

Joint Permit Application

This is a joint application, and must be sent to all agencies (Corps, DSL, and DEQ). Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Date Stamp

	U.S. Army Corps of Engineers Portland District		Oregon Department of State Lands		Oregon Department of Environmental Quality
Action ID Number		Number			

(1) TYPE OF PERMIT(S) IF KNOWN (check all that apply)

Corps: Individual Nationwide No.: 3 Regional General Permit _____ Other (specify): _____

DSL: Individual GP Trans GP Min Wet GP Maint Dredge GP Ocean Energy No Permit Waiver

(2) APPLICANT AND LANDOWNER CONTACT INFORMATION

	Applicant	Property Owner (if different)	Authorized Agent (if applicable) <input type="checkbox"/> Consultant <input type="checkbox"/> Contractor
Name (Required)	Christopher Page (Environmental Branch Chief)	awaiting confirmation of exact signatory on County's behalf	
Business Name	U.S. Army Corps of Engineers - Portland District	Tillamook County	
Mailing Address 1	333 SW 1 st Ave	201 Laurel Avenue	
Mailing Address 2			
City, State, Zip	Portland, OR 97204	Tillamook, OR 97141	
Business Phone	503-808-4389		
Cell Phone			
Fax			
Email	christopher.m.page@usace.army.mil		

(3) PROJECT INFORMATION

A. Provide the project location.

Project Name Tillamook South Jetty Repairs	Latitude & Longitude* 45.565500 N -123.948983 W			
Project Address / Location Tillamook South Jetty	City (nearest) Garibaldi	County Tillamook		
Township	Range	Section	Quarter / Quarter	Tax Lot
1N	10W	18		

Brief Directions to the Site:
From the intersection of State Highway 6/ OR-131 and US Highway 101 in Tillamook, proceed west on OR-131 for 1.8 miles; Turn right onto Bayocean Rd (signs for Cape Maeres/3 Cape Rte) and proceed for 5 miles; Turn right onto Bayocean Dike Rd. and proceed for 5.4 miles to reach the South Jetty. Please note that there is a gate on Bayocean Dike Rd. and the key must be requested from the Sheriff's office.

B. What types of waterbodies or wetlands are present in your project area? (Check all that apply.)

River / Stream Non-Tidal Wetland Lake / Reservoir / Pond

<input type="checkbox"/> Estuary or Tidal Wetland	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Pacific Ocean	
Waterbody or Wetland Name**	River Mile	6th Field HUC Name	6th Field HUC (12 digits)
Tillamook Bay	RM 1	171002	1710020308

* In decimal format (e.g., 44.9399, -123.0283)

** If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").

C. Indicate the project category. (Check all that apply.)		
<input type="checkbox"/> Commercial Development	<input type="checkbox"/> Industrial Development	<input type="checkbox"/> Residential Development
<input type="checkbox"/> Institutional Development	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Recreational
<input type="checkbox"/> Transportation	<input type="checkbox"/> Restoration	<input type="checkbox"/> Bridge
<input type="checkbox"/> Dredging	<input type="checkbox"/> Utility lines	<input type="checkbox"/> Survey or Sampling
<input checked="" type="checkbox"/> In- or Over-Water Structure	<input checked="" type="checkbox"/> Maintenance	<input type="checkbox"/> Other:

(4) PROJECT DESCRIPTION

A. Summarize the overall project including work in areas both in and outside of waters or wetlands.
 The U.S. Army Corps of Engineers, Portland District (the Corps) originally constructed, and currently maintains, the two jetties – both north and the south– at the entrance to Tillamook Bay, which allow for reliable navigation into and out of the bay. The Corps completed a Major Maintenance Report (MMR) in 2003 to document long-term damage to the jetties and to provide a design for necessary repairs. Repairs to the North Jetty began in January 2022. Repairs to the South Jetty are a separate construction project and necessary to stabilize the South Jetty structure. Ocean wave conditions over the ebb tidal shoal are hazardous due to remnant jetty stones that lie adjacent to the natural channel.

B. Describe work within waters and wetlands.
 Tillamook South Jetty repairs include rock placement at the South Jetty head and trunk. Related construction activities include construction of a temporary MOF near Kincheloe Point; channel dredging to maintain access to MOF; minor improvements to Bayocean Dike Road; and utilization of two upland staging and stockpiling areas. Please see supplemental application materials for site maps and greater details.

The majority of jetty repairs would occur from STA 70+00 westward. Additional repairs to the jetty trunk between Stations 43+00 and 49+00 are also planned. The jetty cap will be from STA 77+00 to 77+75 to elevation +18 feet NAVD88. Final jetty head stationing at the South Jetty would be 77+75. From the final head station centerline, the end of the jetty will be built out in a 20-foot radius to elevation +18 feet NAVD88. The crest width of the jetty cap would be 40 feet. The crest width of the jetty trunk would be 30 feet with a target crest elevation of +18 feet NAVD88 (Figure 4). The average stone density would be approximately 176 lbs/ft³, and the total quantity of stone required for the Proposed Action is estimated at 31,000 cubic yards (~76,000 tons) at the South Jetty.

Stone will be placed on the jetty one at a time using a large excavator or crane situated on top of the jetty. Placement of the stone will range from approximately 500 to 1,000 tons per day. Road rock may be placed and spread over the crest of the jetty using a loader or dozer operation. The crane or excavator will place rock via a truck that transports rock from the staging area. The jetty access parking lot, located adjacent to the west of the USCG tower, will be closed during the stone placement operations. A fence will be erected to prohibit public access to the construction area and signs will be posted indicating that public access is not allowed. All repairs to the South Jetty are within the scope and footprint of the original structure and therefore fall under the CWA 404(f) exemption for maintenance of an existing structure.

