Joint Permit Application

This is a joint application, and must be sent to all agencies (Corps, DSL, and DEQ). Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Date Stamp

U.S. Army Corps of Engineers Portland District	Oregon Department of State Lands	Oregon Department of Environmental Quality
Action ID Number	Number	

(1) TYPE OF PERMIT(S) IF KNOWN (check all that apply)

Corps: ☐ Individual ☒ Nationwide No.: 14 ☐ Regional General Permit _____ ☒ Other (specify): FAHP

DSL: ☒ Individual ☐ GP Trans ☐ GP Min Wet ☐ GP Maint Dredge ☐ GP Ocean Energy ☐ No Permit ☐ Waiver

(2) APPLICANT AND LANDOWNER CONTACT INFORMATION

	Applicant	Property Owner (if different)	Authorized Agent (if applicable) ☑ Consultant ☐ Contractor
Name (Required)	Jason Waters		Claudia Steinkoenig
Business Name	City of Sherwood		Jacobs Engineering
Mailing Address 1	22560 SW Pine Street		2020 SW 4th Avenue
Mailing Address 2			
City, State, Zip	Sherwood,OR.97140		Portland, Oregon 97201
Business Phone	503.925.2304		503.736.4136
Cell Phone	971.979.2985		503.432.7610
Fax	503-625-0629		
Email	WatersJ@SherwoodOregon.gov		claudia.steinkoenig@jacobs.com

(3) PROJECT INFORMATION

A. Provide the project location.

Project Name	Latitude & Longitude*
Cedar Creek/Tonquin Trail: OR99W-SW Washington St	45 21'29.91"N, -122 50'44.09"W, 45.21'29.12"N,-122 51'21.92"W

Project Address / Location	City (nearest)	County
Between SW Pacific Hwy (State Highway OR99W) to Stella Olsen Park at SW Washington Street	Sherwood	Washington

Township	Range	Section	Quarter / Quarter	Tax Lot
2S	1W	29,30, 32		See attachment 1

Brief Directions to the Site:
See above

B. What types of waterbodies or wetlands are present in your project area? (Check all that apply.)

☑ River / Stream	☑ Non-Tidal Wetland	☐ Lake / Reservoir / Pond
☐ Estuary or Tidal Wetland	☐ Other	☐ Pacific Ocean

Waterbody or Wetland Name**	River Mile	6th Field HUC Name	6th Field HUC (12 digits)
Cedar Creek		Chicken Creek	170900100502

* In decimal format (e.g., 44.9399, -123.0283)
** If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").

C. Indicate the project category. (Check all that apply.)

☐ Commercial Development	☐ Industrial Development	☐ Residential Development
☐ Institutional Development	☐ Agricultural	☐ Recreational
☑ Transportation	☐ Restoration	☑ Bridge
☐ Dredging	☐ Utility lines	☐ Survey or Sampling
☐ In- or Over-Water Structure	☐ Maintenance	☐ Other:

(4) PROJECT DESCRIPTION

A. Summarize the overall project including work in areas both in and outside of waters or wetlands.
The City of Sherwood is developing the Cedar Creek Trail corridor along a portion of Cedar Creek (tributary to Chicken Creek, within the Tualatin River basin), approx. 15-miles southwest of Portland in Washington County. The Cedar Creek Trail project is part of larger trail system called thezWest Fork of the Ice Age Tonquin Trail, a 22-mile trail in southwestern Portland metropolitan area.

The project intially included 5 segments of trail sections. The current project is reduced to include only "Segment 3" trail section of the Cedar Creek Trail project.

The proposed Cedar Creek Trail provides a bike-pedestrian corridor that will ultimately connect the entire City through a comprehensive trail network. The proposed project consists of 0.80 mile of new at-grade impervious surface and elevated boardwalk over Cedar Creek bike/ped trail from the existing trail terminus north of Stella Olsen Park at SW Washington Street along the northeast side of Cedar Creek to OR99W. Primarily residential neighborhoods and eight storm sewer or private outfalls are upstream of the trail. Culverts will be required to safely pass flows under the trail to the Creek. Additionally, a bridge will be located near the north end of the trail to pass over Cedar Creek.

Cedar Creek flows north from a bridge under SW Washington St. near the start of the Segment 3. It flows at an average 0.2% slope, collecting runoff from both sides, including outfalls located high on the slopes. It passes under OR99W via a 198-foot long, 8 foot by 8 foot concrete box culvert. According to the FIRM, the culvert will pass the 500-year flood event without overtopping the roadway.

No impacts are proposed to Cedar Creek.

The proposed bike/ped bridge and boardwalk will cross Cedar Creek approximately 100' south from edge of pavement of OR99W pilings fully spanning the Cedar Creek OHW. This structure will have a main span length over the creek of 40 feet, a deck width of 12 feet, and will include a series of approach span boardwalks on either side. The Cedar Creek Bridge length has been sized to meet ODOT's programmatic Biological Assessment criteria, spanning 1.6 times the active creek channel width. This bridge also provides in excess of 1' of freeboard over the 100-year flood elevation per bridge hydraulic guidelines. The approach boardwalk length was determined to keep all fill slopes out of the active channel and minimize the additional fill within the 100-year flood plain.

The proposed project will conform to the American Association of State Highway and Transportation Officials Guide for the Development of Bicycle Facilities (AASHTO 2012), Chapter 5: Design of Shared Use Paths, and includes the following components:

- Grading, base, paving and drainage for a paved 0.80-mile-long pedestrian/bicycle path along Cedar Creek, 12 feet wide with 2-foot shoulder on each side.
- Grades up to 5.0%.
- Retaining walls.
- New pedestrian/bicycle bridge over Cedar Creek.
- Rest and pause areas for viewing and scenic areas.
- New trailhead at Stella Olsen Park parking area.
- New pedestrian crossing at SW Meinecke Parkway and OR 99W.
- Illumination.
- Landscaping and site amenities.

B. Describe work within waters and wetlands.

Construction of the trail will result in some permanent fill to be placed within a fresh water wetland and other waters. The wetland impacts consists of one palustrine emergent/slope wetland (Wetland 3) and 5 unnamed drainages (Tributary 6,7, 8, 10 and 12) for the placement of culverts across the trail crossing. Tributary 10 flows through wetland 3 and all impacts to this drainage are confined within the impacts associated with Wetland 3. DSL approved WD #2016-0339 on November 28, 2016.

Work will consist of general earthwork including placement of earthfill or gravel to construct the trail embankment, construction of reinforced soil slope (RSS) walls including over-excavation for base of wall and placement of geosynthetic reinforcement and imported granular fill, and installation of culverts.

Where over-excavation is needed for RSS construction or path subgrade, native material will be removed, subgrade compacted, and material replaced with clean, imported granular fill.

Path construction including asphalt paving, handrail installation, and gravel shoulder placement will be constructed on top of fill within waters and wetlands.

Attachment 3 provides a asummary of removal fill areas and volumes. The project would require a total of 7.6 c.y. permanent fill and 3.4 c.y removal; an area of 0.005 acre (PEM Wetland) would be impacted. A total of 29.8 c.y. permanent impacts is proposed for other waters (unnamed tribs listed above) and 0.02 acre of proposed impact.

