



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

June 13, 2024

State Land Board

Forward Vision Development, LLC

Attn: Bob Schultz

3242 Wild Rose Loop

West Linn, OR 97068

Tina Kotek

Governor

LaVonne Griffin-Valade

Secretary of State

Re: WD # 2024-0226 **Approved**

Wetland Delineation Report for the Rivianna Beach Development

Clackamas County; T2S R1E S36CC; T3S R1E S2; S2AA; S1BB;

Multiple Tax Maps and Tax Lots (See Attached Table)

City of West Linn Local Wetlands Inventory Wetland W1-02

Tobias Read

State Treasurer

Dear Bob Schultz:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services, Inc. for the site referenced above. Based upon the information presented in the report, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in Figures 6, 6A and 6B of the report. Please replace all copies of the preliminary wetland maps with these final Department-approved maps.

Within the study area, 2 wetlands (Wetland A and B, totaling approximately 9.91 acres), 2 waterways (Willamette River, Stream 1), and one other waters (Blue Heron Lagoon) were identified. The wetlands, the Willamette River and Stream 1 are subject to the permit requirements of the state Removal-Fill Law. Normally, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined). However, the Willamette River is an essential salmonid stream. Therefore, fill or removal of any amount of material below its OHWL may require a state permit. The Blue Heron Lagoon is exempt and not subject to these 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 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 Chris Stevenson, PWS, the Wetland Ecologist for Clackamas County, at (503) 798-7622.

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: Carlee Michelson, PWS, Pacific Habitat Services, Inc.
City of West Linn Planning Department
Morgan Hall, Corps of Engineers
Marcus Chatfield, DSL

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

A complete 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 the Jurisdiction Box.com folder. Email wetland.delineation@dsl.oregon.gov of the new upload.
- ❖ 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: Forward Vision Development, LLC (MASTER DEVELOPER) Attn: Bob Schultz 22870 Weatherhill Road 3242 WILD ROSE LOOP West Linn, OR 97068	Business phone # (971) 732-0347 Mobile phone # (optional) 971-456-9678 E-mail: bob.s@rivianna.com
--	--

<input checked="" type="checkbox"/> Authorized Legal Agent, Name and Address: SDG-2, LLC (OWNER) SAME AS ABOVE	Business phone # Mobile phone # SAME AS ABOVE 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: Bob Schultz, MEMBER Signature:	
Date: _____ Special instructions regarding site access: _____	

Project and Site Information

Project Name: Rivianna Beach Development	Latitude: 45.344653° Longitude: -122.642374° <small>decimal degree - centroid of site or start & end points of linear project</small>
Proposed Use:	Tax Map # See Attached Sheet Tax Lot(s)
Project Street Address (or other descriptive location): North of Volpp Street, South of 5th Avenue, East of 7th Street	Tax Map # Tax Lot(s) Township 3S Range 1E Section 2 QQ 2S 36 CC SW ¼ SW ¼ Use separate sheet for additional tax and location information
City: West Linn County: Clackamas	Waterway: Willamette River River Mile: 28

Wetland Delineation Information

Wetland Consultant Name, Firm and Address: Pacific Habitat Services Attn: Carlee Michelson 9450 SW Commerce Circle, Suite 180 Wilsonville, OR 97070	Phone # 503-570-0800 Mobile phone # E-mail: cm@pacifichabitat.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:	Date: 4/16/2023

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

Wetland/Waters Present? Yes No Study Area size: **42.44** Total Wetland Acreage: **9.91 ac** / Waters: **670 lf**

