

23-002788

## 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 & City of Banks      Review Type: No Impact

Site Address / Location: 42638 NW Cedar Canyon Rd      SPL Issue Date: March 11, 2024  
Forest Grove, OR 97116      SPL Expiration Date: March 11, 2026

**Applicant Information:**

Name: MAX BONDAR  
 Company: DAVID WEEKLY HOMES, LLC  
1905 NW 169TH PL. STE 210  
 Address: BEAVERTON, OR 97006  
 Phone/Fax: (503) 516-5078  
 E-mail: mbondar@dwhomes.com

**Owner Information:**

Name: \_\_\_\_\_  
 Company: DAVID WEEKLY HOMES, LLC  
1905 NW 169TH PL. STE 210  
 Address: BEAVERTON, OR 97006  
 Phone/Fax: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

**Tax lot ID**

2N331BC05200  
2N4360000600  
 \_\_\_\_\_  
 \_\_\_\_\_

**Development Activity**

Master Plan Residential Subdivision &  
Large Lot Subdivision  
 \_\_\_\_\_  
 \_\_\_\_\_

**Pre-Development Site Conditions:**

Sensitive Area Present:  On-Site     Off-Site  
 Vegetated Corridor Width: 50  
 Vegetated Corridor Condition: Degraded

**Post Development Site Conditions:**

Sensitive Area Present:  On-Site     Off-Site  
 Vegetated Corridor Width: 50  
 \_\_\_\_\_

Enhancement of Remaining Vegetated Corridor Required:

Square Footage to be enhanced: 0

**Encroachments into Pre-Development Vegetated Corridor:**

Type and location of Encroachment: No encroachment      Square Footage: 0

**Mitigation Requirements:**

Type/Location: No mitigation required      Sq. Ft./Ratio/Cost: 0

Conditions Attached     Development Figures Attached ( 6 )     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.**

**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.
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, **in a phased approach as permitted with future development of Parcel 3.**
13. Removal of invasive non-native species by hand is required in all Vegetated Corridors rated ""good."" Replanting is required in any cleared areas larger than 25 square feet using low impact methods. The applicant shall calculate all cleared areas larger than 25 square feet prior to the preparation of the required Vegetated Corridor enhancement/restoration plan.
14. 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.""
15. 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.

16. Clean Water Services and/or City 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).
17. 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.
18. 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.

#### **SPECIAL CONDITIONS**

19. **Clean Water Services shall require an easement over the Sensitive Area and Vegetated Corridor, on Parcel 3, 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.**
20. **At the time of subdivision replat of Parcel 1 of Partition Plat No. 1, Clean Water Services sensitive area and Vegetated Corridor shall be placed with a tract and subject to a "STORMWATER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER IT'S ENTIRETY" to be grated to Clean Water Services.**
21. **Prior to substantial completion of subdivision site development improvements in a subdivision replat of Parcel 1 of Partition Plat No. 1, the Clean Water Services Vegetated Corridor shall be planted to Good Condition.**
22. **Future development of Parcel 3 shall require site development plan approval with the City of Banks and Clean Water Services. Site development review of Parcel 3 shall obtain a Service Provider Letter for proposed development and comply with preservation and enhancement conditions applied by Clean Water Services for sensitive areas and Vegetated Corridor.**
23. 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.
24. 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.**

