Joint Permit Application

This is a joint application, and must be sent to both agencies, who administer separate permit programs. 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 Number	DSL Number	

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

USACE: ☐ Individual ☒ Nationwide No.: 14 (Linear Transportation) ☐ Regional General Permit ___

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)	☐ Consultant ☐ Contractor
Name (Required)	Amritpal Singh	N/A	N/A
Business Name	Baba Deep Singh Inc 13		
Mailing Address 1	3812 Galloway Street S		
City, State, Zip	Salem, Oregon 97302		
Business Phone	503.607.9868		
Email	7starcstore@gmail.com		

(3) PROJECT INFORMATION

A. Project Location

Macleay Road Gas Station and Road Widening Project	Latitude & Longitude: 44.913682° North, -122.955098° West

Project Address / Location	City (nearest)	County
Approximately 5100 Macleay Road SE	Salem	Marion

Township	Range	Section	Quarter/Quarter	Tax Lot
07S	02W	32	DC	Tax lot 2400 & Macleay Road SE right-of-way (ROW)

Brief Directions to the Site:
Exit Interstate I-5 at Oregon Highway 22 (Exit 253) and proceed east to Lancaster Drive SE and proceed north to Rickey Street SE and proceed east. Rickey Street SE transitions to Macleay Road SE; continue east to Gaffin Road. Project area is situated immediately east of the Macleay Road SE – Gaffin Road intersection.

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 Roadside ditches ☐ Pacific Ocean

Wetland or Waterbody Name**	River Mile	6th Field HUC Name	6th Field HUC (12 digits)
Wetland 1.1 and 1.2	N/A		
Excavated Ditch	N/A	Upper Little Pudding River	170900090108
Ephemeral Roadside Ditches	N/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: Stormwater Facilities

(4) PROJECT DESCRIPTION

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

Applicant proposes construction of a gas station which includes a building, parking area, pump station, and associated infrastructure improvements. To facilitate development, City mandates Macleay Road SE improvements including: creation of central turn lane, right-hand turn lane and extension at Cordon Road, sidewalks, and pedestrian refuge island.

Westech Engineering, Inc. (WEI) *Stormwater Management Report* (JPA Appendix D) proposes stormwater from new impervious cover be collected, detained, and treated in accordance with DEQ 401 Certification, City of Salem, and National Marine Fisheries Service (NMFS) SLOPES V design standards.

As the project would incur permanent impact to 0.07-acre of Wetland and non-jurisdictional roadside ditches Applicant requests review for USACE Nationwide Permit 14 and DSL General Permit for Transportation Related Structure.

B. Describe work within waters and wetlands.

Applicant's team designed the gas station to completely avoid jurisdictional wetland impacts. City mandated Macleay Road SE widening would incur permanent impact to 0.07-acre of Palustrine, Emergent, Seasonally Flooded / excavated (PEMC / PEMCx) / Slope (S) Wetland 1.1. Removal of approximately 58 cubic yards (CY) of existing silty clay loam and fill material top- and subsoil to attain target subgrades would occur prior to placement of approximately 378 CY of engineer specified aggregate, concrete, and earth within the excavation area prior to final road, sidewalk, and stormwater treatment structure improvements. The road widening effort would temporarily impact 0.01-acre of Wetland 1.1; said areas would be rehabilitated upon completion of construction.

Proposed development would permanently impact 209 linear feet (lf) of ephemeral (R6) Excavated Ditch, 290 lf of ephemeral Roadside Ditch 1, and 220 lf of ephemeral Roadside Ditch 2. Approximately 74 CY of existing substrates would be removed using excavators prior to installation of infrastructure and engineer specified concrete, asphalt, or biofiltration swale substrates. Excavated Ditches within the project footprint are not State jurisdictional (OAR 141-085-1515(10) and DSL WD#2022-0506) and should not qualify as Federally regulated features per § 328.4 of the contemporary Waters of the United States (WOTUS).

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

Contractors would strictly adhere to the WEI erosion and sediment control plans (ESCP) and special conditions as required by (pending) City of Salem, DEQ, DSL, and USACE authorizations. Site inspectors would revisit ESCP measures throughout the construction period to ensure proper operation. Timelines for identified aquatic impacts are scheduled for summer construction to avoid unnecessary sediment transport to downstream areas. Anticipated ESCP measures stipulate:

- All erosion and sediment control measures shall be in place prior to construction and shall be inspected daily throughout the construction period to ensure proper installation and function.
- Site construction entrance shall be maintained (top dressing, repair, sediment trap cleanout, for example) in a condition to prevent tracking or introduction of sediment onto public right-of-ways.
- Silt fencing will be placed along the perimeter at the edges of ground disturbance at a minimum of six inches (6") below grade. Silt fencing would be placed at a five- to ten foot offset from the avoided wetland boundary along the new gas station and approximately 2-feet offset from Macleay road prism footprint.
- Catch basin siltsack inserts will be placed in newly constructed curb inlets and drains until pavement surfaces are completed and/or site construction is complete.
- No stockpiles or side cast material shall be placed outside of the project footprint and / or identified staging areas. Temporary stockpiles must be temporarily stabilized prior to weekends and / or holidays.
- Contractor Notice of Termination submittal to DEQ to end cthe 1200-C permit coverage upon stabilization of exposed soils and project completion.

WEI's ESCP is provided as JPA Appendix C.

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

In accordance with the WEI construction plans, selected contractors must dispose of excess materials in a suitable upland location in accordance with local, state, and federal laws. Spoils generated during construction would be utilized as fill material when suitable.

Proposed fill materials must meet minimum engineering specifications and are to be sourced from local commercial suppliers. Specifically, all engineered fills shall be clean of organic material, contaminants, asphalt, and approved by the Geotechnical Engineer prior to placement. All imported baserock shall be Oregon Department of Transportation (ODOT) standard 0.75" minus. Parking areas could consist of asphalt meeting ODOT standards while building slab / foundation and sidewalks would consist of concrete.

E. Construction Timeline

What is the estimated project start date?	June 2025	
What is the estimated project completion date?	October 2025	
Is any of the work underway or already complete? If yes, please describe.	☐ Yes	☑ No

F. Removal Volumes and Dimensions

Wetland / Waterbody Name	Removal Dimensions: Length (ft.)	Width (ft.)	Depth (ft.)	Area (Acre)	Volume (c.y.)	Duration of Impact	Material
Wetland 1.1	170	11	2	0.07	58	Permanent	Fill material, topsoil, subsoil
Wetland 1.1	170	10	1	<0.01	5	Temporary	Construction disturbance
Excavated Ditch[1]	65	4	2	<0.01	31	Permanent	Fill material, topsoil, subsoil
Macleay Roadside Ditch 1[1]	290	2.5	2	0.02	27	Permanent	Fill material, topsoil, subsoil
Macleay Roadside Ditch 2[1]	220	2	2	0.01	16	Permanent	Fill material, topsoil, subsoil

G. Total Removal Volumes and Dimensions

	Length (linear ft.)	Area	Volume (c.y.)
Total Removal to Wetlands	170	0.07-acre	58
Total Removal Below Ordinary High Water	N/A	N/A	N/A
Total Removal Below Highest Measured Tide	N/A	N/A	N/A
Total Removal Below High Tide Line	N/A	N/A	N/A
Total Removal Below Mean High Water Tidal Elevation	N/A	N/A	N/A

H. Fill Volumes and Dimensions

Wetland / Waterbody Name	Fill Dimensions: Length (ft.)	Width (ft.)	Depth (ft.)	Area (acres)	Volume (c.y.)	Duration of Impact	Material
Wetland 1.1	170	11	2	0.07	378	Permanent	Crushed aggregated, concrete, asphalt, earth
Wetland 1.1	170	10	1	<0.01	5	Temporary	Construction disturbance
Excavated Ditch[1]	65	1	1	<0.01	40	Permanent	Crushed aggregated, concrete, asphalt, earth
Macleay Roadside Ditch 1[1]	290	2	1	0.02	40	Permanent	Crushed aggregated, concrete, asphalt, earth
Macleay Roadside Ditch 2[1]	220	2	1	0.01	40	Permanent	Crushed aggregated, concrete, asphalt, earth

I. Total Fill Volumes and Dimensions

	Length (linear ft.)	Area	Volume (c.y.)
Total Fill to Wetlands	170	0.07-acre	378
Total Fill in Wetlands Below Ordinary High Water	N/A	N/A	N/A
Total Fill Below Highest Measured Tide	N/A	N/A	N/A
Total Fill Below High Tide Line	N/A	N/A	N/A
Total Fill Below Mean High Water Tidal Elevation	N/A	N/A	N/A

[1]: DSL WD#2022-0506 concludes roadside ditches are non-jurisdiction per OAR 141-085-0515(10).

