



# TILLAMOOK COUNTY BOARD OF COMMISSIONERS NOTICE OF MEETING AGENDAS

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## BOARD OF COMMISSIONERS

**Erin D. Skaar**, Chair  
*eskaar@co.tillamook.or.us*

**Mary Faith Bell**, Vice-Chair  
*mbell@co.tillamook.or.us*

**David Yamamoto**, Commissioner  
*dyamamoto@co.tillamook.or.us*

## CONTACT

Tillamook County Courthouse  
201 Laurel Avenue  
Tillamook, Oregon 97141  
503.842.3403  
[www.co.tillamook.or.us](http://www.co.tillamook.or.us)

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## COMMUNITY UPDATE MEETING

**Tuesday, January 31, 2023 at 8:00 a.m.**  
*Teleconference and KTIL-FM at 95.9*

## BOARD MEETING

**Wednesday, February 1, 2023 at 9:00 a.m.**  
**Board of Commissioners' Meeting Room 106**  
*County Courthouse, Teleconference, and Live Video at [tctvonline.com](http://tctvonline.com)*

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## AGENDAS

### **COMMUNITY UPDATE- 2023-01-31 COMMUNITY UPDATE AUDIO.MP4**

CALL TO ORDER: January 31, 2023 8:00 a.m.

1. 00:41 Welcome and Board of Commissioners' Roll Call
2. 00:55 Adventist Health Tillamook
3. 02:30 Tillamook County Community Health Center
4. 05:42 Nehalem Bay Health Center & Pharmacy
5. 06:47 Tillamook Family Counseling Center
6. 11:09 Sheriff's Office
7. 16:57 Board of Commissioners
8. Cities
  - 46:08 Manzanita
  - 48:26 Rockaway Beach
  - 49:00 Garibaldi
  - 49:42 Bay City
  - 50:48 Tillamook
  - 57:34 South County

**ADJOURN – 8:59 a.m.**

## **MEETING – 2023-02-01 BOCC MEETING AUDIO.MP4**

CALL TO ORDER: Wednesday, February 1, 2023 9:00 a.m.

1. 02:15 Welcome & Request to Sign Guest List
2. 02:21 Pledge of Allegiance
3. 03:15 Public Comment:  
Solid Waste Violation Comments/James Mahannah
4. 02:44 Non-Agenda Items:  
Announcement of Out of Order Agenda Item #13/Commissioner Erin Skaar

### **PRESENTATIONS**

5. 26:11 Lower Nehalem Watershed Council Annual Report Presentation/Zac Mallon, Coordinator, Lower Nehalem Watershed Council

### **AGENDA ITEM TAKEN OUT OF ORDER**

### **LEGISLATIVE – ADMINISTRATIVE**

6. 52:16 Discussion and Consideration of a Letter of Support for the Port of Garibaldi Commercial Wharf/Seawall Reconstruction and Seismic Retrofit Project/Michael Saindon, General Manager, Port of Garibaldi

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board signed the letter of support.

7. 58:18 Discussion and Consideration of a Fifth Amendment to Oregon Health Authority 2022 Intergovernmental Agreement #173148 for the Financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Gambling Services/Frank Hanna Williams, Executive Director, Tillamook Family Counseling Center

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Chair signed the amendment.

8. 1:08:17 Discussion and Consideration of Modification #1 to Professional Services Agreement #22/23-012 with The Smile Studio for Federally Qualified Health Centers (FQHC) Oregon Health Plan Medicaid and Non-insured Dental Services/Marlene Putman, Administrator, Health and Human Services Department

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board signed the modification.

9. 1:09:58 Discussion and Consideration of Oregon Health Authority Intergovernmental Grant Agreement #178909 to Increase Access to High Quality, Culturally Responsive Reproductive Health Services/Marlene Putman, Administrator, Health and Human Services Department

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Chair signed the agreement.

10. 1:26:13 Discussion and Consideration of a Grant Application to the U.S. Department of Transportation's Programs Rebuilding American Infrastructure with Sustainability and Equity (RAISE)/Chris Laity, Director, Public Works

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board approved the grant application.

**AGENDA ITEM TAKEN OUT OF ORDER**

11. 1:15:19 Discussion and Consideration of a Grant Application to the National Culvert Removal, Replacement, and Restoration Grant Program (Culvert AOP Program)/Chris Laity, Director, Public Works

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board approved the grant application.

**AGENDA ITEM TAKEN OUT OF ORDER**

12. 1:38:26 Discussion and Consideration of a Follow-up Staff Report Advising a 30-Day Extension Regarding a Solid Waste Violation at 22250 East Beaver Creek Rd., Cloverdale, Tillamook County, Township 3S, Range 9W, Section 16, Tax Lot #1200/David McCall, Solid Waste Program Manager, Public Works

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell to allow the 30-day extension with stipulations of weekly check-in points to be determined by County Counsel, David McCall, Solid Waste Manager, and Chris Laity, Director, Public Works. Upon the execution of each check-in point, the extension can move forward on a weekly basis, up to 30 days. Upon the property owner's non-compliance with any weekly check-in point, the entire 30-day extension is void and the matter will be turned over to Public Works and Solid Waste for further remediation. Said remediation could hold the property owner liable for payment of associated costs incurred and could result in a lien on the property. The motion passed with three aye votes. The Board approved the 30-day extension as read into the record.

13. 07:19 Discussion and Consideration of Multifamily Rental Housing Grant Agreement #2023-MHF-2 with Lisa Greiner for the Greiner Tillamook Project/Thomas J. Fiorelli, Housing Coordinator, Community Development Department

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Board signed the grant agreement.

**AGENDA ITEM TAKEN OUT OF ORDER**

14. 16:33 Discussion and Consideration of a Personal Services Agreement with X4 HEALTH for Coordinated Homeless Response/Thomas J. Fiorelli, Housing Coordinator, Community Development Department

24:21 Notice of Intent to Award Protest Period/Rachel Hagerty

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell to approve the personal services agreement pending the end of the business day when the protest period is over. The motion passed with three aye votes. The Board signed the agreement after the protest period expired.

**AGENDA ITEM TAKEN OUT OF ORDER**

15. 2:08:59 Discussion and Consideration of Addendum #3 to Sale Agreement #6330 with Odger Gene Rawe for Property Located at Township 1S, Range 9W, Section 29, Tax Lot 01000, Tillamook County/Rachel Hagerty, Chief of Staff

A motion was made by Commissioner Yamamoto and seconded by Vice-Chair Bell. The motion passed with three aye votes. The Chair signed the addendum.

16. 2:11:45 Board Concerns – Non-Agenda Items: There were none.

