
Warrenton Urban Renewal Agency Agenda

City Hall, 225 S. Main Warrenton, OR 97146

Tuesday, October 28, 2025

The meeting will be broadcast via Zoom at the following link

<https://us02web.zoom.us/j/5332386326?pwd=VHNVVXU5blkxbDZ2YmxlSWpha0dhUT09#success>

Meeting ID: 533 238 6326 | Passcode: 12345 | Dial-in Number: 253-215-8782

Urban Renewal Agency Regular Meeting 6:00 PM

1. Call to order
2. Roll Call
3. Consent Calendar
 - A. Urban Renewal Agency Meeting Minutes 2025.09.09
4. Public Hearings – None
5. Business Items
 - A. NuWay Carpet Grant Update
 - B. Consideration of Request for Proposals – Warrenton Marina E Dock Redesign & Permitting
 - C. Consideration of Outpost Agreement Extension
 - D. Consideration of WURAC Term Limits
6. Executive Session
7. Adjournment

Warrenton Urban Renewal Agency
Meeting Minutes
City Hall, 225 S. Main Warrenton, OR 97146
Tuesday, September 9, 2025

1. Urban Renewal Agency meeting called to order at 6:56 pm.
2. Roll Call

Commission Members	Present	Excused
Gerald Poe	X	
Jessica Sollaccio	X	
Tom Dyer	X	
Paul Mitchell	X	
Henry Balensifer, Chair	X	

Staff Members Present	
Executive Director Esther Moberg	Deputy City Recorder Hanna Bentley

3. **Consent Calendar**

*Items on the Consent Calendar have previously been discussed and/or are considered routine. Approval of the Consent Calendar requires a motion, a second, and no discussion, unless requested by a member of the Urban Renewal Agency.

- A. Urban Renewal Agency Meeting Minutes 2025.06.10
- B. Warrenton Urban Renewal Advisory Committee (WURAC) Meeting Minutes 2025.03.05

Chair Balensifer requested to add item 5C Warrenton Urban Renewal Advisory Committee Recommendation Form.

Motion:	Move to approve the consent calendar and item 5C.				
Moved:	Mitchell				
Seconded:	Poe	Aye	Nay	Abstain	Recused
	Sollaccio	X			
	Dyer	X			
	Poe	X			
	Mitchell	X			
	Balensifer	X			
Passed:	5/0				

4. **Public Hearing – None**

5. **Business Items**

- A. Consideration of Director's Report:

Executive Director Esther Moberg provided a project update: the Peterson Property

preliminary design has been completed, building permits have been issued for the Outpost Building, the Battery 245 project is wrapping up and has received a temporary occupancy permit, and the Food Cart Pod has 4 active carts, with space for one more.

She reviewed the top priorities list: Warrenton Marina dock design, the purchase of a new Library Building, and the Peterson Property. There was brief discussion on façade improvement grants.

B. Consideration of Peterson Property Design:

Moberg reviewed the preliminary designs for the Peterson Property and noted the recommendation from WURAC. There was brief discussion on the project and feasibility.

Chair Balensifer stated for the record, “because I know some people probably asking is why aren't we spending money on the other side of Alder like, you know, with bathrooms that are beat up and like soap dispensers and all that, the Urban Renewal Agency District does not extend that far. So the Urban Renewal Agency cannot spend money on that side of the city.”

Chair Balensifer asked if the Agency wished to revisit the list and look for somewhere else to see what \$200,000 will go to or do they want to go ahead on this and kick it to the parks advisory board to see what they feel. Each commissioner shared their opinions. There was a majority opinion to keep the project with amendments.

Chair Balensifer noted the WURAC recommendation. He noted the response to the advisory board would be assuming that the project is approved and moves forward that they concur with the suggested improvements. There were no objections.

After further discussion there was a majority consensus in favor of the project including extending the paved multiuse plaza to be brought through to Alder Ave. and keeping the rest of the plan.

C. WURAC Recommendation

Discussed in item 5B.

6. Executive Session - None

7. Adjournment

There being no further business, Chair Balensifer adjourned the meeting at 7:35 pm.

Respectfully prepared and submitted by Hanna Bentley, Deputy City Recorder.

Approved:

Attest:

DRAFT

Warrenton Urban Renewal Agency Agenda Memo

Meeting Date: October 28, 2025
From: Jessica McDonald, Harbormaster
Subject: Request for Proposals – Warrenton Marina E Dock Redesign & Permitting

Summary:

The City seeks professional engineering and permitting services for the replacement of E Dock, a key commercial dock that accommodates approximately 22 year-round commercial vessels ranging from 50 to 80 feet in length.

E Dock has exceeded its service life and requires full replacement. The City intends to replace the dock within the existing general footprint while upgrading structural, electrical, and moorage systems to meet the load requirements of the commercial fleet and current in-water environmental standards.

This RFP covers conceptual and preliminary (30 to 60 percent) design, environmental permitting, and preparation of a Basis of Design (BOD) package suitable for funding applications and future construction procurement. Bidding, fabrication, and construction inspection are not part of this solicitation. The City may, at its discretion, amend the consultant's contract at a later date to include final design and construction-phase services.

Recommendation/Suggested Motion:

"I move to approve the request for proposals for the design and permitting services for the Warrenton Commercial E Dock."

Alternative:

Other action as deemed appropriate by the City Commission

OR

None recommended

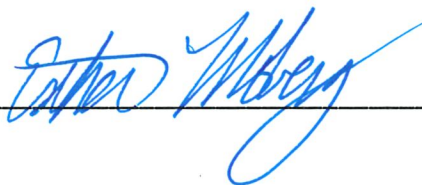
Fiscal Impact:

Project is funded by the Warrenton Urban Renewal Funds.

Attachments:

- Request for Proposals

Approved by Executive Director: _____





**Warrenton Marina E-Dock Replacement – Design and Permitting Services
Request for Proposals**

October 2025

Esther Moberg, City Manager

Jessica McDonald, Harbormaster

Request for Proposals
Warrenton Marina E-Dock Replacement – Design and Permitting Services

REQUEST FOR
PROPOSALS

Warrenton Marina E-Dock Replacement – Design and Permitting Services

Date of Issue:	October 23, 2025
Proposal Due Date:	November 12, 2025
Tentative City Commission Approval:	November 25, 2025

Request for Proposals
Warrenton Marina E-Dock Replacement – Design and Permitting Services

Table of Contents:

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A Location Map

B Existing Joint Permit Application for Piling Replacement
(Reference Information Only)

C Example City Contract

Request for Proposals
Warrenton Marina E-Dock Replacement – Design and Permitting Services

1: Introduction:

The City of Warrenton (City) owns and operates the Warrenton Marina, which provides moorage and services for the community's commercial and recreational fleets. The City seeks professional engineering and permitting services for the replacement of E Dock, a key commercial dock that accommodates approximately 22 year-round commercial vessels ranging from 50 to 80 feet in length.

E Dock has exceeded its service life and requires full replacement. The City intends to replace the dock within the existing general footprint while upgrading structural, electrical, and moorage systems to meet the load requirements of the commercial fleet and current in-water environmental standards. Most piles were replaced in 2024, with the remaining piles scheduled for replacement in 2025. The existing gangway is in satisfactory condition and is expected to be reused; the landing float beneath it will be replaced as part of this project.

This RFP covers conceptual and preliminary (30 to 60 percent) design, environmental permitting, and preparation of a Basis of Design (BOD) package suitable for funding applications and future construction procurement. Bidding, fabrication, and construction inspection are not part of this solicitation. The City may, at its discretion, amend the consultant's contract at a later date to include final design and construction-phase services.

The selected consultant will be responsible for identifying and preparing all permits and regulatory approvals necessary to advance the project through design and environmental compliance. This includes, but is not limited to, coordination and permitting with the Oregon Department of State Lands (DSL), U.S. Army Corps of Engineers (USACE), and consultation with NOAA/NMFS and other agencies as required under the Endangered Species Act (ESA)—including light-transmission and other in-water-work compliance requirements. Additional permitting may include Oregon DEQ Section 401 Water Quality Certification, State Historic Preservation Office (SHPO) consultation, U.S. Coast Guard coordination, and any City or local building or land-use approvals necessary to complete the work.

This procurement will follow the Qualifications-Based Selection (QBS) process defined in ORS 279C.110. The City will evaluate proposals solely on qualifications and experience. Following selection, the City will negotiate a detailed scope and fee with the highest-ranked proposer.

2: Project Description and Schedule:

The City of Warrenton (City) is planning the full replacement of E Dock at the Warrenton Marina to ensure continued safe and reliable service for the commercial fishing fleet and other working-waterfront users. The dock currently serves approximately 22 steel commercial vessels ranging from 50 to 80 feet in length. The structure has reached the end of its useful life and requires replacement to meet modern performance, durability, and environmental standards. The City has completed or scheduled the majority of pile replacements (2024–2025) and intends to maintain the existing general dock alignment and footprint. The new dock will be

Request for Proposals
Warrenton Marina E-Dock Replacement – Design and Permitting Services

designed for commercial-grade loading, moorage hardware, and fendering systems while improving safety, longevity, and maintenance access. The project will include evaluation of utilities (power, lighting, water, fuel, communications) and the integration or replacement of the landing float beneath the existing gangway.

The selected consultant will provide professional engineering and permitting services to advance the project through the following general phases. These phases represent the City's current expectations for project development; however, the City recognizes that alternative approaches may better achieve the project objectives. The City welcomes input from the selected consultant during contract negotiation to refine the scope, schedule, and deliverables as appropriate to ensure a cost-effective and technically sound outcome:

1. **Existing Conditions Review and Concept Development** – Review available drawings, field conditions, and vessel operations. Identify deficiencies and constraints. Prepare up to three conceptual alternatives that consider vessel maneuvering, moorage configuration, structural materials, light-transmission, constructability, and long-term maintenance.
2. **Preferred Alternative and Preliminary Design (30 % – 60 %)** – Develop the preferred concept into a preliminary design package including general arrangement drawings, design criteria, and key structural, mechanical, and electrical systems. Prepare an opinion of probable construction cost.
3. **Environmental and Regulatory Permitting** – Prepare all required permit applications and environmental documentation, including the DSL/USACE Joint Permit Application, ESA consultation materials for NOAA/NMFS, Oregon DEQ 401 Water Quality Certification under Section 401 of the Clean Water Act. DEQ Section 401 Water Quality, SHPO coordination, and other local or federal approvals required for in-water work authorization. Support City staff during agency review and respond to technical comments.
4. **Basis of Design (BOD) Package and Technical Specifications** – Compile design criteria, calculations, drawings, and a detailed cost estimate into a Basis of Design package suitable for funding applications and construction bidding. Develop draft technical specifications and front-end bid documents, including the Invitation to Bid, Instructions to Bidders, Bid Schedule, and General/Special Provisions, coordinated with City staff.
5. **City Coordination and Review** – Participate in coordination meetings and one stakeholder review session. Provide responses to City comments and incorporate revisions into final documents suitable for future advertisement.

The project deliverables will provide a complete, permit-ready and bid-ready package that the City can use to pursue construction funding and subsequently advertise the project under a separate solicitation. Construction-phase and inspection services are not included in this RFP but may be added later by amendment.

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Warrenton Marina E-Dock Replacement – Design and Permitting Services

Anticipated Schedule

Milestone	Estimated Timeframe
Notice to Proceed / Kickoff Meeting	January 2026
Field Review and Concept Development	March 2026
30 % Design / Preferred Alternative	April 2026
Permit Submittals and Agency Coordination	May 2026
60 % Basis of Design Package with Specs & Front-End Documents	May 2026
City Review and Final Deliverables	October 2026

Note: The above schedule reflects typical durations for design development and permitting preparation. Actual permitting timelines are subject to agency review schedules and coordination under DSL, USACE, and NOAA/NMFS processes. ESA consultation and other in-water approvals may extend the overall project duration by 9 to 15 months. The City will work with the selected consultant to refine the project schedule following contract award.

3: Scope of Services

The following tasks describe the City's current expectations for the E-Dock Replacement Design and Permitting Project. These tasks may be refined during contract negotiation based on the selected consultant's recommended approach, experience, and understanding of the project objectives.

Task 1 – Project Management and Coordination

- Coordinate all activities with the City's Harbormaster or designee.
- Prepare a detailed project schedule and communication plan.
- Conduct regular progress meetings (virtual or in-person) and provide concise written updates.
- Maintain organized records of meetings, correspondence, and permitting submittals.
- Assist the City in developing a project file suitable for grant and funding documentation.

Task 2 – Existing Conditions Review and Concept Development

- Review available as-built drawings, bathymetric data, and pile-replacement records.

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- Conduct site visits and collect measurements needed to confirm current dock configuration, utilities, and clearances.
- Prepare up to three conceptual alternatives addressing dock alignment, finger-float configuration, fendering, utilities, and constructability.
- Evaluate materials and systems for long-term durability, load capacity, and maintainability in a commercial-fleet environment.
- Present concepts to City staff and stakeholders for input and selection of a preferred alternative.

Task 3 – Preliminary Design (30 – 60 %) and Environmental Permitting

- Develop the preferred concept into preliminary design drawings showing plan, section, typical details, and design criteria.
- Prepare an Opinion of Probable Construction Cost for the preferred design.
- Identify all permitting requirements and prepare complete submittals including, but not limited to:
 - Oregon DSL and USACE Joint Permit Application;
 - ESA consultation documents for NOAA/NMFS (including light-transmission analyses);
 - DEQ Section 401 Water Quality Certification;
 - SHPO consultation and cultural-resource coordination;
 - U.S. Coast Guard coordination (if applicable); and
 - Any City building, land-use, or flood-hazard approvals required.
- Support the City throughout agency review, respond to comments, and provide any supplemental documentation necessary for permit issuance.