(5) PROJECT PURPOSE AND NEED

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

Project Need and Geographic Area: City of Salem mandates Macleay Road improvements to provide safe ingress-egress into the proposed gas station. City's Transportation Planning Rule requires Applicant to install a creation of central turn lane, right-hand turn lane extension at Cordon Road, sidewalk, and pedestrian refuge island. Construction of identified improvements requires permanent impact to 0.07-acre of jurisdictional Wetland 1.1 and 719 linear feet of non-jurisdictional, ephemeral Excavated and Roadside Ditches. Due to the specific geographic location of the required Macleay Road improvements, there are no alternative project locations.

Project Purpose: The purpose of the removal fill project is to widen Macleay Road to City of Salem specifications during fiscal year 2025.

(6) DESCRIPTION OF RESOURCES IN PROJECT AREA

A. Describe the existing physical 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.

Conditions within the project area are documented by AKS Engineering, Inc. *One Eighty Triangle, Salem, Oregon Wetland Delineation Report* reviewed for issuance of DSL's January 25, 2023 determination WD#2022-0506; said report is provided as JPA Appendix F for USACE review. Features in the north portion of the Macleay Road ROW are documented by Swale Environmental LLC's *Wetland Delineation Report; Portion of Macleay Road SE Road Right-of-Way* pending review for DSL WD#2025-0028 and USACE AJD NWP 2025-51. The following provides a synopsis of delineated resources within the project footprint:

Wetland 1.1 and 1.2: This remnant swale feature contains a historically excavated ditch in the topographically lowest portion and roadside ditches entering from the east and west. The feature flows through two thirty-inch (2 x 30") concrete culverts to similarly situated Wetland 1.2 north of Macleay Road SE. Vegetation is primarily dominated by non-native pasture grass *Phalaris arundinacea* and *Alopecurus pratensis* with a variety of non-native subdominant species. Uplands surrounding the support similar vegetative communities dominated by *Alopecurus pratensis*, *Holcus lanatus*, and *Poa palustris*. The feature is contained entirely within hydric Dayton silt loam soils experiencing a variety of historic excavation disturbances. Soils contain sufficiently dark matrix with sufficient redoximorphic feature formation in the upper portion to qualify for the Redox Dark Surface (F6) hydric soil indicator. Hydrology is primarily supported by precipitation, upgradient runoff from surrounding landforms, and excavated ditch runoff which becomes concentrated in the swale geomorphic position. Wetland 1 best qualifies as Palustrine, Emergent, Seasonally Flooded / Saturated (PEME) with areas containing excavated ditches qualifying as Palustrine, Emergent, Seasonally Flooded / Saturated, excavated (PEMEx). In terms of Oregon Hydrogeomorphic (OHGM) classification, Wetland 1 best qualifies as Slope (S). Wetland 1 qualifies as a State jurisdictional wetland (OAR 141-085-0515(4) and WD#2022-0506) and is anticipated to qualify as a Federally regulated wetland per § 328.3 (a)(5) and (7)) of the contemporary Definition of Waters of the United States (WOTUS). Per OAR 141-085-0685(3)(b), Best Professional Judgement is coupled with Oregon Rapid Wetland Assessment Protocol (ORWAP) to assess Wetland 1 condition:

Group	Function	Function Rating	Values Rating
Hydrologic Function	Water Storage & Delay	Lower (LM)	Lower
Water Quality Support	Sediment Retention & Stabilization	Moderate	Moderate
Fish Habitat	Anadromous Fish Habitat	Lower	Lower
Aquatic Habitat	Waterbird Feeding Habitat	Higher	Moderate
Ecosystem Support	Water Cooling	Moderate (LM)	Moderate
Other Attributes		Function Rating	
Wetland Sensitivity		Moderate (LM)	
Ecological Condition		Lower	
Stressors		Higher	

Excavated Ditch: This ephemeral ditch in the southwestern portion of Tax Lot 2400 is approximately 4 foot wide and lacks a defined bed and bank and Ordinary High Water (OHW) characteristics. The feature primarily supports non-native grasses *Lolium perenne*, *Bromus hordeaceus*, *Holcus lanatus*, and *Alopecurus pratensis* among *Symphoricarpos alba* brambles. The ditch contains truncated silt loam profiles which do not satisfy hydric soil criteria. The feature is hydrologically supported by runoff from adjacent road and upland runoff. The ephemeral ditch does not qualify as a State jurisdictional resource per OAR 141-085-1515(10) and DSL WD#2022-0506. The ditch should not qualify as a Federally regulated resource per § 328.4 of the contemporary WOTUS.

Roadside Ditches 1 and 2: Situated within the Cordon Road and Macleay Road right-of-ways along the northeast edges of Tax lot 2400, these artificially created features carry ephemeral flow towards Wetland 1. The features are approximately 5 feet wide within Wetland 1.1 and narrows to 2 feet wide; the feature lacks a defined bed and bank and an OHW characteristics. Beyond Wetland 1.1, said features predominantly contains *Alopecurus pratensis* with lesser amounts of *Geranium molle*, *Rumex acetosella*, and *Aira caryophyllea*. Truncated silt loam substrates beyond the Wetland 1.1 boundary contain silt loam profiles which do not satisfy hydric soil criteria. These features are hydrologically supported by runoff from adjacent road runoff. Beyond Wetland 1, the ephemeral roadside ditches do not qualify as a State jurisdictional resource per OAR 141-085-1515(10) and DSL WD#2022-0506. Ephemeral ditches beyond Wetland 1 should not qualify as a Federally regulated resource per § 328.4 of the contemporary WOTUS.

Roadside Ditches 3 and 4: These ditches are situated beyond the identified construction zone but would be outfitted with erosion and sediment control measures during construction. Situated entirely in the north portion of the Macleay Road ROW, the approximately 2-foot wide artificially created roadside ditches carry ephemeral flow internally towards Wetland 1.2; the ditches lack a defined bed and bank and OHW characteristics. Vegetation within the ditches is primarily dominated by non-native *Schedonorus arundinacea* and *Agrostis stolonifera*. Truncated Woodburn soil series exhibit hydric soil characteristics in the topographically lowest portions. Beyond Wetland 1.2, the ephemeral roadside ditches do not qualify as a State jurisdictional resource per OAR 141-085-1515(10). Ephemeral ditch beyond Wetland 1.2 should not qualify as a Federally regulated resource per § 328.4 of the contemporary WOTUS.

Federal Emergency Management Agency (FEMA) Digital Flood Insurance Map (FIRM) Panel 41047C0375G does not inventory special flood hazard Zones within the project vicinity.

Onsite resources are not inventoried as a navigable water (DSL, 2025 and USACE, 1993) and do not provide navigation opportunities. No portion of the site contains Essential Salmonid Habitat (ESH) inventoried waters (DSL, 2025). No portion of the site or surrounding area contains wetlands of Aquatic Resources of Special Concern (ARSC). No part of the site or surrounding areas are inventoried to support local, state or federally inventoried sensitive species, Critical Habitat, or Important Bird Areas (Oregon Explorer, 2025). U.S. Fish and Wildlife Service I-PaC confirms the project area lies beyond inventoried Critical Habitat. Lastly, Oregon Explorer's ORWAP reporting does not identify the site as supporting habitat for rare: Non-anadromous fish species; Amphibian and Reptile Species; Feeding / Nesting Waterbirds; Songbirds, Raptors, and Mammals, or; Invertebrate Species.