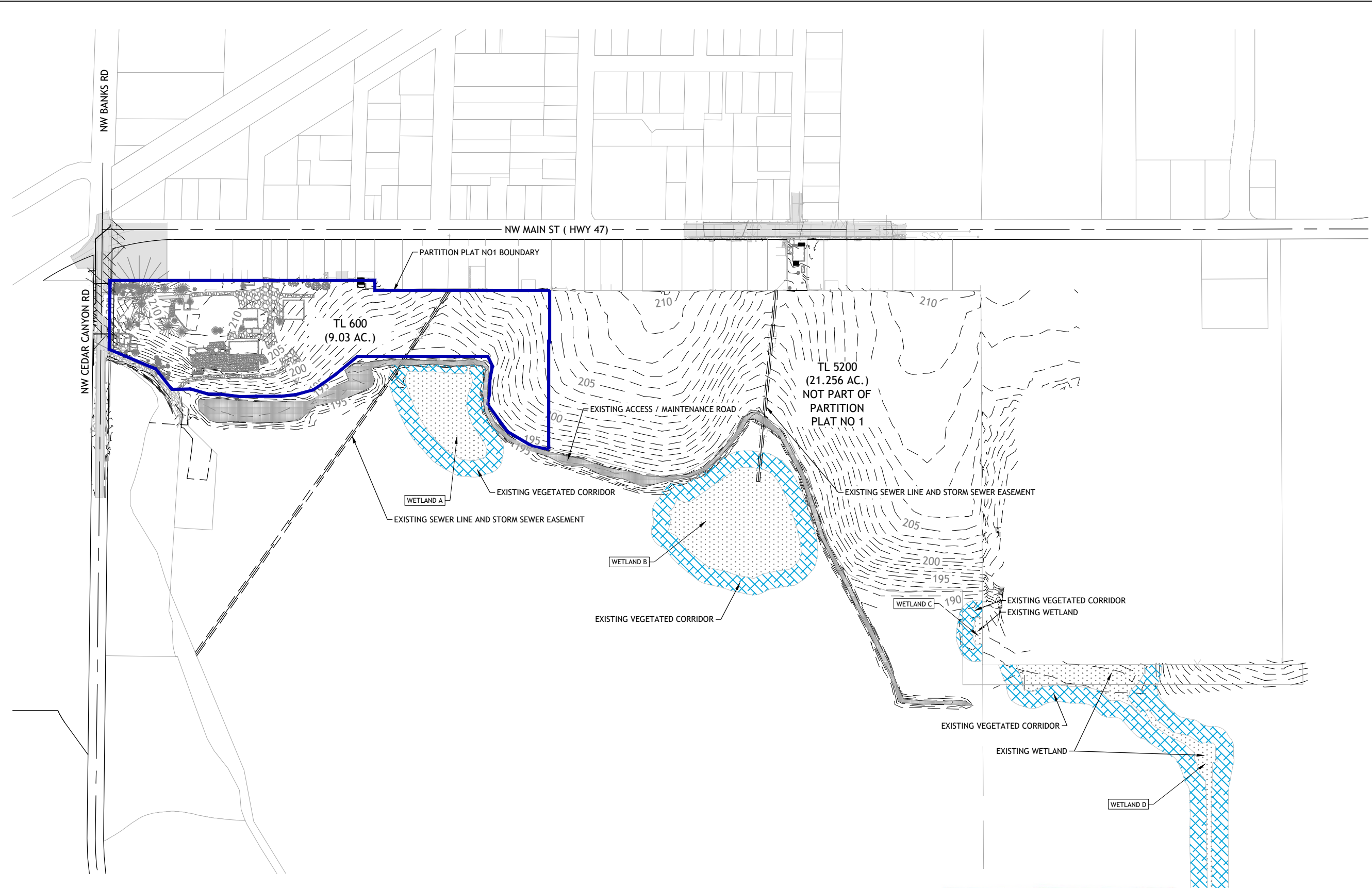
**Please call (503) 681-3653 with any questions.**



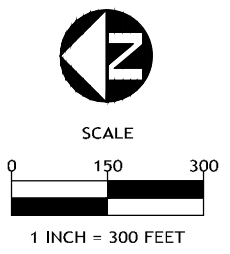
**Lindsey Obermiller  
Environmental Plan Review**

**Attachments ( 6 )**

N:\pro\130-004\09 Drawings\03 Planning\Exhibits - SPL\130004.PP1 SPL EXIST.dwg - SHEET: 1 Feb 20, 2024 - 4:47pm brian



**CWS FILE NO. 23-002788**  
 Approved  
 Clean Water Services  
 FOR ENVIRONMENTAL REVIEW  
 By LO Date 03/11/2024  
 SPL ATTACHMENT 1 OF 6



