



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

January 25, 2023

State Land Board

Attn: Gary Cameron & John Knebes
6442 Scism Road NE
Silverton, OR 97381

Tina Kotek
Governor

Re: WD # 2022-0506 **Approved**
Wetland Delineation Report for One Eighty Triangle
Marion County; T7S R2W S32D TL2400 and Portions of ROWs for
Old Macleay Road SE, Cordon Road, and Macleay Road SE
Salem/Keizer Local Wetlands Inventory, Wetland PU-Y

Shemia Fagan
Secretary of State

Tobias Read
State Treasurer

Dear Gary Cameron and John Knebes:

The Department of State Lands has reviewed the wetland delineation report prepared by AKS Engineering and Consulting for the site referenced above. Based upon the information presented in the report, we concur with the wetland boundaries as mapped in Figure 5 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 0.42 acres) and 3 ditches (Ditch 1, 2 and 3) were identified. The wetland 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). The 3 ditches, except where contiguous with Wetland A, are exempt per OAR 141-085-0515(10); therefore, they are not subject to these state permit requirements.

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 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 Marion County, Matt Unitis, at (503) 986-5262.

Sincerely,

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

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

ec: Julie Wirth-McGee, PWS, AKS Engineering & Forestry, LLC
City of Salem Planning Department (Maps enclosed for updating LWI)
Melanie O'Meara, Corps of Engineers
Carrie Landrum, DSL

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

<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address: Gary Cameron & John Knebes 6442 Scism Road NE Silverton, OR 97381		Business phone # (503) 873-4378 Mobile phone # (optional) E-mail: knebes@aol.com
<input type="checkbox"/> 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: <u>Gary Cameron</u>		Signature: <u>[Signature]</u>
Date: <u>8/29</u>		Special instructions regarding site access:

Project and Site Information

Project Name: One Eighty Triangle	Latitude: 44.913366 decimal degree - centroid of site or start & end points of linear project	Longitude: -122.955236
Proposed Use: Commercial Development	Tax Map # 7S 2W 32D	
	Tax Lot(s) 2400	Macleay, Old Macleay, Cordon Rd. ROWs
	Tax Map #	
Project Street Address (or other descriptive location): Intersection of Macleay Road and Cordon Road	Tax Lot(s)	
	Township 7S	Range 2W Section 32 QQ
	Use separate sheet for additional tax and location information	
City: Salem	County: Marion	Waterway: NA River Mile: NA

