Tillamook County

DEPARTMENT OF COMMUNITY DEVELOPMENT BUILDING, PLANNING & ON-SITE SANITATION SECTIONS



1510 - B Third Street Tillamook, Oregon 97141 www.tillamook.or.us

Building (503) 842-3407 Planning (503) 842-3408 Sanitation (503) 842-3409 FAX (503) 842-1819 Toll Free 1(800) 488-8280

Land of Cheese, Trees and Ocean Breeze

Estuary/Floodplain Development Permit Request #851-23-000095-PLNG: Tillamook River Bridge - ODOT

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER

NOTICE OF ADMINISTRATIVE REVIEW Date of Notice: June 2, 2023

Notice is hereby given that the Tillamook County Department of Community Development is considering the following:

#851-23-000095-PLNG: An Estuary and Floodplain Development Permit for the replacement of existing piles for the Tillamook River Bridge on the Tillamook River along Highway 131. The applicant is Caroline Crisp of the Oregon Department of Transportation.

Written comments received by the Department of Community Development prior to 4:00 p.m. on June 16, 2023 will be considered in rendering a decision. Comments should address the standards upon which the Department must base its decision. A decision will be rendered no sooner than the next business day, June 20, 2023.

Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250-feet of the exterior boundaries of the subject parcel for which an application has been made and other appropriate agencies at least 14-days prior to this Department rendering a decision on the request.

A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141, or on the Tillamook County Department of Community Development website: https://www.co.tillamook.or.us/commdev/landuseapps

If you have any questions about this application, please call the Department of Community Development Lynn Tone, at 503-842-3408 x 3423 or ltone@co.tillamook.or.us.

Sincerely,

Melissa Jenck, CFM, Senior Planner

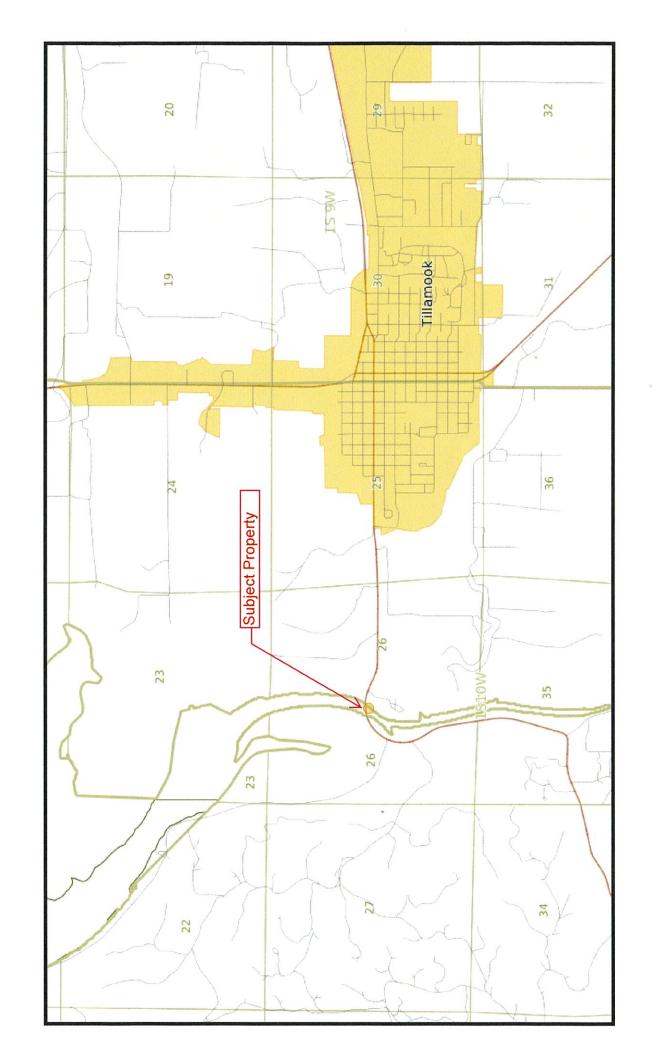
Sarah Absher, CFM, Director

Enc. Maps, Applicable Ordinance Standards

Applicable Ordinances & Development Standards

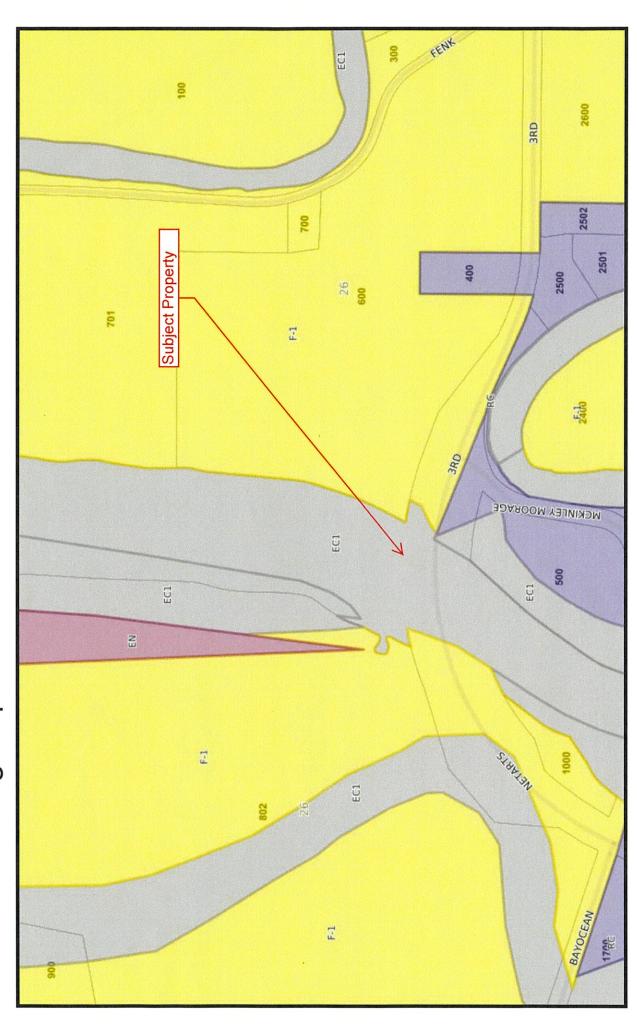
Tillamook County Land Use Ordinance (TCLUO) https://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm

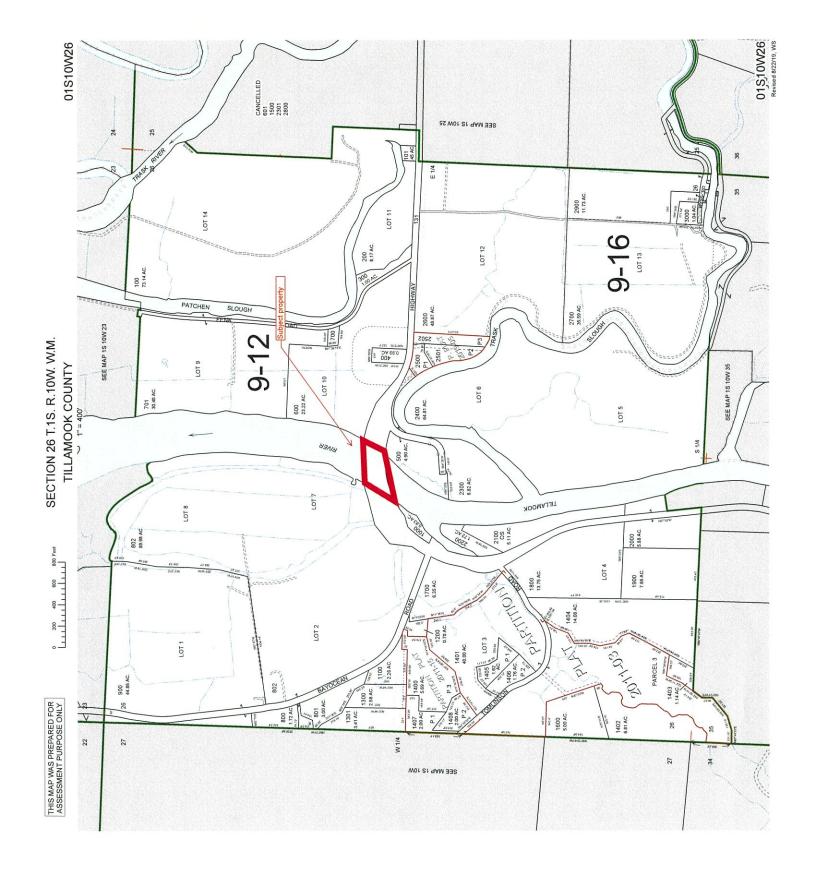
- Section 3.106: Estuary Conservation 1 (EC1) Zone
- Section 3.120: Regulated Activities and Impacts Assessments
- Section 3.140: Estuary Development Standards
- Section 3.510: Flood Hazard Overlay (FH)
- Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization

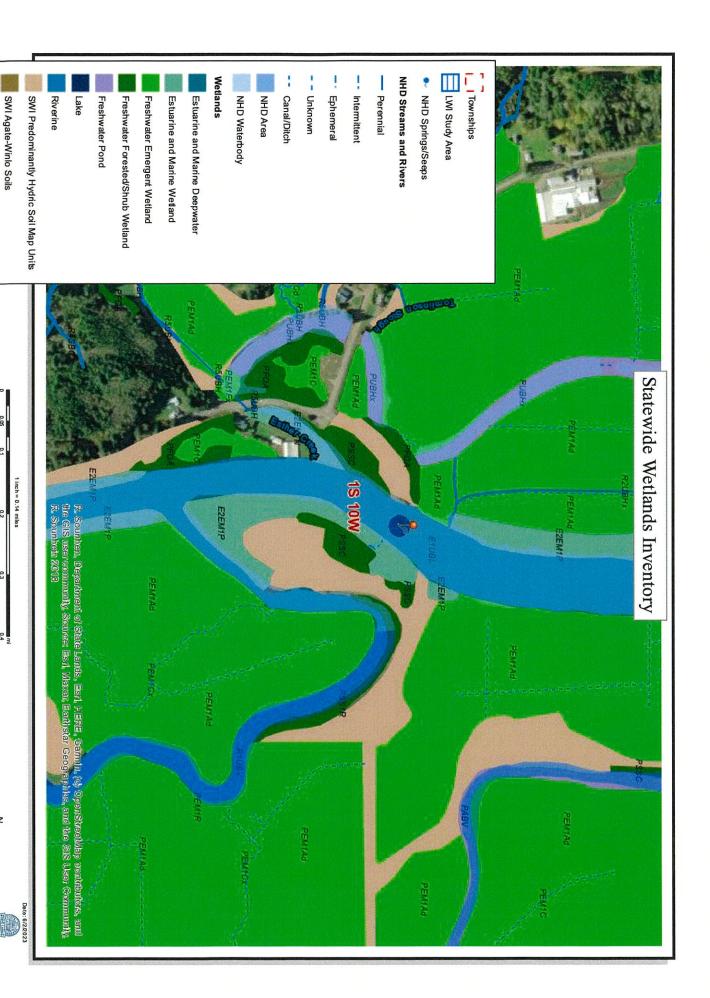


Tillamook County GIS

Zoning Map







https://www.oregon.gov/ds/WW/Pages/SWI.aspx

□

The Saltewide Wellands triveniony (SWI) appreceds the best data available at the firm his map was published and is updated as new data become available. In all cases, exhall field conditions determine the presence, absence and boundaries of wallands and waters (such as creebs and pands). An onsite investigation by a weitend protessional can verify exhall field conditions.