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

Features within the project area do not provide navigation, fishing, or recreational opportunities.

(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.

Applicant's team has taken significant effort to design the gas station development to avoid jurisdictional wetland impacts. The proposed gas station has been sited to avoid all temporary and permanent impacts to jurisdictional Wetland 1.1.

Due to the specific geographic location of the required Macleay Road improvements, there are no alternative project locations.

Initial road improvements involved widening Macleay Road along the north and south roadway. This concept would incur greater impacts via widening into Wetland 1.2 (and non-jurisdictional Roadside Ditches 3 and 4) along the north road ROW. Applicant's team coordinated with City to allow for road widening along the southern edge, minimizing impacts by approximately 0.01-acre.

The project area is serviced by two DSL-USACE approved mitigation banks. Applicant's team has selected Marion Mitigation Bank based on more immediate proximity to the project site.

No other siting or development considerations were evaluated.

(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
Is the project site within the Territorial Sea Plan (TSP) Area?	☐ Yes	☑ No	☐ Unknown
Is the project site within a designated Marine Reserve?	☐ Yes	☑ No	☐ Unknown
Will the overall project involve ground disturbance of one acre or more?	☑ Yes	☐ No	☐ Unknown
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
Has a cultural resource (archaeological) 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

Is the project part of a DEQ Cleanup Site? No Permit number N/A DEQ contact N/A

Will the project result in new impervious surfaces or the redevelopment of existing surfaces? If yes, the Applicant must submit a post-construction stormwater management plan to DEQ's 401 WQC program for review and approval, see http://www.deq.state.or.us/wq/sec401cert/docs/stormwaterGuidelines.pdf	☑ Yes	☐ No

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

Agency Name	Contact Name	Phone Number	Most Recent Date of Contact
N/A	N/A	N/A	N/A

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
Department of Environmental Quality	401-Water Quality Certification[1]	Pending issuance
Department of Environmental Quality	1200-C Permit	Pending issuance
National Marine Fisheries Service	SLOPES Certification	Pending issuance
City of Salem	Development Permits	Pending issuance

Other DSL and/or USACE actions associated with the 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).

☐ State owned waterway DSL Waterway Lease #: N/A

☐ Other Corps or DSL Permits Corps #: N/A DSL #: N/A

☐ Violation for Unauthorized Activity Corps #: N/A DSL #: N/A

☑ Wetland and Waters Delineation Corps #: NWP 2025-51 DSL #: WD#2022-0506 WD#2025-0028

[1]: DEQ Pre-Filing Meeting Request Form e-submitted on March 05, 2025 (Submittal ID 75253) and DEQ Pre-Filing Teleconference with Coordinator Clark on March 10, 2025.

(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.

The following are anticipated adverse environmental impacts and project measures designed to address such impacts:

Jurisdictional Wetland Impacts: Applicant has taken significant effort to avoid wetland impacts for the development. City mandated Macleay Road SE widening to facilitate the project would incur permanent 0.07-acre of PEME / PEMEx wetland impact. In accordance with State and Federal Mitigation Rules, Applicant proposes to offset identified impacts via purchase of PEM legacy credit at the Marion Mitigation Bank. As available bank credits were previously constructed and have been documented to consist of high value, diverse, and native ecosystems with the same hydrologic unit the proposed mitigation approach would not incur temporary loss of wetland acreages / values / functions.

Construction sediment: Contractors would be required to strictly adhere to sediment and erosion control measures outlined in WEI's Erosion and Sediment Control Plan (Appendix C) and pertinent DSL, DEQ, USACE, and local permit requirements. The construction footprint is approximately 0.69-acre; WEI plans require the construction contractor to acquire a DEQ Certified Erosion and Sediment Control Inspector and to submit an Action Plan to DEQ prior to construction. The plan outlines construction specifications, maintenance requirements and Best Management Practices (BMPs) to prevent and minimize sediment and pollution transport to avoided aquatic features and offsite systems. Lastly, the selected contractor would be directed to submit a Notice of Termination to DEQ to end the 1200-C permit coverage upon stabilization of exposed soils and project completion.

New impervious cover and stormwater: As detailed in WEI's Stormwater Report, the project area is separated into two basins: Macleay Road Basin and Development Basin. The project proposes 29,300 square feet of new or replaced impervious area. WEI's stormwater management plan has designed the post-construction stormwater treatment facilities to meet City's Green Stormwater Infrastructure (GSI) and SLOPE V requirements. Proposed facilities include one rain garden, stormwater planter, and subsurface infrastructure to treat and detain site stormwater WEI's design addresses City of Salem Design Standards, DEQ's 401 Certification requirements, and National Marine Fisheries Service (NMFS) SLOPES V Design Standards. As detailed in the report, proposed water quality facilities are designed to treat for post-construction stormwater runoff from all contributing impervious area for 50% of the 2-year event, 50% of the developed 2-year peak flow rate and duration matches 50% of the pre-developed 2-year peak flow and duration. Use of low impact development (LID) for infiltration is provided to the maximum extent feasible. The stormwater management plan also outlines system operation and maintenance plan to maintain the long-term integrity of the stormwater facilities.

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.

Approximately 0.01-acre of Wetland 1.1 would be temporarily impacted during road widening construction. Prior to finalizing construction, temporarily disturbed areas would be contoured to match adjacent undisturbed grades and seeded with engineer specified erosion control mixtures.

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 mitigation approach and the rationale for choosing that approach. If you believe mitigation should not be required, explain why.

The proposed project would incur permanent impact to 0.07-acre of PEME/ (x) wetland qualifying as a State (and anticipated Federal) jurisdictional resource. To comply with State and Federal Mitigation Rules, Applicant proposes to offset identified impacts via purchase of mitigation credit from the Marion Mitigation Bank. Identified mitigation credit requirements are calculated using DSL's Compensatory Mitigation Eligibility and Accounting Determination Form (JPA Appendix G). The identified mitigation approach addresses DSL's Principal Objectives as outlined by OAR 141-085-0680(2)(a). Specifically:

(A) Functions and values lost at the impact site would be justly compensated for via purchase of 0.07-acre legacy credits from the DSL and USACE approved Marion Mitigation Bank.

(B) Replacement of locally important functions and values would be justly replaced as proposed impacts lie within the service district and the same Hydrologic 6th field unit (170900070301: Croisan Creek) as the Marion Mitigation Bank. Mitigation wetlands provide increase function and value for: Water Storage & Delay (WS), Sediment Retention & Stabilization (SR), Waterbird Nesting Habitat (WBN), Waterbird Feeding Habitat (WBF), Aquatic Invertebrate Habitat (INV), Songbird, Raptor, Mammal Habitat (SBM), Native Plant Diversity (PD), Pollinator Habitat (POL), and Carbon Sequestration (CS). Purchase of credits would replace and improve locally important functions and values.

(C) Marion Mitigation Bank consists of a previously constructed and self-sustaining 58-acre mitigation complex. Maintenance and monitoring at the bank are to occur in accordance with Interagency Review Team (IRT) approved plans. As identified in the Marion Mitigation Bank instrument, mitigation wetlands have long term protection via an executed conservation easement.

(D) The Marion Mitigation Bank includes palustrine emergent, scrub-shrub and forested type wetlands typical of this portion of the Willamette Valley. The previously constructed and managed wetlands are self-sustaining systems which meet (or exceed) success criteria identified in the banks instrument. With connectivity to other waters and wetlands within the same drainage basin as impacted wetlands, Marion Mitigation Bank offers many ecological benefits not attainable with small, onsite mitigation surrounded by urban development.

