




# 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

	<b>U.S. Army Corps of Engineers Portland District</b>		<b>Oregon Department of State Lands</b>		<b>Oregon Department of Environmental Quality</b>
Action ID Number 2023-294		Number			
<b>(1) TYPE OF PERMIT(S) IF KNOWN</b> (check all that apply)					
<b>Corps:</b> <input type="checkbox"/> Individual <input type="checkbox"/> Nationwide No.: <input type="checkbox"/> Regional General Permit <input checked="" type="checkbox"/> Other (specify): AJD					
<b>DSL:</b> <input checked="" type="checkbox"/> Individual <input type="checkbox"/> GP Trans <input type="checkbox"/> GP Min Wet <input type="checkbox"/> GP Maint Dredge <input type="checkbox"/> GP Ocean Energy <input type="checkbox"/> No Permit <input type="checkbox"/> Waiver					
<b>(2) APPLICANT AND LANDOWNER CONTACT INFORMATION</b>					
	Applicant	Property Owner (if different)	Authorized Agent (if applicable) <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Contractor		
Name (Required)	Ryan Bloedel		Eric Henning		
Business Name	Trademark Enterprises, LLC		Zion Natural Resources Consulting		
Mailing Address 1	1174 Cornucopia Street NW		PO Box 545		
Mailing Address 2	Suite 210				
City, State, Zip	Salem, OR 97304		Monmouth, OR 97361		
Business Phone	503-362-2322		503-881-4171		
Cell Phone					
Fax					
Email	ryan@trademarkenterprises.com		Eric@zionconsulting.org		
<b>(3) PROJECT INFORMATION</b>					
<b>A. Provide the project location.</b>					
Project Name Trademark Apartments		<a href="#">Latitude &amp; Longitude*</a> 44.9401 / -122.9599			
Project Address / Location 4963 Center Street and ROW		City (nearest) Salem		County Marion	
Township		Range	Section	Quarter / Quarter	Tax Lot
7S		3W	29	BA	200 & ROW
Brief Directions to the Site: Take exit 256 from I-5 S. Follow Market St NE, Swegle Rd NE and Cordon Rd NE to Center St NE.					
<b>B. What types of waterbodies or wetlands are present in your project area? (Check all that apply.)</b>					
<input type="checkbox"/> River / Stream		<input checked="" type="checkbox"/> Non-Tidal Wetland		<input checked="" type="checkbox"/> Lake / Reservoir / Pond	
<input type="checkbox"/> Estuary or Tidal Wetland		<input type="checkbox"/> Other		<input checked="" type="checkbox"/> Pacific Ocean	
Waterbody or Wetland Name**		River Mile	<a href="#">6th Field HUC Name</a> Upper Little Pudding River		<a href="#">6th Field HUC (12 digits)</a> 170900090108
Wetland A					

\* 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.)		
<input type="checkbox"/> Commercial Development	<input type="checkbox"/> Industrial Development	<input checked="" type="checkbox"/> Residential Development
<input type="checkbox"/> Institutional Development	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Recreational
<input type="checkbox"/> Transportation	<input type="checkbox"/> Restoration	<input type="checkbox"/> Bridge
<input type="checkbox"/> Dredging	<input type="checkbox"/> Utility lines	<input type="checkbox"/> Survey or Sampling
<input type="checkbox"/> In- or Over-Water Structure	<input type="checkbox"/> Maintenance	<input type="checkbox"/> Other:

#### (4) PROJECT DESCRIPTION

##### A. Summarize the overall project including work in areas both in and outside of waters or wetlands.

The design of this proposed project requires removal and fill material within the designated project area to construct a multi-family residential community consisting of three buildings with 27 units, tenant parking, and the city required Windpark Street turnaround. This includes permanently impacting 0.64 acres of wetlands within the proposed project area (Preferred Alternative). This plan will have an approximate fill volume of 10,025 cubic yards and a removal volume of 4,690 cubic yards of material (rock, gravel, and topsoil) to complete the entire development.

##### B. Describe work within waters and wetlands.

Work within wetlands will result in 0.64 acres of total wetland impacts for tenant parking, two apartment buildings (15 units), and a storm sewer connection along Cordon Road. Designated wetland impact areas will have an approximate fill volume of 7,260 cubic yards and a removal volume of 1,120 cubic yards of material. Wetland impacts includes all of wetland A.

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

Fill material will be transferred onsite from the surrounding uplands by means of trucks during the dry season to limit potential impacts to the remaining resources. Access to the site for construction activities will be from Wind Park Street, Center Street, and Cordon Road.

Throughout construction, best management practices (BMP) will be used to minimize erosion and siltation associated with site runoff. Practicable erosion control measures may include but are not limited to silt fencing, bio bags, sediment collection basins, and gravel entryways installed prior to the commencement of construction. All BMPs will be properly maintained throughout the duration of the project to keep sediments from entering any wetlands and other waterways in the project vicinity. Following completion of construction, all disturbed areas will be stabilized and re-vegetated with an approved groundcover material. An erosion control plan and stormwater management plan have been prepared as part of the proposed development.

#### (4) PROJECT DESCRIPTION (continued)

##### D. Describe source of fill material and disposal locations if known.

Fill material will be utilized onsite from the subject property as part of the site grading. Crushed rock will be imported from a local source to complete the development requirements.

##### E. Construction timeline.

What is the estimated project start date? November 2024

What is the estimated project completion date? November 2025

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

<b>F. Removal Volumes and Dimensions</b> (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.)	Volume (c.y.)		
Wetland A				27,786	1,120	Perm	Topsoil, rock
<b>G. Total Removal Volumes and Dimensions</b>							
Total Removal to Wetlands and Other Waters					Length (ft.)	Area (ac.)	Volume (c.y.)
Total Removal to Wetlands						0.64 ac	1,120
Total Removal Below Ordinary High Water							
Total Removal Below <a href="#">Highest Measured Tide</a>							
Total Removal Below <a href="#">High Tide Line</a>							
Total Removal Below <a href="#">Mean High Water Tidal Elevation</a>							
<b>H. Fill Volumes and Dimensions</b> (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.)	Volume (c.y.)		
Wetland A				27,786	7,260	Perm	Topsoil, rock, asphalt
<b>(4) PROJECT DESCRIPTION (CONTINUED)</b>							
<b>I. Total Fill Volumes and Dimensions</b>							
Total Fill to Wetlands and Other Waters					Length (ft.)	Area (ac.)	Volume (c.y.)
Total Fill to Wetlands						0.64 ac	7,260
Total Fill Below Ordinary High Water							
Total Fill Below <a href="#">Highest Measured Tide</a>							
Total Fill Below <a href="#">High Tide Line</a>							
Total Fill Below <a href="#">Mean High Water Tidal Elevation</a>							
<p>*If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").</p> <p>**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.</p> <p>*** Example: soil, gravel, wood, concrete, pilings, rock etc.</p>							
<b>(5) PROJECT PURPOSE AND NEED</b>							
<p><b>Provide a statement of the purpose and need for the overall project.</b></p> <p>The purpose of this project is to create multi-family residential housing for the market area of Salem. The public need for this removal fill activity is based on the documented need for single family housing in Salem and across the Willamette Valley (ORS 197.303(1)). ORS 197.303(1) defines needed housing as, "all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes. Needed housing includes the following housing types: (a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy."</p>							
<b>(6) DESCRIPTION OF RESOURCES IN PROJECT AREA</b>							
<p><b>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.</b></p>							

The Oregon Rapid Wetland Assessment Protocol (ORWAP) has been completed and included with this application package. The HGM classification is Slope/Flats. The following wetland area information has been obtained from the Wetland Delineation Report that has been concurred with by DSL on April 10<sup>th</sup>, 2023 (WD 2023-0023) the portion of the project within the right of way is currently under review by DSL.