National Flood Hazard Layer FIRMette

123°52'56"W 45°27'37"N





TILLAMOOKCOUNTY C0560F T01S R10W S26 Feet 1:6,000 057C0578F 8/2018 Zinter Harrison Land 123°52'18"W 45°27'12"N OTHER AREAS OF FLOOD HAZARD OTHER AREAS STRUCTURES | 1111111 Levee, Dike, or Floodwall MAP PANELS **FEATURES** GENERAL OTHER

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

HAZARD AREAS SPECIAL FLOOD Regulatory Floodway With BFE or Depth Zone AE, AO, AH, VE, AR Without Base Flood Elevation (BFE) Zone A, V. A99



areas of less than one square mile Zone) depth less than one foot or with drainage of 1% annual chance flood with average 0.2% Annual Chance Flood Hazard, Area



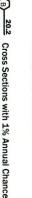
Levee. See Notes. Zone X Area with Reduced Flood Risk due to Chance Flood Hazard Zone X Future Conditions 1% Annual



NO SCREEN Area of Minimal Flood Hazard Zone >

Area of Undetermined Flood Hazard Zone **Effective LOMRs**

- - - Channel, Culvert, or Storm Sewer



Water Surface Elevation **Coastal Transect Baseline** Limit of Study Base Flood Elevation Line (BFE) Coastal Transect **Profile Baseline** Jurisdiction Boundary



The pin displayed on the map is an approximate point selected by the user and does not represe Unmapped No Digital Data Available

Digital Data Available Hydrographic Feature

an authoritative property location.

accuracy standards digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap This map complies with FEMA's standards for the use of

become superseded by new data over time. was exported on 6/2/2023 at 4:24 PM and does not authoritative NFHL web services provided by FEMA. This map The flood hazard information is derived directly from the time. The NFHL and effective information may change or reflect changes or amendments subsequent to this date and

FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for elements do not appear: basemap imagery, flood zone labels, regulatory purposes. legend, scale bar, map creation date, community identifiers, This map image is void if the one or more of the following map

250

500

1,000

1,500

2,000



Tillamook County Department of Community Development 1510-B Third Street. Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819

www.co.tillamook.or.us

OFFICE USE ONLY

DEVELOPMENT PERMIT

| | | | Date Star | p |
|--|--|--|----------------------------|--------------------------|
| Applicant ♥ (Check Box i | f Same as Property Owner) | | | |
| Name: ODOT (Caroline Crisp) | | | | |
| Address: 350 W Marine Dr | . 1110110. 303 313 0012 | | | |
| City: Astoria | State: OR Zip | p: 97103 | | |
| Email: Caroline Cirsp@odot.c | | 0.37103 | | proved Denied |
| Email: Caroniic Chaperodot.c | 105011.504. | | | ved by: |
| Property Owner | | | | ot #: 13186 |
| Name: | Phone: | | Fees: | |
| Address: | | | Permi | t NO: 3 - 000095-PLNG |
| City: | State: Zip: | : | 651-2 | 2-00075-PLING |
| Email: | | | | |
| includes repairing 6 timber proground surface. The tube wo | oposed maintenance work on an exiles. Rotten sections will be removed build be backfilled with concrete to ridge piles. A floating platform will | ved by embedding a conserve as a support. If | circular ste Rotten sec | el tube 2-feet below the |
| Site Address: OR 131 (Netart | s Highway) at MP 7.49. State ROV | N. | | |
| Map Number: 01S | 10W | 2 | .6 | State ROW |
| Township | Range | Se | ction | Tax Lot(s) |
| Complete all applicable | fields: | Flood Insurance | e Rate N | Map (FIRM) Panel Info |
| Regulatory Floodway: | estuary: 🗸 Floodplain: | Tillamook County | Panel N | Number: 41057C |
| New: Addition: Replacer | ment: Remodel: Demolish: | Effective Date: | Pro | perty Flood Zone(s): |
| Dwelling: Bridge | Accessory Structure: | Floodway: Y | N Pro | ject Flood Zone(s): |
| Culvert Diameter: Length: | Bridge Length: 650 ft. Width: 31.2 ft. | Stream/Waterboo | dy Name: | |
| Fence Height: | Retaining Wall Height: | Elevation Data | (NAVD | 88) |
| Streambank Stabilization: | Other: Bridge Maintenance | Base Flood Elevati | | First Habitable Floor: |
| Fill/Removal/Grading: 24 CY | | Lowest Floor/Hori | izontal Me | mber: |
| | | Enclosed Area: | | Flood Vent Area: |
| Structure/Damage \$: N/A | 5 Year Construction \$: | Other Required | d Permit | s |
| Substantial improvement/dar | mage threshold 50% cost vs. value | COE | DEQ | |
| | | | | |
| Authorization | | | | |
| obtaining any other necessary | not assure permit approval. The ap | The applicant verifies | that the i | |
| Property Owner Signature (Required) | | | | Date |
| Applicant Signature | | | | Date |
| | T | 4.5.10.1 | | |
| Development Permit App | olication Rev. 7/2 | 15/21 | | Page 1 |

Land Use Compatibility Statement

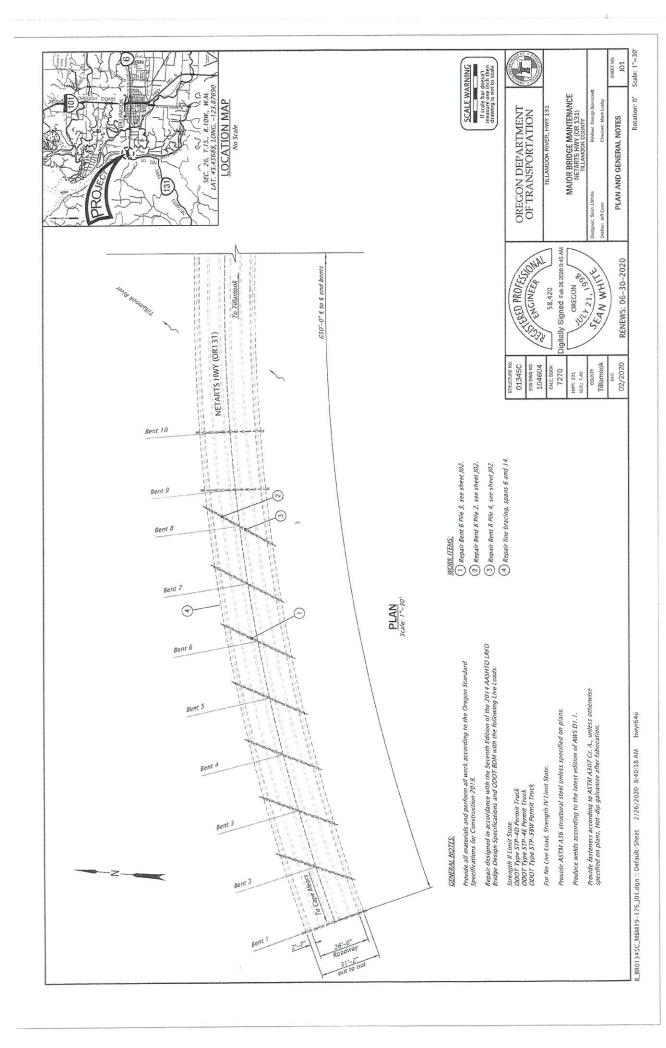
Prepared for the Tillamook County, OR - April 23, 2020

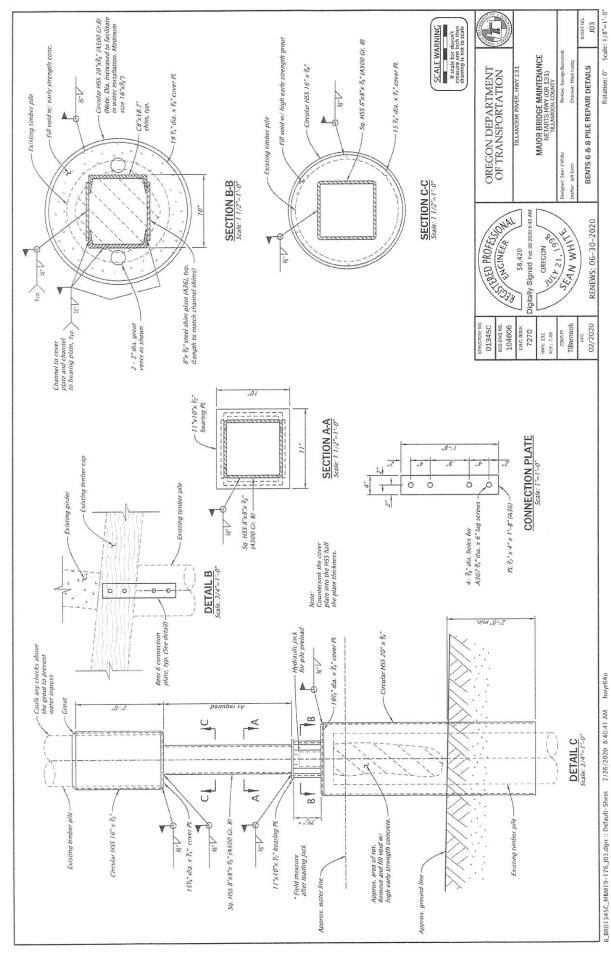
The Oregon Department of Transportation (ODOT) has requested that Tillamook County (1) determine whether the above referenced project is consistent with the County's comprehensive plan, and (2) identify the land use approvals and development permits that will be required. The response is provided below. ¹

| A. Con | pnsistency with comprehensive plan ² | |
|-------------|--|---|
| X | Project is consistent with comprehensive | plan |
| | Project is not consistent with comprehens | ive plan |
| B. Lan | nd use approvals and development perm | |
| | Plan Amendment | one Change |
| | Conditional Use Permit | Pevelopment Permit |
| \boxtimes | Other Permits: | lone |
| (Ple | lease list in Comments) Squary + Floodplain Type I | - Development Permit |
| C. Con | Development Regulated under | TCLUD Section 3.106 & Section 3.510 Standards per TCLUD Sections 3.120 3.140 Type II Review per TCLUD AA. 10 is not Floodway. |
| D. Cer | ertification | |
| Sara | ah Aboher | June 23,2020 |
| Plannin | ing Manager/Director | Date |
| Tillamo | ook County | |
| * Co Pl. | ensistency with CZMA lease call DLCD for | may be required. Confirmation |
| | | |

¹ This form was prepared by ODOT to comply with OAR 731-015. It may be modified by the responding local jurisdiction as they deem necessary. ODOT may present these findings to other regulatory agencies to satisfy the review requirements of those agencies.