Task 4 – Basis of Design Package, Specifications, and Front-End Documents

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- Prepare a Basis of Design (BOD) report summarizing design criteria, materials, structural and utility systems, load assumptions, and environmental considerations.
- Develop a 60 % design package including drawings, calculations, and cost estimate.
- Draft technical specifications and front-end bidding documents (Invitation to Bid, Instructions to Bidders, General and Special Provisions, Bid Schedule, etc.) suitable for City review and future advertisement.
- Coordinate specification format and Division 1 requirements with City standards and the Oregon Standard Specifications for Construction, where applicable.
- Provide electronic deliverables in editable and PDF formats.

Task 5 – City Review, Stakeholder Engagement, and Final Deliverables

- Conduct one review meeting with the City to present the 60 % BOD package and incorporate feedback.
- Participate in one stakeholder session with marina users or commercial-fleet representatives.
- Prepare final revised documents addressing City comments.
- Deliver the complete permit-ready and bid-ready package including drawings, specifications, cost estimate, and permitting documentation.
- Provide a summary memo outlining remaining steps and timelines for final design and construction procurement.

4: Proposal Format

Proposals should be clear, concise, and well-organized to allow the City to determine each proposer's qualifications and understanding of the project. Submittals that fail to address the requested information may be deemed non-responsive.

The total proposal length shall not exceed **15 pages**, excluding the cover letter, section dividers, and appendices (resumes, sample pages, and required forms). The City prefers brevity and clarity over length.

4.1 Cover Letter

- Introduce the firm and summarize its interest in the project.

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- Identify the primary contact person and authorized representative for contract negotiations.
- Provide firm name, address, phone number, email, and Oregon PE license numbers as applicable.
- The cover letter must be signed by an individual authorized to bind the proposer.

4.2 Project Understanding and Approach

- Demonstrate understanding of the project objectives, site conditions, commercial-fleet operations, and permitting constraints.
- Describe the proposed approach for delivering a permit-ready and bid-ready design within the anticipated schedule.
- Discuss anticipated challenges (environmental coordination, light-transmission, utilities integration, construction access) and how they would be addressed.
- Identify any alternative strategies or innovations that could improve constructability, durability, or cost efficiency.

4.3 Project Team and Qualifications

- Provide an organization chart identifying the project manager, discipline leads (structural, civil, electrical, environmental / permitting), and any subconsultants.
- Summarize each key individual's relevant experience and availability.
- Include concise resumes (maximum two pages each) in an appendix.
- Highlight professional registrations and direct experience with in-water marine and commercial-dock design in the Pacific Northwest.

4.4 Relevant Project Experience

- Present at least **three recent projects** of comparable scope and complexity (commercial marinas, working-waterfront facilities, and pile-supported docks).
- For each project, include:
 - Project name, location, owner, and completion date;
 - Brief scope description and permitting responsibilities;

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- Construction cost (if applicable); and
 - Client contact information (name, title, phone, email).
- Indicate which proposed staff worked on each example.

4.5 Schedule and Level of Effort

- Provide a preliminary schedule showing key milestones and deliverables consistent with Section 2.
- Identify approximate staffing by phase.
- Note any assumptions, constraints, or critical path items affecting schedule.

4.6 References

Provide at least **three references** (may duplicate Section 4.4) who can directly comment on the proposer’s performance on similar projects. Include name, organization, title, phone, and email.

5. Selection Criteria

Proposals will be evaluated according to the qualifications of the proposer and the quality of the submittal.

The City will use the following criteria to rank proposals and select the most qualified firm in accordance with Oregon’s Qualifications-Based Selection (QBS) process under ORS 279C.110.

Price or fee proposals will not be considered in the evaluation.

Following selection, the City will negotiate a detailed scope and fee with the highest-ranked proposer.

If negotiations are unsuccessful, the City may proceed to negotiate with the next-ranked proposer.

5.1 Evaluation Criteria

Evaluation Category	Description	Maximum Points
1 – Project Understanding and Approach	Demonstrated understanding of project goals, site conditions, marina operations, and permitting challenges.	25

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Evaluation Category	Description	Maximum Points
	Quality and creativity of the proposed approach to deliver a durable, environmentally compliant design.	
2 – Project Team and Qualifications	Qualifications, technical expertise, and availability of key staff, including the project manager and lead design disciplines. Demonstrated experience working together on similar projects.	20
3 – Relevant Project Experience	Experience completing similar commercial-grade marina, working-waterfront, or pile-supported dock projects. Quality of past work and ability to manage permitting, utilities, and stakeholder coordination.	30
4 – Permitting Expertise and Schedule Realism	Demonstrated understanding of in-water permitting requirements (DSL, USACE, NOAA/NMFS, DEQ, SHPO) and realistic scheduling of those activities.	25
Total Possible Points		100

5.2 Evaluation and Selection Process

- A City evaluation committee will independently review and score all proposals.
- The committee may hold interviews with the highest-ranked firms if deemed beneficial.
- References may be contacted to verify performance and qualifications.
- The City reserves the right to verify information, request clarification, or negotiate scope refinements with any proposer.
- Final ranking will be based on consensus scoring and, if applicable, interview results.

5.3 Interviews (if held)

Interviews, if conducted, will focus on project understanding, approach, key staff experience, and communication style.

The City may adjust final scores based on interview performance.

6: Submittal Requirements

6.1 Submission Deadline and Format

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Each responding firm must email the City of Warrenton point of contact shown below to affirm their intent to submit a proposal. Include the firm's point of contact information in the email. All questions regarding this RFP must be submitted in writing, via email, to:

City of Warrenton
Jessica McDonald
Harbormaster
PO Box 250 Warrenton, Oregon 97146
Email: jmcdonald@warrentonoregon.us

Please prepare and submit an original plus two (2) copies of the proposal to:

City of Warrenton
Jessica McDonald
Harbormaster
PO Box 250 Warrenton, Oregon 97146
Email: jmcdonald@warrentonoregon.us

All responses must be received no later than 2:00 PM on November 12, 2025. Responses received after this date and time may not be considered. All proposals in response to this RFP should be clearly marked "Warrenton Marina E-Dock Replacement – Design and Permitting Services"

Amendments to the RFP will be distributed via email only to firms that confirm their intent to submit a proposal.

6.2 Proposal Organization

Proposals shall follow the organization outlined in Section 4 – Proposal Format and be limited to **15 pages**, excluding appendices and required forms.

6.3 Addenda Acknowledgment

All addenda issued by the City will be posted to the City's website. Each proposer must acknowledge receipt of all addenda in its submittal. Failure to do so may result in disqualification.

6.4 Questions and Clarifications

All questions and requests for clarification must be submitted **in writing** to Jessica McDonald via email no later than **five (5) calendar days** before the submittal deadline. Responses and any addenda will be issued to all known RFP holders. Oral statements or instructions shall not be binding.

6.5 Proposal Validity

Proposals shall remain valid for **90 days** following the submittal deadline to allow time for evaluation and contract negotiation.

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6.6 Anticipated Procurement Schedule

Milestone	Estimated Date
RFP Issue Date	October 23, 2025
Questions Due	November 6, 2025
Proposals Due (2:00 p.m.)	November 12, 2025
Evaluation Period	November 12, 2025 - November 14, 2025
Interviews (if held)	November 17, 2025
Notice of Intent to Award	November 25, 2025
Contract Execution / Notice to Proceed	December 1, 2025

Dates are approximate and subject to change by the City.

7: General RFP Information

The City reserves the right to reject all proposals, to waive any irregularities in the proposals received, and to accept the proposal that is in the best interest of the City and the public. The issuance of this RFP and the receipt and evaluation of proposals does not obligate the City of Warrenton to award a contract. Warrenton will pay no costs incurred by Proposers in responding to this RFP. The City may, at its discretion, cancel this process at any time before the execution of a contract without liability.

7.1 Confidentiality

All information submitted by Proposers shall become and remain the property of the City of Warrenton and, as such, is considered public information and subject to disclosure pursuant to the Oregon Public Records Act, except for portions of the Proposals for which Proposer requests exception from disclosure as proprietary information exempt from disclosure, consistent with Oregon law.

Identifying the Proposal in whole as a trade secret is not acceptable. Failure to identify a portion of the Proposal as a trade secret shall be deemed a waiver of any future claim of that information as a trade secret. Nondisclosure of documents or any portion of a document submitted as part of a Proposal may depend upon official or judicial determinations made pursuant to the Oregon Public Records law.

The City will make available to any person requesting information through the City processes for disclosure of public records any information submitted as a result of this RFP not exempted from disclosure without obtaining permission from any Proposer to do so after the Notice of Intent to Award has been released.

The City accepts no liability for the inadvertent or unavoidable release of any confidential information submitted. If a public records request is made for material marked as proprietary, the City will attempt to notify the impacted Proposer before the deadline for the release of the

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material but will not defend against any legal challenge for release. Therefore, claims arising out of any public records request for such information shall be at the Proposer's sole expense if the Proposer wishes to deny or withhold the information.

7.2 Cancellation

The City reserves the right to cancel this RFP or the contract award at any time before execution of the contract by both parties, if cancellation is deemed to be in the best interest of the City. In no event shall the City have any liability for the cancellation of a contract award.

7.3 Late Proposals

All Proposals that are not received by the Proposal Due Date and Time will not be considered and will be returned unopened to the Proposer. Electronically mailed or faxed Proposals will not be accepted. Delays due to mail and/or delivery handling, including but not limited to delays within the City's internal distribution systems, do not excuse the Proposer's responsibility for submitting the Proposal to the correct location by the Proposal Due Date.

7.4 Disputes

In case of any doubt or differences of opinion as to the items or services to be furnished hereunder, or the interpretation of the provisions of the RFP, the decision of the City shall be final and binding upon all parties.

7.5 Proposer Certifications

By the act of submitting a Proposal in response to this RFP, the Proposer certifies that:

1. Proposer has carefully examined all RFP documents, including the draft Professional Services Agreement (attached as Appendix A), all addenda, and all other attachments, fully understands the RFP intent, can perform all tasks as described in the Scope of Work of this RFP, and the Proposal is made in accordance therewith. Except as otherwise noted as part of the Proposal, Proposer certifies that Proposer is ready, willing, and able to comply with all terms of the attached Professional Services Agreement.
2. Proposer is familiar with the local conditions under which the work will be performed.
3. The Proposal is based upon the requirements described in the RFP, without exception, unless clearly stated in the response.
4. Proposer accepts all of the terms of the City's Professional Services Agreement and warrants that Proposer will fully meet all of the insurance requirements contained therein. If the Proposer wishes to amend or modify any terms of the Professional Services Agreement, such amendment or modification must be stated in particularity in the Proposal. Proposed changes to the draft Professional Services Agreement not stated at the time of Proposal submission will not be considered. Changes stated will be considered but may not be agreed upon by the City for contract award. If the City does

Request for Proposals
Warrenton Marina E-Dock Replacement – Design and Permitting Services

not agree with such noted changes, the Proposer may withdraw the proposed change or the entire Proposal, and the City of Warrenton may elect to award to the next highest-ranked Proposer.

5. Proposer certifies, and in the case of sole proprietorship, partnership, or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of Proposer's knowledge and belief, no elected official, employee, or person whose salary is payable in whole or part by the City has a direct or indirect financial interest in the Proposal, or in the services to which it relates, or in any of the profits thereof, other than as fully described in the Proposer's response to this solicitation.
6. The Proposer has examined all parts of the RFP, including all requirements and contract terms and conditions thereof, and if its Proposal is accepted, the Proposer shall accept the contract documents thereto, unless substantive changes are made in same without the approval of the Proposer.
7. Proposer, if an individual, is of lawful age; is the only one interested in this Proposal; and no person, firm, or corporation, other than that named, has any interest in the Proposal, or in the proposed contract.
8. Proposer has quality experience providing the types of services and duties as described within the Request for Proposals.

7.6 Nondiscrimination

By the act of submitting a Proposal in response to this RFP, the Proposer certifies, under penalty of perjury, that the Proposer has not discriminated against minorities, women, or emerging small business enterprises in obtaining any required subcontracts.

7.7 Warrenton, Oregon, and Federal Requirements

The City intends to select a consultant in accordance with OAR 137-048-0220 and the City's municipal code. The selection of a consultant under this process is not a guarantee of a contract award, nor is the award of a contract for any portion of the Work a guarantee of the award of a contract for any subsequent work. All work is subject to budgetary and funding constraints of the City.

The selected consultant shall comply with all federal, state, and local laws, regulations, executive orders, and ordinances applicable to the work under this contract, including, without limitation, the provisions of: (i) Title VI of the Civil Rights Act of 1964; (ii) Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659.425; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations.

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Proposer is subject to the Oregon Workers Compensation Law and shall comply with ORS 656.017, which requires the provision of Workers Compensation coverage for all employees working under this contract. The City, services, employment opportunities, and volunteer positions are open to all persons without regard to race, religion, color, national origin, sex, sexual orientation, gender identity, age, marital status, disability, or political affiliation.

Appendix A – Project Location



Appendix B – Existing Joint Permit Application for Piling
Replacement (Reference Information Only)



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.