The project construction would follow the in-water work window for this system (July 15- September 30). An in-water work area isolation plan will be developed for any work conducted in live water, however only one of the four unnamed tributaries have a perennial flow.

No in-water work is proposed for mainstem Cedar Creek. Cedar Creek will cross the trail under a 14 foot wide new bridge located from Sta 37+43 to 37+83. The bridge is designed to span the active channel width of the creek with 1-foot of low chord freeboard above the 100 year flood plain. No-rise in the floodplain is expected as a result of the new bridge. This is further discussed in the accompanying Hydraulic Report. The bridge will be bounded by boardwalk for approximately 60-feet to the west and approximately 200-feet to the east from 35+00 to 37+43 and 37+83 to 38+43. This will allow the slopes underneath to drain with minimal obstructions and no changes to the drainage patterns.

C. Construction Methods. Describe how the removal and/or fill activities will be accomplished to minimize impacts to waters and wetlands.

In general, project construction will begin with clearing and grubbing followed by excavation of the project. The excavation material produced will be stockpiled in an upland location to be identified prior to construction. Stockpile locations will avoid streams, wetlands, and other sensitive resources. On site processing of the material will be conducted to provide appropriately graded clean material for use elsewhere on the project.

Reinforced soil slopes and MSE walls are proposed in locations near wetlands to reduce the development footprint for the trail construction and prevent embankment slopes from encroaching on the nearby wetlands. The trail is considered a non-pollutant generating surface. Runoff from the trail itself is expected to be dispersed and filtered through vegetation which will encourage runoff to infilitrate into the ground as it flows toward Cedar Creek. Soils on the slopes are primarily classified in hydrologic soil groups B and C, which exhibit moderate infiltration rates when thoroughly wetted.

Two construction staging areas are proposed. The first is located on the south end of the project within an exisitng parking lot north of the Washington St. The second is located in an adjacent condominum southern parking lot that is owned by the City pof Sheerwood. These are all areas with exisitng impervious surfaces and no new impervious will be needed for construction access.

The placement of fill will generally start on the south end of the project and progress towards the north end of the project. There will be some variation in the sequencing of fill placement to allow for work in jurisdictional waters during the appropriate in-water work windows. The in-water work window for the unnamed tributaries (6,7, 8,10,12) is July 15 – September 30. Material will be conveyed to the fill location via truck. The project will be accessed at the locations shown in the attached design plan.

The crossing of Tributary 7 will follow ODFW fish passage requirements (statute), guidelines (application), design criteria, design approach and associated data, and proposed crossing design. An open bottomarched culvert is proposed for this path-stream crossing structures.
See Attachment 10 Fish Passage Report.

Construction of the proposed Cedar Creek bridge will take place above the ordinary high water. Access to east and west abutments at Cedar Creek will be available from the east and west respectively and no temporary causeway or fill below ordinary high water would be required. Additionally, temporary crane pads required for placement of the bridge superstructure will be constructed outside of ordinary high water. At Cedar Creek the temporary crane pad locations have been sited to avoid impacting wetlands along the edge of the creek.

Temporary erosion control BMPs will be maintained until the disturbed areas are stabilized. All fill in the wetland and drainage bottom would be composed of clean rock to minimize any potential temporary impacts from turbidity in Cedar Creek. Work at Triburaty 7 with species of concern will follow ODFW Fish passage Guidelines and the BMPs listed in the Programmatic Biological Opinion for Transportation Projects (Slopes V), as appropriate.

Orange plastic mesh fencing will be utilized to identify and restrict construction access into nearby wetlands.

Orange plastic mesh fencing will also be used to identify work boundaries near trees to be protected to minimize damage to trees.

(4) PROJECT DESCRIPTION (continued)

D. Describe source of fill material and disposal locations if known.
Imported granular fill. Disposal locations will be determined by the contractor and consists an appropriate upland location.

E. Construction timeline.

What is the estimated project start date? November 2020

What is the estimated project completion date? November 2021

Is any of the work underway or already complete? ☐ **Yes** ☑ **No**
If yes, please describe.

F. Removal Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name *	Removal Dimensions					Time Removal is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq.ft. or ac.)	Volume (c.y.)		
See Attachment 3							

G. Total Removal Volumes and Dimensions

Total Removal to Wetlands and Other Waters	Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Removal to Wetlands			
Total Removal Below Ordinary High Water			
Total Removal Below Highest Measured Tide			
Total Removal Below High Tide Line			
Total Removal Below Mean High Water Tidal Elevation			

H. Fill Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name*	Fill Dimensions					Time Fill is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq. ft. or ac.)	Volume (c.y.)		
See Attachment 3							

(4) PROJECT DESCRIPTION (CONTINUED)

I. Total Fill Volumes and Dimensions

Total Fill to Wetlands and Other Waters		**Length (ft.)**	**Area (sq. ft or ac.)**	**Volume (c.y.)**
Total Fill to Wetlands				
Total Fill Below Ordinary High Water				
Total Fill Below Highest Measured Tide				
Total Fill Below High Tide Line				
Total Fill Below Mean High Water Tidal Elevation				

*If there is no official name for the wetland or waterbody, create a unique name (such as “Wetland 1” or “Tributary A”).
**Indicate whether the proposed area of removal or fill is permanent or, if you are proposing temporary impacts, specify the days, months or years the fill or removal is to remain.
*** Example: soil, gravel, wood, concrete, pilings, rock etc.

(5) PROJECT PURPOSE AND NEED

Provide a statement of the purpose and need for the overall project.

The City of Sherwood has two major barriers to a multi-modal transportation system that connects neighborhoods and adjacent communities to schools, retail and jobs. One barrier is Cedar Creek itself, which runs north-south with only four creek crossings within the city limits that connect east and west Sherwood. All four of the existing creek crossings are made along roads at culverts and bridges, some with and without sidewalks. This project will construct one bicycle/pedestrian bridge structure over Cedar Creek between OR 99W and Stella Olsen Park.

The other barrier is OR 99W, which generally runs south and north and has only four pedestrian crossings within City limits, all of which are at-grade crossings at signalized intersections. This project intends to add a fourth crosswalk at OR 99W/Meinecke Parkway upon review and approval by ODOT Region 1 Traffic. A fourth crosswalk will provide a safer at-grade crossing for the shared-use path users while the city pursues funding for a grade separated highway crossing closer to the Cedar Creek culvert.

This project improves bicycle and pedestrian safety, provides better access for residents, especially underserved populations, improves access to/from employment areas, schools and essential services, ultimately reducing traffic congestion, pollution, noise and the immediate need for highway expansion because it provides a safer, alternate mode of transportation away from the major east-west OR 99W arterial.

Additionally, the city is known as "the Home of the Tualatin River National Wildlife Refuge" and one of the city's goals is to provide better access to the wildlife refuge by foot or bicycle. This project extends the city's existing shared-use path system closer to the northern city limits and wildlife refuge. The project also connects to the existing bicycle and pedestrians’ paths located along SW Tualatin-Sherwood Road and OR 99W, thus making it a complete and usable system at day of opening.

