

**RESOLUTION NO. 967**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF MATCHING FUNDS AND INSTRUCTING CITY STAFF TO MAKE APPLICATION FOR A WETLANDS PLANNING ASSISTANCE GRANT BY NOVEMBER 13, 1992.**

WHEREAS, the Department of Land Conservation and Development (D.L.C.D.) and the Division of State Lands (D.S.L.) have initiated a planning assistance grant program to help eligible jurisdictions develop and proceed further with a LOCAL WETLANDS INVENTORY AND STATEWIDE GOAL 5 PLAN; and

WHEREAS, eligible jurisdictions that are awarded grants will be required to provide matching funds of at least 50% of the total project costs which, in this case, can also include "IN-KIND" labor; and

WHEREAS, the grant application must include the written commitment of the Wilsonville City Council to fund and complete a wetlands inventory and plan by June 30, 1993; and,

WHEREAS, the Wilsonville City Council has taken an active role which promotes the stewardship and conservation of all the City's natural resources, including identified wetland resource areas and wildlife habitat.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOW:

1. That the Wilsonville City Council hereby authorizes the expenditure of an amount not to exceed \$7,000.00, to be used as matching funds for the wetlands conservation planning assistance grant.
2. That the Wilsonville City Council hereby makes a commitment to complete a wetlands inventory in compliance with the terms and conditions of the Wetlands Planning Assistance Grant.
3. The City Council directs and instructs the Planning Director to prepare and

make application for a Wetlands Planning Assistance Grant by November 13, 1992.

4. Authorize the expenditure of funds for this contract, not to exceed \$7,000.00 from :

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>
PLANNING	100-164-6044000	\$7,000.00

5. The Finance Director, by his signature below, has verified that funds are available in the Account number mentioned in Item #4 above, for payment of all billings for this project.

Ray Shorten 11-3-92  
Ray Shorten, Finance Director Date

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 2nd day of November, 1992 and filed with the Wilsonville City Recorder this date.

Gerald A. Krummel  
GERALD A. KRUMMEL, Mayor

ATTEST:

Vera A. Rojas  
VERA A. ROJAS, CMC/AAE, City Recorder

SUMMARY of Votes:

Mayor Krummel AYE  
Councilor Carter AYE  
Councilor Chandler AYE  
Councilor Lehan AYE  
Councilor Van Eck AYE

29 October 1992

TO: Honorable Mayor and City Council

FROM: Wayne C. Sorensen, Planning Director *Wayne*  
Pamela Emmons, Assistant Planner *P*

RE: WETLANDS GRANT APPLICATION FROM D.S.L. AND D.L.C.D.

The City has received the "general format" for the 1992 Grant Application from D.S.L. and D.L.C.D. The applications are due back at D.L.C.D. by Friday, November 13. Several steps need to be taken in order to apply for the matching funds. There are three different ways to apply for and/or utilize the grant money, with the first listed as "Wetlands Inventory"; the second as a "Wetlands Conservation Plan"; and the third option, "to comply with Statewide Planning Goal #5". In looking at the criterion for the various applications, the third option appears to meet the needs of the current inventory and the long range plans for wetland and natural area protection. The people involved with the Natural areas inventory Steering Committee, expressed concern over the need to have protection of these sites, not just a "list" in a document. Additionally, due to the time constraints, it would appear to be more feasible to proceed with a protection plan in association with Goal 5 since the grant requires that the project be completed by June 30, 1993.

Additionally, I would like to point out that should Ballot Measure 26-1 pass that METRO is sponsoring, the City of Wilsonville could possibly receive \$469,147.00 in funds from Clackamas County's allocation. A portion of the money could be utilized for this grant project. As a bonus, the results of the Election will be known prior to the submission of the Grant Application!

**STATE OF OREGON**  
**WETLANDS PLANNING ASSISTANCE GRANT**  
**APPLICATION GUIDE**

**Introduction**

The Department of Land Conservation and Development (DLCD) and the Division of State Lands (DSL) have established a wetlands planning assistance grant program as part of a statewide interagency wetlands project. The project is supported by a grant from the U.S. Environmental Protection Agency under the authority of Section 104(b)(3) of the Clean Water Act. A portion of the federal grant is designated to assist local governments develop local wetlands plans. The amount of funds available this year for the wetlands planning grants is \$126,000.

These grants will be awarded to eligible jurisdictions that want to develop wetlands plans as well as eligible jurisdictions which have already begun a planning process. A maximum of \$40,000 may be awarded for each project. Jurisdictions receiving grants will be required to provide matching funds in the amount of at least 50% of the grant award received from the state. Grant projects should be completed by June 30, 1993. Although EPA has approved a longer grant period, spending beyond June 30 will be contingent upon approval by the state legislature. For this reason, you should propose projects that can be completed by June 30.

This guide describes the grant application procedures. It is intended to assist applicants in developing high quality and complete applications. Jurisdictions which decide to apply for a grant are required to appoint a staff person to be the local wetlands planning specialist. This person will be responsible for submitting the final application and communicating with the technical assistance staff at DLCD and DSL. The EPA grant also supports a wetlands planner at DLCD who will administer the grant program and provide technical assistance, in coordination with DSL's wetlands planner, to jurisdictions applying for and receiving a planning grant.

