



# Oregon

Tina Kotek, Governor



## Department of State Lands

775 Summer Street NE, Suite 100  
Salem, OR 97301-1279  
(503) 986-5200  
FAX (503) 378-4844  
[www.oregon.gov/dsl](http://www.oregon.gov/dsl)

February 21, 2023

### State Land Board

Oregon TreeHouse Partners LLC  
Attn: Kevin Gindlesperger  
1276 NW 107<sup>th</sup> Avenue  
Portland, OR 97229

Tina Kotek  
Governor

Re: WD # 2022-0477 **Approved** (Correction)  
Wetland Delineation Report for Oregon Treehouse  
Tillamook County; T4S R10W S6, Tax Lot 600 (Portion)

Shemia Fagan  
Secretary of State

Tobias Read  
State Treasurer

Dear Kevin Gindlesperger:

The concurrence letter dated January 17, 2023, for the wetland delineation report referenced above contained an error. The letter listed Wetland D as a state-jurisdictional wetland. Wetland D is less than an acre in size and appears to have formed in the center of a former quarry operation. Please replace this letter and the previous version of Figure 6 with the corrected version.

The Department of State Lands has reviewed the wetland delineation report prepared by Christine McDonald for the site referenced above. Please note that the study area includes only a portion of the tax lot described above (see the attached maps). Based upon the information presented in the report, and additional information submitted upon request, we concur with the wetland and waterway boundaries as mapped in Figure 6 of the report. Please replace all copies of the preliminary wetland map with this final Department-approved map.

Within the study area, 4 wetlands (Wetland A-D) and 3 waterways (S1, S2, Unnamed Tributary) were identified. Wetlands A-C (totaling approximately 1.78 acres) and all three waterways are subject to permit requirements of the state Removal-Fill Law. They Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined). Additionally, the Unnamed Tributary is approximated and does not meet the DSL sub-meter mapping accuracy standard. Should a Removal-Fill permit be required for work at this location, an updated delineation map with improved mapping accuracy may be required. In addition, Wetlands A and B contain a mosaic of mature Sitka spruce tree clumps and therefore, part or all of these wetlands may meet the state's criteria for Aquatic Resources of Special Concern. This could affect the eligibility protocols for compensatory mitigation if a Removal-Fill permit is required.

This concurrence is for purposes of the state Removal-Fill Law only. We recommend that you attach a copy of this concurrence letter to any subsequent state permit application to speed application review. Federal, other state agencies or local permit requirements may apply as well. The U.S. Army Corps of Engineers will determine jurisdiction under the Clean Water Act, which may require submittal of a complete Wetland Delineation Report.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Because measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process.

This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from January 17, 2023, unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

The Department apologizes for any confusion this mistake may have caused and thank you again for having the site evaluated. Please phone me at 503-986-5271 if you have any questions.

Sincerely,

*Daniel Evans*

Daniel Evans, PWS  
Jurisdiction Coordinator

Enclosures

ec: Christine McDonald  
Tillamook County Planning Department  
Kate Mott, Corps of Engineers  
Michael Neal, Corps of Engineers  
Dan Cary, SPWS, DSL  
Oregon Coastal Management Program



**WETLAND DELINEATION / DETERMINATION REPORT COVER FORM**

A complete report and signed report cover form, along with applicable review fee, are required before a report review timeline can be initiated by the Department of State Lands. All applicants will receive an emailed confirmation that includes the report's unique file number and other information.

**Ways to submit report:**

- ❖ **Under 50MB** - A single unlocked PDF can be emailed to: [wetland.delineation@dsl.oregon.gov](mailto:wetland.delineation@dsl.oregon.gov).
- ❖ **50MB or larger** - A single unlocked PDF can be uploaded to DSL's [Box.com](https://www.box.com) website. After upload notify DSL by email at: [wetland.delineation@dsl.oregon.gov](mailto:wetland.delineation@dsl.oregon.gov).
- ❖ **OR** a hard copy of the unbound report and signed cover form can be mailed to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279.

