



Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregon.gov/dsl

State Land Board

January 21, 2021

Washington County Land Use & Transportation

Attn: Matt Meier

155 N. First Ave., MS-13

Hillsboro, OR 97124

Kate Brown

Governor

Shemia Fagan

Secretary of State

Tobias Read

State Treasurer

Re: WD # 2020-0201 **Approved**

Delineation Report for SW Tualatin-Sherwood Road Improvements

Washington County; T2S R1W S22, S23, S26, S27, S28 and S29,

Includes Portions of Multiple Tax Maps, Tax Lots and ROWs

APP # 62666, RGL #1758

City of Tualatin Local Wetland Inventory W-24, W-33, W-34

City of Sherwood Local Wetland Inventory R-4

Dear Mr. Meier:

The Department of State Lands has reviewed the wetland delineation report prepared by David Evans and Associates Inc. 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 revised Figure 6, Sheet 1 through 10 of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps.

Within the study area, 3 wetlands (Wetland A, B and C, totaling approximately 0.72 acres), 2 streams (Stream A and B), one compensatory wetland mitigation (CWM) site (RGL #1758), 2 swales (Swale B and a Stormwater Swale), 2 water quality swales (WQ Swale A and C), and 6 ditches (D-1 through D-6) were identified. The wetlands, streams, CWM site, Swale B, the Stormwater Swale, WQ Swale A, and Ditches D-1 and D-2 are subject to the permit requirements of the state Removal-Fill Law. Normally, 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). However, because Wetland A and the Stormwater Swale as shown on Figure 6, Sheet 1 and 2 are included within a larger area identified as CWM site (RGL #1758), any impact within this area may require a permit. In addition, Swale C is exempt per OAR 141-085-0515(7), and the remaining ditches (Ditch 3, 4, 5, and 6) are exempt per OAR 141-085-0515(10).

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 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.

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 Washington County, Chris Stevenson, PWS, at (503) 986-5246.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Ryan".

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

ec: Tony Vingiello, David Evans and Associates
City of Tualatin Planning Department
City of Sherwood Planning Department
Carrie Bond, Corps of Engineers
Lindsey Obermiller, Clean Water Services
Grey Wolf, DSL

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

Fully completed and signed report cover forms and applicable fees are required before report review timelines are initiated by the Department of State Lands. Make checks payable to the Oregon Department of State Lands. To pay fees by credit card, go online at: <https://apps.oregon.gov/DSL/EPS/program?key=4>.

Attach this completed and signed form to the front of an unbound report or include a hard copy with a digital version (single PDF file of the report cover form and report, minimum 300 dpi resolution) and submit to: **Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279**. A single PDF of the completed cover form and report may be e-mailed to: **Wetland_Delineation@dsl.state.or.us**. For submittal of PDF files larger than 10 MB, e-mail DSL instructions on how to access the file from your ftp or other file sharing website.

Contact and Authorization Information	
<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address: Matt Meier Washington County Land Use & Transportation 155 N. First Ave. MS 13 Hillsboro, OR 97124	Business phone # (503) 846-7800 Mobile phone # (optional) E-mail: matt_meier@co.washington.or.us
<input checked="" type="checkbox"/> Authorized Legal Agent, Name and Address (if different): Tony Vingiello David Evans and Associates, Inc. 5th Floor Portland, OR 97201	Business phone # (503) 499-0392 Mobile phone # (optional) E-mail: tjvi@deainc.com
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>Tony Vingiello</u> Signature: <u>Tony Vingiello</u> <small>Digitally signed by Tony Vingiello Date: 2020.04.06 14:30:56 -0700'</small> Date: <u>04/06/2020</u> Special instructions regarding site access: <u>notify legal agent or applicant prior to access</u>	
Project and Site Information	
Project Name: SW Tualatin-Sherwood Road Improvements Project	Latitude: 45.378204, 45.367831 Longitude: -122.7798, -122.8332 decimal degree - centroid of site or start & end points of linear project
Proposed Use: Improve conditions of SW Tualatin-Sherwood Road corridor by widening this segment from three to five lanes (two + two + center turn lane) with multi-use paths and bus pull-outs.	Tax Map # 2S122, 2S123, 2S126, 2S127, 2S128 Tax Lot(s) multiple - see attached list Tax Map # _____ Tax Lot(s) _____
Project Street Address (or other descriptive location): SW Tualatin-Sherwood Road between SW Teton Ave and SW Olds Place with inclusions at intersecting streets	Township 2S Range 1W Section see ab <input checked="" type="checkbox"/> QQ Use separate sheet for additional tax and location information
City: Tualatin and Sherwood County: Washington	Waterway: tribs to Rock and Hedg <input checked="" type="checkbox"/> River Mile: _____
Wetland Delineation Information	
Wetland Consultant Name, Firm and Address: Tony Vingiello David Evans and Associates, Inc. 2100 S. River Parkway Portland, OR 97201	Phone # (503) 499-0392 Mobile phone # (if applicable) E-mail: tjvi@deainc.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: <u>Tony Vingiello</u> <small>Digitally signed by Tony Vingiello DN: C=US, E=tjvi@deainc.com, O=David Evans and Associates, Inc., DN=Tony Vingiello Date: 2020.04.06 14:45:11-0700</small>	Date: <u>04/20/2020</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: 45.6 Total Wetland Acreage: 0.72
Check Applicable Boxes Below	
<input checked="" type="checkbox"/> R-F permit application submitted	<input checked="" type="checkbox"/> Fee payment submitted \$ <u>466</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) DSL # _____ Expiration date _____
<input type="checkbox"/> Wetland restoration/enhancement project (not mitigation)	<input checked="" type="checkbox"/> LWI shows wetlands or waters on parcel Wetland ID code <u>W-24, W-33, R-4</u>
<input checked="" type="checkbox"/> Previous delineation/application on parcel If known, previous DSL # <u>2017-0006</u>	
For Office Use Only	
DSL Reviewer: _____ Fee Paid Date: ____ / ____ / ____ DSL WD # _____	Date Delineation Received: ____ / ____ / ____ Scanned: <input type="checkbox"/> Electronic: <input type="checkbox"/> DSL App.# _____