12564 SW Main Street  
 Tigard, OR 97223  
 [T] 503-941-9484

DATE: 10/10/2023

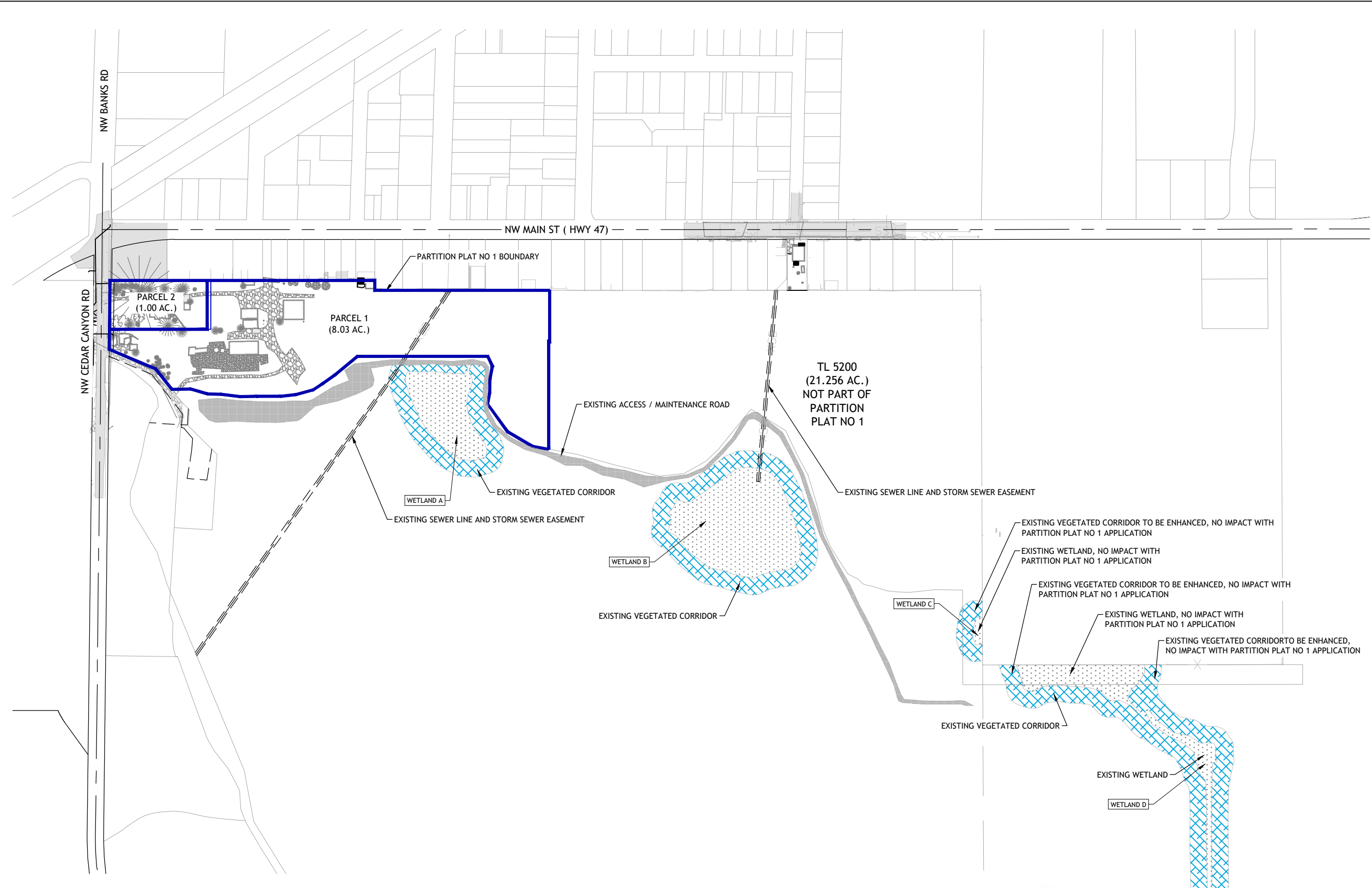
REVISIONS		
NO.	DATE	DESCRIPTION

**WEST  
 BANKS  
 CWS-SPL**

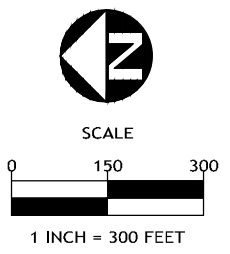
**EXISTING  
 CONDITIONS  
 PARTITION  
 PLAT NO 1**

