

Oregon's Removal-Fill & Wetland Delineation/Determination Fees and Guidance: 2026 - 2030

Effective January 1, 2026
Updated December 1, 2025

About the Fees

The 2025 fees are listed here: [Removal-Fill Fees \(PDF\)](#). Permit applications, general authorization notices, permit waivers, no state permit letter, notifications for an exemption for certain voluntary habitat restoration project, wetland delineations, and on-site wetland determination requests that are postmarked or received by the Department of State Lands on or before December 31, 2025 will be charged the current fees.

This document reflects new fees for Oregon's removal-fill program and increases from 2026-2030. These new fees will be **effective January 1, 2026**, and subsequent increases are scheduled to occur annually on January 1st. [Learn more about the rulemaking that led to these updated fees here.](#)

About the Program

Oregon's removal-fill law protects wetlands and waters by requiring a permit for most projects that add, remove, or move more than 50 cubic yards of material within waters of this state. Some protected areas require permits for activities that add or remove **any amount** of material.

- **General Authorizations:** Removal-fill projects that are anticipated to have minimal impacts on wetlands and waterways and would not result in long-term harm to the water resources of this state may qualify for a General Authorization (GA). Eligible activities are certain projects that propose: minimal disturbance within essential salmonid habitats, temporary impacts to wetlands and waterways, over-water structure activities including piles placement and removal, waterway bank stabilization using bioengineering, waterway habitat improvement, wetland ecosystem improvement, and non-motorized in-stream placer mining in essential salmonid habitats.
- **Wetland Determinations and Delineations:** Wetland determinations identify if potentially jurisdictional wetlands or other waters, such as streams and ponds, are present on a parcel of land. In some cases, applicants may ask the Department to conduct an on-site determination. If an area is determined to contain wetlands or waters, then a wetland delineation report must be submitted to determine the jurisdictional boundaries. This report is necessary to receive most removal-fill permits, and includes detailed mapping and documentation of the size, location, and other qualities of the wetlands and waters.
- **Removal Fill Permits (Individual Permits, General Permits, Permit Waivers, and Emergency Authorizations):**
 - **General permits** are issued for projects with expected and predictable impacts to wetlands or waters. General permit projects are those with activities for transportation-related structures, minor-removal fill impacts, Jackson County vernal pools, maintenance drainage, maintenance dredging, and certain ocean renewable energy facilities.
 - **Individual permits** are issued for projects that do not qualify for a general permit. These are projects with expected substantial impacts to wetlands or waters and may be complicated or involve several instances of removing or filling material.
 - **Permit waivers** are remedial action projects overseen by DEQ pursuant to ORS 465.315. These actions are exempt from removal-fill permitting requirements. DSL does not issue an authorization, and instead issues a Permit Waiver.
 - **Emergency authorizations** are for immediate work to prevent irreparable harm to people or

property during emergencies or disasters.

Learn more about Oregon's removal-fill program here: <https://www.oregon.gov/dsl/wetlands-waters/Pages/removal-fill.aspx>. Questions? **Use the [Contact Us](#) form.**

Removal-Fill Fee Five-year Schedule (2026 – 2030) ⁽¹⁾

Program Area	Fee Category/Tier	Year 1 Jan. 1, 2026	Year 2 Jan. 1, 2027	Year 3 Jan. 1, 2028	Year 4 Jan. 1, 2029	Year 5 Jan. 1, 2030
General Authorizations	Submission Fee ⁽³⁾	\$450	\$499	\$550	\$604	\$660
	Revise/Transfer Fee ⁽³⁾	\$50	\$66	\$82	\$99	\$117
Wetland Determinations	On-Site Determinations ⁽³⁾	\$450	\$499	\$550	\$604	\$660
	<i>Off-site determinations will continue to be offered at no cost.</i>					
Delineation Reports	Tier 1 Report Review ⁽³⁾	\$600	\$761	\$931	\$1,108	\$1,295
	Tier 2 Report Review ⁽³⁾	\$1,200	\$1,391	\$1,592	\$1,803	\$2,024
	Tier 3 Report Review ⁽³⁾	\$3,500	\$3,938	\$4,397	\$4,879	\$5,386
	Report Reissuance ⁽³⁾	\$600	\$761	\$931	\$1,108	\$1,295
Removal-Fill Application Type A <i>Applicable when the project is entirely not for profit.⁽²⁾</i>	Base Application Fee ⁽³⁾	\$700	\$761	\$826	\$893	\$964
	Tier 1 ⁽⁴⁾	\$200	\$341	\$490	\$645	\$809
	Tier 2 ⁽⁴⁾	\$800	\$971	\$1,151	\$1,340	\$1,538
	Tier 3 ⁽⁴⁾	\$3,000	\$3,544	\$4,115	\$4,714	\$5,344
	Tier 4 ⁽⁴⁾	\$5,000	\$5,644	\$6,320	\$7,029	\$7,775
	Tier 5 ⁽⁴⁾	\$7,000	\$7,744	\$8,525	\$9,345	\$10,206
Removal-Fill Application Type B <i>Applicable when any portion of the project aims to generate profit.</i>	Base Application Fee ⁽³⁾	\$2,100	\$2,284	\$2,477	\$2,679	\$2,892
	Tier 1 ⁽⁴⁾	\$600	\$1,024	\$1,469	\$1,936	\$2,426
	Tier 2 ⁽⁴⁾	\$2,400	\$2,914	\$3,453	\$4,020	\$4,614
	Tier 3 ⁽⁴⁾	\$9,000	\$10,631	\$12,344	\$14,143	\$16,031
	Tier 4 ⁽⁴⁾	\$15,000	\$16,931	\$18,959	\$21,088	\$23,324
	Tier 5 ⁽⁴⁾	\$21,000	\$23,231	\$25,574	\$28,034	\$30,617
Removal-Fill Other Fees	Renewal ⁽³⁾	\$400	\$446	\$495	\$546	\$599
	In-Water Work Variance ⁽³⁾	\$100	\$105	\$110	\$116	\$122
	Modification ^(3,5) /Transfer ⁽³⁾	\$400	\$446	\$495	\$546	\$599

