

Rule Number	Amended/New	Existing Content	Revised Content (Amended only)	Notes
Division Title	Amended	Rules for Granting Easement for Fiber Optic and Other Cables on State-Owned Submerged and Submersible Land within the Territorial Sea	Rules for Granting Easement for Undersea Infrastructure on State-Owned Submerged and Submersible Land within the Territorial Sea	The title is updated based on the amendment of Part 4 of the Territorial Sea Plan “Uses of the Seafloor” (TSP Part 4) adopted on November 3, 2023.
141-083-0800 Purpose & Applicability	Amended	<p>These rules:</p> <p>(1) Govern the granting and renewal of easements for fiber optic and other cables on state-owned submerged and submersible land within the Territorial Sea.</p> <p>(2) Establish a process for authorizing easements for such cables.</p> <p>(3) Supersede any provisions contained in OAR 141-083-0010 through 141-083-0700 relating to fiber optic and other cables within the Territorial Sea.</p> <p>(4) Do not apply to landing structures or other equipment related or connected to the cable placed on state-owned upland. Such uses are governed by, and require forms of authorization stipulated in other agency rules.</p>	<ul style="list-style-type: none"> Any undersea infrastructure requires prior written authorization (easements). These rules establish application fees, application renewal fees, and compensation rates for easements for routing, construction, operation, maintenance, and decommission, including recycling, of any undersea infrastructure. Unless otherwise determined by the director, these rules do not apply to (i) OAR 141-123 (easements outside of the territorial sea), (ii) OAR 141-140 (renewable energy facilities), (iii) OAR 141-125 (special-use authorizations), (iv) OAR 141-145 (remediation activities and habitat restoration under an order by DEQ or EPA), (v) existing valid easements granted by the department or State Land Board before the adoption of these rules, and (vi) authorizations for uses and structures that are specifically governed by any other division. 	This rule has been amended for clarity of goals and to clarify what is covered or not by these rules to avoid duplication in other rules.
141-083-0810 General Provisions	Amended	Policies	<p>General Provisions:</p> <ul style="list-style-type: none"> Undersea cable systems, pipelines, and other utilities are considered vulnerable critical infrastructure under the USA PATRIOT Act (2001) and the Critical Infrastructure Information Act (2002). The holder shall cooperate with federal, state, and local agencies to improve the resilience of this critical infrastructure. The holder shall follow the recommendations for critical infrastructure sectors developed by the 	This rule has been renamed from “Policies” to “General Provisions” to reflect a broader term, aligned with and consistent with other rules. General provisions include the policies themselves and also serve as instructions or guidelines.

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			<p>Cybersecurity and Infrastructure Security Agency under the U.S. Department of Homeland Security.</p> <ul style="list-style-type: none"> • In granting easements, the department will follow the guiding principles and requirements contained in the Territorial Sea Plan. The department will consider comments from various interested parties received during the Joint Agency Review Team’s pre-application and application meetings convened under the Territorial Sea Plan, as well as public comments received during public comment periods established by law. 	
141-083-0820 Definitions	Amended	<ul style="list-style-type: none"> • Cable • Cable easement • Director • Division • Fiber optic cable • Goal 19 • Landing • OPAC • Ocean users • Person • Territorial sea • Territorial Sea Management Plan 	<ul style="list-style-type: none"> • Affixed • Applicant • Burial • Cable • Critical infrastructure • Department • Director • Easement • Encroachment • Fixture • Goal 19 • Holder • JART • Landing • Ocean users • Ocean shore • Person • Pipeline • Project • Public trust uses • Seafloor • SMART cables 	New definitions have been added to this section for clarity and alignment with the TSP Part 4 and other DSL rules.