Wetland Delineation Information

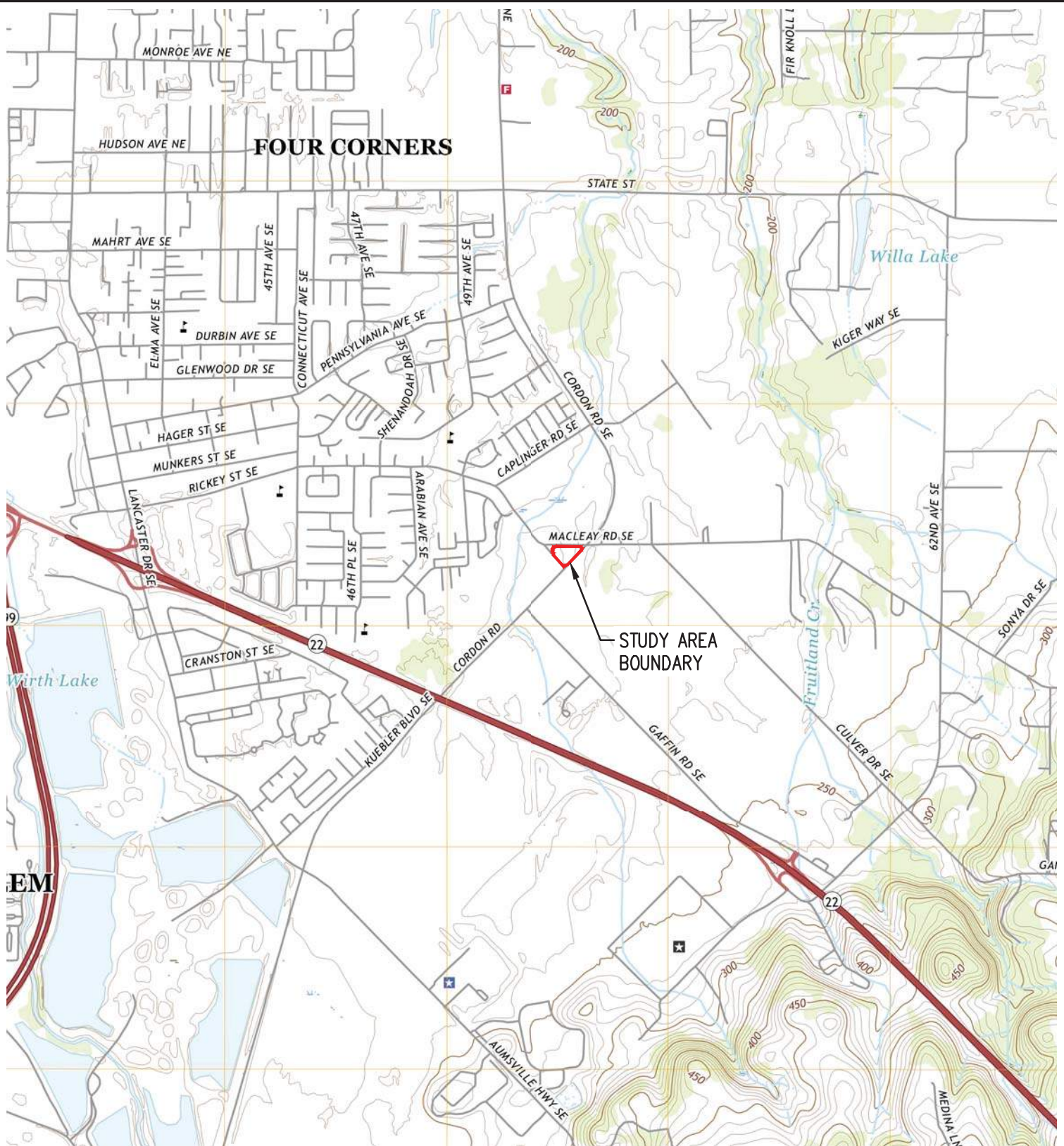
Wetland Consultant Name, Firm and Address: AKS Engineering & Forestry, LLC Attn: Julie Wirth-McGee 12965 SW Herman Road, Suite 100 Tualatin, OR 97062		Phone # (503) 563-6151 Mobile phone # (if applicable) E-mail: wirthmcgee@aks-eng.com
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.		
Consultant Signature: <u>[Signature]</u>		Date: 8-30-2022
Primary Contact for report review and site access is <input type="checkbox"/> Consultant <input checked="" type="checkbox"/> Applicant/Owner <input type="checkbox"/> Authorized Agent		
Wetland/Waters Present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Study Area size: 2.03 Total Wetland Acreage: 0.4200		

Check Applicable Boxes Below

<input type="checkbox"/> R-F permit application submitted	<input type="checkbox"/> Fee payment submitted \$ _____
<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)
<input type="checkbox"/> Wetland restoration/enhancement project (not mitigation)	DSL # _____ Expiration date _____
<input checked="" type="checkbox"/> Previous delineation/application on parcel If known, previous DSL # <u>WD2010-0226R</u>	<input checked="" type="checkbox"/> LWI shows wetlands or waters on parcel Wetland ID code <u>PU-Y</u>

For Office Use Only

DSL Reviewer: <u>DE</u>	Fee Paid Date: ____ / ____ / ____	DSL WD # <u>2022-0506</u>
Date Delineation Received: <u>09/13/22</u>		DSL App.# _____



