

# ENFORCEABLE POLICY REPORT

## About this Report

This draft report lists the enforceable policies associated with the location of your proposed project. It is intended to provide guidance to federal permit and license applicants and federal action agencies proposing small to medium projects, and does not replace the detailed analysis that is necessary to identify project-specific enforceable policies and coastal effects. Enforceable policies identified by this tool are not an exhaustive project-specific policy analysis. **Applicants and federal action agencies are wholly responsible for identifying all the applicable enforceable policies for the project.**

## Directions

Review the policies listed in the table below and complete the “Coastal Effects” and “How Project Complies” columns. If any of the identified policies are not applicable to the project, include “N/A” in the associated column boxes.

- **“Coastal Effects” Column:** Include the coastal effects of the project associated with the identified policy. For example, the coastal effects associated with the removal or fill of material (ORS 196.682) may be “Dredge and fill of wetland, temporary impacts to water quality”.
- **“How Project Complies” Column:** Include how the project complies with the identified policies. One way to do this is to indicate the project elements that may mitigate or address the potential coastal effects.
  - Any policies that do require a local or state permit/authorization should be listed with the status and submission date of the associated permit/authorization. As these permits/authorizations are issued, they should be forwarded to [Coast.PERMITS@dlcd.oregon.gov](mailto:Coast.PERMITS@dlcd.oregon.gov).
  - Any policies that do not require a permit or authorization should be listed and include project elements that show consistency with the policy, as well as the contact information for the staff at the associated jurisdiction who have been consulted on the project.

## Additional Tips

- **Adding Rows for Applicable Enforceable Policies:** To add additional rows for applicable enforceable policies, right click and choose “Insert” then “Insert Rows Below”.
- If an identified policy states “Check marked document” in the “Enforceable Policy” column, click on the link to open the policy document. Highlighted or commented policies within the document are identified as enforceable policies that may apply to your proposed project.
- Policies identified in the “Local Government Plan / Land Use Regulations (Statewide Planning Goals 1-18)” table may be addressed through the completion of a Land Use Compatibility Statement.

### Questions?

Contact [Coast.PERMITS@dlcd.oregon.gov](mailto:Coast.PERMITS@dlcd.oregon.gov) for assistance.



**OCMP**

Oregon Coastal  
Management Program

# ENFORCEABLE POLICY REPORT

Generated on 02/01/24 to 02/26/2024

Project Name: **BOEM’s Consistency Determination for Leasing Wind Energy Areas Offshore Oregon**

## Local Comprehensive Plan / Land Use Regulations (Statewide Planning Goals 1-18)

Authority & Enforceable Policies	Coastal Effects	How Project Complies
<b>Statewide Planning Goal 1: Citizen Involvement</b> <a href="#">Link to SWPG 1</a>	See Consistency Determination for Comment and Analysis.	Consistent to the maximum extent practicable.  See Consistency Determination for Comment and Analysis.
<b>Statewide Planning Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces</b> <a href="#">Link to SWPG 5</a>	See Consistency Determination for Comment and Analysis.	Consistent to the maximum extent practicable.  See Consistency Determination for Comment and Analysis.
<b>Statewide Planning Goal 6: Air, Water and Land Resources Quality OAR 660-015-0000(6)</b> <a href="#">Link to SWPG 6</a>	See Consistency Determination for Comment and Analysis.	Consistent to the maximum extent practicable.  See Consistency Determination for Comment and Analysis.
<b>Statewide Planning Goal 16: Estuarine Resources</b> <a href="#">Link to SWPG 16</a>	See Consistency Determination for Comment and Analysis.	Not applicable to the Proposed Action. See Consistency Determination for Comment and Analysis.
<b>Statewide Planning Goal 17: Coastal Shorelands</b> <a href="#">Link to SWPG 17</a> <ul style="list-style-type: none"> <li>• Pg. 2 Column 2 thru Pg. 3 Column 1: Identification of Coastal Shorelands; definition of coastal shorelands.</li> <li>• Pg. 3 Column 1: Coastal shoreland Uses: Protection for significant areas and allowed uses.</li> <li>• Pg. 3 Column 1 to Column 2: Location of shorelands: Protection</li> </ul>	See Consistency Determination for Comment and Analysis.	Consistent to the maximum extent practicable.  See Consistency Determination for Comment and Analysis.

<p>for water-dependent uses in certain areas of shorelands.</p> <ul style="list-style-type: none"> <li>• Pg. 3 Column 2 to Pg. 4 Column 1: Permissible Nonwater-Dependent Uses; definition of permissible nonwater-dependent uses.</li> <li>• Pg. 4 Column 2: Implementation Requirements: #3: Dredged material disposal site protection from new uses</li> <li>• Pg. 4 Column 2 to Pg. 5 Column 1: Implementation Requirements: #4: Riparian vegetation shall be maintained and where appropriate restored and enhanced.</li> <li>• Pg. 5 Column 1: Implementation Requirements: #5: Practices and non-structural solutions will be preferred to structural solutions.</li> <li>• Pg. 5 Column 1: Implementation Requirements: #6: Existing public ownership maintained.</li> <li>• Pg 7 Column 1: Examples of Incidental Uses: Definitions of conjunction and incidental to water-dependent use; clarifies permissible nonwater-dependent use definition.</li> </ul>		
<p><b>Statewide Planning Goal 18: Beaches and Dunes</b>  <a href="#">Link to SWPG 18</a></p>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Not applicable to the Proposed Action. See Consistency Determination for Comment and Analysis.</p>

