



R & E Grant Application 13 Biennium

Project #:
13-079

Town Lake Dam Restoration

Project Information

R&E Project Request: \$89,875.00
Match Funding: \$55,450.00
Total Project: \$145,325.00
Start Date: 8/15/2014
End Date: 6/30/2015
Project Email: jackandtina@centurylink.net
Project Biennium: 13 Biennium
Organization: North Coast Salmon and Steelhead Enhancement Fund (Tax ID #: 86-1115400)

Fiscal Officer

Name: Tina Smith
Address: PO Box 333
Tillamook, OR 97141
Telephone: 503-842-6313
Email: jackandtina@centurylink.com

Technical Contact

Name: Robert Bradley
Address: 4907 Third St
Tillamook, OR 97141
Telephone: 503-842-2741 x253
Telephone 2: 503-338-8667
Fax: 503-842-8385
Email: Robert.Bradley@state.or.us

Applicant Information

Name: Jack Smith
Address: P.O. Box 333
Tillamook, OR 97141
Telephone: 503-842-6313
Email: jackandtina@centurylink.net

Past Recommended or Completed Projects

Number	Name	Status
11-004	Borba Rd. Boat Slide Construction	Completed

Project Summary

This project is part of ODFW's 25 Year Angling Plan.

Activity Type: Miscellaneous (Enhancement)

Summary: Town Lake, near Pacific City, is created by a small dam. The dam is old and is failing. Additionally, the outlet culvert is also failing. This project seeks to replace the dam, remove a portion of the outlet culvert, and improve the overall drainage system.

Objectives: The objective of this project is to replace the dam at Town Lake, remove a portion of the outlet culvert, and improve the ability to control outlet flow from the lake. This will maintain the lake and its popular recreational fishery, while minimizing impacts to the adjacent county road.

Fishery Benefits: Town Lake supports a popular recreational fishery for stocked trout, surplus hatchery steelhead, and warmwater species (primarily largemouth bass). This fishery would not exist without the dam that forms the lake, thus this project is vital for maintaining this opportunity

Watershed Benefits: Not applicable- this project is not a watershed based project.

Current Situation: Town Lake, located near Pacific City on the north Oregon coast, is a popular recreational fishery. Situated just north of the community of Woods, the lake provides easy roadside access close to populated areas, but in a rural, somewhat more natural-like setting. Its location lends itself to use by local Tillamook County residents, but also to tourist anglers visiting the coast. An established ramp is available for small boats to launch. The lake is heavily stocked with legal size rainbow trout in the spring. Larger trout are stocked in late spring, and trophy sized rainbows are released in the fall. Warmwater fish, primarily largemouth bass, provide opportunity through the summer months. Largemouth bass up to 5 pounds or more inhabit the lake. Surplus hatchery summer and winter steelhead are released in the lake in the fall and winter, providing further angling opportunity. Interestingly, this has developed into an attractive fishery, even supporting a handful of guided trips each year. Although no formal estimate has been made, ODFW believes the lake provides several thousand angler-hours annually.

Town Lake was created many years ago (at least 40-50 years) by the construction of a small dam that impounded Sand Creek. It is unclear when the current dam was built, but is likely the 1970's or earlier. Sand Creek flows out of Town Lake through a culvert that crosses under Sandlake Rd. The culvert is very old also, possibly installed around the same time the dam was constructed. In recent years, both the dam and culvert have begun to rapidly deteriorate. The bottom has rusted out of portions of the culvert just downstream of the dam, and the concrete walls of the dam are cracking. Water exiting the lake has found the path of least resistance, which is through the road fill, around the dam and into the culvert through the

rusted out bottom. Dirt and/or sand within the road fill is being washed away, causing slumping of the roadway as the fill settles. This has put additional pressure on the west wall of the dam, and in recent months the wall has developed a substantial lean. Due to the presence of the road, there is likely no immediate danger to downstream properties should the structure collapse. However, now is the appropriate time to replace this structure.

Alternatives: No action alternative- Taking no action would leave the dam and culvert in a state of disrepair and on a continued path to failure. The lake could drain and repairs would likely be even more costly. This project has already been put off and/or delayed long enough. The no action alternative is not feasible for these reasons.

Remove the dam- Another possible alternative is to remove the dam and restore the system to the stream that originally existed through the site. This would eliminate the lake and associated angling opportunities, and would provide little benefit to native fish (due to barriers just downstream of the project site). This is not a preferred outcome, as this lake provides a very popular fishery and is a fixture on the local landscape.

Rebuild the dam- The preferred solution and the only one deemed realistic is to replace the structure. Although expensive in the short term, maintaining the lake should provide countless hours of recreational fishing opportunity over the next few decades.

Designer: Cascade Design- provide engineering services to design new dam.
Tillamook County Road Department- design outlet channel and culvert removal

Methods: Initially, ODFW will slowly draw down the lake level throughout the spring and summer by removing or manipulating dam boards on the face of the dam. Depending on conditions and the needs of the contractor, the lake will either be mostly drained, or a temporary coffer dam will be installed so that water in the construction area can be controlled. Water flowing through the project area can then be re-directed as necessary or be pumped around the site, as determined by the contractor. If necessary to drain the lake, ODFW will provide containment barriers to prevent fish from escaping and/or conduct salvage operations to remove fish.

Once the water is under control, the contractor will demolish the existing dam structure and excavate the area around the dam site as needed. Once cleared, the new dam will be built in the same location as the existing structure. A trash rack will be installed along the face of the dam, and grating will be installed over the top to provide a walkway. Sheet piling will then be driven along approximately 50 feet of the west side of the lake bordering the road. Road fill removed for dam construction will be replaced when the dam is completed.

Excavation will continue downstream to create the new outlet channel and remove the portion of the existing culvert upstream of Sandlake Road. Concrete eco-blocks will be installed to line the outlet channel and hold back the road fill (west side) and hillside (east side). Once the culvert section is removed and the open channel created, a concrete headwall will be built around the culvert entrance. Finally, a grizzly or similar debris collection device will be installed on the upstream culvert entrance to prevent large debris from entering the culvert.

Best management practices will be applied to minimize sediment transport and overall impact to the project site and downstream areas. This includes using sediment barriers as necessary, utilizing equipment from the roadway or dry ground to the extent possible, pumping or otherwise removing water from the work area, using traffic control or closing the road to traffic as needed for construction activities, and maintaining spill containment/clean up supplies on-site. All excavated materials not re-used will be disposed of in an upland site.

Inspector: ODFW, Tillamook County

Funding Elements: R&E funds will be utilized for all aspects of construction of the new dam and water control barrier. A contractor will be hired to remove the existing dam structure, construct a new dam, install the sheet piling/water barrier, and excavate the outlet channel.

Work will be done in cooperation with the Tillamook County Road Department

(TCRD), so the contractor will also be removing a portion of the old culvert and constructing the open channel downstream of the dam. This work will be paid for by TCRD.