A temporary MOF is needed to transfer jetty rock from barges to shore at the South Jetty. The MOF provides moorage for barges and a structure for crane support. The preferred location of the MOF is on the south side of Kincheloe Point, on the site of a former MOF staging area. Detailed design of the MOF would be completed closer to the time of construction. The discussion in this section is based on general assumptions about likely design elements. The fill estimates listed below pertain to the MOF structure.

C. Construction Methods. Describe how the removal and/or fill activities will be accomplished to minimize impacts to waters and wetlands.

Stone will be placed on the jetty one at a time using a large excavator or crane situated on top of the jetty. Placement of the stone will range from approximately 500 to 1,000 tons per day. Road rock may be placed and spread over the crest of the jetty using a loader or dozer operation. The crane or excavator will place rock via a truck that transports rock from the staging area.

Construction of the MOF would result in temporary effects to aquatic and upland habitat. While precise impacts would not be known until the MOF has been designed, based on an MOF built for a similar project (The Coos Bay North Jetty Maintenance project), it is estimated that temporary impacts below the high tide line (HTL) would be limited to 0.14 acres. The full extent of the MOF and associated access dredging would be approximately 3.6 acres, with an additional 3.7 acres of upland disturbance associated with the MOF staging area.

In order to allow fully loaded barges to access the MOF, dredging would occur prior to the construction of the platform. Based on the conditions at the preferred MOF location, it is conservatively estimated that no more than 5,000 cubic yards of material would be dredged. In coordination with U.S. Fish and Wildlife Service, it was determined that dredged material would be placed in the primary staging area to improve habitat for Western snowy plover. Please see supplemental application material for more details.

The barge route from the main channel to the MOF is sited to avoid potential adverse indirect effects to eelgrass. Recent surveys have confirmed that the primary MOF area is 160 feet from existing eelgrass beds and measures outlined under Section 9(b) of this application will further minimize potential indirect effects to eelgrass.

(4) PROJECT DESCRIPTION (continued)

D. Describe source of fill material and disposal locations if known.

The contractor will likely utilize stone from most, if not all sources identified below at some point during the project. In regards to "Clean Fill", these stones are 6 to 24 tons each and are moved one stone at time so there will be no fines in the process of delivering and placing the "fill".

Potential Stone Sources:

- Drake – Astoria, Oregon
- Beaver Lake – Mount Vernon, Washington
- Foster – Langlois, Oregon
- Baker Creek – Powers, Oregon
- Marble Mountain – Rockport, Washington
- Taylor Towne – Shelton, Washington

E. Construction timeline.

What is the estimated project start date?

October 2022

What is the estimated project completion date?

October 2023

Is any of the work underway or already complete?

Yes

If yes, please describe.

No work has been completed or is underway

F. Removal Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name *	Removal Dimensions					Time Removal is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq.ft. or ac.)	Volume (c.y.)		
Tillamook Bay				3.6 ac.	5000	perm	coarse sand

G. Total Removal Volumes and Dimensions

Total Removal to Wetlands and Other Waters	Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Removal to Wetlands			
Total Removal Below Ordinary High Water			
Total Removal Below Highest Measured Tide			
Total Removal Below High Tide Line			5000
Total Removal Below Mean High Water Tidal Elevation			

H. Fill Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name*	Fill Dimensions					Time Fill is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq. ft. or ac.)	Volume (c.y.)		
Tillamook Bay				0.14		temp	pilings and infill for MOF platform

(4) PROJECT DESCRIPTION (CONTINUED)

I. Total Fill Volumes and Dimensions

Total Fill to Wetlands and Other Waters	Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Fill to Wetlands			
Total Fill Below Ordinary High Water			
Total Fill Below Highest Measured Tide			
Total Fill Below High Tide Line		0.14	
Total Fill Below Mean High Water Tidal Elevation			

*If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").
 **Indicate whether the proposed area of removal or fill is permanent or, if you are proposing temporary impacts, specify the days, months or years the fill or removal is to remain.
 *** Example: soil, gravel, wood, concrete, pilings, rock etc.

(5) PROJECT PURPOSE AND NEED

Provide a statement of the purpose and need for the overall project.

The purpose of the Proposed Action is to restore the structural integrity of the Tillamook South Jetty and improve the function of the navigation channel.

(6) DESCRIPTION OF RESOURCES IN PROJECT AREA

A. Describe the existing physical, chemical, and biological characteristics of each wetland or waterbody. Reference the wetland and waters delineation report if one is available. Include the list of items provided in the instructions.

Tillamook Bay is an inlet off the Pacific Ocean that is approximately 6 miles long and 2 miles wide. It's watershed in approximately 540 square miles. It hosts numerous avian, benthic, and aquatic species; including western snowy plover, clams, crabs, and salmonids. Important habitats in and around the bay include tidal flats, scrub-shrub wetlands, and eelgrass beds. Numerous rockfish species (e.g., lingcod, cabezon, and greenling) are also found near the jetty structures themselves. Marine mammals such as harbor seals and California sea lions are also present. The bay supports almost 25% of the northern- and central-coast wintering waterfowl population in Oregon, with winter counts of approximately 7,500 waterfowl of 34 species. These include Northern Pintail (*Anas acuta*), Surf Scoter, (*Melanitta perspicillata*) and Bufflehead (*Bucephala albeola*). Western Sandpiper (*Calidris mauri*) numbers range 1,000-3,000 in September, with Least Sandpiper (*Calidris minutilla*) numbers in the low 100s. Black-bellied Plover (*Pluvialis squatarola*), Semipalmated plover (*Charadrius semipalmatus*), Whimbrel (*Numenius phaeopus*), Sanderling (*Calidris alba*), and others are also observed. Great Blue herons (*Ardea herodias*) are year-round residents.

