

Joint Permit Application Form

DATE STAMP



US Army Corps Of Engineers (Portland District)

AND

AGENCIES WILL ASSIGN NUMBERS

Oregon Department of State Lands No

SEND ONE SIGNED COPY OF YOUR APPLICATION TO EACH AGENCY

(1) APPLICANT INFORMATION

OR

US Army Corps of Engineers: District Engineer ATTN: CENWP-OD-GPPO Box 2946 Portland, OR 97208-2946 503-808-4373

Corps Action ID Number

DSL - West of the Cascades: State of Oregon Department of State Lands 775 Summer Street, Suite 100 Salem, OR 97301-1279 503-378-3805

DSL - East of the Cascades: State of Oregon Department of State Lands AND 1645 NE Forbes Road, Suite 112 Bend, Oregon 97701 541-388-6112

Send DSL Application Fees to: State of Oregon Department of State Lands PO Box 4395, Unit 18 Portland, OR 97208-4395 (Attach a copy of the first page of the application)

		()	5 - 1376, 476-1424	- 16 - ACB. 183				
Name and Address		Cannery Station LLC		Bı	isiness Phone #	541-	344-5500	
		Attn Teresa Bishow @ Arlie	e & Co.	He	ome Phone #			
		100	Fa	Fax #				
		Eugene, OR 97408		En	nail	teres	a@Arlie.com	l.
Authorized Agent		Environmental Solutions LL	.C	Bu	usiness Phone #	541-	822-1090	
Name and Address		Attn Nancy Holzhauser		Ho	ome Phone #			
Check one		55646 Drury Drive		Fa	x #	541-	822-1053	
Consultant	Х	Blue River, OR 97413		En	nail	nhol	z@envsol.net	
Contractor								
Property Owner (Addi	tional)	Lane County Public Works		Bu	isiness Phone #	541-	682-6990	
Name and Address		ATTN: Bill Morgan		Ho	ome Phone #			
If different from above ¹		3040 North Delta Highway		Fa	x #	541-	682-8501	
		Eugene, OR 97408		En	Email Bill		Bill.Morgan@co.lane.or.us	
		ODOT: ATTN: Gerry Juster		Bu	Business Phone # 5		503-986-2732	
		Development Review Coord	linator.	r, Home Phone #				
		ODOT Region 2		Fax #		503-986-2630		
		455 Airport Road SE, Bldg	В	Email Ge		Gera	Gerard.p.juster@odot.state.or.us	
		Salem, OR 97301						
		(2) PRO	JECT	LOC	ATION			
Street, Road or Other I	Descriptive Loo	cation			Legal Descripti	on (attac	h <u>tax lot map</u> *	*)
87344 Munsel Lake R	oad. SE quadra	at at intersection of Munsel	To	wnship	Range		Section	Quarter/Quarter
Lake Rd and Highway	101		18S		12W	14		20
In or near (City or Tow	vn)	County		Tax Ma	p#		Tax Lot # ²	
Florence Lane			18-12-1-	4-2		700		
Wetland/Waterway (pick one) River Mile (if known)			Latitude (in DD.DDDD format)		<u>nat)</u>	Longitude (i	in DD.DDDD format)	
Wetland		NA		44.0102	3 deg N		-124.10056	deg W
Directions to the site	te From Hwy 101 intersection with Hwy 126, travel 4.5 mi N on 101, turn right on Munsel L Rd. Driveway is within 100' of intersection on right side of road. Project site also includes roadside ditch along south side of Munsel L. Rd. and ODOT ROW alongside southwest portion of site.				ay is within 100' of Rd. and ODOT			

¹ If applicant is not the property owner, permission to conduct the work must be attached.

² Attach a copy of all tax maps with the project area highlighted.

* Italicized areas are not required by the Corps for a complete application, but may be necessary prior to final permit decision by the Corps.

Exhibit 9

	(3) PROPOSE	D PR	OJEC	T IN	IFOR	MAT	ION		
Туре:	Fill X Excavation (remova	d) X	In-Wa	ter Strue	cture	М	aintain/R	epair an Existing S	tructure
Brief Description:	Construction of mixed use developme	ent, wide	ning Mun	sel Lak	e Rd, cor	nstructic	on of onsi	ite mitigation area.	
Fill									
Riprap X	Rock X Gravel X	Orgar	nics X	San	d X	Silt		Clay	Other: X
Wetlands	Permanent (cy)	Temp	orary (cy)					Total cubic	58581 cy
	2227 cy	0						yards for project	
	Impact Area in Acres	Dimer	nsions (fee	et)				(including outside OHW/wetlands)	
	0.36 ac	L'	varied	W'	varied	H'	varied		
Waters below OHW	Permanent (cy)	Temp	orary (cy)						
	0	0							
	Impact Area in Acres	Dimer	nsions (fee	et)					
		L'		W		H'			
Removal									
Wetlands	Permanent (cy)	Temp	orary (cy)				8	Total cubic	55151
	20 cy	0					yards for project		
	Impact Area in Acres	Dimensions (feet)					(including outside OHW/wetlands)		
		L'	varied	W'	varied	H'	varied		
Waters below OHW	Permanent (cy)	Tempo	orary (cy)						
		L							
	Impact Area in Acres	Dimer	isions (fee	:t)	т				
		L'	100	W'		<u>H</u> '	. 10	10.05	
Total acres of construction	n related ground disturbance (If 1 a	acre or r	nore a <u>120</u>)0-C per	<u>rmit</u> may	be requ	lired from	n DEQ) 18.85	ac
Is the disposal area upland	1? Yes X No	Imj	pervious s	urface c	reated?	0<1 a		0>1 acre?	X
								Yes No I	r yes, please
Are you aware of any state	e or <u>federally</u> listed species on the proj	ect site?						X F	project
Are you aware of any <u>Cur</u>	tural/Historic Resources on the project	site?						X d	lescription
Is the project site within a	national Wild & Scenic River?							X (in block 4)
Is the project site within a	1 State Scenic <u>State Scenic Waterway</u> ?	*						X	

(4) PROPOSED PROJECT PURPOSE AND DESCRIPTION

Purpose and Need: Provide a description of the public, social, economic, or environmental benefits of the project along with any supporting formal actions of a public body (e.g. city or county government), as appropriate.*

Project Purpose and Description: The purpose of the proposed Cannery Station project is to construct a mixed use nodal development including residential and commercial facilities. Commercial uses suited for the project include medical and professional offices, retail uses serving daily needs of residents, restaurants, a branch bank, hotel, and specialty retail. Residential uses include a mix of mid-rise apartment units, townhouses and an assisted living facility campus. The site will be served by 3 streets and include an intersection with Munsel Lake Road to the north and Highway 101 in the southwest corner of the site. Stormwater will be pretreated prior to entering onsite detention ponds. Open space on the site includes a play area, avoided wetland areas, and stormwater detention basins. Pedestrian connections will be provided throughout the site. An 8-foot tall solid fence will be constructed along the portion of the east property line adjacent to single family homes, to provide a visual barrier for the gated residential development of Florentine Estates, the east adjacent property. Offsite improvements include work on both Highway 101, owned by the Oregon Dept. of Transportation (ODOT), and on Munsel Lake Road, owned by Lane County. Improvements on ODOT property consist of widening Hwy 101 by adding a second northbound lane and constructing a curb, gutter, and sidewalk along Highway 101 adjacent to the site, and an intersection for 47th Street onto the site. Improvements on Lane County property consist of widening Munsel Lake Road to accommodate a left turn lane at the entrance to the site, and constructing a curb and joint bike/pedestrian path along the south side of the road. To the extent practicable, much of the existing higher quality wetlands will be preserved.

Public, Social, and Economic Benefits of Project: The social, public, and economic benefits of the project include a mix of uses that will increase employment opportunities, provide housing choices, and provide retail and services to meet the daily needs of residents of north Florence, including the increasing demand for assisted living facilities in this coastal area. Safe and attractive pedestrian connections will be provided throughout the site to create a pedestrian-friendly design and decrease reliance on the car. Shared parking and motor vehicle circulation will reduce the impacts of the automobile and create a more efficient land use than the standard strip commercial development. Enhanced open space amenities will provide passive recreation uses and social benefits to people living, shopping, or working in the area. This project will create new jobs both during construction and following completion of new buildings. The new housing will help to address a critical issue in Florence, and the mixed use development will foster a sustainable walkable neighborhood that will be an important gateway to north Florence.

Supporting Formal Actions of a Public Body: The property is designated in the City of Florence Comprehensive Plan as North Commercial Node, and is zoned North Commercial District. The proposed uses are permitted in the zone with approval of a Planned Development-Mixed Use application. The proposed project concept and site design was approved by the City of Florence Planning Commission on November 12, 2008 (Resolution PC 08 09 PUD 01). Cannery Station LLC submitted to the City of Florence the Final PUD and Preliminary Subdivision applications for Phase 1 (southern portion of the property). Cannery Station LLC concurrently submitted a Design Review application for Lot 1.

