

3J CONSULTING

CIVIL ENGINEERING | WATER RESOURCES | LAND USE PLANNING



CRESTVIEW GREEN: STREAM CORRIDOR

4821 E PORTLAND ROAD | NEWBERG, OREGON 97132

APPLICANT:

3J CONSULTING, INC.
9600 NW NIMBUS AVENUE, SUITE 100
BEAVERTON, OR 97008
CONTACT: SAM HUCK
PHONE: (503) 946-9365

APPLICATION TYPE

TYPE II -
MODIFICATIONS WITHIN THE
STREAM CORRIDOR

SUBMITTAL DATE

OCTOBER 12, 2022

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- Wetland Delineation Report Concurrence Letter: Department of State Lands

GENERAL INFORMATION

Property Owner and Applicant: **Westwood Homes, LLC**
12118 NW Blackhawk Drive
Portland, OR 97229
Contact: Todd Boyce
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Planning Consultant: **3J Consulting, Inc.**
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Civil Engineer/Project Manager: **3J Consulting, Inc.**
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Email: aaron.murphy@3j-consulting.com

SITE INFORMATION

Parcel Number: 3216 1000 & 900
Address: 4813 E Portland Road & 4821 E Portland Road
Gross Site Area: 10.58 acres
Zoning Designation: R-1 (Low Density Residential), R-2 (Medium Density Residential), and C-2 (Community Commercial)
Overlay Zone: Bypass Interchange (BI) Overlay
Existing Use: Single-family residential
Surrounding Zoning: The properties to the north are zoned Yamhill County VLDR-1 and VLDR-2. The properties to the south are zoned Yamhill County VLDR-2.5 and EF-20. The properties to the east are zoned EF-20. The properties to the west are zoned R-1, R-2 and C-2.
Street Classification: OR-99W is classified as a Major Arterial and is an ODOT facility. E Jory Street is classified as a Minor Collector. E Willakenzie Street is classified as a local road. NE Benjamin Road is under the jurisdiction of Yamhill County and is classified as a local road.

INTRODUCTION

APPLICANT'S REQUEST

Westwood Homes, LLC ("the Applicant") proposes to construct a 133-unit residential development and seeks approval of a Type II application for modifications within the Stream Corridor, concurrently submitted with CUP and PUD (CUP 22-0001 and PUD 22-0001) applications currently in review and consideration. This narrative has been prepared to describe the proposed modifications within the Stream Corridor and to document compliance with the relevant sections of the City of Newberg's Municipal Code ("NMC") for the Type II Application.

The application for modifications within the Stream Corridor is evaluated under the Type II process. The Newberg Planning Director will render the Type II decision.

SITE DESCRIPTION/SURROUNDING LAND USE

This application will focus on the northeast portion of the Crestview Green site (casefiles CUP 22-0001 and PUD 22-0001). The stream corridor is shown on the attached Appendix "B" Land Use Plans, and the modifications within the stream corridor are shown in Tract C of Sheet #C001. The subject area where modifications within the stream corridor will occur is approximately 0.12 acres in size and is located north of E Willakenzie Street and west of NE Benjamin Road. The site is identified as tax lot 3216AA00900. The property is located within the City of Newberg and is Zoned R-1: Low Density Residential.

The wetland and Stream Corridor is located on the northeast corner of tax lot 3216AA00900. A Property Line Adjustment ("PLA") application has been submitted prior to the submittal of this land use application that transfers 8,148.50 square feet from the subject site to tax lot 3216AA01600 under different ownership. This area is comprised of the wetland area and will be granted to the north adjacent property under separate ownership. Due to existing grades and location of existing sanitary sewer facilities proposed for the Crestview Green site (casefiles CUP 22-0001 and PUD 22-0001), a portion of the site will be served by a proposed public pump station and sanitary sewer force main shown as Tract B "Pump Station" in Appendix "B" Sheet #C001.

The site has frontage on East Willakenzie Street and Benjamin Road. The Crestview Green land use applications include single-family detached homes, attached single-family homes, and multi-family apartments. The Crestview Crossing Planned Community to the west includes commercial development, single-family homes, cottage style single-family homes, and multi-family homes. The properties to the north, east, and south have rural single-family uses.

PROPOSAL

The proposed Type II application for modifications within the Stream Corridor has been prepared in support of the PUD and CUP applications (CUP 22-0001 and PUD 22-0001). This Application is prepared in response to Option Two in the Conditions of Approval letter, Section III: Findings – File PUD22-0001, Planned Unit Development – Crestview Green, O. Site Modification, and supports the Type II application for Modifications within the Stream Corridor.

APPLICABLE CRITERIA

The following sections of Newberg's Development Code have been extracted as they have been deemed to be applicable to the proposal. Following each **bold** applicable criteria or design standard, the Applicant has provided a series of draft findings. The intent of providing code and detailed responses and findings is to document, with absolute certainty, that the proposed development has satisfied the approval criteria for Type II Modifications within the Stream Corridor application.

TITLE 15 DEVELOPMENT CODE

CHAPTER 15.100 LAND USE PROCESSES AND PROCEDURES

15.100.030 Type II procedure.

A. Type II development actions shall be decided by the director.

B. Type II actions include, but are not limited to:

- 1. Site design review.**
- 2. Variances.**
- 3. Manufactured dwelling parks and mobile home parks.**
- 4. Partitions.**
- 5. Subdivisions, except for subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).**

Applicant's Findings: This application has been deemed necessary by the Review Authority for Case File CUP 22-0001 and PUD 22-0001 as a "Type II application for modifications within the Stream Corridor as part of the CUP and PUD application for review and consideration." As stated in 15.100.030.B., the Type II actions are not limited to the above list, therefore this threshold is met.

C. The applicant shall provide notice pursuant to the requirements of NMC 15.100.200 et seq.

Applicant's Findings: The applicant team has provided both written and posted notice in accordance with NMC 15.100.210 and NMC 15.100.260. This standard is met.

D. The director shall make a decision based on the information presented and shall issue a development permit if the applicant has complied with all of the relevant requirements of this code. The director may add conditions to the permit to ensure compliance with all requirements of this code.

E. Appeals may be made by an affected party, Type II, in accordance with NMC 15.100.160 et seq. All Type II development action appeals shall be heard and decided by the planning commission.

F. If the director's decision is appealed as provided in subsection (E) of this section, the hearing shall be conducted pursuant to the Type III quasi-judicial hearing procedures as identified in NMC 15.100.050.

G. The decision of the planning commission on any appeal may be further appealed to the city council by an affected party, Type III, in accordance with NMC 15.100.160 et seq. and shall be a review of the record supplemented by written or oral arguments relevant to the record presented by the parties.

H. An applicant shall have the option to request at the time the development permit application is submitted that the proposal be reviewed under the Type III procedure.

Applicant's Findings: The applicant team understands and acknowledges the City of Newberg Type II application procedures and that conditions of approval may be added to the permit. This standard is met.

Chapter 15.342 STREAM CORRIDOR OVERLAY (SC) SUBDISTRICT

15.342.020 Where these regulations apply.

The regulations of this chapter apply to the portion of any lot or development site which is within an SC overlay subdistrict. Unless specifically exempted by NMC 15.342.040, these regulations apply to the following:

- A. New structures, additions, accessory structures, decks, addition of concrete or other impervious surfaces;**
- B. Any action requiring a development permit by this code;**
- C. Changing of topography by filling or grading;**
- D. Installation or expansion of utilities including but not limited to phone, cable TV, electrical, wastewater, storm drain, water or other utilities;**
- E. Installation of pathways, bridges, or other physical improvements which alter the lands within the stream corridor overlay subdistrict.**

Applicant's Findings: No new structures are being proposed within the Stream Corridor, but a grading permit will be obtained, and grading will occur within the Stream Corridor. Pursuant to NMC 15.342.030 General information, a Stream Corridor is located at a distance 50 feet from the edge of the wetland. These regulations apply to this proposed development action; therefore this standard is met.

15.342.030 General information.

The delineated stream corridor overlay subdistrict is described by boundary lines delineated on the City of Newberg zoning map indicated with an SC symbol. The boundaries of the SC areas were established by an ecologist analyzing several environmental values including erosion potential, wildlife habitat, riparian water quality protection, floodplain water quality protection, natural condition, and ecological integrity. This information is contained in more detail in a document titled "City of Newberg, Stream Corridors as a Goal 5 Resource." This document includes a Goal 5 ESEE (economic, social, environment and energy consequences) analysis and was the basis for the preparation of this chapter. The boundaries of the SC overlay subdistrict are typically located at a logical top of bank, or where no obvious top of bank exists, are located at a distance 50 feet from the edge of the wetland.

Applicant's Findings: The location of the steam corridor is approximately shown on the City of Newberg zoning map, and the exact location of the on-site wetland has been determined and is shown through Wetland Delineation performed by Pacific Habitat Services, Inc and approved by the Department of State Lands (DSL), as shown in Appendix "C" Technical Reports Wetland Delineation for 4812 & 4813 E. Portland Road, Newberg, Oregon, and the DSL Concurrence Letter.

15.342.040 Activities exempt from these regulations.

Applicant's Findings: The applicant is not proposing any exempt activities with this application and therefore, the thresholds of this section are not applicable.

15.342.050 Activities requiring a Type I process.

Applicant's Findings: The applicant has elected to choose between two options presented by the Review Authority for Case Files: CUP 22-0001 and PUD 22-0001, and therefore is submitting the suggested Type II application for the modifications within a stream corridor as part of the CUP and PUD application for review and consideration. Therefore, the Type I process is not applicable for this application.

15.342.060 Restoration standards for Type I process.

Applicant's Findings: The applicant has elected to choose between two options presented by the Review Authority for Case Files: CUP 22-0001 and PUD 22-0001, and therefore is submitting the suggested Type II application for the modifications within a stream corridor as part of the CUP and PUD application for review and consideration. Therefore, the Type I process and restoration standards are not applicable for this application.

15.342.070 Activities requiring a Type II process.

The installation, construction or relocation of the following improvements shall be processed as a Type II decision. The proposal shall be accompanied by a plan as identified in NMC 15.342.080 and conform to the mitigation standards contained in NMC 15.342.090.

A. Public or private street crossings, sidewalks, pathways, and other transportation improvements that generally cross the stream corridor in a perpendicular manner.

B. Bridges and other transportation improvements that bridge the wetland area.

C. Railroad trackage crossings over the SC overlay subdistrict that bridge the wetland area.

D. Water, wastewater, and stormwater systems already listed within approved City of Newberg master infrastructure plans.

E. New single-family or duplex dwellings which meet all of the following requirements:

1. The lot was created prior to December 4, 1996, is currently vacant, has at least 75 percent of the land area located within the SC overlay subdistrict and has less than 5,000 square feet of buildable land located outside the SC overlay subdistrict.

2. No more than one single-family or duplex dwelling and its expansion is permitted on the property, which shall occupy a coverage area not to exceed 1,500 square feet in area.

3. The single-family or duplex dwelling shall be sited in a location which minimizes the impacts to the stream corridor.

4. The improvements and other work are not located within the 100-year flood boundary.

F. Reduced front yard setback. Properties within the SC subdistrict may reduce the front yard setback for single-family or duplex dwellings or additions where the following requirements are met:

1. The reduction in the front yard setback will allow no less than five feet between the property line and the proposed structure.

2. The reduction in the setback will allow the footprint of the proposed dwelling or addition to be located entirely out of the SC overlay subdistrict.

3. Two 20-foot-deep off-street parking spaces can be provided which do not project into the street right-of-way.

4. Maximum coverage within the stream corridor subdistrict shall not exceed 1,500 square feet.

G. Temporary construction access associated with authorized Type II uses. The disturbed area associated with temporary construction access shall be restored pursuant to NMC 15.342.090.

H. Grading and fill for recreational uses and activities, which shall include revegetation, and which do not involve the construction of structures or impervious surfaces.

I. Public parks.

J. Stream corridor enhancement activities which are reasonably expected to enhance stream corridor resource values and generally follow the restoration standards in NMC 15.342.060.

Applicant's Findings: The applicant has elected to choose between two options presented by the Review Authority for Case Files: CUP 22-0001 and PUD 22-0001, and therefore is submitting the suggested Type II application for the modifications within a stream corridor as part of the CUP and PUD application for review and consideration. The construction activity related to Case Files: CUP 22-0001 and PUD 22-0001 will involve grading, but does not involve the construction of structures or impervious surfaces within the Stream Corridor. After the construction activity has finished, the Stream Corridor will be appropriately mitigated in accordance with NMC 15.342.090, as described further in this narrative. This standard is met.

15.342.080 Plan submittal requirements for Type II activities.

In addition to the design review plan submittal requirements, all applicants for Type II activities within the SC overlay subdistrict shall submit the following information:

A. A site plan indicating all of the following existing conditions:

- 1. Location of the boundaries of the SC overlay subdistrict.**
- 2. Outline of any existing features including, but not limited to, structures, decks, areas previously disturbed, and existing utility locations.**
- 3. Location of any wetlands or water bodies on the site and the location of the stream centerline and top of bank.**
- 4. Within the area to be disturbed, the approximate location of all trees that are more than six inches in diameter at breast height must be shown, with size and species. Trees outside the disturbed area may be individually shown or shown as crown cover with an indication of species type or types.**
- 5. Topography shown by contour lines at five-foot vertical intervals or less.**
- 6. Photographs of the site may be used to supplement the above information but are not required.**

B. Proposed development plan including all of the following:

- 1. Outline of disturbed area including all areas of proposed utility work.**
- 2. Location and description of all proposed erosion control devices.**
- 3. A landscape plan prepared by a landscape architect, or other qualified design professional, shall be prepared which indicates the size, species, and location of all new vegetation to be planted.**

Applicant's Findings: A site plan showing the items listed above, numbers A.1-6, are shown in the attached Appendix "B" Land Use Plans, Sheet #C000. A site plan with proposed development plan including the disturbed areas, location and description of erosion control devices proposed, and landscape plan that shows the mitigation standard compliance is shown attached in Appendix "B" Land Use Plans, Sheet #C001.

15.342.090 Mitigation requirements for Type II activities.

The following mitigation requirements apply to Type II activities. The plans required pursuant to NMC 15.342.080 shall be submitted indicating the following mitigation requirements will be met.

A. Disturbed areas, other than authorized improvements, shall be regraded and contoured to appear natural. All fill material shall be native soil. Native soil may include soil associations commonly found within the vicinity, as identified from USDA Soil Conservation Service, Soil Survey of Yamhill Area, Oregon.

Applicant's Findings: Disturbed areas within the Stream Corridor will be regraded and contoured to appear natural, as shown in Appendix "B" Land Use Plans Sheet #C001. No fill material will be used. This standard is met.

B. Replanting shall be required using a combination of trees, shrubs and grass. Species shall be selected from the Newberg native plant list. Planting shall be as follows:

- 1. At least eight species of plants shall be used.**
- 2. At least two species must be trees and two species must be shrubs.**
- 3. No more than 50 percent of any seed mix used can be grass.**
- 4. A minimum of one tree and three shrubs shall be used for every 500 square feet of planting area.**
- 5. Areas to be replanted must be completed at the time of final inspection or completion of the work, except as otherwise allowed by this code.**
- 6. Existing vegetation that can be saved and replanted is encouraged, although not required.**

Applicant's Findings: All replanting will be in accordance with the above criteria, as shown in the Stream Corridor Overlay Exhibit in Appendix "B" Land Use Plans Sheet #C001. The applicant team has kept as many trees in the Stream Corridor as possible, and will be removing a total of 11 trees, and replanting 35 trees. The tree species will be in accordance with the "Trees for Steams Plant List", shown on the Trees for Streams Program page on the City of Newberg website, and will include at least 8 species. This standard is met.