**Ways to pay review fee:**

- ❖ By credit card on DSL's [epayment portal](#) after receiving the unique file number from DSL's emailed confirmation.
- ❖ By check payable to the Oregon Department of State Lands attached to the unbound mailed hardcopy **OR** attached to the complete signed cover form if report submitted electronically.

**Contact and Authorization Information**

<input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner Name, Firm and Address: Oregon TreeHouse Partners LLC	Business phone # Mobile phone # (optional) E-mail:
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<input checked="" type="checkbox"/> Authorized Legal Agent, Name and Address (if different): Kevin Gindlesperger 1276 NW 107th Ave. Portland, OR 97229	Business phone # (503) 969-2158 Mobile phone # (optional) E-mail: kevingindy@yahoo.com
---	--

I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact.

**Typed/Printed Name:** Kevin Gindlesperger      **Signature:**   
**Date:** 8/27/2022      Special instructions regarding site access: \_\_\_\_\_

**Project and Site Information**

Project Name: Oregon TreeHouse WD	Latitude: 45.250228      Longitude: -123.963942 <b>decimal degree</b> - centroid of site or start & end points of linear project
Proposed Use: Development for commercial camping	Tax Map # 04S10W06 Tax Lot(s) 600 (partial) Tax Map # _____ Tax Lot(s) _____
Project Street Address (or other descriptive location): From SandLake Road take Floyd Avenue. Property boundary begins at the gate. 6080 Floyd Avenue.	Township 04S      Range 10W      Section 06      QQ Use separate sheet for additional tax and location information
City: Tierra del Mar      County: Tillamook	Waterway: Sand Lake      River Mile: 2.4

**Wetland Delineation Information**

Wetland Consultant Name, Firm and Address: Christine McDonald 2901 Brayton Road Pullman, WA 99163	Phone # (503) 801-2243 Mobile phone # (if applicable) E-mail: Contactchris100@gmail.com
--	---

The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.

**Consultant Signature:** Christine McDonald      **Date:** 08/22/2022

**Primary Contact** for report review and site access is  Consultant     Applicant/Owner     Authorized Agent  
 Wetland/Waters Present?     Yes     No    Study Area size: 18.6      Total Wetland Acreage: 1.8100

**Check Applicable Boxes Below**

<input type="checkbox"/> R-F permit application submitted <input type="checkbox"/> Mitigation bank site <input type="checkbox"/> EFSC/ODOE Proj. Mgr: _____ <input type="checkbox"/> Wetland restoration/enhancement project (not mitigation) <input checked="" type="checkbox"/> Previous delineation/application on parcel If known, previous DSL # <u>WD2008-0525</u>	<input checked="" type="checkbox"/> Fee payment submitted \$ <u>500</u> <input type="checkbox"/> Resubmittal of rejected report (\$100) <input type="checkbox"/> Request for Reissuance. See eligibility criteria. (no fee) DSL # _____      Expiration date _____ <input type="checkbox"/> LWI shows wetlands or waters on parcel Wetland ID code _____
---	---

1.78 acres jurisdictional per DSL 2/21/2023 correction

**For Office Use Only**

DSL Reviewer: <u>DE</u>	Fee Paid Date: ____ / ____ / ____	DSL WD # <u>2022-0477</u>
Date Delineation Received: <u>08 / 29 / 2022</u>	DSL App.# _____	

**FIGURE 6**  
for  
**OREGON TREEHOUSE PARTNERS**  
in the  
NW 1/4, SW 1/4 OF SECTION 6  
T 4 S, R 10 W, W.M.  
TAX LOT 600 OF MAP 131033BE  
TILLAMOOK COUNTY, OREGON  
JANUARY 5, 2022