**Applications must be postmarked no later than November 13, 1992.**

### THREE OPTIONS PROVIDED BY THE GRANT

This grant money can be used to develop any of three options:

#### 1) Wetlands Inventory

An applicant can develop either (1) a "Local Wetlands Inventory" (LWI) or (2) a "Wetland Conservation Plan Inventory" (WCPI) as defined by the Division of State Lands administrative rules. The LWI is more general (minimum map scale of 1" = 800') and can be used for Statewide Goal 5 planning. However, the LWI is not sufficient for a Wetland Conservation Plan (WCP). If you want to develop a WCP, it is necessary to adopt a WCPI. The WCPI is at a more detailed scale (minimum map scale 1" = 100').

**Even if you choose this option, you will still have to develop a wetlands plan eventually. Although you do not have to develop a plan immediately, under this grant, if you adopt just an inventory, you will be required to complete Goal 5 by your next Periodic Review.**

#### 2) Wetland Conservation Plan

The Wetland Conservation Plan (WCP) process is a comprehensive planning process that involves all agencies with a role in wetlands regulation as well as the local community. As with Goal 5, the final products are a wetland inventory and assessment, plan policies and ordinances adopted by the local jurisdiction. If your jurisdiction has many potential conflicts between wetlands protection and development, this is the best mechanism to use to resolve those conflicts.

#### 3) Statewide Goal 5 Plan

If there are specific wetland sites the jurisdiction wishes to protect, then this is the best option. For wetlands the jurisdiction wishes to develop, this is not the best option. Since other state agencies are not required to comply with Goal 5 for proposed wetlands development, the Division of State Lands can deny a permit even if the local jurisdiction designates the site for development under Goal 5. Also, Goal 5 does not require as comprehensive a planning approach as the Wetland Conservation Plan process. For this reason, if the jurisdiction would like to plan for wetlands in a large area, it is best to develop a WCP.

**The requirements for each of these options is described in greater detail on the following pages.**

Grant funds may only be used to accomplish the tasks described in this section. Grant funds may not be used for any activities which are not listed below.

1) WETLAND INVENTORIES

Wetland inventories provide general information on the location and quantity of wetlands within the mapped area. Which inventory you choose to develop depends, in part, on which type of planning process you intend to do later. For Goal 5 purposes, the LWI is sufficient. However, for Wetland Conservation Plans, it is necessary to adopt a WCPI. Inventories can provide landowners with a good idea of where wetlands are and can speed up the state permitting process at the Division of State Lands. They do not provide protection to wetlands, but simply tell where the resource sites are generally.

It can be easier to develop wetlands regulations in stages; an inventory and functional assessment first, a full plan later. Again, even if you choose this option, you will be required to complete a plan for the inventoried sites by the end of your jurisdiction's next Periodic Review. The requirements for developing a LWI are provided in OAR 141-86-180 (see Appendix "A"); the requirements of a WCPI appear in OAR 141-86-110 (see Appendix "B").

2) WETLAND CONSERVATION PLANS

The wetlands conservation plan process was authorized by the 1989 Legislative Assembly as part of Senate Bill 3, which established state policy concerning wetlands. WCPs are optional at the discretion of local governments. They are designed to provide better management of the state's wetlands and resolve conflicts between land uses designated in local comprehensive plans and state and federal wetlands regulation.

Once incorporated into local comprehensive plans, WCPs allow management decisions to be made in a wider context than is possible through site-by-site permitting. WCPs incorporate an array of mechanisms for wetlands protection and can provide certainty for development interests. Also, WCPs will satisfy local comprehensive plan Goal 5 requirements for wetlands within the plan area.

After DSL approves a WCP, local jurisdictions themselves will be able to administer Removal-Fill permits according to the approved plan, with only a cursory review by DSL. As outlined in state statute (ORS 196.678 and 196.681) and DSL administrative rules (OAR Chapter 141), a WCP must contain specific components in order to be approved. Under this grant, all applications are required to provide detailed task descriptions for accomplishing these components.

**The required components for a Wetland Conservation Plan are:**

1. **DESCRIPTION AND MAPS OF THE AREA** - describe both the specific plan area as well as the larger watershed. Maps should depict the plan area within the urban growth boundary, wetlands identified on the National Wetlands Inventory (NWI), county soil survey maps indicating hydric soils, and the local comprehensive plan land use zoning.
2. **DETAILED INVENTORY OF THE WETLANDS** - identify location, quantity and quality of the wetlands within the plan area. An onsite wetlands determination is required for all wetlands or possible wetlands, according to the WCPI administrative rules. A delineation is required of all wetlands designated by the plan for development. The state requires that delineation be done according to the criteria and methodology described in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989).

A complete description of the correct mapping procedures is found in the Division of State Lands Wetland Conservation Plan Inventory Standards and Guidelines, which is attached as Appendix "B." Jurisdictions should consider these guidelines when developing their applications. Grant recipients should inform prospective contractors that these guidelines must be used when developing WCPs.

3. **ASSESSMENT OF WETLAND FUNCTIONS AND VALUES** - evaluate the ecological characteristics, functions and values, and quantity and frequency of wetlands within the plan area. Historical wetlands losses also need to be documented.
4. **DESIGNATION OF WETLAND AREAS FOR PROTECTION, CONSERVATION AND DEVELOPMENT** - the local government, in coordination with federal and state agencies, citizens and other interested parties, will develop specific criteria to place wetlands into management categories. The local government will then designate areas according to these criteria. Designations must follow state guidelines.