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			<ul style="list-style-type: none"> • State Land Board • Submerged lands • Submersible lands • Territorial sea • Territorial Sea Plan • Tidal submerged lands • Utility • Undersea infrastructure 	
141-083-0830 Easement Application Requirements	Amended	<p>(1) Any person wanting to place a cable in the Territorial Sea shall obtain an easement from the Division, and approval by the Land Board.</p> <p>(2) Unless otherwise allowed by the Director, a fully completed application for an easement shall be submitted to the Division at least one-hundred and eighty (180) days prior to placement of any part of the cable or construction of any associated landing-related facility or equipment on state-owned submerged and submersible land within the Territorial Sea. Each application for a cable easement shall be accompanied by a non-refundable application processing fee payable to the Division in the amount indicated in OAR 141-083-0830(3) of these rules.</p> <p>(3) Each application for a cable easement crossing the Territorial Sea shall be accompanied by a non-refundable deposit payable to the Division in the amount of five thousand dollars (\$5,000).</p> <p>(4) Should the Division, in consultation with the applicant and other interested parties, determine that it is necessary to conduct environmental or other studies necessary to assist in evaluating the project’s compliance with the requirements of Statewide Planning Goal 19 and the Territorial Sea Management Plan, the applicant shall be directly responsible for retaining and paying for the requisite studies.</p>	<p>(1) Any person wanting to place undersea infrastructure in the territorial sea or ocean shore shall contact the department to request a JART pre-application meeting as required by OAR 141-083-0835 and the Territorial Sea Plan.</p> <p>(2) Following the JART pre-application meeting, the applicant shall apply for an easement to the department at least 180 days before the intended placement of any infrastructure, construction of any associated landing-related facility, or placement of equipment on state-owned submerged and submersible lands within the territorial sea or ocean shore, unless the department has otherwise authorized such use.</p> <p>(3) The applicant must submit an application that is signed, complete, and accompanied by a non-refundable application fee payable to the department.</p> <p>(4) In order to be determined to be complete, an application must include the following:</p> <p>(a) The appropriate non-refundable application fee identified in OAR 141-083-0854;</p> <p>(b) An application on the form provided by the department and signed by the applicant or the applicant’s agent;</p> <p>(c) The Resource and Use Inventory and Effects Evaluation report required under the Territorial Sea Plan. The applicant is required to provide information and data sufficient for the department to determine the scope, likelihood, and significance of reasonably anticipated</p>	This section has been expanded to reflect the requirements of the TSP Part 4.

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			<p>potential effects on coastal resources and uses. Following the JART pre-application meeting, depending on the nature and complexity of the project, the department will advise the applicant if any elements of the required report are waived and not required for a complete application;</p> <p>(d) Construction and operation plans;</p> <p>(e) Operating agreement;</p> <p>(f) The emergency response plan covering accidental emergency situations, including human-made and natural disaster factors, as highlighted in the Territorial Sea Plan; and</p> <p>(g) Any additional information or attachments required by the department.</p> <p>(5) The department may require the applicant to provide written evidence of communication between the applicant and affected ocean users.</p>	
141-083-0835 JART Pre-Application Meeting	New	-	<p>(1) Before submitting an application, the applicant must request a JART pre-application meeting on a form provided by the department, along with any other information required by the department. The department will schedule a JART pre-application meeting. The applicant must attend the JART pre-application meeting and present information about the project.</p> <p>(2) The applicant is encouraged to meet with affected ocean users and industries before the JART pre-application meeting to discuss possible use conflicts and other issues attendant with the proposed project.</p> <p>(3) Within 30 calendar days after the JART pre-application meeting, the department will provide the applicant with a written summary of comments and recommendations made by JART. The written summary will include information and suggestions discussed at the meeting and identify the next steps for an application, including identification of other applications that are required by the department (e.g., removal-fill permit application).</p>	This section has been added to reflect new requirements under the TSP Part 4. JART Pre-Application Meeting Request Form is attached as a supplementary document.

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141-083-0840 Application Review Process	Amended	<p>(1) Prior to submitting an application to the Division, the person wanting to place a cable on state-owned submerged and submersible land within the Territorial Sea shall meet with Division staff to discuss the proposed project, alternative routes, factors affecting cable installation, and desired schedule. The person is also encouraged to meet with affected ocean users and industries prior to meeting with the Division to discuss possible use conflicts and other issues attendant with the proposed cable route(s).</p> <p>(2) Upon receipt of an application, the Division will determine if it is complete. Applications which are determined by the Division to be incomplete shall be returned to the applicant with an explanation of the reason(s) for rejection.</p> <p>(3) If a rejected application is resubmitted within one hundred and twenty (120) calendar days from the date the Division returned it to the applicant, no additional application fee will be assessed.</p> <p>(4) Applications determined by the Division to be complete will be circulated to various local, state, and federal agencies and other interested persons for review and comment. The Division will circulate the application according to the requirements of its State Agency Coordination Program.</p> <p>(5) To obtain public comment and identify possible issues concerning the proposed cable, the Division may hold public information meetings in the vicinity of each cable landing prior to, or after receipt of an application. The person proposing the cable or easement applicant shall attend any public meetings scheduled by the Division and be prepared to discuss the project.</p> <p>(6) An easement applicant may amend their application at any time in order to address issues, concerns, or</p>	<p>Key summary of changes include:</p> <ul style="list-style-type: none"> • Applied to all types of undersea infrastructure, not just cables. • Described detailed requests of the application process. • Added timeframe for materials submission and review. • Added specifics that would be required from federal, state, local agencies, and other interested parties during the circulation of the application. • Added details of public information meeting. • Added the JART meetings requests. • Added the services of technical experts to assist with the application review if needed. • Added criteria for denying the application. 	<p>This section has been broadened to reflect process clarity and procedures, new requirements under the TSP Part 4, and alignment with other rules.</p>

