

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
Land Use Evaluation Statement

Rulemaking Proposal
for

Amend the Clean Water State Revolving Fund - Permanent Rules

1. Explain the purpose of the proposed rules.

The American Recovery and Reinvestment Act of 2009 (the Act) allows the U.S. Environmental Protection Agency to allocate \$44.3 million to Oregon DEQ's Clean Water State Revolving Fund to create jobs and promote economic recovery. To meet the requirements of the Act, the Environmental Quality Commission (EQC) adopted temporary amendments to DEQ's CWSRF loan program administrative rules in April 2009. By law, these temporary rules will expire in October 2009. The adoption of this permanent rulemaking will replace these temporary rules and ensure DEQ's program will meet the requirements of the Act.

2. Do the proposed rules affect existing rules, programs or activities that are considered land use programs in the DEQ State Agency Coordination (SAC) Program?

Yes X No _____

a. If yes, identify existing program/rule/activity:

Oregon administrative rule 340-018-0030(5)(b) identifies the approval of a state revolving loan application as one of DEQ's programs and actions determined to have significant effects on land use.

b. If yes, do the existing statewide goal compliance and local plan compatibility procedures adequately cover the proposed rules?

Yes X No _____ (if no, explain):

c. If no, apply the following criteria to the proposed rules.

NA

3. If the proposed rules have been determined a land use program under 2. above, but are not subject to existing land use compliance and compatibility procedures, explain the new procedures the Department will use to ensure compliance and compatibility.

NA