



**PARTITION #851-24-000378-PLNG:
SDC TILLAMOOK, LLC / TILLAMOOK PUD
Administrative Decision & Staff Report**

Decision: Approved with Conditions
Decision Date: September 13, 2024
Report Prepared By: Angela Rimoldi, Planning Technician

I. GENERAL INFORMATION:

Request: Partition proposal to create a 5.9-acre parcel in accordance with approved Development Permit #851-17-000448-PLNG, Conditional Use #851-17-000448-PLNG-01, and Administrative Review #851-17-000448-PLNG-02; a request for the construction of the Oceanside Substation and Tillamook-Oceanside 115-kilovolt (kv) Transmission Line.

Location: The subject property (parent parcel) is accessed via Cape Meares Loop Road, a county-maintained road, and is identified as Tax Lot 500 of Section 30, Township 1 South, Range 10 West.

Zone: Forest (F)

Applicant: Tillamook PUD, 1115 Pacific Avenue, Tillamook, OR. 97141

Property Owner: SDC Tillamook, LLC, P.O. Box 3349, Albany, GA. 31706

Description of Site and Vicinity: The subject property (parent parcel) is accessed via Cape Meares Loop Road, a county-maintained road, is irregular in shape, approximately +/- 357 acres in size, holds no improvements, and vegetated with grasses, bushes, and trees (Exhibit A). The topography of the subject property varies, however, is generally sloped with some flat areas. The subject property is located within an area primarily devoted to forest and residential use. The subject property is surrounded by properties zoned Forest (F) to the north, south and east, additionally, properties zoned Residential Oceanside (ROS) to the south and west, with a small area of Rural Residential (RR-2) zone to the south (Exhibit A).

The subject property is located within an area of geologic hazard, contains mapped wetlands and natural features as indicated on the Statewide Wetlands Inventory map, and is located within Zone X an Area of Minimal Flood Hazard, as depicted on the FEMA Flood Insurance Rate Map (FIRM 41057C0555F) (Exhibit A).

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The request is governed through the following Sections of the Tillamook County Land Use Ordinance (TCLUO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria
- B. TCLUO Section 3.004: Forest (F) Zone
- C. TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas

III. ANALYSIS:

Notice of the request was mailed to property owners within 750 feet of the subject property and agencies on July 26, 2024. Three (3) comments were received; two (2) from neighboring properties and (1) from Oregon Department of State Lands (Exhibit C).

No comment was provided in opposition to the proposed partition; however, for any/all future development to adhere to applicable standards was stated in comments received. A Condition of Approval has been outlined below in Section V.

A. Land Division Ordinance Section 070: Preliminary Plat Approval Criteria

(1) Approval Criteria. The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:

- (a) The land division application shall conform to the requirements of this ordinance;*
- (b) All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance – Article 3 Zone Regulations and the standards in Section 150 of this ordinance;*

Findings: The preliminary Plat maps depict the creation of two (2) parcels (Exhibit B). The applicability of the Forest (F) zone is addressed below. Plat and submitted supplemental information confirm the criteria above are met.

- (c) Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;*
- (d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;*
- (e) The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County's adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;*
- (f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;*
- (g) Provisions for access to and maintenance of off-right-of-way drainage, if any;*

Findings: The preliminary plat confirms access to the subject property and subsequent parcels remains from Cape Look Out Road, a county road (Exhibit B).

Land Division Ordinance Section 150 outlines development standards for partitions. Standards within this section either do not apply, evidence submitted by the Applicant confirms the standards are met or that the standards can be met through compliance with the Conditions of Approval.

Staff concludes the above standards and the standards in Sections 150 and 160 of the Land Division Ordinance have been met or can be met through the Conditions of Approval.

- (h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and*
- (i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:*
 - (i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.*
 - (ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.*

Findings: The subject property's use is excluded from Utility services and does not require evidence as outlined in (i) above. The subject property is served by Netarts Oceanside Rural Fire Protection, Oregon Department of Forestry, and the Tillamook County Sheriff's Office. Given the location of the property, and the availability of public services existing in the area, staff conclude these criteria have been met or can be met through compliance with the Conditions of Approval.

B. TCLUO Section 3.004: Forest (F) Zone

(6) UTILITY, POWER GENERATION, SOLID WASTE USES

- (a) A commercial utility facility for the purpose of generating power shall not preclude more than 10 acres from use as a commercial forest operation.*

(12) LAND DIVISIONS

- (a) The minimum parcel size for new forest parcels is 80 (eighty) acres.*
- (b) New land divisions less than the parcel size in subsection (a) may be approved for any of the following circumstances:*
 - 1. For the uses listed in 1.a through r below, provided that such uses have been approved pursuant to Section (8) and the parcel created from the division is the minimum size necessary for the use.*
 - ...
 - l. Commercial utility facilities for the purpose of generating power.*
 - ...

Findings: The subject property meets the lot size requirement to not preclude more than 10 acres for a commercial utility facility required of the Forest (F) zone (Exhibit B). The subject property proposes the partition for use of power generation as allowable within the Forest (F) zone (Exhibit B)

Staff finds these standards have been met or may be met through Conditions of Approval.

C. Land Use Ordinance Section 4.130: Development Requirements for Geologic Hazard Areas

- (1) The following are GEOLOGIC HAZARD AREAS to which the standards of this Section apply:*

- (a) Active landslides identified in Oregon Department of Geology and Mineral Industries (DOGMI) Bulletins 74 and 79;*

(b) Inactive landslides, landslide topography and mass movement topography identified in DOGMI bulletins 74 and 79 where slopes are greater than 19 percent;

...

(2) A GEOLOGIC HAZARD report is required prior to approval of planned developments, coast resorts, subdivisions and partitions governed by the Land Division Ordinance, building permits, mobile home permits, sand mining, occurring in areas identified in (1) with the following exception:

- (a) For building or mobile home or manufactured home permits in areas identified in (1)*
- (b), reports are needed for lots 20,000 square feet or larger only where the proposed structure is to be situated on slopes greater than 29 percent or if (1) (f) applies*

Findings: The subject property is within an area of geologic hazard (Exhibit A). Future development of the proposed parcels remains subject to applicable development standards within the TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Condition of Approval has been included below in Section V.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes, based on the findings of fact and other relevant information in the record, the Applicant has satisfied or is able to satisfy the applicable ordinance requirements through the Conditions of Approval, and therefore, approves the request subject to the provisions in Section V below.

By accepting this approval, the applicants/property owners agree to indemnify, defend, save and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action or activity undertaken under this approval, including construction under a Building Permit approved subject to this approval. The applicants/property owners shall obtain all the necessary local, state, and federal permits and comply with all applicable regulations for the proposed building site.

This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on September 25, 2024**.

V. CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. Prior to development of the parcels, the applicant/property owner shall obtain all Federal, State, and Local permits, as applicable. This approval does not imply or guarantee any other approvals for the proposed partition have been granted.
2. The applicant shall record the Final Plat within two (2) years from the approval date of the Preliminary Plat or apply for an extension of time from this Department prior to expiration of Preliminary Plat approval.
3. The applicant shall record the Final Plat within ninety (90) days from the date of final signature of the partition plat.
4. All easements necessary to serve the Parcels for access and utilities shall be clearly identified on the Final Plat.
5. Future development is subject to standards required by TCLUO Section 3.004: Forest (F) Zone.

6. Future development is subject to standards required by TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas.

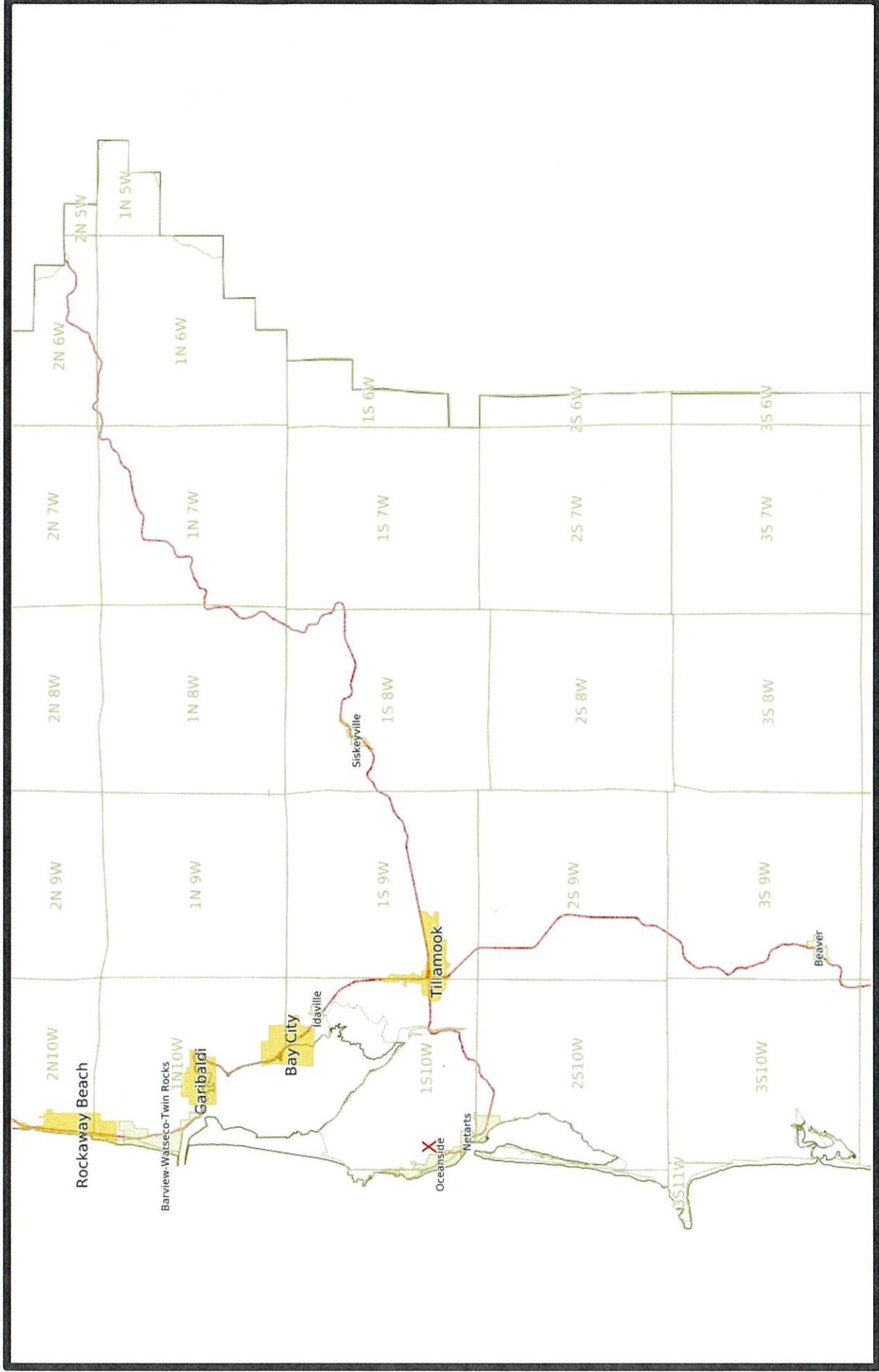
VI. EXHIBITS:

All Exhibits referenced herein are, by this reference, made a part hereof:

- A. Property identification maps and Assessor's Summary Report
- B. Applicant's submittal
- C. Public Comments

EXHIBIT A

Map



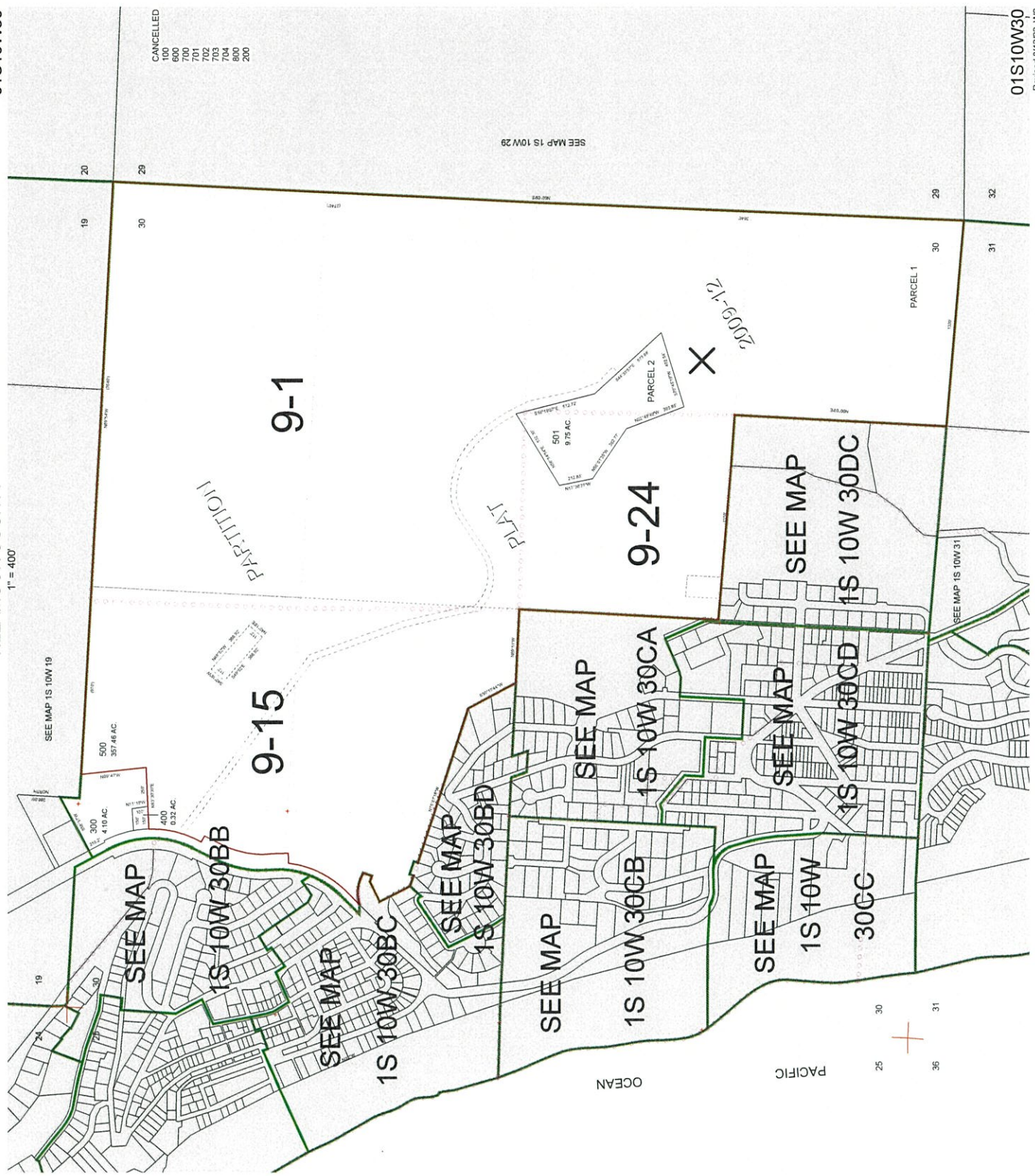
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 30 T.1S. R.10W. W.M.
TILLAMOOK COUNTY