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		<p>information shortfalls identified by the Division or other commentors.</p> <p>(7) After receipt of agency and public comment concerning the proposed project resulting from the State Agency Coordination application circulation, the Division shall determine whether additional information is needed and/or modifications required to the proposed project. The easement applicant shall then be notified in writing of the Division's requirements.</p> <p>(8) An easement applicant shall be given the opportunity to revise their proposed project or demonstrate why suggested changes are not feasible prior to the Division's development of its recommendation to the State Land Board regarding the subject easement and related requirements for the location, construction, operation and maintenance of the cable.</p> <p>(9) The Land Board may approve or deny the easement based on the recommendation of the Division and the findings required by OAR 141-083-0810(8).</p>		
141-083-0850 Easement Terms and Conditions	Amended	<p>(1) All cable easements issued under these rules shall require approval by the State Land Board.</p> <p>(2) Easement applicants may be required to obtain a surety bond to ensure that they will perform in accordance with all terms and conditions of the easement. The surety bond amount shall be determined by the Division. A cash deposit or certificate of deposit in an amount equal to the amount required for a surety bond and which names the State of Oregon as co-owner may be substituted in lieu of a bond.</p> <p>(3) A cable easement issued by the Division shall be valid for an initial term of twenty (20) years, and may be renewed at the holder's option for an additional twenty (20) year term upon application to the Division.</p> <p>(4) All cables are to be buried using the best available proven technology whenever Territorial Sea bottom</p>	<p>Key summary of changes include:</p> <ul style="list-style-type: none"> • Applied to all types of undersea infrastructure, not just cables. • Added the minimum easement's width (15 feet). • Added the minimum separation distance of 985 feet (300 m) between cables or pipelines to allow space for de-trenching and recovery of buried cables or pipelines. • Added the minimum burial request for cables and pipelines (at least 1 m beneath the substrate). • Added approaches for minimizing the potential environmental impact associated with cable and pipeline installation and operation. • Added the incorporation of the removal-fill permit into the terms and conditions. • Added holder's responsibilities. 	<p>This section has been broadened to reflect terms clarity, separation standards, new requirements under the TSP Part 4, critical infrastructure, and alignment with other rules.</p>

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		<p>conditions permit to a sufficient depth to minimize conflicts with other ocean users and industries and recognizing the potential need to retrieve the cable for repair or removal.</p> <p>(5) The Division shall be notified in writing by the easement holder at least ninety (90) days:</p> <p>(a) Prior to any pre-planned change in the location of the cable.</p> <p>(b) Prior to any change in ownership of the cable.</p> <p>(c) After the discovery of any change in the location of the cable resulting from accidental contact or geologic or other natural causes.</p> <p>(d) Prior to any abandonment or termination of use of the cable.</p> <p>(6) If determined necessary by the Division in consultation with the easement holder and other interested parties, and if permitted by the applicable federal agency(ies) regulating the cable, the easement holder shall remove the cable from the state-owned submerged and submersible land within one (1) year following the termination of use of the cable or expiration of the easement.</p> <p>(7) Easements issued pursuant to these rules may be subject to a term based payment or annual rental payments subsequently established by the Land Board pursuant to governing law for use of state-owned submerged and submersible land.</p> <p>(8) Easement holders shall inspect cables to ensure that they remain both within the area authorized by the easement and buried. These inspections are to be done on a frequency to be determined by the Division in consultation with the easement holder and other interested parties.</p>		