C. Removed trees over six inches in diameter, as measured at breast height, shall be replaced as follows:

- 1. Trees from six to 18 inches in diameter shall be replaced with a minimum of three new trees for every tree removed.**
- 2. Trees over 18 inches but less than 30 inches shall be replaced with a minimum of five trees for every tree removed.**
- 3. Trees over 30 inches shall be replaced with a minimum of eight trees for every tree removed.**
- 4. All trees replaced pursuant to this section shall have an average caliper measurement of a minimum of one inch. Additional trees of any size caliper may be used to further enhance the mitigation site.**

Applicant's Findings: All trees removed within the Stream Corridor are shown on Sheet #C001 in Appendix "B". Trees that will be replanted are shown on Sheet #C001, in Appendix "B". There will be 10 trees removed that are from six to 18 inches in diameter and replaced with 30 trees. One tree will be removed that is over 18 inches in diameter,

and will be replaced by 5 trees. All replacement trees will have an average caliper measurement of minimum one inch. This standard is met.

D. All disturbed areas, other than authorized improvements, shall be replanted to achieve 90 percent cover in one year. The director may require a bond or other form of security instrument to insure completion of the restoration plan. The director shall authorize the release of the bond or other security instrument when, after one year, the restoration site has achieved the purposes and standards of this section.

Applicant's Findings: The trees to be planted shown on Sheet #C001 in Appendix "B" are spaced in their approximate planting location to achieve 90 percent cover in one year. The applicant team understands that a bond or other form of security may be authorized by the director to insure completion of the restoration plan. This standard is met.

E. All disturbed areas shall be protected with erosion control devices prior to construction activity. The erosion control devices shall remain in place until 90 percent cover is achieved.

Applicant's Findings: The plans shown on Sheet #C001 in Appendix "B" will use the erosion control devices as shown. These devices will be installed prior to construction and stay in place until the 90% cover is achieved. This standard is met.

F. Except as provided below, all restoration work must occur within the SC overlay subdistrict and be on the same property. The director may authorize work to be performed on properties within the general vicinity or adjacent to the overlay subdistrict; provided, that the applicant demonstrates that this will provide greater overall benefit to the stream corridor areas.

Applicant's Findings: All proposed restoration work within the Stream Corridor will be on the same property. This standard is met.

15.342.100 Type III process for exceptions and variances.

Applicant's Findings: The applicant has elected to choose between two options presented by the Review Authority for Case Files: CUP 22-0001 and PUD 22-0001, and therefore is submitting the suggested Type II application for the modifications within a Stream Corridor as part of the CUP and PUD application for review and consideration, and therefore this standard is not applicable.

15.342.110 Prohibited uses and activities.

The following activities or uses are prohibited within this subdistrict:

A. Except as provided in NMC 15.342.040(R), the planting or propagation of any plant identified as a nuisance plant as determined by a qualified botanist or indicated as a nuisance plant on the Newberg plant list.

B. The removal of native trees that are greater than six inches in diameter at breast height, except as is otherwise permitted within this chapter.

C. Any use dealing with hazardous substances or materials, including but not limited to gas service stations.

D. Public pathways, except those in conjunction with public lands, public parks or public easements that have been acquired by other than eminent domain.

- E. Recreational marijuana producer and recreational marijuana processor.**
- F. Recreational marijuana wholesalers, laboratories, research certificates and retailers.**
- G. Recreational marijuana dispensaries.**

Applicant's Findings: The applicant is not proposing any of the above prohibited uses and activities within the Stream Corridor in either this application or in the Case Files: CUP 22-0001 and PUD 22-0001. This standard is met.

15.342.120 Density transfer.

For residential development proposals on lands which contain the SC overlay subdistrict, a transfer of density shall be permitted within the development proposal site. The following formula shall be used to calculate the density that shall be permitted for allowed residential use on the property:

A. Step 1. Calculate expected maximum density. The expected maximum density (EMD) is calculated by multiplying the acreage of the property by the density permitted within the Newberg comprehensive plan.

B. Step 2. The density that shall be permitted on the property shall be equal to the EMD obtained in Step 1, provided:

- 1. The density credit can only be transferred to that portion of the development site that is not located within the designated stream corridor; and**
- 2. The minimum lot size required for residential dwellings, in the base zone, shall not be reduced by more than 20 percent; and**
- 3. The maximum dwelling units per net acre of buildable land, outside the SC boundary, shall not be increased by more than 20 percent; and**
- 4. The types of residential uses and other applicable standards permitted in the zone shall remain the same; and**
- 5. All other uses shall comply with applicable standards and criteria of the Newberg development code.**

Applicant's Findings: The applicant is not requesting any density transfers; therefore this standard is not applicable.

15.342.130 Procedure for adjusting and amending the delineated stream corridor.

A. Type II Process. The manager shall authorize an adjustment to the delineated stream corridor by a maximum of 15 percent of the corridor width as measured from the centerline of the stream to the upper edge of the stream corridor boundary (from the boundary location originally adopted as part of this chapter), provided the applicant demonstrates that the following standards are met:

- 1. The location of the delineated stream corridor boundary is not reduced to less than 50 feet from the edge of a wetland or 100-year flood elevation, whichever is higher; and**
- 2. The lands to be eliminated do not contain sloped areas in excess of 20 percent; and**
- 3. The lands to be eliminated do not significantly contribute to the protection of the remaining stream corridor for water quality, stormwater control and wildlife habitat; and**
- 4. A stream corridor impact report which complies with the provisions of this chapter is provided; and**

5. The line to be adjusted has not been previously adjusted from the boundary location originally adopted as part of this chapter.

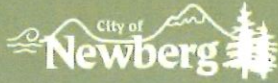
B. Type III Process. The applicant may propose to amend the delineated stream corridor boundary through a Type III quasi-judicial zone change proceeding consistent with the provisions of this code (see standard zone change criteria).

Applicant's Findings: The applicant is not any adjusting or amending of the delineated stream corridor; therefore, this standard is not applicable.

SUMMARY AND CONCLUSION

Based upon the materials submitted herein, the Applicant respectfully requests approval of this application from the City of Newberg Community Development Director, for a Type II: Modifications within the Stream Corridor.

APPENDIX A -
LAND USE APPLICATION
AND TITLE REPORTS



TYPE II APPLICATION – LAND USE

File #: MISC222-0004

TYPES – PLEASE CHECK ONE:

- Design review
- Tentative Plan for Partition
- Tentative Plan for Subdivision
- Type II Major Modification
- Variance
- Other: (Explain) Modifications within the Stream Corridor

APPLICANT INFORMATION:

APPLICANT: 3J Consulting, Inc. C/O Sam Huck
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 EMAIL ADDRESS: sam.huck@3j-consulting.com
 PHONE: (503) 946-9365 x251 MOBILE: _____ FAX: _____
 OWNER (if different from above): Bruce A. Thomas, Valerie J. Thomas PHONE: _____
 ADDRESS: 4821 E Portland Road., Newberg, OR 97132
 ENGINEER/SURVEYOR: 3J Consulting, Inc., C/O Aaron Murphy PHONE: (503) 946-9365 x218
 ADDRESS: 9600 SW Nimbus Ave. Suite 100, Beaverton, OR 97008

GENERAL INFORMATION:

PROJECT NAME: Crestview Green - Modifications within the Stream Corridor PROJECT LOCATION: 4821 E Portland Road
 PROJECT DESCRIPTION/USE: Modifications within the Stream Corridor related to Case File: CUP 22-0001 and PUD 22-0001 PROJECT VALUATION: _____
 MAP/TAX LOT NO. (i.e. 3200AB-400): 3216AA-900 ZONE: R-1 SITE SIZE: 0.12 SQ. FT. ACRE
 COMP PLAN DESIGNATION: LDR, MDR, COM TOPOGRAPHY: Sloped
 CURRENT USE: Stream Corridor
 SURROUNDING USES:
 NORTH: Single-family residential SOUTH: Single-family residential
 EAST: Single-family residential WEST: Planned development - single-family, attached and multi-family

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: Fees Public Notice Information Current Title Report Written Criteria Response Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

- Design Reviewp. 12
- Partition Tentative Platp. 14
- Subdivision Tentative Platp. 17
- Variance Checklistp. 20

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Sam Huck
Applicant Signature _____ Date _____

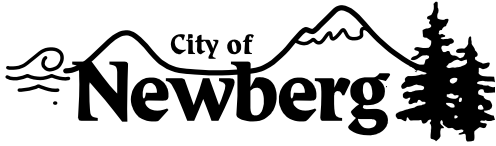
Sam Huck
Print Name _____

Valerie Thomas 10-11-2022
Owner Signature _____ Date _____

Valerie Thomas
Print Name _____

Bruce Thomas 10-12-2022
Owner Signature _____ Date _____

Bruce Thomas
Print Name _____



Community Development Department
P.O. Box 970 ▪ 414 E First Street ▪ Newberg, Oregon 97132
503-537-1240. Fax 503-537-1272 www.newbergoregon.gov

**WE WANT YOUR COMMENTS ON A PROPOSED NEW
DEVELOPMENT IN YOUR NEIGHBORHOOD**

A property owner in your neighborhood submitted an application to the City of Newberg for modifications within the Stream Corridor at 4813 and 4821 E Portland Road. You are invited to take part in the City's review of this project by sending in your written comments. The applicable criteria used to make a decision on this application for modifications within the Stream Corridor approval is found in Newberg Development Code Section 15.342.070, 15.342.080, and 15.342.090 For more details about giving comments, please see the back of this sheet.

The application will include proposed modifications within the Stream Corridor and mitigation strategies for the disturbed areas.

APPLICANT: *Sam Huck, 3J Consulting*
TELEPHONE: *503-946-9365*
PROPERTY OWNER: *Westwood Homes, LLC*
LOCATION: *4813 and 4821 E Portland Road*
TAX LOT NUMBER: *3216 1000 and 900*



Working Together For A Better Community-Serious About Service"

We are mailing you information about this project because you own land within 500 feet of the proposed new project. We invite you to send any written comments for or against the proposal within 14 days from the date this notice is mailed.

If you mail your comments to the City, please put the following information on the outside of the envelope:

Written Comments: File No. MISC22-XXXX related to CUP22-0001/PUD22-0001
City of Newberg
Community Development Department
PO Box 970
Newberg, OR 97132

Month and date may change based on when an application is submitted and goes through completeness review

All written comments must be received by 4:30 p.m. on **October XX, 2022**. Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be submitted to the City in writing before this date. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for modifications within the Stream Corridor approval is found in Newberg Development Code Section 15.342.070, 15.342.080, and 15.342.090.

You can look over all the information about this project or drop comments off at Newberg City Hall, 414 E. First Street. You can also buy copies of the information for a cost of 25 cents a page. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240. Information can also be accessed at: <https://www.newbergoregon.gov/planning/page/misc222-000-stream-corridor-modification>

The Community Development Director will make a decision at the end of a 14-day comment period. If you send in written comments about this project, you will be sent information about any decision made by the City relating to this project.

Date Mailed: **October XX, 2022**

Land Use Notice

FILE # MISC222-XXXX

We will give you a case #
once an application is
filed

**PROPOSAL: Modifications within
the Stream Corridor**

FOR FURTHER INFORMATION, CONTACT:

City of Newberg
Community Development Department
414 E First Street
Phone: 503-537-1240

CERTIFICATE OF COMPLETION

DIGI SIGN

Envelope Id: FE46F25E-83B8-4912-868C-C2046491C6D8
Subject: 4821 E Portland Rd Type 2 Land Use Application

Envelope Sent: 10/11/2022 9:26:49 AM PDT
Envelope Completed: 10/12/2022 8:23:13 AM PDT

Sender Name: Ryann Reinhofer
Sender Email: ryann@TBREGroup.com
IP Address: 69.168.123.67

Envelope Pages: 1
Total Initials: 0
Total Signatures: 2

SIGNER EVENTS

Name: Bruce Thomas
Email: btpolaris@aol.com

Signature: *Bruce Thomas*

Initials: *BT*

IP Address: 107.77.205.102

Envelope Sent: 10/11/2022 9:26:50 AM PDT
Disclosure Accepted: 10/12/2022 8:23:08 AM PDT
Envelope Completed: 10/12/2022 8:23:13 AM PDT
Envelope Downloaded:
Signature Security: Email, Token Authentication

Name: Valerie Thomas
Email: ft712@msn.com

Signature: *Valerie Thomas*

Initials: *VT*

IP Address: 73.67.218.203

Envelope Sent: 10/11/2022 9:26:50 AM PDT
Disclosure Accepted: 10/11/2022 9:28:03 AM PDT
Envelope Completed: 10/11/2022 9:28:25 AM PDT
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Signature Security: Email, Token Authentication

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Please review the notice below ("Notice") carefully. By using DigiSign you consent to this Notice. If you choose not to consent to this Notice or you withdraw your consent, you will be restricted from using DigiSign.

Your Consent:

By consenting to this notice, you are agreeing to:

1. Receive notices and disclosures from SkySlope in electronic form (in a manner that reasonably demonstrates your ability to access and retain such notices and disclosures; and
2. Use the DigiSign electronic signatures ("e-signatures") on the documents you elect to execute or otherwise process through the DigiSign service. By delivering to DigiSign documents to be executed, you are authorizing DigiSign to imprint thereon your signature and that of other parties who have provided us with their consent, and to distribute copies of the executed versions to all parties. DigiSign will not make any other use of documents without your prior written authorization.

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Requesting Paper Copies:

You may request paper copies of a particular Record by emailing us at support@skyslope.com or writing us at 825 K St. FL 2, Sacramento, CA 95814. Your request must include: your name, physical address, email address, telephone number and the name of the transaction being processed. Your request will be effective within twenty (24) business hours from the time we receive your request. We may charge a reasonable service fee for the provision of paper Records. Any paper copy request must be made to "Attn: E-Sign Disclosure and Consent Notice."

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You may withdraw your consent to receive Records under this Notice by emailing us at support@skyslope.com or writing us at 825 K St. FL 2, Sacramento, CA 95814. Your withdrawal will be effective within twenty (24) business hours from the time we receive your withdrawal notice. Any withdrawal request must be made to "Attn: E-Sign Disclosure and Consent Notice."

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- A valid email address;
- A computer, mobile, tablet or similar device with internet access and current browser software and computer software that is capable of receiving, accessing, displaying, and either printing or storing Records received from us in electronic form;
- Sufficient storage space to save the Records (whether presented online, in e-mails or PDF) or the ability to print Records.

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Updating Your Information:

It is your responsibility to keep your primary email address current so that SkySlope can communicate with you electronically. You understand and agree that if we send you a communication but you do not receive it because your primary email address on file is incorrect, out of date, blocked by your service provider, or you are otherwise unable to receive electronic communications, we will be deemed to have provided the communication to you; however, we

may deem your account inactive. You may not be able to transact using DigiSign until we receive a valid, working primary email address from you.

If you use a spam filter or similar software that blocks or re-routes emails from senders not listed in your email address book, we recommend that you add SkySlope to your email address book so that you can receive communications by e-mail.

You can update your email address or other information by emailing us at support@skyslope.com or writing us at 825 K St. FL 2, Sacramento, CA 95814 Any notices must be made to "Attn: E-Sign Disclosure and Consent Notice."