**Statewide Planning Goals (Goal 19 Only)**

<b>Authority &amp; Enforceable Policies</b>	<b>Coastal Effects</b>	<b>How Project Complies</b>
<p><b>Statewide Planning Goal 19 Ocean Resources</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Link to SWPG 19</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>
<p><b>TSP 2: Making Resource Use Decisions</b></p> <ul style="list-style-type: none"> <li>• <a href="#">A. Resources Inventory and Effects Evaluation</a></li> <li>• <a href="#">B. Joint Review Panels</a></li> <li>• <a href="#">C. Local Government Consultation</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>
<p><b>TSP 3: Rocky Shores Management Strategy</b></p> <ul style="list-style-type: none"> <li>• <a href="#">B.1. Rocky Shores Policy Framework: Goal, Objectives, Policies</a></li> <li>• <a href="#">C.1. Mandatory Policies for Site Management</a></li> <li>• <a href="#">C.2. Mandatory Policies for Amending the Rocky Shores Strategy</a></li> <li>• <a href="#">F.2. Management categories</a></li> <li>• <a href="#">G.1-39. Site Designations and Management Prescriptions</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Not applicable to the Proposed Action. See Consistency Determination for Comment and Analysis.</p>
<p><b>TSP 4: Uses of the Seafloor</b></p> <ul style="list-style-type: none"> <li>• <a href="#">-- See OAR 660-036-0001</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Not applicable to the Proposed Action. See Consistency Determination for Comment and Analysis.</p>

<p><b>TSP 5: Uses of the Territorial Sea for the Development of Renewable Energy Facilities or Other Related Structures, Equipment or Facilities</b></p> <ul style="list-style-type: none"> <li>• <a href="#">B.4.b. Sufficiency of Resources and Use of Inventory and Effects</a></li> <li>• <a href="#">B.4.d. Inventory Content</a></li> <li>• <a href="#">B.4.e. Written Evaluation</a></li> <li>• <a href="#">B.4.f. Pilot and Phased Development</a></li> <li>• <a href="#">B.4.f.2) Pilot Project</a></li> <li>• <a href="#">B.4.f.3) Phased Development</a></li> <li>• <a href="#">B.4.g. Special Resources and Use Review Standards</a></li> <li>• <a href="#">B.4.g.1) General Siting and Development Requirements</a></li> <li>• <a href="#">B.4.g.2) Fisheries Use Protection Standards</a></li> <li>• <a href="#">B.4.g.3) Ecological Resource Protection Standards</a></li> <li>• <a href="#">B.4.g.4) Recreational Resource Standards</a></li> <li>• <a href="#">B.4.g.5) Visual Resource Protection</a></li> <li>• <a href="#">D.1 Phased Development Plan</a></li> <li>• <a href="#">D.2 Facility Development Plan</a></li> <li>• <a href="#">D.3 Project Operation Plan</a></li> <li>• <a href="#">D.4 Decommissioning Plan</a></li> <li>• <a href="#">D.5 Financial Assurance Plan</a></li> <li>• <a href="#">D.6 Agreements</a></li> <li>• <a href="#">Appendix A Definitions &amp; Terms</a></li> <li>• <a href="#">Appendix B Map Designations</a></li> <li>• <a href="#">Appendix C Enforceable Policies Subject to Federal Consistency</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Not applicable to the Proposed Action. See Consistency Determination for Comment and Analysis.</p>
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**State Agency Authorities**

Authority & Enforceable Policies	Coastal Effects	How Project Complies
<p><b>ORS 468A: Air Quality</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.005 Definitions for air pollution laws</a></li> <li>• <a href="#">.010 Policy</a></li> <li>• <a href="#">.020 Application of air pollution laws</a></li> <li>• <a href="#">.025 Air purity standards; air quality standards; treatment and control of emissions; rules</a></li> <li>• <a href="#">.040 Permits; rules</a></li> <li>• <a href="#">.045 Activities prohibited without permit; limit on activities with permit</a></li> <li>• <a href="#">.050 Classification of air contamination sources; registration and reporting of sources; rules; fees</a></li> <li>• <a href="#">.055 Notice prior to construction of new sources; order authorizing or prohibiting construction; effect of no order; appeal</a></li> <li>• <a href="#">.060 Duty to comply with laws, rules and standards</a></li> <li>• <a href="#">.070 Measurement and testing of contamination sources; rules</a></li> <li>• <a href="#">.075 Variances from air contamination rules and standards; delegation to local governments; notices</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>

- [.350 Definitions for ORS 468A.350 to 468A.400](#)
- [.355 Legislative findings](#)
- [.360 Motor vehicle emission and noise standards; copy to Department of Transportation](#)
- [.363 Purpose of ORS 468A.363, 468A.365, 468A.400 and 815.300](#)
- [.365 Certification of motor vehicle pollution control systems and inspection of motor vehicles; rules](#)
- [.370 Cost-effective inspection program; contracts for inspections](#)
- [.375 Notice to state agencies concerning certifications](#)
- [.380 Licensing of personnel and equipment; certification of motor vehicles; rules](#)
- [.385 Determination of compliance of motor vehicles](#)
- [.387 Operating schedules for testing stations](#)
- [.390 Designation of areas of the state subject to motor vehicle emission inspection program; rules](#)
- [.395 Bond or letter of credit; remedy against person licensed under ORS 468A.380; cancellation of license](#)
- [.400 Fees; collection; use](#)
- [.405 Authority to limit motor vehicle operation and traffic; rules](#)
- [.410 Administration and enforcement of rules adopted under ORS 468A.405](#)
- [.415 Legislative findings](#)
- [.420 Oxygenated motor vehicle fuels; when required by rule](#)
- [.455 Police enforcement](#)
- [.460 Policy](#)
- [.465 Certification requirements for new solid fuel burning devices; rules](#)
- [.467 Prohibition on burning certain materials in solid fuel burning devices](#)
- [.485 Definitions for ORS 468A.460 to 468A.515](#)
- [.490 Residential Solid Fuel Heating Air Quality Improvement Fund; uses](#)
- [.495 Prohibition on installation of used solid fuel burning devices; exceptions; rules](#)
- [.500 Prohibition on sale of noncertified solid fuel burning devices; rules](#)
- [.505 Removal; exceptions; confirmation of removal; rules](#)
- [.515 Residential solid fuel heating curtailment program requirements; exemptions; rules](#)
- [.625 Definitions for ORS 468A.630 to 468A.645](#)
- [.630 Legislative findings](#)
- [.635 Restrictions on sale, installation and repairing of items containing chlorofluorocarbons and halon; rules](#)
- [.640 Department program to reduce use of and recycle](#)

