



Oregon

John A. Kitzhaber, MD, Governor

Department of State Lands

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Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregonstatelands.us

October 27, 2011

State Land Board

Clean Water Services
Attn: Rich Hunter
2550 SW Hillsboro Highway
Hillsboro, Oregon 97123

John A. Kitzhaber, MD
Governor

Re: Wetland Delineation Report for Forest Grove, Washington
County; T1S R3W Sec. 5, Portions of Tax Lot 100 and Sec. 8,
Portions of Tax Lots 101 & 300; WD #2010-0311

Kate Brown
Secretary of State

Ted Wheeler
State Treasurer

Dear Mr. Hunter:

The Department of State Lands has reviewed the wetland delineation report prepared by SWCA Environmental Consultants for the site referenced above. Please note that the study area includes only a portion of the tax lots described above (please see the attached map). 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 revised Figures 5.0 – 5.3 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map. Within the study area, five wetlands (totaling approximately 35.83 acres) and one waterway (channelized wetland swale) were identified. The wetlands and waterway 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 the wetland or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined). Three wetlands, 1, 2, and 4, on Figure 5.3, are artificially created entirely in upland and are less than one acre in size, therefore are not state jurisdictional per OAR 141-085-0515(6).

However, The Tualatin River, just outside the study area, is designated essential salmonid habitat; therefore, fill or removal of any amount of material within (the OHWL and) hydrologically-connected wetlands (wetland A) may require a state permit.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. The Army Corps of Engineers will review the report and make a determination of jurisdiction for purposes of the Clean Water Act at the time that a permit application is submitted. We recommend that you attach a copy of this concurrence letter to both copies of any subsequent joint permit application to speed application review.

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.

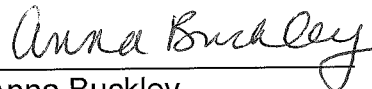
Thank you for having the site evaluated. Please phone me at 503-986-5297 if you have any questions.

Sincerely,



Jevra Brown
Wetland Specialist

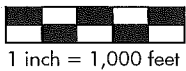
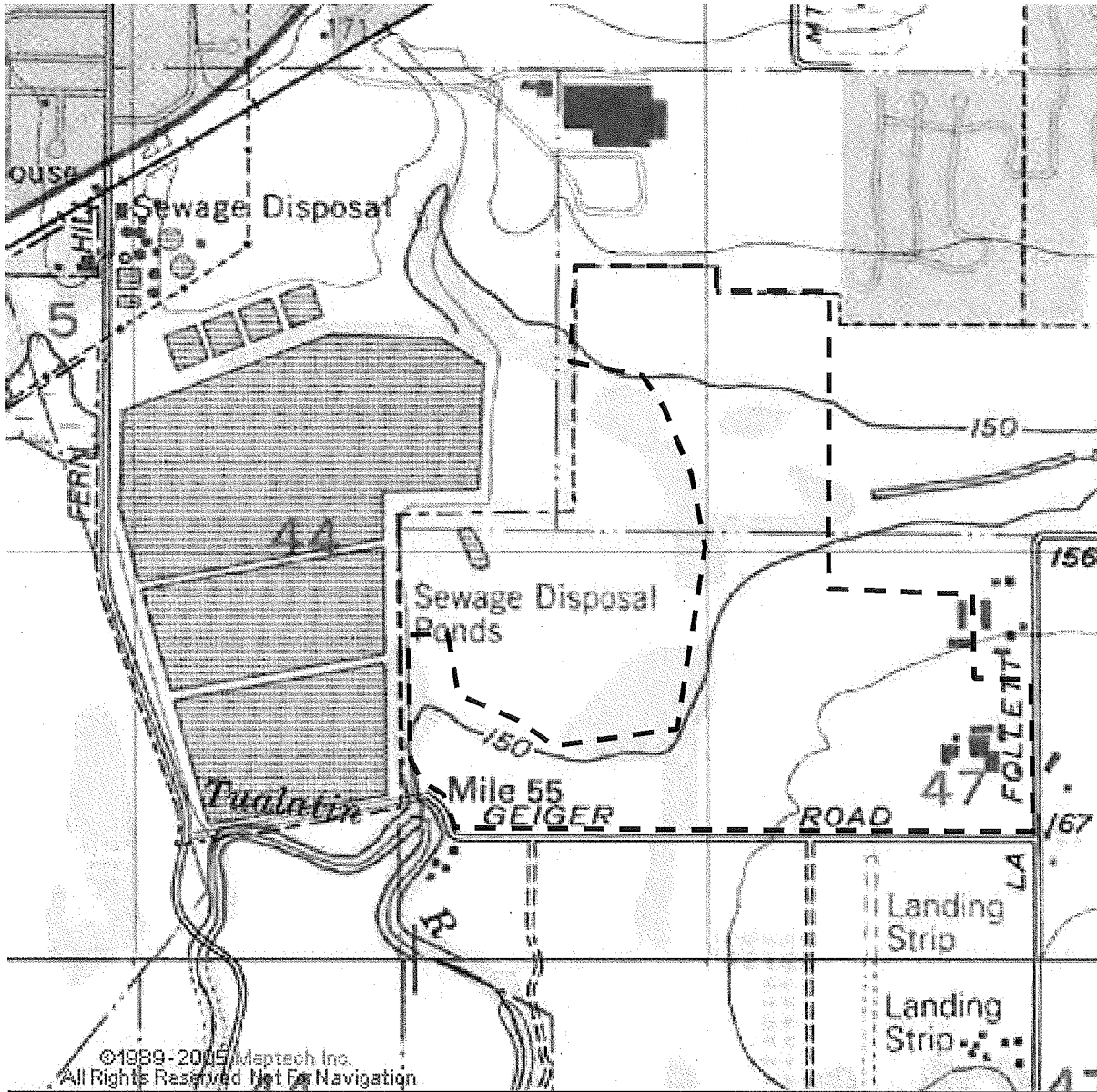
Approved by