01S10W30



1" = 400'



- CANCELLED
- 100
- 200
- 701
- 702
- 703
- 704
- 900
- 200

SEE MAP 1S 10W 29

PARCEL 1

2009-12 X

SEE MAP 1S 10W 31

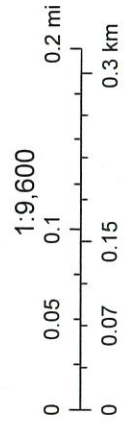


01S10W30
Revised 8/12/22, WS

PARTITION #851-24-000378-PLNG



September 10, 2024



- 0-1
- 1-2
- 2-3
- 3-4
- 4-5
- 5-6
- 6-7
- Active Faults
- P2475_Instrumental_Intensity_Map
- Moderate (V)
- Strong (VI)
- Very Strong (VII)
- Severe (VIII)
- Violent (IX)
- Extreme (X)
- Detailed Susceptibility Reference Maps
- Deep Susceptibility
- Low susceptibility to deep landslides
- Moderate susceptibility to deep landslides
- High susceptibility to deep landslides
- Shallow Susceptibility -
- Low susceptibility to shallow landslides
- Moderate susceptibility to shallow landslides
- High susceptibility to shallow landslides
- Statewide Landslide Susceptibility Overview Map
- Low
- Moderate
- High
- Very High
- Highest Hit Lidar Hillshade
- 11244
- 21

National Flood Hazard Layer FIRMette

123°57'25"W 45°27'25"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

<p>SPECIAL FLOOD HAZARD AREAS</p> <ul style="list-style-type: none"> Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i> With BFE or Depth <i>Zone AE, AO, AH, VE, AP</i> Regulatory Floodway 	<p>OTHER AREAS OF FLOOD HAZARD</p> <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> Area with Flood Risk due to Levee <i>Zone D</i> 	<p>OTHER AREAS</p> <ul style="list-style-type: none"> NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> Effective LOMRMs Area of Undetermined Flood Hazard <i>Zone D</i> 	<p>GENERAL STRUCTURES</p> <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall 	<p>OTHER FEATURES</p> <ul style="list-style-type: none"> Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature 	<p>MAP PANELS</p> <ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped
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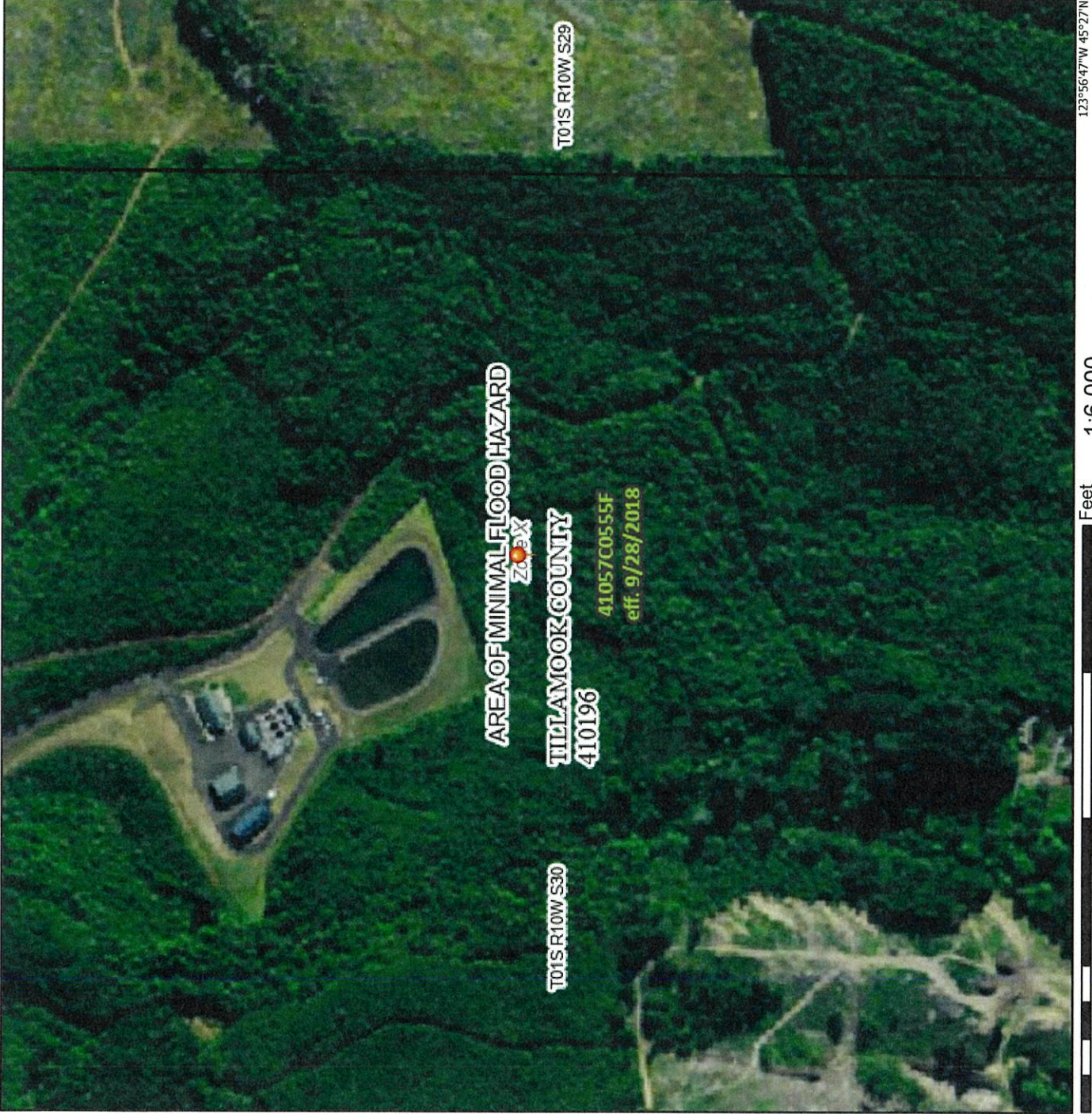


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **9/9/2024 at 10:52 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



123°56'47"W 45°27'N

1:6,000



Basemap Imagery Source: USGS National Map 2023

EXHIBIT B



Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408
www.co.tillamook.or.us

Fax: 503-842-1819

LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Tillamook PUD Phone: 503-815-8628
 Address: 1115 Pacific Ave, Tillamook OR
 City: Tillamook State: OR Zip: 97141
 Email: kcfagen@tpud.org

Property Owner

Name: SDC Tillamook, LLC Phone: 206-450-7019
 Address: PO Box 3349
 City: Albany State: GA Zip: 31706-3349
 Email: Scott@ChinookForestPartners.com

Location:

Site Address: Next to 1755 CAPE MEARES LP RD W

Map Number:	<u>1S</u>	<u>10</u>	<u>30</u>	<u>500</u>
	Township	Range	Section	Tax Lot(s)

Land Division Type: Partition (Two or Three Lots, Type II) Subdivision (Four or More Lots, Type III)
 Preliminary Plat (Pages 1-2) Final Plat (Page 3)

PRELIMINARY PLAT (LDO 060(1)(B))

General Information

N/A For subdivisions, the proposed name.
 Date, north arrow, scale of drawing.
 Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site.

Parcel zoning and overlays
 Title Block
 Clear identification of the drawing as "Preliminary Plat" and date of preparation
 Name and addresses of owner(s), developer, and engineer or surveyor

N/A Fifteen (15) legible "to scale" hard copies
 One digital copy

Existing Conditions

Existing streets with names, right-of-way, pavement widths, access points.
 Width, location and purpose of existing easements
 The location and present use of all structures, and indication of any that will remain after platting.
 Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards
 Location of all existing subsurface sewerage systems, including drainfields and associated easements

Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor
 The location and elevation of the closest benchmark(s) within or adjacent to the site
 Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
 For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps

Other information:

No water or sewer
needed - unmanned site.

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
JUN 28 2024	
BY:	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #:	
Fees: <u>1155.-</u>	
Permit No:	
851-24 - 000319 - PLNG	

Proposed Development

- Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to private tracts identified
- Location, width and purpose of all proposed easements
- Proposed deed restrictions, if any, in outline form
- Approximate dimensions, area calculation (in square feet), and identification numbers for all proposed lots and tracts
- Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space
- On slopes exceeding an average grade of 10%, as shown on a submitted topographic survey, the preliminary location of development on lots demonstrating that future development can meet minimum required setbacks and applicable engineering design standards
- Preliminary utility plans for sewer, water and storm drainage when these utilities are to be provided
- The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable
- Evidence of compliance with applicable overlay zones, including but not limited to the Flood Hazard Overlay (FH) zone
- N/A Evidence of contact with the applicable road authority for proposed new street connections
- N/A Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development

Additional Information Required for Subdivisions [not applicable]

- Preliminary street layout of undivided portion of lot
- Special studies of areas which appear to be hazardous due to local geologic conditions
- Where the plat includes natural features subject to the conditions or requirements contained in the County's Land Use Ordinance, materials shall be provided to demonstrate that those conditions and/or requirements can be met
- Approximate center line profiles of streets, including extensions for a reasonable distance beyond the limits of the proposed Subdivision, showing the proposed finished grades and the nature and extent of construction
- Profiles of proposed drainage ways
- In areas subject to flooding, materials shall be submitted to demonstrate that the requirements of the Flood Hazard Overlay (FHO) zone of the County's Land Use Ordinance will be met
- If lot areas are to be graded, a plan showing the nature of cuts and fills, and information on the character of the soil
- Proposed method of financing the construction of common improvements such as street, drainage ways, sewer lines and water supply lines

- FINAL PLAT (LDO 090(1))
- Date, scale, north arrow, legend, highways, and railroads contiguous to the plat perimeter
- Description of the plat perimeter
- The names and signatures of all interest holders in the land being platted, and the surveyor
- Monuments of existing surveys identified, related to the plat by distances and bearings, and referenced to a document of record
- Exact location and width of all streets, pedestrian ways, easements, and any other rights-of-way
- Easements shall be denoted by fine dotted lines, and clearly identified as to their purpose
- Provisions for access to and maintenance of off-right-of-way drainage
- Block and lot boundary lines, their bearings and lengths
- Block numbers
- Lot numbers
- The area, to the nearest hundredth of an acre, of each lot which is larger than one acre
- Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale

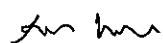
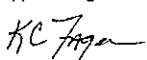
Certificates:

- Title interest & consent Water
- Dedication for public use Public Works
- Engineering/Survey

Additional Information:

Authorization

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with the County Clerk, except as required otherwise for the filing of a plat to lawfully establish an unlawfully created unit of land. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

SDC Tillamook	6/5/2024
Property Owner (*Required)	Date
	6/5/2024
Applicant Signature	Date
 Tillamook PUD	6/5/2024

Land Division Application (Partition)
Oceanside Substation
Tillamook County, Oregon

Prepared for
Tillamook People's Utility District

Prepared by



Portland, Oregon

June 2024

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List of Attachments

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Attachment 2. Substation Survey
Attachment 3. Civil Drawings
Attachment 4. Land Use Approval Exhibits - County
Attachment 5. FEMA FIRMette
Attachment 6. Title Report

Acronyms and Abbreviations

Applicant	Tillamook People's Utility District
CUA	Conditional Use Approval
F	Forest Zone
kV	kilovolt
NPDES	National Pollutant Discharge Elimination System
ODEQ	Oregon Dept of Environmental Quality
ODSL	Oregon Dept of State Lands
ORS	Oregon Revised Statutes
Project	Oceanside Substation
PUD	Tillamook People's Utility District
TCLUO	Tillamook County Land Use Ordinance
USACE	U.S. Army Corps of Engineers

1.0 Introduction and Request

The Tillamook People’s Utility District (PUD; Applicant) seeks Tillamook County approval of a partition to create one new parcel for its approved but not yet constructed Oceanside Substation (Project). The Preliminary Partition Plat prepared by a Professional Land Surveyor is included as Attachment 1 to this application. The Oceanside Substation is the western terminus of the PUD’s approved but not yet constructed Tillamook-Oceanside 115-kilovolt (kV) Transmission Line. The electrical substation would be located approximately 0.75 miles southwest of Oceanside, directly adjacent to the south side of the existing Netarts-Oceanside Sanitary District wastewater treatment plant.

The proposed parcel (Substation Parcel) is 5.9 acres in size, to be partitioned from existing tax lot 1S10300000500 (tax lot 500), which is currently 357.46 acres (see Attachment 2 for Substation Survey). Tax lot 500, which contains the Substation Parcel, is privately owned by SDC Tillamook, LLC and within the Tillamook County Forest (F) Zone. The PUD initiated the acquisition of the Substation Parcel through its power of eminent domain. The PUD and the property owner were able to come to an agreement on the PUD’s condemnation of the Substation Parcel, and the PUD now owns that portion of Tax lot 500.

The PUD previously received Tillamook County land use approval for construction and operation of the Oceanside Substation as part of the overall County approval for the Tillamook-Oceanside 115-kilovolt (kV) Transmission Line. The land use approvals for the overall transmission line included administrative review approval (851-17-000448-PLNG-02), conditional use approval(CUA) (851-17-000448-PLNG-01), and development permit (851-17-000448-PLNG). The construction and operation of the portion of the transmission line and the Oceanside Substation within the F zone were approved through receipt of the CUA. The CUA was extended by Tillamook County on September 18, 2023, and the current expiration is September 18, 2025.

Although the 5.9-acre size of the proposed new parcel is under the 80-acre minimum lot size in the F zone, that minimum lot size does not apply in the context of a parcel that is acquired through condemnation, as described below in response to Tillamook County Land Use Ordinance (TCLUO) Section 3.004(12)(a) (Tillamook County 2015a).

The PUD has received all other applicable federal and state environmental permits for the overall Tillamook-Oceanside 115-kV Transmission Line, which again, includes the Oceanside Substation. Table 1 lists the permits and approvals.

