



TILLAMOOK COUNTY BOARD OF COMMISSIONERS NOTICE OF MEETING AGENDAS

BOARD OF COMMISSIONERS

David Yamamoto, Chair
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Erin D. Skaar, Vice-Chair
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Mary Faith Bell, Commissioner
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CONTACT

Tillamook County Courthouse
201 Laurel Avenue
Tillamook, Oregon 97141
503.842.3403
www.co.tillamook.or.us

COMMUNITY UPDATE MEETING

Tuesday, July 26, 2022 at 8:00 a.m.
Teleconference and KTIL-FM at 95.9

BOARD MEETING

Wednesday, July 27, 2022 at 9:00 a.m.
Nehalem Room
County Courthouse, Teleconference, and Live Video at tctvonline.com

AGENDAS

COMMUNITY UPDATE – 2022-07-26 COMMUNITY UPDATE AUDIO.MP4

CALL TO ORDER: Tuesday, July 26, 2022 8:00 a.m.

1. 00:37 Welcome and Board of Commissioners' Roll Call
2. 00:51 Adventist Health Tillamook
3. 04:39 Coastal Caucus
4. 16:21 Tillamook County Community Health Center
5. 22:40 Nehalem Bay Health Center & Pharmacy
6. 22:56 Tillamook Family Counseling Center
7. 24:26 Sheriff's Office
8. 30:06 Emergency Management
9. 33:34 Board of Commissioners
10. Cities
 - 39:00 Manzanita
 - 39:45 Garibaldi
 - 41:36 Tillamook
 - 49:10 South County

ADJOURN – 8:51 a.m.

MEETING-2022-07-27 BOCC MEETING AUDIO.MP4
(Commissioner Bell out of office on vacation)

CALL TO ORDER: Wednesday, July 27, 2022 9:01 a.m.

1. 02:17 Welcome & Request to Sign Guest List
2. 02:30 Pledge of Allegiance
3. 02:54 Public Comment: There were none
4. 02:58 Non-Agenda Items: There were none

LEGISLATIVE – ADMINISTRATIVE

5. 03:22 Discussion and Consideration of a Child Abuse Investigation Agreement with Tillamook Family Counseling Center in Fulfillment of the Oregon Department of Justice Agreement for the Provision of Child Abuse Forensic Interviews in Tillamook County/Matt Kelly, Undersheriff

A motion was made by Commissioner Skaar and seconded by Commissioner Yamamoto. The motion passed with two aye votes. The Board signed the Agreement.
6. 06:33 Discussion and Consideration of an Oregon Youth Authority Amendment No. 3 and Reinstatement to Intergovernmental Agreement #14051c for On-Site Medical Care for Tillamook Youth Correctional Facility and Camp Tillamook/Marlene Putman, Director, Health and Human Services

A motion was made by Commissioner Skaar and seconded by Commissioner Yamamoto. The motion passed with two aye votes. The Board signed the Amendment.
7. 09:47 Discussion and Consideration of a Professional Services Agreement with Green Tree Dental for Federally Qualified Health Clinic (FQHC) Oregon Health Plan Medicaid and Non-insured Dental Services/Marlene Putman, Director, Health and Human Services

A motion was made by Commissioner Skaar and seconded by Commissioner Yamamoto. The motion passed with two aye votes. The Board signed the Agreement.
8. 14:54 Discussion Concerning the National Oceanic and Atmospheric Administration (NOAA) Award for Salmon SuperHwy County Bridges/Chris Laity, Director, Public Works

No motion made.
9. 33:15 Board Concerns – Non-Agenda Items: There were none.
10. 33:26 Board Announcements – There were none.

Chair Yamamoto recessed the meeting at 9:36 a.m. to go into executive session pursuant to ORS 192.660 2(a).

Chair Yamamoto reconvened the meeting at 10:41 a.m. 2022-07-27 BOCC MEETING AUDIO.MP4 – Part II

ADJOURN – 10:41 a.m.

JOIN THE BOARD OF COMMISSIONERS' MEETINGS

The board is committed to community participation and provides opportunity for public attendance during meetings via in-person and teleconference.

- **Community Update Meetings: Tuesdays at 8:00 a.m.**
 - Teleconference: Dial 971-254-3149, Conference ID: 736 023 979#
 - Radio: KTIL-FM at 95.9
- **Board Meetings: Wednesdays at 9:00 a.m.**
 - County Courthouse: Nehalem Room, 201 Laurel Avenue, Tillamook
 - Teleconference: Dial 971-254-3149, Conference ID: 736 023 979#
 - Live Video: tctvonline.com

MEETING INFORMATION AND RULES

- Matters for discussion and consideration by the board shall be placed on an agenda prepared by the staff and approved by the board chair. Any commissioner may request items on the agenda.
- Public hearings are formal proceedings publicized through a special public notice issued to media and others. Public hearings held by the board are to provide the board an opportunity to hear from the public about a specific topic. Public hearings are therefore different regarding audience participation at board meetings.
- Commissioners shall be addressed by their title followed by their last name.
- Commissioners shall obtain approval from the chair before speaking or asking questions of staff, presenters, and public. As a courtesy, the chair shall allow an opportunity, by the commissioner who has the floor, to ask immediate follow-up questions.
- A majority of the board shall constitute a quorum and be necessary for the transaction of business.
- All board meeting notices are publicized in accordance with public meeting laws.
- All board meetings shall commence with the Pledge of Allegiance.
- The chair will utilize the gavel as needed to maintain order, commence and adjourn meetings, and signal approval of motions.
- The board reserves the right to recess to executive session as may be required at any time during these meetings, pursuant to ORS 192.660(1).
- The courthouse is accessible to persons with disabilities. If special accommodations are needed for persons with hearing visual, or manual impairments who wish to participate in the meeting, contact (503) 842-3403 at least 24 hours prior to the meeting so that the appropriate communications assistance can be arranged.