⁽¹⁾ See Page 3 after this table for details regarding fees. Fees are non-refundable.

⁽²⁾ Application Type A means the project that the removal-fill activity is needed for cannot include any commercial, revenue-generating, or profit-supporting components, even if those components are minor or incidental.

⁽³⁾ This fee must be paid before the Department begins review.

⁽⁴⁾ This fee must be paid prior to permit issuance.

⁽⁵⁾ Permit modifications that would result in a change in application type or tier will have additional fees.

Delineation Report Tiers

Delineation Report Tier	Project Criteria
Tier 1	Delineation report reviews with less than or equal to 0.20 wetland acres. Guidance: This includes reports with no mapped wetlands, but that contain mapped streams, drainages, ditches, reservoirs, lakes, ponds, and ocean.
Tier 2	Delineation report reviews with greater than 0.20 wetland acres.
Tier 3	<ul style="list-style-type: none"> Delineation report reviews with greater than 0.20 wetland acres, AND The study area is in a west side county and the study area is greater than 100.00 acres, OR The study area is in an east side county and the study area is greater than 200.00 acres. <p>Guidance:</p> <ul style="list-style-type: none"> West side counties: Benton, Clackamas, Clatsop, Columbia, Coos, Curry, Douglas, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, Yamhill East side counties: Baker, Crook, Deschutes, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, Wheeler If the study area is in both west and east side counties but does not meet either of the acreage thresholds, DSL will consider a combined study area greater than 200.00 acres to be in Tier 3.

Additional considerations for delineation reports:

- If you **pay by credit card**, submit the application then DSL will contact you with the application number and payment instructions.
- If the Department **rejects a report** (for example, technical requirements are not completed, on-site data was not collected, clearly erroneous data was included, or incorrect conclusions were made), then the applicant must correct the report and submit it as a new report with a new tier fee.
- Reviewed wetland delineation reports are **valid for 5 years**. A report can be reissued if the delineated boundaries remain unchanged. The reissuance of a wetland delineation report is subject to a fee to cover the cost of reviewing the submitted request.
- Wetland acreage** is based on the total wetlands, including those below ordinary high water, or highest measured tide, and those that may be non-jurisdictional.

Removal-Fill Fees

Project Tier	Project Criteria
Base Application Fee	<p>All applicants are required to pay the base application fee at the time of submission. The remainder of project costs will be due before the Department issues a permit.</p> <p>When the Department finds a project does not require an authorization (no state permit required) only the base application fee is required.</p> <p>Guidance:</p> <ul style="list-style-type: none"> • The base application fee applies to all permit applications: individual, general, emergencies, permit waiver applications, and no state permit required. • A notification for certain exempt voluntary habitat restoration projects has no base fee and no tier fee. • If you pay by credit card, submit the application then DSL will contact you with the application number and payment instructions. • The Department will not review the application until after payment is received. • Emergency application base application and tier fees are due within 45 days of receiving the Department's authorization. Failure to pay will be a basis to revoke or suspend the authorization.
Tier 1	<p>To qualify for Tier 1, a project must:</p> <p>Be for the primary purpose of voluntary habitat improvement of the ecological condition of waters of this state but an authorization is required, AND the project will not result in unacceptable individual or cumulative environmental effects or long-term harm to water resources of this state.</p> <p>Guidance:</p> <ul style="list-style-type: none"> • Tier 1 applies to general permits and individual permits that meet both criterion. • Voluntary means activities undertaken by a person of their own free will, and not as a result of any legal requirement of the Removal-fill Law. • If a project meets Tier 1 criteria, the Tier 1 fee will always be used, regardless of whether a criterion in a higher tier applies.
Tier 2	<p>To qualify for Tier 2, a project must be:</p> <p>(A) A General Permit for Minor Removal-Fill Impacts to Certain Non-Tidal Wetlands</p> <p>(B) A General, Individual, or Emergency Application that:</p> <ul style="list-style-type: none"> • Does not require compensatory mitigation, OR • Permanent wetland impacts are 0.20 acres or less and compensatory mitigation is provided by using mitigation banks, in-lieu fee, or payment in-lieu; AND • Does not occur in an estuary (tidal waters), essential salmonid habitat, or a state scenic waterway; and does not have temporary or permanent impacts to an aquatic resource of special concern.