Table 1. Permits and Approvals Obtained for the Tillamook-Oceanside 115-kV Transmission Line (includes Oceanside Substation)

Permit/Approval	Agency	Permit/Approval Trigger	Permit #	Date Issued
<i>Federal</i>				

Permit/Approval	Agency	Permit/Approval Trigger	Permit #	Date Issued
Clean Water Act, Section 404 Permit / Nationwide Permit No. 57 Utility Line Activities	U.S. Army Corps of Engineers (USACE)	Regulates the discharge of dredged and fill material into waters of the United States, including wetlands. Construction of foundations for overhead utility line towers, poles, and anchors in waters of the United States.	NWP-2017-449	5/31/2023
Rivers and Harbor Act of 1899, Section 10 Permit	USACE	Required for any work in, over, or under navigable waters of the United States. Placement of conductor over navigable waterways (Tillamook and Trask rivers).	NWP-2017-449	5/31/2023
Section 408	USACE	Required for any work in near a levee under the USACE's jurisdiction	0083-FY22	11/30/2022
State				
Certificate of Public Convenience and Necessity	Public Utility Commission of Oregon (PUC)	Overhead transmission lines requiring the exercise of eminent domain require PUC approval and issuance of the Certificate as a precursor to any condemnation action.	PUC Order No. 19-293	9/10/2019
Wetland Delineation Concurrence	Oregon Dept of State Lands (ODSL)	Agency concurrence on the applicant's identification and boundary delineation of wetlands and waters.	2017-0354 & WD#2021-0624 APP#60683	3/9/2018 & 11/22/2022
Removal-Fill Permit	ODSL	The Oregon Removal-Fill Law (Oregon Revised Statutes [ORS] 196.795-990) requires projects obtain a permit if they remove or fill material of 50 cubic yards or more in waters of the state. Cut and fill (poles considered fill) of 50 cubic yards or more within wetlands required for construction of the Tillamook-Oceanside 115-kV Transmission Line.	60683-FP	2/15/2019 & 11/22/2022
Wilson, Trask, Nestucca Mitigation Bank Credits	ODSL	Mitigation for wetland fill.	60683-FP	8/22/2018 & 11/22/2022

Permit/Approval	Agency	Permit/Approval Trigger	Permit #	Date Issued
Section 401 Water Quality Certification	Oregon Dept of Environmental Quality (ODEQ)	Discharges requiring a federal license or permit must comply with State water quality standards. Required if federal Clean Water Act (Section 404) permit is issued.	NWP-2017-00449	1/10/2018 & 5/26/2023
National Pollutant Discharge Elimination System (NPDES), 1200-C Construction Stormwater Permit	ODEQ	Required for construction activities with surface area disturbance 1 acre or more. NPDES permits regulate stormwater and facility discharges into surface waters.	NGEN12C-ORR10H967	10/31/2023
Permit to Occupy or Perform Operations upon a State Highway	Oregon Dept of Transportation	Highway 101 right-of-way crossing.	01M-39154	10/17/2017
Cultural Survey Concurrence	Oregon State Historic Preservation Office	Under state law (ORS 358.905-955 & ORS 97.740) archaeological sites, objects and human remains are protected on both public and private land in Oregon.	11-1115 & 17-1801	9/26/2017 & 10/31/2018
Local				
TYPE 1 Administrative Review Approval	Tillamook County	For crossing of the following zoning districts: Farm-1, Estuary Conservation-1	851-17-000448-PLNG-02	8/29/2018
TYPE 2 Floodplain Development Permit	Tillamook County	For crossing of the floodway	851-17-000448-PLNG	8/29/2018
TYPE 3 Conditional Use Approval	Tillamook County	For crossing of the following zoning districts: Forest, Estuary Natural, Rural Commercial, and Rural Residential	851-17-000448-PLNG-01	8/29/2018

2.0 Project Description

The Oceanside Substation is required to electrically connect the new Tillamook-Oceanside 115- kV Transmission Line to the existing electrical distribution system. It is a necessary component between electrical transmission and distribution. The new substation will occupy approximately 2 acres of land directly adjacent to the south side of the existing Netarts-Oceanside Sanitary District wastewater treatment plant. The substation will be similar to the appearance of other existing electrical substations located within Tillamook County and owned and operated by the PUD, including the use of an 8-foot-high perimeter chain-link fence.

The Oceanside Substation will have space for three feeder bays with the appropriate reclosers and underground getaways. It will also have a 12/16/20/22 megavolt-ampere power transformer with the appropriate protection equipment. The substation yard and at least 5 feet around the perimeter of the fence will be rock. The substation will have aboveground, steel-supporting, aluminum bus work for the distribution feeders. It will also have a dead-end power pole to support the transmission line before dropping down into switching and protective equipment for the power transformer. The substation will also have an unmanned control enclosure that is approximately 190 square feet and will house protective relays, meters, batteries, and control equipment.

No water or sanitary sewer services are required for the substation. As shown in Table 1, the PUD has received a NPDES 1200-C permit from the ODEQ for erosion and sediment control during construction. During operations, stormwater at the substation will generally be managed by water quality swales, planted vegetation cover, and compost blanket with shallow ditches and bioswales. These stormwater management features are designed in compliance with the DEQ permit requirements and the Oregon Department of Forestry standards, as shown on the Civil Drawings in Attachment 3. Access to the new substation will be from private roads and the new access road from the privately own road to the substation. Access to the private road will be from Cape Meares Loop Road just north of the Oceanside community. The PUD currently has easements for the use of the privately owned roads.

3.0 Approval Criteria

This section includes PUD responses to the applicable criteria from the TCLDO (Tillamook County 2015b) (Section 3.1) and the TCLUO (Section 3.2). Inapplicable provisions, such as those applying to subdivisions, have been omitted.

3.1 Land Division Ordinance

Section 060: Preliminary Plat Submission Requirements

(1) Applications for Preliminary Plat approval shall contain the following information:

(b) Preliminary Plat Information. In addition to the general information described in Subsection (a) above, the Preliminary Plat application shall consist of drawings and supplementary material adequate to provide the following information, in quantities determined by the County Surveyor and Tillamook County Planning Commission.

i. General Information.

2. Date, north arrow, scale of drawing.

Response: Dates, north arrows, and scales are shown on the Preliminary Partition Plat, Substation Survey, and Civil Drawings included as Attachment 1, Attachment 2, and Attachment 3, respectively.

3. Location of the development sufficient to define its location, boundaries, and a legal description of the site.

Response: The location and boundary for the new proposed parcel are shown on the Preliminary Partition Plan included as Attachment 1. The legal description is provided on the Substation Survey included as Attachment 2.

4. Zoning of parcel to be divided, including any overlay zones.

Response: Zoning of the proposed parcel is shown on the Land Use Approval Exhibits, specifically Figure 2 Map 8 of 8, which was included in the land use application previously approved by the County [administrative review approval (851-17-000448-PLNG-02); CUA (851-17-000448-PLNG-01); and development permit (851-17-000448-PLNG), and included as Attachment 4 to this application.

5. A title block including the names, addresses, and telephone numbers of the owners of the subject property and, as applicable, the name of the engineer and surveyor, and the date of the survey.

Response: Date of survey and a title block with names, addresses, and phone numbers of the landowner and surveyor are shown on the Preliminary Partition Plat included as Attachment 1.

6. *Clear identification of the drawing as a "Preliminary Plat" and date of preparation.*

Response: The Preliminary Partition Plat is clearly labeled and lists the date of preparation (Attachment 1).

7. *Name and addresses of the owner(s), developer, and the engineer or surveyor.*

Response: The Preliminary Partition Plat lists the owner, Applicant (developer), and surveyor in the title block (Attachment 1).

- ii. *Existing Conditions. Except where the Director deems certain information is not relevant, applications for Preliminary Plat approval shall contain all of the following information on existing conditions:*

1. *Existing streets or roads (public or private), including location, names, right-of-way and pavement widths on and abutting the site; and location of existing access point.*

Response: The Preliminary Partition Plat (Attachment 1) shows existing roads and widths, and the Civil Drawings (Attachment 3) include a sheet (TOTL-C-640-1) depicting the access road plan, which shows location and width of the proposed access road.

2. *Width, location and purpose of all existing easements of record on and abutting the site;*

Response: The Preliminary Partition Plat (Attachment 1) shows width, location and purpose of existing easements on and abutting the proposed parcel.

3. *The location and present use of all structures on the site and indication of which, if any structures are to remain after platting;*

Response: No existing structures are located within the bounds of the proposed parcel. The new parcel is proposed to be partitioned from existing tax lot 1S10300000500 (tax lot 500) (see Attachment 1). Tax lot 500 is currently used for forestry and is void of existing development. Attachment 4 includes an aerial map (Figure 5H) depicting the proposed parcel.

4. *Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest one and show how utilities will be brought to standards;*

Response: The Preliminary Partition Plat (Attachment 1) shows utilities abutting the site. No new utilities are needed for future development within the proposed parcel. The PUD plans to construct a new substation within the proposed parcel, which will provide enhanced electrical service to the area when in operation.

5. *Location of all existing subsurface sewerage systems, including drain fields and associated easements on the site.*

Response: The Preliminary Partition Plat (Attachment 1) shows utilities abutting the proposed parcel. No new utilities, including sewage services, are needed for the Oceanside Substation within the proposed parcel. As previously stated, an existing sewage treatment plant is located directly north of the proposed parcel, as shown on Figure 5H in Attachment 4.

6. *Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor; the Director may waive this standard for partitions when grades, on average, are less than 10 percent;*

Response: The Civil Drawings (Attachment 3) contain sheet TOTL-C-800-01 (Site Grading Plan), which depicts contour lines at 1-foot vertical intervals. The Preliminary Partition Plat (Attachment 1) also depicts topography and an established benchmark.

7. *The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);*

Response: The Preliminary Partition Plat (Attachment 1) depicts location and elevation of the closest benchmark, just north of the proposed parcel, within the larger tax lot from which the new parcel will be created.

8. *Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats;*

Response: The wetlands and waters map, Figure 6 Map 38 of 38 in Attachment 4, demonstrates no wetlands or waters were delineated within the proposed parcel during the field survey completed as part of the previously approved land use application [administrative review approval (851-17-000448-PLNG-02); CUA (851-17-000448-PLNG-01); and development permit (851-17-000448-PLNG)]. The PUD is not aware of rock outcroppings, aquifer recharge areas, marshes, beaches, dunes, or tide flats within the proposed parcel.

9. *Any plat that is five (5) acres or larger, or proposes 50 lots or greater. Shall include the Base Flood Elevation, per FEMA Flood Insurance Rate Maps,*

Response: The Oceanside Substation is the western terminus of the PUD's Tillamook-Oceanside 115- kV Transmission Line. The PUD previously obtained a Floodplain Development Permit (851-17-000448-PLNG) for the Tillamook-Oceanside 115- kV Transmission Line; however, no FEMA-designated floodplains are located within or adjacent to the parcel to be created through this partition. See the FEMA FIRMette for the area included as Attachment 5.

- iii. *Proposed Development. Except where the Director deems certain information*

is not relevant, applications for Preliminary Plat approval shall contain all of the following information on the proposed development:

1. *Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;*

Response: The Preliminary Partition Plat (Attachment 1) depicts the proposed parcel. No public streets, tracts, open space, or park land are proposed.

2. *City boundary lines when crossing or adjoining the subdivision;*

Response: The PUD is not proposing a subdivision and the proposed parcel is not crossed or adjoining a City boundary.

3. *Easements: location, width and purpose of all proposed easements;*

Response: Existing and proposed easements are depicted on the Preliminary Partition Plat (Attachment 1).

4. *Proposed deed restrictions, if any, in outline form.*

Response: No deed restrictions are proposed. See Title Report, included as Attachment 6.

5. *Lots and private tracts (e.g., private open space, common area, or street): approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all proposed lots and tracts;*

Response: The Preliminary Partition Plat (Attachment 1) and Substation Survey (Attachment 2) depict the dimension, area, and identification number for the proposed parcel.

6. *Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space for the purpose of surface water management, recreation, or other use;*

Response: The proposed parcel will be developed with an electrical substation, as part of the Tillamook-Oceanside 115- kV Transmission Line. Proposed conditions are detailed in the Civil Drawings (Attachment 3). No public right-of-way or open space are proposed to be dedicated.

7. *On slopes exceeding an average grade of 10%, as shown on a submitted topographic survey, the preliminary location of development on lots (e.g., building envelopes), demonstrating that future development can meet minimum required setbacks and applicable engineering design standards;*

Response: As stated above, the proposed parcel will be developed with an electrical substation, which will be set back more than 30 feet from the new property line, as demonstrated in the Civil

Drawings (Attachment 3).

8. *Preliminary utility plans for sewer, water and storm drainage when these utilities are to be provided. This information may be included on the preliminary plat map provided all information is legible.*

Response: Sewer and water services will not be required for the electrical substation. The PUD has obtained an NPDES 1200-C permit (Permit/PLC No.: NGEN12C-ORR10H967) and will manage construction stormwater in accordance with the requirements of this permit. The methods for managing stormwater during operation of the substation are detailed on the Civil Drawings (starting on sheet TOTL-C-810-01), included as Attachment 3.

9. *The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable;*

Response: No other utilities or streetlights are needed or proposed.

10. *Evidence of compliance with applicable overlay zones, including but not limited to the Flood Hazard Overlay (FH) zone;*

Response: The Oceanside Substation is the western terminus of the PUD's Tillamook-Oceanside 115- kV Transmission Line. The PUD previously obtained a Floodplain Development Permit (851-17-000448-PLNG) for the portion of the Tillamook-Oceanside 115- kV Transmission Line located within the Flood Hazard Overlay; however, no FEMA-designated floodplains are located within or adjacent to the parcel to be created through this partition. See the FEMA FIRMette for the area (Attachment 5). The administrative review approval (851-17-000448-PLNG-02) and CUA (851-17-000448-PLNG-01) for the Tillamook-Oceanside 115- kV Transmission Line address the Shoreland Overlay and Freshwater Wetlands Overlay. However, the proposed parcel for the Oceanside Substation is outside these overlays.

11. *Evidence of contact with the applicable road authority for proposed new street connections; and*

Response: This criterion is not applicable as no new street connections or access points to public roads are proposed. The proposed parcel will be accessed via a short new private access road, which connects to an existing private road for the Netarts-Oceanside Sanitary District wastewater treatment plant, and for which the PUD has existing easements, and ultimately to State Highway 131 (Cape Meares Loop Road) via an existing access point.

12. *Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development.*

Response: No public utilities (e.g., water, sanitary sewer) are needed. Once the electrical substation is in operation on the new parcel, it will provide enhanced electrical service to the area.

Section 070: Preliminary Plat Approval Criteria

(1) Approval Criteria. The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:

(a) The land division application shall conform to the requirements of this ordinance;

Response: This application demonstrates compliance with the applicable requirements from the TCLDO.

(b) All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance – Article 3 Zone Regulations and the standards in Section 150 of this ordinance;

Response: The Oceanside Substation is the western terminus of the PUD's Tillamook-Oceanside 115- kV Transmission Line. The PUD previously received Tillamook County land use approval for construction and operation of the Oceanside Substation as part of the overall County approval for the Tillamook-Oceanside 115-kV Transmission Line. The land use approvals for the overall transmission line included administrative review approval (851-17-000448-PLNG-02), CUA (851-17-000448-PLNG-01), and development permit (851-17-000448-PLNG). The construction and operation of the portion of the transmission line and the Oceanside Substation within the F zone were approved through receipt of the CUA. The CUA was extended by Tillamook County on September 18, 2023, and the current expiration is September 18, 2025.

