



**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 603  
**DEPARTMENT OF AGRICULTURE**

**FILED**

07/17/2025 11:10 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Amending the conditions for the Umpqua Management Area rules.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 08/29/2025 5:00 PM

*The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.*

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Filed By:  
Sunny Summers  
Rules Coordinator

HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 08/21/2025

TIME: 9:00 AM - 9:30 AM

OFFICER: Sunny Summers

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: ☎ 503-446-4951

CONFERENCE ID: 2666666597513

SPECIAL INSTRUCTIONS:

Meeting ID: 266 666 659 751 3

Passcode: xM2p9Gp9

Dial in by phone

+1 503-446-4951,,464806862#

NEED FOR THE RULE(S)

There is a need to update the Umpqua Management Area rules to align with other rules throughout the state, as well as provide more clarity for landowners and land managers on meeting water quality compliance.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Other documents relied upon include rules from other management areas within the state.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

There is no anticipated effect on racial equity.

## FISCAL AND ECONOMIC IMPACT:

There may be minor fiscal impacts to landowners or land operators restoring streamside areas.

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## COST OF COMPLIANCE:

*(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).*

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s): There is no anticipated economic impact to state agencies, local government or members of the public.

(2) Effect on small businesses: (a) estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s): There is minimal small business impact anticipated. There are no additional recordkeeping, reporting or administrative costs associated with compliance of the rules.

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## DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

There were businesses involved in the development of the rules during the Local Advisory Committee (LAC) meeting. An LAC is a group of local landowners and agricultural interests who provide input to ODA on rules.

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## WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

There was no RAC convened for the making of these rules because a LAC was consulted instead. The LAC acted as a RAC.

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AMEND: 603-095-0740

RULE SUMMARY: Updates conditions for the Umpqua Management Area rules

## CHANGES TO RULE:

603-095-0740

Conditions ¶¶

(1) All landowners or occupiers/operators conducting activities on lands in agricultural use shall be in compliance with the following criteria. A landowner is responsible for only those conditions caused by agricultural activities conducted by the landowner. A landowner is not responsible for unacceptable conditions resulting from the actions of another landowner or occupier. Conditions resulting from unusual weather events or other exceptional circumstances are not the responsibility of the landowner. ¶¶

(2) Unless otherwise noted, these rules are effective one year after adoption. ¶¶

(3) Substantial amounts of sediment (i.e. in excess of water quality standards for sedimentation) moving from agricultural lands into waters of the state as a result of agricultural activities is identified as an unacceptable condition. Offstream ponds which do not contribute to the downstream system under normal weather conditions are exempt as they are often used to trap and contain sediment. ¶¶

(4) Substantial amounts of phosphorous (i.e. in excess of water quality standards) moving from agricultural lands into waters of the state as a result of agricultural activities is identified as an unacceptable condition. ¶¶

(5) Substantial amounts of bacteria (i.e. in excess of water quality standards) moving from agricultural lands into waters of the state as a result of agricultural activities is identified as an unacceptable condition. Off stream ponds which do not contribute to waters where public exposure is possible are exempt from this rule. ¶¶

(6) Agricultural management or soil-disturbing activities that preclude establishment and development of adequate riparian vegetation for streambank stability and shading, consistent with site capability, along a

perennial stream which has a site potential for such vegetation is considered an unacceptable condition. Minimal breaks in shade vegetation for essential management activities are considered appropriate.¶

~~(7) Irrigation practices that contribute significant amounts of warmed surface water (more than 3% of water pumped during any one irrigation setting to return as surface runoff to a stream) back into a stream are considered an unacceptable condition.¶~~

~~(8)~~ 3 Effective upon adoption, no person subject to these rules shall violate any provision of ORS 468B.025 or ORS 468B.050.

Statutory/Other Authority: ORS 561.190 - 561.191, 568.909, 568.912

Statutes/Other Implemented: ORS 568.900 - 568.933