

Application to Perform Work on County Right-of-Way

RETURN

TO: **Okanogan County Department of Public Works**
1234A 2nd Avenue South
Okanogan, WA 98840
Phone: (509) 422-7300 FAX (509) 422-7301

This space for Okanogan Use OnlyPermit No. 02-2021County Road No. 9105 – See AttachmentCounty Contact Josh ThomsonContact Phone No. 422-7317*Application shall be accompanied by one set of plans/drawings*Name: Yakama Nation FisheriesAddress: PO Box 151City Toppenish State WA Zip 98948Phone: 509-865-5121 Fax: _____**Type of Work Proposed**☐ Dust Palliative Application☐ Waterline Maintenance☐ Waterline Installation☐ Other non-franchised☒ **X Off Road Dump Trucks****Traveling on County Road****The undersigned hereby applies for permission to (describe work to be performed in detail):**

The purpose of this project is to allow off road dump trucks to drive on OCR 9105 Twisp Carlton Road while working on 2 habitat restoration projects on the Methow River. These projects will require the use of off-road dump truck to haul excavated fill material and large wood structures on the County Road in the off-road dump trucks. The approaches where the trucks will enter and exit the county road will be stabilized. Prior to the start of the project the contractor, permit holder and county representative will need to meet on site to review the current road conditions. Once the project is complete the contractor, permit holder and county representative will again meet on site to review road conditions and identify any work that needs to be completed before final inspection of the road can be completed. The County Engineer and/or Area Supervisor will inspect the surface and shoulders after all work is completed. Any damage to the surface and shoulders must be corrected. All construction/maintenance operations shall be planned and conducted to reduce impact to the traveling public to the extent practicable. Traffic shall not be delayed more than 15 minutes. Traffic control shall conform to the "Manual on Uniform Traffic Control Devices for Street and Highways," current edition, published by FHWA. Traffic control plans must be submitted to the county for approval. Crews will be limited to work daylight hours between 7:00 AM and 7:00 PM Monday through Friday. The estimated duration of the above work is thru August 31, 2021. The grantee agrees to prosecute with all diligence and speed with due regard for the rights, interest and convenience of the public.

In accepting this permit the grantee, his successors and assigns agree to protect and save harmless Okanogan County from all claims, actions or damages of every kind and description which may accrue to or be suffered by any persons, corporation or property by reason of the performance of any such work, character of materials used or manner of installation, maintenance and operation or by the improper occupancy of rights of way, public places or public structure, and in case any such suit or action is brought against said County for damages arising out of or by reason of any of above causes, the grantee, his successors or assigns will upon notice to him or them or commencement of such action defend the same at his or their sole cost and expense and fully satisfy any said judgment after the said suit or action shall have finally determined if adversely to the County. Grantee further agrees to perform the work in strict compliance with the provisions enumerated below and states that he has read and will adhere to the general provisions applicable to permits contained on the reverse side of this form. And understands the permit is revocable by the County upon notification, if the conditions of issuance outlined in all provisions on and attached are not complied with.

Signed: _____

By: _____

Title: _____

Date: _____

This Space for Okanogan County Use Only

INSPECTION REQUIRED –Call Okanogan County Public Works at (509) 422-7300 - 48 HOURS PRIOR TO and UPON COMPLETION OF THE WORK AUTHORIZED.

No work shall be done under this permit until the party or parties to whom it is granted shall have communicated with and received instructions from the County Contact Person listed above. Call the contact number listed. It is the responsibility of the applicant to notify all utilities and private property owners when such property is liable to injury or damage through the performance of the above work and the grantee shall make all necessary arrangements relative to the protection of such property and/or utilities.

UTILITY DAMAGE IS COSTLY - CALL BEFORE YOU DIG 1-800-553-4344

PERMISSION IS HEREBY GRANTED to complete the above described work subject to all terms, conditions, and provisions written or printed on any part of this form, and attached hereto. (See Special Provisions Attached):

Issued By**Dated this****day of****2021**

INSTRUCTIONS FOR APPLICANTS

Applicants for permits to complete work within, or to occupy county property with utilities or other facilities, or holders of granted franchise rights contemplating work upon, along, over, under or across any county road, bridge, wharf, trestle, public place, street, avenue or alley on property in the County, shall first file with the Director of Public Works or County Engineer, his or their application to do such work.

Such applications shall be in duplicate and, accompanied by drawings, also in duplicate if required by the Director or County Engineer. Drawings shall be to a working scale, showing position and location of work, names or numbers and width of roads, streets, etc., showing their locations in plats, or subdivisions of sections, townships and range, showing the relative position of such work to existing utilities, constructed, laid, installed or erected upon such roads, streets or public places.

