



Oregon

Tina Kotek, Governor

Department of Land Conservation and Development

Director's Office

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD

December 2, 2025

TO: Goal 5 Wetlands and Urbanization Rulemaking Advisory Committee Members

FROM: Gordon Howard, Community Services Division Manager
Amanda Punton, Natural Resources Specialist
Kevin Young, Senior Urban Planner
Melissa Ahrens, Mid-Willamette Valley Representative



CC: Brenda Ortigoza Bateman, Ph.D., Director
Land Conservation and Development Commissioner Ellen Porter
Matthew Hampton, Rules, Records, and Policy Coordinator
Alexis Hammer, Legislative and Policy Manager
Alyssa Bonini, Legislative and Policy Analyst
Jevra Brown, Oregon Department of State Lands

RE: Materials for December 8, 2025, Rulemaking Advisory Committee (RAC) Meeting

Thank you for your ongoing commitment to this important effort. Attached, please find the meeting agenda and some background materials regarding our process and meetings. Please review these before we spend time together.

As RAC members, you should have a Zoom meeting link in your calendar invite to join the meeting. You will also find a link to the meeting on your agenda. We invite everyone else to watch via the live stream on DLCD's [YouTube channel here](#).

We are pleased that Land Conservation and Development Commissioner, Ellen Porter, will be our liaison to the commission. Based on our rulemaking schedule, we are planning three RAC meetings before the draft rules are presented at the April 23-24 LCDC commission meeting. One additional RAC meeting will be held in early May, following the public hearing. Staff will ask commissioners to consider adoption at their June 25-26 meeting.

Please contact Jess Miller at 971.301.1849, jess.k.miller@dlcd.oregon.gov for meeting support. These materials also will be posted on the [project webpage](#) (Click on the accordion menu for Goal 5 Wetlands and Urbanization Rulemaking). We look forward to meeting with you next week!

Packet Contents:

1. December 8, 2025, Meeting Agenda (includes link to the online meeting)
2. Charge and Charter for the RAC
3. RAC Membership List
4. Background Memo



Goal 5 Wetlands and Urbanization Rulemaking Advisory Committee First Meeting Agenda

December 8, 2025

2:30 - 5:00 PM



Time	Topic	Lead
2:30 – 3:00 pm	Welcome and Introductions - <i>Please briefly share what's important for you in this rulemaking process</i>	DLCD Staff and RAC Members
3:00 – 3:25 pm	Review Charge, Charter, and Scope of Rulemaking	Kevin Young, Senior Urban Planner
3:25 – 4:05 pm	Framing the Issue, Proposed Approach, and Key Questions	Amanda Punton, Natural Resource Specialist
4:05 – 4:15 pm	Break	
4:15 – 5:00 pm	Presentation of draft rule language, questions, and discussion	Amanda Punton Kevin Young Melissa Ahrens, Mid-Willamette Valley Regional Representative

Members of the Rulemaking Advisory Committee (RAC) may access the Zoom meeting using this link:

<https://zoom.us/j/96500512786?pwd=GyOcoDRHuxaWcmLamW8LXkc0XaUbdR.1>

However, please do not share this link with people who are not RAC members. Any interested person may view the meeting using the “youtube” link below:

This meeting will be livestreamed at the Department of Land Conservation and Development (DLCD) YouTube page: <https://youtube.com/@OregonDLCD>. The recording and meeting materials will be posted to DLCD’s Rulemaking webpage [here](#) on <https://www.oregon.gov/lcd>.

To share written public comment with staff and the members of the Rulemaking Advisory Committee (RAC), please submit written comments to kevin.young@dlcd.oregon.gov.

This meeting will be hosted online. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Silas Lobnibe at silas.lobnibe@dlcd.oregon.gov or 971-720-0365 or by TTY: Oregon Relay Services (800) 735-2900. Thank you!



Urbanization and Wetlands Planning Rulemaking Rulemaking Rules and Advisory Committee (RAC) Charge and Charter

I. Purpose of the Urbanization and Wetlands Planning Rulemaking

An increase in the number of UGB expansions and annexations, primarily to accommodate needed housing development, in conjunction with strains on local government staff capacity, has made it difficult for cities to comply with the Statewide Planning Goal 5 rules for wetlands. When wetlands are known to exist in an expansion area, OAR 660-023-0250, in combination with OAR 660-023-0100, require completion of a local wetlands inventory (LWI) for the expansion area. Field work, data compilation, and Department of State Lands (DSL) approval of an LWI can take two to three years. OAR chapter 660 division 23 does not provide sufficient direction for navigating this period while simultaneously preparing for housing and other urban development that will not negatively impact high functioning wetlands.

The purpose of the rulemaking is to create a pathway for housing and other urban development to proceed in non-wetland areas added to a UGB, while a city pursues compliance with OAR chapter 660, division 23 requirements for protection of locally significant wetlands.

