Joint Permit Application

This is a joint application, and must be sent to all agencies (Corps, DSL, and DEQ). Alternative forms of permit applications may be acceptable; contact the Corps and DSL for more information.

Date Stamp

U.S. Army Corps of Engineers Portland District	Oregon Department of State Lands	Oregon Department of Environmental Quality
Action ID Number NWP-2020-393	Number 63077 RF	

(1) TYPE OF PERMIT(S) IF KNOWN (check all that apply)

Corps: ☒ Individual ☐ Nationwide No.: _____ ☐ Regional General Permit _____ ☐ Other (specify): _____

DSL: ☒ Individual ☐ GP Trans ☐ GP Min Wet ☐ GP Maint Dredge ☐ GP Ocean Energy ☐ No Permit ☐ Waiver

(2) APPLICANT AND LANDOWNER CONTACT INFORMATION

	Applicant	Property Owner (if different)	Authorized Agent (if applicable) ☑ Consultant ☐ Contractor
Name (Required)	Christopher Efird	See Attachment 1 for list of Property Owners	Laurie Parry
Business Name	NEXT Renewable Fuels Oregon, LLC		Stewardship Solutions, Inc.
Mailing Address 1	11767 Katy Freeway, Suite 705		3370 10th Street, Suite C
Mailing Address 2			
City, State, Zip	Houston, TX 77079		Baker City, OR 97814
Business Phone	(281) 884-3680		(541) 519-4891
Cell Phone	(206) 300-9342		(541) 519-4891
Fax			
Email	chris@nextrenewables.com		laurie@stewardshipsolutionsinc.com

(3) PROJECT INFORMATION

A. Provide the project location.

Project Name	Latitude & Longitude*
NEXT Renewable Fuels Oregon	46.166605, -123.161324 (Facility Site) 46.152259, -123.172541 (Mitigation Site)

Project Address / Location	City (nearest)	County
Located in the Port Westward Industrial Park between Kallunki and Hermo Road	Clatskanie, OR	Columbia County

Township	Range	Section	Quarter / Quarter	Tax Lot
Blue Represents the Construction Site Tax Lots 8N	4W	16	SE/SE, SW/SE	200
8N	4W	21	SW/NE	600,700
8N	4W	22	SW/NE, SE/NE, NE/NE	100,200, 300, 400, 500, , 700,1100
8N	4W	23	SE/NW, NE/SW	700,
Green Represents the Mitigation Site Tax Lots	4W	27	NW/NW, NE/NW, NW/NE, NE/NE, SW/NW, SWNE,	100, 200, 400, 1600

8N			NW/SW, NE/SW, SW/SW	
8N	4W	28	SW/SE, SE/SE, NE/SE, SE/NE	300,1400
8N	4W	33	NW/NE, NE/NE	100
8N	4W	34	NW/NW, NE/NW, SW/NW, NW/SW	300

Brief Directions to the Site:
From Hwy 30 at Clatskanie, head Northeast on N Nehalem Street, slight right onto 5th Street, turn left onto Quincey Mayger Road, turn right onto Kallunki Road.

B. What types of waterbodies or wetlands are present in your project area? (Check all that apply.)

☐ River / Stream ☑ Non-Tidal Wetland ☐ Lake / Reservoir / Pond
☐ Estuary or Tidal Wetland ☑ Other ☐ Pacific Ocean

Waterbody or Wetland Name*	River Mile	6th Field HUC Name	6th Field HUC (12 digits)
Farmed Wetland & associate drainage/irrigation ditches	N/A	Lower Beaver Creek	170800030207

* In decimal format (e.g., 44.9399, -123.0283)
** If there is no official name for the wetland or waterbody, create a unique name (such as "Wetland 1" or "Tributary A").

C. Indicate the project category. (Check all that apply.)

☐ Commercial Development	☑ Industrial Development	☐ Residential Development
☐ Institutional Development	☐ Agricultural	☐ Recreational
☐ Transportation	☐ Restoration	☐ Bridge
☐ Dredging	☐ Utility lines	☐ Survey or Sampling
☐ In- or Over-Water Structure	☐ Maintenance	☐ Other:

(4) PROJECT DESCRIPTION

A. Summarize the overall project including work in areas both in and outside of waters or wetlands.
NEXT Renewable Fuels Oregon, LLC (NEXT) proposes to build a renewable fuels facility (Facility) to supply renewable fuels to West Coast markets. The Facility will be located at Port Westward, near Clatskanie, Columbia County, Oregon. Construction of the Facility will impact jurisdictional wetlands and impact waterways, requiring mitigation. The project will require an Individual 404 Permit from US Army Corps of Engineers, a Removal/Fill permit from the Oregon Department of State Lands, and an Individual 401 Certification from the Oregon Department of Environmental Quality. Table 1 shows a list of Figures, Appendices, and Attachments that are included in this permit application and are intended to aid the reader in the review process.

Table 1: List of Documents

Document Type	Identification	Document Name
Figures	Figure 1	Location and Vicinity Maps
	Figure 2A, 2B	Aerial Photograph
	Figure 3A, 3B, 3C, 3D, 3E,	Tax Lot Maps
	Figure 4A, 4B, 4C, 4D, 4E	Site Photographs
	Figure 5	Zoning Map
	Figure 6	Floodplain Map
	Figure 7A, 7B, 7C, 7D, 7E, 7F	Site Layout, Site Elevations (South, North, East & West) & Aerial Photo Site Rendering
	Figure 8A, 8B, 8C	Staging and Access
	Figure 9	Existing Wetlands
	Figure 10A, 10B	Wetland Impact Areas
	Figure 11	Existing Waterways

	Figure 12	Waterway Impact Areas
	Figure 13	Stormwater Ponds
	Figure 14	Stormwater Management Plan Site Layout
	Figure 15	Wetland Mitigation Area
	Figure 16	Wetland Mitigation Area Plan
	Figure 17	Wetland Mitigation Areas Conceptual Site Cross Section
	Figure 18	All Northwest Alternative Sites
	Figure 19	All Port Westward Alternative Sites
Attachments	Attachment A	Property Owners
	Attachment B	Wetland and Waterway Impact Calculations
	Attachment C	NEXT Renewable Fuels Exhibits and Plan Sheets
	Attachment D	Removal/Fill Table
Appendices	Appendix A	Project Design Basis for NEXT Renewable Fuels Oregon
	Appendix B	Wetland Delineation Concurrence (Construction Site) #WD2020-0663
	Appendix C	Wetland Delineation Concurrence (Mitigation Site) #WD2021-0501
	Appendix D	Compensatory Wetland Mitigation Plan for NEXT Renewable Fuels Oregon
	Appendix E	Post-Construction Stormwater Management Plan NEXT Renewable Fuels Oregon
	Appendix F	NEXT Renewable Fuels Oregon Restoration Plan for Temporary Impacts to Wetlands
	Appendix G	Alternatives Analysis for NEXT Renewable Fuels Oregon
	Appendix H	Phase One Cultural Resources Survey of the NEXT Renewable Fuels Oregon Project Area, Columbia County, Oregon (removed for DSL & DEQ)
	Appendix I	NEXT Renewable Fuels Oregon – Wastewater-Stormwater Design Basis

The Facility site is located at the Port of Columbia County (Port), Oregon, within the Port's existing Port Westward Industrial Park. The Facility will be located on land zoned *Resource Industrial Planned Development (RIPD)*. Construction of the Facility will impact jurisdictional wetlands and waterways and will require mitigation. The proposed mitigation site is located to the south, approximately 0.25 miles south of the Facility, and is zoned *Primary Agriculture*.

The Facility will utilize the UOP Ecofining™ Green Diesel technology and will be capable of producing 50,000 barrels per day (bbl/d) of renewable diesel and other renewable products. The process will produce renewable fuels, mainly renewable diesel, and sustainable aviation fuel, from a range of sustainable feedstocks such as various vegetable oils, used cooking oil, animal tallow, and inedible corn oil. The renewable diesel produced in the Ecofining™ process is a drop-in fuel which can directly replace up to 100 percent of petroleum-based diesels.

The project relies on waterborne transportation. Feedstocks will primarily be received via barge and oceangoing vessels to Port Westward and delivered to the proposed facility by a terminalling provider though a pipeline. Once onsite feedstock will be refined utilizing the Ecofining™ process. The finished refined product will then be transported through a pipeline to the terminalling provider where it will be shipped to West Coast customers via waterborne vessels.

The Facility and ancillary components include:

- new main access road
- new rail spur and rail spur access road
- four new pipelines to terminus with terminalling provider's existing permitted facility
- ten large product and feedstock tanks (125,000 to 225,000 barrels each)
- eleven smaller feedstock and process tanks (10,000 to 50,000 barrels each)
- pre-treatment plant
- hydrogen facility
- Ecofining™ units
- storm and process water system
- office/administration buildings/laboratory
- site landscaping and fencing
- wetland mitigation site

For complete details on the Facility and the operation process see the "Project Design Basis for NEXT Renewable Fuels Oregon, LLC" in Appendix A.

See Figures 1 through 7 for Location and Vicinity Maps, Aerial Photograph, Tax Lot Maps, Site Photographs, Zoning Maps, floodplain map, and Site Layout.

The project will include the following major work components:

- implement erosion and sediment control measures
- construct staging and laydown areas
- stripping and grading
- construct main access road
- construct stormwater ponds and facilities
- construct product pipelines and maintenance road
- construct facility – ten large and eleven small tanks (feedstock, processed and finished pre-treatment plant, hydrogen facility, Ecofining™ units, office/administration buildings
- construct storm and process water system
- construct rail spur and rail access road
- site restoration
- site landscaping and fencing
- construct wetland mitigation site
- demobilization
- removal of erosion and sediment control measures

The site is located within the Beaver Drainage District (BDD). The BDD is entirely contained within a series of levees. Most of the project site is currently agriculture pastureland which has historically been utilized for cattle grazing. There are mint fields to the north and west and a tree farm to the south. Most of the site is covered by herbaceous vegetation and receives water from precipitation and groundwater. Surface and subsurface hydrology has been altered by agricultural practices, including ditching and drainage, as well as the construction of the levees, roads, railroads, and industrial facilities. Despite agriculture disruptions wetlands and waterways still persist within the project area. A Wetland Delineation (DSL# WD2020-0663) was performed by Anderson Perry & Associates, Inc., in 2019, 2020, and 2021 (See Appendix B, "Wetland Delineation Concurrence NEXT Renewable Fuels Oregon WD32020-0663"). There are multiple drainage ditches and two low-quality wetlands encompassing approximately 109.9 ac. of the 122.5-ac. impact site (See *Figure 9 Existing Wetlands* and *Figure 11, Existing Waterways*).

Wetland Impacts. The proposed project will include fill and removal in wetlands and waterways, creating a loss of function and values of Waters of the United States. The Applicant proposes to mitigate this loss by enhancing wetlands and waterways at a location south of the construction site and within the same drainage district and HUC code. The proposed mitigation site is show on *Figure 15, Wetland Mitigation Area*. Details

of the proposed Compensatory Wetland Mitigation (CWM) Plan are in Appendix D, "*Compensatory Wetland Mitigation Plan for NEXT Renewable Fuels Oregon*."

Stormwater/Wastewater. Stormwater: Construction of the Facility and ancillary components will result in the creation of approximately 72.6 ac. of new impervious surfaces. Stormwater runoff from the Main Plant including the building roofs, roadways, parking, and staging areas within the plant will be collected through catch basins and routed to the on-site wastewater treatment facility for treatment and discharged to the Port's outfall to the Columbia River. Runoff from equipment pads will be collected separately and piped to an on-site wastewater treatment plant to remove any pollutants. Once treated, the stormwater and wastewater will be comingled and pumped through a final multimedia filtration prior to entering the existing Port Westward wastewater treatment facility (WWT) for eventual discharge at the Port's permitted outfall to the Columbia River. The treated wastewater discharges will be covered under the Port's National Pollutant Discharge Elimination System Wastewater Discharge Permit (NPDES Permit, DEQ File No.111746). Runoff from remaining impervious surfaces within the Main Plant footprint and runoff from the Main Plant Rail Spur Area will be routed to an on-site treatment system.

Runoff from the main access road, rail access road, and rail spur will be collected into a series of catch basins and conveyed via gravity piping into stormwater ponds. Run off from the pipeline and pipeline maintenance road will sheet flow into a stormwater pond. The ponds provide detention to meet the County's flow-control requirements, as well as treatment via sedimentation and biofiltration. Pond outlets have been equipped with a downturned elbow to trap floatables, including oil sheen, in the ponds. The pond outlets are routed to manholes that will discharge to one of the existing waterways or McLean Slough. The manholes may be used to sample stormwater consistent with a future National Pollutant Discharge Elimination System (NPDES) Industrial Stormwater Discharge Permit No. 1200-Z (1200-Z Permit) that will be issued to cover the industrial stormwater discharges from the site. The Post-Construction Stormwater Management Plan is in Appendix E, "*Post-Construction Stormwater Management Plan NEXT Renewable Fuels Oregon*". Temporary Erosion Controls measures are shown on *Exhibit C3.0 – Pipeline/Maintenance Rd ESCP 1, Exhibit C3.1 – Pipeline/Maintenance ESCP II, Exhibit C3.2 – West Rail Spur ESCP I, Exhibit C3.3 – Main Plant ESCP and Exhibit C3.4 – East Rail Spur ESCP.* The applicant will obtain a 1200-C Construction Stormwater Permit from DEQ prior to construction.

Wastewater: Wastewater within the facility will be managed via the Port of Columbia County's wastewater system (NPDES Permit #1111746). The Facility's wastewater system is designed to process wastewater which is produced from processing 51,0000 BPD of vegetable oil and animal fats to produce Renewable Diesel. Wastewater will be collected and treated based on various stream contaminants. Once treated, the wastewater and stormwater will be comingled and processed through the Tertiary Filters before being sent through a heat exchanger for cooling. The comingled water will then be pumped through a final multimedia filtration prior to entering the existing Port Westward wastewater collection system for eventual discharge at the Port's permitted outfall to the Columbia River. The effluent qualities will be required to comply with the Ports NPDES permit for wastewater discharge. To ensure compliance with the NPDES permit, the NEXT WWT effluent design specifications are more stringent than required by those outlined in the Port's existing NPDES permit. For further detail see Appendix I, Next Renewable Fuels, Wastewater-Stormwater Design Basis.

