

**OREGON DEPARTMENT OF AGRICULTURE
AGRICULTURAL WATER QUALITY MANAGEMENT
PROGRAM ADVISORY COMMITTEE**

January 10, 2019

Oregon Department of Agriculture
635 Capitol Street NE
Salem, OR 97301

Attendance:

Ken Bailey, Chair
Jerry Ward, SWCC-Tualatin SWCD
John Keith, OACD
Torrey Lindbo, Gresham/OR ACWA
Jeff Stone, Oregon Assn. of Nurseries
Jennifer Wigal, DEQ
Ryan Michie, DEQ
Stephanie Hallock, BOA
Laura Masterson, EMSWCD
Samantha Bayer, OFB
April Snell, OWRC
Ken Yates, OWRC
Karen Lewotsky, OEC
Jerome Rosa, OCA
Roger Beyer, OSC
Curtis Martin, OCA
Gene Foster, DEQ
Meta Loftsgaarden, OWEB
Janet Fults, OFS
Ron Alvarado, NRCS
Anna Freitas, OACD

Via Phone:

Carrie Sanneman, Willamette Partnership
Jamie Anthony, ODFW
Blake Rowe, Oregon Wheat
Chrysten Lambert, Trout Unlimited
Elizabeth Howard, Schwabe, Williamson
and Wyatt
Barbara Boyer, BOA, SWCC

ODA Staff:

Lisa Hanson
John Byers
Ellen Hammond
Ann Ketter
Beth Pietrzak
Brenda Sanchez
Kevin Fenn
Mike Powers
Cheryl Hummon
Ryan Beyer
Jo Morgan
Judith Callens
Jason Eck

Introductions and Welcome (Chair Ken Bailey and Lisa Hanson, ODA Deputy Director)

Ken Bailey welcomed everyone and asked for introductions. He said the annual meeting is a good opportunity for all stakeholders to come together to share information in a transparent forum.

Lisa Hanson thanked members of the group for sticking together through the many changes in the Agricultural Water Quality Program, from complaint based to compliance based, to strategic moves in small watersheds, to identifying areas where work was completed and identifying where violations occur.

Lisa said she is really excited about where ODA is with its initiatives as it works closely with partners, including Soil and Water Conservation Districts, watershed councils, Natural Resources Conservation District, Oregon Water Enhancement Board, and other conservation

organizations. She said OWEB is a tremendous partner with its grants and long-term commitment to funding water quality projects.

Lisa said the Governor's Recommended Budget shows a commitment to ag water quality as it includes funding for two staff positions to support Strategic Implementation Areas (SIAs). SIAs are located on agricultural lands and allow SWCDs to work with landowners to complete voluntary water quality improvement projects. It also includes a major investment (\$250,000) for an initiative in the Lower Umatilla Basin Groundwater Management Area. This program, in place for 20-plus years, is an effort to reduce nitrates in groundwater. She said ODA has made some progress in slowing the increase, but nitrates are not as low as officials would like.

Lisa explained that ODA has four proposed fee increases before the Legislature. While not without controversy, she said they are necessary to maintain programs and services.

Oregon Department of Environmental Quality Update (Gene Foster, DEQ)

Gene Foster provided an overview of the Clean Water Act Framework and explained how TMDLs (total maximum daily loads) and the Water Quality Management Plans are developed and implemented. He also spoke to the adaptive management process. Gene said many agencies are involved in implementing TMDLs and have their own roles and authorities.

TMDLs currently in development:

- Mid Coast
 - Big Elk Creek watershed: bacteria (issuance TBD)
 - Siletz River watershed: dissolved oxygen and temperature (2020 issuance)
 - Upper Yaquina River watershed: bacteria and dissolved oxygen (2020 issuance)
 - Yachats River watershed: temperature and bacteria (2020 issuance)
- Coquille Subbasin (South Coast): bacteria, dissolved oxygen, and PH (2019 issuance)
- Powder and Burnt River Subbasins: bacteria, dissolved oxygen, and PH (202 issuance)
- Willamette Basin: mercury (2019 issuance)
- Upper Klamath River and Lost River Subbasins: temperature (2019 issuance)

"Status and Trends" Reporting (Gene Foster, DEQ)

Gene Foster explained that DEQ has produced Status and Trends reports for the past three years. Using different data sources, the reports are compiled every two years in the 38 ODA water quality management areas. ODA and DEQ staffers work together with the data to present to local advisory committees during the biennial review process.

