



Oregon

Tina Kotek, 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

February 6, 2023

State Land Board

Pahlisch Homes, Inc.
Attn: Jerry Jones
210 SW Wilson Ave, Suite 100
Bend, OR 97702

Tina Kotek
Governor

Re: **WD # 2022-0558 Approved**
Wetland Delineation Report for Springbrook District
Yamhill County; T3S R2W S8 TLs 4900, 5000, 5100, 5200, 5300,
5400, 6200, 6300 and Portion of 5500

Shemia Fagan
Secretary of State

Tobias Read
State Treasurer

Dear Jerry Jones:

The Department of State Lands has reviewed the wetland delineation report prepared by AKS Engineering and Forestry, LLC for the site referenced above. Please note that the study area includes only a portion of the tax lots described above (see the attached maps). 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 5, 5A, 5B and 5C of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps.

Within the study area, 5 wetlands (Wetland L2, M2, M3, M4 and N, totaling approximately 0.66 acres) and 2 waterways (Hess Creek, Hess Creek West Fork) 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", with a stylized flourish at the end.

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

ec: Sonya Templeton, AKS Engineering and Forestry, LLC
Newberg Planning Department
Rafael Orozco, 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.

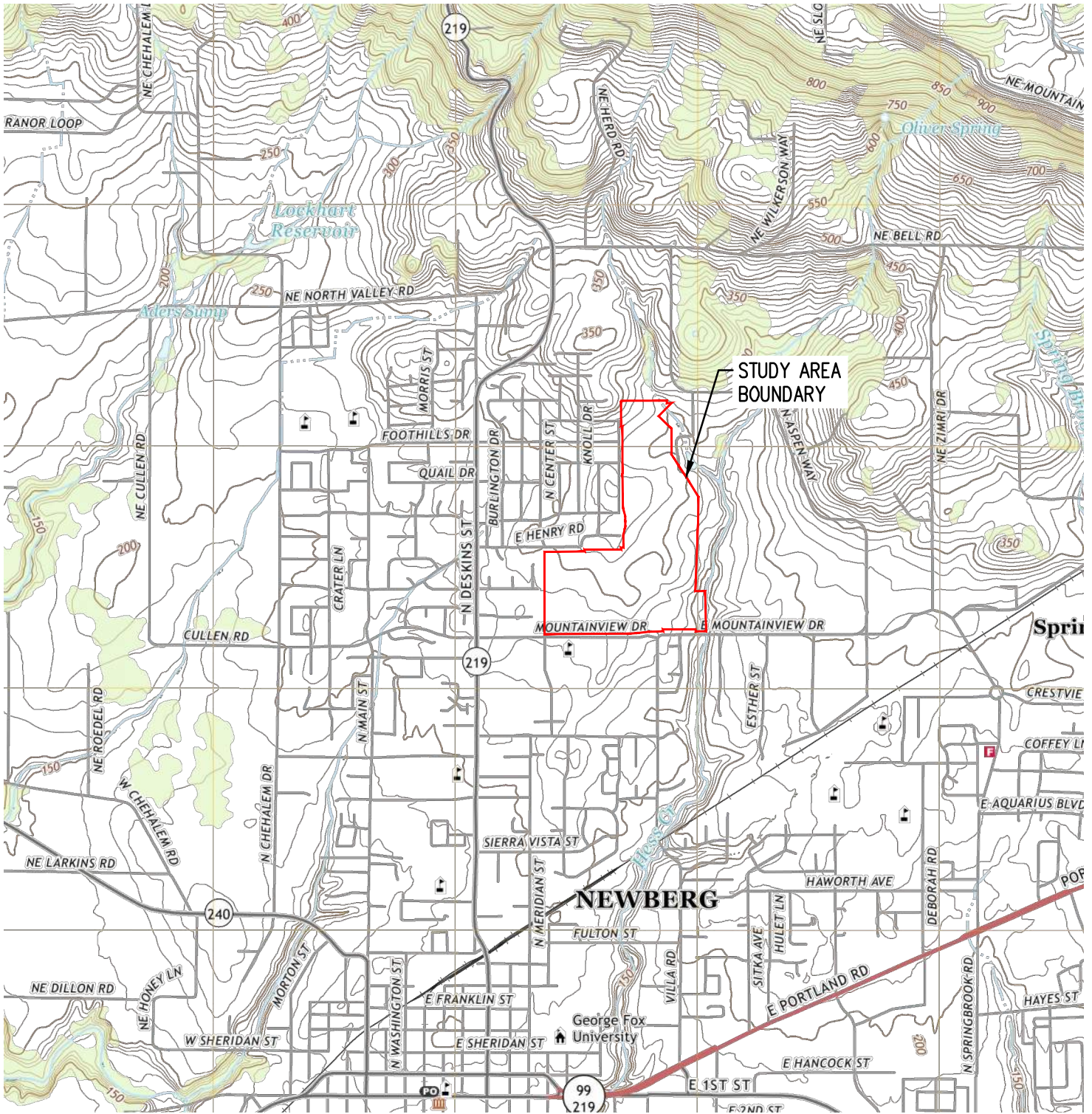
Ways to submit report:

Ways to pay review fee:

- ❖ 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.