PROJECT NO.: 130004  
 TYPE: PLANNING  
 REVIEWED BY: PRE/JMH

N:\pro\130-004\09 Drawings\03 Planning\Exhibits - SPL\Partition Plats - SPL\130004.PP1 SPL PROP.dwg - SHEET: 2 Feb 21, 2024 - 1:24pm brian



CWS FILE NO. 23-002788  
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 SPL ATTACHMENT 2 OF 6



12564 SW Main Street  
 Tigard, OR 97223  
 [T] 503-941-9484

DATE: 10/10/2023

REVISIONS		
NO.	DATE	DESCRIPTION

**WEST  
 BANKS  
 CWS-SPL**

**PROPOSED  
 PARTITION  
 PLAT NO 1**

PROJECT NO.: 130004  
 TYPE: PLANNING  
 REVIEWED BY: PRE/JMH



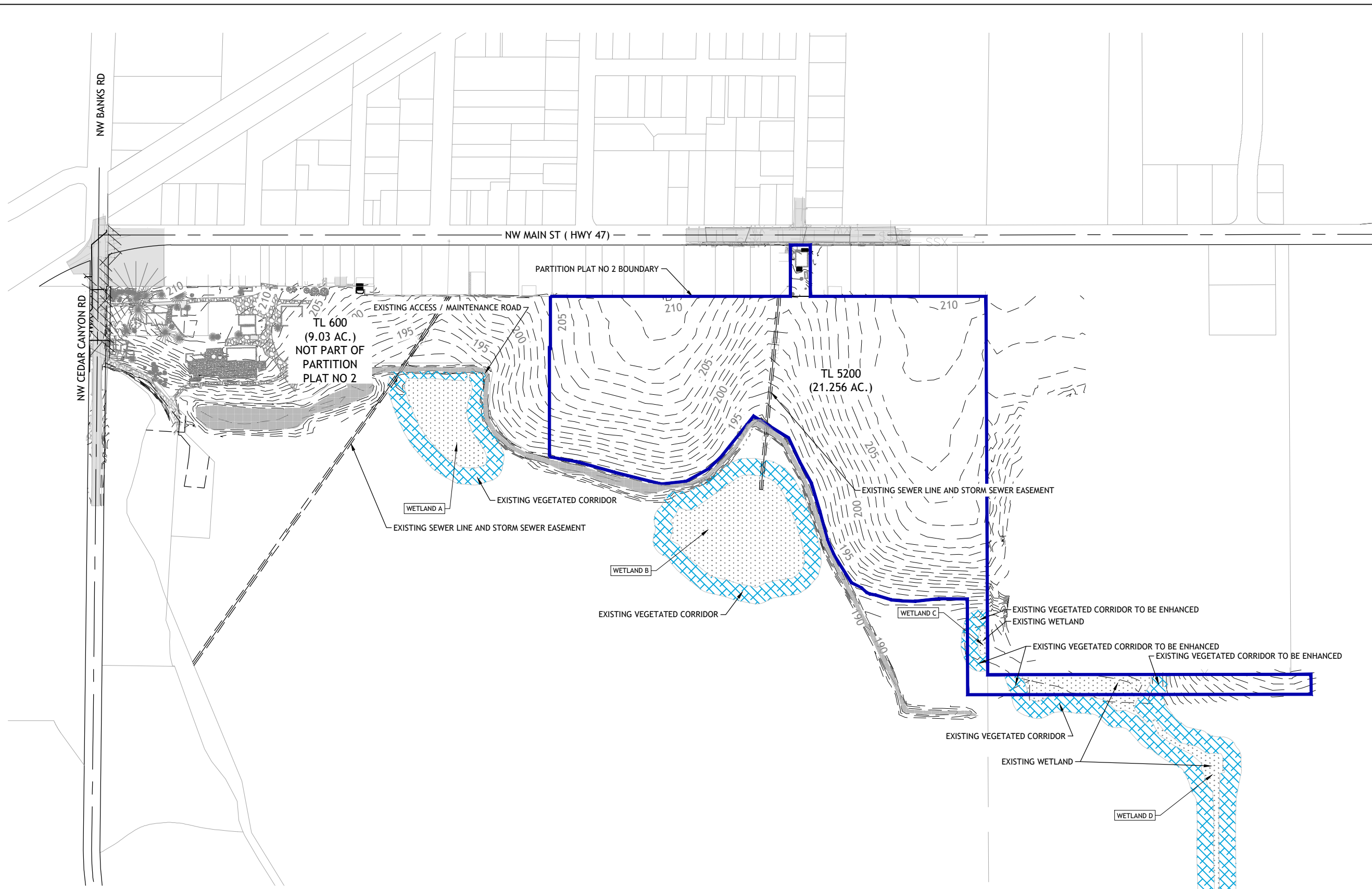
12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

