

**Enrolled**  
**Senate Bill 518**

Sponsored by Senator DINGFELDER (Pre-session filed.)

CHAPTER .....

AN ACT

Relating to Department of State Lands; creating new provisions; and amending ORS 196.817.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 196.817 is amended to read:

196.817. (1)(a) Notwithstanding ORS 196.810, the Department of State Lands may establish [*by rule*] a removal or fill general permit:

(A) **By rule** for processing applications on a statewide or geographic basis; or

(B) **By order** for an applicant or group of applicants to cover activities that are substantially similar in nature, are recurring or ongoing, and have predictable effects and outcomes.

(b) The department must find that the project is in compliance with the review standards set forth in ORS 196.600 to 196.905 and would not result in long-term harm to water resources of this state.

(c) The department shall condition any such general permit upon actions necessary to minimize environmental effects.

(2)(a) Any person proposing to conduct an action under a general permit **specified in subsection (1)(a)(A) of this section** shall apply to the department in accordance with procedures set forth by the department by rule.

(b) **Any person proposing to conduct an action under a general permit specified in subsection (1)(a)(B) of this section shall apply to the department in accordance with procedures set forth by the department by order.**

(3) The department shall amend or rescind any general permit upon a determination that the activities conducted under the permit have resulted in or would result in unacceptable individual or cumulative environmental effects or long-term harm to the water resources of this state.

(4) Any person proposing to conduct an action under a general permit shall pay the applicable fee required under ORS 196.815 for individual permit applications.

**SECTION 2. The amendments to ORS 196.817 by section 1 of this 2011 Act apply to applications for removal or fill general permits filed with the Department of State Lands on or after the effective date of this 2011 Act.**

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**Passed by Senate April 7, 2011**

**Repassed by Senate June 15, 2011**

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 8, 2011**

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

**Received by Governor:**

.....M,....., 2011

**Approved:**

.....M,....., 2011

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2011

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Kate Brown, Secretary of State