



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT  
PO BOX 2946  
PORTLAND, OR 97208-2946

June 9, 2022

Real Estate Division

Rachel Hagerty  
Chief of Staff, Tillamook County  
201 Laurel Avenue  
Tillamook, Oregon 97141

Dear Ms. Hagerty:

Thank you for Tillamook County's request for clarification on the Notice to Proceed letter previously issued by the U.S. Army Corps of Engineers on May 19, 2022. The purpose of this letter is to provide a revised Notice to Proceed for the County's action. This letter is pursuant to the Resolution of Formal Assurances for Local Cooperation (Resolution), executed December 6, 1967, between the Department of the Army and Tillamook County, the Port of Garibaldi, and the Port of Tillamook Bay (Non-Federal Sponsors). The U.S. Army Corps of Engineers, Portland District (Corps), and the Non-Federal Sponsors agreed to cooperate in the ongoing maintenance of the Tillamook Jetties, and in this instance for the South Jetty phase of the Tillamook Jetty Repair Project (Project), specifically.

Paragraph A of the Resolution requires the Non-Federal Sponsor to provide all lands, easements, and rights-of-way necessary for the construction, operation, and maintenance of the Project, including those lands, easements, or rights-of-way necessary for the borrowing of material, the disposal of dredged or excavated material, or relocation.

Please accept this letter as your written notice to proceed to provide evidence of ownership of the real property interests in the vicinity of what is commonly known as the South Jetty site, as required for the Project. The Project's minimum real property requirements consist of two areas. First is a temporary staging area for barge loading and offloading consisting of 2.60 acres at Kincheloe Point (Enclosure 1). Second is road access over lands along Bayocean Dike Road. This road is partially provided by the Corps' easement, but also involves Tillamook County owned lands adjacent to Bayocean Dike Road that will require turnout areas to allow trucks to pass, resulting in an additional need for road access outside the existing Corps right of way (Enclosure 2). Please note: there is a staging area on Federal lands visible in the provided map; the Corps already has real property rights over that area and no action is needed from the County for that area of the project. It is anticipated that the construction will begin in Summer 2022 and continue for up to three years, ending in 2025.

The Corps is aware that the Non-Federal Sponsor already owns the fee rights to the land over which the project will be carried out. In accordance with Corps policies and procedures, the Non-Federal Sponsor shall submit evidence of the availability of the required real property prior to the Corps' solicitation of construction contracts. The Non-Federal Sponsor should submit copies of recorded deeds of conveyance, title reports that are less than ninety (90) days old, or other documents that are deemed adequate by the Corps' Chief of Real Estate.

In addition to the proof of ownership of affected parcels, please provide the Corps with an "Authorization for Entry" which authorizes the Corps, its agents, employees, and contractors to enter upon the required lands to construct and operate the identified project features (Enclosure 3). The accompanying Attorney's Certificate of Authority is also required to ensure that there are no outstanding rights that may impede the use of and access to the Project and to ensure that the official signing the Authorization has the authority to furnish such right to the Government. To minimize construction schedule delays, I suggest the Non-Federal Sponsor be prepared to provide the required Authorization for Entry and Attorney's Certificate of Title (Enclosure 4) no later than June 17, 2022.

The Real Estate Division's point of contact for this project is Kathryn Skiff. She can be reached at 971-275-2789 or via email at [Kathryn.S.Skiff@usace.army.mil](mailto:Kathryn.S.Skiff@usace.army.mil). Please feel free to contact her with questions or comments.