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AmeriTitle, LLC
 320 Church St. NE, Salem, OR 97301
 PHONE (503)581-1431 FAX (503)364-8716

December 1, 2021
 File Number: 444574AM
 Report No.: 4
 Title Officer: Julie Lafoon

PRELIMINARY TITLE REPORT

Property Address: 4821 E Portland Road, Newberg, OR 97132

<u>Policy or Policies to be issued:</u>	<u>Liability</u>	<u>Premium</u>
OWNER'S STANDARD COVERAGE	\$2,100,000.00	\$3,750.00
Proposed Insured: Westwood Homes, LLC, an Oregon limited liability company		

Local Government Lien Search \$40.00

We are prepared to issue ALTA (06/17/06) title insurance policy(ies) of WFG National Title Insurance Company, in the usual form insuring the title to the land described as follows:

Legal description attached hereto and made a part hereof marked Exhibit "A"

and dated as of 22nd day of November, 2021 at 7:30 a.m., title is [vested in:](#)

Bruce A. Thomas and Valerie J. Thomas, as tenants by the entirety

The estate or interest in the land described or referred to in this Preliminary Title Report and covered herein is:

FEE SIMPLE

Except for the items properly cleared through closing, Schedule B of the proposed policy or policies will not insure against loss or damage which may arise by reason of the following:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject Land onto adjoining Land or of existing improvements located on adjoining Land onto the subject Land) encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental, or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

EXCEPTIONS 1 THROUGH 5 ABOVE APPLY TO STANDARD COVERAGE POLICIES AND MAY BE MODIFIED OR ELIMINATED ON AN EXTENDED COVERAGE POLICY.

SPECIAL EXCEPTIONS:

Tax Information:

Taxes assessed under Code No. 29.0 Account No. 29070 Map No. R3216 900

NOTE: The 2021-2022 Taxes: \$3,381.00, are Paid

6. INTENTIONALLY DELETED.
7. City liens, if any, of the City of Newberg.
8. The property lies within and is subject to the levies and assessments of the Yamhill Soil and Water Conservation District.
9. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.
10. A Deed of Trust, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:
Amount: \$94,500.00
Trustor/Grantor: Bruce A. Thomas and Valerie J. Thomas
Trustee: Chicago Title Insurance Company
Beneficiary: First Franklin Financial Corporation
Dated: July 12, 1995
Recorded: July 21, 1995
Instrument No.: [1995-009522](#)
- The beneficial interest under said Deed of Trust was assigned by successive assignments of record the last of which was assigned to Ocwen Loan Servicing LLC, by assignment recorded as Instrument No.: [2013-013294](#)
11. Covenant of Waiver of Rights and Remedies, including the terms and provisions thereof,
Recorded: January 31, 2007
Instrument No.: [2007-002368](#)

12. Covenant of Waiver of Rights and Remedies, including the terms and provisions thereof,
Recorded: January 31, 2007
Instrument No.: [2007-002369](#)
13. Covenant and Waiver of Rights and Remedies, including the terms and provisions thereof,
Recorded: January 31, 2007
Instrument No.: [2007-002370](#)
14. Covenant of Waiver of Rights and Remedies, including the terms and provisions thereof,
Recorded: January 31, 2007
Instrument No.: [2007-002371](#)
15. Covenant and Waiver of Rights and Remedies, including the terms and provisions thereof,
Recorded: June 13, 2008
Instrument No.: [2008-010249](#)
16. Covenant of Waiver and Rights of Remedies, including the terms and provisions thereof,
Recorded: June 13, 2008
Instrument No.: [2008-010250](#)
17. Personal property taxes, if any.
18. Sale Agreement, including the terms and provisions thereof,
Recorded: December 7, 2015
Instrument No.: [2015-018954](#)
Between: Valerie Thomas
And: Bruce Thomas
19. INTENTIONALLY DELETED.
20. INTENTIONALLLY DELETED.
21. INTENTIONALLY DELETED.
22. Unrecorded leaseholds, if any, and the rights of vendors and holders of security interest in personal property of tenants to remove said personal property at the expiration of the term.
23. Rights of tenants under existing leases or tenancies.

INFORMATIONAL NOTES:

NOTE: THIS IS A TITLE ONLY ORDER, and as such this office will not be performing any escrow functions such as document preparation, wiring or payoff information, signings, closing protection letters and/or sub-escrows. For questions pertaining to your escrow,
Please contact: WFG National Title
Attn: Krista Thorne:
Address: 2430 NE John Olsen Avenue, Ste. 125, Beaverton, OR 97006
Reference: 21-136607

(If full escrow functions are needed on this transaction by this office, please contact us immediately.) (To release recordings for title only files, please contact our recording desk at (503)581-1431 or email SalemRecorder@amerititle.com)

NOTE: As of the date hereof, there are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties:

Westwood Homes, LLC, an Oregon Corporation
Valerie J. Thomas
Bruce A. Thomas

NOTE: We find no activity in the past 24 months regarding transfer of title to subject property.

NOTE: The following is the last deed of record affecting said land,
Document: Statutory Warranty Deed
Grantor: Lloyd Schoene
Grantee: Bruce A. Thomas and Valerie J. Thomas, husband and wife
Recorded: July 21, 1995
Instrument No.: 1995-009521

NOTE: This Report No. 4 was updated to reflect the following changes:

1. Bring Current
2. Add Taxes Paid
3. Delete Exceptions 19, 20 and 21

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the parties to the transaction must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

NOTE: Due to current conflicts or potential conflicts between state and federal law, which conflicts may extend to local law, regarding marijuana, if the transaction to be insured involves property which is currently used or is to be used in connection with a marijuana enterprise, including but not limited to the cultivation, storage, distribution, transport, manufacture, or sale of marijuana and/or products containing marijuana, the Company declines to close or insure the transaction, and this Preliminary Title Report shall automatically be considered null and void and of no force and effect.

THIS PRELIMINARY TITLE REPORT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

End of Report

"Superior Service with Commitment and Respect for Customers and Employees"

EXHIBIT "A"
LEGAL DESCRIPTION

Part of the Sebastian Brutscher Donation Land Claim No. 51 in Township 3 South of Range 2 West of the Willamette Meridian in Yamhill County, Oregon, as follows:

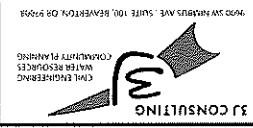
Beginning 11.50 chains West at the Northeast corner of said claim, at the Northwest corner of land conveyed to William C. Everest by Deed recorded May 6, 1865, in Book "G", Page 496, Deed Records; thence South along the West line of said Everest Tract to the Northerly right of way line of U.S. Highway 99W as shown by Deed from W.T. West to Yamhill County, Oregon, recorded December 2, 1922, Book 87, Page 69, Deed Records; thence Westerly along said right of way to the East line of land conveyed to Caroline Hutchens by Deed recorded October 3, 1891, Book 26, Page 129, Deed Records; thence North along East line of said Hutchens Tract to the North line of the Sebastian Brutscher Claim and thence East 6.56 chains to the place of beginning.

APPENDIX B - LAND USE PLANS



PUBLISH DATE
10/17/2022
ISSUED FOR
LAND USE
REVISIONS

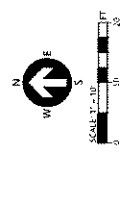
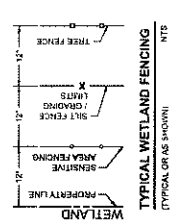
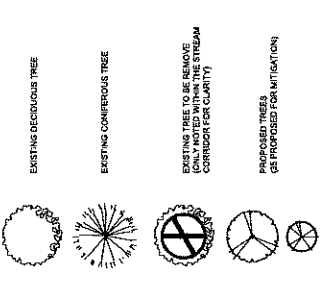
STREAM CORRIDOR OVERLAY EXHIBIT
CRESTVIEW GREEN
PLANNED UNIT DEVELOPMENT
WESTWOOD HOMES LLC
NEWBERG, OR



PROJECT INFORMATION
PROJECT # 22020
DATE: 10/17/2022
DRAWN BY: J. BROWN
CHECKED BY: J. BROWN
DATE: 10/17/2022

C001
SHEET NUMBER

- LEGEND**
- PROJECT BOUNDARY
 - RIGHT-OF-WAY CENTERLINE
 - PROPOSED RIGHT OF WAY
 - EASEMENT LINE
 - EXISTING MAJOR CONTOUR
 - PROPOSED MAJOR CONTOUR
 - EXISTING MINOR CONTOUR
 - PROPOSED MINOR CONTOUR
 - DRY/DRAWN HIGH WATERLINE
 - WETLAND BOUNDARY
 - EXISTING DECIDUOUS TREE
 - EXISTING CONIFEROUS TREE
 - EXISTING TREE TO BE REMOVED (WITHIN STREAM CORRIDOR CLEARITY)
 - PROPOSED TREES (SEE PROPOSED FOR PLANTING)



APPENDIX C - TECHNICAL REPORTS

**Wetland Delineation
for 4812 & 4813 E. Portland Road,
Newberg, Oregon**

(Township 3 South, Range 2 West, Section 16, Tax Lots 900 and 1000)

Prepared for

Todd Boyce
Westwood Homes, LLC
12700 NW Cornell Road
Portland, OR 97229

Prepared by

Joe Thompson PWS, Craig Turner PWS,
John van Staveren SPWS
Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, Oregon 97070
(503) 570-0800
(503) 570-0855 FAX

PHS Project Number: 7284

December 17, 2021



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I. INTRODUCTION

Pacific Habitat Services, Inc. (PHS) conducted a wetland delineation for 4812 & 4813 E. Portland Road in Newberg, Oregon (Township 3 South, Range 2 West, Section 16, Tax Lots 900 and 1000). This report presents the results of PHS's delineation of the study area. Figures, including a map depicting the location of wetlands within the study area, are in Appendix A. Data sheets documenting on-site conditions are provided in Appendix B. Ground-level photos of the study area are included in Appendix C. A discussion of the wetland delineation methodology (for the client) is provided in Appendix D.

II. RESULTS AND DISCUSSION

A. Landscape Setting and Land Use

The approximately 10.58-acre study area is located in the eastern portion of Newberg, Yamhill County, Oregon and consists of two residences plus barns, gravel driveways and several small outbuildings. The majority of the site consists of fallow grass fields, although a small portion in the northeastern portion is used as a horse pasture. The northwest corner of the site is dominated by Oregon oak trees (*Quercus garryana*, FACU) with a dense understory of Himalayan blackberry (*Rubus armeniacus*, FAC). Oregon oaks are also common in the vicinity of the residences. The southern boundary, adjacent to Pacific Highway 99 West is dominated by Himalayan blackberry, snowberry (*Symphoricarpos alba*, FACU), and red osier dogwood (*Cornus alba*, FACW).

Spring Brook, a small, perennial stream lies below a steep escarpment in the northeastern portion of the study area and flows southeast, exiting the site via a culvert under NE Benjamin Road. With the exception of the escarpment in the northeast corner of the site, which slopes steeply to the northeast into the Spring Brook drainage, the overall site topography slopes gradually to the southeast.

Soils on the site are mapped as Wapato silty clay loam, 0 to 3 percent slopes (hydric), Woodburn silt loam, 3 to 12 percent slopes (non-hydric), Woodburn silt loam, 20 to 55 percent slopes (non-hydric), Woodburn silt loam, 12 to 20 percent slopes (non-hydric), and Amity silt loam, 0 to 3 percent slopes (non-hydric). All wetlands and waters of the study area are located in soils mapped as Woodburn silt loam, 20 to 55 percent slopes and Wapato silty clay loam, 0 to 3 percent slopes.

Areas south and west of the study area include new residential subdivisions and the City of Newberg. Areas north and east and south of the study area are primarily agricultural and include vineyards, orchards, pastures, and wooded areas. The Willamette River is approximately three miles to the south.

B. Site Alterations

No alterations to the site appear to have taken place in recent years that could have significantly affected the site's wetlands or waters.

C. Precipitation Data and Analysis

PHS conducted the wetland delineation fieldwork on October 8, 2021. Table 1 compares the average monthly precipitation to the observed monthly precipitation at the Rex 1S weather station in the three months prior to the fieldwork. Table 1 also compares the observed precipitation to the normal precipitation range, as identified in the NRCS WETS table for the Rex 1S weather station.

Table 1: Comparison of average and observed monthly precipitation at the Rex 1S weather station, prior to the October 2021 wetland delineation field work.

Month	Average Precipitation ¹ (inches)	30% Chance Will Have		Observed Precipitation ² (inches)	Percent of Normal (inches)
		Less Than Average ¹ (inches)	More Than Average ¹ (inches)		
July	0.70	0.22	0.81	0	0
August	0.89	0.29	1	0	0
September	1.76	0.76	2.05	2.93	166

¹ NRCS WETS Table for the Rex 1S Weather Station Source: <http://agacis.rcc-acis.org/?fips=41071>.

² Observed precipitation is the precipitation recorded at the Rex 1S Weather Station. Source: <http://agacis.rcc-acis.org/?fips=41071>

As shown in Table 1, no precipitation was recorded during July and August and recorded precipitation was above normal during September. Total observed precipitation for the water year (October 2020 through September 2021) was 41.96 inches, which is approximately 96 percent of normal for this same period (43.62 inches). During the two weeks preceding the October 8 fieldwork and data collection, 1.81 inches of precipitation was recorded. This is 287 percent of normal for the period (0.63 inches). No rainfall was recorded on the day when fieldwork was conducted. The October 8 fieldwork was, therefore, conducted during slightly above normal hydrological conditions.

D. Methods

PHS identified jurisdictional wetlands in the study area based on the presence of wetland hydrology, hydric soils, and hydrophytic vegetation, in accordance with the Routine On-site Determination, as described in the *Corps of Engineers Wetland Delineation Manual, Wetlands Research Program Technical Report Y 87 1* (“The 1987 Manual”) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region*. The conclusions drawn by PHS were based on the methods outlined in the regional supplement, which requires a predominance of hydrophytic plant species, one indicator of hydric soil, and either one primary or two secondary indicators of hydrology to designate a sample point as a wetland. The ordinary high water (OHW) of Spring Brook was determined based on an abrupt transition from the stream channel to uplands due to the steep banks of the incised channel. The delineation took place on October 8, 2021.

Although the wetland delineation fieldwork was performed under conditions that were slightly above normal (normal for the water year and above normal for recent precipitation), it was considered too early in the rainy season for soils to be considered fully recharged. Therefore, at sample points where hydrophytic vegetation and hydric soils were observed, but either a single primary hydrology indicator or two secondary hydrology indicators were not present, the soils/hydrology pit was excavated 20-24 inches in order to determine whether or not a seasonally high water table was present, which would constitute a secondary hydrology indicator.

E. Description of all Wetlands and Other Waters

PHS identified the jurisdictional limits of one perennial stream (Spring Brook) and one wetland (Wetland A). Descriptions of the delineated resources are provided below.

Spring Brook

Spring Brook is a perennial stream and is a water of the state/U.S. It is classified under the Cowardin system as riverine upper perennial, unconsolidated bottom, permanently flooded (R5UBH) and under the Hydrogeomorphic (HGM) system as riverine flow-through (RTF). The OHW of the stream comprises 997 square feet (0.02 acres). Spring Brook flows through the northeast corner of the site in a southeasterly direction and exits the site at NE Benjamin Road via a culvert. The adjacent vegetation is upland and mainly consists of English ivy (*Hedera helix*, FACU), red osier dogwood, and holly (*Ilex aquifolium*, FACU).

Wetland A

Wetland A is classified under the Cowardin system as palustrine, forested (broad-leaved), seasonally flooded (PFO1C) and under the HGM system as flats and is 1,788 square feet (0.04 acres) in size. The dominant vegetation includes red osier dogwood, currant (*Ribes* spp.), stinging nettle (*Urtica dioica*, FAC), and English ivy. English ivy was most likely rooted in the adjacent uplands, and therefore, able to persist in the wetland. Soils meet the requirements for loamy gleyed matrix and hydrogen sulfide. Wetland hydrology indicators include saturation (in the upper 5 inches indicating a perched water table), hydrogen sulfide odor, and geomorphic position.

The dominant vegetation in the adjacent uplands includes red alder, red osier dogwood, holly, and English ivy. Soils meet the requirements for a depleted matrix; however, wetland hydrology is absent.

F. Deviation from Local Wetland Inventory or National Wetland Inventory

The National Wetlands Inventory depicts a riverine upper perennial, unconsolidated bottom, permanently flooded in approximately the same location as Wetland A and Stream 1. The NWI does not differentiate between the two jurisdictional features that were delineated because the NWI maps wetlands and waters are a much coarser scale.