<ul style="list-style-type: none"> <li>• <a href="#">compounds</a></li> <li>• <a href="#">.645 State Fire Marshal; program; halons; guidelines</a></li> <li>• <a href="#">.650 Legislative findings</a></li> <li>• <a href="#">.655 Prohibition on sale or promotion; exemption for medical use</a></li> <li>• <a href="#">.660 Wholesale transactions permitted</a></li> <li>• <a href="#">.700 Definitions for ORS 468A.700 to 468A.760</a></li> <li>• <a href="#">.705 Legislative findings</a></li> <li>• <a href="#">.707 Asbestos abatement program; rules; contractor licensing; worker certification</a></li> <li>• <a href="#">.710 License required for asbestos abatement project</a></li> <li>• <a href="#">.715 Licensed contractor required; exception</a></li> <li>• <a href="#">.720 Qualifications for license; application</a></li> <li>• <a href="#">.725 Grounds for license suspension or revocation</a></li> <li>• <a href="#">.730 Worker certificate required; qualifications; renewal application; suspension or revocation</a></li> <li>• <a href="#">.735 Alternatives to protection requirements; approval</a></li> <li>• <a href="#">.740 Accreditation requirements; rules</a></li> <li>• <a href="#">.745 Rules; variances; training; standards; procedures</a></li> <li>• <a href="#">.750 Fee schedule; waiver; disposition; rules</a></li> <li>• <a href="#">.755 Exemptions</a></li> <li>• <a href="#">.760 Content of bid advertisement</a></li> <li>• <a href="#">.775 Indoor air quality sampling; accreditation and certification programs</a></li> <li>• <a href="#">.780 Schedule of fees; accreditation and certification programs; rules</a></li> <li>• <a href="#">.785 Pilot programs</a></li> <li>• <a href="#">.793 Goal to reduce excess lifetime risk of cancer due to exposure to diesel engine emissions</a></li> <li>• <a href="#">.795 Definitions</a></li> <li>• <a href="#">.796 School buses; retrofitting of engines; replacement</a></li> <li>• <a href="#">.797 Standards for certified cost of qualifying repower or retrofit; rules</a></li> <li>• <a href="#">.799 Standards for qualifying repower of nonroad diesel engine or retrofit of diesel engine; rules</a></li> <li>• <a href="#">.801 Clean Diesel Engine Fund; interest</a></li> <li>• <a href="#">.803 Uses of Clean Diesel Engine Fund; rules</a></li> </ul>		
<p><b>ORS 468: Environmental Quality Generally</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.936 Unlawful air pollution in the second degree</a></li> <li>• <a href="#">.939 Unlawful air pollution in the first degree</a></li> <li>• <a href="#">.941 Determination of number of punishable offenses under ORS 468.936 and 468.939</a></li> <li>• <a href="#">.942 Unlawful water pollution in the second degree</a></li> <li>• <a href="#">.946 Unlawful water pollution in the first degree</a></li> <li>• <a href="#">.949 Determination of number of punishable offenses under ORS</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>

<ul style="list-style-type: none"> <li><a href="#">468.943 and 468.946</a></li> <li><a href="#">.951 Environmental endangerment</a></li> </ul>		
<p><b>ORS 465: Hazardous Waste and Materials</b></p> <ul style="list-style-type: none"> <li><a href="#">.003 - .037 Reduction of use of toxic substances and hazardous waste generation</a></li> <li><a href="#">.101 - .108 Bulk petroleum product withdrawal regulation</a></li> <li><a href="#">.200 - .455 Removal or remedial action (generally)</a></li> <li><a href="#">.475 - .482 Removal or remedial action (Oregon environmental cleanup assistance)</a></li> <li><a href="#">.500 - .555 Removal or remedial action (cleanup of contamination resulting from dry cleaning facilities)</a></li> <li><a href="#">.900 - .992 Civil penalties</a></li> </ul>	<p>The Proposed Action does not include activities related to hazardous waste and materials. Therefore, there are no coastal effects in association with this enforceable policy.</p>	<p>The Proposed Action does not include any activities related to hazardous waste and materials. Therefore, this enforceable policy does not apply.</p>
<p><b>ORS 454: Sewage Treatment and Disposal Systems</b></p> <ul style="list-style-type: none"> <li><a href="#">.605 Definitions for ORS 454.605 to 454.755</a></li> <li><a href="#">.607 Policy</a></li> <li><a href="#">.610 Regulation of gray water discharge; permit; rules</a></li> <li><a href="#">.655 Permit required for construction; application; time limit; special application procedure for septic tank installation on parcel of 10 acres or more</a></li> <li><a href="#">.657 Variance from subsurface sewage disposal system rules or standards; conditions; hearing</a></li> </ul>	<p>The Proposed Action does not include activities related to sewage treatment and disposal systems. Therefore, there are no coastal effects in association with this enforceable policy.</p>	<p>The Proposed Action does not include any activities related to sewage treatment and disposal systems. Therefore, this enforceable policy does not apply.</p>
<p><b>ORS 468b: Water Quality</b></p> <ul style="list-style-type: none"> <li><a href="#">.005 Definitions for water pollution control laws</a></li> <li><a href="#">.015 Policy</a></li> <li><a href="#">.020 Prevention of pollution</a></li> <li><a href="#">.025 Prohibited activities</a></li> <li><a href="#">.040 Certification of hydroelectric power project; comments of affected state agencies</a></li> <li><a href="#">.045 Certification of change to hydroelectric power project; notification of federal agency</a></li> <li><a href="#">.046 Reauthorization of hydroelectric project not to limit authority of department related to certification of project for water quality purposes</a></li> <li><a href="#">.048 Rules for standards of quality and purity; factors to be considered; meeting standards</a></li> <li><a href="#">.050 Water quality permit; issuance by rule or order; rules</a></li> <li><a href="#">.052 Fees for water quality permit to operate suction dredge</a></li> <li><a href="#">.055 Plans and specifications for disposal, treatment and sewerage systems</a></li> <li><a href="#">.060 Liability for damage to fish or wildlife or habitat; agency to which damages payable</a></li> <li><a href="#">.070 Prohibited activities for certain municipalities</a></li> <li><a href="#">.075 Definitions for 468B.080</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>