² Projects identified in a locally-adopted Transportation System Plan are considered to be consistent with the comprehensive plan. (The TSP is an element of the comp plan.) Roadway maintenance and minor improvements, which are not typically identified in a TSP, are also considered to be consistent.





hwyr64u B_BR01345C_MBM19-176_J03.dgn :: Default-Sheet 2/26/2020 8:40:41 AM



Tillamook County Department of Community Development 1510-B Third Street. Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819

www.co.tillamook.or.us

OFFICE USE ONLY

DEVELOPMENT PERMIT

| | | | Juic Star | | |
|--|--|---|--------------|---------------|--------------------|
| Applicant ☑ (Check Box is | f Same as Property Owner) | | | | |
| Name: ODOT (Caroline Crisp). | | | | | |
| Address: 350 W Marine Dr | | | | | |
| City: Astoria | State: OR Zij | p: 97103 | | | |
| Email: Caroline Cirsp@odot.or | | p | | proved | □Denied |
| | | | | ved by: | |
| Property Owner | | | Recei | pt #: | |
| Name: | Phone: | | Fees: | + No. | |
| Address: | | | | - - | -PLNG |
| City: | State: Zip: | : | 831- | | PLING |
| Email: | | | | | |
| ground surface. The tube wornew parts spliced onto the bri | les. Rotten sections will be removuld be backfilled with concrete to idge piles. A floating platform wil | serve as a support. I be used to access the | Rotten sec | | |
| | s Highway) at MP 7.49. State RO\ | W. | | | |
| Map Number: 01S | 10W | | 26 | 08170 5780000 | ROW |
| Township | Range | Se | ection | Tax l | ot(s) |
| Complete all applicable f | | Flood Insurance | | | |
| <u> </u> | stuary: 🗸 Floodplain: | Tillamook County | | | 1057C05604 |
| New: Addition: Replacem | nent: Remodel: Demolish: | Effective Date: 9/2 | | 20 1-90 | |
| Dwelling: Bridge NA | Accessory Structure: NA | Floodway: | | ject Flood | Zone(s): NA |
| Culvert Diameter: NA | Bridge Length: 650 ft. | Stream/Waterbo | 200 | | |
| Length: Fence Height: NA | Width: 31.2 ft. Retaining Wall Height: NA | Tillamoo | 770.39 | 001 | |
| | | Base Flood Elevat | | | bitable Floor: NA |
| Streambank Stabilization: NA | | | | | ollable Floor: INA |
| Fill/Removal/Grading: 24 CY | Vegetation Removal: 0 CY | Lowest Floor/Hor | | _ | A NIA |
| The state of the s | | Enclosed Area:NA | \ | Flood V | ent Area: NA |
| Structure/Damage \$: N/A | 5 Year Construction \$: NA | Other Require | d Permit | S | |
| Substantial improvement/dam | nage threshold 50% cost vs. value | COE | DEQ | | |
| | | NWP #3 | 401 Ce | rtificate | |
| Authorization | | | | | |
| obtaining any other necessary | ot assure permit approval. The ap federal, state, and local permits. stent with other information subn | The applicant verifie | s that the i | | 53.536 |
| Caroline Crisp | | d by Caroline Crisp .22 16:38:46 -07'00' | | | |
| Property Owner Signature (Required) | Digitally signed b | ov Caroline Crien | | | Date |
| Caroline Crisp | Digitally signed b Date: 2023.05.22 | | | | |
| Applicant Signature | | | | | Date |
| Development Permit App | lication Rev. 7/2 | 15/21 | | | Page 1 |

TLCUO SECTION 3.510(14)(b) Development Permit Review Criteria:

- (1) The fill is not within a Coastal High Hazard Area.
 - i. This is correct, the fill is not within a Coastal High Hazard Area.
- (2) Fill placed within the Regulatory Floodway shall not result in any increase in flood levels during the occurrence of the base flood discharge.
 - i. It is a repair of the piling, no additional surface area. Not creating any increased capacity to flood.
- (3) The fill is necessary for an approved use on the property.
 - i. Yes, the fill is necessary and an approved use. The bridge needs repair.
- (4) The fill is the minimum amount necessary to achieve the approved use.
 - i. Yes, the fill is in the minimum amount necessary to achieve the approved use.
- (5) No feasible alternative upland locations exist on the property.
 - i. No, it is a bridge so it will inherently be in the floodplain. No feasible alternatives.
- (6) The fill does not impede or alter drainage or the flow of floodwaters.
 - i. No, the fill does not impede or alter drainage or flow of waters. A pair of pilings no additional surface area.
- (7) If the proposal is for a new critical facility, no feasible alternative site is available.
 - i. No critical facility is being built.
- (8) For creation of new, and modification of, Flood Refuge Platforms, the following apply, in addition to (14)(a)(1-4) and (b)(1-5):

This project will not create or modify a flood refuge Platform.

- i. The fill is not within a floodway, wetland, riparian area or other sensitive area regulated by the Tillamook County Land Use Ordinance
- ii. The property is actively used for livestock and/or farm purposes,
- iii. Maximum platform size = 10 sq ft of platform surface per acre of pasture in use, or 30 sq ft per animal, with a 10-ft wide buffer around the outside of the platform,
- iv. Platform surface shall be at least 1 ft above base flood elevation,
- v.Slope of fill shall be no steeper than 1.5 horizontal to 1 vertical,
- vi. Slope shall be constructed and/or fenced in a manner so as to prevent and avoid erosion.

Conditions of approval may require that if the fill is found to not meet criterion (5), the fill shall be removed or, where reasonable and practical, appropriate mitigation measures shall be required of the property owner. Such measures shall be verified by a certified engineer or hydrologist that the mitigation measures will not result in a net rise in floodwaters and be in coordination with applicable state, federal and local agencies, including the Oregon Department of Fish and Wildlife.

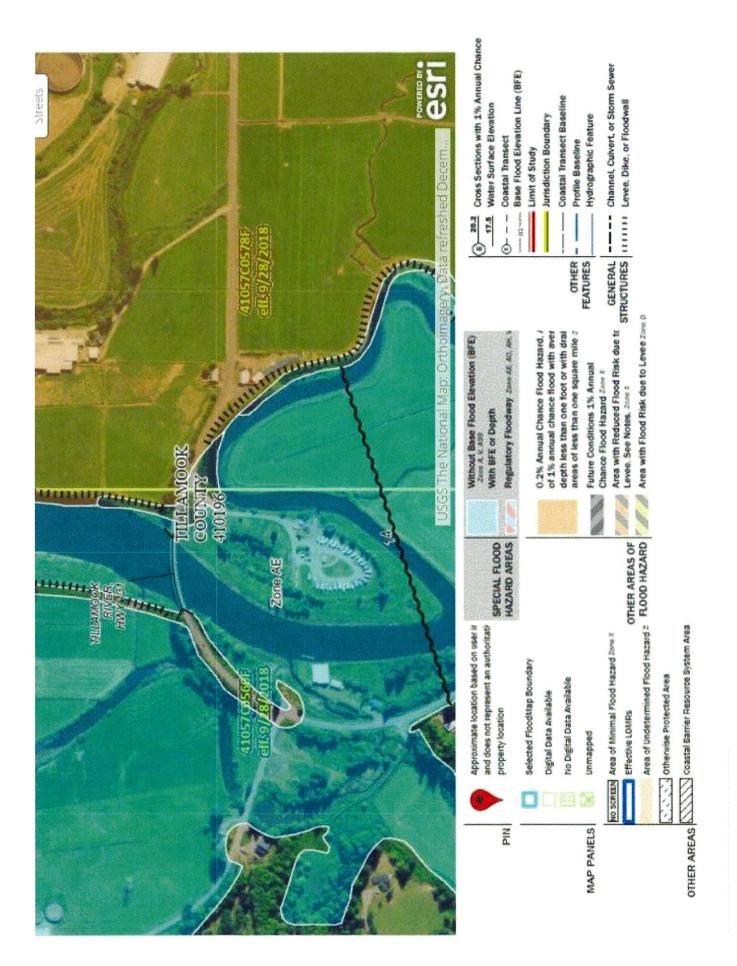
Exhibit A: Supporting Documents

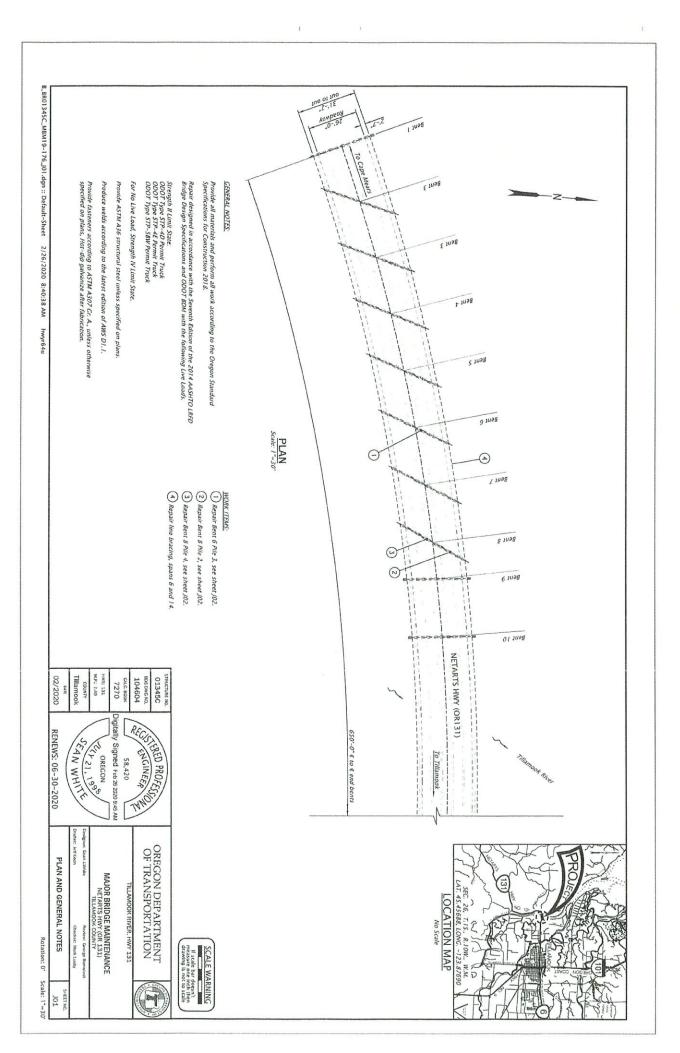
Narrative: Tillamook River Bridge Repair - Hwy 131

