
Exhibit D
Stream and Wetland
Determination

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Planning & Permitting
Assessment & Analysis
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September 30, 2020

Even Better Homes, Inc.
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SUBJ: Stream and Wetland Presence Determination - 19618 Bornstedt Road, Sandy OR

Summary

No wetlands or streams are located on Clackamas County Parcel number 00677306 (19618 Bornstedt Road, Sandy OR 97055).

Scope

Wetland presence was evaluated using Level 3 Routine Wetland Determination in accordance with methods prescribed by the US Army Corps of Engineers 1987 Wetland Delineation Manual.

> *Section B. Preliminary Data Gathering and Synthesis*
> 53. This section discusses potential sources of information that may be helpful in making a wetland determination. When the routine approach is used, it may often be possible to make a wetland determination based on available vegetation, soils, and hydrology data for the area.
>
> *Level 3 - Combination of Levels 1 and 2.* This level should be used when there is sufficient information already available to characterize the vegetation, soils, and hydrology of a portion, but not all, of the project area. Methods described for Level 1 may be applied to portions of the area for which adequate information already exists, and onsite methods (Level 2) must be applied to the remainder of the area (see Section D, Subsection 3).

Stream presence determination followed guidance from the Oregon Dept. of State Lands (DSL) publication "A Guide to the Removal-Fill Permit Process" (2019). Procedures for Non-tidal Rivers, Intermittent and Perennial Streams, Lakes, and Ponds include determining whether a stream is perennial, intermittent or ephemeral using Ordinary High Water (OHW) mark and other field indicators:

Field indicators of OHW include:

- Clear, natural line impressed on the shore, including scour, shelving and exposed roots
- Change in plant community from riparian (e.g., willows) to upland (e.g., oak, fir) dominated. If the area is cropped, hydrophytic plants, or evidence of crop stress or damage from high flows would be indicative of high water.
- Textural change of depositional sediment or changes in the character of the soil (e.g. from sand, sand and cobble, cobble and gravel to upland soils). Sediments may appear stratified. This indicator may require careful evaluation on floodplains where certain farming practices regularly disturb the soil profile.

- Elevation below which no fine debris (needles, leaves, cones, seeds, soil organic matter) occurs
- Presence of water-borne litter and debris, wrack accumulation, water-stained leaves, water lines on tree trunks, flattened vegetation. Certain farming practices can obscure these indicators.

Findings

The project area in question is the small "valley" that runs through the center of the parcel. The area is mapped in the National Wetland Inventory with a 1.00 acre Freshwater Forested/Shrub Wetland habitat is classified as Palustrine (P), Forested (FO), Broad-Leaved Deciduous (1), Seasonally-Flooded (C) (PFO1C). The wetland is demarcated as a stream.

The NWI-mapped wetland is reflected in the Oregon Statewide Wetlands Inventory (SWI) database. The wetlands in this area were photo interpreted using 1:58,000 scale, color infrared imagery from 1981. The stream classification mapped in the National Hydrography Dataset is Intermittent.

The SWI database is a synthesis of NWI, National Hydrography Data Set and NRCS Soils data and generally meets Corps '87 manual requirements for preliminary data gathering and synthesis. Although the SWI shows the NWI-mapped wetland and associated intermittent stream, the area is not mapped with hydric soils (confirmed with the NRCS Soils Mapper database).

In addition, local knowledge indicates the mapped stream does not exist, and therefore the wetland does not exist. A field visit performed September 4, 2020 confirmed that no stream or associated wetland is present on the site.

Conditions at the bottom of the concave depression

- Page 3

The photographs confirm that no stream features are present on the site, and a stream channel was assumed to be the wetland.

Field indicators of OHW:

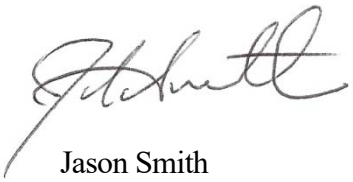
- Clear, natural line impressed on the shore, including scour, shelving and exposed roots
  - No channel present.

- Change in plant community from riparian (e.g., willows) to upland (e.g., oak, fir) dominated. If the area is cropped, hydrophytic plants, or evidence of crop stress or damage from high flows would be indicative of high water.
    - No change in vegetation. No riparian or wetland vegetation observed. Fir trees dominate overstory vegetation.
- Textural change of depositional sediment or changes in the character of the soil (e.g. from sand, sand and cobble, cobble and gravel to upland soils). Sediments may appear stratified. This indicator may require careful evaluation on floodplains where certain farming practices regularly disturb the soil profile.
    - No disturbed soils present. No depositional or other stream bed characteristics observed.
- Elevation below which no fine debris (needles, leaves, cones, seeds, soil organic matter) occurs
    - Not present.
- Presence of water-borne litter and debris, wrack accumulation, water-stained leaves, water lines on tree trunks, flattened vegetation. Certain farming practices can obscure these indicators.
    - No water-borne features present.

