CITY OF GRESHAM

HOME FORWARD CIVIC STATION PROJECT INFORMATION FOR WETLAND 8-STEP DECISION MAKING PROCESS

Home Forward Civic Station Wetland 8-Step Decision Making Process

Summary Project Information

Early Notice Documentation

Wetland Delineation Report

Oregon Department of State Lands Consultation

U.S. Army Corps of Engineers Consultation

NMFS Consultation

Gresham Endangered Species Act & Wetland Protection Determination

Home Forward Civic Station Wetland 8-Step Decision Making Process Summary

Step 1: The site was evaluated and the City determined that while not meeting a Gresham, Oregon, or US Army Corps definition of a jurisdictional wetland, the three wetlands onsite do meet the strict definition of wetlands under federal EO 11990, and therefore HUD is required to apply an 8-step process reviewing proposed wetland impacts.

Step 2: The 8-Step Early Notification and project information were posted for public review on the City of Gresham website on August 19th, 2024. The comment period ended on September 3rd, 2024. No comments were received.

Step 3: City staff evaluated the following alternatives to building the project in the wetland:

- No Action: If the Project did not proceed with construction, the affordable units would not be constructed. The City has a high need for affordable, family sized rental housing units, which the proposed Project will provide.
- Redesign to Avoid Wetland: A redesign of the Project to avoid construction in the existing wetlands would mean that a large portion of the site could not be developed and would result in significantly fewer units and on-site amenities.
- Alternate Site: Due to the cost of real estate and built-out nature of the surrounding community, there are limited options available for alternative sites that could support the proposed project and moving the project site would not be financially feasible.

Step 4: A wetland delineation was completed and the project consulted with the U.S. Army Corps of Engineers, the Oregon Department of State Lands and City of Gresham Department of Environmental Services staff. The wetlands on site were determined to be non-jurisdictional and only meet HUD's stringent definition of a wetland. The project as proposed would fill all three wetland areas identified on the site, a total of .36 acres of wetland.

Step 5: The following actions are planned to mitigate the impacts of filling the wetlands on site.

- An underground detention facility and flow control manhole will meet the water quantity requirements of the City of Gresham Stormwater Manuel and the HUD Programmatic Biological Opinion.
- Two lined rain gardens and two line stormwater planters will provide water quality for the site. Water quality facilities were sized using half of the 2-year storm event to meet the more stringent HUD requirements and exceed the City's requirements.

The beneficial functions of the on-site wetlands are currently stormwater detention and infiltration. Impacts caused by increased stormwater runoff will be mitigated through the addition of the vegetated stormwater facilities noted above.

Compensatory mitigation is not required for this program per 24 CFR Part 55.20 (e)(3), which only requires compensatory mitigation when a project creates unavoidable adverse impacts to more than one acre of wetlands.

Step 6: City staff re-evaluated alternatives to building in the wetland and has determined that it has no practicable alternative to wetland development.

Step 7: A Final Notice will be posted on July 14th, 2025 and the comment period will be open through July 21st, 2025.

CITY OF GRESHAM

Home Forward Civic Station Project Information for 8-step Early Notification

Project Description

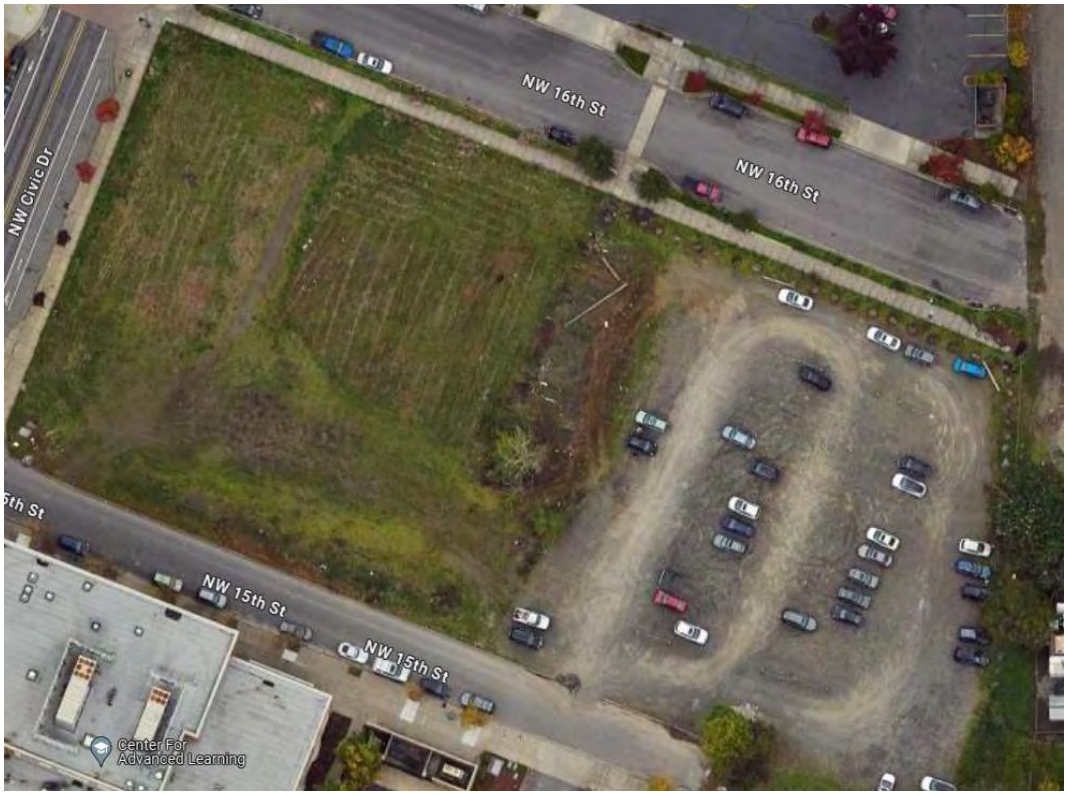
This project is currently being designed and will be subject to jurisdictional review prior to construction permitting, so details should be expected to change. The latest design proposal includes a six-story building with 60 units of affordable housing, a courtyard with playgrounds and outdoor spaces for building occupants, a pedestrian path through the center of the block, an aisle of parking to the east of the path, and remaining space to the east to be left for separate development. The mass of the building is concentrated to the northwest of the parcel, along NW Civic Drive and NW 16th Avenue. The building is envisioned as an L-shape along those two right-of ways. The residential units will be on Floors 2-6. Floor 1 will contain management offices, resident amenity space, mechanical systems, and four classrooms for early childhood education.

Project Site and Wetland Information

The proposed project would develop the existing vacant parcel (2.3-acres bordered by NW 16th Street, NW 15th Street, and NW Civic Drive) into a modern affordable housing development that consists of apartment buildings, courtyards, community facilities, and parking. The project area is located on public land owned by Metro and the City of Gresham and encompasses tax lots R649852140 (Metro) and R649852150 (Metro) as well as a portion of R993041820 (City of Gresham) in the Southeast ¼ of Section 4 of Township 1 South, Range 3 East, Willamette Meridian. The project would result in the unavoidable disturbance of wetlands onsite, including a stormwater pond (emergent wetland) in the center of the project site and two potential depressional wetlands located near NW Civic Drive and west of the stormwater pond, in the center of the vegetated portion of the project site. The project site contains approximately 0.22-acres of wetlands onsite in total. A formal wetland delineation is required to determine the precise boundaries of wetlands onsite as well as the jurisdictional status of the wetlands to the Oregon Department of State Lands (DSL) and/or the U.S. Army Corps of Engineers (USACE).

- The stormwater pond (emergent wetland) receives water from direct precipitation and overland flow within the project site and does not appear to have an inlet. The pond outlets to NW 15th Street to the south through a 2-foot-wide ditch, which did not show signs of an ordinary high-water mark. Water is anticipated to flow through the ditch ephemerally and only when the pond is overflowing. At the time of the survey, the pond had water up to one foot deep.
- Potential depressional wetlands onsite appear to primarily collect water from direct precipitation and overland flow and lose water through infiltration and evapotranspiration.

Aerial View of Project Site

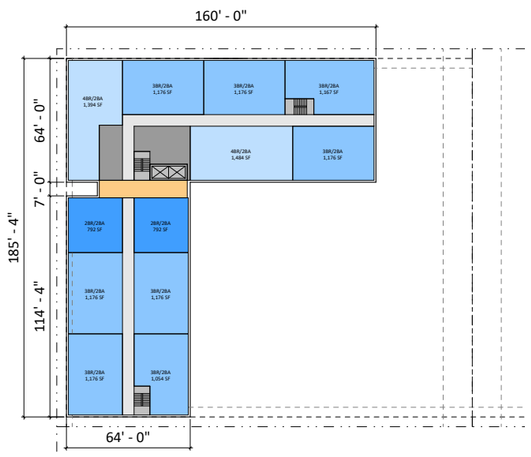


L-SCHEME

MASSING OPTIONS

Conceptual Site Plans

GROUND LEVEL SITE PLAN



UPPER LEVEL PLAN

- Residential Amenities
- IRCO Early Learning Center
- 4 Bedroom Units
- 3 Bedroom Units
- 2 Bedroom Units
- Service

CONCEPTUAL MASSING

L-Scheme

MASSING VIEWS

NW CORNER

NE CORNER

SW CORNER

SE CORNER

CITY OF
GRESHAM

Early Notice and Public Review of a Proposed Activity in a Wetland

To: All interested Federal, State, and Local Agencies, Groups and Individuals

This is to give notice that the City of Gresham (the City) under HUD 24 CFR Part 58 has determined that the following proposed action under the HUD Rental Assistance Demonstration Program contains wetlands protected under Executive Order (EO) 11990. The City will be identifying and evaluating practicable alternatives to locating the proposed affordable housing development on a site containing wetlands and the potential impacts on the wetlands from the proposed action, as required by E.O. 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C Procedures for Making Determinations on Floodplain Management and Wetlands Protection.

The proposed project would develop the existing vacant parcel (2.3-acres bordered by NW 16th Street, NW 15th Street, and NW Civic Drive) into a modern affordable housing development that consists of apartment buildings, courtyards, community facilities, and parking. The project area is located on public land owned by Metro and the City of Gresham and encompasses tax lots R649852140 (Metro) and R649852150 (Metro) as well as a portion of R993041820 (City of Gresham) in the Southeast ¼ of Section 4 of Township 1 South, Range 3 East, Willamette Meridian. The project would result in the unavoidable disturbance of wetlands onsite, including a stormwater pond (emergent wetland) in the center of the project site and two potential depressional wetlands located near NW Civic Drive and west of the stormwater pond, in the center of the vegetated portion of the project site. The project site contains approximately 0.22-acres of wetlands onsite in total. A formal wetland delineation is required to determine the precise boundaries of wetlands onsite as well as the jurisdictional status of the wetlands to the Oregon Department of State Lands (DSL) and/or the U.S. Army Corps of Engineers (USACE).

- The stormwater pond (emergent wetland) receives water from direct precipitation and overland flow within the project site and does not appear to have an inlet. The pond outlets to NW 15th Street to the south through a 2-foot-wide ditch, which did not show signs of an ordinary high-water mark. Water is anticipated to flow through the ditch ephemerally and only when the pond is overflowing. At the time of the survey, the pond had water up to one foot deep.

- Potential depressional wetlands onsite appear to primarily collect water from direct precipitation and overland flow and lose water through infiltration and evapotranspiration.

There are three primary purposes for this notice. First, people who may be affected by activities in wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Commenters are encouraged to offer alternative sites that do not include wetlands, alternative methods to serve the same project purpose, and methods to minimize and mitigate impacts. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about floodplains can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in areas containing wetlands, it must inform those who may be put at greater or continued risk.

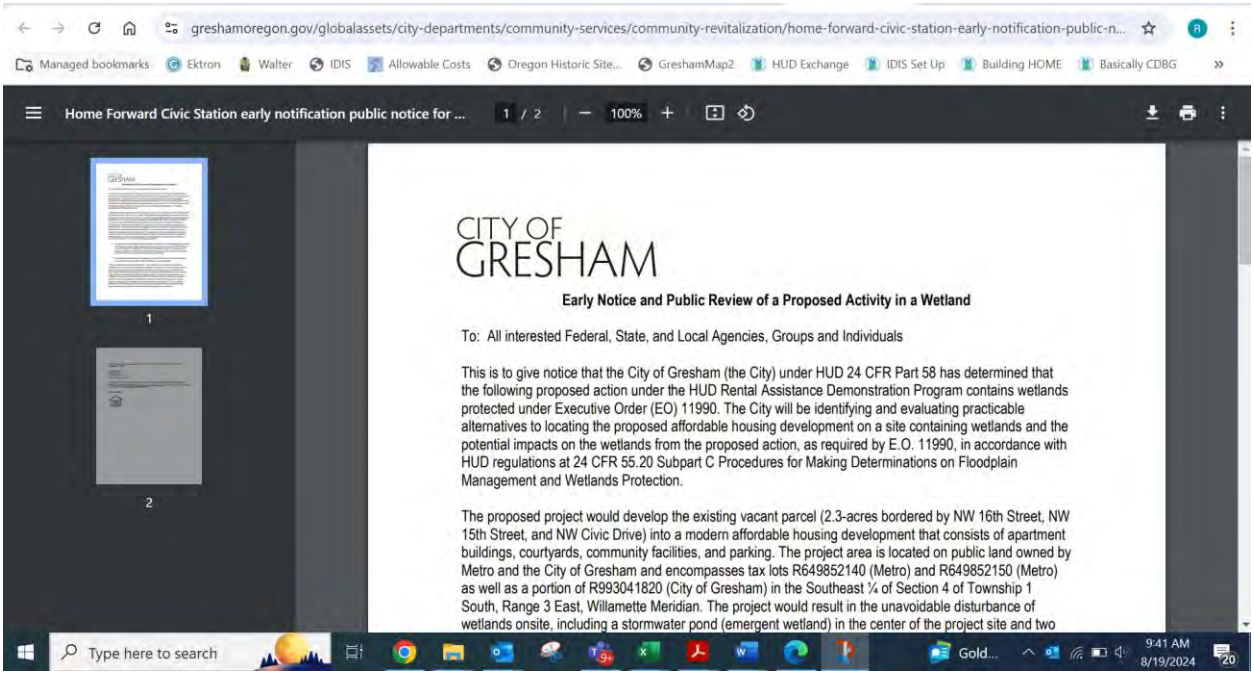
Written comments must be received by the City of Gresham at the following address on or before **September 3rd, 2024:**

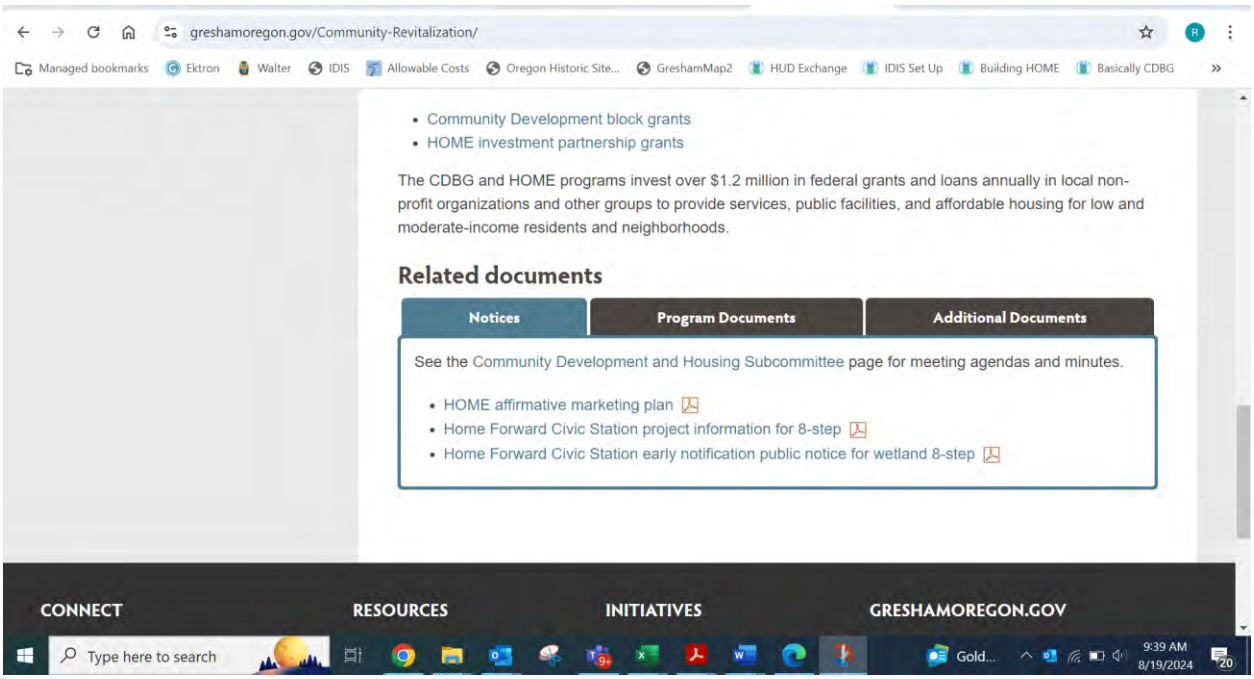
City of Gresham
Attn: Rachel Nehse
1333 NW Eastman Parkway
Gresham, Oregon 97030

A full description of the project may also be reviewed from **8:00 AM to 5:00 PM** at **1333 NW Eastman Parkway, Gresham, OR 97030 and https://tinyurl.com/HFCivic8step.** Comments may also be submitted via email at **Rachel.Nehse@GreshamOregon.gov**

Date: 8/19/2024

Wetland Early Notice Posting 8/19/24





Wetland Delineation Report

Civic Station

GRESHAM, OREGON

SEPTEMBER 2024

Prepared for:

Home Forward
135 SW Ash Street
Portland, Oregon 97204
Attn: Robert Dell

Prepared by:

DUDEK
605 NE 21st Avenue, Suite 200
Portland, Oregon 97232
Contact: Tony Vingiello

Tony Vingiello
Biologist

Patricia Schuyler, MS
Biologist and Project Manager

Table of Contents

SECTION **PAGE NO.**

TABLES

APPENDICES

Acronyms and Abbreviations

Acronym/Abbreviation	Definition
APT	Antecedent Precipitation Tool
CFR	Code of Federal Regulations
DSL	Oregon Department of State Lands
EO	Executive Order
FAC	facultative
FACU	facultative upland
FACW	facultative wetland
FEMA	Federal Emergency Management Agency
GIS	geographic information systems
HGM	hydrogeomorphic
HUD	U.S. Department of Housing and Urban Development
OAR	Oregon Administrative Rule
OBL	obligate wetland
OHWM	ordinary high water mark
PEM	palustrine emergent
USACE	U.S. Army Corps of Engineers
WET	wetland

1 Introduction

Dudek has been requested to conduct a wetland delineation at parcels located along NW Civic Drive between NW 15th Street and NW 16th Street in Gresham, Multnomah County, Oregon. The study area sits on 2.1 acres of vacant land (Figure 1, Project Vicinity; Figures 1–7 are provided in Appendix A). The study area is in Section 4DA of Township 1 South, Range 3 East, Willamette Meridian on Tax Lots 1202 and 1203 (owned by Metro), and Section 4DD, Township 1 South, Range 3 East, Willamette Meridian, Tax Lot 1900 (owned by the City of Gresham). The study area is bound to the north by NW 16th Street, to the southeast by City of Gresham equipment storage, to the south by NW 15th Street, and to the west by NW Civic Drive. The study area is shown in Figure 1, Project Vicinity, and Figure 2, Tax Lots.

