



# Rulemaking Advisory Committee

Undersea Infrastructure Easements  
in Oregon's Territorial Sea  
(OAR 141-083)

**April 8, 2026**



# Introductions

## Department of State Lands – Key Contacts

Danielle Boudreaux: DSL Rules Coordinator

Nataliya Stranadko: Territorial Sea Specialist

Dario Frisone: Proprietary Coordinator

## RAC Members

## Technical Advisors – Agency Partners



# Meeting Agenda

9:00 AM	Introductions; Agenda Review; Zoom Protocols
9:15 AM	Background Information and Presentation
9:45 AM	RAC Discussion
10:30 AM	Break
10:40 AM	RAC Discussion
11:45 AM	Interested Party Comments
11:55 AM	Next Steps
12:00 PM	<i>Meeting ends</i>

**Meeting Goals:** *Discuss Division 83 rules on decommissioning and recovery, encroachment easements, application fees, compensation rates, financial assurance requirements, unauthorized uses and penalties, and appeals.*

# 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.

# Part One



# Overview



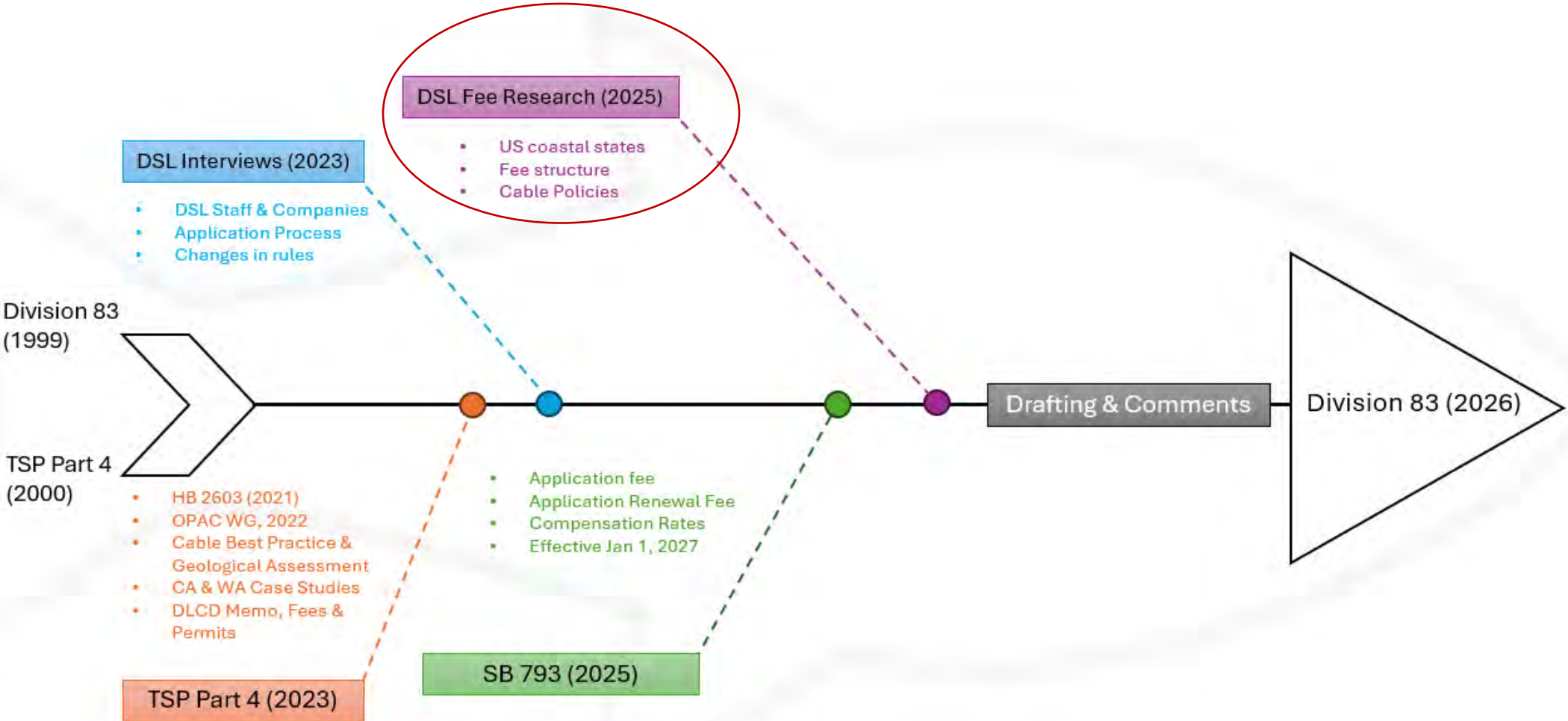
## Part One:

- DSL State Fee Research (2025)
- Proposed Fees and Compensation Rates
- Examples of New and Renewal Calculations

