



OREGON

Department of
Land Conservation
& Development

2024 Government-to-Government Report

The Department of Land Conservation and Development (DLCD or department) appreciates the opportunity to provide this 2024 report on Government-to-Government Relations in accordance with Oregon Revised Statutes 182.166. The report summarizes the department's Government-to-Government relations with Oregon's nine federally recognized Tribal Nations (Tribes) throughout 2024. While the department developed two initial policies ([DO 06-01](#) and [DO 07-02](#)) to facilitate positive relations with Oregon's nine Federally recognized nine Tribes, we hope to update these policies in the coming biennia.

Recognizing that each sovereign Tribal Nation has unique values and aspirations, the department works to provide customized support and assistance within the broad direction provided by state statute and executive orders. The department appreciates the support of and relationship with the Legislative Commission on Indian Services (LCIS), which includes serving on the LCIS working groups, and Governor Kotek's Tribal Affairs Director. Readers can access this and prior annual reports to the LCIS through the department's [Tribal Relations web page](#).

In 2024, DLCD staff continued or invited consultation on the following fifteen rulemaking and major policy initiatives. These projects have involved and/or are involving one or more of all nine federally recognized Tribes in Oregon.

1. Agency Request Budget
2. Climate Change Vulnerability Assessment
3. Community Green Infrastructure Fund
4. Goal 5 Cultural Areas
5. Goal 5 Eastern Oregon Solar Siting
6. Local Natural Hazard Mitigation Plans
7. Natural Hazard Mitigation Plan and Risk Assessment Update
8. Bipartisan Infrastructure Law Resilience Acquisition Program
9. Coastal Access
10. Offshore Wind Energy and Roadmap Roundtable
11. Oregon Coastal Management Program 309 Assessment
12. Oregon Coastal Management Act Federal Consistency
13. Oregon Housing Needs Analysis
14. Rocky Habitat Site Management
15. Sea Level Rise Handbook Update

Director Bateman and Deputy Director Greene were honored to be able to participate in the Tribal Summit at the Seven Feathers Casino hosted by the Cow Creek Band of the Umpqua Tribe of Indians in July 2024. LCIS staff participate in two of the agency's rulemaking processes this year most closely related to cultural resources. We are grateful for their steady guidance and support.

Key Contacts and Policies

We have expanded the Tribal Liaison Program team at DLCD to include regional representatives. The team now includes twenty DLCD staff sharing information on a regular basis. The department's primary and alternate key contacts are responsible for informing the department of activities that may be of interest to the Tribes, providing appropriate Tribal contacts, and ensuring Tribes are informed of department activities. The department recognizes that maintaining good communication is a benefit to the Tribes and to the State of Oregon.

Primary Key Contact

Kirstin Greene, AICP
Deputy Director and Tribal Liaison
971-702-1585
kirstin.greene@dlcd.oregon.gov

Alternate Key Contact

Brenda Ortigoza Bateman, Ph.D.
Director
971-701-0213
Brenda.O.bateman@dlcd.oregon.gov

Deputy Director Kirstin Greene and South Coast Regional Representative Hui Rodomsky serve as DLCD's liaisons for the Cultural Resources Cluster Work Group. Natural Resources Specialist Amanda Punton are DLCD's primary Natural Resources Work Group liaison, supported by Farm and Forest Specialist Hilary Foote. Economic Development Specialist Leigh McIlvaine is DLCD's primary contact to the Economic and Community Development Cluster Work Group.

The department's "Local and Tribal Government Communication Policy" (2006) and "Policy on Government to Government Relations with Oregon Tribes" (2007) are posted on [DLCD's Tribal Relations webpage](#) for reference.

Mission

Our mission is to help communities plan for, protect, and improve the built and natural systems that provide a high quality of life. In partnership with communities and local governments, DLCD fosters sustainable and vibrant communities and protects our natural resources legacy.