4Dec2024

DATE STAMP

 U.S. Army Corps of Engineers Portland District	 Oregon Department of State Lands	 Oregon Department of Environmental Quality
Action ID Number NWP-2022-176	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)	Jessica McDonald		Eric Campbell
Business Name	City of Warrenton		Campbell Environmental, LLC
Mailing Address	PO Box 250 501 NE Harbor Pl. Warrenton, OR 97146		28948 SW Meadows Loop Wilsonville, OR 97070
Business Phone	503-861-3822		503-680-8390
Cell Phone	503-383-5581		503-680-8390
Email	jmcdonald@warrentonoregon.us		eric@campbellenviro.com

(3) PROJECT INFORMATION

A. Provide the project location

Project Name		Latitude & Longitude (decimal)	
Warrenton and Hammond Marinas Piling Replacement		46.1660 N / -123.9172 W (Warrenton) 46.2031 N / -123.9499 W (Hammond)	
Project Address / Location		City (nearest)	County
550 NE Harbor Pl., Warrenton / 320 Lake Dr., Hammond		Warrenton / Hammond	Clatsop
Township	Range	Section	Quarter/Quarter
8 North	10 West	22 and 5	NW and SW
Tax Lot(s)			
06700, 06400, 00700, 00300 / 00200			

Brief Directions to the Site

Take Highway 101 to East Harbor Dr., turn onto NE Heron Ave., and arrive at Warrenton Marina.
Take Highway 101 to Fort Stevens Hwy., turn onto Columbia Beach Ln. to Ridge Rd., follow to Hammond Mar.

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

☒ River / Stream ☐ Non-Tidal Wetland ☐ Lake / Reservoir / Pond
☒ Estuary or Tidal Wetland ☐ Other ☐ Pacific Ocean

Waterbody or Wetland Name	River Mile	6 th Field HUC Name	6 th Field HUC (12 digits)
Skipanon Waterway and Columbia River	1.1 and 8.6	Skipanon River – Frontal Columbia	170800060208

C. Indicate the project category. (check all that apply.)

☐ Commercial Development ☐ Industrial Development ☐ Residential Development
☐ Institutional Development ☐ Agricultural ☐ Recreational
☐ Transportation ☐ Restoration ☐ Bank Stabilization
☐ Dredging ☐ Utility lines ☐ Survey or Sampling
☒ In- or Over-Water Structure ☒ Maintenance ☒ Other: Piling Replacement

(4) PROJECT DESCRIPTION

A. Summarize the overall project, including work in areas both in and outside of waters or wetlands.

The City of Warrenton (City) is requesting a five (5)-year permit to allow for in-kind replacement of up to 385 existing, deteriorated wood and steel pilings located within the Warrenton and Hammond Marinas in Clatsop County (see Attachment A: Figures). The pilings support several moorage docks and tie-ups within the marinas that are utilized for mooring fishing and recreational vessels. Many of the existing pilings were installed in the 1980s and have begun to deteriorate both above and below the water's surface, and require replacement in order to maintain marina operability and longevity.

It is anticipated that an average of 77 pilings will be replaced each year, over the five (5)-year duration of the permit. In the event that not all 385 pilings can be replaced during the five (5)-year duration of the permit due to budget constraints and/or contractor availability, then the City will simply reapply for a permit extension after five years to complete the project.

B. Describe work within waters and wetlands

Work within waters (i.e., below highest measured tide [HMT] of the Skipanon Waterway and Columbia River) will include in-kind replacement of up to 385, deteriorated wood and steel pilings (ranging from 10 to 24 inches in diameter) (see Attachment A: Figures). A summary of impacts below the HMT is provided below (Table 1). The proposed project will not impact wetlands.

Table 1. Summary of Permanent and Temporary Impacts to Waters and/or Wetlands.

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.)	Volume (c. y.)		
Skipanon Waterway							
Removal of up to 220, 10" - 14" dia. pilings	220	~1	40	~220	326	Permanent	Round wood/steel
Columbia River							
Removal of up to 165, 10" - 24" dia. pilings	248	~1.5	40	~330	489	Permanent	Round wood/steel
Total Removal Volumes and Dimensions							
				Length (ft)	Area (sq. ft.)	Volume (c.y.)	
Total Removal to Wetlands				N/A	N/A	N/A	
Total Removal Below Ordinary High Water				N/A	N/A	N/A	
Total Removal Below Highest Measured Tide				468	550	815	
Total Removal Below Mean High Water Tidal Elevation				468	550	~543	
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.)	Volume (c. y.)		
Skipanon Waterway							
Installation of up to 220, 10"-14" dia. pilings	220	~1	40	~220	326	Permanent	Round steel
Barge spud piles	3	1.5	~10	4.5	1.6	Temporary	Steel piles
Columbia River							
Installation of up to 165, 10"-24" dia. pilings	248	~1.5	40	~330	489	Permanent	Round steel
Barge spud piles	3	1.5	~10	4.5	1.6	Temporary	Steel piles

I. Total Fill Volumes and Dimensions			
	Length (ft)	Area (sq. ft.)	Volume (c. y.)
Total Fill to Wetlands	N/A	N/A	N/A
Total Fill Below Ordinary High Water	N/A	N/A	N/A
Total Fill Below <u>Highest Measured Tide</u>	468	550	815
Total Fill Below <u>Mean High Water Tidal Elevation</u>	468	550	~543
* If there is no official name for the wetland or waterway, 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.			

C. Construction Methods. Describe how the removal and/or fill activities will be accomplished to minimize impacts to waters and wetlands.

Construction crews and equipment will access the project site via the existing docks and floating barges. The existing wood and steel pilings will be dislodged with a vibratory hammer and slowly lifted from the sediment and placed into a contained area for appropriate upland disposal. The proposed steel replacement pilings will be installed using a vibratory hammer to a depth of approximately 30 feet into the substrate. It is anticipated that each piling will require approximately 15 to 30 minutes of vibratory hammer use. In the event that the vibratory hammer cannot fully embed the replacement pilings due to obstructions below the substrate, use of an impact hammer may be required to seat the pilings to their required depth. It is estimated that the average installation rate will be four pilings per day. The contractor will implement appropriate sound attenuation methods as outlined below in the Measures to Minimize Impacts.

Measures to Minimize Impacts: The following conservation measures have been incorporated into the proposed project design and construction methods to minimize and avoid potential adverse effects to aquatic species, their designated Critical Habitat elements, and Essential Fish Habitat (EFH):

- All piling replacement conducted below the HMT will occur during the SLOPES-required in-water work period (IWWP) for "pile driving" in the lower Columbia River estuary (October 1 – November 30), a period when Endangered Species Act (ESA)-listed species are less likely to be present within the vicinity of the project area.
- All pilings will be removed with a vibratory hammer. During piling removal, the following criteria will be implemented to minimize sediment disturbance and resuspension:
 - Install a floating surface boom to capture floating surface debris.
 - Consider the best tidal condition for piling removal; try to remove in-the-dry.
 - Keep all equipment (e.g., bucket, cable, vibratory hammer) out of the water, grip piles above the waterline, and complete work during low water and low current conditions.
 - Dislodge piling with a vibratory hammer, when possible; never intentionally break a pile.
 - "Wake" the piling by vibrating to break the friction bond between the piling and sediment.
 - Slowly lift the pile from the sediment and through the water column.
 - Place the pile in a containment basin on a barge deck, pier, or shoreline without attempting to clean or remove any adhering sediment.
 - Dispose of all removed piles, floating surface debris, any sediment spilled on work surfaces, and all containment supplies at a permitted upland disposal site.
- When a pile breaks or is intractable during removal, removal will continue as follows:
 - Every attempt short of excavation will be made to remove each piling, if a pile in uncontaminated sediment is intractable, breaks above the surface, or breaks below the surface, cut the pile or stump off at least 3 feet below the surface of the sediment.

- All new pilings will be installed with a vibratory hammer. In the event that the vibratory hammer cannot full embed the piles to the necessary depth, the contractor may use an impact hammer to seat the piles. Use of an impact hammer will be limited to daylight hours between 7 a.m. and 7 p.m.
- The contractor will initiate daily "soft-start" procedures to provide a warning and/or give species near piling removal and installation activities a chance to leave the area prior to a vibratory hammer operating at full capacity; thereby, exposing fewer species to loud underwater and airborne sounds.
 - A soft-start procedure will be used at the beginning of in-water piling removal and installation, or any time piling removal/installation has ceased for more than 30 minutes.
 - For vibratory hammer operation, the contractor will initiate noise from vibratory hammers for 15 seconds at reduced energy followed by a 30-second waiting period. The procedure shall be repeated two additional times.
 - For impact pile driving (if necessary), the contractor will provide an initial set of strikes from the impact hammer at reduced energy, followed by a 30-second waiting period, then two subsequent sets. (The reduced energy of an individual hammer cannot be quantified given the variations between individual drivers. In addition, the number of strikes will vary at reduced energy given that raising the hammer at less than full power and then releasing it results in the hammer bouncing as it strikes the pile, resulting in multiple strikes).
- During the use of an impact hammer (if required) a multi-level bubble curtain will be installed to reduce sound pressure levels. The bubble curtain system shall conform to the following:
 - If water velocity is greater than 1.6 feet per second, surround the piling being driven by a confined bubble curtain (e.g., a bubble ring surrounded by a fabric or non-metallic sleeve) that will distribute air bubbles around 100% of the piling perimeter for the full depth of the water column. Bubblers shall completely surround the pile.
 - Piling shall be completely engulfed in bubbles over the full depth of the water column at all times when an impact pile driver is in use. Bubbles are not required during vibratory pile driving.
- A Pollution Control Plan (PCP) will be prepared by the Contractor and carried out commensurate with the scope of the project that includes the following:
 - Best management practices to confine, remove, and dispose of construction waste.
 - Procedures to contain and control a spill of any hazardous material.
- All conditions of ODEQ's 401 Water Quality Certification will be followed.
- All equipment will be inspected daily for fluid leaks. Any leaks detected will be repaired before operation is resumed. Stationary power equipment (i.e., cranes) operated within 150 feet of the river will be diapered to prevent leaks.
- All new replacement pilings will be fitted with devices to prevent perching by piscivorous birds.

D. Describe source of fill material and disposal locations if known.

Fill will consist of up to 385 steel pilings ranging from 10 to 24 inches in diameter. All removed wood and steel pilings will be placed in a contained area and hauled to an upland location for recycling or disposal.

E. Construction timeline.

What is the estimated project start date? October 2025
 What is the estimate project completion date? November 2029

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

(5) PROJECT PURPOSE AND NEED

Provide a statement of the purpose and need for the overall project.

The purpose of the proposed project is to replace up to 385 existing, deteriorated wood and steel pilings located within the Warrenton and Hammond Marinas in Clatsop County. The pilings support several moorage docks and tie-ups within the marinas that are utilized for mooring fishing and recreational vessels. Many of the existing pilings were installed in the 1980s and have begun to deteriorate both above and below the water's surface, and require replacement in order to maintain marina operability and longevity.

(6) DESCRIPTION OF RESOURCES IN PROJECT AREA

A. Describe the existing physical 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.

Columbia River: The Columbia River flows for more than 1,200 miles and is one of the largest rivers in North America. The river originates in British Columbia, Canada, and enters the U.S. in the northeastern corner of Washington State. From there it flows south towards the Snake River confluence, and then heads westward forming the Oregon-Washington border before flowing into the Pacific Ocean. The Columbia River basin drains an area of approximately 260,000 square miles, and is the most hydroelectrically developed river system in the world. More than 400 dams (11 on the mainstem) and hundreds of major and modest structures on tributaries tap a large portion of the Columbia River's generating capacity (CCRH 2013¹).

The lower Columbia River basin includes all tributaries and watersheds that drain into the Columbia River from Bonneville Dam (river mile 146) to its confluence with the Pacific Ocean. Major tributaries of the lower Columbia River include the Clatskanie River, Cowlitz River, Grays River, Lewis River, Sandy River, Washougal River, Willamette River, and Youngs River. The lower 46 miles of the Columbia River is considered estuary (LCREP 1999²). Within the lower estuary, the river has been channelized to facilitate development to the water's edge.

In general, water quality throughout the lower Columbia River basin has been significantly affected by human activities such as dams and diversion structures, water withdrawals, farming and grazing, road construction, mining activities, and urbanization. Increased stream temperatures have occurred throughout the basin and have a significant effect on salmonid metabolism, growth rate, disease resistance, timing of adult migrations, fry emergence, and smoltification. In addition, excess nutrients, low levels of dissolved oxygen, heavy metals, and changes in pH have all directly affected the water quality for salmon, steelhead, and bull trout both as adults and juveniles as these fish migrate upstream and downstream between spawning grounds and rearing areas. The lower Columbia River within the project area is on the Oregon Department of Environmental Quality (ODEQ) 303(d) list for arsenic, DDE, fecal coliform, methylmercury, PCBs, and dissolved O₂ (ODEQ 2024³).

The Hammond Marina is located along the southern shoreline of the Columbia River within a protected boat basin. This is considered a high energy area of the river with strong lateral currents. The riverbanks at this location are armored and contain minimal riparian vegetation. The northeast side of the marina is bound by breakwaters which provide protected access for vessels. The marina substrates consist primarily of silt and sand. River flows in the lower Columbia River are relatively consistent as a result of hydrological regulation at upstream dams, but are still subject to twice-daily tidal fluctuations. The HMT elevation near the Hammond Marina is 11.31 feet MLLW (11.34 NAVD88) (DSL 2010⁴).

¹Center for Columbia River History (CCRH). 2013. <http://www.ccrh.org/>.

²Lower Columbia River Estuary Partnership (LCREP). 1999. Lower Columbia River Comprehensive Conservation and Management Plan. 353 pp.

³ODEQ (Oregon Department of Environmental Quality). 2024. Oregon's 2022 Integrated Report Assessment Database and 303(d) List. https://rstudioconnect.deq.state.or.us/2022_IR_Database/

⁴DSL (Oregon Department of State Lands). 2010. Using Tidal Data to Determine HMT. October 19, 2010.