Partners: Yes

ODFW- provide construction oversight for activities related to the dam replacement

Tillamook County Road Department- provide design and construction oversight for the outlet channel excavation and culvert removal

Cascade Design- provide engineering design for dam replacement work

Existing Plan: Yes

This project works to achieve goals defined by the 25-year angling enhancement plan developed by ODFW. Among the several objectives stated in the plan, this project will address the department's goal to "maintain access and current facilities" and "actively manage fisheries" to provide angling opportunity into the future. This project will also help "provide stable fishing opportunity" and provide "close and easy access to angling opportunities" as stated in the plan. As this lake provides ample fishing opportunity for families and kids, there is also the potential to recruit new anglers or retain current anglers, another objective of the plan.

Affected Contacted: Yes

Affected Supportive: Yes

Affected Comments: Numerous anglers who utilize this lake have expressed support for maintaining the lake and fishery.

Neighboring landowners have been notified of the project.

The following agencies have been contacted to determine permitting status (as it affects ODFW's portion of the project):

ODFW Fish Passage Program- a fish passage exemption application was submitted in early March, 2014 and is in progress. Due to a series of waterfalls just downstream of the project, it seems likely the exemption will be granted.

Oregon Water Resources Department- OWRD determined that no permit was necessary due to the height of the dam (below minimum height to trigger a permit). ODFW already owns a water right to store water at the lake. No change to the storage capacity will occur, so the water right is not affected.

Oregon Department of State Lands- It was determined this project is not in essential salmonid habitat and thus would not require a permit as long as the project is <50 cubic yards fill/removal below ordinary high water. It is estimated that this project (ODFW's portion related to the dam) will be less than 50 cubic yards of fill/removal below ordinary high water, so no permit is triggered.

US Army Corp of Engineers- The USACE has been contacted and preliminary review indicates this project is an exempt activity not requiring a permit. Coordination will continue as project details are finalized.

Tillamook County Planning Department- The county is reviewing the project and we are awaiting the determination. A development permit may be required, and building permits will be required at time of construction.

Tillamook County Road Department will be acquiring permits, if necessary, for their portion of the project.

Project Schedule/Participants/Funding

Activity	Date	Participants
Design new dam and outlet channel with ODFW engineering review	8/1/2014	ODFW, TCRD, Cascade Design
Obtain Tillamook County Development permit	8/1/2014	ODFW
Obtain Tillamook County Construction permit(s)	8/1/2014	ODFW, TCRD
Obtain ODFW fish passage exemption.	8/1/2014	ODFW, TCRD
Dam, outlet construction	8/15/2014	ODFW, TCRD, Contractor
Approximate construction completion	10/31/2014	Contractor
Project completion report	6/30/2015	ODFW

Affected

Species: Rainbow Trout
Steelhead
Warmwater

Project Permits

Name	Issued By	Secured?	Date Secured	Date Expected
Development Permit	Tillamook County	No	1/1/0001	8/1/2014
Building Permit	Tillamook County	No	1/1/0001	8/1/2014
Fish Passage exemption	ODFW	No	1/1/0001	8/1/2014

Project Monitoring

Organization	Address	Activity	Frequency
ODFW	4907 Third St Tillamook, OR 97141	Monitor construction activities	Daily during construction
ODFW	4907 Third St Tillamook, OR 97141	Monitor lake level, outlet flow, and general site conditions	Weekly to monthly post construction; ongoing
Tillamook County Road Department	503 Marolf Loop Tillamook, OR 97141	Construction monitoring	Daily during construction
Tillamook County Road Department	503 Marolf Loop Tillamook, OR 97141	Post construction monitoring of road and culvert	Weekly to monthly; ongoing

Project Maintenance

Organization	Address	Activity	Frequency
ODFW	4907 Third St Tillamook, OR 97141	Maintain lake level, clear debris, general site maintenance	As needed
Tillamook County Road Department	503 Marolf Loop Tillamook, OR 97141	Maintain roadway, culvert and outlet channel	As needed

Project Match Funding

Funding Source	Cash	In-Kind	Other	Description	Total	Secured?	Conditions?	Comments
R&E Request	\$89,875.00	\$0.00	\$0.00		\$89,875.00	No	Yes	Funding not yet approved
ODFW Tillamook District	\$0.00	\$6,000.00	\$0.00		\$6,000.00	Yes	No	
Tillamook County Road Department	\$33,950.00	\$5,000.00	\$0.00		\$38,950.00	No	No	
North Coast Salmon and Steelhead Enhancement Fund	\$8,000.00	\$500.00	\$0.00		\$8,500.00	Yes	No	
Tillamook Anglers	\$2,000.00	\$0.00	\$0.00		\$2,000.00	Yes	No	
				Total Match Funding:	\$145,325.00			

Project Budget

Item	Item Type	Units	Unit Cost	R&E Funds	Match Funds	Total
Construction planning and oversight- ODFW	Administration	200	\$30.00	\$0.00	\$6,000.00	\$6,000.00
Construction planning and oversight-TCRD	Administration	100	\$50.00	\$0.00	\$5,000.00	\$5,000.00
County Permit(s)	Administration	1	\$3,000.00	\$0.00	\$3,000.00	\$3,000.00
Fiscal management- NCSSEF	Administration	1	\$500.00	\$0.00	\$500.00	\$500.00
Construct concrete headwalls	Contracted Services	1	\$2,500.00	\$0.00	\$2,500.00	\$2,500.00
Dam Construction (includes removal of old dam)	Contracted Services	1	\$22,000.00	\$22,000.00	\$0.00	\$22,000.00
Dewatering of site	Contracted Services	1	\$7,500.00	\$7,500.00	\$0.00	\$7,500.00
Drive sheet piling	Contracted Services	1	\$25,000.00	\$20,000.00	\$5,000.00	\$25,000.00
Excavation of outlet channel	Contracted Services	750	\$11.00	\$0.00	\$8,250.00	\$8,250.00
Traffic Control	Contracted Services	1	\$2,000.00	\$1,000.00	\$1,000.00	\$2,000.00
3/4" rock	Supplies/Materials /Services	100	\$20.00	\$1,000.00	\$1,000.00	\$2,000.00
Concrete blocks	Supplies/Materials /Services	200	\$100.00	\$0.00	\$20,000.00	\$20,000.00
Embankment Rock	Supplies/Materials /Services	200	\$12.00	\$1,200.00	\$1,200.00	\$2,400.00
Grating planks	Supplies/Materials /Services	55	\$85.00	\$4,675.00	\$0.00	\$4,675.00
Sheet piling	Supplies/Materials /Services	50	\$660.00	\$31,000.00	\$2,000.00	\$33,000.00
Trash Rack	Supplies/Materials /Services	1	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00
					Total Budget:	\$145,325.00

Project Map



Additional Files

Click a link to view that particular file.