- [.080 Prohibitions for relating to garbage or sewage dumping into waters of the state](#)
- [.083 When motor vehicle parts may be placed in waters of state; rules](#)
- [.085 Depositing vehicles or manufactured structures into water prohibited](#)
- [.090 Permit authorized for discharge of shrimp and crab processing byproducts; conditions](#)
- [.093 General permit for discharge of geothermal spring water to surface water](#)
- [.095 Use of sludge on agricultural, horticultural or silvicultural land; rules](#)
- [.120 Definitions for 468B.120 to 468B.135](#)
- [.125 Policy to reduce phosphorous pollution](#)
- [.130 Prohibition on sale or distribution of cleaning agents containing phosphorous; rules](#)
- [.135 Exemptions](#)
- [.150 Definitions for 468B.150 to 468B.190](#)
- [.155 State goal to prevent ground water contamination](#)
- [.160 Ground water management and use policy](#)
- [.300 Definitions for 468B.300 to 468B.500](#)
- [.305 Entry of oil into waters of state prohibited; exceptions](#)
- [.310 Liability for violation of 468B.305; exceptions](#)
- [.315 Duty to collect and remove oil; dispersal of oil](#)
- [.320 Action by state; liability for state expense; order; appeal](#)
- [.337 Liquefied natural gas](#)
- [.345 Oil spill contingency plan required to operate facility or covered vessel in state or state waters; exceptions](#)
- [.350 Standards for contingency plans; oil spill response zones; rules](#)
- [.355 Contingency plans; participation in maritime association; lien; liability of maritime association; exemption from liability](#)
- [.360 Review of contingency plan](#)
- [.365 Plan approval; change affecting plan; certificate of approval](#)
- [.370 Determination of adequacy of plan; practice drills; rules](#)
- [.375 Inspection of facilities and vessels; coordination with State of Washington](#)
- [.380 Tank vessel inspection program; rules](#)
- [.385 Modification of approval of contingency plan; revocation of approval; violation](#)
- [.390 Compliance with federal Oil Pollution Act of 1990; proof of financial responsibility](#)
- [.450 Willful or negligent discharge of oil; civil penalty; authority of director to mitigate](#)
- [.460 Rules](#)



<ul style="list-style-type: none"> <li>• <a href="#">.475 Legislative finding; need for evidence of financial assurance for ships transporting oil</a></li> <li>• <a href="#">.485 Methods of establishing financial assurance</a></li> </ul>		
<p><b>OAR 340-041: Water Quality Standards: Beneficial Uses, Policies, and Criteria for Oregon</b></p> <ul style="list-style-type: none"> <li>• <a href="#">0002 Definitions</a></li> <li>• <a href="#">0004 Antidegradation</a></li> <li>• <a href="#">0007 Statewide Narrative Criteria</a></li> <li>• <a href="#">0009 Bacteria</a></li> <li>• <a href="#">0011 Biocriteria</a></li> <li>• <a href="#">0016 Dissolved Oxygen</a></li> <li>• <a href="#">0021 pH</a></li> <li>• <a href="#">0028 Temperature</a></li> <li>• <a href="#">0031 Total Dissolved Gas</a></li> <li>• <a href="#">0032 Total Dissolved Solids (TDS)</a></li> <li>• <a href="#">0033 Toxic Substances</a></li> <li>• <a href="#">0036 Turbidity</a></li> <li>• <a href="#">0061 Other Implementation of Water Quality Criteria</a></li> <li>• <a href="#">0104 Basin-Specific Criteria (Main Stem Columbia River): Water Quality Standards and Policies Specific to the Main Stem Columbia River</a></li> <li>• <a href="#">0225 Basin-Specific Criteria (Mid Coast Basin): Water Quality Standards and Policies for this Basin</a></li> <li>• <a href="#">0235 Basin-Specific Criteria (North Coast): Water Quality Standards and Policies for this Basin</a></li> <li>• <a href="#">00275 Basin-Specific Criteria (Rogue): Water Quality Standards and Policies for this Basin</a></li> <li>• <a href="#">0305 Water Quality Standards and Policies for South Coast Basin</a></li> <li>• <a href="#">0326 Basin-Specific Criteria (Umpqua Basin): Water Quality Standards and Policies for this Basin</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>
<p><b>OAR 660-015: Land Conservation and Development Commission</b></p> <ul style="list-style-type: none"> <li>• <a href="#">0010(4) Definitions</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>
<p><b>ORS 196: Ocean Resources</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.405 Definitions for ORS 196.405 to 196.515</a></li> <li>• <a href="#">.420 Policy</a></li> <li>• <a href="#">.425 Oregon Ocean Resources Management Program</a></li> <li>• <a href="#">.682 Permits required for removal or fill; conditions on issuance of permit</a></li> <li>• <a href="#">.800 Definitions for ORS 196.600 to 196.905</a></li> <li>• <a href="#">.805 Policy</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>