The proposed project is included in the 2035 Regional Transportation Plan (Project #10701) and is a key component of the Ice Age Tonquin Trail, which will ultimately provide a regional active transportation link between the Willamette and Tualatin Rivers.

(6) DESCRIPTION OF RESOURCES IN PROJECT AREA

A. Describe the existing physical, chemical, and biological characteristics of each wetland or waterbody. Reference the wetland and waters delineation report if one is available. Include the list of items provided in the instructions.

One federally listed fish species, Upper Willamette River (UWR) steelhead trout (Oncorhynchus mykiss), may use Cedar Creek. The FAHP Programmatic Biological Opinion (November 28, 2012) provides Endangered Species Act coverage and initiation began Oct. 23, 2016. Pre-consultation began with NMFS (Tom Loynes) via the monthly FHWA, NMFS, ODOT Region 1 Env meeting on October 29, 2015. NMFS (Tom Loynes), ODOT, and the Qualified Biologist performed a project field review on June 13, 2016.

Consulting Biologist Steve Mader completed and signed a No Effect memo addressing NMFS/USFWS species on April 1, 2016.

One of the tributaries, "Tributary 7," meets the requirements for fish passage, based on the field decision of Monica Blanchard (Oregon Department of Fish and Wildlife [ODFW]) on February 19, 2020. Monica was joined in the field by Jason Waters (City of Sherwood), Ben White (Oregon Department of Transportation [ODFW]), and Sage Jensen (Jacobs)An ODFW District Fish Biologist determined that Tributrary 7 tributaries may provide fish habitat, warranting following the in-water work window. The proposed crossing of the multi-use trail is located approximately 150 ft upstream of the Tributary 7 confluence with Cedar Creek, and fish passage is expected to extend approximately 150 ft to 200 ft upstream of the proposed crossing. Based on discussions during the site visit, anadromous steelhead are present in Tributary 7 approximately 100 ft downstream of the proposed crossing. ODFW considers Tributary 7 as capable of supporting cutthroat trout.

About 0.26 acre of impervious surface area will be treated on site. The project will avoid a net increase of artificial fill in the functional floodplain by removing an equal volume (2 CY) of historically placed artificial fill from the 100-year floodplain at trail Stn. 1+00 near the existing parking lot north of the Washington Street bridge over Cedar Creek. A revised FAHP Notification was delivered to ODOT on December 28, 2016

The Section 106 finding for this project is No Historic Properties Affected: Robert Hadlow cleared this project for the built environment by PA memo, Stipulation 4C, by the 2011 Section 106 PA, on July 13, 2016. Roy Watters cleared this project for archaeology by PA memo, Stipulation 4C, by the 2011 Section 106 PA. See Cultural Resources Report Attachment 9.

None of the project area is within Oregon state publicly owned waterways and a state lands lease from DSL is not required.

A wetland and other waters delineation was conducted on July 23 and 27-31, 2015. The Department of State lands concurrence was approved DSL approved WD #2016-0339 on November 28, 2016. The wetland report and concurrence letter are in Attachment 6. Functional Assessments are located in Attachment 7a). Each of the wetland and waters potentially affected by the project is described below.

Wetland 3 (W3) is a 0.005-acre palustrine emergent (PEM) slope wetland in a shallow swale located at the bottom of adjacent slope. The dominant species are field horsetail (Equisetum arvense), colonial bentgrass (Agrostis capillaris), and reed canarygrass (Phalaris arundinacea). A shrub layer consisting of red-osier dogwood is adjacent to (within 15 feet of) the wetland.

Wetland hydrology is from a seep from the adjacent slope and associated with stormwater runoff from the adjacent apartment complex to the north. The ground was saturated within the swale during the July site visit.

The wetland boundary was delineated following the confines of the swale and by distinct changes at those topographical breaks from soils consistently meeting the loamy gleyed matrix hydric indicator within the swale, and with no hydric indicators outside of the swale. There was also a distinct break in wetland

hydrology outside of the swale. Changes in plant communities are less distinct inside and outside of the swale and had similar grass and forb species.

Tributary 6 is an unnamed tributary of Cedar Creek with an intermittent flow regime. The drainage emerges from a six-inch pipe that drains stormwater from the adjacent residential complex. Approximately 3 feet from the pipe outlet, the drainage drops into a steep, 15-foot-wide, severely eroded ravine that flows west until it reaches the toe of the slope and then flows southwest into a broader flat channel that drains into Cedar Creek. The channel has a predominantly mud substrate with steep banks and average width of two feet.

Tributary 7 is an unnamed perennial tributary of Cedar Creek. It enters the project area from the north and drains south into Cedar Creek. The channel width averages six feet and is well defined with a cobble/boulder bed and defined bank. A stormwater outfall from the adjacent neighborhood outlets into northeast end of the drainage forming the drainage headwater.

Tributary 8 is an intermittent drainage that outfalls from an adjacent stormwater outlet. The channel has a maximin width of two feet. The drainage has poorly defined banks with a channel bed consisting of mud substrate.

Tributary 10 is a shallow 1.5-foot-wide intermittent drainage that originates from a stormwater outfall from an adjacent slope. No defined channel, bed or bank was observed and with substrate consisting of mud and grass. The drainage channel consists of surface flow with little hydraulic velocity. It extends from the west end of wetland 3 flowing west to Cedar Creek.

Tributary 12 is an intermittent drainage created to convey stormwater runoff from the adjacent residential development. The channel is riprapped and drains onto the floodplain of Cedar Creek.

B. Describe the existing navigation, fishing and recreational use of the waterbody or wetland.

The wetlands and unnamed tributaries do not provide any known existing navigational, fishing, or recreational uses, including those areas in which project construction would occur.

(7) PROJECT SPECIFIC CRITERIA AND ALTERNATIVES ANALYSIS

Describe project-specific criteria necessary to achieve the project purpose. Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterbody or wetland.*

Project constraints

Project physical and ownership constraints ultimately shape the optimal trail alignment. Constraints include steep topography, environmental, right-of-way, and cost.

Topography of the project is often steep along Cedar Creek. The steep grades along the creek are greater than the 5 percent maximum allowed by American with Disabilities Act (ADA) and the guidelines of the American Association of State Highway and Transportation Officials Guide for the Development of Bicycle Facilities (AASHTO 2012), Chapter 5: Design of Shared Use Paths. These conditions also contribute to design constraints.

Environmental constraints are set by federal, state, regional, and city laws and regulations, most notably the federal Clean Water Act and Endangered Species Act, Oregon Removal-Fill Law, Clean Water Services' Design and Construction Standards, and City of Sherwood Zoning and Community Development Code. In general, the project must minimize environmental damage, to the extent practicable.

The project is a linear project crossing multiple tax lots and is adjacent to Cedar Creek. Consequently, the alignment is confined between existing privately-owned properties that abut the proposed corridor and the top of bank at Cedar Creek.

Analysis Criteria

In evaluating alternatives that would serve to develop the share-use path, the following criteria were applied to alternative projects considered. The project-specific criteria are followed by a description of alternative projects and the proposed project design considered to avoid or minimize impacts to waters of the U.S./State.