The purpose of this report is to document the presence of wetlands and non-wetland waters within the study area. This report was prepared in accordance with Oregon Administrative Rule (OAR) 141-090-0030 and OAR 141-090-0035 (1-17), and through the lens of Executive Order (EO) 11990 wetland definitions, as this is a U.S. Department of Housing and Urban Development (HUD) project. This report was prepared by biologist Tony Vingiello and senior biologist Patricia Schuyler. Kristin Arakawa, geographic information systems (GIS) analyst, provided mapping support and Lia Kershaw, technical editor, provided editorial support.

The applicant is seeking concurrence from the Oregon Department of State Lands (DSL) to confirm the boundaries of resources identified in this report.

2 Landscape Setting and Land Use

The elevation on the study area ranges between approximately 300 and 310 feet above mean sea level. The study area sits in a suburban area surrounded by commercial buildings, civic offices, a light rail to the south, and suburban housing in the larger vicinity (Figures 1 and 2). The west side of the study area is mostly mowed grasses and forbs with gravel paths throughout. A gravel parking lot covers the east side of the study aera and is used as overflow parking for the Center for Advanced Learning, a charter high school located south from the study area across NW 15th Street.

2.1 Hydrology and Soils

The study area sits within the Columbia Slough Subwatershed (HUC-12: 170900120201), which is within the Columbia Slough-Willamette River Watershed (Figure 3, Hydrologic Setting). The entire study area is within Zone X, area of minimal flooding, on Federal Emergency Management Agency (FEMA) flood maps.

Two soil types are mapped within the study area: Aloha silt loam, 0% to 3% slopes, and Multnomah silt loam, 0% to 3% slopes (Figure 5, Soils). Neither soil type is listed as hydric. These soils have been largely replaced or otherwise altered by fill activities over the past 20–30 years.

3 Site Alterations

According to the 2024 Phase I report referencing aerial imagery and historic records, the property was a portion of a 200-acre farm from the 1860s until the 1970s with various inputs of fill in the latter decades (Coles + Betts Environmental Consulting 2024). The stormwater retention pond on site was installed in the center of the study area in approximately 2004 and has been relatively unaltered since. The pond is approximately 100 feet by 40 feet and had water up to 1 foot deep during the survey. The pond receives water from direct precipitation and overland flow within the study area, and the pond does not appear to have an inlet. The pond outlets to NW 15th Street to the south through a 2-foot-wide ditch. This ditch did not show signs of an ordinary high water mark (OHWM) and is estimated to flow ephemerally and only when the pond is overflowing. The lowest point of the ditch is approximately 2 feet higher than the surface elevation of the water during the site visit. The pond contained a wetland within it with rooted and floating aquatic vegetation throughout. The pond presumably goes dry in summer or early fall based on the hydrologic inputs and the Willamette Valley's lack of summer precipitation. Historic aerial imagery from July 2002 shows a grove of trees in the current stormwater pond location (Google Earth 2024; NETR 2024).

Comparing Figures 6C (2002) and 6D (2005), the pond is east of the previously standing tree grove. No other wetland signature is present in the current location of the pond.

4 Precipitation Data and Analysis

Preceding precipitation was analyzed using the U.S. Army Corps of Engineers' (USACE) Antecedent Precipitation Tool (Version 2.0) (APT) and rainfall data from the National Weather Service's weather records for the Portland KGW-TV weather station (NWS 2024). Table 1 shows the recent short-term precipitation trends for the area.

Table 1 shows the rainfall summary for 7- and 14-day intervals preceding the field investigation and Table 2 provides the water year-to-date precipitation data.

Table 1. Precipitation Data in 7- and 14-Day Intervals Preceding the Field Investigation

Site Visit Date	Precipitation on Site Visit Date (Inches)	7-day Interval Preceding Site Visit (Inches)			14-day Interval Preceding Site Visit (Inches)		
		Observed	Normal	Percent of Normal	Observed	Normal	Percent of Normal
June 5, 2024	0	1.28	0.59	216%	1.41	1.19	118%
August 8, 2024	0	0	0.09	0%	0.12	0.16	75%

Source: NWS 2024.

Prior to the June 5 visit, rainfall was above average for both site visits, especially in the prior week. Prior to the August 8 visit, it had not rained in the previous week and precipitation was at 75% of normal conditions for the 14 days prior.

Table 2 shows the water year-to-date precipitation data for the three field dates, again using the National Weather Service's Portland KGW-TV weather station data.

Table 2. Water Year-to-Date Precipitation Data

Date of Field Investigation	Observed Precipitation (Inches)	Normal Precipitation (Inches)	Percent of Normal
June 5, 2024	45.99	40.32	114%[a]
August 8, 2024	46.29	42.03	110%[b]

Sources:
[a] Based on NOAA water year data from October 1, 2021, to April 21, 2022 (NWS 2024).
[b] Based on NOAA water year data from October 1, 2023, to February 15, 2024 (NWS 2024).

As Table 2 shows, the water year-to-date, a marker of long-term precipitation trends, shows each visit to be just above normal for the measured period.

Precipitation data were also collected using the USACE APT to determine if the site was within normal conditions for the 90 days prior to the three site visits (Appendix D). The results of the query are below in Table 3.

Table 3. Antecedent Precipitation Tool Results

Date of Field Investigation	WebWIMP H_2O Balance	APT Result	Descriptive Result
June 5, 2024	Dry Season	12	Normal Conditions
August 8, 2024	Dry Season	12	Normal Conditions

Source: USACE Antecedent Precipitation Tool Version 2.0.
Note: APT = Antecedent Precipitation Tool.

The APT shows normal conditions were present during both site visits. During the June 5, 2024, site visit, conditions were wet with saturation and standing water in the depressional areas. As the recent precipitation was above average, this leads to the conclusion that the wet conditions are unusual for this time of year. However, it may be representative of wet early growing season conditions. In August, secondary indicators of hydrology and evidence of hydric soil and hydrophytic vegetation were used to support determinations of wetlands.

5 Methods

Prior to the field investigation, the potential for wetlands, waters, fish use, and other noteworthy natural resources to occur within the study area was identified using publicly available information including, but not limited to, the following:

- U.S. Fish and Wildlife Service National Wetlands Inventory (USFWS 2024)
- Local Wetland Inventory for the City of Gresham (Shapiro and Associates 2004)
- U.S. Geological Survey National Hydrography Dataset (USGS 2024a)
- U.S. Department of Agriculture, Natural Resources Conservation Service Web Soil Survey (USDA 2023)
- U.S. Geological Survey 7.5-minute quadrangle map (USGS 2024b)
- Federal Emergency Management Agency flood maps (FEMA 2024)
- National Environmental Title Research aerial photographs (NETR 2024)
- Recent and historical aerial photographs (Google Earth 2024)

A wetland delineation site visit was conducted by Dudek biologist Tony Vingiello on August 8, 2024. Mr. Vingiello previously visited the site on June 5, 2024, for a site reconnaissance. The methods used for determining the presence of wetlands and non-wetland waters and their boundaries followed the Corps of Engineers Wetlands Delineation Manual (USACE 1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region Version 2.0 (USACE 2010). Wetland areas were classified according to the U.S. Fish and Wildlife Service Classification of Wetlands and Deepwater Habitats of the United States (Cowardin et al. 1979) and the hydrogeomorphic classification system (Adamus 2001). The National Wetland Plant List 2020 (USACE 2020) was used to assign wetland indicator status for the appropriate region. The Natural Resources Conservation Service Field Indicators of Hydric Soils in the United States (USDA 2018) was used to define hydric soil indicators in the field. In cases where non-wetland waters are present, they were evaluated using the Stream Duration Assessment Method for the Pacific Northwest (Nadeau 2015). Soils, vegetation, and indicators of hydrology were recorded at sample plot locations on standardized wetland determination data forms (included in Appendix B) to document site conditions.

As this is a HUD project and HUD is the lead federal agency, resources within the project boundaries are also being evaluated by the standards under EO 11990: Protection of Wetlands in addition to the definition of wetlands in Title 33 of the Code of Federal Regulations (CFR) Part 328(c) that are under the authority of USACE. EO 11990 defines wetlands as follows:

> The term “wetlands” means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds. Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands.

The sample plots were chosen to represent the change from upland to wetland while remaining close enough to determine an accurate boundary location. The wetland plots were chosen to represent vegetation communities and hydrologic patterns found on site. Plots were included to show conditions in low elevation areas, areas with wet signatures on aerial imagery, mapped hydric soils, and areas with hydrophytic vegetation. If and when these plots did not meet wetland criteria, they remained as unpaired upland plots. The sample plots were placed in the lowest portions of the site with concave features and/or mapped hydric soils where wetlands are most likely to be present.

The OHWM in non-wetland water features, or lack of a mark, was determined based on characteristics observed in the field, as defined by USACE in 33 CFR 328.3(e) and by DSL in OAR 141-085-0515(3).

Dudek requested wetland delineation reports and permits for the Township, Range, and Section of the project from DSL Support Services on May 16, 2024. None of the returned database results were geographically close enough to the study area to be relevant.

6 Description of All Wetlands and Other Non-wetland Waters

Three wetlands, Wetland A (WET-A), Wetland B (WET-B), and Wetland C (WET-C) are present within the study area. One non-wetland water was present, Non-wetland Water 1 (NWW-1). All potential jurisdictional aquatic features are depicted on Figure 7, Wetland Delineation Map.

6.1 Wetlands

Wetland A (WET-A, 0.12 acres) occurs at the western boundary of the study area near the sidewalk along NW Civic Drive. It is palustrine emergent (PEM) wetland under the Cowardin classification system and a depressional wetland under the hydrogeomorphic (HGM) classification system (Cowardin et al. 1979; Adamus 2001). The wetland is a closed depression formed by surrounding gravel fill and the sidewalk edge. As described in Section 3, Site Alterations, the site was used for construction staging and access in circa 2004 resulting in the present site configuration. The wetland is occasionally mowed.

There is no clear outlet for the wetland, and it overflows to the west and southwest during prolonged periods of rainfall. Wetland Sample Plot (WSP) WSP-TV-04 is representative of WET-A and dominated by Oregon ash saplings (*Fraxinus latifolia*; facultative wetland [FACW]), colonial bentgrass (*Agrostis capillaris*; facultative [FAC]), and toad rush (*Juncus bufonius*; FACW). This plot met the dominance test hydrophytic indicator. Soil in the depression was compacted and had gravels throughout. The plot met the redox dark surface (F6) indicator through the presence of redox concentrations in the pore linings and matrix. Conditions in the depression were saturated during the June visit, and secondary indicators of water-stained leaves (B9), saturation visible on aerial imagery (C9), geomorphic position (D3), and FAC-neutral test (D5) were met in August. The boundaries of the wetland were determined by a change in elevation formed by the sidewalk and gravel fill, as well as a clear change in vegetation community. A distinct line between the dominance of toad rush and Queen Anne's lace (*Daucus carota*; facultative upland [FACU]), among other species, made the boundary clear. Neither hydric soils nor secondary hydrologic indicators were present in the paired upland plot, WSP-TV-03. Upland adjacent to WET-A had significantly more fill. Water enters the wetland via direct precipitation and leaves via infiltration and evapotranspiration.

Wetland B (WET-B, 0.15 acres) occurs in the center of the gravel and vegetated western portion of the study area. It is surrounded by gravel fill, especially to its south and west. WET-B is in a closed depression and represented by WSP-TV-02, dominated by a bluegrass species (*Poa* sp.; presumed FAC) and bird's-foot trefoil (*Lotus corniculatus*; FAC). Pennyroyal (*Mentha pulegium*; obligate wetland [OBL]) is present in the plot but has up to 80% cover within the wetland. Tire ruts from vehicles driving through were observed as fresh during the June visit when conditions were saturated and ponded up to 6 inches in areas. During the August visit, primary hydrologic indicators at the plot included algal mat (B4) and surface soil cracks (B6) (see Photo 10 within Appendix C). Secondary indicators of hydrology were also present, including water-stained leaves, saturation visible on aerial imagery, and geomorphic position. Soils met the redox dark surface indicator. Although approximately 40% of WET-B is rutted and 3–6 inches lower than the rest of the depression, FAC, FACW, and OBL plants were similarly dominant at all microelevations within the wetland. The WET-B boundary is marked by a change in topography, vegetation cover, hydric soil presence, and hydrology indicators. The wetland fits the PEM Cowardin classification and depressional HGM classification. Water enters the wetland via direct precipitation and leaves via infiltration and evapotranspiration.

Wetland C (WET-C, 0.09 acres) occurs between WET-B and the gravel parking lot. The wetland is a purpose-built stormwater feature, as described in Section 3. WET-C is a mostly closed depression with an overflow channel in NWW-1, which outlets to the south. The lowest point of WET-C is approximately 2 feet lower than the parking lot and 4 feet lower than the upland area to its west. Plot WSP-TV-06 is representative of the pond and is dominated by black cottonwood (*Populus balsamifera* ssp. *trichocarpa*; FAC) trees and saplings and pennyroyal. Comon spikerush (*Eleocharis palustris*; OBL), reed canarygrass (*Phalaris arundinacea*; FACW), and cattail (*Typha latifolia*; OBL) had significant cover within the wetland. During the June survey, water was ponded to up to 1 foot, and another foot of water, approximately, would be needed for it to overflow south via NWW-1. The pond was dry during the August survey. In August, the wetland met secondary indicators of hydrology, including water-stained leaves, saturation visible on aerial imagery, geomorphic position, and FAC-neutral test. The WET-C boundary is defined by a distinct change in topography and changes in vegetation composition. The wetland met the redox dark surface hydric soil indicator. Several boulders and large horizontal tree trunks occur at the north end of the pond. Trees and saplings account for approximately 15% of the total wetland area, so the wetland fits the PEM Cowardin classification and depressional HGM classification. Water enters the wetland via direct precipitation and leaves via infiltration and evapotranspiration, except when the pond is full and is drained by NWW-1.

6.2 Non-wetland Waters

NWW-1 is a 1-foot-wide, 65-foot-long ephemeral drainage that connects the stormwater pond, WET-C, to NW 15th Street. See Appendix F for a stream duration field assessment form describing NWW-1. The drainage appears to be excavated for overflow from the pond and to direct water away from the parking lot. The drainage is defined by a break in topography and evidence of flow including directional vegetation matting, but vegetation was not destroyed from flow and other OHWM features were not present. Water from NWW-1 goes to the street and enters storm drains to the southeast.

