Joint Permit Application

This is a joint application, and must be sent to all agencies (Corps, DSL, and DEQ). Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Date Stamp

U.S. Army Corps of Engineers Portland District	Oregon Department of State Lands	Oregon Department of Environmental Quality
Action ID Number	Number	

(1) TYPE OF PERMIT(S) IF KNOWN (check all that apply)

Corps: ☐ Individual ☐ Nationwide No.: _____ ☐ Regional General Permit _____ ☐ Other (specify): _____

DSL: ☐ Individual ☐ GP Trans ☐ GP Min Wet ☐ GP Maint Dredge ☐ GP Ocean Energy ☐ No Permit ☐ Waiver

(2) APPLICANT AND LANDOWNER CONTACT INFORMATION

	Applicant	Property Owner (if different)	Authorized Agent (if applicable) ☐ Consultant ☐ Contractor
Name (Required) Business Name Mailing Address 1 Mailing Address 2 City, State, Zip	Dave White Climate Change Truth cctruth.org dba salmonprotectiondevice.com 18965 NW Illahe St Portland, OR 97229		
Business Phone Cell Phone Fax Email	503-608-7611		

(3) PROJECT INFORMATION

A. Provide the project location.

Project Name Salmon Protection Device for fish ladders			Latitude & Longitude* Latitude 45.644284N • Longitude 121.940637W
Project Address / Location	City (nearest) Bonneville		County
Township	Range	Section	Quarter / Quarter	Tax Lot

Brief Directions to the Site: Underwater at fish ladder west entrance.

B. What types of waterbodies or wetlands are present in your project area? (Check all that apply.)

☐ X **River / Stream** ☐ Non-Tidal Wetland ☐ Lake / Reservoir / Pond

☐ Estuary or Tidal Wetland ☐ Other ☐ Pacific Ocean

Waterbody or Wetland Name**	River Mile	6th Field HUC Name	6th Field HUC (12 digits)
Columbia River			

* In decimal format (e.g., 44.9399, -123.0283)

** If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").

C. Indicate the project category. (Check all that apply.)		
☐ Commercial Development	☐ Industrial Development	☐ Residential Development
☐ Institutional Development	☐ Agricultural	☐ Recreational
☐ Transportation	☐ Restoration	☐ Bridge
☐ Dredging	☐ Utility lines	☐ Survey or Sampling
☐ X **In- or Over-Water Structure**	☐ Maintenance	☐ Other:

(4) PROJECT DESCRIPTION

A. Summarize the overall project including work in areas both in and outside of waters or wetlands. Build 5 salmon protection devices to fit over the west entrances to the fish ladder.

To Whom It May Concern,

This proposal stems from my personal love for Oregon, her majestic Columbia River, and many hours of fly fishing from her banks.

The river, and its well-engineered system of dams and reservoirs is, of course, the natural resource that sustains the quality of human, plant, and animal life on both sides of the Gorge. This includes the multitude of farms and ranches that line the river shores and the thriving towns and cities that nestle in her coves.

Well-meaning environmental organizations have proposed the extreme measure of removing the entire dam system in a futile effort to protect a single endangered species. This is incredibly short-sighted in its disproportionate response to a simple problem. It is like cutting off your nose to spite your face. We propose that a more creative and less draconian solution be considered before irreversible damage be inflicted on a well-managed eco-system.

In addition to the quality-of-life issues, dam removal creates the unintended consequence of extreme environmental impact that has been overlooked.
Removal of the dam system will most certainly devastate the recovering ecosystem of the estuary at the mouth of the Columbia River. Some species in the estuary are not coming back as fast as others and the cataclysmic disturbance proposed is likely to push some of them onto the endangered species list, thus creating more problems than it purports to resolve. This proposal offers the greatest probability of preserving all of the endangered species and is the only true environmentally sound solution.
https://www.epa.gov/sites/default/files/2016- 07/documents/estuary_report_2005_final.pdf

Total cost of the dam removal project with its economic and environmental impact is estimated to be in the billions of dollars, compared to the attached proposal of barely over two million dollars.

We suggest instead a remarkably simple solution and propose a short-term pilot test on the Columbia that might then be transported onto other tributaries of the Snake River System.

Sincerely, Dave White

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I. EXECUTIVE SUMMARY

The proposal aims to address declining salmon populations in Oregon's Columbia River by introducing innovative solutions to mitigate the threat posed by Sea Lions to the fish species without resorting to the extreme measure of dam removal. The project, spearheaded by ClimateChangeTruth.org, led by Professor Dave White, proposes the construction of stainless steel protective cages at the fish ladder access points to deter Sea Lion attacks on salmon.

This initiative offers a cost-effective approach, estimated at just over two million dollars, in contrast to the billions projected for dam removal. The plan involves fabrication and installation of specialized protective devices

(SPD), leveraging local companies' expertise, and adhering to stringent regulatory standards set by the U.S. Corp of Engineers.

The core issue addressed is the declining salmon population attributed primarily to Sea Lions encroaching into the river due to diminishing habitat and overfishing in international waters. The proposed solution will curtail Sea Lion predation with barriers at fish ladder access points, enabling salmon to navigate freely while effectively dissuading Sea Lion entry.

The project's success metrics include a significant increase in salmon survival rates and a behavioral shift in Sea Lions away from preying on fish. Moreover, post-construction plans involve a fishing moratorium to train Sea Lions away from river predation, ensuring the sustained effectiveness of the protective devices.

By adopting this innovative approach, the proposal seeks to safeguard endangered salmon species, preserve the ecosystem, and sustain the livelihoods of community's dependent on the Columbia River without resorting to environmentally and economically disruptive dam removal.