17. 2:12:12 Board Announcements

**Chair Skaar recessed the meeting at 11:14 a.m. to go into executive session under ORS 192.660(2)(d)**

**Chair Skaar reconvened the meeting at 12:26 p.m. – 2023-02-01 BOCC MEETING AUDIO.MP4 PART II**

**ADJOURN – 12:26 p.m.**

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## **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: Board of Commissioners' Meeting Room 106, 201 Laurel Avenue, Tillamook
  - Teleconference: Dial 971-254-3149, Conference ID: 736 023 979#
  - Live Video: [tctvonline.com](http://tctvonline.com)

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## **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.

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## **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](mailto: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](mailto: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, January 31, 2023 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, February 1, 2023 9:00 a.m.

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

## **PRESENTATIONS**

5. Lower Nehalem Watershed Council Annual Report Presentation/Zac Mallon, Coordinator, Lower Nehalem Watershed Council

## **LEGISLATIVE – ADMINISTRATIVE**

6. Discussion and Consideration of a Letter of Support for the Port of Garibaldi Commercial Wharf/Seawall Reconstruction and Seismic Retrofit Project/Michael Saindon, General Manager, Port of Garibaldi
7. Discussion and Consideration of a Fifth Amendment to Oregon Health Authority 2022 Intergovernmental Agreement #173148 for the Financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Gambling Services/Frank Hanna Williams, Executive Director, Tillamook Family Counseling Center
8. Discussion and Consideration of Modification #1 to Professional Services Agreement #22/23-012 with The Smile Studio for Federally Qualified Health Centers (FQHC) Oregon Health Plan Medicaid and Non-insured Dental Services/Marlene Putman, Administrator, Health and Human Services Department
9. Discussion and Consideration of Oregon Health Authority Intergovernmental Grant Agreement #178909 to Increase Access to High Quality, Culturally Responsive Reproductive Health Services/Marlene Putman, Administrator, Health and Human Services Department
10. Discussion and Consideration of a Grant Application to the U.S. Department of Transportation's Programs Rebuilding American Infrastructure with Sustainability and Equity (RAISE)/Chris Laity, Director, Public Works
11. Discussion and Consideration of a Grant Application to the National Culvert Removal, Replacement, and Restoration Grant Program (Culvert AOP Program)/Chris Laity, Director, Public Works
12. Discussion and Consideration of a Follow-up Staff Report Advising a 30-Day Extension Regarding a Solid Waste Violation at 22250 East Beaver Creek Rd., Cloverdale, Tillamook County, Township 3S, Range 9W, Section 16, Tax Lot #1200/David McCall, Solid Waste Program Manager, Public Works

13. Discussion and Consideration of Multifamily Rental Housing Grant Agreement #2023-MHF-2 with Lisa Greiner for the Greiner Tillamook Project/Thomas J. Fiorelli, Housing Coordinator, Community Development Department
14. Discussion and Consideration of a Personal Services Agreement with X4 HEALTH for Coordinated Homeless Response/Thomas J. Fiorelli, Housing Coordinator, Community Development Department
15. Discussion and Consideration of Addendum #3 to Sale Agreement #6330 with Odger Gene Rawe for Property Located at Township 1S, Range 9W, Section 29, Tax Lot 01000, Tillamook County/Rachel Hagerty, Chief of Staff
16. Board Concerns – Non-Agenda Items
17. Board Announcements

**ADJOURN**

**OTHER MEETINGS AND ANNOUNCEMENTS**

The Commissioners will attend a public hearing on **Monday, January 30, 2023** at **9:00 a.m.** to consider Ordinance Amendment Request #851-22-000402-PLNG, to amend Article 5: Special Use Standards and Exception of the Tillamook County Land Use Ordinance (TCLUO) to include Section 5.110, to Establish Use and Development Standards for Construction of an Accessory Dwelling Unit (ADU) on Residentially Zoned Properties Located within Tillamook County Unincorporated Communities. The meeting will be held in the Board of Commissioners' Meeting Room 106 in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The teleconference number is 1-971-254-3149, Conference ID: 887 242 77#.

The Tillamook County Compensation Board will meet on **Monday, January 30, 2023**, at **1:00 p.m.** The meeting will be held in the Board of Commissioners' Meeting Room 106 in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The teleconference number is 1-971-254-3149, Conference ID: 736 023 979#.

The Commissioners will hold a Board Briefing on **Wednesday, February 1, 2023** at **2:00 p.m.** to discuss weekly Commissioner updates. The meeting will be held in the Board of Commissioners' Meeting Room 106 in the Tillamook County Courthouse, 201 Laurel Avenue, Tillamook, Oregon. The teleconference number is 1-971-254-3149, Conference ID: 736 023 979#.

The Commissioners will attend the annual National Association of Counties Conference **February 10, 2023** through **February 14, 2023** in Washington, D.C.

The Tillamook County Annual Public Land Sale Auction will be held **Monday, February 13, 2023** at **1:00 pm** at the Tillamook County Library Main Branch in the Copeland Meeting Room, 1716 Third Street, Tillamook, Oregon 97141. Registration starts at 12:30 pm. There are 20 properties for sale. For the list of properties, land sale packets (including maps), and auction instructions, please visit the county's website at [www.co.tillamook.or.us](http://www.co.tillamook.or.us) and click on How Do I/Real Property Sales.

There is **NO** Commissioners' Board Meeting or Board Briefing Scheduled for **Wednesday, February 15, 2023** due to lack of quorum.





## Debra Garland

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**From:** Mahannah, James  
**Sent:** Tuesday, January 31, 2023 11:53 AM  
**To:** Public Comments  
**Subject:** EXTERNAL: Virtual 2/1/23 meeting attendance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[NOTICE: This message originated outside of Tillamook County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Hello,  
Would like to participate virtually in county commissioners meeting tomorrow.  
Jim Mahannah

Item # 12  
Thank You,  
Jim

Get [Outlook for iOS](#)

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## Tillamook County Board of Commissioners

201 Laurel Avenue, Tillamook, OR 97141

Phone: 503-842-3403

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

February 1, 2023

To Whom it May Concern:

RE: Port of Garibaldi Commercial Wharf/Seawall Reconstruction and Seismic Retrofit Project

The Tillamook County Board of Commissioners strongly supports the Port of Garibaldi's efforts to fund the reconstruction of critical commercial infrastructure of our waterfront wharf pier and boat basin seawall.

The Port's commercial wharf was originally constructed in 1941 and serves as the primary offload facility for most of the commercial fishing vessels in the region. Grant funded reconstruction of approximately 50% of the wharf and commercial avenue took place in 2014/2015 and led to the addition of two new seafood processing companies establishing business in the Port and the addition of many new jobs.

This second phase of the wharf project will complete the reconstruction by replacing the remaining 1941 failing structure with a new earthquake retrofitted pier and allow for new construction of modern facilities at the current locations for the now vacant old Smith Shrimp facility and old Garibaldi Cannery building. The current pier located adjacent to these structures has become unsafe and unusable.

