U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

FEB 13 2015

Ms. Patricia L. Snow, Manager
Oregon Coastal Management Program
Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, Oregon 97301-2540

Dear Ms. Snow:

Thank you for bringing to our attention the need for technical corrections to the list of approved changes to the Oregon Coastal Management Program included with the November 26, 2014 letter from the National Oceanic and Atmospheric Administration's (NOAA's) Office for Coastal Management to the Department of Land Conservation and Development (DLCD).

The enclosed list of changes approved for incorporation into the Oregon Coastal Management Program reflects the following corrections:

- ORS 454.605, 454.607, 454.610, 454.615*, 454.625*, 454.635*, 454.640*, 454.645*, 454.655 and 454.657 were approved as enforceable and non-enforceable (*) policies, which were ***modified*** (as opposed to being added to the Coastal Management Program for the first time); and

- ORS 501.005, 501.015, 501.025, 501.035 and 501.045 were approved for ***deletion*** from the Coastal Management Program (the original approval letter listed them as modified and deleted, which is incorrect).

The changes described in the corrected list have been incorporated as routine program changes (RPCs), pursuant to Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. part 923, subpart H, and the Office for Coastal Management's[1] *Program Change Guidance (July 1996).*

The qualifications and exceptions included in the November 26, 2014, partial approval letter still apply. Since DLCD issued a December 1, 2014, public notice of the Office for Coastal Management's approval pursuant to 15 C.F.R. § 923.84(b)(4), the approved changes and

[1] NOAA's Office for Coastal Management was formerly the Office of Ocean and Coastal Resource Management and the Coastal Services Center; these two offices were integrated in September 2014 into the Office for Coastal Management.

corrections to enforceable policies included in this letter became applicable for Federal Consistency review purposes as of the December 1, 2014, public notice.

Please contact Kris Wall at (503) 231-2221, if you have any questions.

Sincerely,

Joelle Gore, Acting Chief
Stewardship Division

Enclosure(s): Policies Approved and Incorporated into the Oregon Coastal Management Program

Enclosure to the Office for Coastal Management's February 12, 2015, ***Corrected*** Approval of the Incorporation of Changes to the Oregon Coastal Management Program

Changes marked with an asterisk (*) are incorporated into the Oregon Coastal Management Program, but do not contain enforceable policies that can be used for Federal Consistency.

Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
ADDED:		mm/dd/yyyy	mm/dd/yyyy
Marine reserves; rules	196.540*	2012	2012
Prohibitions on fishing by rule	196.542*	2012	2012
Work plan; use of data and recommendations	196.545*	2009	2009
Funding	196.550*	2009	2009
Reporting; rules	196.555*	2009	2009
Oregon Ocean Science Trust; members; terms; compensation and expenses; rules	196.565*	2013	2013
Trust duties	196.566*	2013	2013
Oregon Ocean Science Fund; sources; uses	196.567*	2013	2013
Reimbursement from fund	196.568*	2013	2013
Report	196.569*	2013	2013
Regulation of alteration or fill of artificially created wetlands	196.687	1995	1995
Streamlining process for administering state removal or fill permits; application for state program general permit; periodic reports to legislative committee	196.795*	2007	2007
General permits allowing removal of certain amount of material for maintaining drainage; rules; waiver of fees	196.816	2011	2011
General permits; rules	196.817	2011	2011
Wetland delineation reports; review by Department of State Lands; fees	196.818	2013	2013
Monitoring fill and removal activities; public education and information materials; periodic reports to legislative committee	196.910*	2007	2007
Natural areas advisory committee.	273.573*	2011	2011
Release and transfer of mineral or geothermal resources; rules; fee.	273.787*	2003	2003
Exemptions from leasing requirements; rules; registration; use without charge; use with charge; indemnification	274.043	2011	2011

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Definition for ORS 274.400 to 274.412	274.400	1995	1995
Exclusive jurisdiction to assert title to submerged or submersible lands in navigable waterway	274.402	1995	1995
Administrative determination of navigable waterway; rules; procedure	274.404*	1995	1995
Declaration of state's claim; effect	274.406*	1995	1995
Public notice of claim; content	274.408*	1995	1995
Judicial review of declaration of state's claim	274.412*	1995	1995
Prohibited contracts for exploration for hard minerals; scientific research	274.610*	1991	1991
	Sections 1 and 2, ch. 11, Oregon Laws 2010	2010 Sunsets on Jan. 2, 2020	2010 Sunsets on Jan. 2, 2020
Wave energy; financial assurance; rules	274.867	2013	2013
Mediation and arbitration of disputes; rules.	390.240*	2005	2005
Public access to coastal shorelands.	390.632*	1999	1999
Hearing before director regarding department action on improvement permit; appeal of director's order; suspension of permit during appeal.	390.659*	1999	1999
Improvement without permit or contrary to permit conditions as public nuisance.	390.661	1999	1999
Investigation of violation within ocean shore; cease and desist order; enforcement of order by state and local police.	390.663	1999	1999
Revocation, suspension or nonrenewal of improvement permit.	390.666	1999	1999
Action by state or any person to abate public nuisance; temporary restraining order or preliminary injunction; compensation to public.	390.669	1999	1999
Damages for destruction or infringement of public right of navigation, fishery or recreation; treble damages.	390.672*	1999	1999
Imposition of civil penalties.	390.674*	1999	1999
Schedule of civil penalties; factors to	390.676*	1999	1999

Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
determine amount; rules.			
Permits for operation of all-terrain vehicles on ocean shore.	390.729	2005	2005
Designated scenic waterways.	390.826	1989	1989
Effect of ORS 390.826 on rights of Indian tribes.	390.827*	1989	1989
	Sec. 4, ch. 499, Oregon Laws 2001	2001	2001
Policy	498.301	1993	1993
Screening or by-pass devices for water diversions; fees; costs	498.306	2007	2007
Exemption from screening or by-pass devices	498.316	2007	2007
Screening or by-pass standards	498.321*	2005	2005
Definitions for ORS 509.580 to 509.590, 509.600 to 509.645 and 509.910; rules	509.580	2001	2001
Fish passage required for artificial obstructions; statewide inventory; waiver of requirement by commission; rules; exemptions	509.585	2001	2001
Definitions for ORS 537.332 to 537.360	537.332	1995	1995
Findings	537.334	1987	1987
State agencies authorized to request in-stream water rights; agreement required when supply is stored water	537.336	1995	1995
Rules for state agency request for in-stream water right	537.338*	1987	1987
Certificate for in-stream water right	537.341	1995	1995
Proposed final order; conditions	537.343	1995	1995
Conversion of minimum perennial streamflows to in-stream water rights; special provisions for Willamette Basin	537.346	2001	2001
Purchase, lease or gift of water right for conversion to in-stream water right; priority dates	537.348	2013	2013 Note: Part of this section only becomes operative on and after January 2, 2024, as set forth

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
			in the statute.
Processing request for in-stream water right	537.349	1995	1995
Legal status of in-stream water right	537.350	1987	1987
Precedence of uses	537.352	1995	1995
Applicability of chapter to reauthorization of existing hydroelectric project	543.012	1997	1997
Exemption for wave energy project; conditions	543.014	2009	2009
Temporary provisions relating to wave energy projects subject to federal licensing	Sections 1 to 4, chapter 152, Oregon Laws 2011	2011	2011
Definition of water right	543.760	2007	2007
Certificate to use water for hydroelectric purposes; expedited application process; fees	543.765	2013	2013
Penalties	543.990*	2011	2011
Definitions for ORS 564.100 to 564.135	564.100	1987	1987
Responsibility to protect and conserve native plants; rules	564.105*	2009	2009
Listing threatened or endangered species; rules	564.110*	2011	2011
Protection and conservation programs; action by state agencies; alternatives; findings required if agency fails to adopt alternatives	564.115	1987	1987
Transactions in threatened or endangered species; restrictions; prohibition	564.120	1987	1987
Director of Agriculture authority to acquire plant habitat	564.125*	1987	1987
Confidentiality of information regarding threatened or endangered species; circumstances	564.130*	1987	1987
Effect of law on commercial forestland or private land; effect on other laws	564.135*	1987	1987
Penalties	564.991*	1999	1999
Penalty for violation of ORS 564.120	564.994*	1987	1987
Civil penalties; rules; hearing; disposition of moneys	622.996*	2009	2009

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
MODIFIED:			
Definitions for ORS 196.405 to 196.515	196.405	2003	2003
Policy	196.407*	2003	2003
Duties of state agencies	196.408*	2003	2003
Legislative findings for offshore oil and gas leasing	196.410*	2002	2002
Legislative findings for ocean resources management	196.415*	2003	2003
Policy	196.420	2003	2003
Oregon Ocean Resources Management Program	196.425	2003	2003
Primary agency for certain federal purposes; restrictions	196.435*	2003	2003
Ocean Policy Advisory Council; members; term of office; quorum	196.438*	2003	2003
Duties of council	196.443*	2003	2003
Member compensation; meetings	196.448*	2003	2003
Technical advisory committee; duties; members; vacancies; advisory committees; rules	196.451*	2013	2013
Project review panels; guidelines	196.453*	2003	2003
Coordination with federal programs	196.455*	2003	2003
Compatibility of acknowledged comprehensive plans	196.465*	2003	2003
Territorial Sea Plan review requirements	196.471*	2013	2013
State agency coordination requirements; incorporation of plans	196.485*	2002	2002
Short title	196.515*	2002	2002
Legislative findings	196.668*	1991	1991
Policy	196.672*	1991	1991
Statewide Wetlands Inventory; rules	196.674*	2003	2003
Response to notices from local governments	196.676*	2003	2003
Wetland conservation plans; contents; procedure for adopting	196.678*	2003	2003
Duties of department; standards for approval of plan; conditions for approval;	196.681*	2003	2003

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
order			
Permits required for removal or fill; conditions on issuance of permit	196.682	2011	2011
Amendment of plans; review of plans by department; review of orders by Land Use Board of Appeals	196.684*	1991	1991
Acknowledged estuary management plan; review and approval; hearings; final order	196.686*	2011	2011
Public information program	196.688*	1991	1991
Rules	196.692*	2007	2007
Definitions for ORS 196.600 to 196.905	196.800	2013	2013
Policy	196.805	2012	2012
Permit required to remove material from bed or banks of waters; status of permit; exceptions; rules	196.810	2007	2007
Application for permit; rules; fees; disposition of fees	196.815	2009	2009
Prohibition against issuance of permits to fill Smith Lake or Bybee Lake; exception	196.820*	1991	1991
Criteria for issuance of permit; conditions; consultation with public bodies; hearing; appeal	196.825	2011	2011
Estuarine resource replacement as condition for fill or removal from estuary; considerations; other permit conditions	196.830	2005	2005
Hearing regarding issuance of permit; procedure; appeals; suspension of permit pending appeal	196.835*	2003	2003
Investigations and surveys	196.845	1991	1991
Waiving permit requirement in certain cases; rules; notice; review; fees; disposition of fees	196.850	2007	2007
Noncomplying removal of material or filling as public nuisance	196.855	2007	2007
Enforcement powers of director	196.860*	2007	2007