Street address	Map Number	Tax Lot	Owner name
14962 SW Tualatin Sherwood Rd	2S129DB	400	FLRF LLC
14960 SW Tualatin Sherwood Rd	2S129DB	500	Douglas M. and Kathleen A. Seeber Living Trust
none	2S129D0	151	ORWA Sherwood LLC
14816 SW Century Dr.	2S129D0	150	ORWA Sherwood LLC
14200 SW Tualatin Sherwood Road	2S128C0	200	Sherwood Road Industrial LLC
none	2S128C0	900	Pride West LLC
21000 SW Dahlke Lane	2S128BA	506	Tyberg Properties LLC
20940 SW Dahlke Lane	2S128D0	1000	City of Tualatin
none	2S128D0	1100	Willamette Water Supply System Commission
none	2S127C0	701	Portland General Electric (PGE)
12350 SW Tualatin Sherwood Rd	2S127C0	700	DTI Properties
12150 SW Tualatin Sherwood Rd	2S127C0	500	PGE
	2S127BC	100	Tualatin 124, LLC
none	2S127BD	1600	G & S Family Limited Partnership
none	2S127BD	1000	G & S Family Limited Partnership
20565 SW 115th Ave	2S127BD	1900	Powin Pacific Properties, LLC
none	2S127BD	900	Milgard Manufacturing Inc.
	2S127BA	700	Washington County
15350 SW Sequoia Pkwy	2S127AC	1000	Pacific Realty Associates LP
20570 SW 115th	2S127AB	900	Powin Pacific Properties LLC
20185 SW 112th Ave	2S127AB	1000	Bennett Living Trust
11250 SW Tualatin Sherwood Rd	2S127AC	100	Ronald & Carol Hutchens and James M. and Patricia Ann Wilson
4743 Raybell Road NE	2S127A0	100	Koch
10955 SW Avery St.	2S127A0	105	Sure Power LLC
	2S122D0	600	112th & Myslony JPMJD/USICV, LLC
10835 SW Tualatin-Sherwood Road	2S127AA	500	112th and Myslony JPNJD/USICV LLC
10500 SW Tualatin Sherwood Road	2S126B0	105	Airgas USA LLC
10550 SW Manhasset Dr.	2S122DD	300	NDS Investment
10450 SW Manhasset Dr.	2S123CC	800	Shocat Inc.
10451 SW Manhasset Dr.	2S123CC	700	Shocat Inc.
10452 SW Manhasset Dr.	2S123CC	600	Shocat Inc.
10453 SW Manhasset Dr.	2S123CC	900	Shocat Inc.




Ditches						
Feature	Assumed Jurisdiction		Latitude	Longitude	Length (ft)	Average width (ft)
	USACE	DSL				
Ditch D-1	Yes	Yes	45.367665	-122.829021	24	4
D-2	Yes	Yes	45.368959	-122.808680	420	3
D-3	No	No	45.368908	-122.805812	66	2
D-4	No	No	45.368956	-122.805505	101	3
D-5	No	No	45.369581	-122.802371	678	2
D-6	No	No	45.372029	-122.793304	100	2

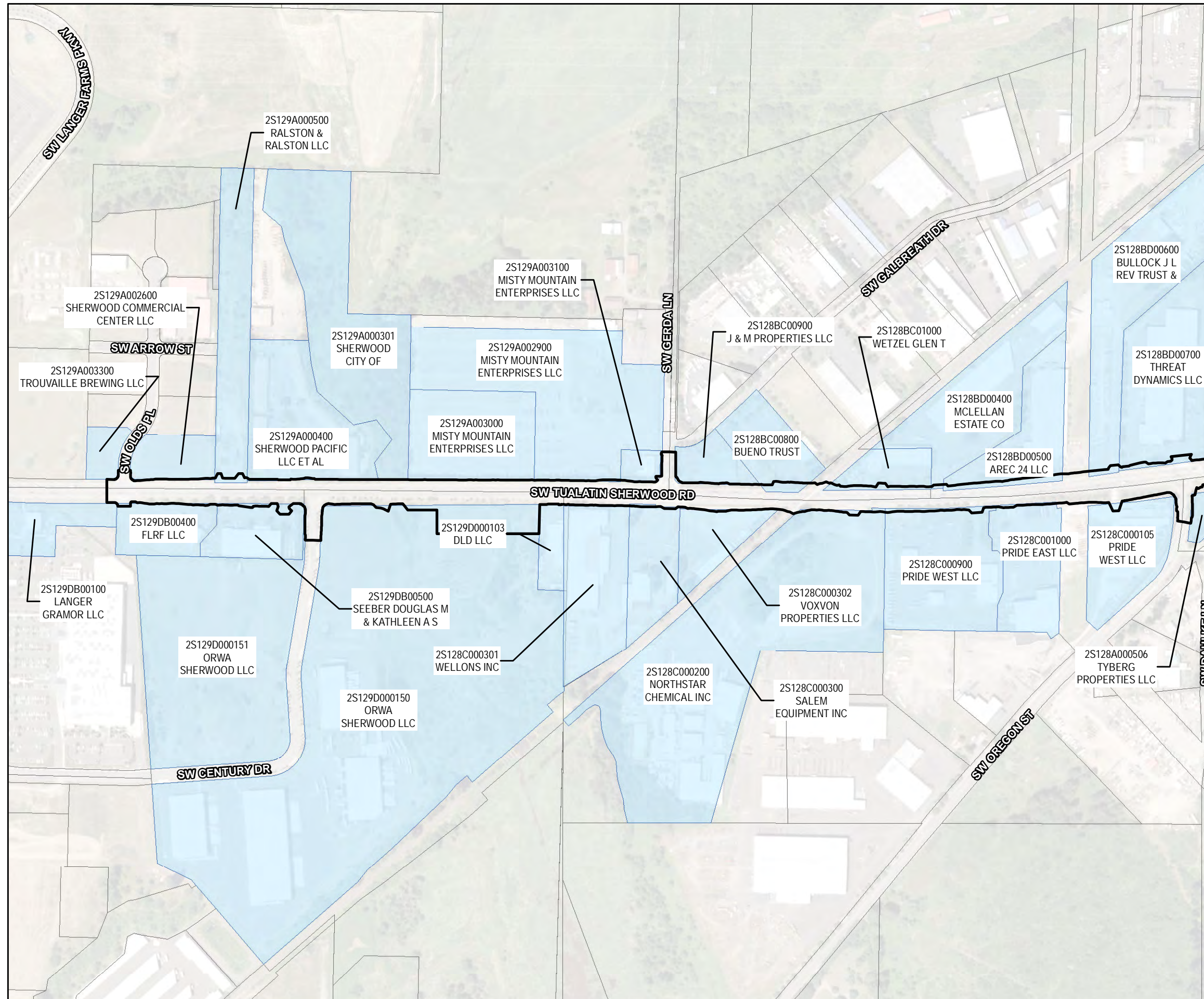
Wetlands and Waters								
Feature_ID	Assumed Jurisdiction		lat	long	acres	sq ft	HGM classification	Cowardin Classification
	USACE	DSL						
Wetland A	Yes	Yes - wetland is within Compensatory Wetland Mitigation Site RGL # 1758.	45.367734	-122.827680	0.63	1,294	Riverine (floodplain)	Palustrine Emergent (PEM)
Wetland B	Yes	Yes	45.369012	-122.807570	0.02	1,046	Riverine	PEM
Wetland C	Yes	Yes	45.370680	-122.798233	0.07	2,945	Riverine	PEM
Stream A	Yes	Yes	45.369013	-122.807761	0.01	503	none	riverine
Stream B	Yes	Yes	45.370560	-122.798398	0.03	1,254	none	riverine
WQ Swale A	Yes - Shows wetland characteristics (Plot 20) and has significant flow-through of creek from south, though no OHW. Treated as impoundment of creek.	Yes - Shows wetland characteristics (Plot 20) and has significant flow-through of creek from south, though no OHW. Treated as impoundment of creek.	45.369408	-122.806768	0.11	4,812	none	none
Swale B	Yes	Yes	45.369627	-122.801257	0.01	200	none	riverine with ordinary high water mark
WQ Swale C	No - constructed in upland	No - constructed in upland	45.369627	-122.801257	0.07	2,860	none	none