6.3 Uplands

Uplands on site consist of gravel fill (30–100% gravel) in silt loam with the following species present: soft brome (*Bromus hordeaceus*; FACU), common sheep sorrel (*Rumex acetosella*; FACU), English plantain (*Plantago lanceolata*; FACU), red clover (*Trifolium pratense*; FACU), bird's-foot trefoil, cutleaf geranium (*Geranium dissectum*; not listed), common velvetgrass (*Holcus lanatus*; FAC), and California dewberry (*Rubus ursinus*; FACU). Upland areas on site appear to infiltrate or shed water to depressional areas.

7 Deviation from Local Wetlands Inventory or National Wetlands Inventory

The Local Wetland Inventory for the City of Gresham shows no wetland or water features within the study area or in the immediate vicinity (Figure 4, Local Wetland Inventory – City of Gresham) (Shapiro and Associates 2004).

8 Mapping Method

Jurisdictional boundaries were mapped in the field using a Trimble R2 Global Navigation Satellite System receiver with minimum submeter accuracy, and ArcGIS mobile software. Following the fieldwork, data were digitized using ArcGIS software.

The reporting and fieldwork described in this report did not significantly deviate from the practices outlined in OAR 141-090-0035.

9 Results and Conclusions

Based on the results of surveys conducted on June 5 and August 8, 2024, Dudek delineated WET-A, WET-B, WET-C, and NWW-1 within the study area. The size, classifications, and preliminary jurisdictional determinations for each feature are summarized in Table 4. Ground-level photographs documenting all features and representative conditions are provided in Appendix C.

Table 4. Summary of Jurisdictional Features

Feature	Preliminary Jurisdictional Determination? (Y/N)			Length (Linear Feet)	Area[a] (Acres)	Classification of Wetland (Cowardin[b]/HGM[c]) or Water (Flow Duration[d])
	DSL	HUD	USACE			
Wetlands						
WET-A	N	Y	N	144	0.12	Palustrine emergent (PEM); depressional
WET-B	N	Y	N	118	0.15	Palustrine emergent (PEM); depressional
WET-C	N	Y	N	135	0.09	Palustrine emergent (PEM); depressional
Total Wetlands				**397**	**0.36**	
Non-wetland Waters						
NWW-1	N	N	N	65	0.0015 (65 square feet)	Ephemeral
Total Non-wetland Waters				**65**	**0.0015 (65 square feet)**	**N/A**

Notes: Y/N = yes/no; DSL = Oregon Department of State Lands; HUD = U.S. Department of Housing and Urban Development; USACE = U.S. Army Corps of Engineers; HGM = hydrogeomorphic; N/A = not applicable.

[a] Area and location as identified within the study area.
[b] Cowardin et al. 1979.
[c] Adamus 2001.
[d] Nadeau 2015.

WET-A and **WET-B** meet the 3-parameter definition of wetlands; however, they are presumed to be non-jurisdictional to DSL because they appear to have been artificially created through imported gravel fill creating depressional areas in a previously relatively flat area with no apparent wetlands present, based on aerial photography (Figure 6B,

1990). As these wetlands were created wholly in upland, are under 1 acre in size, and are not part of a mitigation area, they are exempt per OAR 141-085-0515(6a-c). These are also likely non-jurisdictional to USACE because they are artificial and created in upland as a result of construction activity and is not adjacent to jurisdictional waters (33 CFR 328.3[b][6]).

However, WET-A and WET-B meet the definition of wetlands under EO 11990, and therefore would be under the jurisdiction of HUD, as they are "inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction."

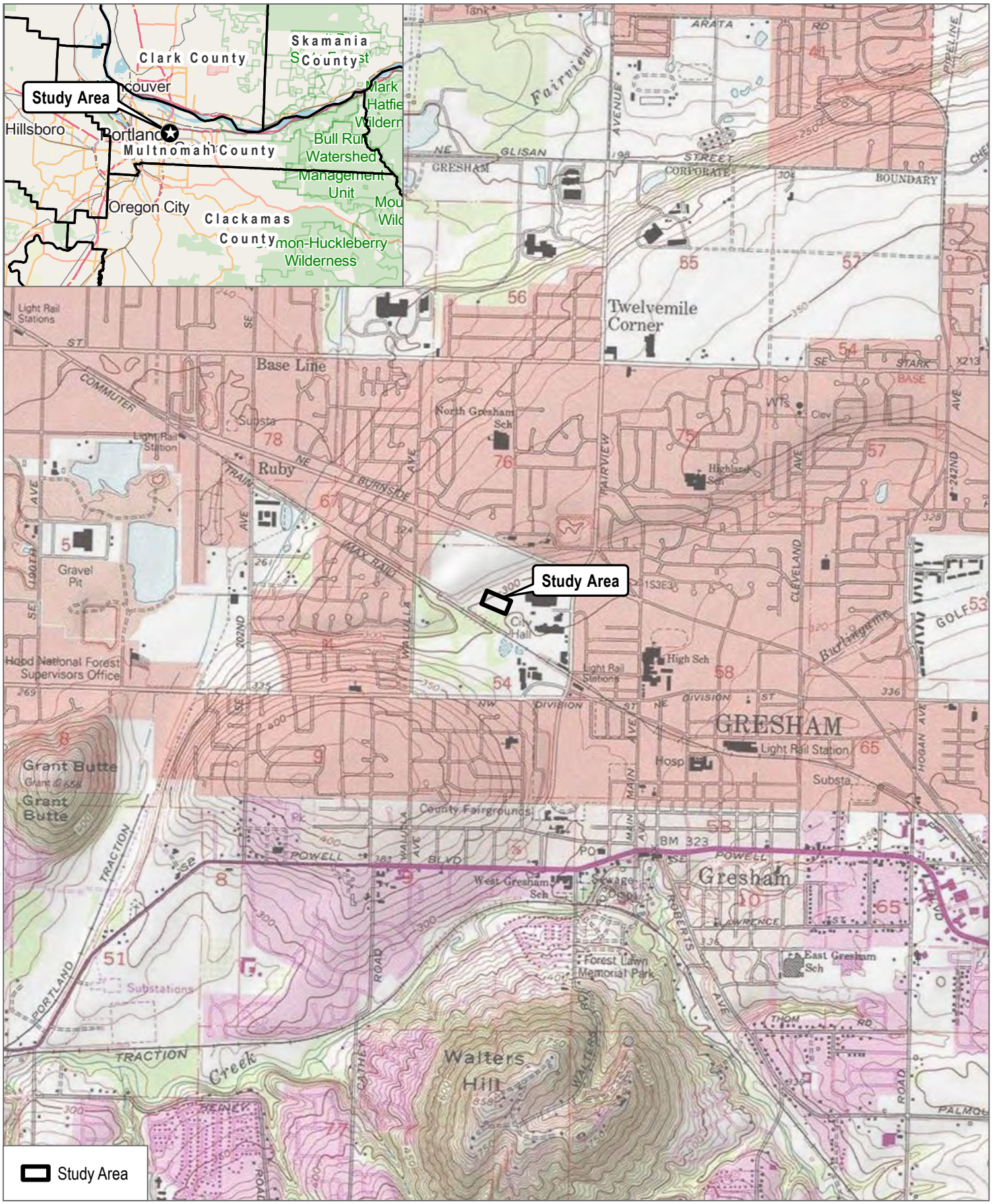
WET-C also meets the 3-parameter definition of wetlands; however, it is presumed to be non-jurisdictional to DSL as it meets the same exception criteria as WET-A and WET-B. It is also a purpose-built stormwater detention facility that appears to have been created entirely from uplands. As shown on Figures 6C (2002) and 6D (2005), a grove of trees appears to be growing in size west of the current WET-C location until circa 2002. These trees are oriented in a more north-to-south direction than the northeast-to-southwest orientation of WET-C. This leads to the conclusion that the ditch was not created within an existing swale or wetlands out of ease for excavation and fill, but because the circa 2002 design called for the stormwater pond to be placed.

Similar to WET-A and WET-B, WET-C meets the definition of wetlands under EO 11990, and therefore would be under the jurisdiction of HUD, as it is "inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction." WET-C is also likely non-jurisdictional to USACE because it is artificial and created in upland as a result of construction activity and is not adjacent to jurisdictional waters (33 CFR 328.3[b][6]).

10 Required Disclaimer

This report documents the investigation, best professional judgment, and conclusions of the investigators. It is correct and complete to the best of their knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the DSL in accordance with OAR 141-090-0005 (Purpose) through 141-090-0055 (Effective Date).

Appendix A
Figures



SOURCE: USGS 7.5- Minute Series Quadrangle, Camas
Township 1S/ Range 3E/ Section 4/ Quarter Section SW

DUDEK

0 500 1,000 Feet

FIGURE 1

Project Vicinity

Wetland Delineation Report: Civic Station

SOURCE: NAIP 2020; Oregon Spatial Data Library 2021

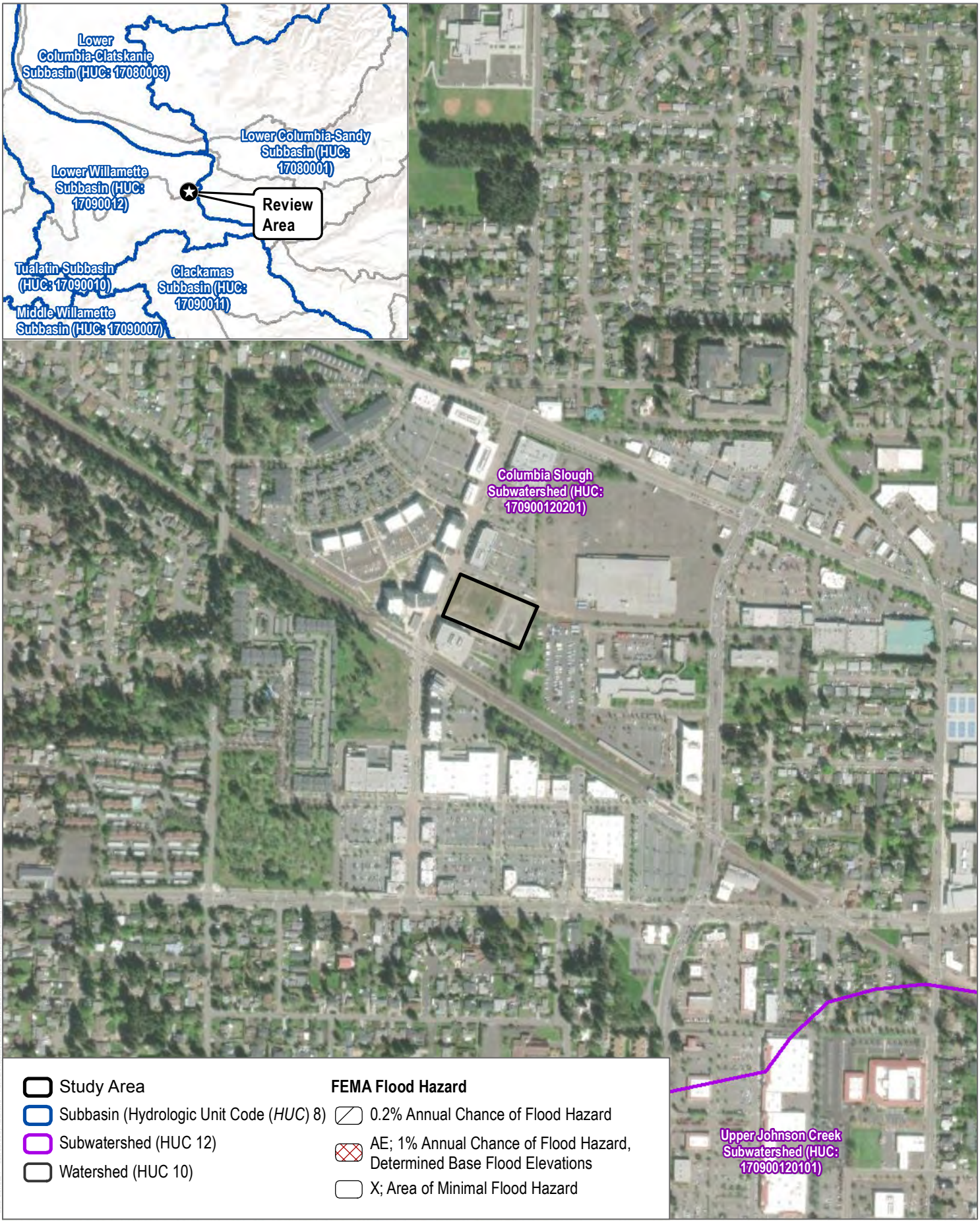
DUDEK

0 165 330 Feet

FIGURE 2

Tax Lots

Wetland Delineation Report: Civic Station



SOURCE: Washington County 2021; USGS 2021; NAIP 2020; Oregon Spatial Data Library 2021; FEMA 2021

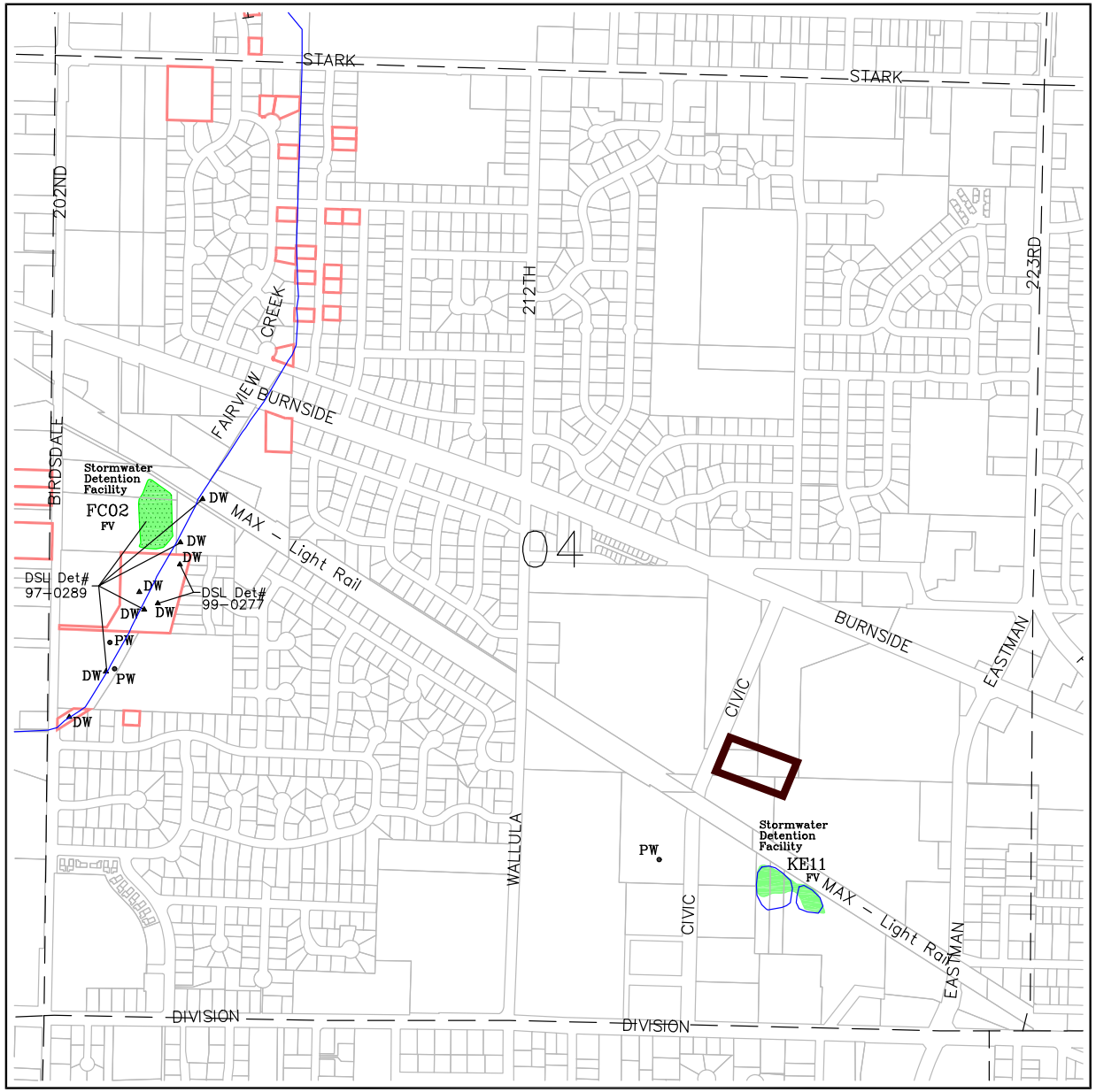
DUDEK

0 315 630 Feet

FIGURE 3

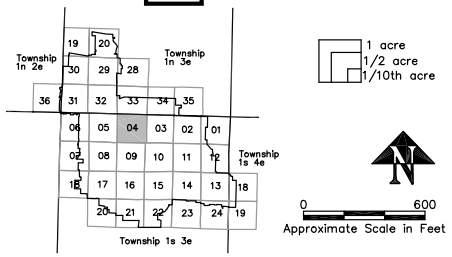
Hydrologic Setting

Wetland Delineation Report:Civic Station



LEGEND

- Wetland
- PW — Possible wetland
- Delineated wetland
- DW — Delineated wetland (less than 0.5 ac)
- DSL Det# 98-0515 — Delineated wetland; DSL reference number
- Wetland mosaic
- TC18 — Wetland/stream designator
- LSW — Locally significant wetland
- FV — Field verified
- M — Mitigation site
- Sample point
- Stream – data from METRO
- Site access granted
- Urban Growth Boundary
- Section line
- Study Area