⁵CH2M Hill. 2013. *Visual Impact Assessment of the Oregon LNG Bidirectional Terminal*. March 2013.

Skipanon Waterway: The Skipanon Waterway consists of the lower 1.5 miles of the Skipanon River as it empties into the lower Columbia River estuary. This lower section of the Skipanon River has been altered (straightened and widened) through historic dredging and lined with riprap to provide access to the Warrenton Marina and the Hampton Affiliates (formerly Weyerhaeuser) Warrenton lumber mill, which occupies a large

portion of the west side of the waterway (CH2M 2013⁵). In the vicinity of the Warrenton Marina (river mile 1.1), the shoreline is highly developed and consists of numerous docks, over-water structures, and steep armored banks that provide very little habitat complexity and allow for little riparian vegetation. As with the lower Columbia River, water quality within the Skipanon Waterway has been significantly affected by urbanization and industry. The Skipanon Waterway is currently 303(d)-listed for fecal coliform, dissolved oxygen, alkalinity, chloride, and iron (ODEQ 2024³). Flows in the Skipanon Waterway are generally consistent and are subject to twice-daily tidal fluctuations. The HMT elevation within the project area is approximately 12.0 MLLW (DSL 2010⁴). Substrates at the Warrenton Marina consist primarily of silt and sand.

Floodplain: The proposed project will result in no net-rise within the 100-year floodplain of the Columbia River or Skipanon Waterway.

ESA-Listed Species: There are nine species (16 populations) listed under the Federal Endangered Species Act (ESA) with the potential to occur within the vicinity of the project area (Table 2). In addition, the project area contains designated Critical Habitat, Essential Fish Habitat (EFH) as defined by the Magnuson-Stevens Act, and Essential Salmonid Habitat (ESH) as defined by the DSL.

Table 2. ESA-listed species with the potential to occur within the project area⁶.

Species	Population (ESU/DPS)	Federal Status	Closest Designated Critical Habitat	Potential Site Use
Chinook salmon <i>Oncorhynchus tshawytscha</i>	Lower Columbia River ESU	Threatened (70FR37160)	Columbia River and Skipanon Waterway	Migration and rearing
	Upper Willamette River ESU	Threatened (70FR37160)	Columbia River	Migration and rearing
	Upper Columbia River Spring-Run ESU	Endangered (70FR37160)	Columbia River	Migration
	SNAKE RIVER SPRING/ Summer-Run ESU	Threatened (70FR37160)	Columbia River	Migration
	SNAKE RIVER FALL-RUN ESU	Threatened (70FR37160)	Columbia River	Migration and rearing
Coho salmon <i>O. kisutch</i>	Lower Columbia River ESU	Threatened (70FR37160)	Columbia River and Skipanon Waterway	Migration and rearing
Sockeye salmon <i>O. nerka</i>	SNAKE RIVER ESU	Endangered (70FR37160)	Columbia River	Migration
Chum salmon <i>O. keta</i>	Columbia River ESU	Threatened (70FR37160)	Columbia River	Migration and rearing
Steelhead <i>O. mykiss</i>	Lower Columbia River DPS	Threatened (71FR834)	Columbia River	Migration and rearing
	Upper Willamette River DPS	Threatened (71FR834)	Columbia River	Migration
Steelhead <i>O. mykiss</i>	Middle Columbia River DPS	Threatened (71FR834)	Columbia River	Migration
	Upper Columbia River DPS	Threatened (71FR834)	Columbia River	Migration
	SNAKE RIVER BASIN DPS	Threatened (71FR834)	Columbia River	Migration
Eulachon (smelt) <i>Thaleichthys pacificus</i>	Southern DPS	Threatened (75FR13012)	Columbia River	Migration and rearing
Green sturgeon <i>Acipenser medirostris</i>	Southern DPS	Threatened (71FR17757)	Columbia River and Skipanon Waterway	Migration and rearing
Bull trout <i>Salvelinus confluentus</i>	Coastal Recovery Unit	Threatened (63FR31647)	Columbia River	Migration
Marbled murrelet <i>Brachyramphus marmoratus</i>	N/A	Threatened (56FR58804)	Approximately 15 miles southeast	Foraging

⁶Sources: NMFS (National Marine Fisheries). 2024. Northwest Regional Office, ESA Salmon Listings. <http://www.westcoast.fisheries.noaa.gov/index.html>
StreamNet. 2024. Data Query and Critical Habitat Mapper. <http://www.streamnet.org/>.
USFWS (U.S. Fish and Wildlife Service). 2024. Critical Habitat Mapper. <https://ecos.fws.gov/ecp/report/table/critical-habitat.html>

It is anticipated that the potential effects of the proposed project on ESA-listed fish species under the jurisdiction of the National Marine Fisheries Service (NMFS) will be covered under the existing *2012 Formal Programmatic Opinion, Letter of Concurrence, and Essential Fish Habitat Consultation for Revisions to Standard Local Operating Procedures for Endangered Species to Administer Actions Authorized or Carried Out by the U.S. Corps of Engineers in Oregon (SLOPES IV In-water/Over-water Structures)*. The project's need for a Section 10 Permit from the Corps authorizes implementation of the terms and conditions of the SLOPES IV In-water/Over-water Structures as a means to comply with the requirements of Section 7 of the ESA. Specifically, the proposed project has been designed to comply with the applicable design and construction criteria to *maintain, rehabilitate, replace, or remove an existing in-water or overwater structure* (see Attachment B: SLOPES IV Action Notification Form).

It is also anticipated that the potential effects of the proposed project on ESA-listed bull trout under the jurisdiction of the U.S. Fish and Wildlife Services (USFWS) will be covered under the existing *2017 Programmatic Biological Opinion for Standard Local Operating Procedures for Endangered Species to Administer Actions and Effects to Bull Trout (SLOPES Bull Trout)* authorized or carried out by the Corps in Oregon. The project area does not support preferable habitat conditions for bull trout given the warmer water temperatures, lack of natural in-water or over-waters structures (i.e., large wood or forest canopy), unfavorable sandy substrates, and operational disturbance activities (i.e., boat moorage) within the marinas.

Marbled murrelet densities at the mouth of the Columbia River are less than one bird per square kilometer (Falxa et al. 2008⁷). Given the operational disturbance activities in the Warrenton and Hammond Marinas it is unlikely that marbled murrelets will be present (i.e., foraging) within the action area during proposed project activities. As such, given the location of the proposed project and existing disturbance activities, it is reasonably certain that proposed project activities will have no effect on marbled murrelets.

⁷Falxa, G., J. Baldwin, D. Lynch, S.K. Nelson, S.L. Miller, S.F. Pearson, C.J. Ralph, M.G. Raphael, C. Strong, T. Bloxton, B. Galleher, B. Hogoboom, M. Lance, R. Young, and M.H. Huff. 2008. *Marbled murrelet effectiveness monitoring, Northwest Forest Plan: 2004-2007 summary report*. 25 pp.

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

The Columbia River is the most intensively used river in the western United States. The lower Columbia River estuary is heavily used by freighters, barges, tugs, commercial fishing boats, and recreational boats. The Warrenton and Hammond Marinas are used primarily to moor commercial and private fishing vessels as well as recreational vessels. The Skipanon Waterway is used by barges and tugs to transport logs from the lumber mill, and is also used to moor commercial fishing boats and recreational boats.

(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.*

Alternatives: As stated above, the purpose of the proposed project is to replace up to 385 existing, deteriorated wood and steel pilings (of various diameter). The existing pilings are in a deteriorated condition and require in-kind replacement in order to maintain operability and longevity of the marinas. Other than a No Action alternative, no other alternative analysis was conducted. However, during project design, the project team did consider ways to minimize in-water impacts by utilizing a vibratory hammer for piling replacement, and limiting piling installation to the SLOPES IWWP for the lower Columbia.

(8) ADDITIONAL INFORMATION

Are there any [state](#) or [federally](#) listed species on the project site? ☒ Yes ☐ No ☐ Unknown

Is the project site within designated or proposed critical habitat? ☒ Yes ☐ No ☐ Unknown

Is the project site within a national [Wild and Scenic River](#)? ☐ Yes ☒ No ☐ Unknown

Is the project site within a [State Scenic Waterway](#)? ☐ Yes ☒ No ☐ Unknown

Is the project site within the [100-year floodplain](#)? ☒ Yes ☐ No ☐ Unknown

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

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
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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
NMFS	SLOPES Approval	

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

☐ Work proposed on or over lands owned by or leased from the Corps (may require USC 408 authorization)

☒ State Owned Waterway DSL Waterway Lease # 20898-ML

☐ Other Corps or DSL Permits Corps # NWP-2022-176 DSL # 63798-RF

☐ 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, COMPENSATORY MITIGATION

A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, and direct and indirect impacts.

Permanent/Direct Impacts: The proposed project will replace up to 385 existing, wood and steel pilings (of various diameter) in-kind, resulting in a balanced removal/fill below the HMT of the Skipanon Waterway and Columbia River. Given the existing baseline conditions within the project area (i.e., boat operation and moorage), existing substrates (primarily silt and sand), lack of habitat complexity, and balanced removal/fill; it is reasonably certain that the proposed project will not result in any adverse change in the instream or downstream functions (i.e., hydrologic, geomorphic, biological, or chemical/nutrient) of the Skipanon Waterway or Columbia River. Potential direct effects of the proposed project on ESA-listed species and their habitats (e.g., hydroacoustic sound pressure and minor alteration of substrates) will be consistent with those addressed under the SLOPES IV In-water/Over-water Structures Programmatic.

Temporary Impacts: The proposed project may require temporary placement of spud piles to stabilize the barge during piling removal and installation.

Indirect Impacts: The proposed project will result in minor alteration of in-water substrates associated with proposed piling replacement activities. However, given the significantly altered condition of the project area, existing disturbance activities (i.e., boat operation and moorage), existing substrates (primarily silt and sand), and lack of habitat complexity; it is unlikely that the project area currently provides preferred foraging or shoaling habitat for migratory fish species. As such, it is reasonably certain that minor alteration of existing substrates will not result in any long-term, significant effect to existing baseline conditions or result in any net change in function of the instream habitat. Potential indirect effects of the proposed project modification on ESA-listed species and their habitats (i.e., minor alteration of substrates) will be consistent with those addressed under the SLOPES IV In-water/Overwater Structures Programmatic.

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.

N/A

Compensatory Mitigation

C. Proposed mitigation approach. Check all that apply:

☐ Permittee-responsible Onsite Mitigation	☐ Permittee-responsible Offsite Mitigation	☐ Mitigation Bank or In-lieu Fee	☐ Payment to Provide (not approved for use with Corps permits)
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D. 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.

As discussed above, the proposed project will replace up to 385 existing, wood and steel pilings in-kind, and will result in balanced removal/fill below the HMT of the Skipanon Waterway and Columbia River. As such, it is anticipated that the proposed replacement project will be self-mitigating, and additional mitigation measures will not be required.

Functional Assessment: OAR 141-085-0685 requires that a functional assessment be conducted for impacts to waters of the state. Given the relative size of the waterbodies (Skipanon Waterway and Columbia River), the best professional judgement (BPJ) methodology has been employed for this assessment.

In accordance with OAR 141-085-0685(4)(f)(A) and (B), the functions and values of the Skipanon Waterway and Columbia River within the project area were assessed and rated based on eleven stream functions within four broad functional groups (hydrologic, geomorphic, biological, and water quality), as outlined in the *Stream Function Assessment Method* (SFAM) developed by the DSL and U.S. Environmental Protection Agency (EPA).

Grouped Functions	Existing		Proposed	
	Function Group Rating	Value Group Rating	Function Group Rating	Value Group Rating
Hydrologic Functions (SWS, SST, FV)	Moderate	Low	Moderate	Low
Geomorphic Functions (SC, SM)	Moderate	Low	Moderate	Low
Biological Functions (MB, CMH, STS)	Low	Moderate	Low	Moderate
Water Quality Functions (NC, CR, TR)	Low	Moderate	Low	Moderate

Hydrologic functions (surface water storage, sub-surface transfer, and flow variation) are assessed through an evaluation of five function attributes, including overbank flow, effective discharge, base flow, groundwater flux, and riparian structure and composition. The Warrenton and Hammond Marinas are located along the eastern shore of the Skipanon Waterway and the southern shoreline of the Columbia River, respectively. As stated above, much of the Skipanon Waterway has been altered (straightened and widened) through historic dredging and lined with riprap, and the majority of riparian vegetation has been removed due to residential and industrial development. Recently removed tide gates located upstream of the project site have likely had the most significant effect on the hydrologic function of the Skipanon Waterway. In addition, up-basin logging and agricultural activities likely affect the historic hydrologic function of the river.

The location of the Hammond Marina is considered a high energy area of the Columbia River with strong lateral currents. The riverbanks at this location are armored and contain minimal riparian vegetation. Changes in the contributing watershed, including presence of large-scale dams upstream of the project area which regulate flow, industrial development, reductions in the riparian reserves, and increased stormwater runoff have influenced hydrologic function within the project area. River flows within the project area are relatively consistent as a result of hydrological regulation at upstream dams, but are still subject to twice-daily tidal fluctuations.

Given the location of the proposed project (within existing marinas) and existing baseline conditions, it is reasonably certain that the proposed piling replacement activities will not result in any net change in the hydrologic function of the Skipanon Waterway or Columbia River.