Project Description:

Please describe in detail the proposed removal and fill activities, including the following information:

- · Volumes and acreages of all fill and removal activities in waterway or wetland separately
- Permanent and temporary impacts
- Types of materials (e.g., gravel, silt, clay, etc.)
- How the project will be accomplished (i.e., describe construction methods, equipment, site access)

Yes

- Describe any changes that the project may make to the hydraulic and hydrologic characteristics (e.g., general direction of stream and surface water flow, estimated winter and summer flow volumes.) of the waters of the state, and an explanation of measures taken to avoid or minimize any adverse effects of those changes.
- Is any of the work already complete?

If yes, please describe the completed work.

Construction Project Impact Volumes and Acreages: A total of 5 wetlands have been delineated within the Cannery Station property (Tax Lot 700) and 2 wetland areas have been delineated in roadside ditches outside of Tax Lot 700 but within the construction area for the Cannery Station Project (see Table 2 and Figure 3). The project includes removal and fill impacts to two wetlands and the two roadside ditches. The removal and fill impacts are associated with:

No X

(1) construction of a berm for a stormwater detention pond that will impact a portion of W1 in the northeast corner of the site,
 (2) fill for widening Highway 101, construction of the 47th Street intersection with Highway 101, a retaining wall, and for a berm for a stormwater pond that will impact the Highway 101 roadside ditch,

(3) installation of a solid fence and fill for bank stabilization associated with construction of townhouses that will impact W4 along the east property line, and

(4) fill for road and sidewalk improvements along the south side of Munsel Lake Road that will impact a portion of the roadside ditch.

DSL has determined that the Highway 101 roadside ditch wetland area (includes a sliver in TL 700 labeled W5 that connects to the ODOT property ditch) was artificially created in uplands, and therefore did not consider it State jurisdictional. The DSL concurrence letter of 11/20/07 for the ODOT highway ditch shows a section of the wetland that continues offsite as jurisdictional, however it continues offsite to the boundaries of W5 on TL 700 which was not considered jurisdictional by DSL (9/29/08 concurrence letter), therefore the assumption is that no portion of that roadside ditch/W5 is considered jurisdictional by DSL. DSL did not consider the section of the roadside ditch that will be impacted along the south side of Munsel Lake Road jurisdictional. The Corps considered all wetlands and roadside ditches jurisdictional. As such, the proposed project will result in a total of 0.36 acre of removal and fill impacts to wetlands, of which only 0.09 ac are considered jurisdictional by DSL (see Table 1).

DSL jurisdictional wetland impacts: impacts to W1 and W4 total 0.09 acre, or 26% of 0.34 acre of wetlands considered jurisdictional by DSL.

<u>Corps jurisdictional wetland impacts</u>: impacts to W1, W4, W5, Munsel Lake Road ditch, and Highway 101 ditch total 0.36 acre, or 55% of 0.65 acre of wetlands considered jurisdictional by the Corps.

Tables 1 and 2, below, illustrate the project information, including acreage and cubic yards of fill and removal in wetlands and uplands as well as impacts by Cowardin class and Hydrogeomorphic (HGM) class. Please note that due to a legal re-survey of the Cannery Station property boundaries completed in 2009, east property line corrections affected the size of W4, located along the east property line of TL 700 with a reduction from 0.10 acre within TL 700 to 0.02 acre.

Location	DSL Jurisdictional?	Corps Jurisdictional?	CY removal	CY fill	Acres impact w/DSL juris.	Acres impact with Corps juris.
Upland	no	no	55131	56354		
Wetlands W1-W5	yes: W1-W4 no: W5	yes	19	W1: 511 W4: 12 W5: 640 Total: 1163	W1: 0.07 W4: 0.02 Total: 0.09	W1: 0.07 W4: 0.02 W5: 0.05 Total: 0.14
Wetland in south Munsel L Road ditch	no	yes	1	197	0	0.03
Wetlands in Highway 101 ditch	no	yes	0	867	0	0.19
Total wetland impact for construction project			20	2227	0.09	0.36

Table 1. Impacts by jurisdictional status for the Cannery Station project.

Table 2. Wetland Types and Impacts for the Cannery Station project.

Wetland #	Ac.	Cowardin class	HGM Class	Extends offsite	DSL Jurisdictional	Corps Jurisdictional	Ac impact	Type of impact
1	0.29 ac	PSS	Flats	Yes	Yes	Yes	0.07	fill-berm and fence
2	0.01 ac	PSS	Flats	No	Yes	Yes	0	none
3	0.02 ac	PSS	Flats	No	Yes	Yes	0	none
4	0.02 ac	PSS	Flats	Yes	Yes	Yes	0.02	fill-fence, structural stability
5	0.05 ac	PSS	Riverine Impounded	Yes	No	Yes	0.05	fill- road, retaining wall
S Munsel L Rd ditch	0.07 ac	PEM	Riverine Flow-Through	Yes	No for section within project area	Yes	0.03	fill- road widening, sidewalk
Hwy 101 ditch	0.19 ac	PSS	Riverine Impounded	No	No	Yes	0.19	fill-road and intersection
Totals	0.65						0.09 ac DSL 0.36 ac Corps	

Types of Materials: Fill material for the streets, building foundations, and stormwater basin berms will consist of sand from onsite; gravel for the majority of the project including roads, parking areas, and foundations for the buildings; asphalt for the roads and bike paths; and concrete for curbs, gutters, sidewalks, and building foundations and pads. A solid fence will be constructed along the east property line, which will include pre-cast concrete piers into which the support posts will be installed. Fill material in the Munsel Lake Road ditch and the Highway 101 ditch will consist of culverts, gravel or crushed rock, sand, and asphalt.

Vegetation that will be removed in W1, W4, and the Highway 101 ditch with the proposed construction project consists of native shrubs and trees including shore pine (Pinus contorta ssp. contorta), Pacific wax myrtle (Myrica californica), twinberry (Lonicera involucrata), and smooth Labrador tea (Rhododendron neoglandulosum), with lesser amounts of salal (Gaultheria shallon), an upland species. Vegetation to be removed in the upland areas consists primarily of native shore pine, Pacific rhododendron (Rhododendron macrophyllum), salal, and evergreen huckleberry (Vaccinium ovatum). Vegetation that will be covered with fill in the south Munsel Lake Road ditch is primarily slough sedge (*Carex obnupta*), which provides a sparse cover in the ditch bottom.

Project Elements: The project will be constructed in several phases, determined in part by the economy (refer to Figure 4), with Phase 1 planned to begin in 2014 and the last construction phase being slated for 2018. Phase 1 encompasses the southern portion of the property and construction will impact W5 (Corps jurisdictional only) located in a roadside ditch on Highway 101. Construction in this phase will include widening of Highway 101 to accommodate a northbound right turn only lane onto a new 47th Street, a sidewalk on the east side of Highway 101 south of 47^{th} Street, construction of the 47th Street intersection, and construction of Highway 101 roadside stormwater swales. Later phases of development, including the northern portion of the property will impact W1 and W4 (considered jurisdictional by both DSL and the Corps) and the Munsel Lake Road ditch (considered jurisdictional by the Corps but not by DSL). During construction of the northern portion of the property, there will be construction of the berm around the northeast stormwater basin. This phase will also involve filling approximately 550 feet of the southern Munsel Lake Road roadside ditch to accommodate widening of the road, construction of a sidewalk, and construction of stormwater detention/retention basins.

All stormwater runoff from the impervious areas within the development site, including rooftops, parking areas, and streets, will be pretreated using methodologies that meet the requirements of the City of Portland Bureau of Environmental Services Manual, and then routed to three onsite stormwater detention/retention basins located in the southeast, southwest, and northeast corners of the site. Pretreatment of stormwater runoff from Munsel Lake Road and Highway 101 prior to entering the wetland mitigation swales will be with a Hydro SwaleGard pre-filter designed to collect sediment, debris, and petroleum hydrocarbons from highway runoff (see http://www.hydro-international.biz/us/media/SW SS HSG 2009.pdf). Water control structures in each of the three stormwater basins have been designed to have the capacity to hold the additional runoff created by the development, including Munsel Lake Road and Highway 101, for a 25 year/24 hour storm, as set by the City of Florence Local Improvement District (LID), determined from a study entitled Stormwater Design Report for Spruce Street LID, Florence, Oregon, by Branch Engineering, Higher runoff will be released into the City of Florence stormwater system.

How the Project will be Accomplished: Heavy equipment including backhoes, trackhoes, dump trucks, compactors, and graders will be used for the construction project. Any imported fill required for the project will be from clean uncontaminated areas, which will be determined by the contractor and approved by the landowner. Tree falling and removal and brush clearing will occur between October 1 and March 1 in order to minimize potential impacts to migratory nesting birds. This will be followed by vegetation removal and land clearing including grubbing and scraping, and grading. It is anticipated that all of the excess soil from grading will be used for fill onsite. Grading for Phase 1 of the development is currently planned for summer 2014. The new 47th Street will likely be the first facility developed on the site. The full details for construction of the remaining phases in the development site have not yet been fully developed.