- ❖ 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.

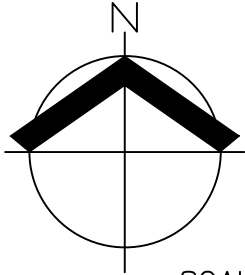
Contact and Authorization Information	
<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address: Pahlisch Homes, Inc. ATTN: Jerry Jones 210 SW Wilson Ave, Suite 100 Bend, OR 97702	Business phone # (503) 906-7832 Mobile phone # (optional) E-mail: Jerryj@pahlisch.com
<input type="checkbox"/> 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: <u>Jerry Jones</u> Signature: Date: <u>10/4/22</u> Special instructions regarding site access: _____	
Project and Site Information	
Project Name: Springbrook District	Latitude: 45.321068 Longitude: -122.964009 decimal degree - centroid of site or start & end points of linear project
Proposed Use: Residential subdivision	Tax Map # 3 2 08 Tax Lot(s) 4900, 5000, 5100, 5200, 5300, 5400, 6200 and 6300 Tax Map # 3 2 08
Project Street Address (or other descriptive location): North of E Mountainview Drive	Tax Lot(s) Portion of 5500 Township 3S Range 2W Section 08 QQ Use separate sheet for additional tax and location information
City: Newberg County: Yamhill	Waterway: Hess Creek River Mile:
Wetland Delineation Information	
Wetland Consultant Name, Firm and Address: AKS Engineering & Forestry ATTN: Sonya Templeton 12965 SW Herman Road, Suite 100 Tualatin, OR 97062	Phone # (503) 563-6151 Mobile phone # (if applicable) E-mail: templetons@aks-eng.com
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.	
Consultant Signature:	Date: <u>10-5-2022</u>
Primary Contact for report review and site access is <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Applicant/Owner <input type="checkbox"/> Authorized Agent	
Wetland/Waters Present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Study Area size: 99.95 Total Wetland Acreage: <u>0.60</u>
Check Applicable Boxes Below	
<input type="checkbox"/> R-F permit application submitted	<input checked="" type="checkbox"/> Fee payment submitted \$ <u>500.00</u>
<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 checked="" type="checkbox"/> Previous delineation/application on parcel If known, previous DSL # <u>WD2014-0016</u>	<input type="checkbox"/> LWI shows wetlands or waters on parcel Wetland ID code _____
For Office Use Only	
DSL Reviewer: <u>DE</u> Fee Paid Date: _____ / _____ / _____	DSL WD # <u>2022-0558</u>
Date Delineation Received: <u>10 / 07 / 22</u>	DSL App.# _____



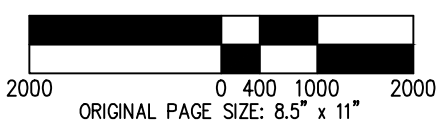
STUDY AREA BOUNDARY

NEWBERG

USGS 7.5' TOPOGRAPHIC SERIES
 QUADRANGLE: NEWBERG, OR (2020)



