



# LUBGWMA State Update

*Senate Committee on Natural Resources & Wildfire*  
*May 13, 2025*

# Oregon's Water Story

## Groundwater Law



Office of Governor  
**TINA KOTEK**

**Oregon Water Rights Act** declares all water in Oregon belongs to the public.

**1909**

**Oregon Groundwater Quality Protection Act** established by State Legislature

**1989**

Designation of the **Northern Malheur County Groundwater Management Area**

**1989**

Designation of the **Lower Umatilla Basin Groundwater Management Area**

**1990**

Designation of the **Southern Willamette Valley Groundwater Management Area**

**2004**

**Cause:**  
**Elevated Nitrate Concentrations in Groundwater**

# The LUBGWMA Advisory Committee

---

- The LUBGWMA Committee is an advisory committee to the state agencies focused on addressing environmental aspects of groundwater quality at the local level. A local committee has been in place for the LUBGWMA since the 1990s.
- In 2022, DEQ worked with Morrow and Umatilla counties to restructure and establish specific membership categories for the LUBGWMA Committee.
- In spring 2024, state agencies contracted with the National Policy Consensus Center to assist with multi-agency coordination of a State Nitrate Reduction Plan; and to conduct an independent assessment aimed at understanding and finding areas for collaboration among committee members and state agencies.

## Lessons Learned: Collaborative Governance Structure

Effective collaboration across multiple state agencies, counties, cities, federal agencies, tribal government, and other partners is fundamental to reducing nitrate concentrations in the LUBGWMA.

A cohesive strategy carried by all partners will drive progress. The State's LUBGWMA Nitrate Reduction Plan is that strategy.

# **The LUBGWMA Nitrate Reduction Plan**

---

The LUBGWMA Nitrate Reduction Plan outlines a collaboration and input of four state agencies, the U.S. Environmental Protection Agency (EPA), the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), Morrow County, Umatilla County, city governments, businesses, residents and community group contributions.

**Together, tracking progress and adapting over time will require ongoing engagement and collaboration of the state agencies, tribal and local governments, and partners - the ongoing engagement space is through the LUBGWMA Committee.**

**<https://ordeq.org/NitratePlan>**

# Oregon State and County Government

## Roles and Responsibilities in LUBGWMA

### Oregon Department of Agriculture (ODA)



### Oregon Department of Environmental Quality (DEQ)



### Oregon Water Resources Department (OWRD)



### Oregon Health Authority (OHA)



**+ County  
Public Health**

### Morrow County

### Umatilla County

Land use planning, septic systems,  
public health



# **Role & Responsibility: Department of Environmental Quality**

---

- **Land Application of Industrial and Domestic Wastewater**
  - Wastewater Permitting and Compliance
- **Rural Residential**
  - Onsite Septic System Permitting and Compliance
  - Onsite Septic System Repair and Replacement Funding
  - Public Wastewater Treatment System and Irrigation Modernization Funding
- **Monitoring, Data, and Analysis**
  - Groundwater Quality Sampling and Monitoring
  - Groundwater Quality Trends Analysis
  - Nitrate Leaching Estimation Update
  - Groundwater Data Coordination Effort and GIS Platform

# Progress Update: Department of Environmental Quality

## Wastewater Permitting and Compliance

- Prioritizing modifications and renewals of wastewater permits in LUBGWMA to ensure permit requirements protect groundwater:
  - Enhanced monitoring requirements.
  - Limiting nitrogen-rich wastewater application to growing season.
  - Requiring additional storage and treatment when needed.



# Progress Update: Department of Environmental Quality

## Septic Systems and Domestic Wastewater

- Partnership with nonprofit lender Craft 3 offers affordable financing options to **repair or replace failing septic systems.**
  - Requires new funding appropriations.
- **Low-interest loans and subsidies** support public wastewater system upgrades, expansion, irrigation modernization.
  - Clean Water State Revolving Fund - 9 active projects in LUBGWMA.

