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DON'T DRINK THE WATER

SPECIAL REPORT: Port of Morrow's excessive nitrogen dumps affect thousands

By ALEX BAUMHARDT,
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Oregon Capital Chronicle

BOARDMAN — Guadalupe Martinez points to a 24-pack of bottled water by her kitchen sink with just a few bottles left, one of thousands she's brought home during the last 18 years.

"Ever since we've been living here, we've been buying water," she said.

The 54-year-old grandmother knows she can't drink the water that comes out of her tap. It would make her and her family sick.

She is not alone.

Thousands of Oregonians near the town of Boardman live atop an aquifer so tainted with farming chemicals that it's not safe to drink.

State officials have known that for more than 30 years. And so has one source of that contamination — the Port of Morrow.

Officials at the Oregon Department of Environmental Quality have known nitrate pollution in area groundwater is putting the health of largely low-income, Latino and immigrant families at risk. An investigation by the Capital Chronicle established that little has been done about the port's contribution to area water contamination besides modest fines and engaging in agreements that the port in turn violated.

For years, port officials illegally pumped millions of gallons of wastewater containing nitrogen in excess of what DEQ deemed safe. They piped it out from their industrial complex in Boardman to nearby farms, which used it on their cropland. The nitrogen-rich water is free — a vital commodity for farmers who grow onions, potatoes, corn and more. Once applied to the farmland, nitrogen transforms into nitrate that in turn can make drinking water unsafe.

Scientific reports show groundwater in Morrow and Umatilla counties has long been polluted with nitrates above safe levels, the majority of which comes from area farms. The port's excess disposal, year by year, is suspected of making the water even worse, according to DEQ and the Lower Umatilla Groundwater Basin Management Area Committee, tasked with tackling groundwater issues in the area for the last 30 years.

Port authorities and regulators knew all that, yet the port's excess pumping has continued to this day, according to a three-month investigation by the Capital Chronicle involving hundreds of pages of agency emails, records and more than a dozen interviews.

The pollution grew as the port grew, records show. Its industrial customers came and expanded fast, and port authorities chose to continue



Guadalupe Martinez of Boardman says a reverse-osmosis filter installed under the sink doesn't work properly, and the whole-house filter behind her has been broken for years. Her family drinks bottled water to protect themselves from nitrate-tainted groundwater.

READY TO MAKE A STAND

County Commissioner Doherty says nitrates in Boardman water a threat to life

By PHIL WRIGHT
East Oregonian

BOARDMAN — Morrow County Commissioner Jim Doherty is making the water pollution in his county a top priority.

"The nitrate issue in the Columbia Basin has always haunted me," he said.

When he won election to the county board five years ago, he said he crafted a list of goals, and the nitrate problem was on the list.

"Shamefully that is where the ambition ended relative to the work," he said. "But in this occupation, the best time to have done something was years ago, the next best time is now."

When DEQ sent its notice about the whopping port fine of \$1.3 million for nitrate pollution in the upstream aquifer, Doherty said that was a call of alarm he heard to his core.

Discussion and a meeting ensued almost immediately, he said, just as it had for the past 30 years.

"Was this regulatory overreach?" he recalled. "Who were

the primary suspects? Would we come together to craft a message of solidarity?"

But Doherty said one voice was absent from that meeting.

"In my view, the greater community were the only ones not present then, nor at any time in the past," he said, "and I surmised, potentially bearing the biggest burden — that of real and present health concerns."

He then set out to test what residents were drinking from the end results at the kitchen faucets.

Tests results, residents deliver bleak picture

The top responsibility of the local public health authority and the board of commissioners, he said, is public happiness and health. His fellow commissioners gave the blessing for Doherty to spend some resources for 100 expedited, if cursory, tests. Commissioner Melissa Lindsay even partnered with Umatilla County Commissioner Dan



Doherty

Dorran on a bi-county effort to secure a more long-range effort.

"I wasted little time in reaching out to Ana Pineyro, our Public Health Emergency Preparedness coordinator, who has helped me in the past and shines most brightly as a community outreach liaison," Doherty said.

Morrow County is approaching 50% Hispanic representation and as such, it is vital to have someone like Ana who can bridge that cross-cultural divide."

They hit the streets with test sample kits in hand, knocking and walking.

"I was hopeful as the first small set of samples were sent off to Kuo Testing Labs in Umatilla," he recalled.

The testing company reported it would email the results in the ensuing days, he said, so a call from the lab to his cellphone was a bit of a surprise. He said the lab technician explained Kuo Testing is duty bound to warn people to suspend using any water if test results show there is an extreme and immediate health concern.

See Stand, Page A9

applying more of the nitrogen-rich water to more acres of land, rather than investing in treating the water and dramatically reducing nitrogen levels.

The nitrogen, originating in crops and the fertilizers put on area farm fields, is washed off produce and flushed into the port's system.