SCALE: 1" = 2000 FEET



DATE: 09/29/2022

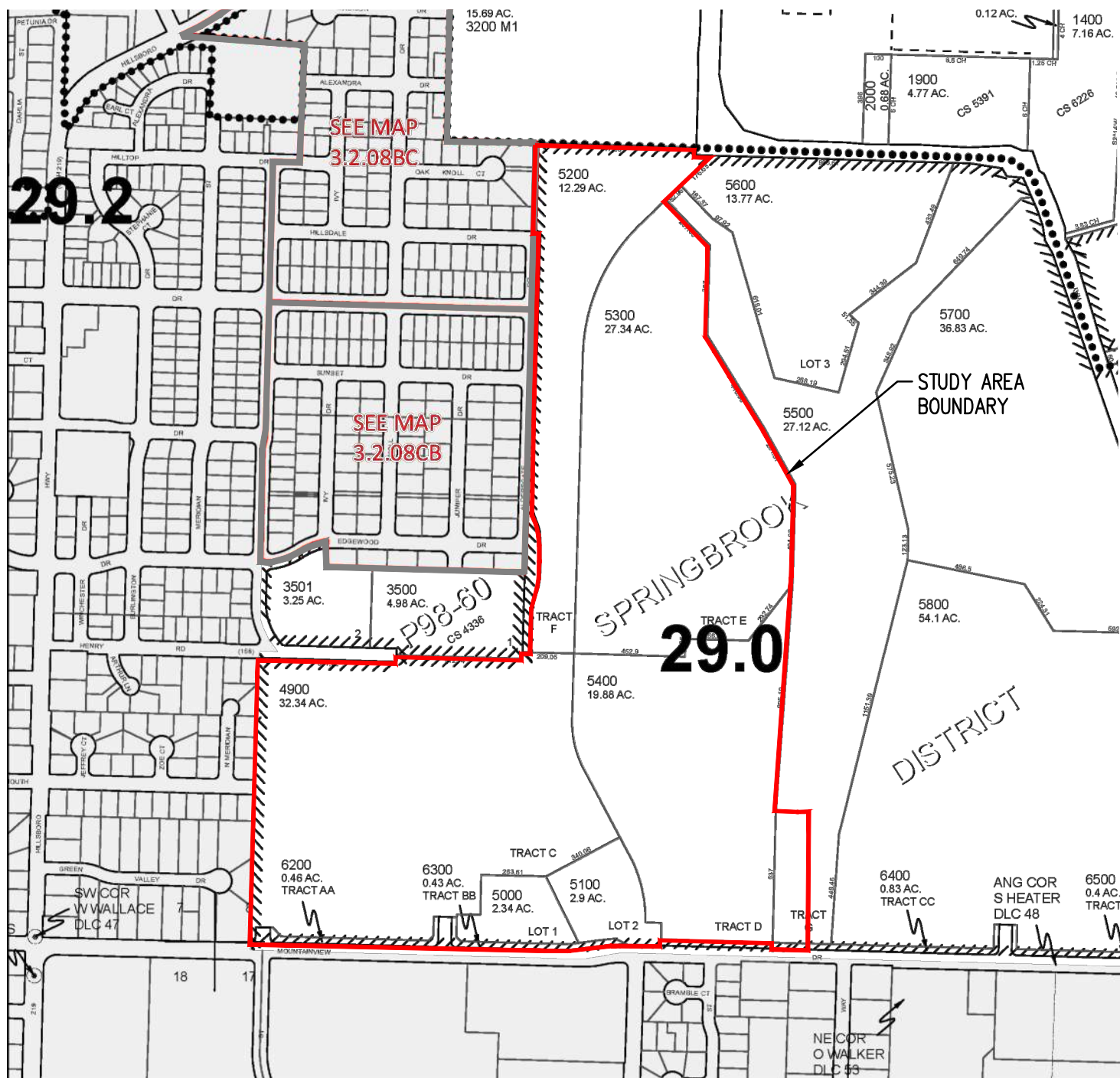
USGS VICINITY MAP
 SPRINGBROOK DISTRICT WETLANDS AND WATERS DELINEATION REPORT

FIGURE
1

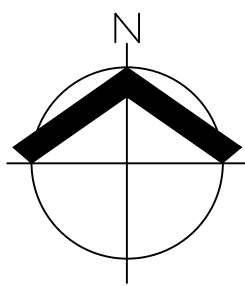
AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD, STE 100
 TUALATIN, OR 97062
 503.563.6151 WWW.AKS-ENG.COM