PUBLIC COMMENT

- Providing public comment is an opportunity for constituents to be heard and express their views to the board.
- The board allows public comment at board meetings during the public comment period designated on the agenda.
- Comments are limited to one per person and per agenda item.
- Comments must be related to the agenda item(s) previously registered to comment on.
- The allotted time for public comments is two minutes per person; this time may not be allotted to another speaker. The chair may, at their sole discretion, further limit or expand the amount of time.
- The public comment opportunity is not a discussion, debate, or dialogue between the speaker and the board, which may or may not respond.
- Members of the public do not have the right to disrupt the meeting; the board may prohibit demonstrations such as booing, hissing, or clapping.
- Remarks containing hate speech, profanity, obscenity, name calling or personal attacks, defamation to a person, people, or organization, or other remarks the board deems inappropriate will not be allowed.
- Failure to follow all rules and procedures may result in not being able to provide public comment and/or being removed from the meeting.

In-Person Procedures

- Sign in before the meeting begins and indicate your desire to provide public comment and which agenda item you would like to comment on. When your name is announced, please come forward to the table placed in front of the dais and for the record, first identify yourself, area of residence, and organization represented, if any.

Virtual Procedures

- Register by sending an email to publiccomments@co.tillamook.or.us by 12:00 p.m. on the Tuesday prior to the board meeting. The email must contain all of the following information:
 - Full name, area of residence, and phone number.
 - Agenda item(s), you wish to comment on.
- Once registered, and before the start of the meeting, board staff will email a Microsoft Teams meeting link.
- When logged in to the meeting you must remain muted with your camera off until your name is called, then you unmute and turn on your camera.
- The chair may require those providing virtual comment to turn on their camera while providing comment or testimony.

Written Procedures

- Written comments may be mailed to 201 Laurel Avenue, Tillamook, Oregon 97141 or emailed to: publiccomments@co.tillamook.or.us.
- Written comments received by 12:00 p.m. on the Tuesday prior to the board meeting will be distributed to the board and posted online. All written comments submitted become part of the permanent public meeting record.

AGENDAS

COMMUNITY UPDATE

CALL TO ORDER: Tuesday, July 26, 2022 8:00 a.m.

1. Welcome and Board of Commissioners' Roll Call
2. Adventist Health Tillamook
3. Coastal Caucus
4. Tillamook County Community Health Center
5. Nehalem Bay Health Center & Pharmacy
6. Tillamook Family Counseling Center
7. Sheriff's Office
8. Emergency Management
9. Board of Commissioners
10. Cities
 - a. Manzanita
 - b. Nehalem
 - c. Wheeler
 - d. Rockaway Beach
 - e. Garibaldi
 - f. Bay City
 - g. Tillamook
 - h. South County

ADJOURN

MEETING

CALL TO ORDER: Wednesday, July 27, 2022 9:00 a.m.

1. Welcome & Request to Sign Guest List
2. Pledge of Allegiance
3. Public Comment
4. Non-Agenda Items

LEGISLATIVE – ADMINISTRATIVE

5. Discussion and Consideration of a Child Abuse Investigation Agreement with Tillamook Family Counseling Center in Fulfillment of the Oregon Department of Justice Agreement for the Provision of Child Abuse Forensic Interviews in Tillamook County/Matt Kelly, Undersheriff
6. Discussion and Consideration of an Oregon Youth Authority Amendment No. 3 and Reinstatement to Intergovernmental Agreement #14051c for On-Site Medical Care for Tillamook Youth Correctional Facility and Camp Tillamook/Marlene Putman, Director, Health and Human Services
7. Discussion and Consideration of a Professional Services Agreement with Green Tree Dental for Federally Qualified Health Clinic (FQHC) Oregon Health Plan Medicaid and Non-insured Dental Services/Marlene Putman, Director, Health and Human Services
8. Discussion Concerning the National Oceanic and Atmospheric Administration (NOAA) Award for Salmon SuperHwy County Bridges/Chris Laity, Director, Public Works
9. Board Concerns – Non-Agenda Items
10. Board Announcements

ADJOURN

OTHER MEETINGS AND ANNOUNCEMENTS

The Commissioners will hold a Board Briefing on **Wednesday, July 27, 2022 at 2:00 p.m.** to discuss weekly commissioner updates. The meeting will be held at the Courthouse in the Nehalem Room, 201 Laurel Avenue, Tillamook, Oregon. The teleconference number is 1-971-254-3149, Conference ID: 736 023 979#.

