

Proposed Removal-Fill Program Fees in Oregon (May 2025)

At-a-Glance: Five-Year Fee Schedule

Program Area	Fee Category/Tier	Year 1 Sept. 1, 2025 60% Cost Recovery	Year 2 Sept. 1, 2026	Year 3 Sept. 1, 2027	Year 4 Sept. 1, 2028	Year 5 Sept. 1, 2029 80% Cost Recovery
General Authorizations	Submission Fee	\$450	\$499	\$550	\$604	\$660
	Revise/Transfer Fee	\$50	\$66	\$82	\$99	\$117
Wetland Determinations	On-Site Determinations	\$450	\$499	\$550	\$604	\$660
	<i>Off-site determinations will continue to be offered at no cost.</i>					
Delineation Reports	Tier 1 Report Review	\$600	\$761	\$931	\$1,108	\$1,295
	Tier 2 Report Review	\$1,200	\$1,391	\$1,592	\$1,803	\$2,024
	Tier 3 Report Review	\$3,500	\$3,938	\$4,397	\$4,879	\$5,386
	Report Reissuance	\$600	\$761	\$931	\$1,108	\$1,295
Removal-Fill Permits Application Type A	Base Application Fee	\$700	\$761	\$826	\$893	\$964
	Tier 1	\$200	\$341	\$490	\$645	\$809
	Tier 2	\$800	\$971	\$1,151	\$1,340	\$1,538
	Tier 3	\$3,000	\$3,544	\$4,115	\$4,714	\$5,344
	Tier 4	\$5,000	\$5,644	\$6,320	\$7,029	\$7,775
	Tier 5	\$7,000	\$7,744	\$8,525	\$9,345	\$10,206
Removal-Fill Permits Application Type B	Base Application Fee	\$2,100	\$2,284	\$2,477	\$2,679	\$2,892
	Tier 1	\$600	\$1,024	\$1,469	\$1,936	\$2,426
	Tier 2	\$2,400	\$2,914	\$3,453	\$4,020	\$4,614
	Tier 3	\$9,000	\$10,631	\$12,344	\$14,143	\$16,031
	Tier 4	\$15,000	\$16,931	\$18,959	\$21,088	\$23,324
	Tier 5	\$21,000	\$23,231	\$25,574	\$28,034	\$30,617
Removal-Fill Permits: Other Fees	Renewal	\$400	\$446	\$495	\$546	\$599
	In-Water Work Variance	\$100	\$105	\$110	\$116	\$122
	Modification/Transfer	\$400	\$446	\$495	\$546	\$599

*Fees highlighted in yellow are those that changed from the proposed fees originally circulated during the first comment period in January 2025.

General Authorizations

Oregon's [removal-fill law](#) protects wetlands and waters by requiring a permit for most projects that add, remove, or move more than 50 cubic yards of material. Some protected areas require permits for activities that add or remove any amount of material.

Removal-fill projects that are anticipated to have minimal impacts to wetlands and would not result in long-term harm to the water resources of this state could qualify for a General Authorization (GA) instead. Activities that would be eligible for a GA are those that cause minimal disturbance within essential salmonid habitats, projects that cause temporary impacts to wetlands and waterways, certain over-water structure activities, waterway bank stabilization using bioengineering, waterway habitat improvement, wetland ecosystem improvement, and non-motorized in-stream placer mining in essential salmonid habitats.

Program Area	Fee Category/Tier	60% - Year 1 Sept. 1, 2025	Year 2 Sept. 1, 2026	Year 3 Sept. 1, 2027	Year 4 Sept. 1, 2028	80% - Year 5 Sept. 1, 2029
General Authorizations	Submission Fee	\$450	\$499	\$550	\$604	\$660
	Revise/Transfer Fee	\$50	\$66	\$82	\$99	\$117

*Fees highlighted in yellow are those that changed from the proposed fees originally circulated during the first comment period in January 2025.

What are the current fees in place? Currently, a \$250 flat fee is required if there will be 50 cubic yards or more of removal and fill for *Over-Water Structures Fill or Removal General Authorizations* or *Temporary Impacts to Wetlands and Waterways General Authorization*. All other General Authorizations do not require a fee. Most GAs are provided at no cost to the applicant, which means the Department bears the cost of processing the GA notifications received by the Department.

Proposed fee changes to rule OAR 141-089-0635 include:

- Proposed fees which will cover the administrative cost of processing a GA notification. These fees were determined by calculating the average cost of staff time to process a notification.
- Notices for voluntary habitat restoration projects that do not require a state permit will qualify for the same submission fee as a GA.
- Remove language about GA fees from OAR 141-085-0545, to include only in OAR 141-089-0635.

What changed after the first public comment period in early 2025?

- These fees will now be effective September 1, 2025, and subsequent increases are scheduled to fall annually on September 1.
- To reflect the revised applicant definitions, DSL rebalanced the fee structure, which resulted in some fee increases. To prevent excessive increases, the overall cost recovery target was reduced from 85% to 80%, striking a balance between affordability and program sustainability. However, this will result in fewer costs being recovered.