DSL WD # 2022-0477  
Approval Issued 1/17/2023  
Approval Expires 1/17/2028

**LEGEND**

- .....FOUND MONUMENT AS NOTED PER PP 2008-25
- +.....COMPUTED POINT (NOTHING SET OR FOUND)
- ().....RECORD DATA PER PP 2008-25
- △.....CONTROL POINT
- ⊙.....SAMPLE PLOT
- ⊙.....CULVERT
- CULV...CULVERT
- <>.....CALCULATED VALUE PER PP 2008-25
- SAB.....STUDY AREA BOUNDARY

- APPROXIMATE AREA CENTERLINE OF STREAM (DOES NOT MEET DSL PRECISION)  
ESTIMATED WIDTH IS 70'. ESTIMATED PRECISION IS 2-3 METERS.
- ORDINARY HIGH WATER LINE MEETS DSL PRECISION
- WETLAND
- P-5 → PhotoPoint and Direction

Point	Northing	Easting	Elevation	Description
1	596532.507	7310590.873	63.02	HM,
5	596753.823	7310084.887	18.04	HM,

NOTE: THE BASIS OF BEARINGS AND BENCHMARK ARE DERIVED USING GPS. DATUM = OR N ZONE NAD83 (HORIZONTAL) NAVD (VERTICAL)