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Revocation, suspension or refusal to renew permit	196.865*	2007	2007
Abatement proceedings; restraining order; injunction; public compensation	196.870*	1991	1991
Double and treble damages for destruction of public right of navigation, fishery or recreation; costs and attorney fees	196.875*	2007	2007
Fill under permit presumed not to affect public rights; public rights extinguished	196.880	1991	1991
Annual report of fill and removal activities; contents of report	196.885*	2009	2009
Civil penalties	196.890*	1991	1991
Imposition of civil penalties	196.895*	1991	1991
Schedule of civil penalties; rules; factors to be considered in imposing civil penalties	196.900*	1991	1991
Applicability; rules	196.905	2011	2011
Penalties	196.990*	1991	1991
Mining and drilling leases on state lands; fee	273.551	2003	2003
South Slough National Estuarine Research Reserve; agreement between Oregon and federal government; rules.	273.553	2003	2003
South Slough National Estuarine Research Reserve Management Commission; powers; rules; fees; membership; procedures; expenses.	273.554	2013	2013
South Slough National Estuarine Research Reserve Management Account.	273.556*	2005	2005
Appeal to State Land Board.	273.557*	1987	1987
Penalties; enforcement; injunctive relief.	273.558*	2003	2003
Definitions for ORS 273.563 to 273.591.	273.563*	2011	2011
Legislative findings.	273.566*	2011	2011
State Parks and Recreation Department duties; Oregon Natural Areas Plan;	273.576*	2011	2011

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
contents.			
Plan approval; review of modifications by commission.	273.578*	2011	2011
Natural areas register; contents; agreements between department and landowners.	273.581*	2011	2011
Dedication of land as state natural area; notice and hearing; termination of dedication.	273.586*	2011	2011
Natural Areas Program Account.	273.591*	2011	2011
Definitions for ORS 273.775 to 273.790.	273.775	1987	1987
Retention of mineral and geothermal resource rights by state; exploration permit or lease; sale or exchange; exception.	273.780	2013	2013
Application of ORS 273.551 and 273.775 to 273.790; rules	273.785	2013	2013
Registry of rights under state board	273.790*	1987	1987
Definitions	274.005	2003	2003
Determination of ordinary high and low water	274.015	1987	1987
Jurisdiction over submersible and submerged lands generally	274.025	1987	1987
Sale or lease of submersible lands; easements; occupation of submerged and submersible lands for water works	274.040	2011	2011
Regulation of harbor improvements; oyster beds; public easement in submerged and submersible lands	274.060	2011	2011
Definition for ORS 274.430 to 274.520	274.425	1987	1987
State ownership of meandered lakes; status as navigable and public waters	274.430	1987	1987
Acquisition of future rights to meandered lakes denied; extension of riparian ownership; lands overflowed by high water	274.440	1987	1987
City use of stream bed material	274.525	1987	1987
Lease or license of stream beds for removal of material; rules for measurement of volume removed	274.530	1995	1995
Removal of material without payment of royalties; eligible material and uses	274.550	2003	2003

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Lease terms; bond or security; prohibited lease or purchase option; monthly reports and payments; rules	274.560	1991	1991
Cooperation with Washington authorities respecting removal of material from bed of Columbia River	274.590*	1987	1987
Definitions for ORS 274.705 to 274.860	274.705	1987	1987
Jurisdiction of department over tidal submerged lands; easements; leases for oil, gas and sulfur	274.710	2005	2005
Sulfur leases	274.715	1987	1987
Effect of ORS 274.705 to 274.860 on power to make other leases and on jurisdiction of agencies other than department	274.720*	1987	1987
Scope of leases and permits; persons ineligible	274.725	1987	1987
Application for survey permit; effect of permit; rules	274.735	2003	2003
Issuance of survey permit; renewal; reports	274.740	2003	2003
Drilling logs and records	274.745	1987	1987
Hearing prior to granting lease or easement	274.755*	2003	2003
Considerations involved in granting lease or easement	274.760	1987	1987
Publishing offer to lease tidal submerged lands; bids; cash bonus; award of lease; fee	274.765*	1987	1987
Prohibited drilling requirements	274.770	1987	1987
Conditions in leases and permits; execution; delivery of bonds or contracts to department	274.780*	2003	2003
Exclusive rights granted by lease; requirement of diligence; maximum area; assignment	274.785*	1987	1987
Royalties	274.790	1987	1987
Rents	274.795*	1987	1987
Bonds	274.800*	1987	1987
Drill sites	274.805	1987	1987
Commencement of drilling; operational requirements	274.810	1987	1987

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Extension of time when wells to be drilled from filled land or structure	274.815*	1987	1987
Water contamination or pollution	274.820	1987	1987
Nonconflicting use of leased lands	274.825	1999	1999
Protecting lands from drainage	274.830	1987	1987
Conformance to laws and regulations; periodic negotiations	274.835	1987	1987
Continuation of lease after cessation of production	274.840	1987	1987
Surrender of lease	274.845*	1987	1987
Cancellation of lease; partial retention of leasehold; removal of equipment	274.850	1987	1987
Restoration of leasehold to original condition	274.855	1987	1987
Protection and location of filled lands	274.860	1987	1987
Lease of kelp fields	274.885	2011	2011
Time allowed lessee for survey and erection of plant; filing copy of survey with department	274.890	1987	1987
Removing kelp without lease	274.895	2011	2011
Definitions for ORS 274.905 to 274.940	274.905	1987	1987
Application and effect	274.910*	1987	1987
Lease or disposal of new lands; method	274.915*	1987	1987
Creation of new lands upon submersible or submerged lands	274.920	1987	1987
Right of public riparian owner to purchase new lands; price determination	274.925*	1987	1987
Right of nonpublic riparian owner to purchase certain new lands; price determination	274.929*	1987	1987
Right of public body to purchase new lands created by it; price determination	274.932*	1987	1987
Ownership, by nonpublic owner of submersible or submerged lands, of new lands created thereon	274.935*	1987	1987
Right of individual to purchase new lands created by individual; price determination	274.937*	1987	1987