An alternative that meets all identified criteria is considered effective in meeting the project purpose and need while avoiding and minimizing impacts to aquatic resources. An alternative that fails one or more criteria would not be considered effective:

1. Criterion 1: Build a shared-use path Safety for pedestrian and bicycle modes of transportation. The alternative must provide a shared-use path for the following sub-criteria:

•Minimize bicycle and pedestrian safety hazards; and,

•Conform to requirements of the Americans with Disabilities Act of 1990 (ADA) and the American Association of State Highway & Transportation Officials (AASHTO).

2. Criterion 2: Avoid and Minimize Natural Resource Impacts. The alternative must design a path alignment that avoid and minimizes impacts to wetlands, other waters, trees and Clean Water Services Buffers to the greatest extent practicable.

3. Criterion 3: Create an Implementable Project Plan. The alternative must account for constructability, and avoid as many impacts as possible and ensure the entire project stays within the allotted budget.

No Build: A "no build" alternative would not meet the regions need to provide an active transportation link between the Willamette and Tualatin Rivers. This project is a key component of the Ice Age Tonquin Trail and is included in the 2035 Regional Transportation Plan. Additionally, Sherwood currently lacks complete pedestrian and bicycle connections through the city. The existing path system is incomplete or obstructed by a principal arterial and collector road barriers, particularly SW Pacific Hwy (state highway OR99W) and future trail segments to the north. There are inadequate connections

* Not required by the Corps for a complete application, but is necessary for individual permits before a permit decision can be rendered.

to significant destinations within and around Sherwood, including schools, parks, industrial, employment, residential, mixed-use areas, and the city's Town Center. Additionally, the city bike/ped system is not connected with the regional trails or the Tualatin River National Wildlife Refuge.\

Alternative 1: Figures 4 and 5 (Segment 3A & 3B -see Attachment 8) identify the alignment of Segment 3 from the Project Prospectus. This alignment provides for a connection to the neighborhoods by crossing Cedar Creek in two locations: at the northern end of the proposed alignment and farther to the south connecting the neighborhood directly east on Sir Lancelot Lane.

Figure 5 (Segment 3B-See Attachment 8) identifies the location of the southern half of the proposed trail alignment. The trail begins on SW Washington and runs adjacent to Cedar Creek until the end of the existing parking lot. From this point, the alignment is shown looping around the east and northern sides of the pond before turning back and heading north along Cedar Creek. Figure 6 identifies Segment 5 of the project that is adjacent to the drainage 13.

Alternative 2: Alternative (the current alignment) is the preferred alternative as it provides the least environmental impacts. Shifts in the alignment were made to avoid wetlands and tributaries that were delineated during wetland surveys on both the north and south ends of Segment 3.

The crossing of Cedar Creek and its associated floodplain is reduced to one crossing at the northern end of Segment 3. The creek is narrower at the northern point and a crossing at this location results in a shorter bridge span and fewer wetland and floodplain impacts.

Alternative 2 moves the trail at the southern portion of the trail alignment in the vicinity of the man-made pond. It was determined during the June 2015 field review that this loop would create unnecessary direct impacts to wetlands in addition to significant grade challenges. The preferred alternative follows an existing terrace along the hillside above the creek.

(8) ADDITIONAL INFORMATION

Are there state or federally listed species on the project site?	☒ Yes	☐ No	☐ Unknown
Is the project site within designated or proposed critical habitat?	☐ Yes	☒ No	☐ Unknown
Is the project site within a national Wild and Scenic River ?	☐ Yes	☒ No	☐ Unknown
Is the project site within a State Scenic Waterway?	☐ Yes	☒ No	☐ Unknown
Is the project site within the 100-year floodplain?	☒ Yes	☐ No	☐ Unknown
If yes to any above, explain in Block 6 and describe measures to minimize adverse effects to those resources in Block 7.			
Is the project site within the Territorial Sea Plan (TSP) Area?	☐ Yes	☒ No	☐ Unknown
If yes, attach TSP review as a separate document for DSL.			
Is the project site within a designated Marine Reserve?	☐ Yes	☒ No	☐ Unknown
If yes, certain additional DSL restrictions will apply.			
Will the overall project involve ground disturbance of one acre or more?	☒ Yes	☐ No	☐ Unknown
If yes, you may need a 1200-C permit from the Oregon Department of Environmental Quality (DEQ).			
Is the fill or dredged material a carrier of contaminants from on-site or off-site spills?	☐ Yes	☒ No	☐ Unknown
Has the fill or dredged material been physically and/or chemically tested?	☐ Yes	☐ No	☒ Unknown
If yes, explain in Block 6 and provide references to any physical/chemical testing report(s).			
Has a cultural resource (archaeological and/or built environment) survey been performed on the project area?	☒ Yes	☐ No	☐ Unknown
Do you have any additional archaeological or built environment documentation, or correspondence from tribes or the State Historic Preservation Office?	☐ Yes	☐ No	☒ Unknown

If yes, provide a copy of the survey and/or documentation of correspondence with this application to the Corps only. Do not describe any resources in this document. Do not provide the survey or documentation to DSL.

Is the project part of a DEQ Cleanup Site? No☒ Yes☐ Permit number _____
DEQ contact._____

Will the project result in new impervious surfaces or the redevelopment of existing surfaces? Yes ☒ No ☐
If yes, the applicant must submit a post-construction stormwater management plan as part of this application to DEQ's 401 WQC program for review and approval, see https://www.oregon.gov/deq/FilterDocs/401wqcertPostCon.pdf

Identify any other federal agency that is funding, authorizing or implementing the project.

Agency Name	Contact Name	Phone Number	Most Recent Date of Contact
ODOT FAHPProgrammatic Biological Opinion	Cindy Callahan/Sarah Eastman		6/2020
NMFS	Tom Lyons		06/13/2011
NHPA Section 106(Cultural Resources)	Robert Hadlow		July 13, 2016

List other certificates or approvals/denials required or received from other federal, state or local agencies for work described in this application.

Agency	Certificate / approval / denial description	Date Applied
Oregon Department of State Lands	Wetland Concurrence WD#2016-0339	11/28/16
Clean Water Service	.. Service Provider Letter	11/18/2019

Other DSL and/or Corps Actions Associated with this Site (Check all that apply.)

☐ Work proposed on or over lands owned by or leased from the Corps (may require authorization pursuant to 33 USC 408). These could include the federal navigation channel, structures, levees, real estate, dikes, dams, and other Corps projects.

☐ State owned waterway DSL Waterway Lease #:

☐ Other Corps or DSL Permits Corps # DSL #

☐ Violation for Unauthorized Activity Corps # DSL #

☑ Wetland and Waters Delineation Corps # DSL # WD#2016-0339

Submit the entire delineation report to the Corps; submit only the concurrence letter (if complete) and approved maps to DSL. If not previously submitted to DSL, send under a separate cover letter

(9) IMPACTS, RESTORATION/REHABILITATION, AND COMPENSATORY MITIGATION

A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, direct, and indirect impacts.