Compensatory Wetland Mitigation Site (Includes a mapped Stormwater Swale)			
Feature	Acres (within study area)	Sq ft (within study area)	Tax lot in study area (Figure 6, Sheet 1 and 2)
DSL RGL # 1758	1.25	54669	2S129D000150

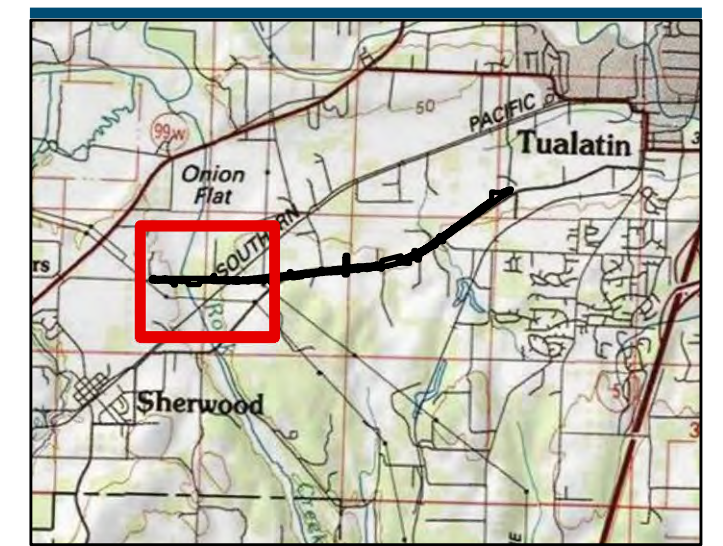
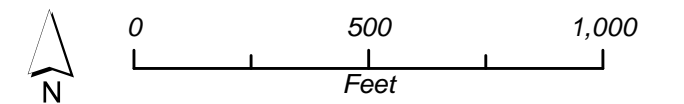
**SW Tualatin-Sherwood Road
Road Improvements**

**Figure 2, Sheet 1 of 3
Taxlots**

-  Study Area
-  Adjacent Taxlot
-  Taxlot






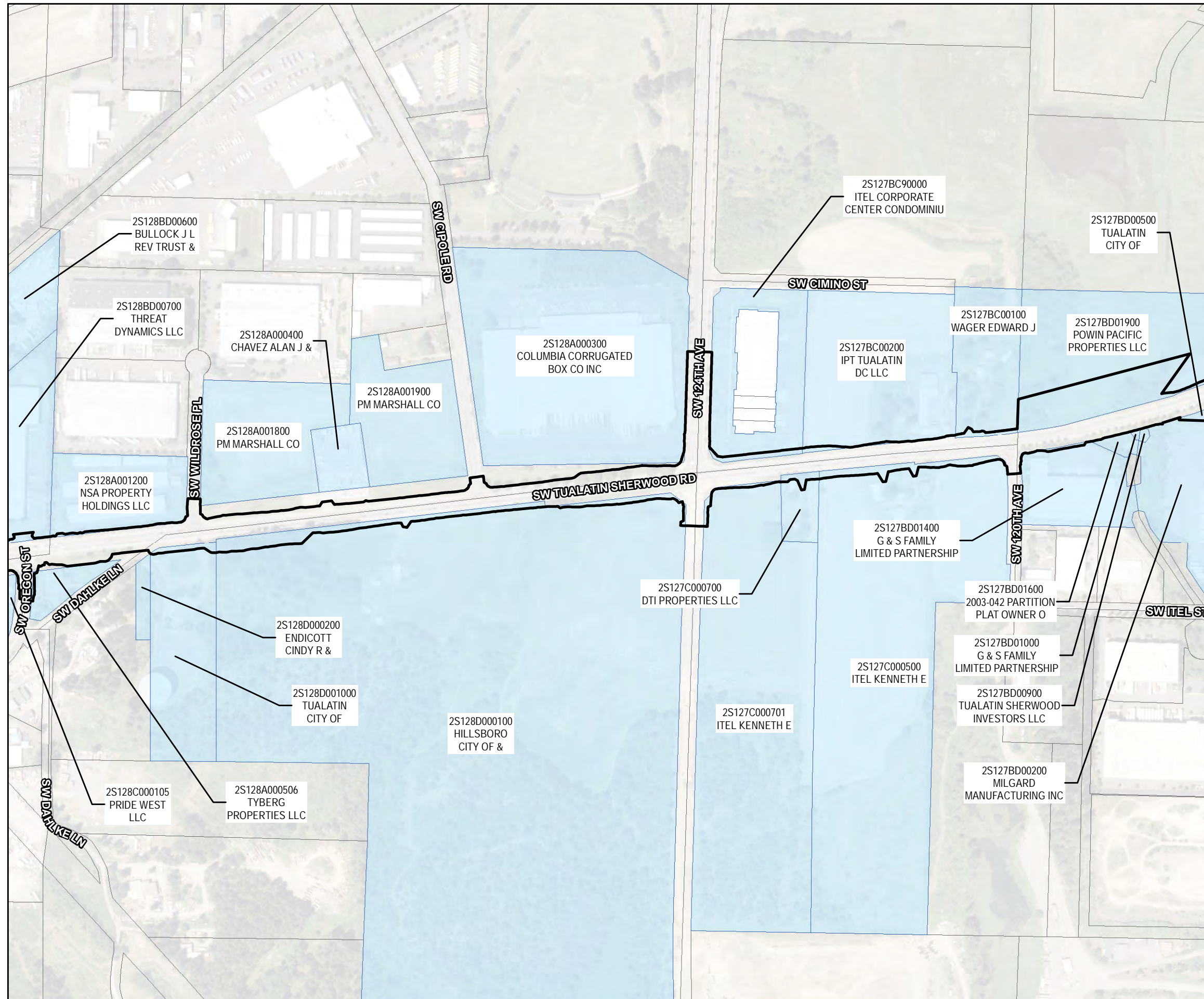
Only taxlots which are adjacent to the study area are labeled. ROW parcels have not been included. Data Source: Metro RLIS taxlots, 2020