State and commission policy requires that community members and the public be involved in the drafting of rules. DLCD will livestream the meetings and post meeting summaries to the department's project webpage.

II. Charge to the Department and to the Rulemaking Advisory Committee

This charge from the Land Conservation and Development Commission is intended to provide guidance to the department and the Rulemaking Advisory Committee (RAC) for the wetlands rulemaking. LCDLDC initiates this rulemaking activity, guides it, and will ultimately decide what rules to adopt. The goal for this rulemaking effort is to enable needed housing and other development in areas subject to Goal 5 requirements, while ensuring that wetlands will be protected in the area during the time period when a city is working towards adoption of a Goal 5-compliant wetland program.

The commission expects that the rulemaking process itself will take approximately eight months to complete (November 2025 – June 2026). Upon adoption, the department and commission will monitor implementation of the amended rules by local governments and will make rule or programmatic changes if necessary.

Desired Outcomes of Rulemaking

The commission charges the department and the RAC with recommending rules that will achieve these outcomes:

1. Prepare rule amendments that will enable needed housing and other development in areas subject to Statewide Planning Goal 5 requirements, while ensuring that wetlands are protected in these areas while a city is working towards adoption of a Goal 5-compliant wetlands program;
2. Take action with a sense of urgency;
3. Develop rules that are clear and understandable;
4. Coordinate with the Wetlands Technical Assistance Program (WTAP) to ensure that funding projects may benefit from the wetlands rule amendments; and
5. Collaborate with Department of State Lands (DSL) staff to ensure that the rule amendments will support and harmonize with DSL's wetlands program.

III. Organizational Structure

Membership. According to the commission's charge, and informed by recommendations from the Community Involvement Advisory Committee and from the Local Officials Advisory Committee, RAC membership should include:

- Local government staff with knowledge and experience with Goal 5 wetland requirements, to include staff from small cities and from a diversity of regions within the state
- Wetland experts and consultants
- League of Oregon Cities
- Metro staff
- Environmental advocates
- Housing interests
- Land Conservation and Development Commission liaison, if desired

IV. Meetings

Attendance at Meetings. Members are expected to make a good-faith effort to attend all meetings. Staff expect that the RAC will meet three or four times, including a meeting following the commission's public hearing to consider the draft rules, but prior to commission adoption. The tentative schedule is included below. Because of the collaborative nature of the meetings, it is important to have the members attend consistently for continued discussions and shared learning.

Summaries. DLCD staff will prepare draft and final meeting summaries. Staff ask RAC members to communicate any corrections within two weeks of the distribution date of

the draft. All final summaries will be posted on [DLCD's rulemaking webpage](#) (*Open Urbanization and Wetlands* from the accordion menu).

V. Decision-making and Commitments

DLCD's goal in convening this RAC is to receive individual and group guidance on draft Oregon Administrative Rules to be considered by LCDC for adoption at their June 2026 meeting. RAC members are encouraged to communicate their guidance at meetings or in writing.

If RAC members choose to articulate areas of agreement and disagreement, members representing the different perspectives on specific issues will be invited to prepare language reflecting their views. In addition, those members that support each perspective will be identified with their permission.

VI. Member Expectations

Collaboration. RAC members agree to:

1. Bring up concerns for discussion at the earliest point in the process;
2. Share all relevant information that will assist the RAC in achieving its goals;
3. Keep their government or organization's leadership informed of recommendations formulated by the RAC;
4. Review and comment on draft and revised rules, impact statements and other associated strategies and/or documents.

Preparation

Members will make a good faith effort to review meeting materials in advance of each meeting.

Press and Public Forums. Please refer media inquiries about this process to DLCD staff. If a member does speak to the media, DLCD asks that RAC members identify that their views are their own, and not necessarily of the RAC or DLCD.

VII. Process

Staff and RAC members agree to apply the following:

- Listen with respect, seeking to understand each other's perspectives.
- Listen to other's points of view without interrupting
- Allow for a balance of speaking time while respecting time and agenda meeting goals
- Be tough on issues and questions, rather than on people and organizations
- As appropriate, discuss topics together rather than in isolation
- Seek to resolve differences and reach agreement

VIII. Tentative Schedule

The RAC will meet approximately as follows, with a first commission hearing in April 2026, and a final hearing in June 2026:

- | | |
|-------------------------------|----------------|
| • 1st RAC meeting | December 2025 |
| • 2 nd RAC meeting | January 2026 |
| • 3rd RAC meeting, if needed | February 2026 |
| • 4th RAC meeting, if needed | Early May 2026 |

Other Events within the larger rulemaking schedule:

- | | |
|-----------------------------|--------------|
| • LCDC initiation | October 2025 |
| • LCDC public hearing | April 2026 |
| • Anticipated LCDC adoption | June 2026 |

