

## General Authorization (GA) Fact Sheet

- A removal-fill authorization is required from DSL when an:
  - Activity is within a Water of This State AND
  - Activity is non-exempt (ORS 196.905 and OAR 141-085-0530, -0534, -0535) AND
  - Activity exceeds threshold volume (50 cubic yards in most waters; any amount in ESH waters and state scenic waters)
  
- GAs fit within a continuum of authorization options under the Removal-Fill Law:
  - No state permit required (NSP)
  - **General Authorization**
  - General Permit
  - Individual Permit

Other: Emergency Permit; Permit Waiver
  
- **Statute (ORS 196.850) allows DSL to establish GAs by adoption of administrative rule (Div. 141-089) for activities that are:**
  - **Substantially similar in nature AND**
  - **Cause only minimal individual and cumulative environmental impacts AND**
  - **Do not result in long-term harm to water resources**
  
- GAs can only be used for activities specifically described in the Div. 89 administrative rule
  
- GAs cannot be used in designated State Scenic Waterways and specified “Aquatic Resources of Special Concern”
  
- Eligible GA activities are organized into topical groupings (current groups):
  - Minimal Disturbance in ESH
  - Piling Placement and Removal in ESH
  - Temporary Impacts to Non-Tidal Wetlands
  - Waterway Bank Stabilization
  - Transportation-Related Activities
  - Removing Sediment Behind Tidegates
  - Waterway Habitat Restoration
  - Wetland Ecosystem Restoration
  - Non-motorized Placer Mining in ESH

- Each of those GAs follows this administrative rule structure:
  - Purpose
  - Eligibility Requirements
  - Authorized Activities
  - Activity-specific conditions
  
- There are also General Conditions applicable to all activities defined in administrative rule
  
- Many GAs can be combined (“stacked”) to cover a single project when the combined activities still result in no more than minimal impact and still meet all conditions
  
- Authorizations are notification-based:
  - Proponent submits a notification form
  - DSL has 30 days to concur that the described activity is eligible for the GA applied for
  - Outcome: Complete & Eligible; Incomplete; Ineligible
  - No public review period; no local land use compatibility review
  - DSL decision is contestable (contested case hearing)
  
- If DSL does not respond in 30 days, activity is considered eligible
  
- Fees apply for some GAs – established by statute (\$250)
  
- Eligibility determinations are good for 3 years – no renewals or extensions
  
- DSL, ODFW, DEQ and local government have authority (per administrative rule) to elevate a project to Individual Permit status if believed the activity(ies) will fail the statutory test for a GA
  
- DSL conducts annual compliance monitoring for selected groups of GAs
  
- All other applicable local, state and federal authorities still apply
  
- GA rules must be reviewed every five years: modify, re-issue or rescind