

Department of State Lands  
775 Summer Street, Suite 100  
Salem, OR 97301-1279  
☎ 503-986-5200

Permit No.:	<u>61355RP Renewal</u>
Permit Type:	<u>Removal</u>
Waters:	<u>Wetland/Ditch</u>
County:	<u>Columbia</u>
Expiration Date:	<u>February 12, 2026</u>

**NORTHWEST AGGREGATES COMPANY**

**IS AUTHORIZED IN ACCORDANCE WITH ORS 196.800 TO 196.990 TO PERFORM THE OPERATIONS DESCRIBED IN THE REFERENCED APPLICATION, SUBJECT TO THE SPECIAL CONDITIONS LISTED ON ATTACHMENT A AND TO THE FOLLOWING GENERAL CONDITIONS:**

1. This permit does not authorize trespass on the lands of others. The permit holder must obtain all necessary access permits or rights-of-way before entering lands owned by another.
2. This permit does not authorize any work that is not in compliance with local zoning or other local, state, or federal regulation pertaining to the operations authorized by this permit. The permit holder is responsible for obtaining the necessary approvals and permits before proceeding under this permit.
3. All work done under this permit must comply with Oregon Administrative Rules, Chapter 340; Standards of Quality for Public Waters of Oregon. Specific water quality provisions for this project are set forth on Attachment A.
4. Violations of the terms and conditions of this permit are subject to administrative and/or legal action, which may result in revocation of the permit or damages. The permit holder is responsible for the activities of all contractors or other operators involved in work done at the site or under this permit.
5. Employees of the Department of State Lands (DSL) and all duly authorized representatives of the Director must be permitted access to the project area at all reasonable times for the purpose of inspecting work performed under this permit.
6. Any permit holder who objects to the conditions of this permit may request a hearing from the Director, in writing, within twenty-one (21) calendar days of the date this permit was issued.
7. In issuing this permit, DSL makes no representation regarding the quality or adequacy of the permitted project design, materials, construction, or maintenance, except to approve the project's design and materials, as set forth in the permit application, as satisfying the resource protection, scenic, safety, recreation, and public access requirements of ORS Chapters 196, 390, and related administrative rules.
8. Permittee must defend and hold harmless the State of Oregon, and its officers, agents and employees from any claim, suit, or action for property damage or personal injury or death arising out of the design, material, construction, or maintenance of the permitted improvements.
9. Authorization from the U.S. Army Corps of Engineers may also be required.

**NOTICE:** If removal is from state-owned submerged and submersible land, the permittee must comply with leasing and royalty provisions of ORS 274.530. If the project involves creation of new lands by filling on state-owned submerged or submersible lands, you must comply with ORS 274.905 to 274.940 if you want a transfer of title; public rights to such filled lands are not extinguished by issuance of this permit. This permit does not relieve the permittee of an obligation to secure appropriate leases from DSL, to conduct activities on state-owned submerged or submersible lands. Failure to comply with these requirements may result in civil or criminal liability. For more information about these requirements, please contact Department of State Lands, 503-986-5200.

Heather Dimke, Aquatic Resource Coordinator  
Aquatic Resource Management  
Oregon Department of State Lands

  
\_\_\_\_\_  
Authorized Signature

2/05/2025  
\_\_\_\_\_  
Date

## ATTACHMENT A

Permit Holder: Northwest Aggregates Company

Project Name: Bates-Roth Expansion (Bible College Property)

Special Conditions for Removal/Fill Permit No. 61355-RP

### **READ AND BECOME FAMILIAR WITH CONDITIONS OF YOUR PERMIT.**

The project site may be inspected by the Department of State Lands (DSL) as part of our monitoring program. A copy of this permit must be available at the work site whenever authorized operations are being conducted.

1. **Responsible Party:** By signature on the application, David McAuley is acting as the representative of Northwest Aggregates Company. By proceeding under this permit, Northwest Aggregates Company agrees to comply with and fulfill all terms and conditions of this permit, unless the permit is officially transferred to another party as approved by DSL. In the event information in the application conflicts with these permit conditions, the permit conditions prevail.
2. **Authorization to Conduct Removal and/or Fill:** This permit authorizes 43.91 acres of wetland and 2.14 acres of ditches and other waters impacts with associated removal of material in T3N R1W Section 05, portion of Tax Lot 100, T4N, R1W, Section 32, Tax Lots 900, 1000 and T4N R1W Section 33, Tax Lot 500, in Columbia County, as referenced in the application, map and drawings (See Attachment B for project locations), dated November 26, 2018. This permit also authorizes removal and fill activities necessary to complete the required compensatory mitigation.
3. **Changes to the Project or Inconsistent Requirements from Other Permits:** It is the permittee's responsibility to ensure that all state, federal and local permits are consistent and compatible with the final approved project plans and the project as executed. Any changes made in project design, implementation or operating conditions to comply with conditions imposed by other permits resulting in removal-fill activity must be approved by DSL prior to implementation.
4. **DSL May Halt or Modify:** DSL retains the authority to temporarily halt or modify the project or require rectification in case of unforeseen adverse effects to aquatic resources or permit non-compliance.
5. **DSL May Modify Conditions Upon Permit Renewal:** DSL retains the authority to modify conditions upon renewal, as appropriate, pursuant to the applicable rules in effect at the time of the request for renewal or to protect waters of this state.

### **Pre-Construction**

6. **Stormwater Management Approval Required Before Beginning Work:** Prior to the start of construction, the permittee must obtain a National Pollution Discharge Elimination System (NPDES) permit from the Oregon Department of Environmental Quality (DEQ), if one is required by DEQ.

### **General Construction Conditions**

7. **Water Quality Certification:** The Department of Environmental Quality (DEQ) may evaluate this project for a Clean Water Act Section 401 Water Quality Certification (WQC). If the evaluation results in issuance of a Section 401 WQC, that turbidity condition will govern any allowable turbidity exceedance and monitoring requirements.
8. **Erosion Control Methods:** The following erosion control measures (and others as appropriate) must be installed prior to construction and maintained during and after construction as appropriate, to prevent erosion and minimize movement of soil into waters of this state.
  - a. All exposed soils must be stabilized during and after construction to prevent erosion and sedimentation.
  - b. Filter bags, sediment fences, sediment traps or catch basins, leave strips or berms, or other measures must be used to prevent movement of soil into waterways and wetlands.
  - c. To prevent erosion, use of compost berms, impervious materials or other equally effective methods, must be used to protect soil stockpiled during rain events or when the stockpile site is not moved or reshaped for more than 48 hours.
  - d. Unless part of the authorized permanent fill, all construction access points through, and staging areas in, riparian and wetland areas must use removable pads or mats to prevent soil compaction. However, in some wetland areas under dry summer conditions, this requirement may be waived upon approval by DSL. At project completion, disturbed areas with soil exposed by construction activities must be stabilized by mulching and native vegetative plantings/seeding. Sterile grass may be used instead of native vegetation for temporary sediment control. If soils are to remain exposed more than seven days after completion of the work, they must be covered with erosion control pads, mats or similar erosion control devices until vegetative stabilization is installed.
  - e. Where vegetation is used for erosion control on slopes steeper than 2:1, a tackified seed mulch must be used so the seed does not wash away before germination and rooting.
  - f. Dredged or other excavated material must be placed on upland areas having stable slopes and must be prevented from eroding back into waterways and wetlands.
  - g. Erosion control measures must be inspected and maintained as necessary to ensure their continued effectiveness until soils become stabilized.
  - h. All erosion control structures must be removed when the project is complete, and soils are stabilized and vegetated.
9. **Fuels, Hazardous, Toxic, and Waste Material Handling:** Petroleum products, chemicals, fresh cement, sandblasted material and chipped paint, wood treated with leachable preservatives or other deleterious waste materials must not be allowed to enter waters of this state. Machinery and equipment staging, cleaning, maintenance, refueling, and fuel storage must be at least 150 feet from OHW or HMT and wetlands to prevent contaminants from entering waters of the state. Refueling is to be confined to a designated area to prevent spillage into waters of this state. Barges must have containment system to effectively prevent petroleum products or other deleterious material from entering waters of this state. Project-related spills into waters of this state or onto land with a potential to enter waters of this state must be reported to the Oregon Emergency Response System (OERS) at 1-800-452-0311.