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Reservation of new lands	274.940	1987	1987
Policy of state toward outdoor recreation resources.	390.010	1987	1987
Permits and conditions for excavation or removal of archaeological or historical material; rules; criminal penalty.	390.235	1995	1995
Removal without permit; exceptions.	390.237	1995	1995
Definitions.	390.605	1999	1999
Policy.	390.610	1969	1969
Ownership of Pacific shore; declaration as state recreation area.	390.615	1987	1987
Pacific shore not to be alienated; judicial confirmation.	390.620*	1987	1987
Acquisition along ocean shore for state recreation areas or access.	390.630*	1989	1989
Jurisdiction of department over recreation areas.	390.635*	1987	1987
Permit required for improvements on ocean shore; exceptions.	390.640	1999	1999
Improvement permit procedure; fee; waiver or reduction.	390.650	2003	2003
Standards for improvement permits.	390.655	1987	1987
Regulation of use of lands adjoining ocean shores; rules.	390.660*	1987	1987
Motor vehicle and aircraft use regulated in certain zones; zone markers; proceedings to establish zones.	390.678	1987	1987
Effect of ORS 390.605, 390.615, 390.678 and 390.685.	390.685*	1987	1987
Title and rights of state unimpaired.	390.690*	1987	1987
Prohibition against placing certain conduits across recreation area and against removal of natural products.	390.705	1987	1987
Permits for pipe, cable or conduit across ocean shore, state recreation areas and submerged lands.	390.715	2007	2007
Permits for removal of products along ocean shore; rules.	390.725	1999	1999

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Periodic reexamination of vegetation line; department recommendations for adjustment.	390.755*	1987	1987
Exceptions from vegetation line.	390.760	1987	1987
Vegetation line described.	390.770	2011	2011
Definitions for ORS 390.805 to 390.925.	390.805	2001	2001
Policy; establishment of system.	390.815	1983	1983
Highest and best use of waters within scenic waterways; prohibitions; authority of various agencies; water rights; conditions; recreational prospecting; placer mining.	390.835	2001	2001
Administration of scenic waterways and related adjacent lands; limitations on use; condemnation; rules.	390.845	1987	1987
Designation of additional scenic waterways.	390.855*	1987	1987
Authority of legislature over designation of additional scenic waterways.	390.865*	1987	1987
Transfer of public lands in scenic waterways to department; administration of nontransferred lands.	390.875*	1987	1987
Exchange of property within scenic waterway for property outside waterway.	390.885*	1987	1987
Use of federal funds.	390.895*	1987	1987
Effect of ORS 390.805 to 390.925 on other state agencies.	390.905*	1987	1987
Intergovernmental cooperation; county representative on management advisory committee.	390.910*	1987	1987
Determination of value of scenic easement for tax purposes; easement exempt.	390.915*	1991	1991
Enforcement.	390.925*	1987	1987
Definitions for ORS 454.605 to 454.755	454.605	2009	2009
Policy	454.607	2009	2009
Regulation of gray water discharge; permit; rules	454.610	2009	2009
Rules for sewage disposal systems and disposal facilities	454.615*	2009	2009

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Rules	454.625*	1987	1987
Notice of violation; service; request for hearing; conduct of hearing; order	454.635*	1987	1987
Contract agent enforcement of standards	454.640*	2002	2002
Enforcement when health hazard exists	454.645*	1987	1987
Permit required for construction; application; time limit; special application procedure for septic tank installation on parcel of 10 acres or more	454.655	2002	2002
Variance from subsurface sewage disposal system rules or standards; conditions; hearing	454.657	2007	2007
Definitions	496.004	2009	2009
"Game bird" defined	496.007	1992	1992
"Game fish" defined	496.009	1999	1999
Wildlife policy	496.012	2001	2001
Applicability of wildlife laws to commercial fishing laws	496.016*	1977	1977
Person with disability under wildlife laws	496.018*	2007	2007
State Department of Fish and Wildlife	496.080*	2002	2002
Fish Screening Task Force; qualifications of members; duties	496.085*	2007	2007
State Fish and Wildlife Commission; members; terms; qualifications; compensation and expenses	496.090*	2013	2013
Commission officers; quorum; meetings	496.108*	2001	2001
State Fish and Wildlife Director; term; compensation and expenses; delegation of commission powers to director	496.112*	2001	2001
Delegation of rulemaking authority to director; requirements	496.116*	2002	2002
Duties and powers of director	496.118*	2007	2007
Fish Division; Wildlife Division; authority	496.124*	1977	1977
Reports by commission	496.128*	2002	2002
General duties and powers; rulemaking authority; hearing prior to budget request to Governor	496.138*	2002	2002