The project will also include repair and seismic retrofitting of the Mooring Basin Road seawall. The 50-plus year old seawall and main roadway are showing signs of cracking and settling. The seawall is also severely becoming undermined which is causing damage to Mooring Basin Road itself, the main artery for all commercial traffic transporting seafood product from the Port.

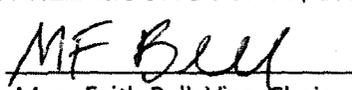
With the upcoming Jetty repair project to begin within the next year allowing more vessel offloads to occur and an ever-increasing demand for offloading/processing facilities in the Port, this project is vital for the continued economic growth/recovery, natural disaster resiliency, and job creation for the region.

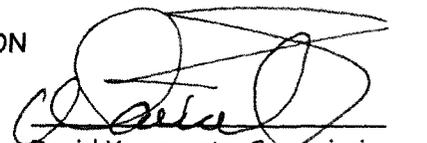
We encourage your support of this project and thank you in advance for your thoughtful review.

Sincerely,

BOARD OF COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON

  
Erin D. Skaar, Chair

  
Mary Faith Bell, Vice-Chair

  
David Yamamoto, Commissioner

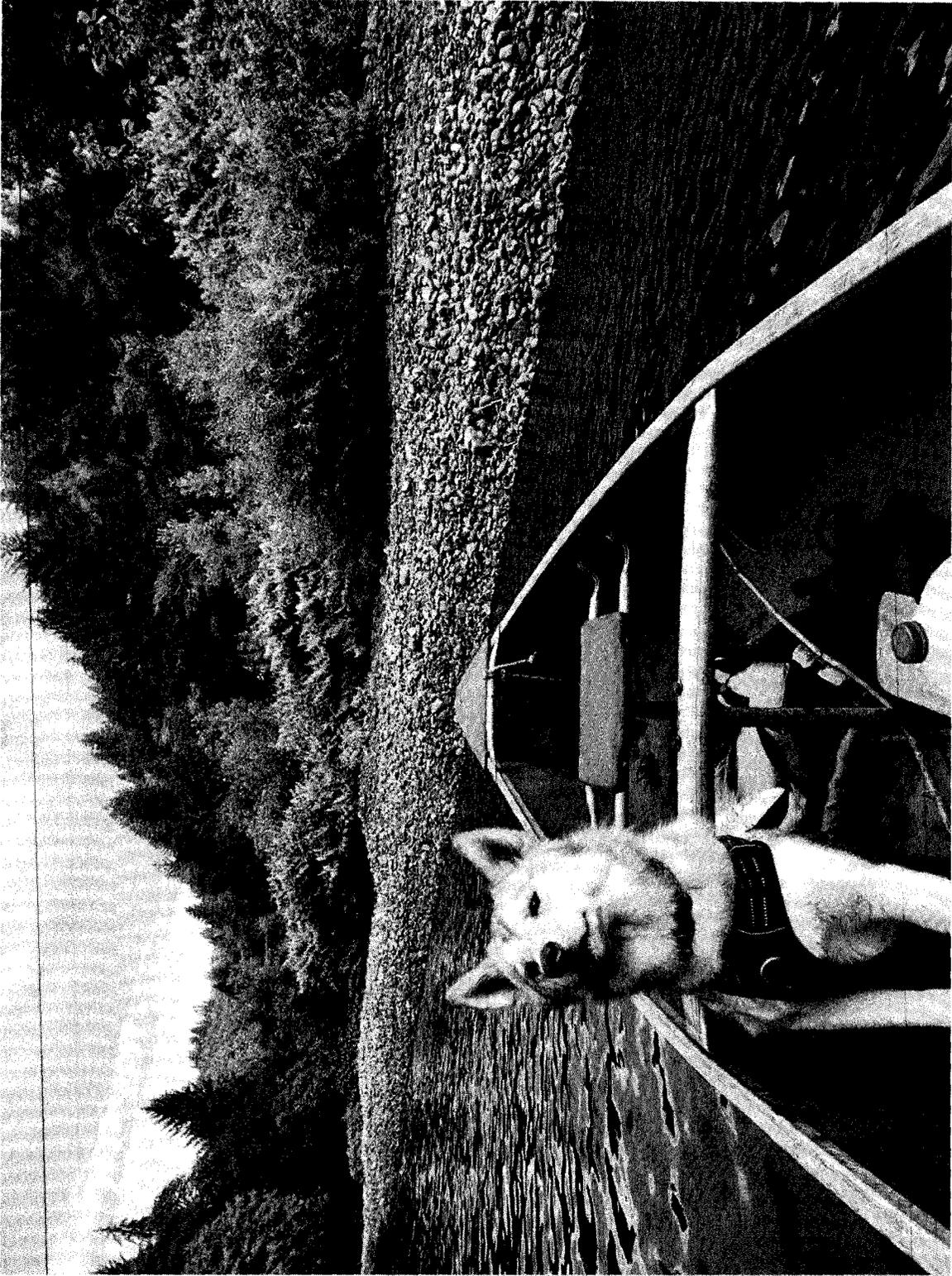


2022

YEAR

IN

REVIEW





# LNWC Mission

Protect, preserve, and enhance the  
Nehalem Watershed through leadership,  
cooperation, and education.

# 2022 Projects



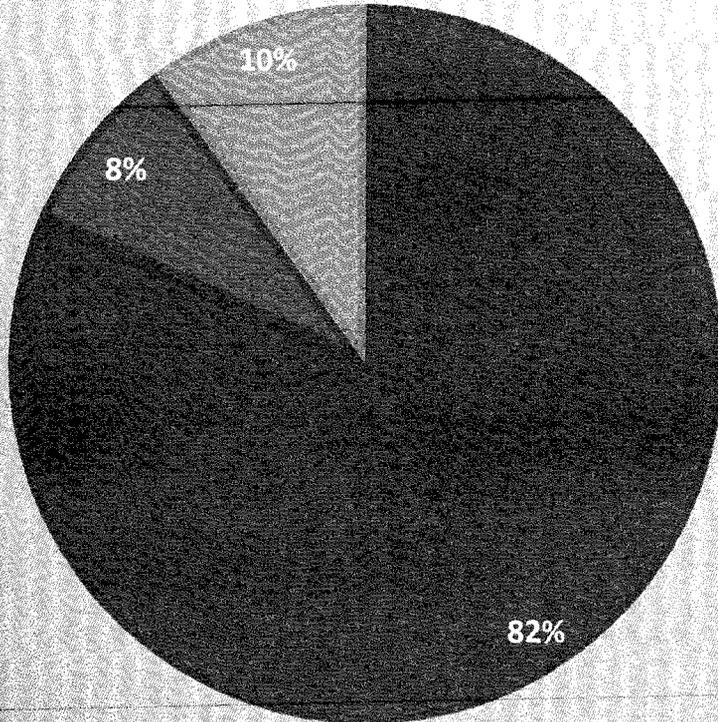
- Research
  - McDonald Slough Tide Gate Monitoring
- Design Projects
  - Salmonberry River Confluence Cold Water Refugia
  - Alder Creek Farm Restoration Designs
  - Bandy Slough Tide Gate Removal
- Restoration
  - Nehalem River Ranch Riparian Restoration
  - Coal Creek Habitat Enhancement
  - Malone Riparian Revegetation
- Collaborations
  - Nehalem Basin Partnership
  - North Coast Watershed Councils Collaborations
- Events
  - Speaker Series
  - Explore Nature