Anna Buckley
Acting Wetlands Program Manager

Enclosures

ec: C. Mirth Walker, SWCA Environmental Consultants
Forest Grove Planning Department (Maps enclosed for updating LWI)
Washington County Planning Department
Brian Villalon, Corps of Engineers, Portland office
Amber Wierck, Clean Water Services
Anita Huffman, DSL



Legend



--- Study Area Boundary

SWCA[®]
 ENVIRONMENTAL CONSULTANTS

Sound Science. Creative Solutions[®]

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 434 NW Sixth Avenue, Suite 304
 Portland, Oregon 97209-3652
 Tel 503.224.0333 Fax 503.224.1851

**FERNHILL LAGOON
 AGRICULTURAL LANDS
 WETLAND DELINEATION**

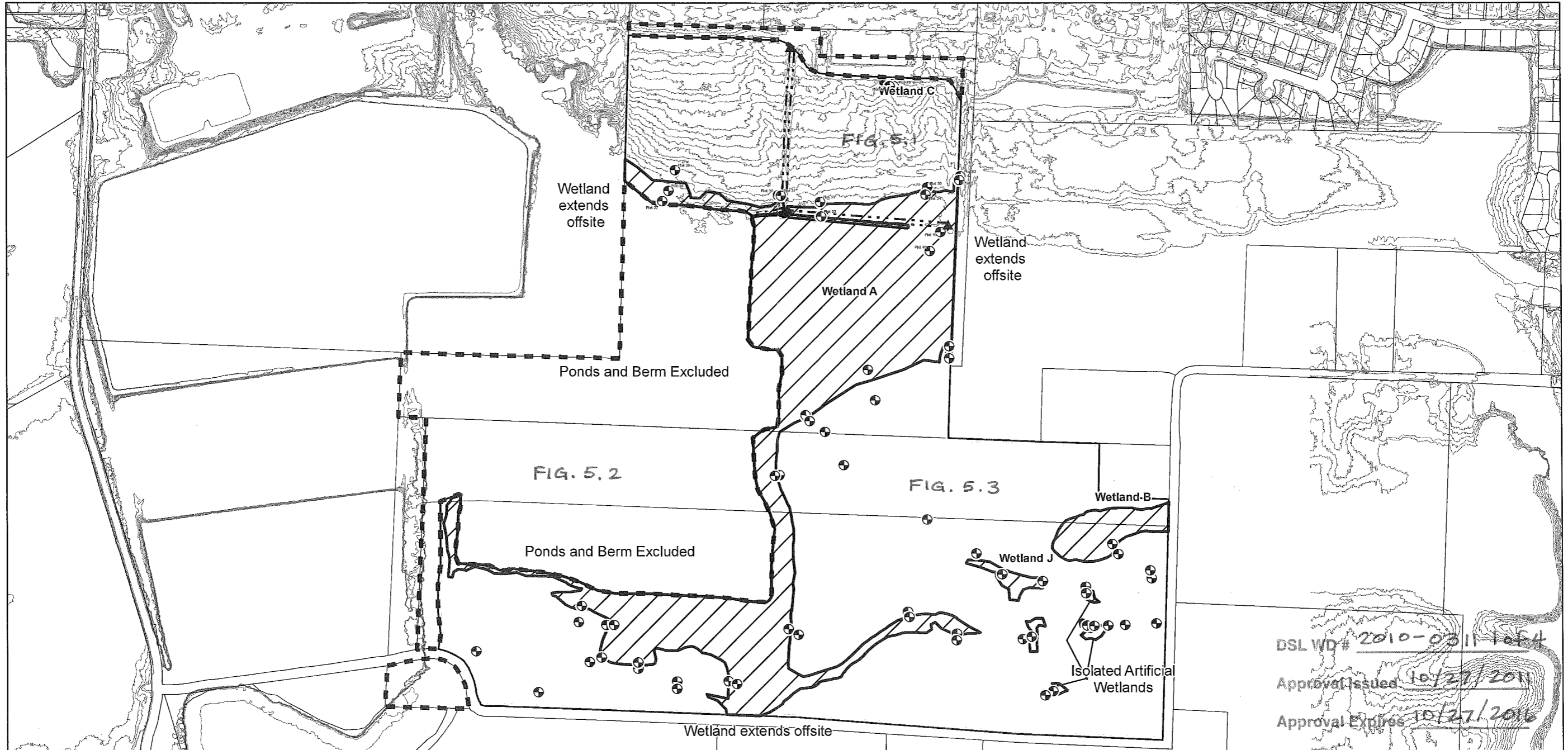
SITE LOCATION MAP
 DSL WD 2010-0311

Source: USGS 1956, photorevised 1992. Forest Grove, Oregon 7.5' topographic quadrangle.
 Downloaded from <http://mapserver.mytopo.com/>.

Project 15304

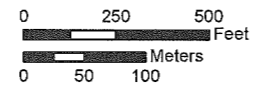
April, 2009

Figure 1

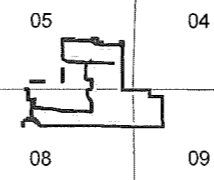


DSL WD# 2010-0311-1 of 4
 Approval Issued 10/27/2011
 Approval Expires 10/27/2016

- Legend**
- ▲ Culverts
 - ⊕ Sample Plot
 - ≡ Ditch Swale
 - Contours (6")
 - ▨ Upland Berm
 - ▤ Wetland
 - Tax lots (Metro)
 - ⊞ Excluded Areas (SAB)
 - ▭ Study Area Boundary (SAB)