#### Wetland A (0.64 ac)

These wetlands are located in the eastern portion of the study area and are located within the lowest topographical area. There is a distinct topographical break just east of the driveway before transitioning into the depressional wetland. It is also bordered by another distinct break to the east and south due to the Center Street and Cordon Road prisms. This isolated palustrine emergent wetland has a plant community consisting of a monoculture of *Phalaris arundinacea* with some patches of *Juncus effusus*. Hydrology appears to come from precipitation, runoff from upland areas (including the impervious surfaces of Center Street and Cordon Road), and groundwater.

**Table 1.** ORWAP assessment for the proposed wetland impact site.

Groups		Impact Site - Existing State		
		Specific Function	Rating	Rating Break Proximity
Hydrologic Function	Function	Water Storage & Delay	Higher	
	Value		Lower	
Water Quality Support	Function	Nitrate Removal & Retention	Higher	
	Value		Higher	
Fish Habitat	Function	Anadromous Fish Habitat	Lower	
	Value		Lower	
Aquatic Habitat	Function	Waterbird Nesting Habitat	Higher	
	Value		Moderate	
Ecosystem Support	Function	Water Cooling	Moderate	
	Value		Moderate	
Carbon Sequestration	Function		Lower	
Public Use & Recognition	Value		Lower	
Sensitivity	Function		Moderate	LM
Ecological Condition	Function		Lower	
Stressors	Function		Higher	MH

This wetland scored high for nitrate removal and retention. The high *function* score was driven by the lack of a surface flow outlet (F31) and the wetland was not constructed or restored (F60) which limits denitrification due to the lack of organic matter. The high *value* score was driven by a high score for groundwater drinking water source (OF32).

The 1.97-acre subject property is currently surrounded by residential developments to the west and north whose effluents and stormwater are being transported through the City's stormwater system and do not enter this study area through a surface flow connection. The existing wetlands are currently only assisting the nitrate removal of surface flow from the RCA that do not contain obvious urban or agricultural sources of nitrogen. The primary source of water for this residential area is provided by the local municipality. Impacting these wetlands would not affect the nitrate levels for this drinking water source.

#### Archeologic and Historic Resources

An archeological survey was conducted in September of 2021 and is included with this application. There were no archeological artifacts, features, or sites located within the project area. However, if artifacts are observed, all work will cease immediately, and the State Historic Preservation Office (SHPO) will be notified.

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

There are no existing navigation, fishing and recreational use of the wetlands.

## (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 specific criteria necessary to achieve the project purpose includes the following:

- **Availability** – An available site is one that could be reasonably obtained, utilized, expanded, or managed to meet the project purpose.
- **Geographic Area** – Provide a multi-family housing development to service the market area of northeast Salem.
- **Parcel Size** - Site size to meet the project purpose of a minimum of 2 acres of residential zoned property that is available for purchase.
- **Utility Access and Street Connectivity** - Provide efficient utility access (electricity, sewer, and water) and street connectivity per the City of Salem Transportation Plan

### **Offsite Alternatives**

No other sites were considered since the property is owned by the applicant.

### **Onsite Alternatives**

#### **Preferred Site Plan (Sheet 1 & 2):**

This alternative impacts the entire 0.64 acres of isolated palustrine emergent wetlands. This site plan and resulting impacts provide the required widening of Cordon Road, onsite tenant parking, and two apartment buildings. With regards to parking, the industry standard is 2 parking stalls per unit. By that standard the site is under parked at only 1.6 stalls per unit. There is also no available off-site (public) parking, making the on-site parking even more critical.

The preferred site design is considered to be the most practicable alternative based on meeting the following project criteria:

- **Availability** – An available site is one that could be reasonably obtained, utilized, expanded, or managed to meet the project purpose.
- **Geographic Area** – Provides a multi-family housing development to service the market area of southeast Salem.
- **Utility Access and Street Connectivity** - Provides efficient utility access (electricity, sewer, and water) and street connectivity per the City of Salem Transportation Plan

#### **Alternative Site Plan (Sheet 3):**

This alternative impacts 0.07 acres of wetland A. This site plan eliminates two apartment buildings consisting of 15 units. This plan would not satisfy the purpose and need of the development by reducing

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

the number of proposed units by over half which further reduces the cities inventory for the growing demand for housing.

#### No Wetland Impact Alternative (Discussion):

This plan would avoid the entire 0.64 acres of jurisdictional wetlands. This plan would not result in a viable project since the required storm sewer connection along Cordon Road would be eliminated. This would also significantly reduce the buildable land in the project area to meet the demand for housing within the market area of northeast Salem.

This alternative does not meet the project criteria for the following reasons:

- **Utility Access and Street Connectivity** – Does not provide utility access to sewer.

### (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
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List other certificates or approvals/denials required or received from other federal, state or local agencies for work described in this application.						
Agency City of Salem Oregon DEQ	Certificate / approval / denial description Land Use Planning 401 Water Quality Certificate & 1200C	Date Applied  TBD				
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.						
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> State owned waterway  <input type="checkbox"/> Other Corps or DSL Permits  <input type="checkbox"/> Violation for Unauthorized Activity  <input checked="" type="checkbox"/> Wetland and Waters Delineation         </td> <td style="width: 50%; vertical-align: top;">           DSL Waterway Lease #:             Corps #                      DSL #            Corps #                      DSL #            Corps # 2023-294          DSL # WD2023-0022         </td> </tr> </table>			<input type="checkbox"/> State owned waterway <input type="checkbox"/> Other Corps or DSL Permits <input type="checkbox"/> Violation for Unauthorized Activity <input checked="" type="checkbox"/> Wetland and Waters Delineation	DSL Waterway Lease #:  Corps #                      DSL # Corps #                      DSL # Corps # 2023-294          DSL # WD2023-0022		
<input type="checkbox"/> State owned waterway <input type="checkbox"/> Other Corps or DSL Permits <input type="checkbox"/> Violation for Unauthorized Activity <input checked="" type="checkbox"/> Wetland and Waters Delineation	DSL Waterway Lease #:  Corps #                      DSL # Corps #                      DSL # Corps # 2023-294          DSL # WD2023-0022					
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						
<b>(9) IMPACTS, RESTORATION/REHABILITATION, AND COMPENSATORY MITIGATION</b>						
<b>A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, direct, and indirect impacts.</b>  The resulting development would permanently impact 0.64 acres of palustrine emergent wetlands. Stormwater will be discharged into the City's storm drain to the southeast.						
<b>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.</b>  There are no temporary impacts being proposed.						
<b>Compensatory Mitigation</b>						
<b>C. Proposed mitigation approach. Check all that apply:</b>  <table style="width: 100%; border: none;"> <tr> <td style="width: 25%; vertical-align: top;"> <input type="checkbox"/> Permittee-responsible Onsite Mitigation         </td> <td style="width: 25%; vertical-align: top;"> <input type="checkbox"/> Permittee-responsible Offsite mitigation         </td> <td style="width: 25%; vertical-align: top;"> <input checked="" type="checkbox"/> Mitigation Bank or In-Lieu Fee Program         </td> <td style="width: 25%; vertical-align: top;"> <input type="checkbox"/> Payment to Provide (not approved for use with Corps permits)         </td> </tr> </table>			<input type="checkbox"/> Permittee-responsible Onsite Mitigation	<input type="checkbox"/> Permittee-responsible Offsite mitigation	<input checked="" type="checkbox"/> Mitigation Bank or In-Lieu Fee Program	<input type="checkbox"/> Payment to Provide (not approved for use with Corps permits)
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<b>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.</b>  The 0.64 acres of wetland impacts will be compensated through the purchase of wetland mitigation credits from a wetland mitigation bank. The following principal objectives listed in 141-085-0680 (2) will be met based on the results of the attached ORWAP which indicates that the current wetlands onsite proposed for impact are moderate functioning and also moderate value largely due to surrounding developments. We therefore believe that purchase of wetland credits from a local bank will provide the lift necessary to meet the mitigation requirements.  DSL has requested that the project applicant purchase wetland mitigation bank credit rather than performing any on-site wetland mitigation. The following describes how the application addresses the Principal Objectives:  <div style="margin-left: 40px;"> <b>A. Replace functions and values lost at the impact site.</b> </div>						

The wetland mitigation bank has provided replacement of functions and values lost at the impact site under the legacy wetland mitigation banking program. The purchase of 0.64 acres of wetland credit at a wetland mitigation bank will replace the functions and values lost at the impact site. The impacted wetlands include palustrine scrub shrub wetland primarily composed of non-native and invasive species, lacking vegetative diversity. This bank will provide wetlands appropriate for the replacement of the wetlands on the subject site.