## Part Two

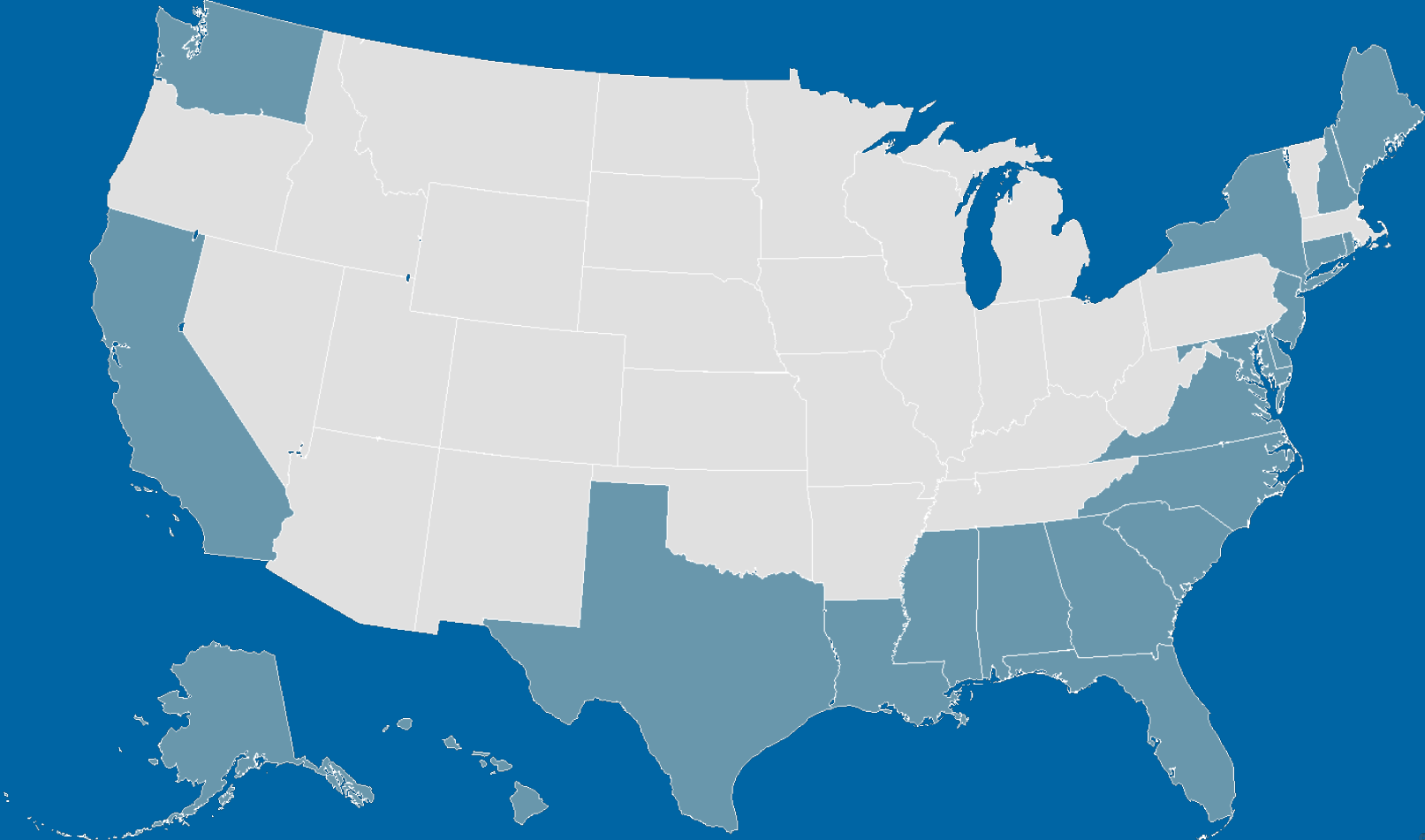
- Decommission and Recovery
- Encroachment Easement Application Process and Fees
- Examples of Encroachment Calculations

# Historical Context Reminder



# DSL State Fee Research (2025)

## US Coastal States



**22 states were contacted**  
**12 responded**

Permission  
for use?

Fees &  
methodology?

How often is  
the fee revised?

## Questionnaire

The permission for  
use of the  
seafloor may be  
called  
a lease, an  
easement, or a  
permit

Based on a  
legislative  
decision,  
a schedule, or an  
appraisal

One-time  
payment, annual  
rates or  
compensation  
rates in addition  
to fees

Fees can be  
charged a  
\$/ linear foot,  
\$/ acre, or  
\$/cable

Fees can be  
increased at a  
particular rate  
every year or  
reviewed every 5  
years