Areas may be designated for development only if there is a public need for the proposed uses and that need is set forth in the acknowledged local comprehensive plan. Also, the local government must describe the alternatives to the proposed development (including alternative locations) and demonstrate that practicable, less damaging alternatives are not available.

5. **MITIGATION PLAN** - identify sites within the plan area to be used to replace wetland functions and values lost in development areas. Replacement involves creating new wetlands, enhancing existing wetlands or restoring damaged wetlands. Any planned losses must be fully offset by replacement of wetland functions and values.

6. **POLICIES AND IMPLEMENTATION MEASURES** - develop comprehensive plan policies and local ordinances to establish protection, conservation and best use of the wetlands within the plan area. These regulations must be consistent with and sufficient to implement the WCP. This includes specifying how funding will be obtained to fully implement the plan.
7. **SPECIFICATION OF FILL AND REMOVAL SITES** - specify sites at which fill or removal will occur. This includes setting the conditions with which these activities must comply. Fill and removal activities must conform to policies of conservation and must not interfere with public health and safety.
8. **MONITORING PROVISIONS** - describe the mechanisms that will be used to ensure that the plan and wetland mitigation measures are implemented and the ecological goals are met.
9. **IDENTIFICATION OF PUBLIC AND CONFLICTING PLANNED USES** - specify new and existing public uses of the wetlands and waters within the plan area. Also describe uses currently designated in the local comprehensive plan which conflict with other designated uses or with uses now being proposed.
10. **SPECIFICATION OF BUFFER AREAS** - designate setbacks from wetland areas to minimize conflicts between uses and ensure protection of the wetland resources, including riparian vegetation. This includes regulating upland areas adjacent to wetlands and can involve regulating activities or locations of buildings, structures or improvements which may affect wetland functions and values.

**Reminder:** If a jurisdiction begins to develop but does not complete a WCP, that jurisdiction will be required to finish the planning process under Statewide Goal 5.

### 3) STATEWIDE GOAL 5 PLANS

Goal 5 requires a community to plan for its wetland resources once it has available information on the location, quantity and quality of the resource sites. The local government must first determine the "significant" wetlands within its jurisdiction and place those wetlands on an inventory. Then, if there are potential conflicts with protecting those significant sites, the jurisdiction must balance the advantages of protecting them against the advantages of developing them. Finally, implementation measures are developed and adopted which carry out the decisions made by the community.

The usual Goal 5 process will be required of jurisdictions which select this option. The procedures and standards for applying Goal 5 are set out in OAR 660-16-000 to 660-16-025. Goal 5 can be completed using either the LWI or WCPI standards.

## **PROCEDURES FOR FILING APPLICATIONS**

Jurisdictions applying for a wetlands planning assistance grant must submit complete applications postmarked by November 13, 1992. Applications postmarked after this date will not be eligible for funding. (Faxed material will not be accepted.)

Three complete copies of all applications are required. DLCD's address and the telephone number of the agency's wetlands planner are listed in this guide.

Applications must be typed on single sides of eight and one half by eleven inch recycled standard weight paper and contain fewer than 35 pages, excluding maps. The document must have a table of contents and all pages must be numbered sequentially and be stapled or bound. Maps may be attached or separated in dimensions large enough to clearly illustrate the planning area.

Applications for continuing WCP grants should also list, as supplements to their application, finished work products such as technical documents; i.e., inventories, delineations, function and value assessments, maps, mitigation plans, and proposed alternative policy changes.

### **Application Mailing Address:**

Department of Land Conservation and Development  
Wetlands Planning Grants  
1175 Court Street NE  
Salem, Oregon 97310

Applications must be postmarked on or before November 13, 1992.

### **Eligibility**

All of Oregon's cities and counties that have acknowledged comprehensive plans are eligible to apply for grants to begin wetlands conservation plans. Joint applications from a city and county and applications from councils of governments are also eligible.

## **SELECTION PROCESS FOR FINAL APPLICATIONS**

DLCD's wetlands planner will review all applications which are postmarked by November 13 to ensure that they are complete. The information contained in the applications may not be modified once it has been received by DLCD. All applications will be reviewed to ensure that the following minimum requirements have been met.

**Minimum Requirements for Application**

1. **Statement of Need:**  
Description of need should address such issues as development and growth pressures and valuable wetland areas needing protection.
  
2. **Comprehensive description of work tasks:**  
The proposed project must be consistent with the requirements of the option you select as described above. For example, if you elect to do a WCP or Goal 5 plan, you must describe how you will enact adequate public involvement, inventory the wetlands within the plan area and evaluate their functions and values. WCPs also require formation of a technical advisory committee. Although a TAC is not required under Goal 5, it is strongly recommended.
  
3. **Timetable for completing work tasks:**  
Provide a timetable showing the estimated completion date for each task. The timetable should realistically project the sequence and timing of the tasks. For example, the delineation must be completed before ordinances and zoning changes are developed.  
  
All inventories should be scheduled for completion within the grant year. However, it is reasonable to assume that all the tasks required in developing a WCP or a Goal 5 plan may not be completed and incorporated into the local comprehensive plan within the grant year. Applications which propose multi-year efforts will not be adversely affected in their scoring evaluation. However, only expenditures that are received by the end of the grant period may be charged against this grant.
  