DLCD serves as the executive branch steward of comprehensive land use planning in Oregon. With approximately 100 staff, and a seven-member commission, DLCD works in partnership with Tribal governments, federal and state agencies, and local governments to address the needs of the land use of community members, regions, and the state.

Under the statewide land use planning program, local governments must adopt and maintain comprehensive plans and implement zoning codes consistent with Oregon's [19 statewide land use planning goals](#).

Staff Training

All DLCD staff receive an overview of agency-Tribal relations and obligations annually. New staff are assigned a Tribal History / Shared History Online Professional Development Course.

Invitations for Consultation

The next section describes the process and results associated with invitations for consultation on key policy and program initiatives in 2024.

1. Agency Request Budget

DLCD invited comments and consultation on the development of the agency's budget request. At that time, the concepts included a Tribal Liaison position that would help cities and counties with coordination and consultation.

Contact: Brenda Ortigoza Bateman, Ph.D., Director, Brenda.O.Bateman@dlcd.oregon.gov, 971-701-0213

2. Climate Change Vulnerability Assessment

With guidance from an external work group and support from the University of Oregon Institute for Policy Research and Engagement, DLCD's Climate Change Resilience Coordinator Christine Shirley conducted interviews, a survey, and a series of workshops associated with the Climate Change Social Vulnerability Assessment. These activities were aimed at better understanding how climate change affects Oregonians wellbeing, livelihoods, and sense of place. DLCD staff notified and invited representatives of Oregon Tribes to participate in these activities with an offer of compensation to help support any engagement. DLCD staff are grateful for the participation of tribal members from the Coquille Indian Tribe, Klamath Tribes, and the Confederated Tribes of the Umatilla Indian Reservation. As we acknowledge that the participation of individual tribal members is inadequate to represent native Oregonians concerns related to climate change, DLCD plans enhanced outreach to Tribes in 2025 prior to finalizing the assessment.

Contact: Christine Shirley | christine.shirley@dlcd.oregon.gov or 971-239-9457

3. Community Green Infrastructure Fund

DLCD's legislatively-directed Community Green Infrastructure (CGI) Grants help fund the production of native seed and plants; create and implement green infrastructure master plans; and carry out community green infrastructure projects that provide direct social, environmental, and economic benefits to communities throughout Oregon. In accordance with ORS 197.472, DLCD appointed an Advisory Committee on Community Green Infrastructure Investment and invited each of the federally recognized tribes to participate in the committee. The Burns Paiute Tribe and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians accepted the invitation to join the Advisory Committee.

DLCD has received two CGI grant applications from Oregon Tribes.

One of the requirements for community green infrastructure project grants is that grantees include, to the maximum extent possible, partnerships with Tribal nurseries. To facilitate the meeting of this requirement without tribes being burdened with too many requests from

grantees, DLCD will send a list of approved projects to all the federally recognized tribes in Oregon so that the tribes may choose to reach out to grantees if they wish to partner.

Contact: Laura Buhl, Community Green Infrastructure Program Administrator, laura.buhl@dlcd.oregon.gov, (971) 375-3552

4. Goal 5 Cultural Areas Rulemaking

DLCD is grateful for representatives of the Coos, Lower Umpqua and Siuslaw Indians, the Coquille Indian Tribe, the Cow Creek Band of Umpqua Indians, the Klamath Indian Tribe, the Confederated Tribes of Grand Ronde, the Siletz Indian Tribe, the Confederated Tribes of Warm Springs and the Confederated Tribes of Umatilla Indians for their contributions on the Goal 5 Cultural Areas Work Group in 2023 and the Rules Advisory Committee in 2024. To be sure DLCD understood their position on the draft rule, DLCD consulted directly with the Tribal Historic Preservation Officer for the Burns Paiute Tribe, and with the Tribal Historic Preservation Officer, Governmental Affairs Director, and General Manager of Natural Resources and legal counsel of the Confederated Tribes of the Umatilla Indians on the rule and how their nation might want to receive notices in the future.