DATE: 10/10/2023

REVISIONS

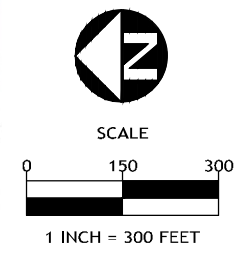
NO.	DATE	DESCRIPTION

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LEGEND		
	SQ. FEET	ACRES
	EXISTING WETLANDS	24,414.7    0.6
	DEGRADED VEGETATED CORRIDOR	14,878.4    0.3

CWS FILE NO. 23-002788  
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By LO Date 03/11/2024  
SPL ATTACHMENT 3 OF 6



WEST  
BANKS  
CWS-SPL

EXISTING  
CONDITIONS  
PARTITION  
PLAT NO 2

PROJECT NO.: 130004  
TYPE: PLANNING  
REVIEWED BY: PRE/JMH



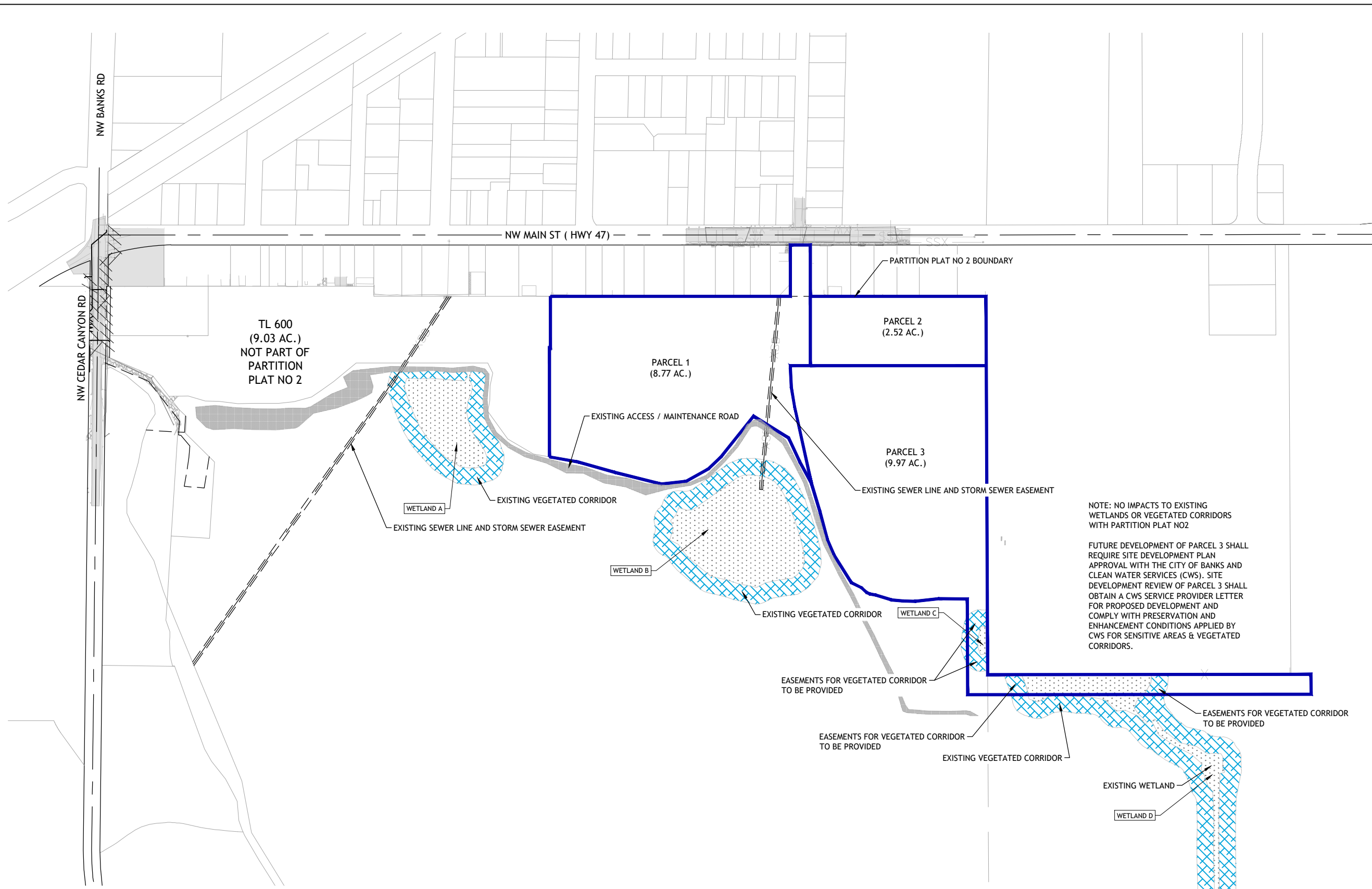
12564 SW Main Street  
Tigard, OR 97223  
[T] 503-941-9484

