

Goal 5 Cultural Areas

Local Planners Webinar

with



October 29, 2025

Meeting Topics, Purpose

Welcome, introductions

- Presenters, Co-Hosts, Commission Liaison in Absentia
- In chat: please share your name, role (optional), community (optional), thing you like/ do not like about fall (optional)

Purpose: Listening and Learning

Structure of Rule: Recap

Recap of Rulemaking Advisory Committee recommendations (2025 charge)

Potential Adjustments

Reminder of Comment Deadline: October 31, 2025 11:55 PM 🧛 🍁 🧛

Questions and Discussion!

2025 Rulemaking Advisory Committee Members

Government/Agency/Interest	Name of Representative
Senior Planner, Lane County	Shawna Adams
The Klamath Tribes	Councilmember Les Anderson
Oregon Legislative Commission on Indian Services	Elissa Bullion
Confederated Tribes of Grand Ronde	Briece Edwards
DLCD Citizen Involvement Advisory Committee	Jennifer Eisele
City planner, Salem	Kimberli Fitzgerald
Wasco County	Kelly Glover
Confederated Tribes of Siletz Indians	Peter Hatch
Representatives of property rights organization	Dave Hunnicutt
Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians	Courtney Krossman
Cow Creek Band of Umpqua Tribe of Indians	Brandi Malone
Oregon METRO	Katie McDonald
Confederated Tribes of the Umatilla Indian Reservation	Carey Miller
Private developer	Keenan Ordon-Bakalian
Coquille Indian Tribe	Sara Palmer
State Historic Preservation Office, State Archaeologist	John Pouley
League of Oregon Cities	Alexandria Ring
County planner, Coos County	Jill Rolfe
City planner, Portland	Nick Starin
Confederated Tribes of Warm Springs Reservation of Oregon	Lawrence Squiemphen
Representative of land use advocacy organization	Ed Sullivan
Oregon Department of Transportation	Michelle Wright

Rulemaking Guiding Principles

Cultural areas generally

- Improve awareness of and reduce impacts to culturally important areas around the state
- Respect permitting timelines in Oregon law
- Support Governor's housing production objectives

Charge

2024 Rulemaking

- Use local development permits as a point of contact to inform the public of existing state laws
- Require proactive measures to protect archaeological objects and sites of archaeological significance, as defined by state statute
- Define and protect landscape areas of cultural significance
- Provide direction for keeping information on archaeological sites and other select significant sites confidential

Building on the 2024 rule (2025)

- Reconsider what parties can directly bring an application to include a culturally significant landscape feature on a local comprehensive plan
- Reconsider how (e.g., quasi-judicial or legislative)
- Better define roles for Metro Urban Growth Boundary Expansions



Recent Rulemaking Background

Tribes request for rulemaking (2021)

Survey of Local Governments (2022)

Tribal Work Group (2023)

Rulemaking Initiation (2023)

Base Rules Adopted (2024)

Refinements (2025)