The commission updated these rules in December 2024 with an implementation timeline of a year to allow time for each nation to decide from which cities and counties they would like to receive notice of ground disturbing activities. The rules also provide definitions for cultural areas and allow for a Tribe or other culturally identified group to propose a cultural resources area through a clarified local government process.

Contact: Amanda Punton | Amanda.punton@dlcd.oregon.gov, 503-206-2291

5. Goal 5 Eastern Oregon Solar Siting Update

Staff have been coordinating with Eastern Oregon Tribes on this legislatively directed project according to Section 35, [House Bill 3409](#). The commission's charge includes, among other things, guidance for consulting with Tribal Governments and an expectation that revisions to Oregon Administrative Rules will be identified for review and amendment.

The goal of this rulemaking effort is identifying sites that support the development of photovoltaic solar projects that do not unnecessarily encroach upon other resources treasured by Oregonians. Areas of cultural significance and wildlife habitat, as well as key areas for commercial farming, ranching, and forest activities are a few examples of important resource values. The next step would be to encourage the development of identified sites with projects that will help meet Oregon's clean energy goals. DLCD will hold an additional public hearing on the rules at their January 23-24, 2025 meeting. Staff are also scheduling a geographic hearing in Eastern Oregon. The adoption hearing is scheduled for the commission's March 20-21, 2025 meeting.

Contact: Gordon Howard | gordon.howard@dlcd.oregon.gov, 503-856-6935

6. Natural Hazard Mitigation Plan and Risk Assessment Update

DLCD is leading development of a new natural hazards risk assessment method for state, Tribal, and local natural hazards mitigation planning. Some of the nine federally recognized tribes in Oregon participated in this process. DLCD is updating the Oregon Natural Hazards Mitigation Plan (NHMP) using the results of the new risk assessment and have invited the Tribes to work with us. We have partnered with Sophi Beym, the Department of Emergency Management's Tribal Liaison, to assist us in engaging Tribes in this process.

Staff are grateful for the participation of members from all nine Tribes in this work and we look forward to their continued participation throughout these projects.

Contacts:

Marian Lahav, NHMP Program Coordinator | marian.lahav@dlcd.oregon.gov or 503- 689-2522
Christine Shirley, Climate Change Resilience Coordinator | christine.shirley@dlcd.oregon.gov or 971-239-9457

7. Local Natural Hazard Mitigation Plans

DLCD natural hazards mitigation planners support Tribal nations in natural hazards mitigation plans (NHMP) and related projects.

The department received a grant from the Federal Emergency Management Agency (FEMA) to prepare a NHMP with the Confederated Tribes of Warm Springs. Work began in 2023 and will be completed in 2025. Staff submitted a FEMA grant application in 2024 that, if awarded, would provide funding to prepare a NHMP update with the Burns-Paiute Tribe.

Contact: Susan Millhauser, Natural Hazards Planner, susan.millhauser@dlcd.oregon.gov or 971-718-1584

8. Bipartisan Infrastructure Law Land Acquisition | Resiliency Programs

The Oregon Coastal Management Program (OCMP) at DLCD is the entity eligible to apply for Coastal Zone Management Habitat Protection and Restoration Bipartisan Infrastructure Law (BIL) funding through the National Oceanic and Atmospheric Administration (NOAA). This funding allows DLCD to provide pass-through funding to increase resilience to climate change and natural disasters by restoring and conserving coastal habitats and supporting underserved and climate-vulnerable coastal communities.

As DLCD does not own or manage land, the department opened this funding opportunity to its eligible coastal partners to apply for the funding through DLCD/OCMP. Federally recognized Tribes are eligible entities to receive this funding for restoration planning, on-the-ground restoration activities, and habitat acquisition projects. DLCD's coastal habitat projects coordinator has been sharing information about this and other climate resilience federal funding opportunities with all nine federally recognized Tribes and met regularly with interested representatives on project and application development.