Government regulators who could have put a stop to it instead dallied for years. They took only modest steps to rein in the port's pollution. And health agencies charged with protecting people such as Martinez have done little to directly warn them their water isn't safe to drink, relying on websites, community groups and their participation in local fairs and public events to do that work.

For the port, what enforcement was imposed appeared to be simply the cost of business. Two regulators at DEQ wrote candidly in an internal memo that it was cheaper for the port to pay a state fine than to spend millions containing the pollution.

As the state prepared recently to

issue its largest fine yet to the port, those two DEQ water specialists wrote the excess nitrate was likely to impact a community that is "disproportionately comprised by an under-educated populous, and also by peoples of color."

Port's promise for Northeastern Oregon

The Port of Morrow was founded in 1953 with the ambition of turning arid country on the shoulder of the Columbia River into a job-producing mecca about 150 miles east of Portland. It is one of 23 such agencies formed in Oregon along waterways to foster economic expansion.

The port has acquired 12,000 acres of surrounding land in the decades since. That land now hosts four industrial parks that include an ethanol fuel plant, food processing factories and a growing number of data-processing centers. The port and its industrial customers account for about half of the jobs in Morrow County, according to the port's

recent economic analysis.

Operating from headquarters in Boardman, a city of about 4,700, the port is managed day to day by an executive director, and governed by a board of five who are elected by those who live within the port's boundaries.

Today, that board includes Rick Stokoe, chair, Marv Padberg, Jerry Healy, John Murray and Joe Taylor. Stokoe has served for seven years and is the Boardman police chief. Padberg, a farmer and director of the Inland Development Corp., has served for 28 years. That nonprofit provides fiber optic internet in Eastern Oregon.

Healy has served on the board for 27 years and also is president of the Morrow Development Corp., which finances business and development projects in Morrow County. Taylor, a farmer and a former director of the Morrow Soil and Water Conservation District, has served for 16 years. Murray, a pharmacist, was elected in 2019 to replace Larry Lindsay, who

had been on the board for 52 years.

Most commissioners have been in their positions throughout the port's explosive growth in size, profit and wastewater.

Growing by billions of dollars and gallons of wastewater

At the confluence of the Union Pacific Railroad line, the Columbia River and Interstate 84, the port grew into a main distribution point for forest products, grains, root vegetables, cattle and dairy products produced in Oregon, Washington, Idaho, Montana and Wyoming, according to the port's 2021 economic analysis.

Between 2006 and 2021, the port's annual economic output went from \$896 million to more than \$2.5 billion, the port reported.

Locally and regionally grown crops are trucked to Boardman, where they are processed into food products. That requires billions of gallons of water each year. The nitrogen from fertilized crops and food products gets washed into the processing water that is then pumped into one of two storage ponds at the port, according to port officials. From there, the wastewater is pumped out to five farms through a system of pipes and pumps.

In 2012, the port handled about 2.6 billion gallons of wastewater per year. Now, it's up to about 3.6 billion gallons of wastewater each year, according to the port. The bulk of the nitrogen in that wastewater comes from two Lamb Weston facilities at the port where French fries, hash-browns and other potato products are made, according to the port's water discharge reports.

The food processors, like Lamb Weston, pay the port to handle the wastewater. Payments from the processors to the port for handling the wastewater make up 22% of the port's operating revenue. In 2001, the port made about \$2 million from the wastewater. By 2021, the fee was bringing in nearly \$7 million.

The farmers who receive the water don't pay for it, but do share in the costs of getting it to their farms.

One is Jake Madison, who owns 17,000 acres in Echo, about 16 miles from the port. He's the fourth generation on the farm, and he and his dad, for decades, have put on their crops wastewater from a Lamb Weston French fry plant in Hermiston.

"I was kind of born and raised in managing a reuse farm," Madison said, using the reuse term that is preferred by port officials in describing their wastewater.

Around 2010, he wanted to get on the port's wastewater system as well, saving him hundreds of thousands of dollars in fertilizer and providing access to more water. It took him five years to strike a deal, in large part because port officials suddenly had a pressing need for more land to use for disposing of wastewater.

"We said, 'OK, you know, given your permit and the project that we can build, there should be a good long-term fix for you,'" he said.

The port invested \$20 million in pipes and pumps that would move wastewater to a pond on Madison's farm to then be spread over 2,800 acres of, at that time, onions, potatoes and grass seed.

But it also meant he signed up to work within the limits DEQ imposed on the volume of nitrogen-rich wastewater that could be applied. He had to track how much wastewater he applied and submit to annual soil and crop testing. That would tell the port and DEQ how much nitrogen the crops were taking up, and how much nitrate was making it to the groundwater.

But the port, not Madison, is responsible for seeing the DEQ conditions were obeyed — and for facing consequences when they aren't.

See Water, Page A9



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