

UPPER DESCHUTES AGRICULTURAL WATER QUALITY MANAGEMENT AREA PLAN AND REGULATIONS

What is the Plan?

In 2003, the Oregon Department of Agriculture (Department) developed the Upper Deschutes Agricultural Water Quality Management Area and Rules in accordance with the Agricultural Water Quality Management Act of 1993. The Deschutes Soil and Water Conservation District (District) and a panel of local landowners helped the Department craft the Area Plan and Rules.

The Area Plan is a tool that provides agricultural water quality partners and landowners information about:

- The geographic area of the Plan and its boundaries. (See map)
- Local water quality concerns in the Plan area.
- Goals and implementation strategies to encourage conservation and improve water quality.
- Optional management practices that landowners may implement to improve water quality.

The water quality concerns identified for the Upper Deschutes Management Area are:

- Temperature
- Sediment
- Turbidity
- Chlorophyll
- pH
- Dissolved Oxygen
- Bacteria
- Fish Habitat
- Low Streamflows

What are the Regulations?

The focus of the Agricultural Water Quality Management Program is on voluntary and cooperative efforts by landowners, the Department, and others to protect water quality. However, the Agricultural Water Quality Management Act also provides for a regulatory backstop to ensure prevention and control of water pollution from agricultural sources in cases where landowners or operators refuse to correct problem conditions.

Agricultural water quality regulations serve as this backstop while allowing landowners flexibility in how they protect water quality. Local area regulations describe characteristics to be achieved on agricultural lands, rather than practices that must be implemented.

The following is a summary of regulations that apply in the Upper Deschutes area:

- *Landowners are responsible for only those conditions caused by agricultural activities conducted on land controlled by the landowners.*
- *Agricultural activities must allow the establishment and development of appropriate vegetation along natural and channelized streams consistent with site capability.*
- *The waste management rule states that no person shall:
(1)(a) Cause pollution of any waters of the state or place or cause to be placed any wastes in a location where such wastes are likely to escape or be*

carried into the waters of the state by any means.

(b) Discharge any wastes into the waters of the state if the discharge reduces the quality of such waters below the water quality standards established by rule for such waters by the Environmental Quality Commission.

(2) Violate the conditions of any waste discharge permit issued under ORS 468B or ORS 568.

- ORS 468B.050 refers to situations when permits are required, such as certain confined animal feeding operations.

Do the Plan and Regulations apply to me?

The Area Plan and associated regulations apply to all lands, regardless of size, in current agricultural use and those lying idle or on which management has been deferred. It also applies to agricultural operations within incorporated city boundaries within the designated management area boundary.

What do I need to do?

You should evaluate your agricultural activities and try to determine whether they might:

- 1) pollute streams, canals, and groundwater, and
- 2) prevent growth of appropriate vegetation along streams.

Then you need to change any problem practices to ensure compliance with the Area Rules.

More information?

If you would like additional information or technical assistance, you can contact the Deschutes SWCD at 541-923-2204

OR

Ellen Hammond, Regional Water Quality Specialist, ehammond@oda.state.or.us
In Bend at (541) 617-0017

For more information on Rules, Plans and how to file a complaint, contact the Oregon Department of Agriculture Water Quality Program at (503) 986-4700 or visit the website at

<http://www.oregon.gov/ODA/programs/NaturalResources/Pages/AgWaterQuality.aspx>