# 2022 Income & Expenses

## 2022 INCOME

TOTAL INCOME: \$192,349.97

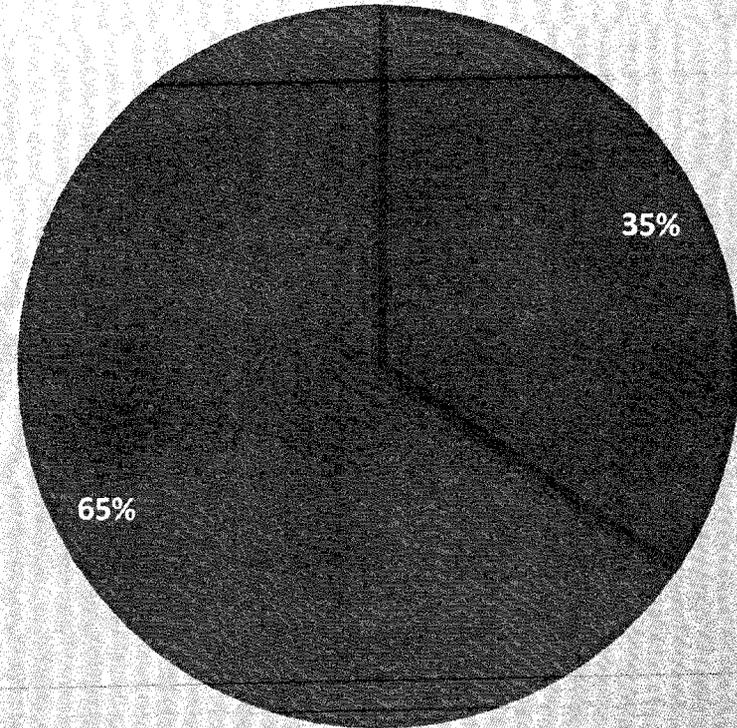
■ Federal Income ■ State Income ■ Donations ■ Private/Local



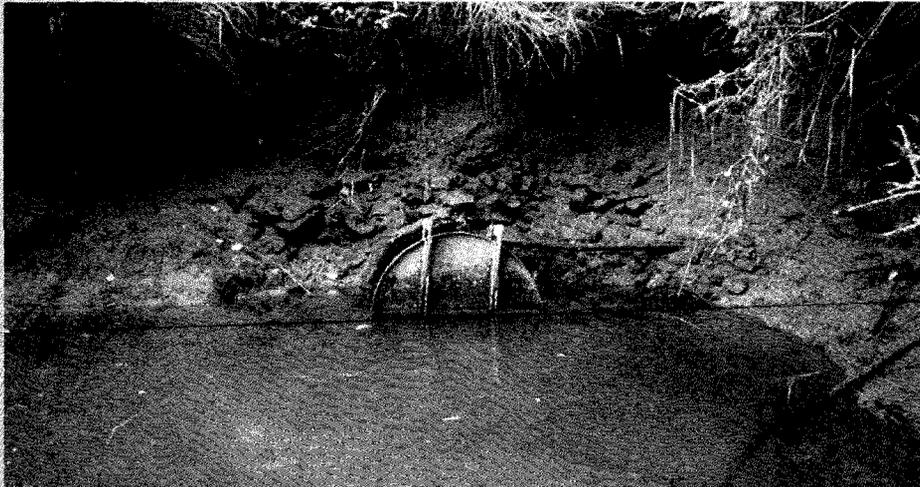
## 2022 EXPENSES

TOTAL EXPENSES: \$ 224,559.40

■ Admin ■ Restoration



# Bandy Slough Tide Gate Removal Designs



**Description:** Bandy Slough is a small slough on the North Fork Nehalem. A tide gate and berm disconnect the historic wetland and flood plain from the river. Three private landowners have agreed to remove the tide gate. The removal will need to accommodate an easement for accessing power lines on site.

**Status:** Recently awarded. The next step is to develop an RFP to hire a contractor and get the project underway.

## **Goals:**

- Restore fish passage to off channel habitat
- Provide winter refugia from high flows for juvenile salmonids
- Provide summer rearing habitat for juvenile salmonids
- Restore floodplain interaction and natural nutrient cycles.

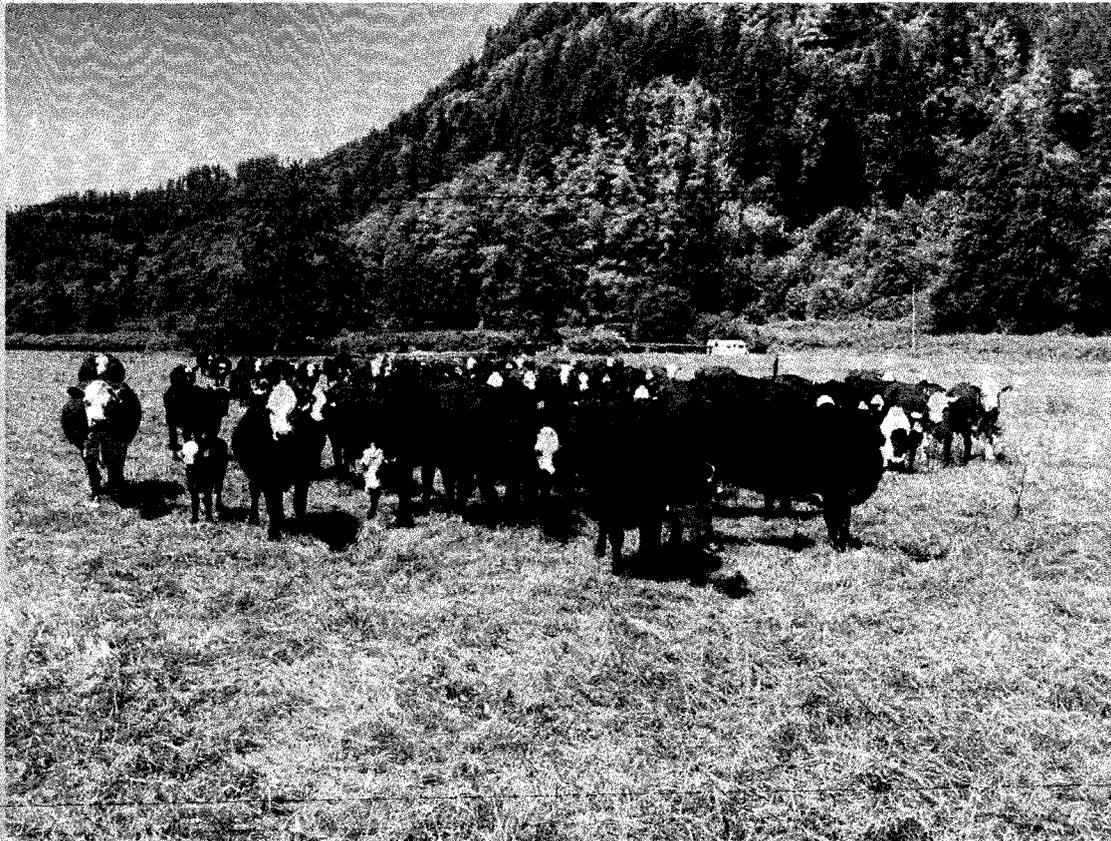
**Partners:** Oregon Department of Fish and Wildlife, Oregon Watershed Enhancement Board, Wild Salmon Center, National Oceanic and Atmospheric Administration, PacifiCorps, and Private Landowners.