SCALE: 1" = 2000 FEET



USGS 7.5' TOPOGRAPHIC SERIES
QUADRANGLE: SALEM EAST, OR (2020)

DATE: 08/03/2022

**USGS VICINITY MAP
ONE EIGHTY TRIANGLE WETLAND DELINEATION REPORT**

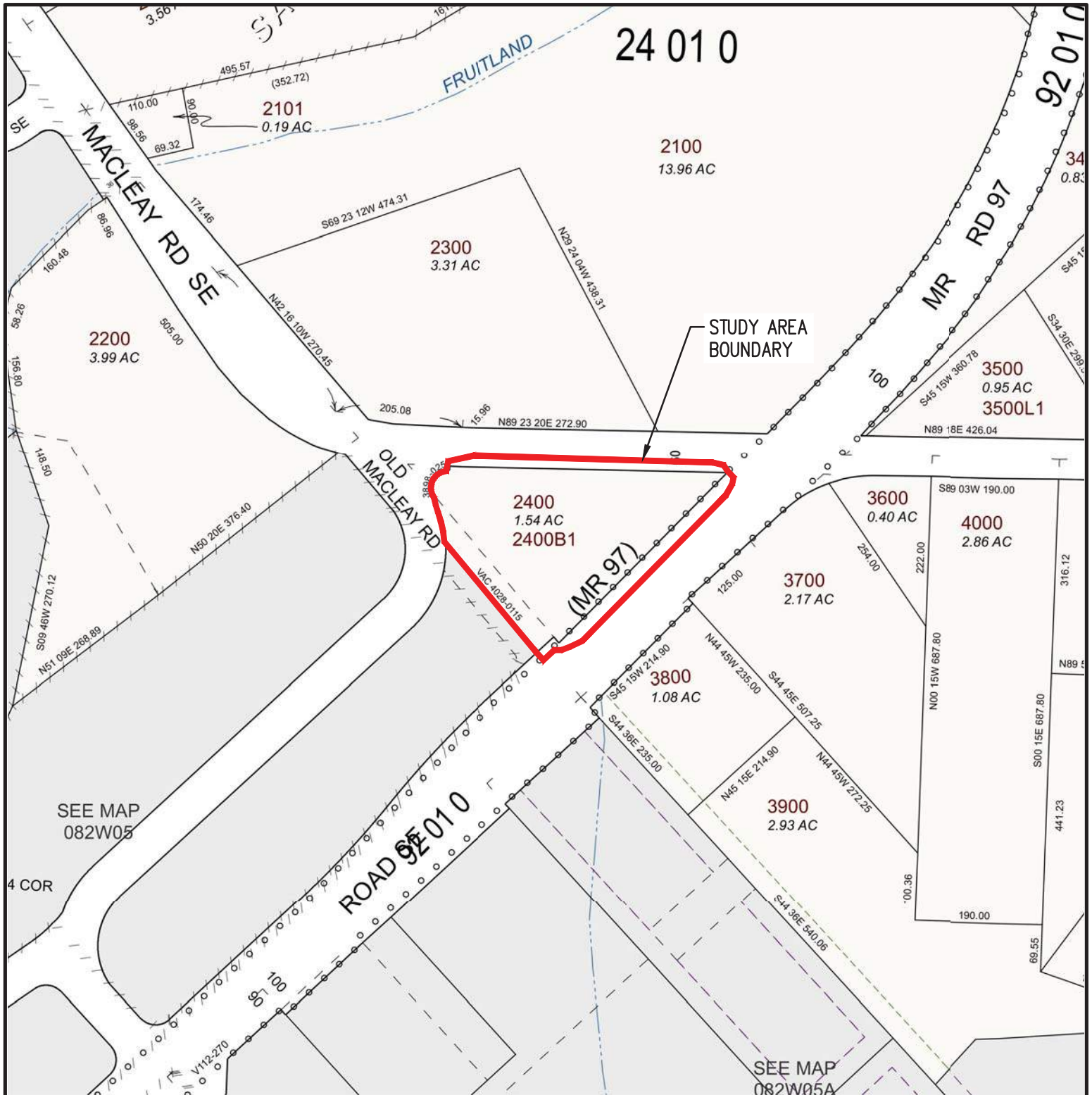
AKS ENGINEERING & FORESTRY, LLC
3700 RIVER RD N, STE 1
KEIZER, OR 97303
PHONE: 503.400.6028