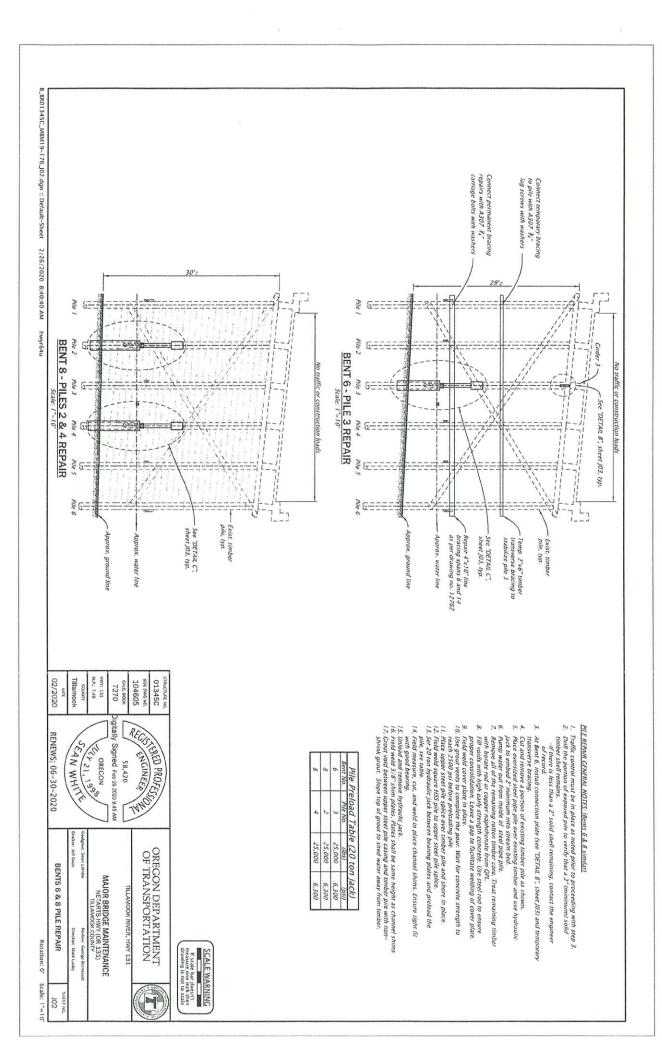
(Please see application page and plan set for approximate location of repair)

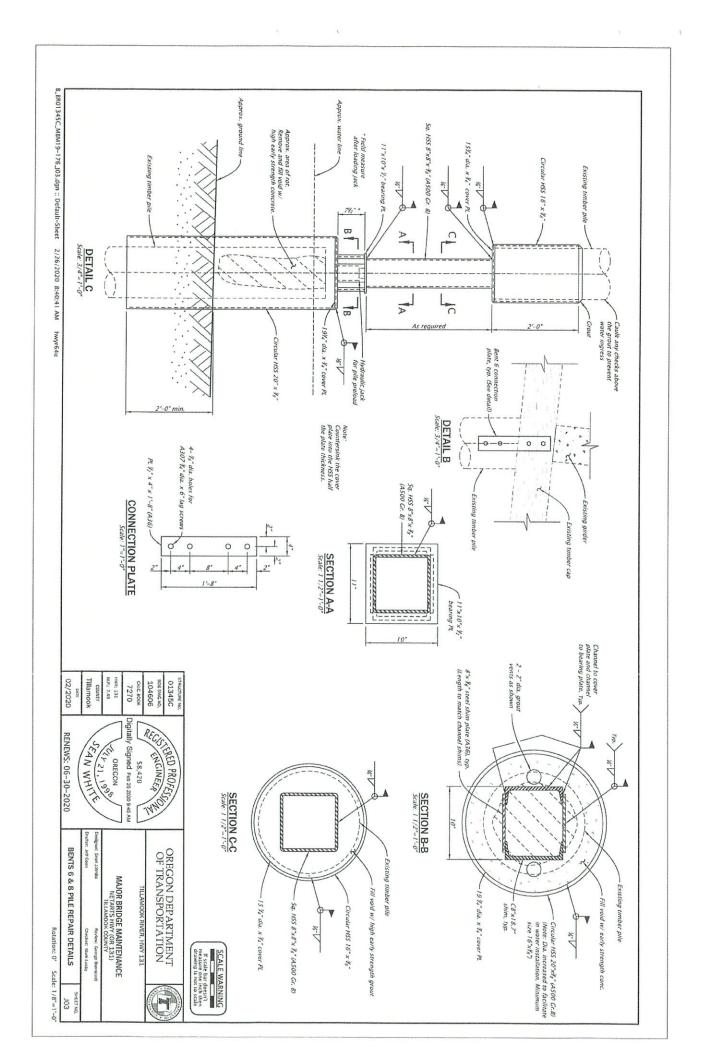
Description:

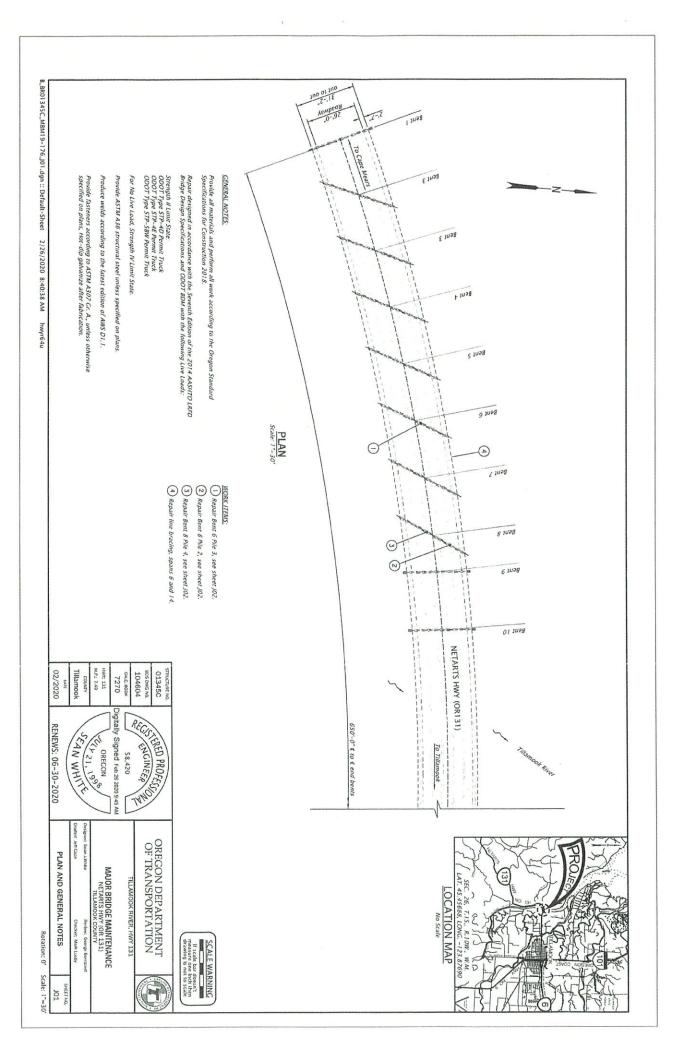
- 1. Nature of Activity- This ODOT maintenance project will repair 6 timber piles (within 5 bents) on the current serviceable structure. The work entails splicing the timber piles, so that the rotten sections can be removed and repaired. This will be achieved by embedding a circular, steel tube approximately 2-feet below the ground surface. The 15 3/4" diameter steel sleeve would be then back-filled with concrete to serve as the base support for the repaired piles. Work below the highest measured tide includes pushing the steel tube into the ground with a hydraulic jack and removing mud. Fill is limited to concrete poured inside the steel tube. There is 4 ft.2 of discharge (concrete) per pile (total of around 24 ft.2 for the 6 piles). Volume impacts would be 1 cy per pile (around 6 cy for the 6 piles). Since the bents are in the river, a floating dock is needed to access the piles. The dock involves a non-treated wood frame with a plywood deck, which will be floated on the water during low tides. Access will be from the bridge with no causing no impacts to the adjacent mud flats/salt marshes. The project will take about 21-days to complete with approximate 3 hour shifts during the low tides.
- 2. <u>Project Purpose</u> The purpose of the project is to repair failing bridge components to avoid load restrictions, while maintaining a safe highway system for the traveling public.
- 3. Description of Avoidance, Minimization, and Compensation The project will repair rotten timber piles, which will not result in modifications that changes the character, scope, or size of the existing structure. To minimize ground disturbance, a floating dock would be used to place the steel tube and repair the piles. All staging and construction materials will be on the existing bridge. Construction of the project will occur in one season during the extended ODFW in-water work period to minimize disturbances. To avoid inadvertent discharges, erosion control features will be used during construction. Compensation mitigation will not be needed due the negligible loss of Waters of the US.