<ul style="list-style-type: none"> <li>• <a href="#">.810 Permit required to remove material from bed or banks of waters; status of permit; exceptions; rules</a></li> <li>• <a href="#">.815 Application for permit; rules; fees; disposition of fees</a></li> <li>• <a href="#">.830 Estuarine resource replacement as condition for fill or removal from estuary; considerations; other permit conditions</a></li> <li>• <a href="#">.845 Investigations and surveys</a></li> <li>• <a href="#">.850 Waiving permit requirement in certain cases; rules; notice; review; fees; disposition of fees</a></li> <li>• <a href="#">.855 Noncomplying removal of material or filling as public nuisance</a></li> <li>• <a href="#">.880 Fill under permit presumed not to affect public rights; public rights extinguished</a></li> <li>• <a href="#">.905 Applicability; rules</a></li> <li>• <a href="#">.405 Definitions for ORS 196.405 to 196.515</a></li> <li>• <a href="#">.407 Policy</a></li> <li>• <a href="#">.408 Duties of state agencies</a></li> <li>• <a href="#">.420 Policy</a></li> <li>• <a href="#">.425 Oregon Ocean Resources Management Program</a></li> <li>• <a href="#">.435 Primary agency for certain federal purposes</a></li> <li>• <a href="#">.438 Ocean Policy Advisory Council</a></li> <li>• <a href="#">.443 Duties of the council</a></li> <li>• <a href="#">.448 Member compensation</a></li> <li>• <a href="#">.451 Technical advisory committee</a></li> <li>• <a href="#">.453 Project review panels</a></li> <li>• <a href="#">.455 Coordination with federal programs</a></li> <li>• <a href="#">.465 Compatibility of acknowledged comprehensive plans</a></li> <li>• <a href="#">.471 Territorial Sea Plan review requirements</a></li> <li>• <a href="#">.485 State agency coordination requirements</a></li> <li>• <a href="#">.575 Authorization to obtain federal oceanographic data</a></li> <li>• <a href="#">.580 Liaison program duties</a></li> <li>• <a href="#">.583 Requirement to share geological data regarding territorial sea floor</a></li> <li>• <a href="#">.812 Large woody debris; rules</a></li> <li>• <a href="#">.825 Criteria for issuance of permit; conditions; consultation with public bodies; hearing; appeal</a></li> </ul>		
<p><b>ORS 520: Conservation of Gas and Oil</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.005 Definitions</a></li> <li>• <a href="#">.025 Permit for drilling well or using well; extension; annual report; grounds for granting or denying permit</a></li> <li>• <a href="#">.035 Waste of oil or gas prohibited</a></li> <li>• <a href="#">.095 Rules and orders; bond</a></li> </ul>	<p>The Proposed Action does not include activities related to gas and oil. Therefore, there are no coastal effects in association with this enforceable policy.</p>	<p>The Proposed Action does not include any activities related to gas and oil. Therefore, this enforceable policy does not apply.</p>
<p><b>ORS 517: Mining and Mining Claims</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.005 Definitions</a></li> </ul>	<p>The Proposed Action does not include activities related to mining and mining claims. Therefore, there are no coastal</p>	<p>The Proposed Action does not include any activities related to mining and mining claims. Therefore, this enforceable policy</p>

	effects in association with this enforceable policy.	does not apply.
<b>ORS 273: State Lands Generally</b> <ul style="list-style-type: none"> <li>• <a href="#">.775 Definitions for ORS 273.775 to 273.790</a></li> <li>• <a href="#">.780 Retention of mineral and geothermal resource rights by state; exploration permit or lease; sale or exchange; exception</a></li> <li>• <a href="#">.785 Application of ORS 273.551 to 273.775 to 273.790; rules</a></li> </ul>	The Proposed Action does not include activities related to mineral and geothermal resource rights. Therefore, there are no coastal effects in association with this enforceable policy.	The Proposed Action does not include any activities related to mineral and geothermal resource rights. Therefore, this enforceable policy does not apply.
<b>ORS 273: State Lands Generally</b> <ul style="list-style-type: none"> <li>• <a href="#">.551 Mining and drilling leases on state lands; fee</a></li> <li>• <a href="#">.553 South Slough National Estuarine Research Reserve; agreement between Oregon and federal government; rules</a></li> <li>• <a href="#">.554 South Slough National Estuarine Research Reserve Management Commission; powers; rules; fees; membership; procedures; expenses</a></li> </ul>	The Proposed Action does not include activities related to mining and drilling leases on state lands nor the South Slough Estuary. Therefore, there are no coastal effects in association with this enforceable policy.	The Proposed Action does not include any activities related to mining and drilling leases on state lands nor the South Slough Estuary. Therefore, this enforceable policy does not apply.
<b>ORS 527: Forest Practices</b> <ul style="list-style-type: none"> <li>• <a href="#">.620 Definitions for ORS 527.610 to 527.770</a></li> <li>• <a href="#">.630 Policy</a></li> <li>• <a href="#">.660 Committees to review rules</a></li> <li>• <a href="#">.670 Commencement of operations; when notice and written plan required; notice of chemical application; appeal of plan</a></li> <li>• <a href="#">.700 Appeals from order of State Forester; hearings procedure; stay of operation</a></li> <li>• <a href="#">.710 Duties and powers of board; rules to protect resources; inventory for resource protection; consultation with other agencies</a></li> <li>• <a href="#">.722 Restrictions on local government adoption of rules regulating forest operations; exceptions</a></li> <li>• <a href="#">.990 Criminal penalties</a></li> </ul>	The Proposed Action does not include activities related to forest practices. Therefore, there are no coastal effects in association with this enforceable policy.	The Proposed Action does not include any activities related to forest practices. Therefore, this enforceable policy does not apply.
<b>ORS 509: Additional Fishery Requirements</b> <ul style="list-style-type: none"> <li>• <a href="#">.001 Definitions</a></li> <li>• <a href="#">.112 Wasting food fish</a></li> <li>• <a href="#">.115 Placing in waters fish harmful to food fish</a></li> <li>• <a href="#">.120 Using electricity to disturb food fish</a></li> <li>• <a href="#">.122 Definitions for ORS 509.125 to 509.155</a></li> <li>• <a href="#">.125 Placing substances in water to drive fish from closed areas</a></li> <li>• <a href="#">.130 Placing substances in water or using explosives to take or destroy food fish</a></li> <li>• <a href="#">.140 Placing explosives or harmful substances in waters in course of lawful work; permit</a></li> <li>• <a href="#">.505 Placing in water matter injurious to shellfish</a></li> <li>• <a href="#">.510 Taking shellfish from marked beds without permission; disturbing beds</a></li> <li>• <a href="#">.580 Definitions for ORS 509.580 to 509.590, 509.600 to 509.645</a></li> </ul>	The Proposed Action does not include activities related to fish passage, taking fish or shellfish, or harming, wasting, or destroying food fish by placing fish harmful to food fish in waters, placing substances in water, or placing explosives in waters. Therefore, there are no coastal effects in association with this enforceable policy.	The Proposed Action does not include any activities related to fish passage, taking fish or shellfish, or harming, wasting, or destroying food fish by placing fish harmful to food fish in waters, placing substances in water, or placing explosives in waters. Therefore, this enforceable policy does not apply.