II. PROJECT ORGANIZATION: Organization: ClimateChangeTruth.org is a 501 C3 Research Corporation, headed by Professor Dave White of Portland, Oregon.

A. Supervision: Dave White, Director of ClimateChangeTruth.org

Dave White Is a Chemical Engineer with graduate studies in Statistics and a lifetime of experience in research science, Dave is far more than just another science teacher with a degree. His research is having an

international impact. He's currently working on exposing misconceptions surrounding Climate Change and focusing on the real problem. He has 30 years' experience since graduation in 1984, promoting environmental responsibility and health of all species. This wealth of practical experience enriches all of his classes and engages his students in factual science.

Dave's experiment on U.S. 26 East, just west of Portland, Oregon, shows that the forested area by the zoo is consuming all the carbon dioxide from 160,000 vehicles per day. The conclusion is that planting native shrubs and trees next to highways, plus or minus 50 degrees' latitude, will consume all the carbon dioxide emitted from the vehicles.
Dave's current research focus is on evaporation from the ocean, the effect of rain forest destruction on atmospheric CO2 rise, and diffusion of CO2 through the atmosphere. Climate Change Truth Inc. (cctruth.org) reveals that the Intergovernmental Panel on Climate Change reports are inaccurate. His personal interaction with several governments has resulted in more than 40 billion trees planted due to the science he presented

and some have stopped deforestation of their rainforest as a result. Already this has had a measurable impact worldwide and 10 billion more new trees are scheduled for planting in each of the next eight years. During his tenure at Oregon State University Dave worked on a cross flow counter current scrubber for coal fired power plants. In 2007, Dave along with Dr. Tom Wallow produced a paper on ArF double patterning for semiconductors. This multi-patterning scheme is widely used in today's semiconductor manufacturing plants. In 2011, Dave started a consulting business for Semiconductors and in 2016 he launched Climate Change Truth, Inc.
Dave teaches Chemistry, Biology and Physics, in addition to medical ethics. He is passionate to share with students the truth behind the pandemic of junk science that plagues our world today.

B. Fabrication: Several local companies will be invited to submit bids for the task of fabricating the stainless steel protective "cages," depicted in the sketch below, and transporting them to the job site. Already we've

identified Cramer Fish Science as one qualified firm capable of consulting for fish and regulatory constraints and challenges.

Vice President Brad Cavallo, M.S., is their Principal Scientist with a B.S. in Fisheries Biology and M.S. in Aquatic Ecology. In initial discussions with Brad, Dave White ascertained that the company would be available to answer questions and are otherwise willing to help with the project.

C. Installation: Installation will proceed following a Corp of Engineers, Section 408 check currently scheduled for completion about June of 2025. Installation will most likely be accomplished by the fabricator, with an unspecified number of yet-to-be identified subcontractors called upon when necessary.

D. Inspection: U.S. Corp of Engineers inspectors will be called upon to ensure that the project meets all design and construction standards.

III. STATEMENT OF PROBLEM

In recent years a reduction in population of several species of salmon have been noted, with some approaching extinction levels. These include 14 population groups of Steelhead and Chinook, Coho, Chum, and Sockeye Salmon in Washington State are listed as threatened or endangered under the Endangered Species Act.

Rather than launching a thorough evaluation of the problem based on proven scientific methodologies, the draconian "solution" of several environmental groups is being pursued in the Courts. That solution is complete removal of the dam system. This ill-conceived approach

threatens to disrupt the entire eco-system, which includes not only thriving plant and animal species, but also human populations that nurture the system and depend on it for their very existence. The punitive threat to the economic, financial, and material well-being of the entire region is virtually incalculable.

Nearly everybody familiar with the gorge recognizes that the cause of the declining salmon populations are the Sea Lions who have no good reason for being in the River.

For example, Dave White was a long-time friend of Steve Cramer of Cramer Fish Sciences, who was one of

the game wardens on the river prior to his demise. Steve clearly recognized that the issues with the Salmon in the Columbia River, while they may be multivariate to some extent, are primarily the result of the encroaching Sea Lions. Due to over-fishing in international waters, Sea Lions and their declining spawning habitat are reduced, thus inviting them to search for “greener pastures.”

Virtually all fishermen have experienced the frustration of reeling in a Salmon only to discover that a Sea Lion has robbed their catch before it reaches shore. Making matters worse, a few Sea Lions will lie in wait at the base of the Fish Ladders and help themselves to the hapless Salmon who enter the narrow passage. When one is full another takes his place.

Even though there are five ladders, the current method of using a screen to block the sea lions from entering the ladder system is insufficient for the job. A relatively small number of Sea Lions easily block the screen and feast on the salmon.
https://stateofsalmon.wa.gov/executive-summary/salmon-status/

IV. GOALS & OBJECTIVES The goal of the project is resolve the problem by constructing five stainless steel cage devices at the foot of the fish ladder as illustrated in the sketch below. These will be capable of enabling 95% all salmon species to avoid the fatal sea lion attacks by:

A. Increasing the percentage of fish evading fatal Sea Lion attack by 95 percent

B. Utilizing behavior modification techniques to permanently train Sea Lions to stay out of the river by effectively eliminating their food supply.

V. DESIGN METHODS & STRATEGIES

Our proposal is to install a Salmon Protection Device (SPD) at the foot of each ladder to prevent Sea Lions from eating Salmon as they enter the west end of each fish ladder access point at Bonneville Dam. The salmon have been using these fish ladders since prior to 1950 and they have learned to enter each fish ladder at the access points. Currently the access points are a relatively narrow 20 feet wide, although they are about 30 feet deep below the ladder access point. That’s where the Sea Lions hang out.