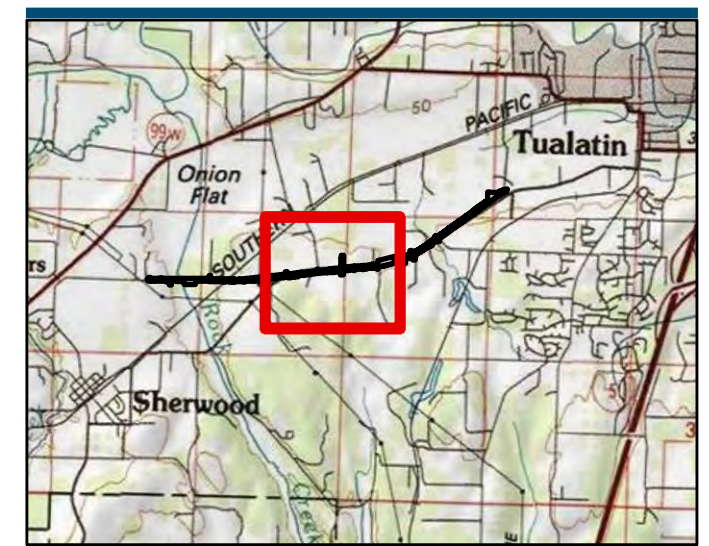
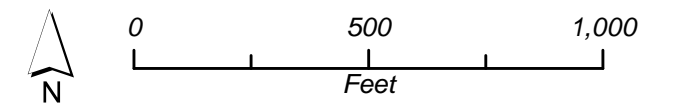
**SW Tualatin-Sherwood Road
Road Improvements**

**Figure 2, Sheet 2 of 3
Taxlots**

-  Study Area
-  Adjacent Taxlot
-  Taxlot

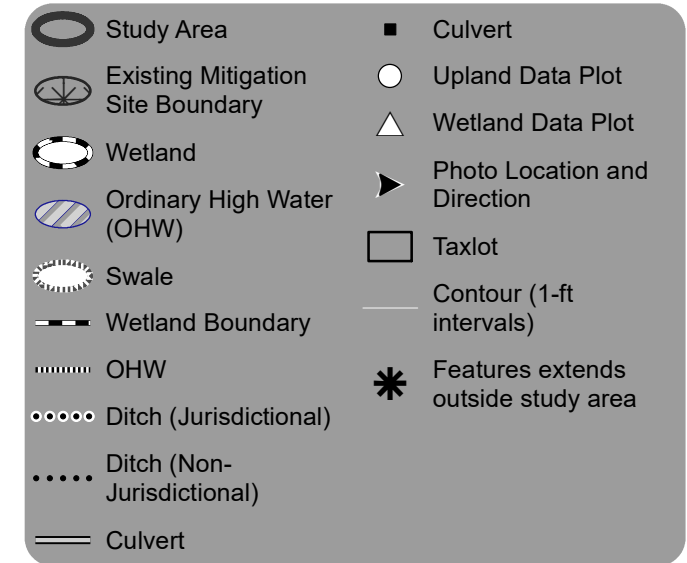


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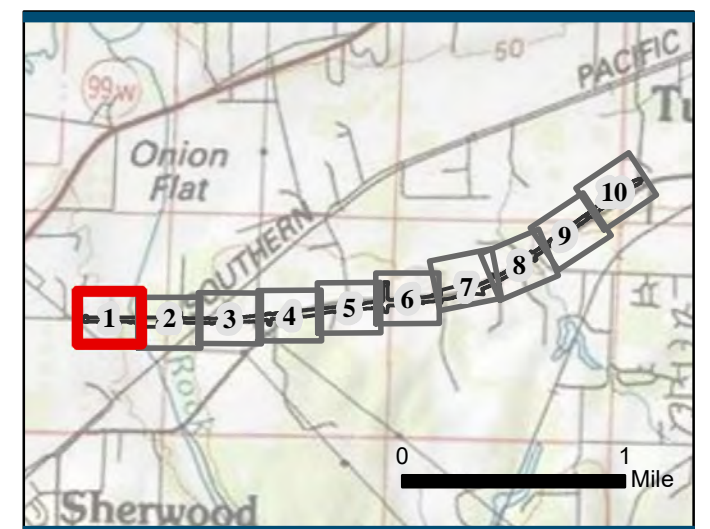
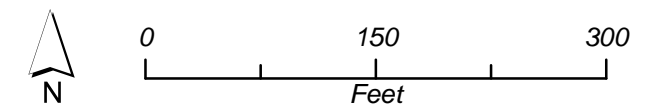
**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 1 of 10
Delineated Wetlands**



DSL WD # 2020-0201
Approval Issued 1/21/2021
Approval Expires 1/21/2026

On-site features (wetlands, ditches, streams, culverts, and data plots) were mapped with a Trimble Pathfinder GEO XH receiver with typical accuracy of 3 feet or better. An asterisk is included where features extend off-site. Only taxlots which intersect the study area are labeled.
Imagery: ESRI Bing Maps Aerial



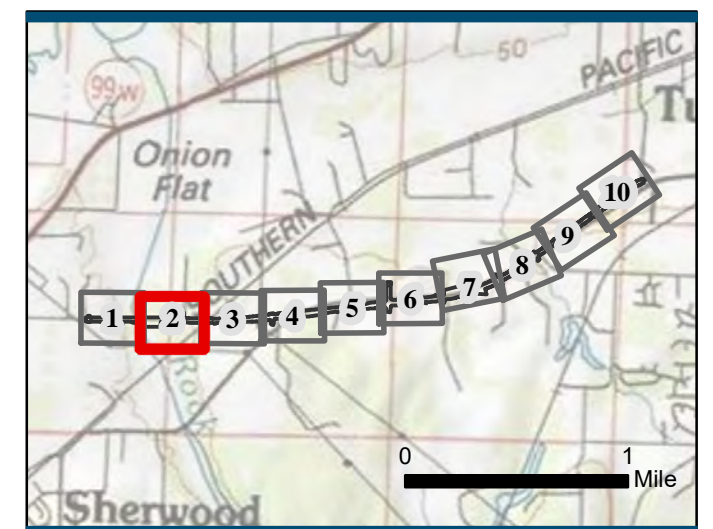
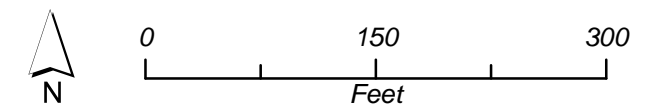
**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 2 of 10
Delineated Wetlands**