Grouped Function	Specific Functions	Pre Function and Value	Post Function and Value
Hydrologic Functions	Surface water storage (SWS)	Function rating: Moderate Value rating: Low	Function rating: Moderate Value rating: Low
	Sub/surface transfer (SST)	Function rating: Moderate Value rating: Low	Function rating: Moderate Value rating: Low
	Flow variation (FV)	Function rating: Moderate Value rating: Low	Function rating: Moderate Value rating: Low

Geomorphic functions (sediment continuity and substrate mobility) are assessed through an evaluation of six function attributes, including overbank flow, effective discharge, bed mobility, sediment character, bank stability, and hydraulic variability. Generally, the project area has reduced geomorphic function due to development within the surrounding landscape. Much of the Skipanon Waterway has been channelized and is bound by riprap shorelines as well as residential and industrial development. The Hammond Marina is also armored and contains minimal riparian vegetation, and is bound by breakwaters which provide protected access for vessels. Substrates within and around the project area consist primarily of silt and sand. Given the existing baseline conditions within the existing marinas, and proposed piling replacement activities, it is reasonably certain that the proposed project will not result in any net change in the geomorphic function of the Skipanon Waterway or Columbia River.

Grouped Function	Specific Functions	Pre Function and Value	Post Function and Value
Geomorphic Functions	Sediment continuity (SC)	Function rating: Moderate Value rating: Low	Function rating: Moderate Value rating: Low
	Substrate mobility (SM)	Function rating: Moderate Value rating: Low	Function rating: Moderate Value rating: Low

Biological functions: (biodiversity maintenance, aquatic/riparian habitat creation, and trophic level maintenance) are assessed through an evaluation of twelve function attributes, including overbank flow, effective discharge, base flow, bed mobility, sediment character, bank stability, hydraulic variability, stream habitat, riparian structure and composition, aquatic species structure and composition, water quality, and sedimentation. The reductions in riparian reserves, poor water quality, and alterations to the land use in the surrounding landscape, as well as increased stormwater runoff, have contributed to reduced biological functions within the project area. Riparian reserves are fragmented and poorly connected. The project reach does not meet NMFS standards for large wood and recruitment is low. Pool frequency and quality are not properly functioning due to low large wood recruitment. Off-channel habitat and refugia are also not properly functioning due to insufficient size, number, and connectivity.

Short-term, localized, project-related increases in background turbidity levels may occur as a result of proposed piling replacement activities below the HMT. In the short-term, increases in turbidity can reduce forage quantity for aquatic species, and disrupt behavioral patterns such as feeding and sheltering. Exposure duration is a critical determinant of physical or behavioral turbidity effects. Most aquatic species have evolved in systems that periodically experience short-term pulses (days to weeks) of high suspended sediment loads, often associated with flood events, and are adapted to such seasonal high pulse exposures.

Given the existing altered condition and reduced biological functions of the project area and associated shoreline, existing site use for boat moorage, and existing substrate conditions (primarily silt and sand); it is unlikely that these areas of the Skipanon Waterway and Columbia River provide preferred foraging or shoaling habitat for aquatic species. Forage quantity for aquatic species may be temporarily reduced within the immediate in-water work area as benthic organisms become disturbed by proposed construction activities; however, recolonization of benthic organisms will likely occur within a month following project completion.

Grouped Function	Specific Functions	Pre Function and Value	Post Function and Value
Biological Functions	Maintain biodiversity (MB)	Function rating: Low Value rating: Moderate	Function rating: Low Value rating: Moderate
	Create and maintain habitat (aquatic/riparian) (CMH)	Function rating: Low Value rating: Moderate	Function rating: Low Value rating: Moderate
	Sustain trophic structure (STS)	Function rating: Low Value rating: Moderate	Function rating: Low Value rating: Moderate

Chemical and nutrient functions (including nutrient cycling, chemical regulation, and thermal regulation) are assessed through an evaluation of seven function attributes, including overbank flow, base flow, groundwater flux, bank stability, riparian structure and composition, water quality, and water temperature. Urban development in the surrounding landscape and a fragmentation of riparian reserves has contributed to reduced chemical and nutrient functions. As discussed above, the Skipanon Waterway within the project area is on the ODEQ 303(d) list for fecal coliform, dissolved oxygen, alkalinity, chloride, and iron; and the lower Columbia River is currently 303(d)-listed for arsenic, DDE, fecal coliform, methylmercury, PCBs, and dissolved oxygen.

Equipment operating within the river channels represents potential sources of chemical contamination. Accidental spills of construction materials or petroleum products would adversely affect water quality. Development and implementation of a Pollution Control Plan (PCP) that will include containment measures

and spill response for construction-related chemical hazards will significantly reduce the likelihood of chemical releases within the project area. The project sites are currently used to moor fishing and recreational vessels, and proposed piling replacement activities will not increase existing chemical and nutrient functions within the Skipanon Waterway or Columbia River. As such, it is reasonably certain that the proposed piling replacement activities will have no measurable effect on the chemical and nutrient functions of these waterbodies.

Grouped Function	Specific Functions	Pre Function and Value	Post Function and Value
Water Quality Functions	Nutrient cycling (NC)	Function rating: Low Value rating: Moderate	Function rating: Low Value rating: Moderate
	Chemical regulation (CR)	Function rating: Low Value rating: Low	Function rating: Low Value rating: Low
	Thermal regulation (TR)	Function rating: Moderate Value rating: Moderate	Function rating: Moderate Value rating: Moderate

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? ☐ Yes. Submit the plan with this application and complete the remainder of this section. ☐ No. A mitigation plan will need to be submitted (<i>for DSL, this plan is required for a complete application</i>).			
Mitigation Location Information (Fill out only if permittee-responsible mitigation is proposed)			
Mitigation Site Name/Legal Description		Mitigation Site Address	Tax Lot #
County		City (nearest)	Latitude & Longitude (in DD.DDDD format)
Township	Range	Section	Quarter/Quarter

(10) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE

☐ Pre-printed labels of adjacent property owners attached separately (only if more than 30 adjacent owners)

Warrenton Marina

Hammond Marina

Tax Lot 00400
 Dulcich Realty, LLC
 16797 SE 130th Ave.
 Clackamas, OR 97015

Tax Lots 00100 / 00201 / 00202 / 00400
 U.S.A. / USCG

Tax Lot 00402
 Steven Coleman
 30600 S. Arrow St.
 Canby, OR 97013

Tax Lots 00300 / 03401
 City of Warrenton and Town of Hammond
 PO Box 250 | 501 NE Harbor Pl.
 Warrenton, OR 97146

Tax Lot 00800

Port Warren Moorage Association
346 NE Skipanon Dr.
Warrenton, OR 97146

Tax Lots 00500 / 00504

Stopwater, LLC
100 16th St.
Astoria, OR 97103

Tax Lot 08000

Nisa Blackler
PO Box 892
Warrenton, OR 97146

Tax Lot 07900

Justin Baughman
615 E Harbor Dr.
Warrenton, OR 97146

Tax Lot 07800

Donald Cook
625 E Harbor Dr.
Warrenton, OR 97146

Tax Lot 07700

Michael Eide
637 E Harbor Dr.
Warrenton, OR 97146

Tax Lot 07600

Steven Hatch
647 E Harbor Dr.
Warrenton, OR 97146

Tax Lot 07500

G&S Estates, LLC
6420 SW Laber Rd.
Portland, OR 97221

Tax Lots 07400 / 07300 / 07200 / 09400

Bergerson Family Trust
PO Box 554
Warrenton, OR 97146

Tax Lots 09501 / 07101 / 07100 / 07000

Roy Allgeyer Trust
PO Box 441
Warrenton, OR 97146

Tax Lot 03400

Cuong M. Nguyen
9220 SE Hunters Bluff Ave.
Happy Valley, OR 97086

Tax Lots 02100 / 02200

Andrew Larsen
11593 SE Aquila St.
Happy Valley, OR 97086

Tax Lot 02300

Shayna Olson
1060 3rd Ave.
Hammond, OR 97121

Tax Lots 02400 / 02500 / 02701 / 02800 / 02900 / 03000

Quinnat, LLC
11219 NW 4th Ct.
Vancouver, WA 98685

Tax Lot 01001

Charles Morton
1205 3rd Ave.
Hammond, OR 97121

Tax Lot 00900

Laird Adkins
237 Lake Dr.
Hammond, OR 97121

Tax Lot 00501

Timothy Wahlman
13819 NE 76th St.
Vancouver, WA 98682

Tax Lot 00500

Ronald & Mary Cordell
PO Box 296
Hammond, OR 97121

(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 approvals required above.

Local planning official name (print)	Title	City/County
Matthew Ellis	Planning Director	Warrenton
Signature	Date	
Matthew Ellis	12/31/24	

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 review 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
Jessica McDonald	Harbormaster (City of Warrenton)
Applicant Signature	Date
J McDonald	12.3.24

(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	\$ 990.00
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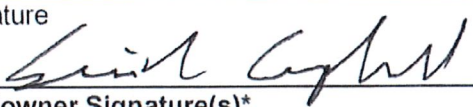
Applicant Signature (required) must match the name in Block 2

Print Name	Title
Jessica McDonald	Harbormaster (City of Warrenton)

Signature 	Date 12.3.24
--	-----------------

Authorized Agent Signature

Print Name	Title
Eric Campbell	Principal (Campbell Environmental)

Signature 	Date 12/3/24
---	-----------------

Landowner Signature(s)*

Landowner of the Project Site (if different from applicant)

Print Name	Title
Esther Moberg	City Manager

Signature 	Date 12/3/2024
--	-------------------

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** (Attachment A, Figure 1)
- ☒ **U.S.G.S. topographic map** (Attachment A, Figure 1)
- ☒ **Tax lot map** (Attachment A, Figures 2A and 2B)
- ☒ **Recent aerial photo** (Attachment A, Figures 3A, 3B, and 3C)
- ☒ **Site plan(s)** (Attachment A, Figures 3A, 3B, and 3C)
- ☒ **Plan view and cross section drawing(s)** (Attachment A, Figures 3A, 3B, and 3C)
- ☐ 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 PA, PAA, & EAA)
- ☐ Compensatory Mitigation (CM) Eligibility and Accounting Worksheet
 - ☐ Matching Quickguide sheet(s)
 - ☐ CM Eligibility and Accounting sheet
- ☐ Alternatives analysis
- ☐ Biological Assessment (if requested by the Corps)
- ☐ Stormwater management plan (may be required by the Corps or DEQ)
- ☒ Other:
 - ☒ SLOPES IV Action Notification Form (Attachment B)
 - ☐ _____
 - ☐ _____
 - ☐ _____
 - ☐ _____
 - ☐ _____
 - ☐ _____
 - ☐ _____

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

USACE Portland District
ATTN: CENWP-OD-GP
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

OR

US Army Corps of Engineers
ATTN: CENWP-ODG-E
211 E. 7th Avenue, 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, Suite 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
1645 NE Forbes Road, Suite 112
Bend, Oregon 97701
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

Attachment A

Figures

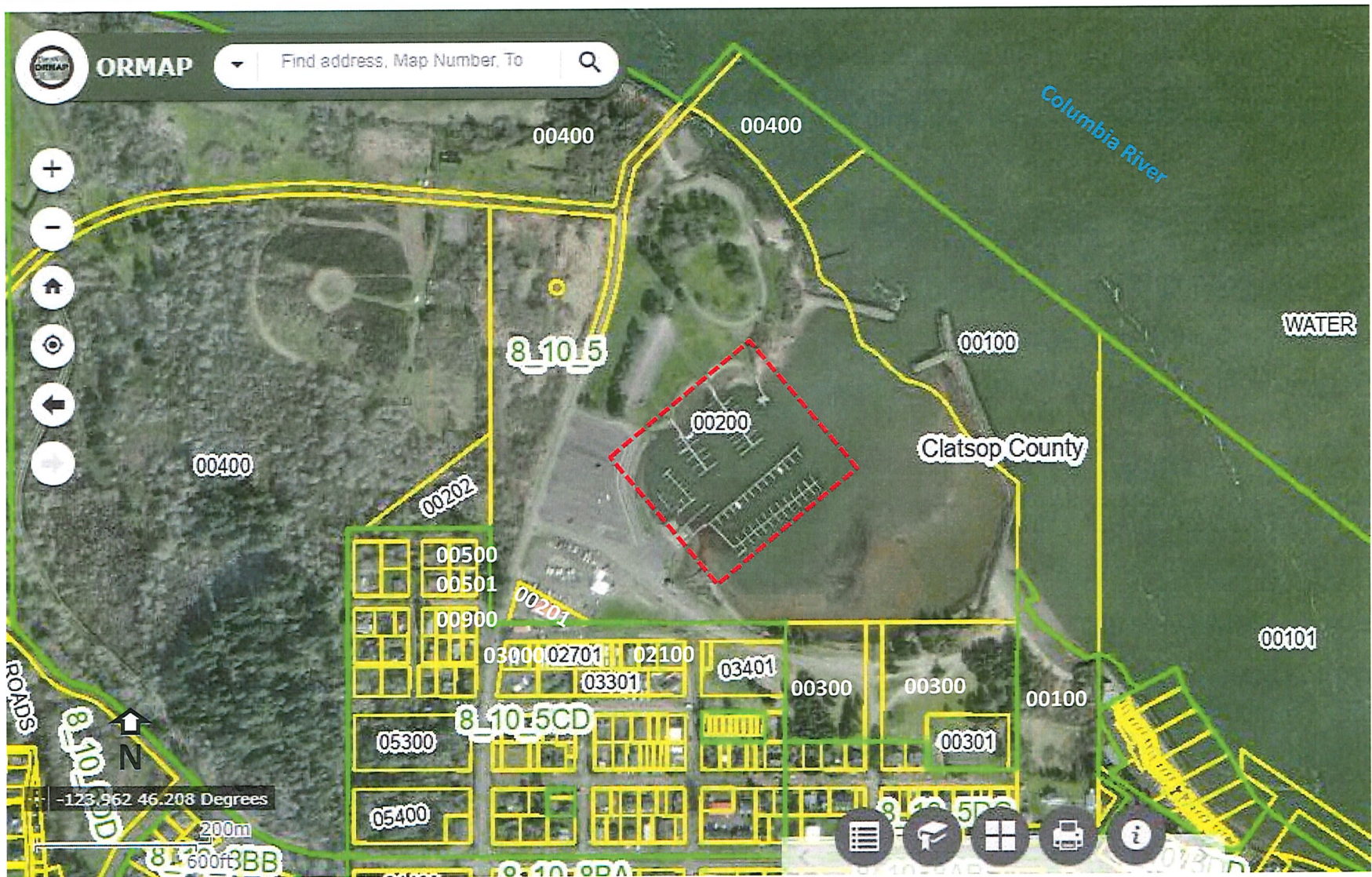


Figure 1: Location Map
 Warrenton and Hammond Marinas Piling Replacement
 (USGS 2024)