The Board of Commissioners will attend a public hearing on **Thursday, July 28, 2022 at 2:00 p.m.** to consider the petition for the incorporation of the Unincorporated Community of Oceanside and the creation of the City of Oceanside: #851-22-000224-PLNG. Petition includes a new tax rate for properties within the proposed city limits of the City of Oceanside at 80 cents (\$ 0.80) per one-thousand dollars (\$1,000). Properties proposed to be included in the city limits for the City of Oceanside include all properties currently within the Oceanside

Unincorporated Community Boundary. The hearings will be held at the ATV Conference Room, Tillamook County Sheriff's Correctional Facility, 5995 Long Prairie Road, Tillamook, Oregon. The teleconference number is **1-971-254-3149, Conference ID: 887 242 77#**.

There is **NO** Board Meeting scheduled on **Wednesday, August 10, 2022**. The Commissioners will be attending and participating in events at the Tillamook County Fair.

TILLAMOOK COUNTY BOARD OF COMMISSIONERS' MEETING

WEDNESDAY, July 27, 2022

PUBLIC COMMENT SIGN-IN SHEET

PLEASE PRINT

NAME	AREA OF RESIDENCE	NAME OF ORGANIZATION (IF ANY)	AGENDA ITEM
No sign-ins			

Salmon SuperHwy County Bridges

Project Narrative

Date: June 9, 2022

NOAA-NMFS-HCPO-2022-2007372

FY22 Non-competitive RFA for Congressionally Identified Awards and Projects: Tillamook County
Department of Commerce

Summary/Abstract

This project enhances NOAA's strategic plan and mission goals (to protect, restores and manage coastal and ocean resources through an ecosystem approach to management) by removing up to six failing county culverts that are fish barriers and restoring salmonid habitat in up to six streams for up to 9.2 miles. The project also solves significant issues to the county by replacing these failing culverts before storms occur.

This project is part of a larger Salmon SuperHwy coalition of public & private organizations created to restore access to almost 180 miles of blocked habitat throughout six major salmon & steelhead rivers. Public education is a component of the larger program and advances knowledge of habitat restoration. Additional information can be found at: <http://www.salmonsuperhwy.org/>

Statement of Need

Tillamook County lies between the Pacific Ocean and the Coastal Range in the temperate rainforest of the Pacific Northwest and receives an annual average of 94" of precipitation. Five rivers drain directly into Tillamook Bay and one river drains into the Nestucca Bay. These rivers are fed by numerous tributaries. Sea level rise and sediment deposition directly impacts these bays and subsequently, the rivers and tributaries. Winter storms are increasing in frequency and severity. Flooding occurs on an annual basis, and historically significant flood events have increased by almost three times within the last twenty years. The aging, failing, existing infrastructure is no longer sufficient to carry the increasing stormwater. 23% of staff time in 2020 was related to Floods, Winds, Slides, and brush cutting to mitigate storm impacts.

Federal Timber Revenue once funded 72% of Tillamook County's Road Department. It now funds 8%. New funding sources have helped, but total revenue is half of what is once was. Decrease in funding is partially attributed to preserving habitat for the Northern Spotted Owl (listed in 1990) and the Marbled Murrelet (listed in 1992).

Many road-stream crossings in Tillamook County are listed as Timber Bridges in 1940's era bridge inventories. By the 1950's and 1960's many of these were replaced with culverts significantly reducing

capacity and creating in-water fish barriers. Since these are now culverts, they are not able to be funded with conventional bridge programs. In August of 2001, the State of Oregon required that road crossings address fish passage where native migratory fish are currently or historically present. In 2008, Coho Salmon was listed as a threatened species.

The Salmon SuperHwy is unique to southern Tillamook County and was founded in 2014 with the mission to restore connectivity to fish habitat. Significant scientific studies have been used to prioritize projects to yield the greatest benefit cost solutions and leverages funds from a variety of private, local, state and federal funds. Since its inception, the Salmon SuperHwy has reconnected over 115 miles of habitat. Ten county bridges have been built with these leveraged funds, but the funds are not adequate for the needs.

Tillamook County has approximately 4,000 culverts with one-third in failing or in poor conditions. The County Road Department has a mission to ensure safety to the travelling public. Replacing failing culverts is a priority. In the December 2015 Presidentially Declared Disaster many culverts blew out. Two catastrophic failures closed a priority one level evacuation route and US Hwy 101 detour routed. Another catastrophic failure isolated the Community of Cape Meares, forcing emergency responders and residents to use unsuitable logging roads.

Declared storms in Tillamook County:

- 1964
- 1971
- 1972
- 1974
- 1990
- 1996
- 1996
- 2004
- 2006
- 2006
- 2007
- 2007
- 2009
- 2011
- 2012
- 2012
- 2015
- 2016
- +all the flood events that were not declared.

With storms increasing, the need to improve the infrastructure system has never been more needed. The grant request is to replace fish barrier culverts with engineered bridges that can withstand future storms. Habitat is restored.