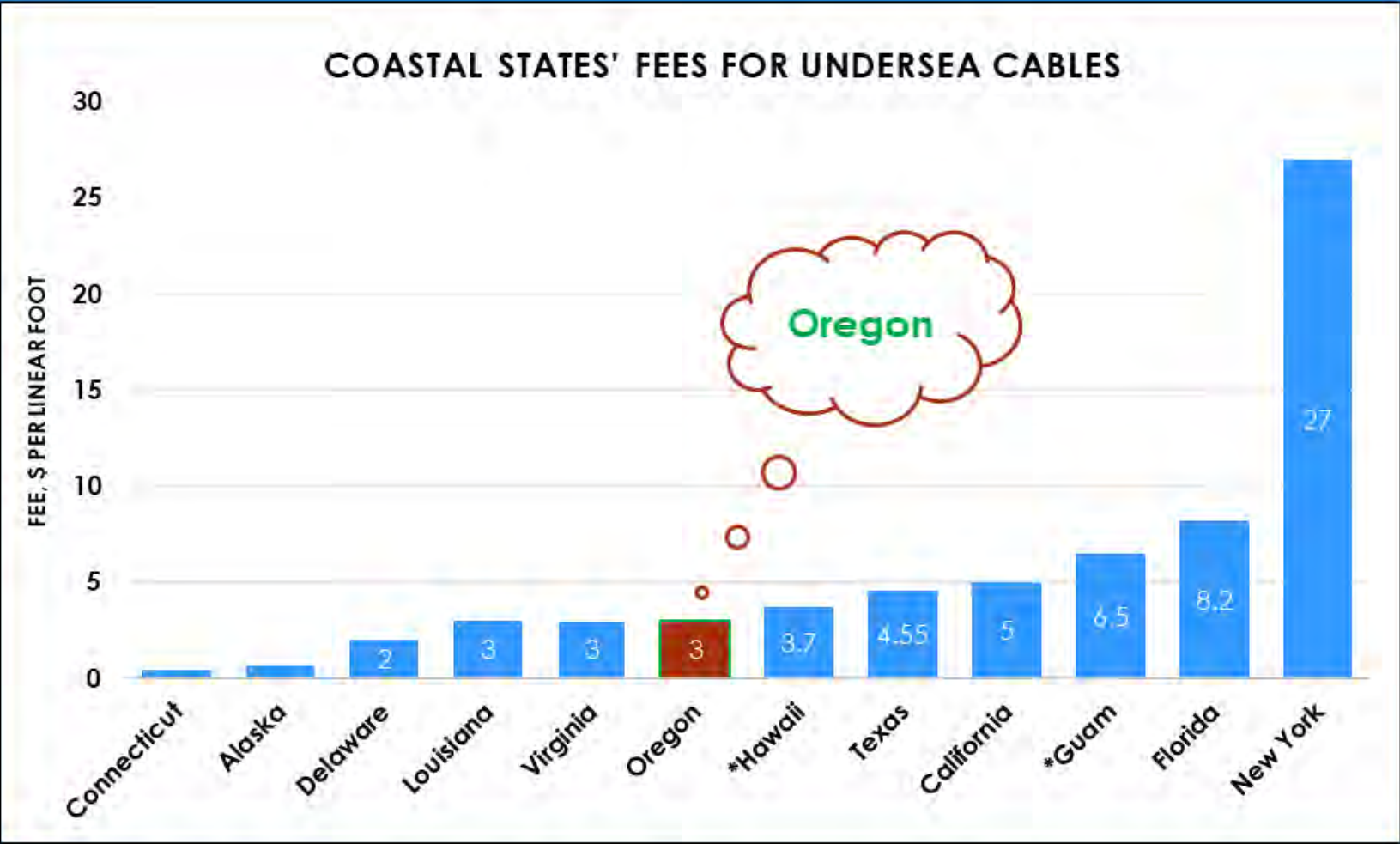
Most states  
require  
decommission at  
the end of  
infrastructure's  
lifecycle

Separation  
standards?

Decommission?

Inspection?

# Proposed Fees & Methodology: States' Comparison



\*Guam: \$5.42-\$7.50 \*Hawaii: \$1.83-\$5.66

There is no single method for fee calculation across the states. However, most states use \$ per linear foot as one of the methods.