[Drawings - 50% design](#)

[Fish Passage exemption](#)

[Letter of support](#)

[NCSSEF IRS Form](#)

[Photo](#)

[Photo](#)

[Photo](#)

[Photo](#)

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

MAR 05 2006

NORTH COAST SALMON & STELHEAD
ENHANCEMENT FUND INC
PO BOX 333
TILLAMOOK, OR 97141

Employer Identification Number:

86-1115400

DLN:

17053031009046

Contact Person:

DEL TRIMBLE

ID# 31309

Contact Telephone Number:

(877) 829-5500

Accounting Period Ending:

December 31

Public Charity Status:

170(b)(1)(A)(vi)

Form 990 Required:

Yes

Effective Date of Exemption:

April 15, 2004

Contribution Deductibility:

Yes

Advance Ruling Ending Date:

December 31, 2008

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

If you distribute funds to other organizations, your records must show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence the funds will be used for section 501(c)(3) purposes.

Letter 1045 (DO/CG)

NORTH COAST SALMON & STELHEAD

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A large black rectangular redaction box covering the signature of Lois G. Lerner.

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Information for Organizations Exempt Under Section 501(c)(3)
Statute Extension



Oregon

John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife

North Coast Watershed District

4907 Third Street

Tillamook OR 97141

(503) 842-2741

FAX (503) 842-8385

www.dfw.state.or.us



April 2, 2014

ODFW Restoration and Enhancement Board
4034 Fairview Industrial Drive
Salem, OR 97302

Re: Town Lake Dam Restoration

Dear Board Members:

The Oregon Department of Fish and Wildlife (ODFW) Tillamook District would like to offer its support to the efforts to restore the dam and outlet at Town Lake.

Town Lake is a very popular destination for anglers. The lake supports a variety of fishing opportunities. A popular put and take trout fishery occurs during the late winter and spring, with several thousand rainbow trout stocked. Warmwater species, mostly largemouth bass, provide a fishery during the late spring through fall. During the fall and winter surplus hatchery steelhead are often planted to provide additional angling opportunity. The dam that forms Town Lake is deteriorating quickly, and is likely to completely fail in the near future. Replacing this dam is critical to maintaining the lake and the many fishery opportunities it provides through the year. This project addresses some of the objectives outlined in ODFW's 25 Year Angling Enhancement Plan, especially as it pertains to providing angling opportunities for families and younger anglers. Replacement of the structure now should ensure benefits to anglers for many, many years to come.

Thank you for consideration of this important project.

Sincerely,

Chris Knutsen
District Fish Biologist
North Coast Watershed District

Signature Authorization Page

I hereby make an application for financial assistance under the terms and conditions of the R&E Program as described in my project application.

I understand that if my project is approved for funding, the following will apply:

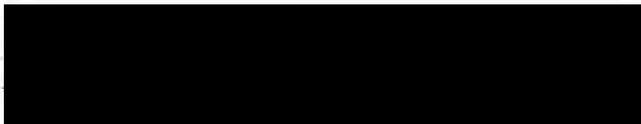
- All project sponsors must sign a grant agreement containing the terms and conditions on which funding will be released.
- Project expenses which occur before the grant agreement is signed or after the expiration date will not be paid by the R&E Program.
- Copies of all necessary permits must be submitted to the R&E Program.
- Project sponsors must certify compliance with local, state, and federal regulations and laws.
- Landowner, monitoring and maintenance agreements must be submitted to the R&E Program.
- Regular progress reports may be required, and at the end of each project a Completion Report must be submitted.
- Educational products resulting from projects are public domain.
- All information submitted to either party under this application is subject to the federal Freedom of Information Act.

Project Title: *Town Lake Dam Restoration*

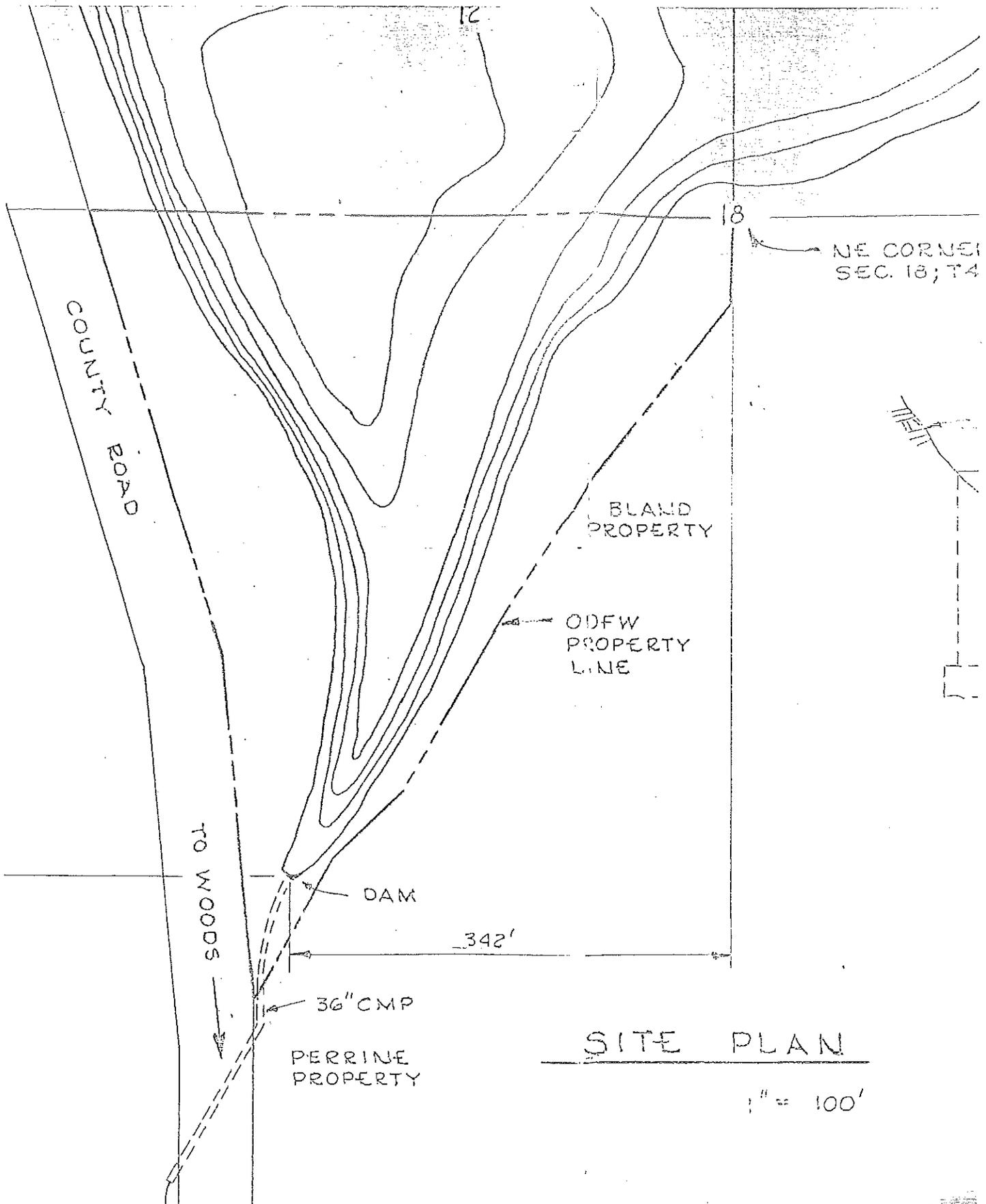
Applicant: *Jack Smith - North Coast Salmon and Steelhead Enhancement Fund*