The applicant shall specify the type of construction by submitting plans showing the class of material and the manner in which the work is to be accomplished.

All such materials and equipment shall be of the highest quality and the manner of excavation, fills, construction, installation, erection of temporary structures, traffic turn outs, road obstruction, barricades, etc., shall meet with provisions of this permit and the County Utility Accommodation Policy (WAC 136-40), and shall require approval by the Director or County Engineer. Signing, barricades and traffic control in the vicinity of the work shall strictly conform to provisions of *"The Manual on Uniform Traffic Control Devices for Streets and Highways."* The grantee shall pay to the County all costs of, and expenses incurred in the examination, inspection and supervision of such work on account of the granting of said permits.

The actual location of the work to be done under this permit, its depth below or above surface or grade of any County structure, road, street, avenue, alley or public place shall be approved by the Director or County Engineer before any work shall be done by the applicant.

GENERAL CONDITIONS

1. The applicant, designated herein as the "grantee," his successors and assigns, shall have the right and authority to enter upon the right of way of the county road, street, alley, public place or structure as indicated on the front of this form, for the purpose of doing such work as applied for, and approved by the Director or County Engineer.
2. The location, type of work, materials and equipment used, manner of erection or construction, safeguarding of public traffic during work or after doing same, mode of operation and manner of maintenance of project petitioned for, shall be approved by the Director or County Engineer prior to start of work and shall be subject to the inspection by the County so as to assure proper compliance with the terms of this permit.
3. The grantee shall commence work within 30 days after the granting of this permit. If, at end of six (6) months after date of granting same the grantee shall have not completed the installation, then the rights herein conferred shall cease and terminate.
4. The grantee shall leave all roads, streets, alleys, public places, and structures after installation and operation or removal of utility, in as good and safe a condition in all respects as same were in before commencement of work by grantee.
5. In case of any damage to any roads, streets, public places, structures or public property of any kind on account of said work by the grantee, he will at once repair said damage at his own sole cost and expense.
6. The Director or County Engineer, his agents or representatives may do, order, or have done any and all work considered necessary to restore to a safe condition any street, alley, public place or structure which is in a condition dangerous to life or property resulting from the grantee's facility or its installation as permitted herein, and upon demand the grantee shall pay to the county all costs of such work and material.
7. If at any time the county deems it advisable to widen, grade, re-grade, plank, pave, improve, alter or repair any road, street, public place or structure the grantee upon written notice by the Director or County Engineer, his representatives or agents, will at his own sole cost and expense, raise, lower, change, move or reconstruct such installations to conform to the plans of work contemplated or ordered by the county.
8. If upon written notice by the Director or County Engineer the grantee fails to relocate any portion or all of the project as granted under this permit, the County its agents or representatives may do any work at the cost and expense of the grantee, and all costs to remove or reconstruct same, shall be borne by the grantee.
9. All such changes, reconstruction or relocation by the grantees shall be done in such manner as will cause the least interference with any of the county's work and shall be subject to the same provisions which control an original installation. The county shall in no way be held liable for any damage to the grantee by reason of any such work by the county, its agents or representatives, or by the exercise of any rights by the county upon roads, streets, public places or structures in question. The grantee shall have twenty-four (24) hours written notice by the County Engineer or his representatives or agents of any blasting contiguous to the grantee's permit rights in order that he may protect his interests.
10. This grant or privilege shall not be deemed or held to be an exclusive permit and/or franchise, nor prohibit the county from granting other permits or franchise rights of like or other nature to other public or private utilities, nor shall it prevent the county from using any of its roads, streets, public places for any and all public use, or affect its jurisdiction over all or any part of them.
11. All the provisions, conditions, regulations and requirements herein contained shall be binding upon the successors and assigns of the grantee and all privileges of the grantee shall inure to such successors and assigns as if they were specifically mentioned.
12. The Director or County Engineer may revoke, annul or terminate this permit if grantee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given him or if the work herein permitted, is not installed or operated and maintained in conformity herewith or at all.
13. The Board of County Commissioners may at any time, change, amend, modify, amplify or terminate any of the conditions herein enumerated so as to conform to any state statute or county regulation pertaining to the public welfare, safety, health or highway regulations as are, or may hereinafter be enacted, adopted or amended, etc. The Board may terminate this permit if grantee fails to comply with any such changes.
14. The Grantee by accepting this permit agrees to notify and check with all utilities regarding their installations before commencing work, together with private property owners when such property is liable to injury or damage through the performance of such work, and the grantee shall make all necessary arrangements relative to the protection of such property and/or utilities.
15. In accepting this permit the grantee, his successors and assigns agrees to protect and save harmless the county from all claims, actions or damages of every kind and description which may accrue to or be suffered by any person or persons, corporation or property by reason of the performance of any such work, character of materials used or manner of installation, maintenance and operation, or by the improper occupancy of rights of way or public place or public structure, and in case any such suit or action is brought against said county for damages arising out of or by reason of any of the above caused, the grantee, his successors or assigns will upon notice to him or them of commencement of such action defend the same at his or their sole cost and expense and will fully satisfy any judgment after the said suit or action shall have finally been determined if adversely to the county.
16. Any person, corporation, association, department, or subdivision of state, county, or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. (WAC 332-120-030(2))

