



Oregon

Kate Brown, Governor

Exhibit K

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

State Land Board

October 29, 2020

Rosemont Development
Attn: Rob Venema
10117 SE Sunnyside Road
Clackamas, OR 97015

Kate Brown
Governor

Bev Clarno
Secretary of State

Re: WD # 2020-0442 **Approved**
Wetland Delineation Report for 37090 SE Kelso Road
Clackamas County; 2S 4E S11 TL2204 (Portion)

Tobias Read
State Treasurer

Dear Mr. Venema:

The Department of State Lands has reviewed the wetland delineation report prepared by Environmental Technology Consultants for the site referenced above. Please note that the study area includes only a portion of the tax lot described above (see the attached maps). Based upon the information presented in the report, we concur with the wetland boundary as mapped in Figure 6A of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map.

Within the study area, one wetland was identified, totaling approximately 1.74 acres. This 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).

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 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. Since 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 Chris Stevenson, the Jurisdictional Coordinator for Clackamas County at (503) 986-5246.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Ryan". The signature is fluid and cursive, with a prominent initial "P" and "R".

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

ec: AnnaKate Martin, Environmental Technology Consultants
Clackamas County Planning Department
Robert Fraley, Corps of Engineers
Anita Huffman, DSL

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

This form must be included with any wetland delineation report submitted to the Department of State Lands for review and approval. A wetland delineation report submittal is not "complete" unless the fully completed and signed report cover form and the required fee are submitted. Attach this form to the front of an unbound report or include a hard copy of the completed form with a CD/DVD that includes a single PDF file of the report cover form and report (minimum 300 dpi resolution) and submit to: **Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279**. A single PDF attachment of the completed cover form and report may be e-mailed to Wetland_Delineation@dsl.state.or.us. For submittal of PDF files larger than 10 MB, e-mail instructions on how to access the file from your ftp or other file sharing website. Fees can be paid by check or credit card. Make the check payable to the Oregon Department of State Lands. To pay the fee by credit card, call 503-986-5200.

<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address: Rosemont Development 10117 SE Sunnyside Road Clackamas, Oregon, 97015 Rob Venema	Business phone # 503-351-4747 Mobile phone # _____ E-mail: rosemontdevelopment@gmail.com
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RECEIVED

AUG 24 2020

<input checked="" type="checkbox"/> Authorized Legal Agent, Name and Address: Environmental Technology Consultants 375 Portland Ave, Gladstone, OR 97027	Business phone # 360-696-4403 Mobile phone # 360-984-8767 E-mail: AnnakateM@etcEnvironmental.net
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RECEIVED \$ 46600
DEPARTMENT OF STATE LANDS
#5382

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: Annakate Martin Signature: Annakate Martin
 Date: **August 2020** Special instructions regarding site access: **Contact owner or consultant.**

Project and Site Information (using decimal degree format for lat/long of site or start & end points of linear project)

Project Name: 37090 SE Kelso Road	Latitude: N 45.417907	Longitude: W -122.2831
Proposed Use: SUBDIVISION, SINGLE FAMILY HOMES	Tax Map # 24E11 Lot 24E11 02204 Parcel Number 05034843	
Project Street Address (or other descriptive location): No Situs Address (Formally known as 37090 SE Kelso Road)	Township T2S Range R4E Section 11 QQ Tax Lot(s) 24E1102204	
City: Sandy, OR County: Clackamas	Waterway: No name River Mile: _____ NWI Quad(s): Sandy, Oregon	

Wetland Delineation Information

Wetland Consultant Name, Firm and Address: John McConnaughey, PWS & Annakate Martin NRS Environmental Technology Consultants 375 Portland Ave, Gladstone, OR 97027	Phone # 360-696-4403 Mobile phone # 360-984-8767 E-mail: AnnakateM@etcEnvironmental.net JohnM@etcEnvironmental.net
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The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.
 Consultant Signature: Annakate Martin Date: **May, 2017 updated April 2020**

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

Wetland/Waters Present? Yes No Study Area size: **2.69 acres** Total Wetland Acreage: **1.74 AC**

Check Box Below if Applicable: Fees: \$466 (2020)

<input type="checkbox"/> R-F permit application <input type="checkbox"/> Mitigation bank site <input type="checkbox"/> Wetland restoration/enhancement project (not mitigation) <input type="checkbox"/> Industrial Land Certification Program Site <input type="checkbox"/> Reissuance of a recently expired delineation Previous DSL # _____ Expiration date _____	<input checked="" type="checkbox"/> Fee payment submitted \$466 <input type="checkbox"/> Fee (\$100) for resubmittal of rejected report <input type="checkbox"/> No fee for request for reissuance of an expired report
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Other Information: Y N

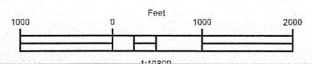
Has previous delineation/application been made on parcel? If known, previous WD2018-0656

Does LWI, if any, show wetland or waters on parcel?

