OREGON
Department of Land Conservation & Development

Goal 5 Cultural Areas Rule

An overview of Oregon Administrative Rule 660-023-0210

What it Is

On December 4, 2025, Oregon adopted a rule to protect cultural areas - places with archaeological sites or landscapes that hold deep meaning for tribes and Oregon communities. This rule is part of Oregon's land use planning system, specifically to related to Statewide Planning Goal 5: Natural, Scenic, and Historic Areas. While the rule takes effect on January 1, 2027, local governments can prepare early. This rule supports including the nine federally recognized tribes in Oregon in local decision-making processes.

Why it Matters

Once a cultural site or landscape is disturbed, its history and heritage can be lost forever. Unfortunately, many tribes in Oregon were left out of local comprehensive planning conversation due to being "terminated" by the 1953 and 1954 Western Oregon Indian and Klamath Tribal Termination Acts by Congress. The rule does not affect established treaty rights and is consistent with the government-to-government consultation responsibilities expected of state agencies. The rule defines local government procedures for sending notice to tribes and sharing those comments with applicants and decision-makers. The goal is to support communication between tribes and local governments so that communities can better identify options for preserving cultural resources while planning for growth.

Local Government Roles

Local governments have new responsibilities under the Cultural Areas Rule. DLCD staff are preparing guidance materials and templates for these procedures.

- Local governments must add an advisory statement to land use permit and application forms, instructing applicants what to do if they discover archaeological resources during site development.
- When certain land use applications are complete, local governments will notify any of Oregon's nine federally recognized tribes who want to be notified within five days. Any feedback received from tribes must be included in the official record.
- Cities and counties must accept and process applications from Oregon-based governments, including the nine federally recognized tribal governments, to list important cultural landscape features in their comprehensive plans.
- When local governments approve the addition of cultural features to a local inventory, they must apply the Goal 5 process to identify and adopt appropriate protection measures. Appropriate measures include recognition of private property rights.
- If an applicant proposes development inside a recorded archaeological site, the local government must require that they also seek a state archaeological permit.
- Cities and the Metro Regional Government must notify tribes in advance of an urban growth boundary (UGB) amendment. Under the Oregon Housing Needs Analysis rules, cities must also notify tribes at the UGB study area phase.

How Tribal Notification Works

Local governments must notify tribes when certain land use actions are proposed:

- A ground-disturbing project that qualifies as a land use (or limited land use) decision or approval
- An application to add a cultural landscape feature to the Goal 5 inventory.
- A proposed UGB amendment.
- When initiating the process to adopt an optional archaeological protection program.

Deadlines for the notifications vary depending on the type of action:

- For most qualifying land use or limited land use applications, notice must be sent within five days of the local government deeming the application complete.
- For an application to inventory a landscape feature, notice is required within seven days of submittal.
- For UGB amendments, cities must notify tribes at least thirty-five days before the first evidentiary hearing, while Metro must provide notice at least forty-five days before the hearing.

Each local government will have access to an official list of tribes and contact information. DLCD will compile this information in collaboration with the Legislative Commission on Indian Services (LCIS). DLCD and LCIS are consulting with tribes about notices in 2026. DLCD plans to provide this information to all local governments by December 15, 2026.

Tribal Feedback

When tribes respond to a notice, it becomes part of the official record. Any confidential information about archaeological sites is safeguarded and only shared when consistent with state law and with best practices described in the cultural areas rule.

Based on a tribe's feedback, local governments may ask applicants to: adjust projects to protect culturally significant sites; employ cultural monitors during ground-disturbing work; and/or add setbacks, buffers, or conservation easements.

For rural projects, if a tribe indicates that a proposal could affect a culturally important landscape feature, the local government must offer to arrange a meeting with the tribe and the applicant to discuss voluntary modifications or mitigation actions.

Support for Implementation

DLCD is hosting monthly office hours to support local governments with Goal 5 Cultural Areas implementation. Please join us the last Tuesday of every month, 10 to 11 a.m. Please note the December meeting will be December 22nd, due to the holidays. Register to join us online.

Additional Information

- More details are available on DLCD's Tribal Relations page/
- Sign up here for email updates by selecting the "Goal 5 Cultural Resources" option.
- For more information, contact the Tribal Relations Team at Tribal.Relations@dlcd.oregon.gov or by calling 503-373-0050.