Sincerely,

Amanda J. Dethman  
District Chief of Real Estate  
Real Estate Contracting Officer

Enclosures

## Enclosure 1: Project Map



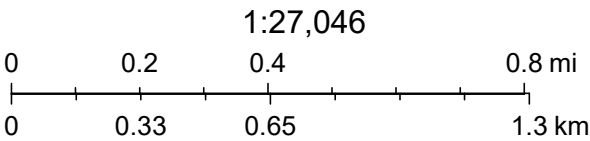
# Tillamook Jetty Field Map



5/10/2022

- Tillamook SJ Road Turnout (see encl. 2 details)
- Barge Offload Site (3.70 AC)
- SJ Rock Storage Site (Federal - Authorization N/A)
- 26 March4 - 09 June 2021 Survey 5ft Contour
- World Imagery

Low Resolution 15m Imagery  
High Resolution 60cm Imagery  
High Resolution 30cm Imagery  
Citations  
9.6m Resolution Metadata



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community  
Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



# Tillamook Jetty Field Map



5/10/2022

- Tillamook SJ Road Turnout Inventory - Point\_Inv  
— 26 March4 - 09 June 2021 Survey 5ft Contour  
— World Imagery  
● Low Resolution 15m Imagery

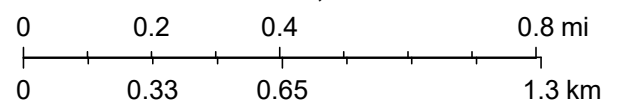
## High Resolution 60cm Imagery

### High Resolution 30cm Imagery

## Citations

### 9.6m Resolution Metadata

1:27,046



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community  
Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

## Enclosure 2: Turnout Detail Map



(SEE SHEET G-007)

— MILE 0.25

PRIVATE  
PROPERTY

BAYOCEAN DIKE ROAD

TILLAMOOK  
BAY

U.S. Army Corps  
Engineers®  
PORTLAND DISTRICT

BCOES BACK CHECK

1101

— 111 —

11

PORTLAND DISTRICT PORTLAND, OREGON	DRAWN BY: J. WATTS/D. MCCURDY	SOLUTIONING NO.: W91-172828000
	SUBMITTED BY: JEREMY S. APPT. P.E.	CONTRACT NO.:
	PLOT SCALE: 1" = 1'	DRAWING NUMBER: 5/5/2022
	SIZE: A	FILE NAME: TMG-1.102_G-006.dwg

WILLAMOOK  
SOUTH JETTY  
MAJOR MAINTENANCE  
BAYOCEAN DIKE ROAD  
SHEET 1

SHEET  
IDENTIFICATION  
G-006

NOTE:

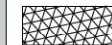
1. MAXIMUM WIDTH OF BAYOCEAN DIKE ROAD WITH IMPROVEMENTS TO BE 15 FEET. TURNOUTS MAY BE CONSTRUCTED IN AREAS SHOWN TO MAXIMUM DIMENSIONS OF 15 FEET WIDE BY 50 FEET LONG. ADDITIONAL TURNOUTS MAY BE CONSTRUCTED WITH COR APPROVAL.
2. CONTRACTOR MUST AVOID IMPACTS TO ALL WETLANDS UNLESS OTHERWISE NOTED. MAINTAIN A 50-FT BUFFER FROM ALL WETLANDS WHERE FEASIBLE. INSTALL HARDENED WETLAND PROTECTION MEASURES WHERE INDICATED ON THE DRAWINGS AND AS DIRECTED BY THE COR.
3. NO ROAD WIDENING IS ALLOWED ON SECTIONS OF ROAD WITHIN 50 FEET OF WETLANDS. NO ROAD WIDENING IS ALLOWED ON PRIVATE PROPERTIES.
4. SEE SPECIFICATIONS SECTION 31 00 10.00 25 FOR INFORMATION ON ROAD CONDITIONS AND REQUIREMENTS FOR ROAD IMPROVEMENTS.