Project Tier	Project Criteria
	<p>Guidance:</p> <ul style="list-style-type: none"> To qualify for part b, <u>either</u> bullet 1 or bullet 2 (regarding mitigation) may be true, but bullet 3 (does not occur in any of the listed habitats) must be true. If a project meets Tier 2 criteria, the Tier 2 fee will always be used, regardless of whether a criterion in a higher tier applies.
Tier 3	<p>To qualify for Tier 3 a project is limited to the following categories and does not include Tier 4 or 5 criteria:</p> <ul style="list-style-type: none"> Has permanent impacts to wetlands totaling less than 2.00 acres, OR Has permanent impacts to non-wetland waters, but not both. <p>Guidance:</p> <ul style="list-style-type: none"> If an application has less than 2.00 acres of permanent impacts to wetlands but also has permanent impacts to non-wetland waters, the project does not qualify for Tier 3; either Tier 4 or Tier 5 will apply. If a project meets Tier 3 criteria but a Tier 4 or 5 criterion also applies, the higher tier will be used.
	<p>Tier 4 includes projects with the following categories, and does not include Tier 5 criteria:</p> <p>A) A Department of Environmental Quality Remedial Action Waiver</p> <p>B) General, Individual, or Emergency Application that meets the criteria listed in Tier 3 AND <u>one or more</u> of the following parameters:</p> <ul style="list-style-type: none"> More than one functional assessment is required. (Guidance: A pre-project and predicted post-project assessment of the same area will not be considered two assessments since the second is a modification of the first.) Impacts 2.00 or more wetland acres. (Guidance: This is for permanent impacts to 2.00 or more jurisdictional wetland acres.) Has temporary or permanent impacts to an aquatic resource of special concern. (Guidance: See Removal-Fill Guide, Appendix F.) Impacts, either temporarily or permanently, a compensatory mitigation site. Project site involves an enforcement. (Guidance: This is an active DSL enforcement action anywhere on the property.) Project involves multiple phases (past or future) that need to be considered in the Application review. The project occurs in the Pacific Ocean (Territorial Sea). (Guidance: This criterion applies if any of the project occurs in the Pacific Ocean from the line of extreme low tide seaward to the limits of the territorial sea.) The project requires a minor exception to the Lower Willamette River Management Plan that is not pre-approved by the Director. Application (required information) is 150 or more pages. (Guidance: Sending in the Excel workbook for a functional assessment like ORWAP or SFAM will not count toward the page total but the summary of the results (i.e., score sheets or a summary table) will.) Substantive comments are received and result in a design modification.

Project Tier	Project Criteria
	<p>(Guidance: This criterion applies even if the project does not have to go back out for public comment.)</p> <ul style="list-style-type: none"> • Requires more than one public review. • Application takes more than 12 months to issue due to resolution of project elements or requests for extension. (Guidance: Time begins on the date that the complete application was submitted.) • Requires formal coordination with other local or state entities, Tribal governments, the federal government, and/or other interested stakeholders, such as multiple communications, meeting(s), or formal consultation. (Guidance: Formal coordination means that the project cannot be approved until the Department formally coordinates or obtains input from other local or state agencies with regulatory authority or specialized expertise. The time goes beyond receiving comments during the public comment period but may include the coordination needed to resolve those comments. This adds review time because it requires additional analysis, correspondence, and approvals outside the primary agency's control. It does not include discussing an in-water work variance with ODFW since that has a separate fee.) • Requires more than one site visit or coordination meeting with the applicant, either pre- or post-application submittal. (Guidance: This applies when more than one scheduled meeting (online or in person) is required for DSL to communicate or receive information to process the application.) • The permit will include an Adaptive Management Plan. (Guidance: Applies to applications that require an adaptive management plan as a permit condition.)
Tier 5	<p>Tier 5 includes projects that meet one or more of the following of the following criteria:</p> <p>General, Individual, or Emergency Application that:</p> <ul style="list-style-type: none"> • Requires a major exception to the Lower Willamette River Management Plan. • Requires a Joint Agency Review Team meeting under the Territorial Sea Plan. • Is a new linear facility (as defined in OAR 141-085-0510(53)). <p>Guidance: A new linear facility is an application where the project's primary development or use is for a new railway, highway, road, pipeline, water or sewer line, communication line, overhead or underground electrical transmission or distribution line, or similar facility and no linear facility currently exists within the proposed alignment. It applies when a new linear facility application requires substantial review effort due to factors such as evaluating the full extent of impacts along an undeveloped alignment and reviewing supporting technical information that would not exist for an established facility.</p> <p><i>DSL maintains the ability to charge for staff time beyond the project fee listed. If the project occurs in phases, DSL has the ability to enter into a contract with the responsible party.</i></p>

Additional guidance for removal-fill project tiers:

Except for an emergency authorization:

- When the Department determines that an application is complete, the applicant is charged a

preliminary tier fee.