(c) Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;

Response: The proposed parcel will be accessed via a short new private access road, which connects to an existing private road, and ultimately to State Highway 131 (Cape Meares Loop Road) via an existing access point. No new access points to public roads are proposed. No public utilities (e.g., water, sanitary sewer) are needed. Once the electrical substation is in operation on the new parcel, it will provide enhanced electrical service to the area.

(d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;

Response: The PUD is not proposing a subdivision.

(e) The proposed streets, utilities, and surface water drainage facilities conform to

Tillamook County's adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;

Response: The proposed parcel lot will be accessed via a short new private access road, which connects to an existing private road for the Netarts-Oceanside Sanitary District wastewater treatment plant, and ultimately to State Highway 131 (Cape Meares Loop Road) via an existing access point. No new access points to public roads are proposed. No public utilities (e.g., water, sanitary sewer) are needed. Once the electrical substation is in operation on the new parcel, it will provide enhanced electrical service to the area.

(f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;

Response: No private common areas or improvements are proposed.

(g) Provisions for access to and maintenance of off-right-of-way drainage, if any;

Response: During operations, stormwater at the substation will generally be managed by water quality swales, planted vegetation cover, and compost blanket with shallow ditches and bioswales. These stormwater management features are designed in compliance with the DEQ permit requirements and the Oregon Department of Forestry standards, as shown on the Civil Drawings in Attachment 3. These stormwater management features will be on private property.

(h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and

Response: The PUD has obtained all applicable State and Federal permits and approvals for the Oceanside Substation as part of the Tillamook-Oceanside 115- kV Transmission Line (see Table 1).

(i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:

(i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.

Response: Water is not needed for the Oceanside Substation.

(ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.

Response: Sanitary sewer is not needed for the Oceanside Substation.

Section 150: Development Standards for Land Divisions

(1) *WATER SUPPLY: All lots or parcels shall either be served by a public domestic water supply system conforming to State of Oregon specifications, or the lot size shall be increased to provide such separation of water sources and sewage disposal facilities as the Sanitarian considers adequate for soil and water conditions. Lot sizes in areas without public water supplies shall be adequate to maintain a separation of at least 100 feet between each well and sewage disposal facility, and shall be at least 100 feet wide and 20,000 square feet in area.*

Response: Water is not needed for the Oceanside Substation.

(2) *SEWAGE: All lots or parcels shall either be served by a public or community sewage disposal system conforming to state specifications and the policies and intent of the Comprehensive Plan, or the lot size shall be increased to provide sufficient area for an individual subsurface sewage disposal system. Such systems shall be approved by the County Sanitarian, considering soil and water conditions and the nature of the water supply.*

Response: Sanitary sewer is not needed for the Oceanside Substation.

(3) *STREETS, GENERAL: The developer shall grade and improve all streets in the subdivision or partition, and shall extend such streets to the paving line of existing streets, in conformance with standards contained in this Ordinance. Street improvements shall be provided consistent with the standards in Sections 150 and 160, and shall include curbs and shoulders to the extent that they are required by the density or character of development. Improvements may be required by the Public Works Department on streets serving, but not within the boundaries of, the Subdivision or through the Partition of a parcel with a buildout potential of 5 or more parcels. Such improvements which are required in areas not within the plat perimeter shall be limited to the extent required to serve the proposed Subdivision or Partition.*

Response: The proposed parcel will be accessed via a short new private access road, which connects to an existing private road for the Netarts-Oceanside Sanitary District wastewater treatment plant, and ultimately to State Highway 131 (Cape Meares Loop Road) via an existing access point. No new access points to public roads are proposed.

(4) *ACCESS:*

(a) *All parcels created by a partition shall abut a public road or a private easement for at least 25 feet for access. All private easements serving four or fewer lots shall be at least 25 feet wide, unless a lesser width is approved by the Public Works Department.*

Response: The Civil Drawings (starting on sheet TOTL-C-640-01) in Attachment 3 show that the proposed private access road for the Oceanside Substation enters the eastern end of the proposed parcel. The private access will connect to the proposed parcel within the transmission line

easement area, which is 100 feet in width at that point. The access road itself will be 20 feet wide. Additional width is not necessary for multiple reasons. First, the PUD is largely relying on existing access roads to access the proposed parcel. These roads are not open to the public and serve only the forest uses of the underlying property owner. Second, the PUD's use of the access roads will be very minimal and will not require daily use or otherwise generate meaningful numbers of trips. The existing roads are therefore sufficient to serve the new parcel.

The Preliminary Partition Plat (Attachment 1) and Substation Survey (Attachment 2) show that the length of the eastern property line is approximately 199 feet where the access road enters the proposed parcel.

(5) STORM DRAINAGE SYSTEMS: Such grading shall be performed and drainage facilities installed conforming to Tillamook County Public Works Department specifications as are necessary to provide proper drainage within the development and other affected areas in order to secure safe, healthful and convenient conditions for the residents of the Subdivision and the general public. When feasible, and when such off-site drainage facilities have the capacity to carry the increased drainage flow, drainage facilities in the development shall be connected to drainage facilities outside the development. Areas subject to inundation shall comply with the applicable provisions of the Tillamook County Land Use Ordinance. Provisions for the access and maintenance of storm drainage facilities that are not located in a public right of way shall be provided as required in accordance with adopted County standards. An easement or tract with adequate width for access and maintenance of drainage facilities shall be provided.

Response: As shown in Table 1, the PUD has received a NPDES 1200-C permit from the ODEQ for erosion and sediment control during construction. During operations, stormwater at the substation will generally be managed by water quality swales, planted vegetation cover, and compost blanket with shallow ditches and bioswales. These stormwater management features are designed in compliance with the DEQ permit requirements and the Oregon Department of Forestry standards, as shown on the Civil Drawings (Attachment 3).

(10) EASEMENTS

a. UTILITY LINES: Easements for utilities shall be dedicated whenever necessary.

Response: The Oceanside Substation within the proposed parcel will not require water or sanitary sewer and no easements are proposed for these utilities. The Preliminary Partition Plat (Attachment 1) shows the proposed easements for transmission line and access, but it is not necessary to dedicate that easement to the County, as it is granted to the PUD, which is also the utility provider.

3.2 Land Use Ordinance

Section 3.004 Forest Zone (F)

(9) Siting Standards for Dwellings and Structures in Forest Zones

The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest zones. These criteria are designed to make such uses compatible with forest operations, to minimize wildfire hazards and risks and to conserve values found on forest lands. The County shall consider the criteria in this section together with the requirements of Section (10) to identify the building site:

(a) The minimum lot width and minimum lot depth shall be 100 feet.

Response: The Preliminary Partition Plat (Attachment 1) shows that the minimum lot width is approximately 199 feet and minimum lot depth is 842 feet.

(b) The minimum front, rear, and side yards shall all be 30 feet.

Response: All structures will be located outside of the 30-foot setbacks, as demonstrated on sheet TOTL-C-410-01 in Attachment 3.

(c) The height of residential structures shall not exceed 35 feet.

Response: The proposed parcel will be used for the Oceanside Substation and no residential structures will be constructed.

(d) Dwellings and structures shall be sited on the parcel so that:

- 1. They have the least impact on nearby or adjoining forest or agricultural lands;*
- 2. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;*
- 3. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and*
- 4. The risks associated with wildfire are minimized.*

Response: The Oceanside Substation is the western terminus of the PUD's proposed Tillamook-Oceanside 115-kV Transmission Line. The PUD previously received Tillamook County land use approval for construction and operation of the Oceanside Substation as part of the overall County approval for the Tillamook-Oceanside 115-kV Transmission Line. The land use approvals for the overall transmission line included administrative review approval (851-17-000448-PLNG-02), CUA (851-17-000448-PLNG-01), and development permit (851-17-000448-PLNG). The construction and operation of the portion of the transmission line and the Oceanside Substation within the F zone were approved through receipt of the CUA. The CUA was extended by Tillamook County on

September 18, 2023, and the current expiration is September 18, 2025.

(12) *Land Divisions*

(a) *The minimum parcel size for new forest parcels is 80 (eighty) acres.*

Response: The minimum parcel size for the F Zone is not applicable in this circumstance. As noted above, the PUD initiated the acquisition of the Substation Parcel by exercising its power of eminent domain. The PUD has such power by virtue of Article XI, Section 12 of the Oregon Constitution. Pursuant to that constitutional provision and ORS Chapter 35, which implements that provision, the PUD can condemn only the amount of property that is necessary for the proposed use. The PUD's Resolution of Need, as confirmed by the Oregon PUC's issuance of a Certificate of Public Convenience and Necessity, established the need for a parcel the size of the Substation Parcel. The PUD was therefore precluded by law from condemning an 80-acre parcel.

Oregon's Attorney General has confirmed that, in cases like this, a county can still require the public entity to comply with applicable land division requirements, but only to the extent that compliance would not require the public entity to violate constitutional limits on its condemnation power.¹ More specifically, the Attorney General acknowledged that the public use of private property may require only part of a parcel, in which case the minimum parcel size for a partition cannot apply and the local land use ordinances may not require an agency to act beyond its powers. Based on the foregoing, application of the minimum parcel size in this context would require the PUD to act beyond its powers (by forcing the PUD to condemn more property than is needed) and, therefore, cannot be applied to this specific partition.

¹ See *The Honorable Larry Campbell*, Or Op Atty Gen OP-6386 (1991).

4.0 References

Tillamook County. 2015a. Tillamook County Land Use Ordinance.

<http://www.tillamookcounty.gov/commdev/page/land-use-ordinance-luo-zoning-ordinance>. Adopted May 27, 2015.

Tillamook County. 2015b. Tillamook County Land Division Ordinance.

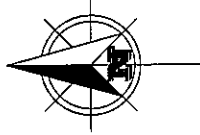
http://www.tillamookcounty.gov/sites/default/files/fileattachments/community_development/page/27173/final_land_division_ordinance.pdf. Adopted May 27, 2015.

**Attachment 1.
Preliminary Partition Plat**

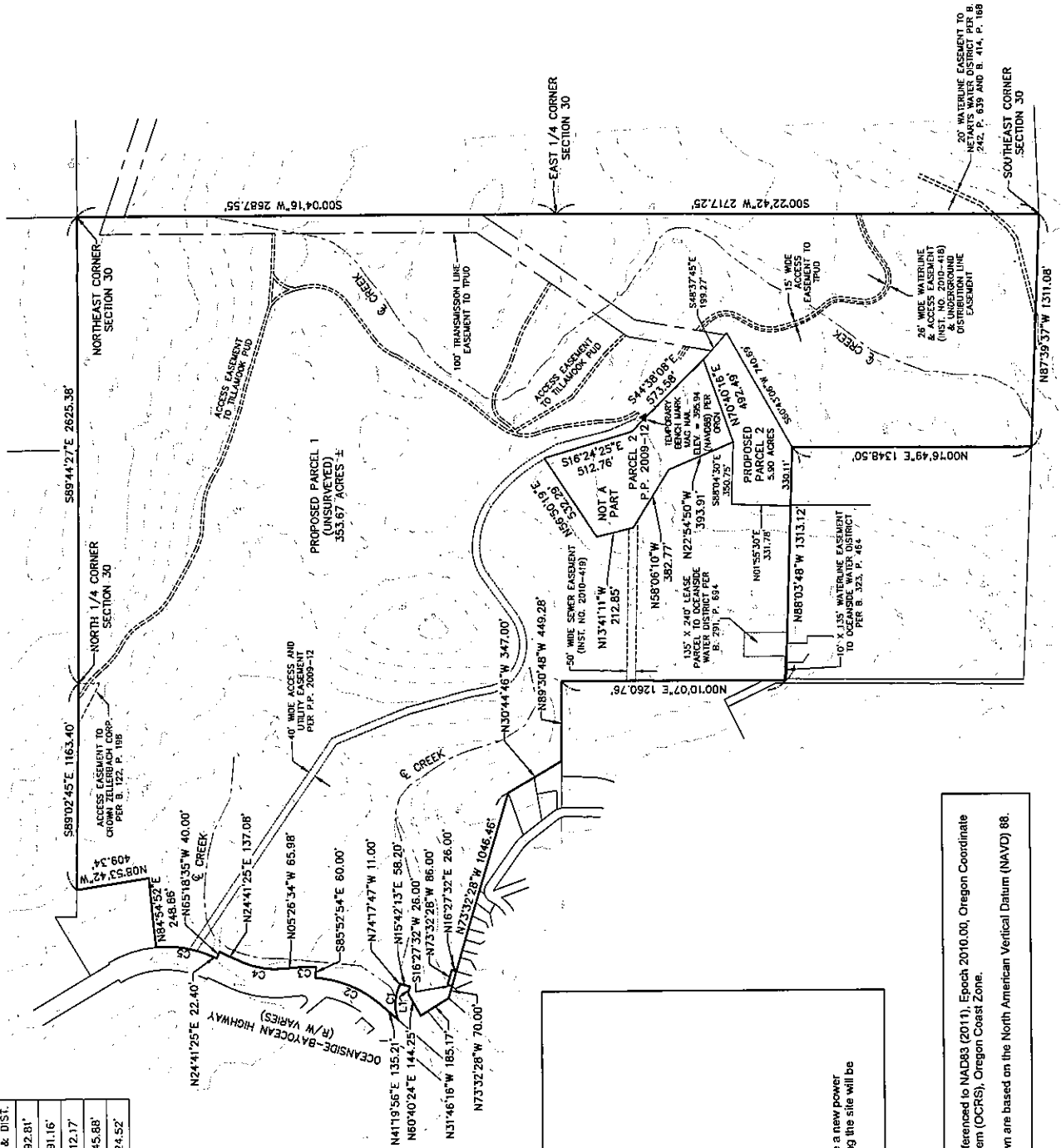
PRELIMINARY PARTITION PLAT

CURVE TABLE			
CURVE #	RADIUS	DELTA	CHORD BEARING & DIST.
C1	245.40'	46°15'53"	N87°28'39"W 192.81'
C2	612.96'	37°12'50"	N22°43'31"E 391.16'
C3	672.96'	09°33'39"	N00°39'44"W 112.17'
C4	472.96'	30°07'58"	N09°37'25"E 245.88'
C5	632.96'	29°42'27"	N09°50'11"E 324.52'

LINE TABLE		
LINE #	LENGTH	BEARING
L1	40.00'	S74°17'47"E



SCALE: 1" = 400'
05/14/2024



Owner: SDG TILLAMOOK, LLC
 P.O. BOX 3349
 ALBANY, GA 31706-3349

Applicant: Tillamook People's Utility District
 P.O. Box 433
 1115 Pacific Avenue
 Tillamook, OR 97141

Location: Tax Lot: 500
 Tillamook County Assessor's
 Map No.: 1S 10 30

Surveyor: Gregory L. Wilson
 Barker Surveying
 3657 Kashmit Way S.E
 503-588-8800

Sewage Disposal and Water Supply Note:
 Proposed Parcel 2 is intended to accommodate a new power substation and transmission line. Utilities serving the site will be located in the access and utility easement.