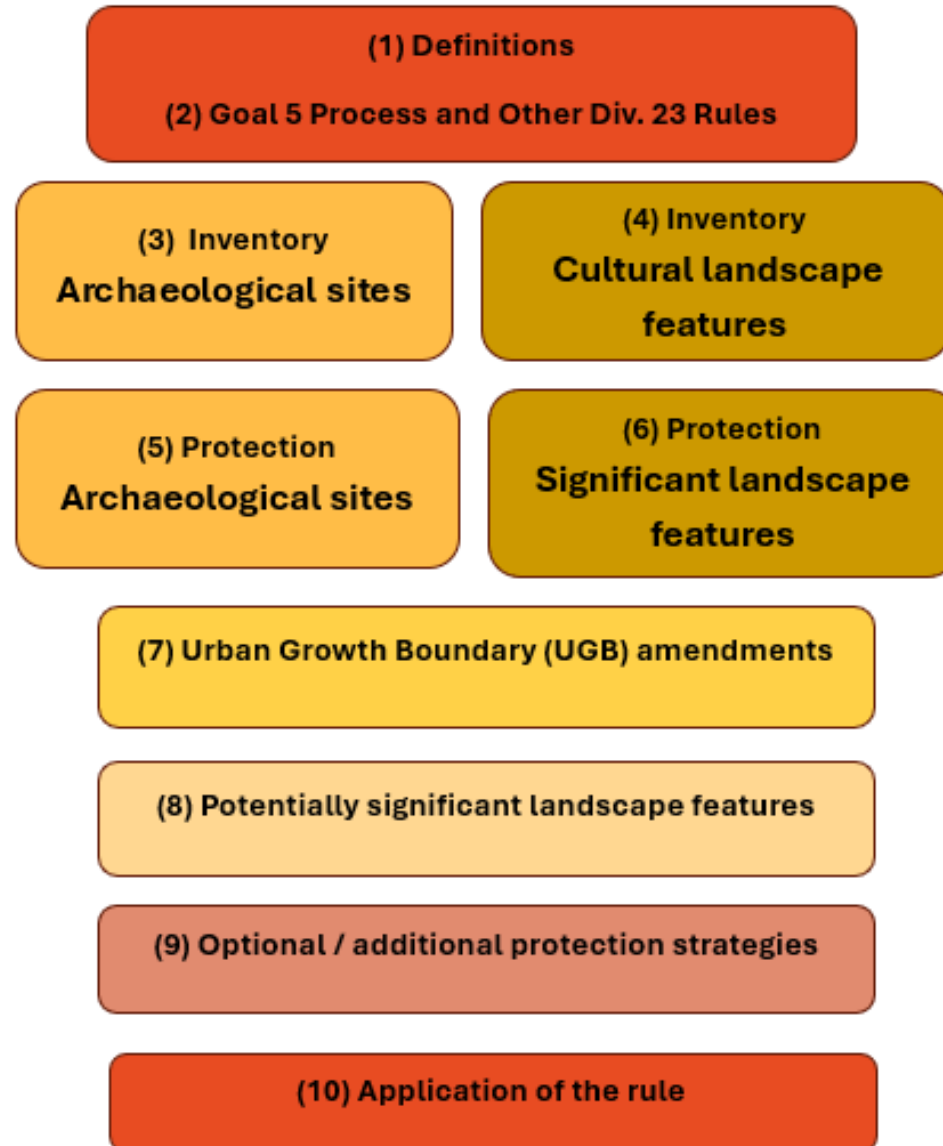


More Background and Context

- Tribes in Oregon since Time Immemorial
- At least 18,000 Years
- SB 100, Original Comprehensive Plans Developed During Termination Era
- Inventories Developed During that Time
- No Division 23 Rules Implementing Cultural Areas

Questions?

OAR 660-023-0210, Goal 5 Cultural Areas Rule



Responses to 2025 Charge

Who Can Bring an Application for Consideration

Cities and counties must receive and process applications for culturally significant landscape features

- 2024 rule - Any individual or group could bring an application
- 2025 draft - Restricts pathway to Oregon-based governments
- Other entities may still petition a local government to initiate

Processing an Application

Discretionary review pathways - **Legislative and Quasi-Judicial**

- Strawberry Hill 4 Wheelers v Benton County Board legal precedent
- No changes

Metro Urban Growth Boundary (UGB) Amendments

The draft rule requires:

- Metro to send notice to tribes of a proposed UGB amendment
- Cities within Metro will continue coordination to apply Goal 5 when a culturally important landscape feature is noted in the record



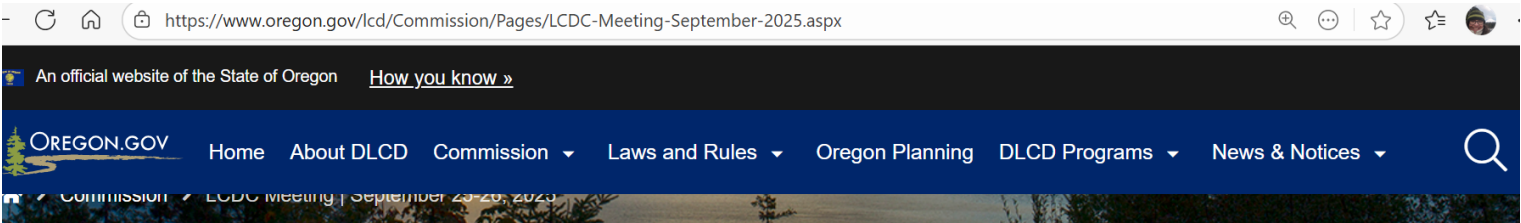
Key Dates

- Consultation and public comment through October 31, 2025 11:55 pm
- Commission deliberation and possible adoption December 4-5, 2025
- Effective date: January 1, 2027

Secretary of State Notice Comment Period Written Testimony
as of October 14, 2025

Posted on September LCDC Meeting Page

[Department of Land Conservation and Development : LCDC Meeting | September 25-26, 2025 : Commission : State of Oregon](#)



LCDC Meeting | September 25-26, 2025

COMMISSION

Commission Meetings

Public Comment

LCDC Meeting | October 23, 2025

Climate Change

Comprehensive Plan Updates

Farm and Forest

The following documents are support materials that accompany the Land Conservation and Development Commission (LCDC) agenda. If you can't find what you're looking for, please [contact us](#).

Agenda Item	Materials
Welcome/Land Acknowledgement/Approve Agenda	Agenda
Item 3 - Cultural Areas Rulemaking	Materials Exhibit 1 Pouley Exhibit 2 Schnabel Exhibit 3 Fitzgerald Exhibit 4 Rolfe Exhibit 5 Smith Exhibit 6 Oliveira Exhibit 7 OPOA

Preparing for Implementation

DLCD

Templates - Information on inadvertent discovery to be included on application forms

- **Model language** for notice procedures
- **Support for LCIS** - List for each jurisdiction of Tribes that wish to be notified
- **Guidance** - Local government / Tribal communication and coordination

Local Governments

- Prepare for notice requirements
- Modify application forms
- Prepare to integrate responses and including recommendations in permits
- Prepare to receive applications to recognize a culturally significant landscape feature

Tribes

- Respond to invitation to define areas of interest

Legislative Commission on Indian Services

- Collect areas of interest



Comments and Next Steps

Please comment by
October 31, 2025 11:55 pm using
[DLCD Rulemaking Comment Form](#) (encouraged)

Or via email to

dlcd.goal5ca@dlcd.oregon.gov

Or by mail to Matthew Hampton

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Salem, Oregon 97301

<https://www.oregon.gov/lcd>

Closing Webinar

- [Oct 29 Work Session for Local Government Implementation](#)

Please contact us for other presentations!

dlcd.goal5ca@dlcd.oregon.gov



Potential adjustments

- Move “where both are present” in definitions of cultural areas to guidance [Section 1]
- Clarify relationship between archaeological sites and Goal 5 inventories [Section 3]
- Clarify relationship to owner consent statute for historic resources in ORS 197.772 [Section 4]
- Reflect legislative adjustments to limited land use decisions [Section 5]
- Respond to comments from SHPO [Section 7]
- Note that National Scenic Area statute and rules prevail [TBD on Section/ Guidance]

Questions/ Discussion



Contact:

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Thank you!!