



Oregon

Kate Brown, Governor

Department of State Lands

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July 31, 2019

State Land Board

CLL600/62164

CITY OF ALBANY

ATTN TOM VALENTINO

333 BROADALBIN ST SW

ALBANY OR 97321

Kate Brown

Governor

Bev Clarno

Secretary of State

Tobias Read

State Treasurer

RE: **EMERGENCY AUTHORIZATION FOR REMOVAL OF MATERIAL IN WATERS OF THE STATE**

THIS AUTHORIZATION EXPIRES ON SEPTEMBER 29, 2019

- DSL Application No. 62164-RP
- Waterway Name, River Mile 199.25; Benton County; T. 11S, R. 3W, Section 6, Albany

Dear Mr. Valentino:

This letter is an authorization for emergency purposes only. An emergency is defined in Oregon Administrative Rule 141-085-0510(31) as "natural or human-caused circumstances that pose an immediate threat to public health, safety or substantial property including crop or farmland."

Please remit a fee payment of \$324 and a copy of the 1st page of this authorization, to the address above within 45 days of the issuance of this authorization.

Your request to remove gravel from Takena Landing, Willamette River has been approved as an emergency authorization under ORS 196.810(4). This authorization expires on September 29, 2019. In the performance of the emergency work **by you and/or contractors**, the following conditions shall be followed:

1. **DSL Proprietary Authorization Required.** Permittee must obtain the following proprietary authorization for use of State-owned land: Sand and Gravel License, contact Jacob Taylor at 503-986-5303.
2. Elise Kelley, ODFW (541-757-5249) shall be contacted prior to the start of work.
3. The amount of material to be removed shall not exceed the minimum necessary to alleviate the emergency circumstances. However, up to 350 cubic yards of material are authorized for removal as needed.
4. The route and methods used to access the work site shall minimize damage and disturbance to the streambank, stream channel and riparian area.

5. The work area must be isolated from the water during construction by using a coffer dam or similar structure. All structures and materials used to isolate the work area must be removed immediately following construction.
6. Fish must be salvaged from the isolation area. Permits from NOAA Fisheries and Oregon Department of Fish and Wildlife, Fish Research are required to salvage fish. Fish salvage permit information may be obtained by contacting ODFW Fish Research at 503-947-6254 or Fish.Research@state.or.us.
7. Any excavated material shall be disposed of on upland and not be placed in wetlands, streams or other waters.
8. Inspection of the work may occur by the Department of State Lands and/or Department of Fish and Wildlife or other appropriate agency following the emergency, and project refinements may be required by the Department such as:
 - a. addition of rock barbs or rearranging of riprap;
 - b. sloping the bank;
 - c. revegetation of the slope and/or bank top; and
 - d. other measures as appropriate to protect waters of the state.
9. If any archaeological resources, artifacts or human remains are encountered during construction, all construction activity must immediately cease. The State Historic Preservation Office must be contacted at 503-986-0674. You may be contacted by a Tribal representative if it is determined by an affected Tribe that the project could affect Tribal cultural or archeological resources.
10. The Department of State Lands retains the authority to temporarily halt or modify the project in case of excessive turbidity or damage to natural resources.
11. This permit does not authorize trespass on the lands of others. The permit holder shall obtain all necessary access permits or rights-of-way before entering lands owned by another.
12. Permittee shall defend and hold harmless the State of Oregon, and its officers, agents, and employees from any claim, suit, or action for property damage or personal injury or death arising out of the design, material construction, or maintenance of the permitted improvements.
13. This authorization permits only the work described in the application. Any additional work may require a permit from the Department of State Lands.

For Disaster Recovery Assistance, victims need to apply through the National Teleregistration Center at 1-800-462-9029/TTY 1-800-462-7585.

Please be aware that you must also receive authorization, when required, from the U.S. Army Corps of Engineers (USACE) before beginning construction. The USACE contact for Benton County is Jessica Menichino at 503-808-4632. In addition, you should contact your city and county planning office for local permits as necessary. If you have any questions regarding this authorization or its conditions, please contact me at 503-986-5285.

Sincerely,

A handwritten signature in black ink, appearing to read "Candice Anderson". The signature is fluid and cursive.

Aquatic Resource Coordinator
Aquatic Resource Management
Oregon Department of State Lands

cc: Elise Kelley, Oregon Department of Fish and Wildlife
Jessica Menichino, US Army Corps of Engineers, Portland Office
Alex Holocek, Department of Environmental Quality
Benton County Planning Dept.