- If the application's tier changes after the completeness review, the Department will assess the additional fee associated with the higher tier at least 25 days prior to the permit decision deadline.
- Tier fees must be paid **before** the Department issues a permit.

The base application fee and tier fee for an **emergency authorization** must be paid within 45 calendar days of notice from the department that fees are outstanding.

Other fees

Other Fees	Requirements and Guidance
In-water work variance	<ul style="list-style-type: none">• The fee for an in-water work variance request must be paid within 30 calendar days of notice from the Department.• The Department may deny the request if the applicant does not pay the fee.• Guidance: If the request is part of a permit application review, processing the request will not be the reason that Tier 4 criteria apply (e.g., for formal agency coordination with other governments or more than one meeting with the applicant).
Modification	<ul style="list-style-type: none">• The fee for a modification of an active permit must be paid within 30 calendar days of notice from the Department.• The Department may deny the request if the applicant does not pay the fee.• The Department may deny the request and request a new application. Guidance: Modifications that require the project to go back out for public comment must be submitted as a new application.• The Department will re-evaluate the permit tier for the project.• Any additional tier fee will be sent to the applicant in a notice that fees are outstanding. The additional fee must be paid within 120 days of notice from the Department.
Transfer	<ul style="list-style-type: none">• This is a fee for a request to transfer permit responsibilities from the applicant to a transferee.• The fee must be paid within 30 calendar days of notice from the Department.• The Department may deny the request if the applicant does not pay the fee.• Guidance: If a permit transfer occurs at the same time as a modification request the fee is not doubled.
Permit renewal	<ul style="list-style-type: none">• Renewal is only available for individual and general permits.• Renewal fees are due 45 days prior to the anniversary date of issuance of the permit.• The annual fee is assessed for each year that the permit is in effect. Fees may be paid as a one-time fee for up to five years.• If a future year's fee has not been set yet, the most recent available fee will be used instead.

Key to Determining Fees

Effective January 1, 2026
Updated December 1, 2025

Key for Wetland Delineations / Determinations Requests

Wetland Determinations

1. Requesting an **off-site determination**.
 - a. YES: This is free.
 - b. NO: Go to #2.
2. Requesting an **on-site determination** by DSL **and** no delineation report has been submitted to DSL for review.
 - a. YES: Pay the “*Wetland Determinations: On-Site Determinations*” Fee.
 - b. NO: You’re not requesting a wetland determination, so these fees do not apply.

Delineation Reports

1. Submitting a Delineation Report for **reissuance** of an already DSL concurred Delineation Report.
 - a. YES: Pay the “Delineation Report: Report Reissuance” Fee.
 - b. NO: Go to #2.
2. Submitting a **Wetland Delineation Report** for DSL review and concurrence.
 - a. YES: Continue to #3.
 - b. NO: Go back to #1 and review options again.
3. Total wetland area within the study area boundary is **≤ 0.20 acres**. This includes jurisdictional and non-jurisdictional wetlands, and wetlands located below Ordinary High Water (OHW) and Highest Measured Tide (HMT).
 - a. YES: Pay “Delineation Report: Tier 1 Report Review” Fee
 - b. NO: Go to #4.
4. Total wetland area within the study area boundary is **> 0.20 acres** and the study area is **≤ 100.00 acres**. Total wetland area includes jurisdictional and non-jurisdictional wetlands, and wetlands located below OHW and HMT.
 - a. YES: Pay “Delineation Report: Tier 2 Report Review” Fee
 - b. NO: Go to #5.
5. Total wetland area within the study area boundary is **> 0.20 acres AND** one of the following. Total wetland area includes jurisdictional and non-jurisdictional wetlands, and wetlands located below OHW and HMT.
 - Study area is in a **west side county** (*Benton, Clackamas, Clatsop, Columbia, Coos, Curry, Douglas, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, Yamhill*) **AND** the study area is **> 100.00 acres**.
 - The study area is in an **east side county** (*Baker, Crook, Deschutes, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, Wheeler*) **AND** the study area is **> 200.00 acres**.
 - The study area is in **both west and east side counties, AND** the study area is **> 200.00 acres**.

- a. YES: Pay “Delineation Reports: Tier 3 Report Fee”
- b. NO: Go back to #3 and review options again.

Key for Removal-Fill Fees

General Authorizations

- 1. Requesting revision to an already issued General Authorization.
 - a. YES: Pay “General Authorization: Revise/Transfer Fee”.
 - b. NO: Go to #2
- 2. Requesting to transfer a General Authorization to another responsible party?
 - a. YES: Pay “General Authorization: Revise/Transfer Fee”.
 - b. NO: Go to #3
- 3. Submitting a General Authorization for review.
 - a. YES: Pay “General Authorization: Submission Fee”.
 - b. NO: General Authorization Fees do not apply.

