



# 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](http://www.oregon.gov/dsl)

### State Land Board

June 8, 2021

Patrick/Dave, LLC  
Attn: Patrick Gemma  
2575 38<sup>th</sup> Avenue West  
Seattle, WA 98199

Kate Brown  
Governor

Shemia Fagan  
Secretary of State

Re: WD # 2021-0153 **Approved**  
Wetland Delineation Report for Tax Lot 4100 on Forest Lawn Drive  
Clatsop County; T5N R10W 30DA TL4100  
Cannon Beach Local Wetlands Inventory, Wetland 24

Tobias Read  
State Treasurer

Dear Mr. Gemma:

The Department of State Lands has reviewed the wetland delineation report prepared by Pacific Habitat Services for the site referenced above. Based upon the information presented in the report, we concur with the wetland boundaries as mapped in revised Figure 6 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map.

Within the study area, one wetland (Wetland A, totaling approximately 0.68 acres) was identified. This wetland is subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined).

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of wetland impacts. 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. If you have any questions, please contact the Jurisdiction Coordinator, Jessica Imbrie, at (503) 986-5250.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Ryan", written in a cursive style.

Peter Ryan, SPWS  
Aquatic Resource Specialist

Enclosures

ec: John van Staveren, SPWS, Pacific Habitat Services  
City of Cannon Beach Planning Department (Maps enclosed for updating LWI)  
Brad Johnson, Corps of Engineers  
Dan Cary, SPWS, DSL  
Oregon Coastal Management Program ([coast.permits@state.or.us](mailto:coast.permits@state.or.us))

# WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

Fully completed and signed report cover forms and applicable fees are required before report review timelines are initiated by the Department of State Lands. Make the checks payable to the Oregon Department of State Lands. To pay fees by credit card, go online at: <https://apps.oregon.gov/DSL/EPS/program?key=4>.

Attach this completed and signed form to the front of an unbound report or include a hard copy with a digital version (single PDF file of the report cover from and report, minimum 300 dpi resolution) and submit to, **Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279**. A single PDF of the completed cover form and report may be e-mailed to [Wetland\\_Delineation@dsl.state.or.us](mailto:Wetland_Delineation@dsl.state.or.us). For submittal of PDF files larger than 10 MB, e-mail DSL instructions on how to access the file from your ftp or other file sharing website.

## Contact and Authorization Information

☒ Applicant ☒ Owner Name, Firm and Address:

**Patrick Gemma**  
**Patrick/Dave, LLC**  
**2575 38<sup>th</sup> Avenue West**  
**Seattle, WA 98199**

Business phone #

Mobile phone # (optional) **206.419.2218**

E-mail: **pgemma@prologis.com**

☒ Authorized Legal Agent, Name and Address:

Business phone #

Mobile phone #

E-mail:

I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.

Typed/Printed Name: **Patrick Gemma**

Signature: 

Date: **3/19/2021**

Special instructions regarding site access:

## Project and Site Information

Project Name: **Tax Lot 4100 on Forest Lawn Drive**

Latitude: **45.8864**

Longitude: **-123.9628**

decimal degree - centroid of site or start & end points of linear project

Tax Map # **5 10 30 DA**

Tax Lot(s) **4100**

Proposed Use:

**Residential subdivision**

Tax Map #

Tax Lot(s)

Project Street Address (or other descriptive location):

**SW of the intersection of Forest Lawn Dr and South Hemlock Street**

Township **5N** Range **10W** Section **30** QQ **DA**

Use separate sheet for additional tax and location information

Waterway: **N/A**

River Mile: **N/A**

City: **Cannon Beach**

County: **Clatsop**

NWI Quad(s): **Tillamook Head, Oregon**

## Wetland Delineation Information

Wetland Consultant Name, Firm and Address:


**Pacific Habitat Services**  
**Attn: John van Staveren**  
**9450 SW Commerce Circle, Suite 180**  
**Wilsonville, OR 97070**

Phone # **503-570-0800**

Mobile phone # **503-708-8320**

E-mail: **jvs@pacifichabitat.com**

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.

Consultant Signature: 

Date: **3/19/2021**

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

Wetland/Waters Present? ☒ Yes ☐ No Study Area size: **1.10 acres** Total Wetland Acreage: **0.68**

## Check Applicable Boxes Below

☐ R-F permit application submitted

☒ Fee payment submitted **\$475**

☐ Mitigation bank site

☐ Fee (\$100) for resubmittal of rejected report

☐ Industrial Land Certification Program Site

☐ Request for Reissuance. See eligibility criteria (no fee)

☐ Wetland restoration/enhancement project (not mitigation)

DSL # \_\_\_\_\_ Expiration Date \_\_\_\_\_

☐ Previous delineation/application on parcel?