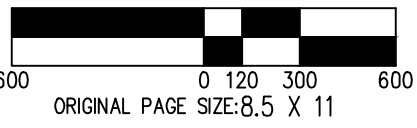
DRWN: RAS
 CHKD: SKT
 AKS JOB:
 4487-01



YAMHILL COUNTY
 TAX LOTS 4900, 5000, 5100, 5200,
 5300, 5400, 6200, 6300 AND
 PORTION OF TAX LOT 5500
 TAX MAP 3 2 08



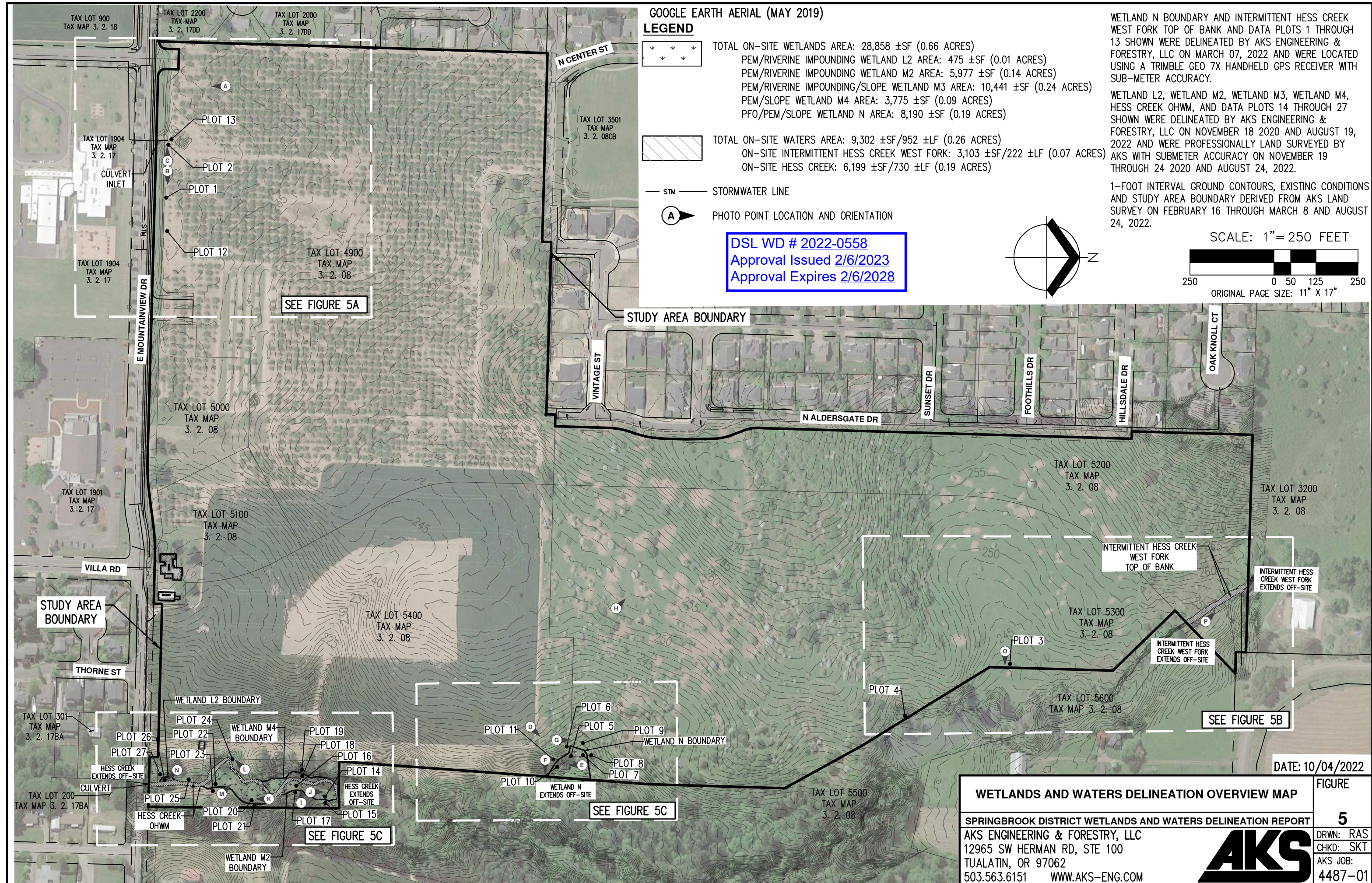
SCALE: 1" = 600 FEET



DATE: 09/29/2022

TAX MAP (MAP 3 2 08) SPRINGBROOK DISTRICT WETLANDS AND WATERS DELINEATION REPORT		FIGURE 2
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: RAS CHKD: SKT AKS JOB: 4487-01



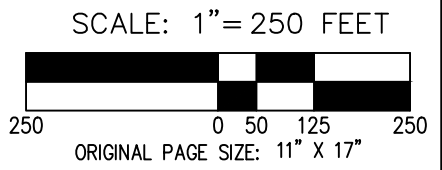
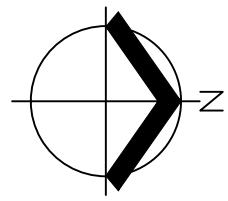


GOOGLE EARTH AERIAL (MAY 2019)

LEGEND

- TOTAL ON-SITE WETLANDS AREA: 28,858 ±SF (0.66 ACRES)
- PEM/RIVERINE IMPOUNDING WETLAND L2 AREA: 475 ±SF (0.01 ACRES)
- PEM/RIVERINE IMPOUNDING WETLAND M2 AREA: 5,977 ±SF (0.14 ACRES)
- PEM/RIVERINE IMPOUNDING/SLOPE WETLAND M3 AREA: 10,441 ±SF (0.24 ACRES)
- PEM/SLOPE WETLAND M4 AREA: 3,775 ±SF (0.09 ACRES)
- PFO/PEM/SLOPE WETLAND N AREA: 8,190 ±SF (0.19 ACRES)
- TOTAL ON-SITE WATERS AREA: 9,302 ±SF/952 ±LF (0.26 ACRES)
- ON-SITE INTERMITTENT HESS CREEK WEST FORK: 3,103 ±SF/222 ±LF (0.07 ACRES)
- ON-SITE HESS CREEK: 6,199 ±SF/730 ±LF (0.19 ACRES)
- STM — STORMWATER LINE
- PHOTO POINT LOCATION AND ORIENTATION

DSL WD # 2022-0558
 Approval Issued 2/6/2023
 Approval Expires 2/6/2028



WETLAND N BOUNDARY AND INTERMITTENT HESS CREEK WEST FORK TOP OF BANK AND DATA PLOTS 1 THROUGH 13 SHOWN WERE DELINEATED BY AKS ENGINEERING & FORESTRY, LLC ON MARCH 07, 2022 AND WERE LOCATED USING A TRIMBLE GEO 7X HANDHELD GPS RECEIVER WITH SUB-METER ACCURACY.