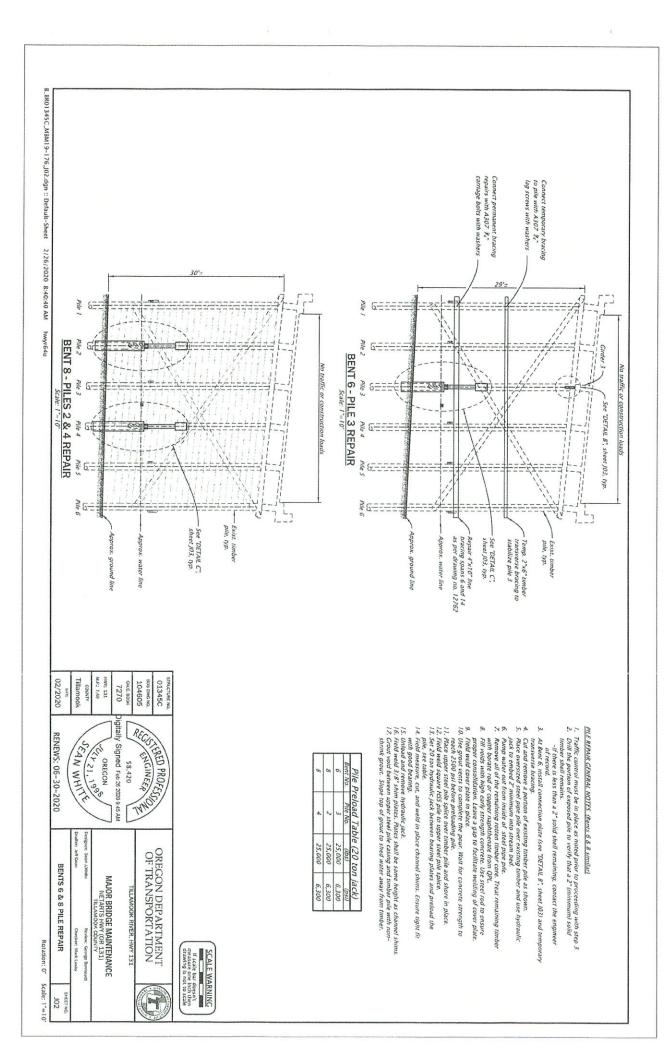


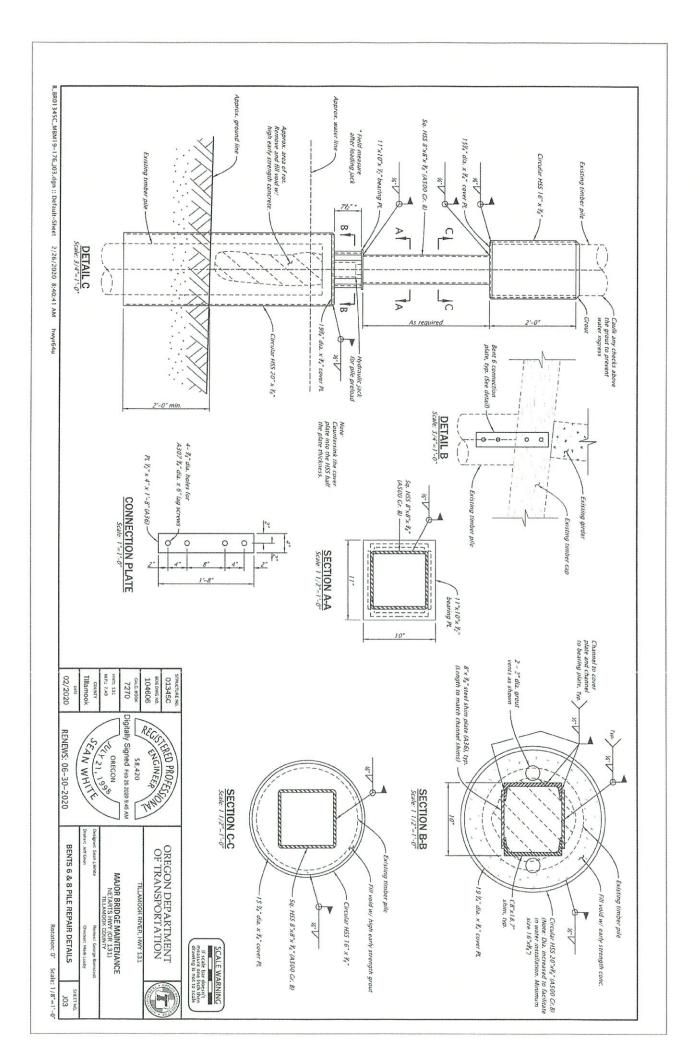


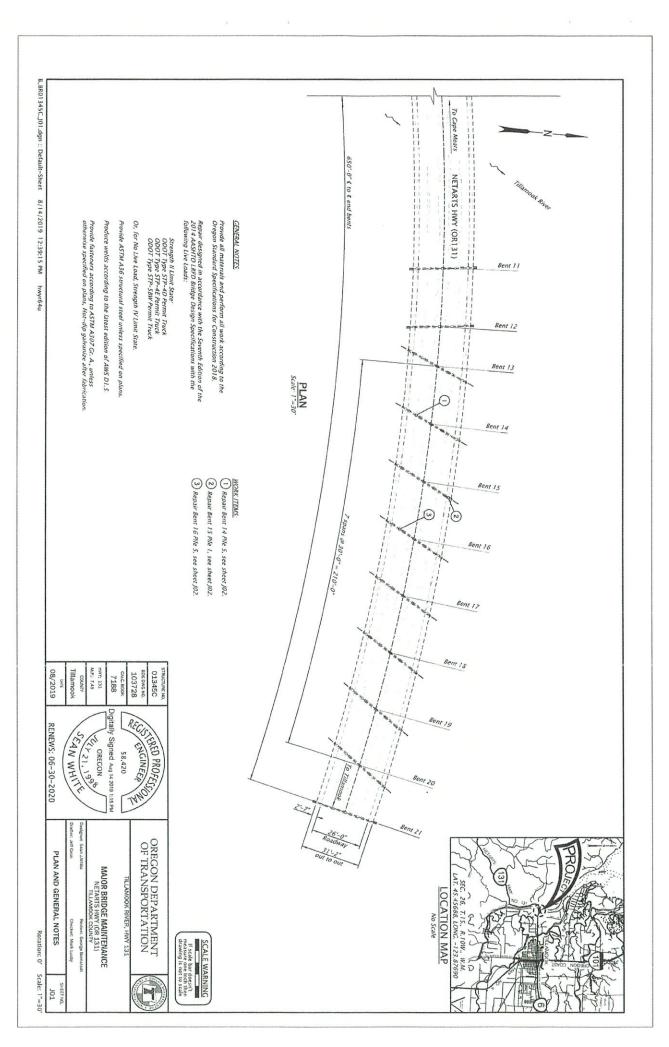


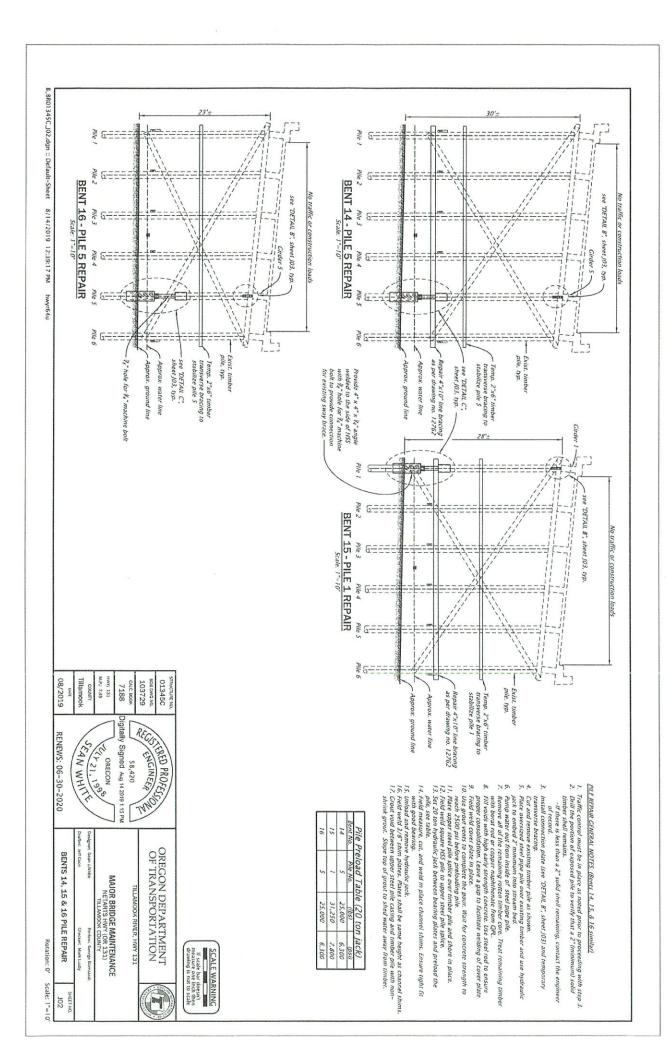












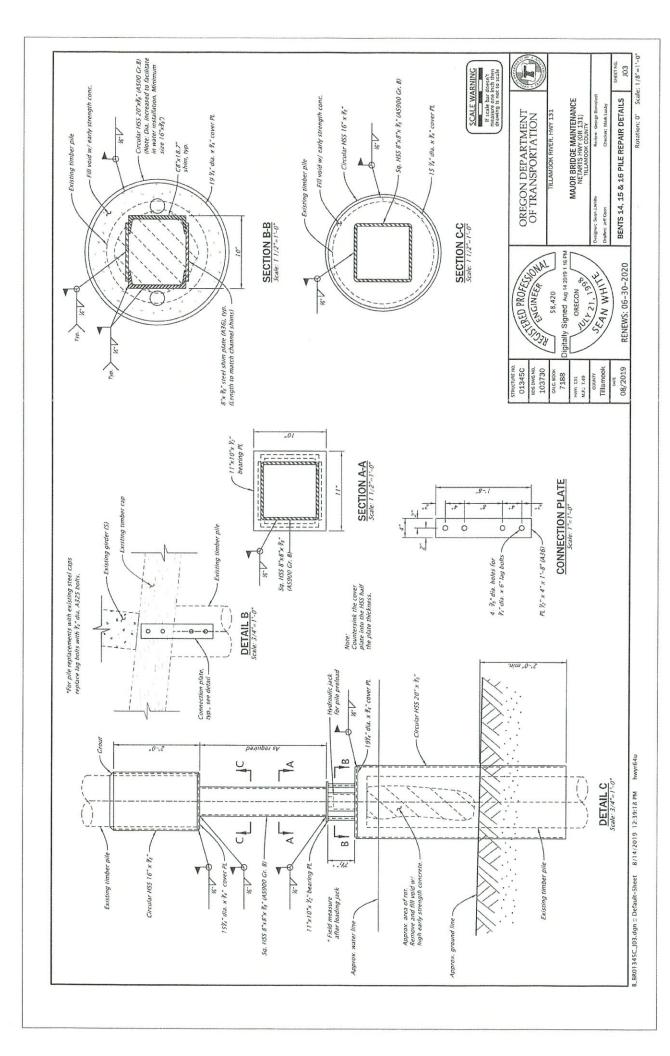


Exhibit B: U.S Army Corps Application

Print Form

Save As

U.S. Army Corps of Engineers (USACE) APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT

33 CFR 325. The proponent agency is CECW-CO-R.

Form Approved -OMB No. 0710-0003 Expires: 02-28-2022

The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at www.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE EMAIL.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: http://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx

| System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: http://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx | | | | |
|--|--|--|--|--|
| (ITEMS 1 THRU 4 TO BE | FILLED BY THE CORPS) | | | |
| 1. APPLICATION NO. 2. FIELD OFFICE CODE | 3. DATE RECEIVED 4. DATE APPLICATION COMPLETE | | | |
| (ITEMS BELOW TO BE | FILLED BY APPLICANT) | | | |
| 5. APPLICANT'S NAME | 8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) | | | |
| First - Ronald Middle - Lee Last - Francis | First - Middle - Last - | | | |
| Company - Oregon Department of Transportation | Company - | | | |
| E-mail Address - Ronald.L.Francis@odot.state.or.us | E-mail Address - | | | |
| 6. APPLICANT'S ADDRESS: | 9. AGENT'S ADDRESS: | | | |
| Address- 455 Airport Rd. SE, Building B | Address- | | | |
| City - Salem State - OR Zip - 97301 Country - US | City - State - Zip - Country - | | | |
| 7. APPLICANT'S PHONE NOs. w/AREA CODE | 10. AGENTS PHONE NOs. w/AREA CODE | | | |
| a. Residence b. Business c. Fax | a. Residence b. Business c. Fax | | | |
| STATEMENT OF AUTHORIZATION 11. I hereby authorize, N/A to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application. | | | | |
| SIGNATURE OF APPLICANT DATE | | | | |
| NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY | | | | |
| 12. PROJECT NAME OR TITLE (see instructions) OR 131: Tillamook River Bridge Maintenance | | | | |
| 13. NAME OF WATERBODY, IF KNOWN (if applicable) | 14. PROJECT STREET ADDRESS (if applicable) | | | |
| Tillamook River (RM 0.9) | Address Rural - Mile Point 7.49 on OR 131 (Netarts Hwy.) | | | |
| 15. LOCATION OF PROJECT | City State 7:- | | | |
| Latitude: •N 45.4568 Longitude: •W -123.8769 | City - State- Zip- | | | |
| 16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) | | | | |
| State Tax Parcel ID ODOT ROW Municipality | | | | |
| Section - 26 Township - 1S | Range - 10W | | | |

Print Form

Save As

17. DIRECTIONS TO THE SITE

From Salem, Oregon travel west to MP 7.49 on the Netarts Highway (OR 131). The project area is located west of the US 101 and City of Tillamook, Tillamook County (see Figure 1).