- | | | | |
|--|-----------------------------------|--|-------------------------------------|
| | Study Area | | Culvert |
| | Existing Mitigation Site Boundary | | Upland Data Plot |
| | Wetland | | Wetland Data Plot |
| | Ordinary High Water (OHW) | | Photo Location and Direction |
| | Swale | | Taxlot |
| | Wetland Boundary | | Contour (1-ft intervals) |
| | OHW | | Features extends outside study area |
| | Ditch (Jurisdictional) | | |
| | Ditch (Non-Jurisdictional) | | |
| | Culvert | | |

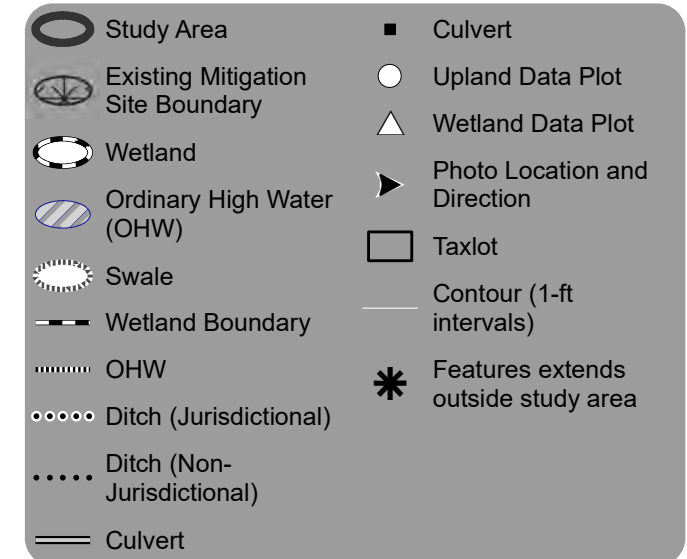
DSL WD # 2020-0201
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Imagery: ESRI Bing Maps Aerial



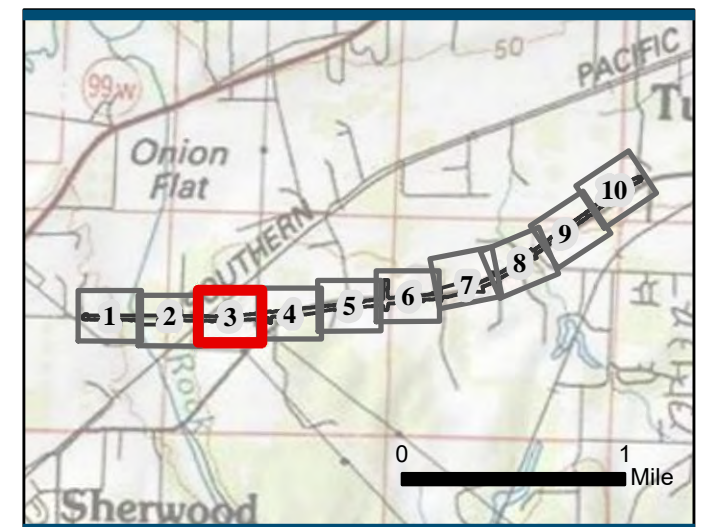
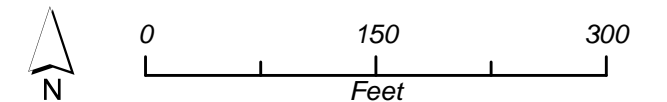
**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 3 of 10
Delineated Wetlands**



DSL WD # 2020-0201
Approval Issued 1/21/2021
Approval Expires 1/21/2026

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Imagery: ESRI Bing Maps Aerial



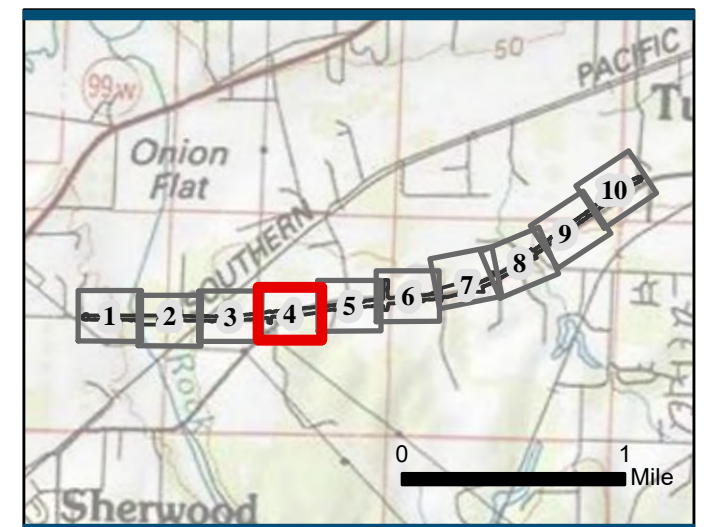
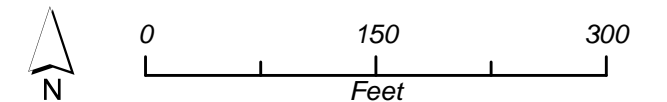
**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 4 of 10
Delineated Wetlands**

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|--|-----------------------------------|--|-------------------------------------|
| | Study Area | | Culvert |
| | Existing Mitigation Site Boundary | | Upland Data Plot |
| | Wetland | | Wetland Data Plot |
| | Ordinary High Water (OHW) | | Photo Location and Direction |
| | Swale | | Taxlot |
| | Wetland Boundary | | Contour (1-ft intervals) |
| | OHW | | Features extends outside study area |
| | Ditch (Jurisdictional) | | |
| | Ditch (Non-Jurisdictional) | | |
| | Culvert | | |

DSL WD # 2020-0201
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Imagery: ESRI Bing Maps Aerial



