

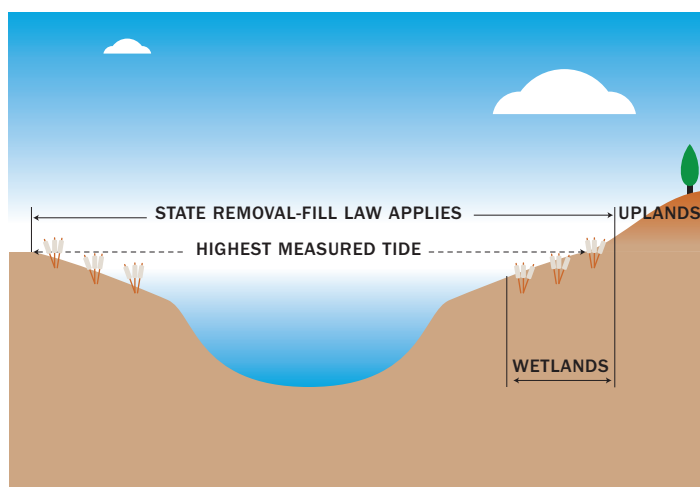


DEPARTMENT OF STATE LANDS FACT SHEET ROADWAY MAINTENANCE

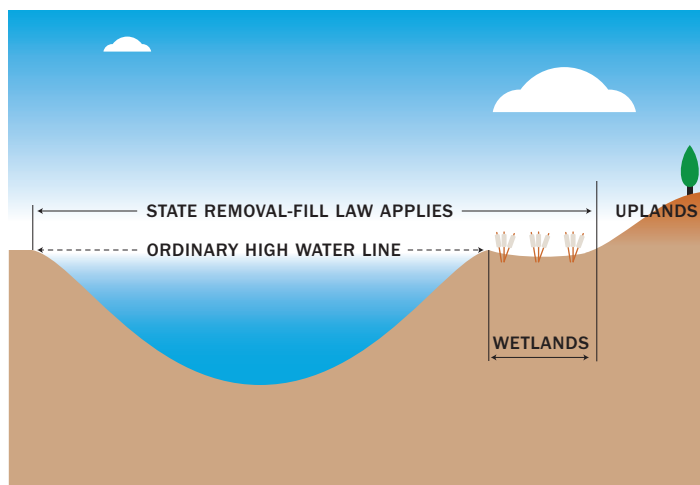
When Do I Need a Removal-Fill Permit from the Department of State Lands (DSL)?

DSL regulates work below ordinary high water (OHW) and highest measured tide, and in wetlands

Tidal Waters



Fresh Waters



You do not need a DSL permit to work in wetlands or waters to:

- Maintain ditches to original footprint as long as spoils are placed in upland. **Note:** A stream is never a ditch even if “ditched.”
- Remove the minimum amount of material from within or immediately adjacent to a structure to restore proper function (includes turning of woody debris), as long as disposal is in upland.
- Maintain roadways and bridges, and maintain or replace tidegates and culverts, if limited to the minimum necessary. If not to add features (e.g. shoulders, widening, or guardrail), maintenance may include expanding the portion of the structure below OHW or in wetlands by no more than 20% of the original footprint. See diagrams on following page.
- Use best management practices for exempt work needed to protect the environment.
- Fill or remove a combined total of 50 cubic yards if the waterway is not Essential Salmonid Habitat (ESH), a State Scenic Waterway (SSW), or a mitigation site. More information:

ESH: www.oregonstatelands.us/DSL/PERMITS/counties_ess.shtml

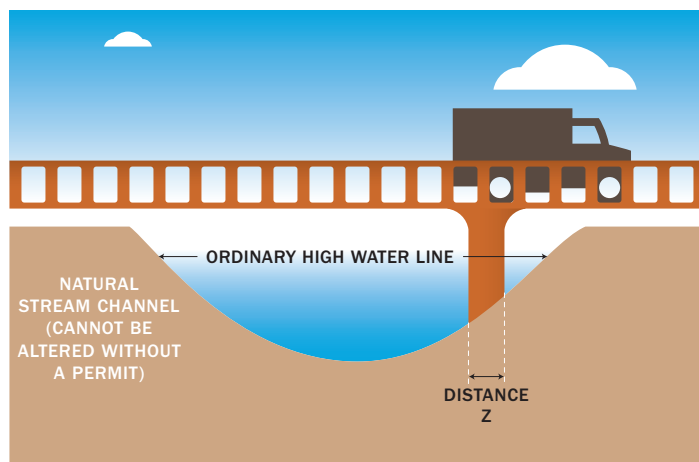
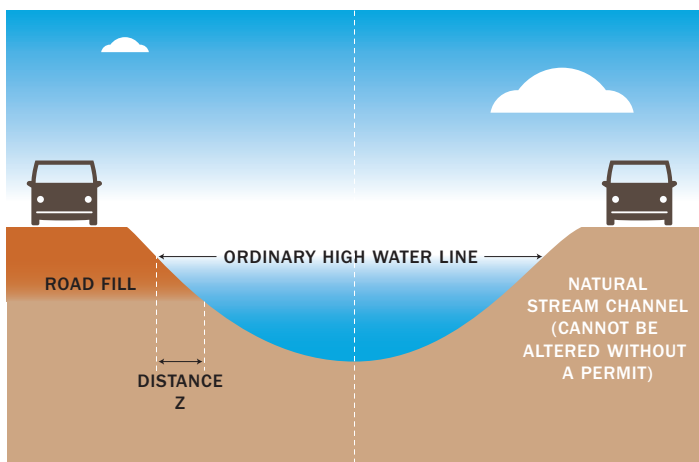
SSW: www.oregonstatelands.us/DSL/PERMITS/scenicwaterways.shtml

Disclaimer: This fact sheet explains agency practices, but does not take the place of or override regulations. The reader is cautioned to consult agency regulations first, and use this guide to help understand those regulations. Consultation with agency staff is strongly encouraged.

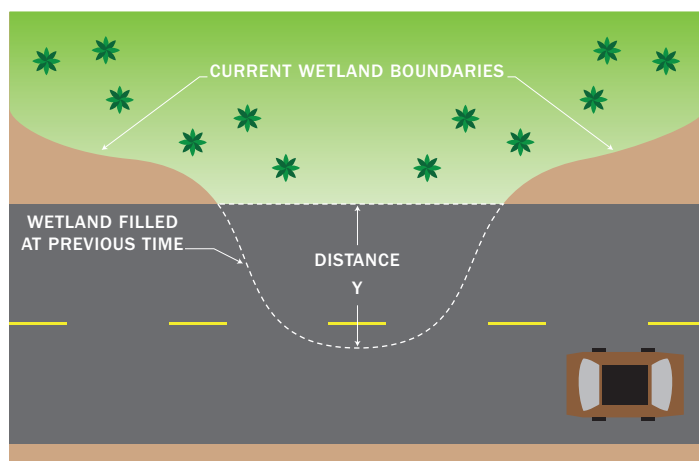
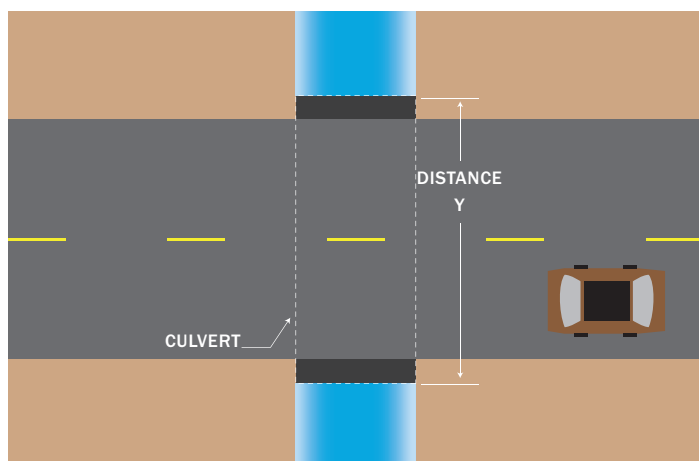


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Determining 20% of the original footprint



If necessary to maintain continued use, "Distance Z" above can be expanded by 20%.



If necessary to maintain continued use, "Distance Y" above can be expanded by 20%.

You do need a DSL permit to work in wetlands or water to:

- Add or expand a shoulder, guardrail, lane, ditch, etc. to address capacity or safety.
- Remove or fill material if there is no existing transportation structure in wetlands or waterways.
- Address problems in a stream not immediately associated with a structure.

Emergencies: Sometimes work requires a permit, but because of a threat to safety or significant property loss, the work must be done immediately. In emergency situations an expedited permit may be obtained from DSL. The form is online:

- www.oregonstatelands.us/DSL/PERMITS/e_permits.shtml

In extreme situations DSL may give permission over the phone to proceed with emergency work prior to a written permit. Sufficient information must be provided to demonstrate the repair cannot wait for a written permit, and must adequately describe project details.

Emergency Contacts:

- (503) 986-5200 (during business hours)
- 1 (800) 452-0311 (outside business hours)

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