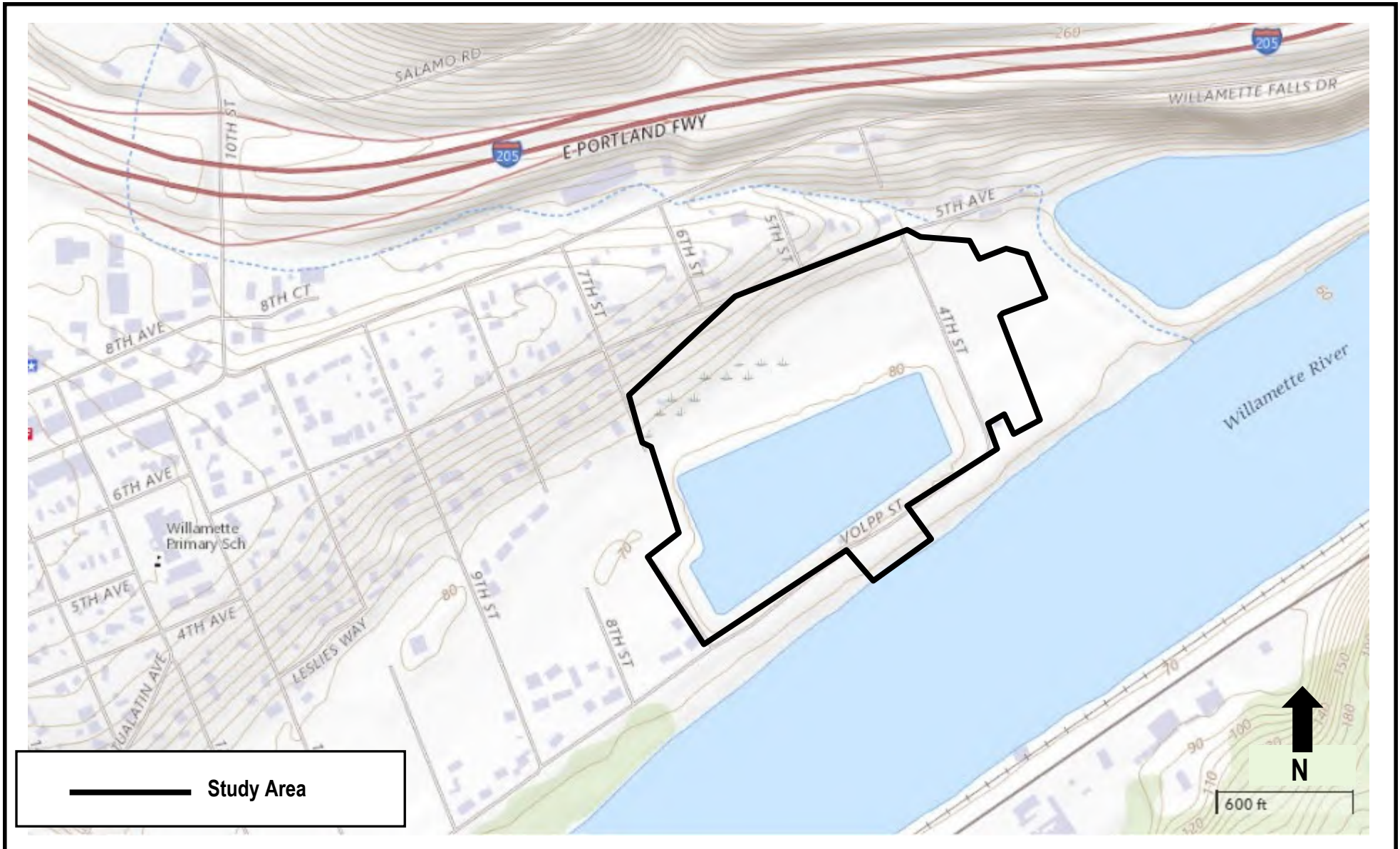
Check Applicable Boxes Below

<input type="checkbox"/> R-F permit application submitted <input type="checkbox"/> Mitigation bank site <input type="checkbox"/> EFSC/ODOE Project Mgr: <input type="checkbox"/> Wetland restoration/enhancement project (not mitigation) <input type="checkbox"/> Previous delineation/application on parcel? If Known, previous DSL # _____	<input checked="" type="checkbox"/> Fee payment submitted \$540 \$559 <input type="checkbox"/> Resubmittal of rejected report (\$100) <input type="checkbox"/> Request for Reissuance. See eligibility criteria (no fee) DSL # _____ Expiration Date _____ <input checked="" type="checkbox"/> LWI shows wetlands or waters on parcel Wetland ID Code WI-02
--	---

For Office Use Only

DSL Reviewer: CS	Fee Paid Date: ____ / ____ / ____	DSL WD # 2024-0226
Date Delineation Received: 04 / 16 / 2024	DSL App. # _____	

Township	Range	Section	Tax Lots (Portions)	Tax Map #
3 South	1 East	2	100, 401, 3 rd Avenue Right-of-Way (ROW), Volpp Street ROW	3 1 E 02 & Index
		2AA	100, 200, 800, 4 th Street ROW, 5 th Avenue ROW, 4 th Avenue ROW, 5 th Avenue ROW, 7 th Street ROW	3 1 E 02AA
		1BB	100, 4 th Street ROW, 4 th Avenue ROW	3 1 E 01BB
2 South	1 East	36CC	900, 1201, 4 th Street ROW	2 1 E 36CC