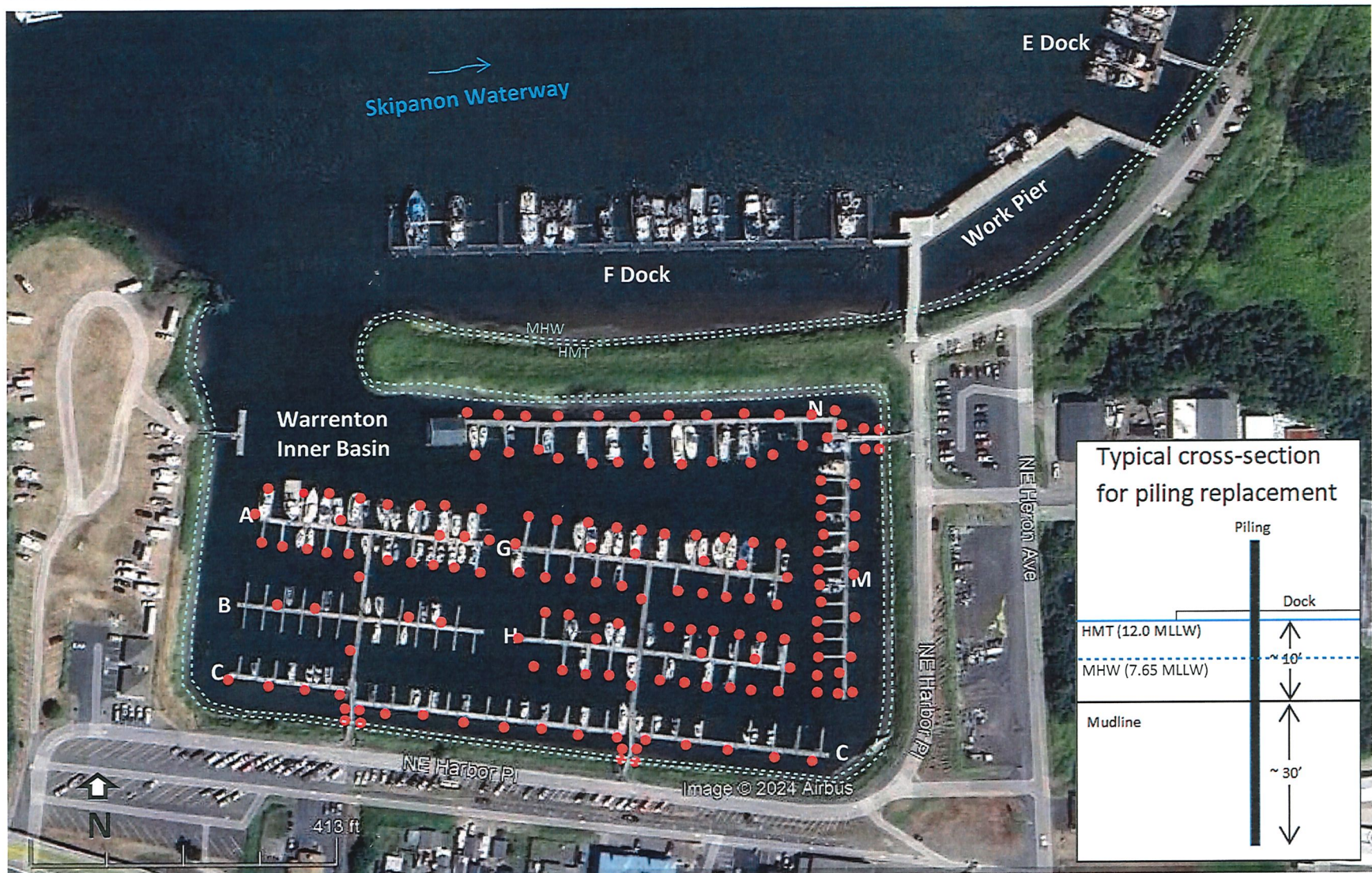
 Project Area

Figure 2A: Tax Lot Map (Warrenton Marina)
 Warrenton and Hammond Marinas Piling Replacement
 (ORMAP 2024)



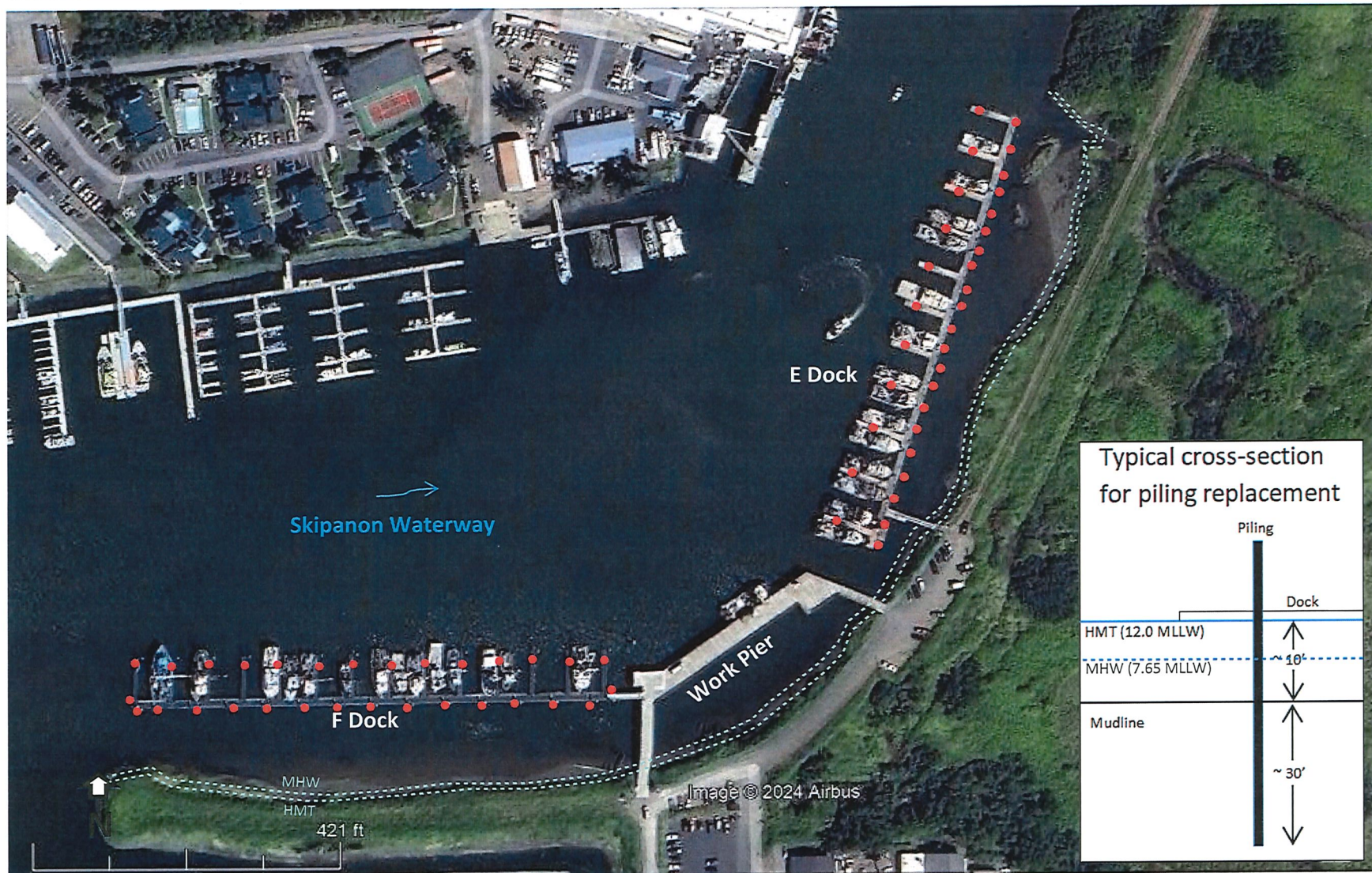
 Project Area

Figure 2B: Tax Lot Map (Hammond Marina)
 Warrenton and Hammond Marinas Piling Replacement
 (ORMAP 2024)



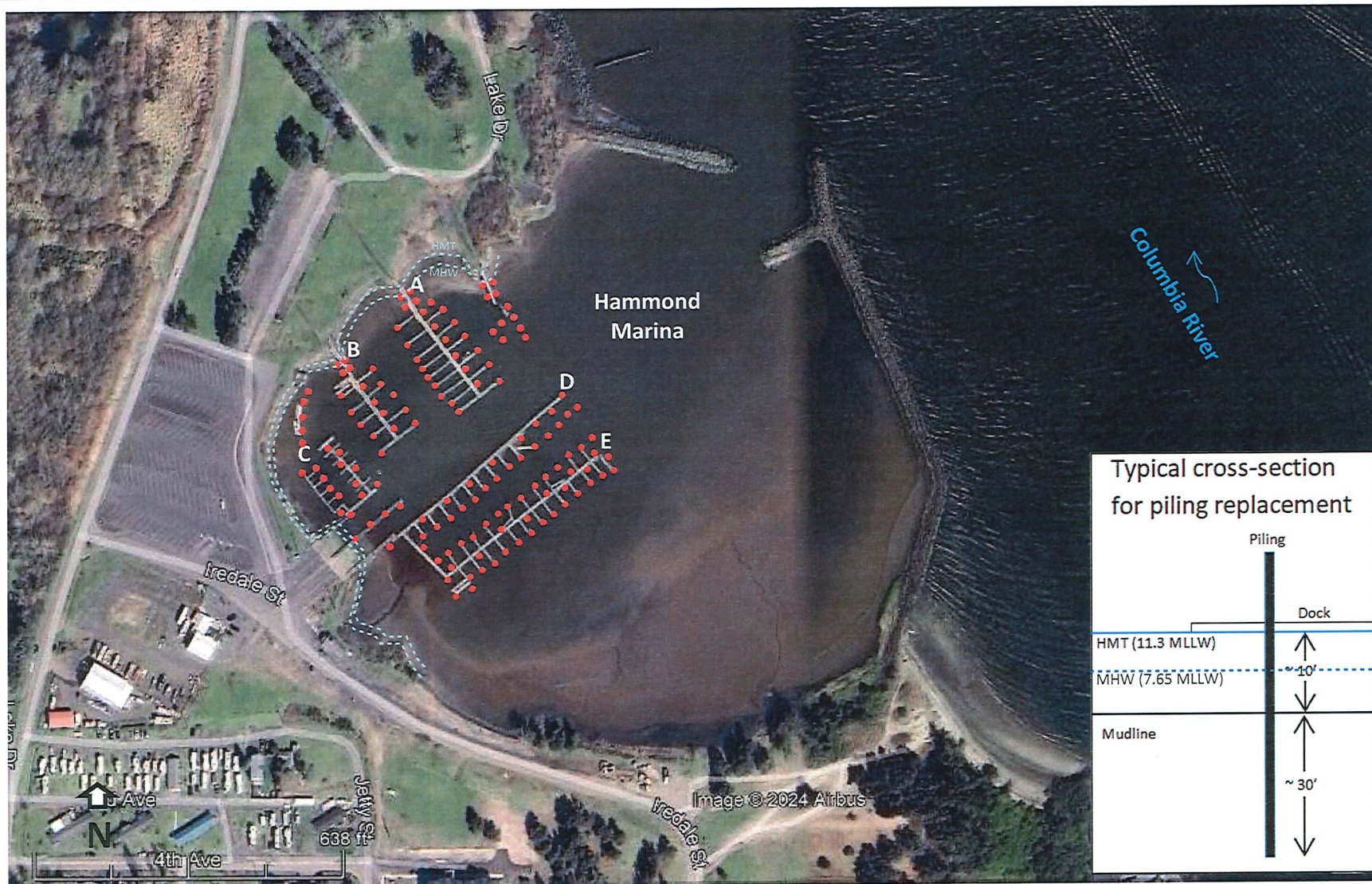
● Pilings proposed for replacement (158)

Figure 3A: Aerial Photograph (Warrenton Marina)
 Warrenton and Hammond Marinas Piling Replacement
 (Google Earth 2024)



● Pilings proposed for replacement (62)

Figure 3B: Aerial Photograph (Warrenton Marina)
 Warrenton and Hammond Marinas Piling Replacement
 (Google Earth 2024)



● Pilings proposed for replacement (165)

Figure 3C: Aerial Photograph (Hammond Marina)
 Warrenton and Hammond Marinas Piling Replacement
 (Google Earth 2024)

Attachment B

SLOPES IV Action Notification Form

SLOPES IV PROGRAMMATIC – IN-WATER OVER-WATER STRUCTURES ACTION NOTIFICATION FORM

Submit this completed action notification form with the following information to NMFS at slopes.nwr@noaa.gov. The SLOPES IV Programmatic e-mail box is to be used for **Incoming Only**.

