



Oregon

Theodore R. Kulongoski, Governor

Department of State Lands
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October 25, 2007

State Land Board

M.A.N. Developments, LLC
6107 SW Murray Blvd., #424
Beaverton, OR 97008

Theodore R. Kulongoski
Governor

Bill Bradbury
Secretary of State

Re: Wetland Delineation Report for The Point at Wheeler Landing Residential and Commercial Subdivision, Wheeler, Tillamook County, T2N R10W Sec. 2BA, Tax Lots 300 and 1200; T2N R10W Sec. 2BC, Tax Lots 4600, 4700, and 4800; WD #07-0542; App. #39442

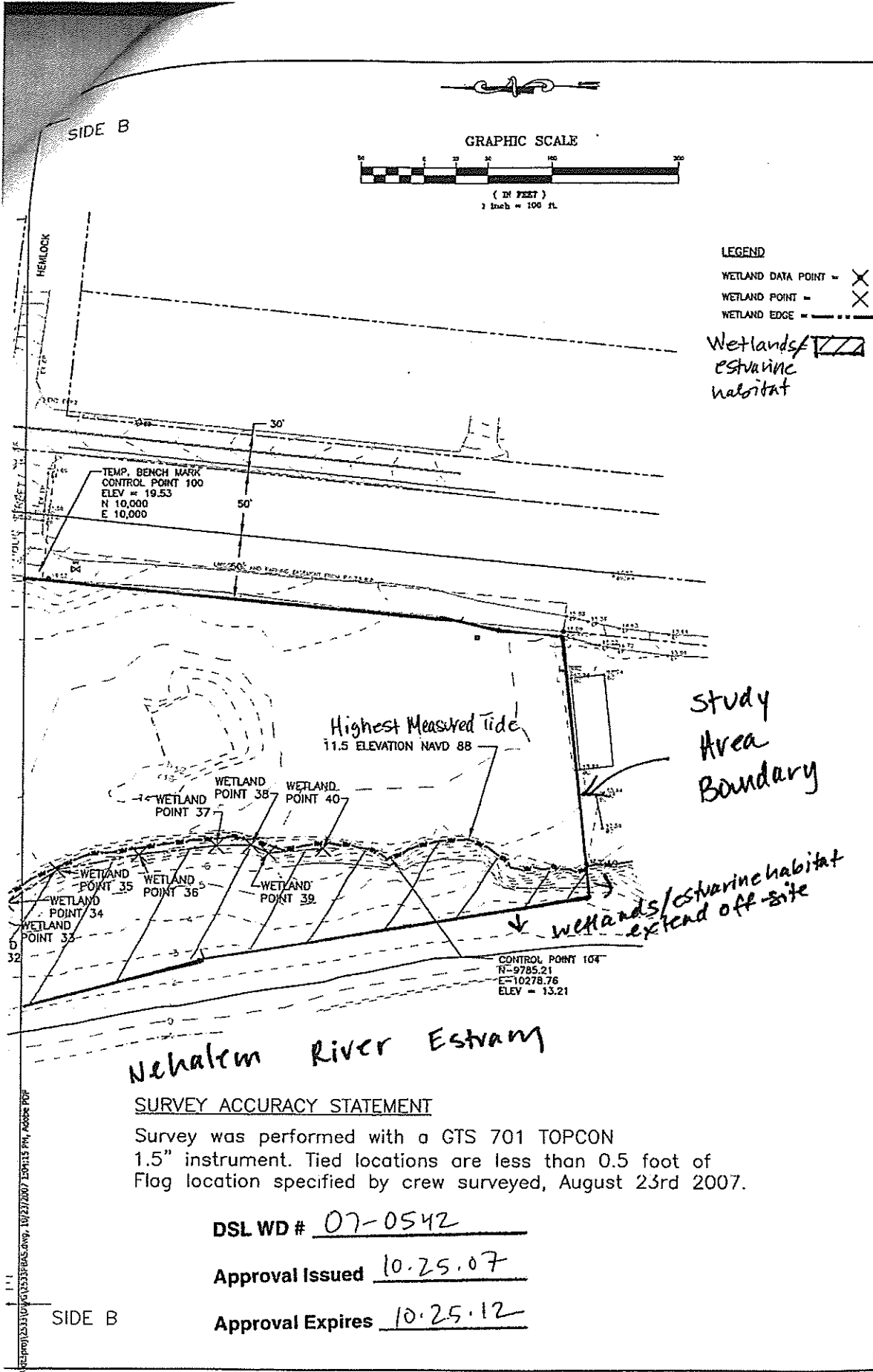
Randall Edwards
State Treasurer

To Whom It May Concern:

The Department of State Lands has reviewed the wetland delineation report prepared by Development Services Review, LLC for the site referenced above. Based upon the information presented in the report and additional information submitted upon request, we concur with the estuary boundary and the wetland boundary as mapped in the revised "Existing Wetlands" Figure of the report. Within the study area, the Nehalem River estuary and 1.58 acres of wetlands and estuarine habitat were identified. The estuary and the associated wetlands/estuarine habitat are subject to the permit requirements of the state Removal-Fill Law. The Nehalem River estuary and all hydrologically-connected wetlands are designated essential salmonid habitat; therefore, fill or removal of any amount of material within the wetland/estuarine habitat area or within Highest Measured Tide may require a state permit. Per OAR 141-85-266, the elevation of Highest Measured Tide along the Nehalem River Estuary in Wheeler is 11.5 feet above MLLW (11.5 feet above NAVD 88).

This concurrence is for purposes of the state Removal-Fill Law only. Per OAR 141-085-0244, if impacts are being proposed to the wetland/estuarine habitat area, a more detailed map showing the boundaries of each estuarine habitat type to be impacted will be required in the application for a Removal-fill permit. Federal or local permit requirements may apply as well. The Army Corps of Engineers will review the report and make a determination of jurisdiction for purposes of the Clean Water Act at the time that a permit application is submitted.