BARKER SURVEYING
 3657 KASHMIT WAY, SE
 SALEM, OREGON 97317
 PHONE (503) 588-8800
 FAX (503) 363-2469
 EMAIL: GREG@BARKERWILSON.COM

Bearings are referenced to NAD83 (2011), Epoch 2010.00, Oregon Coordinate Reference System (OCRS), Oregon Coast Zone.
 Elevations shown are based on the North American Vertical Datum (NAVD) 88.

**Attachment 2.
Substation Survey**

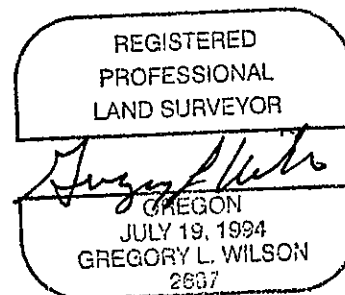
EXHIBIT A

Legal Description For:
Tillamook People's Utility District Substation Site
Property vested in: Green Crow Corporation
Tax Lot 500, 1S 10W 30

A tract of land situated in the southeast one-quarter of Section 30, Township 1 South, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon, more particularly described as follows:

Beginning at the southeast corner of Parcel 2, Partition Plat 2009-12, as platted and recorded in the Tillamook County Book of Partition Plats; and running thence:
South 46°06'29" East 199.26 feet;
thence South 63°15'12" West 740.70 feet to the northeast corner of Parcel 2, Partition Plat 2007-34, as platted and recorded in the Tillamook County Book of Partition Plats;
thence North 85°33'13" West 330.00 feet along the north line of said Parcel 2;
thence leaving said north line, North 04°26'47" East 331.74 feet;
thence South 85°33'13" East 350.68 feet to the southwest corner of the aforementioned Parcel 2, Partition Plat 2009-12;
thence North 73°12'01" East 492.54 feet along the south line of said Parcel 2 to the Point of Beginning, containing 5.90 acres of land, more or less.

Bearings are based on Oregon State Plane Coordinate System, North Zone 3601, NAD 83 (2011) EPOCH 2010.00



EXPIRES: 6-30-22

EXHIBIT MAP

TILLAMOOK PEOPLE'S UTILITY DISTRICT SUBSTATION SITE
PROPERTY VESTED IN: GREEN CROW CORPORATION - TAX LOT 500
SITUATED IN THE SE 1/4 OF SECTION 30, T. 1 S., R. 10 W., W.M.,
TILLAMOOK COUNTY, OREGON



SUBSTATION SITE
5.90 ACRES

ACCESS &
UTILITY EASEMENT
PER PARTITION PLAT
2009-12

100' WIDE
TRANSMISSION LINE
EASEMENT TO
TILLAMOOK P.U.D.

POWER POLE #86

PARCEL 2,
PARTITION PLAT
2009-12
T.L. 1S10300000501

T.L. 1S10300000500
GREEN CROW CORPORATION
(PARCEL 1, PARTITION PLAT
2009-12)

P.O.B.
SE COR
PARCEL 2

N73°12'01"E 492.54'

S46°06'29"E
199.26'

66.28'

117.22'

15.76'

POWER POLE #87

26' WIDE WATERLINE
& ACCESS EASEMENT
(INST. NO. 2010-418)

S85°33'13"E 350.68'

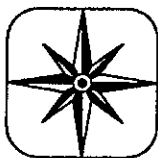
N04°26'47"E 331.74'

N85°33'13"W 330.00'

S65°15'12"W 740.70'

T.L. 1S10300000500
GREEN CROW CORPORATION
(PARCEL 1, PARTITION PLAT 2009-12)

PARCEL 2,
PARTITION PLAT 2007-34
T.L. 1S1030DC00100



**BARKER
SURVEYING**

3657 KASHMIR WAY SE
SALEM, OREGON 97317
PHONE (503) 588-8800
FAX (503) 363-2469
EMAIL: INFO@BARKERWILSON.COM

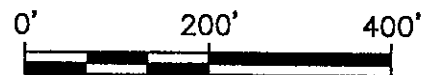
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 19, 1994
GREGORY L. WILSON
2687

EXPIRES: 6/30/2022

P.O.B. = POINT OF BEGINNING

DATE: MARCH 2, 2022
SCALE: 1" = 200'



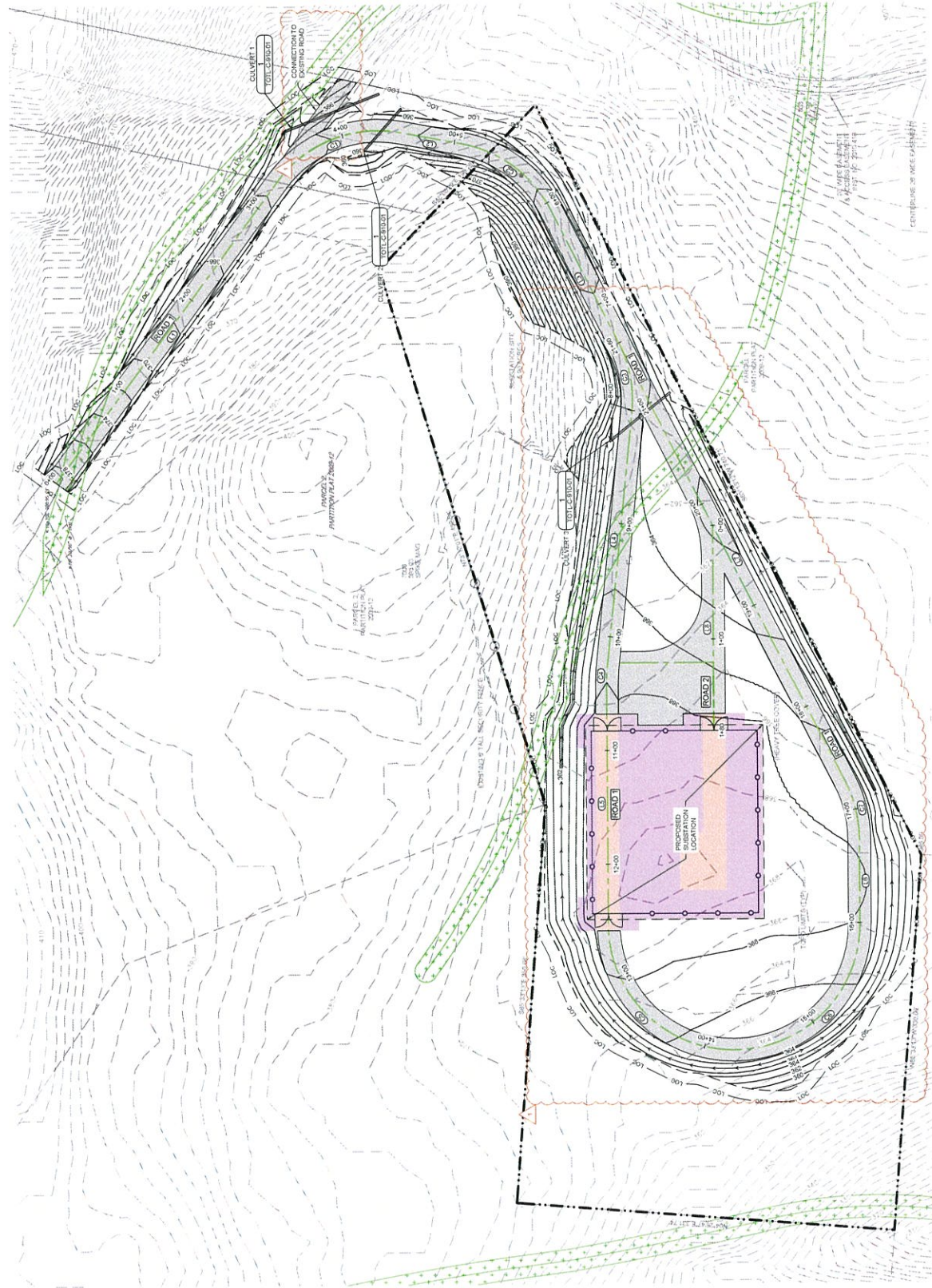
**Attachment 3.
Civil Drawings**

LINES

- PROJECT BOUNDARY
- PROPOSED ACCESS ROAD CENTERLINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPOSED EDGE OF SUBSTATION PAD
- PROPOSED FENCE
- PROPOSED BENCHMARK FENCE
- PROPOSED LIMITS OF DISTURBANCE
- PROPOSED DRAINAGE CHANNEL
- PROPOSED CULVERT

HATCHES

- APPROXIMATE DAMAGE PER NATIONAL HYDROGRAPHY DATASET
- ACCESS ROAD
- SUBSTATION INTERNAL ACCESS ROAD
- SUBSTATION YARD ROOK
- PROPOSED 21' GATE



CONTINUATION OF WORK SUBMITTED



PRELIMINARY
NOT FOR CONSTRUCTION



ACCESS ROAD PLAN

TILLAMOOK PUD
TILLAMOOK, OREGON

ORIGINAL DRAWING DATE: TOTL_C-640-01
CONTRACTOR DRAWING NO: RRC MD2207027
PROJECT NO:
WORK ORDER NUMBER: 7103

NO.	DATE	REVISION DESCRIPTION	DES	CHK	APP'D	APPROVED BY:
1	04/26/2024	DRAFT ISSUED FOR CONSTRUCTION	JK	DT	FND	JK
0	06/05/2023	ISSUED FOR CONSTRUCTION	JK	DT	FND	JK

THIS PLAN SET SHOWS WORK PROPOSED ON LAND NOT OWNED BY TPLD. CONTRACTOR TO OBTAIN NECESSARY EASEMENTS AND APPROVALS FOR CONSTRUCTION.



LINES

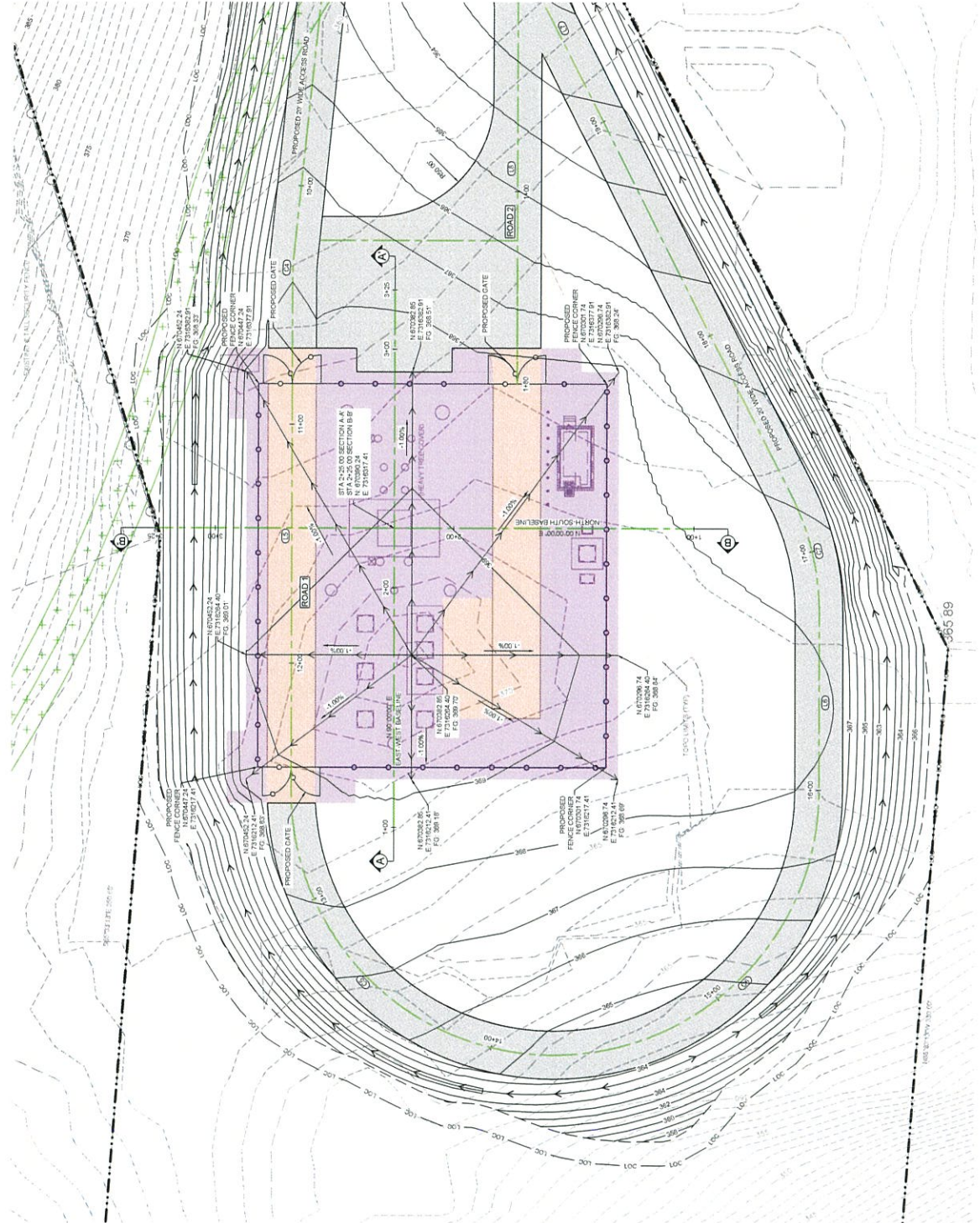
- PROJECT BOUNDARY
- PROPOSED ACCESS ROAD CENTERLINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- PROPOSED EDGE OF SUBSTATION PAD
- PROPOSED FENCE
- PROPOSED LIMITS OF DISTURBANCE
- PROPOSED DRAINAGE CHANNEL

HATCHES

- APPROXIMATE DRAINAGE PER DATASET - HYDROGRAPHY
- ACCESS ROAD
- SUBSTATION INTERNAL ACCESS ROAD
- SUBSTATION YARD ROCK
- SUBSTATION WARD ROCK
- PROPOSED 24 GATE

