



June 8, 2022

JT Roth
Attn: Tim Roth
12600 SW 72nd Avenue, Ste. 200
Portland, OR 97223

VIA EMAIL

RE: SW Murdock Road (TL 2S133CB00600) – ESA Compliance for 3-lot
Partition

Dear Tim:

As requested, ES&A did a review of potential listed threatened and endangered species occurring within the proposed early grading for the site. The potential for listed species occurrence on site was evaluated based on the site investigation completed for the natural resource assessment for the Clean Water Services (CWS) Service Provider Letter (SPL File No. 22-001256).

The attached CWS SPL provides a summary of the existing habitat on site and the lack of any regulated water resource sensitive areas or associated vegetated corridor (VC) buffers on or immediately adjacent to project site. The entire site was investigated for sensitive habitat at the time of the CWS site assessment.

Site Conditions

The site is located east of SW Murdock Road, and directly northeast of the intersection with SW Sunset Boulevard/SW McKinley Drive. The 3.01-acre site is bordered to the north, south, and west by single-family residential housing with some forested area bordering the site to the northeast, north of a gravel road and residential lots. No existing developments are located onsite. Access to the site comes from a driveway along the north property border that intersects with SW Murdock Road.

As seen in aerial imagery and in the field, the site exhibits clustered tree cover. The trees scattered throughout the site include Pacific madrone (*Arbutus menziesii*), Douglas fir (*Pseudotsuga menziesii*), big-leaf maple (*Acer macrophyllum*), ponderosa pine (*Pinus ponderosa*), and non-native ornamental maple species. A western serviceberry (*Amelanchier alnifolia*) shrub was found at the site in the understory. The hedge along SW Murdock Road (Photo 3) is composed of Oregon oak (*Quercus garryana*), English hawthorn (*Crataegus monogyna*), and the same species found throughout the site.

The herbaceous plant community is mainly composed of a 50/50 mix of meadow foxtail (*Alopecurus pratensis*) and Columbia brome (*Bromus vulgaris*) with intermixed tall fescue (*Schedonorus arundinaceus*), sweet vernal grass (*Anthoxanthum odoratum*), shining cranesbill (*Geranium lucidum*), dovefoot geranium (*Geranium molle*), dutch clover (*Trifolium repens*), common vetch (*Vicia sativa*), English daisy (*Bellis perennis*), St. John's wort (*Hypericum perforatum*), wood groundsel (*Senecio sylvaticus*), and oxeye daisy (*Leucanthemum vulgare*).

USFWS Regulated Species

A list of ESA species potentially present within the project vicinity was obtained through the USFWS on-line Information, Planning and Conservation System (IPAC) (USFWS 2020). The USFWS Endangered Species Program lists a total of seven (7) threatened or endangered species potentially occurring within the project vicinity, including three bird species and five plant species.

The two bird species listed on the USFWS Planning and Conservation System are the northern spotted owl (*Strix occidentalis caurina*) and streaked horned lark (*Eremophila alpestris strigata*). Habitat requirements for the northern spotted owl include old growth coniferous forests and the streaked horned lark requires open dry grassland. Neither of these habitat types is present within the project site. The site does not contain the required old-growth forest habitat and existing habitat is mixed sparse tree cover. The grass understory is dense and grass height is not suitable for the streaked horned lark nesting.

The two insect species include listed Threatened Fender's Blue Butterfly (*Icaricia icarioides fenderi*) and Candidate Monarch Butterfly (*Danaus plexippus*). Habitat requirements for Fender's Blue Butterfly include native prairie and oak savannah, and it requires Kincaid's lupine (*Lupinus sulphureus*) as a host plant. Neither of these habitat types is present within the project site. Monarch butterfly habitat requirements include flowering plants and milkweed for breeding which can occur in a wide range of conditions such as grassland, tundra, urban cities, rural agricultural habitat, wetland, mountain, and coastal habitats. There was no observed suitable flowering plants or milkweed observed on site. While there is potential for suitable habitat for this species, the probability of constant annual Monarch presence is low given the lack of forage plant species and annual maintenance mowing on site.

