

Subject: Comments 06/26
Date: Thursday, June 26, 2025 at 10:32:56 AM Pacific Daylight Time
From: Spencer, Brad [REDACTED]
To: RULEMAKING Oda * ODA <rulemaking@oda.oregon.gov>
Attachments: image001.png, image002.png

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(141) "Estimated crop yield" means the best maximum or optimum crop yield estimated for each field according to sources such as recommendations by land grant universities, the Natural Resources Conservation Service, commodity groups, certified crop advisors, or according to site-specific knowledge based on previous experience.

(142) "Fertilizer" has the meaning given in ORS 633.311(12) except that for the purposes of these rules, fertilizer includes biosolids, biosolids-derived products, compost and manure which substances are not packaged and do not contain a grade statement or guaranteed analysis as defined in ORS 633.311(14). The term "fertilizer" also includes reclaimed water or treated effluent regulated under ORS 468B.010 and ORS 468B.015.

(153) "Field" means an area of land that is used for agricultural activities and enclosed or otherwise distinguished by physical characteristics of the property such as roads, fences, topography or other barriers and is characterized by a uniform irrigation system, crop type and system of nutrient management measures. marked by a physical, topographical or other boundary.

(16) "Field capacity" means the content of water, on a mass or volume basis, remaining in a soil two or three days after having been wetted with water and after free drainage is negligible.

(174) "Groundwater" or "groundwater of the state" means water within the LUBGWMA that is in a saturated zone or stratum beneath the surface of land or below a surface water body.

Brad Spencer | Digital Sales Supervisor | Digital Sales Enablement



Subject: Comments 06/26
Date: Thursday, June 26, 2025 at 10:56:01 AM Pacific Daylight Time
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rates:

- (c) A landowner shall test soil to determine plant available nitrogen prior to planting; and
- (b) Where consistent with land grant university guidance for management of a specific crop type,
a landowner ~~may shall~~ conduct soil sampling to determine plant available nitrogen and/or conduct plant tissue sampling and analysis to determine nitrogen need prior to mid-growing season application, and prior to late-season application.
- (3) Because annual nitrogen budgets are prepared in advance of the crop season and based on circumstances that are forecasted, actual conditions may differ from those forecasted in a certified annual nitrogen budget.

Commented [RM26]
requirement is more
operations currently
Commented [RM27]

Brad Spencer | Digital Sales Supervisor | Digital Sales Enablement



Subject: Comments 06/26
Date: Thursday, June 26, 2025 at 11:43:19 AM Pacific Daylight Time
From: Spencer, Brad <[REDACTED]>
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(2) A landowner may compare the sum of all nitrogen inputs with the sum of all nitrogen outputs to determine environmental loss. Environmental loss indicates that a landowner has not met or followed their annual nitrogen budget. Environmental loss may be determined as follows:

- (a) Total nitrogen input (TKN plus NO_3) is calculated as the sum of all nitrogen inputs from applied fertilizer, irrigation water, and estimated mineralization and atmospheric deposition.
- (b) Total nitrogen output is calculated as the sum total nitrogen removed from crop yield removal (lb/acre x N content of crop) and from crop biomass harvested (lb/acre) multiplied by tissue nitrogen concentration (%).
- (c) Environmental nitrogen loss may occur through leaching, denitrification, volatilization or leaching. Environmental nitrogen (N) loss may be estimated as follows:

$$\text{Environmental N loss} = \sum \text{N Inputs} - \sum \text{N Removal}$$

Brad Spencer | Digital Sales Supervisor | Digital Sales Enablement



Karen Lewotsky (External) 10:40 AM

KL thanks for clarifying, Isaak and Sunny

10:45 AM

As a reminder you can find the document Renee is talking about on our rulemaking webpage - <https://www.oregon.gov/oda/agriculture/Pages/rulemaking.aspx> under Rules in Progress heading - LUBGWMA Rules - Session 4 - [Draft rules with edits from Session 2 and 3 and DEQ input](#)

Tamra Mabbott (External) 10:47 AM

TM Would the department allow growers to be involved in the worksheet development? The idea is to allow growers expertise.

Thank you Isaac.

11:15 AM

Qin, Ruijun. I'm sorry...you are not an invited RAC member unless you are sitting in for an invited member? Otherwise, we are not accepting public comment at this time.

You are welcome to email us at rulemaking@oda.oregon.gov.

Jose Garcia (Unverified) 11:16 AM

JG land Owner can always strive to do best,is always a good practice



Dani Lightle (External) 11:26 AM

DL It's in section 5

NANCE Treia * DEQ 11:29 AM

I have to hop to another meeting. Thank you!



Qin, Ruijun (External) 11:40 AM

RQ Jeff is right. The residual soil N can not be counted as the environmental loss.

Jose Garcia (Unverified) 11:41 AM

JG

I'm not a biologist!, maybe land owners can get train to know the process of leaching as part of the rule making? if found not following the protocol. just a comment.

Qin, Ruijun (External) 11:43 AM

RQ

Also, we need to count the crop root portion as it usually does not belong to crop biomass. For a N budget, this root should be included in order to have an accurate estimation or calculation



When thinking about the N content in biomass or grain/tuber/root, the crop variety factor should be considered. Also different environment (soil & weater) should be considered, so it is difficult to have a general formula representing the whole region. Developing crop & site & season- specific recommendation should be more accurate.

Karen Lewotsky (External) 11:55 AM

KL

thanks, all!