B. Describe work within waters and wetlands.

Overview

The NEXT Renewable Fuels Oregon project site is approximately 122.5 ac. Of the 122.5 ac., approximately 109.9 ac. are low-quality jurisdictional wetlands and 1.82 acres of drainage/irrigation ditches. The following calculations are conservatively based on conceptional designs and will be confirmed as the detailed project engineering is completed.

Construction of the project will permanently impact 104.3 acres of wetlands (Wetlands 1,and 2) by permanently removing approximately 163,172 cubic yards (Cy) of material and placing approximately 661,167 Cy of material within the wetland boundaries. Approximately 32.03 ac. of wetlands will be temporarily impacted by the removal of approximately 48,000 Cy of temporary excavation and placement of approximately 182,415 Cy of temporary fill (See *Figure 9, Existing Wetlands, Figure 10A and 10B, Wetland Impact Areas, Figure 11, Existing Waterways* and *Figure 12, Waterway Impact Areas*).

Additionally, the project will permanently impact 0.87 ac. of drainage/irrigation ditches from the permanent removal of approximately 1,443 Cy of material and the placement of approximately 3,645 Cy of permanent fill below the ordinary high water (OHW) of the ditches from construction activities. Table 2: Total Wetland and Waterway Impacts outlines the proposed impacts to jurisdictional wetlands and waterways in the project area. More complete details of wetland and waterway impacts are summarized in *Attachment B – Wetland and Water Impact Calculations*.

Table 2: Total Wetland/ Waterway Impacts

Wetland	Acres		Fill/Removal (Cubic Yards)		Fill/Removal (Cubic Yards)	
	Permanent Impact	Temporary Impact	Permanent		Temporary	
			Fill	Removal	Fill	Removal
#1	104.30	4.51	657,317	159,372	7,325	4,440
#2	0.003	.04	3,850	3,800	90	60
Mitigation Site Wetland 1	0.00	27.00	0.00	0.00	175,000	43,500
Total	104.30	31.51	661,167	163,172	182,415	48,000

Waterways	Square Feet		Fill/Removal (Cubic Yards)		Fill/Removal (Cubic Yards)	
	Permanent Impact	Temporary Impact	Permanent		Temporary	
			Fill	Removal	Fill	Removal
A	308	0	29	12	0	0
B	769	0	72	29	0	0
C	166	0	16	7	0	0
D	2500	0	325	100	0	0
E	34,292	0	3,177	1,280	0	0
F	271	0	26	15	0	0
Total	38,305	0	3,645	1,443	0	0

Impacts will occur within Wetlands 1, 2, and Mitigation Site Wetland 1 and Waterways A through F. All wetland and waterway impact from construction of the Facility are shown on Figures 10A, 10B, and 12. Wetland and Waterway impacts are the result of the following work elements:

- **Protection of Sensitive Areas**. Prior to any construction activities wetlands, ditches, sensitive habitats and their buffers, and cultural resource sites located in or near the project site will be identified and marked. These markers will be maintained appropriately for the duration of

construction. No permanent impacts to wetlands or waterways will result from protection measures.

- **Erosion Control**. Appropriate temporary erosion and sediment control (TESC) measures will be installed in all work areas prior to the initiation of ground-disturbing construction activities. Silt fencing will be placed at appropriate locations throughout the life of the project and after, or until the ground has stabilized. Wetlands 1 through 3 and Mitigation Site Wetland 1 continue off the project site; providing TESC measures will protect these wetlands and waterways downslope. TESC measure will also be installed around Wetlands 5 and 6 for protection from construction activities. Additional TESC measures include inlet protection, slope protection and matting, wheel washes, and rocked construction entrances to prevent tracking off-site. Stockpiled materials will be covered and protected. Work will be governed by a State of Oregon DEQ 1200-C Construction Stormwater General Permit. As construction continues, the erosion control measures will be updated and maintained per approved permit documents to limit pollutant discharge. Temporary sediment and erosion control measures will create approximately 20 Cy of temporary fill in Wetland 1, approximately 5 Cy of temporary fill in Wetland 2, and approximately 5 Cy of temporary fill in Wetland Mitigation Site Wetland 1. (*Exhibits C3.0 through C3.4, Erosion and Sediment Control Plan (ESCP), and Exhibit C3.5 through C3.7 for Erosion Control Details*.

- **Access and Staging**. Prior to construction of the access and staging areas, the appropriate sediment controls will be installed.

  Access: Access to the construction site, prior to construction of the main access road, will be via the gravel secondary access road west of Kallunki Road. The existing gravel road will be rocked and graded to accommodate truck traffic and heavy equipment. Improvements to the road will have no impacts to wetlands or waterways. Once the main access road is constructed, access for construction activities will be from the main access road via Hermo Road. In all phases, off-site access will be controlled to specified locations that are subject to erosion control measures.

  Staging: Staging will occur in multiple locations:

  Staging Area 1- Power line corridor: The powerline corridor setback will be utilized as a staging area during construction and will be restored to previous conditions, in accordance with the *"NEXT Renewable Fuels Oregon Restoration Plan for Temporary Impacts to Wetlands"*, once construction is completed. The area adjacent to the power line is 1,300 ft. long by 100 ft. wide and is within the boundary of Wetland 1 (*See Figure 8A, Staging and Access*). Prior to construction this area will be stripped and graded with the topsoil segregated for restoration. Cut and fill volumes are included below.

  Staging Area 3 - Bradbury Slough Dock, Haul Road, and Equipment Staging Area: Some construction and facility equipment will be transported to the site via barge and unloaded at the existing concrete dock located near the mouth of Bradbury Slough. Equipment will be unloaded onto heavy haul trucks at the dock. The trucks will travel south along Kallunki Road to the site or to the south laydown area in Staging Area 3, located between Kallunki Road and the railroad tracks (*See Figure 8A, Staging and Access*). Fill may be placed along the road where necessary; no fill is anticipated in Wetland 6 which is adjacent to Kallunki Road. There are no wetlands in the staging area.

  A geotechnical study of the road will be performed prior to construction to determine the weight capacity of the road. Trucks will not exceed the maximum weight capacity or the limits allowable for the road under Oregon Department of Transportation Truck Weight Limits.

  Staging Area 4 – Rock Stockpile Area: Rock will be temporally stockpiled south of the construction site in Staging Area 4 (See Figure 8B – Staging and Access). This staging area is adjacent to the proposed mitigation site and within the boundary of Mitigation Site - Wetland 1. Approximately 27 acres will be utilized for temporary stockpiling and the concrete batch plant. All impacts are temporary and will be restored to previous conditions, as outlined in the *"NEXT Renewable Fuels Oregon Restoration Plan for Temporary Impacts to Wetlands",* once construction is completed.

- **Stripping and Grading.** Approximately 12 inches of brush, overburden, and soil will be removed from the main access road, pipeline route, rail spur, and facility site, where needed, lowering the site approximately 1.0 ft. below existing grade. Stripping and grading will be phased to the maximum extent practicable to prevent exposed inactive areas from becoming a source of erosion. Non-useable materials will be removed from the site and disposed of at an upland location (location to be determined). Materials will be tested randomly for contamination prior to removal from the site. Tested materials will be disposed of at an upland site. Reuse of materials on-site will be facilitated to the maximum extent practical. Materials will be temporarily stockpiled for use in landscape areas and berms. Stripping will result in the permanent removal of approximately 155,372 Cy of material from Wetland 1 and 1,105 Cy of material from Waterway E, and temporary removal of 4,440 Cy of material from the following components:

Table 3: Wetland/Waterway Removal Quantities from Site Stripping

Wetland/ Waterway	Construction Area	Removal	
		Permanent	Temporary
Wetland 1	Facility Footprint (including rail)	136,192 Cy	1,640 Cy
	Access Road	4,345 Cy	0
	Ponds 1,2,3,4	2,280 Cy	0
	Rail Spur East & West	7,400 Cy	0
	Pipeline Access Road & Rail Access Roads	3,285 Cy	905 Cy
	Pipe Rack	0	1,895 Cy
	Tree Buffer	1,870 Cy	0
Waterway E	Facility Footprint	1,105 Cy	0

The next step will be to fill, rough grade, and establish the final grade of the main access road, the pipeline route, the rail spur, rail access road, and the facility site. The overall final grade will be approximately 3 ft. above the existing grade. Fill material will consist of clean soil and aggregate (specified for use by the geotechnical engineer) that will be imported from a local source determined by the contractor. Prior to final grading, and in coordination with in-place erosion control measures, the below-ground utilities and stormwater system will be installed. Fill and final grading will result in permanent fill from the placement of approximately 397,880 Cy of material in Wetland 1 and 4,505 Cy of material in Waterway E and temporary fill of 7,325 Cy of material in Wetland 1 from the following construction components:

Table 4: Wetland/Waterway Fill Quantities from Grading

Wetland/ Waterway	Construction Area	Fill	
		Permanent	Temporary
Wetland 1	Facility Footprint (including rail)	314,505 Cy	1,715 Cy
	Access Road	17,380Cy	0 Cy
	Ponds 1,2, & 4	5,295 Cy	0
	Rail Spur East & West	40,090 Cy	0
	Pipeline Maintenance Road & Rail Access Road	13,130 Cy	1,355 Cy
	Pipe Rack	0	4,255 Cy
	Rail Spur & Rail Spur Access Road	11,530 Cy	0
Waterway E	Facility Footprint	2,753 Cy	0

- **Main Access Road Construction**. Once on-site grading is completed, the main access road will be built prior to the construction of the facility to allow access to the construction site. The main access road will begin at Hermo Road and will tie into the facility on the west side near the proposed

administration building. The access road will be approximately 3,815 ft. long by 30 ft. wide, covering 2.69 ac. Aggregate will be imported to construct the road base. Construction of the access road will result in approximately 2.69 ac. of permanent impacts to Wetland 1. Approximately 17,380 Cy of permanent fill will be placed in Wetland 1 to construct the final road base. Cross sections of the road construction are shown on Exhibits C2.0, C2.1 and C2.2.

The main access road will cross Waterway D, which will require the installation of a 36-inch culvert at the crossing to allow for the continued conveyance of irrigation and drainage water. The culvert was sized based on current flow. Installation of the culvert will require permanent removal of 20 Cy of material for the placement of the culvert. Approximately 63 Cy of permanent fill from the placement of the culvert and back fill material will occur in Waterway D. A typical cross section of the waterway is shown on *Plan Sheet 5, Culvert Installation Cross Section*.

The main access road and facility roads will be paved with asphalt after the construction of the facility and ancillary components are completed. Paving will occur after construction to allow the road to settle and to prevent damage to the asphalt. The secondary access road will remain in place to be used as emergency access.

- **Facility Construction.**

  Foundations: Additional impacts to Wetland 1 will result from the construction of the facility components, including the foundations for the tanks, pre-treatment plant, hydrogen facility, Ecofining™ units, pipe racks, and office/administration building. Large and small foundations will be constructed, resulting in the permanent removal of approximately 3,075 Cy of material, permanent fill of approximately 139,267 Cy of material, and displacement of 118,855 Cy of material in Wetland 1. Material will be removed to an approved upland site. Fill materials will include concrete, steel piles, aggregate, and topsoil. Typical cross sections showing existing and proposed elevations of Wetland 1 from the construction of the foundations are shown on Plan *Sheet 2, Wetland Fill Cross Section East and West, North and South*.

  Foundations will be constructed to support each component of the facility. The size of the foundations will vary by type of equipment. Only foundations that go below stripping grade were included as additional cut and fill volumes. A typical foundation, (45 foundations) at 300 sf. volume placed approximately 4.5 ft. below the stripping grade, was used to approximate the cut and fill volume for large equipment foundations that go below stripping grade. Approximately 25 tanks foundations will be constructed consisting of concrete caps set on concrete piles. The concrete piles will be constructed using the ground improvement method described below. Concrete piles are being purposed due to the soil type.

  Piles: Approximately 15,200, 16-inch steels piles that are 90 ft. long (each) will be installed, resulting in the permanent fill of 4,522 Cy. Steel piles will be driven utilizing a vibratory hammer to minimize noise impacts. Work will be performed between the hours of 7:00 AM and 6:00 PM. A typical cross section of the pile foundations is shown on *Plan Sheet 3, Pile Foundation Schematics.*

  Ground Improvement: Wet soil mixing known as the Deep Mixing Method will be utilized to construct the concrete piles. The process employs a drill that advances a mixing tool as binder slurry is pumped through the connecting drill steel, mixing the soil to the target depth. Additional mixing of the soil is completed as the tool is withdrawn to the surface. This process constructs individual soilcrete columns, rows of overlapping columns or 100% mass stabilization, to provide designed strength and stiffness. Ground improvement will displace approximately 114,333 Cy of material in Wetland 1. A typical cross section of the pile foundations is shown on *Plan Sheet 3, Pile Foundation Schematics.*

  Tanks and Refining Equipment: Once the foundations are completed construction of the tanks and refining equipment will commence. Construction of the majority of the facility components will occur offsite and be shipped to the site as modules that will be assembled on site. Once the tanks are set, secondary containment will be constructed in areas shown on *Plan Sheet 1, Site Layout*. Secondary containment designed to industry specifications will consist of 6-foot dirt berms with 12-inch impervious liners.

Buildings, Offices, and Warehouses. Buildings, offices, and warehouses will be built onsite utilizing typical construction methods.

Road and Gravel Area. All roads will be paved with asphalt, there will be concrete around the building, all other areas will be treated with gravel.