The access points currently have screens which prevent the Sea Lions from entering the fish ladder, but these are inadequate for the task. The Sea Lions have also figured out the entrance points. They wait at the entrance to the fish ladder and gorge themselves. When one is done the next one replaces it and continues eating. This is well known. Many sea lions can cover the screens and prevent the salmon from entering or exiting the access point.

The current design is two-dimensional. Our SPD is multi-dimensional.
The unit is 20 feet wide to match the width of the fish ladders to which they are permanently secured. The unit extends 10 feet out and an estimated 30 feet down to rest on solid bedrock below. The 3/8” stainless steel rods are welded to industry standards in 2-foot square “windows” that enable the fish to easily evade the sea lions who are too big to enter the cage.

https://stateofsalmon.wa.gov/executive-summary/salmon-status/
Today, 14 population groups of steelhead and Chinook, coho, chum, and sockeye salmon in Washington State are listed as threatened or endangered under the Endangered Species Act.

VI. PROJECT EVALUATION

The actual installation will be conducted according to the latest construction standards under USC and subject to inspection by the Corp of Engineers associated with the Bonneville Dam. Each phase of construction will of course be inspected by the Corp as well. We will ascertain by inspection the number of fish successfully negotiating the ladders before construction and in accordance with a strategic timeline following installation.

VII. SUSTAINABILITY is a lie of the UN see cctruth.org/ipcc.pdf

After the Salmon Protection Devices are installed we will ask ODFW and WDFW for a Columbia River salmon fishing moratorium. This way the Sea lions will return to the ocean when their easy food supply is removed. Initial Draft Drawing.

Following construction, we propose a 3-year moratorium on bank fishing to train the Sea Lions not to expect any more easy meals and thus modify their behavior to stay out of the river. The moratorium will be enforced by ODFW and WDFW

VIII. PROJECT BUDGET

Total $2,140, 000
See budget document to construct five SPD's.

-------- Forwarded Message --------
Subject:ALEX BAUMHARDT
Date:Tue, 26 Dec 2023 21:56:37 -0800
From:Professor Dave White hymarkacademy.us
<professordavewhite@gmail.com>
Reply-To:professordavewhite@gmail.com To:info@washingtonstatestandard.com

https://washingtonstatestandard.com/2023/11/30/feds-consider-removing- snake-river-dams-in-leaked-agreement-with-plaintiffs-in- lawsuit/#:~:text=The%20Biden%20administration%20and%20federal,and%20the%20administration's%20environmental%20council.

Any question please call 503-608-7611

Contact info:
Prof Dave White
18965 NW Illahe St Portland, Or 97229

- Phone number 503-608-7611
- research@cctruth.org
- Applicant/Agent type 501C3 nonprofit research Corp.
- Applicant rep (indicate one: Researcher of climate change truth)

Applicant is a Veteran and was 11 Bravo in the Army Website salmonprotectiondevice.com
Project information:

- Location of proposed work Bonneville Dam fish ladder west end
- Latitude 45.644284N
- Longitude 121.940637W
- Google Maps link https://earth.google.com/web/search/Bonneville+Dam,+Cascade+Locks,+OR/@45.64573858,- 121.94104663,5.58965253a,562.54536827d,35y,360h,0t,0r/data=CigiJgokCTjnUfZH5UZAEcELDqLh10ZAGVRYmatOS17AIVyJ uFXF7AOgMKATA

- Describe the proposed project: Construct a stainless steel 316 cage with holes for salmon to enter or exit the entrance of the fish
ladder west end without being eaten by Sea Lyons. This cage

will be welded to the fish ladder west end and have legs to support it.

- Is it a levee project? No

If yes, what is the diking district's name and contact information?
Check the National Levee Database to find your diking district. If the diking district is inactive, state "inactive."

- Have you contacted the diking district about your project?
- Have you contacted the Portland District Regulatory Office? Yes If yes, who is the Regulatory Project Manager?
- Current land ownership Federal
- Section township range
- Work type (indicate one: New construction
- Other work type (if other work type, explain) Bcc: Robert.H.Fraley@usace.army.mil Kinsey.M.Friesen@usace.army.mil PortlandRegulatory@usace.army.mil

Consulting with Cramer Fish Sciences https://www.fishsciences.net/

B. Describe work within waters and wetlands.

We will rent a helicopter to move and lower the devices in front of each fish ladder. We will have divers to position each device and connect it to the fish ladder. We have requested documents on the fish ladder sizes and construction materials. Until we receive this we won’t know if we will bolt or weld the devices to the fish ladders.

C. Construction Methods. Describe how the removal and/or fill activities will be accomplished to minimize impacts to waters and wetlands.
We will rent a helicopter to place the first device in November 2024 and learn from the experience. The divers for positioning the device will use utmost case not to disturb anything. The devices have the same holes on the bottom as the sides. Therefore, the river bed wont have much disturbance.

(4) PROJECT DESCRIPTION (continued)

D. Describe source of fill material and disposal locations if known.
No fill material know at this time.

E. Construction timeline. (First device only)

What is the estimated project start date? **May 2024**

What is the estimated project completion date? January 2025

Is any of the work underway or already complete? **Yes X** **No** ☐
X**If yes, please describe.**

F. Removal Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name *	Removal Dimensions					Time Removal is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq.ft. or ac.)	Volume (c.y.)		
None							

G. Total Removal Volumes and Dimensions

Total Removal to Wetlands and Other Waters	Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Removal to Wetlands	none		
Total Removal Below Ordinary High Water	none		
Total Removal Below Highest Measured Tide	none		
Total Removal Below High Tide Line	none		
Total Removal Below Mean High Water Tidal Elevation	none		

H. Fill Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name*	Fill Dimensions					Time Fill is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq. ft. or ac.)	Volume (c.y.)		
Columbia River							none

(4) PROJECT DESCRIPTION (CONTINUED)

I. Total Fill Volumes and Dimensions				
Total Fill to Wetlands and Other Waters		**Length (ft.)**	**Area (sq. ft or ac.)**	**Volume (c.y.)**
Total Fill to Wetlands				
Total Fill Below Ordinary High Water				
Total Fill Below Highest Measured Tide				
Total Fill Below High Tide Line				
Total Fill Below Mean High Water Tidal Elevation				

*If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").
**Indicate whether the proposed area of removal or fill is permanent or, if you are proposing temporary impacts, specify the days, months or years the fill or removal is to remain.
*** Example: soil, gravel, wood, concrete, pilings, rock etc.