The three (3) listed plants include Kincaid's lupine (*Lupinus sulphureus ssp. kincaidii*), Nelson's checker-mallow (*Sidalcea nelsoniana*), and Willamette Daisy (*Erigeron decumbens var. decumbens*). Habitat requirements for the three species include wet prairie and upland prairie. Neither of these habitat types is present within or adjacent to the project site.

Nelson's checker-mallow occurs in wet ditches and emergent wetland, but these hydrologic conditions are not present on site or immediately adjacent. The probability that Nelson's checker-mallow would be present given the site conditions is extremely low.

NMFS Regulated Species

There are no streams or riparian habitat within the site. The nearest stream is Rock Creek, which is approximately 1850 feet offsite to the northeast of the project area. According to Oregon Fish Habitat Distribution Barriers provided by the Oregon Department of Fish and Wildlife (ODFW), Rock Creek is within the fish district NWWDCoast Range Unit.

Three species of listed anadromous fish under the jurisdiction of NMFS are present in Rock Creek. There are no offsite barriers downstream, northeast of the site and all three

of these fish species show up on the ODFW Oregon Fish Habitat Distribution and Barriers database as being present in the waterways (StreamNet 2019).

Listed Species Review

The ODFW Oregon Fish Habitat Distribution and Barriers database documented four (4) potential federal or state listed or sensitive species within proximity of the project site:

1. Coho salmon (Lower Columbia River ESU) (*Oncorhynchus kisutch*)
2. Steelhead (Lower Columbia River ESU, winter run) (*Oncorhynchus mykiss*)
3. Chiselmouth chub (Lower Columbia River ESU) (*Acrocheilus alutaceus*)

Sensitive:

4. Pacific lamprey (*Lampetra tridentata*)

The proposed project will not alter the Rock Creek channel stream habitat used by these species and the project will meet local erosion control and stormwater treatment/detention requirements to minimize impacts to water quality and quantity to downstream waterways. Current habitat use by these species will not be impacted by project.

Please let me know if you have any questions about this review.

Sincerely,



Jack Dalton
Environmental Science & Assessment, LLC

Cc: Steve Miller Emerio Design.

Attachments:
CWS SPL 22-001256

May 17, 2022

STEVE MILLER
EMERIO DESIGN
6445 SW FALLBROOK PL STE. 100
BEAVERTON, OREGON, 97008

Re: SW Murdock Road 3-lot partition & early grading; CWS file 22-001256 (Tax map 2S133CB Tax lot 00600)

Clean Water Services has reviewed your proposal for the above referenced activity on your site. Staff has conducted a pre-screen review and requested completion of a Sensitive Areas Certification Form. Following review of submitted materials it appears that Sensitive Areas do not exist on-site or within 200' from your project. In light of this result, this document will serve as your Service Provider letter as required by Resolution and Order 19-5, Section 3.02.1, as amended by Resolution and Order 19-22. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

This concurrence letter does NOT eliminate the need to protect Sensitive Areas if they are subsequently identified on your site.

Sincerely,



Stacy Benjamin
Environmental Plan Review

Attachments (2)



CWS FILE NO. 22-001256
Approved
Clean Water Services
FOR ENVIRONMENTAL REVIEW
 By *SNB* Date **5/17/2022**
SPL ATTACHMENT 1 OF 2

No Vegetated Corridors Onsite

● Wetland Data Plot ↗ Photo Point

Environmental
 Science &
 Assessment, LLC



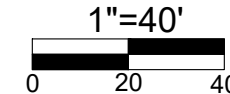
4831 NE Fremont St., Suite 2B
 Portland, OR 97213
 Phone: 503.478.0424
 www.esapdx.com