The project area is located within Section 10 Waters (Tillamook River) with adjacent mud flats/salt marshes having no Aquatic Resources of Special Concern. The highest measured tide is 11.92' ('88 NAVD). The Tillamook River is not a Scenic Waterway, but has ESA species and is designated as EFH.

18. Nature of Activity (Description of project, include all features)

This ODOT maintenance project will repair 6 timber piles (within 5 bents) on the current serviceable structure (see Attachment A). The work entails splicing the timber piles, so that the rotten sections can be removed and repaired. This will be achieved by embedding a circular, steel tube approximately 2-feet below the ground surface. The 15 3/4" diameter steel sleeve would be then back-filled with concrete to serve as the base support for the repaired piles. Work below the highest measured tide includes pushing the steel tube into the ground with a hydrulaic jack and removing mud. Fill is limited to concrete poured inside the steel tube. There is 4 ft.2 of discharge (concrete) per pile (total of around 24 ft.2 for the 6 piles). Volume impacts would be1 cy per pile (around 6 cy for the 6 piles). Since the bents are in the river, a floating dock is needed to access the piles. The dock involves a non-treated wood frame with a plywood deck, which will be floated on the water during low tides. Access will be from the bridge with no causing no impacts to the adjacent mud flats/salt marshes. The project will take about 21-days to complete with approximate 3 hour shifts during the low tides.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

The purpose of the project is to repair failing bridge components to avoid load restrictions, while maintaining a safe highway system for the traveling public.

Note: The preferred ODFW IWWP period for the Tillamook Estuary is November 1st through February 15th. A variance request to complete work during the period of September 8th through September 30th of 2020 has been approved. The in-water work consists of isolating the wooden piles with preformed forms, de-watering the work areas, and pouring concrete around the compromised timbers.

USE BLOCKS 20-23 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

To maintain service of the bridge, rotten sections of timber piles must be repaired. The discharge is limited to concrete poured into steel tubes to serve as a structural based to support the bridge girders and deck. In all, there is 4 ft.2 of fill per pile (total of around 24 ft.2 for the 6 piles). Volume impacts would be 1 cy per pile (around 6 cy).

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards:

Type

Type

Type

Amount in Cubic Yards

Amount in Cubic Yards

Amount in Cubic Yards

6

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Acres <0.1 acre

or

Linear Feet

23. Description of Avoidance, Minimization, and Compensation (see instructions)

The project will repair rotten timber piles, which will not result in modifications that changes the character, scope, or size of the existing structure. To minimize ground disturbance, a floating dock would be used to place the steel tube and repair the piles. All staging and construction materials will be on the existing bridge. Construction of the project will occur in one season during the extended ODFW inwater work period to minimize disturbances. To avoid inadvertent discharges, erosion control features will be used during construction. Compensation mitigation will not be needed due the negligible loss of Waters of the US.

| | | | | Print Forr | n Save As |
|--|---------------------------------|-----------------------------|--------------------------|-------------------------------------|----------------------------------|
| 24 Is Any Portion of th | e Work Already Complete? | Yes No IF YES. | DESCRIBE THE COMP | I ETED WORK | |
| 14. 13 Any 1 ordon or an | e Work Arready Complete! | | DESCRIBE THE COM | LETED WORK | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| 25. Addresses of Adjoi | ning Property Owners, Lesse | ees, Etc., Whose Property A | djoins the Waterbody (if | more than can be entered here, plea | ase attach a supplemental list). |
| | | | | | |
| a. Address- Leslie & | Ellis Martinez, P.O. Box | 15295 | | | |
| City - Rio Rancho | | State - | CA | Zip - 87174 | |
| | | | | | |
| b. Address- Tilla Bay | Farms, 40 Fenk Rd. W. | | | | |
| | | | | | |
| City - Tillamook | | State - OR | | Zip - 97141 | |
| . Address- Eric & Lo | retta Peterson, 105 Bay (| Ocean Rd. | | | |
| | | | | | |
| City - Tillamook | | State - | OR | Zip - 97141 | |
| | | | | | |
| . Address- | | | | | |
| City - | | State - | | Zip - | |
| zity - | | State - | | Zip - | |
| e. Address- | | | | | |
| | | | | | |
| City - | | State - | | Zip - | |
| 26. List of Other Certific | cates or Approvals/Denials re | eceived from other Federal, | State, or Local Agencies | for Work Described in Thi | s Application. |
| AGENCY | TYPE APPROVAL* | IDENTIFICATION NUMBER | DATE APPLIED | DATE APPROVED | DATE DENIED |
| NMFS | Slopes | NWR-2013-9717 | April 2019 | June 19th, 2020 | N/A |
| Γillamook County | LUCS | | April 2019 | June 2020 | N/A |
| SHPO | 106 Clearance | | April 2019 | June 16th, 2020 | N/A |
| | | - | | | |
| succession of the section of the sec | | | | | |
| Would include but is n | ot restricted to zoning, buildi | ng, and flood plain permits | | | |

Ron Francis

2/23/2023

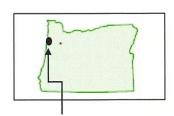
SIGNATURE OF APPLICANT

DATE SIGNATURE OF AGENT

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

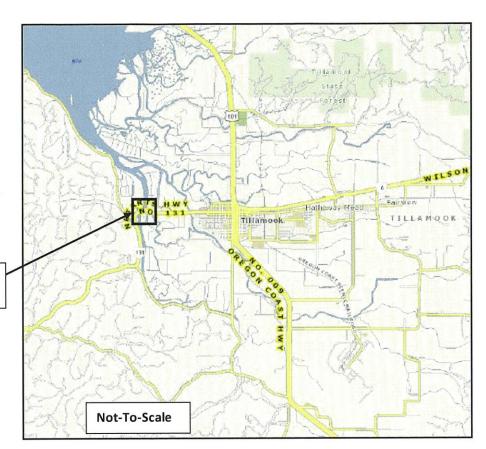
18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

annlicant



Project Location: Rural Tillamook County, OR

OR 131: Tillamook River Bridge Maintenance



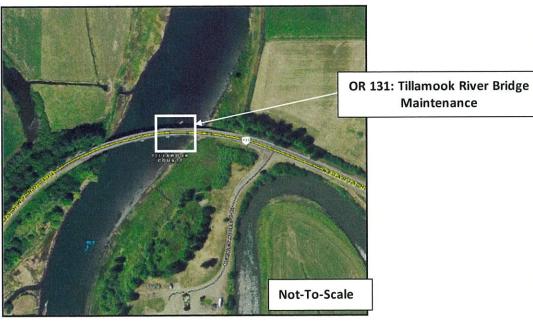


FIGURE 1

Vicinity and Aerial Photograph

OR 131: TILLAMOOK RIVER BRIDGE MAINTANENCE **RURAL TILLAMOOK RIVER COUNTY OREGON**

SOURCE: ODOT GPS, 2020

Oregon Department of Transportation

Maintenance

DATE: June 2020

Re-submitted Feb. 2023

ATTACHMENT A

Project Plan Sheets, Details, and Site Photographs

OR 131: TILLAMOOK RIVER BRIDGE MAINTANENCE RURAL TILLAMOOK RIVER COUNTY OREGON

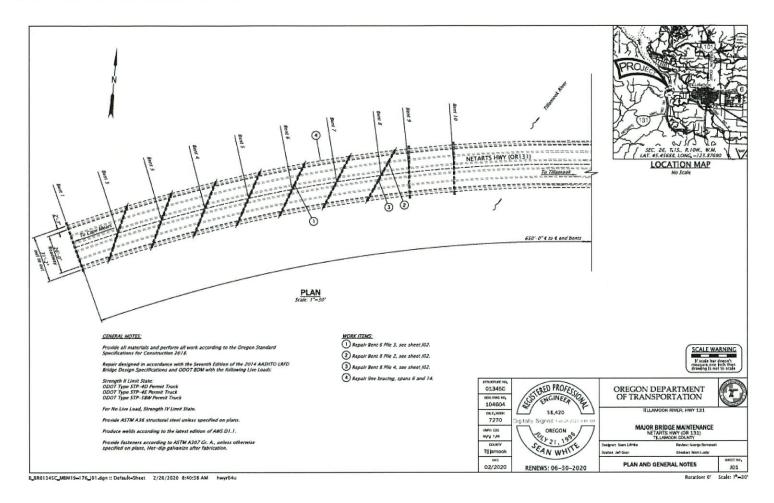




Photo shows the timber trestle substructure extending into the Tillamook River. Here, three piles will be repaired within Bents 6 and 8.