# California & Washington Examples vs Oregon (2025)

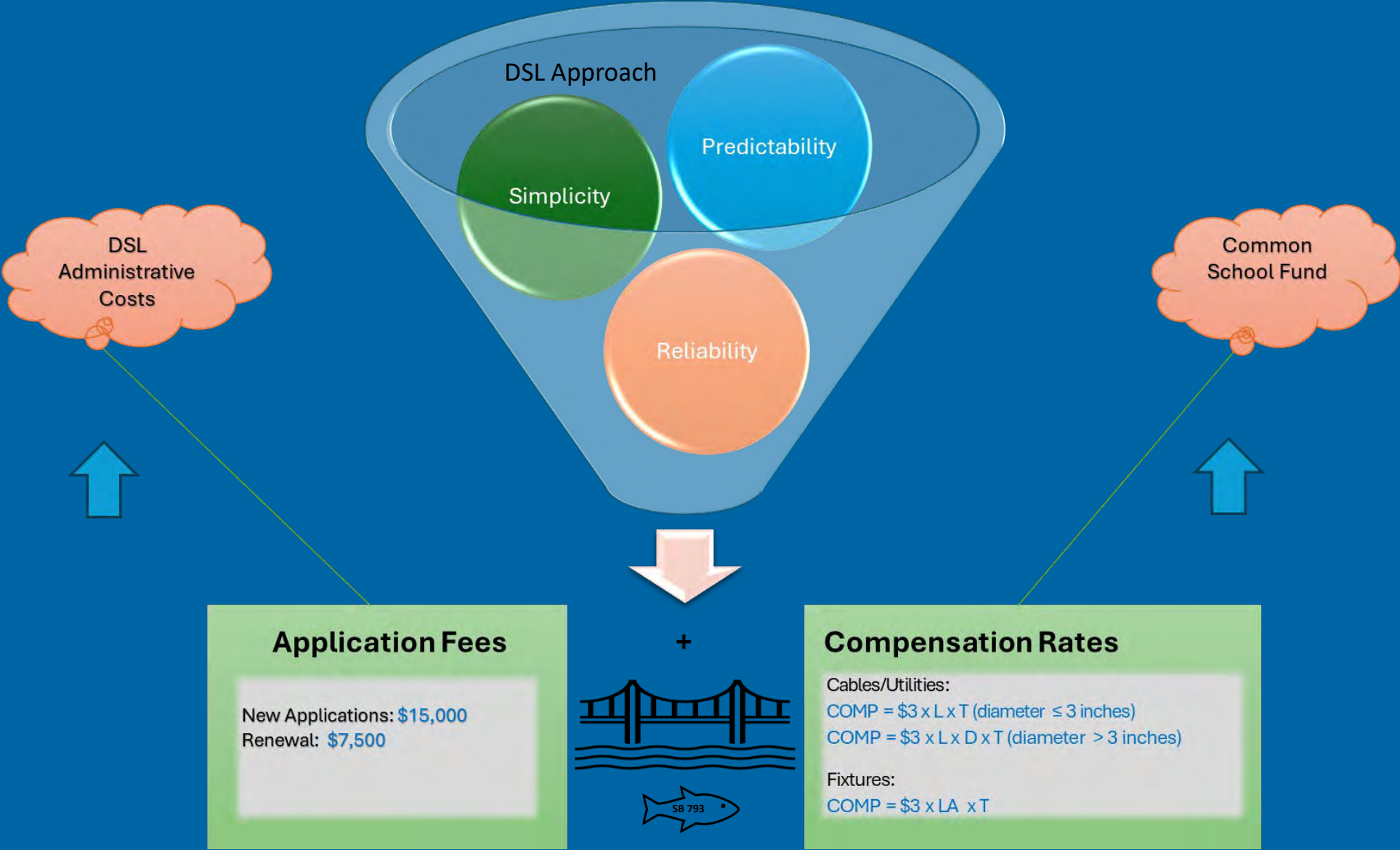


Application Fee ★	\$25	\$25	\$5000
Approximate Expense Deposit (AED) based on category (CA)	\$3000-\$20000		-
Charge for Term of Easement (WA) (annual CPI adjustment):			
• Up to and including 1 mile in length		\$9900	
• More than 1 mile to less than 5 miles		\$23650	
• 5 miles and greater		\$36700	
Administrative fee	Included in AED	20% of the fee of the easement	-
Use Rental Fee (annual)	\$5 per linear foot	9.5%	-
Natural Resources Damage Fee	Negotiable	Negotiable	-
Insurance, Bonds, and Other Security	Negotiable	Negotiable	-

★ The \$25 application fee in CA & WA only covers the software fee for application submission and doesn't include administrative costs, unlike in OR. CA & WA include administrative costs and annual rent under separate categories.

Methodologies are different, and calculations for each cable in the territorial sea are made on a case-by-case basis

# Proposed Fees: DSL Approach



# New Application Example Calculation

Cable Length: 15,738 feet  
Bore Pipe Length: 3,615 feet

Cable Diameter: 1.5 inches  
Bore Pipe Diameter: 7 inches

New Applications: \$15,000

Cables/Utilities:

COMP = \$3 x L x T (diameter ≤ 3 inches)

