

UPPER MAINSTEM AND SOUTH FORK JOHN DAY RIVER

Agricultural Water Quality Management Area

Biennial Review Report to the Board of Agriculture and ODA Director
Submitted by the Local Advisory Committee (LAC)



OREGON
DEPARTMENT OF
AGRICULTURE

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| Meeting Date: April 8, 2025 |
| LAC Members Present: Phil St. Clair, Didgette McCracken, Joanne Keerins, Mark Webb, Stephan Charette, and Stefan Kelly |
| Reporting Timeframe: October 2022–December 2024 |

| PROGRESS MEASUREMENT | | |
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| <i>This was a Full Review; progress toward Measurable Objectives</i> | | |
| Activities | # | Description |
| Grant Soil and Water Conservation District (SWCD), Natural Resources Conservation Service (NRCS), South Fork John Day Watershed Council | | |
| Events That Actively Engage Landowners | 15 | Grant County Natural Resource Fair, Yearly NRCS Local Work Group Meetings. Information days, natural resource fair, fire information, seed donations. |
| Landowners Participating in Active Events | 110 | Landowners participating in the Grant County Natural Resource Fair. |
| Landowners Provided Technical Assistance* | 110 | Technical assistance for culvert replacement, spring development, fencing, and riparian improvement projects. Various soils, seeding recommendation requests. |
| Site Visits | 273 | Site visits for culvert replacement, spring development, fencing, ditch-to-pipe conversion, irrigation diversion, and riparian improvement projects. Technical assistance, initial applications, cultural resource surveys, certifications. |
| Conservation Plans Written | 48 | Funded NRCS and Farm Service Agency projects. |
| Funding Applications Submitted | 159 | Funding applications for design of culvert replacements, installation of riparian fencing, and installation of off-site water developments. Through various NRCS programs. Oregon Watershed Enhancement Board (OWEB), private foundations and Confederated Tribes of the Warm Springs Reservation. |
| Funding Applications Awarded | 69 | Through various NRCS programs and SWCD program. |

* Number reported likely double counts some landowners due to tracking methods.

| LAC DISCUSSION |
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| Summary of Progress |
| <p>Department of Environmental Quality (DEQ): Water quality monitoring</p> <ul style="list-style-type: none"> Temperature: Out of 47 total sites, 10 are attaining the standard, 13 are not attaining (24 unassessed). Of the six sites with sufficient data for trend analysis, five are improving, and one has no trend. Bacteria: Out of 10 sites, two are attaining the standard, one is not attaining (seven unassessed). Two sites had sufficient data for trend analysis, with one degrading, and 1 one no trend. Dissolved oxygen: Out of 30 sites, five are attaining the standard (25 unassessed). Dissolved oxygen levels are looking good throughout the area. <p>Grant SWCD</p> <ul style="list-style-type: none"> Fox Creek Focus Area is seeing good tree growth within the riparian enclosures, which are constructed of livestock hog panels that are effectively keeping elk and beaver out. Helicopter and utility terrain vehicle grass reseeding following wildfires is showing positive results as the landscape is beginning to green up. The SWCD plans to advertise the availability of the utility terrain vehicle starting in August. An Area Plan measurable objective has been established to track riparian vegetation growth. |

- Oregon Department of Fish and Wildlife and the SWCD are also collaborating on riparian habitat program fencing projects to support ongoing restoration efforts.

South Fork John Day Watershed Council

- One spring development, 2 miles of aquatic habitat work, 14.5 acres of riparian fence, 900 acres of seeding. Regional Conservation Partnership Program (RCPP) work on livestock water, juniper removal, streambank stabilization, etc. Water quality monitoring across ownerships. Outreach and education. Developing a five-year work plan for RCPP continuation.
- Landowners are doing a lot on their own.
- The LAC is pleased with the measurable objective the SWCD added to the plan.

Impediments

- DEQ monitoring data in the area lacks sufficient temperature measurements. There's concern about data quality, particularly regarding the cold-water influences of the upper mainstem, which are not meeting standards. This should inform the TMDL about what temperature targets are realistically achievable.
- The agricultural community is being held responsible for rising stream temperatures, yet most of the monitoring occurs on federal land. There is concern that federal land managers may not be fully contributing to water quality goals. If water is already warm when it leaves federal land, it's assumed to continue warming as it passes through private agricultural lands. Shade doesn't cool water but slows down the rate of warming.
- There are ongoing questions about whether cattle are the primary source of bacteria contamination.
- Since 1995, LAC members Joanne Keerins and Phil St. Clair have planted more than 10,000 trees along the upper South Fork. However, most have not survived due to wildlife damage from beaver, elk, and deer activity combined with only 42 nonconsecutive frost-free days each year. There is uncertainty about whether the required shade targets can be met under these conditions and at what point efforts to meet shade goals can stop.
- Some landowners will not work with conservation agencies. Building trust with landowners will be difficult, especially as more is being asked of them. However, establishing tiered expectations could ease concerns. The last monitoring effort contributed to the 303(d) listing, which adds to the sensitivity.
- The Dry Pine flow station may no longer be collecting data and should be checked.
- Flooding and channelization/diking work by the U.S. Army Corps of Engineers in the 1960s caused significant damage. Only recently have streams and riparian systems begun to recover.

Recommended Modifications and Adaptive Management

- ODA and DEQ need to collaborate more effectively to pinpoint specific problem areas through reasonable, targeted monitoring. Once issues are clearly identified, solutions can be developed.
- Stronger language is needed for baseline to define clear goals and expectations. A well-defined path forward should replace vague language and add specifics. This includes adding levels (more than just a standard), and setting tiered benchmarks ranging from minimum to maximum. Include measurable steps in between, so DEQ can evaluate and track progress effectively.
- Landowners want recognition for stewardship work they're already doing, as well as a clear status process.
- Increased funding is needed to support consistent, robust, and reasonable monitoring efforts.
- Annual meetings could help review and discuss measurable objectives.
- A fresh start in monitoring is recommended, including open conversations with landowners and partners to build trust and align on priorities.
- DEQ and ODA need to reassess their regulatory approach to ensure its effective in achieving water quality goals. Bringing OWEB into the conversation could help align focused funding.
- ODA must clearly define expectations and desired outcomes. Monitoring is foundational, and decisions shouldn't be made without knowing whether a problem exists or where it lies. More clearly defined and realistic standards could serve as a productive conversation starter with landowners.

ODA COMPLIANCE ACTIVITIES

| Location | Cases | | Site Visits | Agency Actions | | | | |
|-------------|-------|--------|-------------|-----------------------|-------------------------|------------------------------|-------------------------|---------------|
| | | | | Letter of Compliance | | Pre-Enforcement Notification | Notice of Noncompliance | Civil Penalty |
| | New | Closed | | Already in compliance | Brought into compliance | | | |
| Outside SIA | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Within SIA | N/A | | | | | | | |