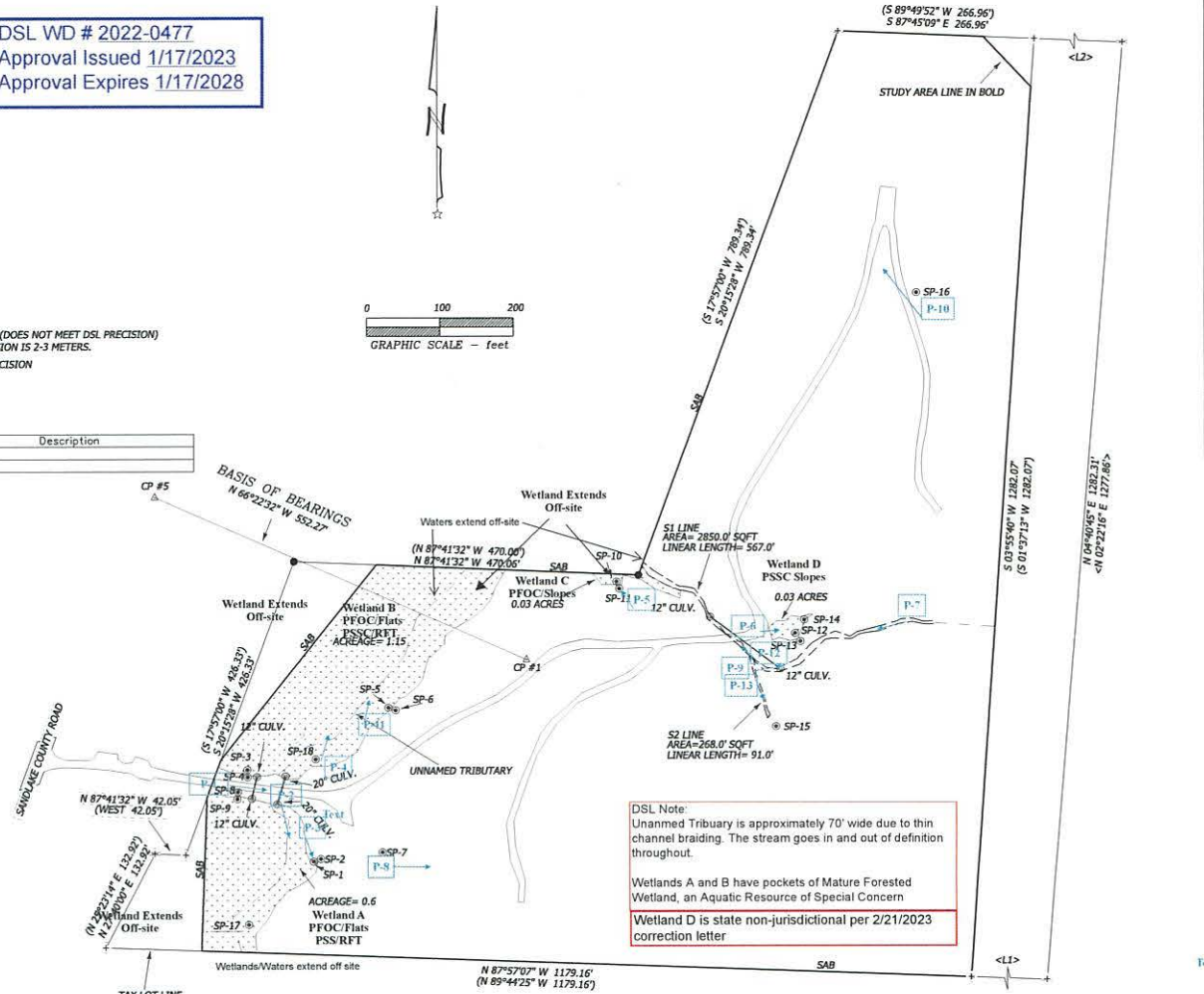
**LINE TABLE**

LINE BEARING	DISTANCE
<L1> <S 89°43'55" W>	<1324.83>
<L2> <N 89°58'22" E>	<1341.43>

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JUNE 10, 2014  
DAVID LEE SCHLOSSER JR.  
72617  
RENEWS: 06/30/2024

**Northstar**  
SURVEYING  
720 NW 4TH STREET CORVALLIS, OR 97330  
(541) 757-9050 FAX (541) 757-7578  
www.northstarsurveying.com



DSL Note:  
Unnamed Tributary is approximately 70' wide due to thin channel braiding. The stream goes in and out of definition throughout.  
Wetlands A and B have pockets of Mature Forested Wetland, an Aquatic Resource of Special Concern  
Wetland D is state non-jurisdictional per 2/21/2023 correction letter





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Tina Kotek, Governor

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**State Land Board**

January 17, 2023

**See DSL correction  
letter on 2/21/2023**

Oregon TreeHouse Partners LLC  
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1276 NW 107th Avenue  
Portland, OR 97229

Tina Kotek  
Governor

Re: **WD # 2022-0477 Approved**  
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Tillamook County; T4S R10W S6 TL600 (Portion)

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Within the study area, 4 wetlands (Wetland A, B, C and D, totaling approximately 1.81 acres) and 3 waterways (S1, S2, Unnamed Tributary) were identified. They are subject to the permit requirements of the state Removal-Fill Law. Under current regulations, a state permit is required for cumulative fill or annual excavation of 50 cubic yards or more in wetlands or below the ordinary high-water line (OHWL) of the waterway (or the 2-year recurrence interval flood elevation if OHWL cannot be determined). Additionally, the Unnamed Tributary is approximated and does not meet the DSL sub-meter mapping accuracy standard. Should a Removal-Fill permit be required for work at this location, an updated delineation map with improved mapping accuracy may be required. In addition, Wetland A and B contain a mosaic of mature Sitka spruce tree clumps and therefore, part or all of these wetlands may meet the state's criteria for Aquatic Resources of Special Concern. This could affect the eligibility protocols for compensatory mitigation if a Removal-Fill permit is required.

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Thank you for having the site evaluated. If you have any questions, please contact the Jurisdiction Coordinator for Tillamook County, Daniel Evans, PWS, at (503) 986-5271.