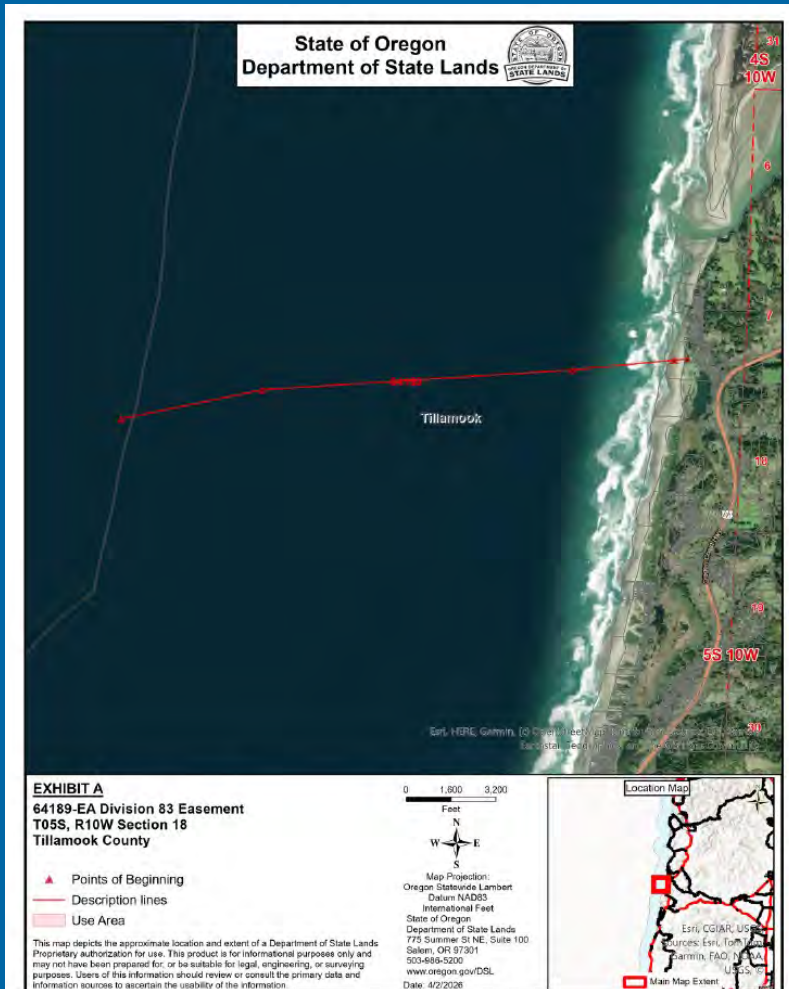
COMP = \$3 x L x D x T (diameter > 3 inches)

$$\text{COMP} = (\$3 \times 15,738 \times 20) + (\$3 \times 3,615 \times 7 \times 20) =$$

**\$2,462,580**

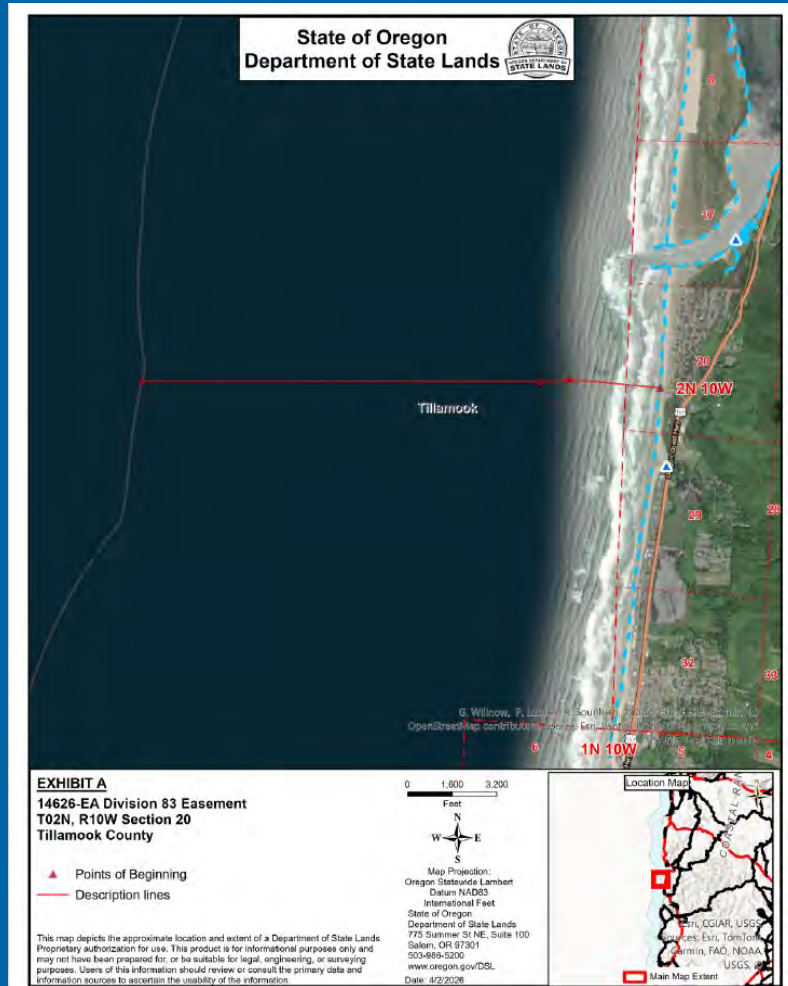


Revenues go to Oregon's  
K-12 Public  
Schools through  
the Common School Fund



**Bifrost Cable**

# Renewal Application Example Calculation



Cable Length: 18,558 feet  
Bore Pipe Length: Unknown

Cable Diameter: Unknown  
Bore Pipe Diameter: Unknown

Renewal Application: \$7,500

Cables/Utilities:  
COMP = \$3 x L x T (diameter ≤ 3 inches)