DEQ analyzes for the following parameters: bacteria, ph, total phosphorus, total suspended solids, temperature, and dissolved oxygen.

Gene said Water Quality Status and Trends reports previously used the following data sources: LASAR (DEQ), ELEMENT (DEQ), and National Water Information System (USGS). Now, he said, DEQ's Ambient Water Quality Monitoring System (AWQMS), which includes all of the sources listed above is being used.

Jennifer Wigal of DEQ answered a question about third-party and volunteer data. She said DEQ doesn't have the staff to manage and input all of the data. Jennifer said DEQ recognizes that there is a lot of data available that DEQ would like to see. She is willing to bring a group together to discuss the new data system and the issue of third-party and volunteer data.

A future step, Gene said, would be to provide status and trends reports for landscape conditions, such as effective shade.

Remote Sensing (Gene Foster and Ryan Michie, DEQ)

Ryan Michie provided a look at how DEQ uses remote sensing to identify landscape conditions. He presented a study on the tracking of streamside vegetation to measure water temperature in the Southern Willamette Basin. Existing data was used to establish 2000 as the baseline year. DEQ tracked tree plantings and retention projects and used various methods to measure effective shade. The study results show 33 mean percent effective shade, well short of the 82 percent target of the TMDL target, indicating that there is still work to be accomplished in the study area Ryan said.

Coordinated Streamside Management (Lisa Hanson, ODA, and Meta Loftsgaarden, OWEB)

Meta Loftsgaarden provided a handout outlining the Coordinated Streamside Management approach that involves coordination between DEQ, ODA, OWEB, and local SWCDs. It is a three-pronged approach that combines three distinct but overlapping components: monitoring; voluntary, incentive-based conservation, and compliance.

Meta explained that the monitoring piece is new for the four most recent Strategic Implementation Areas (SIAs). OWEB is providing \$25,000 to each SIA to explore monitoring before a project begins on the ground to establish a baseline to see if future work improves stream conditions. Monitoring plans will be set over a 10-year period.

A question was posed as to how Oregon Water Resources could become a partner in monitoring. Meta said that would be welcome when the focus moves from shade to stream flow.

Klamath Agricultural Water Quality Partnership Update (Beth Pietrzak, ODA)

Beth Pietrzak presented a report on her work in the Klamath Lake area that has people from many different agencies talking and working toward solutions. The work was prompted by a complaint to the ODA Agricultural Water Quality program in late 2016 regarding water that was being discharged from potato and grain farms adjacent to the lake that was being pumped into the lake. She explained that the main pollutant of concern is phosphorus, which drive algal blooms in the lake.

ODA opened compliance cases and started working with two farms to understand more. This included monitoring of water quality associated with the two farms. While in the process of developing solutions with the landowners, the Klamath Tribes in March 2018 met with the Governor's Office to present water quality data its monitoring program had collected, showing

elevated phosphorus levels from pump sites around the lake. The tribes also expressed concern about a documented die-off in 2017 of an endangered sucker species associated with extreme algal blooms in the summer.

In March 2018, ODA's Water Quality Program was asked to work with all agricultural landowners around Upper Klamath Lake to reduce phosphorus loading to the lake to improve water quality. Since then, ODA staffers have hosted landowner meetings and site visits. ODA has worked with Walker Farms that consist of two farms managing 5,000 acres of potato and grain. Last spring, the Walkers were in the process of pumping water off their fields for spring planting and were asked to turn off their pumps because of elevated phosphorus levels. The Walkers eventually were able to pump the water off when phosphorus levels dropped. In the meantime, ODA worked with the Walkers on a long-term solution to improve water quality by diverting all summer tailwater to adjacent wetlands and therefore keeping it out of the lake.