Impacts to waters of the U.S. have been avoided and minimized to the maximum extent practicable through the design of the proposed project, including avoidance of impacts at Cedar Creek(See Alternative Anlaysis Figures 4 & 5 Attachment 8).

Wetlands/Other Waters

The proposed project will result in approximately 0.005 acre (7.6.c.y.) of permananent fill to a freshwater palustrine emergent wetland. A small sliver of Wetland 3 will avoid impact but will likley not remain sustainable. Consequently, the project proposes compensation for the entire wetland acreage (0.005 acre).

The project proposes 0.02 acre (29.8c.y.) (208 linear feet) of permanent fill below OHW for the trail crossing of five (5) unnamed tributaries.Four of the draibages are intermittent (Trib 6,8,10.12) and one is a perennial drainage generally flowing west to Cedar Creek.

No temporary impacts are proposed (see Attachment 3 Removal /Fill Summary Table).

No significant adverse impacts to other resources, such as cultural resources, socioeconomics, transportation and traffic, air quality, noise and visual resources would occur from implementing the proposed project.

No adversce impacts are proposeded to water quality.Water quality treatment is not required for the non-vehicular trail project. Water quantity management will not be required because the increase in peak runoff rate from new impervious will be less than 0.5 cfs during the 10-year, 24-hour storm. Facility design will conform to the ODOT Hydraulics Manual and FAHP Programmatic B.O. Clean Water Act Section 401 certification will be obtained through the Nationwide Permit from the Corps.(See Attachment

A Service Provider Letter (SPL) was granted from Clean Water Services for 55,834 square feet of permanent and temporary impacts to Vegetated Corridors. All remaining portions of the Vegetated Corridor in Marginal or Degraded condition will be enhanced to Good condition, and 34,983 square feet of Vegetated Corridor will be created, pursuant to the SPL.

No rise in floodplain is expected.The new 343-foot-long, 26-span Cedar Creek bike/ped bridge/boardwalk will span the 19-foot-wide active channel, minimizing fill in the functional floodplain and avoiding soil armoring in the scour prism. A second bridge over Cedar Cr4eek was described in the Project Prospectus, but deleted from the funded project.

Compensatory mitigation for wetland impacts will consists of purchasing credit from a mitigation bank at the Tualatin Valley Environmental Mitigation Bank and/or Half Mile Lane In-Lieu Fee (ILF) for stream impacts.

No significant adverse impacts to other resources, such as cultural resources, socioeconomics, transportation and traffic, air quality, noise and visual resources would occur from implementing the proposed project.

No adversce impacts are proposeded to water quality.Water quality treatment is not required for the non-vehicular trail project. Water quantity management will not be required because the increase in peak runoff rate from new impervious will be less than 0.5 cfs during the 10-year, 24-hour storm. Facility design will conform to the ODOT Hydraulics Manual and FAHP Programmatic B.O. Clean Water Act Section 401 certification will be obtained through the Nationwide Permit from the Corps.

A Service Provider Letter (SPL) was granted from Clean Water Services for 55,834 square feet of permanent and temporary impacts to Vegetated Corridors. All remaining portions of the Vegetated Corridor in Marginal or Degraded condition will be enhanced to Good condition, and 34,983 square feet of Vegetated Corridor will be created, pursuant to the SPL.

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One federally listed fish species, Upper Willamette River (UWR) steelhead trout (Oncorhynchus mykiss), may use Cedar Creek and Rock Creek. The FAHP Programmatic Biological Opinion (November 28, 2012) provides Endangered Species Act coverage and initiation began Oct. 23, 2016. Pre-consultation began with NMFS (Tom Loynes) via the monthly FHWA, NMFS, ODOT Region 1 Env meeting on October 29, 2015. NMFS (Tom Loynes), ODOT, and the Qualified Biologist performed a project field review on June 13, 2016. About 0.26 acre of impervious surface area will be treated on site. The project will avoid a net increase of artificial fill in the functional floodplain by removing an equal volume (2 CY) of historically placed artificial fill from the 100-year floodplain at trail Stn. 1+00 near the existing parking lot north of the Washington Street bridge over Cedar Creek. A revised FAHP Notification was delivered to ODOT on December 28, 2016.

Consulting Biologist Steve Mader completed and signed a No Effect memo addressing NMFS/USFWS species on April 1, 2016.

B. For temporary removal or fill or disturbance of vegetation in waterbodies, wetlands or riparian (i.e., streamside) areas, discuss how the site will be restored after construction to include the timeline for restoration.

Disturbed upland areas, including those adjacent to Cedar Creek and the trail segment will be stabilized with a native upland seed mix.

The project has been designed to avoid temporary impacts to waterways and wetlands. Construction staging and access roads have been located in upland areas. At Cedar Creek, the crane for pile driving will be located in an upland area adjacent to the creek or on the existing access road and will not need to cross the creek or be located below the OHWM. Temporary creek crossings will not be needed at Cedar Creek. Material placed in wetlands and unamed tributaries would be permanent fills and are accounted for in Attachment 8. All fill in wetlands and other waters would be composed of clean rock to minimize any temporary impacts from turbidity.

Temporary erosion control BMPs will be maintained until the disturbed areas are stabilized.

Compensatory Mitigation

C. Proposed mitigation approach. Check all that apply:

☐ Permittee-responsible Onsite Mitigation	☐ Permittee-responsible Offsite mitigation	☑ Mitigation Bank or In-Lieu Fee Program	☐ Payment to Provide (not approved for use with Corps permits)

D. Provide a brief description of proposed mitigation approach and the rationale for choosing that approach. If you believe mitigation should not be required, explain why.

Due to the number of small intermittent drainges and that this is a linear project, the DSL recommended that 1 stream functional assessment be conducted for the four intermittent drainages. The SFAM guidance suggest combining streams and assess a representative stream for the grouping. Grouping of the drainages was based on flow permanance, stream gradient (greater than 2%), riparian corridor size (greater than 15 feet), riparian corridor quality (degraded) and extent of drainage alterations (mderate) to extensive). Tribtuary 6 was chosed as representative of the intermittent drainages. Tributray 7 is a perennial drainage and had a separate functional assessment conducted (see Attachment 7a for Stream Functional Assessments).

The intermittent drainages have a function group rating of moderated with a suggested value of higher for hydrologic function. Tributary 7, a perennial drainage scored lower for thermal regulation and overall moderate functional group ratings.

Given the low impact acre and volumes, it is recommended that mitigation consists of purchasing mitigation bank credits and in-lieu fee for the project. This will be most effective for watershed health.

Mitigation Bank / In-Lieu Fee Information:

Name of mitigation bank or in-lieu fee project:	Tualatin Environmental Mitigation Bank/or Half Mile Lane ILF.