WETLAND L2, WETLAND M2, WETLAND M3, WETLAND M4, HESS CREEK OHWM, AND DATA PLOTS 14 THROUGH 27 SHOWN WERE DELINEATED BY AKS ENGINEERING & FORESTRY, LLC ON NOVEMBER 18 2020 AND AUGUST 19, 2022 AND WERE PROFESSIONALLY LAND SURVEYED BY AKS WITH SUBMETER ACCURACY ON NOVEMBER 19 THROUGH 24 2020 AND AUGUST 24, 2022.

1-FOOT INTERVAL GROUND CONTOURS, EXISTING CONDITIONS AND STUDY AREA BOUNDARY DERIVED FROM AKS LAND SURVEY ON FEBRUARY 16 THROUGH MARCH 8 AND AUGUST 24, 2022.

SEE FIGURE 5A

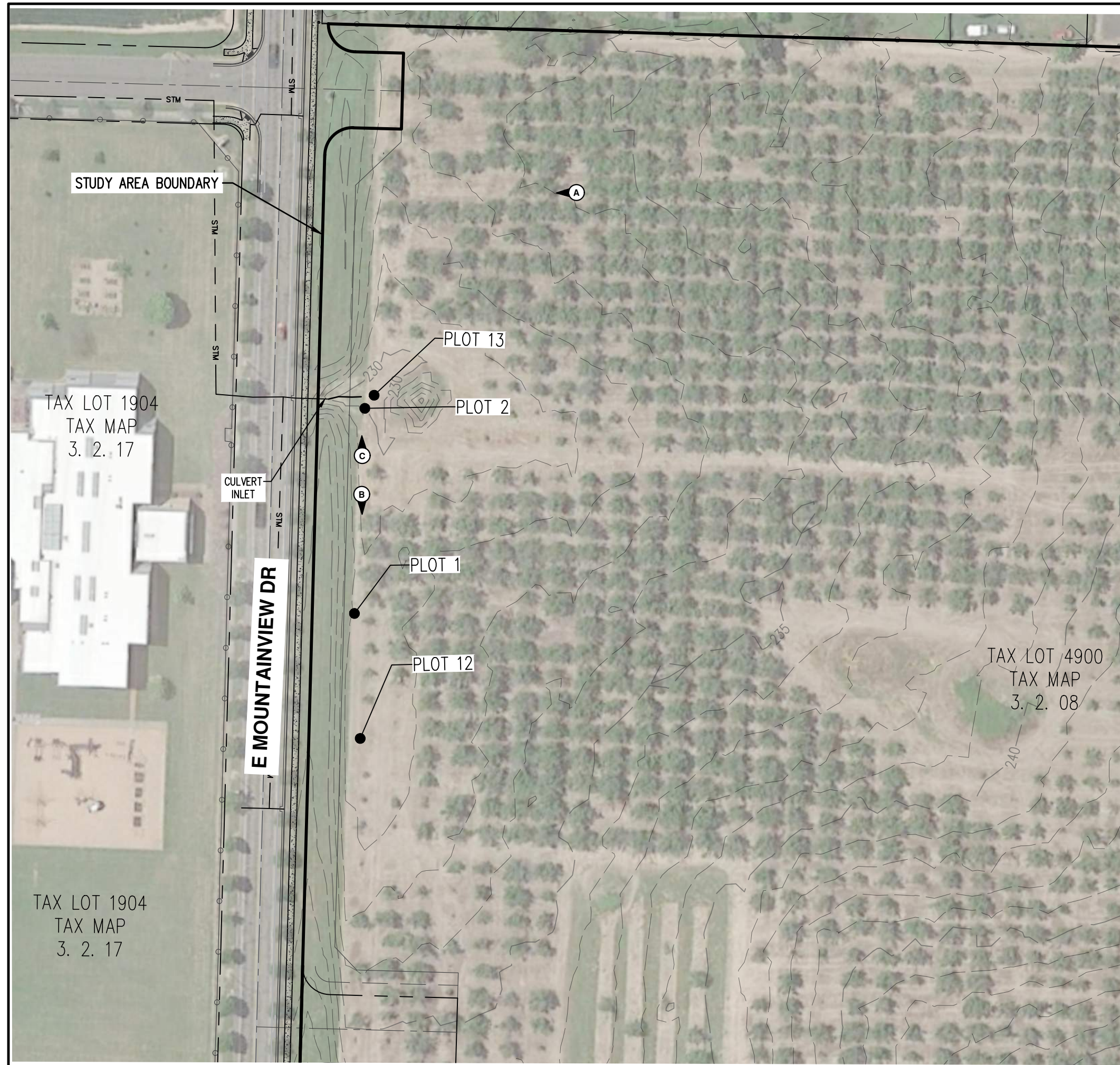
SEE FIGURE 5B