# R E S T O R A T I O N

## Nehalem River Ranch Riparian Revegetation

**Description:** This project is planting 1.5 miles of riparian vegetation along the Nehalem River at the Nehalem River Ranch. Flash grazing will be used to control Japanese knotweed on site and a Silvopasture planting will occur in the upstream field.

**Status:** In Progress



### Goals:

- Establish Riparian Vegetation
- Improve nutrient cycling
- Improve infiltration
- Provide pollinator and bird forage and habitat
- Reduce Japanese Knotweed density

### Partners:

- Oregon Department of Fish and Wildlife
- Natural Resources Conservation Service
- Oregon Watershed Enhancement Board.



# Coal Creek Riparian and In Stream Enhancement

**Description:** This project planted riparian vegetation along ½ mile of Coal Creek and replaced an undersized residential culvert with a fish passable crossing.

**Status:** In progress. Plantings maintenance.



## Goals:

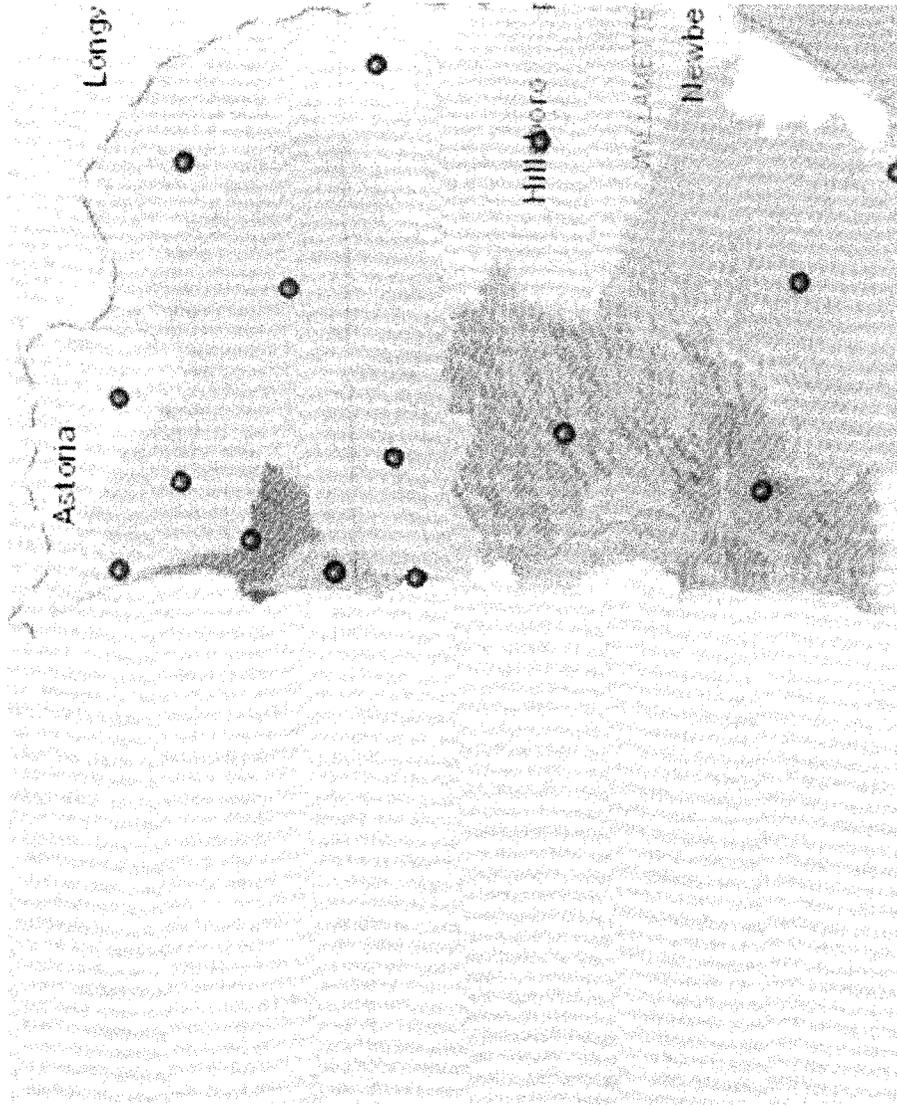
- Establish Riparian Vegetation
- Shade and cool Coal Creek
- Improve nutrient cycling
- Improve infiltration
- Provide pollinator and bird forage and habitat
- Reduce Himalayan Blackberry density
- Mitigate bank erosion

## Partners:

- Oregon Department of Fish and Wildlife
- Oregon Watershed Enhancement Board
- Siletz Tribal Charitable Contribution Fund