Date: *4/1/14*

Fiscal Officer:

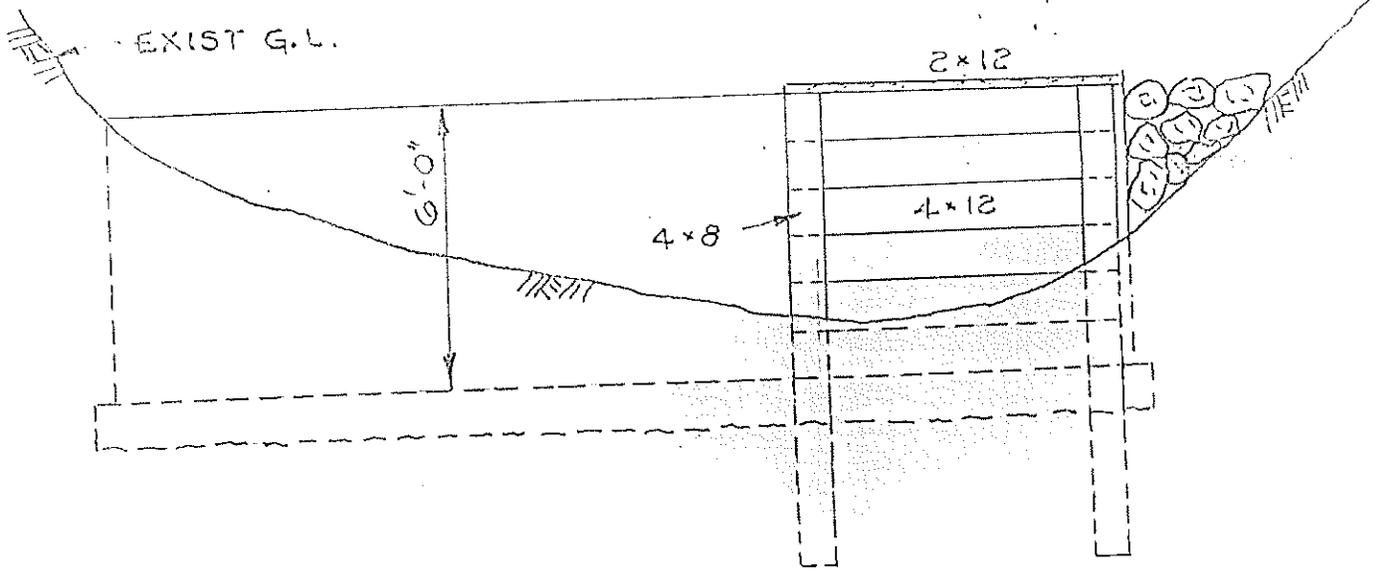


Date: *4/3/14*



FISHER
PROPERTY

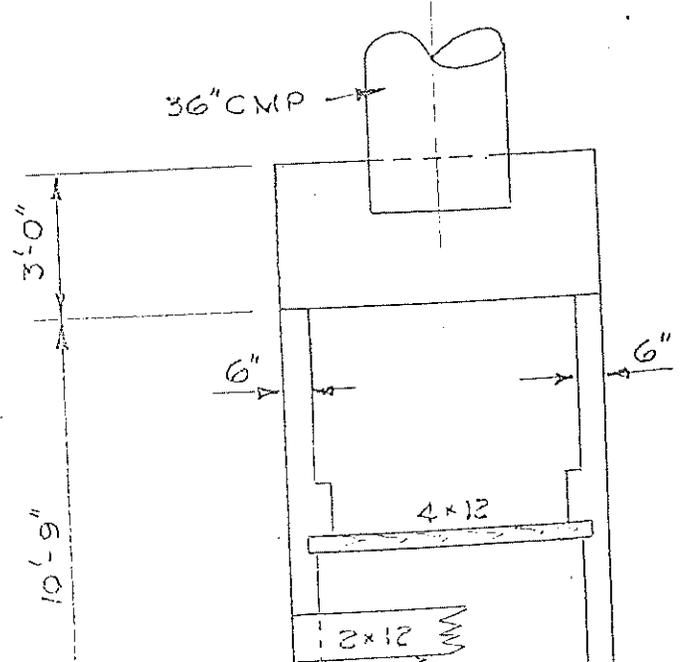
NE CORNER SW $\frac{1}{4}$
SEC. 18; T4S, R10W