SEE FIGURE 5C





DATE: 10/04/2022

WETLANDS AND WATERS DELINEATION OVERVIEW MAP	FIGURE 5
SPRINGBROOK DISTRICT WETLANDS AND WATERS DELINEATION REPORT	
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	
	DRWN: RAS CHKD: SKT AKS JOB: 4487-01

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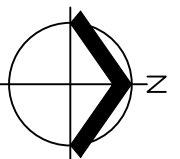
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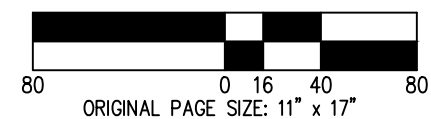
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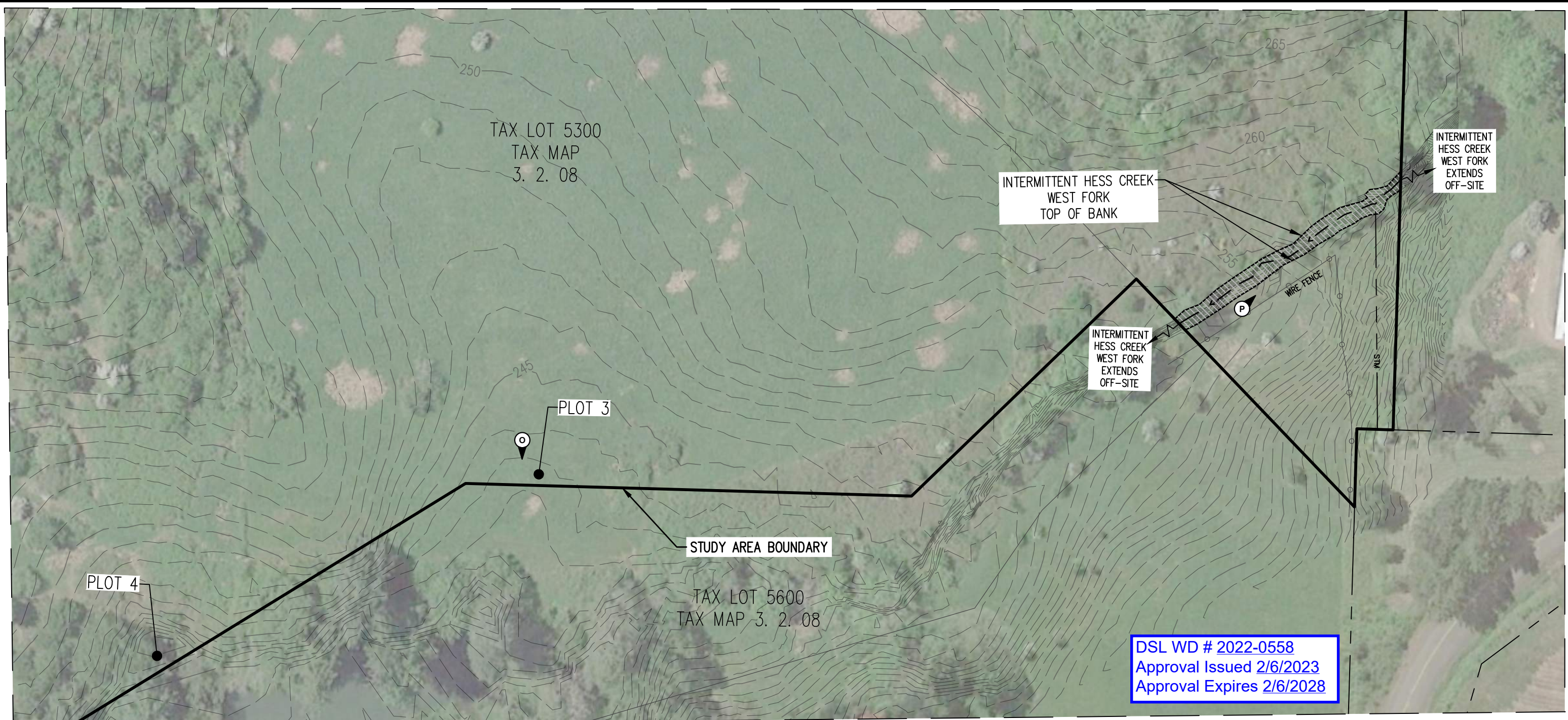
SCALE: 1" = 80 FEET