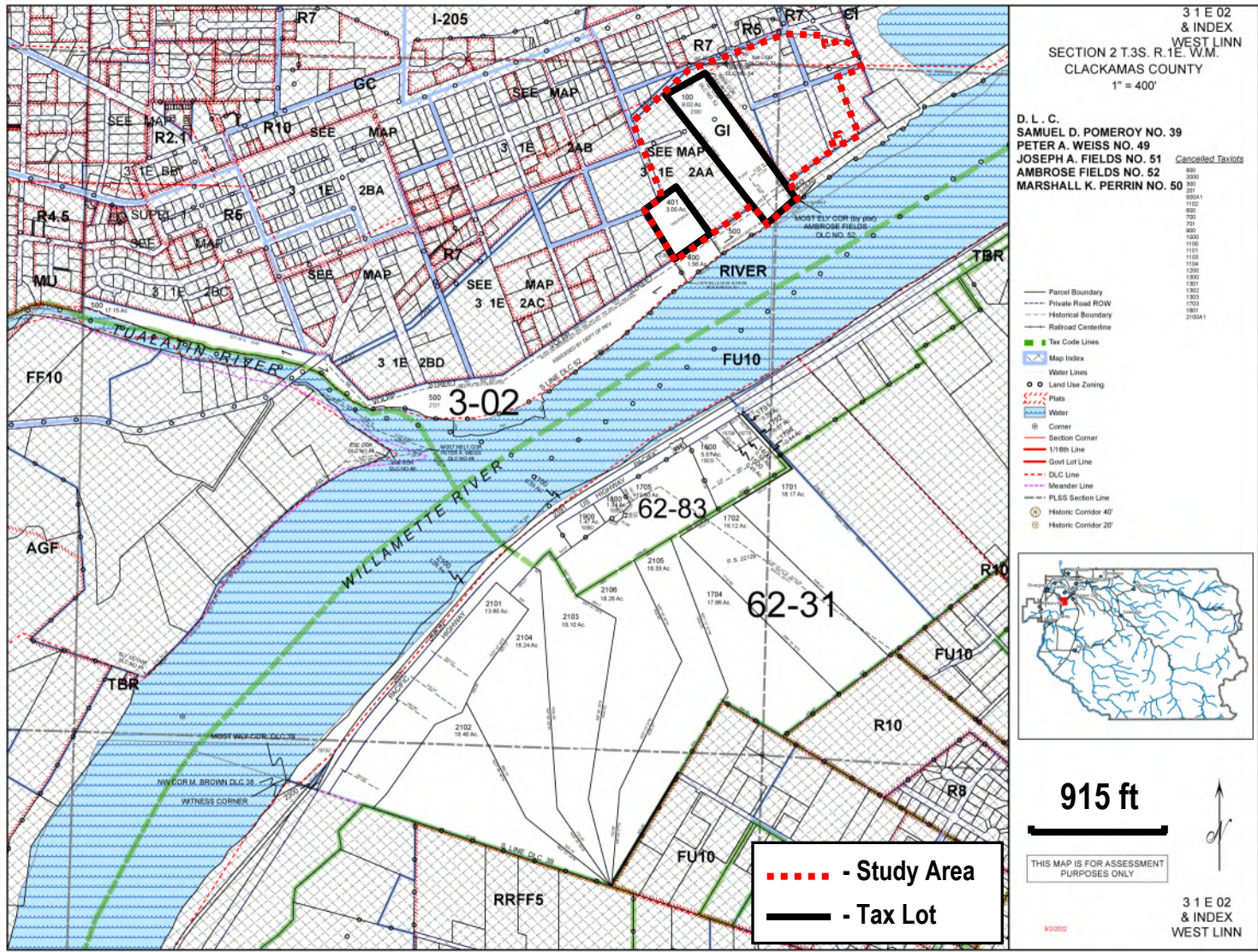
Project #7298
4/5/2024



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

General Location and Topography
Rivianna Beach Development - West Linn, Oregon
United States Geological Survey (USGS) Canby, Oregon 7.5 quadrangle, 2020
(viewer.nationalmap.gov/basic)