Applicant Qualifications

Tillamook County, Trout Unlimited and the Salmon SuperHwy have completed many similar projects converting fish barrier culverts into bridges. Numerous funding sources were levered to accomplish this feat. The applicant and partners have ample qualifications to complete the work associated with this request. The following video highlights work that has been completed to date. https://youtu.be/y5-qgH9n_zA

The last three projects completed county bridges built under the Salmon SuperHwy umbrella:

- Peterson Creek – Miami Foley Road: Replaced a seven-foot culvert with a 48-ft bridge on a Priority 1 Lifeline road. Completed 11/2020 (2:04 minutes in YouTube link).
- Clear Creek – Jenk Road: Replaced an undersized culvert with at 52-ft bridge removing the last fish barrier on Clear Creek. Completed 11/2020 (3:50 minutes in YouTube link).
- Bear Creek – East Beaver Creek Road: Replaced an undersized culvert with a 36-ft bridge on a sole access road. Completed 10/2019

Note that most of the bridges featured in the video are on county roads and were complete in the last five years, removing fish barriers and restoring habitat.

These completed projects constructed bridges where failing culverts were. County bridges are designed by a Professional Engineer to national bridge standards established by the American Association of State Highway Transportation Officials. Completed bridges are registered in the National Bridge Inventory System and inspected every two years. Designs accommodate the 100-yr flood event, freeboard and streambed reconstruction.

Goals and Objectives

The goal for the project is to continue the successful efforts of restoring salmonid habitat in southern Tillamook County. The objective is to replace up to six failing culverts associated with the county road system which will subsequently restore salmonid habitat. The Salmon SuperHwy developed a portfolio of 93 projects to restore almost 180 miles of block habitat. Rankings were determined based on scientific studies and resulted in a list that will reconnect historic habitat, reduce chronic flooding, improve recreation opportunities, and stimulate the local economy. Rankings were also determined to provide the most economical approach that will achieve the most benefit.

As of January 2022, the Salmon SuperHwy has reconnected 115+ miles of salmonid habitat using a funding from a myriad of sources. See **Projects** below for specific details regarding the six projects that will continue this successful work.

Timeline of Activities

There are a total of six projects that are in various stages of completion. Timelines for each project are listed below. Three specific **Milestones** are associated with each project: Completion of Design & Permitting, Construction, In-Stream Monitoring. The construction dates listed below provide the basis for tracking the milestones.

- Green Creek project
 - 100% designed and permitted.
 - Construction ready during the next in-water work window of 2023.
- Samson Creek project
 - 95% design.
 - Construction ready during the next in-water work window of 2023.
- Illingsworth Creek project
 - 95% design.
 - Construction ready during the next in-water work window of 2023.
- Myrtle Creek project
 - 60% design.
 - Construction ready during the next in-water work window of 2023.
 - Construction may occur in 2024.
- Esther Creek project
 - 30% design
 - Construction ready during the next in-water work window of 2023.
 - Construction may occur in 2024.
- Flower Pot Creek project
 - 15% design
 - Construction ready during the next in-water work window of 2023.
 - Construction may occur in 2024.

The construction dates are reasonable as the Salmon SuperHwy has a strong history of developing similar projects and the timelines associated with past projects are a good indicator for timeline projects.

Outcomes & Evaluation Plan

The Salmon SuperHwy has completed 43 different projects including the construction of ten county bridges that replaced failing, undersized culverts. Salmonids were identified passing under these ten bridges the first fall following construction. Tillamook County has not had maintenance issues with these structures since construction. The projects were instantaneous successes.

It is anticipated that the construction of the proposed six projects will yield similar results. Tillamook County will utilize Trout Unlimited, USFWS, USFS, Oregon Department of Fish & Wildlife to assist in monitoring to determine effectiveness on the removal of the barriers. At a minimum, NOAA Restoration Center Tier 1 implementation metrics, which include basic site-passability metrics and confirmation of

target species presence, will be collected at each site. The methods described in the [NOAA Restoration Center Implementation Monitoring Guidance](#) will be used to guide the monitoring metric data collection.

Projects

The grant has identified up to six individual projects that are in various stages of design. Funds provided by this grant will be leveraged with other grants and funding sources to the maximum extent possible. Due to the uncertainty with historic inflation, sourcing materials, and shortages in construction staffing, this grant can't commit to the construction of all six projects. It is possible that these projects could need to be substituted with different projects. In that case, the projects will be from the prioritized Salmon SuperHwy portfolio of projects.

Green Creek – Trask River Road

This project will replace a 48" diameter steel culvert with a bridge designed to meet fish passage requirements. The culvert is a fish barrier, undersized, failing, rusted through. The culvert is prone to plugging and flows overtop Trask River Road during high flow events. **During a rain event in 2020, the Road Department prevented a road washout at this location.**

Benefits to Green Creek: Unimpeded passage for fish and access to spawning and rearing habitat. Natural stream processes restored. 1.7 miles of habitat reconnected

Benefits to Trask River Road: Improved public health and safety. Maintains emergency responder access. Maintains wildland fire access. Maintains business access. Removes a flood risk.

Samson Creek – Trask River Road

This project will replace an 84" rusted corrugated metal pipe with a bridge to meet fish passage requirements. The 1942 Bridge Inventory lists this crossing as a 15-ft Timber Bridge.

Trask River Road is the sole access to this area and a failure at this culvert would cut off access to numerous residences, state and industrial timber land, and recreational opportunities such as parks, camping, fishing and hunting. Replacement of this culvert will eliminate a public safety hazard and reduce maintenance costs for the County.

Benefits to Samson Creek: Unimpeded passage for fish and access to spawning and rearing habitat. Natural stream processes restored. 1.3 miles of habitat reconnected.