- **Rail Spur and Rail Access Road Construction.** Construction of the rail components will be completed concurrently with the facility construction. The rail spur and tracks will run east and west from the existing Portland & Western's rail line through the new facility along the new access road to Hermo Road. In the exhibits and for the impact calculations the rail has been identified as the west rail spur, east rail spur, and main plant rail spur. The overall rail spur will be approximately 8,900 ft. long. The corridor for the rail and rail access road through the west portion of the project will be 60 feet wide (50 feet of rail and 10 feet of rail access road). The rail corridor through the east portion of the project will be 24 feet wide with no access road. Through the facility the rail will be 84 feet wide, and the rail access road will be 10 feet wide. See details on *Exhibit C2.0 West Rail Spur Plan Section I, Exhibit C2.1 West Rail Spur Plan and Section II, Exhibit C2.2 West Rail Spur Plan and Section III, Exhibit C2.5 Main Plant Rail Spur and Section I, Exhibit C2.6 Main Plant Rail Spur Plan and Section II, and Exhibit C2.7 East Rail Spur Plan and Section.*

  Construction of the east rail spur, west rail spur, and rail spur access road will permanently impact 6.62 ac. of Wetland 1. Impacts to Wetland 1 from the main plant rail spur are included in the main plant impact calculations. Approximately 0.044 acres of Waterway D and Waterway F will be permanently impacted from placement of culverts under the rail spur and rail access for the continued conveyance of irrigation and drainage water. *See details on Figure 12, Waterway Impact Area* and *Exhibit C2.2 West Rail Spur Plan and Section III and Exhibit C2.7 East Rail Spur Plan and Section.*

- **Pipeline Alignment and Pipeline Access Road.** Construction of the pipeline alignment and pipeline access road will be performed concurrently with the facility construction. The above-ground pipeline will be approximately 6,445 ft. long with various widths between 10 ft. and 35 ft. (See *Plan Sheet 6, Pipeline Alignment Plan*). A portion of the pipeline will be built inside the facility as described in the narrative above. Outside of the facility the pipeline will run parallel with the new access road for approximately 1,315 ft. The pipeline will then turn and travel northwest for 2,520 ft., crossing over an irrigation ditch and under Hermo Road for 110 ft. before turning east. The pipeline will then run east and west along Hermo Road for 325 ft. before it turns north again, traveling approximately 2,175 ft. to the existing pipeline confluence with the terminalling partner.

  The pipeline will be aboveground and sit on pipe rack stanchion spaced appropriately along the pipeline route. The pipe rack stanchions' foundations will be concrete piers set on pilings. The footprint of each pipe rack stanchion will be approximately 300 sf., and the pilings will be placed 20 ft. deep. There will be approximately 215 pipe rack stanchions, requiring 430 pilings.

  A pipeline access road will be constructed along the portion of the pipeline that travels north and south from the new main access road to Hermo Road, as shown on Plan Sheets 6. The access road will be approximately 2,390 ft. long and 10 ft. wide and include culverted crossings of the existing ditches. Grading of the access road and fill and removal volumes are discussed under "Stripping and Grading" (*See Exhibit C2.3 Pipeline Maintenance Road Plan and Section for Pipeline Maintenance Road Typical Cross Section*).

  Installation of the pipeline will require two road crossing. Road crossings will be constructed by running the pipeline through culverts that are set on grade with a berm over the culvert to allow for continued traffic flow. See *Plan Sheet 4, Hermo Road Piperack Crossing* for existing and proposed elevation and construction details.

  Construction of the pipeline rack stanchions, and pipeline access road will impact Wetlands 1 and 2 and Waterways A, B, and C. Impacts to wetlands will be from the construction of the pipe rack stanchions, installation of culverts, and the access road. Impacts to wetlands and waterways from the construction of the pipeline and access road are as follows:

Table 5: Pipeline & Access Road Wetland/Waterway Removal/Fill Quantities

Wetland	Acres	Pipe Rack Stanchion		Access Road	
		Removal	Fill	Removal	Fill
Wetland 1	0.72	925 Cy	1,315 Cy	940 Cy	1,405 Cy
Wetland 2	0.04	3,800 Cy	3,850 Cy	0	0
Totals	0.76	4,725 Cy	5,165 Cy	940 Cy	1,405 Cy

Waterways	Acres	Permanent	
		Removal	Fill
Waterway A	0.007	12 Cy	29 Cy
Waterway B	0.017	29 Cy	72 Cy
Waterway C	0.004	7 Cy	16 Cy
Waterway D	0.009	15 Cy	59 Cy
Totals	0.037	63 Cy	176 Cy

- **Stormwater Treatment**. Runoff water quality treatment and flow (stormwater quantity) control will be provided via detention and settling/biofiltration ponds. The ponds will be vegetated to provide sedimentation and biofiltration. Pond outlets will be equipped with downturned elbows to trap oil sheen and other floatables in the ponds. Absorbent socks or booms will be used to remove sheen, if any, from the water surface in the pond. Construction of the ponds and components of the stormwater system will be completed concurrently with the facility construction (*See Figure13, Stormwater Ponds and Figure 14, Stormwater Management Plan Site Layout*). A total of 4 ponds will be constructed. Ponds 1 and 2 will run parallel along the west rail spur between the access road and the west rail spur. Ponds 1 will be 23 feet wide extending east from Hermo Road for approximately 2,684 feet and will collect runoff from the paved access road, gravel laydown area, and rail areas west of the Main Plant into a series of catch basins that gravity flow to Pond 1. Runoff from the Main Plant Rail Spur will sheet flow to a series of catch basins and will be conveyed via gravity flow to Pond 2 that extends from the Main Plant westward for approximately 1,064 feet. Stormwater from Ponds 1 and 2 will discharge to MH-DP002, located within the earth berm between Ponds 1 and 2 before discharging to McLean Slough.

  Runoff from the rail area southeast of the Main Plant (East Rail Spur) will sheet flow to a catch basin and will then be conveyed via gravity flow to Pond 4 located on the south side of the east rail spur adjacent to the existing Waterway F. Runoff from the pipe rack and pipeline maintenance roadway will sheet flow into Pond 3 that will run parallel to the maintenance road and will then be conveyed via gravity flow to MH-DP002, located upstream of Discharge Point 002 before discharging to Waterway D and McLean Slough. Construction of the ponds will permanently impact approximately 2.45 acres of Wetland 1 by permanently removing 2,280 Cy of material in the grading process and placing 5,295 Cy of material to create the ponds. For additional details see Exhibits C2.0 through C2.9.

- **Landscaping.** In general, areas on-site not subject to equipment or facility use will be planted with a native upland seed mix, while certain areas along the perimeter of the site and subject to view from right-of-way will receive native groundcover, shrubs, and trees. Within the site, the landscape areas within vehicular parking areas and adjacent to enclosed buildings will also receive a mix of trees, shrubs, and groundcover to meet the code requirements of the local jurisdiction. All plantings will occur in new fill and above the existing elevation of wetlands.

- **Restoration, Revegetation, and Hydroseeding.** Any disturbed areas otherwise not subject to the civil and landscape construction documents will be graded to facilitate effective drainage and replanted with a native vegetation mix. Temporary impacts to wetland areas will be restored in accordance with the "*NEXT Renewable Fuels Oregon Restoration Plan for Temporary Impacts to Wetlands" (Appendix F).*

Demobilization. Once all elements of construction are completed, the contractor will remove all construction equipment and waste materials. Temporary sediment and erosion controls will be removed once the site has been stabilized. Removal of the temporary sediment and erosion control measures will result in the removal of the 30 Cy of temporary fill.

C. Construction Methods. Describe how the removal and/or fill activities will be accomplished to minimize impacts to waters and wetlands.

Construction Equipment: Construction equipment for site development activities is specific to the contractor performing the work but will most likely include bulldozers, scrapers, excavators/backhoes, dump trucks, graders, cranes, compactors, trencher, pavers, vibratory hammer, and small hand equipment.

General construction activities are as follows:

- Implement perimeter erosion and sediment control measures protect waterways and wetland that extend of the site, and to minimize impacts to water quality.
- Construct staging and laydown areas using BMPs .
- Complete stripping and grading.
- Install underground storm and process water systems.
- Install underground utilities.
- Construct main access road.
- Construct Facility:
    - Install erosion control measures. Maintain, expand, and remove as required.
    - Install temporary construction facilities.
    - Roughly grade and install underground utilities and storm drainage facilities.
    - Apply topsoil to areas that do not receive other surfacing, install erosion control mats at designated areas, and seed. This will be completed in each area as practicable and will not be done at one time.
    - Install piles and large and small equipment foundations.
    - Install unit concrete topping slabs and backfill.
    - Install tanks and tank containment berms.
    - Install storm and process water systems.
    - Install pipeline stanchions and pipeline.
    - Install pre-treatment plant.
    - Install hydrogen facility.
    - Install Ecofining^{TM} units.
    - Construct office/administration buildings/laboratory.
- Construct above-ground pipeline and pipeline access road.
- Construct rail spur and rail spur access road.
- Complete site restoration.
- Landscape site and install fencing.
- Construct wetland mitigation site.
- Demobilize.
- Remove erosion and sediment control measures.

Construction Methods:

Typical construction methods will be utilized for the stripping, grading, road construction, installation of the underground utilities, stormwater, and processed water systems. The steels piles for the foundations will be driven with a vibratory hammer to minimize noise impacts to wildlife and surrounding areas. Construction of the concrete piles will utilize a ground improvement method known as Deep Mixing Method. A drill advances a mixing tool as binder slurry is pumped through the connecting drill steel, mixing the soil to the target depth. Additional mixing of the soil is completed as the tool is withdrawn to the surface. This process constructs individual soilcrete columns, rows of overlapping columns or 100% mass stabilization, all with a designed strength and stiffness.

Minimization Measure During Construction:

The following general BMPs will be implemented during construction to minimize impact to waters and wetlands:

- Construction limits will be clearly defined with stakes prior to the beginning of ground-disturbing activities. The project engineer or construction representative will meet with the contractor to ensure

all parties understand the locations of project construction limits and measures that will be taken to protect them. No disturbance will occur beyond these limits. Erosion and sediment control measure as outline in the 1200-C Permit will be implemented to minimize and control pollution and erosion from stormwater.

- Construction will occur between the hours of 7:00 AM and 6:00 PM.
- All construction equipment will be maintained and in good working order to minimize the risk of fuel and fluid leaks or spills.
- A spill containment plan will be developed, and all necessary materials will be on-site prior to, and during, construction.
- If a leak or spill should occur, work will cease near any waterbody or wetland until the source of the leak is identified and corrected and the contaminants have been removed.
- All base temporary erosion and sediment control measures (i.e., inlet protection, perimeter sediment control, gravel construction entrances, etc.) must be in place, functional, and approved in an initial inspection prior to commencement of construction activities. Temporary erosion and sediment control measures will be maintained throughout construction.
- All clearing and excavation will be accomplished in ways that minimize soil disturbance, compaction, and impacts to vegetation whenever possible.
- Refueling activities will be conducted within designated refueling areas away from waterbody or wetland areas. For track-mounted equipment, and other equipment whose limited mobility makes it impractical to move for refueling, precautions will be taken to minimize the risk of fuel reaching the project's regulated work area. Spill prevention measures and fuel containment systems designed to completely contain a potential spill will be implemented, as well as other pollution control devices and measures (such as diapering, parking on absorbent material, etc.) adequate to provide containment of hazardous materials.
- Temporary stabilization measures will be employed on slopes, inactive areas, and areas subject to wind erosion.
- Construction BMPs will be implemented to control dust and limit impacts to air quality, including:
    - Cover loads and ensure adequate freeboard to prevent soil particles from blowing away during transport.
    - Wet down fill material and dust on site, whenever practicable.
    - Remove excess dirt, dust, and debris from roadway.
    - Revegetate disturbed soil as soon as practicable.
- Measures to minimize noise impacts will be implemented during construction, including:
    - Turn off equipment when not in use for more than 30 minutes.
    - Utilize a vibratory hammer to install steel piles.
    - Use only well-maintained and properly functioning equipment and vehicles.
- BMPs for stormwater runoff controls will be implemented, including:
    - Install temporary sediment control devices such as filter fabric fences or sediment traps.
    - Sediment barriers shall be installed immediately following establishment of earthwork activities prone to erosion.
    - Exposed soils and soil stockpiles will be temporarily stabilized at the end of shifts and before holidays and weekends, if needed. Stockpiles shall be placed in a stable location and configuration and covered with plastic sheeting during "wet weather."
    - Temporary stabilization with a covering of blown straw and a tackifier, loose straw, or an adequate covering of compost mulch will be provided for portions of the site where construction activities will cease for 14 days or more.
    - Minimize soil disturbance and reseed disturbed areas as soon as practicable.
- BMPs for culvert installation to maintain water quality will be implemented, including:

- Wetland areas and waterways will be designated for protection with silt fencing.
- Refueling activities will be conducted within designated refueling areas away from waterbody or wetland areas.
- All vehicles and equipment operated within 150 ft. of any waterbody will be inspected daily for fluid leaks before leaving the vehicle staging area. Any leaks detected will be repaired before the vehicle resumes operation. When not in use, vehicles will be stored in the designated staging area, which will be located outside all wetlands and waterways, and their buffers.
- Vegetation removal will be minimized to the greatest extent possible, and erosion control blankets will be used to assist in the rapid revegetation of sites disturbed by culvert replacements or temporary impacts.

(4) PROJECT DESCRIPTION (continued)

D. Describe source of fill material and disposal locations if known.

Fill materials. Fill materials will include reuse of on-site soils, imported clean soils, culvert pipe, rebar-reinforced concrete, foundation aggregate, pilings, and other structural material for construction of the facility and ancillary components. Materials will be sourced from local suppliers as determined by the contractor.

Disposal. Excess materials removed from the project area will be disposed of at an upland location determined by the contractor and approved by the local jurisdiction. The design team does not anticipate contaminated soils, but if found they would be transported off-site to an approved facility.