NOTES

- 1 CUT AND FILL SLOPES SHALL BE 2:1 HORIZONTAL TO 1:1 VERTICAL.
- 2 ALL EXISTING AND PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT AND THE PROJECT SPECIFICATIONS.
- 3 CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
- 4 NOTIFY THE PROJECT ENGINEER IF ANY EXISTING FACILITIES ARE IN CONFLICT WITH THE PROPOSED GRADING.
- 5 CONTRACTOR SHALL PROTECT AND/OR REESTABLISH RIGHT OF WAY MONUMENTS AND BASELINES THROUGHOUT THE PROJECT.
- 6 CONTRACTOR IS RESPONSIBLE FOR PROTECTING EXISTING SURVEY BENCHMARKS OR MARKERS DURING CONSTRUCTION.
- 7 ALL MATERIALS SHALL BE STORED IN THE SUBSTATION YARD AND ACCESS ROAD.
- 8 CUT MATERIAL ON OR NEAR THE EXTERIOR SURFACE SHALL BE USED FOR FILL. FILL MATERIAL SHALL BE FREE OF ORGANIC MATERIAL AND SHALL MEET THE REQUIREMENTS SET FORTH IN THE GEOTECHNICAL REPORT.
- 9 STOCKPILE EXCAVATED MATERIAL THAT IS SUITABLE FOR BACKFILL IN AREA DESIGNATED BY THE OWNER.
- 10 GRADING OPERATIONS SHALL BE PERFORMED DURING PERIODS OF LOW PRECIPITATION. IT MAY BE NECESSARY TO PROVIDE SUPPLEMENTAL SURFACE STABILIZATION ALONG CONSTRUCTION TRAFFIC ROUTES.
- 11 ONCE THE PROPOSED SUBGRADE HAS BEEN EXPOSED, AND PRIOR TO THE LAYING OF ANY SUBGRADE FILL AND/OR CONSTRUCTION OF PAVEMENT SECTIONS, THE EXPOSED COHESIVE SUBGRADE IN PROPOSED SUBGRADE AREAS SHALL BE VISUALLY EVALUATED FOR WEARABILITY AND/OR UNSUITABLE CONDITIONS. AREAS WHERE GRANULAR SUBGRADE IS VISUALLY EVALUATED AS WEARABLE SHALL BE TREATED WITH A HEAVY DUTY ROAD DRUM ROLLER. THE ROLLER SHOULD MAKE AT LEAST 10 PASSES IN BOTH DIRECTIONS. AREAS WHERE GRANULAR SUBGRADE IS VISUALLY EVALUATED AS WEARABLE SHALL BE TREATED WITH ADDITIONAL CONSTRUCTION TRAFFIC AND HEAVY DUTY ROAD DRUM ROLLER.
- 12 ANY REQUIRED SUBGRADE FILL SHALL BE COMPACTED TO THE MAXIMUM PERMISSIBLE DRY DENSITY AND SHALL BE FREE OF ORGANIC MATTER, FROZEN SOIL, CLods, OR OTHER HAZARDOUS MATERIALS. FILL SHOULD HAVE A LIQUID LIMIT LESS THAN 40 PERCENT AND A PLASTICITY INDEX OF LESS THAN 10 PERCENT.
- 13 MATIVE CLAY AND SILT SHALL BE PLACED IN MAXIMUM 150mm LAYERS AND COMPACTED TO MINIMUM 98% OF ASTM D998 AND WITHIN 1% OF OPTIMUM MOISTURE.
- 14 FRESHED YARD ROCK SHALL BE SELECTIVELY SCREENED TO PROVIDE A MINIMUM ELECTRICAL RESISTIVITY OF 3000 OHM METERS AS DEFINED AND SPECIFIED PER IEEE 68.
- 15 FRESHED YARD ROCK SHALL BE EVENLY SPREAD ON THE DESIGNATED AREAS WITH A MINIMUM DEPTH OF 150mm AND TO A DISTANCE OF AT LEAST 100 FEET BEYOND THE SUBSTATION SECURITY FENCE AND 100 FEET BEYOND ALL OTHER BOUNDARIES.

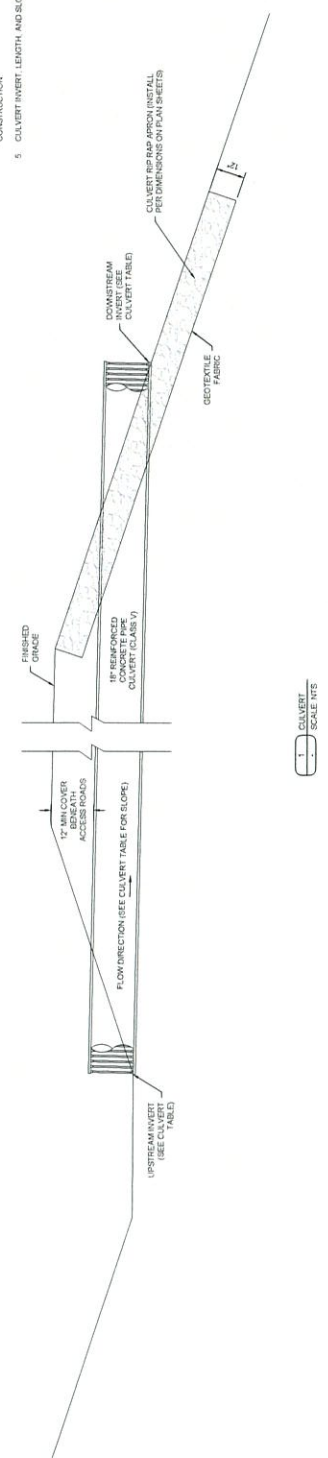


THIS PLAN SET SHOWS WORK PROPOSED ON LAND NOT OWNED BY TLD. CONTRACTOR TO VERIFY TLD HAS OBTAINED OWNER'S PERMISSION PRIOR TO CONSTRUCTION.

		TILLAMOOK PUD TILLAMOOK, OREGON		SITE GRADING PLAN			
ORIGINAL DRAWING DATE: CONTRACTOR DRAWING NO: PROJECT NO: WORK ORDER NUMBER:	TOTL-C-800-01 RRC MD220707 7103	DRAFT ISSUED FOR CONSTRUCTION ISSUED FOR CONSTRUCTION REVISION DESCRIPTION	JK DT JK DT DE5 DR	JK FND JK	JK FND JK	APVD APPROVED BY:	04/29/2024 05/02/2023
NO. DATE	1 04/29/2024 0 05/02/2023						

CULVERT	MATERIAL	DIAMETER (IN)	LENGTH (FT)	CULVERT TABLE								PIPE SLOPE
				UPSTREAM				DOWNSTREAM				
				INVERT NORTHING	INVERT EASTING	INVERT ELEVATION	INVERT NORTHING	INVERT EASTING	INVERT ELEVATION	INVERT NORTHING	INVERT EASTING	
1	RCP	18	90	6707.03.87	7316666.62	351.62	672629.43	7316926.86	300.22	1.0%		
1	RCP	18	97	670647.94	7316644.31	358.82	672610.17	7316926.58	308.20	1.0%		
1	RCP	18	69	670429.33	7316632.87	361.07	673275.73	7316912.55	300.96	1.0%		

- NOTE:**
- CULVERTS SHALL BE REINFORCED CONCRETE CLASS V PER AASHTO M107 / ASTM C192.
 - PIPE BEDDING PIPE ZONE MATERIAL AND TRENCH BACKFILL SHALL BE IN ACCORDANCE WITH SECTION 0205 OF THE OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 - CULVERT RIP RAP PROTECTION AND RIP RAP APRON SHALL BE CLASS 50 AND MEET THE REQUIREMENTS OF SECTION 02090 OF THE OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 - FLOW PROTECTION SHALL BE IN ACCORDANCE WITH RIP RAP AND MEET THE REQUIREMENTS OF SECTION 02020 OF THE OREGON STANDARD SPECIFICATIONS FOR CONSTRUCTION.
 - CULVERT INVERT LENGTH AND SLOPE SHALL BE INSTALLED PER THE CULVERT TABLE.



1 CULVERT
SCALE: 1/8" = 1'-0"



EROSION & SEDIMENT CONTROL DETAILS

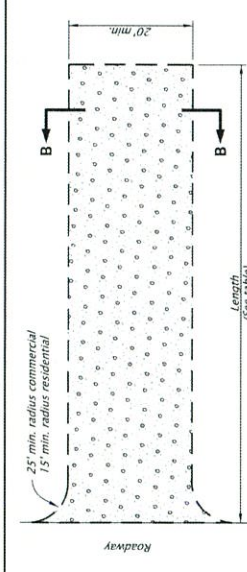
TILLAMOOK PUD
TILLAMOOK, OREGON

ORIGINAL DRAWING DATE:	TOTL-C-910-01
CONTRACTOR DRAWING NO:	RRC-MD2207027
PROJECT NO:	
WORK ORDER NUMBER:	7103

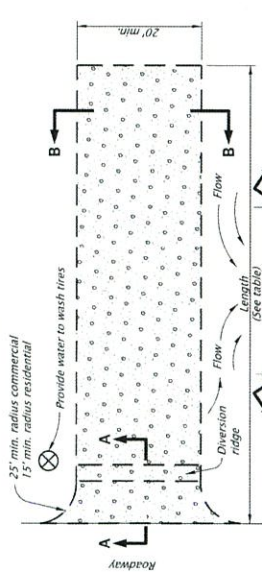
NO.	DATE	ISSUED FOR CONSTRUCTION	REVISION DESCRIPTION	DES	DR	APVD	APPROVED BY:
1	04/26/2024	DRAFT		JK	DT	FHD	JK
0	05/02/2023	ISSUED FOR CONSTRUCTION		JK	DT	FHD	JK

THIS PLAN SET SHOWS WORK PROPOSED ON LAND NOT OWNED BY TPO.
CONTRACTOR TO VERIFY TPO HAS OBTAINED OWNER'S PERMISSION PRIOR TO CONSTRUCTION.

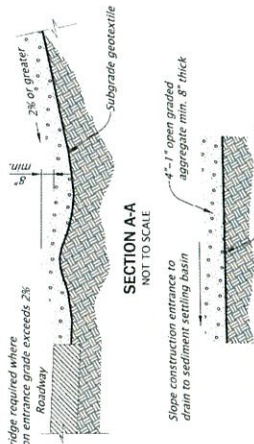




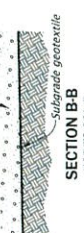
CONSTRUCTION ENTRANCE - TYPE 1
NOT TO SCALE



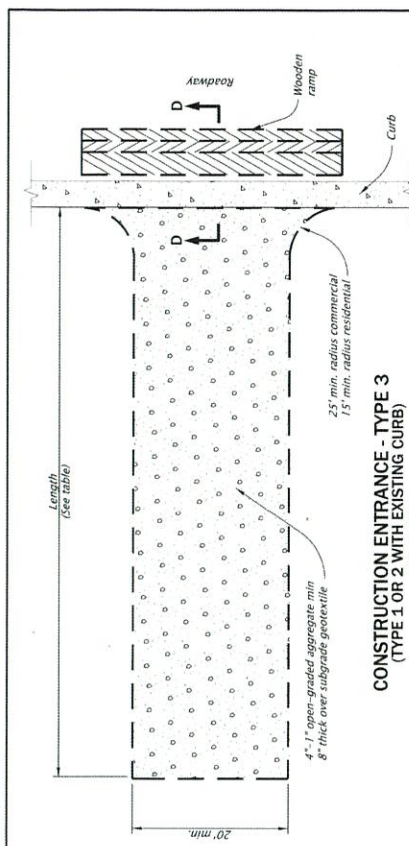
CONSTRUCTION ENTRANCE - TYPE 2
NOT TO SCALE



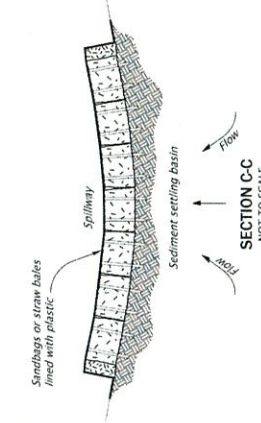
SECTION A-A
NOT TO SCALE



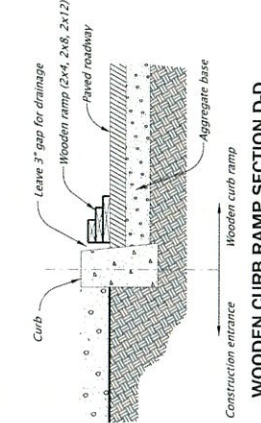
SECTION B-B
NOT TO SCALE



CONSTRUCTION ENTRANCE - TYPE 3
(TYPE 1 OR 2 WITH EXISTING CURB)
NOT TO SCALE



SECTION C-C
NOT TO SCALE



WOODEN CURB RAMP SECTION D-D
NOT TO SCALE

- NOTES:**
- The Type 1 entrance is a simple entrance without a diversion entrance in situations where there is curb and the curb is not removed for the construction entrance.
 - The wooden ramp may be used on either Type 1 or Type 2 entrances in situations where there is curb and the curb is not removed for the construction entrance.

CONSTRUCTION ENTRANCE TABLE	
MINIMUM LENGTH	Area Of Exposed Soil (Acres)
20	0.25
50	0.25 < A < 1.0
100	A > 1.0

CALC. BOOK NO. N/A

SIR DATE: January, 2021

NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications

OREGON STANDARD DRAWINGS

CONSTRUCTION ENTRANCES

DATE: 2021

REVISED CALC BOOK NUMBER: JAN 2021

DESIGNER: [Redacted]

CHECKER: [Redacted]

The selection and use of this Standard Drawing, while designed in accordance with generally accepted engineering principles and practices, is the sole responsibility of the user and should not be used without consulting a Registered Professional Engineer.

Effective Date: December 1, 2022 - May 31, 2023



1" = 3' CONSTRUCTION ENTRANCES
SCALE: N.T.S.