(E) Marion Mitigation Bank wetlands were constructed circa 2001 and credits would be purchased prior to proposed wetland impacts. As such, the mitigation proposal would not incur temporal loss of wetland functions and values.

Marion's OHGM Flats wetland contains forested components dominated by native species. Considering the extensive disturbance (ditching and non-native species monoculture) associated with wetlands proposed for impact, the out-of-kind OHGM proposal would adequately offset wetland impacts. Applicant proposes purchase of legacy bank credits at a 1:1 ratio in accordance with DSL OAR 141-085-0692(5)(a-b). Applicant has coordinated a credit reservation agreement with Marion; a receipt for final credit purchase would be provided to DSL and USACE prior to permit issuance.

E. Mitigation Bank / In-Lieu Fee Information

Name of mitigation bank or in-lieu fee project:	Marion Wetland Mitigation Bank
Type of credits to be purchased:	0.07-acre credits

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

F. Mitigation Location Information (Fill out only if permittee-responsible mitigation is proposed)

Mitigation Site Name/Legal Description	Mitigation Site Address	Tax Lot #
N/A	N/A	N/A
County	**City**	**Latitude & Longitude**
N/A	N/A	N/A

Township	Range	Section	Quarter/Quarter
N/A	N/A	N/A	N/A

(10) ADJACENT PROPERTY OWNERS FOR PROJECT SITE

072W32D 002300
MANKE, ARLOLD & SHIRLEY
5155 MACLEAY ROAD SE
SALEM, OR 97317

072W32D 003700
MARTINEZ, GUZMAN, AND RAMIREZ
1382 CORDON ROAD SE
SALEM, OR 97317

072W32D 002100
CITY OF SALEM
555 LIBERTY STREET SE, ROOM 100
SALEM, OREGON 97301

072W32D 002400
7 STAR SALEM LLC
3812 GALLOWAY STREET S
SALEM, OR 97302

0725W32D 003500
JACOBE HEATH & TERRI
5255 MACLEAY ROAD SE
SALEM, OR 97317

0802W02 000100
RESERVE AT HAWKS RIDGE II LLC
10355 LIBERTY ROAD SE
SALEM, OR 97306

(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 ☐ not ☐ been filed for 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
N/A	N/A
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	$1,018.00 (Private Operator Base Fee ($1,018.00) + <500 CY Fill ($0.00))

Applicant Signature (required) must match the name in Block 2	
Print Name Amritpal Singh	Title Registered Agent, Baba Deep Singh Inc 13
Signature	Date

Authorized Agent Signature	
Print Name N/A	Title N/A
Signature	Date

Landowner Signature(s)	
Landowner of the Project Site (if different from applicant)	
Print Name N/A	Title N/A
Signature	Date

Landowner of the Mitigation Site (if different from applicant)	
Print Name N/A	Title N/A
Signature N/A	Date N/A

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 N/A	Title N/A
Signature N/A	Date N/A

(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 photograph
  - ☐ Project photos
  - ☒ Erosion and Pollution Control Plan(s)
  - ☒ DSL / USACE wetland concurrence letter and map
- ☐ Pre-printed labels for adjacent property owners
- ☒ Incumbency Certificate if Applicant is partnership or corporation
- ☐ Restoration or rehabilitation plan for temporary impacts
- ☐ Mitigation plan
- ☐ Wetland functional assessments
  - ☐ 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
  - ☐ Cover page
  - ☐ Score sheets
  - ☐ SFAM PA, PAA, & EAA forms
  - ☐ SFAM report
  - ☐ Assessment maps
    - ☐ Aerial photo, site map, and topog site map
- ☒ Compensatory Mitigation Eligibility & Accounting Worksheet
  - ☐ Matching Quickguide sheets
  - ☒ CM Eligibility & Accounting Sheet
- ☐ Alternatives analysis
- ☐ Biological assessments
- ☒ Stormwater management plans
- ☒ Other

Appendix A.	Executed Incumbency Certificate for Baba Deep Singh Inc 13
Appendix B.	Exhibits
Appendix C.	Westech Engineering, Inc. Drawings
Appendix D.	Westech Engineering, Inc. Stormwater Management Plan (**DEQ and USACE Submittal Only)**
Appendix E.	DSL's January 25, 2023 Determination WD#2022-0506
Appendix F.	AKS Engineering, Inc. *One Eighty Triangle, Salem, Oregon Wetland Delineation Report* **(USACE Submittal Only)**
Appendix G.	DSL Mitigation Eligibility and Accounting Determination Form

Appendix A.

Executed Incumbency Certificate for Applicant Baba Deep Singh Inc 13

Appendix B.

Exhibits for the Macleay Road Gas Station & Road Widening Project

Directions: Exit Interstate I-5 at Oregon Highway 22 (Exit 253) and proceed east to Lancaster Drive SE and proceed north to Rickey Street SE and proceed east. Rickey Street SE transitions to Macleay Road SE; continue east to Gaffin Road. Project area is situated within Macleay Road SE road right-of-way between Gaffin Road and Cordon Road SE. The centroid of the project area is approximated as 44.913682° north and -122.955098° west.