NMFS Review and Approval. All actions must be individually reviewed and approved by NMFS as consistent with this opinion before that action is authorized. NMFS will notify the Corps within 30 calendar days if the action is approved or disqualified. Attach engineering designs and the results of a site assessment for contaminants to identify the type, quantity, and extent of any potential contamination.

Attach a copy of the erosion and pollution control plan, if required.

DATE OF REQUEST: _____

NMFS Tracking #: 2011/05585

Statutory Authority: ☐ ESA ONLY ☐ EFH ONLY ☒ ESA & EFH INTEGRATED

Lead Action Agency: Corps of Engineers

Action Agency

Contact: _____

Individual Corps Permit #: _____

Applicant: Jessica McDonald

Individual DSL Permit #: _____

Action Title: Warrenton and Hammond Marinas Piling Replacement

6th Field HUC & Name: 170800060208; Skipanon River – Frontal Columbia River

Latitude & Longitude

(including degrees,
minutes, and seconds)

46.1660 N / -123.9172 W and 46.2031 N / -123.9499 W (WGS84)

Proposed Project: *Start Date:* October 2025

End Date: November 2029

Action Description:

The City of Warrenton (City) is requesting a five (5)-year permit to allow for in-kind replacement of up to 385 existing, deteriorated wood and steel pilings located within the Warrenton and Hammond Marinas in Clatsop County (see JPA Attachment A: Figures). The pilings support several moorage docks and tie-ups within the marinas that are utilized for mooring fishing and recreational vessels. Many of the existing pilings were installed in the 1980s and have begun to deteriorate both above and below the water's surface, and require replacement in order to maintain marina operability and longevity.

It is anticipated that an average of 77 pilings will be replaced each year, over the five (5)-year duration of the permit. In the event that not all 385 pilings can be replaced during the five (5)-year duration of the permit due to budget constraints and/or contractor availability, then the City will simply reapply for a permit extension after five years to complete the project.

Work within waters (i.e., below highest measured tide [HMT] of the Skipanon Waterway and Columbia River) will include in-kind replacement of up to 385, deteriorated wood and steel

pilings (ranging from 10 to 24 inches in diameter). Construction crews and equipment will access the project site via the existing docks and floating barges. The existing wood and steel pilings will be dislodged with a vibratory hammer and slowly lifted from the sediment and placed into a contained area for appropriate upland disposal. The proposed steel replacement pilings will be installed using a vibratory hammer to a depth of approximately 30 feet into the substrate. It is anticipated that each piling will require approximately 15 to 30 minutes of vibratory hammer use. In the event that the vibratory hammer cannot fully embed the replacement pilings due to obstructions below the substrate, use of an impact hammer may be required to seat the pilings to their required depth. It is estimated that the average installation rate will be four pilings per day. The contractor will implement appropriate sound attenuation methods as outlined below in the Measures to Minimize Impacts.

As stated above, the proposed project will replace up to 385 existing, wood and steel pilings in-kind, and will result in balanced removal/fill below the HMT of the Skipanon Waterway and Columbia River. As such, it is anticipated that the proposed replacement project will be self-mitigating, and additional mitigation measures will not be required.

Measures to Minimize Impacts: The following conservation measures have been incorporated into the proposed project design and construction methods to minimize and avoid potential adverse effects to aquatic species, their designated Critical Habitat elements, and Essential Fish Habitat (EFH):

- All piling replacement conducted below the HMT will occur during the SLOPES-required in-water work period (IWWP) for “pile driving” in the lower Columbia River estuary (October 1 – November 30), a period when Endangered Species Act (ESA)-listed species are less likely to be present within the vicinity of the project area.
- All pilings will be removed with a vibratory hammer. During piling removal, the following criteria will be implemented to minimize sediment disturbance and resuspension:
 - Install a floating surface boom to capture floating surface debris.
 - Consider the best tidal condition for piling removal; try to remove in-the-dry.
 - Keep all equipment (e.g., bucket, cable, vibratory hammer) out of the water, grip piles above the waterline, and complete work during low water and low current conditions.
 - Dislodge piling with a vibratory hammer, when possible; never intentionally break a pile.
 - “Wake” the piling by vibrating to break the friction bond between the piling and sediment.
 - Slowly lift the pile from the sediment and through the water column.
 - Place the pile in a containment basin on a barge deck, pier, or shoreline without attempting to clean or remove any adhering sediment.
 - Dispose of all removed piles, floating surface debris, any sediment spilled on work surfaces, and all containment supplies at a permitted upland disposal site.
- When a pile breaks or is intractable during removal, removal will continue as follows:
 - Every attempt short of excavation will be made to remove each piling, if a pile in uncontaminated sediment is intractable, breaks above the surface, or breaks below the surface, cut the pile or stump off at least 3 feet below the surface of the sediment.

- All new pilings will be installed with a vibratory hammer. In the event that the vibratory hammer cannot full embed the piles to the necessary depth, the contractor may use an impact hammer to seat the piles. Use of an impact hammer will be limited to daylight hours between 7 a.m. and 7 p.m.
- The contractor will initiate daily “soft-start” procedures to provide a warning and/or give species near piling removal and installation activities a chance to leave the area prior to a vibratory hammer operating at full capacity; thereby, exposing fewer species to loud underwater and airborne sounds.
 - A soft-start procedure will be used at the beginning of in-water piling removal and installation, or any time piling removal/installation has ceased for more than 30 minutes.
 - For vibratory hammer operation, the contractor will initiate noise from vibratory hammers for 15 seconds at reduced energy followed by a 30-second waiting period. The procedure shall be repeated two additional times.
 - For impact pile driving (if necessary), the contractor will provide an initial set of strikes from the impact hammer at reduced energy, followed by a 30-second waiting period, then two subsequent sets. (The reduced energy of an individual hammer cannot be quantified given the variations between individual drivers. In addition, the number of strikes will vary at reduced energy given that raising the hammer at less than full power and then releasing it results in the hammer bouncing as it strikes the pile, resulting in multiple strikes).
- During the use of an impact hammer (if required) a multi-level bubble curtain will be installed to reduce sound pressure levels. The bubble curtain system shall conform to the following:
 - If water velocity is greater than 1.6 feet per second, surround the piling being driven by a confined bubble curtain (e.g., a bubble ring surrounded by a fabric or non-metallic sleeve) that will distribute air bubbles around 100% of the piling perimeter for the full depth of the water column. Bubblers shall completely surround the pile.
 - Piling shall be completely engulfed in bubbles over the full depth of the water column at all times when an impact pile driver is in use. Bubbles are not required during vibratory pile driving.
- A Pollution Control Plan (PCP) will be prepared by the Contractor and carried out commensurate with the scope of the project that includes the following:
 - Best management practices to confine, remove, and dispose of construction waste.
 - Procedures to contain and control a spill of any hazardous material.
- All conditions of ODEQ’s 401 Water Quality Certification will be followed.
- All equipment will be inspected daily for fluid leaks. Any leaks detected will be repaired before operation is resumed. Stationary power equipment (i.e., cranes) operated within 150 feet of the river will be diapered to prevent leaks.
- All new replacement pilings will be fitted with devices to prevent perching by piscivorous birds.

Type of Action:

Identify the type of action proposed.

- ☒ In-water Over-water Structure
- ☐ Access Maintenance
- ☒ Piling Installation or Removal

- *What is the number of impact hammer strikes per pile?*
All piles will be replaced with a vibratory hammer. However, in the event that the vibratory hammer cannot fully embed the pilings to the required depth, the contractor may use an impact hammer to seat the pilings to the required depth. If an impact hammer is used, up to 20 strikes per minute may be required.
- *What is the number of hours/minutes required to drive one pile and all piles?*
It is anticipated that each pile will require approximately 15-30 minutes of vibratory hammer use.
- *What is the number of hours per day pile driving will occur?*
All new pilings will be installed with a vibratory hammer. In the event that the vibratory hammer cannot fully embed the piles to the necessary depth, the contractor may use an impact hammer to seat the piles. Use of an impact hammer will be limited to daylight hours between 7 a.m. and 7 p.m.
- *What is the depth of water and type of substrate the piles will be driven in?*
The highest measure tide (HMT) elevation within the vicinity of the project area ranges between 11.3 and 12.0 feet MLLW. Water depths average approximately 10 feet. Substrates throughout the project area are comprised primarily of silt and sand.
- *If an impact hammer is used, will it be the entire pile or the last few hits per pile?*
Only the last few hits per piling, if the piling cannot be fully embedded using a vibratory hammer.
- *What is the diameter of the piles?*
The piles proposed for removal range from 10 to 24-inches in diameter. The replacement steel piles will also range from 10 to 24-inches in diameter.
- *Will pile-driving be continuous?*
No
- *Will be pile be driven straight or battered?*
Straight
- *Will a template be used?*
No
- *Pile type (H, round, etc)?*
The piles proposed for removal are round wood and steel. The replacement piles will be round steel.
- *When is pile-driving proposed?*
As discussed above, it is anticipated that all pilings will be installed with a vibratory hammer. However, in the event that the vibratory hammer cannot fully embed the pilings to the required depth, the contractor may use an impact hammer to seat the pilings to the required depth.
- *What life-stages are known to occur within the action area.*
Adult migration and juvenile rearing within the vicinity of the action area.
- *If provided, what is the source of hydroacoustic assumptions?*

- *Installation plan/ schematics included?*
See JPA
- *Pile spacing?*
Varies

Residential Dock

- *Is the proposed dock within 100 ft of a tributary that supports a run of ESA listed fish?* Yes X No _____
- *Is the pier leading to the float wider than 8 ft?* Yes _____ No _____

NMFS Species/Critical Habitat Present in Action Area:

Identify the species found in the action area:

Species:

- ☒ Lower Columbia River Chinook
- ☒ Upper Willamette River spring-run Chinook
- ☒ Upper Columbia spring-run Chinook
- ☒ Snake River spring/summer run Chinook
- ☒ Snake River fall-run Chinook
- ☒ Columbia River chum
- ☒ Lower Columbia River coho
- ☐ Oregon Coast coho salmon
- ☐ Southern Oregon/Northern California coasts coho
- ☒ Snake River sockeye
- ☒ Lower Columbia River steelhead
- ☒ Upper Willamette River steelhead
- ☒ Middle Columbia River steelhead
- ☒ Upper Columbia River steelhead
- ☒ Snake River Basin steelhead
- ☒ Southern Green sturgeon
- ☒ Eulachon

- ☒ Steller sea lion

EFH

- ☒ Salmon
- ☒ Coastal Pelagics
- ☐ Groundfish

Aquatic Vegetation

- Is the project in a saltwater influenced area (estuary)? Yes ☒ No ☐
 Has an aquatic vegetation survey been completed? Yes ☐ No ☒

If yes, include the results of the survey

If no, explain below why a survey was not conducted: All proposed construction activities will be conducted within existing marinas and within the footprint of the existing pilings.

Terms and Conditions:

Check the Terms and Conditions from the biological opinion that will be included as conditions on the permit issued for this proposed action. Please attach the appropriate plan(s) for this proposed action.

Administrative

- ☒ 5. Site access
- ☐ 6. Salvage notice
- ☒ 7. Action completion report
- ☐ 8. Site restoration/mitigation report

Construction

- ☒ 11. Pollution/erosion control
- ☐ 12. Stormwater management
- ☐ 13. Site restoration
- ☐ 14. Compensatory mitigation
- ☐ 15. Preconstruction activity
- ☐ 16. Site preparation
- ☒ 17. Heavy equipment
- ☒ 18. In-water work period
- ☐ 19. Work area isolation
- ☐ 20. Capture and release
- ☒ 21. Piling installation
- ☒ 22. Impact hammer usage
- ☐ 23. Pile driving near Stellar sea lions
- ☒ 24. Piling removal
- ☒ 25. Broken or intractable piling
- ☐ 26. Treated wood
- ☐ 27. Treated wood removal

Action Type

In-water Over-water Structure

- ☐ 28. Boat ramps
- ☐ 29. Educational signs
- ☐ 30. Flotation material
- ☐ 31. New or replacement floats
- ☒ 32. Piscivorous birds
- ☐ 33. Relocation of existing structures
- ☐ 34. Repair/replacement of covered moorage/boat houses

Access Management

- ☐ 35. Maintenance dredging

Minor Discharge

- ☐ 36. Functionality Dredging/Minor discharge

Appendix C – Example City Contract



CONTRACT FOR PROFESSIONAL CONSULTING SERVICES

CONTRACT:

This Contract, made and entered into this _____ day of _____ 2026, by and between the City of Warrenton, a municipal corporation of the State of Oregon, hereinafter called "CITY", and _____, hereinafter called "CONSULTANT", duly authorized to do business in Oregon.

WITNESSETH

WHEREAS, the CITY requires services which CONSULTANT is capable of providing, under terms and conditions hereinafter described; and

WHEREAS, CONSULTANT is able and prepared to provide such services as CITY does hereinafter require, under those terms and conditions set forth; now, therefore,

IN CONSIDERATION of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

1. CONSULTANT SERVICES:

A. CONSULTANT shall provide _____ services for the City of Warrenton, as outlined in the attached Scope of Work (attachment A).

B. CONSULTANT's obligations are defined solely by this contract and its attachment and not by any other contract or agreement that may be associated with this project.

2. COMPENSATION

A. The CITY agrees to pay CONSULTANT a total not-to-exceed price of \$_____ for performance of (type of professional service);

B. The CONSULTANT will submit a final invoice referencing _____ for all services rendered to: City of Warrenton, Attention: Accounts Payable, PO Box 250, Warrenton, Oregon 97146, OR, CONSULTANT may submit invoice via email to ap@ci.warrenton.or.us. City pays net 21 upon receipt of invoice.