No Local Wetland Inventory has been conducted for the City of Newberg or vicinity.

G. Mapping Method

The property boundaries Wetland A, Stream 1, and Sample Points 1 and 2 were surveyed by S&F Land Services, PLS with the exception of the northern 5 feet of Wetland A and the OHW of Spring Brook, which were surveyed using a compass and tape measure, and have an estimated accuracy of 3 feet. Sample Points 3, 4, and 5 were placed by hand onto a 1 inch = 100 feet aerial photo and are estimated to have 5-foot accuracy. The 3-foot contours were downloaded as shapefiles from NOAA.

H. Additional Information

None

I. Results and Conclusions

PHS delineated one stream comprising 0.02 acres and one wetland comprising 0.04 acres within the study area. Cowardin and HGM classes are state in Section E above.

J. Required Disclaimer

This report documents the investigation, best professional judgment and conclusions of the investigators. It is correct and complete to the best of our knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the Oregon Department of State Lands in accordance with OAR 141-090-0005 through 141-090-0055.

III. REFERENCES

- Adamus, P.R. and D. Field. 2001 *Guidebook for Hydrogeomorphic (HGM)-based Assessment of Oregon Wetland and Riparian Study areas. Willamette Valley Ecoregion, Riverine Impounding and Slopes/Flats Subclasses*. Oregon Division of State Lands, Salem, OR.
- GoogleEarth Map, 2021. March 2020 aerial photo
- Hitchcock, CL and A. Cronquist. 1973. *Flora of the Pacific Northwest: An Illustrated manual*. University of Washington Press.
- Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. *State of Oregon 2018 Plant List. The National Wetland Plant List: 2018 Wetland Ratings*
http://wetland-plants.usace.army.mil/nwpl_static/v34/home/home.html#
- Munsell Color, 2010. *Munsell Soil Color Charts*. Grand Rapids, Michigan. 2009 Year Revised, 2010 Production.
- US Fish and Wildlife Services, National Wetlands Inventory, 2021. Source:
<https://www.fws.gov/wetlands/Data/Mapper.html>
- Natural Resources Conservation Service (NRCS) WETS Table for the Rex 1 Weather Station.
Source: <http://agacis.rcc-acis.org/?fips=41071>
- Oregon Department of State Lands. September 2001. *Removal-Fill Law (ORS 196.800-196.990) and Removal and Filling in Scenic Waterways (ORS 390.805-390.925)*.
- ORMAP tax maps, 2021. <http://www.ormap.net/>
- US Army Corps of Engineers, Environmental Laboratory, 1987. *Corps of Engineers Wetland Delineation Manual. Technical Report Y-87-1*.
- US Army Corps of Engineers, Environmental Laboratory, 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*.
- US Department of Agriculture, Natural Resource Conservation Services, 2021. *Web Soil Survey*.
- U.S. Geological Survey, 2020. 7.5 topographic maps. *Newberg, Yamhill County, Oregon*.

Appendix A

Figures



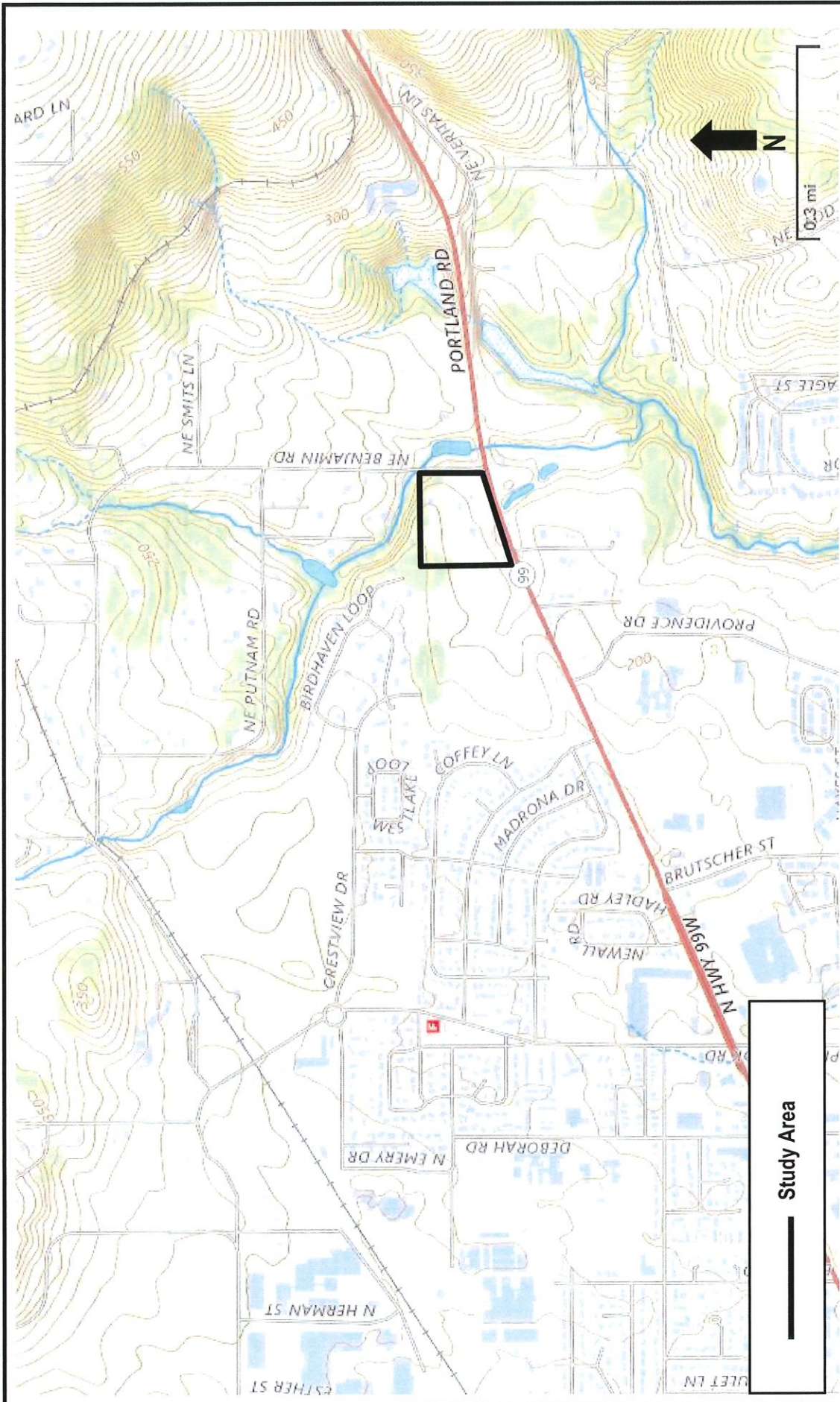


FIGURE
1

General Location and Topography
4812 and 4813 E. Portland Road - Newberg, Oregon
United States Geological Survey (USGS) Newberg, Oregon 7.5 quadrangle, 2020
(viewer.nationalmap.gov/basic)

Project #7284
12/7/2021



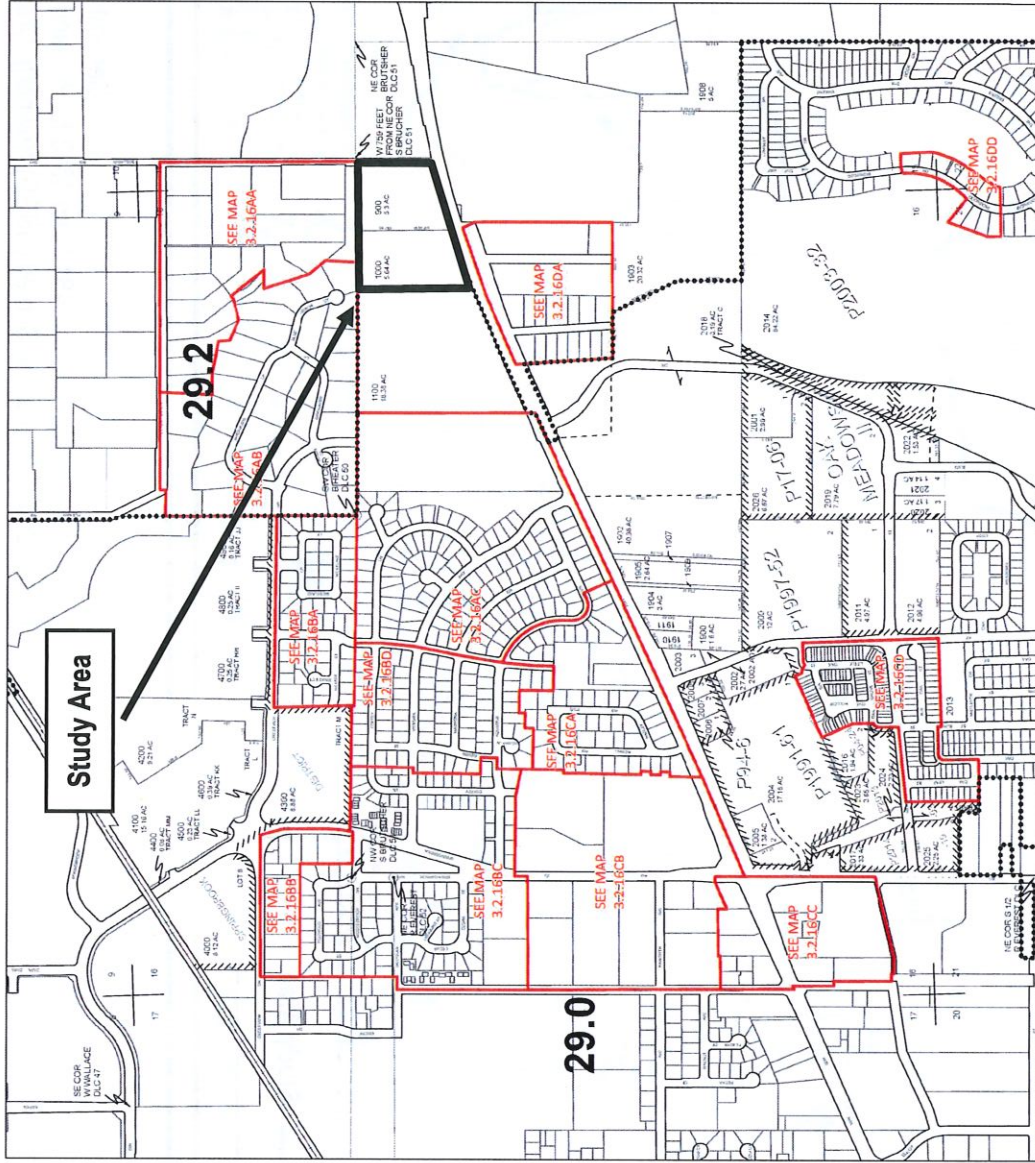
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Wilsonville, OR 97070

3 2 16



ASSESSMENT & TAX
CARTOGRAPHY

SECTION 16 T.3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 400'



Study Area

CANCELLED TAXLOTS

3000-401	3000
3000-402	3000
3000-403	3000
3000-404	3000
3000-405	3000
3000-406	3000
3000-407	3000
3000-408	3000
3000-409	3000
3000-410	3000
3000-411	3000
3000-412	3000
3000-413	3000
3000-414	3000
3000-415	3000
3000-416	3000
3000-417	3000
3000-418	3000
3000-419	3000
3000-420	3000
3000-421	3000
3000-422	3000
3000-423	3000
3000-424	3000
3000-425	3000
3000-426	3000
3000-427	3000
3000-428	3000
3000-429	3000
3000-430	3000
3000-431	3000
3000-432	3000
3000-433	3000
3000-434	3000
3000-435	3000
3000-436	3000
3000-437	3000
3000-438	3000
3000-439	3000
3000-440	3000
3000-441	3000
3000-442	3000
3000-443	3000
3000-444	3000
3000-445	3000
3000-446	3000
3000-447	3000
3000-448	3000
3000-449	3000
3000-450	3000

DATE PRINTED: 4/8/2021

This product is for Assessment and Taxation (M&T) purposes only. It is not to be used for any other purpose, including but not limited to, surveying or any purchase other than assessment and taxation.

3 2 16



FIGURE
2

Tax Lot Map
4812 and 4813 E. Portland Road - Newberg, Oregon
The Oregon Map (ormap.net)

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12/7/2021

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U.S. Fish and Wildlife Service National Wetlands Inventory

NWI - 7284

Study Area



December 8, 2021

Wetlands

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Estuarine and Marine Wetland
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

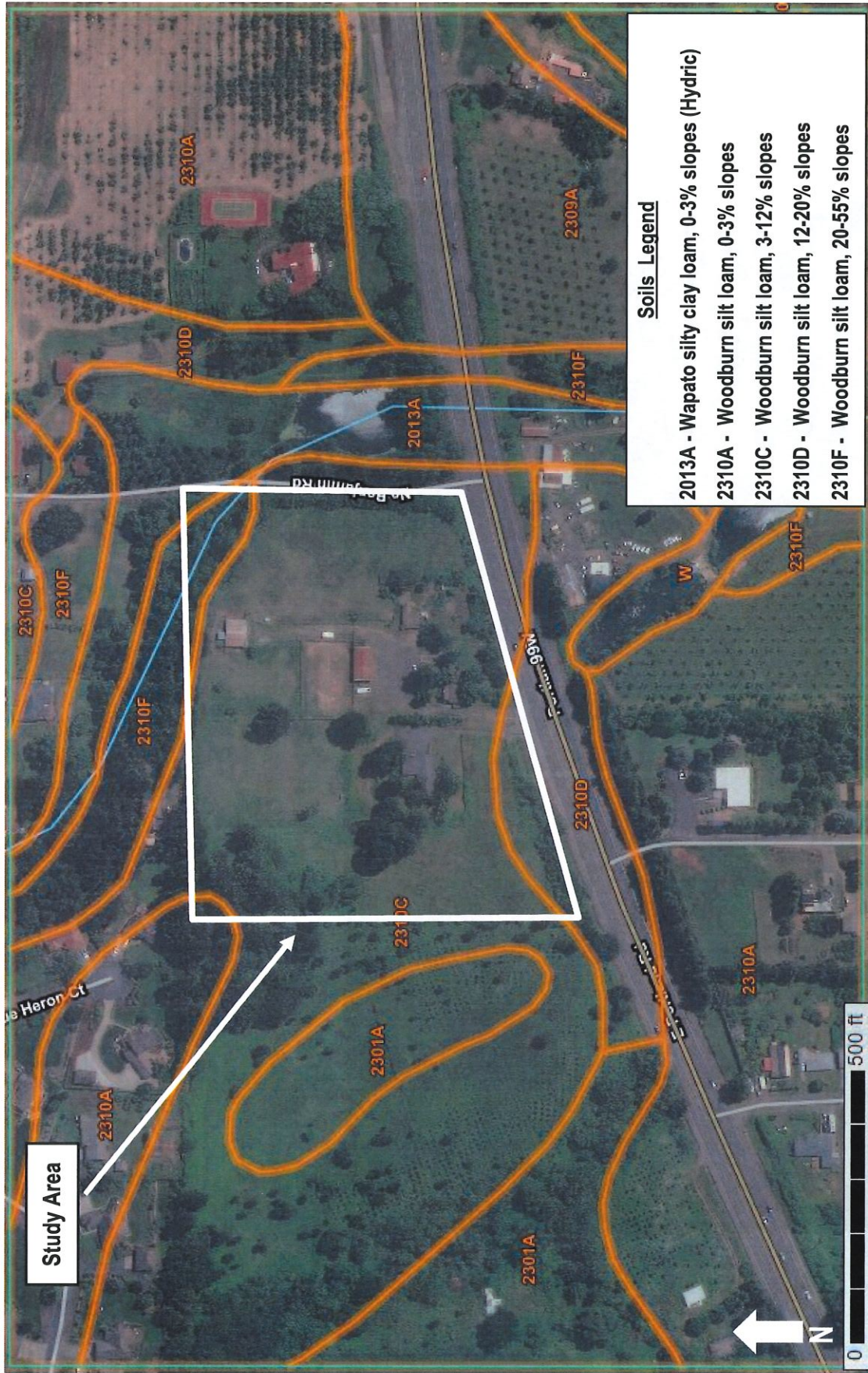
FIGURE
3

National Wetlands Inventory
4812 and 4813 E. Portland Road - Newberg, Oregon
United States Fish and Wildlife Service, Online Wetland Mapper, 2021