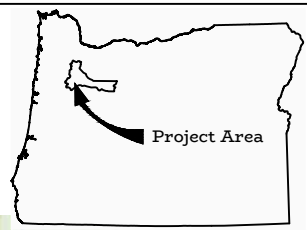


EXHIBIT 1

U.S.G.S. National Map

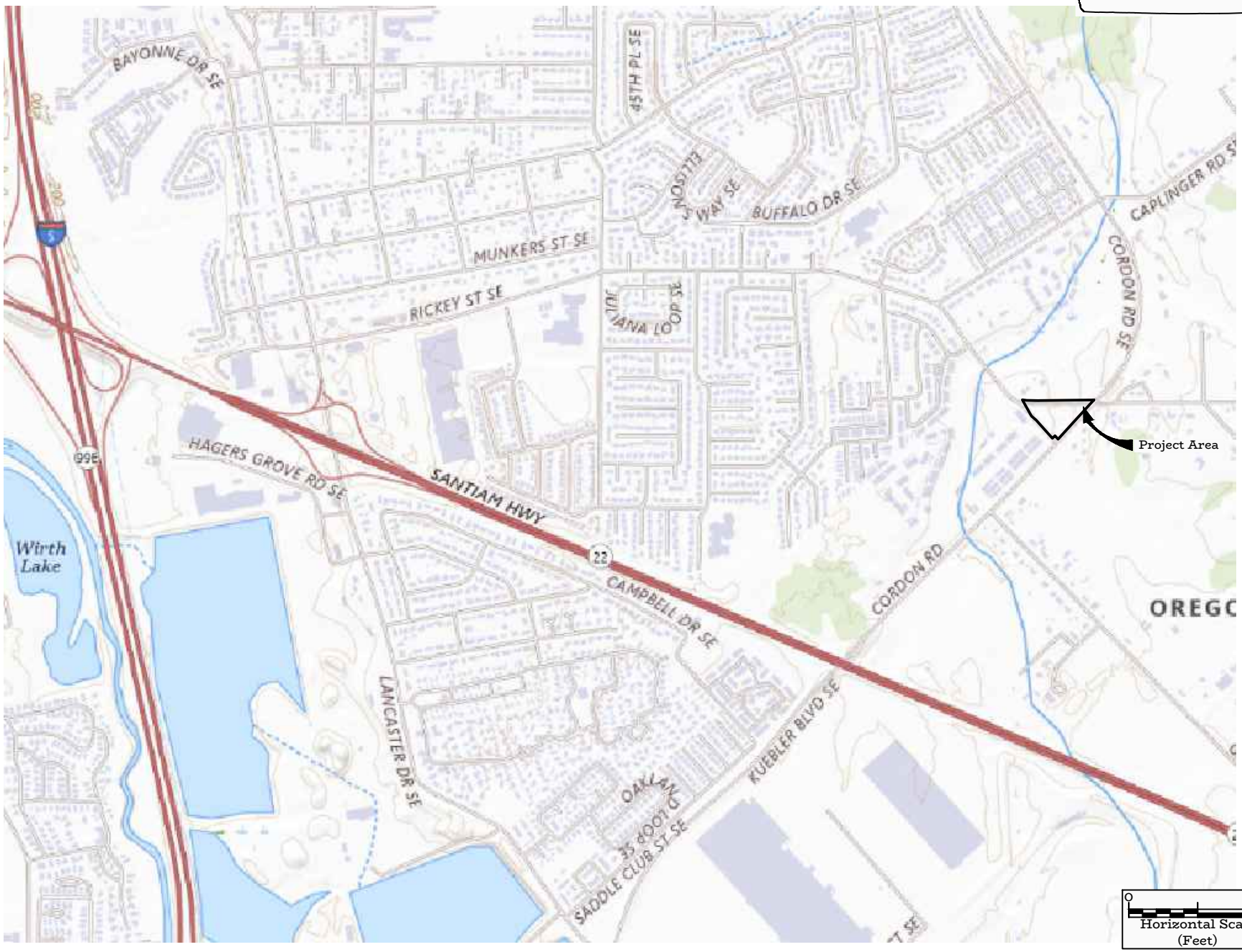
Joint Permit Application

Macleay Road Restoration & Road Widening Project

City of Salem, Marion County, Oregon

LUCS REVIEW DRAFT

SWALE ENVIRONMENTAL LLC



Assessor Map Note: Project area consists of identified portions of Tax Lot 2400 and identified portions of Macleay Avenue SE and Cordon Road SE road right-of-ways (ROWs) on Marion County Assessor map Township 07 South, Range 02 West, Section 32D, Willamette Meridian. Situated within the Urban Growth Boundary and Salem City Limits, the project area is inventoried as Industrial Commercial (IC).

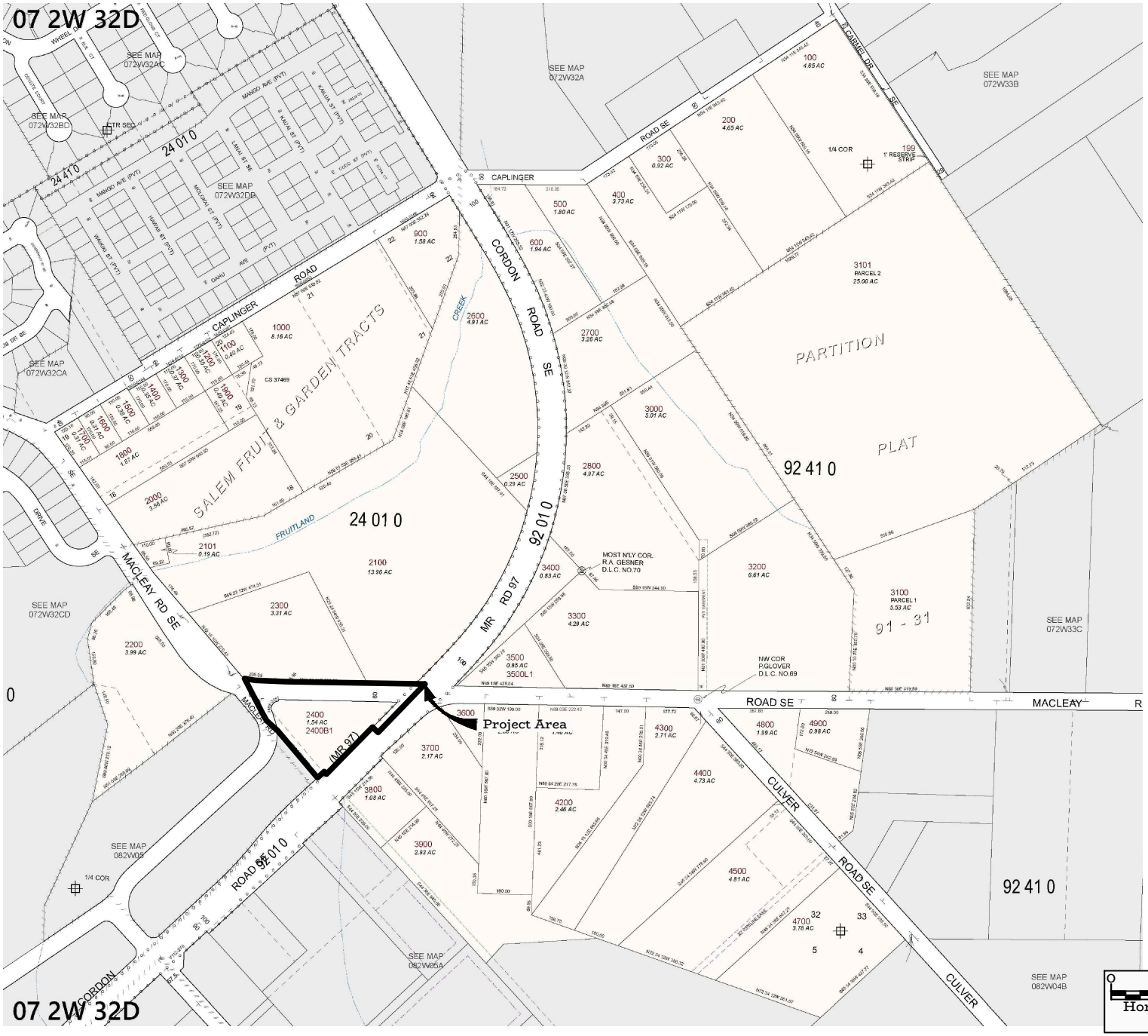


EXHIBIT 2
Marion County Assessor Map 07S 02E 32D

Joint Permit Application
Macleay Road Gas Station & Road Widening Project
City of Salem, Marion County, Oregon

LUCS REVIEW DRAFT

SWALE ENVIRONMENTAL LLC

N

Aerial Photograph Legend

Marion County Parcels

0 70

Horizontal Scale (Feet)

