



Oregon

Kate Brown, Governor

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Oct. 27, 2020

Brenda Sanchez
Oregon Department of Agriculture
Agricultural Water Quality Program
635 Capitol Street NE
Salem, OR 97301

Dear Brenda:

Thank you for the opportunity to review the 2020 draft of the Lower Willamette Agricultural Water Quality Management Area Plan (Area Plan). I also appreciate the revisions that ODA made to the draft Area Plan based on my first set of comments.

At the state level, DEQ considers the following as general priorities for agriculture:

- Prevention and protection are as important to DEQ as restoration; Area Plans should include BMPs that protect waters of the State from all forms of pollution and should not be limited to Section 303(d) listed and TMDL parameters.
- In most parts of the state, DEQ's highest priority for agricultural lands is to protect and re-establish riparian vegetation.
- DEQ encourages ODA and each LAC to revise Area Plans to include strategies to track environmental outcomes including upland and riparian conditions, as well as water quality.

Below are comments in regards to developing additional measurable objectives for the Area Plan.

Measurable Objectives for TMDL Pollutants

It is important for the Area Plan to develop measurable objectives to track progress of waterbody improvements in agricultural lands. This is especially important for TMDL pollutants, such as temperature, bacteria and total suspended sediment (dieldrin, DDT and mercury surrogate) associated with agricultural activities.

DEQ appreciates efforts to continue tracking bacteria improvements in the Upper Johnson Creek watershed using Johnson Creek at 282nd as the baseline monitoring station. Please evaluate whether the EMSWCD could increase sampling to a minimum of five samples over a 90-day period at the baseline monitoring station, so that results can be compared to the state's water quality standard for *E.coli*. Currently, the bacteria milestone is only comparing percent of results less than 406 organisms per 100 ml, which is inaccurate. Please refer to my earlier comments about this.

DEQ recommends that the LAC develop measurable objectives and establish baseline monitoring stations as part of the next biennial review for:

- (1) Bacteria in a representative Multnomah Channel area tributary;
- (2) Temperature in a representative Multnomah Channel area tributary and upper Johnson Creek watershed. This objective could include evaluating riparian condition to track progress over time; and

- (3) Total Suspended Sediment in a representative Multnomah Channel area tributary (mercury) and upper Johnson Creek watershed (DDT/dieldrin/mercury).

DEQ understands that the next opportunity for updating the Area Plan will be the full review in 2024. DEQ is concerned that the above recommended measurable objectives will not be discussed until that time. Relatedly, the updated [Willamette Basin Mercury TMDL](#) indicates that ODA and LACs in the Willamette Basin Area Plans will develop measurable objectives and timelines within 18 months of the issuance of the TMDL. This 18-month timeframe will begin shortly based on the letter DEQ will send to all DMAs in the next several weeks. Waiting until 2024 to incorporate these measurable objectives will not allow ODA as a DMA to meet this timeline.

If ODA will not consider updates to the Area Plan until 2024, DEQ recommends that measurable objective discussions occur early in the process to allow sufficient time for discussion and incorporation into the Area Plan. In addition, DEQ recommends that ODA lead the discussions specific to mercury, so that measurable objectives for mercury can be tracked consistently across all agricultural Area Plans in the Willamette Basin.

Finally, there are few monitoring sites within the Lower Willamette Area Plan that are representative of agricultural uses. Therefore, the status and trends information contained in DEQ's reports are less useful for determining water quality improvements over time from implementing strategies and BMPs in agricultural areas. DEQ encourages the SWCDs active in this area to submit data they have been collecting over many years to DEQ's AWQMS database, which is used to produce the *Oregon Statewide Status and Trends Report*. The resulting status and trends analyses at agriculturally influenced sites will fill a much needed gap in monitoring. The next DEQ Call for Data will occur in Feb. 2021.

If you have any question or concerns about the enclosed comments, please contact me at (503) 229-5350 or at matzke.andrea@deq.state.or.us

Sincerely,



Andrea Matzke
Lower Willamette Basin Coordinator

ec: Steve Mrazik, Watersheds Manager, DEQ NW Region