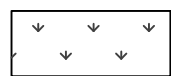
DATE: 10/04/2022


WETLANDS AND WATERS DELINEATION MAP		FIGURE
SPRINGBROOK DISTRICT WETLANDS AND WATERS DELINEATION REPORT		5A
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: RAS CHKD: SKT AKS JOB: 4487-01

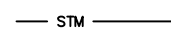





LEGEND

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 STORMWATER LINE

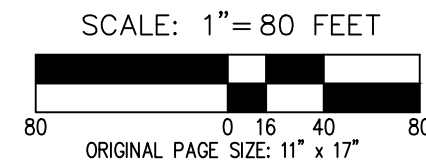
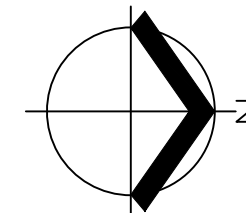
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 PHOTO POINT LOCATION AND ORIENTATION

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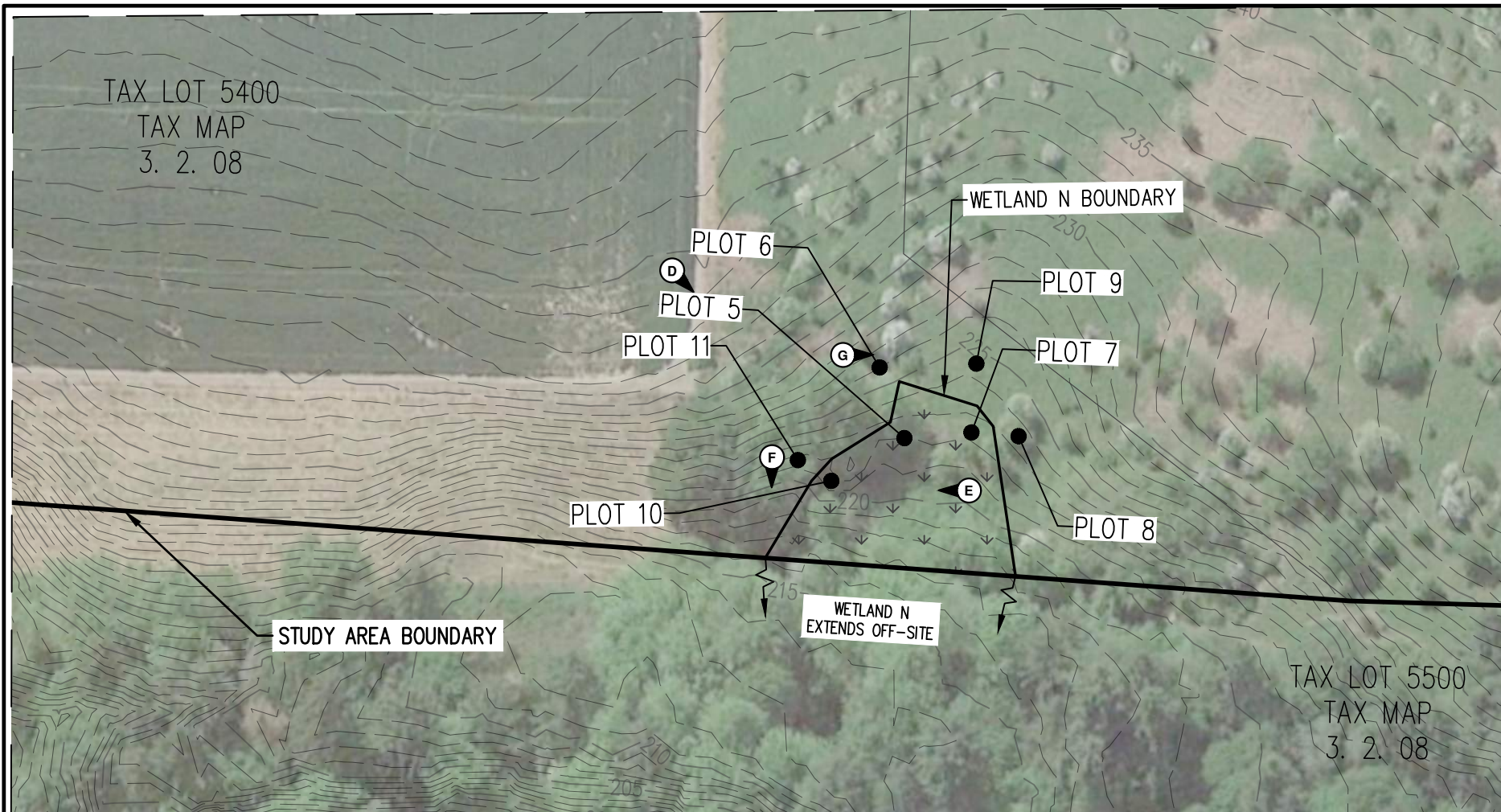
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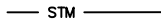