SOURCE: Shapiro & Assoicates, 2004

FIGURE 4

Local Wetland Inventory- City of Gresham

Wetland Delineation Report: Civic Station

DUDEK

SOURCE: USDA 2019; NAIP 2020

DUDEK

0 30 60 Feet

FIGURE 5

Soils

Wetland Delineation Report: Civic Station

Figure 6A. 1970 Aerial Photograph

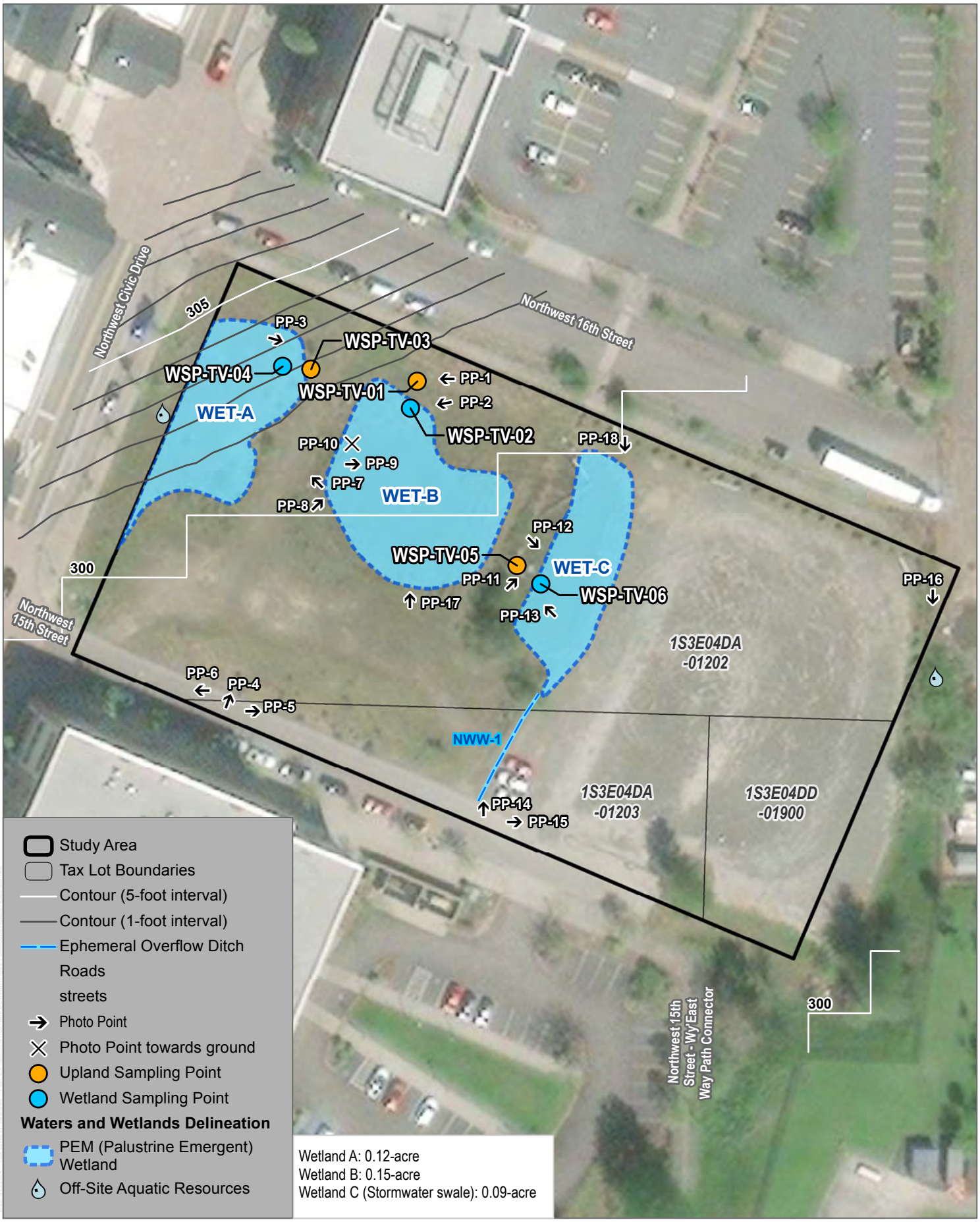
Figure 6B. 1990 Aerial Photograph

Figure 6C. 2002 Aerial Photograph

Figure 6D. 2005 Aerial Photograph

Figure 6E. 2012 Aerial Photograph

Figure 6F. 2020 Aerial Photograph



SOURCE: Esri World Imagery Basemap

DUDEK

0 30 60 Feet

FIGURE 7

Wetland Delineation Map

Wetland Delineation Report: Civic Station

Appendix B
Wetland Determination Data Forms

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, & Coast

Project/Site: Civic Station | City/County: Gresham/Multnomah Co. | Sampling Date: 08/08/2024
Applicant/Owner: Home Forward | State: OR | Sampling Point: WSP-TV-01
Investigator(s): T. Vingiello | Section, Township, Range: T1S R3E Sec 04DA
Landform (hillslope, terrace, etc): Terrace | Local relief (concave, convex, none): none | Slope (%): 0
Subregion (LRR): A | Lat: 45.50884097 | Long: -122.4399339 | Datum: NAD 1983
Soil Map Unit Name: 29A - Multnomah Silt Loam, 0-3% slopes | NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	X	No		
Hydric Soil Present?	Yes		No	X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Wetland Hydrology Present?	Yes		No	X	

Remarks:
Paired with WSP-TV-02. Approx. 12” higher in elevation. Field is mowed periodically.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30-ft)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15-ft)			
1.			
2.			
3.			
4.			
5.			
	0	= Total Cover	
Herb Stratum (Plot size: 5-ft)			
1. *Agrostis capillaris* / Colonial bentgrass	70	Yes	FAC
2. *Lotus corniculatus* / Bird's foot trefoil, Bird's-foot trefoil	35	Yes	FAC
3. *Daucus carota* / Carrot, Carrot, Queen anne's lace	20	No	FACU
4. *Madia gracilis* / Gumweed	15	No	NI
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	140	= Total Cover	
Woody Vine Stratum (Plot size: 30-ft)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Statum 0

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	105	x 3 =	315
FACU species	20	x 4 =	80
UPL species	15	x 5 =	75
Column Totals:	140 (A)		470 (B)

Prevalence Index = B/A = 3.36

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
___ 3 - Prevalence Index ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting
___ 5 - Wetland Non-Vascular Plants[1]
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:

SOIL

Sampling Point: WSP-TV-01

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0/3	10YR 3/3	100					Silt Loam	Many fine roots
3-6	10YR 3/3	100					Silt Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: Packed with gravel throughout

Depth (inches): 6

Hydric Soil Present? Yes ___ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) **(LRR A)**
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) **(LRR A)**
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes ___ No X Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No X Depth (inches): ___

Wetland Hydrology Present? Yes ___ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, & Coast

Project/Site: Civic Station | City/County: Gresham/Multnomah Co. | Sampling Date: 08/08/2024
Applicant/Owner: Home Forward | State: OR | Sampling Point: WSP-TV-02
Investigator(s): T. Vingiello | Section, Township, Range: T1S R3E Sec 04DA
Landform (hillslope, terrace, etc): Depression within terrace | Local relief (concave, convex, none): concave | Slope (%): 1
Subregion (LRR): A | Lat: 45.50880166 | Long: -122.4399461 | Datum: NAD 1983
Soil Map Unit Name: 29A - Multnomah Silt Loam, 0-3% slopes | NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	
Hydric Soil Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes X No ____
Wetland Hydrology Present?	Yes X	No ____	

Remarks:
Closed depression. Tire ruts throughout held water during June visit. Pennyroyal up to 80% cover in wetland center. Disturbed from tires but soil, hydrology, and vegetation all able to be identified.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30-ft)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15-ft)			
1.			
2.			
3.			
4.			
5.			
	0	= Total Cover	
Herb Stratum (Plot size: 5-ft)			
1. *Poa sp.* / Bluegrass	40	Yes	FAC
2. *Lotus corniculatus* / Bird's foot trefoil, Bird's-foot trefoil	30	Yes	FAC
3. *Agrostis capillaris* / Colonial bentgrass	20	No	FACW
4. *Mentha pulegium* / Pennyroyal	20	No	OBL
5. *Trifolium pratense* / Red clover	20	No	FACU
6. *Plantago lanceolata* / Ribwort, English plantain	5	No	FACU
7. *Madia gracilis* / Gumweed	3	No	FAC
8.			
9.			
10.			
11.			
	138	= Total Cover	
Woody Vine Stratum (Plot size: 30-ft)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Statum 0

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	20	x 1 =	20
FACW species	20	x 2 =	40
FAC species	73	x 3 =	219
FACU species	25	x 4 =	100
UPL species	0	x 5 =	0
Column Totals:	138 (A)		379 (B)

Prevalence Index = B/A = 2.75

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting
___ 5 - Wetland Non-Vascular Plants[1]
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:

SOIL

Sampling Point: WSP-TV-02

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-10	10YR 3/2	90	5YR 4/4	10	C	PL	Silt Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: Compacted

Depth (inches): 10

Hydric Soil Present? Yes X No ___

Remarks:

40% of wetland is at lower, rutted elevation than plot location.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- X Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- X Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) **(LRR A)**
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- X Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- X Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) **(LRR A)**
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes ___ No X Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No X Depth (inches): ___

Wetland Hydrology Present? Yes X No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Saturation and standing water during June visit. Visible on aerial imagery

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, & Coast

Project/Site: Civic Station | City/County: Gresham/Multnomah Co. | Sampling Date: 08/08/2024
Applicant/Owner: Home Forward | State: OR | Sampling Point: WSP-TV-03
Investigator(s): T. Vingiello | Section, Township, Range: T1S R3E Sec 04DA
Landform (hillslope, terrace, etc): Slope from fill of access road | Local relief (concave, convex, none): none | Slope (%): 3
Subregion (LRR): A | Lat: 45.50885467 | Long: -122.4401528 | Datum: NAD 1983
Soil Map Unit Name: 29A - Multnomah Silt Loam, 0-3% slopes | NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil X, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	X	No		
Hydric Soil Present?	Yes		No	X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Wetland Hydrology Present?	Yes		No	X	

Remarks:
Paired with WSP-TV-04. Approximately 8-12" higher in elevation than wetland plot.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30-ft)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15x5' rectangle)			
1. *Salix sp.* / Willow	30	Yes	FAC
2.			
3.			
4.			
5.			
	30	= Total Cover	
Herb Stratum (Plot size: 5-ft)			
1. *Agrostis capillaris* / Colonial bentgrass	30	Yes	FAC
2. *Plantago lanceolata* / Ribwort, English plantain	25	Yes	FACU
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
	55	= Total Cover	
Woody Vine Stratum (Plot size: 30-ft)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Statum 20

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 66.7 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	60	x 3 =	180
FACU species	25	x 4 =	100
UPL species	0	x 5 =	0
Column Totals:	85 (A)		280 (B)

Prevalence Index = B/A = 3.29

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
___ 3 - Prevalence Index ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting
___ 5 - Wetland Non-Vascular Plants[1]
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:

SOIL

Sampling Point: WSP-TV-03

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 3/3	100					Silt Loam	fine roots in top 3"

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: gravel throughout

Depth (inches): 6

Hydric Soil Present? Yes ___ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) **(LRR A)**
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) **(LRR A)**
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes ___ No X Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No X Depth (inches): ___

Wetland Hydrology Present? Yes ___ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, & Coast

Project/Site: Civic Station | City/County: Gresham/Multnomah Co. | Sampling Date: 08/08/2024
Applicant/Owner: Home Forward | State: OR | Sampling Point: WSP-TV-04
Investigator(s): T. Vingiello | Section, Township, Range: T1S R3E Sec 04DA
Landform (hillslope, terrace, etc): Depression | Local relief (concave, convex, none): concave | Slope (%): 2
Subregion (LRR): A | Lat: 45.50885784 | Long: -122.4402111 | Datum: NAD 1983
Soil Map Unit Name: 29A - Multnomah Silt Loam, 0-3% slopes | NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	
Hydric Soil Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes X No ____
Wetland Hydrology Present?	Yes X	No ____	

Remarks:
Similar to Wetland A with tire rutting in depression. Paired with WSP-TV-03. Gravel fill throughout.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30-ft)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15-ft)			
1. *Fraxinus latifolia* / Oregon ash	5	Yes	FACW
2.			
3.			
4.			
5.			
	5	= Total Cover	
Herb Stratum (Plot size: 5-ft)			
1. *Agrostis capillaris* / Colonial bentgrass	45	Yes	FAC
2. *Juncus bufonius* / Common toad rush, Toad rush	30	Yes	FACW
3. *Trifolium pratense* / Red clover	10	No	FACU
4. *Eleocharis palustris* / Common spikerush	10	No	OBL
5. *Schedonorus arundinaceus* / Tall false rye grass	10	No	FAC
6. *Plantago lanceolata* / Ribwort, English plantain	5	No	FACU
7.			
8.			
9.			
10.			
11.			
	110	= Total Cover	
Woody Vine Stratum (Plot size: 30-ft)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Statum ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	10	x 1 =	10
FACW species	35	x 2 =	70
FAC species	55	x 3 =	165
FACU species	15	x 4 =	60
UPL species	0	x 5 =	0
Column Totals:	115 (A)		305 (B)

Prevalence Index = B/A = 2.65

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting
___ 5 - Wetland Non-Vascular Plants[1]
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:

SOIL

Sampling Point: WSP-TV-04

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-8	10YR 3/2	95	5YR 4/4	5		PL,M	Silt Loam	gravels throughout

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: gravel, compacted

Depth (inches): 8

Hydric Soil Present? Yes X No ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) **(LRR A)**
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- X Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- X Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) **(LRR A)**
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes ___ No X Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No X Depth (inches): ___

Wetland Hydrology Present? Yes X No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Standing water in center of wetland in June visit .

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, & Coast

Project/Site: Civic Station | City/County: Gresham/Multnomah Co. | Sampling Date: 08/08/2024
Applicant/Owner: Home Forward | State: OR | Sampling Point: WSP-TV-05
Investigator(s): T. Vingiello | Section, Township, Range: T1S R3E Sec 04DA
Landform (hillslope, terrace, etc): Terrace | Local relief (concave, convex, none): convex | Slope (%): 0
Subregion (LRR): A | Lat: 45.50857814 | Long: -122.4397194 | Datum: NAD 1983
Soil Map Unit Name: 29A - Multnomah Silt Loam, 0-3% slopes | NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	____	No	X	
Hydric Soil Present?	Yes	____	No	X	**Is the Sampled Area**
Wetland Hydrology Present?	Yes	____	No	X	**within a Wetland?** Yes ____ No X

Remarks:
Paired with WSP-TV-06. Cottonwood (Populus balsamifera) trees and saplings rooted lower, within wetland.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30-ft)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15-ft)			
1.			
2.			
3.			
4.			
5.			
	0	= Total Cover	
Herb Stratum (Plot size: 5-ft)			
1. *Acmispon americanus*	35	Yes	FACU
2. *Agrostis capillaris* / Colonial bentgrass	15	Yes	FAC
3. *Plantago lanceolata* / Ribwort, English plantain	15	Yes	FACU
4. *Cichorium intybus* / Chicory	10	No	FACU
5. *Daucus carota* / Carrot, Carrot, Queen anne's lace	10	No	FACU
6. *Trifolium pratense* / Red clover	5	No	FACU
7. *Mentha pulegium* / Pennyroyal	1	No	OBL
8.			
9.			
10.			
11.			
	91	= Total Cover	
Woody Vine Stratum (Plot size: 30-ft)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Statum 40

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 33.3 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	1	x 1 =	1
FACW species	0	x 2 =	0
FAC species	15	x 3 =	45
FACU species	75	x 4 =	300
UPL species	0	x 5 =	0
Column Totals:	91 (A)		346 (B)

Prevalence Index = B/A = 3.8

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting
___ 5 - Wetland Non-Vascular Plants[1]
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:
Acmispon americanus = Spanish lotus

SOIL

Sampling Point: WSP-TV-05

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-5	10YR 3/3	100					Silt Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: Gravel/compaction

Depth (inches): 5

Hydric Soil Present? Yes ___ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) **(LRR A)**
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) **(LRR A)**
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes ___ No X Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No X Depth (inches): ___

Wetland Hydrology Present? Yes ___ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Western Mountains, Valleys, & Coast

Project/Site: Civic Station | City/County: Gresham/Multnomah Co. | Sampling Date: 08/08/2024
Applicant/Owner: Home Forward | State: OR | Sampling Point: WSP-TV-06
Investigator(s): T. Vingiello | Section, Township, Range: T1S R3E Sec 04DA
Landform (hillslope, terrace, etc): Stormwater swale | Local relief (concave, convex, none): concave | Slope (%): 1
Subregion (LRR): A | Lat: 45.50855229 | Long: -122.4396696 | Datum: NAD 1983
Soil Map Unit Name: 29A - Multnomah Silt Loam, 0-3% slopes | NWI classification: none
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	
Hydric Soil Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes X No ____
Wetland Hydrology Present?	Yes X	No ____	

Remarks:
Paired with WSP-TV-05. WSP-TV-06 is approximately 3 feet lower in elevation.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30-ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Populus balsamifera ssp. trichocarpa* / Black cottonwood	10	Yes	FAC
2.			
3.			
4.			
	10	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15-ft)			
1. *Populus balsamifera ssp. trichocarpa* / Black cottonwood	20	Yes	FAC
2.			
3.			
4.			
5.			
	20	= Total Cover	
Herb Stratum (Plot size: 5-ft)			
1. *Mentha pulegium* / Pennyroyal	80	Yes	OBL
2. *Eleocharis palustris* / Common spikerush	25	No	OBL
3. *Distichlis spicata* / Salt grass	15	No	FACW
4. *Trifolium pratense* / Red clover	10	No	FACU
5. *Lotus corniculatus* / Bird's foot trefoil, Bird's-foot trefoil	5	No	FAC
6.			
7.			
8.			
9.			
10.			
11.			
	135	= Total Cover	
Woody Vine Stratum (Plot size: 30-ft)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Statum 10

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	105	x 1 =	105
FACW species	15	x 2 =	30
FAC species	35	x 3 =	105
FACU species	10	x 4 =	40
UPL species	0	x 5 =	0
Column Totals:	165 (A)		280 (B)

Prevalence Index = B/A = 1.7

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting
___ 5 - Wetland Non-Vascular Plants[1]
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:
Reed canarygrass (Phalaris arundinaceus) and cattail (Typha sp.) in center of wetland.