EXHIBIT 3

2024 Google Earth Aerial Photograph

Joint Permit Application

Macleay Road Gas Station & Road Widening Project

City of Salem, Marion County, Oregon

LUCS REVIEW DRAFT

SWALE ENVIRONMENTAL LLC

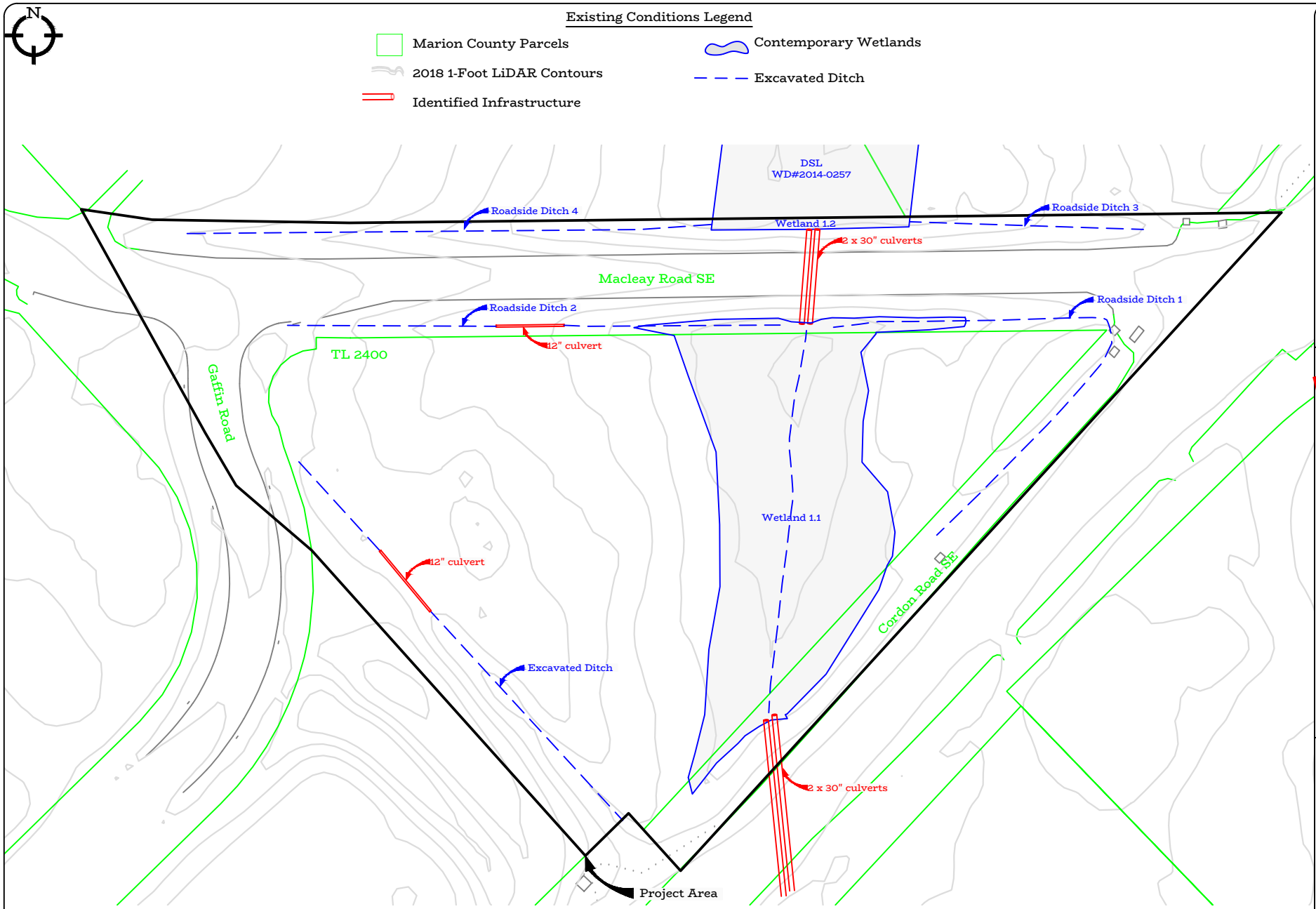


EXHIBIT 4

Existing Conditions

Joint Permit Application

Macleay Road Gas Station & Road Widening Project

City of Salem, Marion County, Oregon

LUCS REVIEW DRAFT

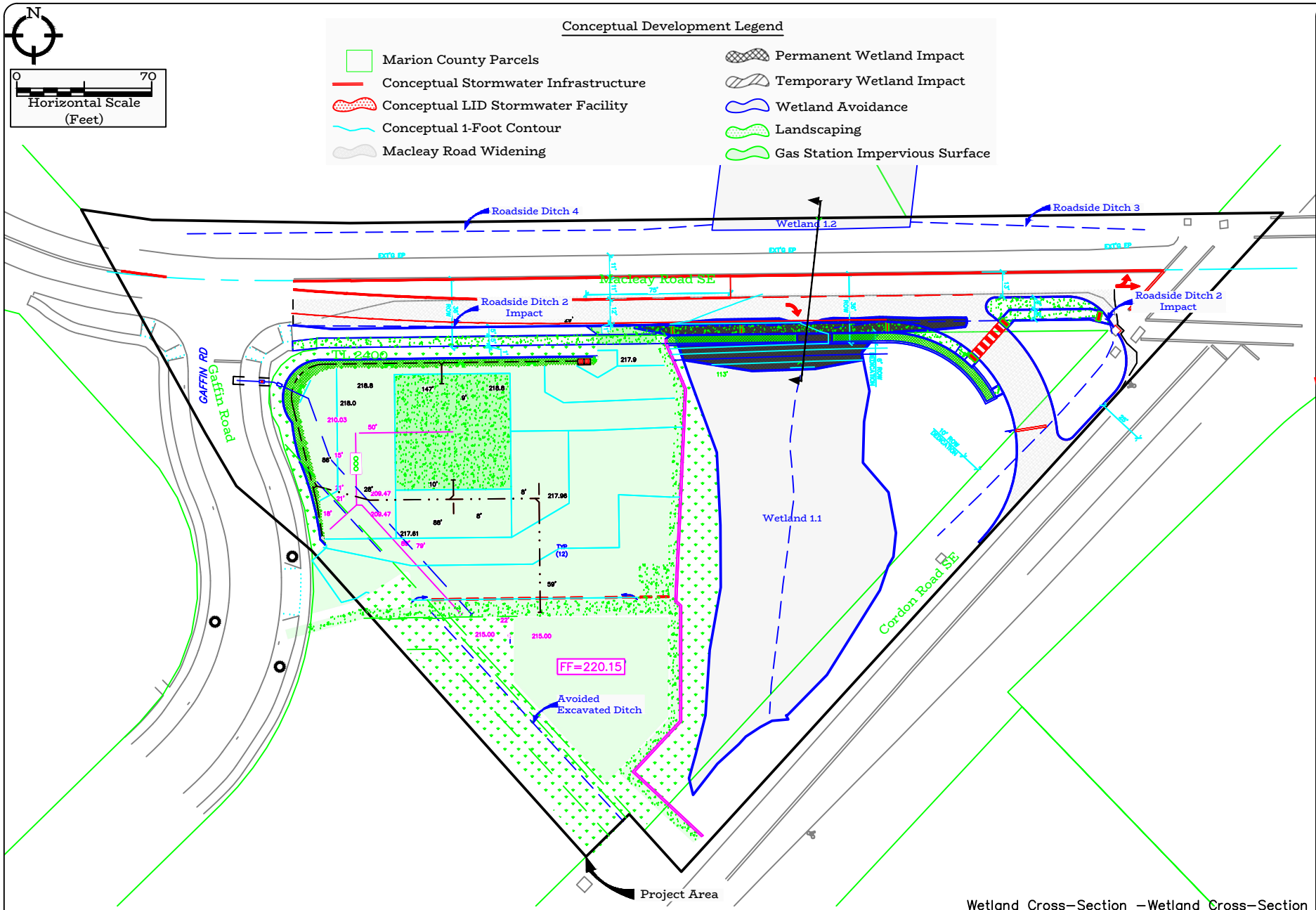
SWALE ENVIRONMENTAL LLC

NOTE: Conditions within Tax lot 2400 and immediately adjacent ROWs are documented by AKS Engineering, Inc. *One Eighty Triangle, Salem, Oregon Wetland Delineation Report* reviewed for issuance of DSL's January 25, 2023 determination WD#2022-0506. Conditions within the north Macleay Road ROW (Wetland 1.2 and Roadside Ditches 3 and 4) are documented by Swale Environmental LLC's *Wetland Delineation Report: Portion of Macleary Road SE Road Right-of-Way* pending DSL determination WD#2025-0028.