(5) PROJECT PURPOSE AND NEED

Provide a statement of the purpose and need for the overall project. The Sea Lions have been coming up river from the ocean because of the easy eating of salmon. Every fish biologist who trolls the Columbia river checking fishing licenses knows this very well. The current screens are 10 feet wide and 30 feet high. Only ten Sea Lyons could hang out at the entrance and eat most salmon as the enter the fish ladder. Our design will be 30 feet tall 20 feet deep and 10 feet wide with around 600 holes for the salmon to go into the fish ladder. In this way it would take several hundred Sea Lyons to cover it. With no food they will return to the ocean and not come back. Also asking ODFW and WDFW for a three-year moratorium in Salmon Fishing below the dam. It is also well known the salmon are faster than the Sea Lyons except when someone reeling in a salmon. Then the Sea Lions can take the salmon off the line and eat it. I had that happen to me many times.

(6) DESCRIPTION OF RESOURCES IN PROJECT AREA

A. Describe the existing physical, chemical, and biological characteristics of each wetland or waterbody. Reference the wetland and waters delineation report if one is available. Include the list of items provided in the instructions.

See 5 above

B. Describe the existing navigation, fishing and recreational use of the waterbody or wetland.

Large ships coming to Portland. Large ships bring grain from the east to the west. Sport fishing and water skiing. Not much of any of this during November to January.

(7) PROJECT SPECIFIC CRITERIA AND ALTERNATIVES ANALYSIS

Describe project-specific criteria necessary to achieve the project purpose. Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterbody or wetland.*The site needed is the fish ladders at the Bonneville Dam west (downstream entrance) no other site considered at this time.

(8) ADDITIONAL INFORMATION

Are there state or federally listed species on the project site?	☐ XYes	☐ No	☐ Unknown
Is the project site within designated or proposed critical habitat?	☐ Yes	☐ X No	☐ Unknown
Is the project site within a national Wild and Scenic River ?	☐ Yes	☐ X No	☐ Unknown
Is the project site within a State Scenic Waterway?	☐ Yes	☐ X No	☐ Unknown
Is the project site within the 100-year floodplain?	☐ X Yes	☐ No	☐ Unknown

If yes to any above, explain in Block 6 and describe measures to minimize adverse effects to those resources in Block 7.

Is the project site within the Territorial Sea Plan (TSP) Area?	☐ Yes	☐ No	☐ Unknown

If yes, attach TSP review as a separate document for DSL.

Is the project site within a designated Marine Reserve?	☐ Yes	☐ No	☐ Unknown

If yes, certain additional DSL restrictions will apply.

Will the overall project involve ground disturbance of one acre or more?	☐ Yes	☐ No	☐ Unknown

If yes, you may need a 1200-C permit from the Oregon Department of Environmental Quality (DEQ).

Is the fill or dredged material a carrier of contaminants from on-site or off-site spills?	☐ Yes	☐ No	☐ Unknown
Has the fill or dredged material been physically and/or chemically tested?	☐ Yes	☐ No	☐ Unknown

If yes, explain in Block 6 and provide references to any physical/chemical testing report(s).

Has a cultural resource (archaeological and/or built environment) survey been performed on the project area?	☐ Yes	☐ No	☐ Unknown
Do you have any additional archaeological or built environment documentation, or correspondence from tribes or the State Historic Preservation Office?	☐ Yes	☐ No	☐ Unknown

If yes, provide a copy of the survey and/or documentation of correspondence with this application to the Corps only. Do not describe any resources in this document. Do not provide the survey or documentation to DSL.

* Not required by the Corps for a complete application, but is necessary for individual permits before a permit decision can be rendered.

Is the project part of a DEQ Cleanup Site? No☐ Yes☐ Permit number _____

DEQ contact._

Will the project result in new impervious surfaces or the redevelopment of existing surfaces? Yes ☐ No ☐

If yes, the applicant must submit a post-construction stormwater management plan as part of this application to DEQ's 401 WQC program for review and approval, see https://www.oregon.gov/deq/FilterDocs/401wqcertPostCon.pdf

Identify any other federal agency that is funding, authorizing or implementing the project.

Agency Name	Contact Name	Phone Number	Most Recent Date of Contact

List other certificates or approvals/denials required or received from other federal, state or local agencies for work described in this application.

Agency	Certificate / approval / denial description	Date Applied

Other DSL and/or Corps Actions Associated with this Site (Check all that apply.)

X☐ Work proposed on or over lands owned by or leased from the Corps (may require authorization pursuant to 33 USC 408). These could include the federal navigation channel, structures, levees, real estate, dikes, dams, and other Corps projects.

☐ XState owned waterway DSL Waterway Lease #:

☐ Other Corps or DSL Permits Corps # DSL #

☐ Violation for Unauthorized Activity Corps # DSL #

☐ Wetland and Waters Delineation Corps # DSL #

Submit the entire delineation report to the Corps; submit only the concurrence letter (if complete) and approved maps to DSL. If not previously submitted to DSL, send under a separate cover letter

(9) IMPACTS, RESTORATION/REHABILITATION, AND COMPENSATORY MITIGATION

A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, direct, and indirect impacts.
None. We are fixing a problem not creating one.