<ul style="list-style-type: none"> <li><a href="#">and 509.10; rules</a></li> <li><a href="#">.585 Fish passage required for artificial obstructions; statewide inventory; waiver of requirement by commission; rules; exemptions</a></li> <li><a href="#">.600 Destroying, injuring or taking fish near fishway; permits to take fish</a></li> <li><a href="#">.610 Maintenance of fish passage required</a></li> <li><a href="#">.625 Power of department to inspect artificial obstructions and have fish passage constructed or remove obstruction</a></li> </ul>		
<p><b>ORS 506: Commercial Fishing and Fisheries</b></p> <ul style="list-style-type: none"> <li><a href="#">.006 General definitions</a></li> <li><a href="#">.011 Types of marine life defined</a></li> <li><a href="#">.016 "Salmon" defined</a></li> <li><a href="#">.025 "Unlawful to buy" defined</a></li> <li><a href="#">.028 "Conservation" defined</a></li> <li><a href="#">.109 Food fish management policy</a></li> <li><a href="#">.220 Erecting markers of closed waters; interference with markers</a></li> <li><a href="#">.450 Definitions for ORS 506.450 to 506.465; rules</a></li> <li><a href="#">.455 Policy</a></li> <li><a href="#">.610 When possession prima facie evidence of taking fish unlawfully</a></li> </ul>	See Consistency Determination for Comment and Analysis.	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>
<p><b>OAR 635-415: Fish and Wildlife Habitat Mitigation Policy</b></p> <ul style="list-style-type: none"> <li><a href="#">0005 Definitions</a></li> <li><a href="#">0010 Fish and Wildlife Habitat Mitigation Policy</a></li> <li><a href="#">0020 Implementation of Department Habitat Mitigation Requirements (*excluding Policies #6-7)</a></li> <li><a href="#">0025 Implementation of Department Habitat Mitigation Recommendations</a></li> </ul>	See Consistency Determination for Comment and Analysis.	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>
<p><b>OAR 635-412: Fish Passage</b></p> <ul style="list-style-type: none"> <li><a href="#">0005 Definitions</a></li> <li><a href="#">0015 Prioritization</a></li> <li><a href="#">0020 Fish Passage Approval</a></li> <li><a href="#">0025 Fish Passage Waivers and Exemptions</a></li> <li><a href="#">0035 Fish Passage Criteria</a></li> <li><a href="#">0040 Mitigation Criteria</a></li> </ul>	The Proposed Action does not include activities related to fish passage. Therefore, there are no coastal effects in association with this enforceable policy.	The Proposed Action does not include any activities related to fish passage. Therefore, this enforceable policy does not apply.
<p><b>ORS 498: Hunting, Angling, and Wildlife</b></p> <ul style="list-style-type: none"> <li><a href="#">.306 Screening or by-pass devices for water diversions; fees; costs</a></li> <li><a href="#">.316 Exemption from screening or by-pass devices</a></li> </ul>	The Proposed Action does not include activities related to hunting, angling, and wildlife screening or by-pass devices for water diversions. Therefore, there are no coastal effects in association with this enforceable policy.	The Proposed Action does not include any activities related to hunting, angling, and wildlife screening or by-pass devices for water diversions. Therefore, this enforceable policy does not apply.
<p><b>OAR 635-425: In-Water Blasting Permits</b></p>	The Proposed Action does not include	The Proposed Action does not include any

