

Service Provider Letter

This form and the attached conditions will serve as your Service Provider Letter in accordance with Clean Water Services Design and Construction Standards (R&O 19-5, as amended by R&O 19-22).

Jurisdiction: Washington County Review Type: Tier 2 Analysis
 Site Address: 18300 & 18450 NW West Union Rd SPL Issue Date: July 28, 2021
 / Location: Portland, OR 97229 SPL Expiration Date: July 28, 2023

Applicant Information:

Name: RJ BARMAN
 Company: CJRW, LLC
 Address: PO BOX 2092
LAKE OSWEGO OR 97035
 Phone/Fax: (503) 635-8849
 E-mail: bobbarmanaz717@gmail.com

Owner Information:

Name: SAME AS APPLICANT
 Company: _____
 Address: _____
 Phone/Fax: _____
 E-mail: _____

Tax lot ID

1N119BC00500 & 600

Development Activity

West Union Chevron Extra Mile

Pre-Development Site Conditions:

Sensitive Area Present: On-Site Off-Site
 Vegetated Corridor Width: Variable
 Vegetated Corridor Condition: Degraded

Post Development Site Conditions:

Sensitive Area Present: On-Site Off-Site
 Vegetated Corridor Width: Variable

Enhancement of Remaining Vegetated Corridor Required:

Square Footage to be enhanced:

3,853

Encroachments into Pre-Development Vegetated Corridor:

Type and location of Encroachment:	Square Footage:
Building and associated parking, fuel pump island, underground stormwater treatment chamber (Permanent encroachment; Mitigation required)	<u>6,673</u>
Trenching for utility lines (Temporary encroachment; Restoration and planting in-place required)	<u>546</u>

Mitigation Requirements:

Type/Location	Sq. Ft./Ratio/Cost
<u>On-site Replacement Mitigation (removal of existing impervious surface and restore to VC)</u>	<u>6,713</u>
<u>On-site Wetland Enhancement as public benefit</u>	<u>537</u>
<u>On-site Interpretive/Educational Signs as public benefit (2)</u>	<u>2</u>

Conditions Attached Development Figures Attached (3) Planting Plan Attached Geotech Report Required

This Service Provider Letter does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered on your property.

ALTERNATIVES ANALYSIS

1. The proposed encroachment area is mitigated in accordance with Section 3.08.

Mitigation for the permanent impacts to the VC will be achieved through onsite VC replacement mitigation, through removal of existing impervious gravel area and restoration to "good" condition corridor, as outlined in Section 3.08 of CWS Design & Construction Standards. The mitigation criteria are intended to protect water quality for public benefit. Additional public benefit, in excess of the mitigation requirement, will be achieved through enhancement of onsite wetland area and placement of educational/interpretive signs. Temporary encroachments will be mitigation in-place through returning the ground to pre-construction grade and re-vegetation to comply with Section 3.05.5.

2. The enhancement mitigation protects the functions and values of the Vegetated Corridor and Sensitive Area.

The VC to be impacted is "degraded" condition corridor and there will be no impact to sensitive areas, which are in majority, located offsite. The applicant will utilize CWS' replacement mitigation standards, as outlined in Section 3.08 of the CWS Design & Construction Standards, to mitigated for the proposed encroachment. All proposed enhancements onsite will protect the function of the adjoining VC and sensitive areas.

3. Enhancement of the replacement area, if not already in Good Corridor Condition, and either the remaining Vegetated Corridor on the site or the first 50 feet of width closest to the resource, whichever is less, to a Good Corridor Condition.

Due to the necessary design elements in the site plan, a portion of the VC will be impacted. The proposed replacement mitigation area will be enhanced to "good" condition corridor, as will temporary encroachment areas and required enhancement areas, in accordance with CWS Standards. The proposed replacement area was identified based upon the location and limits of existing VC and existing developed areas.

4. A District Stormwater Connection Permit is likely to be issued based on proposed plans.

The applicant reasonably expects to obtain a District Stormwater Connection Permit based on proposed plans for the project.