4. **Designated local wetlands planner:**  
Designate a local official or staff person to be responsible for managing and administering the grant. Provide the qualifications and position(s) of person(s) performing grant tasks.
  
5. **Estimated budget including cost estimates for each task:**  
List the estimated cost for each grant task and show the total projected cost of the project. For example, provide a budget estimate for the wetlands delineation, the function and value assessment and all other proposed grant tasks as separate line items.

The proposed project may total more than the maximum amount that can be funded by this grant (\$40,000 + \$20,000 local match). No expenditure that is received after the grant period may be used toward this grant.

**6. Matching funds:**

Grant recipients are required to provide match of at least 50% of the grant amount awarded. For example, if you are requesting a grant award of \$20,000, you must provide match in the amount of \$10,000. List the source and nature of all matching funds. Also list the amount and source of funds you will receive which exceed the 50% match requirement. "In kind" labor and directly appropriated funds are acceptable. Previously spent funds can not be used as match.

**7. Local Endorsement:**

Applicants must have the written commitment of the local city council or board of commissioners. *cc - NOV 2<sup>ND</sup>*

**8. Eligibility:**

An applicant must be an eligible jurisdiction, as described on page 6.

**9. Application Deadline:**

A complete and final application must be postmarked by 11/13/92.

**Jurisdictions Completing a Wetland Plan**

Jurisdictions applying for a grant to complete an ongoing Wetland Plan must submit a complete application, as described above, in addition to documentation of tasks already completed.

**SELECTION CRITERIA AND SCORING**

All complete applications will be reviewed and scored by a panel of DLCD and DSL wetlands program staff. The applications may not be modified by the staff or applicant during the review process. Applications will be evaluated and scored based upon three criteria. A range of points will be assessed for each of the criteria. These criteria and point ranges are as follows:

**1. Detail of Work Program (0-20 points)**

Priority will be given to proposals that are detailed and specifically outline the proposed grant tasks, contain estimated timetables for completion, and provide locations of the wetlands within the planning area. (To designate the locations of wetlands within the plan area, use, at a minimum, the National Wetland Inventory maps and any wetland maps included in the local comprehensive plan.)

Jurisdictions that are proposing to begin a multi-year planning effort should clearly outline the initial tasks that would be funded in the first year. Tasks scheduled to be completed in subsequent years also need to be described, but not in complete detail.

All inventories must be completed within the grant year.

For applicants beginning a WCP, in the first year at least the following tasks should be accomplished: form a technical advisory committee; initiate adequate public involvement, delineate the wetlands within the planning area, and evaluate the wetland functions and values.

2. **Significant land use issues to resolve** (0-15 points)  
Consideration will be given to cities in which a significant percentage of land zoned within the UGB for any specific use (i.e., industrial, residential, etc.) is identified as wetlands on the NWI or other wetland inventories. The applicant should provide the appropriate information such as maps and quantitative data detailing the scope of the potential problem. For example, if the NWI shows that 50% of the land zoned for industrial and commercial development is wetlands, priority will be given to that application.

Applicants are encouraged to include any relevant data which may indicate the extent of development pressure within the whole UGB as well as within the specific plan area. This data can describe development indicators such as permit activity, population growth, capital improvement planning, etc.

Priority will also be given to communities in which there are wetlands the community believes are valuable and need to be protected. Wetlands may be considered important because of high ecological value, recreational use, educational value, aesthetics, etc.

3. **Ability/Willingness To Complete Grant Tasks** (0-5 points)  
Priority will be given to jurisdictions that can demonstrate an ability and willingness to obtain additional funds and support:

(0-3) Points will be awarded to applicants that obtain additional funds in excess of the required 50% match.

(0-2) Points will be awarded to applicants that obtain matching funds from other sources such as state or federal agencies, interest groups, associations and organizations.

### **Scoring and Ranking**

Points will be assessed for each of the separate selection criteria categories as described above. These points will be added together to provide an aggregate score. This score will then be used to rank the applications. Ranking will determine which jurisdictions will be offered grants.

### Grant Awards

**A maximum of \$40,000 is available to each grant recipient.**

Jurisdictions that are selected to receive grants may be offered amounts other than the amounts they requested in their applications. Differences between proposed and actual funding levels will be resolved as part of negotiated agreements establishing the scope of the tasks to be completed under each specific grant.

### Grant Management and Technical Assistance

DLCD's wetlands planner, Lynn Beaton, is responsible for administering the grants program and coordinating the selection process. Lynn and Emily Roth, DSL's wetlands planner, will answer questions that are raised by applicants, cooperating agencies, field reps, grant recipients and interested persons. Jurisdictions that are considering applying for a wetlands planning grant are encouraged to direct their questions to them.

Once the grants have been awarded, all Quarterly and Close-out reports are to be submitted to DLCD. As wetlands planners for the state, both Emily and Lynn will participate in the technical advisory committees which will be formed to assist in WCP and Goal 5 plan development.