Conclusion

The mapped stream and associated wetland do not exist. No areas with field indicators for wetland hydrology or wetland vegetation were observed.

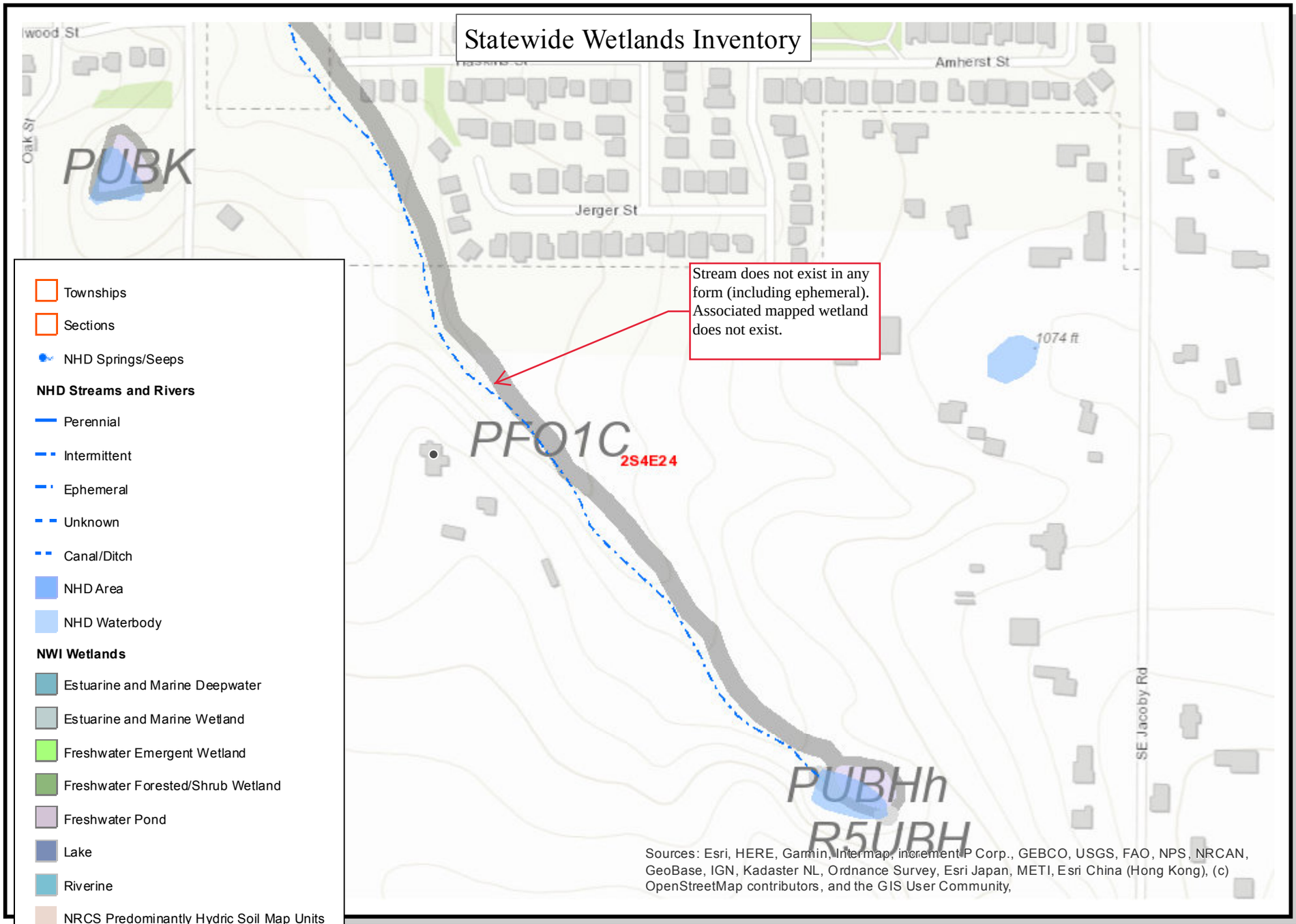
These findings and conclusions are subject to concurrence.