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Fish screening program report	496.141*	2002	2002
Additional powers of commission; rules; fees; penalties	496.146*	2013	2013 Note: Part of this section only becomes operative on and after January 2, 2022, as set forth in the statute.
Allocation of nonresident tags for outfitters and guides	496.151*	2003	2003
Limitation on authority to condemn certain farm use property	496.154*	1987	1987
Establishing seasons, amounts and manner of taking wildlife; rules	496.162	2003	2003
Cooperation with public and private agencies for fish and wildlife management; technical information and policy recommendations; use of recommendations by state agencies	496.164*	2002	2002
Citizen involvement for wildlife management on private lands	496.166*	2002	2002
Definitions for ORS 496.171 to 496.182; applicability date	496.171	2002	2002
Commission management authority for threatened or endangered species; rules	496.172*	2002	2002
Listing species; procedure; matters to be considered; periodic review	496.176*	2011	2011
Protection and conservation programs; compliance by state agencies; rules	496.182	2002	2002
Effect of law on commercial forestland or other private land; effect on other laws	496.192*	2002	2002
Contents of commercial fishing laws	506.001*	1977	1977
General definitions	506.006	2003	2003
Types of marine life defined	506.011	2003	2003
"Salmon" defined	506.016	2002	2002
"Unlawful to buy" defined	506.025	2002	2002
"Conservation" defined	506.028	2002	2002
Effect of wildlife laws on commercial	506.031*	2002	2002

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
fishing laws			
Jurisdiction of commission; duty to protect and propagate fish	506.036*	1987	1987
Fishing rights of treaty Indians not affected	506.045*	2013	2013
Fish cultural operations and scientific investigations; commission to propagate fish and to stock waters	506.050*	1977	1977
Food fish management policy	506.109	1987	1987
General duties and powers of commission; rulemaking authority	506.119*	1977	1977
Duty to establish seasons, amounts and manner of taking food fish; rules	506.129*	1977	1977
Commission to study and classify food fish and fishing gear	506.136*	1977	1977
Authority of Fish Division	506.142*	1977	1977
Duties of director	506.154*	1977	1977
Powers of commission in regard to real property	506.201*	1977	1977
Acquisition of fish, eggs and larvae for certain purposes; returning salmon to Rogue River	506.211*	1977	1977
Coho and chinook salmon hatchery on Oregon coast	506.213*	1977	1977
Maintaining hatcheries in adjoining states	506.215*	1977	1977
Erecting markers of closed waters; interference with markers	506.220	1977	1977
Collecting moneys under commercial fishing laws; deposit into Commercial Fisheries Fund	506.306*	2011	2011
Payment of commission expenditures	506.316*	1977	1977
Acceptance and use of gifts of money and property to commission	506.321*	1977	1977
Powers of commission regarding federal aid for fish and fisheries	506.405*	1977	1977
Definitions for ORS 506.450 to 506.465; rules	506.450	2002	2002
Policy	506.455	2002	2002

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Developmental fishery species harvest programs; biological surveys; permits; fees	506.460*	2002	2002
Developmental Fisheries Board; members; qualifications; expenses	506.465*	2002	2002
Jurisdiction and authority to enforce commercial fishing laws	506.501*	1977	1977
Intent of ORS 506.511 and 506.516	506.506*	1977	1977
State police to enforce commercial fishing laws; appointment of federal agents	506.511*	2003	2003
Employment of deputy fish wardens by commission	506.516*	1977	1977
Appointment of special deputy fish wardens	506.518*	1977	1977
Duty to enforce commercial fishing laws; enforcement officers subject to control of commission or director	506.521*	2013	2013
Peace officer powers of director, inspectors and deputies; reporting arrests	506.526*	1977	1977
Arrests, searches and seizures made on Sunday	506.531*	1977	1977
Jurisdiction of courts over commercial fishing law violations; commencement of prosecutions	506.535*	1977	1977
Payment of rewards	506.540*	1977	1977
Search by peace officers to enforce commercial fishing laws	506.550*	1977	1977
Issuance of search warrants	506.555*	1977	1977
Nonliability of peace officers enforcing commercial fishing laws	506.560*	1977	1977
Naming place of offense in complaint, information or indictment	506.605*	1977	1977
When possession prima facie evidence of taking fish unlawfully	506.610	1977	1977
Inspections by director or agent	506.620*	1977	1977
Compelling testimony in commercial fishing law enforcement proceedings enforcement proceedings	506.625*	1977	1977
Execution for payment of fines and costs	506.635*	1977	1977
Seizure, forfeiture and disposition of fish	506.690*	1999	1999

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
unlawfully taken			
Seizure, forfeiture and disposition of fishing gear and vehicles used unlawfully; removal of unlawful piling	506.695*	2009	2009
Policy for ORS 506.755	506.750*	1987	1987
Criminal penalties	506.991*	2013	2013
Definitions	509.001	2002	2002
Wasting food fish	509.112	1987	1987
Placing in waters fish harmful to food fish	509.115	1987	1987
Using electricity to disturb food fish	509.120	1987	1987
Definitions for ORS 509.125 to 509.155	509.122	1987	1987
Placing substances in water to drive fish from closed areas	509.125	1987	1987
Placing substances in water or using explosives to take or destroy food fish	509.130	1987	1987
Placing explosives or harmful substances in waters in course of lawful work; permit	509.140	1987	1987
Use by commission of explosives or substances to destroy predatory fish	509.150*	1987	1987
Possession of fish taken by explosives or harmful substance justifies arrest; burden of proof	509.155*	1987	1987
Placing in water matter injurious to shellfish	509.505	1987	1987
Taking shellfish from marked beds without permission; disturbing beds	509.510	1987	1987
Destroying, injuring or taking fish near fishway; permits to take fish	509.600	2001	2001
Maintenance of fish passage required	509.610	2001	2001
Condemning inadequate or nonfunctioning fish passage; requiring new fish passage	509.620*	2001	2001
Power of department to inspect artificial obstructions and have fish passage constructed or remove obstruction	509.625	2001	2001
Power of department to establish fish passage in natural stream obstructions	509.630*	2001	2001
Oregon City fishway under control of commission; removal of obstructions	509.635*	1987	1987

