

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on 10/25/2012 by the
Department of Environmental Quality 340

Agency and Division

Administrative Rules Chapter Number

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To become effective Upon filing. Rulemaking Notice was published in the August 2012 Oregon Bulletin.

RULE CAPTION

401 Water Quality Certification fee increase

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

340-048-0055

REPEAL:

RENUMBER:

AMEND AND RENUMBER:

Statutory Authority:

ORS 468.020, 468.068, 468B.047

Other Authority:

Statutes Implemented:

ORS 468.068

RULE SUMMARY

The EQC adopted a new fee schedule to certify activities requiring federal licenses and permits to comply with water quality standards. Most projects involve the removal of material from, or placement into, state waters such as sand and gravel operations, wetland fills for development and navigation dredging but do not apply to hydroelectric projects.

The fees, as directed by the 2009 Oregon Legislature through House Bill 2185, are based on projected program costs rather than on volume of material removed or filled. The fees apply to previously exempt activities such as sand and gravel operations, projects that fill two acres of wetlands or more, or remove more than 500 cubic yards of material.

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FILED

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