Project Plan Sheets, Details, and Site Photographs

OR 131: TILLAMOOK RIVER BRIDGE MAINTANENCE RURAL TILLAMOOK RIVER COUNTY OREGON

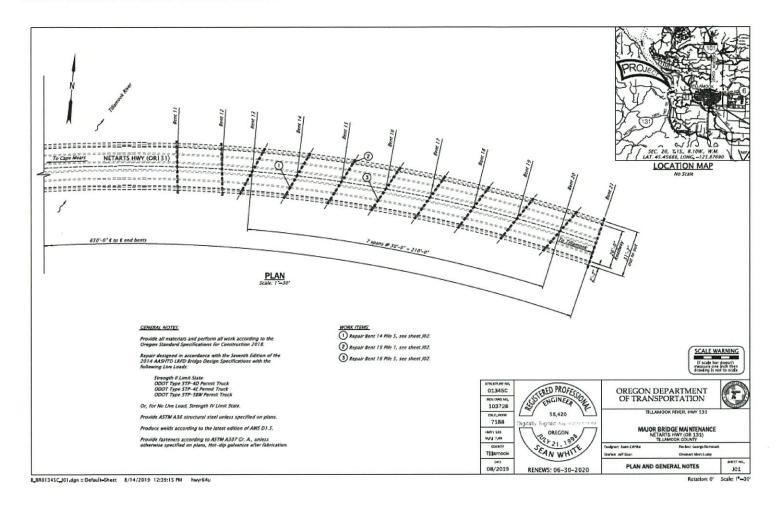
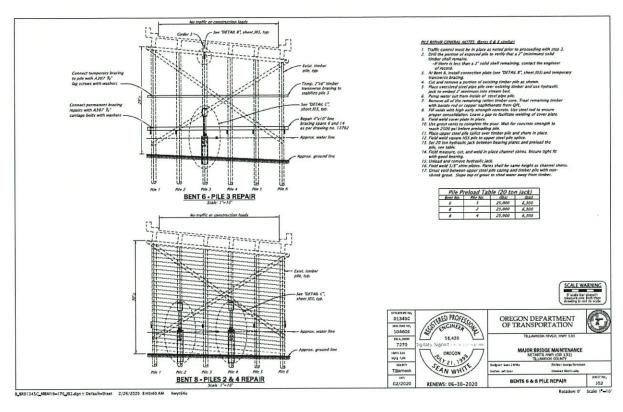


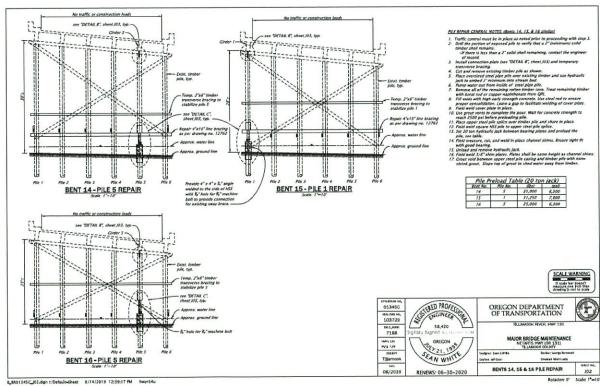


Photo shows the timber trestle substructure from the bridge abutment. Here, three piles will be repaired within Bents 14, 15, & 16. In total, 6 piles will be repaired.

Project Plan Sheets, Details, and Site Photographs

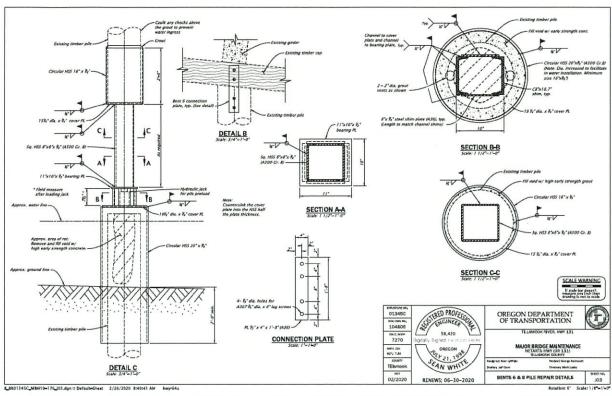
OR 131: TILLAMOOK RIVER BRIDGE MAINTANENCE RURAL TILLAMOOK RIVER COUNTY OREGON

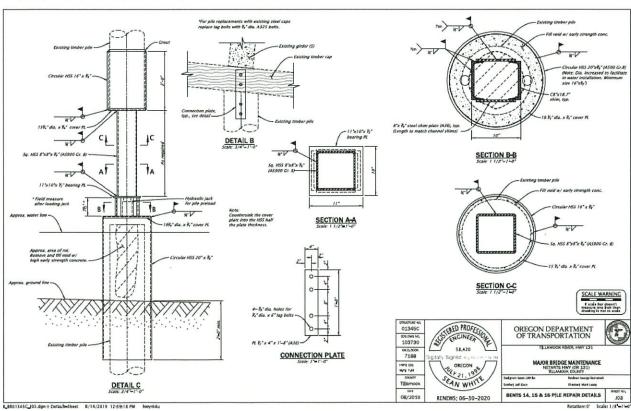




Project Plan Sheets, Details, and Site Photographs

OR 131: TILLAMOOK RIVER BRIDGE MAINTANENCE RURAL TILLAMOOK RIVER COUNTY OREGON





ATTACHMENT B SLOPES Documentation

OR 131: TILLAMOOK RIVER BRIDGE MAINTANENCE RURAL TILLAMOOK RIVER COUNTY OREGON

ACTIONIMPLEMENTATION FORM

1. Action Notification

| DATE OF REQUEST: | 6/19/2020 | | NMFS TRACKING #: NWR- | 2013-9717 |
|---|--|-------------|------------------------------|---------------|
| Type of Request: | ACTION NOTIFICATION (NO APPROVAL) ACTION NOTIFICATION (APPROVAL REQUIRED) | | | |
| Statutory Authority: | ☐ ESA ONLY[| ☐ EFH ON | Y SA & EFH COMBIN | IED |
| Lead Action Agency: | Corps of Engine | ers | | |
| Action Agency Contact: | | | Corps Action ID #: | |
| Applicant: | egon Department of | Transporta | ion Individual DSL Permit #: | |
| Project Name: | OR:131 Tillam | ook River | Bridge Repairs | |
| 6th Field HUC & Name: | Lower Tillam | ook River - | - 171002030302 | |
| Latitude & Longitude (in signed degrees format: DDD.dddd) | 45° 27' 1 | 24.7973" | N -123° 52' 34.2129" | W |
| Proposed Construction Period: | Start Date: | 9.8.202 | 20 End Dat | e: 9.30.2020 |
| Proposed Length of Channel and/or Riparian Modification in linear feet: | Repairing l | bridge be | nts and no modification | on to channel |
| Proposed Area of Herbicide Application in acres: | 0 | | | |

Project Description:

Type of Action:

The Oregon Department of Transportation (ODOT) proposes to make repairs to a bridge across the Tillamook River located at Milepost 7.5 on OR131 (Netarts Highway) west of the city of Tillamook The project area is located within Section 10 Waters (Tillamook River) with adjacent mud flats/salt marshes having no Aquatic Resources of Special Concern. The highest measured tide is 11.92' ('88 NAVD). The Tillamook River is not a Scenic Waterway, but has ESA species and is designated as EFH This is a state-funded bridge repair project. The project proposes to repair six piles (on five bents) and bracing on two spans. Repair of the piles will require placing a 15 ½ inch steel sleeve over the existing piling and embedding the sleeve about 2' into the river bed. The void between the steel sleeve and the piling will be filled with concrete and grout. Ground disturbance will be limited to sinking the steel sleeve into the river bed using a hydraulic jack. Access to the river will be via a floating platform with equipment lowered from the bridge deck. All other access to the underside of the bridge will be on foot. Staging will be limited to previously improved areas, likely the along the old highway alignment on the east end of the Area of Potential Effects.

- The work will be completed using a small floating dock attached to the bridge. Tide cycles in the proposed time frame are favorable for isolating the piers during low tide cycles, and to keep the floating dock from becoming grounded. Tide cycles also limit the work window to 3-hours each day, resulting in the 3 week timeframe needed to finish this project.
- The proposed work will need to close the bridge to Hwy 131 traffic, and it is preferred this closure occurs after Labor Day to minimize impacts to local economy. The District 1 (North Coast Area) Manager does not want us to close roads during the tourist season Memorial Day to Labor unless it is an emergency. This is the normal every year but due to Covid 19 and the impact it has had on coastal businesses ODOT wants to be extra careful not to impact businesses.
- To avoid higher flows and potential storms commonly experienced during the preferred Winter IWWP, the proposed period would avoid challenges resulting from swells, wind, and potential concrete spills. Robert Bradley, North Coast Watershed, ODFW District Biologist has agreed on the In-Water Work Window (IWW) of September 8 to September 30 in water work window with the bellow stipulation. ODOT has agreed and will complete all stipulations.

ODFW Stipulations

ODFW approves your request for an in-water variance to conduct work on the Hwy 131 bridge over the Tillamook River from Sept. 8-30, 2020, subject to the following conditions:

- 1. The contractor needs to be staged and ready to commence work on Sept. 8th. The project needs to start on time and proceed in a timely fashion to ensure completion within the requested window.
- 2. ODOT should coordinate with the Oregon State Marine Board, Tillamook County Parks, and the City of Tillamook to notify boaters of the work being conducted and any possible conflicts or hazards associated with the work barges, equipment, etc. At a minimum, notices should be posted at the Memaloose Boat Ramp, Carnahan Park (5th St) Boat Ramp, and the Burton Bridge Boat Ramp prior to the work period.
- Provide this correspondence to all appropriate permitting agencies as needed.

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.

project-specific criteria necessary to achieve the project purpose: Repair of the piles will require placing a 15 ¾ inch steel sleeve over the existing piling and embedding the sleeve about 2' into the river bed. The void between the steel sleeve and the piling will be filled with concrete and grout. Ground disturbance will be limited to sinking the steel sleeve into the river bed using a hydraulic jack. Access to the river will be via a floating platform with equipment lowered from the bridge deck. All other access to the underside of the bridge will be on foot. Staging will be limited to previously improved areas, likely the along the old highway alignment on the east end of the Area of Potential Effects.

No Build: The bridge would become weight limited and eventually would need to be closed. This would be devastating to the people who use the road along with businesses in the area. A No Build alternative; however, would result in a continuation of current land conditions with no impacts to the River.

Replace Bridge: The bridge would cost millions of dollars to replace and would take years to get a design complete and the bridge built. The bridge is able to be repaired so this is the least impact to environment and traveling public.