www.aks-eng.com



FIGURE
1

DRWN: RAS
CHKD: SKT
AKS JOB:
3780



SCALE: 1" = 200 FEET



ORIGINAL PAGE SIZE: 8.5" x 11"

MARION COUNTY
TAX LOT 2400
AND PORTIONS OF ROW
TAX MAP 07 2W 32D

DATE: 08/03/2022

**TAX MAP (MAP 07 2W 32D)
ONE EIGHTY TRIANGLE WETLAND DELINEATION REPORT**

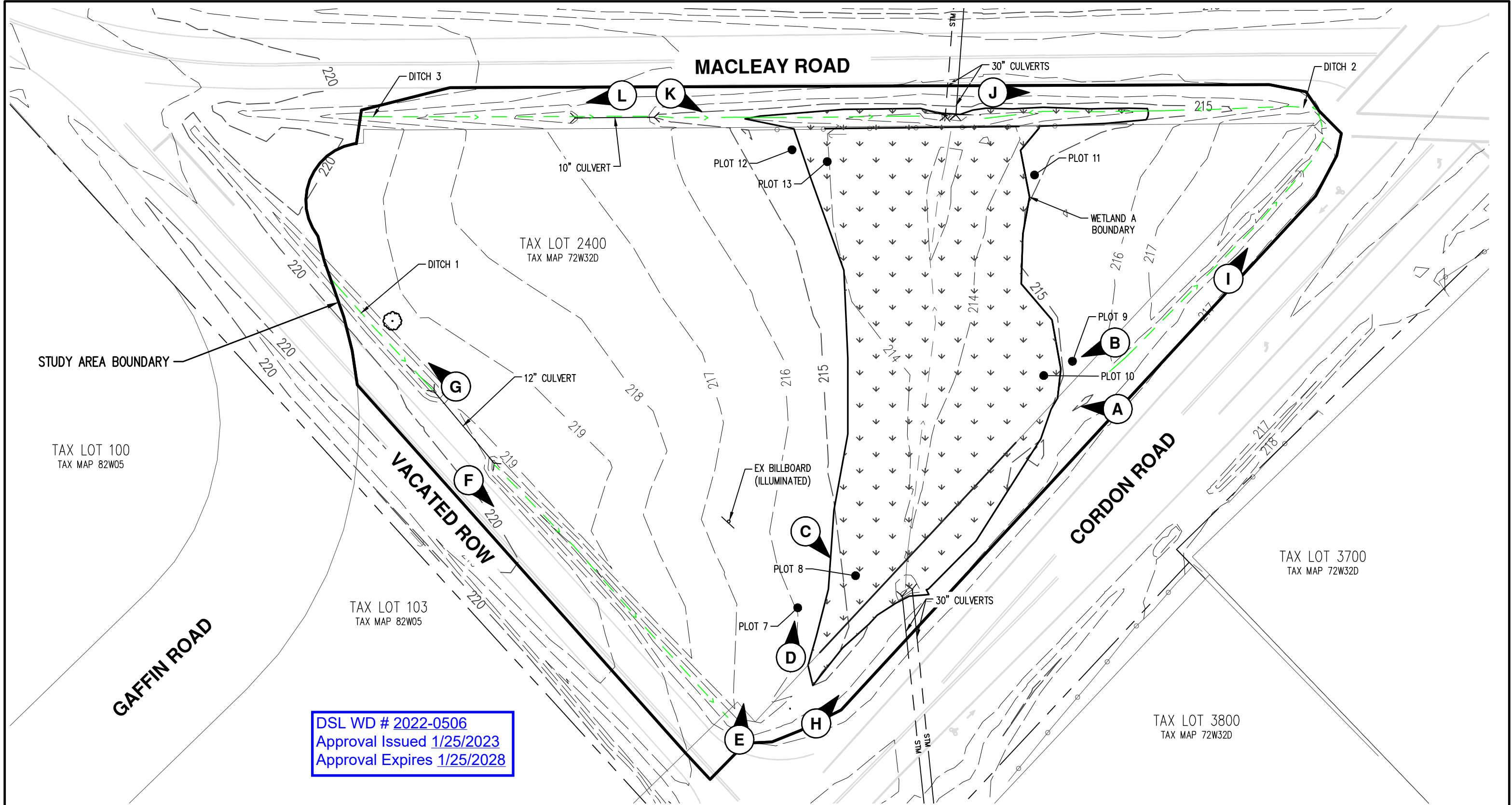
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FIGURE
2