# Collaborations

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# Nehalem Basin Partnership

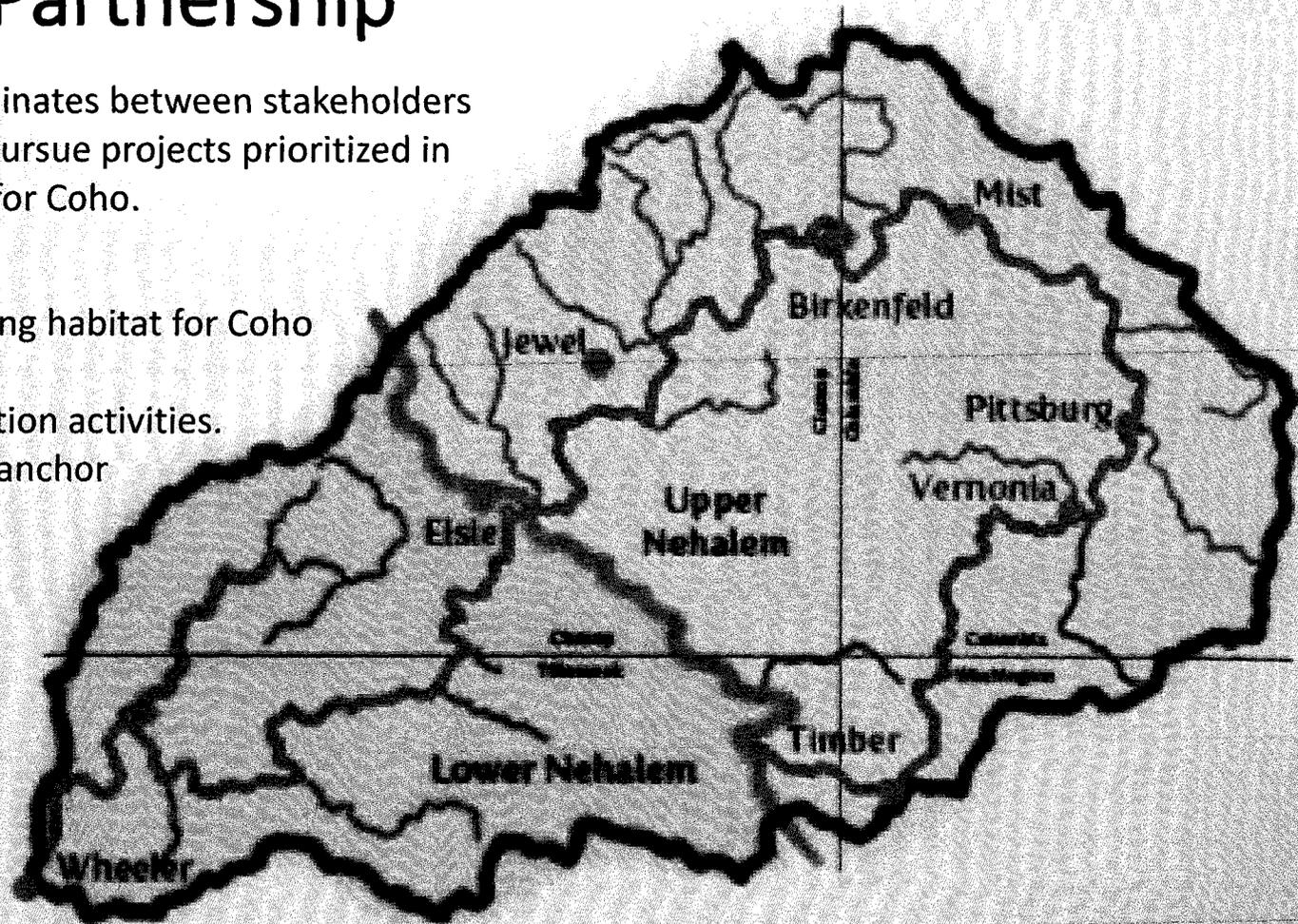
**Description:** This partnership coordinates between stakeholders throughout the Nehalem Basin to pursue projects prioritized in the Nehalem Strategic Action Plan for Coho.

## Goals:

- Create more spawning and rearing habitat for Coho salmon.
- Improve coordination of restoration activities.
- Add large wood to all identified anchor habitats
- Remove fish passage barriers
- Improve wood recruitment by natural processes.

## Partners:

Upper Nehalem Watershed Council  
Local, State, and Federal Agencies  
Regional Timber Companies  
Many More



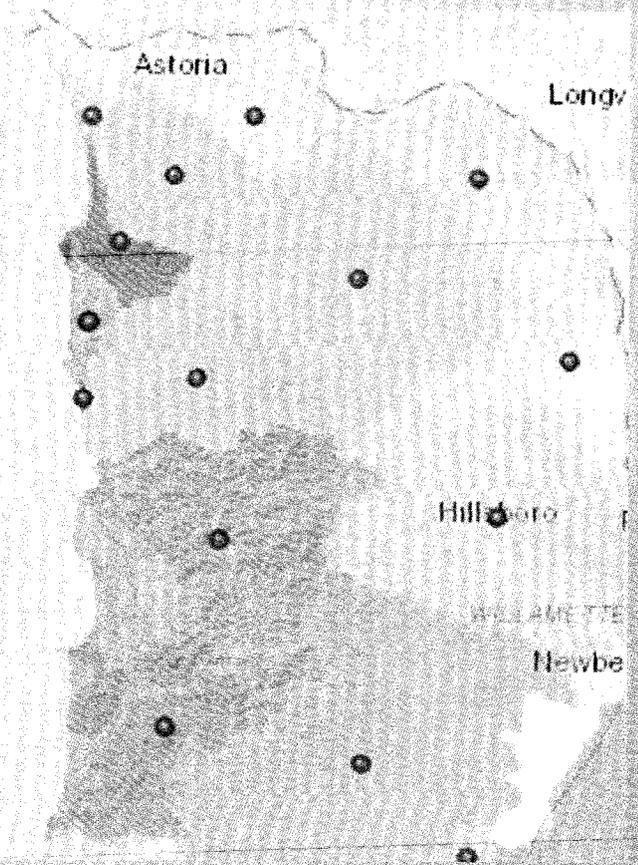
# North Oregon Coast Watersheds Collaboration