The berms around the stormwater basins will be constructed with a base of crushed rock under sand. These will be planted with native shrubs and trees. To control erosion of the sandy soil on the berms and provide a growing medium for plants, organic material such as organic weed free compost or grindings from native vegetation removed from the site during initial clearing, will be placed to a thickness of 4-6 inches over the berms. This material will be tilled into the sandy soil, followed by placement of jute matting, to be firmly secured prior to planting. The orifice structures within the stormwater basins, which drain the detention/retention ponds, will be constructed of formed concrete. From the orifice structure, stormwater will be hard-piped to the public system in Highway 101. Each pond will also have an overflow. Work along the south side of Munsel Lake Road and the east side of Highway 101, including filling the roadside ditches, is planned for summer or fall, when no water is present in the ditch, in order to avoid potential impacts from sedimentation to wetlands and other Waters offsite.

Construction access will be from 47th Street for the first phase, and all stockpile areas will be in uplands over 150 feet from any onsite or offsite wetlands and other waters. During later phases, when construction of Redwood Street is completed, that will likely be the construction access for the northern portion of the site.

Description of Changes from the Project to the Hydraulic and Hydrological Characteristics of Waters of the State and US, and an Explanation of Measures Taken to Avoid or Minimize any Adverse Effects of those Changes: Potential changes to the hydraulic and hydrologic characteristics of waters of the State and US from the project are primarily associated with stormwater runoff from the proposed construction project, including an increase in runoff volume and flashiness because of the conversion of the vegetated landscape that previously intercepted rainfall to impervious surfaces with the proposed development. This has the potential to increase the volume of water and decrease the water quality to downslope Waters if not mitigated. The onsite stormwater basins, including the three stormwater basins and the swales along Munsel Lake Road and Highway 101, have been designed to provide for infiltration and slow release in order to preserve the pre-developed stormwater flow rate off the site. Flashiness will be minimized with use of in-system flow regulators. The stormwater basins are anticipated to hold a maximum of 2.5 feet of water, with flow regulators in the outlets used to slow drainage to approximately 8 hours. Other velocity impact reduction elements in addition to insystem flow regulators will consist of rock placement around the storm basin inlets to reduce erosion potential. The stormwater * Italicized areas are not required by the Corps for a complete application, but may be necessary prior to final permit decision by the Corps.

management projects are designed to provide no net increase in stormwater offsite over pre-development conditions for up to a 25year event, above which drainage will enter into the City of Florence stormwater sewer and outfall into Munsel Creek approximately 1 mile southeast of the site. The vegetated swales in sections of roadside ditches along Munsel Lake Road and Highway 101 have been designed for detention/retention, which will replace sections designed purely for conveyance. This will reduce runoff velocity and erosive potential compared to the existing ditches.

Three onsite wetlands are located within the northeast bermed stormwater basin. The increase in flashiness has the potential to increase sediment movement by erosion and alter the hydrologic conditions of those wetlands, which have their primary sources of hydrology from high groundwater and precipitation. Potential negative effects to the wetlands include increased deposition of sediment with flashiness, greater hydroperiod and volume of water compared to present conditions, and contaminated runoff from parking lots and roofs. Potential effects from increased velocity, including erosion, will be avoided or minimized with the in-system flow regulators and other velocity impact reduction elements described previously. To avoid draining the wetlands, the outfall will be approximately 6 inches higher than the ground level to ensure that complete drainage of the basin not occur. All stormwater off impervious surfaces will be pretreated to remove contaminants using methods in the Portland Stormwater Manual, prior to entering the stormwater basins to minimize potential contaminants to the avoided wetlands. There is a possibility that the increase in stormwater volume and hydroperiod will create wetter conditions within the three stormwater basins compared to the present conditions, which could favor establishment of native wetland species over the existing upland species, and thereby increase the wetland area on the site.

The berms around the stormwater basins in the southeast and northeast corners of the site have been designed to prevent onsite stormwater from reaching Florentine Estates, a residential development to the east of Cannery Station. This is not anticipated to decrease the hydrologic input to the stormwater pond and adjacent wetland area at Florentine Estates, which eventually drains into Munsel Creek via underground piping over 1500 feet long, because the primary hydrologic input for the offsite stormwater pond and adjacent wetlands is from a ditch that drains land north of Munsel Lake Road, not from the wetlands on the Cannery Station property.

The existing ditches along Munsel Lake Road and Highway 101 are strictly conveyance features with no existing pre-treatment or detention/retention features. The stormwater swales to be constructed with the project along Munsel Lake Road and Highway 101 will provide detention, and include native wetland herbaceous plantings, which will improve their physical functions. This is not anticipated to affect the quantity of water reaching downslope wetlands or other waters, including Munsel Creek, because these two reaches are the uppermost reaches of both ditch systems and rarely carry water available for conveyance downstream. Therefore, neither reach provides a significant contribution to the hydrology for Munsel Creek.

Threatened and Endangered Species: Based on information obtained from the Oregon Heritage Information Center (ORNHIC) data query for the project site in December 2008, the Federal and State Listed Threatened and Endangered species listed in Table 3 have been documented within 2 miles of the project site.

Species	Federal Status	State Status
Marbled murrelet (Brachyramphus marmoratus)	Listed Threatened (LT)	LT
Western snowy plover (Charadrium alexandrinus	Partial Status: LT	LT
nivosus)		
Coho salmon: Oregon coast ESU (Oncorhynchus kisutch	LT	
pop. 3)		
Northern spotted owl (Strix occidentalis caurina)	LT	LT

Table 3. Federal and State Threatened and Endangered Species Present within 2 miles of the Cannery Station site.

Based on field surveys by Nancy Holzhauser, an ecologist with Environmental Solutions LLC, the site does not contain suitable habitat for any of the above-listed species. The marbled murrelet and northern spotted owl require old-growth Douglas-fir forest habitat, which is not present on the Cannery Station site. There are no streams on the site that could provide habitat for coho salmon. The western snowy plover inhabits sandy habitat along the coastal beaches, and no coastal beaches are present in the Cannery Station site.

Archeological Information: The site does not contain any Statewide Goal 5 archeological or historical resources based on information in the Florence Revitalization 2020 Comprehensive Plan adopted by the City of Florence as amended in July 2008. On July 14, 2008, Arrow Coyote, Cultural Resource Protection Coordinator of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians provided the following comment in response to a referral from the City of Florence regarding the project: "There are no known cultural sites; however, ground-disturbing activities may encounter buried cultural materials. Although the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians have no objections to this project, we request at least 72 hours notice prior to any ground disturbing activities, so a tribal representative can be present during these activities. We further request to be contacted immediately if any known or suspected cultural resources are encountered during any phase of the project." In response to the request of the Confederated Tribes, the City of Florence imposed a related condition of approval on the project.

In addition, for fish habitat or wetland restoration or enhancement activities, complete the information requested in supplemental Fish Habitat or Wetland Restoration and Enhancement form.

Project Drawings								
State the number of project drawing sheets included with this application: 11								
 A complete application must include a location map, site plan, cross-section drawings and recent aerial photo as follows and as applicable to the project: Location map (must be legible with street names) Site plan including; Entire project site and activity areas Existing and proposed contours Location of ordinary high water, wetland boundaries or other jurisdictional boundaries Identification of temporary and permanent impact areas within waterways or wetlands 								
 Map scale of dimensions and norm arrow Location of staging areas Location of construction access Location of cross section(s), as applicable Location of mitigation area, if applicable 								
 Cross section drawing(s) including; Existing and proposed elevations Identification of temporary and permanent impact areas within waterways or wetlands Ordinary high water and/or wetland boundary or other jurisdictional boundaries Map scale or dimensions 								
 <u>Recent Aerial photo</u> (1:200, or if not available for your site, <u>the highest resolution available</u>) 								
Will any construction debris, runoff, etc., enter a wetland or waterway? Yes No X								
If yes, describe the type of discharge and show the discharge location on the site plan.								
Estimated project start date: 1/2014 Estimated project completion date: 12/2018								

(5) PROJECT IMPACTS AND ALTERNATIVES

Alternatives Analysis:

Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterway or wetland. (Include alternative design(s) with less impact and reasons why the alternative(s) were not chosen. Reference OAR <u>141-085-0025</u> (3(j)) and <u>141-085-0029</u> (4through 6) for more information*).

Alternative Sites: The focus of the proposed project is to help provide the needs for the older, retired population of Florence, which includes medical services, housing including an assisted living facility, and various appropriate commercial uses. In order to accommodate such use, the site needs to be 15-20 acres, located on a major transportation corridor in order to take advantage of public transportation, near a major shopping center, and of course, have a minimal amount of wetlands. The Cannery Station site meets all of those criteria, including the very tiny area of wetlands that are located in the northeast corner of the site such that it is practicable to design a development that would result in a minimal wetland impact. The Cannery Station site borders on Highway 101, the major traffic corridor in Florence, and as such, provides easy access to public transportation. A major shopping center is across Highway 101 from the site, with a pedestrian crossing that is already controlled by a stop light, and thereby provides maximum safety for pedestrians walking to the shopping center from the proposed development. No other available properties were identified that meet the criteria to the extent that the Cannery Station site does.

