



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

December 29, 2023

Regulatory Branch
Corps No. NWP-2023-632



Dear [REDACTED]:

The U.S. Army Corps of Engineers (Corps) received your request for an Approved Jurisdictional Determination (AJD) of the aquatic resources, including wetlands, within the review area on the property located at 3617 SE Elm Street in Newport, Lincoln County, Oregon at Latitude/Longitude: 44.612122°, -124.044357°. Other 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 Wetland A within the review area is a waters of the U.S. The Corps has also determined Wetland B is not water of the U.S. The enclosed *Memorandum for Record* (MFR) (Enclosure 1) provides the size, criteria and rationale for jurisdiction for all aquatic resources within the review area. The perimeter of the review area and the boundaries of the delineated waters of the U.S. subject to this AJD are identified on the enclosed drawings (Enclosure 2).

If you object to the enclosed AJD, you may request an administrative appeal under 33 CFR Part 331 as described in the enclosed *Notification of Administrative Appeal Options and Process and Request for Appeal* (RFA) form (Enclosure 3). To appeal this AJD, you must submit a completed RFA form to the Corps Northwestern Division (NWD) office at the address listed on the form. In order for the request for appeal to be accepted, the Corps must determine that the form is complete, that the request meets the criteria for appeal under 33 CFR § 331.5, and the form must be received by the NWD office within 60 days from the date on the form. It is not necessary to submit the form to the NWD office if you do not object to the enclosed AJD.

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.

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 U.S., please contact [REDACTED]

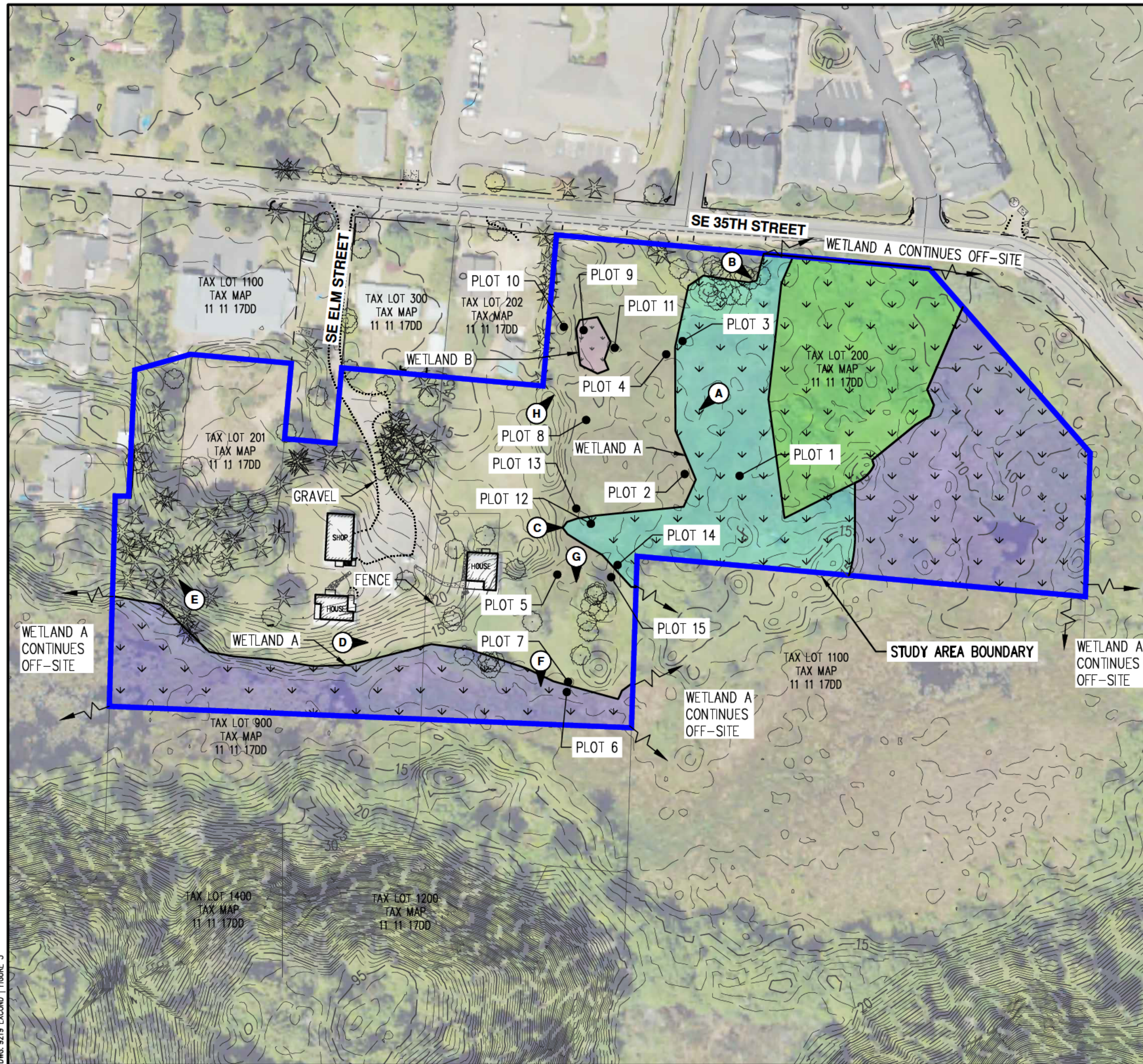
FOR THE COMMANDER, LARRY D. CASWELL, JR., PE, PMP, COLONEL, U.S. ARMY,
DISTRICT COMMANDER and DISTRICT ENGINEER:

[REDACTED]
For: [REDACTED]
Chief, Regulatory Branch

Enclosures

cc with drawings:

[REDACTED]
Oregon Department of State Lands [REDACTED]
Oregon Department of Environmental Quality [REDACTED]



LEGEND (COLOR COPY):

TOTAL ON-SITE WETLAND AREA: 147,982 SF± (3.40 ACRES±)
 WETLAND A AREA: 146,589 SF± (3.37 ACRES±)
 WETLAND B AREA: 1,393 SF± (0.03 ACRES±)
 ON-SITE PEM/ESTUARINE FRINGE, RIVER-SOURCED WETLAND AREA
 WETLAND A AREA: 75,282 SF± (1.73 ACRES ±)
 ON-SITE PEM/SLOPE WETLAND AREA
 WETLAND A AREA: 37,517 SF± (0.86 ACRES±)
 ON-SITE PSS/SLOPE WETLAND AREA
 WETLAND A AREA: 33,789± (0.78 ACRES±)
 ON-SITE PEM/FLATS WETLAND AREA
 WETLAND B AREA: 1,393 SF± (0.03 ACRES±)

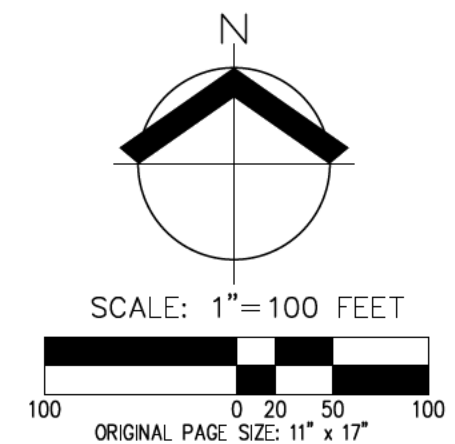
A PHOTO POINT ORIENTATION AND LOCATION.

WETLAND BOUNDARIES SHOWN WERE DELINEATED BY AKS ENGINEERING & FORESTRY, LLC (AKS) ON JANUARY 5, 2022, AND APRIL 12, 2022, AND MAPPED WITH SUBMETER ACCURACY USING A TRIMBLE GEO 7X GPS OR WERE PROFESSIONALLY LAND SURVEYED WITH SUBMETER ACCURACY ON JANUARY 10, 2022.

EXISTING CONDITIONS, TREE SURVEY OF TREES >6" DBH, AND PROPERTY
BOUNDARIES DERIVED FROM AKS PROFESSIONAL LAND SURVEY BETWEEN
JANUARY & FEBRUARY 2022, AND AUGUST, 2023.

1-FOOT INTERVAL GROUND CONTOURS DERIVED FROM 2009 NOAA LIDAR.

AERIAL DERIVED FROM NAIP JUNE 2022.



DATE: 10/04/2023

WETLAND DELINEATION MAP

FIGURE

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