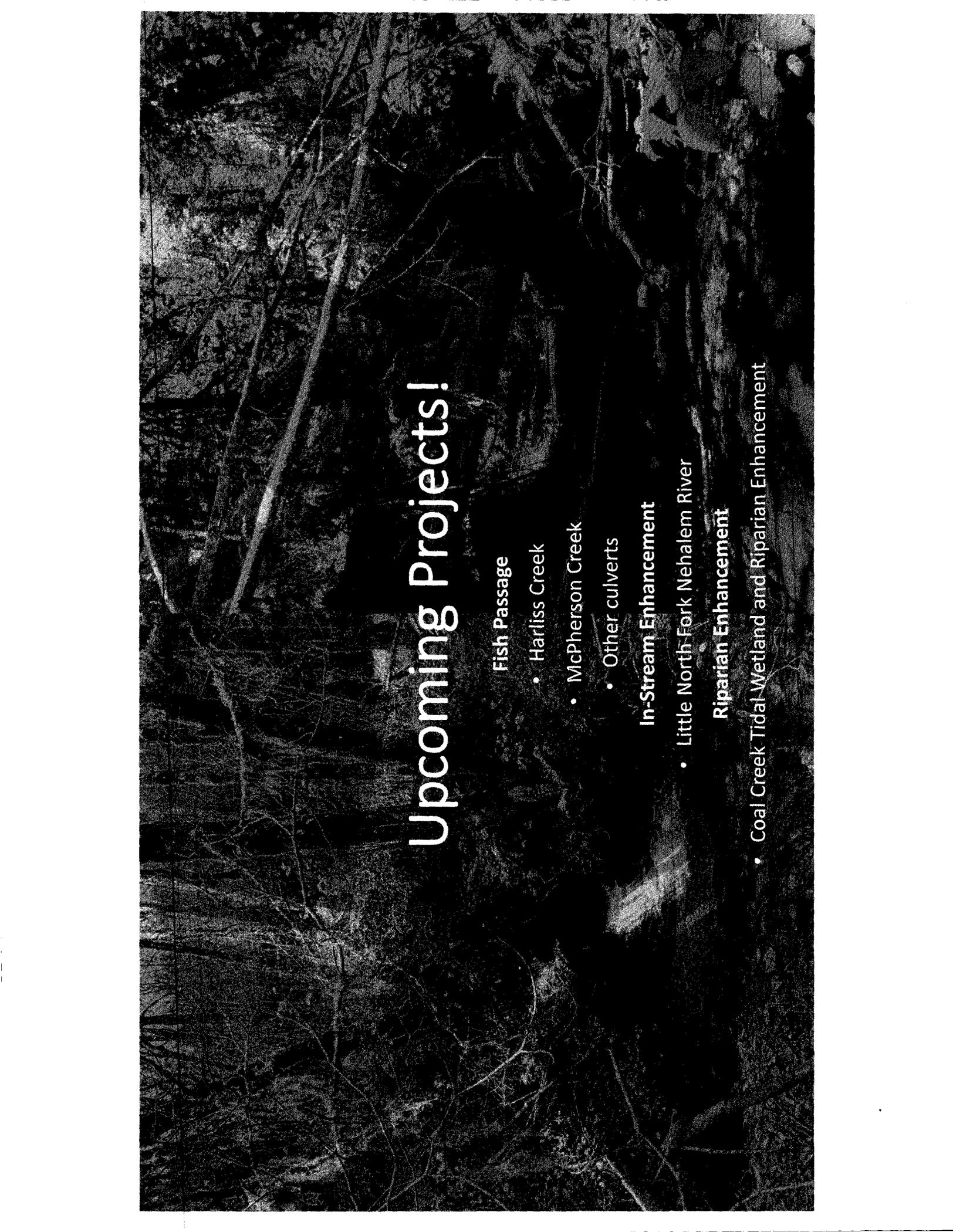
**Description:** This project will identify shared goals that can be met by regional watershed councils by pooling resources.

**Status:** In Progress

## Goals:

- Identify areas of collaboration
  - Administrative
  - Outreach
  - Restoration Support
  - Technical Assistance
  - Operations Continuity.
- Develop an MOU to pursue collaborative efforts
- **Partners**
  - Upper Nehalem Watershed Council, Lower Columbia River Watershed Council, North Coast Watershed Association, Necanicum Watershed Council, Nestucca, Neskowin, and Sand Lake Watersheds Council, Tillamook Estuaries Partnership





# Upcoming Projects!

## Fish Passage

- Harliss Creek
- McPherson Creek
- Other culverts

## In-Stream Enhancement

- Little North Fork Nehalem River

## Riparian Enhancement

- Coal Creek Tidal Wetland and Riparian Enhancement

## FUNDERS and PARTNERS

- Upper Nehalem Watershed Council
- Nestucca, Neskowin, and Sand Lake Watersheds Council
- Tillamook Estuaries Partnership
- Necanicum Watershed Council
- North Coast Watershed Council
- Oregon Watershed Enhancement Board
- Wild Salmon Center
- Oregon Department of Fish and Wildlife
- National Fish and Wildlife Foundation
- National Oceanic and Atmospheric Administration
- Portland State University Masters of Environmental Science and Management Program
- Oregon State University
- The Network of Oregon Watershed Councils
- US Fish and Wildlife Service
- Oregon Parks and Recreation Department
- Oregon Department of Forestry
- Backyard Planting Program
- Northwest Oregon Restoration Program
- Lewis and Clark Timberlands
- Lower Nehalem Community Trust
- Visit Tillamook Coast
- Siletz Tribal Charitable Contributions Fund
- Nehalem River Ranch
- The Nature Conservancy
- National Genomics Center for Wildlife and Fish Conservation





## NATIONAL CULVERT REMOVAL, REPLACEMENT, and RESTORATION GRANTS (Culvert AOP Program<sup>1</sup>)

	FAST Act (extension)	Bipartisan Infrastructure Law (BIL)				
Fiscal year (FY)	2021	2022	2023	2024	2025	2026
Advance appropriation (General Fund)	----	\$200M	\$200M	\$200M	\$200M	\$200M
<b>Total BIL funding (FY22-26)</b>	----	<b>\$200M</b>	<b>\$200M</b>	<b>\$200M</b>	<b>\$200M</b>	<b>\$200M</b>
Subject to future appropriation	----	\$800M*	\$800M	\$800M	\$800M	\$800M

\* Consolidated Appropriations Act, 2022, did not appropriate additional funding for this program.

Note: Table does not reflect additional general fund appropriations after FY22.

Note: Except as indicated, all references in this document are to the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act, Pub. L. 117-58 (Nov. 15, 2021).

### Program Purpose

The BIL establishes the National Culvert Removal, Replacement, and Restoration Grant program (Culvert AOP Program) to provide funding for projects that would meaningfully improve or restore passage for anadromous fish (anadromous fish species are born in freshwater such as streams and rivers, spend most of their lives in the marine environment, and migrate back to freshwater to spawn. Salmon are the widely known examples of anadromous fish).

### Statutory Citations

- § 21203; division J, Title VIII, National Culvert Removal, Replacement, and Restoration Grants heading; 49 U.S.C. 6703

### Funding Features

#### Type of Budget Authority or Authorization of Appropriations

- Advance appropriations from the General Fund; not subject to any limitation on obligations [Division J, Title VIII]
- Authorization, subject to appropriation, from the General Fund [§ 21203(a); 49 U.S.C. 6703(i)]

#### Distribution of Funds

- The Secretary of Transportation (Secretary), in consultation with the Undersecretary of Commerce for Oceans and Atmosphere (Undersecretary), will annually award funding through a competitive grant program. [§ 21203(a); 49 U.S.C. 6703(b)]

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<sup>1</sup> Culvert Aquatic Organism Passage (AOP) Program

- The Secretary will consult with both the Undersecretary and the Director of the United States Fish and Wildlife Service (Director) in establishing a process for determining criteria for awarding grants and procedures to prioritize awarding grants under the program. [§ 21203(a); 49 U.S.C. 6703(d)-(e)]

#### Set-asides

- Up to 2.0% of Culvert AOP Program funds can be used to pay administrative expenses of the Offices of the Secretary, Undersecretary, and Director. [§ 21203(a); 49 U.S.C. 6703(h)]

#### **Federal Share**

- The Federal share of the cost of a Culvert AOP project carried out with a grant to a State or unit of local government may not exceed 80%.
- Federal share for Tribes is 100% [§ 21203(a); 49 U.S.C. 6703(f)].