5. Location of development and site planning minimizes incursion into the Vegetated Corridor.

Encroachment into the on-site VC has been minimized to the maximum extent practicable. However, due to the severely limiting unconventional wedge shape of this subject site, VC encroachments are necessary for the construction of the fuel islands and other required infrastructure within the developable portions of the site. Encroachment minimizations were made scale back encroachments from the proposed building and retain six (6) existing on-site ponderosa pine trees. Section 5.3 #6, below, details the reasons why this property was chosen for the proposed development, and why encroachment into VC is necessary.

6. No practicable alternative to the location of the development exists that will not disturb the Sensitive Area or Vegetated Corridor.

The proposed site was chosen for several reasons, including the absence of and need for such a facility in a highly populated and traveled area north of US Highway 26; the lack of readily available sites of sufficient size and appropriate zoning to accommodate the necessary infrastructure for a service station; the ease of travel to and from other parts of the region; and recognizing the potential of redeveloping a vacant site that has continued to deteriorate over the years into more and more of an eyesore in a highly visible location, subjected to illegal dumping of garbage onto the site and into the vegetated corridor and wetland area to the south. These are some of the reasons that led the applicant to choose the proposed development site as the preferred site.

The western half of the site is the only area suitable for a service station, a minimum of 5 fuel islands, EV charging stations, and the required turning radius for vehicles to safely move into and out of the site; no alternative location for these facilities exists on the site.

Three alternatives were considered for the site.

Alternative 1: "No build" alternative. The no build alternative would mean that the service station would not be constructed and the existing vacant lot would continue to deteriorate with weedy vegetation, and be subject to ongoing illegal dumping of garbage onto the site and into the vegetated corridor and wetland

area to the south, remaining an eyesore in a highly visible location; and leaving a rapidly growing area to travel further to refuel their vehicles, and thus generate more pollutants associated with auto travel.

Alternative 2: Alternative 2 would have maximized the buildable area by having additional parking in the eastern portion of the site and a car wash in the central portion, and thereby, providing an additional service to customers. This alternative would have resulted in less remaining Vegetated Corridor to enhance and greater impervious surface areas in the eastern portion of the site.

Alternative 3: Alternative 3 is the preferred alternative, which was designed by further minimizing VC impacts to the greatest extent practicable while keeping the project feasible. In this alternative, the car wash and the additional parking area in the eastern portion of the site have been completely eliminated, and instead, VC creation and enhancement will be maximized in the eastern portion of the site. The proposed building is located as far north as possible to avoid encroachment into the VC to the greatest extent, while retaining six (6) existing ponderosa pine trees, also. In addition, the presence of the proposed service station would provide 24/7 surveillance of the site, which would deter illegal dumping of garbage into the VC and wetland areas.

7. The proposed encroachment provides public benefits.

The proposed removal of the existing degraded structures and compacted, impermeable surfaces, and replacing these areas with native vegetation, and providing stormwater treatment for the site will improve water quality and provide a public benefit to water quality. Given that the applicant will create 6,713 square feet / 0.15 acres of vegetated corridor, where none currently exists, and enhance 3,853 square feet / 0.09 acres of vegetated corridor that is in "degraded" corridor condition; thereby, creating and enhancing a total of 10,566 square feet / 0.24 acres of vegetated corridor in good condition adjacent to a large wetland floodplain associated with Springville Creek. In addition, the small wetland area in the eastern tip of the site will receive enhancements above and beyond the requirement through invasive species removal, plantings of native scrub/shrub/emergent wetland plantings and maintenance and monitoring. Educational and interpretive signs will also be installed at two (2) locations in high focal areas for both customers and the general public to view. The signs will discuss/highlight natural resource restoration, the importance of urban wetlands, important surrounding habitat and water quality benefit. Managing invasive species, creating VC where there once was impervious surface, increasing the native vegetation surrounding wetlands, and providing interpretive and educational signage is a direct benefit to water quality, natural resources, and an improvement to local residents.