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141-083-0851 Renewal Application Review Process	New	-	Key summary of changes include: <ul style="list-style-type: none"> • Applied to all types of undersea infrastructure. • Added an application process for an easement renewal. • Added a list of materials that need to be submitted to DSL to renew an easement. • Added timeframe for materials submission and review. • Added criteria for completeness and denying an application. 	This section has been added to provide clarity and describe a process for application renewal.
141-083-0852 Decommission and Recovery	New	-	Key summary includes: <ul style="list-style-type: none"> • Applied to all types of undersea infrastructure. • Specified the content of the Decommissioning Plan that needs to be submitted to DSL. • Added a process for the Plan’s review. • Added a request for a post-decommissioning and recovery report. 	This section has been added to provide clarity and describe a process for decommissioning and recovery as requested by the TSP Part 4 and ORS 274.714.
141-083-0853 Encroachment Easement Application Process	New	-	Key summary includes: <ul style="list-style-type: none"> • Applied to all types of undersea infrastructure. • Described detailed requests of the encroachment application process. • Added timeframe for materials submission and review. • Added a list of materials to be submitted to DSL as part of the complete application. • Added the services of technical experts to assist with the application review if needed. • Added criteria for denying an application. 	This section has been added to describe a process for encroachment easement on state-owned submerged and submersible lands within the territorial sea or ocean shore.
141-083-0854 Application Fees	New	-	(1) Applicants for new or renewal easements must pay the appropriate nonrefundable fee. The department will make the fee schedule available to the public. (2) Effective January 1, 2027, the application fee for a new easement will be \$15,000.	This section has been added to establish the fee structure required by Senate Bill 793 (2025).

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			<p>(3) Effective January 1, 2027, the application fee to renew an existing easement will be \$7,500.</p> <p>(4) Effective January 1, 2035, the director may increase application fees annually by no more than 5 percent. The director may consider any available Consumer Price Index as published by the US Bureau of Labor Statistics, and any other relevant factors when determining the fee increase.</p>	
141-083-0855 Compensation Rates	New	-	<p>(1) The applicant for a new easement and the holder of an existing easement who is seeking renewal shall pay a compensation fee for undersea infrastructure.</p> <p>(a) Effective January 1, 2027, compensation fees for cables and other utilities will be determined as follows:</p> <p>(A) For cables and other utilities with a diameter up to 3 inches: $COMP = \\$3 \times L \times T$;</p> <p>(B) For cables and other utilities with a diameter of 3 or more inches: $COMP = \\$3 \times L \times D \times T$;</p> <p>(C) The variables include: L = Linear feet of the proposed easement. D = Diameter (in inches) of the cable or other utilities. T = Term of the proposed easement (in years). COMP = Compensation due to the department for the authorization.</p> <p>(b) Effective January 1, 2027, compensation fees for fixtures will be determined as follows:</p> <p>(A) $COMP = \\$3 \times LA \times T$.</p> <p>(B) The variables include: LA = Authorized use area in square feet of state-owned submerged and submersible land. T = Term of the proposed easement (in years). COMP = Compensation due to the department for the authorization.</p> <p>(2) The department may reduce required compensation for new undersea infrastructure installations or existing infrastructure in place that is subject to renewal that incorporates sensing, monitoring, or data-collection</p>	This section has been added to establish the fee structure required by Senate Bill 793 (2025).

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			<p>technologies that advance public safety, environmental monitoring, climate resilience, infrastructure integrity, or resource management (e.g., SMART cables).</p> <p>(3) To qualify, the sensors must:</p> <p>(a) Provide operational, environmental, or infrastructure condition data relevant to state management and public benefit;</p> <p>(b) Meet department technical standards; and</p> <p>(c) Be maintained in working condition for the duration of the authorization or a minimum period specified by the department.</p> <p>(4) The department will determine the amount of the compensation reduction, in coordination with the JART and with approval by the State Land Board, based on the public benefit, data accessibility, installation cost, and long-term maintenance commitment. The compensation reduction will not exceed 40 percent of the easement term.</p> <p>(5) If the sensors become non-operational during an easement term, the holder must notify the department. The holder will pay the department a portion of the original reduction in required compensation based on the number of years remaining in the easement.</p>	
<p>141-083-0856 Encroachment Easement Application Fee and Compensation</p>	<p>New</p>	<p>-</p>	<p>(1) Applicants for a permanent encroachment easement must pay the appropriate non-refundable application fee. The department will make the fee schedule available to the public.</p> <p>(a) Effective January 1, 2027, the encroachment easement application fee will be \$7,500.</p> <p>(b) Effective January 1, 2035, the director may increase the application fee annually by no more than 5 percent. The director may consider any available Consumer Price Index as published by the US Bureau of Labor Statistics, and any other relevant factors when determining the fee increase.</p>	<p>This section has been added to establish the fee and compensation payment for the permanent encroachment easement.</p>