FIGURE
1



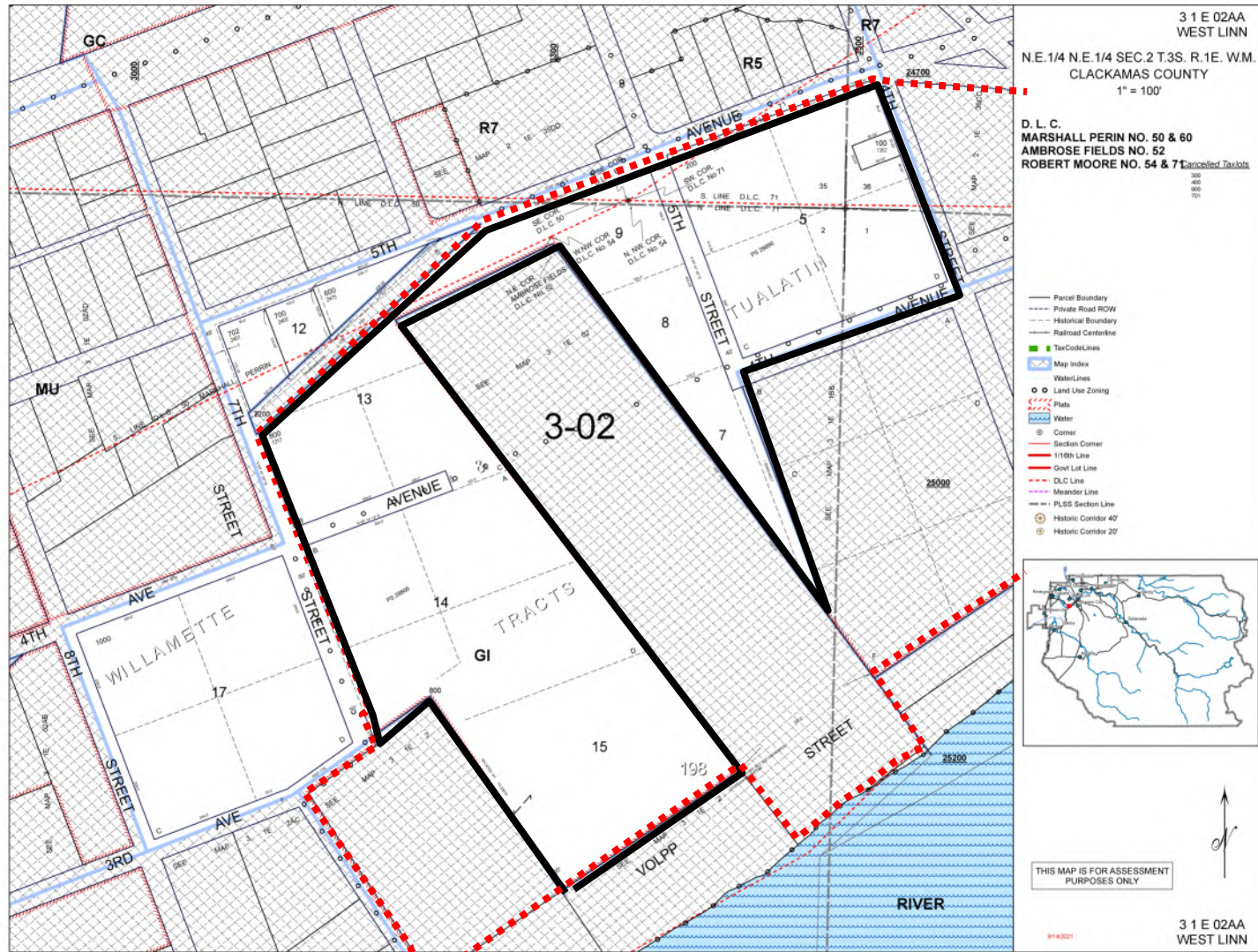
Project #7298
4/5/2024



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Tax Lot Map
Rivianna Beach Development - West Linn, Oregon
The Oregon Map (ormap.net)