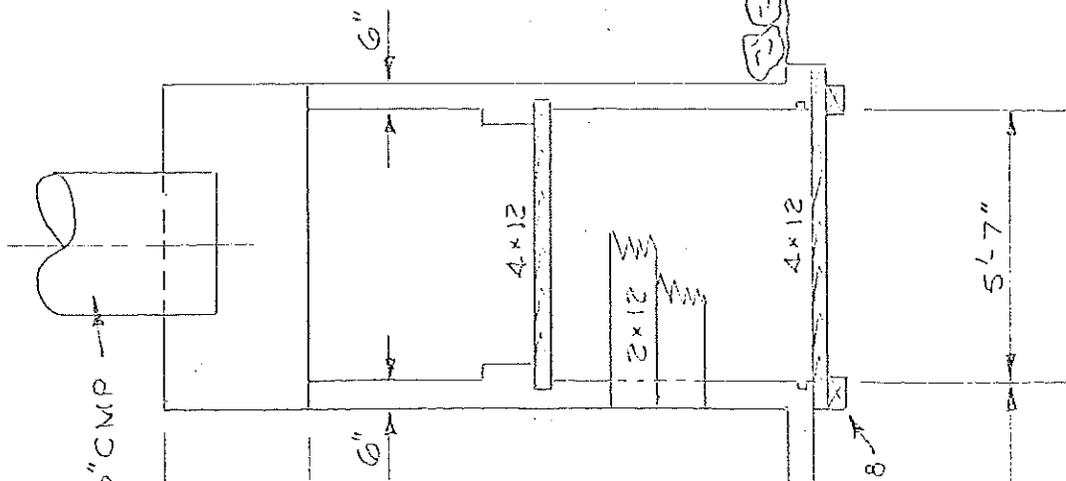
ELEVATION

PLAN

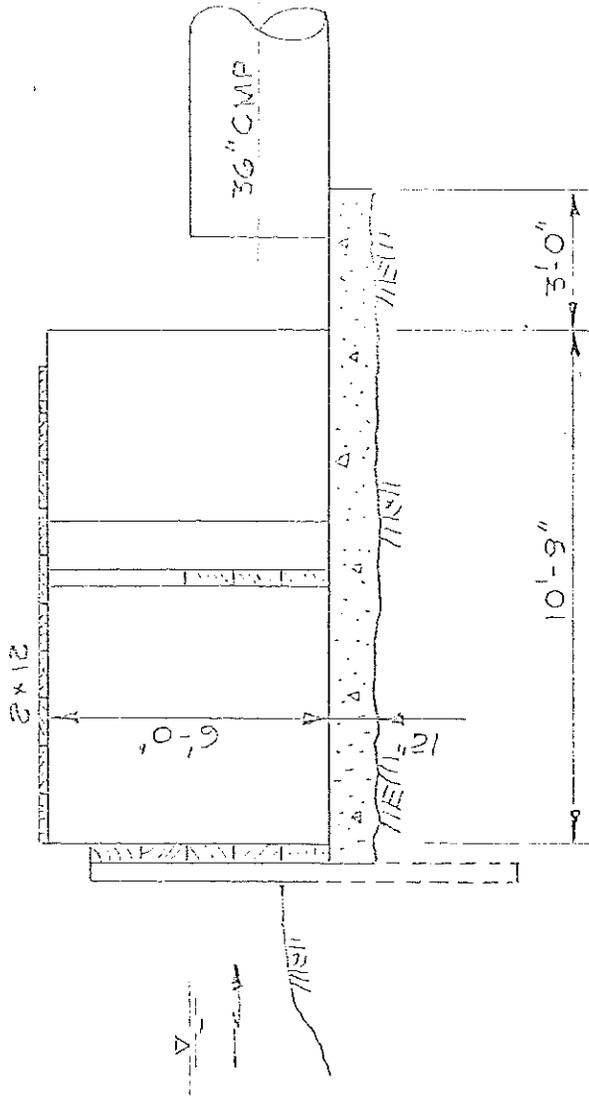
1" = 100'



