Oregon’s legislature passed the Agricultural Water Quality Management Act in 1993. It requires the Oregon Department of Agriculture (ODA) to prevent and control water pollution from agricultural activities.

As a result, ODA worked with local advisory committees to develop Water Quality Management Area Plans and Rules throughout the state. Area Plans are reviewed and updated by ODA and the local advisory committee every two years. The original Malheur River Basin Area Plan and Rules were approved by ODA in 2001.

THE AREA PLAN

The Area Plan guides local landowners and their conservation partners on how to prevent pollution. It includes information on agricultural water quality concerns and recommendations for addressing them. The Area Plan does not tell anyone how to farm, ranch, or otherwise use natural resources. Rather, it includes recommended practices that a landowner can choose from. The practices can help meet their business and conservation goals, while also preventing water pollution.

Agricultural water quality concerns in the Malheur River Basin area are primarily:

- Irrigation-induced erosion.
- Degraded riparian areas due to poorly managed livestock access.
- Excess sediment and livestock manure in rivers and canals.

THE AREA RULES

The Agricultural Water Quality Program focuses on voluntary and cooperative efforts by landowners and others to protect water quality. However, the Agricultural Water Quality Management Act also includes enforcement to ensure prevention and control of water pollution from agricultural sources.

Area Rules allow landowners flexibility in how they protect water quality. Area Rules describe conditions that landowners must achieve on agricultural lands,

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THE AREA RULES
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rather than practices they must implement.
All agricultural landowners must allow vegetation
along:
• Year-round streams to provide shade, stabilize
  banks, and filter out pollutants from overland
  flows.
• Seasonal streams to stabilize banks and filter
  out pollutants from overland flows.
In addition, landowners must not pollute ground
or surface water by discharging
wastes* into waters of the state or placing
any wastes in a location where they are likely to
enter waters of the state.**
* Wastes include excess soil, manure, fertilizer, or
  other substances that can pollute water.
** Waters of the state include ponds,
groundwater, canals, ditches, and rivers.
The local advisory committee helped ODA
develop Area Rules (Oregon Administrative
Rules 603-095-0900) specifically for the Malheur
River Basin area. These Rules address water
quality issues identified in the Area Plan.

DO THE AREA PLAN AND
AREA RULES APPLY TO ME?
The Area Plan and Area Rules apply to all
agricultural lands. This includes lands in
current agricultural use and those lying idle or on
which management has been deferred. They also
apply to agricultural activities within incorporated
city boundaries, urban growth boundaries, and
non-federal forest lands.

WHAT SHOULD I DO?
Landowners should evaluate their agricultural
activities and try to determine if they might:
• Pollute streams, canals, or groundwater.
• Prevent growth of appropriate vegetation along
  streams.
Then change any problem practices to ensure
compliance with the Area Rules and to protect
water quality.

WHO CAN HELP?
The Malheur County Soil and Water Conservation
District (SWCD) is the primary source of landowner
assistance to address water quality concerns.
SWCDs are non-regulatory local organizations that
can help or direct landowners to additional sources
of help.

MORE INFORMATION
Malheur County Soil and Water
Conservation District:
(541) 889-2588, Ext. 101

Oregon Department of Agriculture:
Tom Demianew, Water Quality Specialist,
(541) 278-6721, tdemianew@oda.state.or.us

Agricultural Water Quality Program
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