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12/7/2021



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Soils Legend

- 2013A - Wapato silty clay loam, 0-3% slopes (Hydric)
- 2310A - Woodburn silt loam, 0-3% slopes
- 2310C - Woodburn silt loam, 3-12% slopes
- 2310D - Woodburn silt loam, 12-20% slopes
- 2310F - Woodburn silt loam, 20-55% slopes

Study Area

Project #7284
12/7/2021

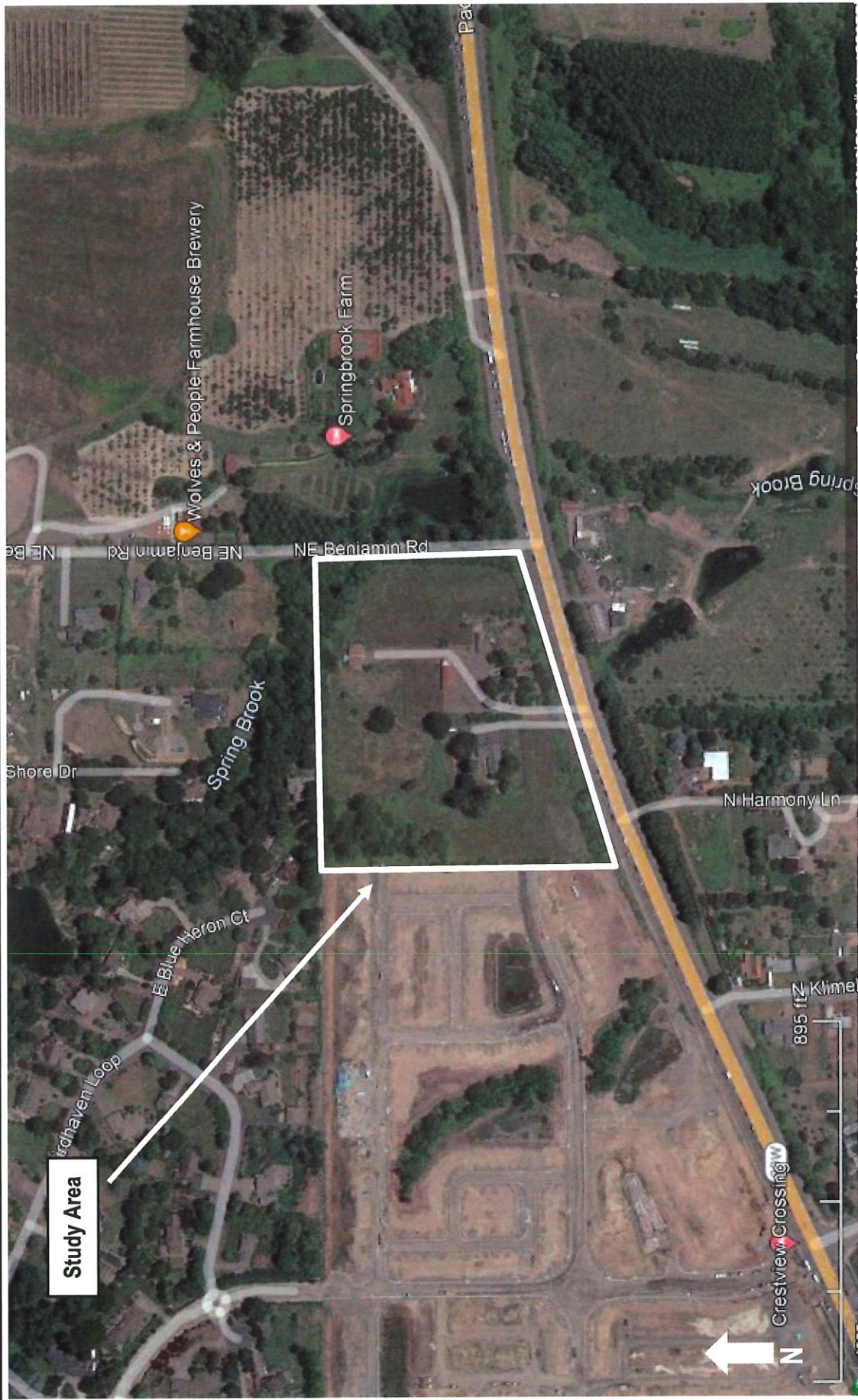


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FIGURE

4

Soils
4812 and 4813 E. Portland Road - Newberg, Oregon
Natural Resources Conservation Services, Web Soil Survey, 2020
(websoilsurvey.sc.egov.usda.gov)



Study Area

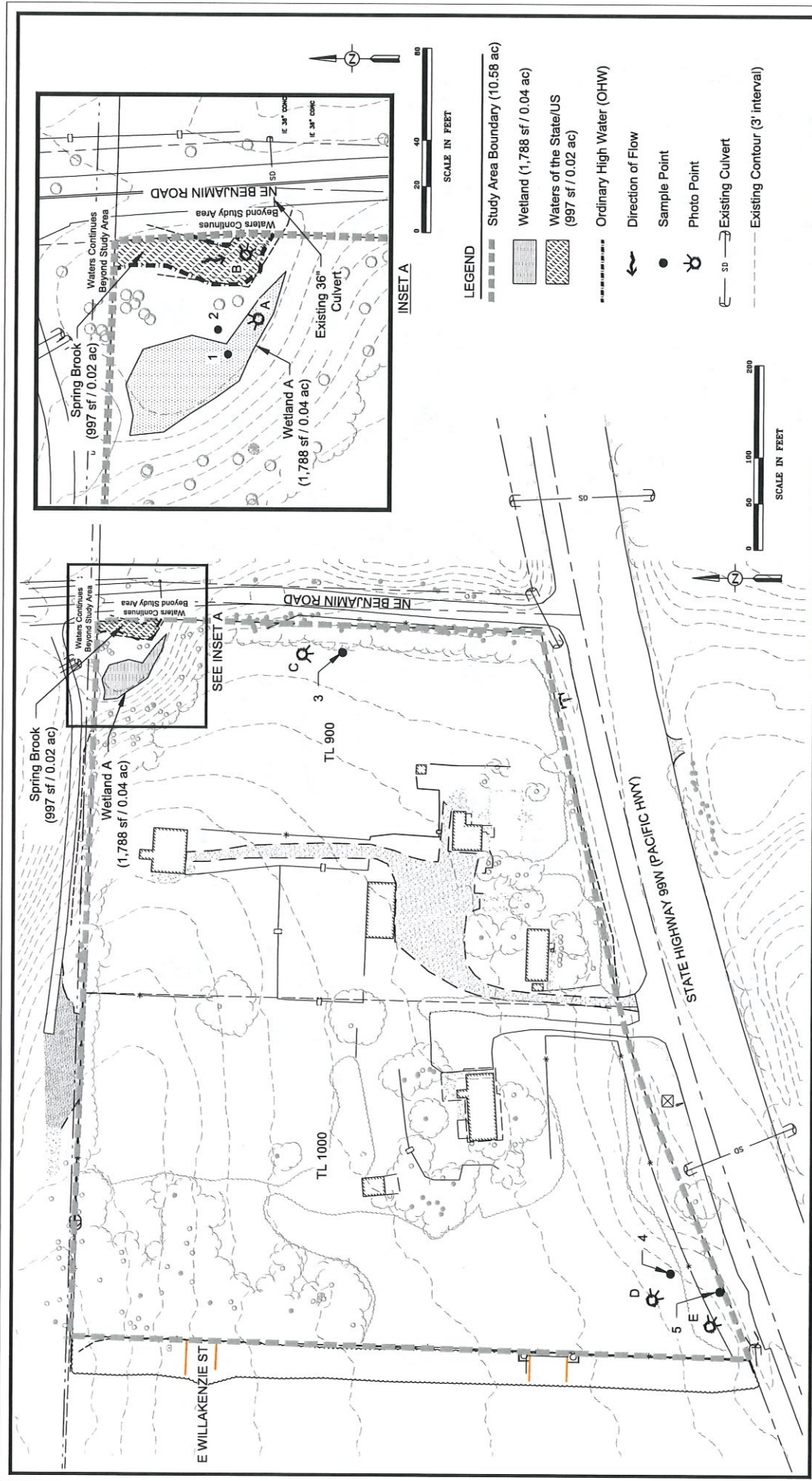
FIGURE 5

Aerial Photo
 4812 and 4813 E. Portland Road - Newberg, Oregon
 GoogleEarth, 2020

Project #7284
 12/7/2021



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Base Survey, Wetland A, Spring Brook, and Sample Points 1 and 2 were surveyed by S&F Land Services, PLS with the exception of the northern 5 feet of Wetland A and the OHW of Spring Brook, which were surveyed using a compass and tape measure, and have an estimated accuracy of 3 feet. Sample Points 3, 4, and 5 were placed by hand onto a 1 inch = 100 feet aerial photo field map, and are estimated to have 5-foot accuracy. The 3-foot contours were downloaded as shapefiles from NOAA.



Appendix B

Wetland Determination Data Sheets



WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd City/County: Newberg/Yamhill Sampling Date: 10/8/2021
 Applicant/Owner: Westwood Homes, LLC State: OR Sampling Point: 1
 Investigator(s): JT/CT Section, Township, Range: S16, T3S, R2W
 Landform (hillslope, terrace, etc.): Swale Local relief (concave, convex, none): Concave Slope (%): ~1
 Subregion (LRR): LRR A Lat: 45.3133 Long: -122.9289 Datum: WGS84
 Soil Map Unit Name: Woodburn silt loam, 20 to 55 percent slopes NWI Classification: PFO1C

Are climatic/hydrologic conditions on the site typical for this time of year? Yes _____ No X (if no, explain in Remarks)
 Are vegetation _____ Soil _____ or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) Y
 Are vegetation _____ Soil _____ or Hydrology _____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____	Is Sampled Area within a Wetland? Yes <u>X</u> No _____
Hydric Soil Present? Yes <u>X</u> No _____	
Wetland Hydrology Present? Yes <u>X</u> No _____	

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

Tree Stratum (plot size: _____)	absolute % cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That are OBL, FACW, or FAC: <u>75%</u> (A/B)
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
	<u>0</u>	= Total Cover		
Sapling/Shrub Stratum (plot size: <u>15</u>)				Prevalence Index Worksheet: Total % Cover of _____ Multiply by: OBL Species _____ x 1 = <u>0</u> FACW species _____ x 2 = <u>0</u> FAC Species _____ x 3 = <u>0</u> FACU Species _____ x 4 = <u>0</u> UPL Species _____ x 5 = <u>0</u> Column Totals <u>0</u> (A) <u>0</u> (B) Prevalence Index = B/A = <u>#DIV/0!</u>
1 <u>Cornus alba</u>	<u>60</u>	<u>X</u>	<u>FACW</u>	
2 <u>Ribes sp</u>	<u>50</u>	<u>X</u>	<u>(FAC)</u>	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
	<u>110</u>	= Total Cover		
Herb Stratum (plot size: <u>5</u>)				Hydrophytic Vegetation Indicators: 1- Rapid Test for Hydrophytic Vegetation <u>X</u> 2- Dominance Test is >50% 3-Prevalence Index is ≤ 3.0 ¹ 4-Morphological Adaptations ¹ (provide supporting data in Remarks or on a separate sheet) 5- Wetland Non-Vascular Plants ¹ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1 <u>Urtica dioica</u>	<u>5</u>	<u>X</u>	<u>FAC</u>	
2 _____	_____	_____	_____	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
6 _____	_____	_____	_____	
7 _____	_____	_____	_____	
8 _____	_____	_____	_____	
	<u>5</u>	= Total Cover		
Woody Vine Stratum (plot size: <u>30</u>)				Hydrophytic Vegetation Present? Yes <u>X</u> No _____
1 <u>Hedera helix</u>	<u>100</u>	<u>X</u>	<u>FACU</u>	
2 _____	_____	_____	_____	
	<u>100</u>	= Total Cover		
% Bare Ground in Herb Stratum <u>0</u>				

Remarks:
Hedera helix is rooted in the adjacent uplands.

SOIL

PHS # 7284Sampling Point: 1**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	10YR 3/2	100					Silt Loam	
5-7	2.5/N	90	5YR 4/6	10	C	M	Silt Loam	
7-13	2.5/N	100					Silt Loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.²Location: PL=Pore Lining, M=Matrix.**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

<input type="checkbox"/>	Histosol (A1)	<input type="checkbox"/>	Sandy Redox (S5)
<input type="checkbox"/>	Histic Epipedon (A2)	<input type="checkbox"/>	Stripped Matrix (S6)
<input type="checkbox"/>	Black Histic (A3)	<input type="checkbox"/>	Loamy Mucky Mineral (F1) (except MLRA 1)
<input checked="" type="checkbox"/>	Hydrogen Sulfide (A4)	<input checked="" type="checkbox"/>	Loamy Gleyed Matrix (F2)
<input type="checkbox"/>	Depleted Below Dark Surface (A11)	<input type="checkbox"/>	Depleted Matrix (F3)
<input type="checkbox"/>	Thick Dark Surface (A12)	<input type="checkbox"/>	Redox Dark Surface (F6)
<input type="checkbox"/>	Sandy Mucky Mineral (S1)	<input type="checkbox"/>	Depleted Dark Surface (F7)
<input type="checkbox"/>	Sandy Gleyed Matrix (S4)	<input type="checkbox"/>	Redox Depressions (F8)

Indicators for Problematic Hydric Soils³:

<input type="checkbox"/>	2 cm Muck (A10)
<input type="checkbox"/>	Red Parent Material (TF2)
<input type="checkbox"/>	Very Shallow Dark Surface (TF12)
<input type="checkbox"/>	Other (explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.**Restrictive Layer (if present):**

Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY**Wetland Hydrology Indicators:****Primary Indicators (minimum of one required; check all that apply)**

<input type="checkbox"/>	Surface Water (A1)	<input type="checkbox"/>	Water stained Leaves (B9) (Except MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/>	High Water Table (A2)	<input type="checkbox"/>	Salt Crust (B11)
<input checked="" type="checkbox"/>	Saturation (A3)	<input type="checkbox"/>	Aquatic Invertebrates (B13)
<input type="checkbox"/>	Water Marks (B1)	<input checked="" type="checkbox"/>	Hydrogen Sulfide Odor (C1)
<input type="checkbox"/>	Sediment Deposits (B2)	<input type="checkbox"/>	Oxidized Rhizospheres along Living Roots (C3)
<input type="checkbox"/>	Drift Deposits (B3)	<input type="checkbox"/>	Presence of Reduced Iron (C4)
<input type="checkbox"/>	Algal Mat or Crust (B4)	<input type="checkbox"/>	Recent Iron Reduction in Plowed Soils (C6)
<input type="checkbox"/>	Iron Deposits (B5)	<input type="checkbox"/>	Stunted or Stressed Plants (D1) (LRR A)
<input type="checkbox"/>	Surface Soil Cracks (B6)	<input type="checkbox"/>	Other (Explain in Remarks)
<input type="checkbox"/>	Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/>	Sparsely Vegetated Concave Surface (B8)		

Secondary Indicators (2 or more required)

<input type="checkbox"/>	Water stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/>	Drainage Patterns (B10)
<input type="checkbox"/>	Dry-Season Water Table (C2)
<input type="checkbox"/>	Saturation Visible on Aerial Imagery (C9)
<input checked="" type="checkbox"/>	Geomorphic Position (D2)
<input type="checkbox"/>	Shallow Aquitard (D3)
<input type="checkbox"/>	Fac-Neutral Test (D5)
<input type="checkbox"/>	Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/>	Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes No Depth (inches): _____
 Water Table Present? Yes No Depth (inches): >13
 Saturation Present? Yes No Depth (inches): 0-5
 (includes capillary fringe)

Wetland Hydrology Present?Yes No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Saturation is from the surface.