- 10. Archaeological Resources:** If any archaeological resources, artifacts or human remains are encountered during construction, all construction activity must immediately cease. The State Historic Preservation Office must be contacted at 503-986-0674. You may be contacted by a Tribal representative if it is determined by an affected Tribe that the project could affect Tribal cultural or archeological resources.
- 11. Hazards to Recreation, Navigation or Fishing:** The activity must be timed so as not to unreasonably interfere with or create a hazard to recreational or commercial navigation or fishing.

**Compensatory Mitigation**

**The following conditions apply to the actions proposed in the application received November 26, 2018. Mitigation will be constructed in three phases.**

- 12. Notice of Business Entity Changes Required:** The permittee must make all reasonable efforts to maintain the business entity in active status until all mitigation obligations have been satisfied. The Northwest Aggregates Company must notify DSL 60 days prior to dissolution, bankruptcy, or changes in the shareholders or stockholders, limited partners, members, trustees, current beneficiaries or other principals of the business.
- 13. Acreage and Type:** Mitigation must be conducted according to the minimum acreages and methods described in the table below.

Acres	Acre-Credits	Cowardin, HGM Classification	Method
<b>Phase I</b>			
0.95 acre	0.32 ac.-credit	PEMC, F	Enhancement
18.44 acres	12.29 ac.-credits	PEMC, F	Creation
8.5 acres	5.67 ac.-credits	PSSE, F	Creation
1.3 acres	0.87 ac.-credit	PEMH, F	Creation
10.73 acres	None	U	Protected Buffer
<b>29.19 acres</b>	<b>19.15± ac.-credits</b>	<b>Phase I Wetland Totals</b>	
<b>39.92± acres</b>		<b>Phase I Grand Total</b>	
<b>Phase II</b>			
16.09 acres	16.09 ac.-credits	PEMC, F	Restoration
6.44 acres	2.15 ac.-credits	PEMC, F	Enhancement
2.73 acres	2.73 ac.-credits	PSSE, F	Restoration
1.57 acres	0.52 ac.-credit	PSSE, F	Enhancement
0.59 acre	0.2 ac.-credit	PEMH, F	Enhancement
0.81 acre	0.81 ac.-credit	PEMH, F	Restoration
3.04 acres	None	U	Protected Buffer
2.79 acre	None	R2UBHx, RFT	Protected Buffer
<b>28.23 acres</b>	<b>22.5± ac.-credits</b>	<b>Phase II Wetland Totals</b>	
<b>34.06± acres</b>		<b>Phase II Grand Total</b>	
<b>Phase III</b>			
2.63 acres	2.63 ac.-credits	PEMC, F	Restoration
1.69 acres	0.56 ac.-credits	PEMC, F	Enhancement

Acres	Acre-Credits	Cowardin, HGM Classification	Method
0.88 acres	0.88 ac.-credits	PSSE, F	Restoration
0.46 acre	0.15 ac.-credit	PSSE, F	Enhancement
0.25 acre	0.08 ac.-credit	PEMH, F	Enhancement
0.04 acre	0.04 ac.-credit	PEMH, F	Restoration
2.42 acres	None	U	Protected Buffer
0.83 acre	None	R2UBHx, RFT	Protected Buffer
<b>5.95 acres</b> <b>9.2± acres</b>	<b>4.34± ac.-credits</b>	<b>Phase III Wetland Totals</b> <b>Phase III Grand Total</b>	
<b>Phase III Advanced Mitigation</b>			
9.66 acres	9.66 ac.-credits	PEMC, F	Restoration
2.37 acres	0.79 ac.-credit	PEMC, F	Enhancement
2.23 acres	2.23 ac.-credits	PSSE, F	Restoration
0.31 acre	0.1 ac.-credit	PEMH, F	Enhancement
0.52 acre	0.52 ac.-credit	PEMH, F	Restoration
2.03 acres	None	U	Protected Buffer
0.59 acre	None	R2UBHx, RFT	Protected Buffer
<b>15.09 acres</b> <b>17.71± acres</b>	<b>13.3± ac.-credits</b>	<b>Phase III Advanced Wetland Totals</b> <b>Phase III Advanced Grand Total</b>	
<b>100.89± acres</b>	<b>59.3± ac.-credits</b>	<b>Total Mitigation Wetlands and Buffers</b>	

14. **Mitigation Site Location:** The mitigation must be conducted on-site in three phases. The center-point of the three mitigation locations within the site are 45.782037 degrees Latitude, -122.837798 degrees Longitude (Phase II site); 45.78204 degrees Latitude, -122.840599 degrees Longitude (Phase III site); 45.791267 degrees Latitude, -122.836657 degrees Longitude (Phase I site). The current legal descriptions are Township 4N, Range 1W, Section 32, Tax Lots 300 & 1100, as shown on Figure 1 of the mitigation plan.
15. **Timing of Mitigation Site Grading:** Mitigation site grading must be completed prior to or within the same construction season as the commencement of the wetland impacts. Mitigation site plantings must be planted by the next growing season.
16. **Long-term Protection of the Mitigation Site - Deed Restriction:** The mitigation site must be protected in perpetuity by recording the approved Declaration of Covenants and Restrictions and Access Easement (Protection Instrument) on the deed of the property. The protection instrument must be approved and signed by DSL prior to recording with Columbia County. A copy of the recorded instrument must be sent to DSL with the post-construction report.
17. **GIS Data:** A georeferenced shapefile (.shp) must be submitted to DSL prior to mitigation site release that documents the spatial extent of the mitigation site(s), including buffers. The shapefile must conform to the Oregon Lambert (Intl. Feet) projection.
18. **Long-term Maintenance Required:** Long-term site maintenance is required as described in the Compensatory Mitigation Plan in the application.

**19. Advance Mitigation Credits:** The advance mitigation credits may only be used for future impacts where Northwest Aggregates Company is the applicant for a permit and may not be sold on the open market. Future applications proposing use of the advance mitigation credit must comply with all applicable DSL statutes and administrative rules relating to the removal-fill program at the time of application, including documentation that the mitigation site substantially meets performance standards as of the date of each future application. Future applications should identify the specific area within the mitigation area that will be used to compensate for each authorized impact, and these areas should be clearly and permanently marked on the ground.