In order to comply with Clean Water Services water quality protection requirements the project must comply with the following conditions:

1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area or Vegetated Corridor which may negatively impact water quality, except those allowed in R&O 19-5, Chapter 3, as amended by R&O 19-22.
2. Prior to any site clearing, grading or construction the Vegetated Corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the Vegetated Corridor shall remain fenced and undisturbed except as allowed by R&O 19-5, Section 3.06.1, as amended by R&O 19-22 and per approved plans.
3. If there is any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Department of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide Clean Water Services or its designee (appropriate city) with copies of all DSL and USACE project authorization permits. **No sensitive area impacts proposed with this project.**
4. An approved Oregon Department of Forestry Notification is required for one or more trees harvested for sale, trade, or barter, on any non-federal lands within the State of Oregon.
5. **Prior to any ground disturbing activities, an erosion control permit is required. Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with Clean Water Services' Erosion Prevention and Sediment Control Planning and Design Manual, shall be used prior to, during, and following earth disturbing activities.**

6. Prior to construction, a Stormwater Connection Permit from Clean Water Services or its designee is required pursuant to Ordinance 27, Section 4.B.
7. Activities located within the 100-year floodplain shall comply with R&O 19-5, Section 5.10, as amended by R&O 19-22.
8. Removal of native, woody vegetation shall be limited to the greatest extent practicable.
9. The water quality swale and detention pond shall be planted with Clean Water Services approved native species, and designed to blend into the natural surroundings.
- 10. Should final development plans differ significantly from those submitted for review by Clean Water Services, the applicant shall provide updated drawings, and if necessary, obtain a revised Service Provider Letter.**
11. The Vegetated Corridor width for sensitive areas within the project site shall be a minimum of 50 feet wide, as measured horizontally from the delineated boundary of the sensitive area.
- 12. For Vegetated Corridors up to 50 feet wide, the applicant shall enhance the entire Vegetated Corridor to meet or exceed good corridor condition as defined in R&O 19-5, Section 3.14.2, Table 3-3, as amended by R&O 19-22.**
13. Prior to any site clearing, grading or construction, the applicant shall provide Clean Water Services with a Vegetated Corridor enhancement/restoration plan. Enhancement/restoration of the Vegetated Corridor shall be provided in accordance with R&O 19-5, Appendix A, as amended by R&O 19-22, and shall include planting specifications for all Vegetated Corridor, including any cleared areas larger than 25 square feet in Vegetated Corridor rated ""good.""
14. Prior to installation of plant materials, all invasive vegetation within the Vegetated Corridor shall be removed per methods described in Clean Water Services' Integrated Pest Management Plan, 2019. During removal of invasive vegetation care shall be taken to minimize impacts to existing native tree and shrub species.
15. Clean Water Services shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Planting Requirements (R&O 19-5, Appendix A, as amended by R&O 19-22).
- 16. Maintenance and monitoring requirements shall comply with R&O 19-5, Section 2.12.2, as amended by R&O 19-22. If at any time during the warranty period the landscaping falls below the 80% survival level, the owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.**
- 17. Performance assurances for the Vegetated Corridor shall comply with R&O 19-5, Section 2.07.2, Table 2-1 and Section 2.11, Table 2-2, as amended by R&O 19-22.**
- 18. Clean Water Services shall require an easement over the Sensitive Area and Vegetated Corridor conveying storm and surface water management to Clean Water Services or the City that would prevent the owner of the Vegetated Corridor from activities and uses inconsistent with the purpose of the corridor and any easements therein.**

FINAL PLANS

19. **Final construction plans shall include landscape plans.** In the details section of the plans, a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials is required. Plantings shall be tagged for dormant season identification and shall remain on plant material after planting for monitoring purposes.
20. **A Maintenance Plan shall be included on final plans** including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).
21. **Final construction plans shall clearly depict the location and dimensions of the sensitive area and the Vegetated Corridor** (indicating good, marginal, or degraded condition). Sensitive area boundaries shall be marked in the field.

22. Protection of the Vegetated Corridors and associated sensitive areas shall be provided by the installation of permanent fencing and signage between the development and the outer limits of the Vegetated Corridors. **Fencing and signage details to be included on final construction plans.**

This Service Provider Letter is not valid unless CWS-approved site plan is attached.









Please call (503) 681-3653 with any questions.