To help manage the work, the Upper Klamath Agricultural Water Quality Technical Work Group was formed. It is made up of federal, state, tribal, and private partners and is open to any agency that would like to help. An ODA monitoring plan was also set up. Beth explained that plans and agreements are in place to fence most livestock out of most waterways around Upper Klamath Lake and provide offstream livestock water.

Beth said going into this process, ODA was told that landowners were not going to be willing to work with the agency. But she said once contacts were made, staffers found that landowners were willing to make significant improvements to improve water quality.

Strategic Implementation Area Update (John Byers, ODA)

John Byers provided an overview of how the Strategic Implementation Area process works. He emphasized that the SIAs are about compliance, but are also about improving land conditions. For example, having landowners consider removing blackberries to provide native plants that provide stream benefits. John said the SIA process is going to help tell agriculture's story on what conservation work is occurring on agricultural lands. There is funding for 12 SIAs in the 2017-19 biennium. OWEB approved \$1.5 million (\$125,000 per SIA, \$100,000 for technical assistance, and \$25,000 for monitoring) for SWCD capacity; landowner engagement; landowner technical assistance; and monitoring. He explained that smaller districts with little capacity could now be a part of the SIA process, whereas that structure was not set up for earlier SIAs.

John said the current funding is for the 2017-19 biennium. What happens beyond that? He said he hopes it is the view of OWEB and the OWEB board that the current process is successful and will allocate additional funding in the 2019-21 biennium. ODA has a policy option package before the Legislature that says ODA is going to increase the number of SIAs conducted annually, which could equate to 24 over the 2019-21 biennium, and consequently is seeking two additional staff members. John said it also would take some outreach in letting SWCDs know ODA is coming, and the new employees would work alongside districts with SIAs to provide assistance as needed.

AgWQ Monitoring Update (Ellen Hammond, ODA)

Ellen Hammond provided updates on two agricultural water quality monitoring initiatives that are focusing on the linkage between streamside vegetation and stream temperature. The first is a 20-year temperature monitoring study that seeks to determine if changes in stream temperature can be attributed to streamside vegetation on a large scale. Ellen sought out volunteers and heard from 13 entities in 17 watersheds on agricultural lands. The study also is looking at flow and air temperature. The study is just under way, so results are not yet available.

The second initiative is SIA monitoring, which seeks to answer the following question: How do landscape conditions and water quality improve as a result of management changes to attain compliance and improve ecological health (uplift)? Ellen explained that initial monitoring will be paid for with \$25,000 of SIA funding to answer the linkage question. In addition, she said OWEB will track other parameters to measure success. SIA monitoring is made up of a statewide coordination team and a local monitoring team to monitor for up to 10 years. Monitoring focuses on parameters that are likely to change. She explained that one monitoring and assessment proposal has been developed so far; for the Coombs Creek-McKay Creek SIA in Umatilla County. The monitoring was targeted for the parameters that are likely to change, and in this case, not stream temperature, because the creek goes dry in the summer. In this case, the monitoring is looking at crop land and identifying pollutants that may be coming off that crop land and making its way into the creek.

AgWQ Program Compliance Update (Kevin Fenn, ODA)

Kevin highlighted how SIAs have affected compliance numbers. During the 2016 SIA process, 73 compliance cases were initiated. However, this method overstated the identification of actual “compliance” issues in SIAs. In the current SIA structure, ODA only initiates compliance cases when an actual investigation is going to be completed. Previously, cases were opened when a *potential* for improvement was noted.

Kevin also noted that ODA has seen a decrease in number of complaints from the public and a significant increase in ODA staff “pro-actively” identifying potential compliance issues. He said ODA as a whole is more willing to move to a notice of noncompliance on a second visit if a landowner has not made any corrective actions. Fenn confirmed that ODA will only open a case in an SIA if a landowner is identified as a potential violation or an opportunity for improvement and are not working with district to address concerns.

Meeting was adjourned at noon.