### **Monitoring and Reporting Requirements**

**20. Post-Construction Report Required:** A post-construction report demonstrating as-built conditions and discussing any variation from the approved plan must be provided to DSL within 90 days of revegetation. The post-construction report must include:

- a. A scaled drawing, accurate to 1-foot elevation, clearly showing the following:
  - i. Finished contours of the site.
  - ii. Current tax lot and right-of-way boundaries.
  - iii. Photo point locations.
  - iv. Permanently and temporarily impacted wetland and waterway boundaries identified separately, with square foot listed.
- b. Photos from fixed photo points. This should clearly show the site conditions, and any signage, and fencing required.
- c. A narrative that describes any deviation from the approved plan.
- d. A copy of the recorded deed restriction or conservation easement

**21. Annual Monitoring Reports Required:** Monitoring is required until DSL has officially released the site from further monitoring. The permittee must monitor the site to determine whether the site is meeting performance standards for a minimum period of 5 growing seasons after completion of all the initial plantings. Annual monitoring reports are required and are due by November 1. Failure to submit the required monitoring report by the due date may result in an extension of the monitoring period, forfeiture of the financial security and/or enforcement action. Reports should clearly separate information for advance mitigation areas that are unassigned as compensatory mitigation for any permit. Permits that authorize the use of advance mitigation credits prior to final determination of success by DSL will require additional monitoring and financial security under the future permit conditions. For advance mitigation credits proposed for use after the monitoring period has ended, future applications must provide a current year monitoring report to show that the proposed mitigation area continues to meet the performance standards established in this permit.

**22. Extension of the Monitoring Period:** The monitoring period may be extended, at the discretion of DSL, for failure of the site to meet performance standards for the final two consecutive years without corrective or remedial actions (such as irrigation, significant weed/invasive plants treatment or replanting) or when needed to evaluate corrective or remedial actions.

**23. Contents of the Annual Monitoring Report:** The annual monitoring report must include the following information:

- a. Completed Monitoring Report Cover Sheet, which includes permit number, permit holder name, monitoring date, report year, performance standards, and a determination of whether the site is meeting performance standards.
- b. Site location map(s) that clearly shows the impact site and mitigation site boundaries.
- c. Site Plan that clearly shows at least the following:
  - i. The area seeded, with the square foot area listed.
  - ii. The area planted with trees and shrubs, with the square foot area listed.
  - iii. Current tax lot and right-of-way boundaries.
  - iv. Permanent monitoring plot locations that correspond to the data collected and fixed photo-points. These points should be overlaid on the as-built map.
  - v. PEM, PSS, PFO, waterways, riparian areas, and buffer clearly identified separately and the area (square foot or acreage) of each noted.
  - vi. Creation, restoration, enhancement, and preservations areas identified separately, with the square foot area of each listed.
- d. A brief narrative that describes maintenance activities and recommendations to meet success criteria. This includes when irrigation occurred and when the above ground portion of the irrigation system was or will be removed from the site.
- e. Data collected to support the conclusions related to the status of the site relative to the performance standards listed in this permit (include summary/analysis in the report and raw data in the appendix). Data should be submitted using the DSL Mitigation Monitoring Vegetation Spreadsheet or presented in a similar format as described in DSL's Routine Monitoring Guidance for Vegetation.
- f. Photos from fixed photo points (include in the appendix).
- g. Other information necessary or required to document compliance with the performance standards listed in this permit.
- h. A post-construction functional assessment by the end of the monitoring period.

**24. Corrective Action May Be Required:** DSL retains the authority require corrective action in the event the performance standards are not accomplished at any time within the monitoring period.

### **Performance Standards**

**To be deemed successful, the mitigation areas including buffers must meet the following performance standards, as determined by DSL:**

**25. Establishment of Permanent Monitoring Locations Required:** Permanent plot locations must be established during the first annual monitoring in sufficient number and locations to be representative of the site. The permanent plot locations must be clearly marked on the ground.

**26. Wetland Acreage Required:** The site will have a minimum acreage as shown in the Acreage and Type table above, as determined by a Wetland Delineation Light with data collected during spring of a year when precipitation has been near normal, vegetation has been established, and irrigation has been removed for at least two years. Acreage must be documented on a printed map and in a GIS shapefile (.shp) including attribute information for each unique wetland polygon identifying the size as well as HGM and Cowardin classes.

### ***Herbaceous Wetlands***

27. **Native Species Cover:** The cover of native species, as defined in the USDA Plants Database, in the herbaceous stratum is at least 60%.
28. **Invasive Species Cover:** The cover of invasive species is no more than 10%. A plant species should automatically be labeled as invasive if it appears on the current Oregon Department of Agriculture noxious weed list, plus known problem species including *Phalaris arundinacea*, *Mentha pulegium*, *Holcus lanatus*, *Anthoxanthum odoratum*, and the last crop plant if it is non-native. Non-native plants should be labeled as such if they are listed as non-native on the USDA Plants Database. Beginning in Year 2 of monitoring, DSL will consider a non-native plant species invasive if it comprises more than 15% cover in 10% or more of the sample plots in any habitat class and increases in cover or frequency from the previous monitoring period. Plants that meet this definition will be considered invasive for all successive years of monitoring.
29. **Bare Substrate Cover:** Bare substrate represents no more than 20% cover.
30. **Species Diversity:** By Year 3 and thereafter, there are at least 6 different native species. To qualify, a species must have at least 5% average cover in the habitat class and occur in at least 10% of the plots sampled.
31. **Moisture Prevalence Index:** Prevalence Index is <3.0.

### ***Shrub-dominated and Forested Wetlands***

32. **Native Species Cover:** The cover of native species, as defined in the USDA Plants Database, in the herbaceous stratum is at least 60%.
33. **Invasive Species Cover:** The cover of invasive species is no more than 10%. A plant species should automatically be labeled as invasive if it appears on the current Oregon Department of Agriculture noxious weed list, plus known problem species including *Phalaris arundinacea*, *Mentha pulegium*, *Holcus lanatus*, *Anthoxanthum odoratum*, and the last crop plant if it is non-native. Non-native plants should be labeled as such if they are listed as non-native on the USDA Plants Database. Beginning in Year 2 of monitoring, DSL will consider a non-native plant species invasive if it comprises more than 15% cover in 10% or more of the sample plots in any habitat class and increases in cover or frequency from the previous monitoring period. Plants that meet this definition will be considered invasive for all successive years of monitoring. After the site has matured to the stage when desirable canopy species reach 50% cover, the cover of invasive understory species may increase but may not exceed 30%.
34. **Bare Substrate Cover:** Bare substrate represents no more than 20% cover.
35. **Woody Vegetation:** The density of woody vegetation is at least 1,600 live native plants (shrubs) and/or stems (trees) per acre OR the cover of native woody vegetation on the site is at least 50%. Native species volunteering on the site may be included, dead plants do not count, and the standard must be achieved for 2 years without irrigation.



36. **Species Diversity:** By Year 3 and thereafter, there are at least 6 different native species. To qualify, a species must have at least 5% average cover in the habitat class and occur in at least 10% of the plots sampled.

37. **Moisture Prevalence Index:** Prevalence Index total for all strata is <3.0.

### ***Upland Buffers and Riparian Areas***

38. **Native Species Cover:** The cover of native species, as defined in the USDA Plants Database, in the herbaceous stratum is at least 60%.

39. **Invasive Species Cover:** The cover of invasive species is no more than 10%. A plant species should automatically be labeled as invasive if it appears on the current Oregon Department of Agriculture noxious weed list, plus known problem species including *Phalaris arundinacea*, *Mentha pulegium*, *Holcus lanatus*, *Anthoxanthum odoratum*, and the last crop plant if it is non-native. Non-native plants should be labeled as such if they are listed as non-native on the USDA Plants Database. Beginning in Year 2 of monitoring, DSL will consider a non-native plant species invasive if it comprises more than 15% cover in 10% or more of the sample plots in any habitat class and increases in cover or frequency from the previous monitoring period. Plants that meet this definition should be considered invasive for all successive years of monitoring. After the site has matured to the stage when desirable canopy species reach 50% cover, the cover of invasive understory species may increase but may not exceed 30%.