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			<p>(2) The holder of a permanent encroachment easement must pay a one-time encroachment easement compensation fee for permanently leaving undersea infrastructure or a portion of the infrastructure in place.</p> <p>(a) Effective January 1, 2027, the encroachment easement compensation fee for cables or other utilities will be determined as follows:</p> <p>(A) Cable and other utilities with a diameter up to 3 inches: $COMPenc = \\$7 \times L \times T$;</p> <p>(B) Cable and other utilities with a diameter of 3 inches or more: $COMPenc = \\$7 \times L \times D \times T$;</p> <p>(C) The variables include: L = Linear feet of the proposed encroachment easement. D = Diameter (in inches) of the cable or other utility. T = Term of the proposed permanent encroachment easement will be 100 years. COMPenc = Compensation due to the department for the authorization.</p> <p>(b) Effective January 1, 2027, the encroachment easement compensation fee for fixtures will be determined as follows:</p> <p>(A) Fixtures: $COMPenc = SM \times LA \times T$.</p> <p>(B) The variables include: SM = Statewide Maximum value per square foot. LA = Authorized use area in square feet of state-owned submerged and submersible land. T = Term of the proposed encroachment easement (100 years). COMPenc = Compensation due to the department for the authorization.</p> <p>(3) The statewide maximum value per square foot is \$11.93, effective July 1, 2018, and will increase each year on July 1 by 3 percent.</p>	
141-083-0857	New	-	(1) Applicants and holders shall obtain a form of financial assurance acceptable to the department to ensure that	This section has been added to reflect financial assurance requirements,

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Financial Assurance Requirements			<p>they will perform in accordance with all terms and conditions of the easement.</p> <p>(a) An applicant for an easement shall acquire and maintain, until construction of the undersea cable is completed, financial assurances as required by ORS 274.714(2) and these rules.</p> <p>(b) A holder of an easement shall acquire and maintain during decommissioning work, financial assurances in an amount equal to the decommissioning and restoration costs, as required by ORS 274.714(3) and these rules.</p> <p>(c) The financial assurance requirements may be satisfied by furnishing a financial assurance instrument that is:</p> <p>(A) A surety bond, cash deposit, or certificate of deposit; and</p> <p>(B) In the name of the State of Oregon.</p> <p>(2) The department:</p> <p>(a) Will determine the amount, type, and terms of financial assurance required. In making this decision, the department will consider the cost estimates of the applicant or holder, the nature and location of the infrastructure, and the use in relation to other uses and resources, any requirements of law, and any other factors of the proposed use determined to be relevant by the department;</p> <p>(b) May consult with the Oregon Department of Justice, the Oregon Department of Administrative Services Risk Management, the JART, or other qualified persons in determining the amount, type, and terms of financial assurance required.</p> <p>(3) The department, in its sole discretion, will determine whether to accept the proposed form and providers of financial assurances.</p> <p>(4) The applicant must provide to the department proof of all coverages and financial assurance required before</p>	<p>provide clarity, meet TSP requirements, and align with other rules.</p>

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			<p>issuing the easement and before any use of the easement area.</p> <p>(5) The department may require a surety bond when the applicant or holder:</p> <p>(a) Is in default with any authorization or permit granted to them by the department;</p> <p>(b) Was previously sent a notice of deficiency or default by the department;</p> <p>(c) Cannot obtain another form of financial assurance due to market conditions;</p> <p>(d) Has current or past business, financial, or management practices that indicate they may not be able to fully meet the terms and conditions of an easement offered by the department; or</p> <p>(e) Has active construction related to the authorized or proposed use occurring in, upon, under, or affecting the easement premises.</p> <p>(6) A certificate of deposit equal to the amount required for financial assurance, and which names the State of Oregon as co-owner, may be substituted as a form of financial assurance.</p>	
<p>141-083-0860 Unauthorized Uses and Penalties</p>	<p>Amended</p>	<p>In addition to any other penalties provided or permitted by law, the placement of any cable or related structure on state-owned land without an easement or otherwise not in compliance with these rules shall constitute a trespass, and be prosecuted pursuant to governing law.</p>	<p>(1) Uses and developments not authorized by an easement issued by the department constitute a trespass and must be removed as directed unless otherwise authorized in writing by the department.</p> <p>(2) In addition to any other penalties provided or permitted by law, the unauthorized use of state-owned lands, including the placement of any undersea infrastructure on state-owned land without an easement or otherwise not in compliance with these rules, shall constitute a trespass and be subject to civil penalties and prosecuted pursuant to governing law.</p>	<p>This rule has been renamed from “Penalties” to “Unauthorized Uses and Penalties” to reflect a broader coverage and align with and consistent with other rules.</p>

