

# Rulemaking Advisory Committee

## OAR Division 141-090

Meeting #2  
Oregon Department of State Lands  
November 1, 2022  
2:00 p.m.



# Welcome and Introductions

Peter Ryan  
and  
Steve Faust



# RAC Operating Procedures

Steve Faust



# Operating Procedures

- A consensus model will be used to facilitate decision-making and ensure the RAC benefits from the individual views, experiences, background, training, and expertise of the members.
- Consensus is a participatory process where the RAC members strive for recommendations that they can accept, support, live with, or agree not to oppose.

# Operating Procedures

Expectations for the decision-making process include:

- Members agree on the value of consensus; the group should strive to achieve it. As such, recommendations will be made by consensus of all present members.
- Members agree to compromise and work together to find workable solutions in the commitment to achieving consensus.
- Those with differing recommendations are responsible for proposing alternative solutions or approaches to resolve differences.
- Meetings will be conducted in a way that fosters collaborative decision-making and consensus building.
- Members will honor decisions made and avoid re-opening issues once resolved.
- When consensus cannot be reached, the facilitator may invite documentation of differing opinions or viewpoints.



# Rulemaking Purpose and Scope

Peter Ryan



# Reasons for Updating Delineation Rules

- Last updated in 2013.
- DSL's Aquatic Resource Coordinators asked for more information for permitting purposes.
- Rules need general cleanup and editing.

# Division 90 Rulemaking Changes – by Type

## Substantive Changes

- Remove all references to the independent review
- Add new requirements for identifying, describing, and mapping Cowardin, HGM, ARSC types, CWM sites, and Wetlands Below OHW.
- Add new requirement for submitting GIS data for delineation mapping
- Add 6 new definitions

## Minor Changes

- Edit and clean up language throughout rule
- Examples of edits include:
  - Substitute “tax lot” for “parcel”
  - Substitute SWI for other inventories
  - Change “precision” to “accuracy”
  - Add additional reason for rejection



# Summary and Next Steps

Danielle Boudreaux



# Next Steps

- Meeting 3: November 15, 2022, 2:00 p.m.
  - If necessary, finish review of draft rule language.
  - Review and provide recommendations on the draft fiscal impact statement, racial equity statement, and summary of rulemaking.
- Meeting 4 (if necessary): Early December 2022
- File the Notice of Proposed Rulemaking with the Secretary of State.
  - Public comment period for 30 days following publication of the Notice.
  - Public Rule Hearing approximately 15 days after publication of the Notice.

# Adjourn