40. **Woody Vegetation:** The density of woody vegetation is at least 1,600 live native plants (shrubs) and/or stems (trees) per acre OR the cover of native woody vegetation on the site is at least 50%. Native species volunteering on the site may be included, dead plants do not count, and the standard must be achieved for 2 years without irrigation.

### **Financial Security**

41. **Financial Security Required:** A “good faith” performance bond (financial security) in the amount of \$1,028,590.58 which is 17.8% of the total bonding obligation of \$5,795,641 has been provided to the Department. The “good faith” bond will be released upon Northwest Aggregate Company providing the full \$5,795,641 bond prior to commencement of Removal Fill impacts. The performance bond will be provided in full as three separate bonds to reflect the percent of credits generated by each of the three mitigation phases. Phase 1 (approximately 41.6% of total credits) performance bond must be in the amount of \$2,410,990. Phase 2 (approximately 48.9% of total credits) performance bond must be in the amount of \$2,834,070. Phase 3 (approximately 9.5% of total credits) performance bond must be in the amount of \$550,581. The full combined performance bonds in the amount of \$5,795,641 will be provided to DSL to ensure completion of compensatory mitigation in accordance with the conditions of this permit. Failure to keep the performance bonds continuously in effect through the date of full performance of all the permit holder’s obligations hereunder will constitute a violation and default of this permit by permit holder. If at any time DSL is notified that the performance bonds are to be canceled or not renewed, and a replacement financial security is not in place before the termination date, DSL may declare the permit holder to be in breach or default of its performance obligation under this permit. DSL may claim the full unreleased portion of the penal sum of the financial security, which the holder must

pay to DSL with 20 days after delivery of written notice to the holder of such financial security of such breach of default by permit holder.

**42. Incremental Release of the Financial Security:** The permit holder must file a written request with the agency for release of portions of this financial security. Financial securities for each phase of mitigation will be released separately unless they are built at the same time and on the same monitoring schedule. Portions of the financial security may be released for each mitigation phase at the discretion of DSL, based on the following schedule:

- a. 25% release upon approval of the post-construction report, site protection instrument recorded, and first growing season monitoring report showing site constructed as approved by DSL.
- b. 25% release upon demonstration that the required acreages of wetland have been confirmed by delineation of wetland hydrology and hydrophytic vegetation, and the site is meeting all applicable performance standards after two growing seasons.
- c. 50% release upon approval of the final monitoring report and demonstrated success of the mitigation project based on the performance standards listed in this permit. All performance standards must be met for the final two consecutive years without irrigation, substantial weed or invasive species treatment, or replanting.

**Monitoring and Reporting Schedule for Each of Three Phases**

Report	Requirements	Schedule	Financial Surety Release Schedule
Post-Construction	Post-construction report  Recorded Protection Instrument	90 days after completion of revegetation	
First Annual Report	Establishment of permanent monitoring locations  Vegetation performance standards  Demonstration that wetland hydrology has been accomplished  Evidence that water rights are secured, or are not required	After one growing season of all proposed plantings	25% upon approval of the first annual monitoring report and post-construction report.  Site protection instrument recorded.
Second Annual Report	Vegetation performance standards	After two growing seasons	

Report	Requirements	Schedule	Financial Surety Release Schedule
Third and Fourth Annual Reports	Vegetation performance standards  Actual acreage achieved by HGM and Cowardin class <sup>1</sup> .	After three and four growing seasons, respectively.  One "light delineation" should be completed during spring of a year when precipitation has been near normal and no irrigation has been in use during the previous two years	Up to 25% of original amount upon achieving wetland acreage confirmed by delineation of wetland hydrology and wetland vegetation, and meeting all applicable performance standards
Fifth Annual Report (or final report if the monitoring period has been extended)	Vegetation performance standards  Functional assessment <sup>1,2</sup>	After five growing seasons	Final 50% release upon meeting all performance standards. The performance standards must be met for the final two consecutive years without corrective or remedial actions (such as irrigation, significant weed/invasive plants treatment or replanting)

<sup>1</sup>These requirements may be fulfilled any time during the monitoring period but must be received by DSL no later than the fifth annual monitoring.

<sup>2</sup>Functional assessments must meet the standards and requirements in OAR 141-085-0685. The same assessment method used for the pre-mitigation site functional assessment should be used for monitoring purposes, unless otherwise approved by DSL.

# ATTACHMENT B

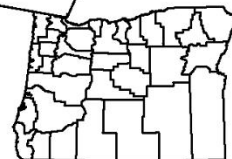
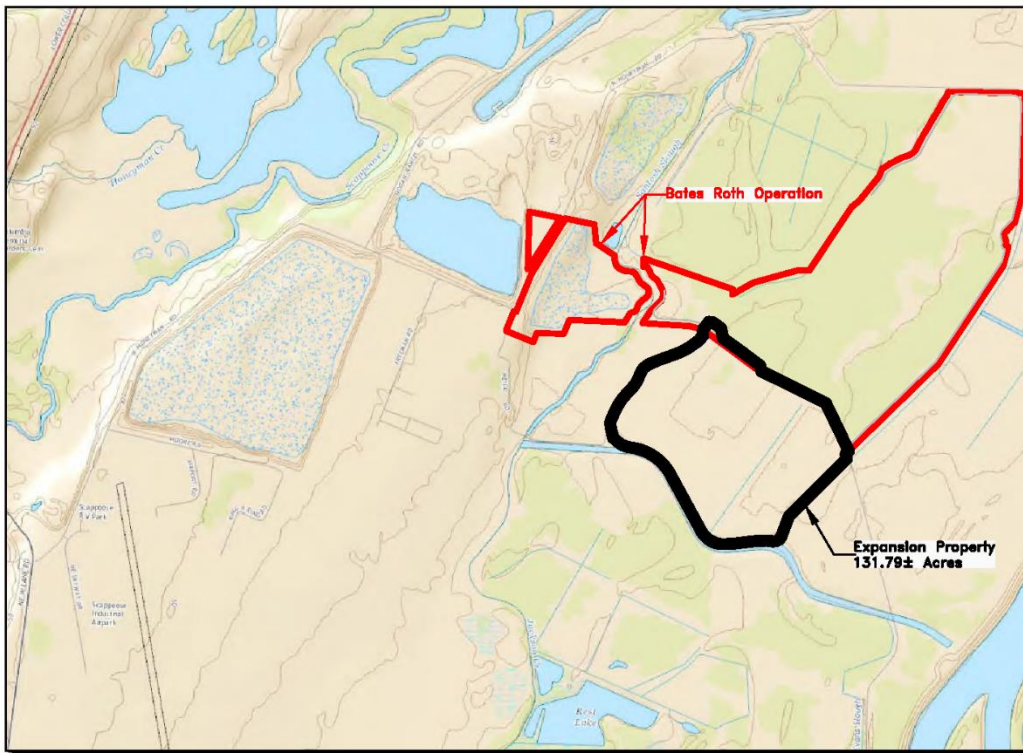
Permit Holder: Northwest Aggregates Company

Project Name: Bates-Roth Expansion (Bible College Property)

Maps and Drawings for Removal/Fill Permit No. 61355-RP

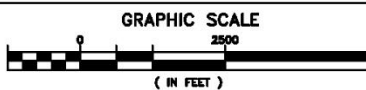
**DIRECTIONS TO EXPANSION AREA:** Exit Interstate 504 onto Oregon Highway 30 west for approximately 17.2 miles. Turn right onto Johnson's Landing Road then turn left onto Dike Road for approximately 2.1 miles then turn right onto East Columbia Avenue. Continued onto East Honeyman Road for 2.0 miles; project area is immediate west of the ninety-degree turn on Honeyman Road. The centroid of the expansion area is approximated at 45.780725° north and -122.831907° west.