Benefits to Trask River Road: Improved public health and safety. Maintains emergency responder access. Maintains wildland fire access. Maintains business access. Removes a flood risk.

Illingsworth Creek – Ekroth Road

This project will replace a 72" x 50" rusted corrugated metal pipe with a bridge that is designed to meet fish passage requirements. The 1942 Bridge Inventory lists this crossing with a 32-ft Timber Bridge.

Ekroth Road is the only access road to a power substation that serves commercial, industrial & residential properties from the community of Garibaldi to the community of Wheeler. Because of its proximity to Tillamook Bay, a new bridge would provide increased coastal resiliency to the impacts of climate change and sea level rise.

Benefits to Illingsworth Creek: Unimpeded passage for fish and access to spawning and rearing habitat. Natural stream processes restored. 1.6 miles of habitat reconnected.

Benefits to Ekroth Road: Improved public health and safety. **Maintains access to a power substation.** Maintains emergency responder access. Maintains wildland fire access. Maintains business access. Removes a flood risk.

Myrtle Creek – Kilchis River Road

This project will replace a failing 66" rusted corrugated metal pipe with a bridge that is designed to meet fish passage requirements. The existing culvert is a fish barrier and is prone to plugging up. The 1942 Bridge Inventory lists this crossing with a 23-ft Timber Bridge.

Kilchis River Road is the sole access to private & public timberlands. Tillamook County Parks Department sees over one million patrons per year and the campground located at the end of this road is one of the most sought-after locations. Replacement of this culvert will eliminate a public safety hazard and reduce maintenance costs for the County.

Benefits to Myrtle Creek: Unimpeded passage for fish and access to spawning and rearing habitat. Natural stream processes restored. 1.6 miles of habitat reconnected.

Benefits to Kilchis River Road: Improved public health and safety. Maintains access to a quarry that has provided emergency Tillamook Bay Jetty Rock. Maintains emergency responder access. Maintains wildland fire access. Removes a flood risk.

Esther Creek – Tomlinson Road

This project will replace a failing 60" rusted corrugated metal pipe with a large multiplate or box culvert. The existing culvert is at threat of washing out or collapse. Esther Creek is a tributary of the Tillamook River, it's headwaters flow from private forest land down onto private agricultural land where it passes through this undersized culvert. This culvert is a partial barrier to adult and juvenile fish and impedes access to 2.9 miles of spawning and rearing habitat.

Benefits to Esther Creek: Unimpeded passage for fish and access to spawning and rearing habitat in a highly productive system for Coho.

Benefits to Tomlinson Road: Improved public health and safety. Economic benefit of investment in resilient infrastructure.

Flower Pot Creek – Bayocean Road

Flower Pot Creek is a tributary that flows directly into Tillamook Bay. The undersized, 48” concrete culvert under Tillamook County owned Bayocean Road is a partial barrier to adult and juvenile fish, impedes access to 1.4 miles of spawning and rearing habitat, and may impact tidal exchange in the adjacent wetlands. The culvert is highly ranked on the Salmon SuperHwy priority list, and the adjacent wetlands are ranked medium-high priority in the Tidal Wetlands Prioritization for Tillamook Bay. This project will replace the undersized 48” concrete culvert with a bridge that is designed to meet fish passage requirements. A culvert located just to the west of this location blew out in the December 2015 flood event and isolated the community of Cape Meares.

Benefits to Flower Pot Creek: Unimpeded passage for fish and access to spawning and rearing habitat. Natural stream processes and tidal exchange restored. 1.4 miles of habitat reconnected.

Benefits to Bayocean Road: Builds on infrastructure resiliency needed for the community of Cape Meares. This is the only road into the community.

Outreach and Education

The Salmon SuperHwy has a strong outreach and education component. These projects will include:

- Landowner outreach will occur at various stages. Designs are often improved based on local input.
- Public comment period associated with permitting
- Stakeholder participation.

Education is ongoing and includes outreach such as the YouTube link listed previously as well as various articles such as:

<https://www.pewtrusts.org/en/research-and-analysis/articles/2020/12/08/in-oregon-removing-river-barriers-helps-fish-and-communities-thrive>

<https://loonoutdoors.com/blogs/journal/salmon-superhwy>

<https://www.tu.org/magazine/conservation/95-miles-and-counting/>

Future articles are likely to occur in the future.

Specific Award Conditions

Award Number: NA22NMF4690328

Amendment Number: 0

1) Part 2 - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials WAIVERS

When necessary, recipients may apply for, and DOC may grant, a waiver from these requirements. DOC will notify the recipient for information on the process for requesting a waiver from these requirements.

1) When DOC has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which DOC determines that:

- a. applying the domestic content procurement preference would be inconsistent with the public interest;
- b. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- c. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. DOC will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described at whitehouse.gov/omb/management/made-in-america.

DEFINITIONS

“Construction materials” includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives²—that is or consists primarily of: non-ferrous metals; plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall.

“Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

"Infrastructure" includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and

freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

"Project" means the construction, alteration, maintenance, or repair of infrastructure in the United States

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1 Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

2 IIJA, § 70917(c)(1).

2) Project Milestones

To ensure adequate and timely progress towards project completion, NOAA and the Recipient have cooperatively identified several milestones as outlined in the proposal narrative. Project progress will be evaluated throughout the award with particular emphasis on meeting these milestones. NOAA reserves the right to pursue enforcement action for the award under 2 C.F.R. 200.339-.343 at any time throughout the award period should NOAA determine that a Recipient is not meeting project milestones as outlined in the application submitted to the NOAA Grants Management Division for funding.

3) Changes to Scope of Work

By accepting this award, the Recipient agrees to assist and cooperate with NOAA Fisheries in the preparation of any outstanding National Environmental Policy Act (NEPA) compliance documentation. Recipients who plan any changes to the activities described in the award documentation approved by NOAA should contact their Federal Program Officer at least 90 days in advance of any changes, so that NOAA can confirm that all environmental compliance review is complete, and all documentation is in place. Other requirements related to changes in the Scope of Work are contained in the NOAA Standard Terms and Conditions.

4) Contact Information

Contact information for NOAA and the Recipient is maintained in the NOAA Grants Online award management system. In addition:

The Federal Program Officer for this award is: Janine Harris , 301-427-8635, janine.harris@noaa.gov.
The Technical Monitor for this award is: Megan Hilgart, 503-231-6848, Megan.Hilgart@noaa.gov.

5) Implementation of Domestic Sourcing Requirements

Implementation of Domestic Sourcing Requirements Prior to initiation of any construction that may arise in this award, the Recipient is required to inform the NOAA Grants Officer and the Federal Program Officer whether it is using iron, steel, manufactured products, or construction materials as described in the Specific Award Condition in this award on 'Required Use of American Iron, Steel, Manufactured Products, and Construction Materials.' In addition, the Recipient is required to inform the NOAA Grants Officer and the Federal Program Officer whether those materials are produced or manufactured in the United States, or alternatively, it is requesting one or more waivers, as described in the award condition. The Recipient is required to coordinate with NOAA regarding its compliance with this term.

6) Verification of Permits and Consultations

Verification of permits and regulatory compliance related to this project must be presented to the NOAA Technical Monitor prior to project implementation. The Recipient should provide a list of Federal, tribal, state, and local permits acquired for this project by email or letter to the NOAA Technical Monitor.

7) Project Files

The Recipient must maintain project files for all restoration activities taking place under this agreement consistent with 2 C.F.R. Sec. 200.334. These files must contain, at a minimum, project work plans and copies of all federal and state permits/consultations associated with project implementation.

8) Outreach and Communication

Department of Commerce Financial Assistance Standard Term and Condition G.05.k.3. is supplemented as follows consistent with NOAA's collaboration on this project. The Recipient will coordinate with NOAA on outreach plans, events, products, and media coverage associated with the project. Please coordinate with the Federal Program Officer listed under the Contact Information award condition. Grantees will provide copies of final outreach products, website mentions, press materials, photos, etc. via the standard progress reports to NOAA, or when available throughout the award period. Grantees will provide NOAA with high-resolution before, during, and post-implementation photos of the project. Photos of the site prior to construction and during project implementation should be submitted with progress reports or as requested by NOAA.

9) Acknowledgement of Project Contributors

The Recipient must display, where appropriate and practical, publicly visible signs indicating that the project has received funding from the NOAA Restoration Center. These signs should also identify other contributing partners. These contributions should also be acknowledged in all communications with the media and the public and in all outreach related to the projects, consistent with Department of Commerce Financial Assistance Standard Term and Condition G.05.k.3.

10) Project Safety

The Recipient must have a written safety plan for management of the project, which should specifically address safety of project personnel, associates, visitors, and volunteers. The Recipient must conduct a safety briefing for volunteers immediately prior to their participation in hands-on restoration activities under this award.

In addition, for any Self-Contained Underwater Breathing Apparatus (SCUBA) diving activities in a project, it is the responsibility of the Recipient to ensure that SCUBA divers are certified to a level commensurate with the type and conditions of the diving activity being undertaken. Furthermore, it is the responsibility of the Recipient to ensure that any SCUBA diving activities under this award meet, at a minimum, all applicable Federal, State, and local laws and regulations pertaining to the type of SCUBA diving being undertaken.

11) Post Award NEPA Review Process

By accepting this award, the Recipient agrees to assist and cooperate with NOAA Fisheries in the preparation of any outstanding National Environmental Policy Act (NEPA) compliance documentation. For purposes of NEPA compliance, Phase 1 of the project includes feasibility assessment, design to 100%, and permitting of the fish passage projects. The activities for which work can proceed will have no significant individual or cumulative adverse impacts on the environment. The Recipient will not expend any funds for Phase 2 project implementation until impacts have been assessed, and NEPA compliance documentation has been completed by NOAA. Phase 2 award funds will be available after the NOAA Program Officer provides NEPA clearance by confirming in Grants Online that this award condition has been satisfied.

12) Compliance with Applicable Laws, Obtaining Permits, and Consultation Requirements

The Recipient is required to comply with national policy requirements consistent with 2 C.F.R. Sec. 200.300 and Department of Commerce Financial Assistance Standard Terms and Conditions, Section G. The Recipient will ensure that implementation of the project will meet all Federal laws and regulations by obtaining all Federal, state, and local permits and consultations applicable to the project prior to expenditure of award funds for those activities requiring permits and consultations. This includes, but is not restricted to, consultations required under the Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act (Essential Fish Habitat), National Historic Preservation Act, and Coastal Zone Management Act. The Recipient will be cognizant of all conditions and restrictions required by their permits and consultations, and will immediately halt activities and contact their NOAA Technical Monitor if events occur that threaten to violate the conditions or restrictions required by their permits and consultations.