DRWN: RAS
CHKD: SKT
AKS JOB:
3780



LEGEND:

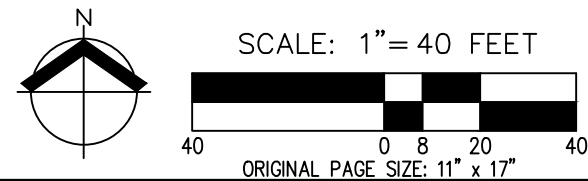
- TOTAL ON-SITE PEM/SLOPE WETLAND A BOUNDARY AREA: 18,132 SF± (0.42 ACRES)
- DITCH 1: 297 ±LF
DITCH 2: 294 ±LF
DITCH 3: 298 ±LF
- STORMWATER UTILITY LINE
- PHOTO POINT LOCATION AND ORIENTATION

WETLAND BOUNDARY AND DATA PLOT LOCATIONS SHOWN WERE DELINEATED BY AKS ENGINEERING & FORESTRY, LLC. (AKS) ON MAY 31, 2022 AND WERE GPS SURVEYED IN THE FIELD USING A HANDHELD TRIMBLE GEO7X GPS RECEIVER WITH SUBMETER ACCURACY.

A PREVIOUS DELINEATION WAS CONDUCTED BY AKS ON MARCH 24, 2016 AND RECEIVED A CONCURRENCE BY DEPARTMENT OF STATE LANDS (DSL) FILE NO. WD2010-00226

1-FOOT INTERVAL GROUND CONTOURS, EXISTING CONDITIONS AND TREES >6" DBH DERIVED FROM 2016 AKS PROFESSIONAL LAND SURVEY. STUDY AREA BOUNDARY DIGITIZED WITH SUBMETER ACCURACY.

REMOVAL OF OLD MACLEAY ROAD OCCURRED AFTER AKS 2016 SURVEY. THE SOUTHERN PORTION OF OLD MACLEAY ROAD HAS SINCE BEEN VACATED. THE VACATED ROW IS INCLUDED IN THE STUDY AREA BOUNDARY. A SURVEY OF CURRENT 1-FT INTERVAL GROUND CONTOURS AND EXISTING CONDITIONS IS REQUIRED BEFORE DEVELOPMENT.



DATE: 08/09/2022

WETLAND DELINEATION MAP		FIGURE
ONE EIGHTY TRIANGLE WETLAND DELINEATION REPORT		5
AKS ENGINEERING & FORESTRY, LLC 3700 RIVER RD N, STE 1 KEIZER, OR 97303 503.400.6028 WWW.AKS-ENG.COM		DRWN: RAS CHKD: SKT AKS JOB: 3780