DSL's mitigation bank approval process ensures that the wetland bank's functions and values are such that removal and fill activities within the bank's service area will offset any functions lost through the permitting process. As such, it is understood that the mitigation bank will provide and possibly out-perform the overall functions and values of the wetland to be impacted.

**B. *Provide local replacement for locally important functions/values where appropriate.***

The wetland mitigation bank is located in the same watershed at the impact site and provides replacement for locally important functions and values. The storm water functions are replaced on-site by water quality facilities.

As indicated in the ORWAP the wetlands contribute limited functions and values. The impact site is located within the service area of this mitigation bank. Functions and values lost at the development site will be replaced by the purchase of wetland credits, which will ensure the functions are replaced from a regional perspective. Providing local replacement values from a mitigation bank will include the replacement of higher functions on site.

**C. *Enhance, restore, create, or preserve waters of this state that are self-sustaining and minimize long-term maintenance needs.***

The wetland mitigation bank meets this objective.

**D. *Ensure siting of CM in ecologically suitable locations considering: local watershed needs and priorities; appropriate landscape position for the wetland types, functions and values sought; connectivity to other habitats and protected resources; and the absence of contaminants or conflicting adjacent land uses that would compromise wetland functions.***

A mitigation bank is designed to be self-sustaining and should require very little long-term maintenance. Through DSL's mitigation bank approval process, DSL ensures that a mitigation bank is self-sustaining, and that long-term maintenance is minimized.

**E. *Minimize temporal loss.***

Because the wetland mitigation bank is constructed, it minimizes temporal loss.

**Mitigation Bank / In-Lieu Fee Information:**

Name of mitigation bank or in-lieu fee project: Garret Creek Wetland Mitigation Bank

Type and amount of credits to be purchased: **PEM 0.64 ac**

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
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**(10) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE**

<input type="checkbox"/> Pre-printed mailing labels of adjacent property owners attached separately (if more than 30).		
<b>WINDSTONE MHP LLC WINDSTONE VILLAGE MHP C/O INVESTMENT PROPERTY GROUP 18006 SKY PARK CR # 200</b>		
<b>CITY OF SALEM 555 LIBERTY ST SE SALEM, OR 97301</b>		
<b>CORTES, VICTOR CORTES, NANCY 750 CORDEN RD NE SALEM, OR 97317</b>		
<b>UNITARIAN UNIVERSALIST CONGREGATION OF SALEM 5090 CENTER ST NE SALEM, OR 97317</b>		
<b>BROWN, DEVIN BROWN, REBECCA 686 MULE DEER ST NW SALEM, OR 97304</b>		
<b>SALCEDO, JOSE ANTONIO DIAZ 828 DOVE AVE NE SALEM, OR 97301</b>		

## (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.**

<b>Fee Amount Enclosed</b>	\$1,389.00
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#### **Applicant Signature (required) must match the name in Block 2**

Print Name Ryan Bloedel	Title Managing Member
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Signature	Date
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#### **Authorized Agent Signature**

Print Name Eric Henning	Title Managing Member, ZNR
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Signature	Date
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#### **Landowner Signature(s)\***

##### **Landowner of the Project Site (if different from applicant)**

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

Print Name	Title
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Signature	Date
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#### **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
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\* 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 30)
- ☒ 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](mailto: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. 7<sup>th</sup> AVE, Suite 105  
Eugene, OR 97401-2722  
Phone: 541-465-6868  
[portlandpermits@usace.army.mil](mailto: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@deg.state.or.us](mailto:401applications@deg.state.or.us)



# Oregon

Tina Kotek, Governor

## Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

[www.oregon.gov/dsl](http://www.oregon.gov/dsl)

April 10, 2023

### State Land Board

Trademark Enterprises, LLC  
Attn: Ryan Bloedel  
1174 Cornucopia St. NW, Suite #210  
Salem, OR 97304

Tina Kotek  
Governor

Shemia Fagan  
Secretary of State

Re: WD # 2023-0022 **Approved**  
Wetland Delineation Report for 4963 Center Street  
Marion County; T7S R3W S29BA TL200  
Salem Local Wetlands Inventory, Wetland PU-B

Tobias Read  
State Treasurer

Dear Ryan Bloedel:

The Department of State Lands has reviewed the wetland delineation report prepared by Zion Natural Resources Consulting for the site referenced above. Based upon the information presented in the report, we concur with the wetland boundaries as mapped in Figure 6 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map.

Within the study area one wetland (Wetland A, totaling approximately 0.54 acres) was identified. It is subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal, other state agencies or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates 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 Marion County, Daniel Evans, PWS, at (503) 986-5271.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Ryan", with a stylized flourish at the end.

Peter Ryan, SPWS  
Aquatic Resource Specialist

Enclosures

ec: Eric Henning, Zion Natural Resources Consulting  
City of Salem Planning Department (Maps enclosed for updating LWI)  
Brielle Cummings, Corps of Engineers  
Carrie Landrum, DSL  
City of Salem Public Works



# WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

A complete report and signed report cover form, along with applicable review fee, are required before a report review timeline can be initiated by the Department of State Lands. All applicants will receive an emailed confirmation that includes the report's unique file number and other information.

## Ways to submit report:

- ❖ **Under 50MB** - A single unlocked PDF can be emailed to:  
wetland.delineation@dsl.oregon.gov.
- ❖ **50MB or larger** - A single unlocked PDF can be uploaded to DSL's Box.com website.  
After upload notify DSL by email at: wetland.delineation@dsl.oregon.gov.
- ❖ **OR** a hard copy of the unbound report and signed cover form can be mailed to: Oregon  
Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.

## Ways to pay review fee:

- ❖ By credit card on DSL's epayment portal after receiving the unique file number from DSL's emailed confirmation.
- ❖ By check payable to the Oregon Department of State Lands attached to the unbound mailed hardcopy OR attached to the complete signed cover form if report submitted electronically.

## Contact and Authorization Information

☐ Applicant ☒ Owner Name, Firm and Address:

Trademark Enterprises, LLC  
Ryan Bloedel  
1174 Cornucopia St NW, Suite #210  
Salem, OR 97304

Business phone # (503) 362-2322  
Mobile phone # (optional) (503) 931-9588  
E-mail: ryan@trademarkenterprises.com

☐ Authorized Legal Agent, Name and Address (if different):

Business phone #  
Mobile phone # (optional)  
E-mail:

I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.

Typed/Printed Name: Ryan Bloedel

Signature: 

Date: 1-11-23

Special instructions regarding site access: \_\_\_\_\_

## Project and Site Information

Project Name: 4963 Center Street

Latitude: 44.9401

Longitude: -122.9602

**decimal degree** - centroid of site or start & end points of linear project

Proposed Use:  
Multi-family residential

Tax Map # 7.3.29BA

Tax Lot(s) 200

Tax Map #

Project Street Address (or other descriptive location):  
4963 Center Street

Tax Lot(s)

Township 7S Range 3W Section 29 QQ BA

Use separate sheet for additional tax and location information

City: Salem

County: Marion

Waterway:

River Mile:

## Wetland Delineation Information

Wetland Consultant Name, Firm and Address:

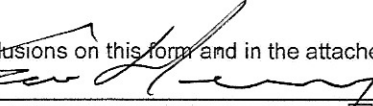
Phone # (503) 881-4171

Eric Henning  
Zion Natural Resources Consulting  
PO Box 545  
Monmouth OR 97361

Mobile phone # (if applicable)

E-mail: eric@zionconsulting.org

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.