SOIL

Sampling Point: WSP-TV-06

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-8	10YR 3/2	90	5YR 4/4	10	C	PL	Silt Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) **(except MLRA 1)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10)
- ___ Red Parent Material (TF2)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: compacted soil

Depth (inches): 8

Hydric Soil Present? Yes X No ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9) **(except MLRA 1, 2, 4A, and 4B)**
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Stunted or Stressed Plants (D1) **(LRR A)**
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- X Water-Stained Leaves (B9) **(MLRA 1, 2, 4A, and 4B)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- X Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Raised Ant Mounds (D6) **(LRR A)**
- ___ Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes ___ No X Depth (inches): ___

Saturation Present? (includes capillary fringe) Yes ___ No X Depth (inches): ___

Wetland Hydrology Present? Yes X No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Ponded water in June visit.

Appendix C
Photo Log

Photo 1. View facing west at WSP-TV-01. Taken August 8, 2024.

Photo 2. View facing west at WSP-TV-02. WET-B is at left.

Photo 3. Facing south-southeast, view of WSP-TV-04. Upland plot WSP-TV-03 is shown at the blue arrow. Taken August 8, 2024.

Photo 4. Facing north-northeast, view of study area from NW 15th Street. Taken May 29, 2024.

Photo 5. Facing northwest, view of study area from NW 15th Street. Taken May 29, 2024.

Photo 6. Facing west, view of study area at right from NW 15th Street. Taken May 29, 2024.

Photo 7. Facing west from within WET-B, a view of the gravel path separating WET-A and WET-B. Taken August 8, 2024.

Photo 8. Facing northeast, a view of the western boundary of WET-B. Taken August 8, 2024.

Photo 9. Facing east, a view of WET-B vegetation. Taken August 8, 2024.

Photo 10. A view of the ground within WET-A showing areas of soil cracks, algal matting, and water-stained leaves.

Photo 11. Facing northeast, view of WSP-TV-05 with WET-C below at right. Taken August 8, 2024.

Photo 12. Facing south-southeast, view of WSP-TV-06 at arrow into WET-C. Taken August 8, 2024.

Photo 13. Facing north from the southern end of WET-C, additional view of WSP-TV-06. Taken August 8, 2024.

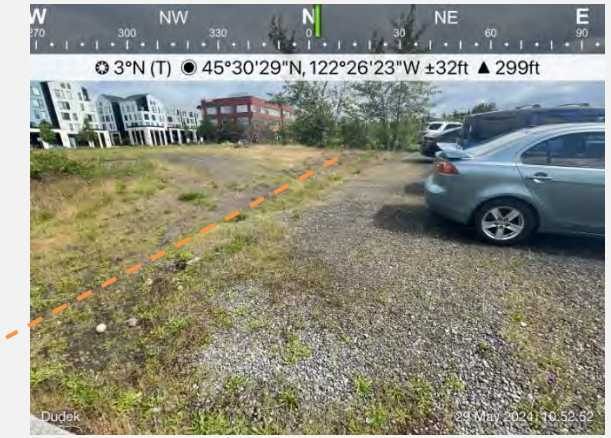


Photo 14. Facing north from NW 15th Street, view of NWW-1 at orange line. Taken May 29, 2024.

Photo 15. Facing east, view of gravel lot at NW 15th Street. Water drains to east from NWW-1 once entering the street. Taken May 29, 2024.

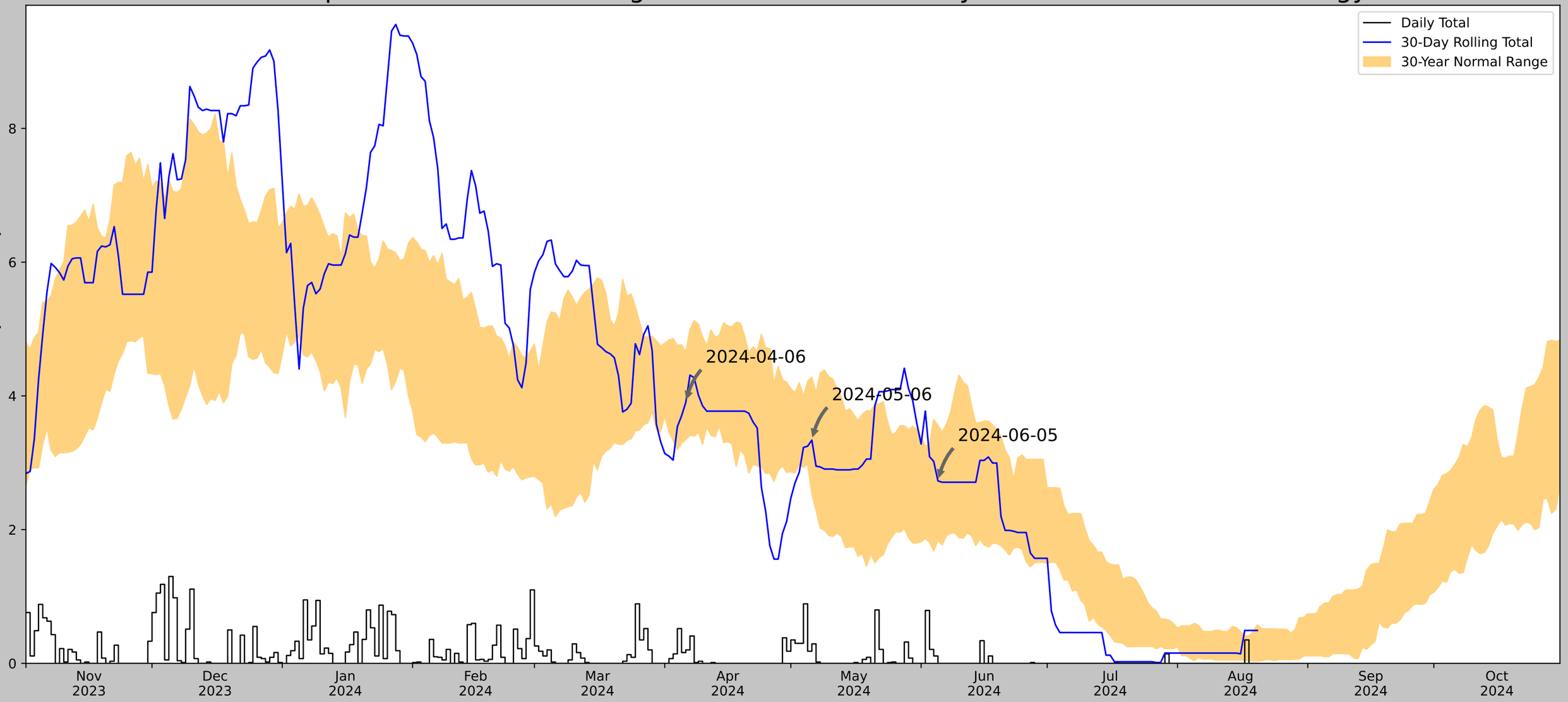
Photo 16. View facing south from northeast corner of study area. Wet area to left is outside of study area. Taken May 29, 2024.

Photo 17. Facing north, view of saturated conditions. Taken June 5, 2024.

Photo 18. Facing south, view of WET-C during ponded conditions. Taken June 5, 2024.

Appendix D
Precipitation Data

Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	45.508578, -122.439792
Observation Date	2024-06-05
Elevation (ft)	309.455
Drought Index (PDSI)	Incipient drought
WebWIMP H_2O Balance	Dry Season

30 Days Ending	30^{th} %ile (in)	70^{th} %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2024-06-05	1.846063	3.557087	2.728347	Normal	2	3	6
2024-05-06	2.533465	4.279921	3.338583	Normal	2	2	4
2024-04-06	3.345276	4.655118	3.901575	Normal	2	1	2
Result							Normal Conditions - 12

US Army Corps of Engineers

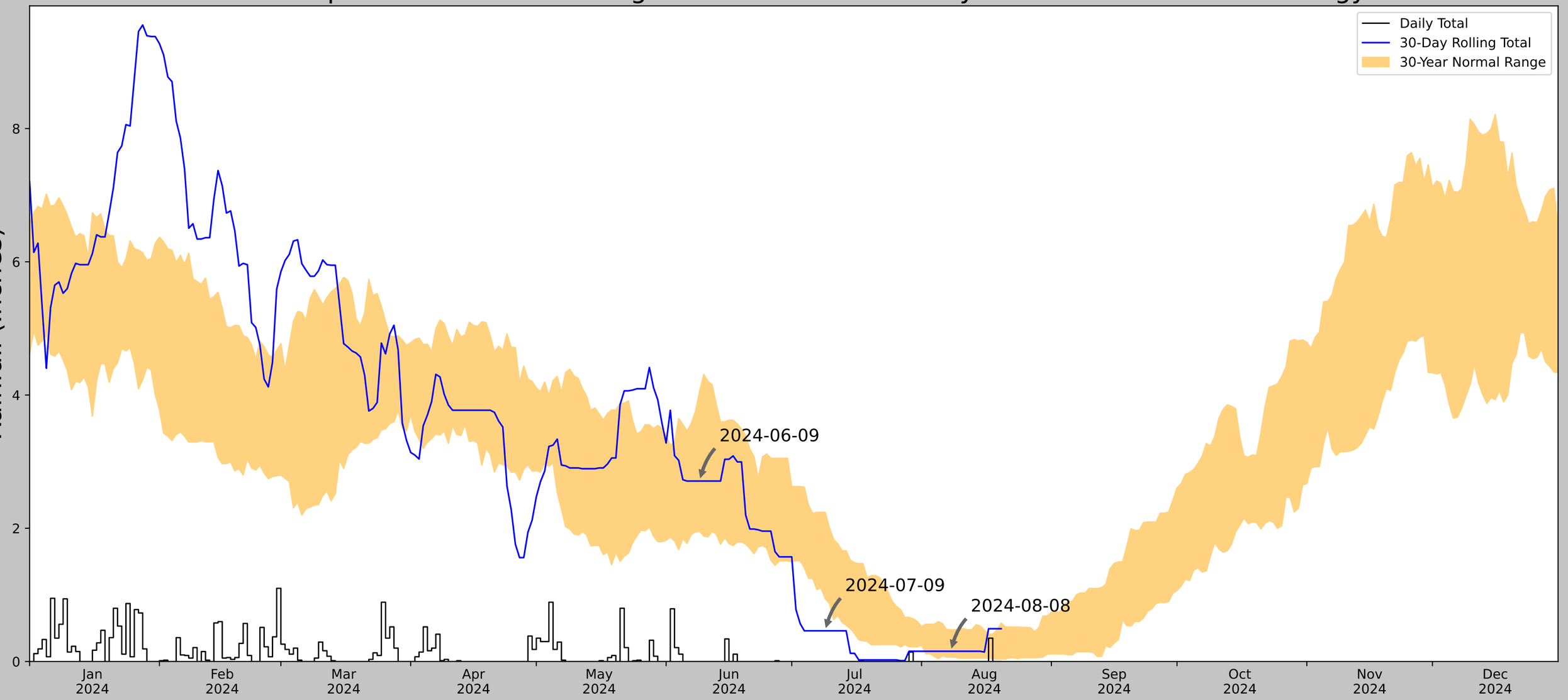
ERDC

Figures and tables made by the Antecedent Precipitation Tool Version 2.0

Developed by: U.S. Army Corps of Engineers and U.S. Army Engineer Research and Development Center

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
PORTLAND TROUTDALE AP	45.5511, -122.4097	24.934	3.279	284.521	2.409	9198	81
TROUTDALE	45.5533, -122.3886	33.136	1.032	8.202	0.473	1738	5
CAMAS 2.4 E	45.5845, -122.374	58.071	2.882	33.137	1.392	3	4
PORTLAND WFO	45.5608, -122.5383	20.997	6.258	3.937	2.841	315	0
PORTLAND INTL AP	45.5958, -122.6092	21.982	10.131	2.952	4.589	98	0

Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	45.508578, -122.439792
Observation Date	2024-08-08
Elevation (ft)	309.455
Drought Index (PDSI)	Mild drought (2024-07)
WebWIMP H_2O Balance	Dry Season

30 Days Ending	30th %ile (in)	70th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2024-08-08	0.064961	0.475591	0.153543	Normal	2	3	6
2024-07-09	0.94252	2.239764	0.46063	Dry	1	2	2
2024-06-09	1.955118	4.055906	2.708662	Normal	2	1	2
Result							Normal Conditions - 10

US Army Corps of Engineers

ERDC

Figures and tables made by the Antecedent Precipitation Tool Version 2.0

Developed by: U.S. Army Corps of Engineers and U.S. Army Engineer Research and Development Center

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
PORTLAND TROUTDALE AP	45.5511, -122.4097	24.934	3.279	284.521	2.409	9198	90
TROUTDALE	45.5533, -122.3886	33.136	1.032	8.202	0.473	1738	0
CAMAS 2.4 E	45.5845, -122.374	58.071	2.882	33.137	1.392	3	0
PORTLAND WFO	45.5608, -122.5383	20.997	6.258	3.937	2.841	315	0
PORTLAND INTL AP	45.5958, -122.6092	21.982	10.131	2.952	4.589	98	0

Appendix E
References

References Cited

Adamus, P.R. 2001. *Guidebook for Hydrogeomorphic (HGM)-Based Assessment of Oregon Wetlands and Riparian Sites: Statewide Classification and Profiles*. Oregon Division of State Lands, Salem, Oregon.

Coles + Betts Environmental Consulting. 2024. *Draft Phase I Environmental Site Assessment Report: Future Civic Development Northeast of the Intersection of Civic Dive & 15th Street, Gresham, OR 97030*. Prepared for Home Forward, Portland, Oregon. April 26, 2024.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. *Classification of Wetlands and Deepwater Habitats of the United States*. FWS/OBS-70/31. Washington, DC: U.S. Fish and Wildlife Service.

FEMA (Federal Emergency Management Agency). 2024. "National Flood Hazard Layer" [GIS data]. Accessed April 2024. https://www.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd.

Google Earth. 2024. Recent and Historical Aerial Photographs of the Study Area. Accessed August 2024. https://earth.google.com/web/.

Nadeau, T.L. 2015. *Streamflow Duration Assessment Method for the Pacific Northwest*. EPA 910-K-14-001. Seattle, Washington: U.S. Environmental Protection Agency, Region 10.

NETR (Nationwide Environmental Title Research). 2024. "Historic Aerials." Accessed August 2024. https://www.historicaerials.com/viewer.

NWS (National Weather Service). 2024. "NOWData for Portland KGW-TV, OR, Station." Accessed April 2024. https://www.weather.gov/wrh/climate?wfo=pqr.

Shapiro and Associates. 2004. "Local Wetland Inventory: City of Gresham." January 13, 2004. Accessed August 2024. https://www.oregon.gov/dsl/wetlands-waters/pages/inventories-maps.aspx.

USACE (U.S. Army Corps of Engineers). 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report Y-87-1. USACE, Environmental Laboratory. Vicksburg, Mississippi: Department of the Army, Waterways Experiment Station.

USACE. 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region*. Version 2.0. ERDC/EL TR-10-3. Edited by J.S. Wakeley, R.W. Lichvar, and C.V. Noble. Vicksburg, Mississippi: U.S. Army Engineer Research and Development Center.

USACE. 2020. "NWPL – National Wetland Plant List." Version 3.5. Accessed August 2024. https://cwbi-app.sec.usace.army.mil/nwpl_static/v34/home/home.html.