Once projects are funded, DLCD/OCMP provides funding administration, technical assistance, and support for all projects. One project was funded in 2024, a land acquisition project for the Confederated Tribes of Siletz Indians to purchase a property rich in species and habitat diversity, and cultural and ecological significance. This property was purchased by CTSI in the fall 2024 allowing CTSI to regain ownership and once again steward this land as a centerpiece of a regional tribal effort focused on invigorating cultural traditions. In the second round of this funding, CTSI and OCMP was awarded funding for a second acquisition project along the central coast oceanfront, which is anticipated to close in 2025. OCMP/DLCD is currently working with CTSI to submit a third application for an additional land acquisition project along the central coast.

Contact: Claire Fiegenger, Coastal Habitats Project Coordinator claire.fiegenger@dlcd.oregon.gov or 971-301-3512

9. Coastal Access

DLCD's coastal habitat projects coordinator partnered with Tribal representatives from the Coquille Indian Tribe and the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians (CTCLUSI) on the Coastal Access Advisory Team (CAAT) to develop a community-oriented policy framework that supports local, state, and tribal public access needs to coastal shorelines and waters (in alignment with Statewide Land Use Planning Goal 17: Coastal Shorelands). This framework will help local governments maintain and improve their public access processes, coordination, and standards. One goal of the framework is to include Tribal voices to enable a more equitable, sustainable, and coordinated public access program. The framework is summarized in the Oregon's Coastal Public Access Guide for Local Government Planners document that is published and [available on DLCD's website](#). As part of that guide, a Tribal Engagement Chapter was developed as general guidance when engaging with Tribes. This chapter was reviewed by Tribal representatives on the CAAT, DLCD's Tribal Liaison staff, and staff from the Legislative Commission on Indian Services. The chapter was presented to the Cultural Cluster at its October 31, 2023 meeting and feedback was provided by attendees. The full guide was shared with the Natural Resources Cluster at its fall 2024 meeting. The Oregon's Coastal Public Access Guide for Local Government Planners document was distributed to all local governments within Oregon's coastal zone.

Contact: Meg Reed, Coastal Policy Specialist, meg.reed@dlcd.oregon.gov or 541-514-0091

10. Offshore Wind Energy Roadmap and Roundtable

Offshore wind (OSW) energy development continues to be one of concern for both the State of Oregon and coastal Tribal Nations, with the Federal Bureau of Ocean Energy Management (BOEM) moving forward in the lease area planning process and the publication of Draft Wind Energy Areas (WEAs). OSW development, though likely to occur outside of state waters, has been of great interest to the Coquille Indian Tribe and Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. Prior to publication of the Draft WEAs, staff worked with BOEM and its consultant to include state agency and Tribal Nation input to inform a [project](#) for the generation of visual simulations of OSW development within specific coastal viewsheds of importance. A [suitability assessment](#) of the Call Areas was also completed ahead of draft WEA publication by the NOAA National Centers for Coastal and Ocean Science as a way of

objectively determining the least conflict areas. The analysis was used by BOEM in its selection of the Draft WEAs. The OCMP provided a comment letter to BOEM on the draft WEAs in collaboration with the Governor's Office and networked agency partners, identifying several issues of concern for OSW development in the areas ([online link to the published comment letter](#)). Staff remain committed to coordination and consultation with Tribal Nations on development of the [OSW Roadmap](#) according to the legislative direction of HB 4080 (2024). Roadmap participants held their first two meetings in November. DLCD staff convene a specific Tribes-only table to which representatives of all nine Tribes are invited.

Contact: Jeff.Burright, Offshore Wind Energy Roadmap Coordinator,
jeff.d.burright@dlcd.oregon.gov, 503-991-8479.

