

Port of Morrow pollutes water for years

State has taken little action on nitrate contamination

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Oregon Capital Chronicle

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 over 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 was DEQ deemed safe. They piped it out from their industrial complex in Boardman to nearby farmers, 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 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



Kathy Aney for Oregon Capital Chronicle

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.

WHAT IS NITRATE?

Nitrate is a naturally occurring chemical compound.
Characteristics: Colorless, tasteless and odorless.
Uses: Commonly used in fertilizers and in explosives.
Human consumption: Nitrate occurs naturally at safe levels in some foods and can be in drinking water supplies at levels that pose no health risk.
Limits: The federal Environmental Protection Agency set the limit of 10 parts per million for nitrate in drinking water before it becomes unsafe to drink over long periods. Nitrate levels over 10 parts per million may result in serious health defects that can affect all ages, but are especially harmful to infants and pregnant women.
Health risks: Research from the National Cancer Institute reports that consuming water with nitrate up to even five parts per million over long periods of time can increase the risk of colon cancer, stomach cancer and several other cancers

MORE ONLINE

A longer version of this story and more photographs are available online at www.hermistonherald.com.

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 undereducated populas, 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. Murray, 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 Inter-

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

state 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, hashbrowns and other potato products are made, according to port and 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

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.

When the port is facing potential trouble with its wastewater, farmers receiving the water get a call from the port.

Madison said such conversations start with Miff Devin, its water specialist.

The water permit

The port's first permit from DEQ to discharge water onto area farmland came in 1974. Since then, that government permission to dump nitrogen-rich water has been modified and renewed dozens of times.

Now, the permit requires port officials to monitor every step in the process to detect and track nitrogen and nitrate. That duty falls to Devin.

He was hired by the port in 1998 as an IT specialist. In 2011, he added water quality specialist to his duties.

He took on both roles when the port automated its water system.

"How a pump works is basically a giant computer, and then that evolved," Devin explained.

As water quality supervisor, he is tasked to ensure the port is within environmental regulations from DEQ, the Oregon Health Authority and Oregon Water Resources Department. Part of his job is to develop ways to improve and maintain water quality, according to the port.

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