## PLAN

100'      0      100

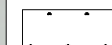
### WETLAND LEGEND



FRESHWATER EMERGENT WETLAND



FRESHWATER FORESTED SHRUB WETLAND



ESTUARINE &amp; MARINE WETLAND



RIVERINE



FRESHWATER POND



SNOWY PLOVER DESIGNATED CRITICAL  
HABITAT



MATCHLINE

(SEE SHEET G-008)



US Army Corps  
of Engineers®  
PORTLAND DISTRICT

BCOES BACK CHECK

DESIGNED BY: JILL KERNAN, P.E.	DATE: 05/20/2022
DRAWN BY: JAMES BOYD, INCURBY	SOLUTION NO.: W917N028001
SUBMITTED BY: JEREMY S. APPT, P.E.	CONTRACT NO.:
PLOT SCALE: 1:1	PLOT DATE: 5/2/2022
FILE NAME: TMC-1102_G-007.dwg	DRAWING NUMBER:

TILLAMOOK  
SOUTH JETTY  
MAJOR MAINTENANCE  
BAYOCEAN DIKE ROAD  
SHEET 2

SHEET  
IDENTIFICATION  
G-007

NOTE:

1. MAXIMUM WIDTH OF BAYOCEAN DIKE ROAD WITH IMPROVEMENTS TO BE 15 FEET. TURNOUTS MAY BE CONSTRUCTED IN AREAS SHOWN TO MAXIMUM DIMENSIONS OF 15 FEET WIDE BY 50 FEET LONG. ADDITIONAL TURNOUTS MAY BE CONSTRUCTED WITH COR APPROVAL.
2. CONTRACTOR MUST AVOID IMPACTS TO ALL WETLANDS UNLESS OTHERWISE NOTED. MAINTAIN A 50-FT BUFFER FROM ALL WETLANDS WHERE FEASIBLE. INSTALL HARDENED WETLAND PROTECTION MEASURES WHERE INDICATED ON THE DRAWINGS AND AS DIRECTED BY THE COR.
3. NO ROAD WIDENING IS ALLOWED ON SECTIONS OF ROAD WITHIN 50 FEET OF WETLANDS. NO ROAD WIDENING IS ALLOWED ON PRIVATE PROPERTIES.
4. SEE SPECIFICATIONS SECTION 31 00 10.00 25 FOR INFORMATION ON ROAD CONDITIONS AND REQUIREMENTS FOR ROAD IMPROVEMENTS.

WETLAND LEGEND

	FRESHWATER EMERGENT WETLAND
	FRESHWATER FORESTED SHRUB WETLAND
	ESTUARINE & MARINE WETLAND
	RIVERINE
	FRESHWATER POND
	SNOWY PLOVER DESIGNATED CRITICAL HABITAT

PLAN



100' 0 100'

MATCHLINE

(SEE SHEET G-006)