E. Construction timeline.

What is the estimated project start date? April 2024

What is the estimated project completion date? December 2025

Is any of the work underway or already complete? If yes, please describe. ☐ **Yes** ☑ **No**

F. Removal Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name *	Removal Dimensions					Time Removal is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq.ft. or ac.)	Volume (c.y.)		
See Attachment D, Removal/Fill Table							

G. Total Removal Volumes and Dimensions

Total Removal to Wetlands and Other Waters		Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Removal to Wetlands				
Total Removal Below Ordinary High Water				
Total Removal Below Highest Measured Tide				
Total Removal Below High Tide Line				
Total Removal Below Mean High Water Tidal Elevation				

H. Fill Volumes and Dimensions (if more than 7 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name*	Fill Dimensions					Time Fill is to remain**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq. ft. or ac.)	Volume (c.y.)		

(4) PROJECT DESCRIPTION (CONTINUED)

I. Total Fill Volumes and Dimensions

Total Fill to Wetlands and Other Waters		Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Fill to Wetlands				
Total Fill Below Ordinary High Water				
Total Fill Below Highest Measured Tide				
Total Fill Below High Tide Line				
Total Fill Below Mean High Water Tidal Elevation				

*If there is no official name for the wetland or waterbody, create a unique name (such as “Wetland 1” or “Tributary A”).
**Indicate whether the proposed area of removal or fill is permanent or, if you are proposing temporary impacts, specify the days, months or years the fill or removal is to remain.
*** Example: soil, gravel, wood, concrete, pilings, rock etc.

(5) PROJECT PURPOSE AND NEED

Provide a statement of the purpose and need for the overall project.

Project Purpose

The purpose of the NEXT Renewable Fuels Oregon Project is to construct and operate a renewable fuels facility to provide renewable fuels to West Coast markets that are mandated under the renewable fuel's standards and state low-carbon mandates.

Project Need

This project is needed to provide a reliable source of renewable fuels to West Coast markets that are mandated by the Renewable Fuel Standard (RFS) program or other state mandates that require carbon fuels reductions. With the implementation of the Renewable Fuel Standard program, other state mandates, and regional coalitions, the demand for and consumption of renewable fuels on the West Coast has seen unprecedented increases since 2018. Although nearly every gallon of renewable diesel produced in the U.S. is sent to supply California, demand is still not being met by U.S. production. The current supply does not consider the demand from other West Coast locations, nor does it allow for the expansion of renewable diesel use in other areas of the U.S. The demand for renewable diesel will continue to increase with the adoption of additional low-carbon fuel policies. The construction of a renewable diesel facility in the Pacific Northwest will establish an environmentally responsible means of providing and supplying a reliable source of renewable fuels to West Coast markets that have mandated carbon fuels reductions.

A full description of the project need is included in the "Alternatives Analysis for the NEXT Renewable Fuels Oregon Project" (See Appendix G).

(6) DESCRIPTION OF RESOURCES IN PROJECT AREA

A. Describe the existing physical, chemical, and biological characteristics of each wetland or waterbody. Reference the wetland and waters delineation report if one is available. Include the list of items provided in the instructions.

Project Area

The project area is defined as the project site including the staging and operating areas for the facility, access driveways, the proposed rail spur to connect with the existing port spur, the pipeline from the facility to the confluence with the existing terminalling partner's existing pipeline easement, the haul road, and unloading dock. The following is a general description of the project area's existing environmental baseline conditions based on database research, site visits, descriptions of previous actions within the project area affecting the baseline conditions, and a description of habitat features that would be affected by the proposed project.

The project area is generally flat agricultural and industrial land bounded by the Columbia River to the north, Bradbury Slough to the east, Hermo Road and agricultural land to the west, and Quincy-Mayger Road and forested hillsides to the south. The soils in the sloping areas are generally derived from weathering igneous basalt and marine sandstone and siltstone. The flatter agricultural areas are limited to pasture and low intensity uses. Portions of the undeveloped areas within the project area are Class II and Class V agricultural soils and are currently used as pasture.

The project site includes a mosaic of habitats, including westside riparian wetlands, agriculture/pastureland, and low-density urban development. Open-water habitat occurs in the form of drainage/irrigation ditches, which are low gradient and flat bottomed, and contain a silt-dominated substrate.

Vegetation

The vegetation within the project area generally consists of forbs and grasses. Dominant species include velvetgrass *(Holcus lanatus),* rough bentgrass *(Agrostis exarata),* horsetail *(Equisetum arvense),* and reed canarygrass *(Phalaris arundinacea).* A portion of the project is adjacent to mint farming activities and planted *Populus* species tree farms. Reed canarygrass and dense thickets of Himalayan blackberry *(Rubus discolor)* are present along and within the project site.

Habitat

Agricultural and pasture habitat covers approximately 75-percent of the proposed project area. This habitat often dominates the landscape in flat or gently rolling terrain, on well-developed soils, broad river valleys, and areas with access to abundant irrigation water. Unlike other habitat types, agricultural habitat is often characterized by regular landscape patterns (squares, rectangles, and circles) and straight borders because of ownership boundaries and multiple crops within a region. Edges can be abrupt along the habitat borders within agricultural habitat and with adjacent habitats.

Jurisdictional Resource

A wetland delineation of the site was conducted by Anderson Perry & Associates, Inc., in 2019, 2020, and 2021 which identified six wetlands totaling 141.04 ac. in two study areas, (Study Area A and B) and approximately 10,095 linear ft. 1.82 ac.) of drainage/irrigation ditches in Study Area A (See Appendix B, "*Wetland Delineation Concurrence NEXT Renewable Fuels Oregon WD#2020-0663*").

It is anticipated that the wetlands will be jurisdictional under the US Army Corps of Engineers (USACE) and the Department of State Lands (DSL) guidelines. At the time of submitted, DLS has not finalized the review of the Delineation Report. For this application it is assumed that the drainage/irrigation ditches are jurisdictional. The resources are described below. Table 6 shows the acreage and type of wetlands that were delineated in the study areas, and Table 7 shows the area of the waterways within the study areas.

Wetlands

Wetland 1 – Wetland 1 is in Study Area A and is classified as palustrine emergent (PEM) and palustrine scrub-shrub (PSS) with an HGM classification of Flats. The wetland is not entirely contained within the study area, as it extends out of the study area to the north, east, and west. Wetland 1 is the most extensive wetland in the study area, covering the eastern and southern parts of the site. It primarily consists of pasture, mint fields, and a portion of an existing poplar tree farm. Three areas of upland are present within the pasture that forms the main part of the study area and Wetland 1, which appears to be fill material likely from the construction of other industrial plants in the vicinity. These areas are slightly raised above the elevation of the surrounding wetland, with flat surfaces, and may possibly have been used as storage platforms for hay or other materials.

Vegetation observed in this wetland included sedges, rushes, various native and introduced grasses, and smaller amounts of forbs. There are extensive Himalayan blackberry thickets in some areas, and a stand of poplar saplings in the northwest corner of the main part of the study area. This wetland appears to be supported by precipitation, irrigation water, surface runoff, and groundwater.

Wetland 2 – Wetland 2 is in Study Area A and is classified as PEM with an HGM classification of Flats. The wetland is not entirely contained within the study area, as it extends to the west and north. Wetland 2 is located in the central portion of the new pipeline corridor, north of Hermo Road.

Vegetation observed in this wetland included reed canarygrass, Himalayan blackberry, and smaller amounts of grasses and forbs. It appears to be supported by precipitation, irrigation water, surface runoff, and groundwater.

Wetland 3 – Wetland 3 is in Study Area A and is classified as PEM with an HGM classification of Flats. The wetland is not entirely contained within the study area, as it extends to the east. It is also located along the pipeline corridor, in a depression between the access road and the PGE facility.

Vegetation observed in this wetland included reed canarygrass, Himalayan blackberry, sedges, rushes, various native and introduced grasses, and smaller amounts of forbs. The wetland appears to be supported by precipitation, irrigation water, surface runoff, and groundwater.

Wetland 4 – Wetland 4 is in Study Area A and is classified as PEM and Palustrine Forested (PFO) with an HGM classification of Flats. The wetland is not entirely contained within the study area, as it extends to the north. This wetland is located along the pipeline corridor adjacent to the Columbia River.

Vegetation observed in this wetland included alder, cottonwood, willow, reed canarygrass, Himalayan blackberry, sedges, rushes, various native and introduced grasses, and smaller amounts of forbs. The wetland appears to be supported by precipitation, surface runoff, and groundwater.

Wetland 5 – Wetland 5 is in Study Area B, bordered by the fill slopes of the small barge dock and Kallunki Road. This area is not depicted as wetlands on the NWI Map. Based on site observations, this wetland is classified as PEM. The wetland is entirely contained within the study area.

Vegetation observed in this wetland included reed canarygrass, Himalayan blackberry, sedges, rushes, various native and introduced grasses, and smaller amounts of forbs. The wetland appears to be supported by precipitation and surface runoff.

Wetland 6 – Wetland 6 is in Study Area B, bordered by the fill slopes of Kallunki Road, an electrical substation, and access roads. This area is depicted as wetland on the NWI Map. Based on site observations, this wetland is classified as PEM. The wetland is entirely contained within the study area.

Vegetation observed in this wetland included reed canarygrass, Himalayan blackberry, sedges, rushes, various native and introduced grasses, and smaller amounts of forbs. The wetland appears to be supported by precipitation and surface runoff.

Table 6: Jurisdictional Wetlands

Study Area	Wetland	HGM Class[1]	Cowardin Class[2]	USACE Category and Basis	Sample Plot No.	Acres in Study Area
A	1	Flats	PEM/PSS	Cat. 7 - Adjacent to Columbia River	1 through 22[3], 24, 28 through 39, 43, 44, 48 through 54	136.78
	2	Flats	PEM	Cat. 7 - Adjacent to Columbia River	40, 45	1.02
	3	Flats	PEM	Cat. 7 - Adjacent to Columbia River	25, 26, 41, 42	1.98
	4	Flats	PEM/PFO	Cat. 7 - Adjacent to Columbia River	27	0.31
B	5	Flats	PEM	Cat. 7 - Adjacent to Columbia River	46	0.07
	6	Flats	PEM	Cat. 7 - Adjacent to Columbia River	47	0.88
					Total	**141.04**

Waterways

Numerous non-wetland waterways were identified in the project area; all are unnamed irrigation ditches except for McLean Slough, that convey irrigation water or drain the agricultural fields in the area. The Oregon Steam Functional Assessment Method (SFAM) was not used to evaluate these ditches as the ditches are not wadable. Since these ditches are all part of the same interconnected drainage network, they were not individually named in the WDR; however, the location of each is shown in Appendix B, "*Wetland Delineation Concurrence NEXT Renewable Fuels Oregon WD#2020-0663*", Figures 6A through 6W, and have been identified as Waterways A through G and McLean Slough on *Figure 11, Existing Waterways* for ease of reference in this application.

These ditches drain south via McLean Slough and Beaver Slough for approximately six miles before the water is then pumped into the Clatskanie River, which ultimately flows to the Columbia River; however, there is no free and open connection to a fish-bearing waterway. A total of 10,095 linear ft. (1.82 ac.) of ditches are within the study area. The Columbia River is located outside of the project area The impact area of each waterway is listed on Table 7 and corresponds with Figure 11.

Table 7: Drainage/Irrigation Ditches

DRAINAGE/IRRIGATIONDITCHES	
Waterway	**Area (Square Feet)**
Waterway A	846
Waterway B	901
Waterway C	595
Waterway D	4,226
Waterway E	26,617
Waterway F	26,262
Waterway G	18,150
McLean Slough	1,746
Total Area	**79,343**

Functional Assessment

The Oregon Rapid Wetland Assessment Protocol (ORWAP) version 3.2 was used to evaluate the wetlands in the study area. The ORWAP spreadsheets generate scores intended to reflect a wetland's ability to support a variety of specific *functions*, and then evaluate the *value* of each function to ecosystem and societal needs. The scores and ratings for specific functions and values are shown in Tables ((1)) and ((2)) below, while the grouped functions and values are shown in Table ((3)) below. The spreadsheets for the ORWAP assessment can be found in Appendix B.

Table 8 (1–3): Functional Assessment

Table ((1))

Specific Function or Value	Function Score	Function Rating	Rating Break Proximity	Values Score	Values Rating	Rating Break Proximity
Water Storage & Delay (WS)	3.18	Lower		0.00	Lower	
Sediment Retention & Stabilization	3.37	Lower	LM	9.05	Higher	
Phosphorus Retention (PR)	5.30	Moderate		8.17	Higher	
Nitrate Removal & Retention (NR)	3.10	Lower		10.00	Higher	
Anadromous Fish Habitat (FA)	0.00	Lower		0.00	Lower	
Resident Fish Habitat	0.00	Lower		0.00	Lower	
Amphibian & Reptile Habitat (AM)	7.76	Higher		3.61	Lower	

Waterbird Nesting Habitat (WBN)	7.13	Higher	MH	10.00	Higher	
Waterbird Feeding Habitat (WBF)	9.23	Higher		10.00	Higher	
Aquatic Invertebrate Habitat (INV)	1.79	Lower		2.60	Lower	
Songbird, Raptor, Mammal Habitat (SBM)	5.18	Moderate		10.00	Higher	
Water Cooling (WC)	2.31	Lower	LM	10.00	Higher	
Native Plant Diversity (PD)	6.37	Moderate	MH	2.18	Lower	
Pollinator Habitat (POL)	7.60	Higher	MH	3.92	Moderate	
Organic Nutrient Export (OE)	5.90	Moderate				
Carbon Sequestration (CS)	5.16	Moderate				
Public Use & Recognition (PU)				3.48	Lower	LM

Table ((2))

Other Attributes	Score	Rating	Rating Break
Wetland	2.84	Moderate	
Wetland Ecological	5.02	Moderate	
Wetland Stressors	6.34	Higher	MH

Table ((3))

Groups	Selected Functions	Function Rating	Rating Break Proximity	Values Rating	Rating Break Proximity
Hydrologic Function	Water Storage & Delay	Lower		Lower	
Water quality Support (SR, PR, or NR)	Phosphorus Retention	Moderate		Higher	
Fish Habitat (FA or FR)	Anadromous Fish	Lower		Lower	

Aquatic Habitat (AM, WBF, or WBN)	Waterbird Nesting Habitat (WBN)	Higher	MH	Higher	
Ecosystem Support (WC, INV, PD, POL, SBM, or OE)	Songbird, Raptor, Mammal Habitat (SBM)	Higher	MH	Moderate	

As indicated in Table ((3)), the impacted wetlands received a Lower rating for the Hydrologic Function and Fish Habitat group functions and values, while the remaining groups (Water Quality, Aquatic Habitat, and Ecosystem Support) have Moderate and High function and value ratings. This indicates that while the water storage and delay (Hydrologic Function) and Fish Habitat functions and values of the wetlands may have somewhat diminished importance to the area, other functions and values of the wetlands play a valuable role in the landscape.