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141-083-0870 Appeal of Decision	Amended	<p>(1) An easement applicant or any other person adversely affected by the issuance or denial of a fiber optic cable or other cable easement on state-owned submerged and submersible land within the Territorial Sea may request that the Land Board reconsider the decision.</p> <p>(a) Such a request shall be received by the Director no later than thirty (30) calendar days after the delivery of the decision.</p> <p>(b) The Director shall review the request within sixty (60) calendar days after the date of delivery of the request.</p> <p>(c) The Director may recommend to the Land Board either that the easement issuance or denial be modified based on the merits of the request, or that the Land Board authorize initiation of a contested case proceeding.</p> <p>(2) If the Director recommends that the Land Board initiate a contested case proceeding, the Land Board shall select a hearing officer and proceed pursuant to ORS 183.413 through 183.470.</p>	<p>(1) An applicant for an authorization or any other person adversely affected by the issuance or denial of an authorization under this Division may request a contested case hearing.</p> <p>The hearing request must be filed with the State Land Board no later than 20 calendar days after the State Land Board makes its decision, or serves the person with notice of the decision, whichever is later.</p> <p>(2) A person qualifies as being adversely affected under subsection (1) if:</p> <p>(a) The person is the owner of, or otherwise has a property interest in, the upland property adjacent to, on, or overlapping with the premises of the authorized use;</p> <p>(b) The person holds an authorization issued by the department for an area that is adjacent to, on, or overlapping with or the premises of the authorized use;</p> <p>(c) The person is materially affected by the decision; or</p> <p>(d) The decision unreasonably interferes with the person’s public trust rights.</p> <p>(3) Due to the complexity of the program, a hearing request must provide details of the dispute, including the issues to be addressed in a hearing, the claims and defenses to be asserted at the hearing, and the relief sought. A person claiming to be adversely affected by a decision of the State Land Board under subsection (2)(c) or (2)(d) must describe in their hearing request how the State Land Board’s decision materially affects them or unreasonably interferes with their public trust rights.</p> <p>(4) If the Director determines that a hearing request fails to provide details of the dispute, or if the Director determines that the person requesting the hearing does not qualify as being adversely affected, then the Director will deny the hearing request. Otherwise, the Director will refer the hearing request to the Office of Administrative Hearings for a contested case hearing.</p>	<p>This section has been broadened and renamed from “Reconsideration of Decision” to “Appeal of Decision” based on the Department of Justice’s suggestion to provide an opportunity for the applicants to appeal the decision and to describe the process of this appeal.</p>

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			<p>(5) If an applicant or person adversely affected requests a hearing, but then withdraws the hearing request or fails to appear at the hearing, then the State Land Board's decision will become a Final Order by Default. In such a situation, the contested case record will include the record of the contested case proceeding to date, along with the information in the Department's file and all materials submitted by the party, for the purpose of proving a prima facie case on default.</p> <p>(6) The Office of Administrative Hearings will appoint an Administrative Law Judge to conduct a contested case hearing pursuant to the Administrative Procedures Act and Model Rules. The Administrative Law Judge will prepare a proposed order to be filed with the State Land Board.</p> <p>(7) After issuance of a proposed order, the parties to the contested case may file exceptions to the proposed order with the State Land Board. Exceptions must be filed within 10 business days of the date that the proposed order was issued. Exceptions may address factual or legal issues that are essential to the resolution of the proceeding. Exceptions must cite to the disputed fact or legal issue in the proposed order and provide alternative language.</p> <p>(8) The State Land Board will review the record of the contested case proceeding, the proposed order, and any exceptions that have been filed. The State Land Board may then issue a Final Order adopting the proposed order, issue a Final Order modifying the proposed order, refer the matter back to the Office of Administrative Hearings for further hearing, or take other action as it deems appropriate.</p> <p>(9) As a condition of judicial review, a party must request reconsideration or rehearing with the State Land Board. The request must state with specificity the grounds for objection to the decision, and the remedy sought. The</p>	

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			<p>State Land Board will issue a decision on the request within 60 days. If the State Land Board does not act on the request, then pursuant to ORS 183.482, the request shall be deemed denied on the 60th day following the date the request was filed.</p> <p>(10) A petition for judicial review may be filed pursuant to ORS 183.482 within 60 days following the date that a request for reconsideration or rehearing was denied.</p>	