B. For temporary removal or fill or disturbance of vegetation in waterbodies, wetlands or riparian (i.e., streamside) areas, discuss how the site will be restored after construction to include the timeline for restoration.
No removal.

Compensatory Mitigation

C. Proposed mitigation approach. Check all that apply:

Permittee responsible	Permittee responsible	Mitigation Bank or	Payment In-Lieu
X Onsite Mitigation	☐ Offsite Mitigation	☐ In-Lieu Fee Program	☐ (Not approved for use with Corps permits)

C. Provide a brief description of proposed mitigation approach and the rationale for choosing that approach. If you believe mitigation should not be required, explain why.

We will monitor the device periodically to check continued functioning and mitigate if needed. We expect to receive funds for monitoring the devices for 5 years until 2030.

Mitigation Bank / In-Lieu Fee Information:

Name of mitigation bank or in-lieu fee project:

Type and amount of credits to be purchased:

If you are proposing permittee-responsible mitigation, have you prepared a compensatory mitigation plan?

☐ XYes. Submit the plan with this application and complete the remainder of this section.

☐ No. A mitigation plan will need to be submitted (for DSL, this plan is required for a complete application).

Mitigation Location Information (Fill out only if permittee-responsible mitigation is proposed)

Mitigation Site Name/Legal Description Columbia River	Mitigation Site Address Just west of Bonneville Dam	Tax Lot #
County	City	Latitude & Longitude (in DD.DDDD format)

Township	Range	Section	Quarter/Quarter

(10) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE		
☐ **Pre-printed mailing labels of adjacent property owners attached separately (if more than 30).**	**Project Site Adjacent Property Owners**	**Mitigation Site Adjacent Property Owners**
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**	None	None
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**	None	None
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**	None	None

(11) CITY/COUNTY PLANNING DEPARTMENT LAND USE AFFIDAVIT (TO BE COMPLETED BY LOCAL PLANNING OFFICIAL)

I have reviewed the project described in this application and have determined that:

- ☐ This project is not regulated by the comprehensive plan and land use regulations
- ☐ This project is consistent with the comprehensive plan and land use regulations
- ☐ This project is consistent with the comprehensive plan and land use regulations with the following:
  - ☐ Conditional Use Approval
  - ☐ Development Permit
  - ☐ Other Permit (explain in comment section below)
- ☐ This project is not currently consistent with the comprehensive plan and land use regulations. To be consistent requires:
  - ☐ Plan Amendment
  - ☐ Zone Change
  - ☐ Other Approval or Review (explain in comment section below)

An application or variance request has ☐ has not ☐ been filed for the approvals required above.

Local planning official name (print)	Title	City / County

Signature	Date

Comments:

(12) COASTAL ZONE CERTIFICATION

If the proposed activity described in your permit application is within the Oregon Coastal Zone, the following certification is required before your application can be processed. The signed statement will be forwarded to the Oregon Department of Land Conservation and Development (DLCD) for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program and consistency reviews of federally permitted projects, contact DLCD at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050 or click here.

CERTIFICATION STATEMENT

I certify that, to the best of my knowledge and belief, the proposed activity described in this application complies with the approved Oregon Coastal Zone Management Program and will be completed in a manner consistent with the program.

Print /Type Applicant Name	Title

Applicant Signature	Date

(13) SIGNATURES

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or DSL staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. I understand that payment of the required state processing fee does not guarantee permit issuance.

To be considered complete, the fee must accompany the application to DSL. The fee is not required for submittal of an application to the Corps.

Fee Amount Enclosed	$

Applicant Signature (required) must match the name in Block 2	
Print Name	Title
Signature	Date
Authorized Agent Signature	
Print Name	Title
Signature	Date

Landowner Signature(s)*	
Landowner of the Project Site (if different from applicant)	
Print Name	Title
Signature	Date
Landowner of the Mitigation Site (if different from applicant)	
Print Name	Title
Signature	Date
Department of State Lands, Property Manager (to be completed by DSL)	
If the project is located on state-owned submerged and submersible lands, DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.	
Print Name	Title
Signature	Date

* Not required by the Corps.

(14) ATTACHMENTS

- ☐ Drawings
  - ☐ Location map with roads identified
  - ☐ U.S.G.S topographic map
  - ☐ Tax lot map
  - ☐ Site plan(s)
  - ☐ Plan view and cross section drawing(s)
  - ☐ Recent aerial photo
  - ☐ Project photos
  - ☐ Erosion and Pollution Control Plan(s), if applicable
  - ☐ DSL / Corps Wetland Concurrence letter and map, if approved and applicable
- ☐ Pre-printed labels for adjacent property owners (Required if more than 30)
- ☐ Incumbency Certificate if applicant is a partnership or corporation
- ☐ Restoration plan or rehabilitation plan for temporary impacts
- ☐ Mitigation plan
- ☐ Wetland functional assessments, if applicable
  - ☐ Cover Page
  - ☐ Score Sheets
  - ☐ ORWAP OR, F, T, & S forms
  - ☐ ORWAP Reports
  - ☐ Assessment Maps
  - ☐ ORWAP Reports: Soils, Topo, Assessment area, Contributing area
- ☐ Stream Functional Assessments, if applicable
  - ☐ Cover Page
  - ☐ Score Sheets
  - ☐ SFAM PA, PAA, & EAA forms
  - ☐ SFAM Report
  - ☐ Assessment Maps
    - ☐ Aerial Photo Site Map and Topo Site Map (Both maps should document the PA, PAA, & EAA)
- ☐ Compensatory Mitigation (CM) Eligibility & Accounting Worksheet
  - ☐ Matching Quickguide sheet(s)
  - ☐ CM Eligibility & Accounting sheet
- ☐ Alternatives analysis
- ☐ Biological assessment (if requested by the Corps project manager during pre-application coordination)
- ☐ Stormwater management plan (may be required by the Corps or DEQ)
- ☐ Other
  - ☐ Please describe:

For U.S. Army Corps of Engineers send application to:

USACE Portland District
ATTN: CENWP-ODG-P
PO Box 2946
Portland, OR 97208-2946
Phone: 503-808-4373
portlandpermits@usace.army.mil

Counties:
Baker, Benton, Clackamas, Clatsop, Columbia, Gilliam, Grant, Hood River, Jefferson, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yamhill

U.S. Army Corps of Engineers
ATTN: CENWP-ODG-E
211 E. 7th AVE, Suite 105
Eugene, OR 97401-2722
Phone: 541-465-6868
portlandpermits@usace.army.mil

Counties:
Coos, Crook, Curry, Deschutes, Douglas, Jackson, Josephine, Harney, Klamath, Lake, Lane

For Department of State Lands send application to:

West of the Cascades:
Department of State Lands
775 Summer Street NE, Ste 100
Salem, OR 97301-1279
Phone: 503-986-5200
https://www.oregon.gov/dsl/WW/Documents/uploadinstructions_removalfill.pdf

East of the Cascades:
Department of State Lands
951 SW Simpson Ave, Ste 104
Bend, OR 97702
Phone: 541-388-6112
https://www.oregon.gov/dsl/WW/Documents/uploadinstructions_removalfill.pdf

For Department of Environmental Quality:

Submit all application materials electronically through *Your DEQ Online*.

For questions related to *Your DEQ Online*, please visit the *Your DEQ Online* help page, email YourDEQOnline@deq.state.or.us, or call 503-229-6184

INSTRUCTIONS FOR PREPARING THE JOINT APPLICATION

This is a joint application and must be sent to all agencies (Corps, DSL, and DEQ), who administer separate permit or certification processes. For questions regarding these instructions or the form, contact the Corps, DSL and/or DEQ or refer to the following online resources:

- DSL's Removal-Fill Guide; or,
- The Corps Regulatory website: http://www.nwp.usace.army.mil/Missions/Regulatory.aspx
- DEQ's 401 Water Quality Certification website: https://www.oregon.gov/deq/wq/wqpermits/Pages/Section-401-Certification.aspx

General Instructions and Tips

- Provide the information in the appropriate blocks of the application form. If you need more space, provide a summary in the space provided and attach additional detail as an appendix to the application. Each appendix or attachment must reference which application block number it pertains to.
- Not all items on the application form will apply to all projects.
- Electronic submittal of applications and supporting material is preferred by the Corps. Both electronic and hard copies must be in 8 ½ x 11-inch sized format and reproducible in black and white. Currently DSL does not accept electronic submittals. DSL will accept color figures and 11 X 17. Use either all double sided or all single sided paper. Do not use staples or dividers. NOTE: If the electronic submittal of application and associated documents is 10 megabytes or more, check with each agency for how best to submit the document to that agency.
- **FEES:** Fees for water quality certification apply. Nationwide projects approved by DEQ will incur a fee of $985. Others will be evaluated on a case-by-case basis: https://www.oregon.gov/deq/wq/wqpermits/Pages/Section-401-Fees.aspx.

For complex projects or for those that may have more than minimal impacts, additional information may be necessary to complete the evaluation and make a permit decision. Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Section 1. Type of Permit(s) if Known

If known, indicate the type of permit/authorization applying for.

Section 2. Applicant and Landowner Contact Information

Applicant: The applicant is the responsible party. If the applicant is an agency, business entity or other organization, indicate the name of the organization and a person that has the authority to sign the application. If applicant is a partnership or corporation, the applicant name must match the Incumbency Certificate, and the business name as listed on OR Secretary of State business registry. Applicant must not be "doing business as" or has an "assumed business name." In such cases the applicant must be an individual.

Applicant Contact Name: If the applicant is a business, provide the contact name for an individual representing the business.

Authorized Agent: An authorized agent is someone who has permission from the applicant to represent their interests and supply information to the agencies. An agent can be a consultant, an attorney, builder, contractor, or any other person or organization. An authorized agent is optional.

Landowner: Provide landowner information if different from the applicant. DSL requires the landowner's signature, unless the project qualifies as a linear project, e.g. road, pipeline, utility.

Section 3. Project Information

A. Provide location information. Latitude and longitude must be reported in decimal format and can be found by zooming in to your respective project location and reading off the coordinates displayed on the bottom many maps, such as Google Earth.

B. Provide information on wetlands and waterbodies within the project area. Indicate the category of activities that make up your project. For projects with multiple locations, provide latitude and longitude for each location. For linear projects, provide the latitude and longitude for the start and end points.

Section 4. Project Description

A. Overall Description: Provide a description of the overall project, including:

- All associated work with the project both outside and within waters or wetlands.
- Total ground disturbance for all associated work (i.e., area and volume of ground disturbance).
- Total area of impervious surfaces created or modified by the project, if applicable.

B. Work within Waters and Wetlands: Provide a description of the proposed work within waters and wetlands, including:

- Each removal or fill activity proposed in waters or wetlands, as well as any construction or maintenance of in-water or over-water structures.
- The number and dimensions of in-water or over-water structures (i.e., pilings, floating docks) proposed within waters or wetlands.