N: 696679.6  
E: 7318366.5

N: 696426.4  
E: 7318418.6

N: 696389.6  
E: 7318426.1

N: 696081.0  
E: 7318462.2

N: 696083.1  
E: 7318477.1

N: 696031.5  
E: 7318469.2

N: 696033.6  
E: 7318484.1

TILLAMOOK  
BAY

MILE 0.50

PRIVATE  
PROPERTY

BAYOCEAN DIKE ROAD

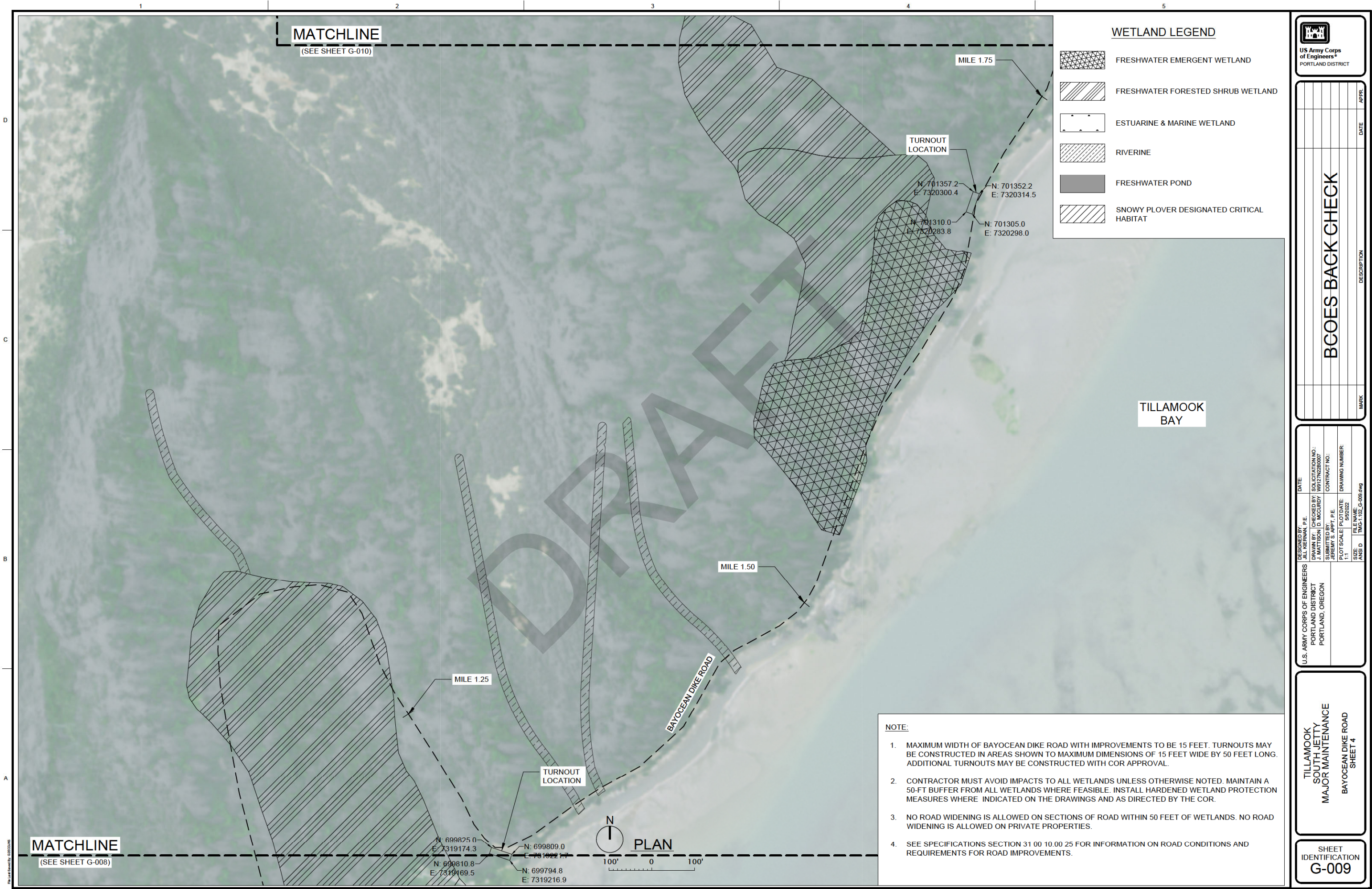
PRIVATE  
PROPERTY

TURNOUT  
LOCATION





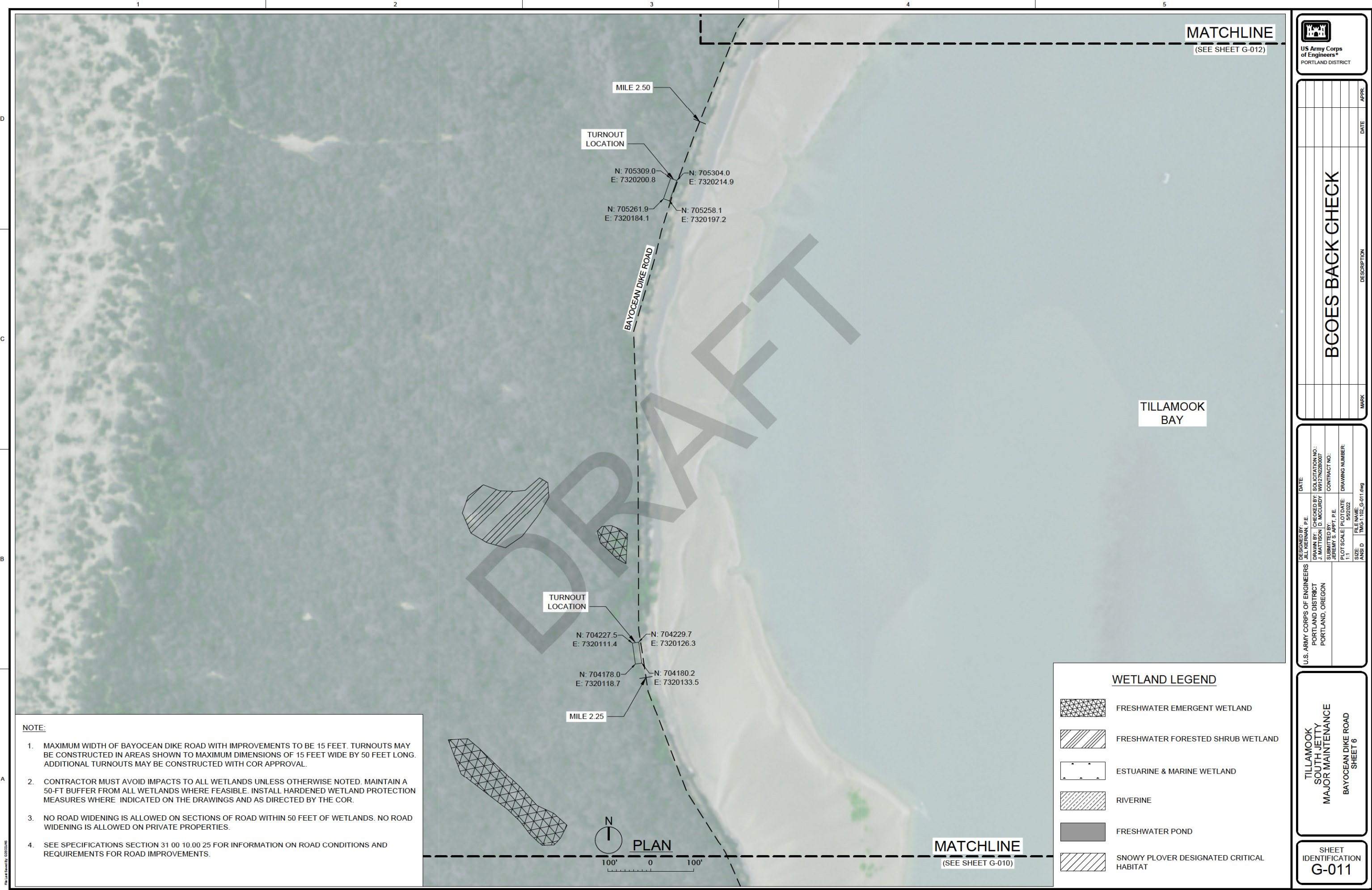




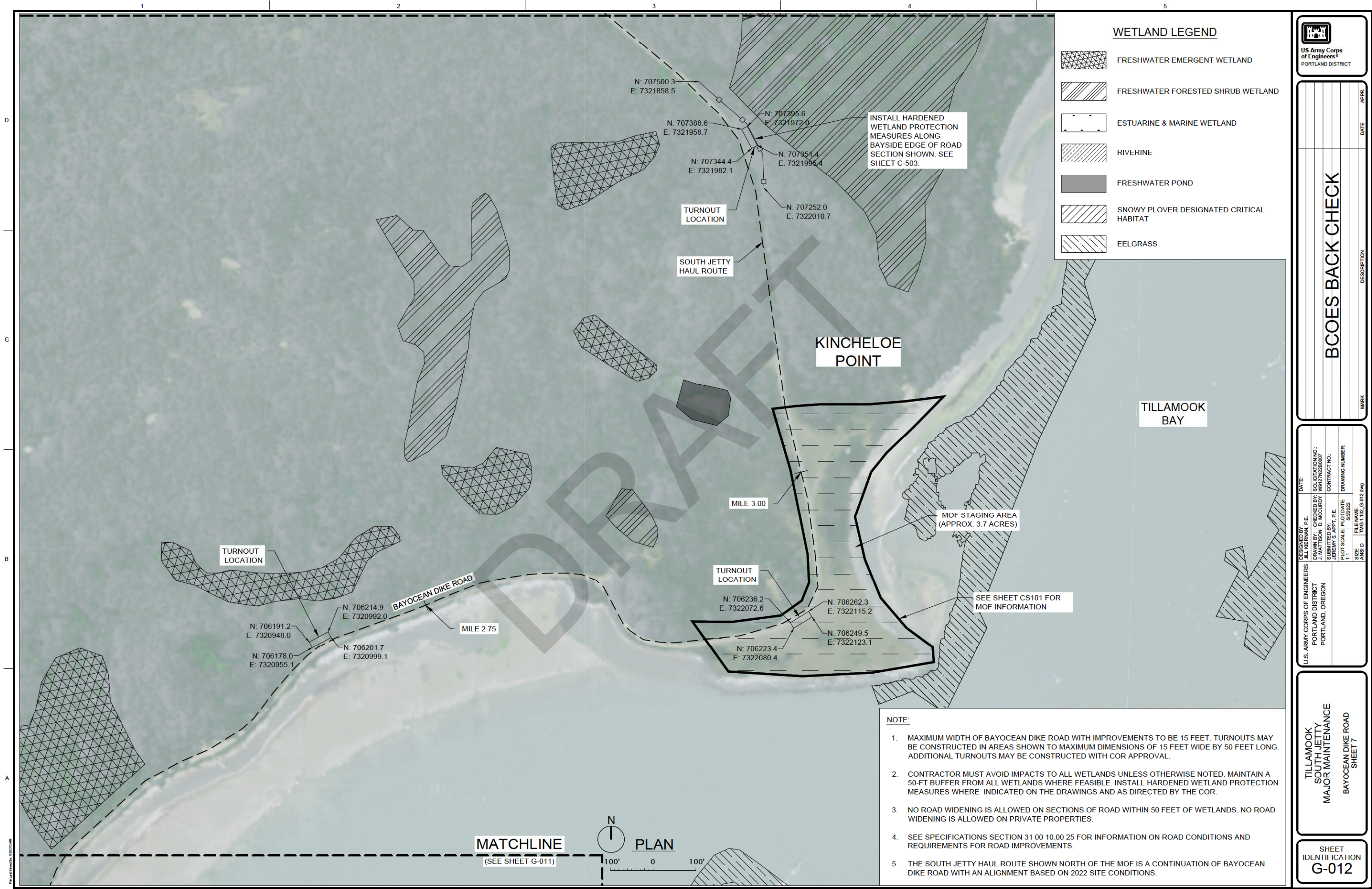




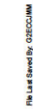










[illegible]

U.S. ARMY CORPS OF ENGINEERS PORTLAND DISTRICT PORTLAND, OREGON	NATHAN STORZAND, P.E.		DATE
	CHECKED BY: J. SEWERY	SOLICITATION NO.: W9127N2Z0007	