Lynn Beaton can be reached at 378-6127 or write to:

Department of Land Conservation and Development  
Wetlands Planning  
1175 Court Street NE  
Salem, Oregon 97310

Emily Roth can be reached at 378-3805 or write to:

Division of State Lands  
Wetlands Planning  
775 Summer Street NE  
Salem, Oregon 97310

### CONDITIONS OF GRANT AWARD

1. Quarterly Checklist: Jurisdictions are required to fill out and submit quarterly checklists to evaluate their progress. These checklists will track the tasks, timetable and spending level, i.e., budget. The checklists will be due by March 31 and June 30, 1993.
2. Close-out Report: A year-end grant close-out report is required which summarizes the task progress, details additional tasks or processes that need to be completed for

the wetland plan to be incorporated into the local comprehensive plan and estimates future budget needs. This close-out report shall be submitted to DLCDC within 30 days after termination of the grant period. Eligibility for subsequent funding is contingent upon receipt of the report.

3. **Technical Advisory Committee (for WCP option)**: An advisory committee consisting of state and federal agencies must be formed to assist in the development of WCPs. Agencies to be included are the Division of State Lands, Department of Land Conservation and Development, Department of Fish and Wildlife, Department of Environmental Quality, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service.
4. **Scope of Activities**: The grant funds received by the grantee pursuant to this agreement shall be expended only to accomplish and carry out the activities approved by DLCDC. Grant funds may not be used for legal or administrative costs associated with defending the grantee or other grantees from decisions made by DLCDC.
5. **Fiscal Records**: Standard accepted accounting and fiscal records will be maintained by grantee of the receipt and expenditure of funds pursuant to this grant agreement. Grant accounting records will be separately maintained from other accounting records.
6. **Access to Documents**: The Attorney General of the State of Oregon and the Director of the Department of Land Conservation and Development or any other duly authorized representative, shall have access to and the right to examine any pertinent books, documents, papers, and records of transactions related to this agreement for three years after the final report is submitted. During the grant period, reports on work activities will be furnished promptly to DLCDC's director or wetlands staff, if requested.
7. **Audit**: For the purpose of DLCDC compliance with the Single Audit Act, the grant recipient shall submit to DLCDC, as soon as available, a copy of all audits and compliance correspondence for the audited period covering the payment of EPA funds under this agreement.
8. **Failure to Comply with Terms**: If the grantee fails to comply with any of the requirements or conditions of this agreement, DLCDC may, in its sole discretion and without incurring liability therefrom, refuse to perform further pursuant to this agreement. Upon demand by DLCDC, the grantee shall promptly repay the department any funds which are not obligated.

**FINAL APPLICATION CHECKLIST**

You may wish to use the following checklist to verify that the contents of your final application are complete.

- Application cover pages, with the remaining pages in the application numbered sequentially.
- Narrative description of need for a wetlands plan.
- Location map, depicting the plan area within the larger surrounding area.
- Name, title and address of local wetlands planner.
- Written endorsement of local city council or board of commissioners.
- Estimated project schedule.
- Project budget.
- Sources and amounts of matching funds.
- For continuing plans, a list of finished work products.

**Local Wetlands Inventory (LWI)  
Standards and Guidelines**

**Purpose**

141-86-180 Pursuant to ORS 196.674, these rules establish a system for uniform wetland identification, delineation, and comprehensive mapping. A Local Wetlands Inventory (LWI) is optional and is developed by a local jurisdiction for all or a portion of its jurisdiction according to the following standards and guidelines.

**Policy**

141-86-190 (1) Once adopted by the local jurisdiction and accepted by the Division of State Lands, the LWI may be used in place of the National Wetlands Inventory (NWI) and is incorporated into the State-wide Wetlands Inventory (SWI).

(2) A LWI provides good information for planning purposes and on location of potentially regulated wetlands, but is not of sufficient detail for regulatory certainty under the state Removal-Fill Law.

(3) The Offsite LWI Option is comprehensive enough to provide good information for planning purposes and improves notification to landowners, but there is not sufficient information to trigger Goal 5 for wetlands.

(4) The Onsite LWI Option fulfills location and quantity for Goal 5, but not quality. At the option of the local jurisdiction, a wetland function and value assessment may be conducted in order to obtain information sufficient to trigger Goal 5. The function/value assessment may be completed at a later date than the initial inventory, and is subject to approval by the Department of Land Conservation and Development.

(5) Wetland determinations and delineations shall be conducted according to the criteria and methodologies in the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetlands and/or any subsequent manual/guidance developed or adopted by the Division.

(6) Determinations and delineations shall be conducted by any qualified person, and are subject to review and approval by the Division before incorporation into the State-wide Wetlands Inventory.

## Definitions

141-86-200 (1) "Determination" means identifying an area as wetland or non-wetland.

(2) "Delineation" means identifying and marking the wetland/non-wetland boundary of each wetland identified.

(3) "Mapping" means transferring the identified and delineated wetlands to a base map.

## Inventory Development Process and Standards

141-86-210 (1) Sources of inventory information shall include:

(a) U.S. Soil Conservation Service county soil survey and county list of hydric soils & soils with hydric inclusions;

(b) National Wetlands Inventory;

(c) Soil Conservation Service wetland maps where applicable;

(d) Federal Emergency Management Act floodplain maps where applicable;

(e) Other local wetlands inventories or wildlife habitat inventories that include wetlands;

(f) Resource agencies, including the Oregon Department of Fish & Wildlife and U.S. Fish & Wildlife Service;

(g) Division of State Lands and Corps of Engineers wetland determination & permit files; and

(h) Color and/or infra-red airphotos (min. scale 1" = 800').