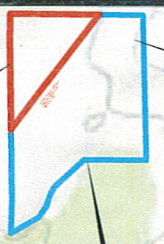
For Office Use Only

DSL Reviewer: <u>CS</u>	Fee Paid Date: <u>8 / 24 / 20</u>	DSL WD # 2020-0442
Date Delineation Received: <u>8 / 24 / 20</u>	DSL Project # <u>39715</u>	DSL Site # _____
Scanned: <input type="checkbox"/> Final Scan: <input type="checkbox"/>	DSL WN # _____	DSL App. # _____

StreamNet



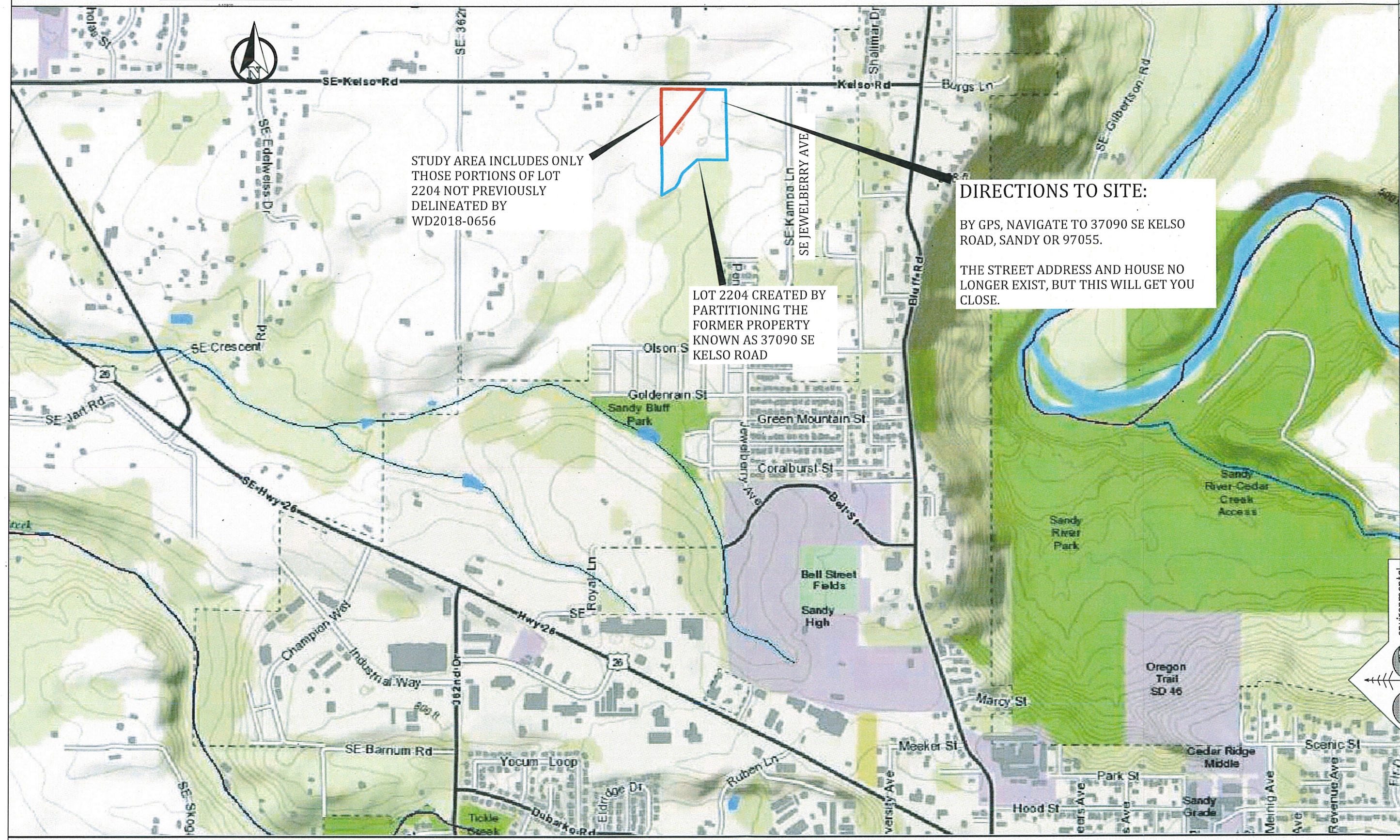
STUDY AREA INCLUDES ONLY THOSE PORTIONS OF LOT 2204 NOT PREVIOUSLY DELINEATED BY WD2018-0656



