

OFFSITE WETLAND DETERMINATION REPORT

OREGON DEPARTMENT OF STATE LANDS

WD#: 2022-0296

775 Summer Street NE, Suite 100, Salem OR 97301-1279 Phone: (503) 986-5200

At your request, an offsite wetland determination has been conducted on the property described below.

County: Tillamook

City: Manzanita

Owner Name & Address: Vito Cerelli, 11251 SE 232nd Ave, Damascus, OR 97089

Township: 3N Range: 10W Section: 29 Q/Q: DA Tax Lot(s): 2600

Township: 3N Range: 10W Section: 29 Q/Q: D Tax Lot(s): 2100

Project Name: Manzanita Retreat

Site Address/Location: 698 Dorcas Ln., Manzanita, OR 97131

- The National Wetlands Inventory shows a wetland on the property.
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.
- It is unlikely that there are jurisdictional wetlands or waterways on the property based upon a review of wetlands maps, the county soil survey and other information. An onsite investigation by a qualified professional is the only way to be certain that there are no wetlands.
- There may be wetlands on the property that are subject to the state Removal-Fill Law.
 - A state permit is required for ≥ 50 cubic yards of fill, removal, or ground alteration in the wetlands or waterways.
 - A state permit may be required for any amount of fill, removal, or other ground alteration in the Essential Salmonid Habitat and hydrologically associated wetlands.
 - A state permit may be required for any amount of fill, removal, or other ground alteration in a compensatory wetland mitigation site.
- A state permit will not be required for project because the project area is outside of wetlands
- The proposed parcel division may create a lot that is largely wetland and thus create future development problems.
- A wetland determination or delineation is needed prior to site development; the wetland delineation report should be submitted to the Department of State Lands for review and approval.
- A permit may be required by the Army Corps of Engineers: (503) 808-4373

Note: This report is for the state Removal-Fill Law only. City or County permits may be required for the proposed activity.

Comments: Within the proposed development area of the Manzanita Retreat, a very small area was previously delineated as WD2017-0149 and confirmed as uplands. WD2017-0149 expires on July 18, 2022. Of the remaining undelineated area, the majority of it is downslope from WD2017-0149 and has a wetland area mapped by the National Wetland Inventory (NWI) within it. The NWI is a planning tool and not indicative of actual boundaries. To determine the extent (if any) of wetlands within the project footprint, a wetland delineation turned in for review to DSL per the requirements of OAR 141-090-0035 is recommended. DSL recommends extending the delineation study area to include the location covered by WD2017-0149. Development prior to confirming uplands through a formal DSL Wetland Delineation Report review may result in a wetland fill violation investigation (Personal Communications, DSL Aquatic Resource Coordinator, Dan Cary).

The informal memo included with this wetland determination request, describing an investigation finding uplands only, conducted by NW Regolith on March 26th, 2022, is insufficient to provide DSL confirmation of upland-only findings. DSL can only review findings through submission of a formal technical wetland delineation report submitted per the standards of per OAR 141-090-0035.

Determination by: Daniel Evans, PWS Daniel Evans Date: 6/09/2022

- This jurisdictional determination is valid for five years from the above date, unless new information necessitates a revision. Circumstances under which the Department may change a determination and procedures for renewal of an expired determination are found in OAR 141-090-0045 (available on our web site or upon request). The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months from the above date.
- This is a preliminary jurisdictional determination and is advisory only.**

Copy To: Owner/Agent/Other Email: vito.cerelli@gmail.com, nwregolith@gmail.com Enclosures: Location Map
 Manzanita Planning Department
 Dan Cary, SPWS, (DSL)
 Daniel Evans, PWS (DSL)

OR OFFICE USE ONLY

Entire Lot(s) Checked? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Waters Present <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Maybe	Request Received: 5/24/2022
LWI Area: <u>N/A</u> LWI Code: <u>N/A</u>	Latitude: <u>45.717572</u> Longitude: <u>-123.929596</u>	Related DSL File #: <u>WD2017-0149 (partial)</u>
Has Wetlands? <input type="checkbox"/> Y <input type="checkbox"/> N <input checked="" type="checkbox"/> Unk	ESH? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Wild & Scenic? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Adjacent Waterbody: <u>N/A</u>	State Scenic? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Coast Zone? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Unk