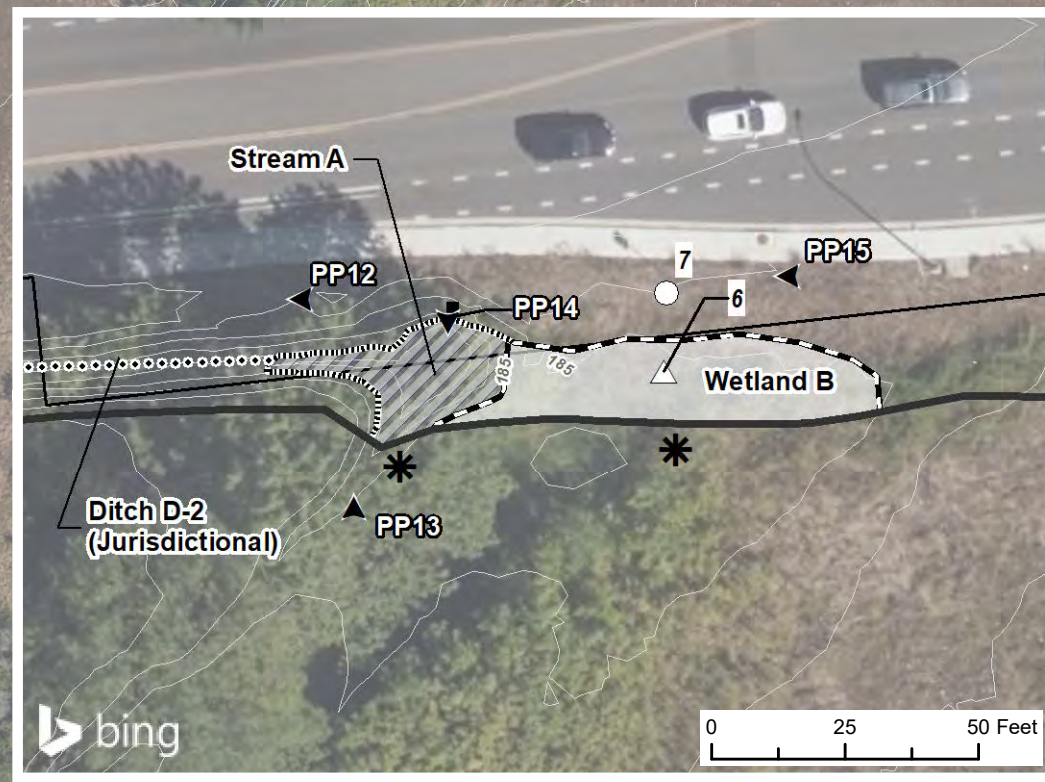
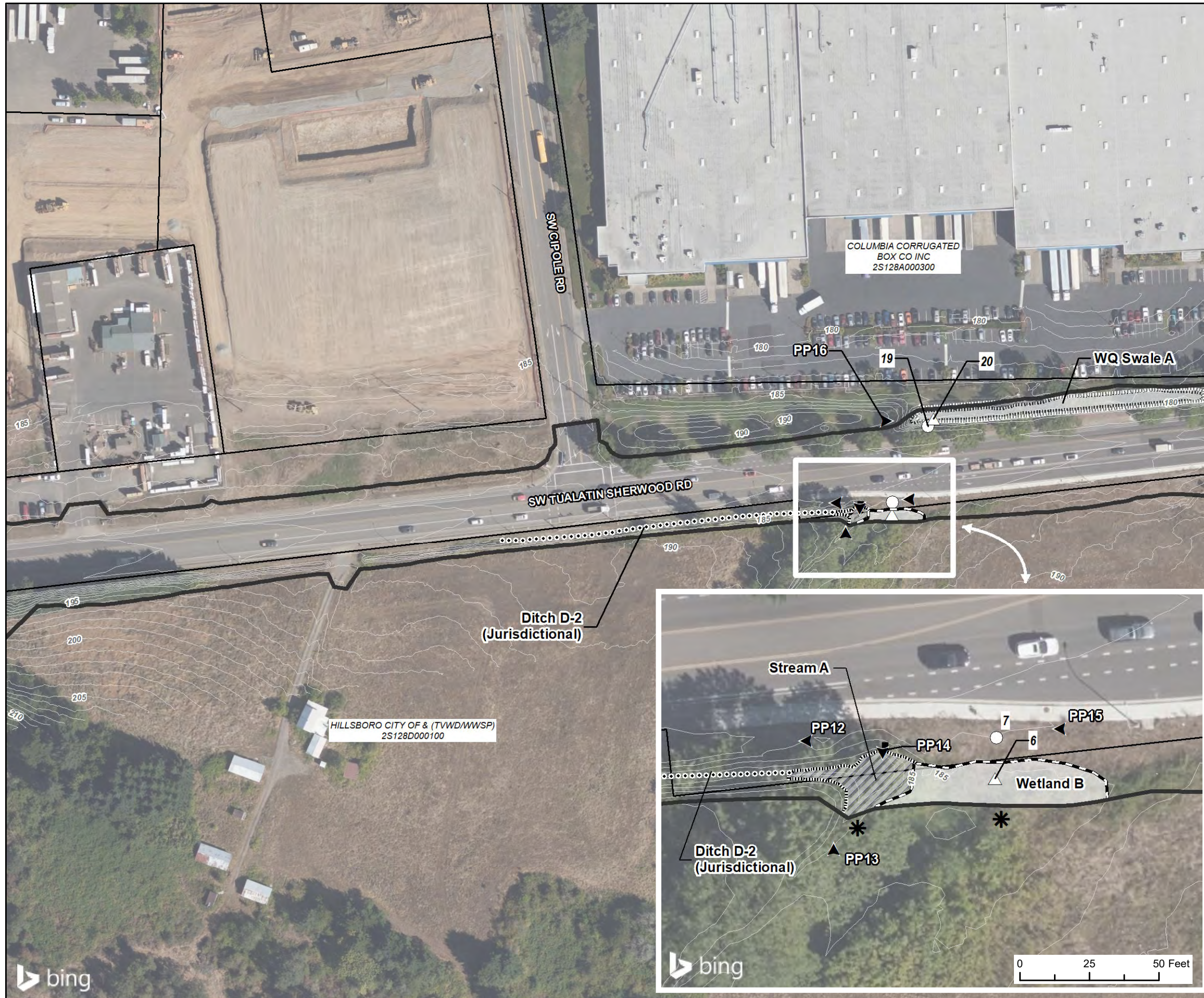
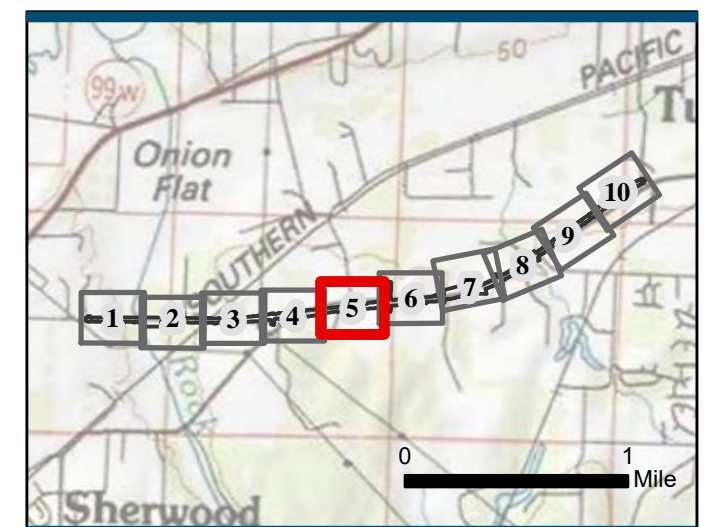
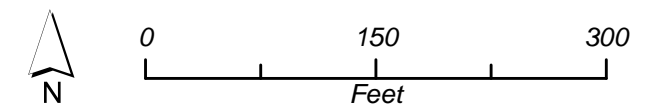
**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 5 of 10
Delineated Wetlands**