As private property and per safety protocol, all site access must be coordinated and escorted by Northwest Aggregates Company personnel



Source: Adapted from U.S. Geological Survey topographic quadrants.

Terra Science, Inc.  
Soil, Water, & Wetland Consultants



JOINT PERMIT APPLICATION PACKAGE  
FOR THE NORTHWEST AGGREGATES COMPANY  
AGGREGATE EXPANSION PROJECT  
(DSL App. 61355-RP & USACE NWP 2013-378-1)  
(Near) City of Scappoose, Columbia County, Oregon

VICINITY MAP

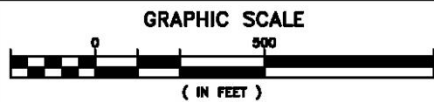
FIGURE 1

November 2018



Source: Adapted from Google Earth aerial photograph.

Terra Science, Inc.  
Soil, Water, & Wetland Consultants

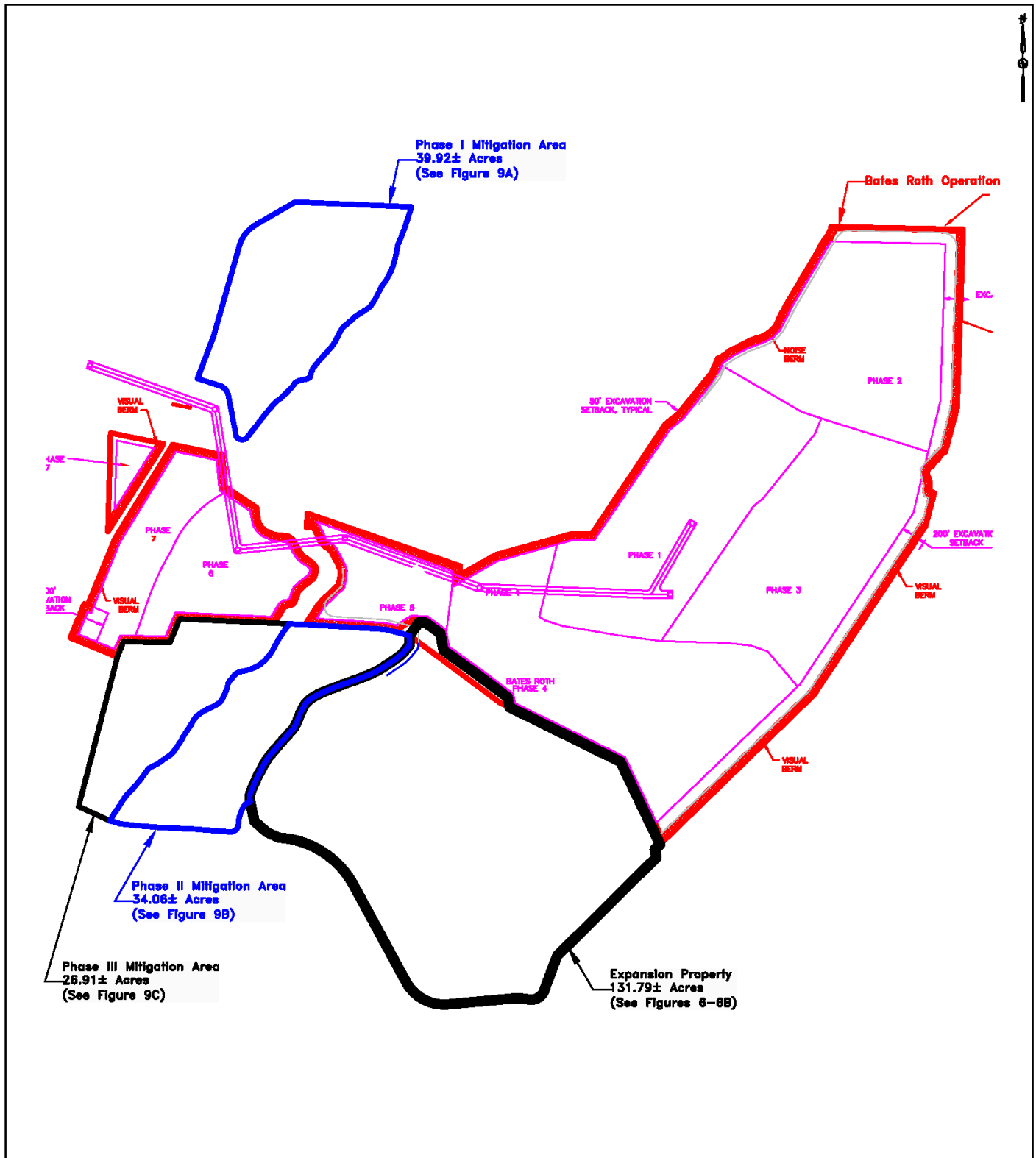


JOINT PERMIT APPLICATION PACKAGE  
FOR THE NORTHWEST AGGREGATES COMPANY  
AGGREGATE EXPANSION PROJECT  
(DSL App. 61355-RP & USACE NWP 2013-378-1)  
(Near) City of Scappoose, Columbia County, Oregon

JULY 2016  
AERIAL PHOTOGRAPH

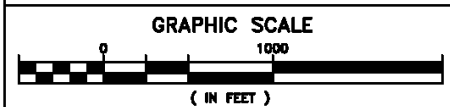
November 2018

FIGURE 4



Source: Adapted from TSI georeferenced civil files.