FIGURE
2A



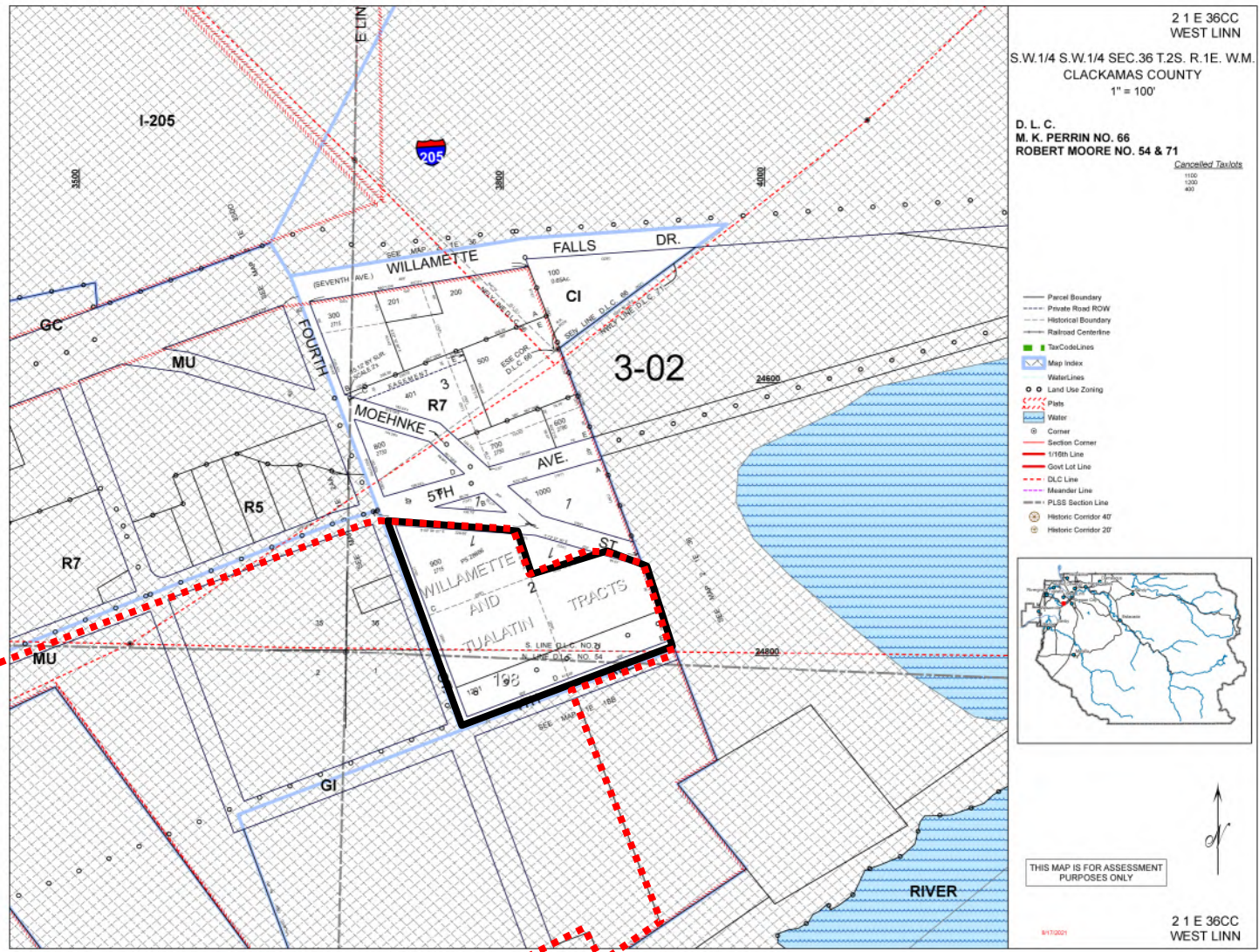
Project #7298
4/5/2024



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Tax Lot Map
Rivianna Beach Development - West Linn, Oregon
The Oregon Map (ormap.net)

FIGURE
2B



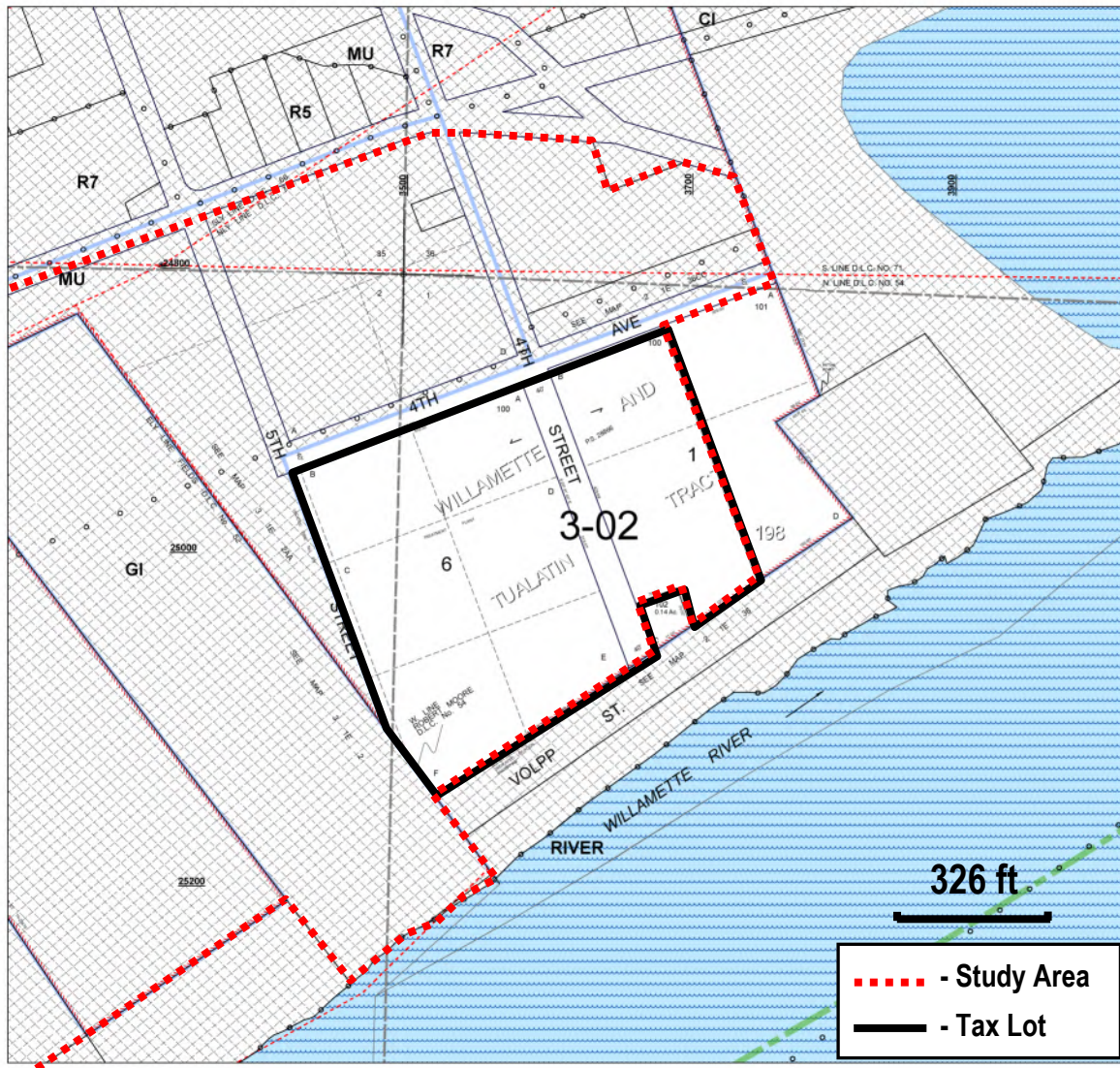
Project #7298
4/5/2024



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Tax Lot Map
Rivianna Beach Development - West Linn, Oregon
The Oregon Map (ormap.net)