NO.	DATE	REVISION DESCRIPTION
1	04/25/2024	DRAFT ISSUED FOR CONSTRUCTION
0	05/09/2023	ISSUED FOR CONSTRUCTION

DES	DR	APVD	APPROVED BY:
JK	DT	FHD	JK
JK	DT	FHD	JK

ORIGINAL DRAWING DATE:	TOTL-C-910-03
CONTRACTOR DRAWING NO:	RRC MD220727
PROJECT NO:	7103
WORK ORDER NUMBER	

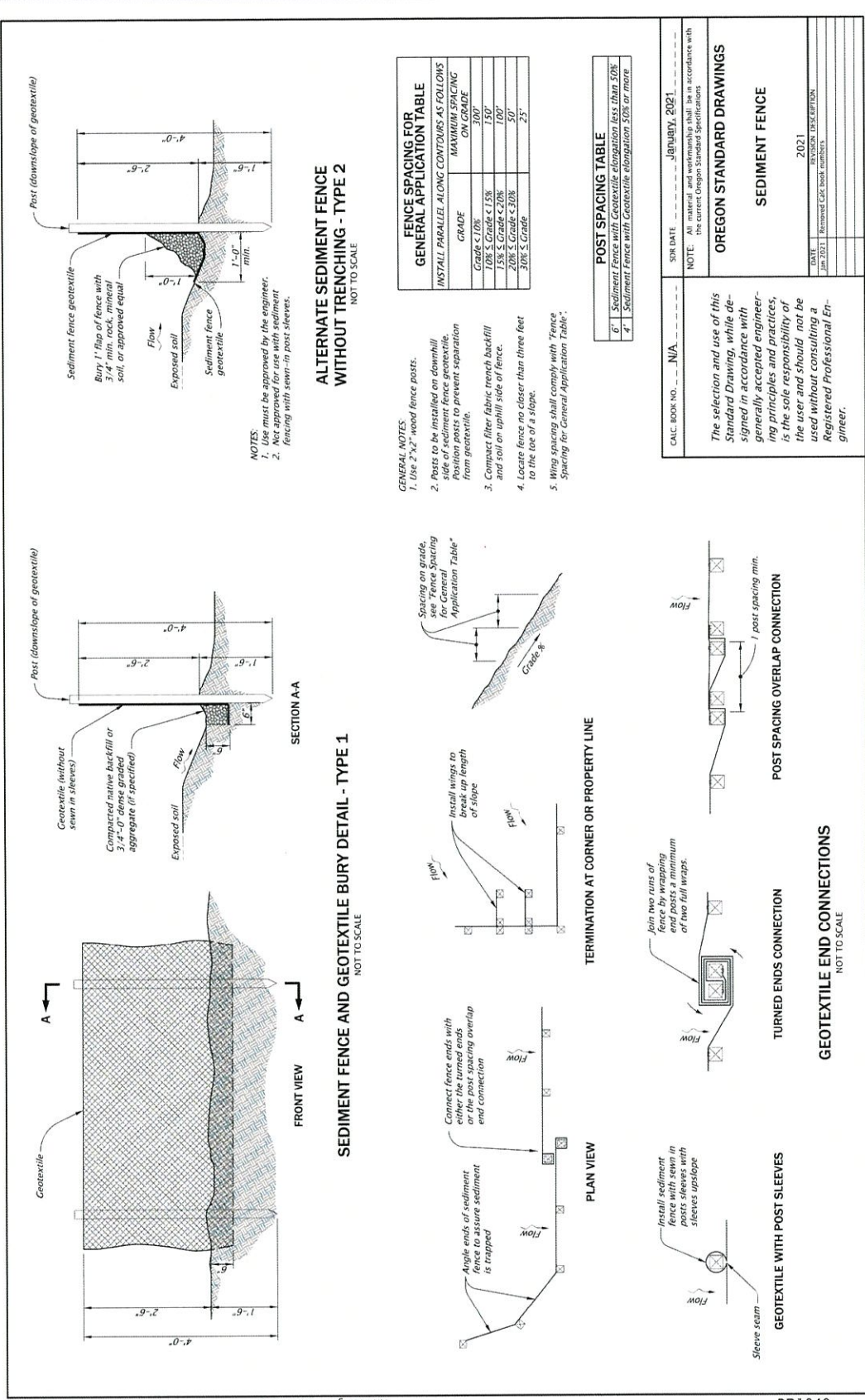
TILLAMOOK PUD
TILLAMOOK, OREGON

EROSION & SEDIMENT CONTROL DETAILS



THIS PLAN SET SHOWS WORK PROPOSED ON LAND NOT OWNED BY TPO.
CONTRACTOR TO VERIFY TPO HAS OBTAINED OWNERSHIP PRIOR TO CONSTRUCTION.





rd1040.dgn 01-20-2021

SEDIMENT FENCE AND GEOTEXTILE BURY DETAIL - TYPE 1
NOT TO SCALE

ALTERNATE SEDIMENT FENCE WITHOUT TRENCHING - TYPE 2
NOT TO SCALE

GENERAL NOTES

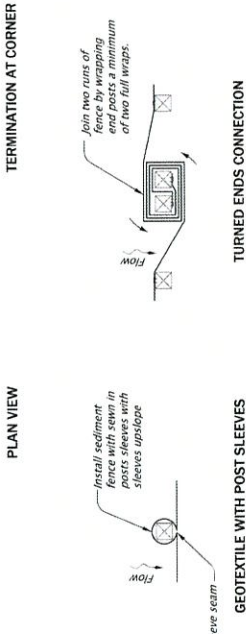
1. Use 2"x2" wood fence posts.
2. Posts to be installed on downhill side of sediment fence proximal from geotextile.
3. Compact filter fabric, trench backfill and soil on uphill side of fence.
4. Locate fence no closer than three feet to the toe of a slope.
5. Wing spacing shall comply with "Fence Spacing for Gravel Application Table".

FENCE SPACING FOR GENERAL APPLICATION TABLE

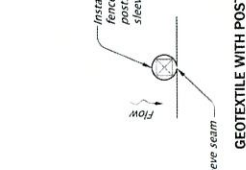
INSTALL PARALLEL ALONG CONTOURS AS FOLLOWS

GRADE	MAXIMUM SPACING ON GRADE
Grade < 10%	300'
10% ≤ Grade < 15%	150'
15% ≤ Grade < 20%	100'
20% ≤ Grade < 240%	50'
30% ≤ Grade	25'

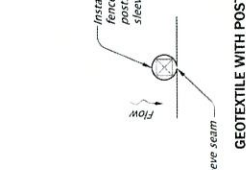
TERMINATION AT CORNER OR PROPERTY LINE



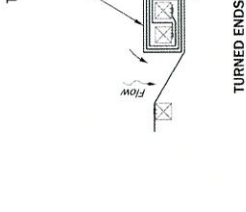
TURNED ENDS CONNECTION



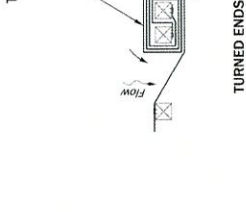
GEOTEXTILE END CONNECTIONS



POST SPACING OVERLAP CONNECTION



GEOTEXTILE WITH POST SLEEVES



POST SPACING TABLE

6"	Sediment Fence with Geotextile elongation less than 50%
4"	Sediment Fence with Geotextile elongation 50% or more

DATE BOOK NO. --- N/A --- SIN DATE --- JANUARY, 2021

NOTE: All material and workmanship shall be in accordance with the current Oregon Standard Specifications

OREGON STANDARD DRAWINGS

SEDIMENT FENCE

DATE: 2021
REVISION: REVISION 01/2021
REMOVED CAC BOOK NUMBERS

Effective Date: December 1, 2022 - May 31, 2023

RD1040



THIS PLAN SET IS UNLESS OTHERWISE SPECIFIED OR NOTED INDICES BY THE CONTRACTOR TO CORRECT THE UNLATERATED CONSTRUCTION APPROVED FOR CONSTRUCTION.



NO.	DATE	REVISION DESCRIPTION
1	04/26/2024	DRAFT ISSUED FOR CONSTRUCTION
0	05/05/2023	ISSUED FOR CONSTRUCTION

ORIGINAL DRAWING DATE:	TOTL-C-910-04
CONTRACTOR DRAWING NO:	RRC MD20077
PROJECT NO:	7103
WORK ORDER NUMBER:	

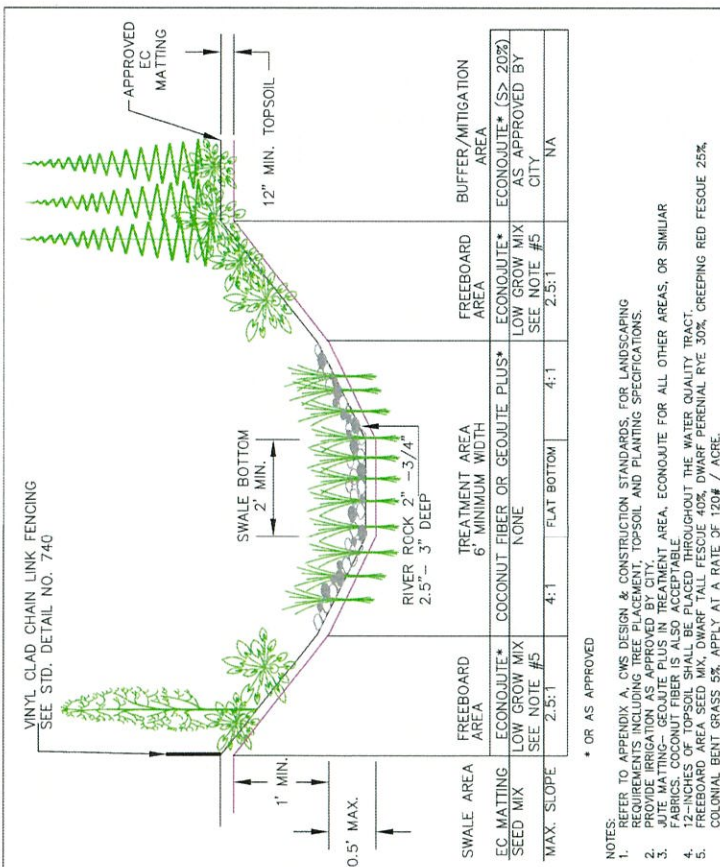
TILLAMOOK PUD
TILLAMOOK, OREGON

EROSION & SEDIMENT CONTROL DETAILS



PRELIMINARY
NOT FOR CONSTRUCTION

RRC
REGIONAL RESOURCE COUNCIL
1000 NE 10TH AVE, SUITE 200
TILLAMOOK, OR 97141
(503) 835-1100



- NOTES:
- REFER TO APPENDIX A, CWS DESIGN & CONSTRUCTION STANDARDS FOR LANDSCAPING REQUIREMENTS INCLUDING TREE PLACEMENT, TOPSOIL AND PLANTING SPECIFICATIONS.
 - PROVIDE IRRIGATION AS APPROVED BY CITY.
 - JUTE MATTING - GEOJUTE PLUS IN TREATMENT AREA, ECONOJUTE FOR ALL OTHER AREAS, OR SIMILAR FABRICS. COCONUT FIBER IS ALSO ACCEPTABLE.
 - FREEBOARD AREA SHALL BE PLACED THROUGHOUT THE WATER QUALITY TRACT.
 - FREEBOARD ARE SEED MIX: 50% CREeping RED FESCUE, 50% DWARF PERENNIAL RYE 50% CREeping RED FESCUE 25% COLONIAL BENT GRASS 5%. APPLY AT A RATE OF 120#/ACRE.

CONSTRUCTION

- Water Quality Swale shall be over-excavated and filled to final grade with 12-inch amended topsoil. Topsoil amendments shall be garden compost, not conventional fertilizer amendments.
- A biodegradable Erosion Control Matting shall be placed over the topsoil throughout the swale cross section, fabric shall be held in place in accordance with the manufacturer's installation requirements. Anchor spacing shall be based on 3 fps flow over the fabric.
 - Treatment area - high-density jute matting (Geojute Plus or other approved equal)
 - All other areas - low-density jute matting (EconoJute or other approved equal)
- 2.5-3 inches of 2" - 3" river run rock shall be placed over the matting evenly throughout the length and width of the swale.
- Plant materials shall be placed in accordance with the plan and plant table as shown on approved plans.
- The water quality swale treatment area plantings can be deemed "substantially complete" once active green growth has occurred to an average growth of 3" and plant density is an average of approx. 6 plants (minimum 1-inch plugs or equivalent) per square foot.
- The facility shall be deemed acceptable to begin the maintenance period when plant growth and density matches the engineer's design as shown on the approved plans and all other requirements have been met. The engineer must certify the facility to be functional, in accordance with the approved plan design to begin the two-year maintenance period.

MAINTENANCE

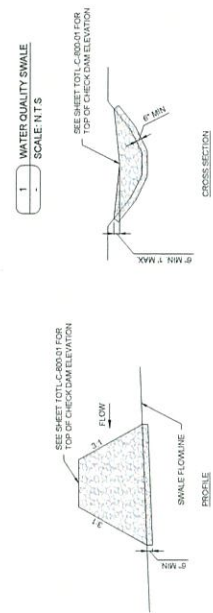
- The permittee is responsible for the maintenance of this facility for a minimum of two years following construction and acceptance of this facility.
- Irrigation is to be provided per separate irrigation plan as approved.

Note: Irrigation needs are to be met using a temporary irrigation system with a timer during the dry season. Systems should be winterized during the wet season to assure longevity and guard against damage from freezing temperatures. Water source shall be as shown on the approved plans.
- Engineer or Owners Representative is to visit and evaluate the site a minimum of twice annually (Spring and Fall). The landscaping shall be evaluated and replanted as necessary to ensure a minimum of 80% survival rate of the required vegetation and 90% aerial coverage. Non-native, invasive plant species shall be removed when occupying more than 20% of the site.
- The facility shall be re-excavated and planted if siltation greater than 3 inches in depth occurs within the two-year maintenance period.

**WATER QUALITY SWALE
CONSTRUCTION & MAINTENANCE
NOTES**



DRAWING NO. 710 REVISED 10-2014



- NOTES
- AGGREGATE FOR CHECK DAMS SHALL BE WELL GRADED WITH MAXIMUM PARTICLE SIZE OF 1.18 INCHES (NO. 20 SIEVE). MAXIMUM STONE SIZE OF 4 INCHES AND 50% OF 4 INCHES.
 - CHECK DAM SHALL COMPLETELY COVER THE WIDTH OF THE CHANNEL.
 - STONE SHALL BE PLACED BY HAND OR MECHANICALLY AS LONG AS IT EXTENDS ACROSS THE ENTIRE CHANNEL.
 - BASE OF CHECK DAM SHALL BE EXTENDED APPROXIMATELY 6 INCHES.

1	WATER QUALITY SWALE	SCALE: N.T.S.
2	CHECK DAM	SCALE: N.T.S.

ORIGINAL DRAWING DATE:	
CONTRACTOR DRAWING NO:	
PROJECT NO:	
WORK ORDER NUMBER:	
DESIGNER:	DR
APPROVED BY:	APVD
DATE:	04/26/2024
NO.:	0

DRAFT ISSUED FOR CONSTRUCTION
REVISION DESCRIPTION



THIS PLAN SET BEING A WORK PROPOSED ON LAND NOT OWNED BY THIS CONTRACTOR TO VERIFY THIS PLAN SET HAS BEEN OWNERS APPROVED FOR CONSTRUCTION.

TILLAMOOK PUD
TILLAMOOK, OREGON

**EROSION & SEDIMENT
CONTROL DETAILS**



**PRELIMINARY
NOT FOR CONSTRUCTION**



Attachment 4.
Land Use Approval Exhibits - County



LEGEND

- Preferred Transmission Route
- Proposed 50- to 120-foot-wide Corridor
- Preliminary Substation Location
- Power Pole
- Permanent Access Road
- Temporary Access Road
- Pulling/Retensioning Area
- Tillamook City Limit
- Tillamook Urban Growth Boundary
- County Tax Lot
- Milepost
- Tillamook County Zoning Forest (F)

Figure 2 Map 8 of 8
Tillamook County
Zoning Mapbook
Tillamook-Oceanside
115-kilovolt Transmission Line Project
Tillamook PUD













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Figure 5H
Aerial Photograph Mapbook
 Tillamook-Oceanside
 115-kilovolt Transmission Line Project
 Tillamook PUD




Note:
 Imagery NAIP 6/19/2016

- LEGEND**
-  Preferred Transmission Route
 -  Proposed 100 foot wide Corridor
 -  Preliminary Substation Location
 -  Project Start - Existing Bonneville Power Administration Tillamook Substation
 -  Project End - Proposed Oceanside Substation
 -  Support Structure
 -  Permanent Access Road
 -  Temporary Access Road
 -  Pulling/Resigning Area
 -  Tillamook City Limit
 -  Tillamook Urban Growth Boundary
 -  Milepost



LEGEND

- Preferred Transmission Route
- 100-foot Study Corridor
- Milepost
- Photo Points
- Sample Point
- Culvert
- Mean High Water
- Parcels With No Access
- Drainage Ditch
- North Branch Fall Creek
- Sleep
- Unnamed Drainage
- Water
- Wetland
- Drainage Ditch



Figure 6
Map 38 of 38
Wetlands and Waters
 Tillamook-Oceanside
 115-kilovolt Transmission Line Project
 Tillamook PUD

**Attachment 5.
FEMA FIRMette**

**Attachment 6.
OAE Report (Title Report)**

Ticor Title Company of Oregon
Order No. 360423000228



802 Main Ave.
(503)842-5533

OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

To ("Customer"): Tillamook PUD
P.O. Box 433
Tillamook, OR 97141

Customer Ref.: Olympic Peninsula Timberlands, LLC
Order No.: 360423000228
Effective Date: January 25, 2023 at 08:00 AM
Charge: \$400.00

The information contained in this report is furnished by Ticor Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.