Alder Creek Floodplain Enhancement Project

Yakama Nation Habitat Restoration Program

Project Manager: Maddie Eckmann, (509) 449-2091, eckm@yakamafish-nsn.gov

Area of Potential impacts to Okanogan County Road

January 28, 2021

Attachments:

Golden Doe Construction Planset

Alder Creek Construction Planset

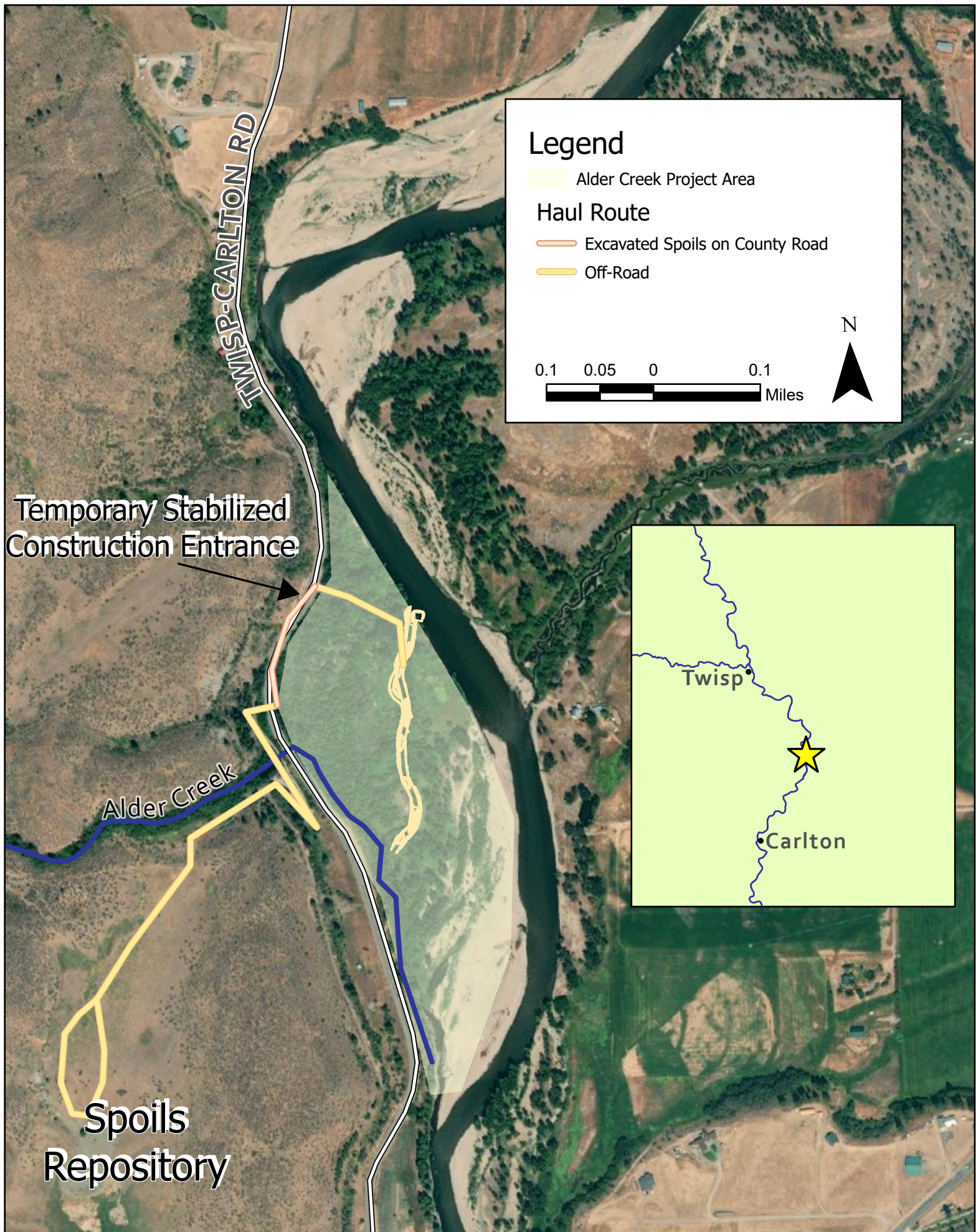
Project Description

The Yakama Nation is proposing to construct a habitat restoration projects on the Methow River between Twisp and Carlton (River Mile 34-35, ~4.5 miles south of Twisp). This project includes excavating fill from a relic side channel on the floodplain and installing large wood structures on the mainstem river and in the newly constructed side channel.