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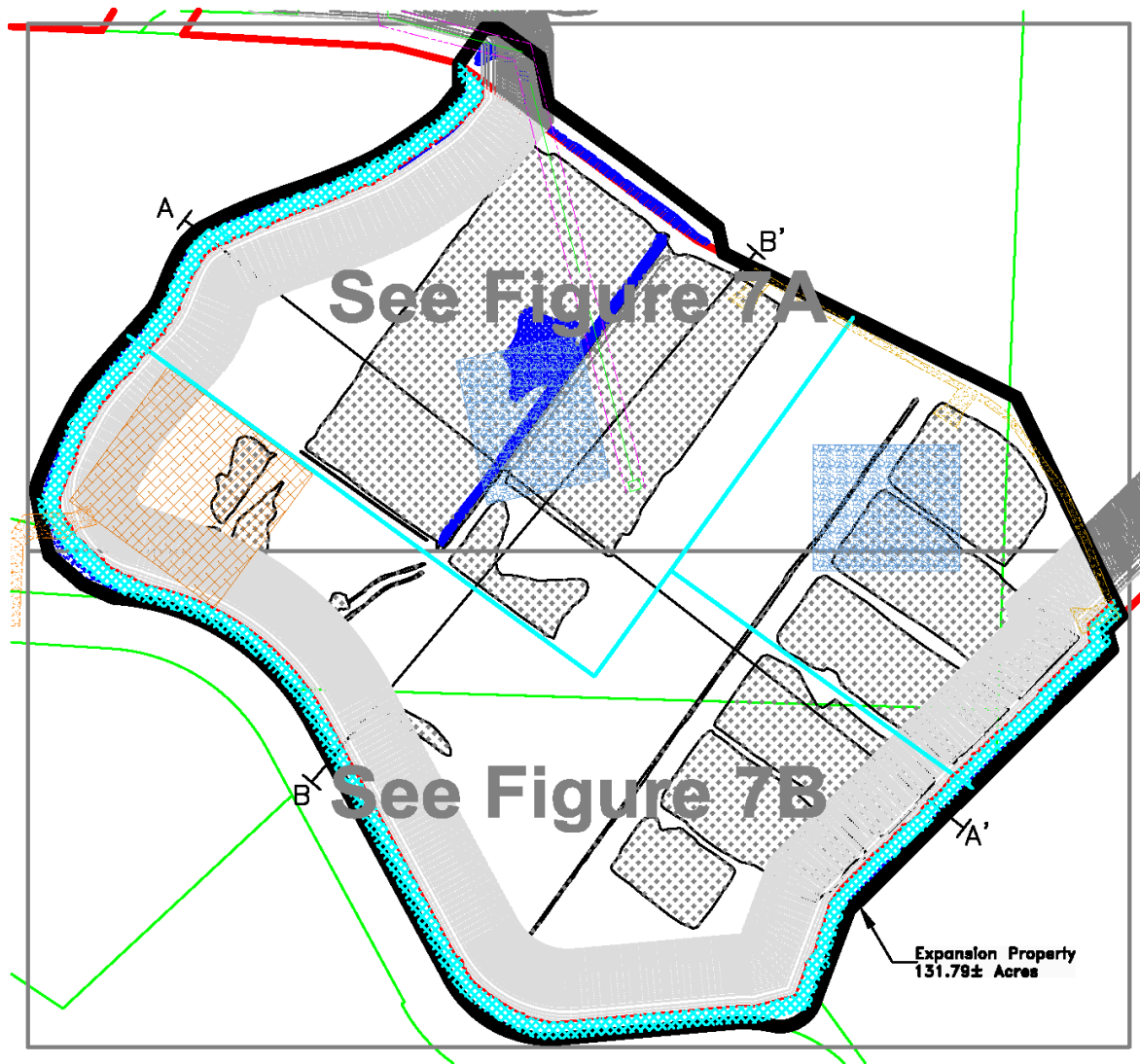


JOINT PERMIT APPLICATION PACKAGE  
 FOR THE NORTHWEST AGGREGATES COMPANY  
 AGGREGATE EXPANSION PROJECT  
 (DSL App. 61355-RP & USACE NWP 2013-378-1)  
 (Near) City of Scappoose, Columbia County, Oregon

November 2018

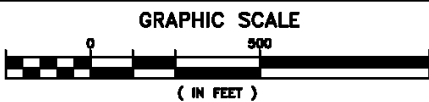
REGIONAL PROJECT  
 INDEX FIGURE

**FIGURE 5**



Source: Adapted from TSI and Golder Associates, Inc. civil files.

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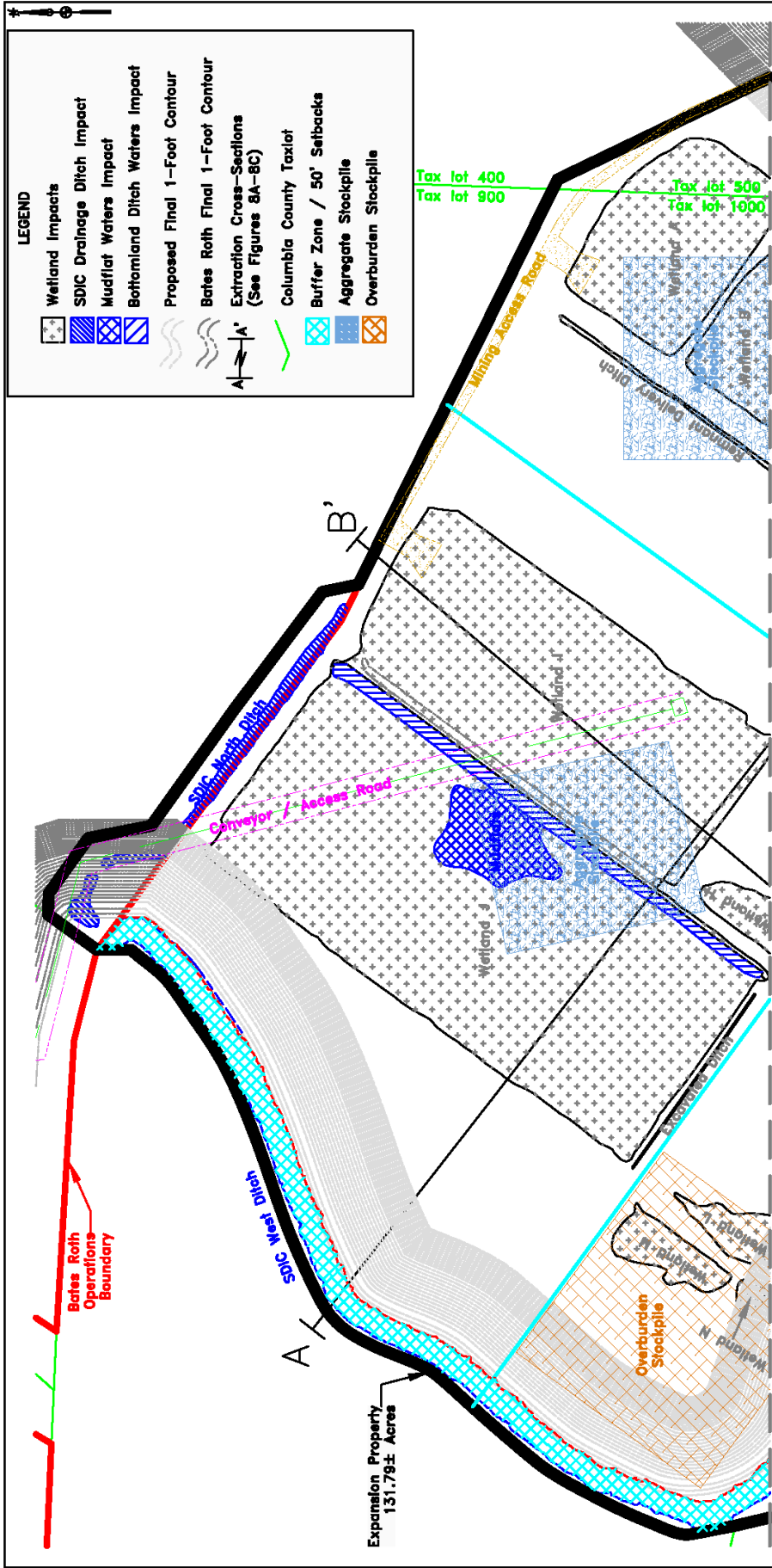


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(Near) City of Scappoose, Columbia County, Oregon

