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I. AGRICULTURE

A. CONFINED ANIMAL FACILITIES (Large and Small Units)

CONDITION: Within two years, Oregon will include in its program management measures in conformity with the 6217 (g) guidance for facilities where animals are confined for less than four months and that do not have prepared surfaces or waste water control facilities. Also within two years, Oregon will provide a strategy (in accordance with section XII, pages 19-20) for use of the State's water quality law (ORS 468B) as a back-up enforceable mechanism to ensure implementation of the management measures for confined animal facilities as proposed on pages 48-50 of the State's program submittal.

FINDING: Oregon has satisfied this condition.

B. EROSION AND SEDIMENT CONTROL, NUTRIENT, PESTICIDE, GRAZING, and IRRIGATION WATER MANAGEMENT

CONDITIONS: Within one year, Oregon will (1) designate agricultural water quality management areas (AWQMAs) that encompass agricultural lands within the 6217 management area, and (2) complete the wording of the alternative management measure for grazing, consistent with the 6217(g) guidance. Agricultural water quality management area plans (AWQMAPs) will include management measures in conformity with the 6217(g) guidance, including written plans and equipment calibration as required practices for the nutrient management measure, and a process for identifying practices that will be used to achieve the pesticide management measure. The State will develop a process to incorporate the irrigation water management measure into the overall AWQMAPs. Within five years, AWQMAPs will be in place.

FINDING:

- Oregon has satisfied the condition for designating AWQMAs.
- Oregon has satisfied the condition to complete the alternative management measure for grazing.
- NOAA and EPA have not made a decision yet regarding whether or not Oregon has sufficiently demonstrated the AWQMAPs will include management measures in conformity with the 6217 (g) guidance. It is unclear if the management measures placed in the appendix of the 1010 Plans are enforceable. We are waiting on input from NOAA general council to make our final decision.
- Oregon will have satisfied the condition for having AWQMAPs in place once the South Coast AWQMAP is finished.

II. URBAN

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A. NEW DEVELOPMENT, SITE DEVELOPMENT, CONSTRUCTION SITE EROSION and SEDIMENT, and CHEMICAL CONTROL

CONDITION: Within two years, Oregon will include in its program management measures in conformity with the 6217(g) guidance and enforceable policies and mechanisms to ensure implementation throughout the 6217 management area.

FINDING:

- Oregon is exempt from the New Development measure within designated Phase I and Phase II areas. These areas will now be covered under the NPDES Phase I and II Storm Water Program.
- Outside of Phase I or II designated areas, Oregon has not satisfied the management measure and enforceable policy components of the New Development management measure.
- Oregon has met the management measure component for the Site Development measure.
- However, the State has not demonstrated it has enforceable policies and mechanisms in place to ensure implementation of the site development measure throughout the 6217 boundary.
- The State is exempt from the Construction Site Erosion and Sediment Control and Construction Site Chemical Control measures throughout the 6217 boundary. These measures are now covered under the NPDES Phase I and II Storm Water Program.

B. WATERSHED PROTECTION and EXISTING DEVELOPMENT

CONDITION: Within three years, Oregon will further develop its program to implement the management measures for watershed protection and existing development in conformity with the 6217(g) guidance throughout the 6217 management area.

FINDING: Oregon has satisfied this condition.

C. NEW and OPERATING ONSITE DISPOSAL SYSTEMS

CONDITION: Within two years, Oregon will finalize its proposal to inspect operating OSDS, as proposed on page 143 of its program submittal.

FINDING: Oregon has not satisfied this condition.

D. ROADS, HIGHWAYS, and BRIDGES

CONDITION: Within two years, Oregon will (1) develop management measures in conformity with the 6217 (g) guidance for construction site chemical control; (2) develop enforceable policies and mechanisms to implement the roads, highways and bridges measures on all federal

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and State highways throughout the 6217 management area; (3) develop management measures in conformity with the 6217 (g) guidance and enforceable policies and mechanisms for local roads, highways, and bridges throughout the 6217 management area; and (4) provide a strategy (in accordance with section XII, pages 19-20) for use of the State's water quality law (ORS 468B) as a back-up enforceable mechanism to ensure implementation of the management measures for operation and maintenance and for runoff systems, as proposed on pages 155 and 157 of the State's program submittal.

FINDING:

- Oregon is exempt from the road, highway and bridge construction site chemical control measure throughout the 6217 boundary. These areas will now be covered under the NPDES Phase I and II Storm Water Program.
- Oregon is exempt from the road, highway and bridge operation and maintenance and runoff systems measures in designated Phase I and Phase II areas only. These areas will now be covered under the NPDES Phase I and II Storm Water Program.
- Oregon has developed enforceable policies and mechanisms to implement the road, highway and bridge measures for all state and federal roads.
- Oregon has not demonstrated they have adequate programs or enforceable mechanisms and policies to implement the road, highway and bridge measures for planning, siting, and developing roads and highways, operation and maintenance, and runoff systems for local roads throughout the 6217 boundary.