In-Water Work Variance

- 1. Requesting an in-water work variance **either** as part of a permit application **or** for an already issued DSL permit.
 - a. YES: Pay the “Removal-Fill Other: In-Water Work Variance” Fee
 - b. NO: This fee does not apply.

Permit Renewal

- 1. Renewing an already issued DSL permit with **no** proposed project modifications.
 - a. YES: Pay the “Removal-Fill Other: Renewal Fee”
 - b. NO: Go to #2.
- 2. Renewing an already issued DSL permit **AND** project modifications are proposed.
 - a. YES: Pay the “Removal-Fill Other: Renewal Fee” **AND** “Removal-Fill Other: Modification Fee”.
 - b. NO: Then the permit is not being renewed therefore renewal fees do not apply.

Permit Transfer

- 1. Transferring an already issued DSL permit to a transferee.
 - a. YES: Pay the “Removal-Fill Other: Modification/Transfer” fee.
 - b. NO: Then the permit is not being transferred and transfer fees do not apply.

Project Modification

- 1. Project modifications are proposed **before** a permit is issued.
 - a. YES: Go to the Application Review section of this Key.
 - b. NO: Go to #2.
- 2. Project modifications are proposed **after** a permit is issued but no public comment period is required.
 - a. YES: Pay the “Removal-Fill Other: Modification/Transfer” fee.
 - b. NO: Go to #3.
- 3. Project modifications are proposed **after** permit is issued **AND** public comment period is required.

- a. YES: The application must be submitted as a new application. Go to the Application Review section of this Key.
- b. NO: Then no project modifications are proposed therefore modification fees do not apply.

Removal-Fill Application

1. Does the project fall under any of the **General Authorization, In-Water Work Variance, Permit Renewal, Permit Renewal, or Project Modification** categories above?
 - a. YES: Go to the appropriate section above.
 - b. NO: Go to #2.
2. Are you submitting a **Notification for Certain Exempt Voluntary Habitat Restoration** Project?
 - a. YES: This is free.
 - b. NO: Go to #3.
3. Does the project have an entirely **not-for-profit purpose**, regardless of who is doing the work?
 - a. YES: Pay the “Removal-Fill Application Type A” Fees and Go To #4.
 - b. NO: Pay the “Removal-Fill Application Type B” Fees and go to #4.
4. Are you requesting a **No State Permit Required**?
 - a. YES: Pay the “Base Application Fee” and STOP.
 - b. NO: Both the “Base Application Fee” and a Tier Fee will apply. Go to #5 to **estimate** the Tier Fee. When DSL determines that an application is complete, the applicant will be charged a preliminary tier fee. If the application’s tier changes after the completeness review, the Department will assess the additional fee associated with the higher tier at least 25 days prior to the permit decision deadline.
5. Is the primary purpose of the project for **voluntary habitat improvement** of the ecological condition of waters of this state but an authorization is required, **AND** the project will have minimal to no individual or cumulative environmental effects or long-term harm to water resources of this state?
 - a. YES: The “Removal-Fill Application: Tier 1” fee will apply.
 - b. NO: Go to #6.
6. Does the project qualify for a **General Permit for Minor Removal-Fill Impacts to Certain Non-Tidal Wetlands**?
 - a. YES: The “Removal-Fill Application: Tier 2” fee will apply.
 - b. NO: Go to #7.
7. The project occurs within an **estuary (tidal waters), essential salmonid habitat, or a State Scenic Waterway**.
 - a. YES: Go To #10.
 - b. NO: Go to #8.
8. The project proposes temporary or permanent impacts to an **aquatic resource of special concern**.
 - a. YES: Go to #10.
 - b. No: Go to #9.
9. The project does not require compensatory mitigation **OR** permanent wetland impacts are

≤0.20 acres or less and compensatory mitigation is provided by using mitigation banks, in-lieu fee, or payment in-lieu.

- a. YES: The “Removal-Fill Application: Tier 2” fee will apply.
- b. NO: Go to #10.

10. The project requires a **major exception** to the Lower Willamette River Management Plan.

- a. YES: The “Removal-Fill Application: Tier 5” fee will apply.
- b. NO: Go to #11.

11. The project requires a **Joint Agency Review Team meeting** under the Territorial Sea Plan.

- a. YES: The “Removal-Fill Application: Tier 5” fee will apply.
- b. NO: Go to #12.

12. The project is a **new linear facility**.

- a. YES: The “Removal-Fill Application: Tier 5” fee will likely apply (see guidance).
- b. NO: Go to #13.

13. The project is a Department of Environmental Quality **Remedial Action Waiver**

- a. YES: The “Removal-Fill Application: Tier 4” fee will apply.
- b. NO: Go to #14.

