

FEES & FORMULAS SHEET
(For Aquatic Resource Management, DIV. 82 Authorizations)

Valid: July 1, 20XX, through June 30, 20XX

The following document summarizes the fees charged by the department when applying for, amending, assigning, subletting, or taking other administrative actions with a waterway use authorization issued under OAR 141-082. In addition, this document outlines the formula used by the department to calculate the annual lease payment or minimum competitive bid for a waterway lease. This document, updated annually on July 1st, is published as a general reference for staff and the public in accordance with OAR 141-082-0305(1) and is not intended to supersede statute or administrative rule. For questions regarding any information provided in this document, please contact the appropriate Proprietary Coordinator for your region ([territory map](#)).

Wharf Certifications

OAR 141-082-0270

Application or Other Fees

* None

Annual Compensation

* None

Registrations for Structures on Submerged and Submersible Land

OAR 141-082-0335

Application Fee

- | | |
|---|-----------------------|
| * Dock/float or boat house, 1,000 square feet or less: | \$400 |
| * Dock/float or boat house, 1,001 to 2,000 square feet: | \$700 |
| * Dock/float or boat house, 2,001 to 2,500 square feet: | \$800 |
| * Floating recreational cabin: | \$1,000 |
| * Other structures determined by Director: | Not to exceed \$1,000 |

No fee or other compensation is required for registering or renewing a registration for the following uses or structures:

- * Riprap and tide gates.
- * Structures maintained by a diking or drainage district.
- * Rights of way established prior to November 1, 1981, for any county or city road.
- * Voluntary habitat restoration work.

Public Facility Licenses for Structures on, and Uses of, Submerged and Submersible Land

OAR 141-082-0306

New Application Fee

* \$1,000

Amendment Application Fee

* \$500

Bank Consent Agreement Application Fee

* \$1,000

Renewal Application Fee

* \$500

Assignment Application Fee

* \$1,000

Annual Compensation

* None

Note: Effective July 1, 20XX, all application fees for public facility licenses shall increase annually by 5%.

FEES & FORMULAS SHEET

(For Aquatic Resource Management, DIV. 82 Authorizations)

Leases for Structures on, and Uses of Submerged and Submersible Land
OAR 141-082-0305 & 0306

COMPENSATION (0305)

Minimum Annual Rates

Effective Date	Amount
July 1, 20XX	\$1,200
July 1, 20XX	\$1,400
July 1, 20XX	\$1,600
July 1, 20XX	\$1,800

Maximum Annual Rates

Effective Date	Amount
July 1, 20XX	\$150,000
July 1, 20XX	\$175,000

Compensation Formula:

ALV == “Adjacent Land Value”, as determined by the County Assessor’s office, expressed as a value per square foot.

RR == “Rental Rate”, expressed as a percentage and between three (3) and eight (8) percent.

NOTE: The RR is based on the activity type authorized or applied for and considerations identified in OAR 141-082-0305(3), see table and associated text below. Modifiers are cumulative and the same modifier can be applied multiple times, for example, a waterway can be both a State Scenic Waterway and Essential Salmonid Habitat, combining for an additional one (1) percent. For multi-use leases, the RR will be calculated separately for each individual use.

AA == “Authorized Area”, the area or premises requested for use, expressed in square feet.

ALP == “Annual Lease Payment”, calculated by multiplying the ALV, RR, and AA together, as seen in the formula below.

$$\mathbf{ALV \times RR \times AA = ALP}$$

FEES & FORMULAS SHEET

(For Aquatic Resource Management, DIV. 82 Authorizations)

Rental Rate Modifiers	+/- (%)
OAR 141-082-0305(3)	
(a) Zoning	+ .75%
(b) Beneficial Waterways Program	- .75%
(c) Waterway Designation	+ .75%
(d) Location	+ .50%
(e) Use classifications (see below)	
(f) Other methods or information	case by case
OAR 141-082-0305(12)	
(a) Noncommercial Use	+ .50%
(b) Personal Recreational Use	-
(c) Commercial Use	+ 1.00%
(d) Aquaculture Facilities	+ .50%
(e) Historic Vessel and/or Structure	-
(f) Log Raft and Log Storage	-
(g) Marinas	+ .75
(h) Marine Industrial Use	+ 1.50
(i) Marine Services Use	+ 1.50
(j) Non-Marine Use	+ 2.00
(k) Other use classifications	case by case

Note: The considerations listed above are discretionary and intended to be used by DSL to adjust rental rates due to case specific considerations related to the location and/or the nature of the activity or due to the actions of the lessee/applicant.