Alternative Designs: As described previously in the Project Description section, the preferred alternative was designed to avoid and minimize wetland impacts to the greatest extent feasible. The wetlands within the full project area that provide the greatest suite of physical and biological functions are those in the northeast corner of the site, which will be minimally impacted with a berm along the east edge. Offsite impacts with the preferred alternative consist of filling a portion of the roadside ditch along Munsel Lake Road north of the Cannery Station site in order to widen Munsel Lake Road per the city of Florence requirements, and filling a portion of the Highway 101 roadside ditch for construction of the intersection of 47th Street. The No Wetland Impact alternative is the only alternative which would result in less wetland impact, and is discussed below.

With the **No Wetland Impact** alternative, a berm would not be constructed around the east edge of the northeast stormwater basin. Therefore, in order to adequately handle onsite stormwater so that the 25-year/24-hour peak discharge into the City's stormwater system does not exceed pre-development conditions, the No Wetland Impact alternative would require moving the northeast stormwater detention basin to the west and thereby result in loss of a developable commercial lot, which was not considered feasible or practicable by the Applicant. The No Wetland Impact alternative would also require that W4 not be filled, and that the east perimeter fence not be constructed in the narrow flat area along the east property line, where it crosses W4. This was also not considered feasible or practicable because of the need to use fill to reduce the steep sandy slope for the lots planned in the area of W4.

In addition, the residents of Florentine Estates, east of the Cannery Station development, have always been adamant about having a perimeter fence constructed to protect their gated community as Tax Lot 700 is developed.

The City of Florence requires that the development provide urban improvements, including widening of both Munsel Lake Road and Highway 101 to accommodate an additional lane for turning into Cannery Station and to provide for pedestrian and bike use, both of which will impact roadside ditches. The No Wetland Impact alternative would be in direct conflict with those requirements, and was therefore not considered feasible. Regarding the need for construction of 47th Street off of Highway 101 onto the Cannery Station site and its location such that it will impact the low quality wetland area associated with a roadside ditch in the southwest corner of the project site, due to the proposed mix and density of uses, it is very important that there are at least two points of access to the site. From a public safety perspective, having only one access on Munsel Lake Road could hinder fire and emergency medical response times at full build-out. In addition, due to previous development patterns, neither Redwood Street nor Spruce Street can be extended to the south beyond the project site. This results in a greater need for 47th Street to provide appropriate street connectivity. In addition, the proposed location of 47th Street is strategically located to meet state highway intersection spacing requirements. If the 47th Street intersection were constructed further north to avoid impacting the wetland area, it would be in conflict with the ODOT safety requirements associated with the additional existing turning traffic for Fred Meyer to the west and Munsel Lake Road to the east, and could compromise user safety.

Measures to Minimize Impacts

Describe what measures you will use (before and after construction) to minimize impacts to the waterway or wetland. These may include but are not limited to the following:

- For projects with ground disturbance include an erosion control plan or description of other best management practices (BMP's) as
 appropriate. (For more information on erosion control practices see DEQ's Oregon Sediment and Erosion Control Manual)
- For work in waterways where fish or flowing water are likely to be present, discuss how the work area will be isolated from the flowing water.
- If native migratory fish are present (or were historically present) and you are installing, replacing or abandoning a culvert or other potential obstruction to fish passage, complete and attach a statement of how the <u>Fish Passage Requirements</u>, set by the Oregon Department of Fish and Wildlife will be met.

Reasonably expected adverse effects from the proposed development to wetlands and Other Waters:

(1) Construction effects: Construction effects could include increase in erosion and sedimentation offsite, spills of hazardous material such as petroleum products during equipment operation. Water from both roadside ditches eventually outfalls into Munsell Creek via underground stormwater pipe systems; Munsell Creek is Essential Salmonid Habitat for coho salmon. Only infrequently, during periods of high rainfall do the entire ditch/underground stormwater pipe system carry water such that the Cannery Station reaches may have a surface connection to Munsel Creek.

(2) *Post-construction effects*: Stormwater runoff from impervious surfaces has the potential to introduce contaminants and non-native weed seed, and increase the hydroperiod and hydrologic flashiness. This may result in an increase in flow through the piped stormwater system to Munsel Creek.

Mitigation for impacts:

(1) Construction effects: To minimize erosion and sedimentation effects, erosion control practices including use of bioberms and silt fencing will be used during construction, bare areas will be seeded with a native erosion control seed mix, and construction will occur during the drier summer and fall months (see the Erosion and Sediment Control Plan attached). To minimize contaminants from equipment, a Pollution Control Plan will be prepared and followed at all times, with proper pollution control materials kept onsite during construction. Inlet protection on all the proposed catch basins will protect the storm system and the wetlands from sediment during construction. There will also be concrete wash areas adjacent to both construction entrances to prevent sediment from being tracked offsite. In order to protect the northeast wetland complex from increased sedimentation input during construction, sediment fencing will be used around the avoided portion of that wetland complex. In order to prevent migration of sand offsite, sediment fence will be installed around the perimeter of the project site. The sediment fence will require regular maintenance to ensure that accumulating sand does not inhibit the erosion control fence from performing its function. No inwater work will occur with the project. The project involves filling a section of the Munsel Lake Road ditch; the existing ditch eventually connects to Munsel Creek via underground culverts under Florentine Estates; this part of the project will be conducted in summer and fall when the ditch is dry. Sediment fencing, bioberm, or similar erosion control item will be placed at the downslope end of the construction area in the Munsel Lake Road ditch and maintained to prevent offsite sedimentation during construction.

(2) Post construction effects: A combination of mechanical methods such as water quality manholes and vegetative methods such as bioswales and infiltration planters, will be used to pretreat stormwater from impervious surfaces and thereby minimize water quality impacts to onsite and offsite wetlands and other waters. The use of vegetated bioswales and detention/retention basins will also temper potentially flashy hydroperiods that typically result when vegetated areas are converted to impervious areas. All vegetative and mechanical stormwater measures will be designed to meet the City of Portland's Bureau of Environmental Services (BES) Manual requirements. Both vegetated and mechanical facilities must remove 70% of total suspended solids from 90% of the average annual runoff.

De	Description of resources in project area								
	Ocean Estuary River Lake Stream Freshwater Wetland X								
Des	cribe the existing physical and biological characteristics of the wetland/waterway site by area and type of resource								
(IIs	e senarate sheets and photos if necessary)								
(03									
For	wetlands, include, as applicable:								
	Cowardin and Hydrogeomorphic(HGM) wetland class(s)*								
•	Dominant plant species by layer (herb, shrub, tree)*								
	Whether the wetland is freshwater or tidal								
	Assessment of the functional attributes of the wetland to be impacted*								
	Identify any vernal pools, bogs, fens, mature forested wetland, seasonal mudflats, or native wet prairies in or near the project area.)								
For	waterways, include a description of, as applicable:								
	Channel and bank conditions*								
	Type and condition of riparian vegetation*								
-	Channel morphology (i.e., structure and shape)*								
	Stream substrate*								
	Fish and wildlife (type, abundance, period of use, significance of site)								
	General hydrological conditions (e.g. stream flow, seasonal fluctuations)*								

General Wetland Information:

The 0.39 acre of onsite wetlands and the 0.26 acre of offsite wetlands are freshwater. The majority of onsite wetlands, W1 (0.29 ac), W2 (0.01 ac), and W3 (0.02 ac), are in areas of slightly lower elevation in the northeast corner of the Cannery Station site. These 3 wetlands have a sparse overstory of shore pine (*Pinus contorta*: FAC), and an understory vegetated primarily with native shrubs including Pacific crabapple (*Malus fusca*: FACW), Pacific wax myrtle (*Myrica californica*: FACW), smooth Labrador tea (*Rhododendron neoglandulosum*: FACW), and twinberry (*Lonicera involucrata*: FAC). W4 (0.02 ac within the Cannery Station site) is a very tiny wetland area in the northeast portion of the site along the east property line. It is vegetated with shore pine saplings and a sparse understory of slough sedge (*Carex obnupta*: OBL). The 0.24-acre wetland area in the southwest corner of the project area, associated with a highway ditch, is vegetated with slough sedge, Hooker's willow (*Salix hookeriana*: FACW), and a few shore pine saplings. The wetland area in the bottom of the southern Munsel Lake Road ditch is sparsely vegetated with native slough sedge and nonnative colonial bentgrass (*Agrostis tenuis*: FAC).

Soils in the onsite wetlands and the wetlands in the offsite ditches are sandy, overlain with a thin layer of duff or partially decomposed fibric or hemic organic material. The majority of the site is mapped in the Lane County Soil Survey with nonhydric Waldport fine sand, including the areas where W4 and the Highway 101 ditch wetland area are located. Yaquina loamy fine sand, a hydric soil, is mapped for the northeast corner of the site, where W1-W3 and the majority of the southern Munsel Lake Road ditch are located. The primary source of hydrology for all of the wetlands is direct precipitation and a seasonal shallow groundwater table.