DATE: 10/10/2023

REVISIONS

NO.	DATE	DESCRIPTION

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TL 600  
(9.03 AC.)  
NOT PART OF  
PARTITION  
PLAT NO 2

PARCEL 2  
(2.52 AC.)

PARCEL 1  
(8.77 AC.)

PARCEL 3  
(9.97 AC.)

NOTE: NO IMPACTS TO EXISTING WETLANDS OR VEGETATED CORRIDORS WITH PARTITION PLAT NO2

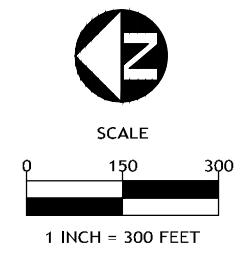
FUTURE DEVELOPMENT OF PARCEL 3 SHALL REQUIRE SITE DEVELOPMENT PLAN APPROVAL WITH THE CITY OF BANKS AND CLEAN WATER SERVICES (CWS). SITE DEVELOPMENT REVIEW OF PARCEL 3 SHALL OBTAIN A CWS SERVICE PROVIDER LETTER FOR PROPOSED DEVELOPMENT AND COMPLY WITH PRESERVATION AND ENHANCEMENT CONDITIONS APPLIED BY CWS FOR SENSITIVE AREAS & VEGETATED CORRIDORS.

