

INTEREST STATEMENT FOR THE DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT

Executive Order No. EO-96-30 State/Tribal Government-To-Government Relations (September 23, 1997)

Overall Objective:

"Establish, improve and maintain partnerships with Oregon's Indian tribal governments, while seeking to better understand each other, and work cooperatively to identify and address mutual goals and concerns arising from state land use policy that affects tribal interests. To the extent possible, work to have the growth management and resource conservation objectives of both the State and the Tribes compatible with one another. Improve upon or design solutions and programs to help reach these objectives."

DLCD's specific interests include:

Facilitating better relations between the tribes and local government.

Establishing a notice system to coordinate and be better informed of development projects being considered by the tribes, and of the tribe's long-term economic and community land use objectives. Determine what projects and land use policy issues the tribes are interested in and keep them notified.

Continuing "Government-to-Government" relations on land use matters at the regional level between state agency contacts in the field (or region), local government planning department staff and tribal administrators within the region.

Continuing to assist local governments and the tribes in natural resource and cultural site protection programs under the statewide planning goals.

Being accountable for a land use program that is coordinated and consistent with the efforts under the Governor's Coastal Salmon Restoration Initiative, and keeping the tribes informed of such actions that may affect tribal interests.

Providing growth management and resource conservation services, including:

DLCD Public Policy Dispute Resolution Grant Program: Working with the Oregon Dispute Resolution Commission, DLCD is designated as the

natural-resource coordinating agency in the dispute resolution area. The goal of the program is "to promote the appropriate and feasible use of collaborative approaches to resolve public policy disputes and to integrate collaborative approaches into the state's administrative decision-making and policy setting process" (ODRC 1993-1995 Goals). The program seeks to achieve this goal by providing grant funds, technical assistance, and training to state agencies, tribal and local governments, and citizens.

The Oregon Coastal Management Program (OCMP): The OCMP is a federally-approved and funded program authorized under the federal Coastal Zone Management Act (CZMA, 16 USC § 1451 - 1456). The key elements of the program are the statewide planning goals, including four coastal resources goals, local land use plans and ordinances for coastal cities and counties, and various state agency authorities related to management of coastal resources and uses. Oregon's coastal zone is approximately the crest of the coast range to 3 miles offshore.

Under the OCMP, one of DLCD's major responsibilities is to review various federal actions occurring in or affecting the coastal zone. Federal agencies are obligated by the "federal consistency" provisions of the CZMA and OCMP to ensure that agency actions and approvals are consistent with the OCMP. As examples, certain actions and approvals of BIA, the Corps, EPA, USFS, and HUD are subject to federal consistency. A federal agency generally cannot proceed with a proposed action or issue an approval or funding if inconsistent with the OCMP.

Periodic Review Coordination: Oregon's cities and counties are required to periodically review their comprehensive plan and land use regulations every four to ten years to ensure their continued compliance with the statewide planning goals. Periodic review is a three step process: 1) evaluation of the comprehensive plan and land use regulations to determine what, if any, changes are needed; 2) development of a work program with scheduled work tasks to be followed in making the necessary changes; and 3) carry out the work program.

Interested persons, including state agencies and the tribes, have the opportunity to be involved in the local government periodic review, and to be informed of local decisions being made.

Regional Problem Solving: Oregon's legislature passed a new law that provides for a regional approach to certain land use issue. The law, Section 36.a through 36.g, chapter 3, Oregon Laws 1995, enables local governments to work together more effectively when dealing with land-use issues that transcend local boundaries. The Confederated Tribes of the Grand Ronde Community of Oregon is currently participating in and working with a local citizens committee and state agencies in addressing growth issues in the

Grand Ronde-Willamina area.

Transportation Growth Management (TGM) Program: Created in 1991, the program is jointly administered by the Oregon Department of Transportation and DLCD. The TGM program has four main components: 1) a grant program; 2) an advocacy program called "Smart Development;" 3) technical assistance to local governments; and 4) the quick response team. Technical assistance is available to the tribes to assist in addressing urban/transportation growth management issues.

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