Water quality in the Proposed Action Area is monitored by the ODEQ Ambient Water Quality Monitoring Program and the Oregon Beach Monitoring Program. According to the ODEQ, Tillamook Bay is water quality limited under the Clean Water Act (CWA), impaired by bacteria and temperature parameters. These impairments affect the beneficial uses of shellfish growing, salmonid fish rearing, anadromous fish passage, and recreational use in the Tillamook Bay watershed (ODEQ 2010). The ODEQ prepared a Total Maximum Daily Load (TMDL) analysis for the Tillamook Bay watershed (ODEQ 2001) that was approved by the United States Environmental Protection Agency (USEPA) on July 31, 2001. With a TMDL, Tillamook Bay was removed from Oregon's Section 303(d) list of impaired water bodies. Water quality within Tillamook Bay is variable, largely depending on rainfall and season. Pollutants of primary concern in the larger watershed include bacteria, dissolved oxygen, sediment, and temperature.

B. Describe the existing navigation, fishing and recreational use of the waterbody or wetland.

Commercial and recreational vessels are most commonly found in Tillamook Bay between the Port of Garibaldi and the entrance channel. Vessels pass through the entrance channel between Tillamook Bay and the Pacific Ocean. Barges are escorted by tugs and travel up and down the Oregon Coast to transport materials and equipment. The USCG Station Tillamook Bay can restrict the bar to recreational and uninspected passenger vessels under authority 33 CFR Part 177.

The jetties at Tillamook Bay provide a stabilized entrance for vessels going in and out of local ports. Navigation through the channel can be hazardous during certain ocean conditions, at times causing the USCG to restrict entrance for smaller vessels until conditions improve.

Primary aquatic activities include fishing, boating, shellfish harvesting, and diving. The cities of Garibaldi and Tillamook support a sport fishing industry comprised of outfitters/guides, charter vessels, sport fishing licensing agents, and other chartered operations that harbor their vessels in the Port of Garibaldi. The Garibaldi Boat Basin Ramp is located at the Garibaldi Port and is open to the public. Recreational shellfish harvesting for crabs and clams is prevalent in Tillamook Bay, with access to boaters and pedestrians. Diving is most common from the north jetty. The Barview Jetty County Campground, located just north of

the north jetty, has recreation vehicle and tent sites, beach access, bird watching, jetty fishing, surfing, and diving opportunities.

(7) PROJECT SPECIFIC CRITERIA AND ALTERNATIVES ANALYSIS

Describe project-specific criteria necessary to achieve the project purpose. Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterbody or wetland.*

The action required to maintain the functionality of the jetty design requires repairs described in the proposed action. Anything less than the preferred alternative would not meet the purpose and need of the proposed action. Under a No Action Alternative, the Corps would not perform any planned maintenance or repair work on the north jetty. Annual inspections of the condition of the jetty would continue as funding allows. Without maintenance or repair work at the north jetty, the structural integrity of the jetty will continue to deteriorate. During storm events, extreme wave heights can impinge on the jetty from all directions, with the largest storm waves entering from the southwest and west. Continued decline of the South Jetty will allow those storm waves to enter Tillamook Bay and affect the landward half of the North Jetty. Deterioration may eventually lead to a breach, thereby undermining the federal investment of both jetties.

(8) ADDITIONAL INFORMATION

Are there state or federally listed species on the project site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Is the project site within designated or proposed critical habitat?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Is the project site within a national Wild and Scenic River ?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Is the project site within a State Scenic Waterway ?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Is the project site within the 100-year floodplain ?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
If yes to any above, explain in Block 6 and describe measures to minimize adverse effects to those resources in Block 7.			
Is the project site within the Territorial Sea Plan (TSP) Area ?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Unknown
If yes, attach TSP review as a separate document for DSL.			
Is the project site within a designated Marine Reserve ?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
If yes, certain additional DSL restrictions will apply.			

* Not required by the Corps for a complete application, but is necessary for individual permits before a permit decision can be rendered.

Will the overall project involve ground disturbance of one acre or more?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
If yes, you may need a 1200-C permit from the Oregon Department of Environmental Quality (DEQ).			
Is the fill or dredged material a carrier of contaminants from on-site or off-site spills?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Unknown
Has the fill or dredged material been physically and/or chemically tested?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
If yes, explain in Block 6 and provide references to any physical/chemical testing report(s).			
Has a cultural resource (archaeological and/or built environment) survey been performed on the project area?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
Do you have any additional archaeological or built environment documentation, or correspondence from tribes or the State Historic Preservation Office?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
If yes, provide a copy of the survey and/or documentation of correspondence with this application to the Corps only. Do not describe any resources in this document. Do not provide the survey or documentation to DSL.			
Is the project part of a DEQ Cleanup Site? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Permit number _____ DEQ contact. _____			
Will the project result in new impervious surfaces or the redevelopment of existing surfaces? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, the applicant must submit a post-construction stormwater management plan as part of this application to DEQ's 401 WQC program for review and approval, see https://www.oregon.gov/deq/FilterDocs/401wqcertPostCon.pdf			
Identify any other federal agency that is funding, authorizing or implementing the project.			
Agency Name	Contact Name	Phone Number	Most Recent Date of Contact
USACE - Portland District			
List other certificates or approvals/denials required or received from other federal, state or local agencies for work described in this application.			
Agency	Certificate / approval / denial description	Date Applied	
NMFS	Programmatic BiOp (SLOPES IV)	3/18/2022 - NMFS concurrence received	
Other DSL and/or Corps Actions Associated with this Site (Check all that apply.) Work proposed on or over lands owned by or leased from the Corps (may require authorization <input type="checkbox"/> pursuant to 33 USC 408). These could include the federal navigation channel, structures, levees, real estate, dikes, dams, and other Corps projects.			
<input type="checkbox"/> State owned waterway	DSL Waterway Lease #:		
<input type="checkbox"/> Other Corps or DSL Permits	Corps #	DSL #	
<input type="checkbox"/> Violation for Unauthorized Activity	Corps #	DSL #	
<input type="checkbox"/> Wetland and Waters Delineation	Corps #	DSL #	
Submit the entire delineation report to the Corps; submit only the concurrence letter (if complete) and approved maps to DSL. If not previously submitted to DSL, send under a separate cover letter			
(9) IMPACTS, RESTORATION/REHABILITATION, AND COMPENSATORY MITIGATION			
A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, direct, and indirect impacts.			

