

Division of State Lands
 75 Summer Street NE
 Salem, OR 97310
 ☎ 378-3805
 378-3059

Permit No.: 8596
 Permit Type: Removal-Fill
 Waterway: Wetland
 County: Benton County
 Expiration Date: July 26, 1995

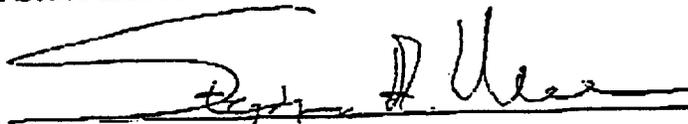
RIVERGREEN CONSTRUCTION, INC.

IS AUTHORIZED IN ACCORDANCE WITH ORS 196.800 TO 196.990 TO PERFORM THE OPERATIONS DESCRIBED IN THE ATTACHED COPY OF THE APPLICATION, SUBJECT TO THE SPECIAL CONDITIONS LISTED ON ATTACHMENT A AND TO THE FOLLOWING GENERAL CONDITIONS:

1. This permit does not authorize trespass on the lands of others. The permit holder shall obtain all necessary access permits or rights-of-way before entering lands owned by another.
2. This permit does not authorize any work that is not in compliance with local zoning or other local, state, or federal regulation pertaining to the operations authorized by this permit. The permit holder is responsible for obtaining the necessary approvals and permits before proceeding under this permit.
3. All work done under this permit must comply with Oregon Administrative Rules, Chapter 340; Standards of Quality for Public Waters of Oregon. Specific water quality provisions for this project are set forth on Attachment A.
4. Violations of the terms and conditions of this permit are subject to administrative and/or legal action which may result in revocation of the permit or damages. The permit holder is responsible for the activities of all contractors or other operators involved in work done at the site or under this permit.
5. A copy of the permit shall be available at the work site whenever operations authorized by the permit are being conducted.
6. Employees of the Division of State Lands and all duly authorized representatives of the Director shall be permitted access to the project area at all reasonable times for the purpose of inspecting work performed under this permit.
7. Any permit holder who objects to the conditions of this permit may request a hearing from the Director, in writing, within 10 days of the date this permit was issued.

NOTICE: If removal is from state-owned submerged and submersible land, the applicant must comply with leasing and royalty provisions of ORS 274.530. If the project involves creation of new lands by filling on state-owned submerged or submersible lands, you must comply with ORS 274.905 - 274.940. This permit does not relieve the permittee of an obligation to secure appropriate leases from the Division of State Lands, to conduct activities on state-owned submerged or submersible lands. Failure to comply with these requirements may result in civil or criminal liability. For more information about these requirements, please contact the Division of State Lands, Waterway Leasing Office, 378-3805.

Gary Gustafson, Director
 Oregon Division of State Lands



 Authorized Signature

July 26, 1994

Date Issued

ATTACHMENT F-13

ATTACHMENT A

Special Conditions for Material Removal-Fill Permit No. 8596

1. This permit authorizes the placement of up to 20,000 of gravel, sand and silt and removal of up to 500 cubic yards of silt, clay and organics in Section 11, T12S, R6W for residential housing as outlined in the attached permit application, map and drawings.

This permit also authorizes removal and filling activities necessary to complete mitigation actions identified below.

2. Turbidity shall not exceed 10% above natural stream turbidities as a result of the project. The turbidity standard may be exceeded for a limited duration, (per OAR 340-41) provided all practicable erosion control measures have been implemented as applicable, including, but not limited to:

-use of filter bags, sediment fences, silt curtains, leave strips or berms, or other measures sufficient to prevent offsite movement of soil;

-use of an impervious material to cover stockpiles when unattended or during a rain event;

-sediment traps or catch basins to settle out solids prior to water entering ditches or waterways; and

Erosion control measures shall be maintained as necessary to ensure their continued effectiveness, until soils become stabilized.

3. Petroleum products, chemicals, or other deleterious materials shall not be allowed to enter the water.

4. Waste materials and spoils shall be removed from the site, unless otherwise utilized in the project. Soils and plant materials removed from the impacted wetlands are authorized for use in contouring and planting the created wetlands.

5. Removal and filling in the permit area shall occur during periods of low flow.

MITIGATION CONDITIONS

6. The following conditions apply to the mitigation actions as described in the application and as depicted in the attachment dated July 20, 1994, as best outlined on pages 7-10.

7. The mitigation wetland shall be constructed prior to or concurrently with the filling activity. As outlined in the attachment dated July 20, 1994, the impacts will occur in two phases- Phase I is 1.95 acres and Phase II is 4.25 acres.

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8. The wetland shall be excavated to a depth sufficient to ensure less than 6-8" of standing water throughout the spring months with slopes of less than 20:1.
9. The wetland shall be planted with native grasses, shrubs and tress, Trees and shrubs shall be of two year old stock planted on 20 foot centers with clustering of vegetation. The following species shall be planted: Deschampsia spp., Alopecurus pratensis, Bechmannia syzigachue, Carex rostrata, Echinochloa crusgalli, Juncus effusus, Polygonum spp., Scirpus microcarpus, Spirea douglasii, Sambucus cerulea, Physocarpus capitatus, Cornus stolonifera, Amelanchier alnifolia, and Alnus rubra. The wetland consultant shall be retained and shall be on-site during the grading and planting of the mitigation site. Recommended planting time frame for the mitigation site is late February/early March for the majority of the species. Following planting, the vegetation shall be allowed to establish a natural character with minimal maintenance. The criteria for success shall be 80% survival for a period of 5 years, from initiation of grading for each phase of the wetland mitigation project.
10. A vegetated buffer of at least 25 feet shall be maintained between the mitigation wetland and the development site.
11. The issuance of this permit is conditional upon establishment of replacement wetlands of approximately 6.2 acres of wetland for loss of 6.2 acres of wetland habitat.

MONITORING CONDITIONS

12. To ensure a successful habitat replacement the permittee shall, for a period of 5 years from initiation of grading for each phase of the wetland mitigation project, maintain the mitigation site until vegetation has become established and the area is functioning as designed.
13. The applicant shall establish fixed photo points. Photos shall be taken annually from the established points for monitoring purposes. A monitoring report including photos and enough additional information to substantiate conformance with the special conditions above shall be submitted annually to the Division of State Lands for a period of 5 years after wetland construction for each phase of the mitigation project. The annual report is due October 15 of each year.

CONTINGENCY MEASURES

14. If the criteria listed above for mitigation success are not met at the end of the monitoring period, the applicant shall develop and implement, in coordination with Oregon Department of Fish and Wildlife and Oregon Division of State Lands, a supplemental mitigation plan designed to achieve the original target criteria.

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15. The permit applicant, an established neighborhood association, or an appointed representative is responsible for the yearly cleaning of the stormwater catch basins on the property and control of nuisance plants in the mitigation area, including reed canary grass and blackberries.
16. The Division of State Lands retains the authority to require appropriate corrective actions to the mitigation sites in the event the newly created wetlands are not functioning as designed within a period of 5 years after construction of each phase of the mitigation project.

July 26, 1994

NOTE:
This permit does not authorize placement of a gravel or paved path through the wetland mitigation area.

**ATTACHMENT
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