(2) Sources of inventory information may include but is not limited to:

(a) Agricultural Stabilization and Conservation Service aerial color slides;

(b) Local knowledge of area (e.g., longtime residents); and

(c) The Nature Conservancy/Natural Heritage maps.

(3) A parcel base map shall be used which includes all roads, railroads, and property boundaries to facilitate accurate field mapping.

(a) The base map shall be scaled and shall be geographically referenced to State Plane Coordinate System and/or Public Land Survey.

(b) The base map shall be at or close to scale of airphotos used and final map products (Minimum scale of final wetlands maps is 1" = 800').

(c) The base map shall include hydrologic sub-basin boundaries, if any.

(4) Before beginning field verification, field map(s) shall be prepared from the base map and shall include the approximate location of:

(a) Any wetlands and deepwater habitats from NWI;

(b) Any wetlands from other inventories;

(c) Hydric soils and soils with hydric inclusions (keyed separately);

(d) Wetlands or possible wetlands delineated on airphotos;  
and

(e) Sites to check based on other leads.

(5) All work shall be completed by or supervised by a cartographer (on staff or contracted).

(6) Field verification of wetlands and possible wetlands shall be conducted as follows, except where access is denied by the landowner:

(a) For the Onsite LWI Option, onsite wetland determination is required for all wetlands or probable wetlands located through the process described in (1) through (4). Wetland boundary delineation is optional.

(b) For the Offsite LWI Option, field verification of wetlands or probable wetlands is required for:

(A) All wetland types identified through offsite process described in (1) through (4).

(B) Any wetland for which offsite source information is unclear or where two or more sources contradict each other (i.e., soils and NWI).

(c) Airphoto interpretation shall be tested early in the process by interpreting several wetland types, groundtruthing the interpretations, then completing the airphoto interpretations.

(7) Wetlands that are field-verified and those that are not shall be indicated on field forms and field map(s).

(8) The minimum size wetland to be identified and mapped shall be 0.5 acre.

(9) Each wetland shall be assigned a distinctive identification code to use on map(s), field data forms, and in optional database.

(10) At the option of the local jurisdiction, hydrologically altered former wetlands may be inventoried as potential restoration sites.

(11) All wetlands identified shall be classified by type according to the U.S. Fish and Wildlife Service's Classification of Wetlands and Deepwater Habitats of the United States (Cowardin 1979).

(a) All wetlands shall be classified to "Class" level and special modifiers shall be included. Water regime modifiers are optional, but recommended.

(b) When a wetland contains more than one adjoining classification, the minimum wetland type size to differentiate shall be 0.1 acre.

#### **Final Maps and Reports**

141-86-220 (1) The final wetland map products shall consist of one or more maps (depending on size of area to be covered). If the study area is covered by more than one wetland map, a single, smaller scale reference map of the complete study site is required. The reference map shall indicate the location of all wetlands and be keyed to individual, large-scale maps.

(2) Final maps shall include:

(a) Map name;

(b) Scale bar;

(c) Geographical reference to State Plane Coordinate System and/or Public Land Survey;

(d) Roads and railroads;

(e) Watercourses;

(f) Property boundaries (Onsite Option only);

(g) Watershed boundaries, if any;

(h) Legend key to wetland symbology on map;

(i) Month(s) and year of field determinations (Onsite Option only);

(j) Source air photo date and scale;

- (k) Date inventory was adopted by local jurisdiction;
- (l) Symbology for wetlands not field-verified, if any;
- (m) Disclaimer (if any wetlands are not delineated), such as: "Information shown on this map is of a generalized nature. In all cases, actual field conditions determine wetland boundaries;" and
- (n) All wetlands, clearly and accurately drawn and clearly identified by an individual wetland code that relates each wetland to field data sheets, database, and wetland summary sheets.
  - (3) Minimum map scale shall be 1" = 800' (1:9,600).
  - (4) Each inventory and mapping process shall be fully documented in order to ensure accuracy and consistency throughout the process. Documentation shall include:
    - (a) Wetland determination procedures used;
    - (b) Date(s) and scales of source maps and air photos used;
    - (c) Technical staff members and qualifications;
    - (d) Field data sheet(s) for each wetland field-verified, including wetland code;
    - (e) Field maps with sketches, notes, and measurements and air photos with wetland delineations; and
    - (f) All mapping and map transfer procedures used.
  - (5) A summary sheet shall be prepared for each wetland. The summary sheet shall include but is not limited to:
    - (a) Individual wetland code (used on map, data sheets, etc.);
    - (b) Street address or equivalent sufficient to locate site;
    - (c) Public Land Survey identifier (Township, Range, Section, Quarter Section);
    - (d) Approximate wetland size (in acres);
    - (e) Wetland Classification(s);
    - (f) Soil type(s) as mapped by Soil Conservation Service county soil survey, if any; and
    - (g) Hydrologic basin.

(6) A study area summary report shall be prepared that includes:

- (a) Total acreage in study area;
- (b) Total acreage of wetlands in study area; and
- (c) Total number of wetlands in study area.

(7) One complete set of all final maps and reports shall be provided to the Division for in-house use, coordination with the local jurisdiction, and inclusion in the State-wide Wetlands Inventory.

(a) Maps provided to the Division are public record and may be made available to the public and state and federal agencies.

(b) Maps provided to the Division shall be in a stable base, reproducible form.

