

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
☎ 503-986-5200

Permit No.:	55388-RF Renewal
Permit Type:	Removal/Fill
Waterway:	Scappoose Bay (Multnomah Channel) Columbia River
County:	Columbia
Expiration Date:	April 11, 2024

PORT OF COLUMBIA COUNTY

IS AUTHORIZED IN ACCORDANCE WITH ORS 196.800 TO 196.990 TO PERFORM THE OPERATIONS DESCRIBED IN THE REFERENCED APPLICATION, SUBJECT TO THE SPECIAL CONDITIONS LISTED ON ATTACHMENT A AND TO THE FOLLOWING GENERAL CONDITIONS:

1. This permit does not authorize trespass on the lands of others. The permit holder must obtain all necessary access permits or rights-of-way before entering lands owned by another.
2. This permit does not authorize any work that is not in compliance with local zoning or other local, state, or federal regulation pertaining to the operations authorized by this permit. The permit holder is responsible for obtaining the necessary approvals and permits before proceeding under this permit.
3. All work done under this permit must comply with Oregon Administrative Rules, Chapter 340; Standards of Quality for Public Waters of Oregon. Specific water quality provisions for this project are set forth on Attachment A.
4. Violations of the terms and conditions of this permit are subject to administrative and/or legal action, which may result in revocation of the permit or damages. The permit holder is responsible for the activities of all contractors or other operators involved in work done at the site or under this permit.
5. Employees of the Department of State Lands (DSL) and all duly authorized representatives of the Director must be permitted access to the project area at all reasonable times for the purpose of inspecting work performed under this permit.
6. Any permit holder who objects to the conditions of this permit may request a hearing from the Director, in writing, within twenty-one (21) calendar days of the date this permit was issued.
7. In issuing this permit, DSL makes no representation regarding the quality or adequacy of the permitted project design, materials, construction, or maintenance, except to approve the project's design and materials, as set forth in the permit application, as satisfying the resource protection, scenic, safety, recreation, and public access requirements of ORS Chapters 196, 390, and related administrative rules.
8. Permittee must 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.
9. Authorization from the U.S. Army Corps of Engineers may also be required.

NOTICE: If removal is from state-owned submerged and submersible land, the permittee must comply with leasing and royalty provisions of ORS 274.530. If the project involves creation of new lands by filling on state-owned submerged or submersible lands, you must comply with ORS 274.905 to 274.940 if you want a transfer of title; public rights to such filled lands are not extinguished by issuance of this permit. This permit does not relieve the permittee of an obligation to secure appropriate leases from DSL, to conduct activities on state-owned submerged or submersible lands. Failure to comply with these requirements may result in civil or criminal liability. For more information about these requirements, please contact Department of State Lands, 503-986-5200.

Dan Cary, Aquatic Resource Coordinator
Aquatic Resource Management
Oregon Department of State Lands


Authorized Signature

June 20, 2019
Date

ATTACHMENT A

Permittee: Port of Columbia County

Project Name: Scappoose Bay Marina Maintenance Dredging Project

Special Conditions for Removal/Fill Permit No. 55388-RF

READ AND BECOME FAMILIAR WITH CONDITIONS OF YOUR PERMIT.

The project site may be inspected by the Department of State Lands (DSL) as part of our monitoring program. DSL has the right to stop or modify the project at any time if you are not in compliance with these conditions. A copy of this permit shall be available at the work site whenever authorized operations are being conducted.