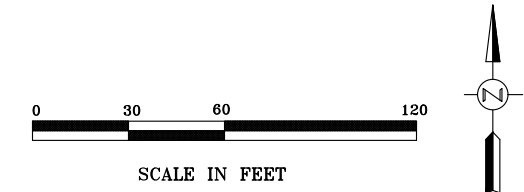
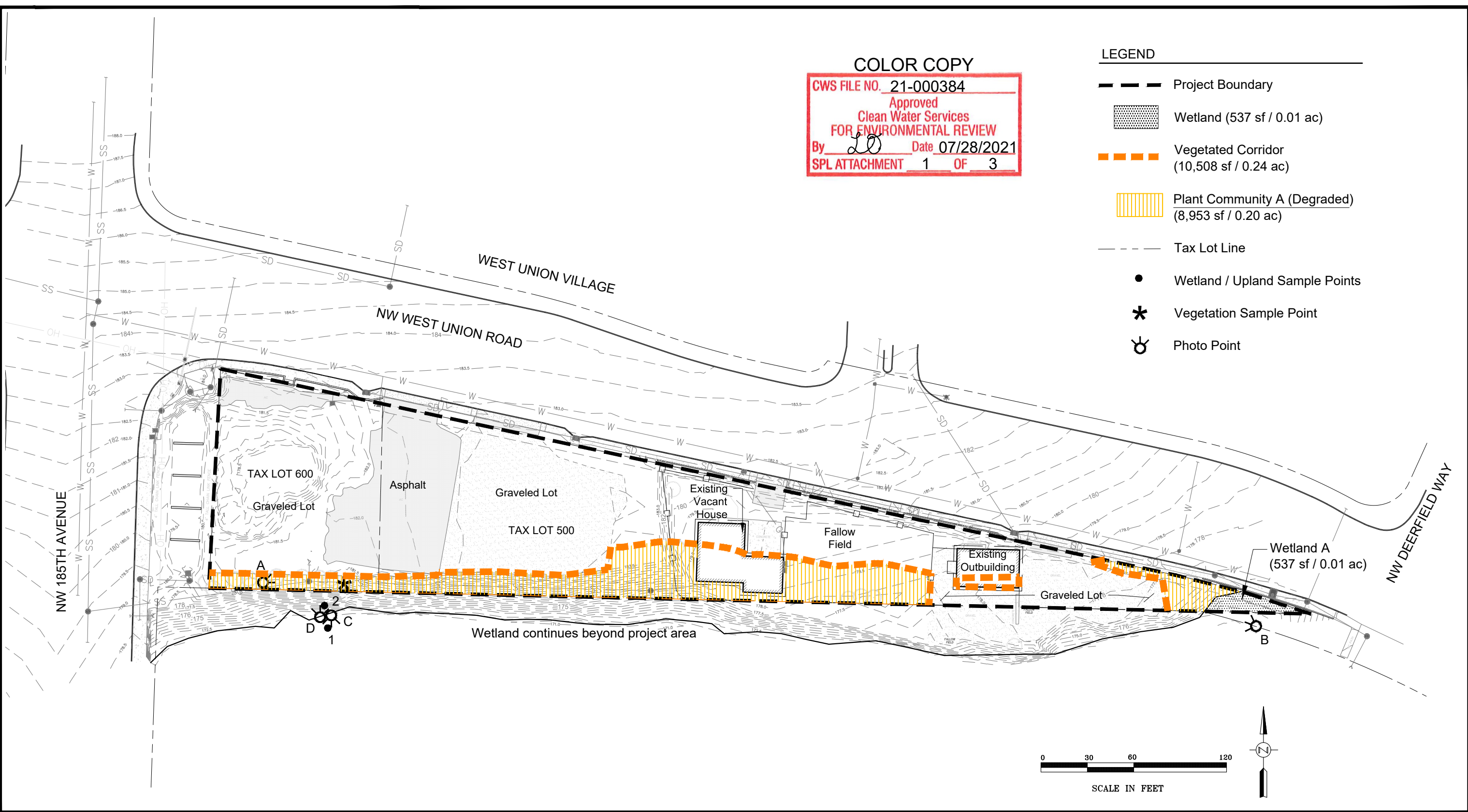


**Lindsey Obermiller
Environmental Plan Review**

Attachments (3)

COLOR COPY
CWS FILE NO. 21-000384
Approved
Clean Water Services
FOR ENVIRONMENTAL REVIEW
 By LD Date 07/28/2021
SPL ATTACHMENT 1 OF 3

- LEGEND**
-  Project Boundary
 -  Wetland (537 sf / 0.01 ac)
 -  Vegetated Corridor (10,508 sf / 0.24 ac)
 -  Plant Community A (Degraded) (8,953 sf / 0.20 ac)
 -  Tax Lot Line
 -  Wetland / Upland Sample Points
 -  Vegetation Sample Point
 -  Photo Point






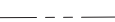




Survey provided by 3J Consulting (2017).
 Survey accuracy is sub-centimeter.