Species and Habitat

Within the project area the drainage/irrigation ditches may contain resident fish species that are tolerant of poor water quality such as suckers (*Catostomus* sp.), carp (*Cyprinus carpio),* and sculpins (*Cottus* sp.). The ditches also may contain suitable habitat for amphibian species such as northwestern salamanders (*Ambystoma gracile*), bullfrogs (*Rana catesbeiana*), and roughskin newts (*Taricha granulosa).* The associated riparian vegetation and upland locations may contain suitable habitat for songbirds such as song sparrow (*Melospiza melodia*) and Brewer's blackbird (*Euphagus cyanocephalus*), as well as deer and small mammals such as deer mice (*Peromyscus maniculatus*) and voles (*Microtus* sp.).

Endangered Species Act–Listed Species

A biologist completed a site visit of the action area in the fall of 2020, and a biological evaluation for this project will be completed in the winter of 2021 in consultation with USACE and will be provided as a supplement to this JPA. ESA-listed species within the project area are as follows:

Columbian White-Tailed Deer

The only listed species within the project area is the Columbian white-tailed deer. Columbian white-tailed deer have been documented within the action area. The level of disturbance from project activities to the deer will depend on construction timing, proximity of the deer to construction activities, and the duration of construction. Deer are most active at dawn and dusk, and construction will primarily occur during daylight hours. Construction will occur within the generalized area, so deer should easily be able to avoid construction activities by moving to a different area. Given the size and openness of the action area, this temporary displacement should not significantly affect foraging or movement. In addition, because of ongoing industrial activity in the Port Westward area, including large truck traffic within the proposed project area, effects from construction activities may not rise significantly above ambient levels.

Fish Species

While listed salmonids are present within the Lower Columbia River near adjacent to the project area, these species are not present within the action area. Federally listed fish species do not occur within the drainage district ditches in the project area, and the project is approximately six miles through the ditch system from salmonid habitat shown on the StreamNet internet site. The topography of the site and ditches are flat, minimal, or reversed, and generally, the flow direction is to the south; however, it is often indiscernible. The ditches are below sea level, with an average slope between the project site and the pump station of less than 0.0002 ft./ft. in a distance of about eight miles. In the dry months (roughly June through September) the ditch surface elevations and volumes are driven by flows introduced at the upstream irrigation gate and drawn down and regulated by the downstream pump station. During the dry months, flashboard dams in the system are used to artificially raise water surface elevations. The pump station floats have a summertime

setting of 8.5 ft. below sea level, and a wintertime setting of 6.5 ft. below sea level. Any water surface above these elevations triggers the three pumps to turn on at the pump station. Each pump has a pumping capacity of 40,000 gallons per minute (gpm) for a total of 120,000 gpm or 267 cubic ft. per second (cfs).

Plant Species

Nelson's Checker-Mallow, Bradshaw's Desert-Parsley, and Willamette Daisy

There have been no plant surveys at the project site or mitigation site; however, it is unlikely that these species native to wet prairies are present within the areas of ground disturbance. Areas of the project site are either mowed for hay or have a dense cover of non-native blackberries on ditch banks, and the mitigation site has a dense stand of mature cottonwoods. Suitable habitat for these species includes full sun with few disturbances from mowing or grazing, and they cannot compete with typical pasture grasses and herbaceous plants such as those at the project site.

Kincaid's Lupine

There have been no plant surveys at the project site or mitigation site; however, it is unlikely that Kincaid's lupine is present within these areas of ground disturbance. Areas of the project site are either mowed for hay or have a dense cover of non-native blackberries on ditch banks, and the mitigation site has a dense stand of mature cottonwoods. These are not suitable habitats for Kincaid's lupine, which requires full sun and few disturbances from mowing or grazing. Additionally, open areas at the project site contain typical pasture grasses and herbaceous plants so that Kincaid's lupine cannot compete with them.

Oregon Biodiversity Information Center Report

According to the Oregon Biodiversity Information Center Report dated September 8, 2020, and lists obtained from US Fish and Wildlife Services (USFWS) and National Marine Fisheries Services (NMFS), the following species may occur in the project vicinity and/or within Columbia County, but are not likely to occur in the project area:

Table 9: ESA-List Species in Columbia County

Species	ESU/DPS	Federal Status[1]	Habitat within Action Area
Steelhead (*Oncorhynchus mykiss*)	Upper Columbia River DPS	T	No
	Middle Columbia River DPS	T	
	Lower Columbia River DPS	T	
	Upper Willamette River DPS	T	
	Snake River Basin DPS	T	
Chinook salmon (*Oncorhynchus tshawytscha*)	Upper Columbia River spring-run ESU	E	No
	Lower Columbia River ESU	T	
	Snake River fall-run ESU	T	
	Snake River spring/summer-run ESU	T	
	Upper Willamette River ESU	T	
Chum salmon (*Oncorhynchus keta*)	Columbia River ESU	T	No
Coho salmon (*Oncorhynchus kisutch*)	Lower Columbia River ESU	T	No
Sockeye salmon (*Oncorhynchus nerka*)	Snake River ESU	E	No
Bull trout (*Salvelinus confluentus*)	Columbia River DPS	T	No

Green sturgeon (*Acipenser medirostris*)	Southern DPS	T	No
Eulachon (*Thaleichthys pacificus*)	Southern DPS	T	No
Columbian white-tailed deer (*Odocoileus leucurus*)	N/A	T	Yes
Marbled murrelet (*Brachyramphus marmoratus*)	N/A	T	No
Northern spotted owl (*Strix occidentalis caurina*)	N/A	T	No
Streaked horned lark (*Eremophila alpestris strigata*)	N/A	T	Possibly
Yellow-billed cuckoo (*Coccyzus americanus*)	N/A	T	No
Bradshaw's desert-parsley (*Lomatium bradshawii*)	N/A	E (Proposed for delisting)	Possibly
Kincaid's lupine (*Lupinus sulphureus ssp. kincaidii*)	N/A	T	No
Nelson's checker-mallow (*Sidalcea nelsoniana*)	N/A	T	Possibly
Willamette daisy (*Erigeron decumbens*)	N/A	E	Possibly

[1] T = Threatened, E = Endangered
DPS = distinct population segment
ESU = evolutionarily significant unit
N/A = Not Applicable

100-Year Floodplain

The project site is wholly within the Beaver Drainage District and outside of the 100-year Floodplain. See *Figure 6, Floodplain Map*.

Hydraulic Characteristics

The project area receives water from precipitation and groundwater. Surface and subsurface hydrology in the project area has been altered by agricultural practices, including ditching, as well as the construction of the dike, roads, railroads, and industrial facilities.

The hydraulics are primarily driven by the Beaver Drainage/Irrigation District's pump station between Beaver Slough and Beaver Dredge Cut and the inlet gate at John Slough with relatively minor influences from groundwater infiltration and drainage from Tank Creek. When water is in the ditches, the hydraulics are driven by the Beaver Drainage District pump station, and water levels and volumes in the ditches are driven by floats at the pump station.

Cultural Resource/Section 106

Archaeological Services, LLC (ASCC) has completed a cultural resources survey of the NEXT Renewable Fuels Oregon project area over a period of time between November 2020 and June 2022, the intent being to inform the federal review process under Section 106 of the National Historic Preservation Act (NHPA). ASCC surveyed a roughly 1,008-acre area of potential effects (APE) located on the south side of the Lower

Columbia River in northern Columbia County, Oregon, incorporating portions of sections 15, 16, 21, 22, 23, 27, 28, 33, and 34 of Township 8 North, Range 4 West, Willamette Meridian. Roughly 1,008-acre area of potential effects (APE) located on the south side of the Lower Columbia River in northern Columbia County, Oregon, incorporating portions of sections 15, 16, 21, 22, 23, 27, 28, 33, and 34 of Township 8 North, Range 4 West, Willamette Meridian.

In total, the ~1,008-acre project area contains or overlaps seven archaeological sites, four above-ground historic properties associated with the 1942 Beaver Ammunition Storage Point Depot (BASP), the Bradbury Slough Levee, and several ditches associated with the early period of the Beaver Drainage District. Of these resources, one precontact archaeological site (35CO16), four above-ground historic BASP properties, and several historic earthworks of the Beaver Drainage District are recommended as eligible for listing on the National Register of Historic Places (NRHP).

Based on the current project design, it appears that the project may have an adverse effect on historic properties. Specifically, the wetland mitigation efforts will impact seven early-1900s ditches which are assessed as contributing elements to the Beaver Drainage District, and eligible for listing on the NRHP under Criterion A. The project should otherwise have no effect on any other NRHP-eligible historic properties, either directly or indirectly.

Section 408

Section 408 is authorized in Section 14 of the Rivers and Harbors Appropriation Act of 1899. Section 408 provides that the Secretary of the Army may, on recommendation of the Chief of Engineers, grant permission for the alteration of a public work so long as the alteration is not injurious to the public interest and will not impair the usefulness of the work. The project site is contained within the Beaver Drainage District, which is surrounded by the drainage dike that is considered a public work project. The dike is currently used as the access road for the Port Westward Industrial site. Use of the road will be consistent with current and past activities. The US Army Corps of Engineers determined the proposed new construction or use as a haul road will not alter the levee system. The proposed project is not adjacent to or in navigable waters and will have no impact to navigation. Therefore, the proposed project will not alter, occupy, or use a USACE federally authorized project and therefore does not require permission from the USACE under Section 408. (USACE Letter Dated 4-7-2022)

B. Describe the existing navigation, fishing and recreational use of the waterbody or wetland.

There are no navigable waterways in the project area. The area is not used for fishing or recreation, as much of the area is farmed or industrial. Additionally, public access to the Port Westward Industrial Park is limited for security reasons.

(7) PROJECT SPECIFIC CRITERIA AND ALTERNATIVES ANALYSIS

Describe project-specific criteria necessary to achieve the project purpose. Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterbody or wetland.*

Project-Specific Criteria

The purpose of the Next Renewable Fuels Oregon Project is to construct and operate a renewable fuels facility to provide renewable fuels to West Coast markets that are mandated under the Renewable Fuel Standard and state low-carbon mandates. The preferred alternative must meet the following project-specific criteria and have the least environmental impacts.

- Construct and operate a renewable fuels facility of size to achieve economies of scale
- Supply renewable diesel to West Coast Markets
- Be able to offload feedstock transported by vessel

An assessment of the project alternatives was carried out utilizing the US Army Corp of Engineers Alternative Analysis Framework to fulfill the requirements of the National Environmental Policy Act. Under NEPA and the Clean Water Act Section 404 (b)(1) Guidelines, the Corps is required to evaluate alternatives to a proposed project. The complete analysis is in Appendix G, “Alternatives Analysis for the NEXT Renewable Fuels Oregon Project”.

In summary, the Applicant was first able to determine a general geographical location utilizing the project purpose, which includes a geographical location, practicable cost, and logistical availability and access to land.

- Geographical Area – The facility must be located on the West Coast to serve West Coast Markets and receive international feedstock.
- Practicable Cost – The Applicant has determined that an economically viable renewable diesel facility must have a throughput capacity of 50,000 bbl/d of renewable diesel.
- Logistical Availability and Access to Land – To achieve throughput capacity of contracted feedstocks from international markets, the facility must have access to (or space to build) a dock capable of simultaneously loading and unloading international vessels with a 39.5-ft. draft. A configuration with two berths, capable of accepting and unloading international vessels, is needed to provide the necessary throughput capacity. The site must also be accessible by manifest rail for the economic transport of production products (primarily bleaching earth) to and from the facility.
- Availability and Access to Land – In order to build a facility of this capacity, all potentially viable sites must have access and availability of a minimum of 105 ac. of buildable land to accommodate the facility footprint.

* Not required by the Corps for a complete application but is necessary for individual permits before a permit decision can be rendered.

Based on the above criteria the applicant determined that sites with navigable water access in Oregon and Washington were not only practicable but also provide an economic and environmental advantage over other ports on the West Coast.

The Applicant evaluated 24 sites in the Pacific Northwest (*See Figure 18, Vicinity Map Pacific Northwest Sites*). A two-tier framework was developed to screen potential sites. Utilizing a broad criterion for Tier I screening, the applicant was able to eliminate 23 of the 24 sites based on the following criteria:

- Availability of suitable acreage – 105 contiguous ac.
- Access to navigable waters
- Access to or ability to construct a dock with two berths
- Access to manifest rail service

Only Port Westward in Columbia County, Oregon, met the selection criteria listed above. The Applicant identified seven potential sites at Port Westward to be evaluated in the second-tier analysis (*See Figure 19, All Port Westward Alternative Sites*). Second-tier criteria were developed utilizing the guideline of cost, existing technology, and logistics as outlined in the US Army Corp of Engineers Alternative Analysis Framework. Second-tier criteria are listed below:

- cost
  - ability to accommodate operations up to 50,000 bbl/d of renewable diesel
  - access to land that is zone for industrial development
  - ability to accommodate international shipping vessels for import of feedstocks
- existing technology
  - access to existing natural gas pipelines
  - access to existing power line
  - access to existing railways
  - access to existing wastewater disposal
  - access to existing water supply system
- logistics
  - suitable acreage and configuration
  - access to two berths for off-loading and on-loading
  - access to a deep-water port accommodating drafts of 39.5 ft.
  - access to 42 MW of electricity
  - access to 38,00 Mmbtu/day of natural gas
  - access to 1300 gallons/minute of freshwater
  - access to light rail capacity
  - land approval/land accessibility/zoning

Through initial screening and evaluation of the seven sites located at Port Westward, the Applicant eliminated sites 5, 6 and 7 due to the landowner approval and land accessibility criteria. The Applicant was not able to gain landowner approval and/or the estimated timeline for rezoning the property deemed them infeasible, thus leaving four sites to be evaluated under the second-tier criteria.