Goal 5 Urbanization and Wetlands Rulemaking Advisory Committee Members

	Contact	Role	Jurisdiction/ Area of focus
1	Josh Smith	City Planning	City of Prineville
2	Shawn Irvine	City Planning	City of Independence
3	Jacob Callister	City Planning	Lane Council of Governments
4	Charles Bennett	County Planning	Jackson County
5	Max Carter	City Planning in Metro	King City
6	Gerald “Murph” Murphy	County Planning / Environmental	Clackamas County Planning Commissioner
7	John Van Staveren	Wetlands Consultant	Pacific Habitat Services
8	Stacy Connery	Consultant / Housing Development	Pacific Community Design
9	Alexandra Ring	League of Oregon Cities	League of Oregon Cities
10	Glen Hamburg	Metro	Metro
11	Kathy Majidi	City Planning in Metro	City of Gresham
12	Brock Nation	Housing	Oregon Realtors
13	Ezra Hammer	Property Interests	Attorney – Jordan Ramis
14	Matthew Brown	Housing Development	Mahonia NW – home builders
15	Katie Ryan	Environmental	The Wetlands Conservancy
16	Glenn Fee	Environmental	Tualatin Riverkeepers
17	Philip Higgins	Economic Development	Realtor, Mid-Valley Regional Solutions Advisory Committee
18	Ellen Porter	LCDC Liaison	LCDC Liaison
19	Jevra Brown	DSL – Wetlands Expert	Ex officio member – Dept. of State Lands

DLCD Staff:

Amanda Punton, Natural Resource Specialist – (971) 718-3245, or
amanda.punton@dlcd.oregon.gov

Kevin Young, Senior Urban Planner – (503) 602-0238, or kevin.young@dlcd.oregon.gov

Melissa Ahrens, Mid-Willamette Valley Regional Representative – (503) 779-9821, or
melissa.ahrens@dlcd.oregon.gov



December 2, 2025



Background Memo: Goal 5 Wetland and Urbanization Rulemaking

When wetlands are known to exist in a UGB expansion area, Oregon Administrative Rules [660-023-0100](#) and [660-023-0250](#) require completion of a local wetlands inventory (LWI) in the expansion area. DLCD staff have heard from cities that the rules do not provide sufficient direction for navigating this period while simultaneously preparing for housing development and urbanization. DLCD staff have been coordinating closely with DSL and Governor Kotek's office to develop a strategy to address this issue.

Statewide Land Use Planning Goal 5 is intended to protect natural resources, scenic and historic areas, and open spaces. A city's comprehensive plan must be compliant with rules that implement Goal 5 in OAR chapter 660, division 23 (OAR 660-023). Specifically, division 23 requires that cities apply the resource-specific rules to Goal 5 resources, including wetlands, when a city "amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area" (OAR 660-023-0250(3)(c)). When wetlands are known to exist in an expansion area, applying Goal 5 in that area means a city must: complete an LWI and wetlands assessment; submit the LWI and assessment to DSL for approval; and adopt local measures to protect high functioning, "significant," wetlands. DLCD understands that a city must complete the program's development steps in the Goal 5 rules before annexing lands added to its UGB, applying urban zoning, and issuing any development permits.

DLCD staff, in partnership with staff from DSL, would like to engage the RAC to inform amendments to OAR 660-023-0100 and 660-023-0250. Rule amendments will develop an optional pathway in OAR 660-023-0100, which will allow annexation of a new urban lands to proceed, while a city completes the steps of adopting a local wetland inventory and local wetland protection measures for significant wetlands in the area. Under the optional wetland avoidance pathway, development authorized by a city would avoid all wetlands in the new urban area until the city transitions to a full Goal 5 wetlands program. Once a city completes an LWI and adopts local protections for significant wetlands, a city could approve development in non-significant wetlands when authorized under a DSL wetland removal-fill permit.

The Land Conservation and Development Commission (LCDC) authorized this rulemaking as a policy-neutral approach in respect to consistency with Goal 5. The optional wetland avoidance

pathway will not affect protections for significant wetlands that arise via completion of a full Goal 5 wetlands program, as described in the current rule.

This rulemaking is intended to be targeted and technical in nature. DLCD staff hope to present draft rule amendments to LCDC in April 2026 and seek adoption by LCDC in June 2026.

Some key questions for the RAC to consider include:

1. What details should the rule provide on the structure of a voluntary wetland avoidance program?
2. What should the rule require as a commitment when a city opts to implement a wetland avoidance program?
3. What should the expectations be for a city's transition from an optional wetland avoidance program to a full local Goal 5 wetlands program?
4. How can the rule that recognizes the potential for wetland presence in a UGB expansion area (OAR 660-023-0250(3)) be updated to account for improvements in the Statewide Wetland Inventory and other data sources since 1996?