Type and amount of credits to be purchased: PEM/slope and Stream			
If you are proposing permittee-responsible mitigation, have you prepared a compensatory mitigation plan? ☐ Yes. Submit the plan with this application and complete the remainder of this section. ☐ No. A mitigation plan will need to be submitted (for DSL, this plan is required for a complete application).			
Mitigation Location Information (Fill out only if permittee-responsible mitigation is proposed)			
Mitigation Site Name/Legal Description	Mitigation Site Address	Tax Lot #	
County	City	Latitude & Longitude (in DD.DDDD format)	
Township	Range	Section	Quarter/Quarter

(10) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE

☑ **Pre-printed mailing labels of adjacent property owners attached**	**Project Site Adjacent Property Owners**	**Mitigation Site Adjacent Property Owners**

Contact Name
Address 1
Address 2
City, ST ZIP Code

Contact Name
Address 1
Address 2
City, ST ZIP Code

Contact Name
Address 1
Address 2
City, ST ZIP Code

(11) CITY/COUNTY PLANNING DEPARTMENT LAND USE AFFIDAVIT (TO BE COMPLETED BY LOCAL PLANNING OFFICIAL)

I have reviewed the project described in this application and have determined that:

- ☐ This project is not regulated by the comprehensive plan and land use regulations
- ☒ This project is consistent with the comprehensive plan and land use regulations
- ☐ This project is consistent with the comprehensive plan and land use regulations with the following:
  - ☐ Conditional Use Approval
  - ☐ Development Permit
  - ☐ Other Permit (explain in comment section below)
- ☐ This project is not currently consistent with the comprehensive plan and land use regulations. To be consistent requires:
  - ☐ Plan Amendment
  - ☐ Zone Change
  - ☐ Other Approval or Review (explain in comment section below)

An application or variance request has ☐ has not ☐ been filed for the approvals required above.

Local planning official name (print)	Title	City / County

Signature	Date

Comments:

(12) COASTAL ZONE CERTIFICATION

If the proposed activity described in your permit application is within the Oregon Coastal Zone, the following certification is required before your application can be processed. The signed statement will be forwarded to the Oregon Department of Land Conservation and Development (DLCD) for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program and consistency reviews of federally permitted projects, contact DLCD at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050 or click here.

CERTIFICATION STATEMENT

I certify that, to the best of my knowledge and belief, the proposed activity described in this application complies with the approved Oregon Coastal Zone Management Program and will be completed in a manner consistent with the program.

Print /Type Applicant Name	Title

Applicant Signature	Date

(13) SIGNATURES

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or DSL staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. I understand that payment of the required state processing fee does not guarantee permit issuance.

To be considered complete, the fee must accompany the application to DSL. The fee is not required for submittal of an application to the Corps.

Fee Amount Enclosed	$

Applicant Signature (required) must match the name in Block 2	
Print Name	Title
Signature	Date
Authorized Agent Signature	
Print Name	Title
Signature	Date

Landowner Signature(s)*	
Landowner of the Project Site (if different from applicant)	
Print Name	Title
Signature	Date
Landowner of the Mitigation Site (if different from applicant)	
Print Name	Title
Signature	Date

Department of State Lands, Property Manager (to be completed by DSL)

If the project is located on state-owned submerged and submersible lands, DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.

Print Name	Title
Signature	Date

* Not required by the Corps.

(14) ATTACHMENTS

- ☐ Drawings
  - ☒ Location map with roads identified
  - ☐ U.S.G.S topographic map
  - ☒ Tax lot map
  - ☒ Site plan(s)
  - ☒ Plan view and cross section drawing(s)
  - ☒ Recent aerial photo
  - ☐ Project photos
  - ☒ Erosion and Pollution Control Plan(s), if applicable
  - ☒ DSL / Corps Wetland Concurrence letter and map, if approved and applicable
- ☒ Pre-printed labels for adjacent property owners (Required if more than 5)
- ☐ Incumbency Certificate if applicant is a partnership or corporation
- ☒ Restoration plan or rehabilitation plan for temporary impacts
- ☒ Mitigation plan
- ☒ Wetland functional assessments, if applicable
  - ☒ Cover Page
  - ☒ Score Sheets
  - ☒ ORWAP OR, F, T, & S forms
  - ☒ ORWAP Reports
  - ☒ Assessment Maps
  - ☒ ORWAP Reports: Soils, Topo, Assessment area, Contributing area
- ☒ Stream Functional Assessments, if applicable
  - ☒ Cover Page
  - ☒ Score Sheets
  - ☒ SFAM PA, PAA, & EAA forms
  - ☒ SFAM Report
  - ☒ Assessment Maps
    - ☒ Aerial Photo Site Map and Topo Site Map (Both maps should document the PA, PAA, & EAA)
- ☒ Compensatory Mitigation (CM) Eligibility & Accounting Worksheet
  - ☐ Matching Quickguide sheet(s)
  - ☒ CM Eligibility & Accounting sheet
- ☒ Alternatives analysis
- ☐ Biological assessment (if requested by the Corps project manager during pre-application coordination)
- ☒ Stormwater management plan (may be required by the Corps or DEQ)
- ☐ Other
  - ☐ Please describe:

For U.S. Army Corps of Engineers send application to:

USACE Portland District
ATTN: CENWP-ODG-P
PO Box 2946
Portland, OR 97208-2946
Phone: 503-808-4373
portlandpermits@usace.army.mil

Counties:
Baker, Benton, Clackamas, Clatsop, Columbia, Gilliam, Grant, Hood River, Jefferson, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yamhill

U.S. Army Corps of Engineers
ATTN: CENWP-ODG-E
211 E. 7th AVE, Suite 105
Eugene, OR 97401-2722
Phone: 541-465-6868
portlandpermits@usace.army.mil

Counties:
Coos, Crook, Curry, Deschutes, Douglas, Jackson, Josephine, Harney, Klamath, Lake, Lane

For Department of State Lands send application to:

West of the Cascades:
Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
Phone: 503-986-5200

East of the Cascades:
Department of State Lands
1645 NE Forbes Road, Suite 112
Bend, Oregon 97701
Phone: 541-388-6112

For Department of Environmental Quality e-mail application to:

ATTN: DEQ 401 Certification Program
Water Quality
700 NE Multnomah St, Suite 600
Portland, OR 97232
401applications@deq.state.or.us

INSTRUCTIONS FOR PREPARING THE JOINT APPLICATION

This is a joint application and must be sent to all agencies (Corps, DSL, and DEQ), who administer separate permit or certification processes. For questions regarding these instructions or the form, contact the Corps, DSL and/or DEQ or refer to the following online resources:

- DSL's Removal-Fill Guide; or,
- The Corps Regulatory website: http://www.nwp.usace.army.mil/Missions/Regulatory.aspx
- DEQ's 401 Water Quality Certification website: https://www.oregon.gov/deq/wq/wqpermits/Pages/Section-401-Certification.aspx

General Instructions and Tips

- Provide the information in the appropriate blocks of the application form. If you need more space, provide a summary in the space provided and attach additional detail as an appendix to the application. Each appendix or attachment must reference which application block number it pertains to.
- Not all items on the application form will apply to all projects.
- Electronic submittal of applications and supporting material is preferred by the Corps. Both electronic and hard copies must be in 8 ½ x 11-inch sized format and reproducible in black and white. Currently DSL does not accept electronic submittals. DSL will accept color figures and 11 X 17. Use either all double sided or all single sided paper. Do not use staples or dividers. NOTE: If the electronic submittal of application and associated documents is 10 megabytes or more, check with each agency for how best to submit the document to that agency.
- **FEES:** Fees for water quality certification apply. Nationwide projects approved by DEQ will incur a fee of $985. Others will be evaluated on a case-by-case basis: https://www.oregon.gov/deq/wq/wqpermits/Pages/Section-401-Fees.aspx.