Temporary disturbance to staging areas and MOF site

B. For temporary removal or fill or disturbance of vegetation in waterbodies, wetlands or riparian (i.e., streamside) areas, discuss how the site will be restored after construction to include the timeline for restoration.

Conservation Measures and Best Management Practices

1.) Upland Work

- Conservation measures and BMPs to reduce the environmental footprint and to avoid and minimize impacts on upland areas and significant cultural resources would be incorporated in the Proposed Action design and would be implemented during construction. The following conservation measures and BMPs would be implemented during construction in upland areas as needed.
- Staging areas, stockpiles, and most of the MOF would remain above the Mean Higher High Water (MHHW) mark and would be sited to minimize adverse effects to wetlands, habitats identified as having higher ecological value, and any locations identified as having significant cultural resources. Silt fencing and other hardened temporary barriers will be placed to protect wetlands, as appropriate, when a 50-foot barrier cannot be maintained.
- There will be no widening of Bayocean Dike Road and roadway improvements would be limited to turnouts (up to 15-foot width and 50-foot length) to accommodate safe passage of vehicles, and potential gravel placement and grading to improve surface conditions where needed. There is no proposed permanent fill of wetlands along roadways and turnouts are sited to avoid these areas to the maximum extent practicable. Hardened wetland protection measures would be installed on both sides of the road in cases where the roadway has abutting wetlands on both sides. Roadway improvements would also avoid any locations identified as having significant cultural resources. Turnouts were placed where wetlands and significant cultural resources are not present. The MOF would be used to transport larger vehicles and equipment that cannot use Bayocean Dike Road due to width constraints.
- Ground disturbance and removal of native vegetation, especially trees and shrubs, would be kept to a minimum, as feasible.
- Before alteration of the Action Area, the project boundaries would be flagged. Sensitive resource areas, including areas below MHHW, any nearby wetlands (i.e., next to the access road, staging area, and MOF), trees to be protected, significant cultural resource locations, and sensitive plover habitat would be flagged. Construction or silt fencing, or something functionally equivalent, would encircle much of the construction areas, staging area, and MOF. Plover habitat along the western edge of the primary South Jetty storage area would be clearly marked and avoided.
- Temporary erosion controls would be in place before any alteration of the site. With the exception of WSP DCH, disturbed areas would be seeded and/or covered with coir fabric at the completion of ground disturbance to provide immediate erosion control. Erosion control materials (e.g., silt fence, straw bales) would remain on-site at all times during active construction and disturbance activities. If needed, these measures would be maintained on-site until permanent ground cover or site landscaping is established, and reasonable likelihood of erosion has passed. When permanent ground cover and landscaping is established, temporary erosion prevention and sediment control measures, pollution control measures, and turbidity monitoring equipment would be removed from the site, unless otherwise directed.
- An Erosion and Sediment Control Plan (ESCP) would outline facilities and BMPs that would be implemented and installed prior to any ground-disturbing activities on the project site, including mobilization. These erosion controls would prevent pollution caused by surveying or construction operations and ensure sediment-laden water do not leave the project site, enter Tillamook Bay, or impact aquatic and terrestrial wildlife.

- Training would be provided to construction workers and equipment operators on the identification of weeds to be avoided.
- All construction material sources used for supplies of sand, gravel, rock, and mulch would be certified as weed-free prior to transport or use.
- Certified weed-free straw or fiber roll logs would be used for sediment containment.
- All vehicles would be completely washed (or blown clean using an air compressor) and inspected for weed seeds and plant parts prior to mobilization onto the job site or after entering weed-infested areas of the job site.
- All revegetation materials (i.e., soil components and mulches) would be obtained from non-weed infested sources. Seed procured for the project would be certified as noxious weed-free with a weed content of 0.05 percent or less.
- Site revegetation will use plant materials with a high likelihood of survival and consist of regionally native species

2.) In-Water or Near-Water Work

- Prior to the commencement of construction operations, the Corps would coordinate the work schedule with the local port, the U.S. Coast Guard (USCG), and Tillamook County.
- Dredging for the MOF and placement of material for the MOF would occur between July 15 and March 15 to avoid the peak timing for juvenile coho salmon outmigration.
- The designated MOF areas were sited to avoid direct impacts to eelgrass during dredging and/or construction.
- Only mechanical dredging would be permissible, and dredges would be operated to limit dredge spillover.
- The scope and duration of dredging would be limited to the minimum area and amount of time needed to achieve project purposes.
- Placement of jetty stone could occur year-round. However, winter weather conditions would likely result in most of the work being completed between April 1 and October 15, with work at the more exposed jetty sections likely occurring between June 1 and October 15. Work would extend as long into the fall as possible to maximize the length of the construction period but may be limited due to safety concerns.
- Other in-water and shoreline work elements (MOF-related construction [i.e., pile driving] and eventual removal) would be completed between July 1 and August 31 or the regular in-water work window for Tillamook Bay (November 1 to February 15), consistent with the NMFS ESA coordination for this project.
- To minimize water turbidity and the potential for entrainment of organisms during dredging for the MOF, the clamshell bucket or head of the dredge would remain on the bottom to the greatest extent possible and only be raised 3 feet off the bottom when necessary for dredge operations.
- If the Captain or crew operating the vessels observes any kind of sheen or other indication of contaminants, they would immediately stop their activities and notify the USCG and the Corps environmental staff to determine the appropriate action.
- Contractors will not release any trash, garbage, oil, grease, chemicals, or other contaminants into the waterway. Spill prevention measures shall be in place prior to and during construction activities.
- The Corps works to meet state water quality standards. Water turbidity - no more than 10% cumulative increase in natural stream turbidities may be allowed, as measured relative to a control point immediately upstream of the turbidity causing activity. However, limited duration activities necessary to address an emergency or to accommodate essential dredging, construction, or other legitimate activities and which cause the standard to be exceeded may occur provided all practicable turbidity control techniques have been applied. See Oregon Administrative Rules (OAR) 340-041-0036. For jetty work activities, turbidity levels will be monitored via visual observations to identify any adverse detectable change in water quality. A hand-held turbidity meter will be deployed and used during MOF dredging and fill activities.