Of the four sites evaluated in the second-tier screening utilizing the developed project criteria, only one met the overall project criteria used to determine if a site had the ability to achieve the defined project purpose and was therefore a practicable alternative. Only the POCC parcel/Teevin property met all project criteria and was deemed a practicable alternative. As required by the USACE Alternative Analysis, the Applicant has included a no-action alternative in the analysis. The following alternatives were carried through the environmental analysis:

- Alternative 1: POCC parcel/Teevin property (preferred alternative)
- Alternative 2: No action

- Alternative 1 - POCC parcel/Teevin property (preferred alternative) – Under this alternative the NEXT Renewable Fuels Facility would be built in the Pacific Northwest,

utilizing suitable acreage that is available and is zoned for industrial use. Additionally, the preferred site has access to existing technology including utilities, pipelines, two berths, and manifest rail, reducing the environmental impacts of constructing new infrastructure. The preferred site is cost-effective, as it has access to a terminalling partner who will utilize an existing deep-water dock with two berths to import feedstocks and export renewable fuel.

  - Project-Specific Criteria: This is the preferred alternative because it meets all project-specific criteria. By utilizing the preferred site, a renewable fuels facility would be built. This alternative has access to navigable waters and would allow the Applicant to receive feedstock via vessel and supply renewable diesel to West Coast Markets, with the least environmental impacts of the sites evaluated.

- No-Build Alternative – Under the no-build alternative, the NEXT Renewable Fuels Oregon Project would not be constructed, and the project purpose and need would not be satisfied.

Project-Specific Criteria: This alternative is not considered a feasible alternative because it does not meet any of the project-specific criteria. Under this alternative a renewable fuels facility would not be built, and the applicant could not supply renewable diesel to West Coast markets.

(8) ADDITIONAL INFORMATION

Are there state or federally listed species on the project site?	☒ **Yes**	☐ **No**	☐ **Unknown**
Is the project site within designated or proposed critical habitat?	☐ **Yes**	☒ **No**	☐ **Unknown**
Is the project site within a national Wild and Scenic River ?	☐ **Yes**	☒ **No**	☐ **Unknown**
Is the project site within a State Scenic Waterway?	☐ **Yes**	☒ **No**	☐ **Unknown**
Is the project site within the 100-year floodplain?	☐ **Yes**	☒ **No**	☐ **Unknown**

If yes to any above, explain in Block 6 and describe measures to minimize adverse effects to those resources in Block 7.

Is the project site within the Territorial Sea Plan (TSP) Area?	☐ **Yes**	☒ **No**	☐ **Unknown**

If yes, attach TSP review as a separate document for DSL.

Is the project site within a designated Marine Reserve?	☐ **Yes**	☒ **No**	☐ **Unknown**

If yes, certain additional DSL restrictions will apply.

Will the overall project involve ground disturbance of one acre or more?	☒ **Yes**	☐ **No**	☐ **Unknown**

If yes, you may need a 1200-C permit from the Oregon Department of Environmental Quality (DEQ).

Is the fill or dredged material a carrier of contaminants from on-site or off-site spills?	☐ **Yes**	☒ **No**	☐ **Unknown**
Has the fill or dredged material been physically and/or chemically tested?	☒ **Yes**	☐ **No**	☐ **Unknown**

If yes, explain in Block 6 and provide references to any physical/chemical testing report(s).

Has a cultural resource (archaeological and/or built environment) survey been performed on the project area?	☒ **Yes**	☐ **No**	☐ **Unknown**
Do you have any additional archaeological or built environment documentation, or correspondence from tribes or the State Historic Preservation Office?	☒ **Yes**	☐ **No**	☐ **Unknown**

If yes, provide a copy of the survey and/or documentation of correspondence with this application to the Corps only. Do not describe any resources in this document. Do not provide the survey or documentation to DSL.

Is the project part of a DEQ Cleanup Site? No☒ Yes☐ Permit number _____

DEQ contact._____

Will the project result in new impervious surfaces or the redevelopment of existing surfaces? Yes ☒ No ☐

If yes, the applicant must submit a post-construction stormwater management plan as part of this application to DEQ's 401 WQC program for review and approval, see https://www.oregon.gov/deq/FilterDocs/401wqcertPostCon.pdf

Identify any other federal agency that is funding, authorizing or implementing the project.

Agency Name	Contact Name	Phone Number	Most Recent Date of Contact
US Army Corps of Engineers	Joseph Brock	(503)808-4377	6/22/2021

List other certificates or approvals/denials required or received from other federal, state or local agencies for work described in this application.

Agency	Certificate / approval / denial description	Date Applied
Oregon Department of Environmental Quality (DEQ)	Air Containment Discharge Permit	In process
DEQ	401 Certification	1/15/2021
DEQ	1200-Z Industrial Stormwater Permit	TBD following 90% Design
DEQ	1200-C Stormwater Construction Permit	1200-C Stormwater Construction Permit
Oregon Department of Energy	Energy Facility Siting Council Exemption	10/31/2020, resubmitted 2/26/2021
Oregon Department of State Lands (DSL)	Removal/Fill Permit	1/15/2021
DSL	Wetland Delineation Concurrence (Project Area)	11/16/2020
DSL	Wetland Delineation Concurrence (Mitigation Site)	1/08/2021
Columbia County	Land Use Permit	1/20/21, resubmitted 7/13/21, Approved 2/23/22
Columbia County	Conditional Use Permit	1/20/21, resubmitted 7/13/21, Approved 2/23/22
Columbia County	Building Permit	TBD following final design

Other DSL and/or Corps Actions Associated with this Site (Check all that apply.)

☐ Work proposed on or over lands owned by or leased from the Corps (may require authorization pursuant to 33 USC 408). These could include the federal navigation channel, structures, levees, real estate, dikes, dams, and other Corps projects.

☐ State owned waterway — DSL Waterway Lease #:

☐ Other Corps or DSL Permits — Corps # — DSL # 63077

☐ Violation for Unauthorized Activity — Corps # — DSL #

☑ Wetland and Waters Delineation — Corps # — DSL # WD2020-0663, WD2021-0501

Submit the entire delineation report to the Corps; submit only the concurrence letter (if complete) and approved maps to DSL. If not previously submitted to DSL, send under a separate cover letter

(9) IMPACTS, RESTORATION/REHABILITATION, AND COMPENSATORY MITIGATION

A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, direct, and indirect impacts.

Permanent and temporary impacts from the proposed project will include impacts to wetlands and waterways, an increase in imperious surface area, and localized increase in sediment and pollutant runoff associated with construction activities. Native and non-native vegetation, wetland habitat, and drainage ditches will be impacted during the proposed project activities. Specific impacts are listed below.

Wetlands

Permanent Impacts. Construction of the NEXT Renewable Fuels Project will permanently remove 104.30 ac. of low-functioning wetlands in Wetlands 1 and 2. The size and configuration of the facility and ancillary components were designed to minimize impacts to wetlands by reducing the overall footprint, maximizing the use of uplands within the footprint, and locating necessary components in low-quality, highly disturbed wetlands. All wetland impacts will be mitigated through permittee-responsible compensatory wetland mitigation 0.25 miles south of the impact site. The enhancement of 484.44 ac. of wetlands, the implementation of erosion control measures, and other conservation measures (BMP) are expected to minimize the project's short- and long-term effects.

Temporary Impacts. Construction of the facility will temporarily impact 4.5 ac. of Wetland 1, 0.04 acres of Wetland 2, and 27.0 ac. of Mitigation Site Wetland 1. Temporary impacts to wetland areas will be restored in accordance with the "*NEXT Renewable Fuels Oregon Restoration Plan for Temporary Impacts to Wetlands"* (See Appendix F). No adverse effects are anticipated from the temporary wetland impact.

Waterways:

Permanent Impacts. Construction of the facility will permanently fill 0.79 ac. of Waterway E. Any drainage associated with Waterway E will be collected into the facility's stormwater system. Impacts to Waterways A though D are from the placement of a culvert under the pipeline access road, the main access road, and the rail spur to allow for the continued conveyance of irrigation and drainage water maintain flow. Permanent impacts will be mitigated by the construction of new waterways in the compensatory wetland mitigation site.

Temporary Impacts. No long-term adverse effects are anticipated from the disturbance to waterways as the drainage/irrigation ditches will continue to convey water. Short-term impacts include temporary soil and vegetation disturbance and the potential for construction debris to enter the waterway. BMPs will be implemented to minimize the sediment and pollutants entering the waterways during construction.

Upland:

Construction of the facility will permanently impact 8.53 ac. of upland within the project area. Long-term impacts include loss of forage. Erosion control measures will be implemented during construction to minimize sediment release during construction.

B. For temporary removal or fill or disturbance of vegetation in waterbodies, wetlands or riparian (i.e., streamside) areas, discuss how the site will be restored after construction to include the timeline for restoration.

Following construction completion, all temporarily disturbed work areas will be restored to pre-construction conditions. All construction debris and any temporary site modifications will be removed from the construction area and properly disposed of in an approved location. Any temporarily disturbed areas with pre-construction vegetation will be reseeded with a native seed mix. Seeding will be completed by a qualified contractor during the proper season to provide optimum chances for success. Once planting is complete, the area will be maintained by the Applicant.

Maintenance/monitoring will include a general assessment of site regrowth when the Applicant conducts general maintenance operations. The native seeding mix used for post-construction restoration is presented in Table 10 below.

Table 10: Native Seed Mix

Species	Wetland Indicator Status	Percent Mix Desired
Meadow barley (*Hordeum brachyantherum*)	FACW	10
Western mannagrass (*Glyceria occidentalis*)	OBL	15
Tufted hairgrass (*Deschampsia cespitosa*)	FACW	15
American sloughgrass (*Beckmannia syzigachne*)	OBL	15
Spike bentgrass (*Agrostis exarata*)	FACW	15
Annual hairgrass (*Deschampsia danthonioides*)	FACW	15
Baltic rush (*Juncus balticus*)	FACW	15

Temporary impacts to wetland areas will be restored in accordance with the "*NEXT Renewable Fuels Oregon Restoration Plan for Temporary Impacts to Wetlands"* (Appendix F).

Compensatory Mitigation

C. Proposed mitigation approach. Check all that apply:

☑ Permittee-responsible Onsite Mitigation

☐ Permittee-responsible Offsite mitigation

☐ Mitigation Bank or In-Lieu Fee Program

☐ Payment to Provide (not approved for use with Corps permits)

D. Provide a brief description of proposed mitigation approach and the rationale for choosing that approach. If you believe mitigation should not be required, explain why.

Construction of the NEXT Renewable Fuels Project will permanently remove 104.30 ac. of low-functioning Wetlands and will require mitigation by both USACE and DSL. The Applicant considered multiple mitigation options, including different sites, the In-Lieu Fee Program, and mitigation banking. Mitigation banking was not an option as there are no mitigation banks located within the approved watershed area, and the in-lieu fee program would not satisfy the USACE requirement. The Applicant considered different locations within the watershed but ultimately determined that mitigation near the site would be the most effective approach with the highest potential for long-term success.

The proposed mitigation site is located approximately 0.25 miles south of the impact area. The proposed site is approximately 590 ac. and is owned by Oregon Port AG Investors, LLC and leased to NEXT Renewable Fuels Oregon, LLC. A wetland delineation was conducted by Anderson Perry & Associates, Inc., in April and May 2021. Two wetlands consisting of 580 ac. were mapped at the mitigation site (See Appendix C, "Wetland Mitigation Concurrence NEXT Renewable Fuels Oregon Compensatory Wetland Mitigation Site WD#2021-0501"). The Applicant plans to reestablish native Columbia River bottomland emergent wetlands with a shrub and native–dominated groundcover by restoring degraded wetlands on the proposed mitigation site.

Using the Draft Compensatory Mitigation Eligibility and Accounting Determination Form developed by the Oregon Department of State Lands, it was determined that 3.9 ac. of mitigation will be required per acre of impact (3.9:1 ratio). This form is provided in Appendix D of Appendix C with the Oregon Rapid Wetland Assessment Protocol (ORWAP) data sheets.

The new renewable fuels facility will require permanent fill in two wetlands, with an area of permanent wetland impact of 104.3 ac. (requiring a minimum of 406.77 ac. of mitigation using the 3.9:1 ratio). To mitigate for this impact, 468.78 ac. of wetland will be enhanced at the proposed mitigation site.

In terms of mitigation credits, the 468.78 acres of restoration mitigation represents 120.20 acres of mitigation credit, which exceeds the minimum required under the 3.9:1 mitigation ratio, as shown on Table 11 below.

Table 11: Wetland Mitigation Summary

	Impact Site			Proposed CWM Site					
Wetland ID	Cowardin	HGM[1]	Acres	Mitigation Method	Cowardin	HGM	Acres	Mitigation Ratio	Mitigation Credits Gained
1	PEM/PSS	Flats	104.30						
2	PEM	Flats	0.003						
CWM				Enhance	PEM	Flats	228.32	3.9:1	58.54
CWM				Enhance	PSS	Flats	177.99	3.9:1	45.64
CWM				Enhance	PFO	Flats	62.47	3.9:1	16.02
Total			**104.30**				**468.78**		**120.20**

The objective of this Compensatory Wetland Mitigation (CWM) Plan is to offset permanent impacts to wetland from construction of the project by restoring the hydrology and vegetation of the mitigation site, which will in turn improve wetland functions. This will be accomplished by the following activities:

- Strategically fill approximately 26,800 linear ft. of the site's existing drainage ditches to provide diversified habitat and not impact the drainage district.
- Utilize one growing season of mechanical (plowing/discing/grading) and chemical (herbicide) controls to reduce the presence and potential reestablishment of invasive plant species prior to reestablishing native vegetation.
- Create small, dendritic channels patterned after those typically found in Lower Columbia backwater sloughs.
- Create shallow pools. This will provide an opportunity to diversify emergent vegetation and provide potential reproductive habitat for amphibians and other aquatic wildlife.
- Create overall surface roughness (enhanced microtopography). Surface microtopography will be incorporated throughout the site to diversify surface hydrology and resultant vegetation. Microtopography will consist of machinery-induced undulations from site preparation tillage and will result in generally six-inch height/depth variations.
- Create upland buffer zones along public access paths between wetlands.
- Revegetate with native species of appropriate genetic stock to establish a mix of native forbs, grasses, sedges, rushes, and woody species compatible with lower Columbia River bottomland emergent and shrub habitat.
- Utilize adaptive management throughout the project to react quickly and effectively to unforeseen events.
- Incorporate five years of annual vegetation monitoring.