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd City/County: Newberg/Yamhill Sampling Date: 10/8/2021
 Applicant/Owner: Westwood Homes, LLC State: OR Sampling Point: 2
 Investigator(s): JT/CT Section, Township, Range: S16, T3S, R2W
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): Slightly Convex Slope (%): 2
 Subregion (LRR): LRR A Lat: 45.3133 Long: -122.9289 Datum: WGS84
 Soil Map Unit Name: Woodburn silt loam, 20 to 55 percent slopes NWI Classification: N/A
 Are climatic/hydrologic conditions on the site typical for this time of year? Yes No (if no, explain in Remarks)
 Are vegetation Soil or Hydrology significantly disturbed? Are "Normal Circumstances" present? (Y/N) Y
 Are vegetation Soil or Hydrology naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is Sampled Area within a Wetland?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

Tree Stratum (plot size: <u>30</u>)	absolute % cover	Dominant Species?	Indicator Status	Dominance Test worksheet:	
1 <u><i>Alnus rubra</i></u>	<u>40</u>	<u>X</u>	<u>FAC</u>	Number of Dominant Species	
2 _____	_____	_____	_____	That are OBL, FACW, or FAC:	<u>2</u> (A)
3 _____	_____	_____	_____	Total Number of Dominant	
4 _____	_____	_____	_____	Species Across All Strata:	<u>4</u> (B)
	<u>40</u>	= Total Cover		Percent of Dominant Species	
Sapling/Shrub Stratum (plot size: <u>15</u>)				That are OBL, FACW, or FAC:	<u>50%</u> (A/B)
1 <u><i>Cornus alba</i></u>	<u>30</u>	<u>X</u>	<u>FACW</u>	Prevalence Index Worksheet:	
2 <u><i>Ilex aquifolium</i></u>	<u>20</u>	<u>X</u>	<u>FACU</u>	Total % Cover of	Multiply by:
3 <u><i>Ribes sp</i></u>	<u>10</u>	_____	<u>(FAC)</u>	OBL Species _____	x 1 = <u>0</u>
4 _____	_____	_____	_____	FACW species _____	x 2 = <u>0</u>
5 _____	_____	_____	_____	FAC Species _____	x 3 = <u>0</u>
	<u>60</u>	= Total Cover		FACU Species _____	x 4 = <u>0</u>
Herb Stratum (plot size: _____)				UPL Species _____	x 5 = <u>0</u>
1 _____	_____	_____	_____	Column Totals	<u>0</u> (A) <u>0</u> (B)
2 _____	_____	_____	_____	Prevalence Index =B/A =	<u>#DIV/0!</u>
3 _____	_____	_____	_____	Hydrophytic Vegetation Indicators:	
4 _____	_____	_____	_____	1- Rapid Test for Hydrophytic Vegetation	
5 _____	_____	_____	_____	2- Dominance Test is >50%	
6 _____	_____	_____	_____	3-Prevalence Index is ≤ 3.0 ¹	
7 _____	_____	_____	_____	4-Morphological Adaptations ¹ (provide supporting data in Remarks or on a separate sheet)	
8 _____	_____	_____	_____	5- Wetland Non-Vascular Plants ¹	
	<u>0</u>	= Total Cover		Problematic Hydrophytic Vegetation ¹ (Explain)	
Woody Vine Stratum (plot size: <u>30</u>)				¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.	
1 <u><i>Hedera helix</i></u>	<u>100</u>	<u>X</u>	<u>FACU</u>	Hydrophytic Vegetation Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
2 _____	_____	_____	_____		
	<u>100</u>	= Total Cover			
% Bare Ground in Herb Stratum <u>0</u>					

Remarks:

SOIL

PHS # 7284

Sampling Point: 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Table with columns: Depth (Inches), Matrix (Color (moist), %), Redox Features (Color (moist), %, Type1, Loc2), Texture, Remarks. Rows include 0-8 and 8-20 depth intervals.

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

2Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils3:

Table listing various soil indicators such as Histosol (A1), Sandy Redox (S5), 2 cm Muck (A10), etc., with checkboxes for presence.

3Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:
Depth (inches):

Hydric Soil Present? Yes X No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
High Water Table (A2)
Saturation (A3)
Water Marks (B1)
Sediment Deposits (B2)
Drift Deposits (B3)
Algal Mat or Crust (B4)
Iron Deposits (B5)
Surface Soil Cracks (B6)
Inundation Visible on Aerial Imagery (B7)
Sparsely Vegetated Concave Surface (B8)

Secondary Indicators (2 or more required)

- Water stained Leaves (B9) (Except MLRA 1, 2, 4A, and 4B)
Salt Crust (B11)
Aquatic Invertebrates (B13)
Hydrogen Sulfide Odor (C1)
Oxidized Rhizospheres along Living Roots (C3)
Presence of Reduced Iron (C4)
Recent Iron Reduction in Plowed Soils (C6)
Stunted or Stressed Plants (D1) (LRR A)
Other (Explain in Remarks)
Water stained Leaves (B9) (MLRA1, 2, 4A, and 4B)
Drainage Patterns (B10)
Dry-Season Water Table (C2)
Saturation Visible on Aerial Imagery (C9)
Geomorphic Position (D2)
Shallow Aquitard (D3)
Fac-Neutral Test (D5)
Raised Ant Mounds (D6) (LRR A)
Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes No X Depth (inches):
Water Table Present? Yes No X Depth (inches): >20
Saturation Present? Yes No X Depth (inches): >20

Wetland Hydrology Present? Yes No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd City/County: Newberg/Yamhill Sampling Date: 10/8/2021
 Applicant/Owner: Westwood Homes, LLC State: OR Sampling Point: 3
 Investigator(s): JT/CT Section, Township, Range: S16, T3S, R2W
 Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): None Slope (%): 2
 Subregion (LRR): LRR A Lat: 45.3128 Long: -122.9289 Datum: WGS84
 Soil Map Unit Name: Woodburn silt loam, 3 to 12 percent slopes NWI Classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes _____ No X (if no, explain in Remarks)
 Are vegetation _____ Soil _____ or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) Y
 Are vegetation _____ Soil _____ or Hydrology _____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No <u>X</u>	Is Sampled Area within a Wetland?	Yes _____	No <u>X</u>
Hydric Soil Present?	Yes _____	No <u>X</u>			
Wetland Hydrology Present?	Yes _____	No <u>X</u>			

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

	absolute % cover	Dominant Species?	Indicator Status	Dominance Test worksheet:	
Tree Stratum (plot size: _____)				Number of Dominant Species	
1 _____	_____	_____	_____	That are OBL, FACW, or FAC: <u>1</u> (A)	
2 _____	_____	_____	_____	Total Number of Dominant	
3 _____	_____	_____	_____	Species Across All Strata: <u>3</u> (B)	
4 _____	_____	_____	_____	Percent of Dominant Species	
	<u>0</u>	= Total Cover		That are OBL, FACW, or FAC: <u>33%</u> (A/B)	
Sapling/Shrub Stratum (plot size: _____)				Prevalence Index Worksheet:	
1 <u>Rubus armeniacus</u>	<u>2</u>	_____	<u>FAC</u>	Total % Cover of _____ Multiply by: _____	
2 _____	_____	_____	_____	OBL Species _____ x 1 = <u>0</u>	
3 _____	_____	_____	_____	FACW species _____ x 2 = <u>0</u>	
4 _____	_____	_____	_____	FAC Species _____ x 3 = <u>0</u>	
5 _____	_____	_____	_____	FACU Species _____ x 4 = <u>0</u>	
	<u>2</u>	= Total Cover		UPL Species _____ x 5 = <u>0</u>	
Herb Stratum (plot size: _____)				Column Totals <u>0</u> (A) <u>0</u> (B)	
1 <u>Agrostis sp</u>	<u>30</u>	<u>X</u>	<u>(FAC)</u>	Prevalence Index =B/A = <u>#DIV/0!</u>	
2 <u>Festuca rubra</u>	<u>30</u>	<u>X</u>	<u>FAC</u>	Hydrophytic Vegetation Indicators:	
3 <u>Anthoxanthum odoratum</u>	<u>25</u>	<u>X</u>	<u>FACU</u>	_____ 1- Rapid Test for Hydrophytic Vegetation	
4 <u>Schedonorus arundinaceus</u>	<u>15</u>	_____	<u>FAC</u>	_____ 2- Dominance Test is >50%	
5 <u>Cirsium arvense</u>	<u>10</u>	_____	<u>FAC</u>	_____ 3-Prevalence Index is ≤ 3.0 ¹	
6 <u>Jacobaea vulgaris</u>	<u>5</u>	_____	<u>FACU</u>	_____ 4-Morphological Adaptations ¹ (provide supporting data in Remarks or on a separate sheet)	
7 <u>Plantago lanceolata</u>	<u>5</u>	_____	<u>FACU</u>	_____ 5- Wetland Non-Vascular Plants ¹	
8 <u>Rumex obtusifolius</u>	<u>1</u>	_____	<u>FAC</u>	_____ Problematic Hydrophytic Vegetation ¹ (Explain)	
	<u>121</u>	= Total Cover		¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.	
Woody Vine Stratum (plot size: _____)				Hydrophytic Vegetation Present?	
1 _____	_____	_____	_____	Yes _____ No <u>X</u>	
2 _____	_____	_____	_____		
	<u>0</u>	= Total Cover			
% Bare Ground in Herb Stratum <u>0</u>					

Remarks:

SOIL

PHS # 7284

Sampling Point: 3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Table with columns: Depth (Inches), Matrix (Color (moist), %), Redox Features (Color (moist), %, Type, Loc), Texture, Remarks. Rows include 0-12 and 12-20 depth intervals with 7.5YR 3/3 and 4/3 colors and 100% moisture.

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

2Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils3:

Table listing various soil indicators such as Histosol (A1), Sandy Redox (S5), 2 cm Muck (A10), etc., with checkboxes for presence/absence.

3Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____
Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
High Water Table (A2)
Saturation (A3)
Water Marks (B1)
Sediment Deposits (B2)
Drift Deposits (B3)
Algal Mat or Crust (B4)
Iron Deposits (B5)
Surface Soil Cracks (B6)
Inundation Visible on Aerial Imagery (B7)
Sparsely Vegetated Concave Surface (B8)

- Water stained Leaves (B9) (Except MLRA 1, 2, 4A, and 4B)
Salt Crust (B11)
Aquatic invertebrates (B13)
Hydrogen Sulfide Odor (C1)
Oxidized Rhizospheres along Living Roots (C3)
Presence of Reduced Iron (C4)
Recent Iron Reduction in Plowed Soils (C6)
Stunted or Stressed Plants (D1) (LRR A)
Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water stained Leaves (B9) (MLRA1, 2, 4A, and 4B)
Drainage Patterns (B10)
Dry-Season Water Table (C2)
Saturation Visible on Aerial Imagery (C9)
Geomorphic Position (D2)
Shallow Aquitard (D3)
Fac-Neutral Test (D5)
Raised Ant Mounds (D6) (LRR A)
Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): _____
Water Table Present? Yes _____ No X Depth (inches): >20
Saturation Present? Yes _____ No X Depth (inches): >20
(includes capillary fringe)

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd City/County: Newberg/Yamhill Sampling Date: 10/8/2021
 Applicant/Owner: Westwood Homes, LLC State: OR Sampling Point: 4
 Investigator(s): JT/CT Section, Township, Range: S16, T3S, R2W
 Landform (hillslope, terrace, etc.): Slope Local relief (concave, convex, none): None Slope (%): 10
 Subregion (LRR): LRR A Lat: 45.3117 Long: -122.9312 Datum: WGS84
 Soil Map Unit Name: Woodburn silt loam, 12 to 20 percent slopes NWI Classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes _____ No X (if no, explain in Remarks)
 Are vegetation _____ Soil _____ or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) _____
 Are vegetation _____ Soil _____ or Hydrology _____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____	Is Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present? Yes _____ No <u>X</u>	
Wetland Hydrology Present? Yes _____ No <u>X</u>	

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

Tree Stratum (plot size: _____)	absolute % cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That are OBL, FACW, or FAC: <u>67%</u> (A/B)
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
<u>0</u> = Total Cover				
Sapling/Shrub Stratum (plot size: <u>15</u>)				
1 <u>Cornus alba</u>	<u>30</u>	<u>X</u>	<u>FACW</u>	
2 <u>Rubus armeniacus</u>	<u>10</u>	<u>X</u>	<u>FAC</u>	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
<u>40</u> = Total Cover				
Herb Stratum (plot size: <u>5</u>)				
1 <u>Anthoxanthum odoratum</u>	<u>75</u>	<u>X</u>	<u>FACU</u>	Hydrophytic Vegetation Indicators: 1- Rapid Test for Hydrophytic Vegetation <u>X</u> 2- Dominance Test is >50% 3-Prevalence Index is ≤ 3.0 ¹ 4-Morphological Adaptations ¹ (provide supporting data in Remarks or on a separate sheet) 5- Wetland Non-Vascular Plants ¹ _____ Problematic Hydrophytic Vegetation ¹ (Explain) _____ ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic. Hydrophytic Vegetation Present? Yes <u>X</u> No _____
2 <u>Dactylis glomerata</u>	<u>10</u>	_____	<u>FACU</u>	
3 <u>Agrostis capillaris</u>	<u>10</u>	_____	<u>FAC</u>	
4 <u>Holcus lanatus</u>	<u>5</u>	_____	<u>FAC</u>	
5 _____	_____	_____	_____	
6 _____	_____	_____	_____	
7 _____	_____	_____	_____	
8 _____	_____	_____	_____	
<u>100</u> = Total Cover				
Woody Vine Stratum (plot size: _____)				
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
<u>0</u> = Total Cover				
% Bare Ground in Herb Stratum <u>0</u>				

Remarks:

SOIL

PHS # 7284

Sampling Point: 4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Table with columns: Depth (Inches), Matrix (Color (moist), %), Redox Features (Color (moist), %, Type1, Loc2), Texture, Remarks. Row 1: 0-13, 10YR 4/3, 100, Silt Loam.

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

2Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils3:

- Hydric Soil Indicators: Histosol (A1), Histic Epipedon (A2), Black Histic (A3), Hydrogen Sulfide (A4), Depleted Below Dark Surface (A11), Thick Dark Surface (A12), Sandy Mucky Mineral (S1), Sandy Gleyed Matrix (S4), Sandy Redox (S5), Stripped Matrix (S6), Loamy Mucky Mineral (F1), Loamy Gleyed Matrix (F2), Depleted Matrix (F3), Redox Dark Surface (F6), Depleted Dark Surface (F7), Redox Depressions (F8), 2 cm Muck (A10), Red Parent Material (TF2), Very Shallow Dark Surface (TF12), Other (explain in Remarks).

3Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:
Depth (inches):

Hydric Soil Present? Yes No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

- Primary Indicators: Surface Water (A1), High Water Table (A2), Saturation (A3), Water Marks (B1), Sediment Deposits (B2), Drift Deposits (B3), Algal Mat or Crust (B4), Iron Deposits (B5), Surface Soil Cracks (B6), Inundation Visible on Aerial Imagery (B7), Sparsely Vegetated Concave Surface (B8), Water stained Leaves (B9), Salt Crust (B11), Aquatic Invertebrates (B13), Hydrogen Sulfide Odor (C1), Oxidized Rhizospheres along Living Roots (C3), Presence of Reduced Iron (C4), Recent Iron Reduction in Plowed Soils (C6), Stunted or Stressed Plants (D1), Other (Explain in Remarks).