Compensatory Mitigation

C. Proposed mitigation approach. Check all that apply:

<input type="checkbox"/> Permittee- responsible Onsite Mitigation	<input type="checkbox"/> Permittee- responsible Offsite mitigation	<input type="checkbox"/> Mitigation Bank or In-Lieu Fee Program	<input type="checkbox"/> Payment to Provide (not approved for use with Corps permits)
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D. Provide a brief description of proposed mitigation approach and the rationale for choosing that approach. If you believe mitigation should not be required, explain why.
 No mitigation is proposed as there will be no permanent fill and wetlands and MOF construction and access avoids existing eelgrass beds.

Mitigation Bank / In-Lieu Fee Information:
 Name of mitigation bank or in-lieu fee project:
 Type and amount of credits to be purchased:

If you are proposing permittee-responsible mitigation, have you prepared a compensatory mitigation plan?
 Yes. Submit the plan with this application and complete the remainder of this section.
 No. A mitigation plan will need to be submitted (for DSL, this plan is required for a complete

Mitigation Location Information (Fill out only if permittee-responsible mitigation is proposed)

Mitigation Site Name/Legal Description	Mitigation Site Address	Tax Lot #
County	City	Latitude & Longitude (in DD.DDDD format)
Township	Range	Section
		Quarter/Quarter

(10) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE

<input type="checkbox"/> Pre-printed mailing labels of adjacent property owners attached separately.	Project Site Adjacent Property Owners	Mitigation Site Adjacent Property Owners
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Contact Name
Address 1
Address 2
City, ST ZIP Code

Contact Name
Address 1
Address 2
City, ST ZIP Code

Contact Name
Address 1
Address 2
City, ST ZIP Code

**(11) CITY/COUNTY PLANNING DEPARTMENT LAND USE AFFIDAVIT
(TO BE COMPLETED BY LOCAL PLANNING OFFICIAL)**

I have reviewed the project described in this application and have determined that:

- This project is not regulated by the comprehensive plan and land use regulations
- This project is consistent with the comprehensive plan and land use regulations
- This project is consistent with the comprehensive plan and land use regulations with the following:
 - Conditional Use Approval
 - Development Permit
 - Other Permit (explain in comment section below)
- This project is not currently consistent with the comprehensive plan and land use regulations. To be consistent requires:
 - Plan Amendment
 - Zone Change
 - Other Approval or Review (explain in comment section below)

An application or variance request has has not been filed for the approvals required above.

Local planning official name (print)	Title	City / County
Signature		Date
Comments:		

(12) COASTAL ZONE CERTIFICATION

If the proposed activity described in your permit application is within the [Oregon Coastal Zone](#), the following certification is required before your application can be processed. The signed statement will be forwarded to the Oregon Department of Land Conservation and Development (DLCD) for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program and consistency reviews of federally permitted projects, contact DLCD at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050 or click [here](#).

CERTIFICATION STATEMENT

I certify that, to the best of my knowledge and belief, the proposed activity described in this application complies with the approved Oregon Coastal Zone Management Program and will be completed in a manner consistent with the program.

Print /Type Applicant Name Christopher Page	Title Chief, Environmental Resources Branch
Applicant Signature	Date May 20, 2022

(13) SIGNATURES

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or DSL staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. I understand that payment of the required state processing [fee](#) does not guarantee permit issuance.

To be considered complete, the fee must accompany the application to DSL. The fee is not required for submittal of an application to the Corps.

Fee Amount Enclosed

\$

Applicant Signature (required) must match the name in Block 2

Print Name

Christopher Page

Title

Chief, Environmental Resources Branch

Signature

Date

May 20, 2022

Authorized Agent Signature

Print Name

Title

Signature

Date

Landowner Signature(s)*

Landowner of the Project Site (if different from applicant)

Print Name

Title

Signature

Date

Landowner of the Mitigation Site (if different from applicant)

Print Name

Title

Signature

Date

Department of State Lands, Property Manager (to be completed by DSL)

If the project is located on [state-owned submerged and submersible lands](#), DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.

Print Name

Title

Signature

Date

* Not required by the Corps.

(14) ATTACHMENTS

- Drawings
 - Location map with roads identified
 - U.S.G.S topographic map
 - Tax lot map
 - Site plan(s)
 - Plan view and cross section drawing(s)
 - Recent aerial photo
 - Project photos
 - Erosion and Pollution Control Plan(s), if applicable
 - DSL / Corps Wetland Concurrence letter and map, if approved and applicable
- Pre-printed labels for adjacent property owners (Required if more than 5)
- Incumbency Certificate if applicant is a partnership or corporation
- Restoration plan or rehabilitation plan for temporary impacts
- Mitigation plan
- Wetland functional assessments, if applicable
 - Cover Page
 - Score Sheets
 - ORWAP OR, F, T, & S forms
 - ORWAP Reports
 - Assessment Maps
 - ORWAP Reports: Soils, Topo, Assessment area, Contributing area
- Stream Functional Assessments, if applicable
 - Cover Page
 - Score Sheets
 - SFAM PA, PAA, & EAA forms
 - SFAM Report
 - Assessment Maps
 - Aerial Photo Site Map and Topo Site Map (Both maps should document the PA, PAA, & EAA)
- Compensatory Mitigation (CM) Eligibility & Accounting [Worksheet](#)
 - Matching Quickguide sheet(s)
 - CM Eligibility & Accounting sheet
- Alternatives analysis
- Biological assessment (if requested by the Corps project manager during pre-application coordination)
- Stormwater management plan (may be required by the Corps or DEQ)
- Other
 - Please describe: MFR documenting supplemental eelgrass survey work to verify the extent of eelgrass coverage in the embayment north of the proposed MOF site