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Filing protest with commission; review and determination by commission; alternative dispute resolution	509.645*	2001	2001
Injunction to prevent certain violations; jurisdiction; service on corporation	509.910*	2007	2007
Policy on water resources generally; integrated state water resources strategy	536.220	2013	2013
Commission to devise plans and programs for development of water resources	536.231*	1955	1955
Policy on minimum streamflows	536.235*	1985	1985
Formulation of state water resources program; public hearing in affected river basin	536.300*	1985	1985
Purposes and policies to be considered in formulating state water resources program	536.310*	1987	1987
Designation of exact land areas included within auxiliary lands	536.315*	1987	1987
Limitation of powers of commission	536.320*	1955	1955
Water Resources Act as supplemental to and including existing statutes	536.330*	1985	1985
Classification of water as to highest and best use and quantity of use; enforcement of laws concerning loss of water rights; prescribing preferences for future uses	536.340*	2011	2011
Delivery of water resources statement to certain public bodies; effect	536.350*	1985	1985
State agencies and public corporations to conform to statement of state water resources policy	536.360*	1955	1955
Withdrawal of unappropriated waters from appropriation by commission order	536.410*	1989	1989
Investigations and studies	536.440*	1955	1955
"Drainage basin" defined	536.700	1977	1977
Policy	536.710	1977	1977
Declaration of state authority; Governor's power to order water conservation or curtailment plan	536.720*	1989	1989
Effect of emergency powers on vested water rights	536.730*	1989	1989

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Definition of "Water Rights Act"	537.010	1985	1985
Public ownership of waters	537.110	1977	1977
Right of appropriation; vested rights protected	537.120	1977	1977
Permit to appropriate water required; notification to owner of certain land	537.130	2011	2011
Permit required to appropriate water for recharging ground water sources; minimum perennial streamflow required for permit; exception	537.135	1995	1995
Application for permit; contents; maps and drawings	537.140	2013	2013
Filing of application; determination of completeness; initial review; preliminary determination; notice; public comments; fees	537.150	2013	Note: Part of this section only becomes operative on and after July 1, 2017, as set forth in the statute.
Approval for beneficial use; agreement authorizing use of ditch for waste or seepage water	537.160	1995	1995
Contested case hearing on application; final order; appeal	537.170	2003	2003
Federal permit; time for obtaining; cancellation; time for beginning and completing work	537.240	1995	1995
Reservoir permits	537.400	2005	2005
Failure to commence or complete work, or to properly apply water, as grounds for cancellation of permit; irrigation districts, municipalities and public utilities excepted	537.410	1995	1995
Notice of hearing	537.420	1991	1991
Cancellation of permit; priorities of other permits	537.440	1985	1985
Hearing upon proposal to cancel permit or appropriation; cancellation suspended pending review	537.445	1985	1985
Rules for proof as to work and use of water under permits; noncompliance as evidence	537.450	1985	1985

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
in cancellation proceedings			
Short title	537.505	1977	1977
Definitions for ORS 537.505 to 537.795 and 537.992	537.515	1999	1999
Policy	537.525	1989	1989
Unlawful use or appropriation of ground water, including well construction and operation	537.535	1985	1985
Exempt uses; map; filing of use; fee; rules	537.545	2009	2009
Permits granted, approved or pending under former law	537.575	1999	1999
Beneficial use of ground water prior to August 3, 1955, recognized as right to appropriate water when registered	537.585	1977	1977
Construction or alteration of well commenced prior to August 3, 1955, recognized as right to appropriate water when registered	537.595	1985	1985
Registration of right to appropriate ground water claimed under ORS 537.585 or 537.595; registration statement	537.605	1985	1985
Recording of registration statements; issuance of certificate of registration: conclusiveness of certificate	537.610	2013	2013 Note: Part of this section only becomes operative on and after July 1, 2017, as set forth in the statute.
Necessity of permit to acquire new right or enlarge existing appropriation right	537.615	2013	2013
Determination of completeness and propriety of application; public notice and comment	537.620	2013	2013 Note: Part of this section only becomes operative on and after July 1, 2017, as set forth in the statute.
Contested case hearing; parties; issues	537.622*	2003	2003
Final order; appeal; contents of permit	537.625	2013	2013

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Time allowed for construction work under permit; certificate of completion; survey; ground water right certificate; requirements for supplemental water right	537.630	2005	2005
Assignment of application, certificate of registration or permit	537.635	1995	1995
Investigation of ground water reservoirs; defining characteristics and assigning names and numbers	537.665*	1989	1989
Determination of rights to appropriate ground water of ground water reservoir	537.670*	1991	1991
Determination of rights in several reservoirs or of critical ground water area in same proceeding	537.675*	1977	1977
Taking testimony; inspecting evidence; contesting claim	537.680	1977	1977
Findings of fact and order of determination	537.685	1991	1991
Filing evidence, findings and determinations; court proceedings	537.690	1977	1977
Conclusive adjudication	537.695	1977	1977
Issuing ground water right certificate	537.700*	1979	1979
Ground water appurtenant; change in use, place of use or point of appropriation	537.705	1977	1977
Violation of terms of law or permit or certificate; action by Water Resources Commission	537.720*	1985	1985
Designation of critical ground water area; rules; notice	537.730	1991	1991
Rules designating critical ground water area	537.735*	1991	1991
Filing rules designating critical ground water area	537.740*	1991	1991
Powers of Water Resources Commission; rules; limitations on authority	537.780	1995	1995
Fees	537.785*	2009	2009
ORS 537.505 to 537.795 supplementary	537.795	1977	1977
Policy	543.015	1985	1985
Minimum standards for development of hydroelectric power; public interest considerations; rules	543.017	2007	2007