Township 1S Range 3W
 1:6000

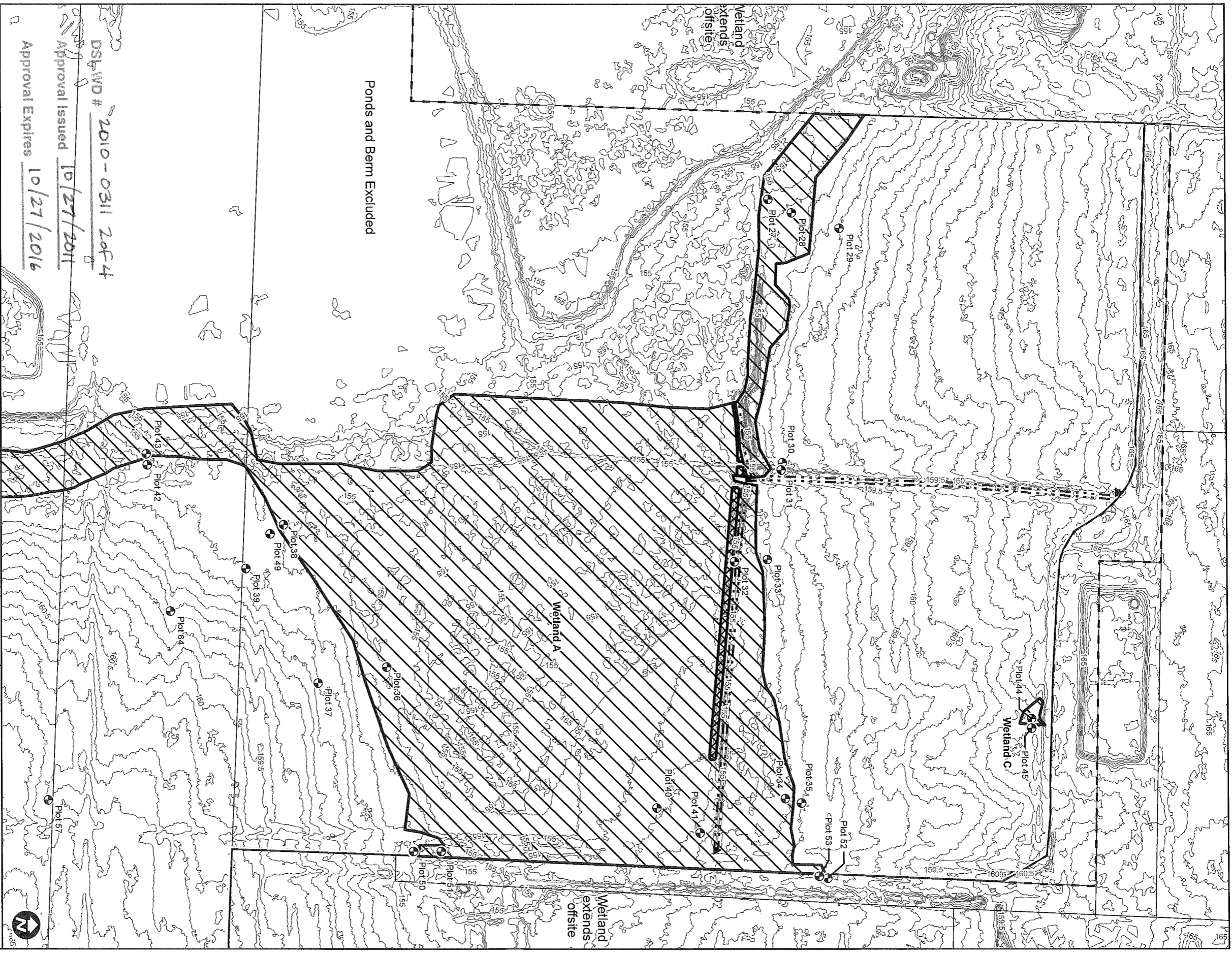


CWS Forest Grove and Davis Tool
 Washington County, OR
 Figure 5.0

SWCA
 ENVIRONMENTAL CONSULTANTS
 1220 SW Morrison, Suite 700
 Portland, OR 97205-2235
 www.swca.com
 503.224.0333

Project: 15304
 October 24, 2011

GPS data collected with Trimble GeoXT submeter GPS unit. GPS plot accuracy < 1 meter, line accuracy - 1 meter.
 Sources: 6-inch contours provided by Clean Water Services (Datum: NAD 83 HARN). Tax lots provided by Metro Data Resource Center

