



PUBLIC NOTICE

Oregon Department of State Lands

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Comment Opportunity Extended: Undersea Infrastructure Easements in Oregon's Territorial Sea

The Oregon Department of State Lands (DSL) is extending the comment period for proposed changes to administrative rules (OAR 141-083) that guide how easements are issued for uses of the territorial sea.

DSL wants to allow time for more input before the proposed rules are presented to the State Land Board for a decision. This rulemaking seeks to strengthen protections for Oregon's marine ecosystems, streamline permitting, and ensure fair public compensation for use of the seafloor.

The extended comment period is now open until Monday, September 21, 2026, at 5:00 p.m. (Pacific).

How to Comment

Comments may be submitted in writing by:

- [Online form](#)
- emailed to dsl.rules@dsl.oregon.gov
- mailed to DSL (Attn: Rules Coordinator) at 775 Summer Street NE, Suite 100, Salem, OR 97301

[Visit the DSL website for all rulemaking materials](#), including a draft of the proposed rules, all related materials from the rulemaking advisory committee, prior public hearings, and comments DSL received through the original close date of August 3. Comments received during the extended comment period will be available online after the close of public comment on September 21.

What Happens Next?

After the comment period closes and comments are addressed, proposed rules will be presented at an upcoming meeting of the State Land Board for a decision. The public may provide additional testimony at that time.

DSL anticipates presenting these rules at the December 8, 2026 meeting of the Land Board, [visit the DSL website for current meeting information and testimony guidance](#).

If adopted, these proposed rules and fees are anticipated to go into effect in January 2027.

Additional Background

Why are Changes Needed?

For decades, cables have been installed on the bottom of Oregon's territorial sea—the area of the Pacific Ocean extending from the shoreline to three nautical miles offshore. These cables, often called “undersea” or “submarine” cables, carry global data through optical fibers and are placed on, attached to, or buried beneath the seafloor. In the future, similar infrastructure may also include power transmission cables and pipelines to serve purposes like carrying electricity from offshore wind turbines to shore.

DSL, with approval from the State Land Board, issues easements for use of the territorial sea. DSL is one of several agencies with a regulatory role in the territorial sea, but the administrative rules guiding DSL's work are out of date.

Oregon's administrative rules governing these easements have not been comprehensively updated in 25 years. Since then, undersea infrastructure technology has evolved significantly, including the development of SMART cables that support both data transmission and sensors for ocean monitoring. In addition, Oregon's Territorial Sea Plan Part Four was updated in 2023, and Senate Bill 793 now requires DSL to set application and compensation fees for easements associated with water, gas, electric, and communication infrastructure in the territorial sea. These changes in technology, policy, and state law make updates to the rules necessary.

What's Proposed

- **Alignment with Oregon's ocean resource management goals.** Proposed updates align DSL's easement review and authorization processes with Oregon's Territorial Sea Plan Part Four and other applicable state policies governing uses of the seafloor.
- **Enhanced application requirements.** Applicants would be required to provide additional information during project planning and review, including resource and use inventories, effects evaluations, decommissioning plans, emergency response plans, and information about potential encroachments. Early coordination through pre-application meetings and the Joint Agency Review Team would help identify information needs and potential issues before applications are submitted.
- **A cooperative review framework.** Updates would support collaboration among applicants, state and federal agencies, Tribal governments, and local communities. Clearer requirements and review procedures would provide greater transparency and predictability throughout the process.
- **New fee structure.** A new structure for application fees will support sustainable funding for the interagency application review. New compensation fees allow use of Oregon's territorial sea while compensating Oregonians for the usage of this public resource. Revenues go to the Common School Fund.

See the [notice of rules filing](#) and the [proposed rules](#), as well as a [summary of proposed fees](#).

Learn more about the Rulemaking Advisory Committee

A [rulemaking advisory committee](#) was convened from February through June 2026 to inform the proposed changes, and a [summary of RAC input can be found here](#).