13) Monitoring

To evaluate project implementation quality and effectiveness, and learn from your restoration project(s), recipients will execute appropriate project monitoring with guidance from NOAA. As your project proceeds, NOAA's substantial involvement will include further coordination to execute implementation and basic effectiveness monitoring, and potentially more detailed effectiveness monitoring, if applicable. The grantee will collaborate with NOAA to identify monitoring elements such as parameters, methods, sampling duration and frequency, and post-implementation targets. NOAA's involvement will also include ongoing coordination on data management, analyses, and dissemination of results (see below). The grantee will develop a data/information sharing plan, and submit appropriate monitoring information

with progress reports, as well as at other appropriate times. Templates for the data/information sharing plan and other monitoring related guidance are provided at <https://www.fisheries.noaa.gov/national/habitat-conservation/monitoring-and-evaluation-restoration-projects>.

14) Part 1 - Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Pursuant to the Infrastructure Investment and Jobs Act (“IIJA”), Pub.L. No. 117-58, which includes the Build American, Buy American (BABA) Act, Pub. L. No. 117-58, §§ 70901-52 and OMB M-22-11, recipients of an award of Federal financial assistance from the Department of Commerce (DOC) are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

- 1) all iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- 2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- 3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

15) Performance Progress Reports

Reporting requirements are described in 2 C.F.R. Sec. 200.328-.330, and 200.300(b); Department of Commerce Financial Assistance Standard Terms and Conditions Sec. A.01, C.03, and G.05; and Bureau-Specific NOAA Administrative Standard Award Conditions, with the following supplement.

Progress reports must be submitted using the NOAA Community-based Restoration Program's Performance Progress Report (PPR) reporting form approved by OMB under control number 0648-0718, or a successor form. The NOAA Federal Program Officer will provide this form to the Recipient. Interim semi-annual progress reports are due no later than 30 days after the semiannual reporting periods ending March 31 and September 30 for the entire duration of the award. These follow the same frequency and have the same due dates (April 30 and October 30, respectively) as the SF-425 Federal Financial Reports, which also must be submitted as a condition of this award.

A comprehensive final report covering all activities during the award period is required and must be received by the NOAA Program Officer within 120 days after the end date of this award, but a final semi-annual report is not required.

16) Cooperative Agreement/ Substantial Involvement

This award is a cooperative agreement as described in 2 C.F.R. Sec. 200.1, meaning that NOAA is “substantially involved” in the project. NOAA Fisheries’ participation will be crucial to ensuring the timely implementation of the most beneficial habitat restoration project. NOAA may participate in one or more of the following ways:

- collaboration on the scope of work through participation in meetings and review of documents;
- providing assistance with technical aspects of the habitat restoration project such as assistance with permitting or development of detailed work plans and monitoring plans;
- review and comment on design plans at the beginning of the award, at various stages throughout any portion of the design process that occurs during the award (e.g. conceptual, 30%, 60%, and 90% completion), and at the final completion stage;
- review of procurement materials to the extent authorized by 2 C.F.R. Sec. 200.325;
- tracking the progression of the restoration from planning through implementation and post-construction monitoring, with particular emphasis on tracking Recipient achievement of targets for major milestones and performance metrics and sharing results;
- other involvement consistent with Office of Management and Budget Guidance on Substantial Involvement. See 43 Federal Register 36860 (Aug. 18, 1978).

17) New Award SAC

This award number NA22NMF4690328, to TILLAMOOK, COUNTY OF, supports the work described in the Recipient's proposal entitled, "Salmon SuperHwy County Bridges" dated 06/10/2022 and revisions dated 06/29/2022, which is incorporated into the award by reference. Where the terms of the award and proposal differ, the terms of the award shall prevail.

Salmon SuperHwy County Bridges

Budget Narrative

Date: June 9, 2022

NOAA-NMFS-HCPO-2022-2007372

FY22 Non-competitive RFA for Congressionally Identified Awards and Projects: Tillamook County

Department of Commerce

Personnel, Fringe Benefits, Travel, Equipment, Supplies, & Other

Tillamook County does not seek reimbursement for staff time and is not included in this grant proposal. If requested, Tillamook County can provide an estimate of staff time per position that is anticipated to be used for this project. The projects are located in Tillamook County. All equipment will be contracted as part of construction. Tillamook County does not seek reimbursement for supplies.

Personnel: \$0

Fringe Benefits: \$0

Travel: \$0

Equipment: \$0

Supplies: \$0

Other: \$0

Contractual

Tillamook County has entered into Memorandums of Agreement with Trout Unlimited to act as the contracting agency for three of the six projects and a second Memorandum of Agreement is being developed to cover the remaining three projects. Trout Unlimited is a non-governmental organization that has submitted on received grant funding each of the six projects. The agreements include:

County Obligations (summarized)

- Assist Trout Unlimited with the projects including, but not limited to construction contractor selection, engineering oversight throughout the project's duration, landowner coordination, and contractor invoice approval.
- Provide cash funding for design and implementation as identified below in **Construction**.