The functions and values of the impacted wetlands and the CWM site (pre- and post-construction) were evaluated using ORWAP. Construction of the Project will remove all functions of the impacted wetlands. These losses will be offset by the creation of the CWM site, which is anticipated to have functions and values similar to or better than the majority of the impacted wetlands.

Since the proposed mitigation area includes existing wetlands a comparison of the pre-construction and post-construction function and value ratings of this area was completed. For complete details of this comparison and

the overall mitigation plan, see Appendix D, “Compensatory Wetland Mitigation Plan for NEXT Renewable Fuels Oregon”.

Mitigation Bank / In-Lieu Fee Information:

Name of mitigation bank or in-lieu fee project:

Type and amount of credits to be purchased:

If you are proposing permittee-responsible mitigation, have you prepared a compensatory mitigation plan?

☑ Yes. Submit the plan with this application and complete the remainder of this section.

☐ No. A mitigation plan will need to be submitted (for DSL, this plan is required for a complete

Mitigation Location Information (Fill out only if permittee-responsible mitigation is proposed)

Mitigation Site Name/Legal Description	Mitigation Site Address	Tax Lot #
Located south of the Port Westward Industrial Park between Kallunki and Hermo Road		Sec 27 – 100, 200, 400, 1600 Sec 28 – 300, 1400 Sec 33 - 100 Sec 34 – 300,
County Columbia	City Clatskanie	Latitude & Longitude (in DD.DDDD format) 46.145628, -123.175794

Township	Range	Section	Quarter/Quarter
8N	4W	27	NE, NE, NE/NW, NW/NW, SW/NW,SE/NW & SW/SW,
		28	SE/SE, SE/NE,
		33	NE/NE
		34	NW/NW

(10) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE		
☐ **Pre-printed mailing labels of adjacent property owners attached separately (if more than 30).**	**Project Site Adjacent Property Owners**	**Mitigation Site Adjacent Property Owners**
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**	Reino & Thelma Lehto 79680 Quincy Mayger Road Clatskanie, OR 97016	
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**	Port of Columbia County Portland General Electric, Leaseholder 121 SW Salmon Street, #1WTC0510 Portland, OR 97231	
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**	Felipe & Bobby De La Cruz 80393 Kallunki Road Clatskanie, OR 97016	
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**	George & Karen Poysky P.O. Box 158 Clatskanie, OR 97016	
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**	Valorie R. White 80773 Kallunki Road Clatskanie, OR 97016	
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**		Port of Columbia County P.O. Box 190 Columbia City, OR 97018
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**		Timothy M. Keranen 80183 Kallunki Road Clatskanie, OR 97016
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**		Gary & Constance Leinonen 79859 Kola Road Clatskanie, OR 97016
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**		Lower Columbia River Tree Farm, LLC 1500 SW First Street, #1150 Portland, OR 97231

Contact Name **Address 1** **Address 2** **City, ST ZIP Code**		Karin Irish 6565 Hazeltine National Dr#10 Orlando, FL 32822
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**		Ken E. Kern P.O. Box 825 Clatskanie, OR 97016
Contact Name **Address 1** **Address 2** **City, ST ZIP Code**		Michael P. Seely 18865 Hermo Road, Clatskanie, OR 97016

Property Owners Adjacent to Impact Site

Parcel Number	Taxlot Number	Owners	Address
1	300	NEXT Renewable Fuels Oregon LLC	11767 Katy Freeway STE 705 Houston, TX 77079
2	200	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
3	100	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
4	1100	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
5	600	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
6	500	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
7	400	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
8	100	Valorie White	80773 Kallunki Rd Clatskanie, OR 97016
9	104	Michael Seely	18865 Hermo Rd Clatskanie, OR 97016
10	700	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
11	800	Felipe & Bobby De La Cruz	80393 Kallunki Rd Clatskanie, OR 97016
12	800	Reino & Thelma Lehto	79680 Quincy Mayger Rd Clatskanie, OR 97016
13	600	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
14	900	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
15	1000	Ken Kern	PO Box 825 Clatskanie, OR 97016
16	1100	Karen Irish	6565 Hazeltine National Dr #10 Orlando, FL 32822
17	700	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
18	900	Gary & Constance Leinonen	79859 Kola Rd Clatskanie, OR 97016
19	500	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
20	800	Timothy Keranen	80183 Kallunki Rd Clatskanie, OR 97016
21	400	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
22	600	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231

Property Owners Adjacent to Impact Site

Parcel Number	Taxlot Number	Owners	Address
23	501	George & Karen Poysky	PO Box 158 Clatskanie, OR 97016
24	500	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
25	100	Michael Seely	18865 Hermo Rd Clatskanie, OR 97016
26	101	Warren Seely	18865 Hermo Rd Clatskanie, OR 97016
27	400	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
28	200	Harbor Master Beef LLC	19039 Beaver Dike Rd Clatskanie, OR 97016
29	200	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
30	300	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
31	200	Lawrence & Wanda Derby	81036 Erickson Dike Clatskanie, OR 97016
32	100	George & Karen Poysky	PO Box 158 Clatskanie, OR 97016
33	700	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
34	700	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
35	200	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
36	500	E. Boswell, et. Al	20047 S Fischers Mill Rd Oregon City, OR 97045
37	300	Portland General Electric	121 SW Salmon St Portland, OR 97231
38	400	Cascade Kelly Holdings LLC	81200 Kallunki Rd Clatskanie, OR 97016
39	600	Portland General Electric	121 SW Salmon St Portland, OR 97231
40	500	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231

Property Owners Adjacent to Mitigation Site

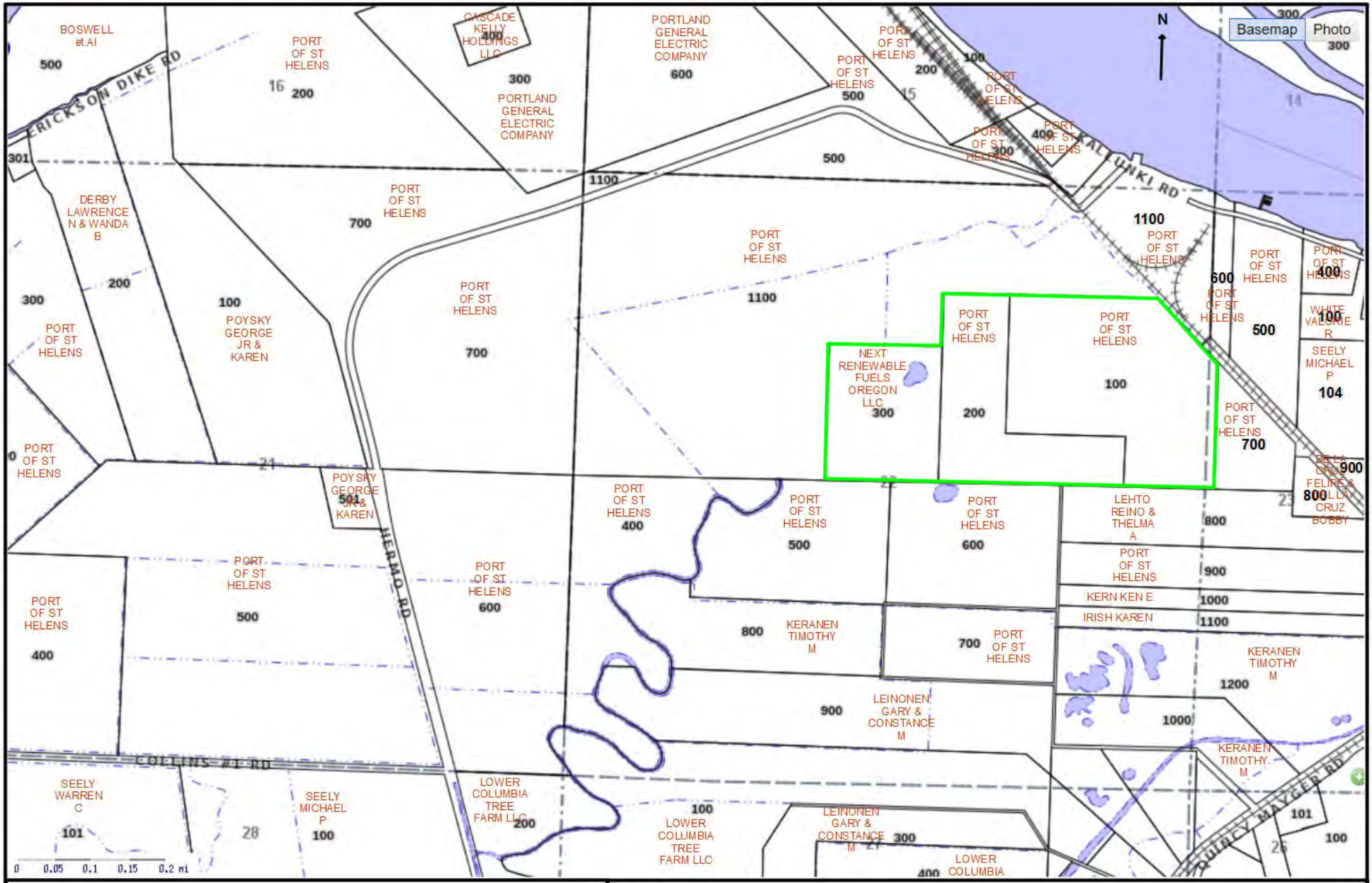
Parcel Number	Taxlot Number	Owners	Address
1	100	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
2	300	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
3	400	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
4	200	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
5	1600	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
6	300	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
7	100	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
8	1400	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
9	300	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
10	500	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
11	600	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
12	400	Port of St. Helens	121 SW Salmon St #1WTC0510 Portland, OR 97231
13	800	Timothy Keranen	80183 Kallunki Rd Clatskanie, OR 97016
14	900	Gary & Constance Leinonen	79859 Kola Rd Clatskanie, OR 97016
15	200	Gary & Constance Leinonen	79859 Kola Rd Clatskanie, OR 97016
16	400	Denise Stram-Youngblood	79847 Kola Rd Clatskanie, OR 97016
17	500	Debra Smiley	79711 Kola Rd Clatskanie, OR 97016
18	600	Nathan & Dorina Bond	79671 Kola Rd Clatskanie, OR 97016
19	700	Beaver Drainage Improvement Company	PO Box 201 Clatskanie, OR 97016
20	500	Brian Cicerchi	9181 NW Sharp Rd Prineville, OR 97754
21	600	Brian Cicerchi	9181 NW Sharp Rd Prineville, OR 97754

Property Owners Adjacent to Mitigation Site

Parcel Number	Taxlot Number	Owners	Address
22	1100	Warren Seely	18865 Hermo Rd Clatskanie, OR 97016
23	1200	Warren Seely	18865 Hermo Rd Clatskanie, OR 97016
24	1500	Trung Huynh & Wendy Schmidt	19396 Hermo Rd Clatskanie, OR 97016
25	1400	Trung Huynh & Wendy Schmidt	19396 Hermo Rd Clatskanie, OR 97016
26	100	Curtis Ollila	19459 Beaver Dike Rd Clatskanie, OR 97016
27	200	Horness Wayne & Lois Trust	19381 Beaver Dike Rd Clatskanie, OR 97016
28	200	Horness Wayne & Lois Trust	19381 Beaver Dike Rd Clatskanie, OR 97016
29	400	Ross Barkhurst & Christine Living	151 N Nemah Rd W South Bend, WA 98586
30	400	Ross Barkhurst & Christine Living	151 N Nemah Rd W South Bend, WA 98586
31	300	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
32	100	Randy Anderson	19157 Kallio Rd Clatskanie, OR 97016
33	600	Columbia County	230 Strand Street St. Helens, OR 97051
34	200	Warren Seely	18865 Hermo Rd Clatskanie, OR 97016
35	201	Warren Seely	18865 Hermo Rd Clatskanie, OR 97016
36	300	Hazze LLC	78802 Rantala Rd Clatskanie, OR 97016
37	901	Michael Seely	18865 Hermo Rd Clatskanie, OR 97016
38	1000	Michael Seely	18865 Hermo Rd Clatskanie, OR 97016
39	1100	Dan & Lynn Green	79426 Collins Rd Clatskanie, OR 97016
40	1300	Tyler Brame	76885 Maple Ln Clatskanie, OR 97016
41	1200	Tyler Brame	76885 Maple Ln Clatskanie, OR 97016
42	400	Dan & Lynn Green	79426 Collins Rd Clatskanie, OR 97016
43	200	Harbor Master Beef LLC	19039 Beaver Dike Rd Clatskanie, OR 97016

Property Owners Adjacent to Mitigation Site

Parcel Number	Taxlot Number	Owners	Address
44	300	Lower Columbia Tree Farm LLC	1500 SW First Ave 1150 Portland, OR 97231
45	100	Michael Seely	18865 Hermo Rd Clatskanie, OR 97016
46	300	Gary & Constance Leinonen	79859 Kola Rd Clatskanie, OR 97016