$$\text{COMP} = \$3 \times 18,558 \times 20 = \$1,113,120$$



Revenues go to Oregon's  
K-12 Public  
Schools through  
the Common School Fund

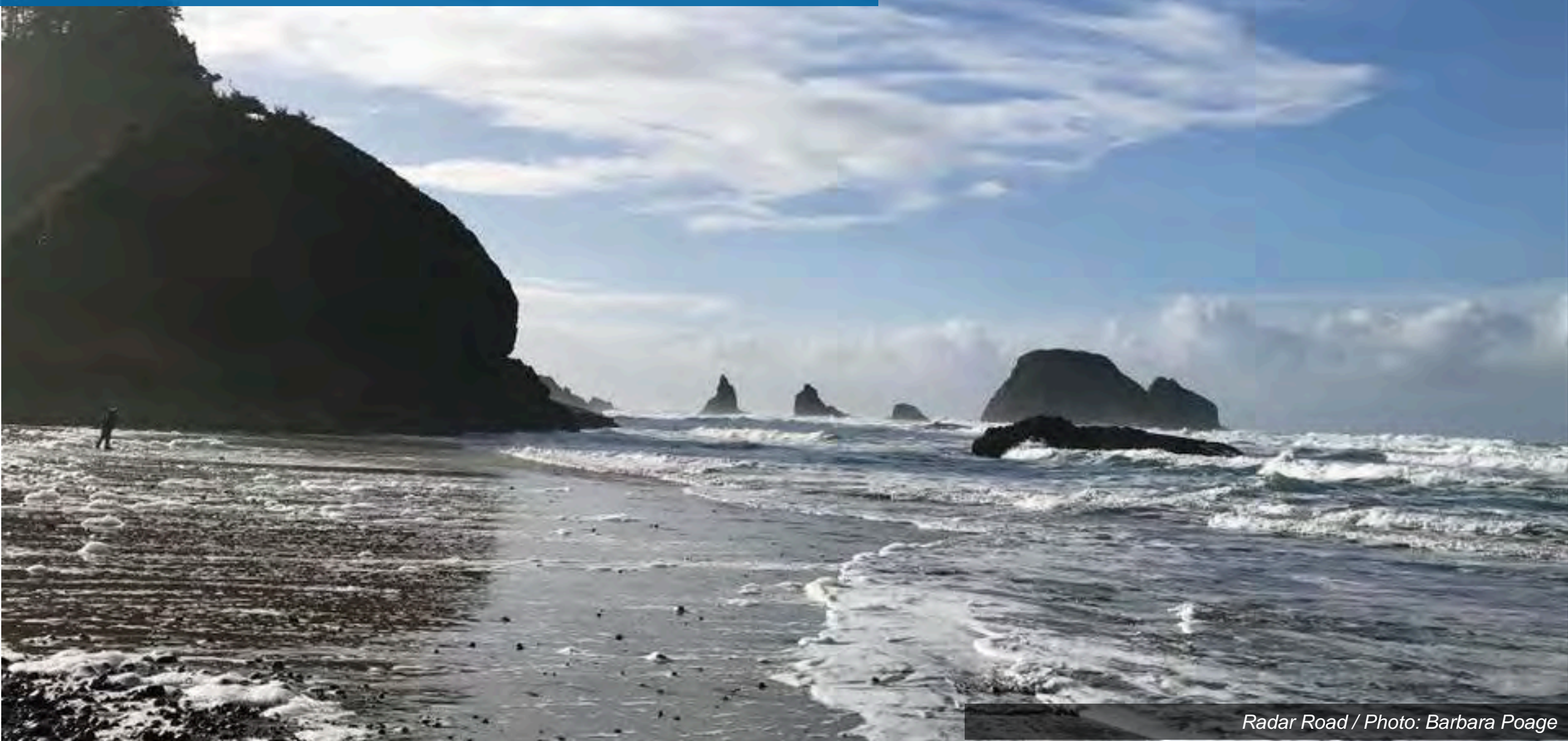


Alaska Northstar Cable

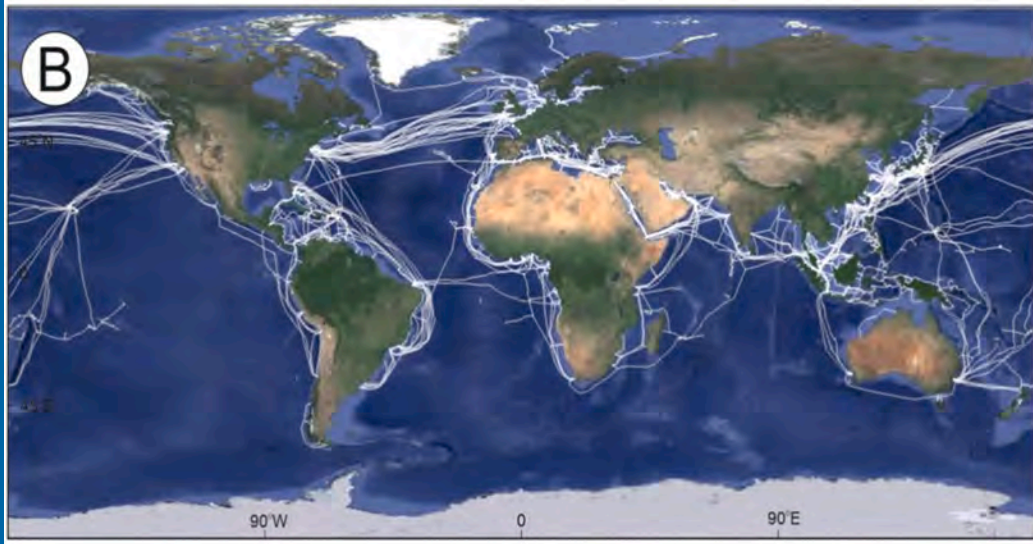
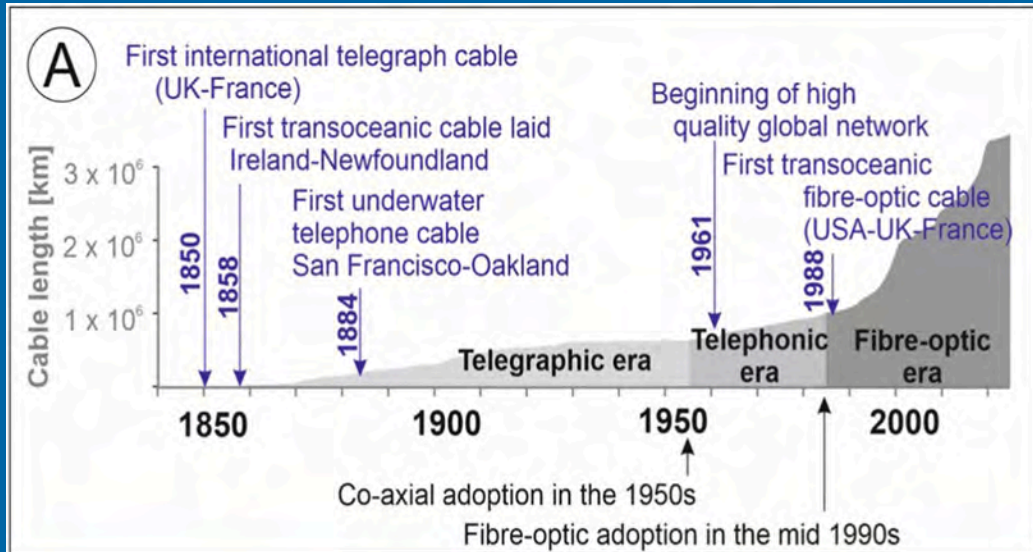
Questions?



## Part Two



# Decommission and Recovery: Global Overview



- >3.5 million km of all types of subsea cable installed to date
- Almost two-thirds of the global network is now out of service and requires decommissioning
- Between 2023 and 2025, a record number of new telecommunication cables were under construction, adding about 300,000 km in submarine cable length
- Recovery of subsea cables returns highly-recyclable materials to the economy
- Cable recovery generally has only a localized and short-lived environmental impact

# Decommission and Recovery: Submission to DSL



Required by ORS 274.714  
(at least 180 days before  
decommissioning)

## Decommissioning Plan

1. Risk assessment of potential impacts
2. A cost estimate
3. Description of the proposed methods for decommissioning
4. Proposed schedule for the decommissioning & restoration work
5. Description of location, segments of cable/utilities to be left in place
6. Maps, graphics, photos, etc.
7. Proposed form of financial assurance
8. Post-decommissioning and recovery report

Required by  
Territorial Sea Plan Part 4



# Encroachment Easement Application Process & Fees



**Encroachment Application Fee:**  
**\$7,500**

Effective January 1, 2035, the director may increase application fees by no more than 5 percent annually

**Cables/Utilities:**  
COMP =  $\$7 \times L \times T$  (diameter  $\leq 3$  inches)  
COMP =  $\$7 \times L \times D \times T$  (diameter  $> 3$  inches)

**Fixtures:**  
COMP =  $SM \times LA \times T$

L = Linear feet  
D = Diameter (in inches)  
T = Term, 100 years  
SM = Statewide Maximum value per square foot  
LA = Authorized use area in square feet