Trout Unlimited Obligations (summarized)

- Provide bid ready engineering designs for the projects.
- Solicit competitive bids and contract according to all applicable local, state and federal requirements.
- Act as the contracting agency for the duration of the project.

- Conduct effectiveness monitoring and prepare an annual report on the results and condition of the work.

Tillamook County will modify the existing Memorandums of Agreement upon award of this grant.

Contractual: \$0

Construction

Two SF424A forms were used for the budget and are combined below to identify total grant amount of \$2.5 million. Construction estimates are based on reasonable assumptions but are only assumptions. Applicant match may increase or decrease based on the potential for future grants, overruns, or underruns. It is assumed that overruns and underruns from one project can be applied to another project. Contractor selection will be based on competitive process as required by applicable laws.

	Project Cost	Applicant	State	Other	Total	NOAA - CDS
Green	\$ 900,000.00	\$ 90,083.00	\$ 602,077.00	\$ 205,240.00	\$ 897,400.00	\$ 2,600.00
Samson	\$ 950,000.00	\$ 212,335.00	\$ 130,764.00	\$ 301,070.00	\$ 644,169.00	\$ 305,831.00
Illingsworth	\$ 650,000.00	\$ 100,000.00	\$ -	\$ 287,931.00	\$ 387,931.00	\$ 262,069.00
Myrtle	\$ 700,000.00	\$ 50,000.00	\$ 65,000.00	\$ 570,000.00	\$ 685,000.00	\$ 15,000.00
Subtotal	\$ 3,200,000.00	\$ 452,418.00	\$ 797,841.00	\$ 1,364,241.00	\$ 2,614,500.00	\$ 585,500.00
Esther Creek	\$ 600,000.00	\$ 25,000.00	\$ -	\$ 70,000.00	\$ 95,000.00	\$ 505,000.00
Flower Pot	\$ 1,650,000.00	\$ 50,000.00	\$ 46,000.00	\$ 144,500.00	\$ 240,500.00	\$ 1,409,500.00
Subtotal	\$ 2,250,000.00	\$ 75,000.00	\$ 46,000.00	\$ 214,500.00	\$ 335,500.00	\$ 1,914,500.00
Grant Total	\$ 5,450,000.00	\$ 527,418.00	\$ 843,841.00	\$ 1,578,741.00	\$ 2,950,000.00	\$ 2,500,000.00

Total Direct Charges

- A. Personnel: \$0
- B. Fringe Benefits: \$0
- C. Travel: \$0
- D. Equipment: \$0
- E. Supplies: \$0
- F. Contractual: \$0
- G. Construction: \$2,500,000.00
- H. Other: \$0

Total Direct Costs = \$2,500,000.00

FINANCIAL ASSISTANCE AWARD

GRANT COOPERATIVE AGREEMENT

FEDERAL AWARD ID NUMBER

NA22NMF4690328

PERIOD OF PERFORMANCE

10/01/2022-09/30/2025

STREET ADDRESS

201 LAUREL AVE

FEDERAL SHARE OF COST

\$2,500,000.00

CITY, STATE, ZIP CODE

TILLAMOOK OR 97141-2311

RECIPIENT SHARE OF COST

\$0.00

AUTHORITY

Public Law 117-103 (March 15, 2022)
16 USC 661; 16 USC 1891a

TOTAL ESTIMATED COST

\$2,500,000.00

CFDA NO. AND NAME

11.469 Congressionally Identified Awards and Projects

PROJECT TITLE

Salmon SuperHwy County Bridges

This Award Document (Form CD-450) signed by the Grants Officer constitutes an obligation of Federal funding. By signing this Form CD-450, the Recipient agrees to comply with the Award provisions checked below and attached. Upon acceptance by the Recipient, the Form CD-450 must be signed by an authorized representative of the Recipient and returned to the Grants Officer. If not signed and returned without modification by the Recipient within 30 days of receipt, the Grants Officer may unilaterally withdraw this Award offer and de-obligate the funds.

- DEPARTMENT OF COMMERCE FINANCIAL ASSISTANCE STANDARD TERMS AND CONDITIONS
- R & D AWARD
- FEDERAL-WIDE RESEARCH TERMS AND CONDITIONS, AS ADOPTED BY THE DEPT. OF COMMERCE
- BUREAU SPECIFIC ADMINISTRATIVE STANDARD AWARD CONDITIONS
- SPECIFIC AWARD CONDITIONS
- LINE ITEM BUDGET
- 2 CFR PART 200, UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS, AS ADOPTED PURSUANT TO 2 CFR § 1327.101
- 48 CFR PART 31, CONTRACT COST PRINCIPLES AND PROCEDURES
- DEPARTMENT OF COMMERCE PRE-AWARD NOTIFICATION REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS (REF: 79 FR78390)
- MULTI-YEAR AWARD. PLEASE SEE THE MULTI-YEAR SPECIFIC AWARD CONDITION.
- OTHER(S):

SIGNATURE OF DEPARTMENT OF COMMERCE GRANTS OFFICER

Alan Conway

DATE

07/05/2022

PRINTED NAME, PRINTED TITLE AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

DATE