(c) If final mapping is electronic, digital map data shall also be provided to the Division in a form usable by the Division.

(8) All wetland inventory procedures, final maps, and final reports are subject to review and approval by the Division before:

(a) Maps are accepted by the Division as part of the State-wide Wetlands Inventory; and

(b) Maps are accepted by the Division as a Local Wetlands Inventory to be used in lieu of the National Wetlands Inventory for Wetland Land Use Notification purposes.

#### **Revisions**

141-86-230 Every ten years, the local jurisdiction shall conduct a field reconnaissance of wetlands on the LWI to verify permitted changes and to note any substantial changes attributable to natural events. A summary report and any map changes shall be provided to the Division.

#### **Landowner Notification**

141-86-240 When the LWI is adopted by the local jurisdiction and by the Division, the local jurisdiction shall notify by mail all landowners of record whose parcel contains a wetland that:

(1) Their parcel(s) was included in the wetlands study area; and

(2) There is a wetland mapped on their parcel.

**Wetland Conservation Plan Inventory (WCPI)  
Standards and Guidelines**

**Purpose**

141-86-110 Pursuant to ORS 196.674 and 196.678, these rules establish a system for uniform wetland identification, delineation, and comprehensive mapping. A Wetland Conservation Plan Inventory (WCPI) is developed by a local jurisdiction as part of the process of developing a Wetland Conservation Plan (WCP), which is optional.

**Policy**

141-86-120 (1) Once adopted by the local jurisdiction and accepted by the Division of State Lands, the WCPI may be used in place of the National Wetlands Inventory (NWI) and is sufficient to provide regulatory certainty under the State Removal-Fill Law.

(2) A completed and accepted Wetland Conservation Plan is sufficient to fulfill Goal 5 requirements for wetlands for the plan area.

(3) Wetland determinations and delineations shall be conducted according to the criteria and methodologies in the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetlands, and/or any subsequent manual/guidance developed or adopted by the Division.

(4) Determinations and delineations shall be conducted by a qualified person familiar with the methodology, and are subject to review and approval by the Division before incorporation into a Wetland Conservation Plan or the state-wide wetlands inventory.

**Definitions**

141-86-130 (1) "Determination" means identifying an area as wetland or non-wetland.

(2) "Delineation" means identifying and marking the wetland/non-wetland boundary of each wetland identified.

(3) "Mapping" means transferring the identified and delineated wetlands to a base map.

**Inventory Development Process and Standards**

141-86-140 (1) Sources of inventory information shall include:

- (a) U.S. Soil Conservation Service county soil survey and county list of hydric soils and soils with hydric inclusion;
- (b) National Wetlands Inventory;
- (c) Soil Conservation Service wetland maps where applicable;
- (d) Federal Emergency Management Act floodplain maps where applicable;
- (e) Other local wetlands inventories or wildlife habitat inventories that include wetlands;
- (f) Resource agencies, including the Oregon Department of Fish & Wildlife and U.S. Fish and Wildlife Service;
- (g) Division of State Lands and Corps of Engineers wetland determination & permit files; and
- (h) Color and/or infra-red air photos (min. scale 1" = 400').

(2) Sources of inventory information may include but is not limited to:

- (a) Agricultural Stabilization and Conservation Service aerial color slides;
- (b) Local knowledge of area (e.g., longtime residents); and
- (c) The Nature Conservancy/Natural Heritage maps.

(3) A parcel base map shall be used which includes all roads, railroads, and property boundaries to facilitate accurate field mapping.

(a) The base map shall be scaled and shall be geographically referenced to State Plane Coordinate System and/or Public Land Survey.

(b) The base map shall be at or close to scale of air photos and final map products (min. scale of final wetlands maps is 1" = 100').

(c) The base map shall include hydrologic sub-basin boundaries, if any.

(4) Before beginning fieldwork, field map(s) shall be prepared from the base map and shall include the approximate location of:

(a) Any wetlands and deepwater habitats from NWI;

(b) Any wetlands from other inventories;

(c) Hydric soils and soils with hydric inclusions (keyed separately);

(d) Wetlands or possible wetlands delineated on air photos; and

(e) Sites to fieldcheck based on other leads.

(5) All work shall be completed by or supervised by a knowledgeable cartographer (on staff or contracted).

(6) Onsite wetland determination is required for all wetlands or possible wetlands located through the process described in (1) through (4), except where access is denied by landowner.

(7) Wetland delineation is required for all wetlands designated for development under a Wetland Conservation Plan.

(8) The minimum size wetland to be identified and mapped shall be 0.01 acre.

(9) Where a wetland/non-wetland mosaic occurs, i.e., several small wetlands each less than 0.01 acre but in close proximity, the parcel shall be determined to be wetland if the wetlands collectively are equal to or greater than 50 percent of the site.

(10) For non-delineated wetlands, approximate wetland boundaries shall be drawn on field map(s).

(11) For delineated wetlands, wetland boundaries shall be measured or staked and surveyed from two geographically referenced points or other known points.

(12) On field forms and field map(s), wetlands that are not field-verified (access denied) and those that have been delineated shall be indicated.

(13) The Routine Onsite Method is sufficient for most sites, but appropriate methods are site-specific.

(14) Each wetland shall be assigned a distinctive identification code to be used on map(s), field data forms, and in optional database.

