

Testimony of Paul Smull before the Dairy Air Quality Task Force
March 18, 2008

Members of the Dairy Air Quality Task Force:

Thank you for the opportunity to testify.

My name is Paul Smull, and I am a 73 year old farmer. I am also a licensed electrician, a licensed general contractor, licensed potable water operator, I was a licensed septic installer for 20 years and I served on the State of Oregon's Electrical Apprenticeship Board for 10 years. In addition, I was the lead electrician for Willamette Industries for 36 years and one of the original founders and past President of Rickreall Water. I currently serve as Co-Chairman of the Rickreall Area Planning Advisory Committee.



I grew up in Polk County, Oregon. After high school, I was drafted into the United States Army, where I was sent to Korea to fight in the Korean War. Upon returning, I purchased a piece of property in Rickreall, Oregon, where my wife and I built our home and farm from the ground up by ourselves. We lived in our Rickreall home for 44 years before the Rickreall Dairy moved into our neighborhood.

When the dairy first arrived from California, they told the Rickreall Water Board that they would only milk 500 cows. However, within just two years time, the dairy expanded to over 1000 cows, which caused the Water Board to put a moratorium on the amount of water used in Rickreall. Over the course of seven years, the Rickreall Dairy has expanded to approximately 5000 head of cattle – all within a half of mile of my former home.

It is important for you and members of this Board to know that each dairy cow produces approximately 23 times the amount of waste as a person. In comparison, the Rickreall Dairy's 5000 cows all under one roof on concrete produces as much feces and urine as approximately 115,000 people, the equivalent waste produced by roughly all of the people in Medford and Tigard combined. However, unlike a municipality, the waste from the Rickreall Dairy is not treated with a wastewater treatment plant, but instead sits in an open-air pit just down the street from my home.

In 2002, I had a quadruple bypass surgery and sometimes the smell from the lagoon was so hard on my health that it was simply unbearable to be outside working on my farm or in the shop. When the smell was particularly bad, breathing was difficult, I got headaches, my sinuses ran, and my stomach became upset.

Now, don't get me wrong. I've been around farms all my life – in fact I even milked cows as a kid. I know the smells of agriculture. However, what I am here to tell you today is that these smells are not the natural smells typical Oregon agriculture. These emissions are not only noxious, but they have impacted my health, ruined my quality of life, and devalued my property.

In 1992, the Polk County Tax Hearing Officer determined that when the Rickreall dairy moved in, my property value diminished and therefore they lowered my property taxes.

In 2001, after my health deteriorated and the quality of life that I had valued in Rickreall was ruined, my wife Nancy and I decided that it was time to sell our home and move away from the smell of the dairy. Our house was appraised at \$400,000 and put on the market by Windemere Realtors. We had people from all over the West Coast look at our property and say that they loved it, would be interested in purchasing, but that they wouldn't be able to live with the smell of the dairy. It wasn't until, we lowered the price by \$100,000 and agreed to finance the sale ourselves, were we able to find a buyer.

Over the last decade, I have routinely turned to the Oregon Department of Agriculture for help. After all, I am a farmer, I was there before the mega dairy and this operation was harming my quality of life and my ability to farm. However, when I turned to the Department of Agriculture for help, I got nothing but a deaf ear.

First off, I do not feel that it is appropriate for the Department of Agriculture to be responsible for both promoting and regulating an industry. My experience with the Department of Agriculture is that time and time again they have come to the defense of these mega dairies at the expense of public health and our environment.

Regulation of mega dairies should fall under the auspices of the Department of Environmental Quality. These mega dairies are industrial operations, not farms and they pollute as much as any other industry. We have a double standard in our state, which is not right. It is time that we re-evaluate our CAFO program and that we require mega dairies to comply with the same air protection laws, as we require of other industrial operations.

In addition, citizens, who were there first need to have a say over the siting of industrial dairy operations in their community. And citizens need to have legal recourse should these industrial operations devastate their quality of life and destroy their property value.

Members of the Dairy Task Force, I encourage you to take these comments into consideration when you make your recommendations to the Legislature. It is important that public health and our environment are protected from the emissions that come from industrial mega dairies.

Thank you.

A handwritten signature in blue ink that reads "Paul 'Corky' Smull". The signature is written in a cursive, slightly slanted style.