<ul style="list-style-type: none"> <li>• <a href="#">0005 Applicability</a></li> <li>• <a href="#">0010 Definitions</a></li> <li>• <a href="#">0015 Fish and Wildlife In-Water Blasting Permit Policy</a></li> <li>• <a href="#">0020 Application Requirements</a></li> <li>• <a href="#">0035 Permit Conditions</a></li> <li>• <a href="#">0040 Notification Requirements</a></li> </ul>	<p>activities related to in-water blasting permits. Therefore, there are no coastal effects in association with this enforceable policy.</p>	<p>activities related to in-water blasting permits. Therefore, this enforceable policy does not apply.</p>
<p><b>ORS 564: Threatened or Endangered Plants</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.100 Definitions for ORS 564.100 to 564.135</a></li> <li>• <a href="#">.115 Protection and conservation programs; action by state agencies; alternatives; findings required if agency fails to adopt alternatives</a></li> <li>• <a href="#">.120 Transactions in threatened or endangered species; restrictions; prohibition</a></li> </ul>	<p>The Proposed Action does not include activities related to threatened or endangered plants. Therefore, there are no coastal effects in association with this enforceable policy.</p>	<p>The Proposed Action does not include any activities related to threatened and endangered plants. Therefore, this enforceable policy does not apply.</p>
<p><b>ORS 496: Wildlife</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.004 Definitions</a></li> <li>• <a href="#">.007 "Game bird" defined</a></li> <li>• <a href="#">.009 "Game fish" defined</a></li> <li>• <a href="#">.012 Wildlife policy</a></li> <li>• <a href="#">.162 Establishing seasons, amounts and manner of taking wildlife; rules</a></li> <li>• <a href="#">.171 Definitions for ORS 496.171 to 496.182; applicability date</a></li> <li>• <a href="#">.182 Protection and conservation programs; compliance by state agencies; rules</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>
<p><b>ORS 358: Archaeological Objects and Sites</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.905 Archaeological Objects and Sites: Definitions</a></li> <li>• <a href="#">.910 Archaeological Objects and Sites: Policy</a></li> <li>• <a href="#">.920 Archaeological Objects and Sites: Prohibited Conduct</a></li> <li>• <a href="#">.945 Archaeological Objects and Sites: Notice required upon finding of object</a></li> <li>• <a href="#">.950 Archaeological Objects and Sites: When notice to Indian tribe required</a></li> </ul>	<p>See Consistency Determination for Comment and Analysis.</p>	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>
<p><b>OAR 736-051: Archaeological Permits</b></p> <ul style="list-style-type: none"> <li>• <a href="#">0080(1) Archaeological Permits - Process for Applying for an Archaeological Permit on Public Lands: Circumstances requiring Archaeological Permits.</a></li> <li>• <a href="#">0090(1) Archaeological Permits - Process for Applying for an Archaeological Permit on Private Lands: Circumstances requiring Archaeological Permits</a></li> </ul>	<p>The Proposed Action does not include activities related to archaeological permits. Therefore, there are no coastal effects in association with this enforceable policy.</p>	<p>The Proposed Action does not include any activities related archaeological permits. Therefore, this enforceable policy does not apply.</p>
<p><b>ORS 390: Archaeological Resource Protection Policies</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.235 Permits and conditions for excavation or removal of archaeological or historical material; rules; criminal penalty</a></li> <li>• <a href="#">.237 Removal without permit; exceptions</a></li> </ul>	<p>The Proposed Action does not include activities related to excavation or removal of archaeological or historical material. Therefore, there are no coastal effects in</p>	<p>The Proposed Action does not include any activities related to excavation or removal of archaeological or historical material. Therefore, this enforceable policy does not</p>

	association with this enforceable policy.	apply.
<p><b>ORS 390: Oregon Parks and Recreation Department</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.010 Policy of state toward outdoor recreation resources</a></li> <li>• <a href="#">.605 Definitions</a></li> <li>• <a href="#">.610 Policy</a></li> <li>• <a href="#">.615 Ownership of Pacific shore; declaration as state recreation area</a></li> <li>• <a href="#">.640 Permit required for improvements on ocean shore; exceptions</a></li> <li>• <a href="#">.650 Improvement permit procedure; fee; waiver or reduction</a></li> <li>• <a href="#">.655 Standards for improvement permits</a></li> <li>• <a href="#">.661 Improvement without permit or contrary to permit conditions as public nuisance</a></li> <li>• <a href="#">.663 Investigation of violation within ocean shore; cease and desist order; enforcement of order by state and local police</a></li> <li>• <a href="#">.666 Revocation, suspension or nonrenewal of improvement permit</a></li> <li>• <a href="#">.669 Action by state or any person to abate public nuisance; temporary restraining order or preliminary injunction; compensation to public</a></li> <li>• <a href="#">.678 Motor vehicle and aircraft use regulated in certain zones; zone markers; proceedings to establish zones</a></li> <li>• <a href="#">.705 Prohibition against placing certain conduits across recreation area and against removal of natural products</a></li> <li>• <a href="#">.715 Permits for pipe, cable or conduit across ocean shore, state recreation areas and submerged lands</a></li> <li>• <a href="#">.725 Permits for removal of products along ocean shore; rules</a></li> <li>• <a href="#">.729 Permits for operation of all-terrain vehicles on ocean shore</a></li> <li>• <a href="#">.760 Exceptions from vegetation line</a></li> <li>• <a href="#">.770 Vegetation line described</a></li> <li>• <a href="#">.805 Definitions for ORS 390.805 to 390.925</a></li> <li>• <a href="#">.815 Policy; establishment of system</a></li> <li>• <a href="#">.826 Designated scenic waterways</a></li> <li>• <a href="#">.835 highest and best use of waters within scenic waterways; prohibitions; authority of various agencies; water rights; conditions; recreational prospecting; placer mining</a></li> <li>• <a href="#">.845 Administration of scenic waterways and related adjacent lands; limitations on use; condemnation; rules</a></li> </ul>	See Consistency Determination for Comment and Analysis.	<p>Consistent to the maximum extent practicable.</p> <p>See Consistency Determination for Comment and Analysis.</p>
<p><b>ORS 97: Rights and Duties Relating to Cemeteries, Human Bodies and Anatomical Gifts</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.740 Rights and Duties Relating to Cemeteries, Human Bodies and Anatomical Gifts: Definitions</a></li> <li>• <a href="#">.745 Rights and Duties Relating to Cemeteries, Human Bodies and Anatomical Gifts: Prohibited Acts</a></li> </ul>	The Proposed Action does not include activities related to cemeteries, human bodies, or anatomical gifts. Therefore, there are no coastal effects in association with this enforceable policy.	The Proposed Action does not include any activities related to cemeteries, human bodies, or anatomical gifts. Therefore, this enforceable policy does not apply.