Alternative Designs: Avoidance and Minimization Measures: The project is designed to meet operational/safety goals and to minimize environmental impacts. The only fix is to repair the bents and this is the design standard.

| Identify the type of action proposed. | |
|--|--|
| Actions Requiring No Approval from NMFS Natural Hazard Response Streambank and channel stabilization Road surface, culvert and bridge maintenand Utility line stream crossing | ☐ Pile installation ☐ Fish screen design for diversion >3 cfs |
| NMFS Species/Critical Habitat Present in Act the species found in the action area: ESA Species | ion Area: Identify |
| Upper Willamette River spring-run Chinook Upper Willamette River steelhead Lower Columbia River Chinook Lower Columbia River steelhead Lower Columbia River coho Columbia River chum | ☒ MCR steelhead ☐ Snake River sockeye ☒ UCR spring-run Chinook ☐ Oregon Coast coho ☒ UCR steelhead ☐ SONCC coho ☐ SR spring/summer run Chinook ☒ Green sturgeon ☐ SR fall-run Chinook ☒ Eulachon |
| EFH Species | |
| ✓ Salmon, Chinook ✓ Salmon, coho ✓ Coastal Pelagics ✓ Groundfish Terms and Conditions: | |

Check the Terms and Conditions from the biological opinion that will be included as conditions on the permit issued for this proposed action. Please attach the appropriate plan(s) for this proposed action.

| Administrative Electronic notification Site assessment for contaminants Action completion report Site access Salvage notice Natural hazard response | Natural Hazard | Streambank/Channel Stabilization Alluvium placement Large wood (LW) placement Vegetated riprap with LW Woody plantings Herbaceous cover Streambank shaping Coir logs Soil reinforcement Engineered log jams Floodplain flow spreaders Fertilizer Fencing Filling scour hole Slope stabilization with rock Invasive and Non-native Plan Control Non-herbicide methods Power equipment Herbicide applicator qualifications Transportation and safety plan Approved herbicides Approved herbicides Approved herbicide adjuvants Approved herbicide application rates Approved herbicide application methods Minimize herbicide drift and leaching Required no-spray buffer distances |
|--|----------------|---|
|--|----------------|---|

ATTACHMENT C Section 106 Documentation

OR 131: TILLAMOOK RIVER BRIDGE MAINTANENCE RURAL TILLAMOOK RIVER COUNTY OREGON



Department of Transportation

Highway Division/Technical Services Geo-Environmental Section, MS#6 4040 Fairview Industrial Dr SE Salem, OR 97302

Phone: (503) 986-3252 Fax: (503) 986-3249

Date: June 16, 2020 [AMENDED 6/18/20]

To: Corissa Anderson-Horvath

Region 2 Environmental Coordinator Oregon Department of Transportation

From: Roy Watters 2

ODOT Archaeologist

RE: No Potential to Cause Effects Memo

Tillamook River Bridge Repair Project T1S, R10W, Sec 26; Netarts Quadrangle

Tillamook County, Oregon ODOT Key No. M19023

The Oregon Department of Transportation (ODOT) proposes to make repairs to a bridge across the Tillamook River located at Milepost 7.5 on OR131 (Netarts Highway) west of the city of Tillamook (Project Area Map). This is a state-funded bridge repair project but will require a US Army Corps of Engineers (Corps) permit for in-water work and a NMFS/NOAA SLOPES permit. The project proposes to repair three piles (on two bents) six piles (on five bents) and bracing on two spans. Repair of the piles will require placing a 15 ¾ inch steel sleeve over the existing piling and embedding the sleeve about 2' into the river bed. The void between the steel sleeve and the piling will be filled with concrete and grout. Ground disturbance will be limited to sinking the steel sleeve into the river bed using a hydraulic jack. Access to the river will be via a floating platform with equipment lowered from the bridge deck. All other access to the underside of the bridge will be on foot. Staging will be limited to previously improved areas, likely the along the old highway alignment on the east end of the Area of Potential Effects (APE). The APE for the ODOT project is provided in the attached APE map, although the Corps generally limits their APE to the smaller jurisdictional area they permit.

A review of Oregon State Historic Preservation Office (SHPO) files revealed that two previously recorded archaeological sites are present within 1 mile of the project area. Site 35TI90 was a base camp for fishing and hunting activities and a manufacture site for related technology dated to between ca. 1,300 and 250 years b.p. (2012 Roulette, et. al), and is located approximately 1,200 meters east of the current project area. SHPO records also have a notation for the possible location of Camp West Tillamook - Oregon National Guard Camp [1913] just south of site 35TI90. In addition, SHPO records note the possible location of TOW-ER-QUOT-ONS SITE as per Le Gilsen's map, located approximately 1,500 meters ENE of the current project area. The section of OR131 within the current project area was surveyed in 2011 for a proposed Tillamook

No Potential to Cause Effects Memo Tillamook River Bridge Repair Project T1S, R10W, Sec 26; Netarts Quadraugle Tillamook County, Oregon ODOT Key No. M19023 Page 2 of 3

PUD transmission line (2011 Wilt) and again for proposed Verizon fiber optic line (2013 Finley) – neither survey identified any cultural resources.

Roy Watters, ODOT Archaeologist and Tribal Liaison, sent a project description, maps and the results of his site visit to the Confederated Tribes of the Grand Ronde Community of Oregon and the Confederated Tribes of Siletz Indians on June 2, 2020. No comments were received. Amended project descriptions were provided to the Confederated Tribes of the Grand Ronde Community of Oregon and the Confederated Tribes of Siletz Indians on June 18, 2020.

I visited the project area in April 2020. Ground visibility was limited due to vegetation, but again, no ground disturbance is expected outside of the river channel. No archaeological resources were observed.

Based upon proposed construction impacts, the project is unlikely to impact historic properties (archaeology) and no further work is recommended. ODOT's internal review of the proposed project resulted in the following determination: No Potential to Cause Effects.

If you have any questions, please contact Roy Watters, ODOT Archaeologist, at 503-986-3375, or roy.watters@odot.state.or.us.

References Cited

Finley, Aimee A.

2013 Results of a Cultural Resources Assessment of the Verizon Wireless Fiber Optic Cable – Cape Meares Route, Tillamook County, Oregon. AAR Report, No. 1170, Portland, Oregon.

Roulette, Bill R., Thomas E. Becker, Lucille E. Harris, and Erica D. McCormick 2012 Archaeological Investigations at Site 35TI90, Tillamook, Oregon. AAR Report, No. 686. Portland, Oregon.

Wilt, Julie

2011 Results of a Cultural Resources Investigation of the Proposed PUD Transmission Line Project, Tillamook County, Oregon. CH2MHill, Portland, Oregon.

Attachments

Tillamook River Bridge Repair Project Area Map Tillamook River Bridge Repair APE Map

ATTACHMENT D

Land Use Compatibility Statement (Tillamook County)

OR 131: TILLAMOOK RIVER BRIDGE MAINTANENCE RURAL TILLAMOOK RIVER COUNTY OREGON

ODOT Maintenance Project: Hwy 131 Tillamook River Hwy Bridge Maintenance

Land Use Compatibility Statement

Prepared for the Tillamook County, OR - April 23, 2020

The Oregon Department of Transportation (ODOT) has requested that Tillamook County (1) determine whether the above referenced project is consistent with the County's comprehensive plan, and (2) identify the land use approvals and development permits that will be required. The response is provided below. ¹

| A. Con | nsistency with comprehensive plan ² | |
|---------|---|--|
| X | Project is consistent with comprehensi | ve plan |
| | Project is not consistent with comprehe | ensive plan |
| B. Lan | nd use approvals and development pe | ermits required |
| | Plan Amendment | Zone Change |
| | Conditional Use Permit | Development Permit |
| M | Other Permits: | None |
| (Ple | ease list in Comments) Squary + Floodplain Type | II Development Permit |
| C. Con | mments Development Regulated unde | r TCLUD Section 3.106 & Section 4.106 & Section 4.106 & Section 5.106 & Sectio |
| D. Cer | rtification | |
| Sara | ah Aboher | June 23,200 |
| Plannin | ng Manager/Director | Date |
| Tillamo | ook County | |
| * Co | onsistency with CZMA | I may be required. |
| PI. | onsistency with CZMF lease Call DLCD for | Confirmation |

¹ This form was prepared by ODOT to comply with OAR 731-015. It may be modified by the responding local jurisdiction as they deem necessary. ODOT may present these findings to other regulatory agencies to satisfy the review requirements of those agencies.

Projects identified in a locally-adopted Transportation System Plan are considered to be consistent with the comprehensive plan. (The TSP is an element of the comp plan.) Roadway maintenance and minor improvements, which are not typically identified in a TSP, are also considered to be consistent.

ATTACHMENT E

401 Certificate Request (Oregon Department of Environmental Quality)

JPA Attachment Clean Water Act Section 401 Water Quality Certification Supplemental Information Requirements

1. Identify the project proponent(s) and a point of contact;

Oregon Department of Transportation (ODOT).

Ron Francis, ODOT Region 2 Wetland Specialist.

2. Identify the proposed project;

OR 131: Tillamook River Bridge Maintenance.

3. Identify the applicable federal license or permit;

USACE Nationwide Permit #3.

4. Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters;

Project Location: OR 131 at the Tillamook River Bridge (MP 7.49), 45.4568 & -123.8769

The purpose of this state highway project is to comply with recommended pier scour protection measures for the maintenance of existing bridges. Maintenance is proposed at this time, since replacement of the bridge could be 20 years or more due to its relative good condition and high performance rating. A bridge inspection report in 2014 cites 3-5-feet of scour exposing the columns. Based on the need, the design specifically focuses on scour repair at the existing structure. The project does not propose any upgrades to the bridge or highway section with no storm water requirements. A floating platform will be used to place the riprap into the 4 scour holes underneath the bridge.

The project will result in a discharge of fill material in the amount of <u>6</u> cubic yards to the Tillamook River located in the vicinity of <u>45.4568 & -123.8769</u>.

The project doesn't include new impervious surfaces that will discharge treated storm water to the river.

5. Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge:

Standard best Management Practices (BMP's) for erosion and sediment control will be installed to protect the water resource. To ensure their effectiveness, the erosion control items will be routinely inspected and maintained. A pollution control plan with onsite clean-up material will be provided by the contractor to reduce the risk of spills and leaks into the waterways. All heavy equipment shall be checked for fluid leaks, inspected, and cleaned prior to operating within 150 feet of the regulated work areas (ODOT Standard Specification 00290's). Specific BMP's to be utilized during construction of this project includes:

- Work during the ODFW summer in-water work window, as opposed to the typical winter months for estuaries. The in-water work extension was approved by ODFW, which provides a lower chance to affect listed fish species.
- Follow all terms/conditions of the COE/DEQ permits and SLOPES.
- Minimize vegetation removal to the maximum extent practicable.
- Have additional erosion control materials (such as matting, biofilter bags, etc.) available onsite.
- Comply with conditions of the ODOT's NPDES 1200CA permit.
- Apply principles outlined in the ODOT Erosion Control Manual.

LUCS

6. Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received:

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

February 2022 (expired March 2023)

FHWA
SLIOPES
April 2019(approved)

SHPO
Section 106
April 2019 (approved)

April 2019 (approved)

7. Include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request;

See below

Tillamook County

Submittal Receipt



Department of Environmental Quality, State of Oregon

700 NE Multnomah Street, Suite 600 Portland, OR 97232-4100

Create Date: 1/3/2023

Submittal Summary

Submittal ID: 44221

Submittal: (401) - 401 Dredge and Fill Supporting Materials

Submitted By: Ron Francis

Email: Ronald.L.Francis@odot.oregon.gov

Submitted Date: 2023-01-03 08:01:01

Form Detail

Submittal Name: (401) - 401 Dredge and Fill Supporting Materials

Submission Method: Online

Action Type: New

Payment Information

There is no payment due at this time.

Certification

Certification Statement: I hereby certify that I am either the activities' owner or operator, or the owner's or operator's authorized

Certification Question: What is the first and last name of your oldest sibling?

Certification Question Answer: ******

PIN Number: ******
IP Address: 167.131.0.194

Responsible Official: Ron Francis

- The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief.
- The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.