14. The project includes **any of the following** bulleted items.

- <2.00 ac of permanent impacts to jurisdictional wetlands, **AND** has permanent impacts to jurisdictional non-wetland water
- ≥ 2.00 ac of jurisdictional wetland impacts (permanent)
- > 1 functional assessment
- Temporary or permanent impacts to aquatic resource of special concern.
- Temporary or permanent impacts to a DSL compensatory mitigation site.
- Located within Pacific Ocean (Territorial Sea)
- Located within a property that currently has a DSL enforcement action.
- Includes an Adaptive Management Plan.
- Application is ≥ 150 pages, excluding the functional assessment Excel spreadsheet.
- Multi-phase project (past or future) that needs to be considered as part of DSL’s review.
- Requires a minor exception to the Lower Willamette River Management Plan that is not pre-approved by the Director.
- Substantive comments are received and results in design modification.*
- > 1 public comment period.*
- > 1 site visit or coordination meeting with the applicant (pre- or post-application submittal).*
- Takes > 12 months to issue a permit, starting the date a complete application was received.
- Requires formal coordination with other local or state entities, Tribal governments, the federal government, and/or other interested stakeholders, such as multiple communications, meeting(s), or formal consultation.*

- a. YES: The “Removal-Fill Application: Tier 4” fee will apply.
- b. No: The “Removal-Fill Application: Tier 3” fee will apply.

*These parameters are not known at the time an application is submitted. They are determined by DSL during application review.

Frequently Asked Questions

Effective January 1, 2026

Updated December 1, 2025

These frequently asked questions are organized by topic. Examples are given to provide clarity. Information may change from time to time as questions that are no longer relevant are removed and new questions are added.

For fees and guidance, see **Oregon's Removal-Fill and Wetland Delineation/Determination Fees and Guidance: 2026 – 2030** and the **Key to Determining Fees**.

If you have questions, please submit them through DSL's [Contact Us](#) form.

Reason for increased fees

Question: Why were fees increased?

Answer: Fees were previously set in Oregon statute but only covered 21% of program costs. The remaining costs came from the interest accrued by the Common School Fund, which supports Oregon's public schools. Legislation instructed DSL to adopt fees in rule by January 1, 2026 to reduce this subsidy.

Effective date for new fees

Question: When do the new fees take effect?

Answer: The updated fees take effect on January 1, 2026. New applications, including wetland delineation reports, received on or before December 31, 2025 will be charged the 2025 rates.

Question: What if I submit my permit application and 2025 application fee on or before December 31, 2025, but DSL determines it is incomplete?

Answer: DSL's rule is to apply the fee in effect on the date we receive a complete application. However, due to DSL's shift to an entirely new fee structure for 2026, you may submit a fully updated application within 120 days of the incompleteness notice and pay the 2025 fees. DSL will then restart the completeness review. If the resubmitted application is still incomplete, any later application for the same or a similar project will be assessed the fees in effect on the date we receive a complete application. This is a **one-time**

provision; applicants should not expect similar fee treatment in future years when fees are adjusted annually.

Wetland Delineation Report Tiers

Question: Is the wetland acreage in the tiers for all wetlands or just jurisdictional wetlands?

Answer: Payment occurs prior to initial review of the report, when jurisdiction is not yet determined. The “wetland acreage” criteria in DSL’s fee tier structure refers to any wetland within the study area, regardless of DSL jurisdiction.

Question: Does the wetland acreage for determining tier fee include ponds, lakes, reservoirs, or streams?

Answer: Generally, no. Tier 1 will apply to reports with no mapped wetlands, but that contain mapped streams, drainages, ditches, reservoirs, lakes, ponds, and ocean. Year-round open water acreage is not included in determining the wetland acreage. If wetlands below ordinary high water or highest measured tide are present, that acreage is included. Assessment of waters should either occur during summertime or use summer aerial photos to determine if wetlands exist below ordinary high water or highest measured tide.

Question: Why did DSL determine 0.20 acres as the cutoff between tiers?

Answer: For consistency within the Removal-Fill Program. DSL uses the 0.20-acre threshold for Oregon Rapid Wetland Assessment Protocol requirements in permit applications, and in the tier structure for removal-fill permit application fees.

Question: For Tier 3, why did DSL choose 100.00-acre study area size for west side counties, and 200.00-acre study area size for east side counties?

Answer: In general, the western portion of the state hosts a higher volume of wetlands and includes more development impacts making them harder to identify. Additionally, the multi-year data analysis that DSL collected on delineation review timelines supports the 100.00 and 200.00-acre regional distinctions.

Question: Are offsite wetland determinations still free?

Answer: Yes. Offsite wetland determinations by DSL staff are free of charge.

Question: Are reissuances of wetland delineations still free?

Answer: No. Requests to reissue an approved delineation require a non-refundable fee.

Question: What if my study area changes after I submit the report, but before DSL review has started?

Answer: A revised report may replace the previous report in its entirety, without incurring an additional fee, if doing so does not change the Wetland Delineation Report Tier. If the Wetland Delineation Report Tier changes because of the revised report, the Department will require the fee balance to be paid prior to agency review.

Question: Does the report tier correlate to a likelihood of a DSL site visit?

Answer: No.

Question: Are all wetland delineation reports subject to the tier structure?

Answer: Yes, with one exception –projects under review for an Energy Facility Site Certificate by Oregon Department of Energy (ODOE). DSL direct-bills ODOE for those reviews.