For this work to be completed, off-road dump-trucks (25 CY capacity off-road articulated dump trucks or similar) will need to drive on a short (0.25 mile) section of the Twisp-Carlton county road (Figure 1). Approximately 15,000 cubic yards of floodplain alluvium will be hauled from the Alder Creek project area to the spoils repository which will require 0.25 miles of travel on county road.

To minimize impacts to the county road, we have also proposed building a temporary stabilized construction entrance where trucks will be turning on and off the county road from the Alder Creek Project (Figure 2). This can also be viewed in greater detail in the attached Alder Creek Construction planset on sheet 2.

We expect this work will be completed in under two weeks sometime between July 15 and August 15. The contractor will be required to include traffic control for any work involving trucks driving this section of road. A pre-construction inspection of the road involving the contractor, the Yakama Nation, and Okanogan County will also be required. Any impacts to the road will be repaired by the construction contractor following project completion.



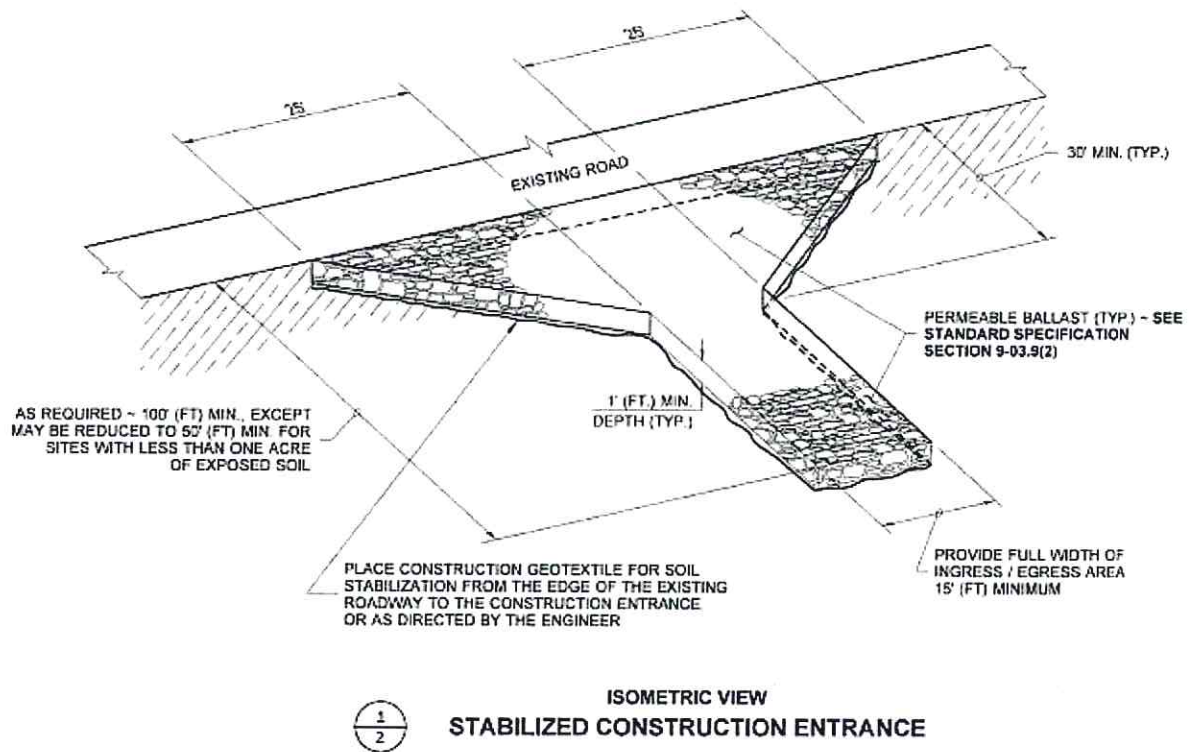


Figure 2. Proposed temporary stabilized construction entrance. This is also shown on sheet two of the Alder Creek Construction Planset.