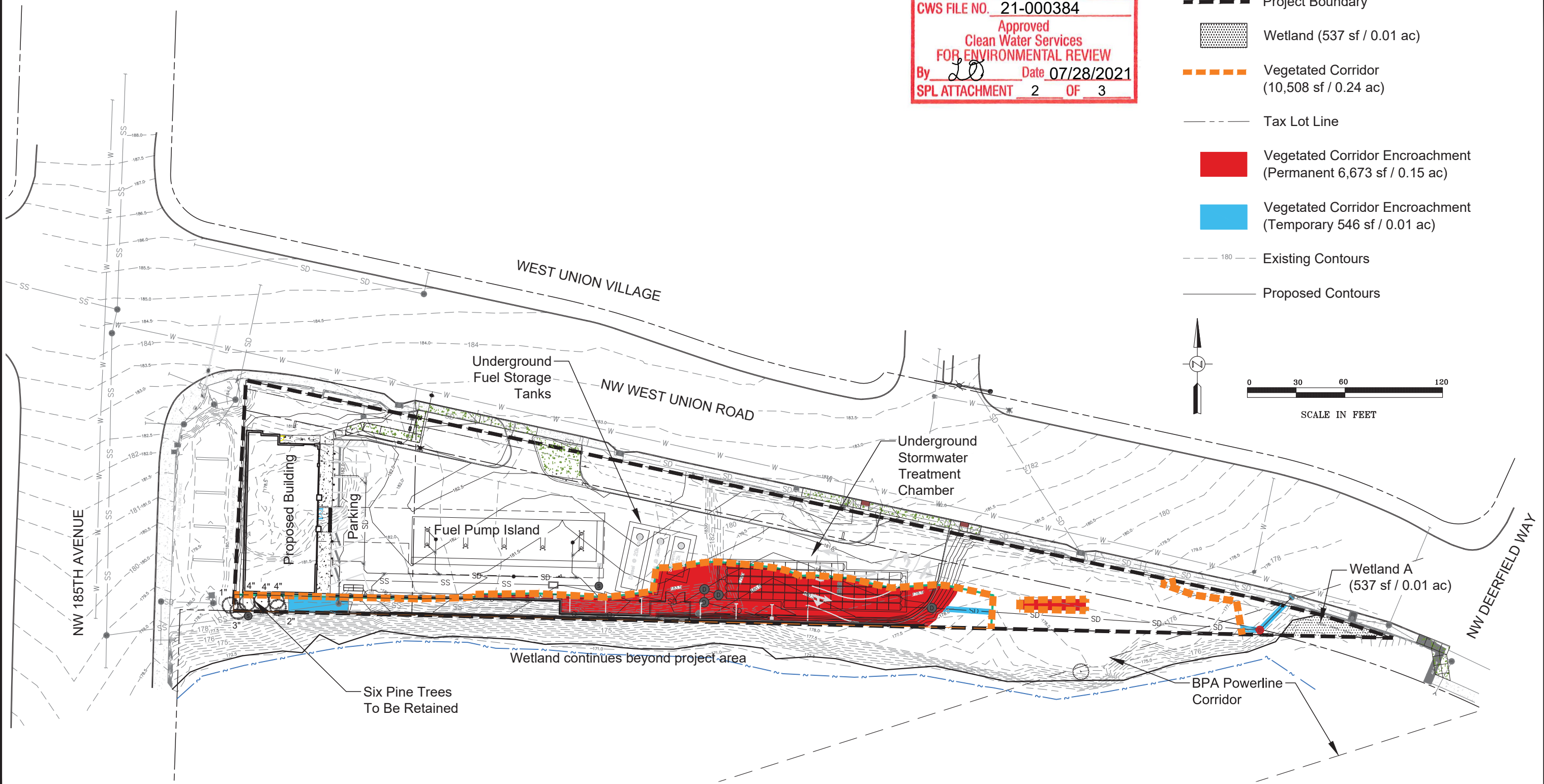
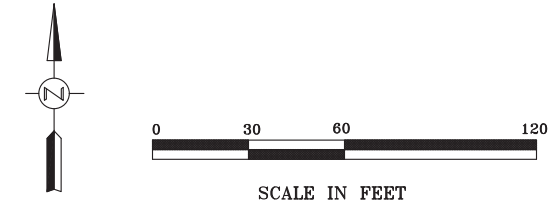
Vegetated Corridor Plant Community
 18300 & 18450 NW West Union Road - Portland, Oregon