Question: For projects where actual time exceeds Tier 3 pricing, how will DSL make the initial cost estimate and final billing?

Answer: DSL will not charge staff time beyond the fee listed until further notice. DSL's new database system, needed to efficiently implement this rule, is anticipated in late 2026.

Removal-Fill - No State Permit

Question: Why are fees charged when the Department determines that no state permit is required?

Answer: Even if the review concludes that a removal-fill permit is not required, staff must still spend time processing, reviewing, and responding to the application. In these cases, only the base application fee applies; no tier fee is charged.

Removal-Fill - Notifications for an Exemption for Certain Voluntary Habitat Restoration Projects

Question: What is the fee for a notice of an Exemption for Certain Voluntary Habitat Restoration Projects (OAR 141-085-0534)?

Answer: There is no application fee or tier fee for notifications submitted to the department for Exemptions for Certain Voluntary Habitat Restoration Projects. However, if the department determines that the project is not exempt, the appropriate application fee and tier fee are required for the project.

Removal-Fill Permit Application Type A and Application Type B

Question: What does “entirely” not for profit mean for Application Type A?

Answer: Removal-fill permit applications are for one project with independent utility (see definitions in OAR 141-085-0510). The Type A and B distinction is based on the purpose of that specific project. A project is considered “entirely not for profit” when every component of the removal-fill activity—its purpose, implementation, and outcomes—is solely non-commercial and does not support or contribute to any profit-generating activity.

Question: Does the applicant have to be a nonprofit to qualify for Application Type A?

Answer: Not necessarily. Type A is based on the project, not the applicant.

Example #1: A for-profit business applies to conduct a habitat improvement project. If the improved area is not used for any revenue-generating activities, no fees are charged for use, and the project does not support a commercial venture then it is Type A.

Example #2: A nonprofit performs shoreline stabilization adjacent to a for-profit marina. Even if the nonprofit is the applicants and pays for the work, the removal-fill activity supports a commercial operation, so it is Type B.

Example #3: A homeowner adds additional structures or features that will impact wetlands. Since improvements will likely result in making money in the future when the property is sold, it is Type B.

Example #4: A city applies for a removal-fill permit to construct a road to an industrially-zoned property that is not owned by the city. Since the city’s purpose is to construct a road and the city is not making a profit from that project, it is Type A. Future applications for development of each lot (or the whole industrial park) likely would be Type B fees, because those projects would aim to make a profit.

Removal-Fill (permit) tier fees

Question: When is the tier fee determined for a removal-fill (permit) application?

Answer: DSL will tell the applicant the preliminary tier fee after the completeness review. If the tier changes later in the process, DSL will notify the applicant at least 25 calendar days prior to the permit decision deadline. This usually happens when an application is initially placed in Tier 3 but the public review and notice period triggers Tier 4 criteria, which moves the application into the Tier 4 fee. Tier fee must be paid before the permit is issued.

Question: When are tier fees due for an emergency authorization?

Answer: Both the base application fees and the tier fee are due within 45 days of receiving the authorization.

Removal-Fill Permit - Tier 1

Question: If a project meets the criteria for Tier 1, would it ever be charged a fee for a higher tier?

Answer: No. The Tier 1 fee would always be used, regardless of whether criteria in a higher tier apply.

Question: How will DSL determine whether the project will result in unacceptable or cumulative environmental effects or long-term harm to water resources of this state?

Answer: DSL will determine this based on the information included in the application, best professional judgement of staff, coordination with other agencies and the applicant, and comments received on the application.

Removal-Fill Permit -Tier 2

Question: If a project meets the criteria for Tier 2, would it ever be charged a fee for a higher tier?

Answer: No. The Tier 2 fee would always be used, regardless of whether criteria in a higher tier apply.

Question: How are criterion in part A and criteria in part B distinct for a general permit application?

Answer: Criterion A is only for an application for a Minor Removal-Fill Impacts to Certain Non-Tidal Wetlands general permit. No additional criterion are used. Other permit types must meet criteria in B to qualify under Tier 2.

Question: How are criteria applied in part B?

Answer: There are two scenarios presented that qualify for Tier 2 under part B.

- a. A permit application either does not require compensatory mitigation **AND** the project does not occur in one of the special habitats listed.
- b. A permit application has permanent impacts that are 0.20 acres or less and the compensatory mitigation is provided by using mitigation banks, in-lieu fee, or payment in-lieu **AND** the project does not occur in one of the special habitats listed.

Removal-Fill Permit -Tier 3

Question: If a project meets the criteria for Tier 3, would it ever be charged a fee for a higher tier?

Answer: Yes. Criteria for Tier 4 and Tier 5 may apply and move the application to that tier.

Example: A project has impacts to less than 2 acres of wetlands (Tier 3) and requires more than one public comment period. The fee assessed will be for Tier 4.

Removal-Fill Permit -Tier 4

Question: What does “More than one functional assessment is required” mean?