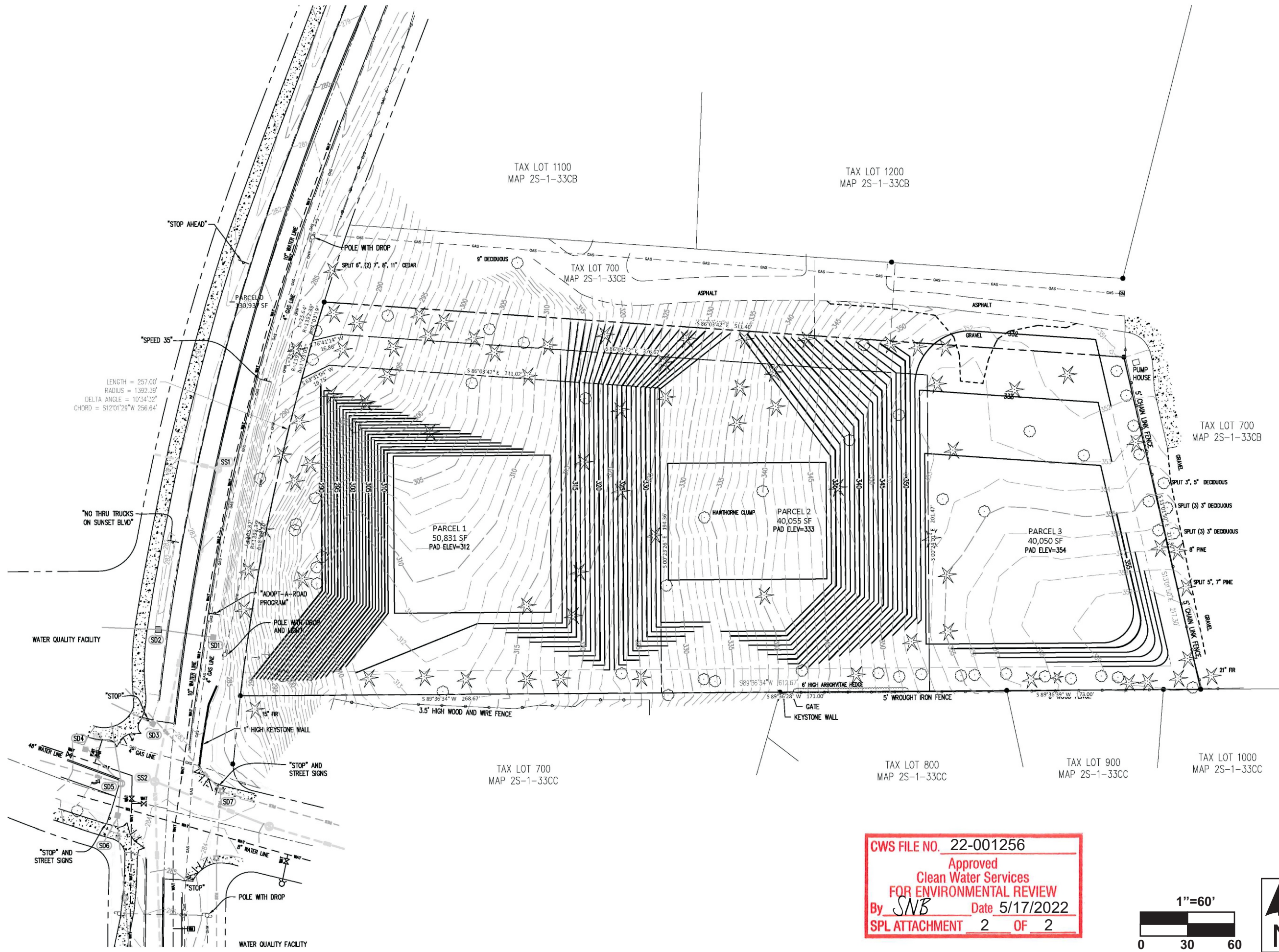
Existing Conditions Map
SW Murdock Road
Sherwood, Oregon

Base Map Source:	Northwest Surveying, Inc.
Modified By:	KR
Date:	4/22
Rev:	00/00
Proj. #	21055

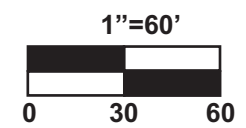


Figure 3





CWS FILE NO. 22-001256
 Approved
 Clean Water Services
 FOR ENVIRONMENTAL REVIEW
 By *SNB* Date 5/17/2022
 SPL ATTACHMENT 2 OF 2



23364 SW MURDOCK ROAD
 TAX MAP 2S1W 33CB
 TAX LOT 00600
 SHERWOOD, OREGON

**PRELIMINARY GRADING
 ONLY PLAN**

NO.	DATE	REVISIONS DESCRIPTION

EMERIO
 ENGINEERING • SURVEYING • DESIGN
 6485 SW WARREN RD. SUITE 100
 SHERWOOD, OREGON 97140
 PHONE: (503) 639-8542
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Fig. 4