FIGURE
3

2-2-2021

COLOR COPY
 CWS FILE NO. 21-000384
 Approved
 Clean Water Services
 FOR ENVIRONMENTAL REVIEW
 By LO Date 07/28/2021
 SPL ATTACHMENT 2 OF 3

- LEGEND**
-  Project Boundary
 -  Wetland (537 sf / 0.01 ac)
 -  Vegetated Corridor (10,508 sf / 0.24 ac)
 -  Tax Lot Line
 -  Vegetated Corridor Encroachment (Permanent 6,673 sf / 0.15 ac)
 -  Vegetated Corridor Encroachment (Temporary 546 sf / 0.01 ac)
 -  Existing Contours
 -  Proposed Contours



Base provided by 3J Consulting (2017).

Site Plan with Vegetated Corridor Encroachments
 18300 & 18450 NW West Union Road - Portland, Oregon

FIGURE
4

6-17-2021

Proposed Wetland Enhancement Plants

Botanical Name	Common Name	Size	Quantity
*SHRUBS (30 Total)			
<i>Cornus stolonifera</i>	Red-osier dogwood	1 gallon	10
<i>Rosa pisocarpa</i>	Clustered rose	1 gallon	10
<i>Spiraea douglasii</i>	Douglas's spiraea	1 gallon	10
HERBACEOUS (Native Seed Mix)			
<i>Deschampsia elongata</i>	Slender hairgrass	Seed	1# per 1,000 SF
<i>Glyceria occidentalis</i>	Western manna-grass		

*Plant locations to be determined by landscape architect and incorporated into landscape plan.










Proposed Vegetated Corridor Enhancement / Creation Plants

Botanical Name	Common Name	Size	Quantity
*TREES (104 Total)			
<i>Acer macrophyllum</i> **	Big-leaf maple	2 gallon	24
<i>Arbutus menziesii</i> **	Pacific madrone	2 gallon	20
<i>Cornus nuttallii</i>	Pacific dogwood	2 gallon	20
<i>Rhamnus purshiana</i>	Cascara	2 gallon	18
<i>Thuja plicata</i> **	Western red cedar	2 gallon	22
*SHRUBS (522 Total)			
<i>Cornus stolonifera</i>	Red-osier dogwood	1 gallon	124
<i>Mahonia aquifolium</i>	Tall Oregon grape	1 gallon	84
<i>Polystichum munitum</i>	Western sword fern	1 gallon	140
<i>Rosa nutkana</i>	Nootka rose	1 gallon	70
<i>Symphoricarpos albus</i>	Snowberry	1 gallon	104
HERBACEOUS (Native Seed Mix)			
<i>Bromus carinatus</i>	California brome	Seed	1# per 1,000 SF
<i>Elymus glaucus</i>	Blue wild-rye		