For U.S. Army Corps of Engineers send application to:

USACE Portland District
ATTN: CENWP-ODG-P
PO Box 2946
Portland, OR 97208-2946
Phone: 503-808-4373
portlandpermits@usace.army.mil

Counties:

Baker, Benton, Clackamas, Clatsop, Columbia, Gilliam,
Grant, Hood River, Jefferson, Lincoln, Linn, Malheur,
Marion, Morrow, Multnomah, Polk, Sherman, Tillamook,
Umatilla, Union, Wallowa, Wasco, Washington, Wheeler,
Yamhill

U.S. Army Corps of Engineers
ATTN: CENWP-ODG-E
211 E. 7th AVE, Suite 105
Eugene, OR 97401-2722
Phone: 541-465-6868
portlandpermits@usace.army.mil

Counties:

Coos, Crook, Curry, Deschutes, Douglas, Jackson,
Josephine, Harney, Klamath, Lake, Lane

For Department of State Lands send application to:

West of the Cascades:
Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
Phone: 503-986-5200

East of the Cascades:
Department of State Lands
1645 NE Forbes Road, Suite 112
Bend, Oregon 97701
Phone: 541-388-6112

For Department of Environmental Quality e-mail application to:

ATTN: DEQ 401 Certification Program
Water Quality
700 NE Multnomah St, Suite 600
Portland, OR 97232
401applications@deq.state.or.us

INSTRUCTIONS FOR PREPARING THE JOINT APPLICATION

This is a joint application and must be sent to all agencies (Corps, DSL, and DEQ), who administer separate permit or certification processes. For questions regarding these instructions or the form, contact the Corps, DSL and/or DEQ or refer to the following online resources:

- [DSL's Removal-Fill Guide](#); or,
- The Corps Regulatory website: <http://www.nwp.usace.army.mil/Missions/Regulatory.aspx>
- DEQ's 401 Water Quality Certification website: <https://www.oregon.gov/deq/wq/wqpermits/Pages/Section-401-Certification.aspx>

General Instructions and Tips

- Provide the information in the appropriate blocks of the application form. If you need more space, provide a summary in the space provided and attach additional detail as an appendix to the application. Each appendix or attachment must reference which application block number it pertains to.
- Not all items on the application form will apply to all projects.
- Electronic submittal of applications and supporting material is preferred by the Corps. Both electronic and hard copies must be in 8 ½ x 11-inch sized format and reproducible in black and white. Currently DSL does not accept electronic submittals. DSL will accept color figures and 11 X 17. Use either all double sided or all single sided paper. Do not use staples or dividers. NOTE: If the electronic submittal of application and associated documents is 10 megabytes or more, check with each agency for how best to submit the document to that agency.
- **FEES:** Fees for water quality certification apply. Nationwide projects approved by DEQ will incur a fee of \$985. Others will be evaluated on a case-by-case basis: <https://www.oregon.gov/deq/wq/wqpermits/Pages/Section-401-Fees.aspx>.

For complex projects or for those that may have more than minimal impacts, additional information may be necessary to complete the evaluation and make a permit decision. Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Section 1. Type of Permit(s) if Known

If known, indicate the type of permit/authorization applying for.

Section 2. Applicant and Landowner Contact Information

Applicant: The applicant is the responsible party. If the applicant is an agency, business entity or other organization, indicate the name of the organization and a person that has the authority to sign the application. If applicant is a partnership or corporation, the applicant name must match the Incumbency Certificate, and the business name as listed on OR Secretary of State business registry. Applicant must not be "doing business as" or has an "assumed business name." In such cases the applicant must be an individual.

Applicant Contact Name: If the applicant is a business, provide the contact name for an individual representing the business.

Authorized Agent: An authorized agent is someone who has permission from the applicant to represent their interests and supply information to the agencies. An agent can be a consultant, an attorney, builder, contractor, or any other person or organization. An authorized agent is optional.

Landowner: Provide landowner information if different from the applicant. DSL requires the landowner's signature, unless the project qualifies as a linear project, e.g. road, pipeline, utility.

Section 3. Project Information

A. Provide location information. Latitude and longitude must be reported in decimal format and can be found by zooming in to your respective project location and reading off the coordinates displayed on the bottom many maps, such as Google Earth.

B. Provide information on wetlands and waterbodies within the project area. Indicate the category of activities that make up your project. For projects with multiple locations, provide latitude and longitude for each location. For linear projects, provide the latitude and longitude for the start and end points.

Section 4. Project Description

A. Overall Description: Provide a description of the overall project, including:

- All associated work with the project both outside and within waters or wetlands.
- Total ground disturbance for all associated work (i.e., area and volume of ground disturbance).
- Total area of impervious surfaces created or modified by the project, if applicable.

B. Work within Waters and Wetlands: Provide a description of the proposed work within waters and wetlands, including:

- Each removal or fill activity proposed in waters or wetlands, as well as any construction or maintenance of in-water or over-water structures.
- The number and dimensions of in-water or over-water structures (i.e., pilings, floating docks) proposed within waters or wetlands.