	SUBMITTED BY: JEREMY S. APPT, P.E.	CONTRACT NO.:	
	PILOT SCALE: 1:1	PILOT DATE: 5/6/2022	DRAWING NUMBER:
	SIZE:	FILE NAME:	
		TMS-1.102_CS102.dwg	

**TILLAMOOK  
SOUTH JETTY  
MAJOR MAINTENANCE**

**SITE PLAN 2  
HAUL ROUTE**

SHEET  
IDENTIFICATION  
CS102







## Enclosure 3: Authorization for Entry



**AUTHORIZATION FOR ENTRY FOR TILLAMOOK SOUTH JETTY REPAIRS**

WHEREAS, pursuant to the Flood Control Act of 1936, Public Law 74-738, the United States of America under the direction of the Secretary of the Department of the Army, and the supervision of the United States Army Corps of Engineers, will conduct repairs at the Tillamook South Jetty, County of Tillamook, State of Oregon, as shown on the plans entitled, "Tillamook Jetty Field Map" and "Tillamook South Jetty Major Maintenance", Sheet Identification Numbers "G-006, G-007, G-008, G-009, G-010, G-011, G-012, CS-102, and LS-101" attached hereto as Encl. 1 & 2, said Tillamook County having been duly and regularly organized and incorporated under the Laws of the State of Oregon; and

WHEREAS, the United States of America desires written permission from said County to enter upon and use the real property for the purpose of staging and construction to repair said jetty.