FIGURE
2C

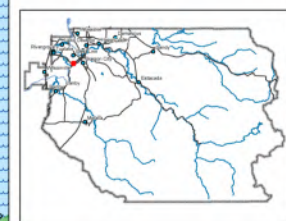


3 1 E 01BB
WEST LINN
N.W.1/4 N.W.1/4 SEC.1 T.3S. R.1E. W.M.
CLACKAMAS COUNTY
1" = 100'

D. L. C.
ROBERT MOORE NO. 54

Cancelled Taxlots
200

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCode Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT
PURPOSES ONLY

3 1 E 01BB
WEST LINN

326 ft

----- - Study Area
————— - Tax Lot

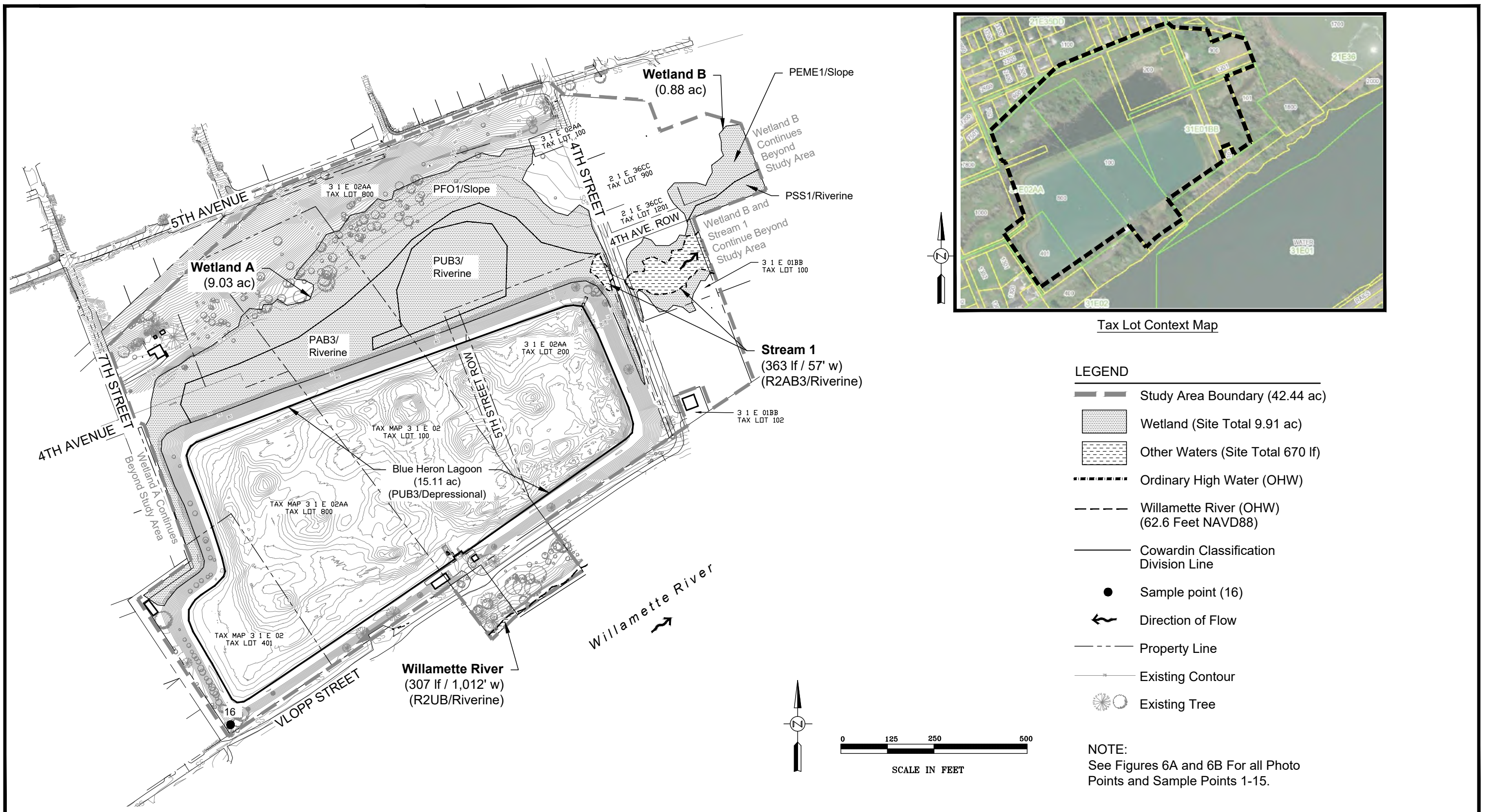
Project #7298
4/5/2024



Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

Tax Lot Map
Rivianna Beach Development - West Linn, Oregon
The Oregon Map (ormap.net)

FIGURE
2D



Tax Lot Context Map

LEGEND

- Study Area Boundary (42.44 ac)
- Wetland (Site Total 9.91 ac)
- Other Waters (Site Total 670 lf)
- Ordinary High Water (OHW)
- Willamette River (OHW) (62.6 Feet NAVD88)
- Cowardin Classification Division Line
- Sample point (16)
- Direction of Flow
- Property Line
- Existing Contour
- Existing Tree

NOTE:
See Figures 6A and 6B For all Photo Points and Sample Points 1-15.