OAR 141-082-0305(3) Considerations:

- (a) Zoning: Used when zoning of upland property does not match the authorized activity (ex.: Commercial activity adjacent residential property) or when upland zoning is associated with Heavy Commercial or Industrial operations (adjacent Gravel mining, lumbermill/papermill/plywood plant, or other similar uses).
- (b) Beneficial Waterways Program: Applies when lessee/applicant participates in a local, state, federal program that requires them to meet certain standards (which often exceed current legal requirements). Ex.: Clean Marina Program with OSMB
- (c) Waterway designation: Used when the activity occurs on a waterway that has a local, state, or federal designation because of the waterway's environmental, recreational, or cultural value. Ex.: ESH, SSW, marine protected areas, etc.
- (d) Location: For activities occurring within a city's urban growth boundary, a port district's limits, or Oregon' coastal management zone. Intended to reflect the cumulative effect that density of use has on the waterway or when activity is occurring in a special administrative zone.

FEES & FORMULAS SHEET

(For Aquatic Resource Management, DIV. 82 Authorizations)

(e) Use Classifications: Categories of activities identified in rule 0305(12) and used by the department to adjust the rental rate used for calculating a lease's annual payment due.

Noncommercial Use: Owner oriented structures not open to the public (i.e. HOA docks; Yacht club marinas).

Personal recreational use: Structures associated with residential use and dedicated to recreational purposes.

Commercial Use: Activity that results in or is associated with monetary gain.

Aquaculture Facilities: Structures dedicated to aquaculture not otherwise regulated by the Oregon Department of Agriculture.

Historic Vessel or Structure: Vessels or structures owned by a not-for-profit and eligible or listed in the National Register of Historic Places, as determined by State Historic Preservation Office (SHPO).

Log Raft and Log Storage: Structures and areas used for mooring and storing log rafts or used for confining loose logs, grading and sorting logs, or feeding wood products to a mill.

Marina: A facility providing boat berthing, docking and mooring, and incidental services for recreational, commercial, and/or charter fishing boats.

Marine Industrial Use: Structures or uses which involve (in-part or wholly) the fabrication, assembly, processing, or manufacture of products, structures or vessels from raw materials or fabricated parts, or otherwise involves industrial activities requiring proximity to a waterway. Included in this definition is sea water desalination and mineral extraction and processing facilities.

Marine Services Use: Structures or uses which provide boat berthing, docking and mooring for tugboats, barges, and other marine industrial workboats and structures associated with other marine service uses such as fish processing plants.

Nonmarine Use: Structures or uses, which otherwise do not require proximity to a waterway. Uses include but are not limited to: single and multi-family residences, hotels and motels, restaurants, offices, retail stores, parking lots and structures, and warehouses.

Classifications Determined by the Director: Reserved for exceptional cases when a use does not fit in any of the above classifications. Requires Director consent and approval. Director will set the amount to modify the rental rate on a case-by-case basis.

(f) Other methods or information: Reserved for exceptional cases and intended to apply only when there are reasonable and valid considerations not listed in rule that otherwise should be utilized by the Department, or the Department is required by law to consider. Requires Director consent and approval. Director will set the amount this classification modifies the rental rate on a case-by-case basis.

FEES & FORMULAS SHEET

(For Aquatic Resource Management, DIV. 82 Authorizations)

APPLICATION FEES (0306)

New Application Fee

* \$1,000

Amendment Application Fee

* \$500

Bank Consent Agreement Application Fee

* \$1,000

Renewal Application Fee

* \$500

Assignment Application Fee

* \$1,000

Note: Effective July 1, 20XX, all application fees for waterway leases shall increase annually by 5%.

Additional Fees	Amount
Late Renewal Fee	\$500
Lease Holdover Fee	\$500
DOJ Consultation Fee	\$500
SLEF Fee (annual)	\$100