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Powers of Water Resources Commission as to permits, licenses, investigations, reports, forms and examination of records	543.050*	1995	1995
Hearings and witnesses	543.055*	2003	2003
Investigations; access to project, maps, books and other project data	543.060	1985	1985
Appropriation and use of water for power is governed by this chapter	543.110	1931	1931
Water power projects to be in conformity with this chapter	543.120	1931	1931
Projects or developments constructed by federal government excepted from law	543.140	1931	1931
Municipal corporations and utility districts; applicability of laws; powers of commission respecting districts	543.150	1991	1991
Preliminary permits; application; contents; fee	543.210	1991	1991
Notice of filing of application; waiting period	543.220*	2011	2011
Hearing on application; notice; policy	543.225	1985	1985
Hearings on application; rules; protest	543.230*	2003	2003
Permit; duration; transfer; cancellation; priority; terms and conditions; denial	543.250	1993	1993
Determination of cumulative impacts of proposed hydroelectric power projects; consolidated review; applicability	543.255	1995	1995
Licenses; duration; terms and conditions; termination; denial of application; preference of municipality or utility district	543.260	1995	1995
Testing of fish protection measures as condition for hydroelectric project permit or license; scope and cost	543.265	1995	1995
Preference in granting permit or license; municipal use	543.270	1985	1985
Fee payments by licensee	543.280	1991	1991
Filing of maps, plans, estimates and other materials; incorporation as part of license; alteration; further statements and data	543.290	1985	1985
Conditions governing license; fees; waiver	543.300	1999	1999

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
of conditions			
Disposition of moneys collected	543.310*	1991	1991
Effect of amendment or repeal of law	543.320*	1985	1985
Construction of project; time for commencement and completion; supply of service; extension of time; nonperformance; termination of license	543.410	1985	1985
Noncompletion of construction within prescribed time; judicial proceedings; sale of property; disposition of proceeds; rights of purchaser	543.420*	1985	1985
Proceedings after completion of project for violation of license terms; authority of court; sale of project	543.430*	1985	1985
Transfer of license, rights or property; effect	543.440	1985	1985
Acquisition of project by state or municipality	543.610	1983	1983
DELETED:			
Closure of specified waters to removal or filling	196.840	Repealed in 2005	Repealed in 2005
Natural Heritage Advisory Council; members; terms; qualifications; compensation; duties; rules	273.571	Repealed in 2011	Repealed in 2011
Permits and conditions for excavation or removal of archaeological or historical material from state lands.	273.705	Moved to 390.235	Moved to 390.235
Removal without permit.	273.711	Moved to 390.237	Moved to 390.237
Status of channel of Willamette River; approval of dam; state maintenance of river location	274.036	1987	1987
Leases not required or authorized for certain boating facilities; lease not to be used as condition of state approval to obtain federal permit	274.042	Repealed in 1991	Repealed in 1991
Definition for ORS 274.615 to 274.645	274.611	Repealed in 1991	Repealed in 1991
Lease of navigable bay and river beds for extraction of minerals	274.615	Repealed in 1991	Repealed in 1991

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Hearing prior to granting of lease	274.620	Repealed in 1991	Repealed in 1991
Determining advisability of granting lease	274.625	Repealed in 1991	Repealed in 1991
Publishing offer to lease mineral rights; bids; cash bonus; award of lease; fee	274.630	Repealed in 1991	Repealed in 1991
Conditions in leases; fees; execution; delivery of bonds or contracts to division	274.635	Repealed in 1991	Repealed in 1991
Maximum area; persons ineligible	274.640	Repealed in 1991	Repealed in 1991
Cancellation of lease	274.645	Repealed in 1987	Repealed in 1987
Acquisition and development by Department of Transportation of scenic or historic places	390.110	Repealed in 1989	Repealed in 1989
Judicial review of division action on improvement permit application	390.658	Repealed in 1999; replaced by 390.659	Repealed in 1999; replaced by 390.659
Designated scenic waterways	390.825	Repealed in 1989; replaced by 390.826	Repealed in 1989; replaced by 390.826
Passes for use of parts of Deschutes River; rules; fee; exemption from fee; disposition of moneys.	390.848	1987	1987
Activities prohibited on parts of Deschutes River without pass; exceptions.	390.851	1999	1999
Designation of local official to receive applications and fees	454.735	Repealed in 1999	Repealed in 1999
Immunity from liability for damages resulting from habitat or water quality improvement project; exceptions	496.270	2002	2002
Definitions for ORS 496.430 and 496.435 to 496.455	496.430	1987	1987
Policy to recover and sustain native stocks	496.435	2002	2002
Enhancement program to be conducted by commission; objective	496.440	2003	2003
Duties of commission	496.445	2002	2002
Application for project; subjects for projects; conditions for approval	496.450	2003	2003
Use of native stocks for projects; conditions	496.455	1987	1987
Remote hatchbox program; rules	496.458	2002	2002