11. 309 Assessment

Every five years, the Oregon Coastal Management Program (OCMP) is required to develop an assessment and strategy under Section 309 of the Coastal Zone Management Act of 1972. This assessment and strategy are meant to encourage states to strengthen their federally approved coastal management programs. States develop and implement coastal management program changes in one or more of nine enhancement areas and in return receive funding from the federal government for implementation. The specific "enhancement areas" are: wetlands, coastal hazards, public access, marine debris, cumulative and secondary impacts, special area management plans, ocean resources, energy and government facility siting, and aquaculture.

The OCMP, led by DLCD, identifies high priority needs for improvement within one or more of the nine areas and develops strategies to address these management needs. In the past, OCMP has developed strategies for coastal hazards, public access, ocean resources, and estuary planning. Examples of program enhancements include new or revised statutes, rules, or implementing ordinances at the state or local level, new or revised special area management plans (like the Territorial Sea Plan or local estuary management plans), and new or revised policy guidance documents that are formally adopted by the state. Ten percent of the OCMP's annual budget is funded through Section 309 and informed by the five-year assessment and strategy. DLCD coastal staff sent invitations for consultation to five tribes (Coos, Lower Umpqua and Siuslaw Indians; Coquille Indian Tribe; Cow Creek Band of Umpqua Indians; Confederated Tribes of Grand Ronde; Siletz Indian Tribe; and Coquille Indian Tribe) in July of 2024 to give input into this next assessment and strategy, a draft of which will be submitted to the National Oceanic and Atmospheric Administration in February of 2025. DLCD staff have connected with tribal staff at CTSI and will continue to reach out to the other Tribal Nations throughout the development process to invite feedback. There will also be a public comment period in spring 2025 on the draft strategy before it is finalized in summer of 2025.

Contact: Meg Reed, Coastal Policy Specialist | meg.reed@dlcd.oregon.gov or 541-514-0091.

12. Federal Consistency

DLCD's OCMP designation results in two primary benefits to the state: funding to administer the program and support coastal communities and federal consistency review authority. The program includes 10 other networked state agencies and 41 local jurisdictions in the coastal

zone. OCMP staff encourage coordination with all Tribes on programmatic initiatives and strategic planning.

As a matter of practice, department staff members proactively coordinate with the Tribes in the review of federal permits and federal actions, in accordance with OCMP's federal consistency authority for review of projects in the Coastal Zone. The Coastal Zone reaches from the Coast Range to three miles into the Ocean.

During 2024, the OCMP continued the notification procedure developed in consultation with coastal Tribes in 2022. Staff issued a total of 12 notifications to interested tribes regarding projects or other federal actions that underwent Federal Consistency review.

These notifications included an invitation for formal consultation or informal staff-to-staff engagement. Tribal staff responded to a small number of projects to communicate concerns or suggest conditions that the state should consider placing on its review concurrences. These comments recommended placing conditions to support the protection of historical or archaeological resources. OCMP staff then incorporated these conditions into the decisions. Such conditions commonly involved proper notification of Tribes prior to ground disturbing activities or the development of an Inadvertent Discovery Plan.

During the federal consistency review of a proposal by the Bureau of Ocean Energy Management to lease areas in federal waters for offshore wind energy exploration, the OCMP met with interested coastal Tribes. The OCMP communicated key aspects of the review, including policies and draft conditions of concurrence, and heard concerns from Tribes related to offshore wind energy development. The OCMP will continue to follow its Federal Consistency notification procedures and remains open to feedback on how its communication with and involvement of interested Tribes may be improved.

Contact: Lisa Phipps, Oregon Coastal Management Program Manager, lisa.phipps@dlcd.oregon.gov, 503-812-5448.