For complex projects or for those that may have more than minimal impacts, additional information may be necessary to complete the evaluation and make a permit decision. Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Section 1. Type of Permit(s) if Known

If known, indicate the type of permit/authorization applying for.

Section 2. Applicant and Landowner Contact Information

Applicant: The applicant is the responsible party. If the applicant is an agency, business entity or other organization, indicate the name of the organization and a person that has the authority to sign the application. If applicant is a partnership or corporation, the applicant name must match the Incumbency Certificate, and the business name as listed on OR Secretary of State business registry. Applicant must not be "doing business as" or has an "assumed business name." In such cases the applicant must be an individual.

Applicant Contact Name: If the applicant is a business, provide the contact name for an individual representing the business.

Authorized Agent: An authorized agent is someone who has permission from the applicant to represent their interests and supply information to the agencies. An agent can be a consultant, an attorney, builder, contractor, or any other person or organization. An authorized agent is optional.

Landowner: Provide landowner information if different from the applicant. DSL requires the landowner's signature, unless the project qualifies as a linear project, e.g. road, pipeline, utility.

Section 3. Project Information

A. Provide location information. Latitude and longitude must be reported in decimal format and can be found by zooming in to your respective project location and reading off the coordinates displayed on the bottom many maps, such as Google Earth.

B. Provide information on wetlands and waterbodies within the project area. Indicate the category of activities that make up your project. For projects with multiple locations, provide latitude and longitude for each location. For linear projects, provide the latitude and longitude for the start and end points.

Section 4. Project Description

A. Overall Description: Provide a description of the overall project, including:

- All associated work with the project both outside and within waters or wetlands.
- Total ground disturbance for all associated work (i.e., area and volume of ground disturbance).
- Total area of impervious surfaces created or modified by the project, if applicable.

B. Work within Waters and Wetlands: Provide a description of the proposed work within waters and wetlands, including:

- Each removal or fill activity proposed in waters or wetlands, as well as any construction or maintenance of in-water or over-water structures.
- The number and dimensions of in-water or over-water structures (i.e., pilings, floating docks) proposed within waters or wetlands.

C. Construction Methods: Describe how the removal and/or fill activities will be accomplished, including the following:

- Construction methods, equipment to be used, access and staging areas, etc.
- Measures you will use during construction to minimize impacts to the waterbody or wetland. Examples may include isolating work areas, controlling construction access, site specific erosion and sediment control methods, site specific best management practices, and using specialized equipment or materials. Attach work area isolation and/or erosion and pollution control plans, if applicable.

D. Fill Material and Disposal: Provide a description of fill material and procedure for disposal of removed material, including:

- The source(s) of fill materials (if known).
- Locations for disposal area(s) for dredged material, if applicable. If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into jurisdictional waters. If using an upland disposal area that is not a Department of Environmental Quality (DEQ)-regulated landfill, a Solid Waste Letter of Authorization or a Beneficial Use Determination from DEQ may be required.

E. Construction Timing: Provide the proposed start and completion dates for the project. Describe project work that is already complete, if applicable.

F. – I. Summary of Removal and Fill Activities: Summarize the dimensions, volume and type/composition of material being placed or removed in each waterbody or wetland. Describe each impact on a separate row. For instance, if two culverts are being removed from Clear Creek, use two rows. Add extra rows if needed or include an attachment.

The DSL and the Corps use different elevations for determining whether an activity in tidal waters is regulated by the State's Removal-Fill law, the Clean Water Act, and/or the Rivers and Harbors Act. DSL regulates activities below the highest measured tide. The Clean Water Act applies below the high tide line. The Rivers and Harbors Act applies below the mean high water.

If jurisdictional limits are not the same for each agency, prepare a table for each agency stating impacts within that agency's jurisdiction.

Section 5. Project Purpose and Need
Explain the purpose and need for the project. Also include a brief description of any related activities needed to accomplish the project objectives.

The following items are required by DSL, as applicable:
- If the removal-fill would satisfy a public need and the applicant is a public body, include any pertinent findings regarding public need and benefit.
- If the project involves fill in the estuary for a non-water dependent use, explain how the project is for public use and/or satisfies a public need.
- If the project is located within a marine reserve or marine protected area, explain how the project is needed to study, monitor, evaluate, enforce or protect the designated area.

Section 6. Description of Resources in Project Area
Territorial Sea: For activities in the Territorial Sea (mean lower low water seaward 3 nautical miles), provide a separate evaluation of the resources and effects determination.

For each wetland, include:
- Whether the wetland is freshwater or tidal, and the Cowardin class and Hydrogeomorphic (HGM) class.
- Source of hydrology and direction of flow (if any).
- Dominant plant species by layer (herb, shrub, tree).
- Assessment of the hydrologic, water quality, fish habitat, aquatic habitat, and ecosystem support functions and values of the wetland(s) to be permanently impacted. The assessment should be attached as a separate Excel document.
    - DSL requires the use of ORWAP for wetland impacts over 0.2 acre and any wetland that is an Aquatic Resource of Special Concern (ARSC), unless the impacts are to Agate Desert Vernal Pools (VPs). See Appendix B of the Removal Fill Guide for a list of ARSCs. The Vernal Pool Assessment Method is required for all VPs. For impacts to wetlands less than 0.2 acre that are not ARSCs or VPs Best Professional Judgment (BPJ) may be used.
- Identify any Aquatic Resources of Special Concern (ARSC) in or near the project area. ARSCs include alkali wetlands, bogs, cold water habitat, fens, hot springs, interdunal wetlands, kelp beds, mature forested wetlands, native eelgrass beds, off-channel habitats (alcoves and side channels), ultramafic soil wetlands, vernal pools (including Willamette Valley, Medford area, Modoc basalt, and Columbia Plateau vernal pools), wet prairies, or wooded tidal wetlands. See Appendix B of the Removal Fill Guide for a list of ARSCs.
- Include relevant summary information from the wetland delineation report if available. Provide a copy of the wetland delineation report to **the Corps,** if not previously provided to the Corps. If a delineation report has not been previously submitted to DSL, then submit to DSL under a separate cover.
- Describe existing uses, including fish and wildlife use (type, abundance, period of use, and significance of site).
- Next major downstream waterbody name.

For rivers, streams, other waterbodies, lakes and ponds, include a description of, as applicable:
- Streamflow regime (e.g., perennial year-round flow, intermittent seasonal flow, ephemeral event-driven flow). If flow is ephemeral, provide streamflow assessment data sheet or other information that supports your determination.
- Field indicators used to identify the Ordinary High Water Mark (OHWM).
- Channel and bank conditions.

