficient of permeability of 1×10^{-7} cm/s or they will have a bentonite clay liner. The NRCS Agricultural Waste Management Handbook contains guidance that supports compacted soil liners as a suitable alternative for liquid waste storage structure construction. It also describes the science behind compacted earth liners for liquid storage structures. This operation will handle wastes primarily as dry solid material, but the system will be capable of containing liquid waste created by rain events. The Department has reviewed construction plans for the feedlot and evaporation ponds and determined that they will not exceed seepage design rates approved by the Department and they meet or exceed the standards developed for sensitive sites to be protective of water quality. These design requirements are sufficient to ensure that the facilities will operate in a manner that prevents unallowable discharges under the currently expected climatic conditions. As outlined in ORS 468B.215, ODA will confirm that all new construction and installation of waste management systems and relevant operational functions comply with conditions of the CAFO permit before animals can be brought to newly constructed CAFO facilities.

Water Supply Plan (WSP)

Columbia River Ranch is subject to the 5,000 G/day groundwater exemption for any single industrial or commercial purpose as described in ORS 537.545(1)(f), and the 12,000 G/day cap on the groundwater exemption for stockwater in ORS 567.745(1)(a). Acknowledgement of these groundwater limits does not conflict with alternate identifications of estimated needs in the WSP. The operation will meet its stockwater needs, identified as being above 12,000 G/day, by purchasing water from the Deschutes Valley Water District (DVWD). The operation has not identified any water sources on site to supply any of its water needs and will need to amend its WSP should that change in the future. Please review the response in 9. Water usage for additional information regarding planned water usage at the operation and the Oregon Water Resources Department (OWRD) review of the WSP.

Neighbor Notification

Any new large CAFO must inform all property owners within one-half mile of the parcel proposed to contain the production area of the CAFO of the public notice period. This requirement was communicated to the applicant, Columbia River Ranch, at the pre-application consultation and again ahead of the public notice period. The applicant informed ODA that this requirement was met. The Department does not consider lack of receipt of the required notice in determining whether to approve or deny an application to register to a general permit.

9. Water usage

Many commenters expressed concerns over water usage at the proposed operation. Primary concerns were water scarcity and the legality of use.

The permit to which the Department is proposing to register the operation regulates discharges to waters of the state. It is primarily a water quality permit. However, ORS 537.545 requires any person that applies for a permit under ORS 468B.050 to submit a WSP with the application. A WSP must identify all sources of water that will supply the level and duration of the water needs of the CAFO. OWRD reviews the WSP to determine whether the water uses identified in the WSP are legally authorized and allowable. The Department may then impose any conditions on a permit that are necessary to ensure that the quantity of water necessary to supply the level and duration of water needs is legally authorized.

The WSP was completed using the livestock water consumptive guidelines the Department adopted in rule (OAR 603-074-0019) to estimate the maximum gallons per day that the CAFO needs access to for stockwater. Columbia River Ranch is a new large CAFO per ORS 468B.215 and is therefore subject to the 12,000 G/day cap on the groundwater exemption for stockwater in ORS 567.745(1)(a). The operation is also subject to the 5,000 G/day groundwater exemption for any single industrial or commercial purpose as described in ORS 537.545(1)(f).

Columbia River Ranch has identified that all of its water needs will be supplied by the DVWD. The operation is being serviced by DVWD which allows all characters of use and use year-round, and the line is metered so that the operation will be billed monthly based on actual use.

OWRD has reviewed the WSP and determined the water uses identified are legally authorized and allowable. While the Department is responsible for enforcement related to permit violations, OWRD remains the agency responsible for ensuring water use is authorized and allowable and would be the agency responsible for enforcement to curtail unauthorized use of water.

VI. Summary of changes to the proposed CAFO WPCF General Permit registration

The Department does not have any proposed changes to the proposed CAFO WPCF General Permit registration. At this time, the Department approves the registration of Columbia River Ranch, Inc. as a tier II feedlot to the CAFO WPCF General Permit #01-2015.