WEST  
BANKS  
CWS-SPL

PROPOSED  
PARTITION  
PLAT NO 2

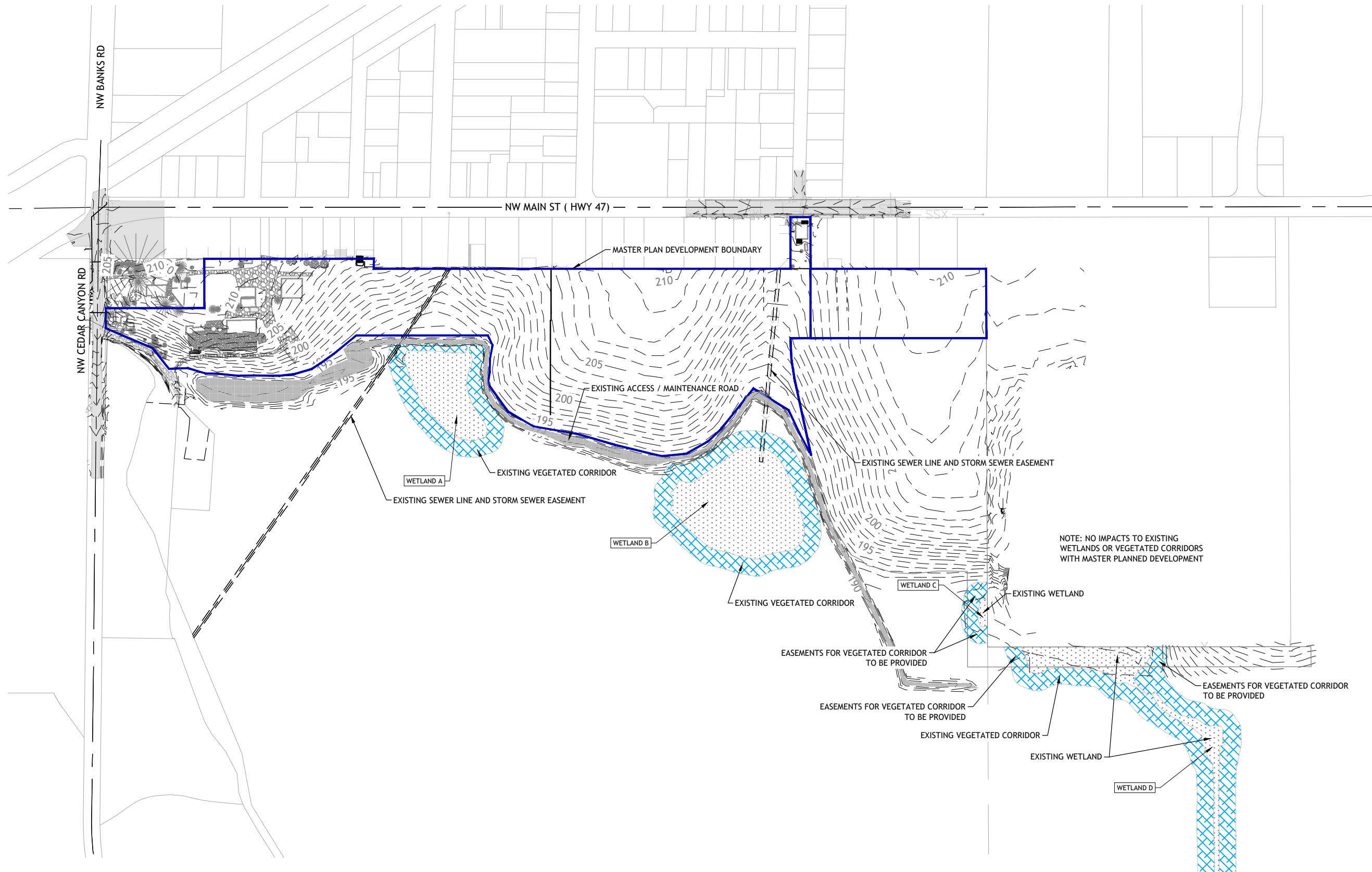
LEGEND		
	SQ. FEET	ACRES
	EXISTING WETLANDS	24,414.7 0.6
	DEGRADED VEGETATED CORRIDOR	14,878.4 0.3

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Clean Water Services  
FOR ENVIRONMENTAL REVIEW  
By LO Date 03/11/2024  
SPL ATTACHMENT 4 OF 6

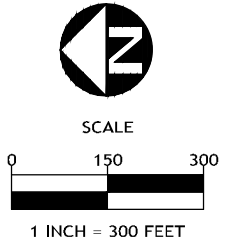


PROJECT NO.: 130004  
TYPE: PLANNING  
REVIEWED BY: PRE/JMH

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CWS FILE NO. 23-002788  
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 FOR ENVIRONMENTAL REVIEW  
 By LO Date 03/11/2024  
 SPL ATTACHMENT 5 OF 6



