

Oregon

Kate Brown, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 986-5200

FAX (503) 378-4844

www.oregon.gov/dsl

State Land Board

Kate Brown

Governor

December 20, 2017

Lincoln City Urban Renewal Agency

Attn: Alison Robertson

801 SW Hwy 101-Box 50

Lincoln City, OR 97367

Re: WD # 2017-0406 Wetland Delineation Report for Delake Hostetler
Park

Lincoln County; T7S R11W Sec.15, Tax Lot 3200

Lincoln City Local Wetlands Inventory wetland DEL-10D

Dennis Richardson

Secretary of State

Tobias Read

State Treasurer

Dear Ms. Robertson:

The Department of State Lands has reviewed the wetland delineation report prepared by PBS Engineering and Environmental for the site referenced above. Based upon the information presented in the report, we concur with the wetlands and waterway boundaries as mapped in Figure 7 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map.

Within the study area, two wetlands (Wetlands A-B totaling approximately 0.42 acres) and one lake (portion of Devils Lake) were identified. The wetlands and lake are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in the wetlands or below the ordinary high water line (OHWL) of a waterway (or the 2 year recurrence interval flood elevation if OHWL cannot be determined).

However, Devils Lake is designated as essential salmonid habitat; therefore, fill or removal of any amount of material within the OHWL and hydrologically-connected wetlands (Wetland A) may require a state permit.

This area of Devils Lake is a state-owned waterway; any activity encroaching within the submerged and submersible land may require a lease, registration, or easement to occupy state-owned land. Please contact Blake Helm at 503-986-5288 for more information.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. The Army Corps of Engineers will review the report and make a determination of jurisdiction for purposes of the Clean Water Act at the time that a permit application is submitted. We recommend that you attach a copy of this concurrence letter to both copies of any subsequent joint permit application to speed application review.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.


Thank you for having the site evaluated. Please phone me at 503-986-5218 if you have any questions.

Sincerely,



Lauren Brown
Jurisdiction Coordinator

Approved by



Kathy Verble, CPSS
Aquatic Resource Specialist

Enclosures

ec: Greg Swanson, PBS Engineering and Environmental
City of Lincoln City Planning Department (Maps enclosed for updating LWI)
Brian Zabel, Corps of Engineers
Oregon Coastal Management Program
Carrie Landrum, DSL