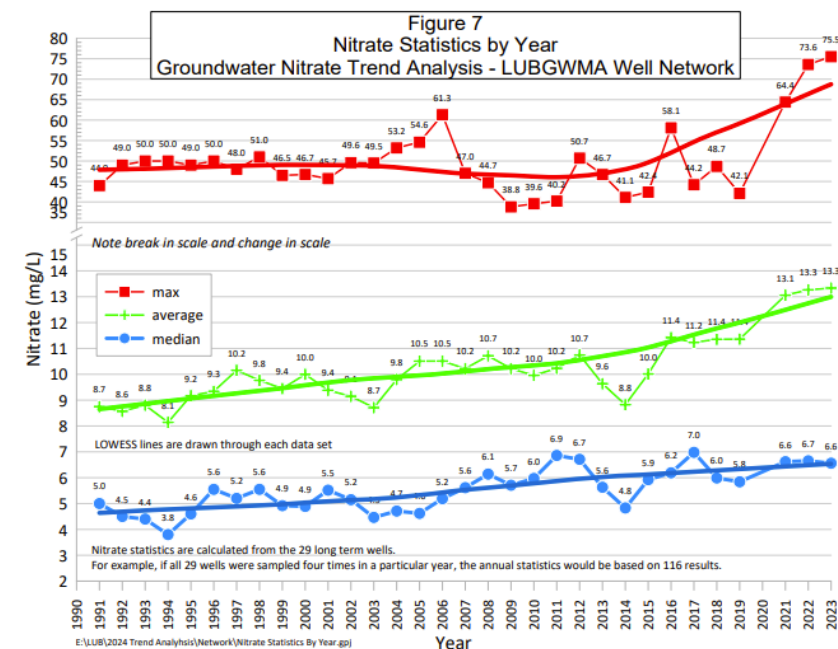
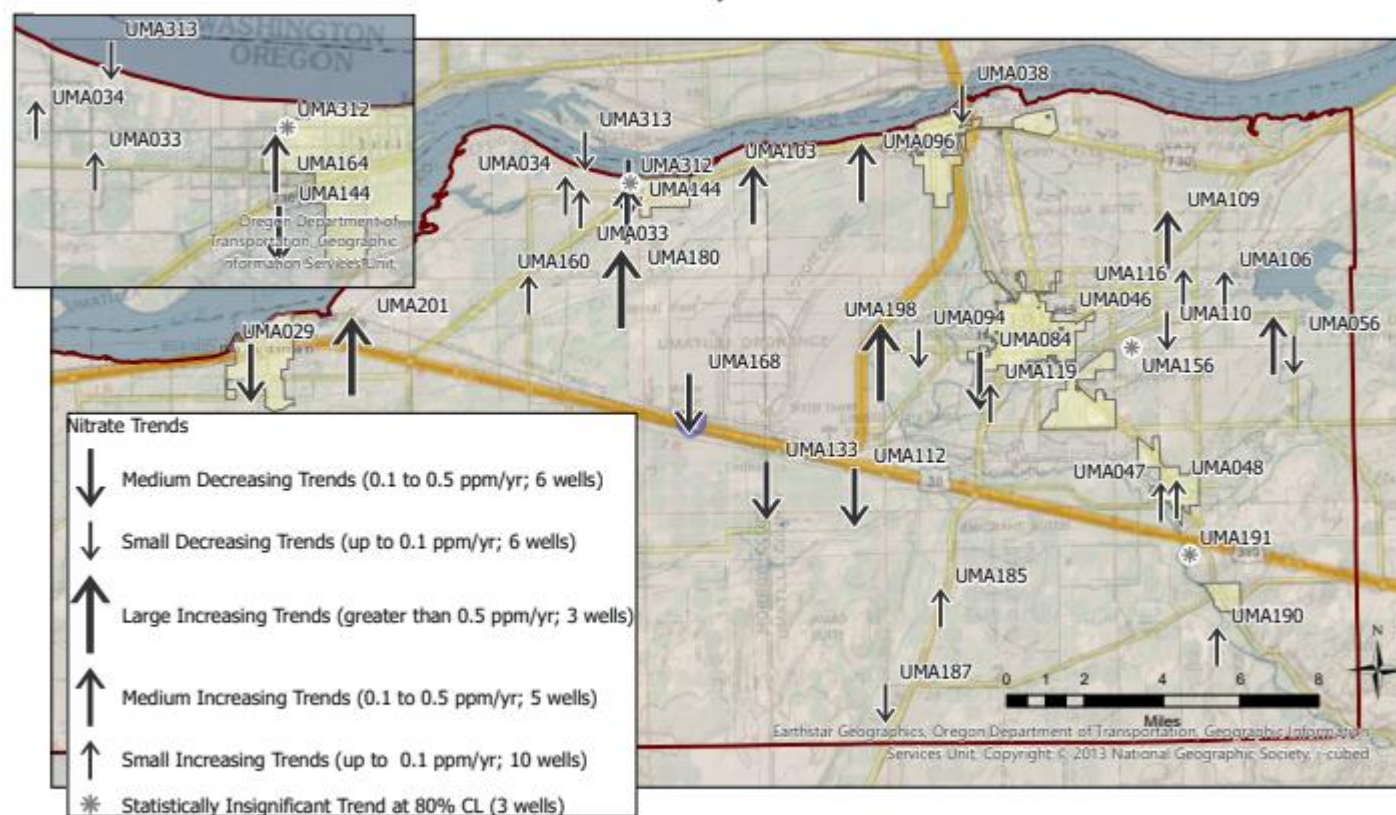
# Progress Update: Department of Environmental Quality

