



PUBLIC NOTICE

Oregon Department of State Lands

Date posted: July 1, 2026

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

The Oregon Department of State Lands (DSL) is seeking comments on proposed changes to administrative rules (OAR 141-083) that guide how easements are issued for uses of the territorial sea. Proposed changes are intended to strengthen protections for Oregon's marine ecosystems, streamline permitting, and ensure fair public compensation for use of the seafloor.

The comment period is open from **July 1 – August 3, 2026 (closes at 5:00 p.m. Pacific)**.

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of several agencies with a regulatory role in the territorial sea, but the administrative rules guiding DSL's work are out of date.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](#).

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](#).

How to Comment

Visit the [DSL website for all rulemaking materials](#), including a draft of the proposed rules, all related materials from the rulemaking advisory committee, and the online comment form.

The comment deadline is Monday, August 3, 2026, at 5:00 p.m. (Pacific).



Public Hearings

Feedback on the proposed rulemaking can be provided during the following public meetings which will begin with an information session with time for questions, followed by a public hearing. Recordings and minutes will be posted online afterwards.

In-person: The meetings held at the in-person locations are in-person only and will not have virtual access.

- **North Bend, OR:** Monday, July 20 at 6:30 p.m. at North Bend Community Center, 2222 Broadway Ave., North Bend, OR 97459
- **Newport, OR:** Tuesday, July 21 at 5:00 p.m. at Hatfield Marine Science Center, Classroom 30/32 (HMSC 3032), 2030 SE Marine Science Dr., Newport, OR 97365 ([map to classroom](#))
- **Seaside, OR:** Wednesday, July 22 at 5:30 p.m. at Seaside Library, 1131 Broadway, Seaside, OR 97138

Virtual (online only): Thursday, July 23 at 2:30 p.m.

- Meeting ID: 250 886 8653
- Join online: [Click here to join](#) (Passcode: w#EnJ067)
- Join by phone: 1-669-444-9171 (Passcode: 87671005)



Written Comments

Comments may also be submitted in writing by [online form](#), emailed to dsl.rules@dsl.oregon.gov or mailed to DSL (Attn: Rules Coordinator) at 775 Summer Street NE, Suite 100, Salem, OR 97301.

What Happens Next?

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

If adopted, these proposed rules and fees are anticipated to go into effect in January 2027. For the latest updates, [visit the DSL website](#).