November 2018

PROPOSED  
EXPANSION  
INDEX

**FIGURE 7**



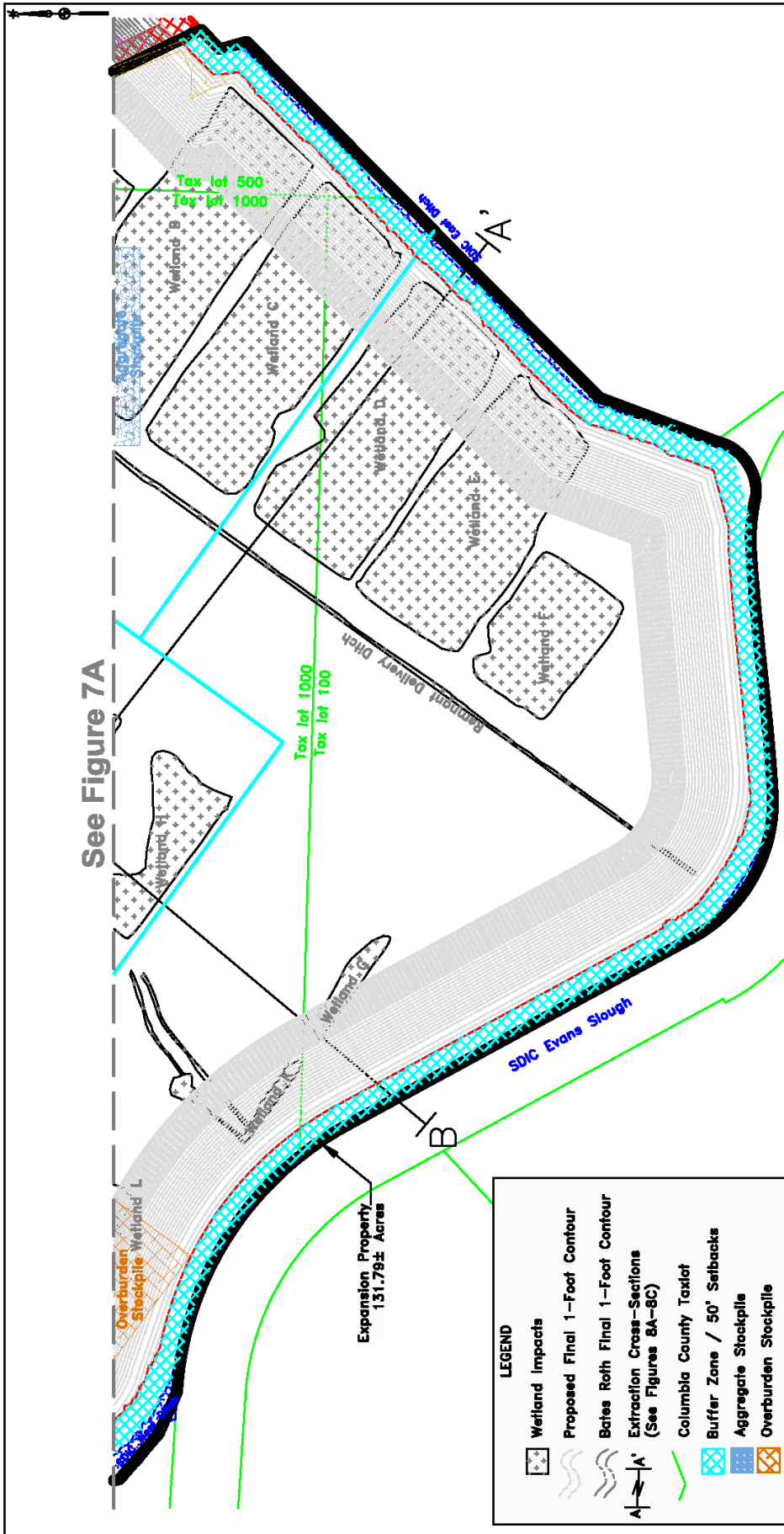
See Figure 7B

**NOTE:** Operations would begin along the northeastern portion of the site adjacent to the existing operation (Phase 4) and expand in a clockwise direction. Operating plans identify mining methods similar to those utilized at the existing operation. First, overburden would occur to expose underlying aggregate. Next, sand and gravel materials would be wet-mined to a final depth of (approximately) 160 feet below ground surface (bgs). Excavation would utilize a dragline and / or electric cutter / suction dredge to remove aggregate from below the water table. The dragline would stockpile aggregate adjacent the active pit; a front end loader would then place materials into a hopper which would discharge to a series of conveyor belts. Once material is placed on the conveyors, existing infrastructure (constructed for the adjacent operation) would transfer aggregate to existing processing facilities. At no time would fuels or contaminants be stored onsite. The proposed mining plan identifies that all water would be shed internally towards the active excavation. As no onsite materials processing would occur and no impervious cover would be constructed, the project would not discharge stormwater or other effluent from the excavation footprint.

Source: Adapted from TSI and Golder Associates, Inc. civil files.

<b>JOINT PERMIT APPLICATION PACKAGE                  FOR THE NORTHWEST AGGREGATES COMPANY                  AGGREGATE EXPANSION PROJECT                  (DSL App. 61355-RP &amp; USACE NWP 2013-378-1)                  (Near) City of Scappoose, Columbia County, Oregon</b>	
<b>Terra Science, Inc.</b> Soil, Water, & Wetland Consultants	<b>PROPOSED OPERATIONS,                  NORTH EXPANSION AREA</b>
GRAPHIC SCALE  ( IN FEET )	November 2018





See Figure 7A

**LEGEND**

- Wetland Impacts
- Proposed Final 1-Foot Contour
- Bates Roth Final 1-Foot Contour
- Extraction Cross-Sections (See Figures BA-BC)
- Columbia County Taxlot
- Buffer Zone / 50' Setbacks
- Aggregate Stockpile
- Overburden Stockpile

**NOTE:** Operations would begin along the northeastern portion of the site adjacent to the existing operation (Phase 4) and expand in a clockwise direction. Operating plans identify mining methods similar to those utilized at the existing operation. First, overburden would occur to expose underlying aggregate. Next, sand and gravel materials would be wet-mined to a final depth of (approximately) 160 feet below ground surface (bgs). Excavation would utilize a dragline and / or electric cutter / suction dredge to remove aggregate from below the water table. The dragline would stockpile aggregate adjacent the active pit; a front end loader would then place materials into a hopper which would discharge to a series of conveyor belts. Once material is placed on the conveyors, existing infrastructure (constructed for the adjacent operation) would transfer aggregate to existing processing facilities. At no time would fuels or contaminants be stored onsite. The proposed mining plan identifies that all water would be shed internally towards the active excavation. As no onsite materials processing would occur and no impervious cover would be constructed, the project would not discharge stormwater or other effluent from the excavation footprint.

Source: Adapted from TSI and Golder Associates, Inc. civil files.

**FIGURE 7B**

PROPOSED OPERATIONS,  
 NORTH EXPANSION AREA

JOINT PERMIT APPLICATION PACKAGE  
 FOR THE NORTHWEST AGGREGATES COMPANY  
 AGGREGATE EXPANSION PROJECT  
 (DSL App. 61355-RP & USACE NWP 2013-378-1)  
 (Near) City of Scappoose, Columbia County, Oregon

**Terra Science, Inc.**  
 Soil, Water, & Wetland Consultants

GRAPHIC SCALE  
 0 320  
 ( IN FEET )

November 2018

## DEPARTMENT OF THE ARMY PERMIT

**Permittee:** Northwest Aggregates Company (NWAC) DBA CalPortland  
34885 North Honeyman Road  
Scappoose, Oregon 97056

**Permit No:** NWP-2013-378-2

**Issuing Office:** U.S. Army Corps of Engineers, Portland District

NOTE: The term "you" and its derivatives as used in this permit means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** The project will expand the existing Bates-Roth gravel mining operation in Scappoose, Oregon. Gravel mining is proposed within 46.46 acres of palustrine emergent wetlands, mudflats, and drainage ditches, with a total expansion area of approximately 132 acres. Approximately 30 million tons of aggregate will be mined over a 30-year period.