1. **Responsible Party:** By proceeding under this permit, the Port of Columbia County agrees to comply with and fulfill all terms and conditions of this permit, unless the permit is officially transferred to another party as approved by DSL.
2. **Authorization to Conduct Removal and/or Fill:** This permit authorizes the placement of up to 229,000 cubic yards and removal of up to 229,000 cubic yards of material in T4N, R1W, Section 10, Tax Lot 100 and T4N, R1W, Section 17, Tax Lot 200 within the Columbia River and Scappoose Bay (Multnomah Channel) in Columbia County, as described in the attached permit application, map and drawings, received January 7, 2014. In the event information in the application conflicts with the permit conditions, the permit conditions prevail.
3. **Work Period in Jurisdictional Areas:** Fill or removal activities below the ordinary high water elevation of the Columbia River and Scappoose Bay (Multnomah Channel) shall be conducted between October 1 and October 31 unless otherwise coordinated with Oregon Department of Fish and Wildlife and approved in writing by DSL.
4. **Changes to the Project or Inconsistent Requirements from Other Permits:** It is the permittee's responsibility to ensure that all state, federal and local permits are consistent and compatible with the final approved project plans and the project as executed. Any changes made in project design, implementation and/or operating conditions to comply with conditions imposed by other permits must be approved by DSL prior to implementation.
5. **DSL May Halt or Modify:** DSL retains the authority to temporarily halt or modify the project in case of unforeseen damage to natural resources.
6. **DSL May Modify Conditions Upon Permit Renewal:** DSL retains the authority to modify conditions upon renewal, as appropriate, pursuant to the applicable rules in effect at the time of the request for renewal or to protect waters of this state.

General Construction Conditions

7. **Water Quality Certification:** The Department of Environmental Quality (DEQ) may evaluate this project for a Clean Water Act Section 401 Water Quality Certification (WQC). If the evaluation results in issuance of a Section 401 WQC, that turbidity condition will govern any allowable turbidity exceedance and monitoring requirements.

8. **Hazardous, Toxic, and Waste Material Handling:** Petroleum products, chemicals, fresh cement, sandblasted material and chipped paint, wood treated with leachable preservatives or other deleterious waste materials shall not be allowed to enter waters of this state. Machinery refueling is to occur at least 150 feet from waters of this state and confined in a designated area to prevent spillage into waters of this state. Barges shall have containment system to effectively prevent petroleum products or other deleterious material from entering waters of this state. Project-related spills into waters of this state or onto land with a potential to enter waters of this state shall be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.
9. **Federally Listed Endangered or Threatened Species:** When listed species are present, the authorization holder must comply with the Federal Endangered Species Act. If previously unknown listed species are encountered during construction, all construction activity shall immediately cease and the permit holder must contact DSL.
10. **Archaeological Resources:** 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.
11. **Hazards to Recreation, Navigation or Fishing:** The activity shall be timed so as not to interfere with or create a hazard to recreational or commercial navigation or fishing.

Maintenance Dredging

12. **Extent of Dredging:** Maintenance dredging activity shall be limited to the area defined in the Application, Drawing numbers D-1936-1000-05 and D-1936-1000-06.
13. **Removal Depth:** Material shall not be removed to a depth greater than -7 feet (-12 feet over dredge allowance, marina), - 4.5 feet (access channel) elevation NGVD29.
14. **Beneficial Use of State-Owned Dredged Materials:** Any beneficial reuse of dredged materials derived from State-owned submerged or submersible land may be subject to a license from, and royalty payments to, DSL.
15. **Designated Dredged Material Disposal (DMD) Site:** Dredged materials shall be disposed of in appropriately permitted, in channel (Columbia River) disposal sites, shown on Drawing D-1936-1000-13 of the application.
16. **Placement of Dredged Materials on Barges:** All dredge materials shall be placed in barges equipped such that no material shall discharge to waters of this State during loading activity.
17. **Clamshell Equipment Operation:** Dredging activity shall be conducted by clamshell bucket as described in the Application. The bucket shall be sealed in the closed position so as to minimize sediment re-suspension.
18. **Fish Impingement or Entrainment:** The authorization holder shall immediately report any fish observed that are impinged or entrained by operations to the Oregon Department of Fish and Wildlife at (503) 657-2000. The permittee shall provide access for ODFW to enter the project site for making fish entrainment observations.