13. Oregon Housing Needs Analysis

The Housing division at DLCD is in a multi-year process of rulemaking to implement the Oregon Housing Needs Analysis, a revision to the processes, supports, and requirements of housing planning in the state of Oregon. DLCD sent letters of invitation for consultation regarding the 2024 rulemaking scope to each of the nine federally recognized Tribes for discussion of the draft rules related to housing production and accountability that will apply to many cities and some counties in Oregon. Given the unique circumstances and resource capacities of each of the nine Tribes, staff received varying degrees of guidance, ranging from formal consultation response to staff-to-staff level coordination. Upon advice of Tribal Affairs Director Radford, staff reached out to staff of the Native American Youth & Family Services in Portland to present information to the Portland Indian Leaders Roundtable. Director Radford, Tribal Liaison Tim Mahern-Macias from Oregon Housing and Community Services, and the Legislative Commission on Indian Services' staff have all provided ongoing guidance which is very valuable to the project and the approach to the draft rules.

While there were differing opinions regarding the definitions to be used in the draft rules, staff recommended distinguishing between the rules' directives of local governments to coordinate with Tribal staff as distinct from engaging with Tribal community members. Staff also distinguished engaging with Tribal communities as distinct from non-Tribal Native and Indigenous peoples living in Oregon.

Additionally, all of the Tribes who have responded requested that they be notified and involved in local governments' development of their respective Housing Production Strategies — identifying housing needs and committing to action plans to promote housing production, affordability, and choice — and in the state's administration of the Housing Acceleration Program, including audits of local governments who are falling behind on meeting housing needs to identify barriers to housing production.

Contacts:

Ethan Stuckmayer, Housing Program Manager, ethan.stuckmayer@dlcd.oregon.gov, 503-302-0937

Celestina Teva, Housing Planner, celestina.teva@dlcd.oregon.gov, 503-383-6816.

14. Rocky Habitat Site Management

DLCD's Oregon Coastal Management Program (OCMP) staff are currently reaching out to all five coastal Tribes to help inform the development of management strategies and goals for the eight rocky habitat protected areas designated in 2023. The overarching goal of this project is to build capacity in coastal communities to implement the rocky habitat management strategy designations. With Tribal consultation, OCMP's objectives for this work include writing area-based site management plans for all eight new protected areas, gathering a resource library of outreach materials focused on rocky habitats, developing a data collection tool for community-monitoring programs, and supporting future site proposal processes. An important aspect of these management strategies is to ensure and protect Tribal members' access for ceremonial and subsistence harvest rights on these sites. Coordination on this project will wrap up around August or September 2025.

Contact: Eva Krukowski, Rocky Habitat Projects Coordinator | eva.krukowski@dlcd.oregon.gov or 971-446-1529

15. Sea Level Rise

Fellow Carl Hendrickson worked on sea level rise adaptation in Clatsop County in 2024. As part of the fellowship work, the department shared its sea level rise resources [online](#), as well as details about the fellowship project in Clatsop County. Confederated Tribes of the Grand Ronde (CTGR) staff discussed their work to address sea level rise as well as their outlook on what the changes mean. DLCD plans to share the sea level rise GIS data layers as soon as possible. Additionally, the fellowship project engaged with the Confederated Tribes of the Siletz Indians to talk about the fellowship project and sea level rise resources. Because of this staff-to-staff coordination, there is a forward describing that indigenous peoples have been responding to sea level change since time immemorial.

Carl also supported the development of a NOAA grant proposal to address sea level rise along the Columbia River. He reached out to numerous tribes to discuss the project idea and partner, including the CTGR, CTSI, and the Columbia River Inter-Tribal Fish Commission. Unfortunately, while the proposal was not selected for funding, DLCDC hopes the ideas will continue with other partners when other funding opportunities are available.

Contact; Rhiannon Bezore, Coastal Shores Specialist, Rhiannon.bezore@dlcd.oregon.gov, 971-375-7336

Conclusion

DLCDC looks forward to continuing to strengthen its government-to-government relationships with Oregon's nine federally recognized Tribes. The department is grateful for Tribes' participation in agency programs, and for the guidance we receive as staff. The department will strive to offer early opportunities for meaningful Tribal consultation, support, and guidance in 2025.