Part One - Ownership and Property Description

Owner. The apparent vested owner of property ("the Property") as of the Effective Date is:

Olympic Peninsula Timberlands, LLC, a Delaware limited liability company

Premises. The Property is:

(a) Street Address:

Vacant Land, Tillamook, OR 97141

(b) Legal Description:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Ticor Title Company of Oregon
Order No. 360423000228

Part Two - Encumbrances

Encumbrances. As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

EXCEPTIONS

1. The Land has been classified as Forest Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Account No.: 135295, 409841, 409840 and 414139

2. Personal property taxes, if any.
3. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads, and highways.
4. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of unnamed creek.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of unnamed creek.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of unnamed creek.

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Crown Zellerbach Corporation
Purpose: Right of way
Recording Date: March 30, 1950
Recording No.: [Book 122, page 198](#)
Affects: Parcel No. 1; reference is hereby made to said document for full particulars

6. Reciprocal Road Construction and Use Agreement, including the terms and provisions thereof,

Executed by: Boise Cascade Corporation; and Crown Zellerbach Corporation
Recording Date: July 1, 1968
Recording No.: [Book 212, page 704](#)
Affects: Reference is hereby made to said document for full particulars

7. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Netarts Water District
Purpose: Public utilities
Recording Date: October 28, 1975
Recording No.: [Book 242, page 639](#)
Affects: Reference is hereby made to said document for full particulars

Ticor Title Company of Oregon
Order No. 360423000228

8. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District
Purpose: Public utilities
Recording Date: April 8, 1976
Recording No: [Book 244, page 636](#)
Affects: Reference is hereby made to said document for full particulars

9. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Amended Lease Agreement
Lessor: Crown Zellerbach Corporation
Lessee: Tillamook County
Recording Date: March 12, 1979
Recording No: [Book 261, page 822](#)
Affects: Parcels No. 2 and 3

10. A lease with certain terms, covenants, conditions and provisions set forth therein.

Dated: September 1, 1983
Lessor: Crown Zellerbach Corporation
Lessee: Oceanside Water District
Recording Date: February 28, 1984
Recording No: [Book 291, page 694](#)
Affects: Parcel No. 1

Supplemental Agreement, including the terms and provisions thereof,

Executed by: Shiloh Forest Enterprises Inc.; and Oceanside Water District
Recording Date: August 23, 1989
Recording No.: [Book 323, page 464](#)
Affects: Reference is hereby made to said document for full particulars

11. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Oceanside Water District
Purpose: Public utilities
Recording Date: February 28, 1984
Recording No: [Book 291, page 694](#)
Affects: Parcel No. 1; reference is hereby made to said document for full particulars

Supplemental Agreement, including the terms and provisions thereof,

Executed by: Shiloh Forest Enterprises Inc.; and Oceanside Water District
Recording Date: August 23, 1989
Recording No.: [Book 323, page 464](#)
Affects: Reference is hereby made to said document for full particulars

12. Easement(s) for the purpose(s) shown below and rights incidental thereto as reserved in a document;

Reserved by: Cavenham Forest Industries Inc.
Purpose: Ingress, egress, and utilities
Recording Date: April 4, 1989
Recording No: [Book 320, page 997](#)
Affects: Reference is hereby made to said document for full particulars

Ticor Title Company of Oregon
Order No. 360423000228

13. Reservation, exception or other severance of minerals, contained in or disclosed by instrument,

In favor of: Cavenham Forest Industries Inc.
Reservation of: Minerals
Recording Date: April 4, 1989
Recording No.: [Book 320, page 997](#)

The Company makes no representation as to the present ownership of this interest or its encumbrances.

14. Reservation, exception or other severance of minerals, contained in or disclosed by instrument,

In favor of: Cavenham Energy Resources, Inc.
Reservation of: Minerals
Recording Date: April 4, 1989
Recording No.: [Book 320, page 998](#)

The Company makes no representation as to the present ownership of this interest or its encumbrances.

15. Memorandum of Non-Exclusive Antenna Site Facility License Agreement, including the terms and provisions thereof,

Executed by: Shiloh Forest Enterprises; and McCaw Communications of the Mid-South, Inc.
Recording Date: August 3, 1993
Recording No.: [Book 353, page 93](#)
Affects: Parcel No. 3; reference is hereby made to said document for full particulars

16. Right of Way and Reservoir Agreement, including the terms and provisions thereof,

Executed by: Shiloh Forest Enterprises, LLC; and Netarts Water District
Recording Date: January 13, 2000
Recording No.: [Book 414, page 168](#)
Affects: Reference is hereby made to said document for full particulars

17. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Netarts Water District
Purpose: Public utilities
Recording Date: January 13, 2000
Recording No: [Book 414, page 168](#)
Affects: Parcel No. 1; reference is hereby made to said document for full particulars

18. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Tillamook People's Utility District
Purpose: Public utilities
Recording Date: April 9, 2004
[Recording No: 2004-002716](#)
Affects: Parcel No. 3; reference is hereby made to said document for full particulars

19. Reciprocal Easement Agreement, including the terms and provisions thereof,

Executed by: Shiloh Forest Enterprises, LLC; and Judith M. Van Kampen, Karla M. Van Kampen-Pierre, and David J. Allen, Trustees
Recording Date: April 15, 2004
[Recording No.: 2004-002903](#)

Ticor Title Company of Oregon
Order No. 360423000228

- Affects: Reference is hereby made to said document for full particulars
20. Reciprocal Easement Agreement, including the terms and provisions thereof,
- Executed by: Green Crow Corporation; and Fun 7 Domestic, LLC
Recording Date: April 15, 2004
Recording No.: [2004-002910](#)
Affects: Reference is hereby made to said document for full particulars
21. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on Partition Plat No. 2009-012;
- Purpose: Access, utilities, waterline, right of way, and lease area
Recording Date: May 19, 2009
Recording No.: 2009-003588
Affects: Parcel No. 1; reference is hereby made to said document for full particulars
22. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Netarts Oceanside Sanitary District
Purpose: Public utilities
Recording Date: January 22, 2010
Recording No.: [2010-000418](#)
Affects: Parcel No. 1; reference is hereby made to said document for full particulars
23. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Netarts Oceanside Sanitary District
Purpose: Public utilities
Recording Date: January 22, 2010
Recording No.: [2010-000419](#)
Affects: Parcel No. 1; reference is hereby made to said document for full particulars
24. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Tillamook People's Utility District
Purpose: Public utilities
Recording Date: December 1, 2011
Recording No.: [2011-006491](#)
Affects: Parcel No. 1; reference is hereby made to said document for full particulars
25. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Netarts Water District
Purpose: Public utilities
Recording Date: June 20, 2012
Recording No.: [2012-003344](#)
Affects: Parcel No. 1; reference is hereby made to said document for full particulars
26. A deed of trust to secure an indebtedness in the amount shown below,
- Amount: \$250,000,000.00
Dated: December 1, 2022
Trustor/Grantor: Olympic Peninsula Timberlands, LLC, a Delaware limited liability company
Trustee: First American Title Insurance Company

Ticor Title Company of Oregon
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Beneficiary: The Prudential Insurance Company of America
Recording Date: December 5, 2022
Recording No.: 2022-007183
Affects: other property also

and Re-Recording Date: January 6, 2023
and Re-Recording No.: 2023-000051
Reason: Correct legal description

27. Any uncertainty as to the actual location of the exterior boundary lines of Unsurveyed Parcel 1 of Partition Plat No. 2009-012, recorded May 19, 2009 as Instrument No. 2009-003588, Tillamook County Records.
28. Terms and provisions of the governing documents under which the Vestee herein holds title.
29. Existing leases and tenancies, if any.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022/23
Amount: \$2,023.12
Levy Code: 0901
Account No.: 1325295
Map No.: 1S10 30 00500
Affects: Parcel No. 1

Please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

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Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022/23
Amount: \$219.21
Levy Code: 0923
Account No.: 409213
Map No.: 1S10 30 00500
Affects: Parcel No. 1

Please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022/23
Amount: \$420.64
Levy Code: 0901
Account No.: 409840
Map No.: 1S10 02101
Affects: Parcel No. 2

Please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022/23
Amount: \$1,740.75
Levy Code: 0901
Account No.: 414139
Map No.: 1S10 02101S1
Affects: Parcel No. 2

Please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2022/23
Amount: \$768.81
Levy Code: 0901
Account No.: 409841
Map No.: 1S10 02201
Affects: Parcel No. 3

Please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Ticor Title Company of Oregon
Order No. 360423000228

End of Reported Information

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Nathan Hobbs
503-646-4444
nathan.hobbs@titlegroup.fntg.com

Ticor Title Company of Oregon
802 Main Ave.
Tillamook, OR 97141

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 135295, 409841, 409840 and 414139
For Tax Map ID(s): 1S10 30 00500, 1S10 02201, 1S10 02101 and 1S10 02101

PARCEL NO. 1:

Unsurveyed Parcel 1 of PARTITION PLAT NO. 2009-012, situated in Section 30, Township 1 South, Range 10 West, Willamette Meridian, County of Tillamook, State of Oregon, recorded May 19, 2009 as Instrument No. 2009-003588, Tillamook County Records.

EXCEPTING THEREFROM: Beginning at a point on the most Westerly Southwest line of aforesaid Parcel 1 of Partition Plat No. 2009-012, said point being the Northwest corner of Lot 8, Second Addition to Camelot Estates, recorded in Plat Book 2A, page 164, Tillamook County Records;

thence South 75° 07' 13" East 86.00 feet along the Southerly boundary of said Parcel 1 of Partition Plat No. 2009-012 to the Northeast corner of said Lot 8;
thence North 14° 52' 47" East 26.00 feet;
thence North 75° 07' 13" West 86.00 feet;
thence South 14° 52' 47" West 26.00 feet to the point of beginning.

TOGETHER WITH an easement described in instrument recorded March 30, 1950 in Book 122, page 198, Tillamook County Records.

PARCEL NO. 2:

The North half of the Northwest quarter of Section 28, Township 1 South, Range 10 West, Willamette Meridian, County of Tillamook, State of Oregon.

PARCEL NO. 3:

The North half of the Northeast quarter of Section 29, Township 1 South, Range 10 West, Willamette Meridian, County of Tillamook, State of Oregon.

ALSO: A portion of Section 20, Township 1 South, Range 10 West, Willamette Meridian, County of Tillamook, State of Oregon, described as follows:

Beginning at a stainless steel pipe and brass cap monument set for the quarter corner on the South line of said Section 20;

thence North 1274.31 feet, more or less, to the centerline of a creek;

thence Southeasterly along the centerline of said creek to the intersection with the South line of said Section 20;

thence along the South line of said Section 20, South 89° 54' 00" West 1999.79 feet, more or less, to the point of beginning.

Ticor Title Company of Oregon
Order No. 360423000228

LIMITATIONS OF LIABILITY

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

Ticor Title Company of Oregon
Order No. 360423000228

IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY

EXHIBIT C

Angela Rimoldi

From: Aubrey Rutter <rutter.aubrey@gmail.com>
Sent: Sunday, August 4, 2024 9:07 AM
To: Angela Rimoldi
Cc: Gregory Rutter
Subject: EXTERNAL: Oceanside Substation

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hi Angela,

We received two notices in the mail regarding the new Oceansie Substation. We're curious to know if there will be new above ground power lines running from the substation into town. If so, can you help us understand the path of the new lines? We are concerned that the new lines might run close to our property.

Thank you,
Aubrey & Greg Rutter

Cell:
503-724-8742

Home:
1620 Oceanside Lane
Tillamook, OR 97141

Mailing Address:
2140 SW Sunset Dr,
Portland, OR 97239

Angela Rimoldi

From: Craig Wakefield <craiglwakefield@charter.net>
Sent: Monday, August 5, 2024 6:40 PM
To: Angela Rimoldi
Cc: Diane Niflis
Subject: EXTERNAL: PUD Oceanside Substation project

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hi Angela, I am a resident of Oceanside, 1605 Oceanside Lane. I received the PUD petition request notice and I am a supporter of the land use partition request. I am curious about the routing of any new feeder lines from the NEW substation into the community of Oceanside. At what points in our existing system will the tie in from the new substation be implemented? Will there be a fair amount of construction accomplishing the tie in? Is there a construction plan I can review?

I have served on a number of executive boards throughout the county so a number of my neighbors have been asking me what impact this project will have on our residential neighborhoods and of course I can't answer their questions so a little more information would be of great value.

Thank you for your consideration.

Craig Wakefield

503-761-1829, text or email reply would be fine.



Response Page

Department of State Lands (DSL) WN#*

WN2024-0515

Responsible Jurisdiction

Staff Contact

Angela Rimoldi

Jurisdiction Type

County

Municipality

TILLAMOOK

Local case file #

851-24-000378-PLNG

County

Tillamook

Activity Location

Township

01S

Range

10W

Section

30

QQ section

Tax Lot(s)

500

Street Address

1755 Cape Meares Lp Rd W

Address Line 2

City

Tillamook

State / Province / Region

OR

Postal / Zip Code

97141

Country

Tillamook

Latitude

45.453784

Longitude

-123.951955


Wetland/Waterway/Other Water Features

- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.
- The National Wetlands Inventory shows wetland, waterway or other water features on the property
- The National Hydrography Dataset shows wetland, waterway or other water features on the property

Your Activity

- A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

Applicable Oregon Removal-Fill Permit Requirement(s)

 A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

DSL Review



Wetland Ecologist Comments

Based on the submitted materials, it appears that the proposed project ("partition") is not proposing ground disturbance at this time. If so, a state Removal-Fill permit is not required for this activity.

Please note that there are intermittent tributaries to the North Branch Fall Creek through this proposed lot that may be subject to the state Removal-Fill Law. This project appears to have been authorized per APP60683, but if the scope exceeds the work approved in that permit, please coordinate with Aquatic Resource Coordinator Heather Dimke to determine if additional permitting is needed in the future.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

 A Federal permit may be required by The Army Corps of Engineers: (503)808-4373

Contact Information

For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county.

Response Date

8/20/2024

Response by:

Jessica Salgado

Response Phone:

541-408-1892