C. Construction Methods: Describe how the removal and/or fill activities will be accomplished, including the following:

- Construction methods, equipment to be used, access and staging areas, etc.
- Measures you will use during construction to minimize impacts to the waterbody or wetland. Examples may include isolating work areas, controlling construction access, site specific erosion and sediment control methods, site specific best management practices, and using specialized equipment or materials. Attach work area isolation and/or erosion and pollution control plans, if applicable.

D. Fill Material and Disposal: Provide a description of fill material and procedure for disposal of removed material, including:

- The source(s) of fill materials (if known).
- Locations for disposal area(s) for dredged material, if applicable. If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into jurisdictional waters. If using an upland disposal area that is not a Department of Environmental Quality (DEQ)-regulated landfill, a [Solid Waste Letter of Authorization](#) or a [Beneficial Use Determination](#) from DEQ may be required.

E. Construction Timing: Provide the proposed start and completion dates for the project. Describe project work that is already complete, if applicable.

F. – I. Summary of Removal and Fill Activities: Summarize the dimensions, volume and type/composition of material being placed or removed in each waterbody or wetland. Describe each impact on a separate row. For instance, if two culverts are being removed from Clear Creek, use two rows. Add extra rows if needed or include an attachment.

The DSL and the Corps use different elevations for determining whether an activity in tidal waters is regulated by the State's Removal-Fill law, the Clean Water Act, and/or the Rivers and Harbors Act. DSL regulates activities below the highest measured tide. The Clean Water Act applies below the high tide line. The Rivers and Harbors Act applies below the mean high water.

If jurisdictional limits are not the same for each agency, prepare a table for each agency stating impacts within that agency's jurisdiction.

Section 5. Project Purpose and Need

Explain the purpose and need for the project. Also include a brief description of any related activities needed to accomplish the project objectives.

The following items are required by DSL, as applicable:

- If the removal-fill would satisfy a public need and the applicant is a public body, include any pertinent findings regarding public need and benefit.
- If the project involves fill in the estuary for a non-water dependent use, explain how the project is for public use and/or satisfies a public need.
- If the project is located within a [marine reserve or marine protected area](#), explain how the project is needed to study, monitor, evaluate, enforce or protect the designated area.

Section 6. Description of Resources in Project Area

Territorial Sea: For activities in the [Territorial Sea](#) (mean lower low water seaward 3 nautical miles), provide a separate evaluation of the resources and effects determination.

For each wetland, include:

- Whether the wetland is freshwater or tidal, and the [Cowardin class](#) and [Hydrogeomorphic \(HGM\) class](#).
- Source of hydrology and direction of flow (if any).
- Dominant plant species by layer (herb, shrub, tree).
- Assessment of the hydrologic, water quality, fish habitat, aquatic habitat, and ecosystem support functions and values of the wetland(s) to be permanently impacted. The assessment should be attached as a separate Excel document.
 - DSL requires the use of [ORWAP](#) for wetland impacts over 0.2 acre and any wetland that is an Aquatic Resource of Special Concern (ARSC), unless the impacts are to Agate Desert Vernal Pools (VPs). See Appendix B of the [Removal Fill Guide](#) for a list of ARSCs. The Vernal Pool Assessment Method is required for all VPs. For impacts to wetlands less than 0.2 acre that are not ARSCs or VPs Best Professional Judgment (BPJ) may be used.
- Identify any Aquatic Resources of Special Concern (ARSC) in or near the project area. ARSCs include alkali wetlands, bogs, cold water habitat, fens, hot springs, interdunal wetlands, kelp beds, mature forested wetlands, native eelgrass beds, off-channel habitats (alcoves and side channels), ultramafic soil wetlands, vernal pools (including Willamette Valley, Medford area, Modoc basalt, and Columbia Plateau vernal pools), wet prairies, or wooded tidal wetlands. See Appendix B of the [Removal Fill Guide](#) for a list of ARSCs.
- Include relevant summary information from the wetland delineation report if available. Provide a copy of the wetland delineation report to **the Corps**, if not previously provided to the Corps. If a delineation report has not been previously submitted to DSL, then submit to DSL under a separate cover.
- Describe existing uses, including fish and wildlife use (type, abundance, period of use, and significance of site).
- Next major downstream waterbody name.

For rivers, streams, other waterbodies, lakes and ponds, include a description of, as applicable:

- Streamflow regime (e.g., perennial year-round flow, intermittent seasonal flow, ephemeral event-driven flow). If flow is ephemeral, provide [streamflow assessment](#) data sheet or other information that supports your determination.
- Field indicators used to identify the Ordinary High Water Mark (OHWM).
- Channel and bank conditions.

- Type and condition of riparian (streamside) vegetation.
- Channel morphology (structure and shape).
- Stream substrate.
- Assessment of the hydrologic, geomorphic, biologic and water quality functions and values of waters to be permanently impacted.
 - DSL requires use of the Stream Function Assessment Methodology (SFAM) for wadable non-tidal streams. SFAM should be attached as a separate Excel document. For impacts to non-wadable or tidal streams, BPJ can be used. Sections 2.2 through 2.3 of the SFAM User Manual give guidance for the functions and values to be addressed for all streams, even if SFAM does not apply.
- Identify any Aquatic Resources of Special Concern (ARSC) in or near the project area. ARSCs include alkali wetlands, bogs, cold water habitat, fens, hot springs, interdunal wetlands, kelp beds, mature forested wetlands, native eelgrass beds, off-channel habitats (alcoves and side channels), ultramafic soil wetlands, vernal pools (including Willamette Valley, Medford area, Modoc basalt, and Columbia Plateau vernal pools), wet prairies, or wooded tidal wetlands.
- Fish and wildlife use (type, abundance, period of use, and significance of site).
- Water quality impairments, including waterways adjacent to impacted wetlands and waterway to be impacted and next major downstream waterbody

Section 7. Project Specific Criteria and Alternatives Analysis

Provide an explanation describing how impacts to waters and wetlands are being avoided and minimized on the project site. For DSL, the alternatives analysis must include:

- Project-specific criteria that are needed to accomplish the stated project purpose.
- A range of alternative sites and designs that were considered with less impact.
- An evaluation of each alternative site and design against the project criteria and a reason for why the alternative was not chosen.
- If the project involves fill in an estuary for a non-water dependent use, a description of alternative non-estuarine sites must be included.