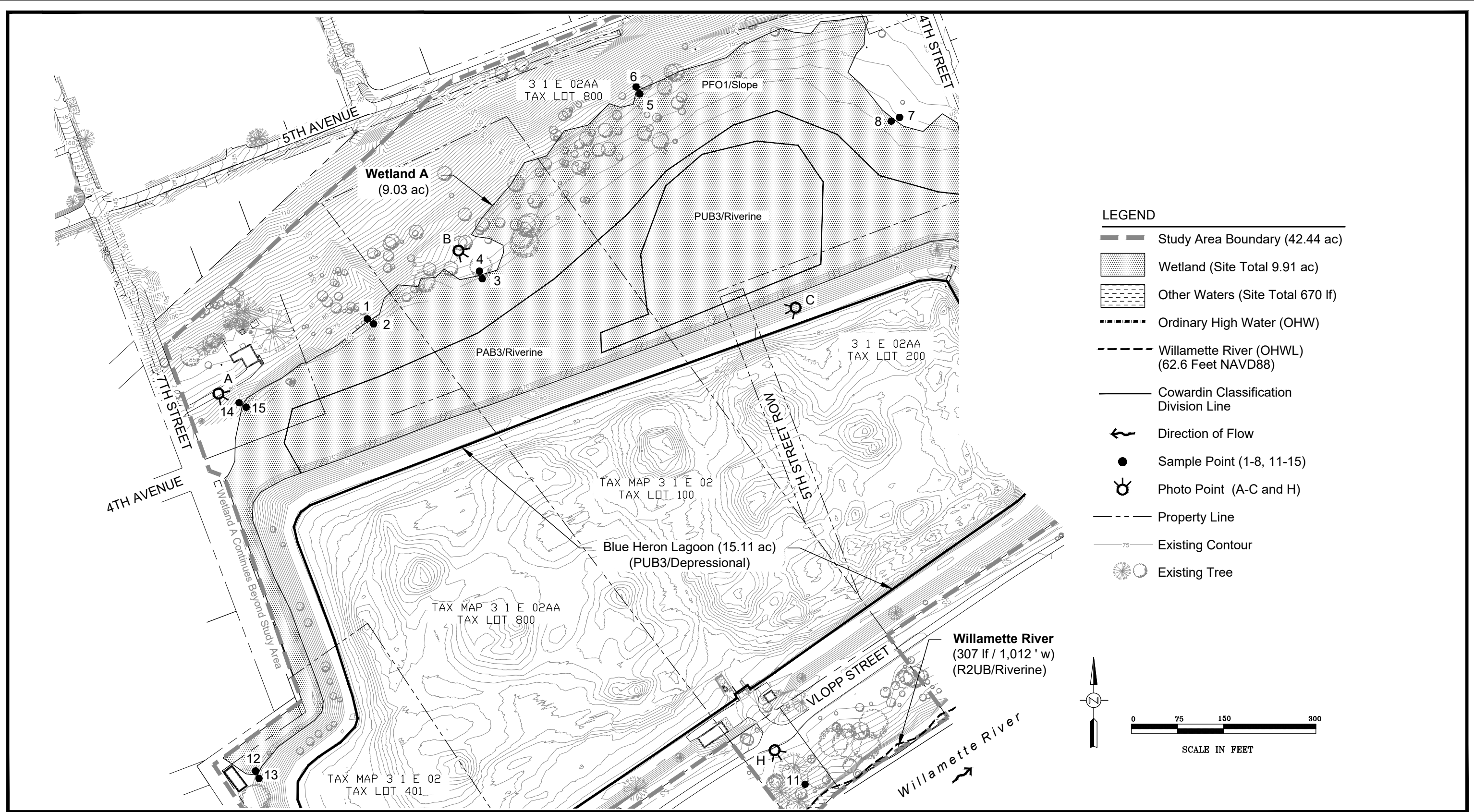
Survey provided by 3J Consulting
 Survey accuracy is sub-centimeter.
 Sample points, wetland flags collected by PHS with
 submeter accuracy using Trimble GPS (Geo7x)
 Ordinary High Water of Willamette River determined by
 Public Lands Map, DSL 1975

DSL WD # 2024-0226
Approval Issued 6/13/2024
Approval Expires 6/13/2029

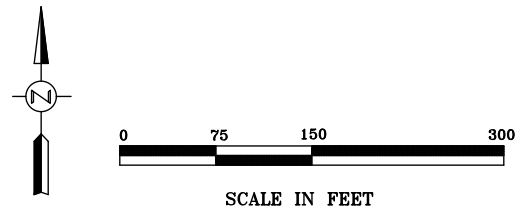
Wetland Delineation Overview
 Rivianna Beach Development - West Linn, Oregon

FIGURE 6

4-10-2024



- LEGEND**
- Study Area Boundary (42.44 ac)
 - Wetland (Site Total 9.91 ac)
 - Other Waters (Site Total 670 lf)
 - Ordinary High Water (OHW)
 - Willamette River (OHWL) (62.6 Feet NAVD88)
 - Cowardin Classification Division Line
 - Direction of Flow
 - Sample Point (1-8, 11-15)
 - Photo Point (A-C and H)
 - Property Line
 - Existing Contour
 - Existing Tree