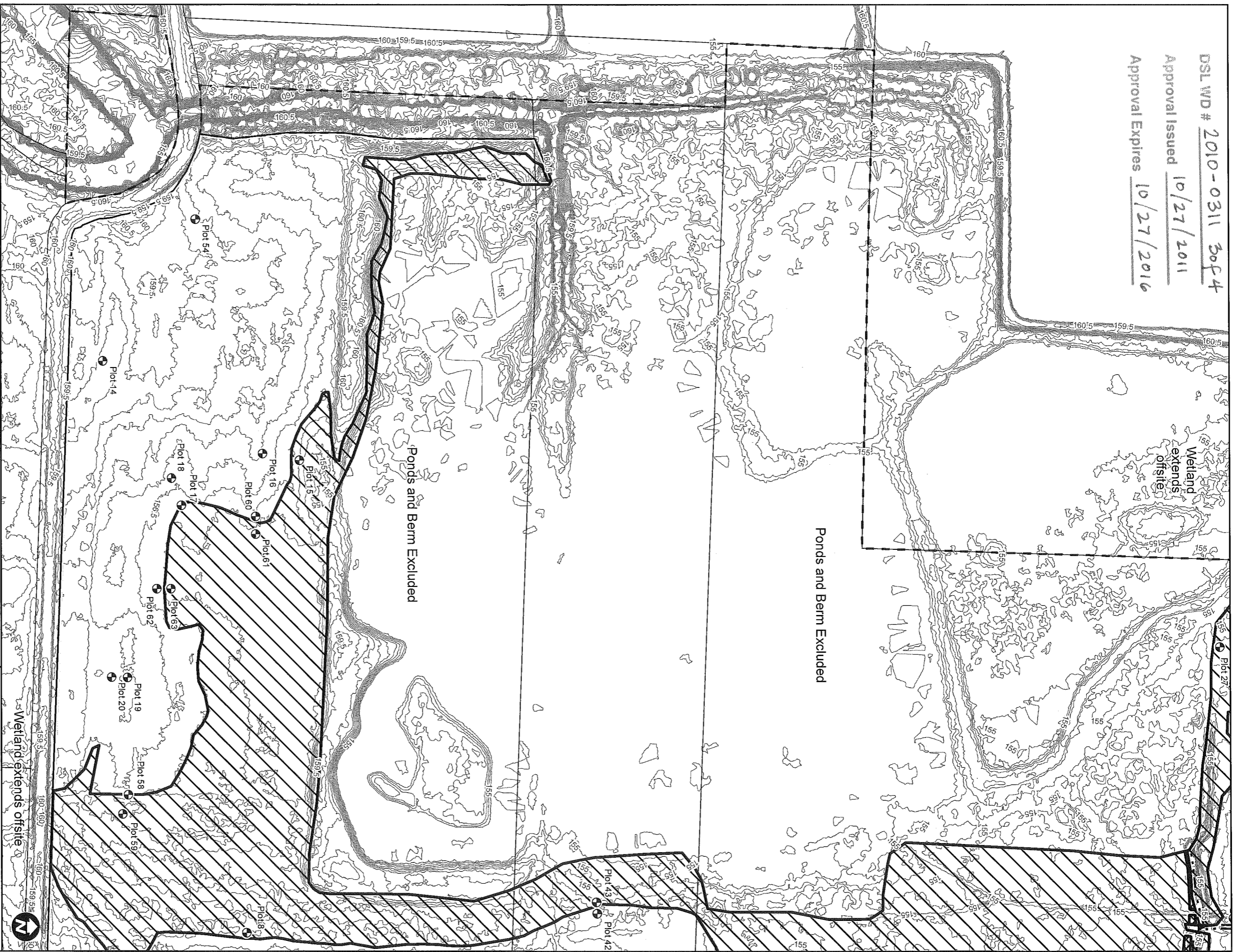


CWS Forest Grove and Davis Tool
 Washington County, OR
 Figure 5.1

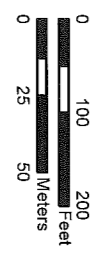
1:2400
 Township 1S Range 3W
 GPS data collected with Trimble GeoXT submeter GPS unit. GPS plot accuracy < 1 meter. line accuracy - 1 meter.
 Sources: 6-inch contours provided by Clean Water Services (Datum: NAD 83 HARN). Tax lots provided by Metro Data Resource Center

Project 15304
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- Legend**
- ▲ Culverts
 - ⊕ Sample Plot
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1:2400
 Township 1S Range 3W
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CWS Forest Grove and Davis Tool
 Washington County, OR
 Figure 5.2

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 Project: 15304
 October 24, 2011



Legend

- ▲ Culverts
- ⊕ Sample Plot
- ≡ Ditch
- ▨ Upland Berm
- ▧ Wetland
- ▭ Tax lots (Metro)
- - - Excluded Areas (SAB)
- ▭ Study Area Boundary (SAB)

Contours (6')

0 100 200
0 25 50
Feet
Meters

CWS Forest Grove and Davis Tool
Washington County, OR
Figure 5.3

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Project: 15304
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