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 Tigard, OR 97223  
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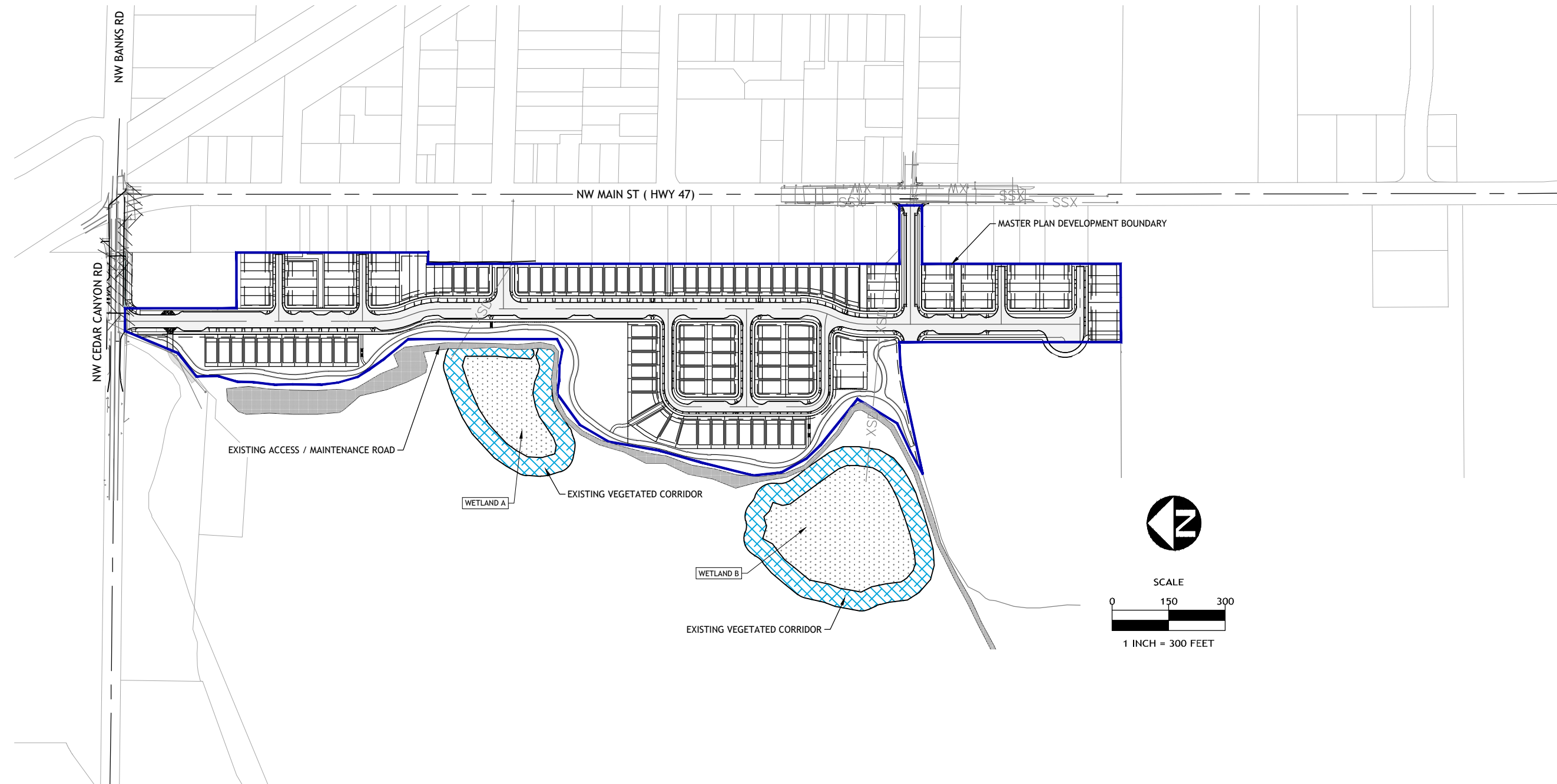
REVISIONS		
NO.	DATE	DESCRIPTION

**WEST  
 BANKS  
 CWS-SPL**

**EXISTING  
 CONDITIONS  
 MASTER PLANNED  
 DEVELOPMENT**

PROJECT NO.: 130004  
 TYPE: PLANNING  
 REVIEWED BY: PRE/JMH

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12564 SW Main Street  
 Tigard, OR 97223  
 [T] 503-941-9484

DATE: 10/10/2023

REVISIONS		
NO.	DATE	DESCRIPTION

**WEST  
 BANKS  
 CWS-SPL**

**PROPOSED  
 MASTER PLANNED  
 DEVELOPMENT  
 - NO VEGETATED  
 CORRIDOR IMPACTS**

CWS FILE NO. 23-002788  
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 Clean Water Services  
 FOR ENVIRONMENTAL REVIEW  
 By LO Date 03/11/2024  
 SPL ATTACHMENT 6 OF 6

PROJECT NO.: 130004  
 TYPE: PLANNING  
 REVIEWED BY: PRE/JMH