- Type and condition of riparian (streamside) vegetation.
- Channel morphology (structure and shape).
- Stream substrate.
- Assessment of the hydrologic, geomorphic, biologic and water quality functions and values of waters to be permanently impacted.
    - DSL requires use of the Stream Function Assessment Methodology (SFAM) for wadable non-tidal streams. SFAM should be attached as a separate Excel document. For impacts to non-wadable or tidal streams, BPJ can be used. Sections 2.2 through 2.3 of the SFAM User Manual give guidance for the functions and values to be addressed for all streams, even if SFAM does not apply.
- Identify any Aquatic Resources of Special Concern (ARSC) in or near the project area. ARSCs include alkali wetlands, bogs, cold water habitat, fens, hot springs, interdunal wetlands, kelp beds, mature forested wetlands, native eelgrass beds, off-channel habitats (alcoves and side channels), ultramafic soil wetlands, vernal pools (including Willamette Valley, Medford area, Modoc basalt, and Columbia Plateau vernal pools), wet prairies, or wooded tidal wetlands.
- Fish and wildlife use (type, abundance, period of use, and significance of site).
- Water quality impairments, including waterways adjacent to impacted wetlands and waterway to be impacted and next major downstream waterbody

Section 7. Project Specific Criteria and Alternatives Analysis
Provide an explanation describing how impacts to waters and wetlands are being avoided and minimized on the project site. For DSL, the alternatives analysis must include:

- Project-specific criteria that are needed to accomplish the stated project purpose.
- A range of alternative sites and designs that were considered with less impact.
- An evaluation of each alternative site and design against the project criteria and a reason for why the alternative was not chosen.
- If the project involves fill in an estuary for a non-water dependent use, a description of alternative non-estuarine sites must be included.

The level of rigor required in this analysis should be commensurate with the level of impact proposed. Please note that additional information regarding alternatives may be necessary for Corps Individual Permits to comply with the Clean Water Act Section 404(b)(1) Guidelines. Please check with your local Corps contact early in the planning process to determine what level of analysis is required. An alternative analysis is not required for a complete application by the Corps; however, it may be required before a permit decision can be rendered.

Section 8. Additional Information
Any additional information you provide helps the reviewer(s) understand your project and the other approvals or reviews that may be required.

Section 9. Impacts, Restoration/Rehabilitation, and Compensatory Mitigation
A. Description of Impacts: Clearly identify the permanent, temporary, direct and indirect impacts. Provide a written analysis of potential changes the project may make to the hydrologic characteristics of the affected wetlands or waterbodies, and an explanation of measures taken to avoid or minimize any adverse effects of those changes, such as: impeding, restricting or increasing flows; relocating or redirecting flow; and potential flooding or erosion downstream of the project. Provide a table summarizing permanent and temporary impacts by HGM and Cowardin Classifications.

B. Site Restoration/Rehabilitation: For temporary disturbance of soils and/or vegetation in waterbodies, wetlands or riparian (streamside) areas, discuss how you will restore the site after construction. This may include the following:

- Grading plans to restore pre-existing elevations.
- Planting plans and species list (native species only) to replace vegetation in riparian or wetland areas.
- Maintenance and monitoring plans to document restoration to wetland condition and/or vegetation establishment.
- Associated erosion control for site stabilization.

C.-D. Compensatory Mitigation. Describe your proposed compensatory mitigation approach or explain why you believe compensatory mitigation is not required. If proposing permittee-responsible mitigation for permanent impacts to jurisdictional waters, see OAR 141-085-0705 and 33 CFR 332.4(c) for plan requirements. The Oregon Explorer Aquatic Mitigation topic page and map viewers may be a helpful resource.

For activities involving discharges of dredged or fill material into waters of the United States, the Corps requires the application to include a statement describing how impacts to waters of the United States are to be avoided and minimized. The application must also include either a statement describing how impacts to waters of the United States are to be compensated for or a statement explaining why compensatory mitigation should not be required for the proposed impacts.

Section 10. Adjacent Property Owners for Project and Mitigation Site(s)
Names and addresses for properties that are adjacent to the project site and permittee responsible mitigation site (if applicable), are required. "Adjacent" means those properties that share or touch upon a common property line or are across the street or stream. If more than 5, attach pre-printed labels. A list of property owners may be obtained by contacting the county tax assessor's office.

Section 11. City/County Planning Department Land Use Affidavit
This section is required to demonstrate land use compatibility for removal fill permits and water quality certifications. Provide this form to your local planning official for them to complete and sign.

Section 12. Coastal Zone Certification
Your signature for this statement is **required** for projects within the coastal zone (generally, west of the summit of the Coast Range).

Section 13. Signatures
The application **must** be signed by the responsible party as identified in section 1. DSL also requires the landowner's signature. Linear Facilities (e.g. road, pipeline, utility) do not require landowner signature for the impact sites; signatures are required for mitigation sites.

Section 14: Attachments
Project Drawings. A complete application must include a location map, site plan, and plan view and cross-section drawings. DSL also requires a recent aerial photo. All drawings should be clear, legible, and to scale. For the Corps, drawings must be on 8.5 x 11-inch paper and must be in black and white or clearly reproducible in black and white. DSL will accept color and 11 x 17, but all figures must be clear when reproduced in black and white. While illustrations need not be professionally prepared, they should be clear, accurate, and contain all necessary information, as follows:

Location maps (with project boundaries, including staging and construction access, scale bar and north arrow on all):
- Location map with roads identified
- U.S.G.S. Topographic map
- Tax lot map

Site plan(s), including:

- Entire project site and activity areas, which includes staging and construction access areas
- Existing and proposed contours
- Stormwater outfalls and other related features
- Location of Ordinary High Water Mark, wetland boundaries, and other jurisdictional boundaries. Clearly identify temporary, permanent, direct and indirect impact areas within waterbodies and wetlands
- Scale bar, legend, and north arrow
- Location of staging areas and construction access
- Location of cross section(s), as applicable
- Location of mitigation area, if applicable

Cross section drawing(s), including:

- Existing and proposed elevations
- Clearly identify temporary, permanent, direct and indirect impact areas within waterbodies and wetlands
- Ordinary High Water Mark, wetland boundaries, and other jurisdictional boundaries
- Scale bar (horizontal and vertical scale)

Recent Aerial Photo

- 1:200 resolution, or, if not available for your site, highest resolution possible

DSL Wetland Concurrence (map and letter only for DSL; the Corps requires the full wetland/waters delineation report if not already submitted)

Mitigation documents including:

- Functional assessment results for each impacted resource and mitigation area
    - Results should include: Cover sheet, Score Sheet, assessment area maps
- Eligibility and Accounting Worksheet
    - Matching "Quickguide" sheet(s)
    - Compensatory Mitigation (CM) Eligibility & Accounting sheet

Do NOT submit the following items to DSL (unless specifically requested by DSL for your project):

- Wetland delineation report
- Biological assessment
- Cultural/archeological reports
- Stormwater calculations
- Geotechnical reports
- Marketing reports
- Contract agreements
- Applications for other agencies such as local land use applications
- Contractor/construction specifications
- Other extraneous drawings and information