USDA (U.S. Department of Agriculture). 2018. *Field Indicators of Hydric Soils in the United States*. Version 8.2. Edited by L.M. Vasilas, G.W. Hurt, and J.F. Berkowitz. USDA, Natural Resources Conservation Service.

USDA. 2023. “Web Soil Survey” [interactive map application]. Multnomah County Area, Oregon. USDA, Natural Resources Conservation Service, Soil Survey Staff. Version 22, September 7, 2023. Accessed August 2024. http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx.

USFWS (U.S. Fish and Wildlife Service). 2024. “National Wetlands Inventory (NWI)” [online wetlands mapper]. Washington, DC: U.S. Department of the Interior, Fish and Wildlife Service. Accessed April 2024. http://www.fws.gov/wetlands/Data/Mapper.html.

USGS (U.S. Geological Survey). 2024a. “National Hydrography Dataset” [online data application]. Accessed August 2024. https://nhd.usgs.gov/data.html.

USGS. 2024b. “Camas Quadrangle 7.5-minute series.” Accessed August 2024. https://www.usgs.gov/programs/national-geospatial-program/national-map.

Appendix F

Streamflow Duration Assessment: NWW-1

Streamflow Duration Field Assessment Form

Project # / Name: Civic Station	Assessor: T. Vingiello
Address: NW 15th St/Civic Drive, Gresham, OR 97030	Date: 08/28/2024
Waterway Name: NWW-1	Coordinates at downstream end (ddd.mm.ss): Lat. 45.508245 N
Reach Boundaries: 65 feet - between WET-C and NW 15th St.	Long. -122.439769 W
Precipitation w/in 48 hours (cm): 0	Channel Width (m): 0.33
☐ Disturbed Site / Difficult Situation (Describe in "Notes")	

Observed Hydrology

Type text here

% of reach w/observed surface flow: 0

% of reach w/any flow (surface or hyporheic): 0

# of pools observed: 0

Observations

Observed Wetland Plants (and indicator status):

None

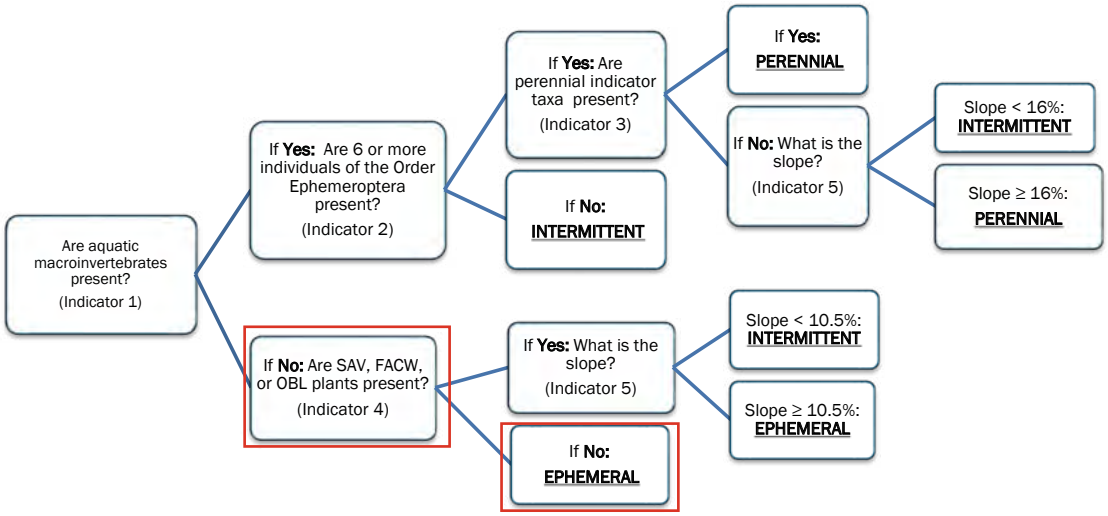
Observed Macroinvertebrates:

Taxon	Indicator Status	Ephemer-optera?	# of Individuals
None			

Indicators

1. Are aquatic macroinvertebrates present?	☐ Yes	☑ No
2. Are 6 or more individuals of the Order Ephemeroptera present?	☐ Yes	☑ No
3. Are perennial indicator taxa present? (refer to Table 1)	☐ Yes	☑ No
4. Are FACW, OBL, or SAV plants present? (Within ½ channel width)	☐ Yes	☑ No
5. What is the slope? (In percent, measured for the valley, not the stream)	2 %	

Conclusions



Single Indicators:

☐ Fish

☐ Amphibians

Finding:

☑ Ephemeral

☐ Intermittent

☐ Perennial

Notes: (explanation of any single indicator conclusions, description of disturbances or modifications that may interfere with indicators, etc.)

Difficult Situation:

Describe situation. For disturbed streams, note extent, type, and history of disturbance.

☐ Prolonged Abnormal Rainfall / Snowpack

☐ Below Average

☐ Above Average

☐ Natural or Anthropogenic Disturbance

☐ Other: _____

Additional Notes: (sketch of site, description of photos, comments on hydrological observations, etc.) Attach additional sheets as necessary.

Excavated overflow ditch from WET-C. During wet conditions in June, needed another 1' of ponding to reach NWW-1.

Ancillary Information:

☐ Riparian Corridor

☐ Erosion and Deposition

☐ Floodplain Connectivity

Observed Amphibians, Snake, and Fish:

Taxa	Life History Stage	Location Observed	Number of Individuals Observed

Oregon
Tina Kotek, 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

October 15, 2024

Home Forward
Attn: Robert Dell
135 SW Ash Street
Portland, OR 97204

Re: WD # 2024-0498 **Approved**
Wetland Delineation Report for Civic Station
Multnomah County; T1S R3E S4DA TLs 1202 and 1203
S4DD TL1900 (Portions)

Dear Robert Dell:

The Department of State Lands has reviewed the wetland determination report prepared by Dudek for the site referenced above. Please note that the study area includes only a portion of the tax lots described above (see the attached map). Based upon the information presented in the report, we conclude with the report's findings as indicated on the attached Figure 7. Please replace all copies of the preliminary wetland map with this final Department-approved map.

Within the study area, 3 wetlands (Wet-A, Wet-B and Wet-C) and one ditch (NWW-1) were identified. Normally, 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). However, Wet-A and Wet-B are exempt per OAR 141-085-0515(6); Wet-C and the NWW-1 exempt per OAR 141-085-0515(7); therefore, they are not subject to these state permit requirements.

This concurrence is based on information provided to the agency and is for purposes of the state Removal-Fill Law only. 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.

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 Chris Stevenson, PWS, the Wetland Ecologist for Multnomah County at (503) 798-7622.

Sincerely,

Peter Ryan, PWS Emeritus
Aquatic Resource Specialist

Enclosures

ec: Tony Vingiello, Dudek
City of Gresham Planning Department
Trey Fraley, Corps of Engineers
Kristen Politano, DSL

WETLAND DELINEATION / DETERMINATION REPORT COVER FORM

A complete report and signed report cover form, along with applicable review fee, are required before a report review timeline can be initiated by the Department of State Lands. All applicants will receive an emailed confirmation that includes the report's unique file number and other information.

Ways to submit report:

- **Under 50MB** - A single unlocked PDF can be emailed to: wetland.delineation@dsl.oregon.gov.
- **50MB or larger** - A single unlocked PDF can be uploaded to DSL's Box.com website. After upload notify DSL by email at: wetland.delineation@dsl.oregon.gov.
- OR a hard copy of the unbound report and signed cover form can be mailed to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.

Ways to pay review fee:

- By credit card on DSL's epayment portal after receiving the unique file number from DSL's emailed confirmation.
- By check payable to the Oregon Department of State Lands attached to the unbound mailed hardcopy OR attached to the complete signed cover form if report submitted electronically.

Contact and Authorization Information

☒ Applicant ☐ Owner Name, Firm and Address:
Home Forward, Attn: Robert Dell
135 SW Ash Street
Portland, OR
97204

Business phone # (503) 943-0645
Mobile phone # (optional)
E-mail: Robert.Dell@homeforward.org

☒ Authorized Legal Agent, Name and Address (if different):
Dudek
Tony Vingiello
605 NE 21st Avenue, Suite 200
Portland, OR 97232

Business phone # (971) 930-1717
Mobile phone # (optional) (503) 705-8553
E-mail: avingiello@dudek.com

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: Tony Vingiello **Signature:** _____

Date: 09/06/2024 Special instructions regarding site access: _____

Project and Site Information

Project Name: Civic Station

Latitude: 45.508615 Longitude: -122.439772
decimal degree - centroid of site or start & end points of linear project

Proposed Use:
Development

Tax Map # 1S3E04DA
Tax Lot(s) 1202, 1203

Tax Map # 1S3E04DD
Tax Lot(s) 1900

Project Street Address (or other descriptive location):
NE Corner of NW Civic Dr. and NW 15th Street
Gresham, OR 97030

Township 1S Range 3E Section 04 QQ NE, SE
Use separate sheet for additional tax and location information

City: Gresham County: Multnomah

Waterway: None River Mile: N/A

Wetland Delineation Information

Wetland Consultant Name, Firm and Address:
Tony Vingiello
Dudek
605 NE 21st Avenue, Portland, OR
97232

Phone # (971) 930-1717
Mobile phone # (if applicable) (503) 705-8553
E-mail: avingiello@dudek.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: 09/04/2024

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

Wetland/Waters Present? ☒ Yes ☐ No Study Area size: 2.1 ac Total Wetland Acreage: 0.3600

Check Applicable Boxes Below

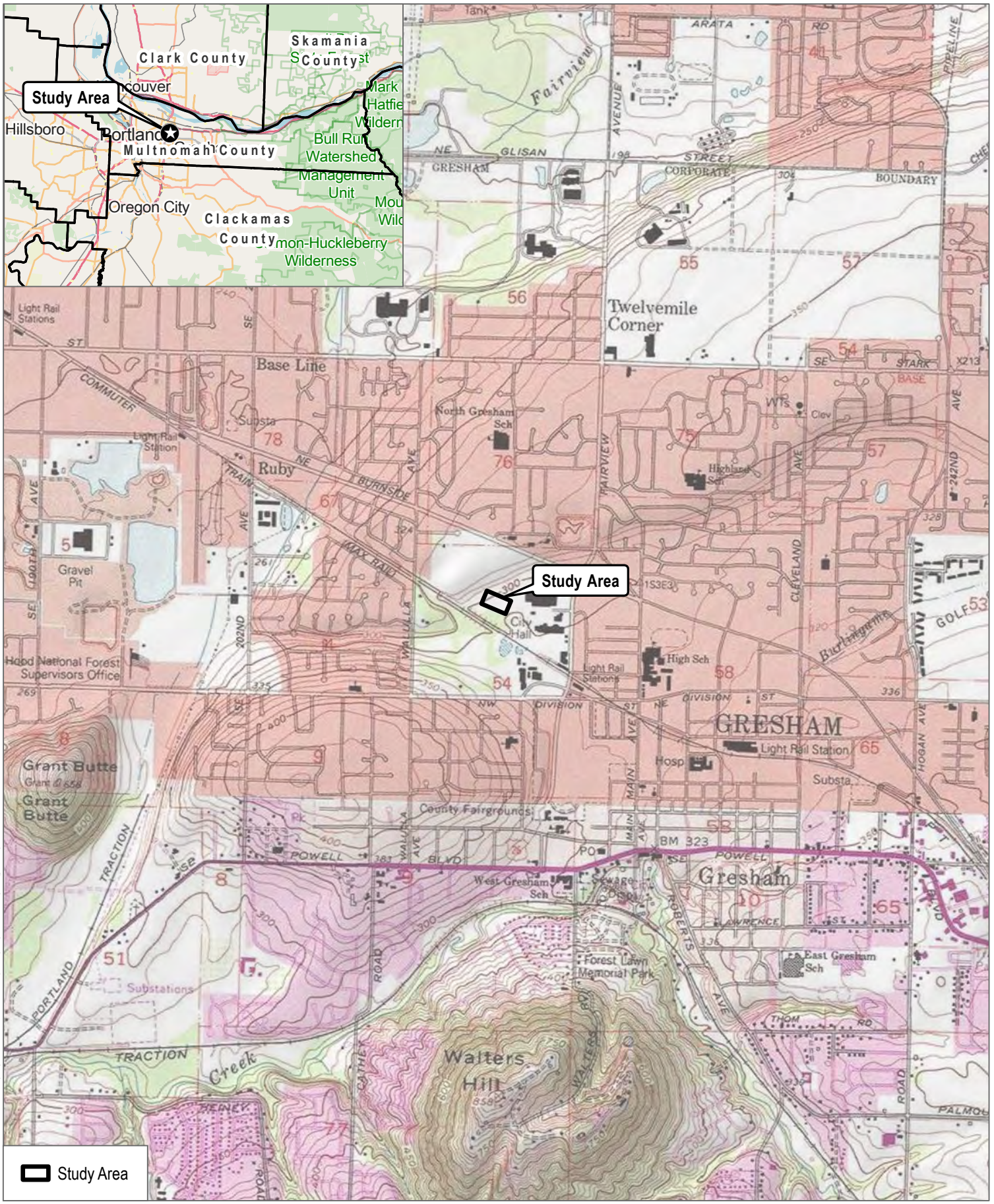
☐ R-F permit application submitted
☐ Mitigation bank site
☐ EFSC/ODOE Proj. Mgr: _____
☐ Wetland restoration/enhancement project (not mitigation)
☐ Previous delineation/application on parcel
If known, previous DSL # _____

☐ Fee payment submitted **$** _____
☐ Resubmittal of rejected report ($100)
☐ Request for Reissuance. See eligibility criteria. (no fee)
DSL # _____ Expiration date _____
☐ LWI shows wetlands or waters on parcel
Wetland ID code _____

For Office Use Only

DSL Reviewer: CS Fee Paid Date: ____ / ____ / ____ DSL WD # 2024-0498

Date Delineation Received: 09 / 06 / 2024 ☐ ☐ DSL App.# _____



SOURCE: USGS 7.5- Minute Series Quadrangle, Camas
Township 1S/ Range 3E/ Section 4/ Quarter Section SW

DUDEK

0 500 1,000 Feet

FIGURE 1

Project Vicinity

Wetland Delineation Report: Civic Station

SOURCE: NAIP 2020; Oregon Spatial Data Library 2021

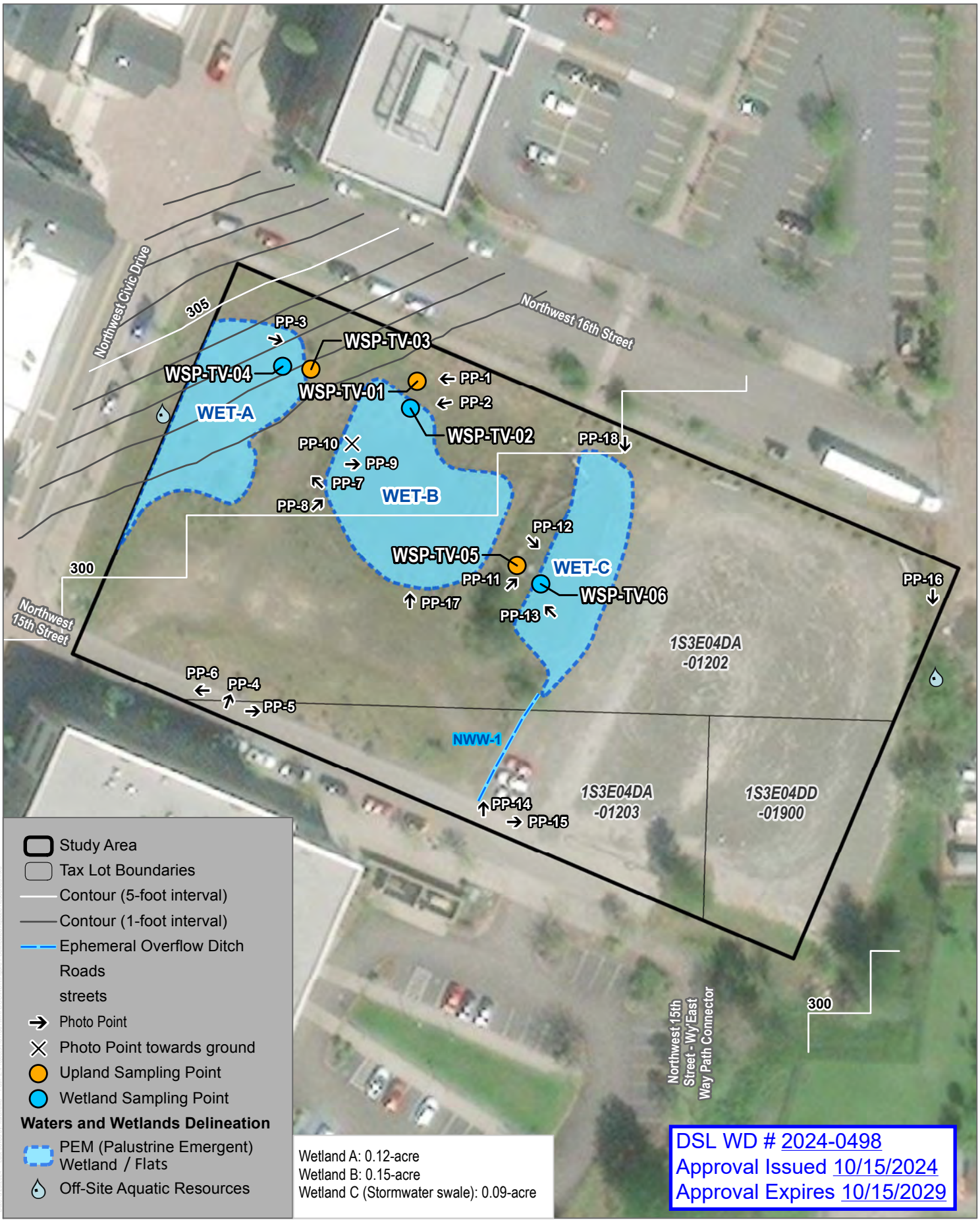
DUDEK

0 165 330 Feet

FIGURE 2

Tax Lots

Wetland Delineation Report: Civic Station



SOURCE: Esri World Imagery Basemap

DUDEK

0 30 60 Feet

FIGURE 7

Wetland Delineation Map

Wetland Delineation Report: Civic Station

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT
P.O. BOX 2946
PORTLAND, OR 97208-2946

February 4, 2025

Regulatory Branch
Corps No. NWP-2024-458

Mr. Robert Dell
Homeforward
135 SW Ash St
Portland, OR 97204
robert.dell@homeforward.org

Dear Mr. Dell:

The U.S. Army Corps of Engineers (Corps) received your request for an Approved Jurisdictional Determination (AJD) of the review area on the property located at 795 NW 15th St in Gresham, Multnomah County, Oregon at Latitude/Longitude: 45.5085503°, -122.4397461°. Aquatic resources, including wetlands, that may occur on this property or on adjacent properties outside the review area are not the subject of this determination.