The wetlands in the northeast portion of the project site and in the Highway 101 ditch are in the palustrine scrub-shrub (PSS) Cowardin class. The wetland in the Munsel Lake Road ditch is in the palustrine emergent (PEM) Cowardin class. All four wetlands in the northeast portion of the site (W1-W4) are in the Flats Hydrogeomorphic (HGM) class, the wetlands in the Highway 101 ditch are in the Riverine Impounded (RI) HGM class, and the Munsel Lake Road ditch wetland is in the Riverine Flow-through HGM class. W1 appears to be the western extension of the wetland area contiguous to the stormwater pond in the northwest corner of Florentine Estates, a residential area east of the Cannery Station site. As described earlier, water from that pond is piped under Florentine Estates and eventually outfalls into Munsel Creek, approximately 1500 feet to the southeast. W2-W4 appear to not have a direct hydrologic connection to other wetlands, ditches, or streams, although there is likely a groundwater connection to W1 due to their close proximity. The Highway 101 ditch continues south along Highway 101, and consists of a mix of open ditch and underground piping, to where it eventually outfalls into Munsel Creek approximately 1 mile to the southeast of the Cannery Station site. The Munsel Lake Road ditch connects to a ditch that heads south into the Florentine Estates stormwater pond, which continues via underground piping to Munsel Creek approximately 1500 feet to the southeast.

Table 4. Summ	ary of the o	onsite and o	offsite wetlands.
---------------	--------------	--------------	-------------------

Wetland # Acreage		Cowardin class	HGM Class	Extends offsite
1	0.29 ac	PSS	Flats	Yes
2	0.01 ac	PSS	Flats	No
3	0.02 ac	PSS	Flats	No
4	0.02 ac	PSS	Flats	Yes
5	0.05 ac	PSS	Riverine Impounded	No
Highway 101 ditch	0.19 ac	PSS	Riverine Impounded	Yes
Munsel L Rd ditch	0.07 ac	PEM	Riverine Flow-through	Yes

Function Assessments

W1-W4 Wetland Complex: A wetland function assessment was prepared using the Oregon Rapid Wetland Assessment Protocol (ORWAP) for the W1-W4 wetland complex in the northeast corner of the site (see Table 5). Best professional judgment was used to evaluate the function and value of the two ditches along the periphery of the site (W5, Highway 101 ditch and Munsel Lake Rd. ditch) because they are artificially created, tiny features, next to busy roads, and as such provide very limited functions and values. Indications of seasonal inundation were observed in the very southeast tip of W1, in W5/the Highway 101 ditch, and in the east section of the Munsel Lake Road ditch. The ordinary high water level in these wetland areas appears to average 2-6 inches. W1 contains a few standing dead and also downed shore pine snags averaging 12-16 inches in diameter, in varying states of decay. Almost all of the downed snags are suspended in the air by dense shrubbery, however, only a very few are actually on the ground. None of the onsite wetlands have a direct connection to fish-bearing water bodies. Human visitation to any of the wetland areas is very low and likely nonexistent. The 100-foot buffer along the east sides of W1 and W4 consists of the residential Florentine Estates, the remainder of the buffer is the natural upland shrubby landscape of the Cannery Station property. The majority of the buffer along the Munsel Lake Rd. ditch is the busy Munsel Lake Rd., and the buffer for the W5/Highway 101 ditch wetlands includes the very busy Highway 101.

In their present condition, the onsite wetlands of W1-W4 are functioning at low to moderate levels for the physical and biological functions with the exception of the water quality group. The small size and isolation of the W1-W4 wetland complex has the greatest negative effect on the hydrologic group function score. The water quality group function score for the W1-W4 complex is very high, which is surprising due to their very small size. Positive factors that affect both the physical and biological functions of W1-W4 include the presence of some seasonally ponded areas; the high percent vegetation cover dominated with native shrubs and trees which provide a variety of wildlife habitats; the natural, undisturbed condition and absence of human visitation which improves its habitat conditions for a variety of wildlife; and the presence of an organic surface layer which not only provides habitat for amphibians but also provides food for denitrifying bacteria. The dominance of mature shrubs provides for a moderate level of primary production as well as a source of food, nesting habitat, and cover for wildlife. This wetland complex is comprised of native plant species, and all are characteristic local coastal freshwater wetland species. Standing dead and downed woody material provide foraging and cover habitat for wildlife as well as organic material for amphibians and denitrifying bacteria. The primary limiting factors that affect both physical and biological functions are the absence of permanent water and the very small area that is seasonally inundated, both of which reduce its suitability for wildlife use, and its ability to store and delay water and provide sediment stabilization. Additional limiting factors include the sandy soil which limits its phosphorus retention ability, and the close proximity to very busy Munsel Lake Road which reduces its suitability as wildlife habitat. The wetland complex does not provide public use and recognition or provisioning services. The value scores for the W1-W4 complex are predominantly in the moderate range, primarily associated with the increased importance of the natural habitat in the midst of development.

As shown in Table 5, the change in functions and values of the W1-W4 complex following construction of the proposed development are mixed, with an increase in the hydrologic group function, carbon sequestration function, and public use value and a decrease or no change in all others. The increase in hydrologic function is a result of the increase in stormwater capacity due to the detention basin that will include W1-W3; the increase in carbon sequestration function and all of the biological group functions is a result of the surrounding development and the potential for introduction of contaminants off the impervious surfaces, the introduction of weedy species, the conversion of adjacent natural land to a development, and the increased human disturbance activity associated with the development. This has also greatly increased the stressors and sensitivity of the wetland complex, and negatively affected the ecological condition. The value for the physical and majority of the biological functions has decreased from baseline due to the reduction in importance associated with conversion of the natural landscape to a development. The value for public use and recognition has increased because the wetlands and natural land within the associated stormwater basin will not be visible from the adjacent development, and there may be a path constructed along the top of the berm that would allow for public viewing opportunities.

HGM Functions	W1-W4 Baseline Score (Flats HGM Class)		W1- Post-constru (Flats HG	W4 ction Score M Class)	Difference	
	Function	Value	Function	Value	Function	Value
Hydrologic Function	1.25	6.25	3.13	5.83	+1.88	-0.42
Water quality group	10.00	6.38	5.21	5.04	-4.79	-1.34
Carbon sequestration	2.14		2.42		+0.28	
Fish support group	0.94	6.67	0.54	6.67	-0.40	0
Aquatic support group	6.14	6.64	5.59	6.67	-0.55	+0.03
Terrestrial support group	5.09	6.67	4.70	6.67	-0.39	0
Public use and recognition		0		1.19		+1.19
Provisioning services		0		0		0
Ecological condition		7.38		5.71		-1.67
Stressors		1.47		6.75		+5.28
Sensitivity		0		10.00		+10.00

Table 5. ORWAP Wetland Function/Value Assessment for Existing Conditions on the Cannery Station Site

Roadside Ditches: The Highway 101 ditch along the west periphery of the project site. It is a typical trapezoid-shaped constructed ditch alongside the very busy Highway 101; it is approximately 3 feet below the highway surface and 4 feet wide at the OHW elevation, determined to be at 6 inches above the ditch bottom. This section of ditch holds water primarily in winter and spring following periods of rainfall. The predominant wetland vegetation is native Hooker's willow and shore pine saplings, with a very sparse understory cover of nonnative colonial bentgrass, and native slough sedge. Using best professional judgment, it is functioning at a low level for all of the physical and biological wetland functions. The positive features include the presence of seasonal inundation, native shrub and herbaceous plants, and a few pieces of downed wood, which result in a seasonal source of water for wildlife, some wildlife cover, carbon for denitrifying bacteria, and a small area to hold back water and stabilize sediment. This wetland has been disturbed during grading for the roadside ditch in the past few years, based on the relatively large areas of bare area and the small size of the trees and shrubs, which has a negative effect on the site's ability to retain phosphorus. Other negative features include its small size, its narrowness, and its proximity to a very busy road, all of which reduce its suitability for wildlife use and increase the potential for introduction of nonnative plants. The value of the roadside ditch is minimal primarily because it is not a particularly unique or important element of the local landscape.

The ditch along the north periphery of the project site, south of Munsel Lake Road, is a typical excavated trapezoidal ditch with an 8 foot top of bank width, and averages 3 feet wide at the ordinary high water (OHW) elevation, determined to be approximately 6 inches above the ditch bottom. Banks are near vertical, and the substrate is sand. The portion of the ditch north of Tax Lot 700, the Cannery Station development site, is sloped to the east, directing drainage into a ditch that flows south into the stormwater pond in the northwest corner of Florentine Estates. Vegetation in this section of the ditch contains fish ever, as water continues from the Florentine Estates stormwater pond through a pipe under the residential development to its outfall at Munsel Creek, approximately 1500 feet to the southeast. The wetland in the Munsel Lake Rd. ditch performs both physical and biological functions at a low level because its substrate is sand and it is only sparsely vegetated, which greatly limit its sediment stabilization, phosphorus retention, and nitrogen removal abilities. The sparse vegetation cover and proximity to a very busy road have a negative effect on all of the biological functions, as it greatly limits its primary function capacity and its suitability for wildlife and invertebrates. The value of the roadside ditch is minimal primarily because it is not a particularly unique or important element of the local landscape.