The level of rigor required in this analysis should be commensurate with the level of impact proposed. Please note that additional information regarding alternatives may be necessary for Corps Individual Permits to comply with the Clean Water Act Section 404(b)(1) Guidelines. Please check with your local Corps contact early in the planning process to determine what level of analysis is required. An alternative analysis is not required for a complete application by the Corps; however, it may be required before a permit decision can be rendered.

Section 8. Additional Information

Any additional information you provide helps the reviewer(s) understand your project and the other approvals or reviews that may be required.

Section 9. Impacts, Restoration/Rehabilitation, and Compensatory Mitigation

A. Description of Impacts: Clearly identify the permanent, temporary, direct and indirect impacts. Provide a written analysis of potential changes the project may make to the hydrologic characteristics of the affected wetlands or waterbodies, and an explanation of measures taken to avoid or minimize any adverse effects of those changes, such as: impeding, restricting or increasing flows; relocating or redirecting flow; and potential flooding or erosion downstream of the project. Provide a table summarizing permanent and temporary impacts by HGM and Cowardin Classifications.

B. Site Restoration/Rehabilitation: For temporary disturbance of soils and/or vegetation in waterbodies, wetlands or riparian (streamside) areas, discuss how you will restore the site after construction. This may include the following:

- Grading plans to restore pre-existing elevations.
- Planting plans and species list (native species only) to replace vegetation in riparian or wetland areas.
- Maintenance and monitoring plans to document restoration to wetland condition and/or vegetation establishment.
- Associated erosion control for site stabilization.

C.-D. Compensatory Mitigation. Describe your proposed compensatory mitigation approach or explain why you believe compensatory mitigation is not required. If proposing permittee-responsible mitigation for permanent impacts to jurisdictional waters, see OAR 141-085-0705 and 33 CFR 332.4(c) for plan requirements. The [Oregon Explorer Aquatic Mitigation](#) topic page and map viewers may be a helpful resource.

For activities involving discharges of dredged or fill material into waters of the United States, the Corps requires the application to include a statement describing how impacts to waters of the United States are to be avoided and minimized. The application must also include either a statement describing how impacts to waters of the United States are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts.

Section 10. Adjacent Property Owners for Project and Mitigation Site(s)

Names and addresses for properties that are adjacent to the project site and permittee responsible mitigation site (if applicable), are required. “Adjacent” means those properties that share or touch upon a common property line or are across the street or stream. If more than 5, attach pre-printed labels. A list of property owners may be obtained by contacting the county tax assessor’s office.

Section 11. City/County Planning Department Land Use Affidavit

This section is required to demonstrate land use compatibility for removal fill permits and water quality certifications. Provide this form to your local planning official for them to complete and sign.

Section 12. Coastal Zone Certification

Your signature for this statement is **required** for projects within the coastal zone (generally, west of the summit of the Coast Range).

Section 13. Signatures

The application **must** be signed by the responsible party as identified in section 1. DSL also requires the landowner’s signature. Linear Facilities (e.g. road, pipeline, utility) do not require landowner signature for the impact sites; signatures are required for mitigation sites.

Section 14: Attachments

Project Drawings. A complete application must include a location map, site plan, and plan view and cross-section drawings. DSL also requires a recent aerial photo. All drawings should be clear, legible, and to scale. For the Corps, drawings must be on 8.5 x 11-inch paper and must be in black and white or clearly reproducible in black and white. DSL will accept color and 11 x 17, but all figures must be clear when reproduced in black and white. While illustrations need not be professionally prepared, they should be clear, accurate, and contain all necessary information, as follows:

Location maps (with project boundaries, including staging and construction access, scale bar and north arrow on all):

- Location map with roads identified
- U.S.G.S. Topographic map
- Tax lot map

Site plan(s), including:

- Entire project site and activity areas, which includes staging and construction access areas
- Existing and proposed contours
- Stormwater outfalls and other related features
- Location of Ordinary High Water Mark, wetland boundaries, and other jurisdictional boundaries. Clearly identify temporary, permanent, direct and indirect impact areas within waterbodies and wetlands
- Scale bar, legend, and north arrow
- Location of staging areas and construction access
- Location of cross section(s), as applicable
- Location of mitigation area, if applicable

Cross section drawing(s), including:

- Existing and proposed elevations
- Clearly identify temporary, permanent, direct and indirect impact areas within waterbodies and wetlands
- Ordinary High Water Mark, wetland boundaries, and other jurisdictional boundaries
- Scale bar (horizontal and vertical scale)

Recent Aerial Photo

- 1:200 resolution, or, if not available for your site, highest resolution possible

DSL Wetland Concurrence (map and letter only for DSL; the Corps requires the full wetland/waters delineation report if not already submitted)

Mitigation documents including:

- Functional assessment results for each impacted resource and mitigation area
 - Results should include: Cover sheet, Score Sheet, assessment area maps
- Eligibility and Accounting [Worksheet](#)
 - Matching “Quickguide” sheet(s)
 - Compensatory Mitigation (CM) Eligibility & Accounting sheet

Do NOT submit the following items to DSL (unless specifically requested by DSL for your project):

- Wetland delineation report
- Biological assessment
- Cultural/archeological reports
- Stormwater calculations
- Geotechnical reports
- Marketing reports
- Contract agreements
- Applications for other agencies such as local land use applications
- Contractor/construction specifications
- Other extraneous drawings and information