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WETLANDS AND WATERS DELINEATION MAP	FIGURE 5B
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DRWN: RAS CHKD: SKT AKS JOB: 4487-01	4487-01



LEGEND

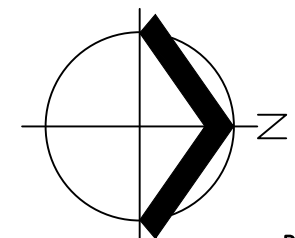
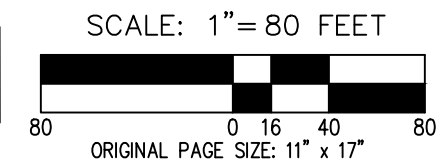
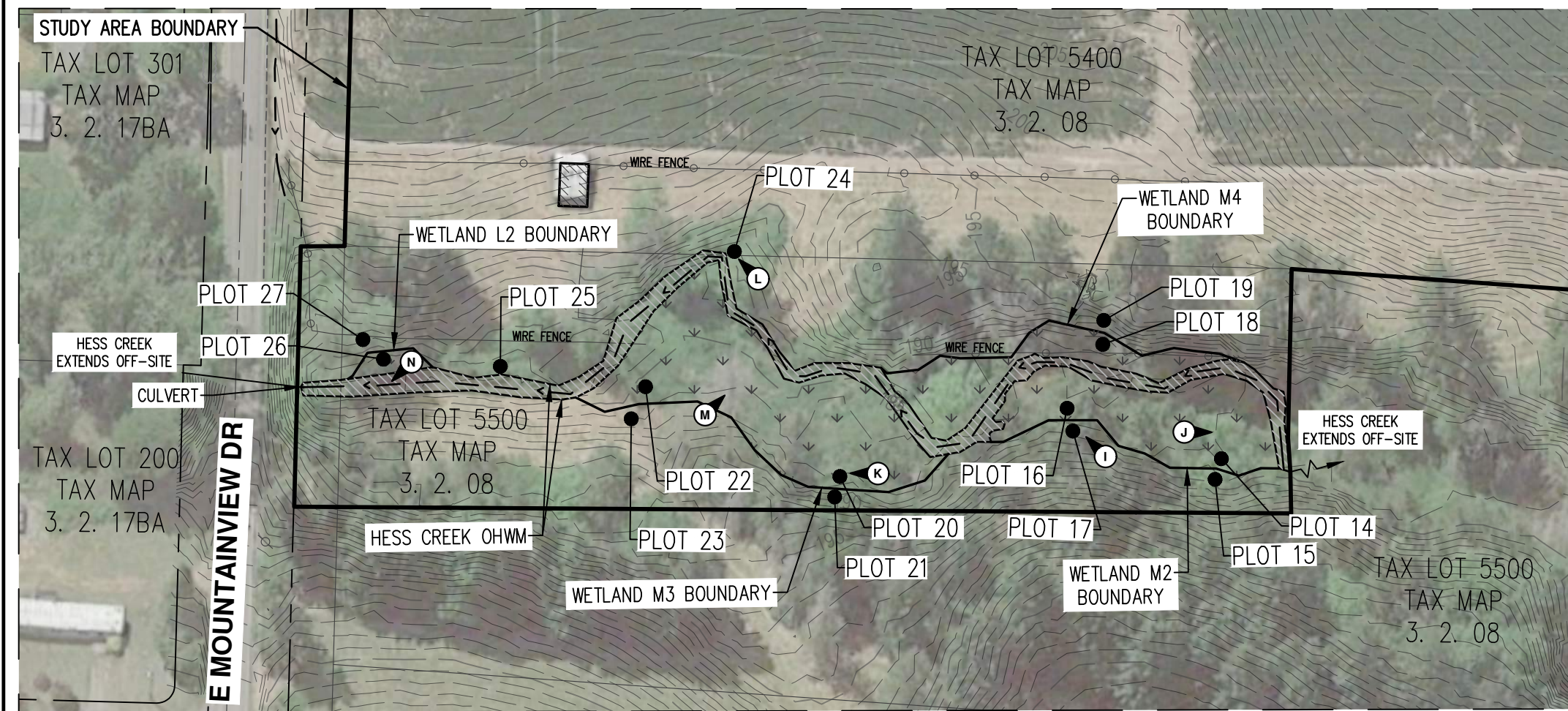
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WETLANDS AND WATERS DELINEATION MAP	FIGURE
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