NWAC will grade and remove 0 to 11 feet of overburden materials from Wetlands A, B, C, D, E, F, G, H, I, J, K, L, M, N, Excavated Ditch, Central Ditch, Scappoose Drainage Irrigation Company (SDIC) North Ditch, Remnant Delivery Ditch, and Mudflats during Phase 1 to expose underlying aggregate. The overburden will be discharged along the pit perimeter to construct visual berms. The SDIC East Ditch and SDIC West Ditch will be avoided as the overburden pile will have a 50 foot buffer zone between the berm and the ditches. Sand and gravel materials would then be wet-mined to a depth of 160 feet (approximately) below ground surface using a Marlin Class, non-self-propelled transportable electric dredge equipped with hydraulic winches, additional pipes, and hydraulic pumps. The materials up to 12 inches in diameter will be pumped through the pipes and directly to the existing processing plant located west of Honeyman Road. Dragline equipment may be utilized for overburden removal and during downtime (maintenance / repair periods) for the dredge.

Upon exhaustion of aggregate material, stockpiled overburden berms will be contoured, stabilized, and re-vegetated to create a wetland habitat transition to open water. Final slopes will be graded at a slope of 2:1 to 3:1 above the open water. Slopes of 1.5:1 will then extend from the shallow water bench to approximately -75 feet mean sea level and then 1:1 to the bottom of the pit.

Mitigation for the project will discharge fill material into an expired open water gravel pit.

The mitigation plan will fill the pond, remove the berms, and create, enhance, and restore 16.37 acres of scrub shrub wetlands, 3.82 acres of backswamp swales and channels, 22.44 acres of upland buffers, and 46.69 acres of Columbia River floodplain bottomland flats wetlands. Construction of the mitigation site would occur over three phases that would be completed prior to the grading and extraction of gravels from the proposed mine.

**Purpose:** The project purpose is to expand the existing Bates-Roth Pit to provide a long-term and economic source of high-quality aggregate for the Portland Metro and regional markets.

**Project Location:** The project site is located at 53684 East Honeyman Road, Scappoose, Columbia County, Oregon.

**Drawings:** Fifteen (15) drawings are attached and labeled Corps No. NWP-2013-378-2 (Attachment 1)

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on April 16, 2029. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition No. 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions

(Attachment 2).

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

a. Upon starting the activities authorized by this permit, Permittee shall notify the U.S. Army Corps of Engineers, Portland District, Regulatory Branch that the work has started. Notification shall be provided by e-mail to [cenwp.notify@usace.army.mil](mailto:cenwp.notify@usace.army.mil) and the email subject line shall include: NWP-2013-378-2, Columbia County.

b. Permittee shall submit all permittee-responsible mitigation notifications and reports (e.g. as-built report, monitoring reports, site protection documentation) to the U.S. Army Corps of Engineers (Corps), Portland District, Regulatory Branch by e-mail to [cenwp.notify@usace.army.mil](mailto:cenwp.notify@usace.army.mil) and the email subject line shall include: NWP-2013-378-2, County. If you are submitting files larger than 20 MB, contact your county Regulatory Project Manager for instructions.

c. Permittee shall implement and abide by the mitigation plan, Compensatory Mitigation proposal for the Northwest Aggregates Company Bates-Roth Aggregate Pit Expansion Project (near) City of Scappoose, Columbia County, Oregon dated January 2024, attached (Attachment 3). Mitigation shall be constructed before or concurrent with the work authorized by the permit.

d. A status report on the implementation of the authorized work and on the construction of the mitigation shall be submitted annually to the U.S. Army Corps of Engineers (Corps), Portland District, Regulatory Branch by December 31st each year until mitigation construction is complete as determined by the Corps.

e. An as-built mitigation construction report and as-built drawings of the mitigation area(s) shall be submitted upon completion of mitigation construction, in lieu of the status report described in Special Condition "f". This report must be submitted to the U.S. Army Corps of Engineers (Corps), Portland District, Regulatory Branch for review and approval. The year mitigation construction is completed, as determined by the Corps, represents Year 0 for mitigation monitoring.

f. Permittee shall submit a mitigation monitoring plan to specifically describe the location and number of monitoring points/transects and the statistical rationale for the monitoring design, to the U.S. Army Corps of Engineers (Corps), Portland District, Regulatory Branch for the Corps' review and approval. The mitigation monitoring plan shall be submitted after the Corps approves the as-built mitigation report and before conducting the Year 1 monitoring.

g. Mitigation monitoring reports shall be submitted annually for 5 years to the U.S. Army Corps of Engineers (Corps), Portland District, Regulatory Branch by 31 December each monitoring year. Year 1 monitoring will occur at least one year after completion of the mitigation site(s) as determined by the Corps.

h. To ensure the long-term protection of the mitigation site, Permittee shall record on the mitigation site property deed a copy of this Department of the Army permit and a description of the mitigation area identified in the final mitigation plan. These documents shall be recorded with the Registrar of Deeds or other appropriate official charged with maintaining records on real property. Proof of this recorded documentation shall be submitted to the U.S. Army Corps of Engineers, Portland District, Regulatory Branch within 60 days from the date of permit issuance OR prior to project construction.

i. Permittee's responsibility to complete the required compensatory mitigation as set forth in Special Conditions "c" through "i" will not be considered fulfilled until Permittee has demonstrated mitigation success and have received written verification from the U.S. Army Corps of Engineers Portland District, Regulatory Branch.

j. Permittee shall have a Qualified Professional Archeologist meeting the requirements of 36 Code of Federal Regulations Part 61 Appendix A present to monitor for archeological objects during all initial surface soil grading preparation work of each site for extraction or mitigation.

k. If human remains or cultural resources are discovered during the performance of the authorized work the permittee shall implement the Inadvertent Discovery Plan procedures (Attachment 4) and immediately notify the U.S. Army Corps of Engineers, Portland District, Regulatory Branch.

l. Within 90 days of completing each surface soil grading event, the permittee shall submit a brief monitoring report prepared by the professional archeologist(s) that performed the monitoring to the address on the permit letterhead or by email to [cenwp.notify@usace.army.mil](mailto:cenwp.notify@usace.army.mil) that describes the monitoring activities. The monitoring report shall include the following components: the permit number; name(s) and qualification(s) of archeologist(s) that did the monitoring; topographic and aerial map showing area monitored; dates of monitoring; description of activities monitored to include depth; description of cultural material identified or lack thereof; and photos of the monitoring activities.

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- Section 404 of the Clean Water Act (33 U.S.C. 1344).
- Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972

(33 U.S.C. 1413).

2. Limits of this Authorization:

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

*Doug Anderson*  
(PERMITTEE SIGNATURE)

4-10-2024  
(DATE)

Doug Anderson  
(PRINTED NAME)

Senior Vice President  
(TITLE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

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

*Katharine A. Mott*  
(DISTRICT COMMANDER)

15 April 2024  
(DATE)

For: William D. Abadie  
Chief, Regulatory Branch



When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign below.

**PERMIT TRANSFEREE:**

\_\_\_\_\_  
**Transferee Signature**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**Name (Please print)**

\_\_\_\_\_  
**Address**

\_\_\_\_\_  
**City, State, and Zip Code**