CONTROL WATER RIGHT I
 #040
 Robert O. DODD
 NOV. 19, 1987
 STATE OF ORE



AN



SECTION

DAM

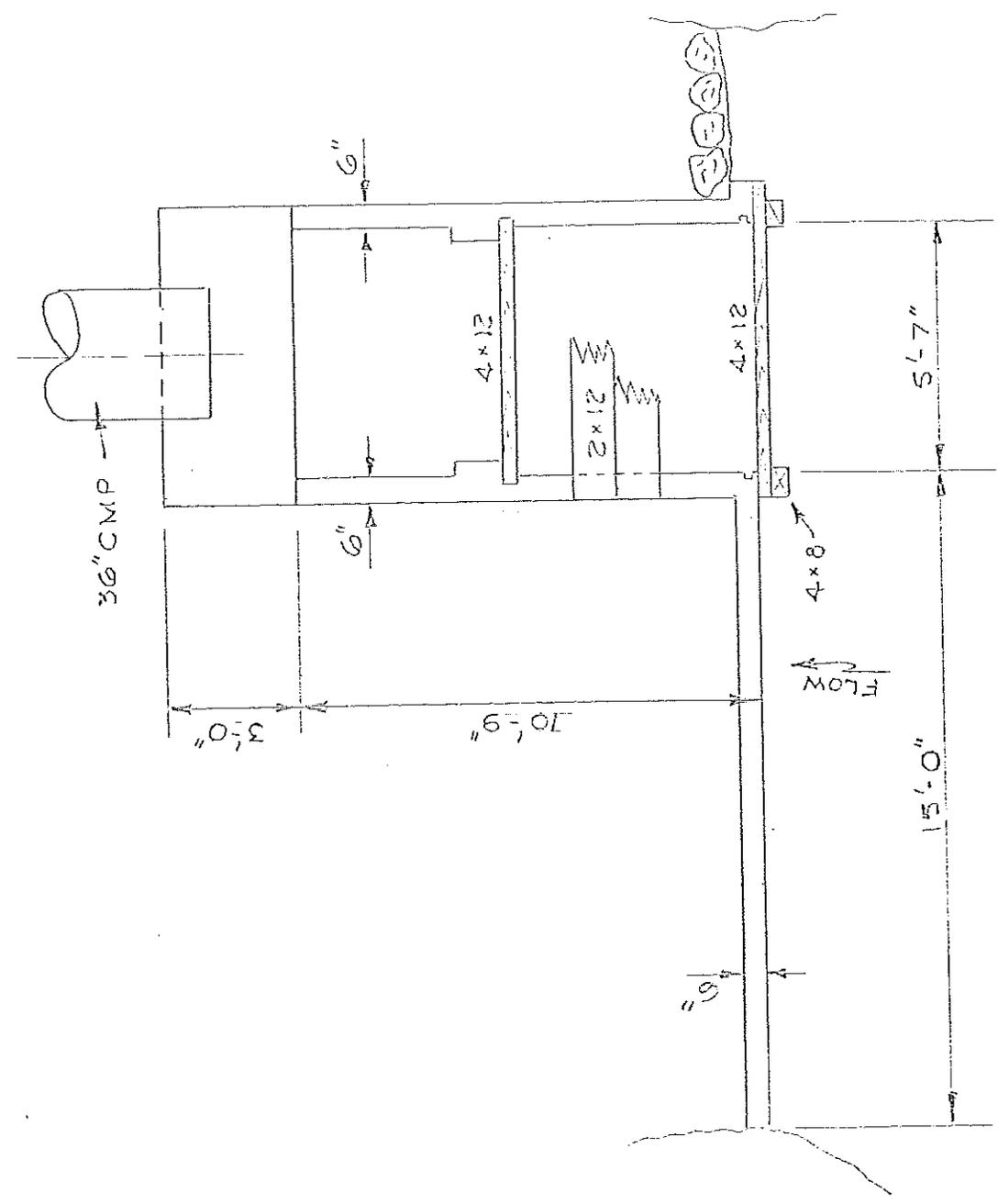
$\frac{1}{4}" = 1'-0"$



ELEVATION

SITE PLAN

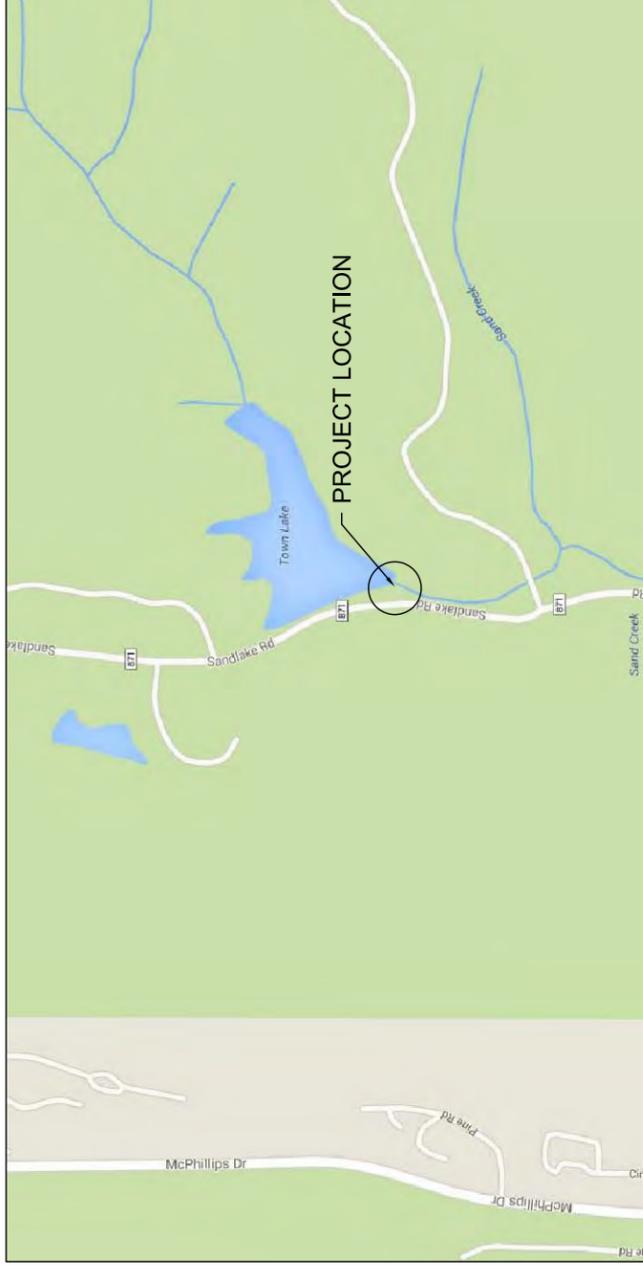
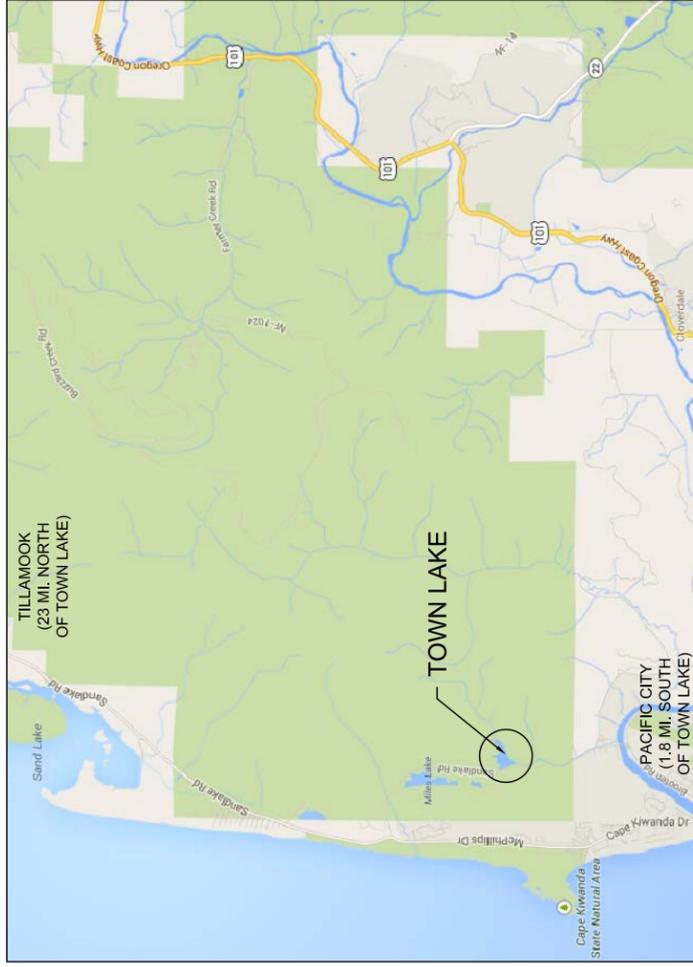
1" = 100'



DIANI

TOWN LAKE OUTLET STRUCTURE REPAIR

OREGON DEPARTMENT OF FISH AND WILDLIFE



OWNER
OREGON DEPARTMENT OF FISH AND WILDLIFE
ROBERT BRADLEY, ASSISTANT FISH BIOLOGIST
NORTH COAST WATERSHED DISTRICT
4907 THIRD ST.
TILLAMOOK, OR 97141
(503) 842-2741 x253

STRUCTURAL ENGINEER
PAUL KLUVERS, P.E.
CASCADE DESIGN PROFESSIONALS
A DIVISION OF COOPER ZIETZ ENGINEERS, INC.
2780 SE HARRISON STREET, SUITE 102
MILWAUKIE, OREGON 97222
(503) 652-9090

TILLAMOOK COUNTY PUBLIC WORKS
RON NEWTON, LSI
ENGINEERING TECHNICIAN II
503 MAROLF LOOP RD.
TILLAMOOK, OR 97141
(503) 842-2032 x3110

**CALL 48 HOURS
BEFORE YOU DIG
1-800-424-5555**

BAR IS ONE INCH ON ORIGINAL DRAWING. IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY.

NO.	DATE	BY	REVISIONS

ELB DESIGNED BY	
ELB DRAWN BY	
PEK CHECKED BY	
4-4-2014 DRAWING DATE	

**50%
SUBMITTAL**

**TOWN LAKE
OUTLET STRUCTURE REPAIR
TITLE SHEET**

not_for_construction
JOB NO. CD1401
SHEET NO. S1
1 of 3

SANDLAKE ROAD

Mile Post 12.1 @ Town Lake

September 28, 2008

Asphalt failure caused by continuous saturation of the road base



Compare the condition of the North bound lane, adjacent to Town Lake, to the condition of the South Bound Lane

SANDLAKE ROAD

Mile Post 12.1 @ Town Lake

September 28, 2008

A closer look shows the failure approaching center line and worsening as you approach the shoulder

Notice that in 2008 the roadway has already been patched multiple times, only in the North bound lane, and continues to fail



Notice that in 2008 the guard rail has started to deflect as the bank below begins to fail but vegetation is still visible behind the rail

SANDLAKE ROAD

Mile Post 12.1 @ Town Lake

July 06, 2010

Notice that by 2010 there is a new pavement patch now covering a portion of the painted center line



Also notice that over time the continuous patching process migrates closer to the painted center line with each repair but at this time the South bound lane continues to hold up

SANDLAKE ROAD

Mile Post 12.1 @ Town Lake

July 06, 2010

Notice that by 2010 the vegetation behind the guard rail has started to fall away from the shoulder



SANDLAKE ROAD

Mile Post 12.1 @ Town Lake

August 06, 2012

Notice that by 2012 the vegetation behind the guard rail has substantially disappeared



The pavement patch is still in place with new stripping over it, but this patch has now begin to fail as well

SANDLAKE ROAD

Mile Post 12.1 @ Town Lake

August 06, 2012

A closer look shows that enough of the shoulder is gone to leave at least one of the rail posts hanging in space with no rock shoulder between the edge of the paved surface and to drop off to the water below



Also notice that the failure of the patching is now more than failure around the edges but that the section is beginning to crack laterally, the South bound lane continues to hold up

Photos of Sand Creek/Town Lake above, in, and below the project area. Photos are shown beginning in upstream areas and proceeding downstream.