Sincerely,



Peter Ryan, SPWS  
Aquatic Resource Specialist

Enclosures

ec: Christine McDonald  
Tillamook County Planning Department  
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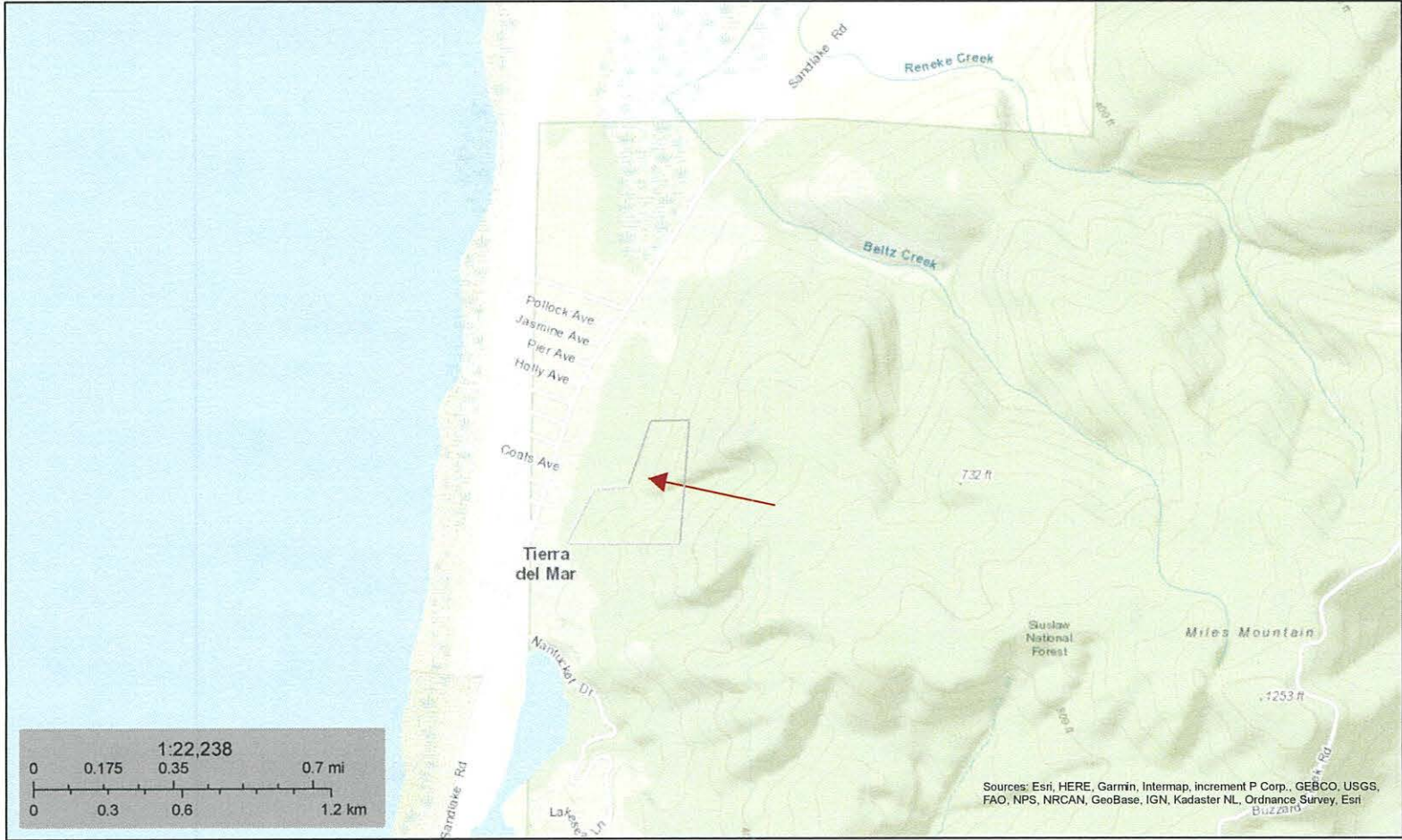
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City: Tierra del Mar County: Tillamook	Waterway: Sand Lake River Mile: 2.4
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The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge.	
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Figure 1a. USGS Topographic Map