#### **Eligible Activities**

- Eligibilities for culverts:
  - Projects to replace, remove, or repair culverts that would meaningfully improve or restore fish passage for anadromous fish; [§ 21203(a); 49 U.S.C. 6703(b)]
- Eligibilities for weirs:
  - Projects to replace, remove, or repair weirs that would meaningfully improve or restore fish passage for anadromous fish. With respect to weirs, the project may include—
    - infrastructure to facilitate fish passage around or over the weir; and
    - weir improvements. [§ 21203(a); 49 U.S.C. 6703(b)]

#### **Program Features**

##### Eligible Applicants

- a State,
- a unit of local government; or
- an Indian Tribe. [§ 21203(a); 49 U.S.C. 6703(c)]

##### Selection Considerations

- The following types of projects will be prioritized for Culvert AOP Program funding:
  - Projects that would improve fish passage for—
    - Anadromous fish stocks listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533);
    - Anadromous fish stocks identified by the Undersecretary or the Director that could reasonably become listed as an endangered species or a threatened species under that section;
    - Anadromous fish stocks identified by the Undersecretary or the Director as prey for endangered species, threatened species, or protected species, including Southern resident orcas (*Orcinus orcas*); or
    - Anadromous fish stocks identified by the Undersecretary or the Director as climate resilient stocks; and

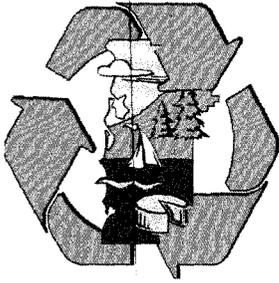
- Projects that would open up more than 200 meters of upstream habitat before the end of the natural habitat. [§ 21203(a); 49 U.S.C. 6703(e)]

#### Technical Assistance

- The Secretary, in consultation with the Undersecretary and Director, shall develop a process to provide technical assistance to Indian Tribes and underserved communities to assist in the project design and grant process and procedures. [§ 21203(a); 49 U.S.C. 6703(g)]

#### **Additional Information and Assistance**

- For questions specific to the Culvert AOP Program, including anadromous fish, passage, barriers, impediments, or information not addressed on the website, email: [CulvertAOP@dot.gov](mailto:CulvertAOP@dot.gov)
- FHWA can connect you with your local FHWA office and support you with technical assistance for planning, design, construction, preserving, and improving public roads and in the stewardship of Federal funds. For assistance, visit: [https://www.fhwa.dot.gov/bipartisan-infrastructure-law/technical\\_support.cfm](https://www.fhwa.dot.gov/bipartisan-infrastructure-law/technical_support.cfm)



**Tillamook County**  
**PUBLIC WORKS DEPARTMENT**  
*Department of Solid Waste*  
*Waste Prevention and Recycling*



503 Marolf Loop Road  
Tillamook, Oregon 97141  
PH (503) 815-3975  
FAX (503) 842-6473  
Email: [recycle@co.tillamook.or.us](mailto:recycle@co.tillamook.or.us)  
[www.co.tillamook.or.us/solid-waste](http://www.co.tillamook.or.us/solid-waste)

*Land of Cheese, Trees and Ocean Breeze*

January 24, 2023

Staff Report to the Tillamook County Board of Commissioners (BOCC)

RE: Follow-up to Solid Waste Violation at 22250 East Beaver Creek Rd, Cloverdale, Tillamook County, Oregon, 3S-9W-16-1200

At your meeting on December 21, 2022, the Board required Ms. Judith DeBrey, the property owner of 22250 East Beaver Creek Rd, Cloverdale, to complete the following within thirty days:

- abate all materials in the unpermitted road approach;
- remove from the property and properly dispose of all exposed tires not associated with operating vehicles and trailers, specifically tires in the overbank and the right-of-way; and
- dispose of all materials at a permitted facility, and present the receipts for disposal.

A certified letter stating these requirements was sent to Ms. DeBrey on December 22, 2022. The letter was not claimed, but returned by USPS.

On Monday, January 23, 2023, Chris Laity and I, accompanied by Chris Loffelmacher, conducted a follow-up visit to the site. We found that a 40-yd drop box was positioned along East Beaver Creek Rd, and filled with tires. We observed that at least 60 further tires still remain on the property.



Remaining  
tires

On Monday, January 23, 2023, Mr. Warren Scott Hunter, on behalf of Ms. DeBrey, submitted a Road Approach Permit Application to the Public Works Department. This application is being reviewed by staff.

It is clear that the requirements set forth by the Board have not yet been fulfilled, but the property owner has made progress.

In light of the fact that considerable progress has been made on the cleanup, I recommend that the Board of County Commissioners extend the deadline for completion of the abatement of the property by a further thirty days.

Thank you,

David McCall  
Solid Waste Program Manager

Cc: Chris Laity, P.E., Director of Tillamook County Public Works



## Tillamook County Board of Commissioners

201 Laurel Avenue, Tillamook, OR 97141

Phone: 503-842-3403

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

February 1, 2023

To Whom it May Concern:

RE: Port of Garibaldi Commercial Wharf/Seawall Reconstruction and Seismic Retrofit Project

The Tillamook County Board of Commissioners strongly supports the Port of Garibaldi's efforts to fund the reconstruction of critical commercial infrastructure of our waterfront wharf pier and boat basin seawall.

The Port's commercial wharf was originally constructed in 1941 and serves as the primary offload facility for most of the commercial fishing vessels in the region. Grant funded reconstruction of approximately 50% of the wharf and commercial avenue took place in 2014/2015 and led to the addition of two new seafood processing companies establishing business in the Port and the addition of many new jobs.

This second phase of the wharf project will complete the reconstruction by replacing the remaining 1941 failing structure with a new earthquake retrofitted pier and allow for new construction of modern facilities at the current locations for the now vacant old Smith Shrimp facility and old Garibaldi Cannery building. The current pier located adjacent to these structures has become unsafe and unusable.

The project will also include repair and seismic retrofitting of the Mooring Basin Road seawall. The 50-plus year old seawall and main roadway are showing signs of cracking and settling. The seawall is also severely becoming undermined which is causing damage to Mooring Basin Road itself, the main artery for all commercial traffic transporting seafood product from the Port.

With the upcoming Jetty repair project to begin within the next year allowing more vessel offloads to occur and an ever-increasing demand for offloading/processing facilities in the Port, this project is vital for the continued economic growth/recovery, natural disaster resiliency, and job creation for the region.

We encourage your support of this project and thank you in advance for your thoughtful review.

Sincerely,

BOARD OF COMMISSIONERS FOR TILLAMOOK COUNTY, OREGON

  
Erin D. Skaar, Chair

  
Mary Faith Bell, Vice-Chair

  
David Yamamoto, Commissioner