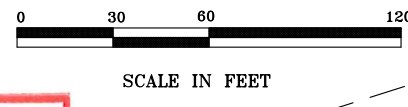
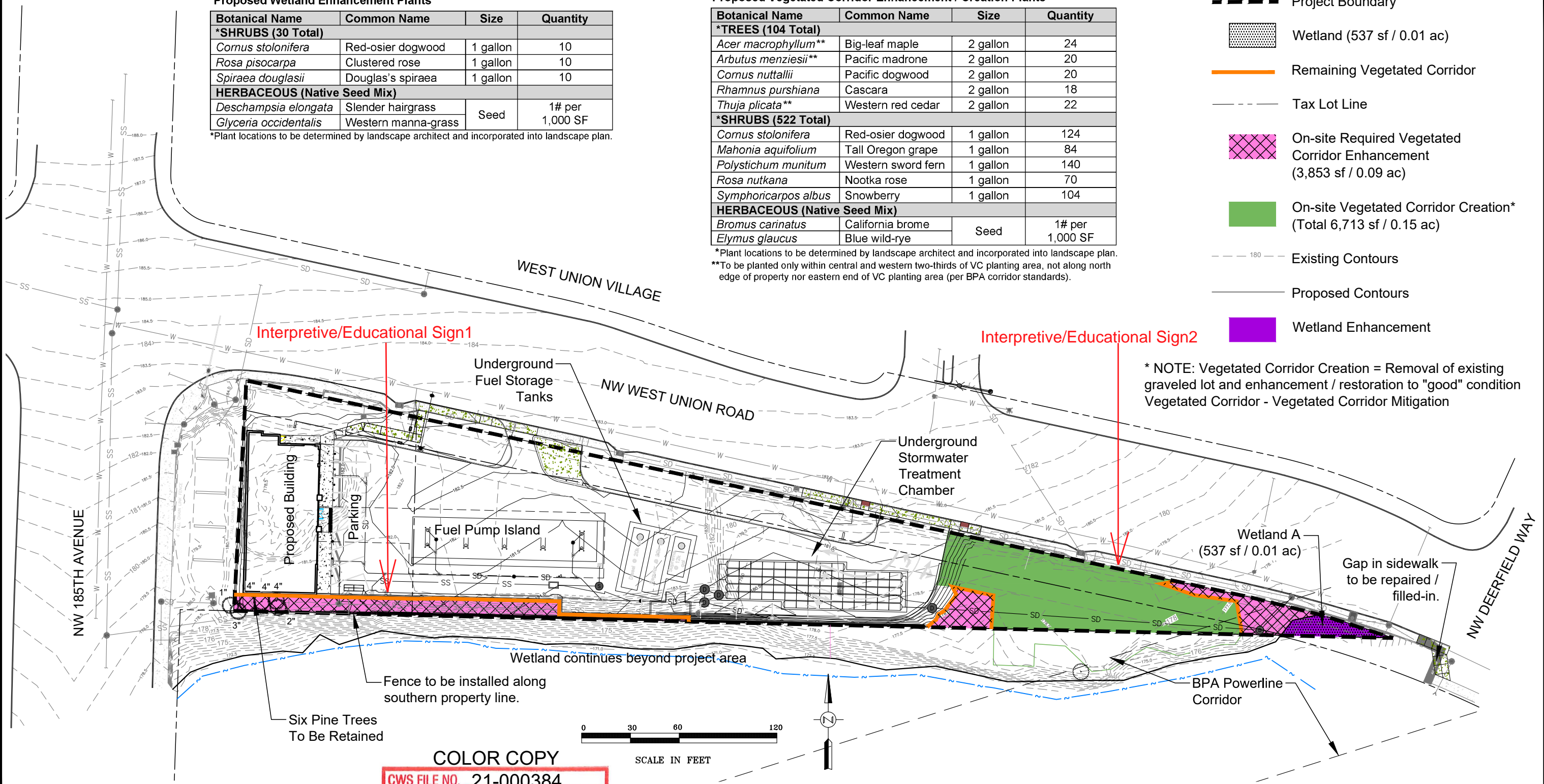
*Plant locations to be determined by landscape architect and incorporated into landscape plan.

**To be planted only within central and western two-thirds of VC planting area, not along north edge of property nor eastern end of VC planting area (per BPA corridor standards).

LEGEND

-  Project Boundary
-  Wetland (537 sf / 0.01 ac)
-  Remaining Vegetated Corridor
-  Tax Lot Line
-  On-site Required Vegetated Corridor Enhancement (3,853 sf / 0.09 ac)
-  On-site Vegetated Corridor Creation* (Total 6,713 sf / 0.15 ac)
-  Existing Contours
-  Proposed Contours
-  Wetland Enhancement

* NOTE: Vegetated Corridor Creation = Removal of existing graveled lot and enhancement / restoration to "good" condition Vegetated Corridor - Vegetated Corridor Mitigation



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Base provided by 3J Consulting

Site Plan with Vegetated Corridor Mitigation and Enhancement and Wetland Enhancement
 18300 & 18450 NW West Union Road - Portland, Oregon

FIGURE
5

6-17-2021