This concurrence is based on information provided to the agency. 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 and procedures for renewal of an expired determination are found in OAR 141-090-0045 (available on our web site or upon request). The applicant,



GTK	2-10-07
Designed	Date
BD	2-10-07
Drawn	Date
GTK	2-10-07
Check/Revise	Date

REVISIONS



**THE POINT AT
WHEELER LANDING**
 MIKE NELSON, M.A.N. DEVELOPMENTS, LLC
 6107 SW MURRAY BLVD. # 424
 BEAVERTON, OREGON 97008

SUBMITTAL DATE: 3/28/07

**KURAHASHI
& ASSOCIATES, INC.**
 Civil Engineering • Water Resources
 Landscape Architecture • Planning
 Environmental • Surveying
 4470 SW Hall Blvd, Suite C
 Beaverton, Oregon 97005
 (503)644-6842 fax: (503)644-9731

**EXISTING
WETLANDS**

SHEET NO.
KAI# 2533 **1 OF 1**

Nehalem River Estuary

SURVEY ACCURACY STATEMENT

Survey was performed with a GTS 701 TOPCON 1.5" instrument. Tied locations are less than 0.5 foot of Flag location specified by crew surveyed, August 23rd 2007.

DSL WD # 07-0542

Approval Issued 10.25.07

Approval Expires 10.25.12

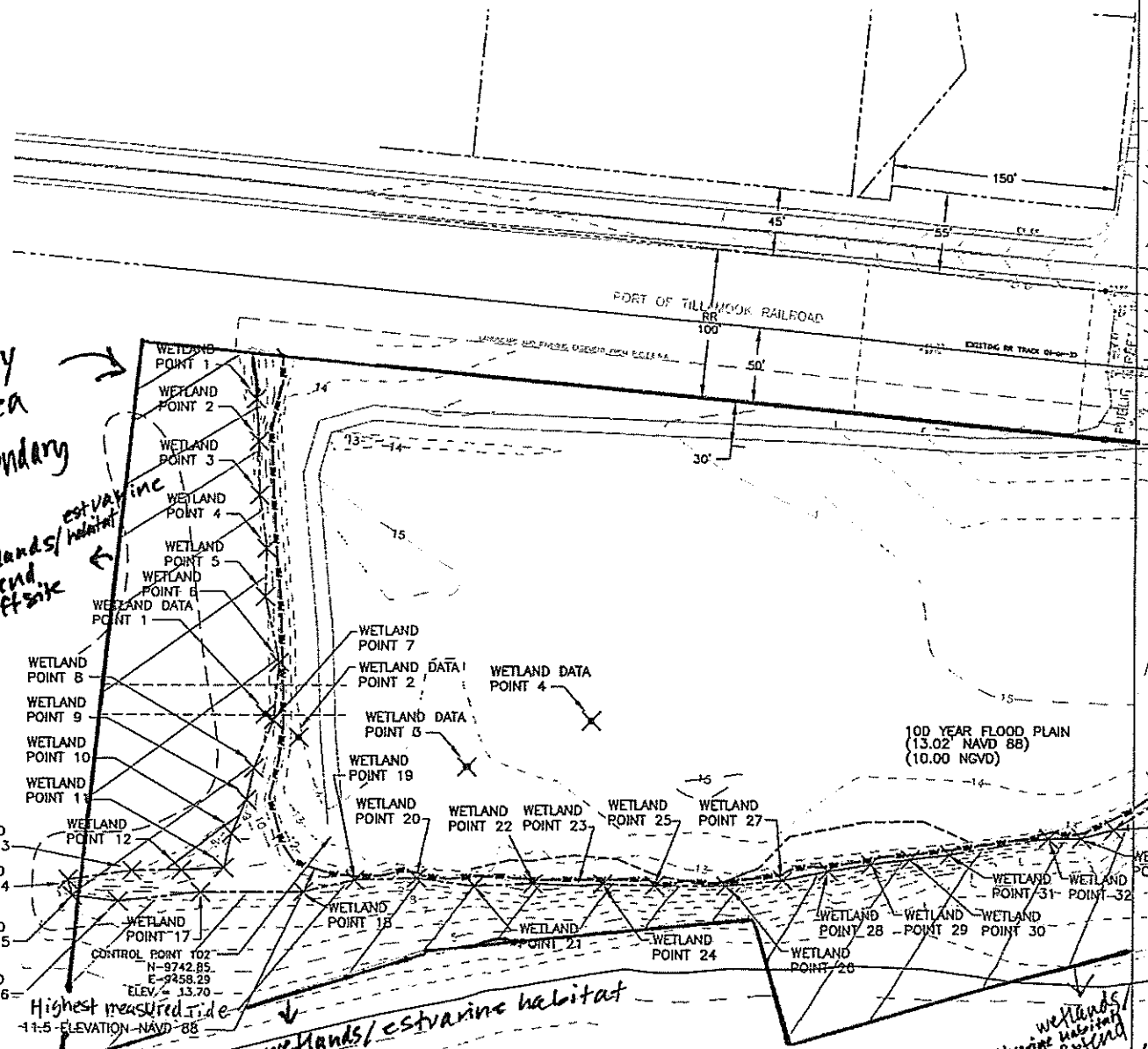
SIDE B

MATCHLINE

SIDE A

Study Area Boundary

wetlands/estuarine habitat extend offsite



Nehalem River Estuary

wetlands/estuarine habitat extend offsite

DSL WD # 07-0542

Approval Issued 10.25.07

Approval Expires 10.25.12

MATCHLINE

SIDE A