C. CITY certifies that sufficient funds are available and authorized for expenditure to finance costs of this Contract

3. CONSULTANT IDENTIFICATION

CONSULTANT shall furnish to the CITY the CONSULTANT's employer identification number, as designated by the Internal Revenue Service, or CONSULTANT's Social Security number, as CITY deems applicable.

4. CITY'S REPRESENTATIVE

For purposes hereof, the CITY'S authorized representative will be City Manager, City of Warrenton, PO Box 250, Warrenton, Oregon, 97146.

5. CONSULTANT'S REPRESENTATIVE

For purposes hereof, the CONSULTANT's authorized representative will be _____.

6. CONSULTANT IS INDEPENDENT CONSULTANT

A. CONSULTANT shall be an independent CONSULTANT for all purposes and shall be entitled to no compensation other than the compensation provided for under Section 2 of this Contract,

B. CONSULTANT acknowledges that for all purposes related to this contract, CONSULTANT is and shall be deemed to be an independent CONSULTANT and not an employee of the CITY, shall not be entitled to benefits of any kind to which an employee of the CITY is entitled and shall be solely responsible for all payments and taxes required by law; and furthermore in the event that CONSULTANT is found by a court of law or an administrative agency to be an employee of the CITY for any purpose, CITY shall be entitled to offset compensation due, or, to demand repayment of any amounts paid to CONSULTANT under the terms of the contract, to the full extent of any benefits or other remuneration CONSULTANT receives (from CITY or third party) as result of said finding and to the full extent of any payments that CITY is required to make (to CONSULTANT or a third party) as a result of said finding.

C. The undersigned CONSULTANT hereby represents that no employee of the City of Warrenton, or any partnership or corporation in which a City of Warrenton employee has an interest, has or will receive any remuneration of any description from the CONSULTANT, either directly or indirectly, in connection with the letting or performance of this contract, except as specifically declared in writing.

7. CANCELLATION FOR CAUSE

CITY may cancel all or any part of this Contract if CONSULTANT breaches any of the terms herein or in the event of any of the following: Insolvency of CONSULTANT; voluntary or involuntary petition in bankruptcy by or against CONSULTANT; appointment of a receiver or trustee for CONSULTANT, or any assignment for benefit of creditors of CONSULTANT. Damages for breach shall be those allowed by Oregon law, reasonable and necessary attorney's fees, and other costs of litigation at trial and upon appeal. CONSULTANT may likewise cancel all or any part of this contract if CITY breaches any of the terms herein and be therefore entitled to equivalent damages as expressed above for CITY.

8. ACCESS TO RECORDS

CITY shall have access to such books, documents, papers and records of CONSULTANT as are directly pertinent to this contract for the purposes of making audit, examination, excerpts and transcripts.

9. FORCE MAJEURE

Neither CITY nor CONSULTANT shall be considered in default because of any delays in completion of responsibilities hereunder due to causes beyond the control and without fault or negligence on the part of the party so disenabled provided the party so disenabled shall within ten (10) days from the beginning such delay notify the other party in writing of the causes of delay and its probable extent. Such notification shall not be the basis for a claim for additional compensation.

10. NONWAIVER

The failure of the CITY to insist upon or enforce strict performance by CONSULTANT of any of the terms of this Contract or to exercise any rights hereunder shall not be construed as a waiver or relinquishment to any extent of its right to assert or rely upon such terms or rights on any future occasion.

11. ATTORNEY'S FEES

In the event suit or action is instituted to enforce any of the terms of this contract, the prevailing party shall be entitled to recover from the other party such sum as the court may adjudge reasonable as attorney's fees at trial or on appeal of such suit or action, in addition to all other sums provided by law.

12. APPLICABLE LAW

The law of the State of Oregon shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it.

13. CONFLICT BETWEEN TERMS

It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the proposal of the CONSULTANT, this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

14. INDEMNIFICATION

CONSULTANT agrees to indemnify and hold harmless the City of Warrenton, its Officers, and Employees against and from any and all loss, claims, actions, suits, reasonable defense costs, attorney fees and expenses for or on account of injury, bodily or otherwise to, or death of persons, damage to or destruction of property belonging to city, CONSULTANT, or others resulting from or arising out of CONSULTANT's negligent acts, errors or omissions in the supply of goods or performance of services pursuant to this Agreement. This agreement to indemnify applies whether such claims are meritorious or not; provided, however, that if any such liability, settlements, loss, defense costs or expenses result from the concurrent negligence of CONSULTANT and The City of Warrenton this indemnification and agreement to assume

defense costs applies only to the extent of the negligence or alleged negligence of the CONSULTANT.

With regard to Professional Liability CONSULTANT agrees to indemnify and hold harmless CITY, its officers and employees from any and all liability, settlements, loss, reasonable defense costs, attorney's fees and expenses arising out of CONSULTANT's negligent acts, errors, or omissions in service provided pursuant to this Agreement; provided, however, that if any such liability, settlements, loss, defense costs or expenses result from the concurrent negligence of CONSULTANT and the City, this indemnification and agreement to assume defense costs applies only to the extent of negligence of CONSULTANT.

With respect to Professional Liability, CONSULTANT reserves the right to approve the choice of counsel.

15. INSURANCE

Prior to starting work hereunder, CONSULTANT, at CONSULTANT's cost, shall secure and continue to carry during the term of this contract, with an insurance company acceptable to CITY, the following insurance:

A. Commercial General Liability. CONSULTANT shall obtain, at CONSULTANT's expense and keep in effect during the term of this Contract, Commercial General Liability Insurance covering bodily injury and property damage with limits of not less than \$1,000,000 per occurrence and the annual aggregate of not less than \$2,000,000. Coverage shall include CONSULTANTS, sub consultants and anyone directly or indirectly employed by either. This insurance will include personal and advertising injury liability, products and completed operations. Coverage may be written in combination with Automobile Liability Insurance (with separate limits). Coverage will be written on an occurrence basis. If written in conjunction with Automobile Liability the combined single limit per occurrence will not be less than \$1,000,000 for each job site or location. Each annual aggregate limit will not be less than \$2,000,000.

B. Professional Liability Insurance. The CONSULTANT shall have in force a policy of Professional Liability Insurance in an amount not less than \$1,000,000 per claim and \$2,000,000 aggregate. The CONSULTANT shall keep such policy in force and current during the term of this Agreement.

C. Automobile Liability. CONSULTANT shall obtain, at CONSULTANT's expense and keep in effect during the term of the resulting Contract, Commercial Business Automobile Liability Insurance covering all owned, non-owned, or hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits). Combined single limit per occurrence will not be less than \$1,000,000, and annual aggregate not less than \$2,000,000.

D. Additional Insured. The liability insurance coverage shall include City and its officers and employees as Additional Insured but only with respect to CONSULTANT's activities

to be performed under this Contract. Coverage will be primary and non-contributory with any other insurance and self-insurance. Prior to starting work under this Contract, CONSULTANT shall furnish a certificate to the City from each insurance company providing insurance showing that the City is an additional insured, the required coverage is in force, stating policy numbers, dates of expiration and limits of liability, and further stating that such coverage is primary and not contributory.

E. Notice of Cancellation or Change. There will be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice from CONSULTANT or its insurer(s) to City. Any failure to comply with the reporting provisions of this clause will constitute a material breach of this Contract and will be grounds for immediate termination of this Agreement.

16. LABORERS AND MATERIALMEN, CONTRIBUTIONS TO INDUSTRIAL ACCIDENT FUND, LIENS AND WITHHOLDING TAXES ORS 279B.220

CONSULTANT shall make payment promptly, as due, to all persons supplying CONSULTANT labor or material for the prosecution of the work provided for this contract.

CONSULTANT shall pay all contributions or amounts due the Industrial Accident Fund from CONSULTANT or any sub consultant incurred in the performance of the contract.

CONSULTANT shall not permit any lien or claim to be filed or prosecuted against the state, county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.

CONSULTANT shall pay to the Department of Revenue all sums withheld from employees pursuant to ORS 316.167.

17. WORKERS COMPENSATION INSURANCE

CONSULTANT, its sub-CONSULTANTS, if any, and all employees working under this agreement are either subject to employers under the Oregon Worker's Compensation Law and shall comply with ORS 656.017, which requires them to provide workers compensation coverage for all their subject workers, or are employers that are exempt under ORS 656.126.

18. PAYMENT OF MEDICAL CARE ORS 279B.230

CONSULTANT shall promptly, as due, make payment to any person, co-partnership, association or corporation, furnishing medical, surgical and hospital care or other needed care and attention, incident to sickness or injury to the employees of such CONSULTANT, of all sums which the CONSULTANT agrees to pay for such services and all moneys and sums which the CONSULTANT collected or deducted from the wages of employees pursuant to any law, contract or agreement for the purpose of providing or paying for such service.

19. OVERTIME ORS 279B.235.

Employees shall be paid for overtime work performed under this contract in accordance with ORS 279B.235(3) unless excluded under ORS 653.010 to 653.261 (29 U.S.C. sections 201 to 209).

20. BUSINESS LICENSE

Prior to commencing work in the City of Warrenton, CONSULTANT shall obtain a city business license.

21. STANDARD OF CARE

The standard of care applicable to CONSULTANT's services will be the degree of skill and diligence normally employed by CONSULTANTS performing the same or similar services at the time CONSULTANT's services are performed. CONSULTANT will re-perform any services not meeting this standard without additional compensation.

22. NO THIRD-PARTY BENEFICIARIES

This contract gives no rights or benefits to anyone other than the CITY and CONSULTANT and has no third-party beneficiaries.

23. SEVERABILITY AND SURVIVAL

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired thereby. Limitations of liability shall survive termination of this Agreement for any cause.

24. COMPLETE CONTRACT

This Contract and its referenced attachments constitute the complete contract between CITY and CONSULTANT and supersedes all prior written or oral discussions or agreements. CONSULTANT services are defined solely by this Contract and its attachments and not by any other contract or agreement that may be associated with this Contract.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first written above.

City of Warrenton, a Municipal Corporation

BY: _____
Henry A. Balensifer, Mayor Date

ATTEST: _____
Dawne Shaw, CMC, City Recorder Date

CONSULTANT:

By: _____
Printed Name: _____ Date
Title: _____



Urban Renewal Agency Agenda Memo

Meeting Date: October 28, 2025
 From: Esther Moberg, City Manager
 Subject: The Outpost Agreement Construction Extension

Summary:

Requesting approval to extend The Outpost Agreement timeline for construction. The original requirement was for April of 2026. The delay is reasonable and the Sollaccio's have been in touch with and updated the Urban Renewal Executive Director throughout this process. It is upon her recommendation they are reaching out to request an extension on the timeline for construction. They believe another 6-12 months will be sufficient to fulfill the requirements of the Urban Renewal grants.

Recommendation/Suggested Motion:

I move to approve the time extension for construction at the Outpost building per the agreement with the Sollaccio's as outlined in their current agreement and with the understanding this request is reasonable due to the extensive amount of construction and due diligence required on this building project.

Alternative:

Other action as deemed appropriate by the City Commission

OR

None recommended

Fiscal Impact:

N/A

Attachments:

None

Approved by City Manager: _____

Fw: Update & Request | Outpost Warrenton

From Esther Moberg <emoberg@warrentonoregon.us>

Date Mon 10/20/2025 2:37 PM

To Dawne Shaw <dshaw@warrentonoregon.us>

Esther Moberg
City Manager
City of Warrenton
971-286-2017
Emoberg@warrentonoregon.us
Www.warrentonoregon.us

From: Dan and Jess Sollaccio <thesollaccios@gmail.com>

Sent: Monday, October 20, 2025 2:36:11 PM

To: Esther Moberg <emoberg@warrentonoregon.us>

Cc: Daniel Sollaccio <dsollaccio@gmail.com>

Subject: Update & Request | Outpost Warrenton

Hi Esther,

A quick update - things have been going well with the Outpost construction since starting on September 8, 2025. Framing is almost complete for the upstairs apartments and has started in the commercial space. The sewer line in the alley was found to be completely crushed/un-usable and has been completely replaced. An additional asbestos test was needed for a fireplace and chimney that was uncovered during construction and came back negative so we have no delays in completing that demolition. The upstairs is on-track to be ready for occupancy by the end of January 2026.

One request - Can we update our agreement, specifically Article 3, Section 3.1 to extend the completion date to October 1, 2026? It currently states April 1, 2026.

Thank you for considering our request,

Jess and Dan Sollaccio

Urban Renewal Agency Agenda Memo

Meeting Date: October 28, 2025
From: Esther Moberg, Executive Director
Subject: Term Limits for WURAC members

Summary:

Due to Urban Renewal District sunset on August 28th, 2027, staff are requesting that the Urban Renewal Agency recommend the suspension of the Warrenton Urban Renewal Advisory Committee (WURAC) term length and maintain the current roster through sunset of the district, pending any resignations or removals. Any resignations must still be in writing.

Per the WURAC bylaws, bylaws may only be changed by approval of the WURAC, referred to as the board of directors in the bylaws. It is requested that the Urban Renewal Agency make a motion recommending that WURAC amend their bylaws to allow for the suspended term length.

Recommendation/Suggested Motion:

I move to recommend that the Warrenton Urban Renewal Advisory Committee amend their bylaws to suspend term length and maintain the current roster through sunset of the district, pending any resignations or removals.

Alternative:

Other action as deemed appropriate by the Urban Renewal Agency

OR

None recommended

Fiscal Impact:

None

Attachments:

None

Approved by Executive Director: _____