Consultant Signature: 

Date: 1/12/23

Primary Contact for report review and site access is ☐ Consultant ☐ Applicant/Owner ☐ Authorized Agent

Wetland/Waters Present? ☒ Yes ☐ No

Study Area size: 1.61ac

Total Wetland Acreage: 0.5400

## Check Applicable Boxes Below

☐ R-F permit application submitted

☐ Fee payment submitted \$ \_\_\_\_\_

☐ Mitigation bank site

☐ Resubmittal of rejected report (\$100)

☐ EFSC/ODOE Proj. Mgr: \_\_\_\_\_

☐ Request for Reissuance. See eligibility criteria. (no fee)

☐ Wetland restoration/enhancement project (not mitigation)

DSL # \_\_\_\_\_ Expiration date \_\_\_\_\_

☐ Previous delineation/application on parcel  
If known, previous DSL # \_\_\_\_\_

☒ LWI shows wetlands or waters on parcel  
Wetland ID code PU-B

## For Office Use Only

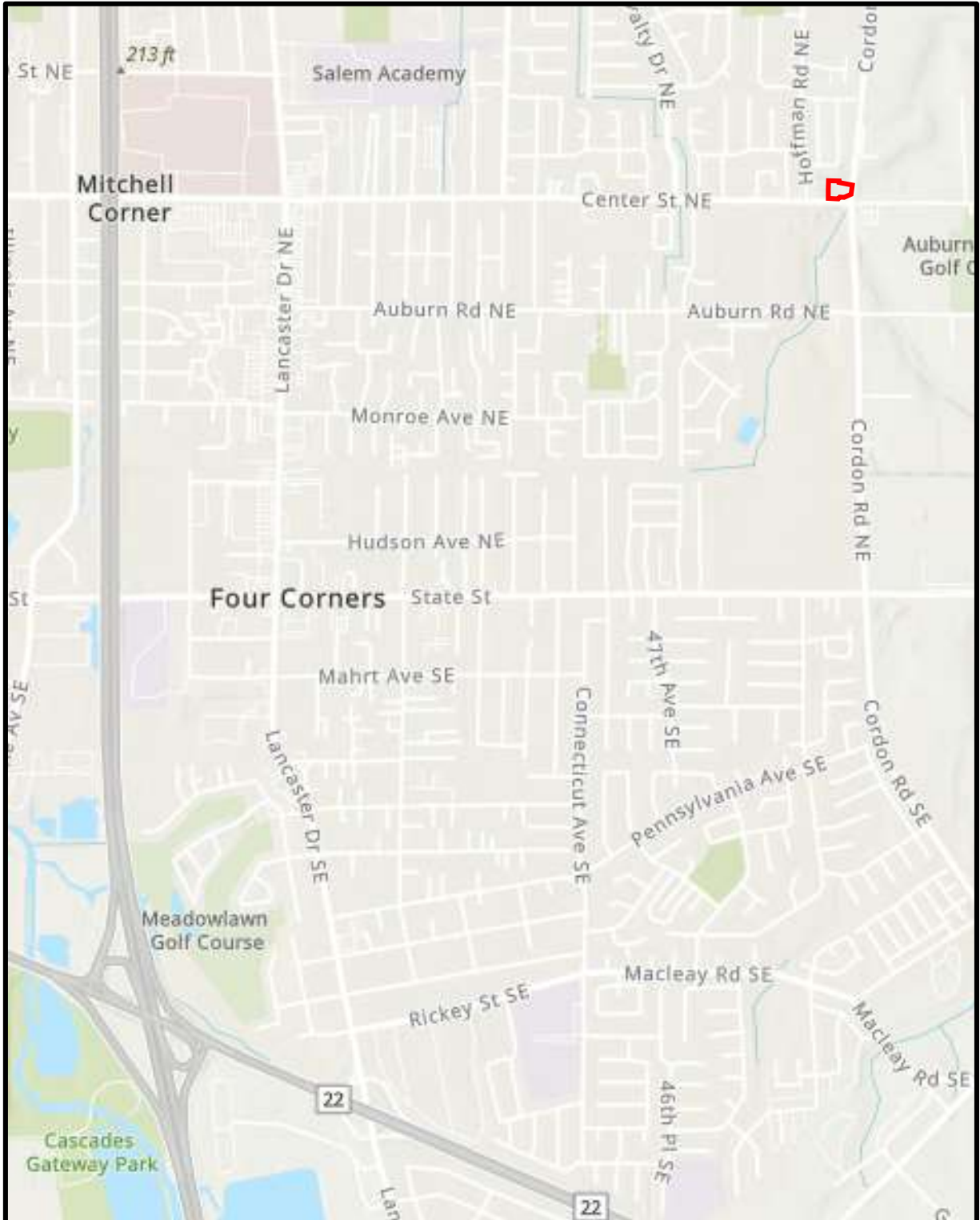
DSL Reviewer: DE

Fee Paid Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

DSL WD # 2023-0022

Date Delineation Received: 01/16/2023

DSL App.# \_\_\_\_\_

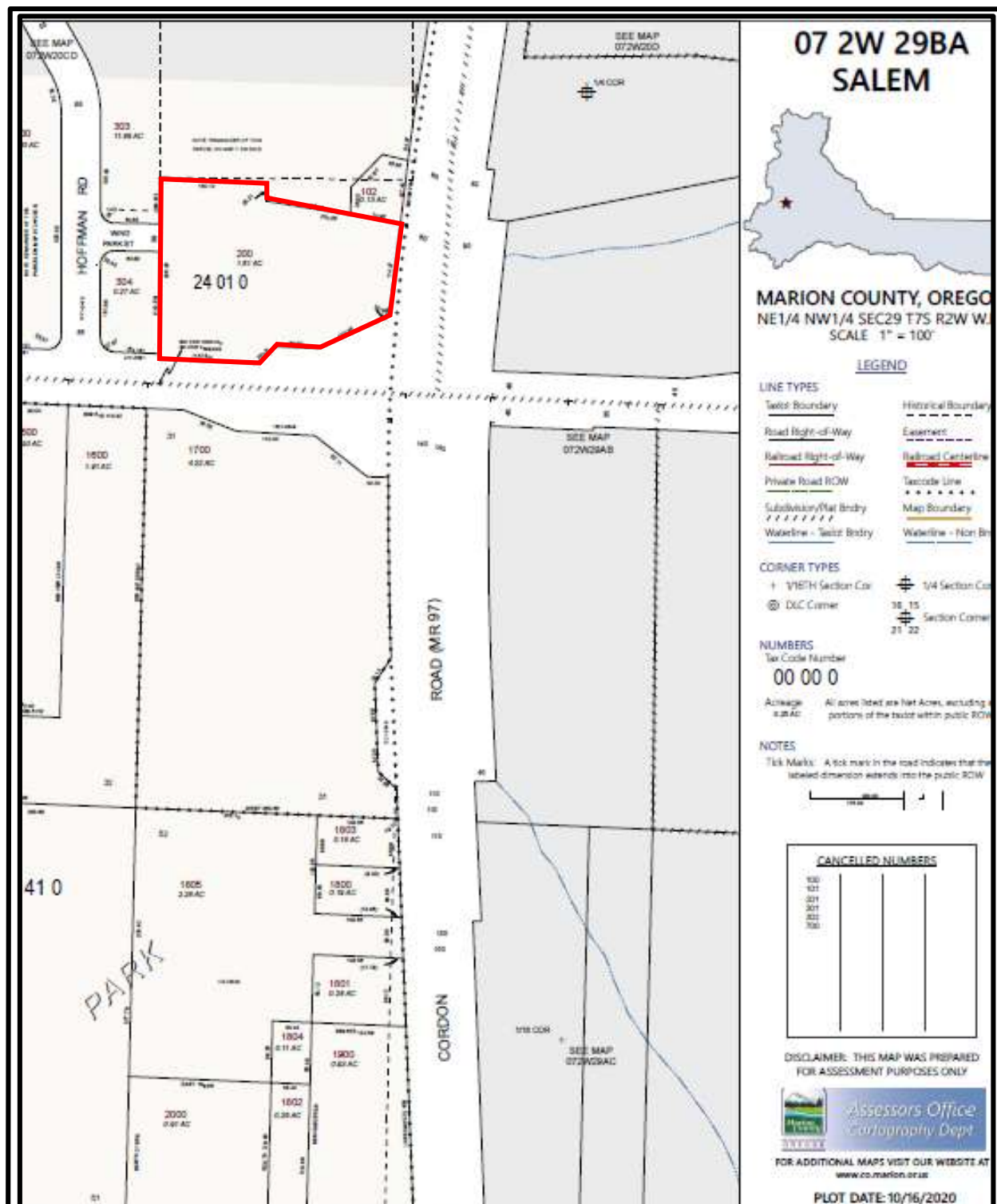


**FIGURE 1**  
**Vicinity Map**

**Project: 4963 Center St.**









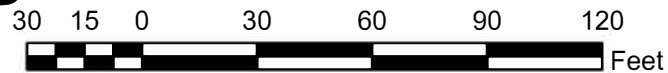
N

**Legend**

- Sample Plot
- ▭ Study Area 1.61 ac
- ▭ Wetland A Boundary 0.54 ac  
PEM/Slope-Flat
- ▭ Parcels