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Salmon and Trout Enhancement Program Advisory Committee; members; duties and powers; travel and expenses	496.460	1987	1987
Closure of hunting season for fire danger	501.005	1987	1987
Hunting or trapping on refuge prohibited	501.015	1987	1987
Authority to manage supply or condition of wildlife on refuge	501.025	1987	1987
Posting signs around refuge; defacing or alteration of signs prohibited	501.035	1987	1987
Contracts to establish refuges on private lands	501.045	1987	1987
Commencement of proceeding to confiscate, condemn and sell unlawful fishing gear or equipment; petition	506.655	Repealed in 1993	Repealed in 1993
Parties	506.660	Repealed in 1993	Repealed in 1993
Summons and answer	506.665	Repealed in 1993	Repealed in 1993
Matter to be determined; judgment and execution	506.670	Repealed in 1993	Repealed in 1993
Nonliability of officers instituting proceeding	506.675	Repealed in 1993	Repealed in 1993
Appeal by state	506.680	Repealed in 1993	Repealed in 1993
Fishways required over artificial obstructions; approval by director; failure to complete fishway	509.605	Repealed in 2001	Repealed in 2001
Commission authorized to require installation of screening or by-pass devices in certain water diversions	509.615	Repealed in 2007	Repealed in 2007
When dams to be provided with hatchery facilities	509.640	Repealed in 2001	Repealed in 2001
Establishment of minimum streamflows; application for minimum stream flow by state agencies; action on application; time limit; findings	536.325	Repealed in 1997	Repealed in 1997
Hearing on proposed use	537.180	Repealed in 1995	Repealed in 1995
Judicial review of orders	537.185	Repealed in 1995	Repealed in 1995
Terms and conditions of approval; municipal water supplies; release of stored water	537.190	1995	1995
Endorsement of approval or rejection;	537.210	Repealed in 1981	Repealed in 1981

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
return to applicant; procedure by latter			
Assignment of application, permit or license	537.220	1995	1995
Time allowed for construction of irrigation or other work; extension; survey; map; requirements for supplemental water right	537.230	2005	2005
Water right certificate; issuance; inclusion of land not described in permit; recordation; duration of rights	537.250	2005	2005
Cancellation of permit for failure of proof of completion of appropriation; issuance of limited certificate; contest of issuance of certificate; exception for municipalities	537.260	1995	1995
Conclusiveness of certificate	537.270	Unclear	Unclear
Acquisition of water rights for railway purposes; certificates	537.310	1985	1985
Entry on land for survey purposes, preliminary to appropriation and diversion of waters	537.320	Unclear	Unclear
Valuation of water rights	537.390	1987	1987
Public recapture of water power rights and properties; no recapture of other rights	537.395	1987	1987
Voluntary agreements among ground water users from same reservoir	537.745	1985	1985
Water well constructor's license; rules; fees	537.747	2007	2007
Examination for license	537.750	1985	1985
Bond or letter of credit; landowner's permit and bond	537.753	2003	2003
Well drilling machine operator's license	537.756	Repealed in 1981	Repealed in 1981
Examination for operator's license	537.759	Repealed in 1981	Repealed in 1981
Report of constructor before beginning work on well; rules; fees	537.762	2009	2009
Log of constructing, altering, abandoning or converting well; furnishing samples to Water Resources Commission	537.765	1999	1999
Wasteful or defective wells; permanent abandonment of old well	537.775	1993	1993
Regulation of controlling works of wells and distribution of ground water	537.777	1985	1985

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
Appeal from order, rule or regulation	537.790	Repealed in 1985	Repealed in 1985
Waste, spring and seepage waters; laws governing	537.800	1995	1995
Diversion or appropriation of waters from basin of origin without legislative consent prohibited; terms of consent; exceptions	537.810	1989	1989
Application of provisions to waters forming common boundary between states	537.820		
Condemnation of waters for use outside basin of origin	537.830	1989	1989
City of Walla Walla, Washington, may appropriate, impound and divert certain waters from Mill Creek	537.835	1985	1985
Legislative consent; filing of certified copy; appropriation rights and procedure	537.840	1985	1985
Suits to protect state interests; right of redress to private persons	537.850		
Vested rights protected	537.860		
Out-of-state municipalities; acquisition of land and water rights in Oregon	537.870		
Criminal penalties	537.990	2011	2011
Definitions for ORS 543.010 to 543.610	543.010	1995	1995
Purpose of issuing permits	543.240	Repealed in 1991	Repealed in 1991
Rules for implementing consolidated review process	543.257	Repealed in 2007	Repealed in 2007
Reserve for amortization of investment	543.510	Repealed in 1995	Repealed in 1995
Complete amortization of investment prior to expiration of license; vesting of property in state; incomplete	543.520	Repealed in 1995	Repealed in 1995
ORS 543.530 to 543.550 not applicable to regulated utilities	543.525	1977	1977
Issuance by licensee of stocks, bonds or other interest without authorization of Water Resources Commission prohibited	543.530	1985	1985
Consideration for bonds, stocks and other securities; restrictions; corporate shares; sale price of securities; discount from face value	543.540	1985	1985
Liens prohibited; exceptions; what may be	543.550	2003	2003

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
included by mortgage, trust deed or sale; determination of investment in case of sale of part			
Bond of licensee or letter of credit securing claims of suppliers; enforcement of obligation; action for sums due State Accident Insurance Fund Corporation	543.560	1997	1997
Property acquired by state; disposal	543.620	Repealed in 1995	Repealed in 1995
Definitions	622.010	1995	1995
Certificate of shellfish sanitation required to be dealer	622.020	1987	1987
Exemptions	622.030	1995	1995
Certificate required for each area of operation	622.040	1987	1987
Application for certificate; inspections; expiration and renewal; rules	622.050	2007	2007
Denial, suspension and revocation of certificate; procedure	622.065	1987	1987
Certificate fees; rules	622.080	2011	2011
Criminal penalty	622.992	1987	1987