The Corps has determined there are no waters of the United States within the review area. The enclosed *Memorandum for Record* (MFR) (Enclosure 1) provides the basis for our determination. The boundary of the review area subject to this AJD is identified on the enclosed drawings (Enclosure 2).

This AJD is valid for a period of five years from the date of this letter unless new information warrants revisions of the determination.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of a Natural Resources Conservation Service Certified Wetland Determination with the local USDA service center, prior to starting work.

This letter contains an AJD for the subject site. If you object to the enclosed AJD, you may request an administrative appeal under the Corps regulations at 33 CFR Part 331. Enclosed you will find a *Notification of Administrative Appeal Options and Process (NAP) and Request for Appeal* (*RFA*) form (Enclosure 3). If you request to appeal this AJD, you must submit a completed RFA form to the Corps Northwestern Division Office at the following address:

Melinda Larsen, Regulatory Appeals Review Officer
U.S. Army Corps of Engineers, Northwestern Division
1201 NE Lloyd Blvd., Suite 400
Portland, OR 97232

You may contact the Appeals Review Officer by phone at 503-808-3888 or by email at melinda.m.larsen@usace.army.mil. In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR § 331.5, and that it has been received by the Division Office within 60 days from the date on the NAP. Should you decide to submit an RFA form, it must be received at the above address by April 5, 2025. It is not necessary to submit an RFA form to the Division Office if you do not object to the enclosed AJD.

We would like to hear about your experience working with the Portland District, Regulatory Branch. Please complete a customer service survey form available on our website (https://regulatory.ops.usace.army.mil/customer-service-survey/).

If you have any questions regarding our Regulatory Program or permit requirements for work in waters of the United States, please contact Ms. Morgan Hall by telephone at (503) 808-5113 or by email at morgan.m.hall@usace.army.mil.

FOR THE COMMANDER, LARRY D. CASWELL, JR., PE, PMP, COLONEL, U.S. ARMY, DISTRICT COMMANDER and DISTRICT ENGINEER:

Melody J. White

For: William D. Abadie
Chief, Regulatory Branch

Enclosures

cc with drawings:
Dudek (Tony Vingiello, avingiello@dudek.com)
Oregon Department of State Lands (Kristin Politano, kristin.politano@dsl.oregon.gov)
Oregon Department of Environmental Quality (401applications@deq.oregon.gov)

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT
P.O. BOX 2946
PORTLAND, OR 97208-2946

CENWP-ODG 4 February 2025

MEMORANDUM FOR RECORD

SUBJECT: U.S. Army Corps of Engineers (Corps) Approved Jurisdictional Determination in accordance with the "Revised Definition of 'Waters of the United States'"; 88 FR 3004 (18 January 2023) as amended by the "Revised Definition of 'Waters of the United States'; Conforming" 88 FR 61964 (8 September 2023) ,[1] NWP-2024-458.[2]

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.[3] AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.[4]

On 18 January 2023, the Environmental Protection Agency (EPA) and the Department of the Army ("the agencies") published the "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (18 January 2023) ("2023 Rule"). On 8 September 2023 the agencies published the "Revised Definition of 'Waters of the United States'; Conforming", 88 FR 61964 (8 September 2023) which amended the 2023 Rule to conform to the 2023 Supreme Court decision in *Sackett v. EPA*, 598 U.S. 651, 143 S. Ct. 1322 (2023) ("*Sackett*").

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR § 331.2. For the purposes of this AJD, we have relied on Section 10 of the Rivers and Harbors Act of 1899 (RHA),[5] the 2023 Rule as amended,

[1] While the Revised Definition of "Waters of the United States"; Conforming had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.
[2] When documenting aquatic resources within the review area that are jurisdictional under the Clean Water Act (CWA), use an additional MFR and group the aquatic resources on each MFR based on the TNW, the territorial seas, or interstate water that they are connected to. Be sure to provide an identifier to indicate when there are multiple MFRs associated with a single AJD request (i.e., number them 1, 2, 3, etc.).
[3] 33 CFR § 331.2.
[4] Regulatory Guidance Letter 05-02.
[5] USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

as well as other applicable guidance, relevant case law, and longstanding practice in evaluating jurisdiction.

1. SUMMARY OF CONCLUSIONS.

   a. Provide a list of each individual feature within the Review Area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

      i. Wetland A; 0.12-acres; non-jurisdictional

      ii. Wetland B; 0.15-acres; non-jurisdictional

      iii. Wetland C; 0.09-acres; non-jurisdictional

      iv. Ditch 1; 65 linear feet; non-jurisdictional

2. REFERENCES.

   a. "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (18 January 2023) ("2023 Rule")

   b. "Revised Definition of 'Waters of the United States'; Conforming" 88 FR 61964 (8 September 2023)

   c. *Sackett v. EPA*, 598 U.S. 651, 143 S. Ct. 1322 (2023)

   d. EPA-Army Memorandum on NWP-2023-602 (19 March 2024)

3. REVIEW AREA. The Review Area is composed of a 2.1-acre parcel (tax lots 1900, 1202 and 1203), along NW Civic Drive, between NW 15th St and NW 16th St, in Gresham, Multnomah County, Oregon at latitude/longitude: 45.5086°, -122.4400°. The Review Area is located in a suburban area surrounded by commercial buildings, civic offices, a light rail to the south, and suburban housing in the larger vicinity. The west side of the Review Area is mostly mowed grasses and forbs with gravel paths throughout. A gravel parking lot covers the east side of the Review Area and is used as overflow parking for a charter high school located south from the Review Area across NW 15th Street. The property was a portion of a 200-acre farm from the 1860s until the 1970s with various inputs of fill in the latter decades. The stormwater retention pond (Wetland C) on site was installed in the center of the Review Area in approximately 2004 and has been relatively unaltered since.

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), THE TERRITORIAL SEAS, OR INTERSTATE WATER TO WHICH THE AQUATIC RESOURCE IS CONNECTED. The Review Area waters are approximately 3.95 miles from the Columbia River, which has been determined to be a TNW by Portland District Corps of Engineers as described in the October 1993 District list of Navigable Riverways within the State of Oregon.[6]

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, THE TERRITORIAL SEAS, OR INTERSTATE WATER. There is no discrete flow path from Review Area waters to a TNW. Onsite waters would have to exceed their storage capacities and sheet flow 10-30 feet to the nearest storm drain. From there water passes for 3.5 miles north through the City of Gresham stormwater system before draining into the Gresham Wastewater Treatment Plant. Once treated water flows 0.40 miles before out falling into the Columbia River, approximately 600 feet east of Big Eddy marine, near river mile 118 of the Columbia River. The combined flow path from the Review Area to a TNW is approximately 3.95 river miles and 4 straight-line miles.

6. SECTION 10 JURISDICTIONAL WATERS[7]: Describe aquatic resources or other features within the Review Area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the Review Area and how it was determined to be jurisdictional in accordance with Section 10.[8] N/A

7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the Review Area that were found to meet the definition of waters of the United States in accordance with the 2023 Rule as amended at 33 CFR § 328.3(a)(1) through (a)(5), consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the

[6] This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established.
[7] 33 CFR § 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.
[8] This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR § 329.14 to make a determination that a water is a navigable water of the United States subject to Section 10 of the RHA.

aquatic resource meets the relevant category of "waters of the United States" in the 2023 Rule as amended. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

a. Traditional Navigable Waters (TNWs) (a)(1)(i): N/A

b. The Territorial Seas (a)(1)(ii): N/A

c. Interstate Waters (a)(1)(iii): N/A

d. Impoundments (a)(2): N/A

e. Tributaries (a)(3): N/A

f. Adjacent Wetlands (a)(4): N/A

g. Additional Waters (a)(5): N/A

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

a. Describe aquatic resources and other features within the Review Area identified in the 2023 Rule as amended as not "waters of the United States" even where they otherwise meet the terms of paragraphs (a)(2) through (5). Include the type of excluded aquatic resource or feature, the size of the aquatic resource or feature within the Review Area and describe how it was determined to meet one of the exclusions listed in 33 CFR 328.3(b).[9] N/A

b. Describe aquatic resources and features within the Review Area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the 2023 Rule as amended (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Wetland A: Wetland A is a 0.12-acre isolated, depressional, palustrine emergent wetland, located along the northwestern border of the Review Area. The wetland was artificially created in uplands, through imported gravel fill (site was used for construction staging and access in 2004) creating depressional areas in a

[9] 88 FR 3004 (18 January 2023)

previously relatively flat area with no apparent wetlands present, based on historical aerial photography. Water enters the wetland via direct precipitation and leaves via infiltration and evapotranspiration. There is no clear outlet for the wetland, and it overflows to the west and southwest during prolonged periods of rainfall. The wetland is artificial and created in upland as a result of construction activity and is not adjacent to any jurisdictional waters. Wetland A does not have a continuous surface connection to a downstream (a)(1), (a)(2), or (a)(3) water and is not a Waters of the U.S.

Wetland B: Wetland B is a 0.15 acre isolated, depressional, palustrine emergent wetland, located in the northwestern portion of the Review Area, in the center of the gravel and vegetated portion. It is surrounded by gravel fill, especially to the south and west. Wetland B's boundary is marked by a change in topography, vegetation cover, hydric soil presence, and hydrology indicators. Water enters the wetland via direct precipitation and leaves via infiltration and evapotranspiration. The wetland is artificial and created in upland as a result of construction activity and is not adjacent to any jurisdictional waters. Wetland B does not have a continuous surface connection to a downstream (a)(1), (a)(2), or (a)(3) water and is not a Waters of the U.S.

Wetland C: Wetland C is a 0.09-acre depressional, palustrine emergent wetland located in the center of the Review Area. Wetland C is a purpose-built stormwater detention pond that appears to have been created entirely from uplands. Wetland C's boundary is defined by a distinct change in topography and changes in vegetation composition. The wetland is a mostly closed depression with an overflow channel in ephemeral drainage Ditch 1. During the August 2024 wetland delineation site visit, surface water was ponded to up to 1 foot, with another approximately one foot of water needed for it to overflow south via Ditch 1. The wetland does not have an inlet and receives water from direct precipitation and adjacent overland flow. Surface water leaves the Review Area via infiltration and evapotranspiration, except when the wetland reaches capacity and is partially drained by Ditch 1, flowing south out onto NW 15th Street. Once water reaches the street, it sheet flows approximately 20 feet before entering a municipal storm drain, from there water flows for 3.9 miles north through the City of Gresham stormwater system before out falling into the Columbia River. According to the 19 March 2024, EPA-Army Memorandum on NWP-2023-602, city storm sewer systems cannot serve as part of a continuous surface connection. Wetland C is artificial and was created in upland as a result of construction activity and is not adjacent to any jurisdictional waters. Wetland C does not have a continuous surface connection to a downstream (a)(1), (a)(2), or (a)(3) water and is not a Waters of the U.S.

Ditch 1: Ditch 1 is a 65 linear feet, ephemeral ditch, running south-west through the middle of the Review Area. The drainage is 1-foot-wide and 65-foot-long and connects Wetland C to NW 15th Street. The drainage is defined by a break in topography and evidence of flow including directional vegetation matting, although vegetation is not destroyed from flow and other ordinary high water mark (OHWM) features were not present. Historical aerial imagery shows a grove of trees that appears to be growing in size west of the current Wetland C location, until 2002. These trees are oriented in a north-to-south direction instead of the northeast-to-southwest orientation of Wetland C. This indicates Ditch 1 was not created within an existing swale or wetlands out of ease for excavation and fill, but because the 2002 design called for the stormwater pond (Wetland C) to be placed. Water from Ditch 1 flows onto the street and eventually southeast and enters a storm drain. From there water flows approximately 3.9 miles north through the City of Gresham stormwater system before out falling into the Columbia River. According to the 19 March 2024, EPA-Army Memorandum on NWP-2023-602, city storm sewer systems cannot serve as part of a continuous surface connection. The drainage appears to have been excavated for overflow from Wetland C and to direct water away from the parking lot. Ditch 1 does not show signs of an OHWM and is estimated to flow ephemerally and only when Wetland C is overflowing. Ditch 1 is not relatively permanent and does not contribute flow to an (a)(1), (a)(2), or (a)(3) water and is not a Waters of the U.S.

The Corps utilized the data sources in Section 9 below when rendering these determinations.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

   a. Office (Desk) Determination. Date 16 January 2025.

   b. Wetland Delineation Report, Civic Station, Gresham Oregon, dated September 2024.

   c. Google Earth Pro, Aerial Imagery dated 1995-2022, accessed 20 December 2024.

   d. Google Earth Pro Street View, Imagery dated 2022, accessed 20 December 2024.

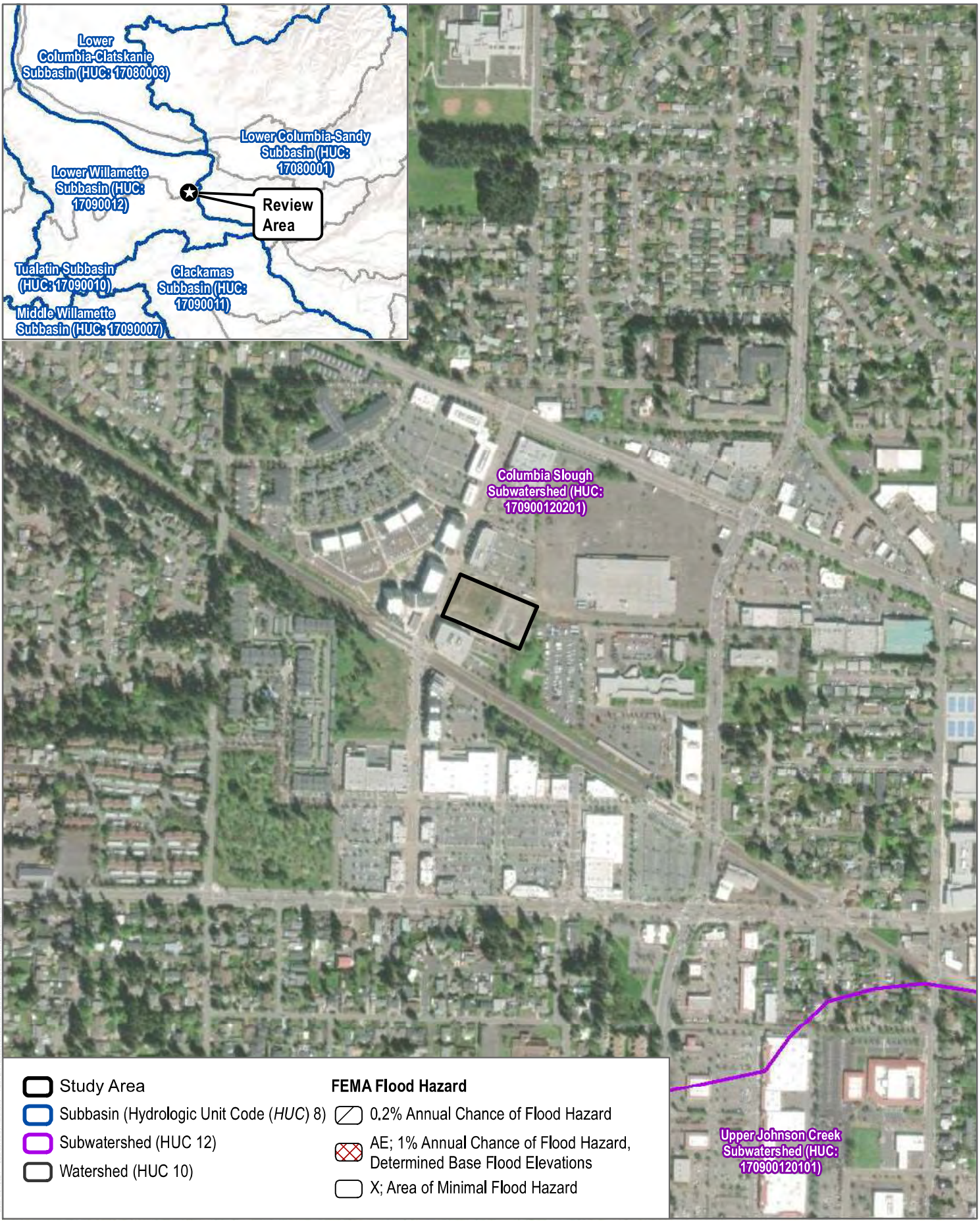
   e. City of Gresham Utilities Map, last accessed 16 January 2025.

f. Corps' Antecedent Precipitation Tool, accessed 16 January 2025.