In viewing adjacent areas, it appears that no vernal pools, bogs, fens, mature forested wetland, seasonal mudflats, or native wet prairies are near the project area, and none of those features were observed in the Cannery Station site.

*Describe the existing navigation, fishing and recreational use of the waterway or wetland.** No portion of the site is presently used for navigation, fishing, or recreation.

Site Restoration/Rehabilitation

 For temporary disturbance of soils and/or vegetation in waterways, wetlands or riparian areas, please discuss how you will restore the site after construction including any monitoring, if necessary*

No temporary wetland impacts are anticipated with the project.

Mitigation

Describe the reasonably expected adverse effects of the development of this project and how the effects will be mitigated.*

- For permanent impact to wetlands, complete and attach a Compensatory Wetland Mitigation (CWM) Plan. (See <u>OAR 141-085-0121 to OAR 141-085-0121 to OAR 141-085-0176</u> for plan requirements)*
- For permanent impact to waterways or riparian areas, complete and attach a Compensatory Mitigation (CM) plan (See <u>OAR 141-085-0115</u> for plan requirements)*
- For permanent impact to estuarine wetlands, you must submit an Estuarine Resource Replacement Plan. (See <u>OAR 141-085-0240 to OAR 141-085-0240 to OAR 141-085-0257</u> for plan requirements)*

The proposed development will permanently impact 0.09 acre of wetlands in W1 and W4, considered jurisdictional by the Corps and DSL, as well as an additional 0.27 acre of impacts to ditches considered jurisdictional by the Corps and not by DSL, as shown in the following table.

Jurisdictional agency	Wetland impact by jurisdictional status	Wetland impact by Cowardin Classes	Wetland impact by HGM class	
DSL	0.09 ac	0.09 ac PSS	0.09 ac. Flats	
Corps	0.36 ac	0.33 ac PSS 0.03 ac PEM	0.09 ac Flats 0.03 ac RFT 0.24 ac RI	

The present direction from both the Corps and DSL is to mitigate wetland impacts through purchase of credits from an approved local wetland mitigation bank (ie. one with a service area inclusive of the impact site). The Cannery Station impact site is located within the service area of one bank, the Wilbur Island bank. The Wilbur Island Bank consists of wetlands in the PEM Cowardin class and estuarine HGM class and therefore would not be replacement in kind, however that bank has been used as compensation for local impacts to non-estuarine HGM classes in the past. Two DSL In-Lieu-Fee banks along the coast but with a service area north of the Cannery Station site are Tamara Quays and Pixieland, both out of Lincoln City. Tamara Quays provides mitigation for PEM and PSS wetlands in the estuarine HGM class, and Pixieland provides mitigation for PEM, PFO, and PSS wetlands in the estuarine HGM class. None of the coastal banks would be considered mitigation in-kind by HGM class, however that is all that is locally available. As such, the second consideration is onsite mitigation, however the very tiny size of a mitigation wetland in the midst of a large development such as proposed with Cannery Station is fraught with problems that make such a choice not practicable: low potential for success; high construction, installation and maintenance costs; and very limited function and value benefit.

Therefore, this application proposes full mitigation through either purchase of credits from the Wilbur Island bank, which has the benefit of being a local site in the same watershed as the impact site, and provides 150 acres of high quality wetland, or using the DSL in-lieu fee program to purchase credits from a bank more distant from the impact site and in a different watershed, however one that would provide in-kind replacement by Cowardin class. The most practicable mitigation alternative that provides the greatest benefit to the local area is purchase of 0.36 credits from the Wilbur Island bank (the 0.36 credits represents the maximum impact, based on Corps jurisdictional area).

Mitigation Location Inform	ation (Fill out only when	n mitigation is	proposed or requir	ed)				
Proposed mitigation (Check all ihat apply): X Mit Pa	nsite Mitigation- fsite Mitigation itigation Bank syment to Provide	Type X	Type of mitigation: X Wetland Mitigation Mitigation for impacts to other waters Mitigation for impacts to navigation, fishing, or recreation					
Street, Road or Other Descriptive I	Location		Legal Description (attach <u>tax lot map</u> *)					
		Quarter/Quarte	er Section	Township	Range			
In or near (City or Town) County		Tax Map #		Tax Lot $\#^3$				
Wetland/Waterway (pick one)	River Mile (if known)	Latitude	(in DD.DDDD format)	Longitude (in DD.DDDD format)				
Name of waterway/watershed/ <u>HUC</u>	2	Name of Wilbur I	Name of mitigation bank (if applicable) Wilbur Island Wetland Mitigation Bank					

³ Attach a copy of all tax maps with the project area highlighted.

^{*} Italicized areas are not required by the Corps for a complete application, but may be necessary prior to final permit decision by the Corps.

Compensatory Wetland Mitigation Principle Objectives per OAR 141-085-0680

<u>PO A: Replace functions and values lost at the removal-fill site.</u> The Wilbur Island bank is located in the Siuslaw River estuary and provides all of the physical and biological wetland functions that the impact site wetlands provide, and provides them on a significantly larger wetland area compared to the tiny area of wetland impact. The Wilbur Island bank is located in the lower third of the Siuslaw watershed, and its value for wetland physical functions is high, especially since that watershed has had a history of significant timber harvest. As such, the functions and values provided by the Wilbur Island bank will more than adequately replace those lost from filling the Cannery Station site wetland areas with the proposed project. In addition, a significant amount of money and labor has been invested in the mitigation bank for restoration and habitat enhancement purposes, which increases its value significantly over that of the Cannery Station impact wetlands for which no money or labor has been invested for habitat enhancement purposes.

<u>PO B: Provide local replacement for locally important functions and values</u>. The Wilbur Island bank is a local bank, in the same watershed as the impact site. Because it is a very large site, compared with the impact site wetlands, and because it is being managed for native species and to provide a maximum of the locally important functions and values as identified in the Mitigation Banking Instrument and Mitigation Plan, it provides local replacement for the locally important functions and values including native species, wildlife habitat, habitat for local native as well as rare fish species, as well as the locally important physical functions of water quality, hydrologic, and carbon sequestration.

<u>PO C: Enhance, restore, and create wetlands that are self-sustaining and minimize long-term maintenance needs</u>. Mitigation banks cannot sell credits until they have met stringent performance standards associated with enhancement, restoration, and creation of self-sustaining native wetlands. Therefore, by purchasing credits from the Wilbur Island bank, this objective has been met.

POD: Ensure the siting of CWM in ecologically suitable locations considering local watershed needs and priorities, appropriate landscape position for the wetland types, functions, and values sought, connectivity to other habitats and protected resources, and the absence of contaminants or conflicting adjacent land uses that would compromise wetland functions. The Wilbur Island Wetland Mitigation Bank was planned with the input of multiple Federal and State agencies in order to restore a large block of critical habitat to the Siuslaw River Estuary, an identified local watershed need. In order for a wetland mitigation bank to be approved by the multiagency review team, it must be ecologically viable, meet local watershed needs, provide important biological and physical functions and values that have been identified as critical to the watershed, and not be an isolated wetland area but connect to other natural habitats that may be protected. The Wilbur Island bank has restored native wildlife habitats, plant communities, and physical functions including water quality functions to a local area that has experienced a loss of native habitats resulting from diking, filling, grazing, and timber management activities. The Wilbur Island bank is near the Coast Range Habitat Unit CR-26 (Siuslaw River Estuary) of the Oregon Conservation Strategy, which is one of the high priority habitat conservation areas identified by the Oregon Department of Fish and Wildlife in the Coast Range. Existing adjacent land use to the wetland mitigation bank may include areas of grazing or timber production, and as such, introduction of non-native plants and drift from herbicide use on those lands could negatively impact native plant cover, however, written into the Banking Instrument are maintenance measures that ensure that those potential impacts do not compromise the wetland functions the Bank provide; these maintenance measures are actively followed in order to provide for release of credits.

<u>PO E: Minimize temporal loss of wetlands and their functions and values.</u> By purchasing credits from the Wilbur Island Bank, an approved and established wetland mitigation bank, prior to onsite wetland impacts with the construction project, temporal loss of wetlands and their functions and values is prevented.