All rulemaking materials and public comment opportunities can be found at <https://www.oregon.gov/dsl/Pages/rulemaking.aspx>.

Wetland Determinations and Delineations

Wetland determinations identify if potentially jurisdictional wetlands or other waters, such as streams and ponds, are present on a parcel of land. In some cases, applicants may ask the Department to conduct an on-site determination. If an area has been determined to contain these wetlands or waters, then a wetland delineation report must be submitted. This report is necessary in order to receive a removal-fill permit, and it includes detailed mapping and documentation of the size, location and other qualities of the wetlands and waters.

Program Area	Fee Category/Tier	60% - Year 1 Sept. 1, 2025	Year 2 Sept. 1, 2026	Year 3 Sept. 1, 2027	Year 4 Sept. 1, 2028	80% - Year 5 Sept. 1, 2029
Wetland Determinations	On-Site Determinations	\$450	\$499	\$550	\$604	\$660
	<i>Off-site determinations will continue to be offered at no cost.</i>					
Delineation Reports	Tier 1 Report Review	\$600	\$761	\$931	\$1,108	\$1,295
	Tier 2 Report Review	\$1,200	\$1,391	\$1,592	\$1,803	\$2,024
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	Report Reissuance	\$600	\$761	\$931	\$1,108	\$1,295

What are the current fees in place? Currently, there is no fee for wetland determinations (neither on-site nor off-site), and as a result the cost of staff time and travel are subsidized by the statutory Common School Fund. The initial fee for a wetland delineation report review is \$575, the cost of a resubmittal is \$100, and there is no cost for a reissuance. The current fees for delineation reports do not support the time staff spend completing this work, some of which can be considerably lengthy due to the size of the study area and wetlands and waters present within the study area.

Proposed fee changes to rule OAR 141-090-0032 include:

- Adding a proposed fee for on-site wetland determinations which will cover the staff costs for on-site visits. Off-site wetland determinations will continue to be offered at no cost to the applicant.
- Implementing a new three-tiered fee structure for wetland delineation reports that reflects the administrative cost of reviews based on the size of the study area and the area of wetlands present.
- If the Department rejects a report (for example, technical requirements are not completed, on-site data was not collected, clearly erroneous data was included, or incorrect conclusions were made), then the applicant must correct the report and resubmit it as a new report. The current resubmittal fee of \$100 does not cover the cost of a new review. Under the proposed rules, the new report will require a new tier fee.
- Reviewed wetland delineation reports are valid for 5 years. A report can be reissued if the delineated boundaries remain unchanged. The reissuance of a wetland delineation report is now subject to a fee to cover the cost of reviewing the submitted request.

How were the tiers determined? The tiers were determined using staff time tracking for report reviews and wetland area sizes that align with removal-fill permits. [Learn more in the data analysis and methodology overview \(PDF\).](#)

Delineation Report Tier	Project Criteria
Tier 1	Delineation report reviews with less than or equal to 0.2 wetland acres.
Tier 2	Delineation report reviews with greater than 0.2 wetland acres.
Tier 3	• Delineation report reviews with greater than 0.2 wetland acres, AND • The study area is in a west side county and the study area is greater than 100 acres, OR • The study area is in an east side county and the study area is greater than 200 acres.

What changed after the first public comment period in early 2025?

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Removal Fill Permits: Individual/General Permits and Emergency Authorizations

Projects that add, remove, or move more than 50 cubic yards of material in wetlands or waters of this state require either an individual or general permit, or emergency authorization.

- General permits are issued for projects with expected and predictable impacts to wetlands or waters. General permit projects are those with activities for transportation-related structures, minor-removal fill impacts, Jackson County vernal pools, maintenance drainage, maintenance dredging, and certain ocean renewable energy facilities.
- Individual permits are issued for projects that do not qualify for a general permit. These are projects with expected substantial impacts to wetlands or waters, and may be complicated or involve several instances of removing or filling material.
- Emergency authorizations are for immediate work needed to prevent irreparable harm to people or property during emergencies or disasters.

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What are the current fees in place? Currently, applicants are required to pay an application fee based on their classification as either a “Private Operator” or a “Public Body/Commercial Operator,” and whether the project is primarily intended for fill or removal. In addition to an application fee,

applicants are charged a fee based on the amount of removal or fill volume proposed in the project, up to a maximum. The most a removal-fill permit currently costs is \$1,027 for a private applicant or \$1,635 for a public or commercial applicant. [For comparison, see the current fees for 2025 here \(PDF\).](#)

Current fees do not cover the cost of administering this part of the removal-fill regulatory program, resulting in a significant subsidization of the program by the statutory Common School Fund. The proposed fees are expected to reduce the burden on the statutory Common School Fund and accurately reflect the amount of staff time to process and issue the permits.