Jason Smith
Project Manager

ENCL: SWI Maps

Statewide Wetlands Inventory



1 inch = 0.07 miles

0 0.0275 0.055 0.11 0.165 0.22 mi

The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as new data becomes available. In all cases, actual field conditions determine the presence, absence and boundaries of wetlands and waters (such as creeks and ponds). An onsite investigation by a wetland professional can verify actual field conditions.

https://www.oregon.gov/dsl/WW/Pages/SWI.aspx

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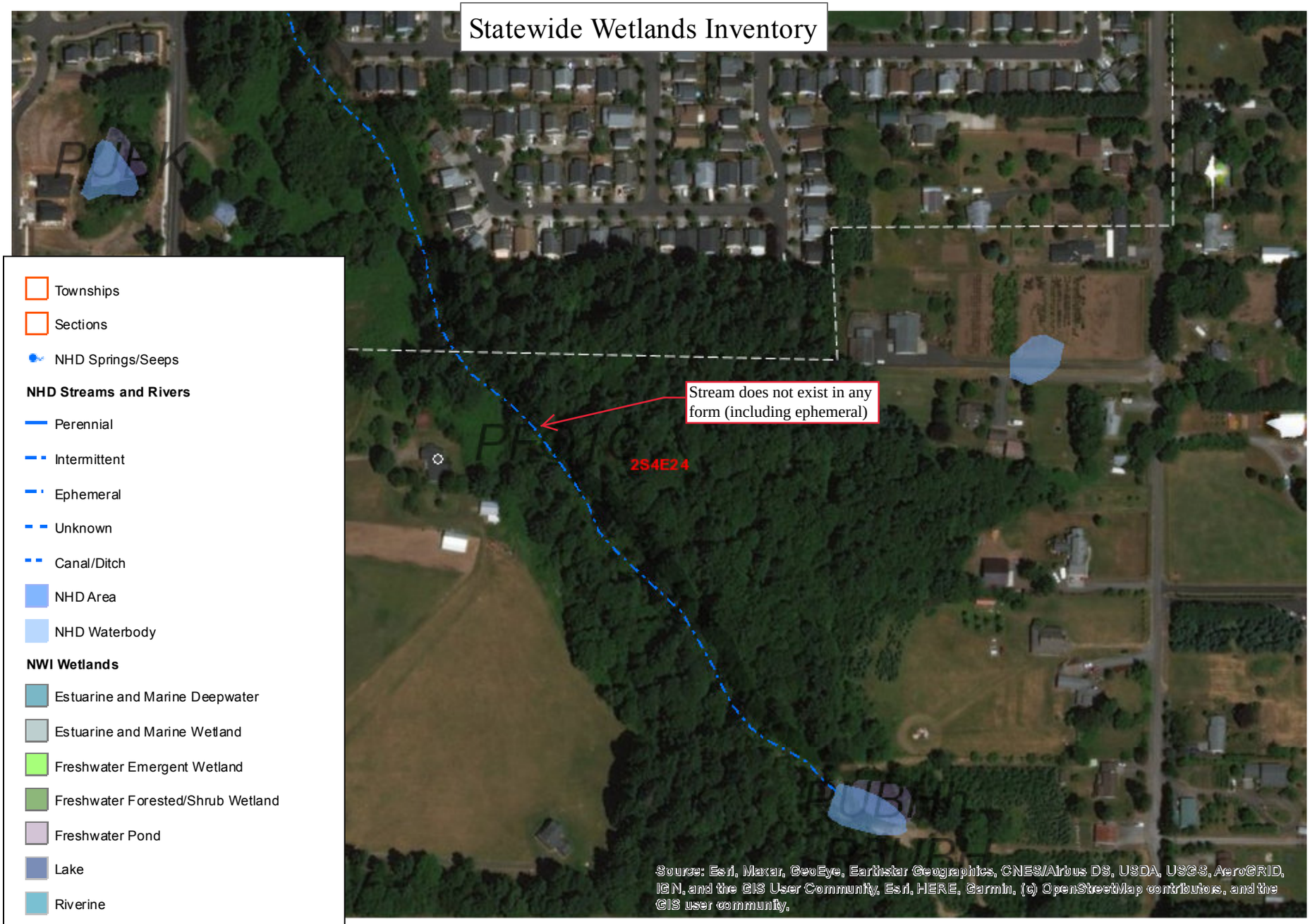
Date: 9/3/2020

State of Oregon
Department of State Lands
775 Summer Street, NE, Ste 100
Salem, OR. 97301-1279
(503) 986-5200

Statewide Wetlands Inventory



- Townships
- Sections
- NHD Springs/Seeps

NHD Streams and Rivers

- Perennial
- Intermittent
- Ephemeral
- Unknown
- Canal/Ditch
- NHD Area
- NHD Waterbody

NWI Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- NRCS Predominantly Hydric Soil Map Units
- NRCS Agate-Winlo Soils in Jackson County

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