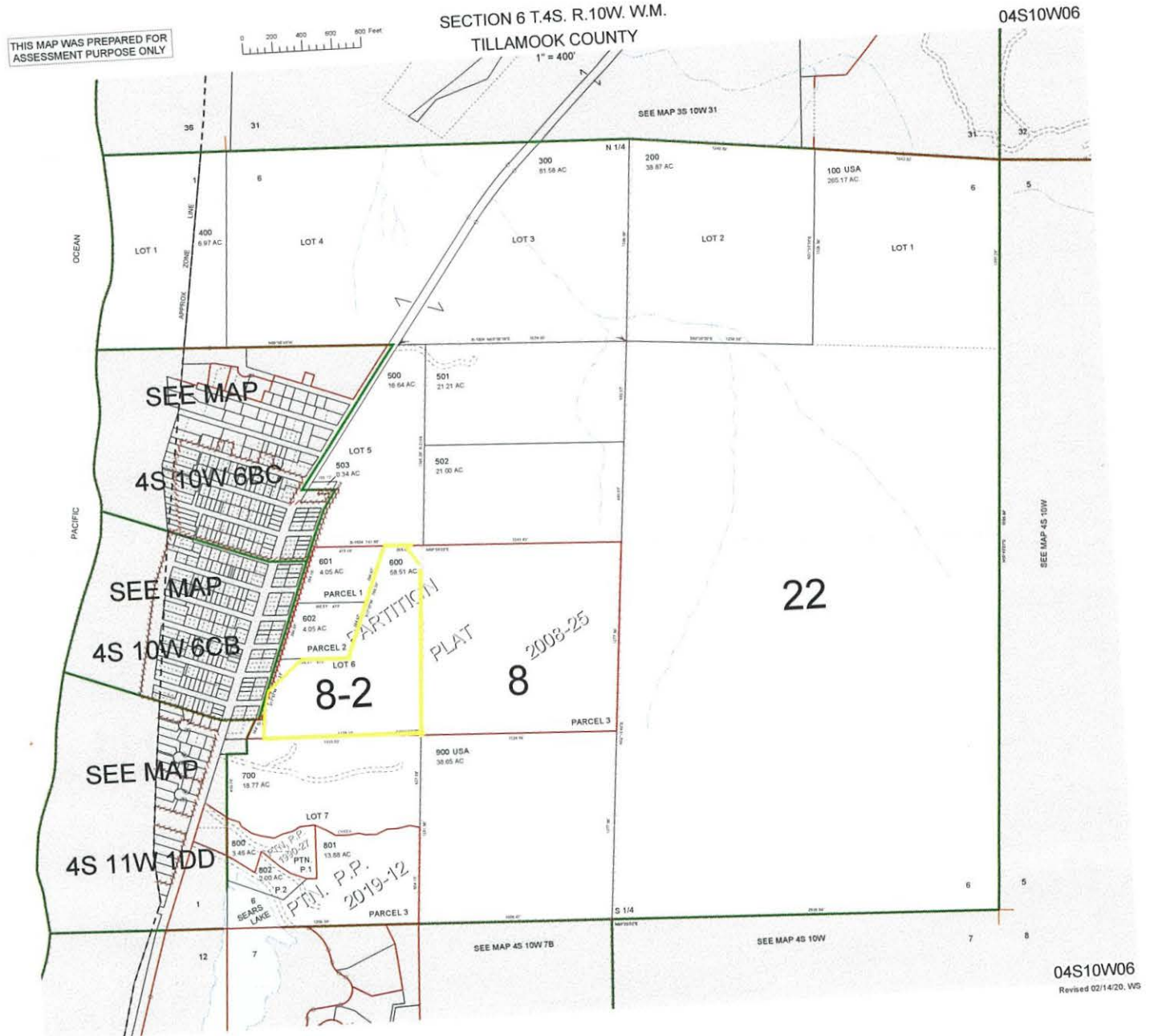


June 4, 2020

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



Figure 2. Tax Lot Map Oregon Treehouse WD with Study Area



**FIGURE 6**  
for  
**OREGON TREEHOUSE PARTNERS**  
in the  
NW 1/4 SW 1/4 OF SECTION 6  
T 4 S, R 10 W, W.M.  
TAX LOT 600 OF MAP 131033BE  