LOT 2204 CREATED BY PARTITIONING THE FORMER PROPERTY KNOWN AS 37090 SE KELSO ROAD

DIRECTIONS TO SITE:

BY GPS, NAVIGATE TO 37090 SE KELSO ROAD, SANDY OR 97055.
THE STREET ADDRESS AND HOUSE NO LONGER EXIST, BUT THIS WILL GET YOU CLOSE.



REVISIONS

LOT 2204, SE KELSO RD
Rosemont Development
10117 SE Sunnyside Rd
Clackamas, OR 97015

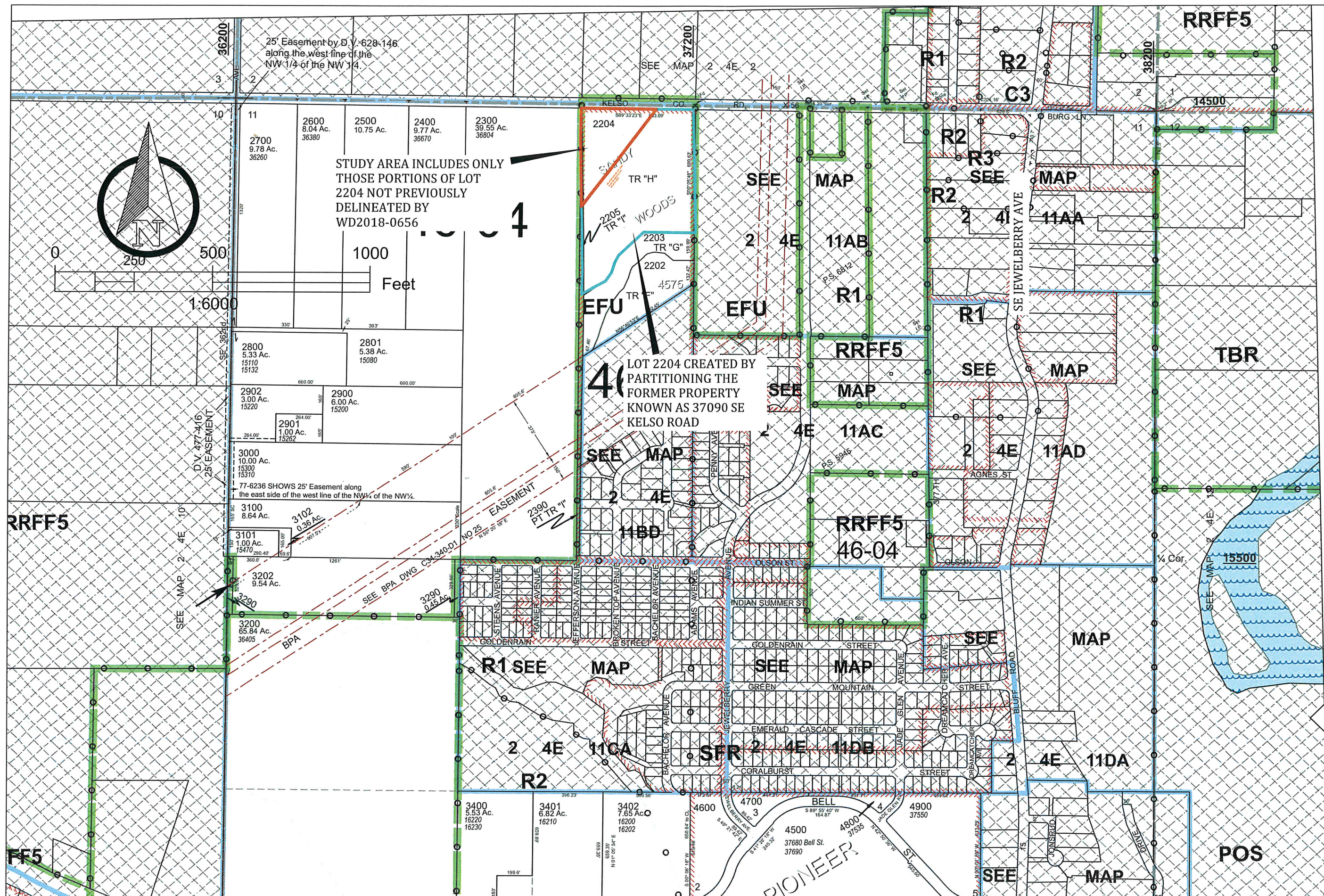
LOCATION MAP
STREAMNET TOPO MAP USED FOR BACKGROUND

environmental
technology
consultants

PO Box 821185
Vancouver, WA 98682
360-696-4403

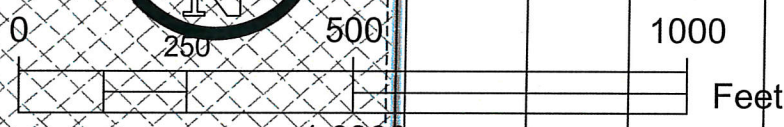
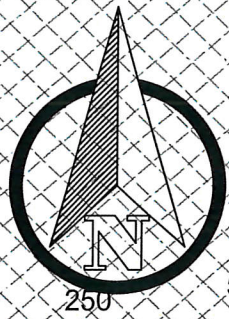
DATE	May 05, 2020
SCALE	NOTED
DRAWN	AM
JOB	EVA17010
FIGURE	1

1:18,056



STUDY AREA INCLUDES ONLY THOSE PORTIONS OF LOT 2204 NOT PREVIOUSLY DELINEATED BY WD2018-0656

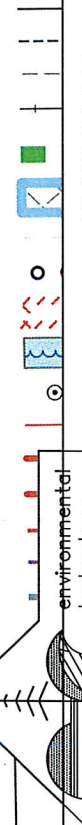
LOT 2204 CREATED BY PARTITIONING THE FORMER PROPERTY KNOWN AS 37090 SE KELSO ROAD



REVISIONS

LOT 2204, SE KELSO RD
 Rosemont Development
 10117 SE Sunnyside Rd
 Clackamas, OR 97015

TAX MAP
 REVISED 7/11/2019
 SECTION 11 T2s R4E,
 CLACKAMAS COUNTY



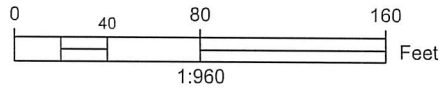
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 Vancouver, WA 98682
 360-696-4403

DATE	May 05, 2020
SCALE	NOTED
DRAWN	AM
JOB	EVA17010
FIGURE	2

DSL WD # 2020-0442
 Approval Issued 10/29/2020
 Approval Expires 10/29/2025



SE KELSO ROAD

WETLAND DELINEATION STUDY
 BOUNDARY INCLUDES ONLY