Field Observations:

Surface Water Present? Yes No X Depth (inches):
Water Table Present? Yes No X Depth (inches): >13
Saturation Present? Yes No X Depth (inches): >13

Wetland Hydrology Present? Yes No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, and Coast Region

Project/Site: 4812 & 4813 E Portland Rd City/County: Newberg/Yamhill Sampling Date: 10/8/2021
 Applicant/Owner: Westwood Homes, LLC State: OR Sampling Point: 5
 Investigator(s): JT/CT Section, Township, Range: S16, T3S, R2W
 Landform (hillslope, terrace, etc.): Base of slope Local relief (concave, convex, none): None Slope (%): ~3
 Subregion (LRR): LRR A Lat: 45.3133 Long: -122.9289 Datum: WGS84
 Soil Map Unit Name: Woodburn silt loam, 12 to 20 percent slopes NWI Classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes _____ No X (if no, explain in Remarks)
 Are vegetation _____ Soil _____ or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? (Y/N) Y
 Are vegetation _____ Soil _____ or Hydrology _____ naturally problematic? If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u>	Is Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present? Yes _____ No <u>X</u>	
Wetland Hydrology Present? Yes _____ No <u>X</u>	

Remarks:
Precipitation is above normal for all of September as well as the past two weeks, but normal for the water year.

VEGETATION - Use scientific names of plants.

Tree Stratum (plot size: <u>30</u>)	absolute % cover	Dominant Species?	Indicator Status
1 <u>Corylus cornuta</u>	<u>40</u>	<u>X</u>	<u>FACU</u>
2 _____			
3 _____			
4 _____			
	<u>40</u>	= Total Cover	
Sapling/Shrub Stratum (plot size: <u>15</u>)	absolute % cover	Dominant Species?	Indicator Status
1 <u>Rubus armeniacus</u>	<u>100</u>	<u>X</u>	<u>FAC</u>
2 <u>Symphoricarpos albus</u>	<u>20</u>		<u>FACU</u>
3 _____			
4 _____			
5 _____			
	<u>120</u>	= Total Cover	
Herb Stratum (plot size: _____)	absolute % cover	Dominant Species?	Indicator Status
1 _____			
2 _____			
3 _____			
4 _____			
5 _____			
6 _____			
7 _____			
8 _____			
	<u>0</u>	= Total Cover	
Woody Vine Stratum (plot size: <u>30</u>)	absolute % cover	Dominant Species?	Indicator Status
1 <u>Hedera helix</u>	<u>100</u>	<u>X</u>	<u>FACU</u>
2 _____			
	<u>100</u>	= Total Cover	
% Bare Ground in Herb Stratum	<u>0</u>		

Dominance Test worksheet:

Number of Dominant Species That are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That are OBL, FACW, or FAC: 33% (A/B)

Prevalence Index Worksheet:

Total % Cover of	Multiply by:	
OBL Species	x 1 =	<u>0</u>
FACW species	x 2 =	<u>0</u>
FAC Species	x 3 =	<u>0</u>
FACU Species	x 4 =	<u>0</u>
UPL Species	x 5 =	<u>0</u>
Column Totals		<u>0</u> (A) <u>0</u> (B)

Prevalence Index = B/A = #DIV/0!

Hydrophytic Vegetation Indicators:

- 1- Rapid Test for Hydrophytic Vegetation
- 2- Dominance Test is >50%
- 3-Prevalence Index is ≤ 3.0¹
- 4-Morphological Adaptations¹ (provide supporting data in Remarks or on a separate sheet)
- 5- Wetland Non-Vascular Plants¹

Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No X

Remarks:

SOIL

PHS # 7284

Sampling Point: 5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Table with columns: Depth (Inches), Matrix (Color (moist), %), Redox Features (Color (moist), %, Type1, Loc2), Texture, Remarks. Row 1: 0-13, 10YR 3/2, 100, Silt Loam.

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

2Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils3:

Table listing hydric soil indicators (Histosol, Histic Epipedon, Black Histic, Hydrogen Sulfide, Depleted Below Dark Surface, Thick Dark Surface, Sandy Mucky Mineral, Sandy Gleyed Matrix) and problematic hydric soil indicators (Sandy Redox, Stripped Matrix, Loamy Mucky Mineral, Loamy Gleyed Matrix, Depleted Matrix, Redox Dark Surface, Depleted Dark Surface, Redox Depressions, 2 cm Muck, Red Parent Material, Very Shallow Dark Surface, Other).

3Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type:
Depth (inches):

Hydric Soil Present? Yes No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

Table listing primary indicators (Surface Water, High Water Table, Saturation, Water Marks, Sediment Deposits, Drift Deposits, Algal Mat or Crust, Iron Deposits, Surface Soil Cracks, Inundation Visible on Aerial Imagery, Sparsely Vegetated Concave Surface) and secondary indicators (Water stained Leaves, Drainage Patterns, Dry-Season Water Table, Saturation Visible on Aerial Imagery, Geomorphic Position, Shallow Aquitard, Fac-Neutral Test, Raised Ant Mounds, Frost-Heave Hummocks).

Field Observations:

Surface Water Present? Yes No X Depth (inches):
Water Table Present? Yes No X Depth (inches): >13
Saturation Present? Yes No X Depth (inches): >13

Wetland Hydrology Present? Yes No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Appendix C

Study Area Photos (ground level)



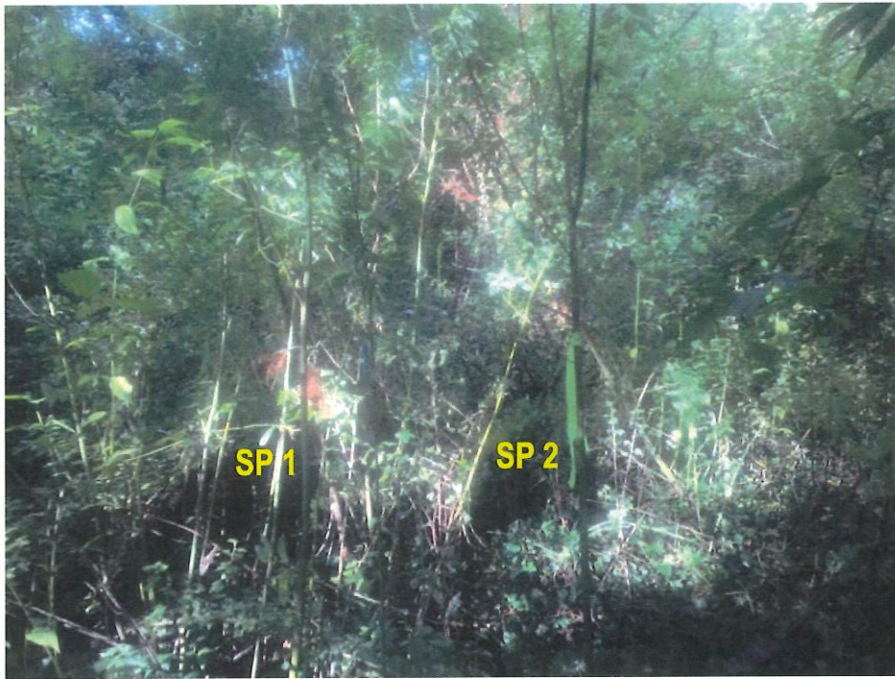


Photo A:

Looking northwest at Sample Points 1 (wetland) and 2 (upland), Wetland A.

Photo taken on October 8, 2021.

Photo B:

Looking east at Spring Brook (Stream 1) at the NE Benjamin Road culvert.

Photo taken on October 8, 2021.



Project #7284
11/24/2021



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Photo documentation

4812 & 4813 E Portland Road, Newberg, Oregon



Photo C:

Looking south at Sample Point 3.

Photo taken on October 8, 2021.

Photo D:

Looking southeast at Sample Point 4.

Photo taken on October 8, 2021.



Project #7284
11/24/2021



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Photo documentation

4812 & 4813 E Portland Road, Newberg, Oregon



Photo E:

Looking southeast at Sample Point 5.

Photo taken on October 8, 2021.

Project #7284
11/24/2021



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Photo documentation

4812 & 4813 E Portland Road, Newberg, Oregon



Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregon.gov/dsl

State Land Board

May 4, 2022

Westwood Homes LLC
Attn: Todd Boyce
12700 NW Cornell Road
Portland, OR 97229

Kate Brown
Governor

Shemia Fagan
Secretary of State

Re: **WD # 2021-0706 Approved**
Delineation Report for Crestview Green Residential Subdivision
Yamhill County; T3S R2W S16 TLs 900 and 1000

Tobias Read
State Treasurer

Dear Todd Boyce:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services, Inc. for the site referenced above. Based upon the information presented in the report, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in Figure 6 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map.

Within the study area, one wetland (Wetland A, totaling approximately 0.04 acres) and one waterway (Spring Brook) were identified. They are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal, other state agencies or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. If you have any questions, please contact the Jurisdiction Coordinator for Yamhill County, Daniel Evans, PWS at (503) 986-5271.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Ryan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

ec: Joe Thompson, PWS, Pacific Habitat Services, Inc.
Newberg Planning Department
Kinsey Friesen, Corps of Engineers
Katie Blauvelt, DSL

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

A complete report and signed report cover form, along with applicable review fee, are required before a report review timeline can be initiated by the Department of State Lands. All applicants will receive an emailed confirmation that includes the report's unique file number and other information.

Ways to submit report:

- ◆ **Under 50MB** - A single unlocked PDF can be emailed to: wetland.delineation@dsl.oregon.gov.
- ◆ **50MB or larger** - A single unlocked PDF can be uploaded to DSL's Box.com website. After upload notify DSL by email at: wetland.delineation@dsl.oregon.gov.
- ◆ **OR** a hard copy of the unbound report and signed cover form can be mailed to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.

Ways to pay review fee:

- ◆ By credit card on DSL's epayment portal after receiving the unique file number from DSL's emailed confirmation.
- ◆ By check payable to the Oregon Department of State Lands attached to the unbound mailed hardcopy OR attached to the complete signed cover form if report submitted electronically.

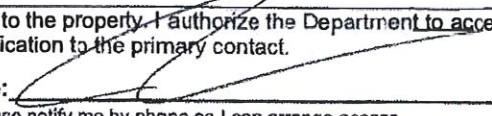
Contact and Authorization Information

Applicant Owner Name, Firm and Address: Business phone # (503) 715-2383
Mobile phone # (optional)
E-mail: Todd@westwoodhomesllc.com

Todd Boyce, Westwood Homes LLC, 12700 NW Cornell Road, Portland OR, 97229

Authorized Legal Agent, Name and Address (if different): Business phone #
Mobile phone # (optional)
E-mail:

I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.

Typed/Printed Name: Todd Boyce Signature: 

Date: 12/15/2021 Special instructions regarding site access: Please notify me by phone so I can arrange access.

Project and Site Information

Project Name: Crestview Green Residential Subdivision	Latitude: 45.31255106 Longitude: -122.93043100 decimal degree - centroid of site or start & end points of linear project
Proposed Use: Residential Subdivision	Tax Map #R3216 Tax Lot(s) 900, 1000
Project Street Address (or other descriptive location): 4812 and 4813 E Portland Road	Tax Map # Tax Lot(s)
City: Newberg County: Yamhill	Township 3S Range 2W Section 16 QQ Use separate sheet for additional tax and location information
	Waterway: Spring Brook River Mile: N/A

Wetland Delineation Information

Wetland Consultant Name, Firm and Address: Phone # (503) 570-0800
Mobile phone # (if applicable)
E-mail: jt@pacifichabitat.com

Pacific Habitat Services, Inc.
Attn: Joe Thompson, PWS
9450 SW Commerce Cir #180
Wilsonville, OR 97070

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.

Consultant Signature: Joe Thompson Professional Seal Date: 12/15/2021

Primary Contact for report review and site access is Consultant Applicant/Owner Authorized Agent

Wetland/Waters Present? Yes No Study Area size: 11.44 Total Wetland Acreage: 0.0400

Check Applicable Boxes Below

<input type="checkbox"/> R-F permit application submitted	<input type="checkbox"/> Fee payment submitted \$ _____
<input type="checkbox"/> Mitigation bank site	<input type="checkbox"/> Resubmittal of rejected report (\$100)
<input type="checkbox"/> EFSC/ODOE Proj. Mgr: _____	<input type="checkbox"/> Request for Reissuance. See eligibility criteria. (no fee)
<input type="checkbox"/> Wetland restoration/enhancement project (not mitigation)	DSL # _____ Expiration date _____
<input type="checkbox"/> Previous delineation/application on parcel If known, previous DSL # _____	<input type="checkbox"/> LWI shows wetlands or waters on parcel Wetland ID code _____

For Office Use Only

DSL Reviewer: DE Fee Paid Date: ___/___/___ DSL WD # 2021-0706

Date Delineation Received: 12/21/2021 DSL App.# _____

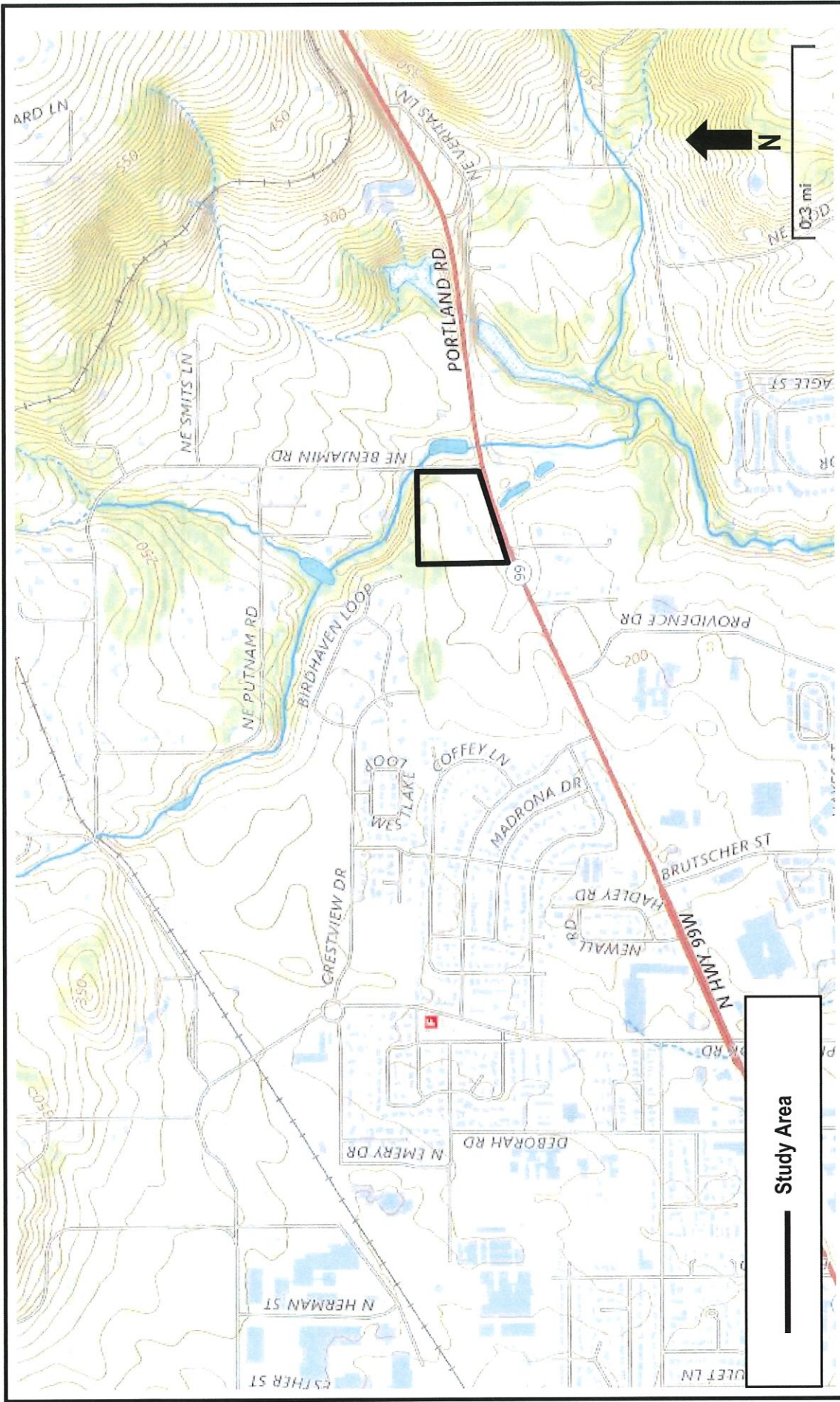


FIGURE
1

General Location and Topography
4812 and 4813 E. Portland Road - Newberg, Oregon
United States Geological Survey (USGS) Newberg, Oregon 7.5 quadrangle, 2020
(viewer.nationalmap.gov/basic)