Proposed fee changes to rule OAR 141-085-0545 include:

- The proposed fees will continue to differentiate between different types of applicants to account for the size and scope of projects and permit applications:
 - [Application Type A](#): For projects that are entirely not for profit.
 - [Application Type B](#): Any portion of the project aims to generate profit.
- A base application fee will be required for each application and covers the administrative costs of the 30-day completeness review. For projects that do not require a state permit, applicants will only pay the application fee.
- Implementing a five-tiered structure that reflects impacts on waters of this state and the complexity and staff time needed to process an application. Higher tiers bear more of the cost both within and between cost recovery models.

How were the tiers determined? The project tiers were created through extensive discussions with Department staff regarding elements that created complexity and added review time, as well as elements that reflect impacts on waters of this state. Tiers 1 and 2 are either for environmentally beneficial projects or those that have minimal impacts and are less complex to review. Tiers 3 to 5 reflect increasing environmental impacts and elements that increase the complexity of review. [Learn more in the data analysis and methodology overview \(PDF\).](#)

What changed after the first public comment period in early 2025?

- These fees will now be effective September 1, 2025, and subsequent increases are scheduled to fall annually on September 1.
- DSL received a comment noting that many projects by public entities benefit the public and are not for profit and therefore should be charged lower fees. In response, DSL updated the definitions of Application Type A and Type B to focus on the nature of the project—specifically whether it is for-profit or not—regardless of who is applying. The terms for “Applicant Type 1” and “Type 2” were also changed to “Application Type A” and “Type B” for clarity.
- To reflect the revised applicant definitions, DSL rebalanced the fee structure, which resulted in some fee increases. To prevent excessive increases, the overall cost recovery target was reduced from 85% to 80%, striking a balance between affordability and program sustainability. However, this will result in fewer costs being recovered.
- Initially, the rules allowed DSL to charge an additional hourly rate for both Tier 4 and Tier 5 projects if staff time exceeded the standard fee. This has been revised: the hourly rate now applies only to Tier 5.
- DSL also removed the ‘requires more than one public meeting’ criterion from tier 5 since that is already captured under tier 4.

Removal-Fill Permit Tier	Project Criteria
Base Application Fee	All applicants are required to pay the base application fee at the time of submission. The remainder of project costs will be due before the Department issues a permit. When the Department finds a project does not require an authorization (no state permit required) only the base application fee is required.
Tier 1	To qualify for Tier 1, a project must: Be for the primary purpose of voluntary habitat improvement of the ecological condition of a water of this state but an authorization is required, AND the project will not result in unacceptable individual or cumulative environmental effects or long-term harm to water resources of this state.
Tier 2	To qualify for Tier 2, a project must be: A) A General Permit for Minor Removal-Fill Impacts to Certain Non-Tidal Wetlands B) A General, Individual, or Emergency Application that: - Does not require compensatory mitigation, OR - Permanent wetland impacts are 0.2 acres or less and compensatory mitigation is provided by using mitigation banks, in-lieu fee, or payment in-lieu; AND - Does not occur in an estuary (tidal waters), essential salmonid habitat, or a state scenic waterway; and does not have temporary or permanent impacts to an aquatic resource of special concern.
Tier 3	To qualify for Tier 3 a project is limited to the following categories and does not include Tier 4 or 5 criteria: - Has impacts to wetlands totaling less than 2 acres, OR - Has permanent impacts to non-wetland waters, but not both.
Tier 4	Tier 4 includes projects with the following categories, and does not include Tier 5 criteria: A) A Department of Environmental Quality Remedial Action Waiver B) General, Individual, or Emergency Application that meets the criteria listed in Tier 3 AND one or more of the following parameters: - More than one functional assessment is required. - Impacts 2 or more wetland acres. - Has temporary or permanent impacts to an aquatic resource of special concern. - Impacts, either temporarily or permanently, a compensatory mitigation site. - Project site involves an enforcement. - Project involves multiple phases (past or future) that need to be considered in the Application review.

Removal-Fill Permit Tier	Project Criteria
	• The project occurs in the Pacific Ocean (Territorial Sea). • The project requires a minor exception to the Lower Willamette River Management Plan that is not pre-approved by the Director. • Application (required information) is 150 or more pages. • Substantive comments are received and results in a design modification. • Requires more than one public review. • Application takes more than 12 months to issue due to resolution of project elements or requests for extension. • Requires formal coordination with other local or state entities, Tribal governments, the federal government, and/or other interested stakeholders, such as multiple communications, meeting(s), or formal consultation. • Requires more than one site visit or coordination meeting with the applicant, either pre- or post-application submittal. • The permit will include an Adaptive Management Plan.
Tier 5	Tier 5 includes projects that meet one or more of the following of the following criteria: General, Individual, or Emergency Application that: • Requires a major exception to the Lower Willamette River Management Plan. • Requires a Joint Agency Review Team meeting under the Territorial Sea Plan. • Is a new linear facility (as defined in OAR 141-085-0510(53)). <i>DSL maintains the ability to charge for staff time beyond the project fee listed. If the project occurs in phases, DSL has the ability to enter into a contract with the responsible party.</i>

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