



Rulemaking Advisory Committee

Waterway Leases, Licenses, and
Registrations (Division 82)

March 19, 2025





Meeting Agenda

9:00 AM	Introductions
9:15 AM	Update and Discussion: Changes to Draft Rules on Lease Rates and Application Fees
10:00 AM	Discussion: General Provisions and Lease Conditions
10:45 AM	Break
11:00 AM	Review – Notice of Proposed Rulemaking Components
11:30 AM	Interested Party Comments
11:40 AM	Next Steps
11:50 AM	<i>Meeting ends</i>

Meeting Goals: Present and ask questions about updated rules on proposed lease rates and application fees. Discuss draft rules for general provisions and lease conditions. Discuss and provide input for the Fiscal Impact Statement and Racial Equity Statement.

Zoom Protocols



Each person who wishes to speak will be asked to raise their hand.

- To raise your hand, click the reactions near the bottom of your screen and click “raise hand” or by pressing star 9 if you are on the phone.
- Will seek a balance of speaking time during discussions
- *For technical support, please message us in the chat.*
- Please keep your mic muted unless it is your turn to speak. Use of video is encouraged.
- We ask that all participants be respectful of each other and DSL representatives.

Update: Lease Rates and Application Fees



Key Rule Changes



- Reducing cap to rent increases at renewal from 50% to 15%
- Limiting rent escalation to 3% annually
- Removed the requirement for reassessing rent for leases exceeding 5 years
- Removed modifiers to rental rate for zoning and for activities in city limits or port districts
- Added a modifier reducing rental rates for lessees that provide public access
- Provide reference to ORS 90, which limits rent increases for residential leases

Examples: Proposed Lease Rates



Example

**Application #:
Name on Lease,
Body of Water,
County**

- **Rent:**
Last Paid/Original
Formula/Amended Formula
- **Rental Rate:** Amended Formula%
vs Original Formula%
- **Modifiers:**
 - List of applicable modifiers

Example 1

APP0020585:

**East Mooring Basin,
Columbia River,
Clatsop County**

- **Rent:**
\$6,273.11/\$9,409.67/\$7,214.08
- **Rental Rate:** 4.25% vs 5.50%
- **Modifiers:**
 - Essential Salmonid Habitat (ESH)
 - Coastal Zone Management Area (CZMA)
 - Marina use classification

Example 2

**APP0016853:
Rocky Point Marina,
Multnomah
Channel,
Multnomah County**

- **Rent:**
\$20,989/\$31,483.50/\$24,137.35
- **Rental Rate:** 3% vs 4.5%
- **Modifiers:**
 - ESH
 - Marina use classification
 - Clean Marina Program participant

Example 3

**APP0056916:
Girl Scouts of OR &
WA, Cleawox Lake,
Lane County**

- **Rent:**
\$499.94/\$1,200/\$1,200
- **Rental Rate:** 3% vs 4%
- **Modifiers:**
 - ESH
 - Non-commercial use classification
 - Public access provided

Example 4

**APP0010392:
Archival Properties,
Columbia River,
Clatsop County**

- **Rent:**
\$5,721.33/\$1,753.69/\$1,200
- **Rental Rate:** 4.5% vs 7.5%
- **Modifiers:**
 - ESH
 - CMZA
 - Non-Marine use classification

Discussion: General Provisions and Lease Conditions



Summary of Changes



- Clarified that all required payments, documents, and financial assurances must be submitted to the department before execution of the authorization
- New lease term is 5 years
- Term for lease renewals can be up to 15 years and is based on a number of factors

Summary of Changes (*cont.*)



- Created a single section which lists reasons why the Department may deny or reject an application
- Improvements must be maintained in a state of good repair
- Premises must be used in a non-discriminatory manner

Previous Meetings: RAC Comments

- Foam encapsulation requirements
- Clean Marina Program used as a factor for a longer lease term
- Working with ODFW and ODA on incorporating language to include rare plants and candidate species.

Interested Party Comments

Please raise your hand
to speak.

Please keep comments
limited to 3 minutes.



Interested Party Comments



Use the "Raise Hand" feature to provide community input. Time is limited and we may not be able to hear from all of you today.

- To raise your hand, click the reactions near the bottom of your screen and click "raise hand" or by pressing star 9 if you are on the phone.
- You will be called in the order in which hands are raised.
- Please keep your mic muted unless it is your turn to speak.

When it's your turn to speak:

- When your turn is coming up, the moderator will call on you to begin speaking.
- Please say your name, where you're from, and any organization you're representing.
- Please keep your remarks to **three minutes** and be respectful of each other and agency representatives. We will help track your time.

What's Next?

John Day River / Photo: Dan Cary

- The public comment period will be held July 1 through August 15, with six public rule hearings scheduled (two virtual and four in-person statewide).
- Anticipate taking the final proposed rule language to the State Land Board in October or December 2025, with an effective date of July 1, 2026.
- In the next week, a meeting summary and an overall summary will be sent to RAC members and today's meeting recording will be posted.
- All meeting materials will be posted to DSL's Rulemaking website: www.oregon.gov/dsl/Pages/rulemaking.aspx



Thank You!

Facilitator

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