 THOSE PORTIONS OF LOT 2204
 THAT WERE NOT PREVIOUSLY
 DELINEATED BY WD2018-0656

LOT 2204
 BOUNDARY

SE PORTION OF LOT 2204
 WAS DELINEATED BY
 WD2018-0656

LEDGEND

- P3 DATA PLOT
- PHOTO STATION

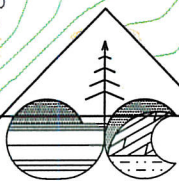
WETLAND "A", 75,839
 SQFT WITHIN STUDY
 AREA. CONTINUES
 OFFSITE.

GPS MAPPING:

TOPCON GRS-1 RECEIVER USED WITH EXTERNAL
 ANTENNA, AND TOPCON BR1 BEACON RECEIVER
 USED FOR REAL TIME DGPS DATA CORRECTION.
 ACCURACY = ±3FT HORIZONTAL
 EXPORT USING
 PROJECTION = SPC83-OREGON (NORTH) ,
 DATUM = NAD83
 GEOID = G2009U01
 COORD TYPE = GRID

Disclaimer per OAR 141-090-0035 (7)(k)

This report documents the investigation, best
 professional judgment and conclusions of the
 investigator. It is correct and complete to the best
 of my knowledge. It should be considered a
 Preliminary Jurisdictional Determination of
 wetlands and other waters and used at your own
 risk unless it has been reviewed and approved in
 writing by the Oregon Department of State Lands in
 accordance with OAR 141-090-0005 through
 141-090-0055.



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 360-696-4403

WETLAND "A"
 GOOGLE EARTH 8/11/2017
 USFWS NWI WETLAND LAYERS
 DISPLAYED.

LOT 2204, SE KELSO RD
 Rosemont Development
 10117 SE Sunnyside Rd
 Clackamas, OR 97015

6A

FIGURE
 JOB EVAT2010
 DRAWN JHM
 SCALE NOTED
 DATE May 05, 2020

REVISIONS

NO.	DATE	DESCRIPTION