(6) ADDITIONAL INFORMATION				
Adjoining Property Owners and Their Address and Phone Nu	mbers (if more than 5, attach printed labels*)			
Community Baptist Church, PO Box 1144, Florence OR 974.	39			
Fred Meyer Stores, c/o Nickel & Company LLC, PO Box 355	547, Tulsa OK 74153			
Crystal Bay LLC, c/o Richard and Charlene Weber, PO Box	402, Clackamas OR 97015			
Susan and James Genereaux, 2980 SW Montgomery St., Port	land OR 97201			
Dennis Fleming, 99 NE Telima Lane, Bend, OR 97701				
Sand Ranch Properties, 5252 North Edgewood Dr., Provo UT	`84604			
Florentine Estates Homeowner Assn., 182 Florentine Ave., F	lorence OR 97439			
Anita M. McGill Restated Revocable Trust, 11781 SW Beave	rton-Hillsdale Highway, Beaverton, OR 97005			
Has the proposed activity or any related activity received the	attention of the Corps of Engineers or the Department of State Lands in the past e.g.			
wetland delineation, violation, permit, lease request, etc.?	atomon of the corps of Engineers of the Department of outer Dance in the part, og,			
and a second	Yes X No			
If yes, what identification number(s) were assigned by the respective agencies:				
Corrs #NW/P 2008-489	State of Oregon # WD08-0360_00-0345_07-0514			
COIPS # 11 2008-469	State of Olegon # wD08-0500, 00-0545, 07-0514			
Has a wetland delineation been completed for this site? Yes X No				
If yes by whom?* Environmental Solutions LLC				
Has the wetland delineation been approved by DSL or the CC	E? Yes X No			
If yes, attach a concurrence letter. *				

(7) CITY/COUNTY PLANNING DEPARTMENT AFFIDAVIT (TO BE COMPLETED BY LOCAL PLANNING OFFICIAL) *				
I have reviewed the project outlined 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 will be consistent with the comprehensive plan and land use regulations when the following local approval(s) are obtained. Conditional Use Approval Development Permit Other Plan Amendment Zone Change Other An application has				
Local planning official name (print) Signature	Title	City / County	Date	
Comments:				
(8) 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. A public notice will be issued with the certification statement, which will be forwarded to the Oregon Department of Land Conservation and Development for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program, contact the department at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050. 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 Name Title				
Applicant Signature	Date			
Applicant Signature Date				

(9) SIGNATURES FOR JOINT APPLICATION

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 Dept. of State Lands staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I herby 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, upon request, 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. The fee for the state application must accompany the application for completeness.Amount enclosed\$825.00Commercial operator: \$687+ volume fee: \$138				
Print /Type Name	Title	Print /Type Name	Title	
		Nancy Holzhauser	Consultant	
		*	Conosituit	
Applicant Signature	Date	Authorized Agent Signature	Date	
		navery tog	3/1/13	
Landowner signatures: For projects and /or mitigation work proposed on land not owned by the applicant, including <u>state-owned submerged and</u> <u>submersible lands</u> , please provide signatures below. A signature by the Department of State Lands for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for authorization to conduct removal/fill activities on such lands. This signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied.				
Print /Type Name- Lane Co	Title	Print /Type Name- ODOT	Title	
Property Owner Signature	Date	Property Owner Signature	Date	

(7) CITY/COUNTY PLANNING DEPARTMENT AFFIDAVIT (TO BE COMPLETED BY LOCAL PLANNING OFFICIAL) *				
I have reviewed the project outlined 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 will be consistent with the comprehensive plan and land use regulations when the following local approval(s) are obtained. Conditional Use Approval Development Permit Other This project is not consistent with the comprehensive plan. Consistency requires a Plan Amendment Zone Change Other An application has has not				
Local planning official name (print) Signature	Title	City / County Date		
Comments:				
(8) COASTAL ZONE CERTIFICATION *				
If the proposed activity described in your permit application is within the <u>Oregon coastal zone</u> , the following certification is required before your application can be processed. A public notice will be issued with the certification statement, which will be forwarded to the Oregon Department of Land Conservation and Development for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program, contact the department at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050. 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 Name Title Vice Precident Anlia EA				
Terrea Bishan 2 Para Station 11A Ala				
Applicant Signature	Date Date	VALLE RIC		
Jore Bishow Jate 3-13.13				

.

(9) SIGNATURES FOR JOINT APPLICATION

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 Dept. of State Lands staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I herby 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, upon request, supplemental information in support of this permit application.				
permits requested before commencir The fee for the state application mus	g the project. I understand that paym t accompany the application for comp.	ent of the required state processing <u>fee</u> do leteness.	es not guarantee permit issuance.	
Amount enclosed \$825.00	Commercial operator	: \$687+ volume fee: \$138		
Print /Type Name	Title	Print /Type Name	Title	
Teresa Bishow Cannary Station LLC	Vice President	Nancy Holzhauser	Consultant	
Applicant Signature	Date	Authorized Agent Signature	Date	
(JEEESA Bishow) 3-13-13		navery tog	3/1/13	
Landowner signatures: For projects and /or mitigation work proposed on land not owned by the applicant, including <u>state-owned submerged and</u> <u>submersible lands</u> , please provide signatures below. A signature by the Department of State Lands for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for authorization to conduct removal/fill activities on such lands. This signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied.				
Print /Type Name- Lane Co	Title	Print /Type Name- ODOT	Title	
Property Owner Signature	Date	Property Owner Signature	Date	

17

ATTACHED MAPS AND EXHIBITS ARE AVAILABLE IN THE PLANNING DEPARTMENT OR ONLINE AT:

www.ci.florence.or.us/boardsandcommissions/planning-commission-meeting-25

STANDING SEAM METAL ROOF: warm dark grey from manufacturer's standard colors

BOARD & BATTEN SIDING benjamin moore solid color stain: redwood

SHINGLE SIDING benjamin moore semi solid color stain: amherst grey

FACIA, WINDOW TRIM & DOOR TRIM benjamin moore exterior paint: snowfall white

CONCRETE BASE natural with local aggregates



CANNERY STATION LOT 1 OFFICE BUILDING EXTERIOR COLORS & MATERIALS 03.18.13

DECLUSE ONLY File #: Application #: LID/RM:: River Mile: Legel Name Canfilmed: Notes:	DEC USE ONLY EW 1200-C ce waters from e acre or more o requirements. Check Name: Deposit # Receipt #: Notee:
---	--

*A project may be eligible for "automatic coverage" under NPDES general permit 1200-CN if stormwater *does not* discharge to a water body with a TMDL or 303(d) listing for sediment or turbidity and it meets one of the following oritoria (see 1200-CN at http://www.dcg.state.or.us/wo/wopermit/docs/seneral/modes1200cn/1200CNPermit.pdf):

1)Disturbs less than one acre and is located in Gresham, Troutdale, or Wood Village.

2) Disturbs less than five acres and is located in Albany, Corvallis, Eugene, Milwaukie, Multnomah Co. (unincorporated areas), Springfield, West Linn, or Wilsonville.

3)Disturbs less than five acres and is within the jurisdictions of Clackamas Co. Water Environment Services [Gladstone, areas within Clackamas Co. Service Dist. #1 (excluding Happy Valley), and areas within the Surface Water Management Agency of Clackamas Co. (including Rivergrove)], Clean Water Services (Banks, Beaverton, Cornelius, Durham, Forest Grove, Hillsboro, King City, North Plains, Sherwood, Tigard, Tualatin, and Washington Co. within Urban Growth Boundary), or Rogue Valley Sewer Services (Cantral Point, Phoenix, Talent, and portions of Jackaon Co. in NFDES MS4 permit area).

Please answer all questions.

	Contraction and		A. PROJECT	INFORMATION		
1.	Cannery Station LLC Applicant (entity legally responsible for permit) Teresa Bishow @Arlie & Co Contact Name (if different from applicant) 2911 Tennyson Ave., Suite 400		2. Invoicing information (person or entity legally responsible for			
			payment of annual fee inv applicant)	roice; not a third party	independent of the	
			n applicant)	1		
			Invoice Contact Name (if different from applicant)			
	Address					
	Eugene OR 97408		Address			
	City	State	Zip			2
	541-344-5500 teresa@arlie.com		City	State	Złp	
	Telephone E-Mail Address					
			Telephone	E-Mai	1 Address	
3,	KPFF Consulting,	inc		4. Matt Keenan		
A	Architect/Engineering Firm (Brosion & Sediment Control Plan)		Applicant's Designated	Breation and Sediment	Control Inspector	
	Matt Keenan			KPFF Consulting	, inc	
	P	roject Manager			Company Name	
	541-684-4902 Matt.Keenan@kpffcivil.com			541-684-4902	Matt.Keenan@	⊉kpficivil.com
	Telephone	E-N	Mail Address	Telephone	B-Mai	Address