Delineation Summary

Feature	Linear Ft	Acreage	Cowardin	OHGM	Jurisdiction USACE	Jurisdiction DSL
Wetland 1.1	--	0.41-acre	PEME/x	S	Yes	Yes
Wetland 1.2	--	0.01-acre	PEME/x	S	Yes	Yes
Excavated Ditch	209	<0.01-acre	R6	RFT	No	No
Roadside Ditch 1	290	<0.01-acre	R6	RFT	No	No
Roadside Ditch 2	220	<0.01-acre	R6	RFT	No	No
Roadside Ditch 3	122	<0.01-acre	R6	RFT	No	No
Roadside Ditch 4	272	<0.01-acre	R6	RFT	No	No

0 70
Horizontal Scale (Feet)



Impact Summary

Feature	Linear Ft.	Acreage	Type	Purpose
Wetland 1.1	N/A	0.07-acre	Permanent	Road widening, bike lane, sidewalk, stormwater treatment
Wetland 1.1	N/A	<0.01-acre	Permanent	Road widening construction access
Excavated Ditch	65	<0.01-acre	Permanent	Entrance Drive, landscaping
Roadside Ditch 1	290	0.02-acre	Permanent	Road widening, bike lane, sidewalk, stormwater treatment
Roadside Ditch 2	220	0.01-acre	Permanent	Road widening, bike lane, sidewalk, stormwater treatment

Wetland Cross-Section –Wetland Cross-Section

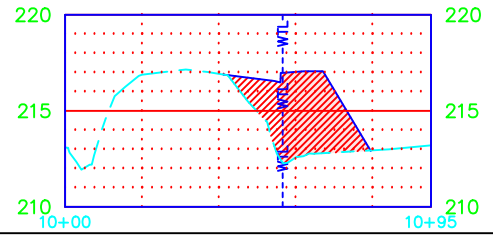


EXHIBIT 5

Conceptual Development Plan

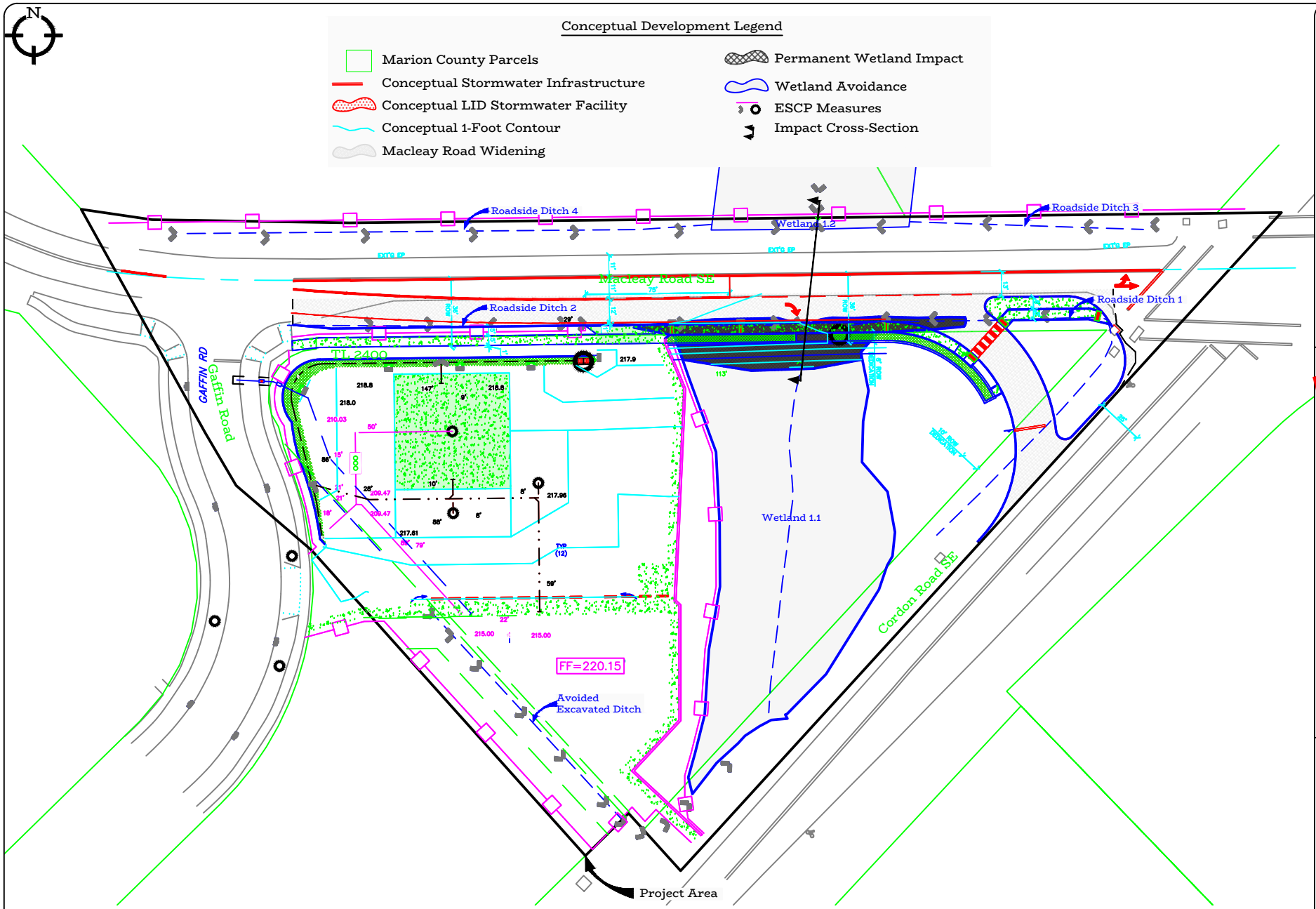
Joint Permit Application

Macleay Road Gas Station & Road Widening Project

City of Salem, Marion County, Oregon

LUCS REVIEW DRAFT

SWALE ENVIRONMENTAL LLC



Impact Summary

Feature	Linear Ft.	Acreage	Type	Purpose
Wetland 1.1	N/A	0.07-acre	Permanent	Road widening, bike lane, sidewalk, stormwater treatment
Wetland 1.1	N/A	<0.01-acre	Permanent	Road widening construction access
Excavated Ditch	65	<0.01-acre	Permanent	Entrance Drive, landscaping
Roadside Ditch 1	290	0.02-acre	Permanent	Road widening, bike lane, sidewalk, stormwater treatment
Roadside Ditch 2	220	0.01-acre	Permanent	Road widening, bike lane, sidewalk, stormwater treatment

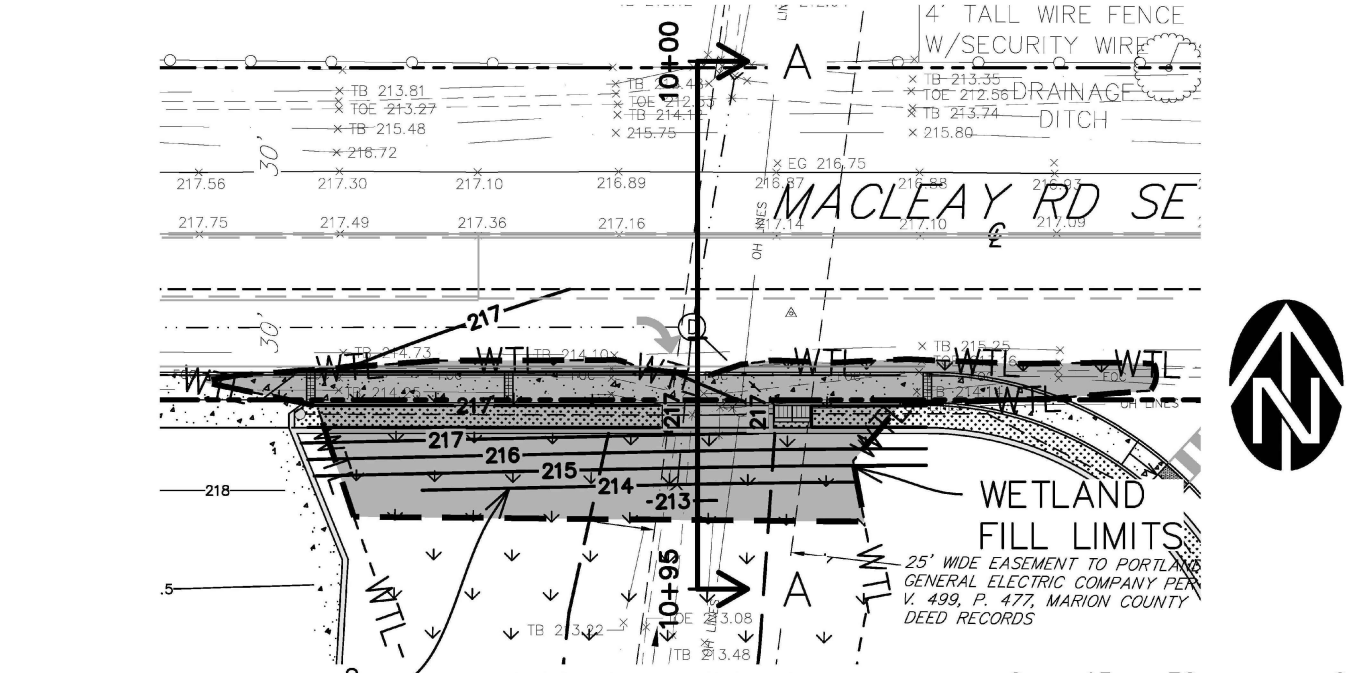
0 70
Horizontal Scale (Feet)