<ul style="list-style-type: none"> <li>• <a href="#">.750 Rights and Duties Relating to Cemeteries, Human Bodies and Anatomical Gifts: Permitted Acts</a></li> </ul> <p><b>ORS 537: Appropriation of Water</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.400 Reservoir permits</a></li> <li>• <a href="#">.010 Definition of "Water Rights Act</a></li> <li>• <a href="#">.110 Public ownership of waters</a></li> <li>• <a href="#">.120 Right of appropriation; vested rights protected</a></li> <li>• <a href="#">.130 Permit to appropriate water required; notification to owner of certain land</a></li> <li>• <a href="#">.135 Permit required to appropriate water for recharging ground water sources; minimum perennial streamflow required for permit; exception</a></li> <li>• <a href="#">.140 Application for permit; contents; maps and drawings</a></li> <li>• <a href="#">.150 Filing of application; determination of completeness; initial review; preliminary determination; notice; public comments; fees</a></li> <li>• <a href="#">.160 Approval for beneficial use; agreement authorizing use of ditch for waste or seepage water</a></li> <li>• <a href="#">.170 Contested case hearing on application; final order; appeal</a></li> <li>• <a href="#">.240 Federal permit; time for obtaining; cancellation; time for beginning and completing work</a></li> <li>• <a href="#">.332 Definitions for ORS 537.332 to 537.360</a></li> <li>• <a href="#">.334 Findings</a></li> <li>• <a href="#">.343 Certificate for in-stream water right</a></li> <li>• <a href="#">.346 Conversion of minimum perennial stream flows to in-stream water rights; special provisions for Willamette Basin</a></li> <li>• <a href="#">.348 Purchase, lease or gift of water right for conversion to in-stream water right; priority dates</a></li> <li>• <a href="#">.349 Processing request for in-stream water right</a></li> <li>• <a href="#">.350 Legal status of in-stream water right</a></li> <li>• <a href="#">.352 Precedence of uses</a></li> <li>• <a href="#">.410 Failure to commence or complete work, or to properly apply water, as grounds for cancellation of permit; irrigation districts, municipalities and public utilities excepted</a></li> <li>• <a href="#">.420 Notice of hearing</a></li> <li>• <a href="#">.440 Cancellation of permit; priorities of other permits</a></li> <li>• <a href="#">.445 Hearing upon proposal to cancel permit or appropriation; cancellation suspended pending review</a></li> <li>• <a href="#">.450 Rules for proof as to work and use of water under permits; noncompliance as evidence in cancellation proceedings</a></li> <li>• <a href="#">.505 Short title</a></li> <li>• <a href="#">.515 Definitions for ORS 537.505 to 537.795 and 537.992</a></li> <li>• <a href="#">.525 Policy</a></li> <li>• <a href="#">.535 Unlawful use or appropriation of ground water, including well construction and operation</a></li> <li>• <a href="#">.545 Exempt uses; map; filing of use; fee; rules</a></li> </ul>	<p>The Proposed Action does not include activities related to appropriation of water. Therefore, there are no coastal effects in association with this enforceable policy.</p>	<p>The Proposed Action does not include any activities related to appropriation of water. Therefore, this enforceable policy does not apply.</p>
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<ul style="list-style-type: none"> <li>• <a href="#">.575 Permits granted, approved or pending under former law</a></li> <li>• <a href="#">.585 Beneficial use of ground water prior to August 3, 1955, recognized as right to appropriate water when registered</a></li> <li>• <a href="#">.595 Construction or alteration of well commenced prior to August 3, 1955, recognized as right to appropriate water when registered</a></li> <li>• <a href="#">.605 Registration of right to appropriate ground water claimed under ORS 537.585 or 537.595; registration statement</a></li> <li>• <a href="#">.610 Recording of registration statements; issuance of certificate of registration; conclusiveness of certificate</a></li> <li>• <a href="#">.615 Necessity of permit to acquire new right or enlarge existing appropriation right</a></li> <li>• <a href="#">.620 Determination of completeness and propriety of application; public notice and comment</a></li> <li>• <a href="#">.625 Final order; appeal; contents of permit</a></li> <li>• <a href="#">.630 Time allowed for construction work under permit; certificate of completion; survey; ground water right certificate; requirements for supplemental water right</a></li> <li>• <a href="#">.635 Assignment of application, certificate of registration or permit</a></li> <li>• <a href="#">.680 Taking testimony; inspecting evidence; contesting claim</a></li> <li>• <a href="#">.685 Findings of fact and order of determination</a></li> <li>• <a href="#">.690 Filing evidence, findings and determinations; court proceedings</a></li> <li>• <a href="#">.695 Conclusive adjudication</a></li> <li>• <a href="#">.705 Ground water appurtenant; change in use, place of use or point of appropriate</a></li> <li>• <a href="#">.730 Designation of critical ground water area; rules; notice</a></li> <li>• <a href="#">.780 Powers of Water Resources Commission; rules; limitations on authority</a></li> <li>• <a href="#">.795 ORS 537.505 to 537.795 supplementary</a></li> </ul>		
<p><b>ORS 536: Water Resources Administration</b></p> <ul style="list-style-type: none"> <li>• <a href="#">.220 Policy on water resources generally; integrated state water resources strategy</a></li> <li>• <a href="#">.700 Drainage basin" defined</a></li> <li>• <a href="#">.710 Policy</a></li> </ul>	<p>The Proposed Action does not include activities related to water resources. Therefore, there are no coastal effects in association with this enforceable policy.</p>	<p>The Proposed Action does not include any activities related to water resources. Therefore, this enforceable policy does not apply.</p>