## Monitoring, Data, and Analysis

- Updated trend analysis report in January 2025 for DEQ's long-term well network.
- **Trend analysis** reviewed concentrations across the 33-well network over 32 years and found an overall increasing nitrate trend, with some decreases.
- **Next steps:**
  - Evaluate trends using data from permitted facilities.
  - Improve geographic extent of well network to expand usefulness in evaluating the entire LUBGWMA.
  - Continue ongoing sampling and analysis.

# Progress Update: Department of Environmental Quality

Figure 9  
Nitrate Trends at Individual Wells  
Groundwater Nitrate Trend Analysis - LUBGWMA Well Network



Trends Analysis Report:  
<https://ordeq.org/NitrateTrend>

# **Role & Responsibility: Department of Agriculture**

---

- **Irrigated Agriculture**
  - Agricultural Water Quality Program
  - Strategic Implementation Area
  - Best Management Practices (BMPs) for Nutrient & Irrigation Management
  - Fertilizer Registration Program
- **Confined Animal Feeding Operations**
  - Permit compliance
- **Livestock Grazing**
  - Agricultural Water Quality Program
  - Inventory of Livestock Operations
  - Manure Management
- **Rural Residential**
  - Agricultural Water Quality Program

# Progress Update: Department of Agriculture

---

- **Agricultural Water Quality Program**
  - Initiated rulemaking to development additional groundwater quality rules for the LUBGWMA.
    - Rules Advisory Committee is scheduled to conclude late August. After that the agency will publish the draft rules for public comment.
- **Strategic Implementation Area**, focused outreach and compliance to target areas. Outreach done in partnership with Morrow SWCD.
  - Evaluated over 400 tax lots, Identified 4 potential violation, 20 compliance opportunities, and 279 restoration opportunities. Held in person open house meeting in October 2024.

# **Progress Update: Department of Agriculture**

---

- **Agricultural Water Quality Program**
  - Irrigation type and ag inventory conducted by Morrow SWCD to inform and prioritize outreach, technical assistance, and best management practice (BMP) development.
- **Confined Animal Feeding Operations**
  - Completed rulemaking to implement SB85 September 2024
  - Outreach and education on new rules
  - Process of updating the General NPDES Permit

# **Role & Responsibility: Water Resources Department**

- **Rural Residential**
  - Domestic Well Construction and Compliance
- **Monitoring, Data, and Analysis**
  - Hydrogeology of the Lower Umatilla Basin - Update of Conceptual Model
  - Ongoing Groundwater Levels Data Collection

# Progress Update: Water Resources Department

- OWRD staff conducted 2 well inspections in Q1. Both were domestic or exempt wells. Staff identified no deficiencies during inspection or review of the well log.
- A contractor has been selected to work with OWRD staff on the well assessment project. Outreach is underway to determine locations and willing landowners. Assessments are expected to begin later this year.



## Progress Update: Water Resources Department

- Developed preliminary water level contour maps and hydrographs.
- Newly added monitoring well data is now available through OWRD's Groundwater Information Service (GWIS)
- Completed annual synoptic water level measurement event in early February. WRD staff collected measurements at 113 wells in the Lower Umatilla Basin.
- Presented at January meeting of Oregon Rural Action to recruit volunteers for the Well Survey Project.

# Governor Kotek's 2023 Directive to Agencies

Governor Kotek directed state agencies to coordinate an immediate public health inter-agency response in the LUBGWMA, including:

- Outreach to alert community members to health risks of high nitrate in domestic well water
- Free domestic well water testing
- Water treatment system installation (where effective)
- Water delivery

The state will continue to offer free testing and retesting for households in the region that rely on domestic wells, and will continue to provide services to all households with nitrate in well water at or above 10 mg/L.