(15) As fieldwork is conducted, location of hydrologically altered former wetlands shall be included on field maps.

(16) All wetlands identified shall be classified by type according to the U.S. Fish and Wildlife Service's Classification of Wetlands and Deepwater Habitats of the United States (Cowardin 1979).

(a) All wetlands shall be classified to "Class" level and special modifiers shall be included. Water regime modifiers are optional, but recommended.

(b) When a wetland contains more than one adjoining classification, the minimum wetland type size to differentiate shall be 0.1 acre.

(c) Each wetland type shall be described by plant community based on the one or two dominant plant species (i.e., ash/willow).

#### **Final Maps and Reports**

141-86-150 (1) The final wetland map products shall consist of one or more maps (depending on size of area to be covered). If the study area is covered by more than one wetland map, a single, smaller scale reference map of the complete study site is required. The reference map shall indicate the location of all wetlands and be keyed to the individual, large-scale maps.

(2) Final maps shall include:

(a) Map name;

(b) Scale bar;

(c) Geographical reference to State Plane Coordinate System and/or Public Land Survey;

(d) Roads and railroads;

(e) Watercourses;

(f) Property boundaries with parcel numbers;

(g) Watershed boundaries, if any;

(h) Legend key to wetland symbology on map;

(i) Month(s) and year of field determinations;

(j) Source air photo date and scale;

- (k) Date inventory was adopted by local jurisdiction;
- (l) Symbology for wetlands not field-verified, if any;
- (m) Disclaimer (if any wetlands are not delineated), such as: "Information shown on this map is of a generalized nature. In all cases, actual field conditions determine wetland boundaries;"
- (n) All wetlands, clearly and accurately drawn and clearly identified by an individual wetland code that relates each wetland to field data sheets, database, and wetland summary sheets; and
  - (o) Buffers adopted under a Wetland Conservation Plan.
  - (3) Minimum map scale shall be 1" = 100' (1:1,200).
  - (4) Each inventory and mapping process shall be fully documented in order to ensure accuracy and consistency throughout the process. Documentation shall include:
    - (a) Wetland determination procedures used;
    - (b) Date(s) and scales of source maps and air photos used;
    - (c) Field team members and qualifications;
    - (d) Field data sheet(s) for each wetland, with wetland code;
    - (e) Field maps with sketches, notes, and measurements and air photos with wetland delineations; and
    - (f) All mapping and map transfer procedures used.
  - (5) A summary sheet shall be prepared for each wetland. The summary sheet shall include but is not limited to:
    - (a) Individual wetland code (used on map, data sheets, etc.);
    - (b) Street address or equivalent sufficient to locate site;
    - (c) Public Land Survey identifier (Township, Range, Section, Quarter Section);
    - (d) Each tax lot(s) wetland falls on;
    - (e) Wetland acreage;
    - (f) Wetland Classification(s);

- (g) Dominant plant community (or communities);
- (h) Soil type(s);
- (i) Hydrologic basin;
- (j) Hydrologic source (surface flow; subsurface; precipitation); and
- (k) Wetland Conservation Plan designation (Protection; Conservation; Development).

(6) A study area summary report shall be prepared that includes:

- (a) Total acreage in study area;
- (b) Total acreage of wetlands in study area;
- (c) Total number of wetlands in study area;
- (d) Total acreage of wetlands by classification type;
- (e) Total number of wetlands by classification type;
- (f) Wetland acreages by sub-basin, if applicable;
- (g) Number and acreage of all wetlands and each wetland type according to Wetland Conservation Plan designation (protection; conservation, development); and
- (h) Written description of any special problems or oddities encountered during the wetland determination process.

(7) One complete set of all final maps and reports shall be provided to the Division for in-house use, coordination with the local jurisdiction, and inclusion in the State-wide Wetlands Inventory.

(a) Maps provided to the Division are public record and may be made available to the public and state and federal agencies.

(b) Maps provided to the Division shall be in a stable base, reproducible form.

(c) If final mapping is electronic, digital map data shall also be provided to the Division in a form usable by the Division.

(8) All wetland inventory procedures, final maps, and final reports are subject to review and approval by the Division before:

(a) Maps are accepted by the Division as part of the State-wide Wetlands Inventory;

(b) Maps are accepted by the Division as a Local Wetlands Inventory to be used in lieu of the National Wetlands Inventory for Wetland Land Use Notification purposes; or

(c) Inventory is used as the basis for a Wetland Conservation Plan.

#### **Revisions**

**141-86-160** (1) Annually, the local jurisdiction shall provide to the Division a revision (map(s) and report) that indicates:

(a) Wetlands filled as permitted under the adopted Wetland Conservation Plan; and

(b) Wetlands restored, enhanced or created for mitigation under the adopted Wetland Conservation Plan.

(2) Every five years, the local jurisdiction shall conduct a field reconnaissance of wetlands on the WCPI to verify changes permitted by the Wetland Conservation Plan and to note any substantial changes attributable to natural events. A summary report and any map changes shall be provided to the Division.

#### **Landowner Notification**

**141-86-170** When final wetland maps are adopted by the local jurisdiction and by the Division, the local jurisdiction shall notify by mail all landowners of record whose parcel contains a wetland that:

(1) Their parcel(s) was included in the wetlands study area; and

(2) There is a wetland mapped on their parcel.

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