NOW THEREFORE, I \_\_\_\_\_, \_\_\_\_\_, for Tillamook County, do hereby certify that the Tillamook County has acquired the real property interests required by the United States of America and otherwise is vested with sufficient title and interests in lands specifically for the Tillamook South Jetty Repair Project as described in Encl. 1 & 2. Further, I hereby authorize the United States of America and its assigns to enter upon lands for the jetty repair sites as set forth in the plans and specifications held in the U.S. Army Corps of Engineers District Office, Portland, Oregon. This Authorization for Entry includes the right of ingress and egress on other lands of the County not described in Encl. 1 & 2 in order to complete the work set forth above, provided that such ingress and egress is necessary and not otherwise conveniently available to the United States of America.

WITNESS my signature as \_\_\_\_\_ for Tillamook County, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

TILLAMOOK COUNTY

\_\_\_\_\_  
Name, Title



AUTHORIZATION FOR ENTRY FOR TILLAMOOK SOUTH JETTY REPAIRS

ACKNOWLEDGMENT

STATE OF OREGON)

) :ss

COUNTY OF TILLAMOOK)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me the undersigned  
Notary Public, personally appeared \_\_\_\_\_, known to me to  
be the person described in the foregoing instrument, who acknowledged that they  
executed the same in the capacity therein stated and for the purposes therein  
contained.

**GIVEN** under my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
NOTARY PUBLIC

(Seal)

My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.



Enclosure 4: Attorney Certificate of Title



**AUTHORIZATION FOR ENTRY FOR TILLAMOOK SOUTH JETTY REPAIRS**

**ATTORNEY'S CERTIFICATE OF TITLE**

I, \_\_\_\_\_, Attorney for Tillamook County (County) hereby certify that:

I am an attorney licensed to practice law in the State of Oregon.

I have examined the County's records insofar as they pertain to the title to certain lands within the County's ownership or control as shown on Encl. 1 & 2 to the AUTHORIZATION FOR ENTRY FOR TILLAMOOK SOUTH JETTY REPAIR PROJECT dated \_\_\_\_\_, a copy of which is attached hereto.

Said AUTHORIZATION FOR ENTRY FOR TILLAMOOK SOUTH JETTY REPAIR PROJECT authorizes the United States of America and/or its assigns, to enter upon and occupy certain lands and premises owned by, or under the control of the County, in order for the purpose of staging and construction to repair said jetty. In my opinion, the County, on the date of the signature of the AUTHORIZATION FOR ENTRY FOR TILLAMOOK SOUTH JETTY REPAIR PROJECT, is vested with sufficient title and interest to the lands described on Encl. 1 & 2 with lawful authority to execute that instrument and grant the interest therein described.

On this date the United States of America and/or its assigns has the right to occupy the lands described for the purpose of staging and construction to repair the Tillamook South Jetty.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**TILLAMOOK COUNTY**

\_\_\_\_\_



AUTHORIZATION FOR ENTRY FOR TILLAMOOK SOUTH JETTY REPAIRS

ACKNOWLEDGMENT

STATE OF OREGON)

) :ss

COUNTY OF TILLAMOOK)

On this \_\_\_\_\_ day of \_\_\_\_\_ 2022, before me the undersigned Notary Public, personally appeared \_\_\_\_\_, known to me to be the person described in the foregoing instrument, who acknowledged that they executed the same in the capacity therein stated and for the purposes therein contained.

**GIVEN** under my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
NOTARY PUBLIC

(Seal)

My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.