

To: Grey Wolf, Oregon Department of State Lands (DSL);  
Andrea Seager, U.S. Army Corps of Engineers (Corps), Portland District

From: Brent Haddaway, Garret Creek Mitigation Bank

Cc: Steve Binns, Elton Kemnitz, Garret Creek Mitigation Bank

Subject: 2022 Informal Monitoring

Date: January 19, 2023

The Garret Creek Mitigation Bank (Bank) has achieved all performance standards outlined in the Mitigation Bank Instrument (MBI). This 2022 Informal Monitoring Summary memorandum is provided to maintain a record of management items that have arisen, and outstanding needs for final credit release and project closeout.

### **Background Information**

The Bank is owned and operated by Garret Creek Mitigation Bank, LLC, in Molalla, Clackamas County, Oregon. The Bank lies at the confluence of Garret and Rock Creeks and was developed to offset unavoidable impacts to wetlands of the U.S. and State due to development in the Molalla – Pudding watershed, Hydrologic Unit Code 17090009.

The Bank is located at 33711 S. Dryland Road, between Molalla and Canby, in Clackamas County, Oregon. The Bank is contained within three tax lots (51E2300500, 51E2300501, and 51E2300502) and located within Section 23, Township 5 South, Range 1 East.

The Garret Creek MBI was signed by the DSL and the Portland District Corps in July 2008, and the site was graded the same summer. The site was planted during winter 2008-2009, and the first year of formal monitoring began during the spring of 2009. The Bank is eligible to earn 15.63 wetland mitigation credit, and 220 stream credits (each credit is equivalent to 1 cubic yard of fill below the Ordinary High Water Mark). Mitigation bank development included wetland restoration, wetland enhancement, riparian enhancement, stream restoration, and upland buffer enhancement. The Garret Creek MBI was produced by Jones & Stokes Associates in 2008.

### **Management Activities in 2022**

The primary management activity in 2022 was addressing erosion concerns raised by DSL near the north field “bubble up”. Kemnitz Farms has changed crops in the adjacent and upslope fields to grow hazelnuts, and the hazelnut production results in unvegetated soil that washed into the bank site after heavy rains. To address this issue, rows between the hazelnuts in this area have been seeded with low-growing grasses to prevent soil erosion. DSL visited the site in July 2022 and stated the solution was satisfactory. Photos from the site visit are provided in Appendix B; additional photo documentation was provided to DSL via email after the site visit.

Garrett Creek has also engaged two potential stewardship organizations: Clackamas County Soil and Water Conservation District (SWCD), and Oregon Wildlife Foundation (OWF).

- Clackamas SWCD was contacted in January 2022 regarding potential stewardship. SWCD responded that they were focused on developing a land management strategy that may include

stewardship, but that they needed additional time to develop a formal strategy before engaging in any discussions with Garrett Creek. Garrett Creek may re-engage the SWCD in 2023.

- Garrett Creek engaged OWF in fall 2022. OWF visited the site and has had follow up email and phone conversations regarding potential pathways for a stewardship agreement with Garrett Creek. OWF has stated that Garrett Creek is not a “clean fit” for their stewardship plans, but is willing to continue to entertain stewardship pending additional information. Conversations between OWF and Garrett Creek are ongoing; Garrett Creek is looking into human history and cultural uses as a potential point of interest for OWF.

### **Site Maintenance**

No weed control was conducted in 2022; trash was picked up along Gibson Road once.

Garret Creek sold 1.62 wetland credit sales occurred during 2022 and an additional 0.18 wetland credit in January 2023.

The credit ledger is provided as Appendix A. Site photographs from the agency tour in July, reviewing the erosion area are provided as Appendix B.

### Appendix A – Credit Ledger

Garret Creek Mitigation Bank Credit Ledger					
	Client	Corps	DSL	Stream	Date
Released Credits			2.34	33	9/22/2011
			5.41	77	1/24/2017
		2.28	4.75	66	10/07/2020 DSL; 11/04/2020 Corps
		0.79	0.79	11	
<b>Total</b>		<b>13.29</b>	<b>13.29</b>	<b>187</b>	
	Granada Land	0.09	0.09		10/12/2009
	City of Woodburn	0.41	0.41		10/8/2010
	Sean Tyler Keys, LLC			50	9/30/2011
	ODOT	0.21	0.21		3/13/2012
	City of Woodburn	0.026	0.026		9/4/2012
	ODOT	0.53	0.53		12/22/2012
	Clackamas County DTD	0.29	0.29		9/3/2013
	OPRD	0.25	0.25		12/12/2015
	ODOT	0.009	0.009		12/3/2015
	Arthur and Mary B Spada Fal	3	3		1/26/2017
	Stafford Development Co	0.28	0.28		3/16/2017
	Pacific Edge Development	0.03	0.03		6/13/2017
	City of Canby	0.01	0.01		7/3/2017
	Molalla RediMix	0.0135	0.0135		3/5/2018
	Custom Properties	0.158	0.158		8/13/2018
	National Cemetery	0.03	0.03		10/3/2018
	Hix Snedeker	0.19	0.19		1/22/2020
	Hix Snedeker	1.38	1.38		2/5/2019
	NorthStarr Comm	0.11	0.11		5/4/2020
	East Park LLC	0.22	0.22		8/20/2020
	West Hills Dev			3	8/31/2020
	Cascade Development		0.08		11/4/2020
	Cadman/Lehigh		1.29		11/23/2020
	Gunter	0.057	0.057		12/3/2020
	Ettro		0.31		6/7/2021
	ODOT		0.18		7/28/2021
	Smith Gardens	1.4	1.4		12/10/2021
	Oster	1.42	1.42		1/12/2022
	LennarRefund/Correct	0.023	0.023		1/25/2022
	ODOT Reg 1	0.182	0.182		8/16/2022
	Tuckwilla Development LLC	0.18	0.18		1/12/2023
	<b>Total Debits</b>	<b>10.4985</b>	<b>12.3585</b>	<b>53</b>	
	<b>Net Credit Available</b>	<b>2.7915</b>	<b>0.9315</b>	<b>134</b>	
REFUNDS	Lennar	0.001	0.001	67	Sold 1/10/2022 - Refunded 1/25/2022



**Photo 1.** Upland Buffer near irrigation pond at boundary corrected in 2020.



**Photo 2.** Upland buffer in South Field where boundary was corrected in 2020.



**Photo 3.** TESC at sediment encroachment location.