5 Cannery Station			6 Nature of Construction Activity	
Name	of Project		Single Family (SIC Code 1521)	
Highway 101/Munsel	Lake Rd		X Multi-Family Residential (SIC Code 1522)	
Address o	r Cross Street		X Commercial (SIC Code 1542)	
Florence	OR	97439	Industrial (SIC Code 1541)	
City	State	Zip	- Highway (SIC Code 1611)	
Lane			X Utilities (SIC Code 1623):	
County				
7. Approximate location of ce	nter of site:		8. Project Size:	
Latitude:44.008139			Total Site Acreage (acres): 16.87	
Longitude: -124.100249	Э		Total Disturbed Area (acres):16.87	
For assistance: . http://deggisweb.deg.s	DEQ Location To state.or.us/llid/lli	ool at d.html		
9. Stormwater runoff during c	onstruction will f	flow to:		
Infiltration device(s)				
Creek/Stream (provide n	ame):	C		
Ditch (provide name of i	receiving stream	ior ditch): n (norwide name (of receiving stream for system). Munsel Creek Dacific Ocean	
Other:	n Gramage system	m (provide name c	in receiving stream for system). Wrunser Creek, Facine Ocean	
10.Stormwater runoff during c water body with a Total Ma	onstruction disch ximum Daily Lo	arges directly to o ad (TMDL) or 30	or through a storm sewer or drainage system that discharges to a $3(d)$ listing for turbidity or sedimentation? \Box YES X NO	
For a	ssistance: DEQ DEQ Map/Tai	Lookup Tool at <u>ht</u> ble at <u>http://deg12</u>	tp://deg12.deg.state.or.us/tmdl/default.aspx or .deg.state.or.us/tmdl/default.aspx	
	B. LA	ND USE COMP	PATIBILITY STATEMENT	
Submit a DEQ Land Use Comp application. Attach the original unless the local land use author comprehensive plan and land use	patibility Stateme l LUCS and, if ap rity indicates on use regulations.	ent (LUCS) form t oplicable, written the LUCS form t	hat has been completed by the local land use authority with this findings by the local authority. DEQ will not process the application hat the project is compatible with the local acknowledged	
A copy of this	form may be four	nd at http://www.a	leq.state.or.us/pubs/permithandbook/generallucs.pdf	
C	. SIGNATURE	OF LEGALLY	AUTHORIZED REPRESENTATIVE	
The legally authorized represent	tative <i>must</i> sign th	he application.		
I hereby certify that the information addition, I agree to pay all permise invoiced annually by DEQ	ation contained in nit fees required to maintain the p	n this application i by Oregon Admin ermit.	is true and correct to the best of my knowledge and belief. In istrative Rules 340-045. This includes a compliance determination	
Name of Legally Authorized	Representative	(Type or Print)	Title	
Signature of Legally Ar	thorized Repre	sentative	Date	

APPLICATION AND FEE SUBMITTAL

To authorize permit registration, the following must be completed and submitted to the appropriate DEQ regional office or DEQ Agent (see list of offices in application instructions, pp. 3-4):

- **X** DEQ application form signed by the Legally Authorized Representative and meeting the signature requirements below.
- X DEQ LUCS by local land use authority indicating the activity is compatible with local acknowledged comprehensive plan and land use regulations. Include the Findings if so stated on the LUCS.
- Stormwater Erosion and Sediment Control Plan Narrative, if applicable.
- X Stormwater Erosion and Sediment Control Plan Drawings; full-sized hard copy and electronic PDF files.
- Effective 11/1/12, the fee for a new application is \$1,629 payable to Oregon DEQ and you must submit it with this application. Please note that DEQ will also invoice you for an annual fee of \$826 if your project needs permit coverage for more than a year. These fees are subject to change; please visit <u>http://www.deq.state.or.us/wq/wqpermit/stminfo.htm</u> for current fees. If you are sending your application to a DEQ Agent, check with the DEQ Agent for appropriate fees and make check payable to the DEQ Agent.

Application Instructions

A. PROJECT INFORMATION

- Enter the legal name of the applicant. Permit coverage will be issued to this entity. This is the person, business, public
 organization, or other entity responsible for ensuring that erosion and sediment controls are in place and in working order through
 the life of the project.
 - The name must be a legal, active name registered with the Oregon Department of Commerce, Corporation Division in Salem at 503-378-4752 or http://egov.sos.state.or.us/br/pkg web name srch inq.login, unless otherwise exempted by their rules. If the name of the applicant is not registered with the Corporation Division and the applicant is a business entity, attach legal documents that verify the entity's existence with the applicant. The applicant may not use an assumed business name.
 - Permit coverage may be transferred from one party to another. For example, a developer may apply for a permit and then transfer the permit to a contractor. Transfer forms are available from DEQ or at http://www.deq.state.or.us/wq/stormwater/constappl.htm.
- 2. Provide invoice contact information for billing of DEQ annual permit fee if different from the applicant in #1 above. This is the person or entity legally responsible for payment of the annual fee invoice, not a third party independent of the applicant.
- Provide contact information for the Architect or Consulting Engineer who designed the Erosion and Sediment Control Plan (ESCP).
- 4. Provide information on the Brosion and Sediment Control Inspector. This is not a DEQ or DEQ Agent inspector; this is an inspector employed by the applicant. If the inspector has not been selected yet, please provide the name of consultant who prepared the ESCP and their ESC certification. When the inspector is selected, submit to DEQ or to the DEQ Agent, the name, contact information, training and experience (see condition A.12.b.iii of the 1200-C).
- 5. Provide the common name of the project (for example, the name of the subdivision), the location of the site with respect to crossroads in the area, and, if available, a street address.
- 6. Check the box that best describes the nature of the construction activity. If "other" is selected, describe the use and include a Standard Industrial Classification Code (visit <u>http://www.osha.gov/pls/imis/sicsearch.html</u> for codes).
- 7. Enter latitude and longitude for the approximate center of the site (DEQ Location Tool at http://degisweb.deq.state.or.us/llid/llid.html or at http://degapp1/website/lit/data.asp).
- 8. Provide information on the project size as indicated (based on the total project and not just a single phase).
- 9. Indicate where stormwater runoff during construction will flow. Use your best judgment to determine the name of the receiving water body.
- 10. Indicate whether stormwater runoff during construction will discharge directly to or through a storm sewer or drainage system that discharges to a Total Maximum Daily Load (TMDL) or 303(d) listed water body for turbidity or sedimentation. To make this determination, the following tools are available on DEQ's website:
 - Map and table: http://www.deq.state.or.us/WQ/TMDLs/basinmap.htm
 - Lookup tool: <u>http://deq12.deq.state.or.us/tmdl/default.aspx</u>

B. LAND USE COMPATIBILITY STATEMENT

Complete as indicated.

C. SIGNATURE OF LEGALLY AUTHORIZED REPRESENTATIVE

DEFINITION OF LEGALLY AUTHORIZED REPRESENTATIVE:

Please also provide the information requested in brackets []

- Corporation president, secretary, treasurer, vice-president, or any person who performs principal business functions; or a manager of one or more facilities that is authorized in accordance to corporate procedure to sign such documents.
- Partnership General partner [list of general partners, their addresses, and telephone numbers].
- Sole Proprietorship Owner(s) [each owner must sign the application].
- City, County, State, Federal, or other Public Facility Principal executive officer or ranking elected official.
- Limited Liability Company Member [articles of organization].
- Trusts Acting trustee [list of trustees, their addresses, and telephone numbers].

(please see 40 CFR §122.22 for more detail, if needed)

APPLICATION AND FEE SUBMITTAL

Submit this application, Narrative Parts I, II & III (if applicable), LUCS, Erosion and Sediment Control Plan(2 full-sized hard copies and 1 PDF copy), and the applicable fee to the appropriate DEQ regional office or DEQ Agent listed below. Contact the appropriate DEQ regional office or DEQ Agent for the best way to submit the electronic version of the ESCP.

• If you are in an area serviced by a DEQ Agent, check with the DEQ Agent for appropriate fees and make check payable to the DEQ Agent.

• If you are sending your application to DEQ, the fee for a new application is \$1,629 payable to the Oregon DEQ. Please note that DEQ will also invoice you for an annual fee of \$826 if your project needs permit coverage for more than a year. These fees are subject to change; visit <u>http://www.deq.state.or.us/wq/wqpermit/stminfo.htm</u> for current fees.

DEQ Northwest Region 2020 SW 4th Avenue, Suite 400 Portland, OR 97201-4987 503-229-5438 or 1-800-452-4011	DEQ Western Region 165 East 7th Avenue, Suite 100 Eugene, OR 97401 541-687-7326 or 1-800-452-4011	DEQ Eastern Region 700 SE Emigrant Avenue, Suite 330 Pendleton, OR 97801 541-278-4605 or 1-800-452-4011
City of Eugene 99 W. 10th Avenue Eugene, OR 97401 541-722-5519	City of Hermiston 215 Gladys Avenue Hermiston, OR 97838 541-667-5025	City of Troutdale 342 SW 4th Street Troutdale, OR 97060 503-674-7270
Clean Water Services 2550 SW Hillsboro Highway Hillsboro, OR 97123 503-681-5101 Includes Banks, Beaverton, Cornelius, Durham, Forest Grove, Gaston, Hillsboro, King City, North Plains, Sherwood, Tigard, Tualatin, and portions	Rogue Valley Sewer Services 138 West Vilas Road, PO Box 3130 Central Point, OR 97502 541-353-4594 Includes Central Point, Phoenix, Talent, White City and portions of Jackson Co.	Clack Co. Water Environmental Services 150 Beavercreek Road, Suite 430 Oregon City, OR 97045 503-742-4567 Unincorporated Clackamas County and areas within the Cities of Rivergrove and Gladstone
of Washington Co.		/