C. Construction Methods: Describe how the removal and/or fill activities will be accomplished, including the following:

- Construction methods, equipment to be used, access and staging areas, etc.
- Measures you will use during construction to minimize impacts to the waterbody or wetland. Examples may include isolating work areas, controlling construction access, site specific erosion and sediment control methods, site specific best management practices, and using specialized equipment or materials. Attach work area isolation and/or erosion and pollution control plans, if applicable.

D. Fill Material and Disposal: Provide a description of fill material and procedure for disposal of removed material, including:

- The source(s) of fill materials (if known).
- Locations for disposal area(s) for dredged material, if applicable. If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into jurisdictional waters. If using an upland disposal area that is not a Department of Environmental Quality (DEQ)-regulated landfill, a Solid Waste Letter of Authorization or a Beneficial Use Determination from DEQ may be required.

E. Construction Timing: Provide the proposed start and completion dates for the project. Describe project work that is already complete, if applicable.

F. – I. Summary of Removal and Fill Activities: Summarize the dimensions, volume and type/composition of material being placed or removed in each waterbody or wetland. Describe each impact on a separate row. For instance, if two culverts are being removed from Clear Creek, use two rows. Add extra rows if needed or include an attachment.

The DSL and the Corps use different elevations for determining whether an activity in tidal waters is regulated by the State's Removal-Fill law, the Clean Water Act, and/or the Rivers and Harbors Act. DSL regulates activities below the highest measured tide. The Clean Water Act applies below the high tide line. The Rivers and Harbors Act applies below the mean high water.

If jurisdictional limits are not the same for each agency, prepare a table for each agency stating impacts within that agency's jurisdiction.

Section 5. Project Purpose and Need
Explain the purpose and need for the project. Also include a brief description of any related activities needed to accomplish the project objectives.

The following items are required by DSL, as applicable:
- If the removal-fill would satisfy a public need and the applicant is a public body, include any pertinent findings regarding public need and benefit.
- If the project involves fill in the estuary for a non-water dependent use, explain how the project is for public use and/or satisfies a public need.
- If the project is located within a marine reserve or marine protected area, explain how the project is needed to study, monitor, evaluate, enforce or protect the designated area.

Section 6. Description of Resources in Project Area
Territorial Sea: For activities in the Territorial Sea (mean lower low water seaward 3 nautical miles), provide a separate evaluation of the resources and effects determination.

For each wetland, include:
- Whether the wetland is freshwater or tidal, and the Cowardin class and Hydrogeomorphic (HGM) class.
- Source of hydrology and direction of flow (if any).
- Dominant plant species by layer (herb, shrub, tree).
- Assessment of the hydrologic, water quality, fish habitat, aquatic habitat, and ecosystem support functions and values of the wetland(s) to be permanently impacted. The assessment should be attached as a separate Excel document.
    - DSL requires the use of ORWAP for wetland impacts over 0.2 acre and any wetland that is an Aquatic Resource of Special Concern (ARSC), unless the impacts are to Agate Desert Vernal Pools (VPs). See Appendix B of the Removal Fill Guide for a list of ARSCs. The Vernal Pool Assessment Method is required for all VPs. For impacts to wetlands less than 0.2 acre that are not ARSCs or VPs Best Professional Judgment (BPJ) may be used.
- Identify any Aquatic Resources of Special Concern (ARSC) in or near the project area. ARSCs include alkali wetlands, bogs, cold water habitat, fens, hot springs, interdunal wetlands, kelp beds, mature forested wetlands, native eelgrass beds, off-channel habitats (alcoves and side channels), ultramafic soil wetlands, vernal pools (including Willamette Valley, Medford area, Modoc basalt, and Columbia Plateau vernal pools), wet prairies, or wooded tidal wetlands. See Appendix B of the Removal Fill Guide for a list of ARSCs.
- Include relevant summary information from the wetland delineation report if available. Provide a copy of the wetland delineation report to **the Corps,** if not previously provided to the Corps. If a delineation report has not been previously submitted to DSL, then submit to DSL under a separate cover.
- Describe existing uses, including fish and wildlife use (type, abundance, period of use, and significance of site).
- Next major downstream waterbody name.

For rivers, streams, other waterbodies, lakes and ponds, include a description of, as applicable:
- Streamflow regime (e.g., perennial year-round flow, intermittent seasonal flow, ephemeral event-driven flow). If flow is ephemeral, provide streamflow assessment data sheet or other information that supports your determination.
- Field indicators used to identify the Ordinary High Water Mark (OHWM).
- Channel and bank conditions.

- Type and condition of riparian (streamside) vegetation.
- Channel morphology (structure and shape).
- Stream substrate.
- Assessment of the hydrologic, geomorphic, biologic and water quality functions and values of waters to be permanently impacted.
    - DSL requires use of the Stream Function Assessment Methodology (SFAM) for wadable non-tidal streams. SFAM should be attached as a separate Excel document. For impacts to non-wadable or tidal streams, BPJ can be used. Sections 2.2 through 2.3 of the SFAM User Manual give guidance for the functions and values to be addressed for all streams, even if SFAM does not apply.
- Identify any Aquatic Resources of Special Concern (ARSC) in or near the project area. ARSCs include alkali wetlands, bogs, cold water habitat, fens, hot springs, interdunal wetlands, kelp beds, mature forested wetlands, native eelgrass beds, off-channel habitats (alcoves and side channels), ultramafic soil wetlands, vernal pools (including Willamette Valley, Medford area, Modoc basalt, and Columbia Plateau vernal pools), wet prairies, or wooded tidal wetlands.
- Fish and wildlife use (type, abundance, period of use, and significance of site).
- Water quality impairments, including waterways adjacent to impacted wetlands and waterway to be impacted and next major downstream waterbody

Section 7. Project Specific Criteria and Alternatives Analysis
Provide an explanation describing how impacts to waters and wetlands are being avoided and minimized on the project site. For DSL, the alternatives analysis must include:
- Project-specific criteria that are needed to accomplish the stated project purpose.
- A range of alternative sites and designs that were considered with less impact.
- An evaluation of each alternative site and design against the project criteria and a reason for why the alternative was not chosen.
- If the project involves fill in an estuary for a non-water dependent use, a description of alternative non-estuarine sites must be included.

