

Department of Environmental Quality
LAND USE COMPATIBILITY STATEMENT (LUCS)



State of Oregon
**Department of
Environmental
Quality**

WHAT IS A LUCS? The Land Use Compatibility Statement is the process used by the DEQ to determine whether DEQ permits and other approvals affecting land use are consistent with local government comprehensive plans.

WHY IS A LUCS REQUIRED? Oregon law requires state agency activities that impact land use be consistent with local comprehensive plans. DEQ Division 18 administrative rules identify agency activities or programs that significantly affect land use. These programs must have a process for determining local plan consistency.

WHEN IS A LUCS REQUIRED? A LUCS is required for nearly all DEQ permits, some general permits, and certain approvals of plans or related activities that affect land use. These activities are listed in this form. A single LUCS can be used if more than one DEQ permit/approval is being applied for concurrently.

A permit modification requires a LUCS when any of the following applies:

1. physical expansion on the property or proposed use of additional land;
2. a significant increase in discharges to water;
3. a relocation of an outfall outside of the source property; or
4. any physical change or change of operation of an air pollutant source that results in a net significant emission rate increase as defined in OAR 340-200-0020.

A permit renewal requires a LUCS if one has not previously been submitted, or if any of the above four permit modification factors apply.

HOW TO COMPLETE A LUCS:

<u>Step</u>	<u>Who Does It</u>	<u>What Happens</u>
1	Applicant	Completes Section 1 of the LUCS and submits it to the appropriate city or county planning office.
2	City or County Planning Office	Determines if the business or facility meets all local planning requirements, and returns to the applicant the signed and dated LUCS form <u>with findings of fact for any local reviews or necessary planning approvals.</u>
3	Applicant	Includes the completed LUCS with <u>findings of fact</u> with the DEQ permit or approval submittal application to the DEQ.

WHERE TO GET HELP: Questions about the LUCS process can be directed to the region staff responsible for processing the permit or approval. Headquarters and regional offices may also be reached using DEQ's toll-free telephone number 1-800-452-4011.

SECTION 1 - TO BE FILLED OUT BY APPLICANT *(may be filled in electronically using Tab key to move to each field)*

1. **Applicant Name:** _____ **Contact Person:** _____
Location Address: _____ **Mailing Address:** _____
City, State Zip: _____ **City, State Zip:** _____
Telephone: _____ **Tax Account No:** _____ **Tax Lot No:** _____
Township: _____ **Range:** _____ **Section:** _____
Latitude: _____ **Longitude:** _____

 Use the **DEQ Location Finder** (<http://deq12.deq.state.or.us/website/findloc>) to determine latitude/longitude.

2. **Describe the type of business or facility and services or products provided:**

3. Check the type of DEQ permit(s) or approval(s) being applied for at this time.

Air Notice of Construction	Pollution Control Bond Request	Clean Water State Revolving Fund Loan Request
Air Discharge Permit (<i>excludes portable facility permits</i>)	Solid Waste Compost Registration - Permit	Water Quality NPDES/WPCF Permit (<i>for onsite construction-installation permits use DEQ's <u>Onsite LUCS form</u></i>)
Title V Air Permit	Solid Waste Letter Authorization Permit	Wastewater/Sewer Construction Plan/Specifications (<i>includes review of plan changes that require use of new land</i>)
Parking/Traffic Circulation Plan	Solid Waste Material Recovery Facility Permit	Water Quality Storm Water General Permit
Air Indirect Source Permit	Solid Waste Transfer Station Permit	Other Water Quality General Permit (<i>Generals: 600 (if mobile), 700, 1200CA, 1500, 1700 (if mobile) are exempted</i>)
Solid Waste Disposal Permit	Solid Waste - Waste Tire Storage Permit	Federal Permit - Water Quality 401 Certification
Solid Waste Treatment Permit	Hazardous Waste/PCB Storage/Treatment/Discharge Permit	

4. This application is for: permit renewal new permit permit modification other _____

SECTION 2 - TO BE FILLED OUT BY CITY OR COUNTY PLANNING OFFICIAL

5. The facility proposal is located: inside city limits inside UGB outside UGB

6. Name of the city or county that has land use jurisdiction (*the legal entity responsible for land use decisions for the subject property or land use*): _____

7. Does the business or facility comply with all applicable local land use requirements?

- YES;** attach findings to support the affirmative compliance decision (*as required by Oregon Administrative Rules (OAR) 660, Division 31*).
- NO;** attach findings for noncompliance, and identify requirements the applicant must comply with before LUCS compatibility can be determined.

8. Planning Official Signature: _____ **Title:** _____

Print Name: _____ **Telephone No.:** _____ **Date:** _____

***Planning Official Signature:** _____ **Title:** _____

Print Name: _____ **Telephone No.:** _____ **Date:** _____

(**If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB.*)

Please Note: A LUCS approval cannot be accepted by DEQ until all local requirements have been met. Written findings of fact for all local decisions addressed under Item No. 7 above **must be attached to the LUCS.**

CULTURAL RESOURCES PROTECTION LAWS: Applicants involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking, to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.
