



PERMANENT ADMINISTRATIVE ORDER

DOA 108-2026

CHAPTER 603

DEPARTMENT OF AGRICULTURE

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ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Amend the Umatilla Basin Agricultural Water Quality Management Area Rules

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AMEND: 603-095-0340

NOTICE FILED DATE: 03/30/2026

RULE SUMMARY: The rule related to "Excessive Sheet and Rill Erosion" was removed because it references (T), the soil loss tolerance from the Revised Universal Soil Loss Equation (RUSLE). RUSLE is useful for understanding soil loss, but not for understanding impacts to water quality. There are existing rules that address erosion and impacts to water quality. Remove language regarding soil disturbing activities, as ORS 468B covers concerns to sediment entering waters of the state.

CHANGES TO RULE:

603-095-0340

Required Prevention and Control Measures ¶¶

(1) All landowners or operators conducting activities on lands in agricultural use must be in compliance with the following rules: OAR 603-095-0340(2) to (8). A landowner is responsible for only those conditions caused by activities conducted on land managed by the landowner or operator. Rules will be applied with consideration of agronomic and economic impacts.¶¶

~~(a)~~ These rules do not apply to conditions resulting from unusual weather events or other exceptional circumstances.¶¶

~~(b)~~ Temporary exceptions to the rules are allowed when a specific integrated pest management plan is in place to deal with certain weed, insect pest, or disease problems.¶

~~(c) Unless otherwise indicated, the rules below become effective on January 1, 2008.¶~~

~~(2) Waste Management: Effective on rule adoption, n2) Waste Management:~~ No person subject to these rules shall violate any provision of ORS 468B.025 or ORS 468B.050.¶

(3) Soil Erosion and Sediment Control:¶

~~(a) Landowners must control upland soil erosion using technically sound and economically feasible method to protect against sediment delivery to streams.¶~~

~~(a)~~ Landowners must control active channel (gully) erosion to protect against sediment delivery to streams.¶

~~(b)~~ On croplands, a landowner may demonstrate intent to comply with this rule by:¶

~~(A) Operating consistent with a Soil and Water Conservation District (SWCD) approved conservation plan that meets Resource Management Systems (RMS) quality criteria for soil and water resources; or¶~~

~~(B) Operating in accordance with an SWCD approved plan for Highly Erodible Lands (HEL) developed for the purpose of complying with the current US Department of Agriculture (USDA) farm program legislation and farming non-HEL cropland in a manner that meets the requirements of an approved USDA HEL compliance plan for similar cropland soils in the county; or¶~~

~~(C) Farming such that the predicted sheet and rill erosion rate does not exceed 5 tons/acre/year, as estimated by the Revised Universal Soil Loss Equation (RUSLE); or¶~~

~~(D) Constructing and maintaining terraces, sediment basins, or other structures sufficient to keep eroding~~Constructing and maintaining terraces, sediment basins, or other structures sufficient to keep eroding soil out of streams.¶

~~(B) Maintaining sufficient live vegetation cover and plant litter to capture precipitation, slow the movement of water, increase infiltration, and reduce excessive movement of soil out of streams~~ff the site.¶

~~(e)~~ On rangelands, a landowner may demonstrate intent to comply with this rule by:¶

~~(A) Operating consistent with a Soil and Water Conservation District (SWCD) approved conservation plan that meets Resource Management Systems (RMS) quality criteria for soil and water resources;¶~~

~~(B) Maintaining sufficient live vegetation cover and plant litter to capture precipitation, slow the movement of water, increase infiltration, and reduce excessive movement of soil off the site; or¶~~

~~(C)~~ Minimizing visible signs of erosion, such as pedestal or rill formation and areas of sediment accumulation.¶

~~(d)~~ Private roads that traverse rural lands or roads used for agricultural activities must be constructed and maintained such that road surfaces, fill and associated structures are designed and maintained to limit contributing sediment to waters of the state. All roads on agricultural lands not subject to the Oregon Forest Practices Act (OFPA) are subject to this regulation. Homesteads and other non-crop areas must be laid out and managed in a manner that controls soil erosion and prevents delivery of sediments to the stream. Stream crossings, with or without culverts or bridges, must be kept to a minimum, and must be installed and maintained to prevent sediment delivery to the stream. Agricultural lands must be managed to prevent runoff of sediment to public road drainage systems.¶

(4) Stream-side Area Management:¶

(a) Agricultural land management activities must not cause streambank instability.¶

(b) Agricultural land management near streams must include establishment and maintenance of riparian vegetation, vegetative buffers, filter strips, sediment retention structures, or equally effective water pollution control practices, placed so as to prevent sediment, thermal and other pollution of waters of the state.¶

(c) When establishment or reestablishment of crops occurs near waters of the state during the growing season (March through October), cropping and management systems must be employed that prevent erosion. An adequate vegetative buffer or equally effective erosion control practice must be provided during the winter months (November through March).¶

(5) Livestock Management:¶

(a) Pastures and rangeland must be managed to prevent sediment, nutrient and bacterial contributions to waters of the state. Adequate vegetative buffers or filter strips must be installed and maintained, and vegetative cover must be maintained or restored after use as needed to control contaminated runoff or weed infestations. Where appropriate, waste management systems must be installed to collect, store and utilize animal wastes.¶

(b) Barnyards, feedlots, drylots, confinement and non-pasture areas, and other livestock facilities located near waters of the state must employ an adequate runoff control system, or an equally effective pollution control practice. Where necessary to prevent waste delivery, waste management systems must be installed to collect, store and utilize animal wastes.¶

(c) Grazing must be done in a manner that does not degrade waters of the state or negatively impact the stability of streambanks. Grazing management systems must be applied that allow for recovery of plants and leaves adequate vegetative cover to ensure streambank stability, reduce sediments entering the stream, and provide stream-side shading consistent with ~~the site capability.~~ The grazing management system must maintain or develop the

desired vegetative cover.¶¶

(6) Irrigation Management:¶¶

(a) Irrigation systems must be designed and operated to prevent runoff of potential contaminants. Irrigation scheduling must consider such factors as soil conditions, crop, climate and topography.¶¶

(b) Overland return flows from irrigation must be managed to prevent the delivery of pollution including water temperature increases to waters of the state.¶¶

(7) Nutrient and Farm Chemical Management:¶¶

(a) Crop nutrient applications, including manure, sludge and commercial fertilizers, must be done at a time and in a manner that does not pollute waters of the state.¶¶

(b) Nutrients and farm chemicals must be stored in a location and condition that makes them unlikely to be carried into the waters of the state by any means.¶¶

(8) Channel and Drain Management: Whenever major construction, reconstruction or maintenance occurs in ditches and water channels, exclusive of perennial and intermittent streams, they must be designed and maintained with a capacity to handle a greater than normal runoff event with a minimum likelihood of bank erosion or erosion impacts on nearby land areas.

Statutory/Other Authority: ORS 561.190 - 561.191, 568.912

Statutes/Other Implemented: ORS 568.900 - 568.933