



CITY OF ALBANY
Public Works Department

ADDENDUM #1

WC-21-02, Stutzman Road Canal Bank Repair

In order to clarify the intent of the Specifications and Drawings, the following provisions are provided and shall be considered part of the contract documents.

CONTRACT DOCUMENTS

Appendix A

Department of State Lands - Emergency Authorization for Placement of Fill and Removal of Material in Waters of the State.

In order to ensure all bidders are aware of these provisions, each bidder must sign this addendum below and attach it to the proposal.

IMPORTANT: Failure to include a signed Addendum could result in the disqualification of your bid.

Contractor's Signature

Date

Company Name *(please type or print)*



Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 986-5200
FAX (503) 378-4844
www.oregon.gov/dsl

July 12, 2021

CPR600/63427
CITY OF ALBANY
PO BOX 490
ALBANY OR 97321

State Land Board

Kate Brown
Governor

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

THIS AUTHORIZATION EXPIRES ON SEPTEMBER 7, 2021

Shemia Fagan
Secretary of State

- DSL Application No. 63427-RF
- Site Address: 2391 & 2373 40th Ave SE
- Santiam-Albany Canal, River Mile 3.2 and 7.7; Linn County
- T. 11S, R. 03W, Section 20/25, Tax Lot 312,313/210, Albany

Tobias Read
State Treasurer

Mr. Beathe:

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

Your request to conduct emergency repairs at two locations on the Santiam-Albany canal has been approved as an emergency authorization under ORS 196.810(4). This authorization expires on September 7, 2021. In the performance of the emergency work **by you and/or contractors**, the following conditions shall be followed:

1. ODFW Fisheries Biologist (Elise Kelley) shall be contacted prior to the start of work.
2. The amount of material to be removed/filled shall not exceed the minimum necessary to alleviate the emergency circumstances. However, up to 535 cubic yards of material are authorized for placement/removal as needed.
3. Turbidity increases shall be kept to a minimum. Only clean, erosion-resistant rock shall be used as fill.
4. The route and methods used to access the work site shall minimize damage and disturbance to the streambank, stream channel and riparian area.
5. All work shall be done from the top of the bank unless otherwise approved by the Department of State Lands.
6. Any excavated material shall be disposed of on upland and not be placed in wetlands, streams or other waters.
7. Inspection of the work may occur by the Department of State Lands and/or Department of Fish and Wildlife or other appropriate agency following the emergency, and project refinements may be required by the Department such as:
 - a. rearranging of rock;

July 12, 2021

Site Address: 2391 & 2373 40th Ave SE

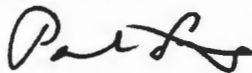
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- b. sloping the bank;
 - c. revegetation of the slope and/or bank top;
 - d. compensatory mitigation; and
 - e. other measures as appropriate to protect waters of the state.
8. If any archaeological resources, artifacts or human remains are encountered during construction, all construction activity must immediately cease. The State Historic Preservation Office must be contacted at 503-986-0674. You may be contacted by a Tribal representative if it is determined by an affected Tribe that the project could affect Tribal cultural or archeological resources.
 9. The Department of State Lands retains the authority to temporarily halt or modify the project in case of excessive turbidity or damage to natural resources.
 10. This permit does not authorize trespass on the lands of others. The permit holder shall obtain all necessary access permits or rights-of-way before entering lands owned by another.
 11. Permittee shall defend and hold harmless the State of Oregon, and its officers, agents, and employees from any claim, suit, or action for property damage or personal injury or death arising out of the design, material construction, or maintenance of the permitted improvements.
 12. This authorization permits only the work described in the application. Any additional work may require a permit from the Department of State Lands. **The processing of application 63319-RF for this same project must be completed in order to help determine if any mitigation or modifications to the project are required, unless otherwise approved in writing by the Department.**

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

Please be aware that you must also receive authorization, when required, from the U.S. Army Corps of Engineers (USACE) before beginning construction. The USACE contact for Linn County is Katharine Mott at 541-465-6869. In addition, you should contact your city and county planning office for local permits as necessary. If you have any questions regarding this authorization or its conditions, please contact Charles Redon at (503) 986-5305.

Sincerely,



Patricia Fox
Southern Operations Manager
Aquatic Resource Management
Oregon Department of State Lands

cc: Elise Kelley, Oregon Department of Fish and Wildlife
Katharine Mott, US Army Corps of Engineers, Eugene Office
Chance Plunk, Department of Environmental Quality