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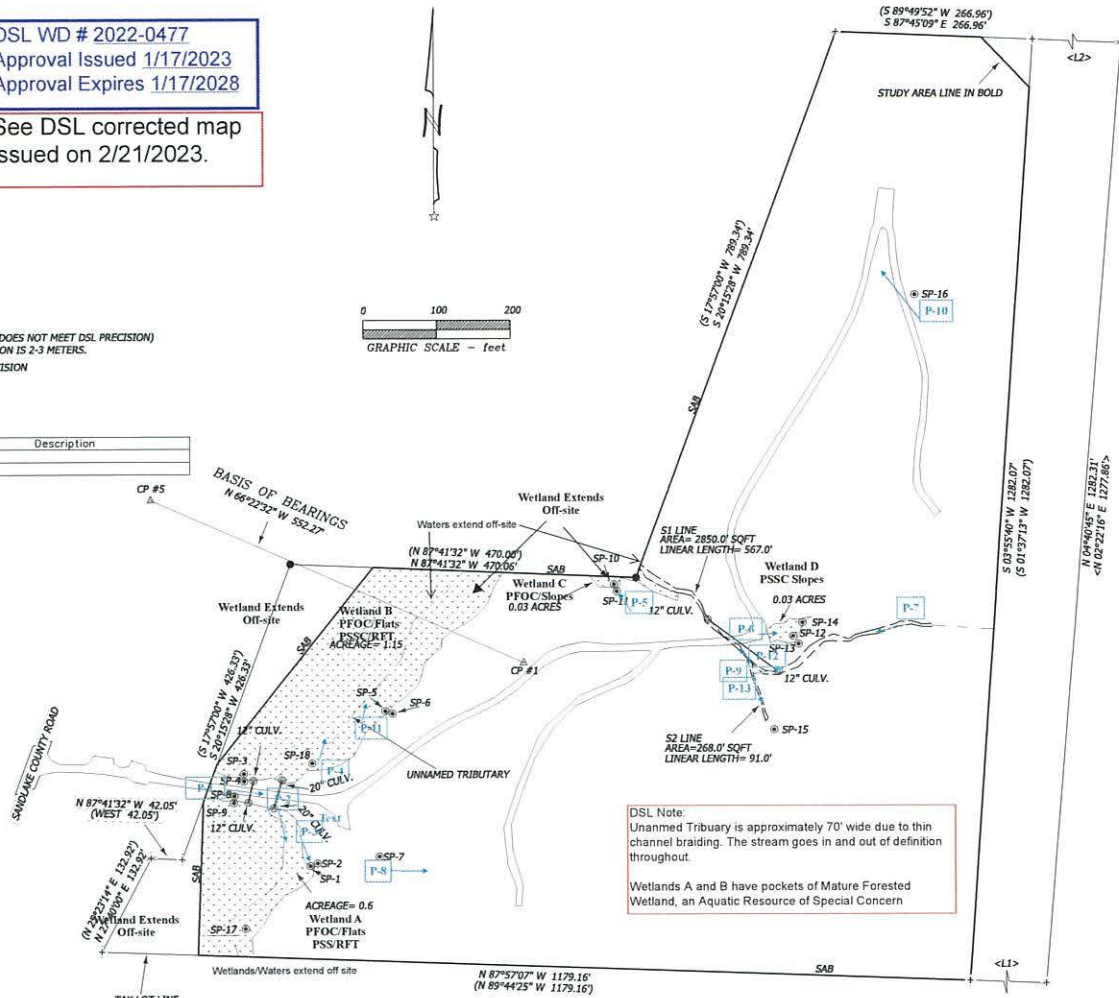
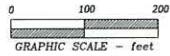
*David Lee Schlosser, Jr.*

OREGON  
JUNE 10, 2014  
DAVID LEE SCHLOSSER JR.  
72617

RENEWS: 06/30/2024

**Northstar**  
SURVEYING

720 NW 4TH STREET CORVALLIS, OR 97330  
(541) 757-9050 FAX (541) 757-7578  
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