Example of Sand Creek habitat upstream of Town Lake.



Sand Creek just upstream of Town Lake.



East side of Town Lake where Sand Creek enters the lake.



Town Lake immediately upstream of dam



Town Lake at the dam site.



Town Lake Dam



Town Lake Dam-showing entrance to culvert under Sandlake Rd.



Town Lake Dam, downstream side



Cracked west wall of the dam. This wall is also severely leaning inward due to pressure from the road fill.



Town Lake out culvert exit downstream of lake after passing under Sandlake Rd. A series of waterfalls begins about 100 feet downstream of here.



One of a series of waterfalls downstream of the outlet culvert. Water falls on bedrock with no pool.



One of the falls below Town Lake.



Part of the series of falls downstream of the outlet culvert that blocks fish passage.



One of the larger in the series of falls below the Town Lake outlet. ODFW biologist Paul Atwood is approximately 6 ft. tall.



Sand Creek entering the community of Woods.



Sand Creek in the community of Woods. Heavily impacted by development. The creek enters Nestucca Bay to the left of the bridge in the background.



















OREGON DEPARTMENT OF FISH AND WILDLIFE

Fish Passage EXEMPTION Application

- Use this form if a waiver has already been granted for the artificial obstruction for which an Exemption is being requested, fish passage mitigation has already been provided for the artificial obstruction, or if there would be no appreciable benefit for native migratory fish if passage were provided at the artificial obstruction.
- Use the "Fish Passage WAIVER Application" if providing fish passage at the artificial obstruction would benefit native migratory fish.
- If you unlock and re-lock this Form, information already entered may be lost in certain versions of MS Word.

APPLICANT INFORMATION

The Applicant must be the owner or operator of the artificial obstruction for which an Exemption is sought.

ORGANIZATION/APPLICANT: Oregon Department of Fish and Wildlife

CONTACT: Robert Bradley **TITLE:** Asst. District Fish Biologist
ADDRESS: 4907 Third St
CITY: Tillamook **STATE:** OR **ZIP:** 9714 1
PHONE: 503-842-2741
FAX: 503-842-8385
E-MAIL ADDRESS: Robert.Bradley@state.or.us

SIGNATURE: _____ **DATE:** _____

OWNER (if different than Applicant): Oregon Department of Fish and Wildlife

CONTACT: Richard Duncan (Realty) **TITLE:** Realty Specialist
ADDRESS: 4034 Fairview Industrial Dr SE
CITY: Salem **STATE:** OR **ZIP:** 9730 2
PHONE: 503-947-6240
FAX: 503-947-6202
E-MAIL ADDRESS: Richard.D.Duncan@state.or.us

SIGNATURE: _____ **DATE:** _____

Signature indicates that you understand and do not dispute this request.

APPLICATION COMPLETED BY (if different than Applicant):

TITLE:
ORGANIZATION:
ADDRESS:
CITY: **STATE:** **ZIP:**
PHONE:
FAX:
E-MAIL ADDRESS:

SIGNATURE: _____ **DATE:** _____

APPLICANT INFORMATION

The Applicant must be the owner or operator of the artificial obstruction for which an Exemption is sought.

ORGANIZATION/APPLICANT: Tillamook County Public Works

CONTACT: Ron Newton **TITLE:** Engineering Technician 2
ADDRESS: 503 Marolf Loop
CITY: Tillamook **STATE:** OR **ZIP:** 9714 1
PHONE: 503-842-3419
FAX: 503-842-6473
E-MAIL ADDRESS: rnewton@co.tillamook.or.us

SIGNATURE: _____ **DATE:** _____

OWNER (if different than Applicant):

CONTACT: _____ **TITLE:** _____
ADDRESS: _____
CITY: _____ **STATE:** _____ **ZIP:** _____
PHONE: _____
FAX: _____
E-MAIL ADDRESS: _____

SIGNATURE: _____ **DATE:** _____

Signature indicates that you understand and do not dispute this request.

APPLICATION COMPLETED BY (if different than Applicant): Robert Bradley

TITLE: Assistant District Fish Biologist
ORGANIZATION: Oregon Department of Fish and Wildlife
ADDRESS: 4907 Third St
CITY: Tillamook **STATE:** OR **ZIP:** 9714 1
PHONE: 503-842-2741
FAX: 503-842-8385
E-MAIL ADDRESS: Robert.Bradley@state.or.us

SIGNATURE: _____ **DATE:** _____

<i>To Be Completed by ODFW Fish Passage Coordinator</i>	
APPLICATION #:	DATE RECEIVED:
FILE NAME:	
APPROVED <input type="checkbox"/>	SIGNATURE: _____ DATE: _____
DENIED <input type="checkbox"/>	TITLE:

ARTIFICIAL OBSTRUCTION (for which an Exemption is being requested)

- 1. TYPE OF ARTIFICIAL OBSTRUCTION:**
- | | | |
|--|----------|-------------------------------------|
| <input checked="" type="checkbox"/> Dam | New | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Culvert/Bridge | Existing | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Tidegate | | |
| <input type="checkbox"/> Other (describe): | | |

2. PLEASE PROVIDE A BACKGROUND AND DESCRIPTION OF THE PROPOSED ACTION TRIGGERING THE NEED TO ADDRESS FISH PASSAGE:

The dam that impounds Town Lake is deteriorating and in danger of failing. Recently, it was discovered that water is circumventing the dam structure and flowing around the west side, entering the outlet from below through a rusted portion of the outlet culvert. The road fill is slumping, putting extra pressure on the west side of the dam. The walls are cracking, and the west wall is leaning inward. In order to correct this situation, the dam needs to be replaced and the culvert needs to be repaired. We are proposing to remove the old dam, and replace with one of similar construction in the same footprint. In conjunction with the dam replacement, Tillamook County plans to repair the outlet culvert by slip-lining with a plastic liner. These actions trigger Oregon’s fish passage rules.

3. PASSAGE WILL NOT BE PROVIDED FOR THE FOLLOWING REASON(S):

- Already Mitigated**
- Already Granted a Waiver**
- No Appreciable Benefit for Native Migratory Fish

** *Attach supporting documentation, a description of mitigation, and past ODFW approvals. The description of mitigation should include information detailed in the "Fish Passage WAIVER Application".*

4. DATE THE TRIGGER ACTION IS SCHEDULED TO BEGIN (a minimum of one month should be planned for the exemption process after ODFW receives your application; requests that require detailed ODFW review or must go before the Commission will take longer): Estimate August/September, 2014.

5. LOCATION

COUNTY: Tillamook
 ROAD CROSSING (if applicable): Culvert under Sandlake Rd.
 RIVER/STREAM: Sand Creek
 TRIBUTARY OF: Nestucca Bay
 BASIN: Nestucca River
 COORDINATES^a: Longitude: 123.956782°W Latitude: 45.223779°N

^a Geographic projection using NAD_83 and formatted as decimal degrees to at least 4 places.

