

Columbia Riverkeeper * Friends of Family Farmers * Humane Voters Oregon * Factory Farming Awareness Coalition * Farm Forward * Food & Water Watch * Center for Food Safety * Center for Biological Diversity * Humane Society of the United States * Animal Legal Defense Fund

September 12, 2019

Honorable Governor Kate Brown
State Capitol Building
900 Court St. NE, Suite 160
Salem, OR 97301

Governor Brown:

Our organizations work on issues related to family farming and sustainable agriculture, air and water pollution, climate change, animal welfare, wildlife conservation, and public health. Our collective members and supporters total hundreds of thousands of Oregonians and are located in every county in the state.

Several of our organizations have previously shared our deep concern and disappointment with your appointment of Mr. Marty Myers from Threemile Canyon Farms, LLC to the State Board of Agriculture. These organizations also expressed frustration with the utter lack of transparency in the appointment process for the Board. Yet now, four years later, your office and your Department of Agriculture have doubled down on this ill-advised approach by having Mr. Myers re-appointed for another four-year term without any public process, and before concerned stakeholders even had the opportunity to propose an alternate course of action. In fact, all indications are that your office and ODA *rushed* this re-appointment upon realizing that opposition might be forthcoming, renewing Mr. Myers' term almost immediately after a stakeholder inquired about the process. Instead of welcoming participation from legitimate stakeholders, your office and your agency deliberately thwarted it.

This letter will not repeat all of the concerns previously conveyed regarding Mr. Myers' obvious conflict of interest overseeing his own mega-dairy's regulators, his track record opposing regulations to limit climate change emissions and other mega-dairy air pollution, the steady decline in small and mid-sized dairies that has continued under his tenure, or how out of step Mr. Myers and his mega-dairy are with the values of Oregonians who want to keep farmers on the land and have access to local, sustainable, and high-welfare dairy products. The letter previously detailing these concerns is attached.

Even if these serious concerns were not enough reason to seek out a more qualified and less compromised candidate to represent Oregon dairies on the Board—which they plainly are—the Lost Valley debacle surely indicates that a change in the Board's direction is not only warranted, but sorely needed. In his role on the Board of Agriculture, Mr. Myers' has played a role in the approval and failed oversight of the disastrous Lost Valley Farm mega-dairy, and the Department of Agriculture's ongoing failure to make necessary improvements to its concentrated animal feeding operation permitting and enforcement program. The Department of Agriculture approved

Lost Valley to operate in an area already suffering from groundwater contamination (some of which Department of Environmental Quality scientists attribute to Threemile Canyon), failed to rethink the permit after Lost Valley improperly began construction, and subsequently allowed Lost Valley to amass hundreds of violations before finally beginning to revoke the permit at tremendous public expense. Allowing Myers, another mega-dairy operator, to continue to oversee the Department of Agriculture as it considers permitting yet another mega-dairy at the Lost Valley site does not bode well for Eastern Oregon residents or their environment.

Equally concerning, the rush to circumvent any stakeholder input opposing Mr. Myer's re-appointment reveals a troubling attitude that environmental, family farm, and animal advocacy organizations are somehow adversaries rather than legitimate stakeholders in a decision of great importance to Oregon and our organizations' missions.

We would appreciate the opportunity to meet with you or your appropriate staff to discuss our concerns about this appointment, the appointment process, and the Department of Agriculture's administration of the CAFO program generally, including its apparent perception (on this issue and others) that we are adversaries and not legitimate stakeholders. The Board of Agriculture could—and should—better represent Oregon's family dairy farmers and the concerns of Oregonians who care deeply about sustainable food production and the future of farming in the state.

Sincerely,

Tarah Heinzen
Senior Attorney
Food & Water Watch

Erin Eberle
Director of Engagement
Farm Forward

Lauren Goldberg
Legal and Program Director
Columbia Riverkeeper

Brian Posewitz
Director
Humane Voters Oregon

Shari Sirkin
Executive Director
Friends of Family Farmers

Hannah Connor
Senior Attorney
Center for Biological Diversity

Katie Cantrell
Executive Director
Factory Farming Awareness Coalition

Scott Beckstead
Rural Outreach Director
Humane Society of the United States

Amy van Saun
Senior Attorney
Center for Food Safety

Cristina Stella
Senior Attorney
Animal Legal Defense Fund

Cc. Alexis Taylor, Richard Whitman