Answer: This criterion applies if an application requires more than one functional assessment, including a Stream Function Assessment Method, the Oregon Rapid Wetlands Assessment Protocol, the Vernal Pool Function Assessment Method, or using best professional judgement, as applicable per rule. A pre-project and predicted post-project assessment of wetlands or streams (i.e., as they currently exist and then as they are predicted to exist if the proposed project is implemented) will not be counted as two assessments. An assessment for an impact site and a permittee-responsible compensatory mitigation site will count as separate assessments.

Example #1: An application includes an ORWAP for wetlands that will be filled and an ORWAP that predicts functions and values for a wetland creation project proposed as compensatory mitigation. This meets the criterion of more than one functional assessment.

Example #2: An application includes an SFAM for a stream reach and a second SFAM to predict changes in functions and values within the same stream reach because of the proposed project. The application does not require compensatory mitigation. This does not meet the criterion of more than one functional assessment.

Question: What does “Project site involves an enforcement” mean?

Answer: It means the project site is currently under, or has a history of, regulatory enforcement action for unpermitted activity or non-compliance. The permit review will take longer because staff must evaluate the enforcement record, ensure violations are resolved, and confirm that the new proposed project will not conflict with or repeat past compliance issues.

Question: Does required information from a functional assessment count toward the page total (e.g., field forms, office forms, maps, etc.)?

Answer: No. Sending in the Excel workbook and maps for a functional assessment like ORWAP or SFAM will not count toward the page total. The summary of the results (i.e. the score sheet and a summary table included in the application) will count toward the page total.

Question: What does “Requires significant coordination with other local or state entities” include?

Answer: Formal coordination means that the project cannot be approved until the Department formally coordinates or obtains input from other local or state agencies with regulatory authority or specialized expertise. The time goes beyond receiving comments during the public comment period but may include the coordination needed to resolve those comments. This adds review time because it requires additional analysis, correspondence, and approvals outside the primary agency’s control. It does not include discussing an in-water work variance with Oregon Department of Fish and Wildlife (ODFW) since that has a separate fee.

Example #1: A project affecting an endangered species requires multiple conversations with ODFW before the permit can be approved.

Example #2: An application involving ocean shore development needs review and coordination from Department of Land Conservation and Development and Oregon Parks and Recreation Department before the permit can be issued.

Question: For the criterion, “Requires more than one site visit or coordination meeting with the applicant, either pre- or post-application submittal,” what does a coordination meeting include?

Answer: A coordination meeting is a discussion between agency staff and the applicant (often including consultants or partners) that is required for DSL to communicate or receive information to process the application. The meetings may be online or in person.

Removal-Fill Permit -Tier 5

Question: What is a new linear facility in Tier 5?

Answer: A new linear facility is an application where the project’s primary development or use is for a new railway, highway, road, pipeline, water or sewer line, communication line, overhead or underground electrical transmission or distribution line, or similar facility and no linear facility currently exists within the proposed alignment. This criterion applies when

a new linear facility application requires substantial review effort due to factors such as evaluating the full extent of impacts along an undeveloped alignment and reviewing supporting technical information that would not exist for an established facility.

Example #1: A project seeks to add several thousand feet of pipeline where none currently exists. These pipes connect to an existing distribution line. This is a new linear facility. Whether Tier 5 applies will depend on whether the application requires substantial review effort.

Example #2: A project proposes to develop a 50-home residential development and removal-fill includes new roads and utilities. This is not considered a new linear facility because the primary purpose is to develop houses and linear facilities are an incidental requirement to build those houses.

Example #3: A project proposes widening a section of a highway to add a new passing lane. This is not a new linear facility.

Question: For projects where actual time exceeds Tier 5 pricing, how will DSL make the initial cost estimate and final billing?

Answer: DSL will not charge staff time beyond the fee listed until further notice. DSL's new database system, needed to efficiently implement this rule, is anticipated in late 2026.

Refunds; Disagreement on a Fee

Question: Are fees refundable?

Answer: No, all fees are non-refundable.

Question: What if DSL disagrees with the base application fee submitted with a removal-fill application?

Answer: A fee must be paid before the Department begins review. If the Department determines that the amount of the fee submitted with a removal-fill application is incorrect, that information will be included with an incomplete determination. If the fee submitted for an individual permit or general permit application exceeds what is required, the balance will be credited or refunded to the applicant.

Question: What happens if an applicant disagrees with the tier fee determined by DSL for a removal-fill application or an emergency authorization?

Answer: First, submit a request to discuss the tier fee through DSL's [Contact Us](#) form. The tier fee must be paid before authorization for a general or individual permit application or

within 45 days of emergency authorization. An applicant may withdraw their application from consideration prior to paying their tier fee.

Question: What if an applicant disagrees with the Wetland Delineation Report Tier?

Answer: The fee must be paid before the Department begins review. If the Department determines that the amount of the fee submitted is incorrect, DSL will notify the report submitter of the correct fee. Any fee balance due must be paid prior to the Department starting review. The person submitting a report may choose to withdraw the report rather than pay the additional fee due. If the fee submitted exceeds what is required, the Department will begin its review and any balance due to the submitter will be refunded.