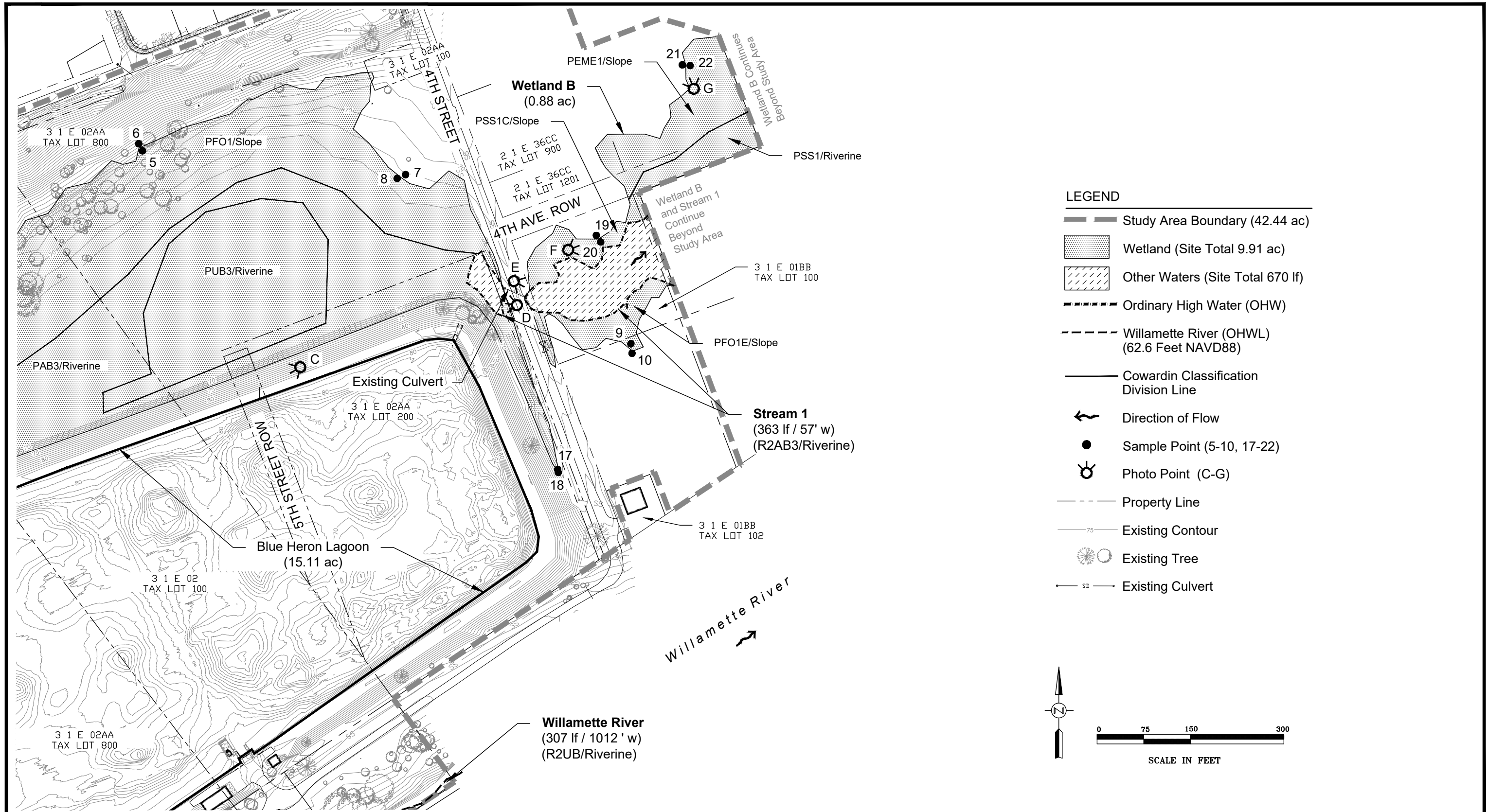
Survey provided by 3J Consulting
 Survey accuracy is sub-centimeter.
 Sample points, wetland flags collected by PHS with
 submeter accuracy using Trimble GPS (Geo7x)
 Ordinary High Water of Willamette River determined by
 Public Lands Map, DSL 1975

DSL WD # 2024-0226
 Approval Issued 6/13/2024
 Approval Expires 6/13/2029

Wetland Delineation
 Rivianna Beach Development - West Linn, Oregon

FIGURE
6A

4-10-2024



Survey provided by 3J Consulting
 Survey accuracy is sub-centimeter.
 Sample points, wetland flags collected by PHS with
 submeter accuracy using Trimble GPS (Geo7x)
 Ordinary High Water of Willamette River determined by
 Public Lands Map, DSL 1975

DSL WD # 2024-0226
Approval Issued 6/13/2024
Approval Expires 6/13/2029

Wetland Delineation
 Rivianna Beach Development - West Linn, Oregon

FIGURE 6B

4-10-2024