- | | | | |
|--|-----------------------------------|--|-------------------------------------|
| | Study Area | | Culvert |
| | Existing Mitigation Site Boundary | | Upland Data Plot |
| | Wetland | | Wetland Data Plot |
| | Ordinary High Water (OHW) | | Photo Location and Direction |
| | Swale | | Taxlot |
| | Wetland Boundary | | Contour (1-ft intervals) |
| | OHW | | Features extends outside study area |
| | Ditch (Jurisdictional) | | |
| | Ditch (Non-Jurisdictional) | | |
| | Culvert | | |

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On-site features (wetlands, ditches, streams, culverts, and data plots) were mapped with a Trimble Pathfinder GEO XH receiver with typical accuracy of 3 feet or better. An asterisk is included where features extend off-site. Only taxlots which intersect the study area are labeled.
Imagery: ESRI Bing Maps Aerial



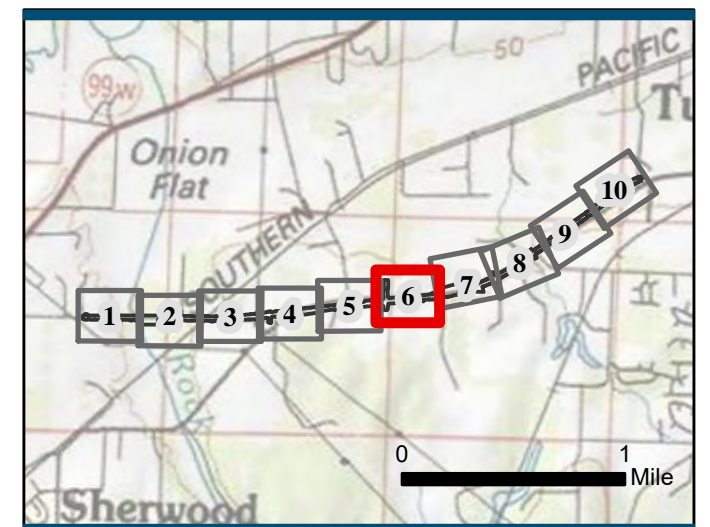
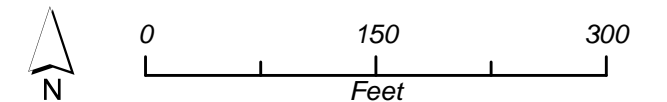
**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 6 of 10
Delineated Wetlands**

	Study Area		Culvert
	Existing Mitigation Site Boundary		Upland Data Plot
	Wetland		Wetland Data Plot
	Ordinary High Water (OHW)		Photo Location and Direction
	Swale		Taxlot
	Wetland Boundary		Contour (1-ft intervals)
	OHW		Features extends outside study area
	Ditch (Jurisdictional)		
	Ditch (Non-Jurisdictional)		
	Culvert		

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Imagery: ESRI Bing Maps Aerial



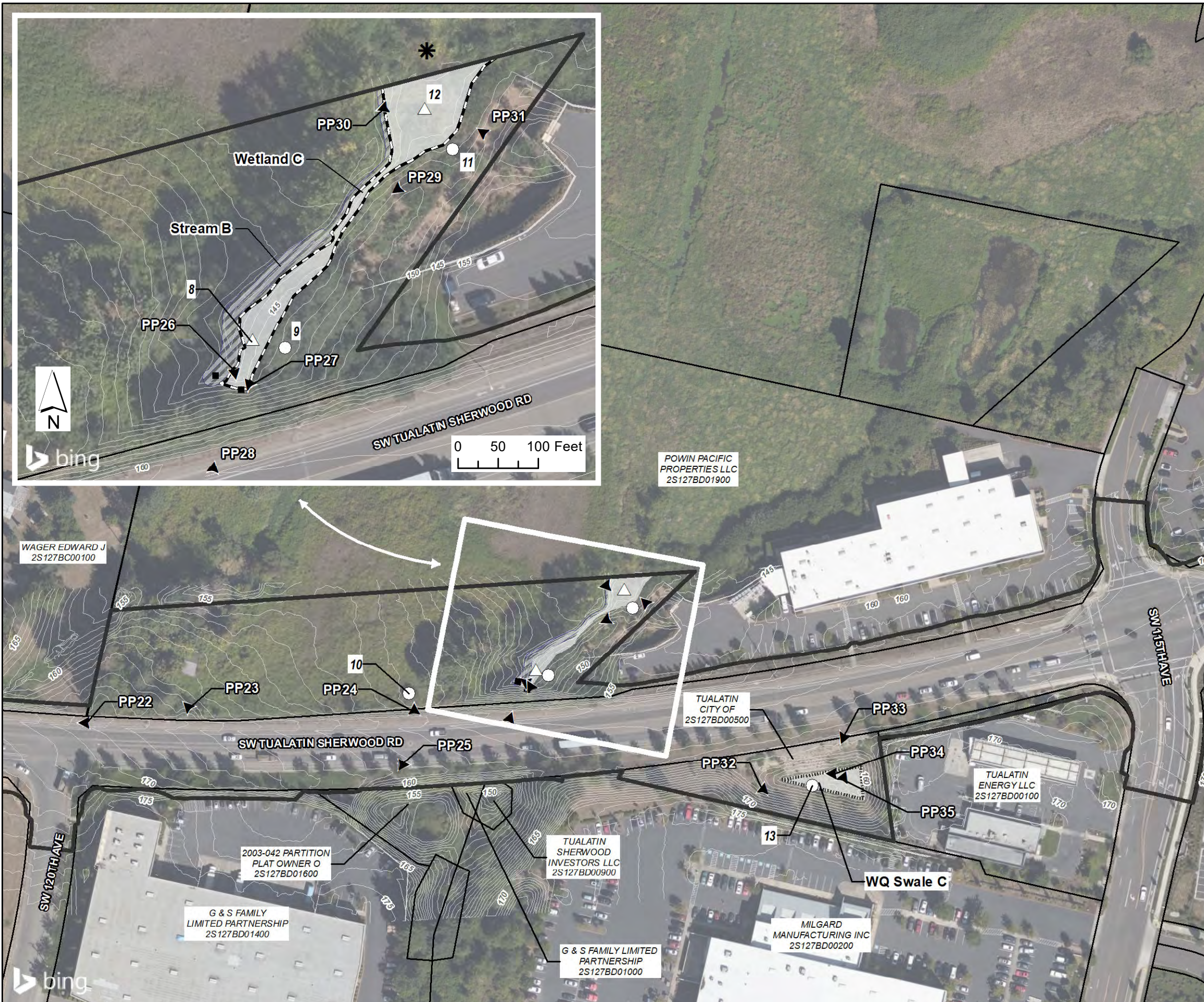
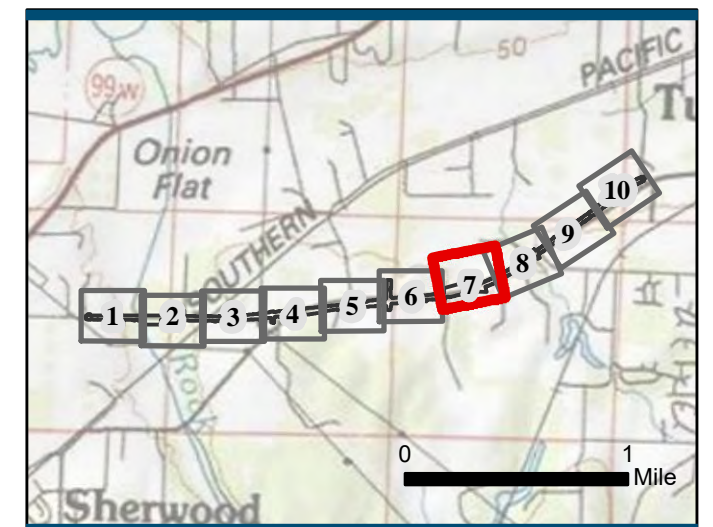
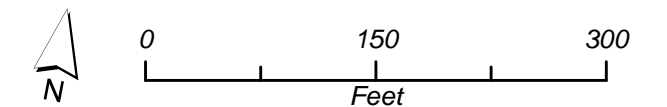
**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 7 of 10
Delineated Wetlands**