6. STREAM DESCRIPTION

6A. BARRIER TABLE (please provide the following information for barriers, which will help determine the benefit of providing passage at the Artificial Obstruction; indicate measurement units if applicable):

Locations	DOWNSTREAM			AO	UPSTREAM			example
	3	C/N	2 1		1 2	E		
Type	N/A		N	D, C	E			C
Length			10 ft drop	N/A, 200'	N/A			80 ft
Distance			100 ft		~2000			1,200 ft

Level			5	5	N/A		5
-------	--	--	---	---	-----	--	---

Type = C (culvert/bridge), D (dam), T (tide gate), N (natural; *describe below*), O (other; *describe below*)
Length = length of the barrier in the stream (e.g., culvert's length, dam's width/footprint)
Distance = distance from the Artificial Obstruction (to closest point of other barriers)
Level = amount of passage at the barrier using the following codes:
5 - barrier to all native migratory fish
4 - barrier to some native migratory fish adults and/or species
3 - barrier to some native migratory fish adults and/or species for only part of migration period
2 - barrier to all native migratory fish juveniles
1 - barrier to some native migratory fish juveniles and/or for only part of migration period

LOCATIONS:
AO = the existing or proposed Artificial Obstruction
1,2 = other barriers in the same stream as the Artificial Obstruction
3 = downstream barrier outside the immediate stream in which the Artificial Obstruction is located (*only needed if C/N is a confluence rather than a complete natural barrier*)
E = end of historic native migratory fish use, including all tributaries (i.e., potential range without any artificial barriers in place)
C/N = first downstream confluence or complete natural barrier, whichever comes first

NOTE: The *example* indicates that there is culvert which is 80 feet long, is located 1,200 feet from the Artificial Obstruction in question, and is a complete fish passage barrier.

PLEASE PROVIDE ADDITIONAL DESCRIPTIONS FOR THOSE BARRIERS INCLUDED IN THE BARRIER TABLE OR FOR OTHER BARRIERS AFFECTING NATIVE MIGRATORY FISH MOVEMENT TO OR FROM THE ARTIFICIAL OBSTRUCTION:

6B. SUMMARY TABLE (*please provide the following information relative to the Artificial Obstruction, which will help determine the benefit of providing passage at it*):

	DOWNSTREAM	UPSTREAM
NMF Species Present Currently	CtS- possibly; lamprey spp.	CtS? None found in survey; Lamprey spp.
NMF Species Present Historically	CtS; Lamprey spp.	CtS? Possible; Lamprey spp.
Habitat Quality	Poor/marginal	Fair; limited
Flows	Unknown (small drainage area)	Unknown (small drainage area)
Water Quality	Fair to good	Fair to good
Water Right Availability	Unknown	Unknown
Land Use/Zoning	Forest; Rural Residential	Forest

NMF = native migratory fish

PLEASE PROVIDE ADDITIONAL DETAILS REGARDING THE INFORMATION PROVIDED IN THE SUMMARY TABLE (*such as species listed under the state or federal ESA and descriptions of the stream channel and riparian habitat*): No listed species are present. Coho are present in the Nestucca Basin, but the Streamnet database does not list Sand Creek as currently or historically used by coho. The lower end of Sand Creek is heavily impacted by residential development, with undersize culverts, no riparian vegetation, and ditched stream sections. Above this the stream passes through a forested area, with relatively good riparian cover before reaching a series of natural waterfalls, the largest of which approaches 10 feet in height. Approximately 100 feet upstream of the falls, the stream passes through a 200 ft (approximate) culvert crossing under Sandlake Rd. Immediately upstream of the culvert is the dam which forms Town Lake. The free flowing portion of the stream above the lake quickly increases in gradient, limiting the available stream habitat. The lake inundates the stream for the first 800 feet (approximate) above the dam.

ODFW surveyed (backpack electrofisher) the stream upstream of the lake in the spring of 2013. No native salmonids were sampled. A handful of lamprey (unidentified spp.) were captured.

6C. PROVIDE THE SOURCE FOR INFORMATION CONTAINED IN THE BARRIER AND SUMMARY TABLES: ODFW Tillamook District files; Tillamook County Public Works

MAP(S)

- *Please attach one or more maps indicating the Artificial Obstruction, the stream on which it is located, and other barriers in the stream. A 7.5 minute USGS quad map is sufficient.*

-- Map(s) included

PHOTOS

- *Please include photographs of the following (.JPG files are preferred):*

-- Artificial Obstruction

-- up- and downstream habitat at the Artificial Obstruction

-- other barriers up- and downstream of the Artificial Obstruction

Please submit this application electronically to the ODFW Fish Passage Coordinator at greg.d.apke@state.or.us and send one signed original paper copy of the application to the ODFW Fish Passage Coordinator at 3406 Cherry Avenue NE, Salem, OR 97303.

For ODFW Use Only

PRELIMINARY BENEFIT ANALYSIS

	True	False
1. The information contained in this application is accurate:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. State or federal ESA-listed fish species can <u>NOT</u> currently access the site:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. One or more of the following situations exist for the site (<i>check those that apply</i>):	<input type="checkbox"/>	<input type="checkbox"/>
a. a complete downstream barrier (artificial or natural) prevents access to the site <u>and</u> there are no resident native migratory fish which currently have access to the site:	<input type="checkbox"/>	
b. a complete downstream barrier (artificial or natural) prevents access to the site <u>and</u> is within 100 feet of the site:	<input checked="" type="checkbox"/>	
c. <u>total</u> distance of habitat (including tributaries) upstream of the site to another complete barrier (artificial or natural) or up to the end of historic fish use is less than 100 feet in length:	<input type="checkbox"/>	
d. <u>all</u> habitat upstream of the site will not be utilized by any native migratory fish because of its poor or degraded condition:	<input type="checkbox"/>	
4. The artificial obstruction (absent passage) will <u>NOT</u> preclude access to any "Habitat Category I" (as defined in OAR 635-415-0025(1)) habitat for native migratory fish:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Based on distances with which you concur in 6A. BARRIER TABLE , <u>one</u> of the following is true:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. the distance "E" is less than 1 mile from the artificial obstruction, <u>or</u>		
b. if "C/N" is a complete natural barrier, the distance to it is less than 1 mile from the artificial obstruction		

- If all answers are "True", this suffices as the Final Benefit Analysis when filled in below.
- If any answers are "False" or you wish to provide further information, please provide a full Benefit Analysis and do not fill in below.
- Electronically return this form and a full Benefit Analysis, if needed, to the Fish Passage Coordinator when completed.

By filling in the following information, I determine that under the current conditions there is "no appreciable benefit" for native migratory fish by providing passage at this Artificial Obstruction.

NAME: Amber Johnson
TITLE: Habitat Protection Biologist
ODFW OFFICE: Tillamook
DATE: 3/4/14