



Oregon

Tina Kotek, Governor

Department of State Lands

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April 18, 2023

State Land Board

Rowan Percheron, LLC
Attn: David Shiflett and Kenneth Davies
160 E. State Street, Ste 120
Traverse City, MN 49684

Tina Kotek
Governor

Re: **WD # 2022-0436 Approved**
Wetland Delineation Report for Percheron Industrial Campus
Morrow County; T3N R24E S28 TL100 (Portion)

Shemia Fagan
Secretary of State

Tobias Read
State Treasurer

Dear David Shiflett and Kenneth Davies:

The Department of State Lands has reviewed the wetland delineation report prepared by AKS Engineering & Forestry, LLC for the site referenced above. Please note that the study area includes only a portion of the tax lot described above (see the attached maps). Based upon the information presented in the report, a site visit on April 11, 2023, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in revised Figure 5 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 1.75 acres) and one waterway (Intermittent Water 1) were identified. The wetland and water 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 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, other state agencies 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 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 for Morrow County, Jessica Salgado, at (541) 388-6421.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Ryan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Peter Ryan, SPWS
Aquatic Resource Specialist

Enclosures

ec: Sonya Templeton, AKS Engineering & Forestry, LLC
Morrow County Planning Department
Michael Neal, US Army Corps of Engineers
Richard Fitzgerald, DSL