EXHIBIT 5.1
Conceptual Grading Plan

Joint Permit Application
Macleay Road Gas Station & Road Widening Project
City of Salem, Marion County, Oregon

LUCS REVIEW DRAFT

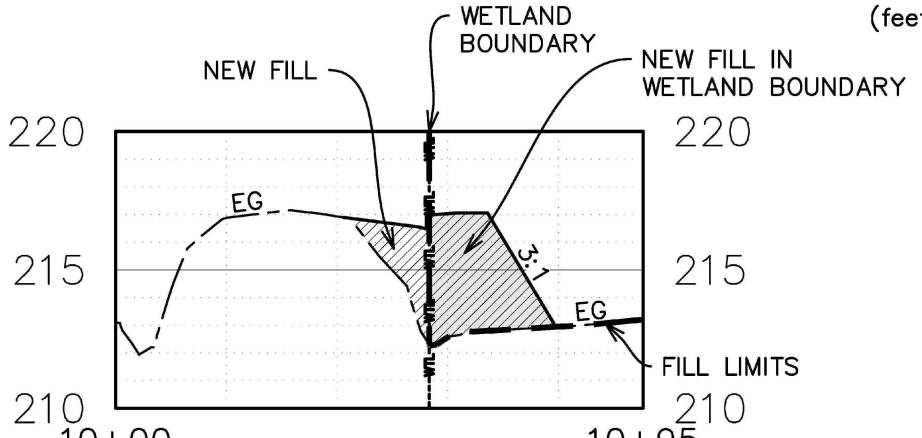
SWALE ENVIRONMENTAL LLC



WETLAND FILL PLAN

0 15 30 6

(feet)



WETLAND FILL CROSS-SECTION A-A

H SCALE: 1"=30' V SCALE: 1"=6'

EXHIBIT 5.2

Impact Cross-Section

Joint Permit Application

Macleay Road Gas Station & Road Widening Project

City of Salem, Marion County, Oregon

LUCS REVIEW DRAFT

SWALE ENVIRONMENTAL LLC

Mitigation Note: To comply with State and Federal Mitigation Rules, Applicant proposes to offset identified impacts via purchase of mitigation credit from the Marion Mitigation Bank.

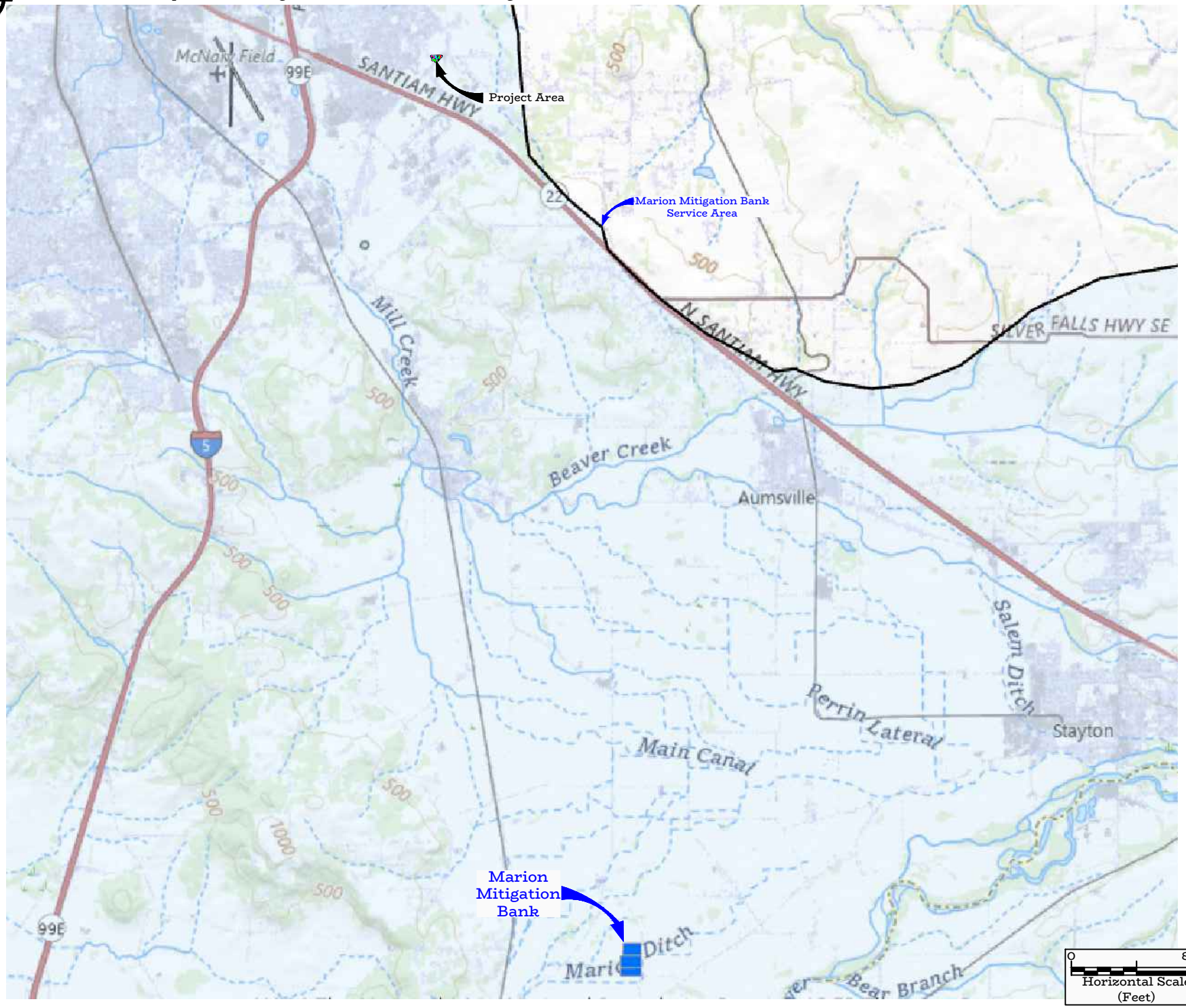


EXHIBIT 6

USGS National Map & Marion Mitigation Bank Service Area

Joint Permit Application

Macleay Road Restoration & Road Widening Project
City of Salem, Marion County, Oregon

LUCS REVIEW DRAFT

SWALE ENVIRONMENTAL LLC

Appendix C.

Westech Engineering, Inc. Erosion & Sediment Control Plans

To be included in final DSL-DEQ-USACE application

Appendix D.

Westech Engineering, Inc. Stormwater Management Plan

(DEQ and USACE Submittal Only)

To be included in final DSL-DEQ-USACE application

Appendix E.

DSL's January 25, 2023 Determination WD#2022-0506

To be included in final DSL-DEQ-USACE application

Appendix F.

AKS Engineering, Inc. ***One Eighty Triangle, Salem, Oregon Wetland Delineation Report***

(USACE Submittal Only)

To be included in final DSL-DEQ-USACE application

Appendix G.

DSL Mitigation Eligibility and Accounting Determination