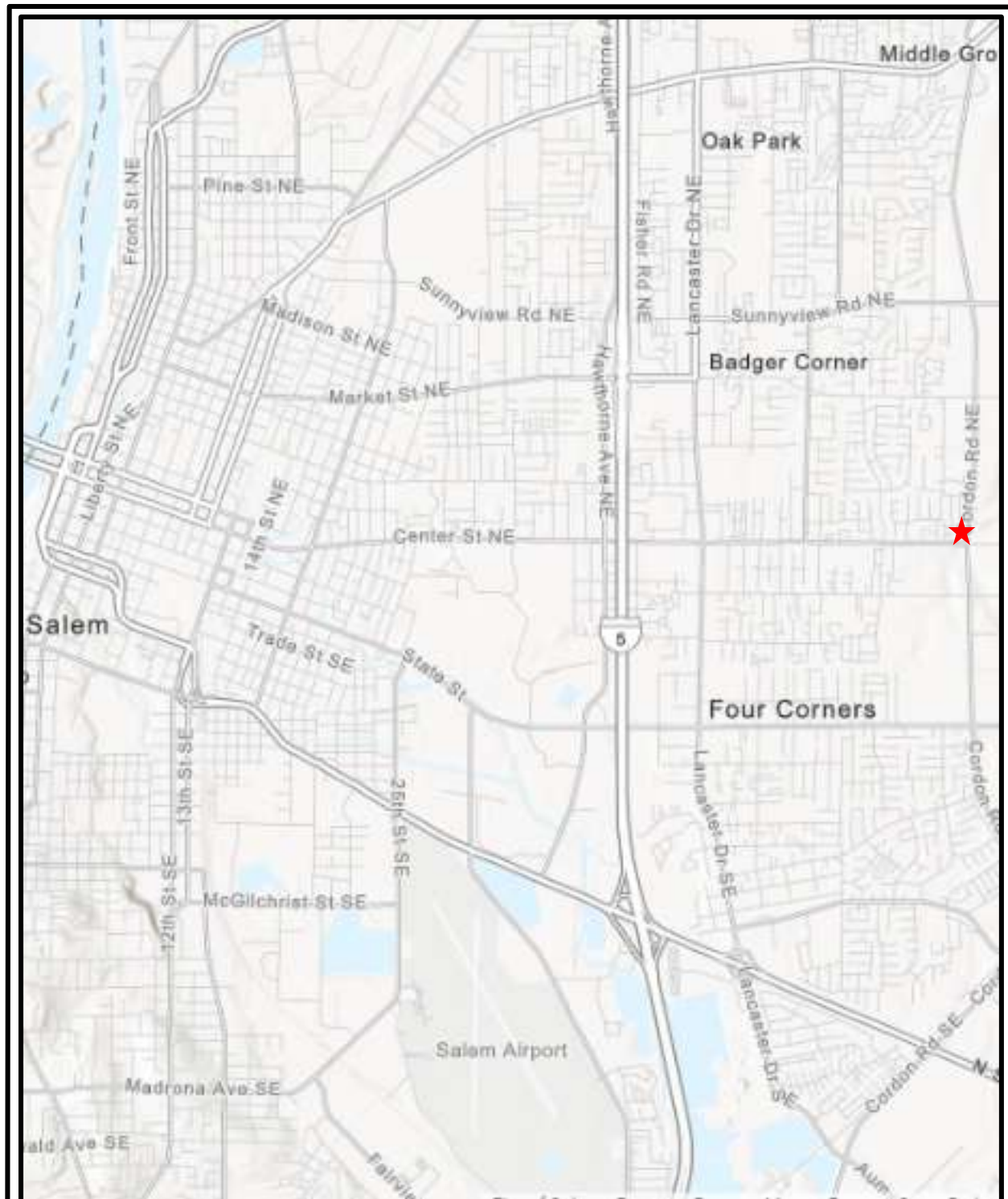
DSL WD # 2023-0022  
Approval Issued 4/10/2023  
Approval Expires 4/10/2028

## Figure 6 - Wetland Map



*Sample plots and wetland boundaries were established by Zion Natural Resources Consulting and were field surveyed with a Juniper Geode GPS receiver paired with a computer tablet using Collector for ArcGIS software to an accuracy of less than one meter. Aerial photo 4-2020.*