# Encroachment Example 1 Calculation



Cable Length: N/A  
Bore Pipe Length: 1,170 feet

Cable Diameter: N/A  
Bore Pipe Diameter: 6 inches

Encroachment Application: \$7,500

Cables/Utilities:  
COMP = \$7 x L x D x T (diameter > 3 inches)

$$\text{COMP} = \$7 \times 1,170 \times 6 \times 100 = \$4,914,000$$

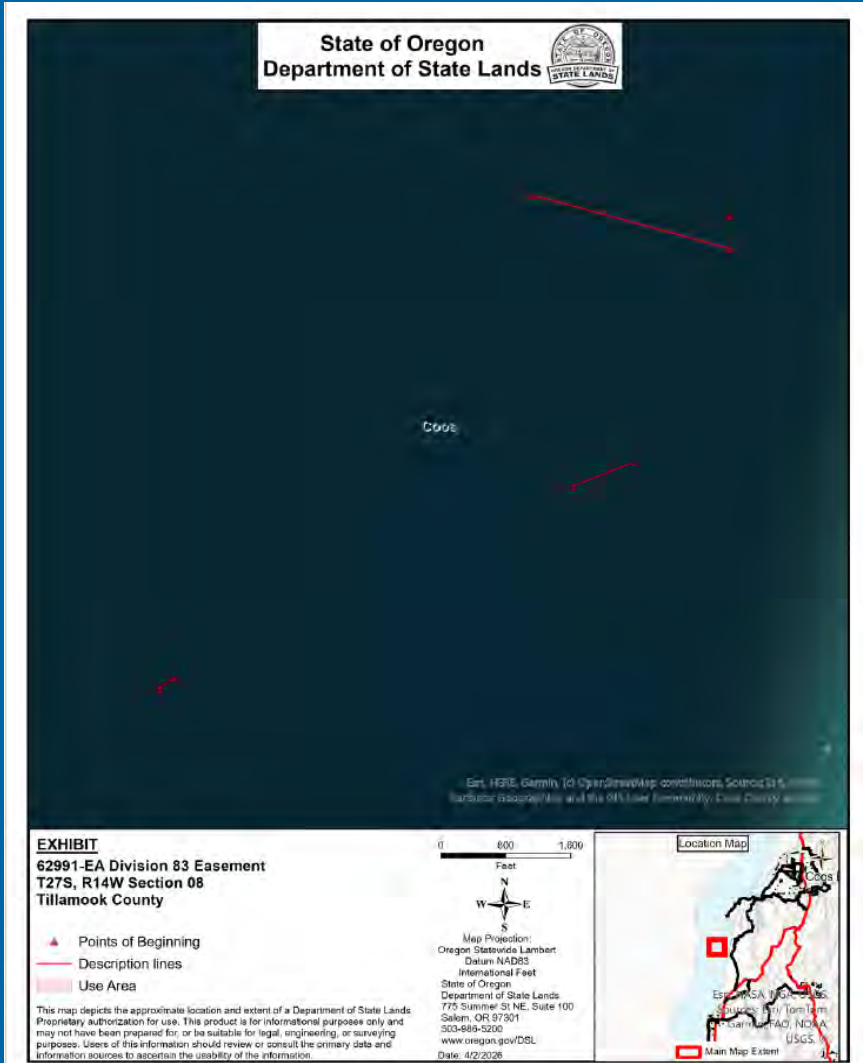


Revenues go to Oregon's  
K-12 Public  
Schools through  
the Common School Fund



Edge Cable

# Encroachment Example 2 Calculation



AT&T Cable

Cable Length: 3,399 feet  
Bore Pipe Length: N/A

Cable Diameter: Unknown  
Bore Pipe Diameter: N/A

Encroachment Application: \$7,500

Cables/Utilities:

COMP = \$7 x L x T (diameter ≤ 3 inches)

COMP = \$7 x 3,399 x 100 = **\$2,379,300**



Revenues go to Oregon's  
K-12 Public Schools  
through the Common  
School Fund



Questions?





## 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?

*Shore Acres / Photo: Katrina Scotto di Carlo*

- A new date for RAC 5 will be identified and calendars updated.
- In the next week, a meeting summary will be sent to RAC members and today's meeting recording will be posted.
- Prior to the next meeting, a meeting agenda will be sent. At the next meeting we will go over any outstanding issues and discuss components of the Notice of Proposed Rulemaking.
- All meeting materials will be posted to DSL's Rulemaking website:  
[www.oregon.gov/dsl/Pages/rulemaking.aspx](http://www.oregon.gov/dsl/Pages/rulemaking.aspx)



# Thank You!

**Facilitator**

Sylvia Ciborowski  
Sylvia@mosaicresolutions.com  
(832) 877-5249

**Oregon Department of State Lands**

Danielle Boudreaux, Rulemaking  
Coordinator

**[Oregon.gov/DSL](https://oregon.gov/DSL)**



*Shore Acres / Photo: Katrina Scotto di Carlo*