Project #7284
12/7/2021

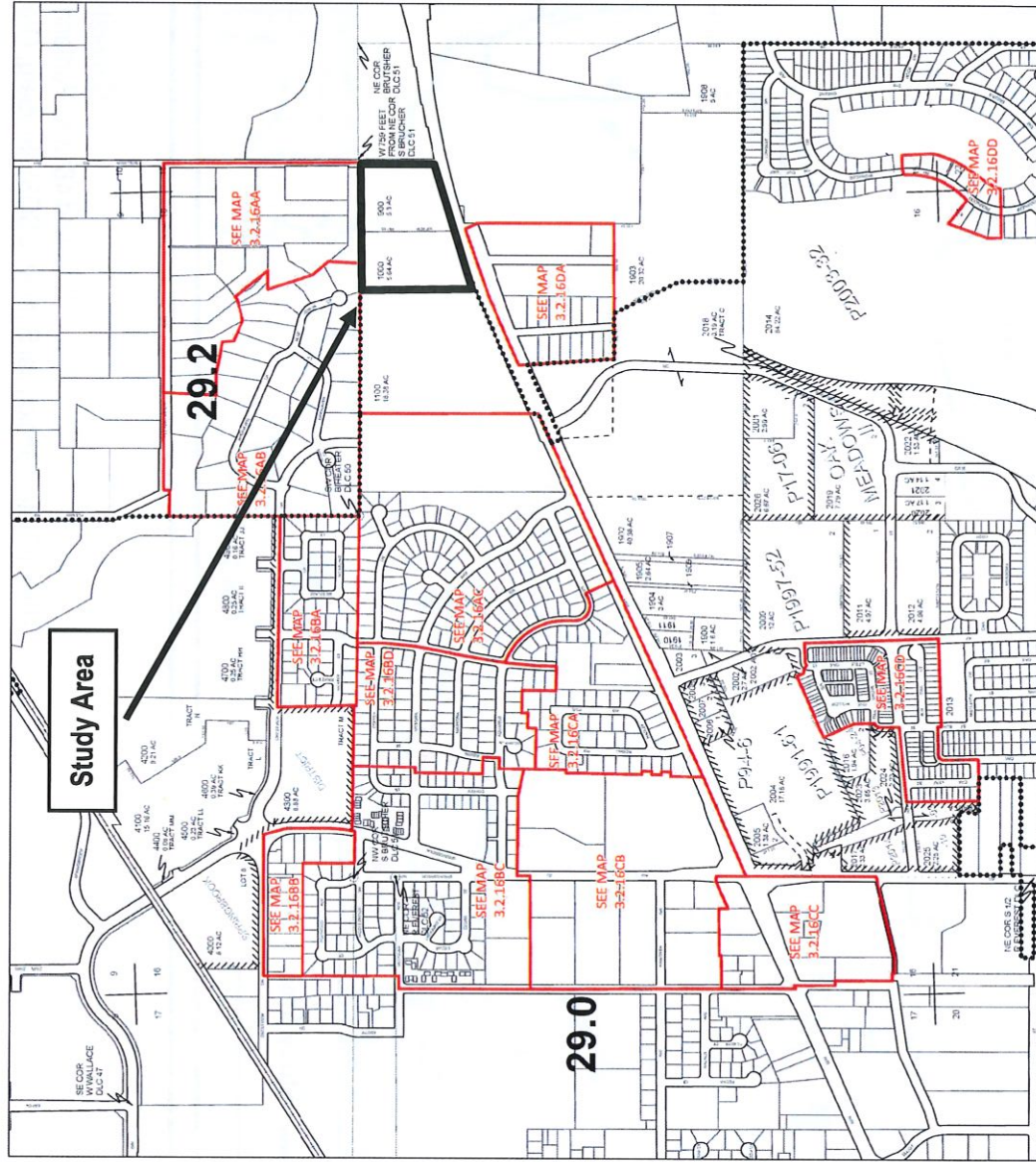


Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

3 2 16



SECTION 16 T3S. R.2W. W.M.
YAMHILL COUNTY OREGON
1" = 400'



CANCELLED TAXLOTS

3000 APT	2100
3000 BPT	2100
3010	2015
3020	1909
3022	1901
3024	1901
3026	1901
3028	1901
3030	1901
3032	1901
3034	1901
3036	1901
3038	1901
3040	1901
3042	1901
3044	1901
3046	1901
3048	1901
3050	1901
3052	1901
3054	1901
3056	1901
3058	1901
3060	1901
3062	1901
3064	1901
3066	1901
3068	1901
3070	1901
3072	1901
3074	1901
3076	1901
3078	1901
3080	1901
3082	1901
3084	1901
3086	1901
3088	1901
3090	1901
3092	1901
3094	1901
3096	1901
3098	1901
3100	1901

DATE PRINTED: 4/8/2021

This product is for Assessment and Taxation ONLY! It is not to be used for any other purpose without the express written consent of the Assessor's Office.

3 2 16

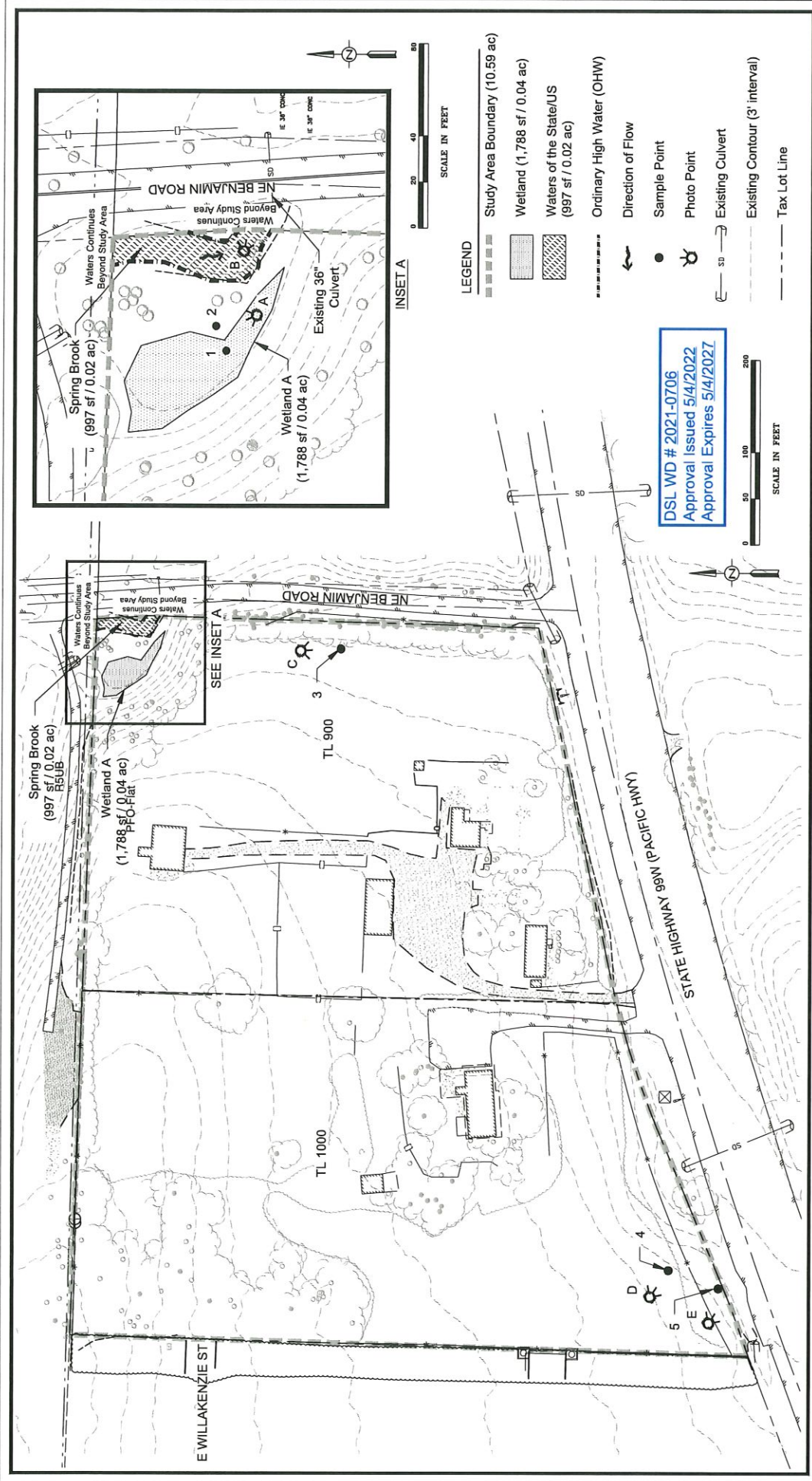
Study Area



FIGURE
2

Tax Lot Map
4812 and 4813 E. Portland Road - Newberg, Oregon
The Oregon Map (ormap.net)

Project #7284
12/7/2021
PHS
Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070



PHS
 Pacific Habitat Services, Inc.
 465 SE Commercial Ave., L. 111 W. Milwaukie, Oregon 97132
 Phone: 503.376.8888 Fax: 503.376.8885

Project: Director\m1200\724_4812_E-Portland-HA\AutoCAD\Plan-Dwg\158_WetDel_CV.dwg, 4/26/2022 8:45:37 AM

Base Survey, Wetland A, Spring Brook, and Sample Points 1 and 2 were surveyed by S&F Land Services, PLS with the exception of the northern 5 feet of Wetland A and the OHW of Spring Brook, which were surveyed using a compass and tape measure, and have an estimated accuracy of 3 feet. Sample Points 3, 4, and 5 were placed by hand onto a 1 inch = 100 feet aerial photo field map, and are estimated to have 5-foot accuracy. The 3-foot contours were downloaded as shapefiles from NOAA. The tax lot boundaries were included in the survey and represent the study area in their entirety.

Wetland Delineation
 4812 and 4813 E Portland Road - Newberg, Oregon

FIGURE 6

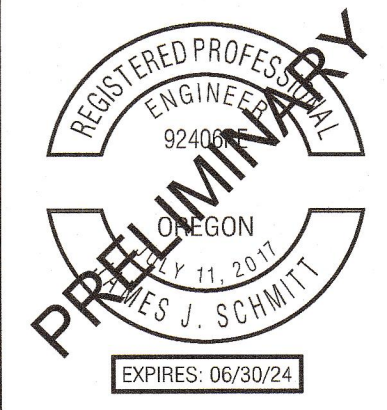
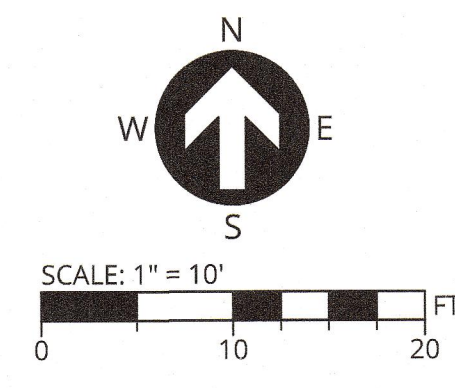
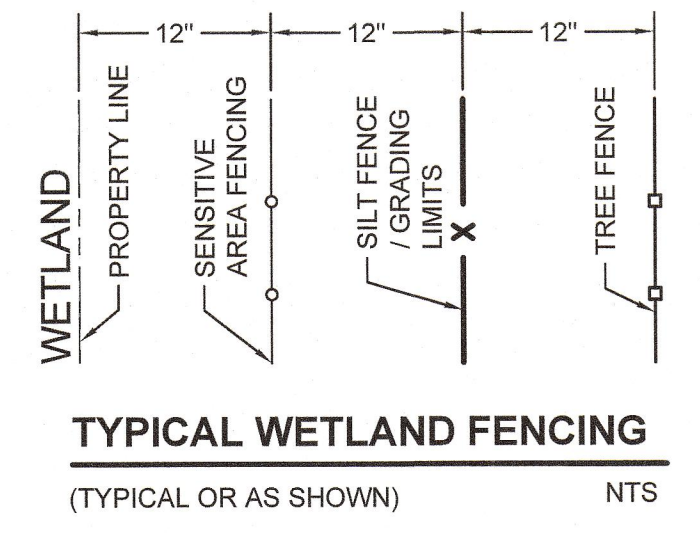
4-28-2022

P:\21701-CRESTVIEW GREEN\EXHIBITS\2022-10-07 WETLAND CORRIDOR EXHIBIT\21701-STREAM CORRIDOR.DWG



LEGEND

	PROJECT BOUNDARY
	RIGHT-OF-WAY LINE
	RIGHT-OF-WAY CENTERLINE
	PROPOSED RIGHT OF WAY
	EASEMENT LINE
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	ORDINARY HIGH WATER LINE
	WETLAND BOUNDARY
	EXISTING DECIDUOUS TREE
	EXISTING CONIFEROUS TREE
	EXISTING TREE TO BE REMOVE (ONLY NOTED WITHIN THE STREAM CORRIDOR FOR CLARITY)
	PROPOSED TREES (35 PROPOSED FOR MITIGATION)



PUBLISH DATE
10/10/2022
ISSUED FOR
LAND USE
REVISIONS

STREAM CORRIDOR OVERLAY EXHIBIT
CRESTVIEW GREEN
PLANNED UNIT DEVELOPMENT
WESTWOOD HOMES LLC
NEWBERG, OR

3J CONSULTING
CIVIL ENGINEERING
WATER RESOURCES
COMMUNITY PLANNING

9600 SW NIMBUS AVE., SUITE 100, BEAVERTON, OR 97008

PROJECT INFORMATION
3J PROJECT # | 21701
TAX LOT(S) | 3S2W16 900, 1000
LAND USE # | TBD
DESIGNED BY | JMF, SRC, JGW
CHECKED BY | JJS

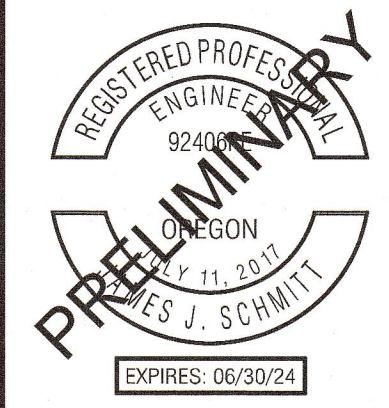
SHEET NUMBER
C001

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LEGEND

- PROJECT BOUNDARY
- RIGHT-OF-WAY LINE
- RIGHT-OF-WAY CENTERLINE
- PROPOSED RIGHT OF WAY
- EASEMENT LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- ORDINARY HIGH WATER LINE
- WETLAND BOUNDARY
- EXISTING DECIDUOUS TREE
- EXISTING CONIFEROUS TREE



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