10. OTHER SUPPORTING INFORMATION.

On 17 January 2025 the Corps submitted this AJD to EPA Region 10 and Corps Headquarters for review. On 3 February 2025 EPA Region 10 concurred with our findings.

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.



SOURCE: Washington County 2021; USGS 2021; NAIP 2020; Oregon Spatial Data Library 2021; FEMA 2021

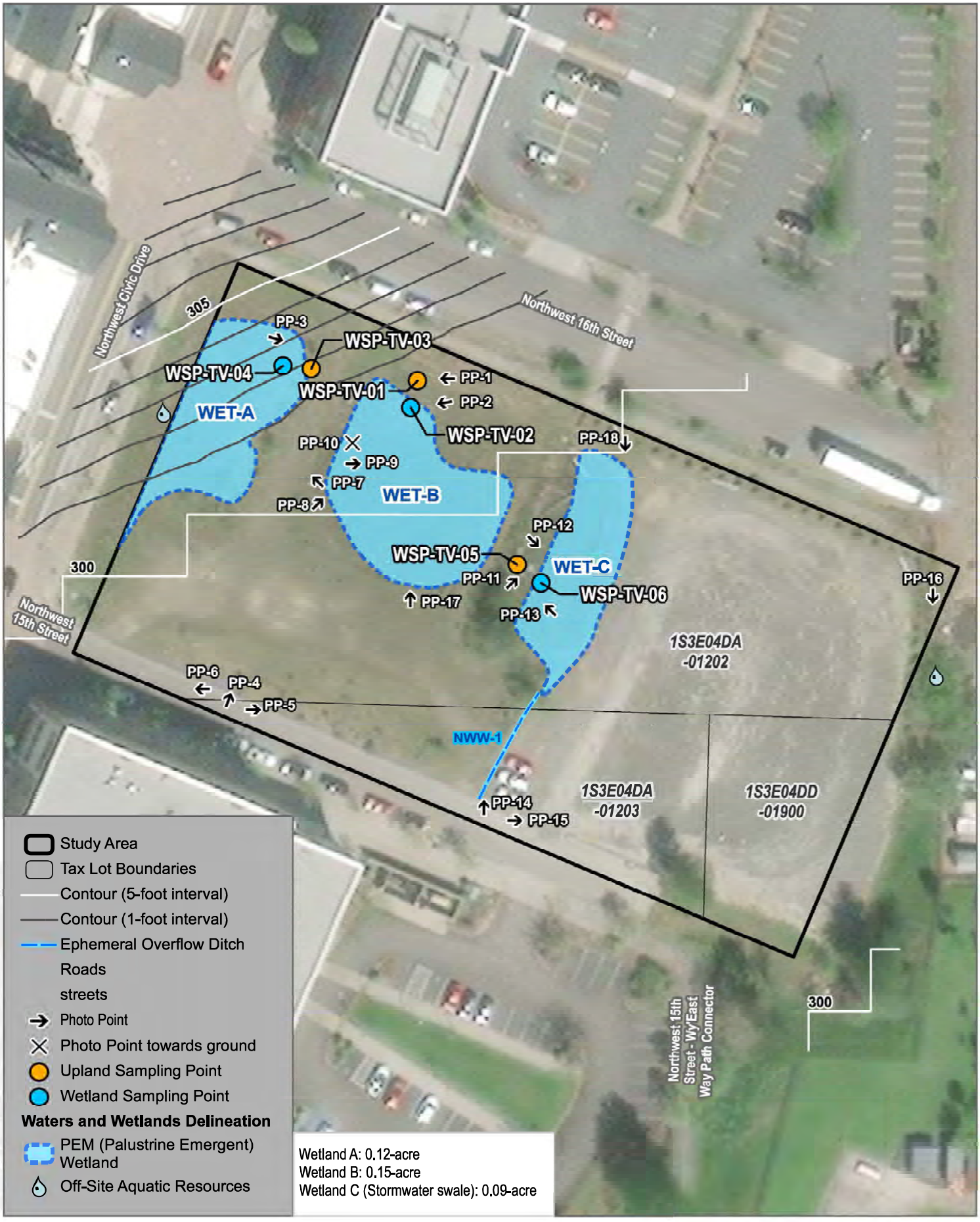
DUDEK

0 315 630 Feet

FIGURE 3

Hydrologic Setting

Wetland Delineation Report:Civic Station



SOURCE: Esri World Imagery Basemap

DUDEK

0 30 60 Feet

FIGURE 7

Wetland Delineation Map

Wetland Delineation Report: Civic Station

U.S. Army Corps of Engineers (USACE)

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.

Form Approved -
OMB No. 0710-0003
Expires 2027-10-31

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority The authorities for requesting this information are Sections 9, 10, 13, and 14, Rivers and Harbors Act of March 3, 1899; Section 404, Clean Water Act; and Section 103 Marine Protection Research and Sanctuaries Act of 1972.

Principal Purpose This information serves as notification to affected parties regarding the USACE administrative appeal options and process, as well as to facilitate requests for appeal of USACE decisions with which they disagree.

Routine Uses Routine uses will include: (a) To serve as notification to affected parties of the Corps administrative appeal options and process and to facilitate requests for appeal of Corps decisions with which they disagree. (b) Records may be referred to the Department of Justice for possible criminal prosecution. (c) Records may be referred to other Federal, State, and local agencies for evaluation and enforcement purposes.

Disclosure Disclosure of this information is voluntary on your part. However, failure of individual to provide requested information could result in inability to determine all pertinent information regarding a Department of the Army permit matter.

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0003, is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PURPOSE: This form is used to facilitate the initiation of the administrative appeals process. The appeals process allows an affected party to pursue an administrative appeal of certain Corps of Engineers decisions with which they disagree.

Upon release, this form will also be available on the Corps website https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/

Applicant: Homeforward (Robert Dell)	File Number: NWP-2024-458	Date: 2025-02-04

Documents Attached (*select all that apply*):		Form Reference Section:
☐	INITIAL PROFFERED PERMIT (*Standard Permit or Letter of Permission*)	A
☐	PROFFERED PERMIT (*Standard Permit or Letter of Permission*)	B
☐	PERMIT DENIAL WITHOUT PREJUDICE	C
☐	PERMIT DENIAL WITH PREJUDICE	D
☒	APPROVED JURISDICTIONAL DETERMINATION	E
☐	PRELIMINARY JURISDICTIONAL DETERMINATION	F

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/ or Corps regulations at 33 CFR Part 331.

A: **INITIAL PROFFERED PERMIT**: *You may accept or object to the permit*

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: *You may accept or appeal the permit*

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C. PERMIT DENIAL WITHOUT PREJUDICE: *Not appealable*

You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: *You may appeal the permit denial*

You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: APPROVED JURISDICTIONAL DETERMINATION: *You may accept or appeal the approved JD or provide new information for reconsideration*

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.

- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

- RECONSIDERATION: You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: *Not appealable*

You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:		If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:	
Name:	William D. Abadie, Chief Regulatory Branch	Name:	Melinda Larsen, Regulatory Appeals Review Officer
Street Address, City, State:	U.S. Army Corps of Engineers, Portland District P.O. Box 2946 Portland, OR 97208-2946	Street Address, City, State:	U.S. Army Corps of Engineers, Northwestern Division 1201 NE Lloyd Blvd, Suite 400 Portland, OR 97232
Phone:	503-808-4373	Phone:	503-808-3888
Email:	william.d.abadie@usace.army.mil	Email:	melinda.m.larsen@usace.army.mil

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT	
REASONS FOR APPEAL OR OBJECTIONS: (*Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.*)	
ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.	
RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.	
Email address of appellant and/or agent	Telephone number
Signature of appellant or agent	Date

Rachel Nehse

From: Samuel Bankston - NOAA Federal <samuel.bankston@noaa.gov>
Sent: Friday, January 31, 2025 12:52 PM
To: Rachel Nehse; Robert.Dell@homeforward.org; jacob@vegacivil.com
Cc: HUDBiOp WCR - NOAA Service Account; Brad Rawls - NOAA Affiliate; Brian.Sturdivant@hud.gov; Marie.C.Vila@hud.gov; toni.n.strutz@hud.gov
Subject: HUD SWP - City of Gresham, Civic Station Affordable Housing Project, Stormwater, Fairview Creek, Multnomah County (NMFS# WCRO-2016-00002-8079)

Ms. Nehse:

I have reviewed the notification form submitted to NMFS by the City of Gresham (HUD's RE) on December 2, 2024, requesting that NMFS review and approve the post-construction stormwater management plan for the action named above as consistent with the biological opinion issued to HUD on July 25, 2016 (HUD Stormwater Programmatic Biological Opinion [PBO]).

The proposed action will develop approximately two (2) acres of vacant land. Up to 60 apartment units will be constructed, including parking and outdoor amenities. Stormwater runoff from the new impervious surface area is likely to adversely affect ESA-listed species and designated critical habitat, as well as MSA-designated essential fish habitat. Based on information submitted by the Responsible Entity, NMFS has determined that the proposed action is consistent with the HUD PBO for:

- Project Design
- Stormwater Reduction Design
- Stormwater Treatment Design
- Stormwater Flow Control Design
- Stormwater Facilities' Operations & Maintenance Plan
- All other relevant project design criteria for construction practices
- NMFS has made no EFH Conservation Recommendations for this Project

Inspection, monitoring, and maintenance of stormwater facilities will occur in accordance with the procedures described in Appendix C of the *Preliminary Stormwater Report - Home Forward Gresham Civic Station* (Vega Civil Engineering, 2024). Inspection, monitoring, and maintenance of stormwater facilities will be the responsibility of the following entity:

Robert Dell, Project Manager
Home Forward
503-943-0645
Robert.Dell@homeforward.org

NOTE: The Opinion requires the Responsible Entity to submit a project completion report for this project within 60-days of the end of construction.

Reinitiation of consultation on this action is required and shall be requested by HUD where discretionary Federal involvement or control over the action has been retained or is authorized by law

and (a) the amount or extent of taking specified in the Incidental Take Statement is exceeded, (b) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered, (c) the identified action is subsequently modified in a manner that has an effect to the listed species or critical habitat that was not considered in the biological opinion; or (d) a new species is listed or critical habitat designated that may be affected by the identified action (50 CFR 402.16).

I confirm this action meets the conditions of the HUD Stormwater PBO issued to HUD on July 25, 2016, and as amended on August 2, 2024. A copy of all review materials is on file at NMFS' Oregon-Washington Coastal Office. My point of contact for this response is Brad Rawls, who can be reached at 503-230-5414 or by email at brad.rawls@noaa.gov.

Respectfully,
Sam
--

Sam Bankston
Acting Willamette Branch Supervisor
Oregon Washington Coastal Office
NOAA Fisheries | U.S. Department of Commerce
Office: (503) 454-6761
Mobile: (971) 325-5100
https://www.fisheries.noaa.gov/region/west-coast

CITY OF GRESHAM 1333 N.W. Eastman Parkway | Gresham, OR 97030

Endangered Species Act & Wetland Protection Determination

Project Information

Project Name: Civic Station

Project Sponsor: Home Forward Phone: 503-943-0645

Project Location: Civic Dr. between NW 15th & NW 16th **Gresham, OR** 97030

Street Address *City, State* *ZIP Code*

Documentation Reviewed

- [x] Site Plans
- [x] Stormwater Report
- [ ] Habitat Assessment: _____
- [x] Other: Wetland Delineation, DSL & USACE Lett

Planning and Site Location Conditions

	Y	N
Existing site fully developed?	[ ]	[x]

Draining to UIC [ ] Surface Water [ ]

Description of Existing Conditions:

The project site encompasses three separate parcels northeast of the intersection of Civic Drive and 15th Street in the City of Gresham, Oregon. The Project site includes three vacant parcels; two parcels (1S3E04DA-1202 and 1S3E04DA-1203) are owned by Metro while the northwest corner (0.4 acres) of a third parcel (1S3E04DD-01900) is owned by the City of Gresham (City). The Project Site consists of 2.3 acres total and is located within a mixed commercial and residential use area. The Project Site is currently zoned by the City of Gresham as Civic Neighborhood Transit High Density (CNTH). A portion of the site is currently in use as a gravel parking lot.

City of Gresham Stormwater Requirements

- [x] City of Gresham Stormwater Mitigation Requirements Met or Exceeded

Notes

Project meets City's current requirements for detention, and exceeds water quality treatment requirements in order to adhere to NMFS stormwater standards.

Project has not undergone planning review at this time, so no sign off from a planner is included on this form. Planning review is not required for completion of the Environmental Assessment.

Wetlands Protection

- [ ] No On- or Off-Site Wetlands Impacted
- [ ] Exemption Applies: _____
- [x] 8-Step Process Completed
- [ ] Modified 3- or 5-Step Process Completed
- [ ] Adverse Impacts on Wetlands Mitigated

Explanation of Determination or Mitigation:

Three areas on site meet HUD's definition of a wetland, however all three wetlands are man made (artificially created in upland, one for the specific purpose of stormwater management) and are confirmed to be non-jurisdictional per the Department of State Lands and US Army Corps of Engineers. An 8-step process was carried out to determine whether impacts to the wetlands on site could be mitigated or avoided. It was determined that adverse impacts to the wetland are unavoidable and there are no practicable alternatives to impacting the wetland. Mitigation will be carried out via stormwater detention and treatment with vegetated facilities, as the wetlands on-site primarily served as stormwater detention. Compensatory mitigation is not a requirement because the total wetlands impacted is less than one acre and artificially created in upland.

Part A: USFWS Effect Determination

☑ Meets "No Effect" Criteria

Description of Criteria Met:

While the project area does overlap with potential species, no critical habitats for any ESA-listed species under USFWS are present in the project area. Per a project review by USFWS staff as part of a HUD quarterly consultation, it was noted that the project site, while undeveloped, is part of the built environment and does not offer suitable habitat for wildlife, specifically for the species that may be present in the area. A copy of the email from USFWS is included in the Environmental Review Record.

☐ Project "May Affect", USFWS Consultation

Summary of Consultation Process:

Part B: NMFS Effect Determination

☑ Meets "No Effect" Criteria

Description of Criteria Met:

Stormwater management design meets NMFS criteria for water quality treatment and exceeds flow control requirements by meeting City of Gresham's standards.

☑ Section 7 Consultation with NMFS Completed

Summary of Consultation Process:

Consultation with NMFS was initiated using the new NMFS process for HUD project consultations. Per a NMFS review of the project, the post-construction stormwater management plan for the project is consistent with the HUD Stormwater Programmatic Biological Opinion. Inspection, monitoring and maintenance of stormwater facilities will be conducted in accordance with the stormwater report submitted during the consultation and a project completion report must be submitted to NMFS within 60 days of end of construction.

Approvals

Recommended by: Rachel Nehse
Digitally signed by Rachel Nehse
Date: 2025.07.01 13:11:20 -07'00'
Rachel Nehse, Program Analyst (HUD Funded Projects)

Planning Review by: _____

Stormwater Management Concurrence Reviewed by:
Ashley Cantlon
Digitally Signed
2025.06.30 18:03:05-07'00'
Ashley Cantlon, PE, ENV SP, Senior Engineer - Watershed

Part A USFWS Reviewed by: Kathy Majidi
Digitally signed by Kathy Majidi
Date: 2025.06.30 15:25:56 -07'00'
Project Biologist

Part B NMFS Reviewed by: Kathy Majidi
Digitally signed by Kathy Majidi
Date: 2025.06.30 15:26:14 -07'00'
Project Biologist

Wetland Review by: Craig Tumer
Digitally signed by Craig Tumer
DN: O="Pacific Habitat Services, Inc.", CN=Craig Tumer, E=ct@pacifichabitat.com
Reason: I am the author of this document
Location: Portland, OR
Date: 2025.06.30 14:47:12-07'00'
Foxit PhantomPDF Version: 10.1.0
Project Biologist

Biologist Findings Review by: Kathy Majidi
Digitally signed by Kathy Majidi
Date: 2025.06.30 15:26:24 -07'00'
Kathy Majidi, Natural Resources Program Manager