# **Role & Responsibility: Oregon Health Authority**

## **Immediate Safe Drinking Water Services**

- Health risk education and outreach about nitrate in domestic well water at or above 10 milligrams nitrate per liter of water (mg/L)
- Free well water testing and treatment system installation and maintenance
- Free water delivery via Oregon Department of Human Services Retesting, prioritizing households at risk of exceeding 10mg/L nitrate
- Funding to Morrow and Umatilla county health departments, local community based organizations (CBOs) to reach residents
- Collect and analyze data to support effective operations

## **Intermediate Term Public Water Systems Solutions**

- Technical and funding assistance for public water system extension and creation
- Ensure all public water systems (4 or more connections) are under OHA Oversight

# Progress Update: Oregon Health Authority

---

As of April 30, 2025:

- **Initial Well Tests** for estimated 3,300 households: 2,024 completed initial tests, ~500 declined, 776 remain untested (no trespassing, no mail to home address, etc.)
- **Retesting:** 608 households in LUBGWMA have had at least one follow-up retest of their well water. 494 of these are high-risk households (initial test at 5-9.99 mg/L of nitrate); of these, 340 (68%) have had at least one quarterly retest. Some decline.
- **Water treatment:** 375 households have tested in the range that reverse osmosis treatment systems can effectively treat (up to 24.99 mg/L). OHA contractors have installed 247 systems to date (66%). Plumbing workforce challenges .
- **Water delivery:** 579 in LUBGWMA testing at or above 10mg/L nitrate receiving bottled water via partnership with Oregon Department of Human Services and local county health departments. (599 eligible, some declines, some moved)

# Progress Update: Oregon Health Authority

---

## Collaborative workgroups:

- 5 local CBOs, Morrow & Umatilla counties, OHA and ODHS
- Outreach & Education Workgroup reviews existing and co-creates new materials
- Data & Reporting Workgroup identifies reporting categories and transparency improvements

## Updating and improving outreach materials:

- All bilingual English & Spanish
- [TestMyWell.oregon.gov](https://www.testmywell.oregon.gov) & [PruebaDePozo.oregon.gov](https://www.pruebaDepozo.oregon.gov); quarterly newsletter (440 subscribers); FAQs and "who to call"
- In person materials: fact sheets, posters, yard signs, door hangers and more
- Direct mailings, social media, radio, print & web advertising
- Treatment system guides for residents

# Progress Update: Oregon Health Authority

Trying again:

- Nov 2024  
canvassing of "no trespassing" & returned mail households
- Dec 2024  
postcard to households that declined testing

## Public Health Division

### Domestic Well Safety Program



### Wells in your neighborhood are testing high in nitrate.

**Nitrate levels above 10 milligrams per liter can be harmful to your health.** The Oregon Department of Human Services and the Oregon Health Authority, in partnership with local health authorities, are offering free testing. We recommend testing at least once a year to ensure your well water is safe.

We connected with you or someone living at this address in summer 2023, and well water testing was declined at that time. We are following up again with this offer. Make sure your drinking water is safe! **To schedule a free test today, call 541-564-5676.** You can also call this number if you want to opt out of future communications.

### Los pozos en su vecindario están mostrando niveles altos de nitratos.

**Los niveles de nitrato superiores a 10 miligramos por litro pueden ser dañinos para su salud.**

El Departamento de Servicios Humanos de Oregon y la Oregon Health Authority, en asociación con las autoridades de salud locales, están ofreciendo pruebas de agua de pozo gratis. Recomendamos hacer las pruebas por lo menos una vez al año para garantizar que el agua de su pozo sea segura.

Nos pusimos en contacto con usted o alguien que vive en esta dirección en el verano de 2023, y en ese momento se rechazó la prueba de agua de pozo. Estamos haciendo un seguimiento nuevamente con esta oferta. ¡Asegúrese de que su agua potable sea segura! **Para programar una prueba gratis de agua de pozo hoy, llame al 541-564-5676.** También puede llamar a este número si prefiere no recibir comunicaciones futuras.

### Have questions? • ¿Tiene preguntas?

Reach out to **541-952-9254** or get more information at [testmywell.oregon.gov](https://testmywell.oregon.gov).  
Llame al **541-952-9254** u obtenga más información en [pruebadepozo.oregon.gov](https://pruebadepozo.oregon.gov).

200-208350ac (12/24)



# **Progress Update: Oregon Health Authority**

---

## **Supporting intermediate term public water system solutions:**

- **Data use agreement** with Morrow and Umatilla County Planning Departments provide access to data about household locations and nitrate test results
- **Provided funding information** about Drinking Water State Revolving Fund and Bipartisan Infrastructure Funding
- **Provided a letter of eligibility** to Morrow County for their Congressionally Directed Spending (CDS) funding request
- **OHA and Business Oregon provided grants** to perform feasibility studies for drinking water and wastewater systems

# Governor's Office

---



# Questions?

---