

Department of State Lands Announces 2008 Public Involvement Workshops on State Removal-Fill Rules

The Department of State Lands (DSL) is currently redrafting our Division 85 rules governing the issuance and enforcement of removal-fill authorizations within waters of Oregon, including wetlands. The effective date of the proposed state removal-fill rule is scheduled for January 1, 2009. The first two DSL-sponsored public involvement workshops on the new draft state rule will coincide with two of the public outreach and education sessions being held by the Portland District Corps of Engineers on the Final Mitigation Regulations released in the Federal Register. The Corps workshops were announced in a Corps Public Notice dated April 10, 2008.

The DSL workshops will be held on same day and in the same location as the Corps workshops in Wilsonville and Klamath Falls. However note that the DSL workshops will be held in the afternoon of those days so as to compliment, but not conflict with the Corps workshops being held in the morning. We hope that persons receiving this announcement will attend both the state and federal workshops, as ours will deal with the state program, and theirs will deal with the federal program. By attending both workshops, the public will be informed of the similarity and differences between the two programs.

The two DSL workshops will be held on June 25, 2008 and July 1, 2008, as follows:

June 25, 2008 1pm-3pm
Associated General contractors of America, Inc.
Oregon-Columbia Chapter
9450 SW Commerce Circle
2nd Floor Conference Room
Wilsonville, OR

July 1, 2008 1pm-3pm
Klamath County Courthouse
316 Main Street
Klamath Falls, OR

On or about June 13, 2008, DSL will be releasing our first public outreach draft of the proposed DSL removal-fill rule (Division 85). The revisions will be extensive, because we are simplifying, shortening and reformatting the rule following the "plain language standard" (see below). There will be substantive changes in the state rule as well, including the sections that pertain to jurisdiction and compensatory wetland mitigation.

Oregon law requires all state agencies to prepare public communications in language that is as clear and simple as possible (ORS 183.750). This includes publications, forms and instructions, licenses, agency notices, and administrative rules. HB 2702 (Chapter 142, Oregon Laws 2007 (Enrolled House Bill 2702)) specifies an additional standard for written documents. A document meets the plain language standard if it, whenever possible:

- Uses everyday words that convey meanings clearly and directly
- Uses the present tense and the active voice
- Uses short, simple sentences
- Defines only those words that cannot be properly explained or qualified in the text
- Uses type of a readable size
- Uses layout and spacing that separate the paragraphs and sections of the document from each other

For questions regarding DSL's rulemaking efforts in 2008 please contact
Eric Metz, PWS
Eastern Region & Special Projects Manager
(503) 986-5266
<http://oregonstatelands.us/>

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