☒ LWI shows wetlands or waters on parcel?

If Known, previous DSL #

Wetland ID Code **W24**

## For Office Use Only

DSL Reviewer: **JJ**

Fee Paid Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

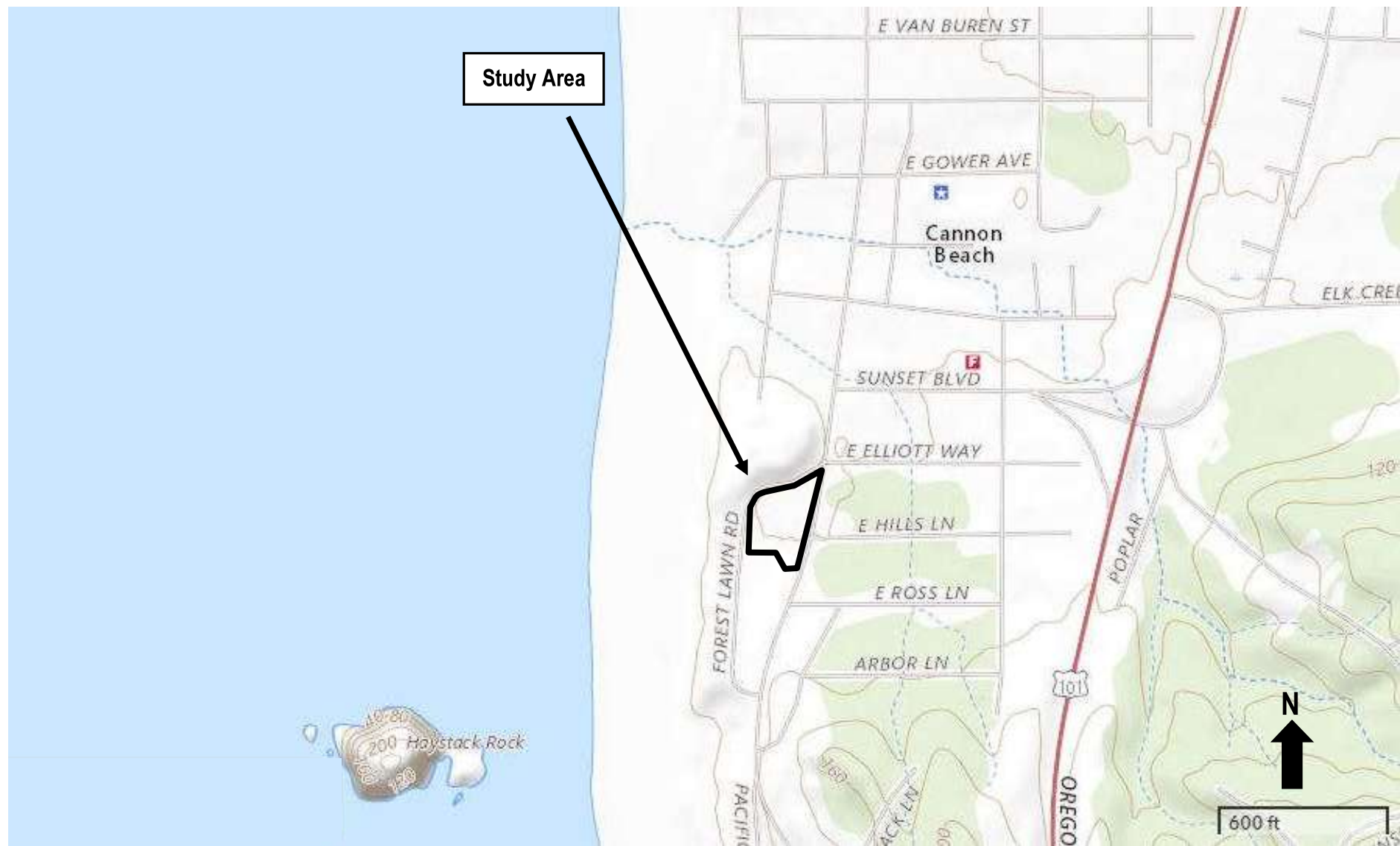
DSL WD # **2021-0153**

Date Delineation Received: **3 / 23 / 21**

Scanned: ☐ Final Scan: ☐

DSL App. # \_\_\_\_\_

Electronic Submittal



Project #6978  
2/16/2021



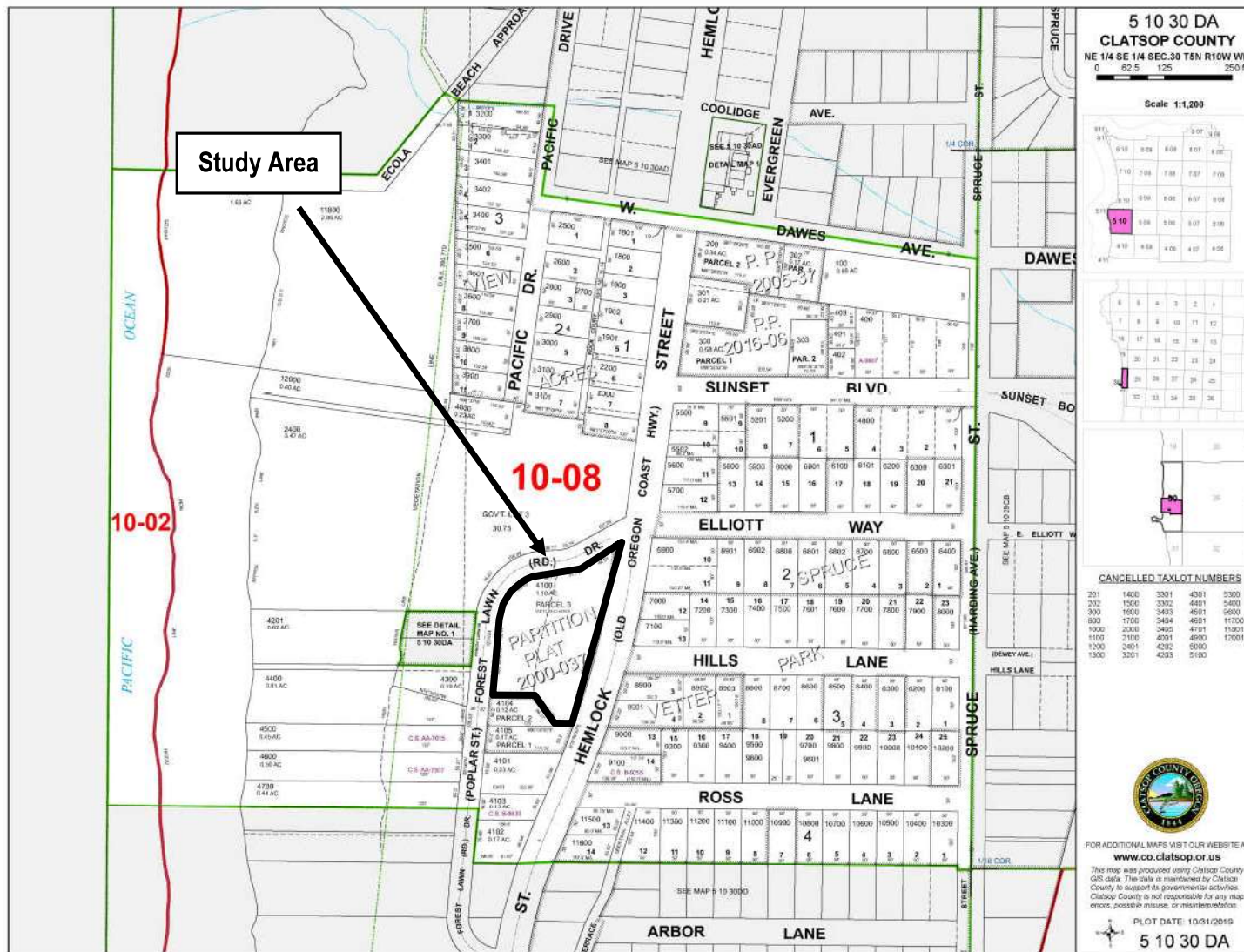
Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070

General Location and Topography  
Tax Lot 4100 - Cannon Beach, Oregon  
United States Geological Survey (USGS) Tillamook Head, Oregon 7.5 quadrangle, 2020  
(viewer.nationalmap.gov/basic)

FIGURE

1





Project #6978  
 2/16/2021



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

Tax Lot Map  
 Tax Lot 4100 - Cannon Beach, Oregon  
 The Oregon Map (ormap.net)

FIGURE  
 2