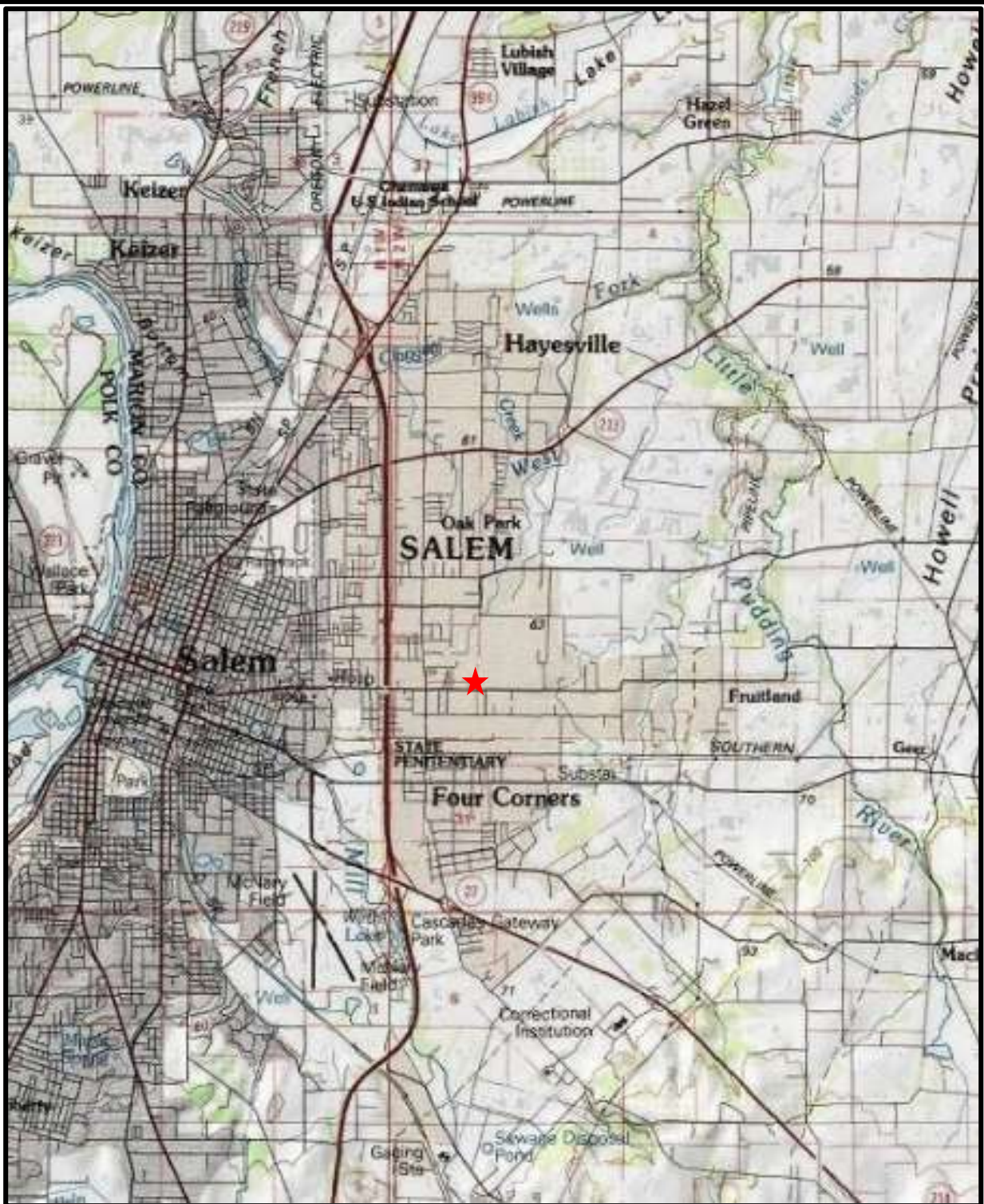




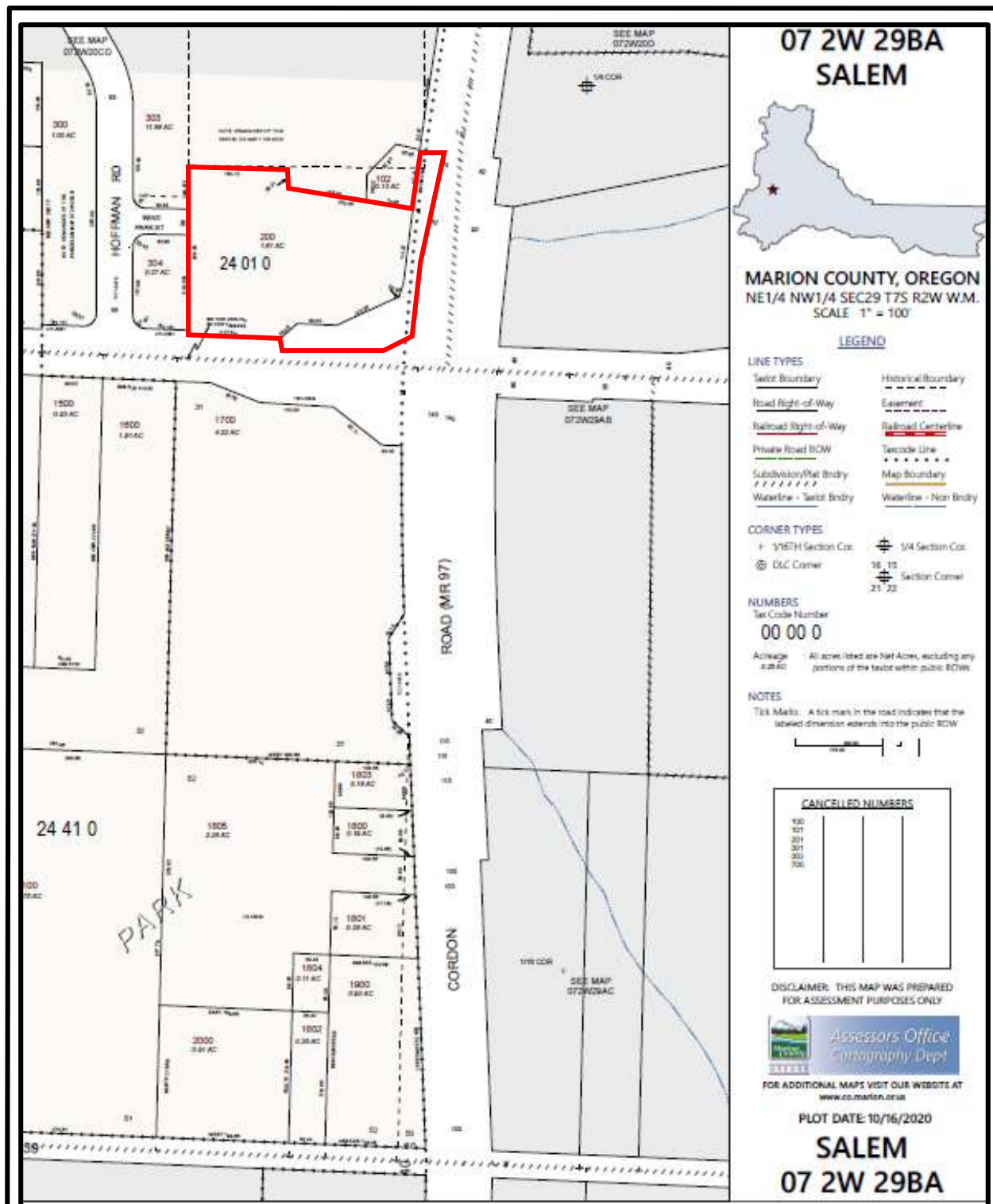
**FIGURE 1**  
Vicinity Map

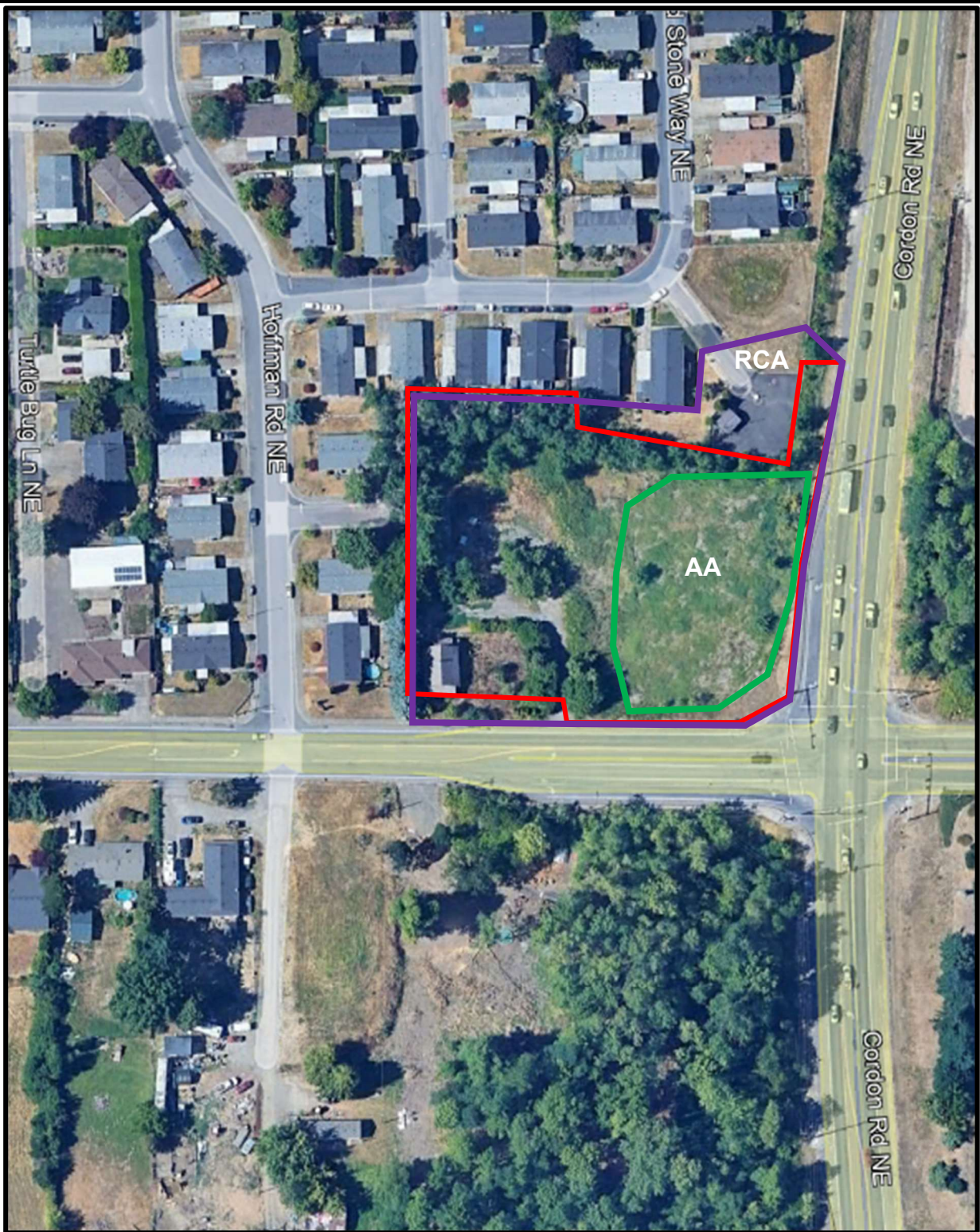
**Project: 4963 Center Street**









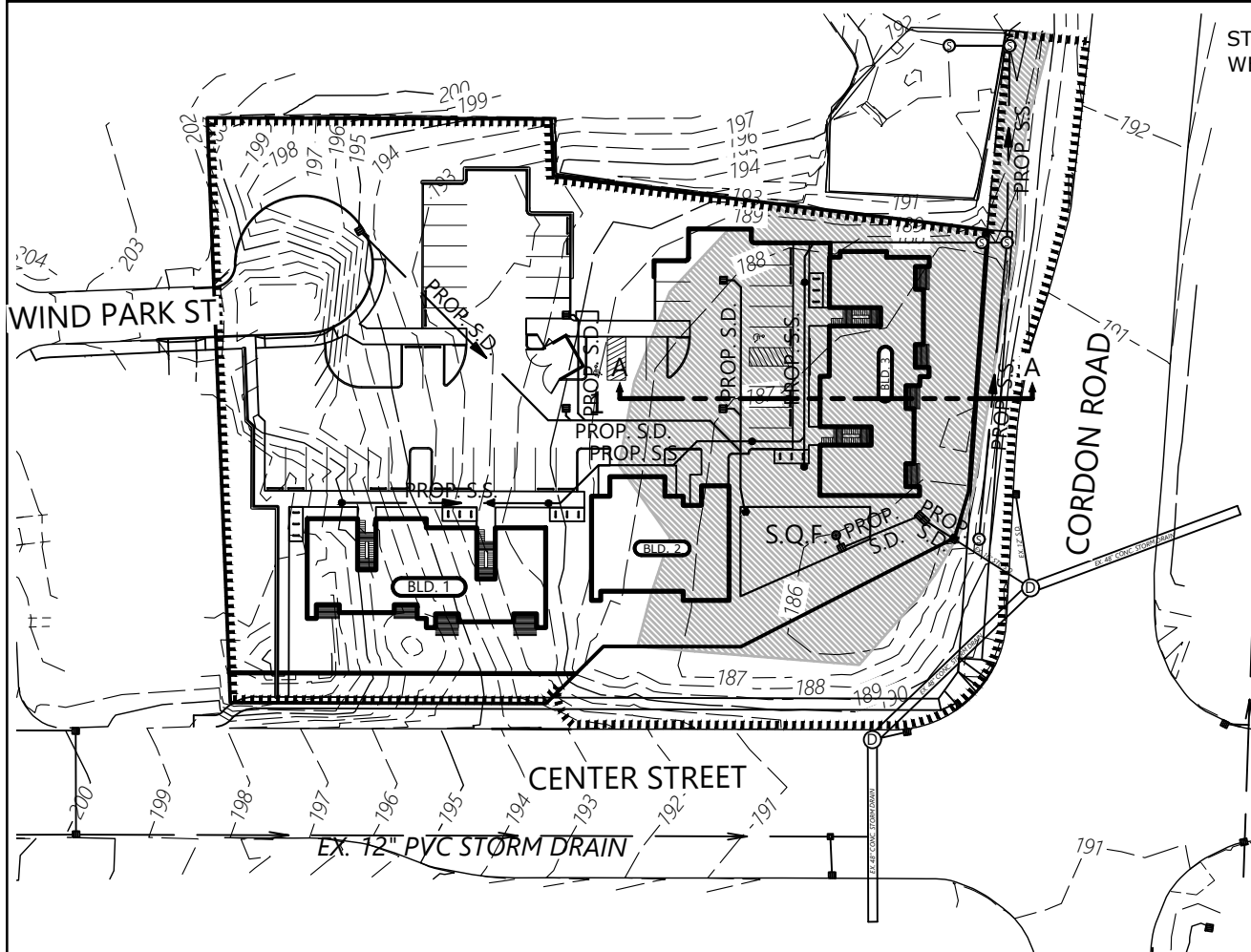


**FIGURE 4**  
**ORWAP AA & RCA (Aerial 7/8/2023)**

**Project: 4963 Center Street**





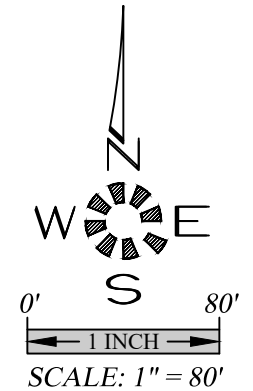


STUDY AREA BOUNDARY \_\_\_\_\_ 86,183 S.F. (1.98 AC.)  
 WETLAND IMPACTED \_\_\_\_\_ 27,786 S.F. (0.64 AC.)