- | | | | |
|--|-----------------------------------|--|-------------------------------------|
| | Study Area | | Culvert |
| | Existing Mitigation Site Boundary | | Upland Data Plot |
| | Wetland | | Wetland Data Plot |
| | Ordinary High Water (OHW) | | Photo Location and Direction |
| | Swale | | Taxlot |
| | Wetland Boundary | | Contour (1-ft intervals) |
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| | Ditch (Jurisdictional) | | |
| | Ditch (Non-Jurisdictional) | | |
| | Culvert | | |

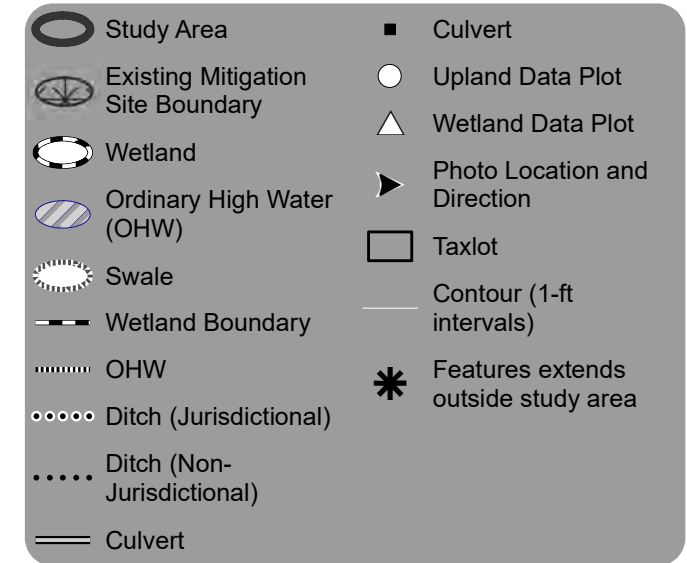
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On-site features (wetlands, ditches, streams, culverts, and data plots) were mapped with a Trimble Pathfinder GEO XH receiver with typical accuracy of 3 feet or better. An asterisk is included where features extend off-site. Only taxlots which intersect the study area are labeled.
Imagery: ESRI Bing Maps Aerial



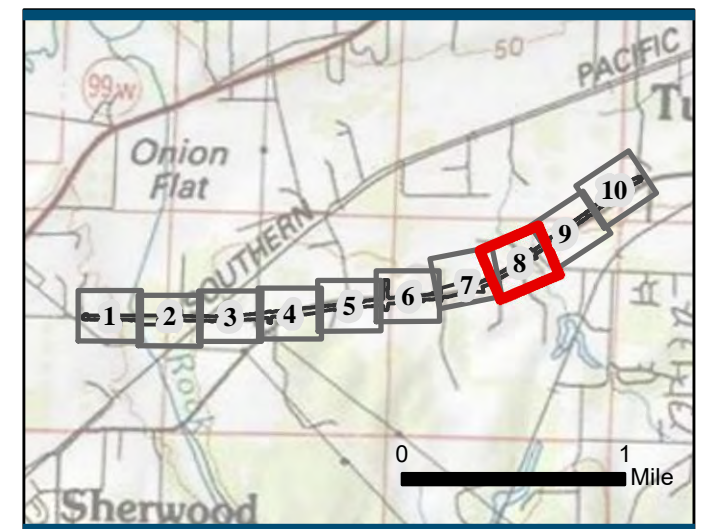
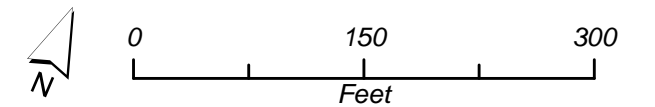
**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 8 of 10
Delineated Wetlands**



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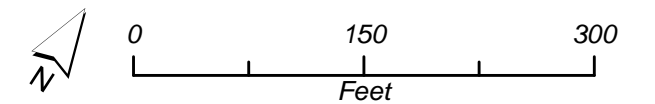
**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 9 of 10
Delineated Wetlands**

- | | | | |
|--|-----------------------------------|--|-------------------------------------|
| | Study Area | | Culvert |
| | Existing Mitigation Site Boundary | | Upland Data Plot |
| | Wetland | | Wetland Data Plot |
| | Ordinary High Water (OHW) | | Photo Location and Direction |
| | Swale | | Taxlot |
| | Wetland Boundary | | Contour (1-ft intervals) |
| | OHW | | Features extends outside study area |
| | Ditch (Jurisdictional) | | |
| | Ditch (Non-Jurisdictional) | | |
| | Culvert | | |

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**Willamette Water Supply Program
Tualatin-Sherwood Road
Wetland Delineation**

**Figure 6, Sheet 10 of 10
Delineated Wetlands**

- | | | | |
|--|-----------------------------------|--|-------------------------------------|
| | Study Area | | Culvert |
| | Existing Mitigation Site Boundary | | Upland Data Plot |
| | Wetland | | Wetland Data Plot |
| | Ordinary High Water (OHW) | | Photo Location and Direction |
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| | Wetland Boundary | | Contour (1-ft intervals) |
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| | Culvert | | |

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