The level of rigor required in this analysis should be commensurate with the level of impact proposed. Please note that additional information regarding alternatives may be necessary for Corps Individual Permits to comply with the Clean Water Act Section 404(b)(1) Guidelines. Please check with your local Corps contact early in the planning process to determine what level of analysis is required. An alternative analysis is not required for a complete application by the Corps; however, it may be required before a permit decision can be rendered.

Section 8. Additional Information
Any additional information you provide helps the reviewer(s) understand your project and the other approvals or reviews that may be required.

Section 9. Impacts, Restoration/Rehabilitation, and Compensatory Mitigation
A. Description of Impacts: Clearly identify the permanent, temporary, direct and indirect impacts. Provide a written analysis of potential changes the project may make to the hydrologic characteristics of the affected wetlands or waterbodies, and an explanation of measures taken to avoid or minimize any adverse effects of those changes, such as: impeding, restricting or increasing flows; relocating or redirecting flow; and potential flooding or erosion downstream of the project. Provide a table summarizing permanent and temporary impacts by HGM and Cowardin Classifications.

B. Site Restoration/Rehabilitation: For temporary disturbance of soils and/or vegetation in waterbodies, wetlands or riparian (streamside) areas, discuss how you will restore the site after construction. This may include the following:

- Grading plans to restore pre-existing elevations.
- Planting plans and species list (native species only) to replace vegetation in riparian or wetland areas.
- Maintenance and monitoring plans to document restoration to wetland condition and/or vegetation establishment.
- Associated erosion control for site stabilization.

C.-D. Compensatory Mitigation. Describe your proposed compensatory mitigation approach or explain why you believe compensatory mitigation is not required. If proposing permittee-responsible mitigation for permanent impacts to jurisdictional waters, see OAR 141-085-0705 and 33 CFR 332.4(c) for plan requirements. The Oregon Explorer Aquatic Mitigation topic page and map viewers may be a helpful resource.

For activities involving discharges of dredged or fill material into waters of the United States, the Corps requires the application to include a statement describing how impacts to waters of the United States are to be avoided and minimized. The application must also include either a statement describing how impacts to waters of the United States are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts.

Section 10. Adjacent Property Owners for Project and Mitigation Site(s)
Names and addresses for properties that are adjacent to the project site and permittee responsible mitigation site (if applicable), are required. "Adjacent" means those properties that share or touch upon a common property line or are across the street or stream. If more than 30, attach pre-printed labels. A list of property owners may be obtained by contacting the county tax assessor's office.

Section 11. City/County Planning Department Land Use Affidavit
This section is required to demonstrate land use compatibility for removal fill permits and water quality certifications. Provide this form to your local planning official for them to complete and sign.

Section 12. Coastal Zone Certification
Your signature for this statement is **required** for projects within the coastal zone (generally, west of the summit of the Coast Range).

Section 13. Signatures
The application **must** be signed by the responsible party as identified in section 1. DSL also requires the landowner's signature. Linear Facilities (e.g. road, pipeline, utility) do not require landowner signature for the impact sites; signatures are required for mitigation sites.

Section 14: Attachments
Project Drawings. A complete application must include a location map, site plan, and plan view and cross-section drawings. DSL also requires a recent aerial photo. All drawings should be clear, legible, and to scale. For the Corps, drawings must be on 8.5 x 11-inch paper and must be in black and white or clearly reproducible in black and white. DSL will accept color and 11 x 17, but all figures must be clear when reproduced in black and white. While illustrations need not be professionally prepared, they should be clear, accurate, and contain all necessary information, as follows:

Location maps (with project boundaries, including staging and construction access, scale bar and north arrow on all):
- Location map with roads identified
- U.S.G.S. Topographic map
- Tax lot map

Site plan(s), including:
- Entire project site and activity areas, which includes staging and construction access areas
- Existing and proposed contours
- Stormwater outfalls and other related features
- Location of Ordinary High Water Mark, wetland boundaries, and other jurisdictional boundaries. Clearly identify temporary, permanent, direct and indirect impact areas within waterbodies and wetlands
- Scale bar, legend, and north arrow
- Location of staging areas and construction access
- Location of cross section(s), as applicable
- Location of mitigation area, if applicable

Cross section drawing(s), including:
- Existing and proposed elevations
- Clearly identify temporary, permanent, direct and indirect impact areas within waterbodies and wetlands
- Ordinary High Water Mark, wetland boundaries, and other jurisdictional boundaries
- Scale bar (horizontal and vertical scale)

Recent Aerial Photo
- 1:200 resolution, or, if not available for your site, highest resolution possible

DSL Wetland Concurrence (map and letter only for DSL; the Corps requires the full wetland/waters delineation report if not already submitted)

Mitigation documents including:
- Functional assessment results for each impacted resource and mitigation area
    - Results should include: Cover sheet, Score Sheet, assessment area maps
- Eligibility and Accounting Worksheet
    - Matching "Quickguide" sheet(s)
    - Compensatory Mitigation (CM) Eligibility & Accounting sheet

Do NOT submit the following items to DSL (unless specifically requested by DSL for your project):
- Wetland delineation report
- Biological assessment
- Cultural/archeological reports
- Stormwater calculations
- Geotechnical reports
- Marketing reports
- Contract agreements
- Applications for other agencies such as local land use applications
- Contractor/construction specifications
- Other extraneous drawings and information