

Notice of Public Hearing and Opportunity for Comment

Request for Comments on Proposed Confined Animal Feeding Operation Water Quality General Permit Renewal

NOTICE ISSUED: November 13, 2025

**WRITTEN COMMENTS DUE:
5 P.M., December 22, 2025**

The Oregon Department of Agriculture (ODA) and Oregon Department of Environmental Quality (DEQ) invite the public to provide oral and written comment on the conditions of the Confined Animal Feeding Operation (CAFO) water quality general permit, known officially as a National Pollutant Discharge Elimination System (NPDES) permit.

Summary

Subject to public review and comment, ODA and DEQ intend to renew the CAFO NPDES general permit. Part of the review and renewal process is an opportunity for public comment.

A summary of major changes and updates to the proposed permit include the following:

- New and updated definitions
- Added Senate Bill 85 requirements
 - Water supply plan
 - Pre-population inspection
 - Preliminary consultation
 - Neighbor notice
 - Individual permit for new large CAFOs in ground water management areas (GWMAs)
- Updated permit designations table with more size categories
- Removal of references to elective permit coverage status
- Expansion of public notice thresholds for small and medium CAFOs
- Updated transfer requirements

- Specific land application prohibitions
- Construction requirements in GWMAs
- Irrigation management requirements
- Transition of language from animal waste management to nutrient management
- Additional nutrient management plan requirements
- Increased monitoring and recordkeeping requirements
- Updated citations and an appendix of resources
- E-reporting requirements

Where can I get more information?

View information about this proposed permit renewal, including the fact sheet, either online at <https://oda.direct/CAFO> or by contacting Mackinze Landry to request documents electronically:

Phone: (503) 986-4699

Fax: (503) 986-4730

Email: Mackinze.Landry@oda.oregon.gov

How do I participate?

You may submit your comments by mail, fax, or email to:

ODA CAFO Program

Attn: NPDES GP

635 Capitol St. NE

Salem, OR 97301

Fax: (503) 986-4730

Email: cafo.COMMENTS@ODA.oregon.gov



**OREGON
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Natural Resources
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635 Capitol St. NE
Salem, OR 97301-2532
Phone: (503) 986-4699
Fax: (503) 986-4730
Contact: Connie Landis
www.oregon.gov/ODA



State of Oregon
**Department of
Environmental
Quality**

**Water Quality Permitting and
Program Development**
700 NE Multnomah St., Suite
600

Portland, OR 97232

Phone: 503-229-5696

800-452-4011

Fax: 503-229-6124

www.oregon.gov/DEQ

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Comments are due 5 p.m., December 22, 2025 and will become part of the public record.

HEARING

ODA and DEQ will hold a public hearing via Teams.

Date: December 16, 2025

Time: 3:00 pm

Join via: Teams

Microsoft Teams [Need help?](#)

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Meeting ID: 260 296 455 175 38

Passcode: iD9RK7mQ

Dial in by phone

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States, Portland

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What is proposed?

ODA and DEQ propose to renew CAFO NPDES General Permit #01-2016 that expired and was administratively extended on Feb. 28, 2021. The proposed permit is referred to as General Permit #01-202X.

As of November 2025, approximately 330 animal operations are registered to this CAFO NPDES General Permit. The majority of these are dairy and beef cow operations, but the permit covers others, such as poultry, lambs, and horses. This permit regulates manure, litter, and process wastewater generated by CAFOs in order to protect waters of the state. CAFOs develop and implement nutrient management plans to ensure that manure, litter, and process wastewater are applied to crops at agronomic rates to prevent the pollution of waters of the state. These plans

must receive approval by ODA.

Who may be affected?

Owners and operators of CAFOs and residents in the vicinity of CAFOs may be affected by these permit actions.

What other ODA or DEQ permits are required?

Generally, there are no other ODA or DEQ permits required at this time for CAFO operations. CAFOs conducting composting activities may be required to obtain a DEQ permit for such activities. See OAR Chapter 340, Division 93 for more information.

What types of pollutants does the permit regulate?

The most common pollutants in manure, litter, and process wastewater include biochemical oxygen demand, total suspended solids, nutrients (nitrogen and phosphorus compounds), and bacteria. These pollutants could be harmful to the environment and public health if they are discharged to surface water or groundwater in violation of water quality standards.

This permit is a no-discharge permit with effluent limits of zero for nitrate plus nitrite nitrogen, phosphorus, and bacteria.

A discharge of pollutants to surface water is only allowed in rare circumstances, as required by 40 CFR Part 412, which prohibits discharges except when:

- There is a large storm event (25-yr, 24-hr storm event) for some facilities
- The CAFO is being operated according to permit requirements



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To be protective of impaired water, additional limits or controls may be necessary for some facilities.

How did DEQ determine the proposed permit requirements?

ODA and DEQ evaluated the types and amount of pollutants associated with the activity, and the water quality of the surface water or groundwater where the pollutants are proposed to be discharged, and determined permit requirements to ensure the proposed discharges will meet applicable statutes, rules, regulations, and effluent guidelines of Oregon and the U.S. Environmental Protection Agency.

For this permit action, the following legal requirements apply:

- Oregon Revised Statute 468B.050(1)(d), Oregon Administrative Rule (OAR) Chapter 340, Div. 40, 41, 45, 51 and 52, and OAR Chapter 603, Div. 74.
- Title 40 Code of Federal Regulations (CFR) Parts 122 and 412 for the NPDES general permit.

Which CAFO activities are not under ODA or DEQ jurisdiction?

Land use decisions related to the siting of CAFOs are not within ODA or DEQ jurisdiction.

How do ODA and DEQ monitor compliance with the permit requirements?

This permit requires manure, litter, and process wastewater be regularly monitored to determine nutrient concentrations and land application volumes. Soil monitoring is

also required in fields that receive manure, litter, or process wastewater applications to determine if agronomic rates are being met.

ODA inspects all permitted CAFOs on an annual basis. In 2024, ODA conducted 604 site inspections of both permitted CAFOs and non-permitted livestock operations and issued 15 notices of noncompliance. Out of 330 CAFOs registered under an NPDES permit, 1 CAFO was fined in 2024 for a discharge or other permit non-compliance.

What happens after the public comment period closes?

ODA and DEQ will consider and respond to all comments received and may modify the proposed permit based on the comments. Equal weight is given to written and oral comments.

Once final, NPDES General Permit #01-202X will expire five years after issuance.

Alternative formats

ODA and DEQ can provide documents in an alternate format or in a language other than English upon request.

Call ODA at 503-881-9049 or email andrea.CANTU-SCHOMUS@oda.oregon.gov
Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us

Accessibility Information

ODA and DEQ are committed to accommodating people with disabilities at our hearings. Please notify ODA of any special physical or language accommodations or if you need information in large print, Braille, or another format. To make these arrangements, contact ODA at (503) 986-4700.



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