**WETLAND IMPACTS:**  
 CUT CU.YDS. 1,120  
 FILL CU.YDS. 7,260

**STUDY AREA:**  
 CUT CU.YDS. 4,690  
 FILL CU.YDS. 10,025

----- STUDY AREA BOUNDARY  
 [Shaded Box] IMPACTED WETLAND AREA



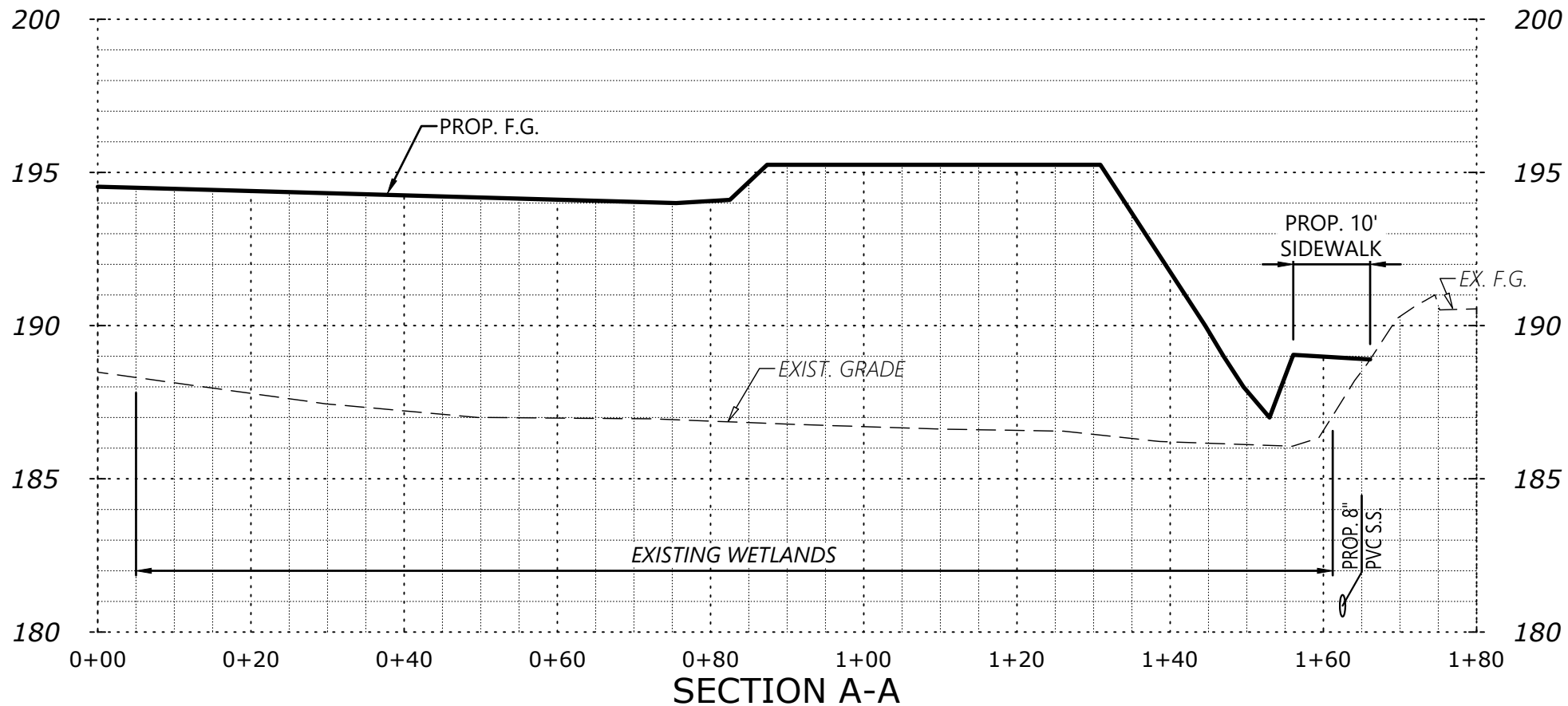
# **TRADEMARK APARTMENTS**

NW 1/2 SEC. 29, T. 7 S., R. 2 W., W.M.  
 CITY OF SALEM  
 MARION COUNTY, OREGON

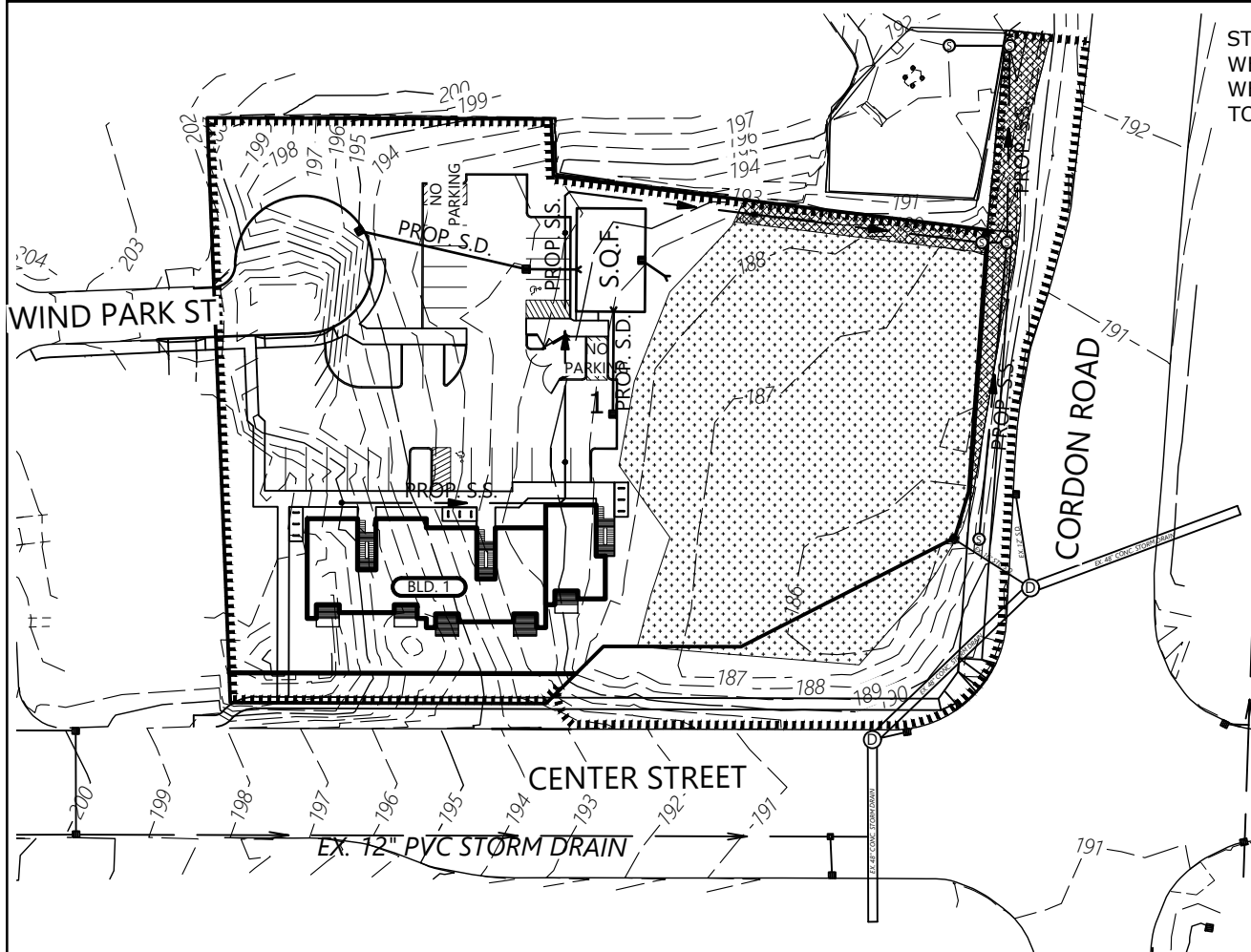
INFORMATION SHOWN ON THESE PLANS REFLECT ACTUAL FIELD  
 DATA GATHERED USING TRIMBLE S5 ROBOTIC INSTRUMENT,  
 HORIZONTAL ANGLE ACCURACY ±1 SECOND, HORIZONTAL  
 DISTANCE ACCURACY ±(2 mm.+2ppmxD)M.S.E.

ELEVATION DATUM USED:  
 BASED ON GPS. OPUS REPORT NGS CONTROL  
 POINT QE1844 STATE N445540.998,  
 W1225803.700 ELEVATION 200.226 (NGVD29)

**Trademark Enterprises, L.L.C.**  
 P.O. BOX 5248  
 SALEM, OREGON 97304

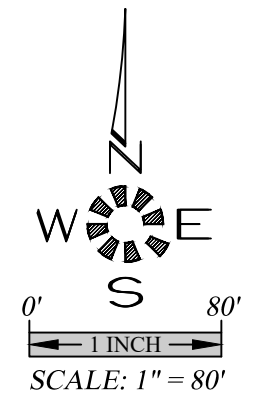


VERTICAL  
 1" = 5'  
 PROFILE SCALE  
 1" = 20'  
 HORIZONTAL



STUDY AREA BOUNDARY	86,183 S.F.	(1.98 AC.)
WETLAND IMPACTED	3,253 S.F.	(0.07 AC.)
WETLAND AVOIDED	24,533 S.F.	(0.56 AC.)
TOTAL WETLAND	27,786 S.F.	(0.64 AC.)

- STUDY AREA BOUNDARY
- IMPACTED WETLAND AREA
- DELINEATED WETLAND AREA



# **TRADEMARK APARTMENTS**

NW 1/2 SEC. 29, T. 7 S., R. 2 W., W.M.  
CITY OF SALEM  
MARION COUNTY, OREGON

INFORMATION SHOWN ON THESE PLANS REFLECT ACTUAL FIELD DATA GATHERED USING TRIMBLE S5 ROBOTIC INSTRUMENT, HORIZONTAL ANGLE ACCURACY ±1 SECOND, HORIZONTAL DISTANCE ACCURACY ±(2 mm.+2ppmxD)M.S.E.

ELEVATION DATUM USED:  
BASED ON GPS. OPUS REPORT NGS CONTROL  
POINT QE1844 STATE N445540.998,  
W1225803.700 ELEVATION 200.226 (NGVD29)

*Trademark Enterprises, L.L.C.*  
P.O. BOX 5248  
SALEM, OREGON 97304