LEGEND

IMPACT SITE

NOTE 1: HARBOR MASTER BEEF LLC (TAXLOT 200) IS WEST OF WARREN SEELY IN SECTION 28

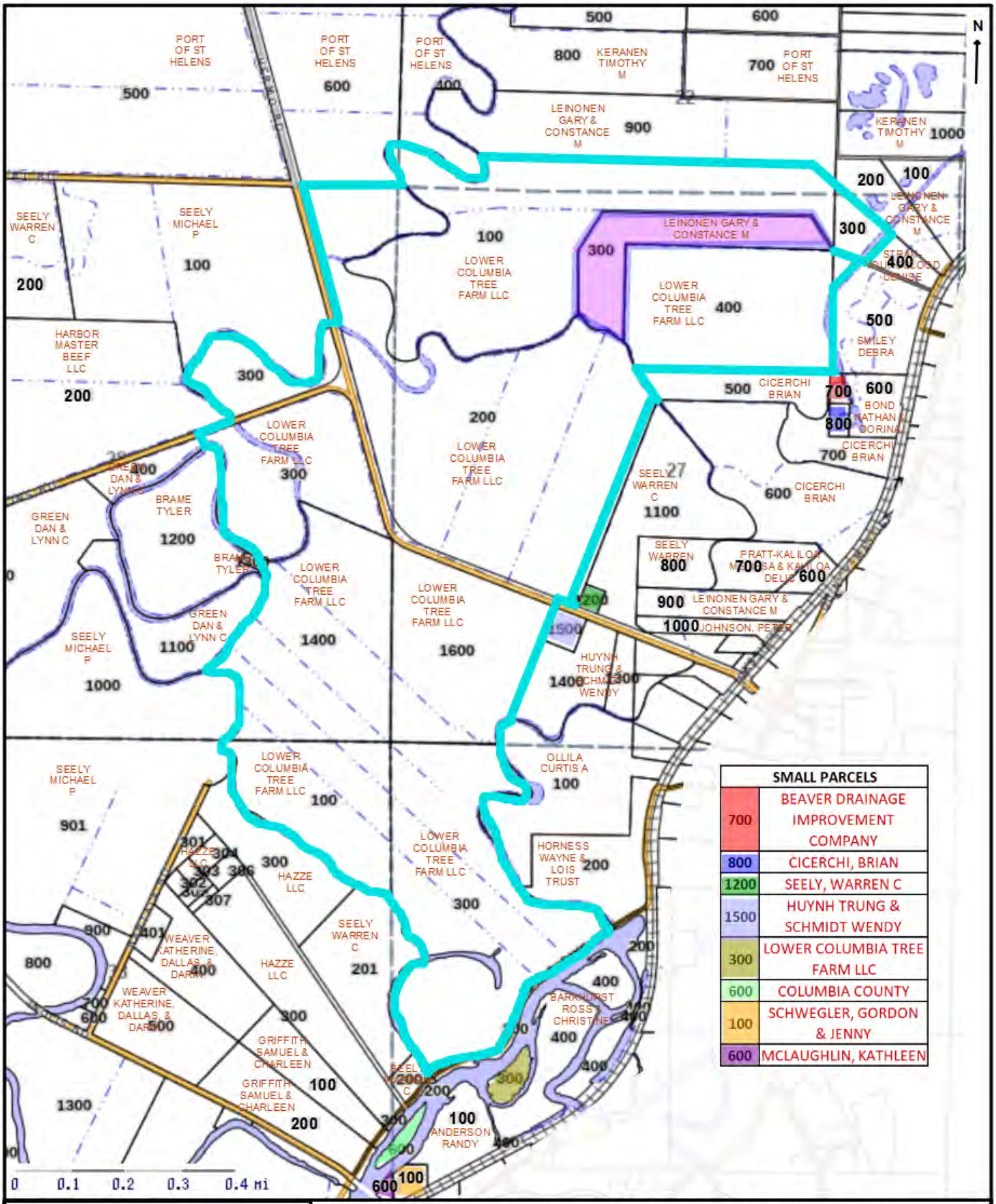
NEXT Renewable Fuels, Inc.

Stewardship Solutions

NEXT RENEWABLE FUELS OREGON, LLC

PORT WESTWARD, OR

PROPERTY OWNERS ADJACENT TO IMPACT SITE



SMALL PARCELS	
700	BEAVER DRAINAGE IMPROVEMENT COMPANY
800	CICERCHI, BRIAN
1200	SEELY, WARREN C
1500	HUYNH TRUNG & SCHMIDT WENDY
300	LOWER COLUMBIA TREE FARM LLC
600	COLUMBIA COUNTY
100	SCHWEGLER, GORDON & JENNY
600	MCLAUGHLIN, KATHLEEN

LEGEND

MITIGATION SITE

NEXT Renewable Fuels, Inc.

Stewardship Solutions

NEXT RENEWABLE FUELS OREGON, LLC

PORT WESTWARD, OR

PROPERTY OWNERS ADJACENT TO MITIGATION SITE

(11) CITY/COUNTY PLANNING DEPARTMENT LAND USE AFFIDAVIT (TO BE COMPLETED BY LOCAL PLANNING OFFICIAL)

I have reviewed the project described in this application and have determined that:

- ☐ This project is not regulated by the comprehensive plan and land use regulations
- ☐ This project is consistent with the comprehensive plan and land use regulations
- ☒ This project is consistent with the comprehensive plan and land use regulations with the following:
  - ☒ Conditional Use Approval
  - ☒ Development Permit
  - ☐ Other Permit (explain in comment section below)
- ☐ This project is not currently consistent with the comprehensive plan and land use regulations. To be consistent requires:
  - ☐ Plan Amendment
  - ☐ Zone Change
  - ☐ Other Approval or Review (explain in comment section below)

An application or variance request has ☒ has not ☐ been filed for the approvals required above.

Local planning official name (print)	Title	City / County
ROBERT WHEELDON	Planning Manager	Columbia County
Signature	Date	
Robert Wheeldon	01/05/2022	

Comments:
use requires conditional use permit under CCZO 683.1 and site design review under CCZO 1550.
Permits under review pending 01/19/2022 land use hearing.

(12) COASTAL ZONE CERTIFICATION

If the proposed activity described in your permit application is within the Oregon Coastal Zone, the following certification is required before your application can be processed. The signed statement will be forwarded to the Oregon Department of Land Conservation and Development (DLCD) for its concurrence or objection. For additional information on the Oregon Coastal Zone Management Program and consistency reviews of federally permitted projects, contact DLCD at 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 or call 503-373-0050 or click here.

CERTIFICATION STATEMENT

I certify that, to the best of my knowledge and belief, the proposed activity described in this application complies with the approved Oregon Coastal Zone Management Program and will be completed in a manner consistent with the program.

Print /Type Applicant Name	Title
Applicant Signature	Date

(13) SIGNATURES

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or DSL staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. I understand that payment of the required state processing fee does not guarantee permit issuance.

To be considered complete, the fee must accompany the application to DSL. The fee is not required for submittal of an application to the Corps.

Fee Amount Enclosed	$1,325.00

Applicant Signature (required) must match the name in Block 2

Print Name Christopher Efird	Title Executive Chairman
Signature	Date

Authorized Agent Signature

Print Name Laurie Parry	Title Stewardship Solutions, Inc – Consultant
Signature	Date

Landowner Signature(s)*

Landowner of the Project Site (if different from applicant)

Print Name Felipe De La Cruz & Boby De La Cruz	Title Owners
Signature Felipe H. De LA Cruz Bobby De LA Cruz	Date 1/7/2021

Landowner of the Mitigation Site (if different from applicant)

Print Name	Title
Signature	Date

Department of State Lands, Property Manager (to be completed by DSL)

If the project is located on state-owned submerged and submersible lands, DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.

Print Name	Title
Signature	Date

* Not required by the Corps.

(13) SIGNATURES

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or DSL staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. I understand that payment of the required state processing fee does not guarantee permit issuance.
To be considered complete, the fee must accompany the application to DSL. The fee is not required for submittal of an application to the Corps.

Fee Amount Enclosed	$1,325.00

Applicant Signature (required) must match the name in Block 2	
Print Name Christopher Efird	Title Executive Chairman
Signature	Date

Authorized Agent Signature	
Print Name Laurie Parry	Title Stewardship Solutions, Inc – Consultant
Signature Laurie Parry	Date 1/10/2021

Landowner Signature(s)*	
Landowner of the Project Site (if different from applicant)	
Print Name Christopher Efird	Title Owner, NEXT Renewable FuelsOregon
Signature	Date
Landowner of the Mitigation Site (if different from applicant)	
Print Name	Title
Signature	Date

Department of State Lands, Property Manager (to be completed by DSL)	
If the project is located on state-owned submerged and submersible lands, DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.	
Print Name	Title
Signature	Date

* Not required by the Corps.

(13) SIGNATURES

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Fee Amount Enclosed	$1,325.00

Applicant Signature (required) must match the name in Block 2	
Print Name Christopher Efird	Title Executive Chairman
Signature	Date

Authorized Agent Signature	
Print Name Laurie Parry	Title Stewardship Solutions, Inc – Consultant
Signature	Date

Landowner Signature(s)*	
Landowner of the Project Site (if different from applicant)	
Print Name Douglas Hayes	Title Executive Director
Signature	Date
Landowner of the Mitigation Site (if different from applicant)	
Print Name Douglas Hayes , Port of Columbia County	Title Executive Director
Signature	Date
Department of State Lands, Property Manager (to be completed by DSL) *If the project is located on state-owned submerged and submersible lands, DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.*	
Print Name	Title
Signature	Date

* Not required by the Corps.

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Fee Amount Enclosed	$1,325.00

Applicant Signature (required) must match the name in Block 2	
Print Name Christopher Efird	Title Executive Chairman
Signature	Date
Authorized Agent Signature	
Print Name Laurie Parry	Title Stewardship Solutions, Inc. – Consultant
Signature	Date

Landowner Signature(s)*	
Landowner of the Project Site (if different from applicant)	
Print Name	Title
Signature	Date
Landowner of the Mitigation Site (if different from applicant)	
Print Name Robert Russell	Title Manager, Oregon Port AG Investors, LLC
Signature	Date 2/7/2022

Department of State Lands, Property Manager (to be completed by DSL)	
If the project is located on state-owned submerged and submersible lands, DSL staff will obtain a signature from the Land Management Division of DSL. A signature by DSL for activities proposed on state-owned submerged/submersible lands only grants the applicant consent to apply for a removal-fill permit. A signature for activities on state-owned submerged and submersible lands grants no other authority, express or implied and a separate proprietary authorization may be required.	
Print Name	Title
Signature	Date

* Not required by the Corps.

INCUMBENCY CERTIFICATE

NEXT Renewable Fuels Oregon, LLC (entity name as recorded with the Secretary of State, Oregon)

I, **Christopher Efird** (name of registered agent or authorized representative), do hereby certify that:

1. I am the duly elected and acting **Executive Chairman** (position) of NEXT Renewable Fuels, Inc. the sole and managing member of **NEXT Renewable Fuels Oregon, LLC** (entity name as recorded with the Secretary of State, Oregon), a **Foreign Limited Liability Company** (entity type) organized and existing in good standing under the laws of the State of Oregon (the "Entity"); and

2. I have the authority to submit, on behalf of the Entity, this application for a permit to conduct removal-fill within waters of the state (as evidenced by my signature on the application) and to commit the Entity to comply with all resulting permit conditions, including any mitigation obligations, resulting from the issuance of the permit.

_____, this 8th day of January, 2021

Signature of Registered Agent or Authorized Representative

NEXT RENEWABLE FUELS, INC.
(the "Company")

UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS

Pursuant to Section 141(f) of the Delaware General Corporation Law (the "DGCL") and Section 2.8 of the Company's Bylaws in effect on the date hereof (the "Bylaws"), the undersigned, being all of the members of the Board of Directors of the Company (the "Board"), hereby consent to the following actions with the same force and effect as if the following recitals and resolutions were adopted and approved at a duly called and held meeting of the Board.

Change in President

WHEREAS, the Board desires to appoint Eugene W. Cotten to serve as the President of the Company (the "New President Appointment"); and

WHEREAS, Christopher Efird, the current President of the Company, has resigned from such position effective immediately prior to the New President Appointment (the "Former President Resignation");

NOW, THEREFORE, BE IT RESOLVED that (i) the Former President Resignation is hereby accepted and (ii) effective as January 5, 2021, Eugene W. Cotton, is hereby appointed to serve as the President of the Company until his successor in office is duly appointed or until his earlier death, resignation or removal.

RESOLVED FURTHER that, after giving effect to the foregoing actions, the executive management of the Company as of January 5, 2021 is as follows:

- Board of Directors: Christopher Efird and Robert Russell.
- Officers: Christopher Efird is the Executive Chairman and Secretary. Eugene W. Cotten is the President. David Kane is the Chief Financial Officer.

****

IN WITNESS WHEREOF, the undersigned hereby execute and deliver this Consent on the dates indicated below but with the actions taken hereby to be effective as of the dates specified herein.

MEMBERS OF THE BOARD:

Christopher Efird

Date: January 4, 2021

Robert Russell

Date: 1-4-21

(14) ATTACHMENTS

☒ Drawings
- ☒ Location map with roads identified
- ☒ U.S.G.S topographic map
- ☒ Tax lot map
- ☒ Site plan(s)
- ☒ Plan view and cross section drawing(s)
- ☒ Recent aerial photo
- ☒ Project photos
- ☒ Erosion and Pollution Control Plan(s), if applicable
- ☐ DSL / Corps Wetland Concurrence letter and map, if approved and applicable

☐ Pre-printed labels for adjacent property owners (Required if more than 30)
☒ Incumbency Certificate if applicant is a partnership or corporation
☒ Restoration plan or rehabilitation plan for temporary impacts
☒ Mitigation plan
☒ Wetland functional assessments, if applicable
- ☒ Cover Page
- ☒ Score Sheets
- ☒ ORWAP OR, F, T, & S forms
- ☒ ORWAP Reports
- ☒ Assessment Maps
- ☒ ORWAP Reports: Soils, Topo, Assessment area, Contributing area

☐ Stream Functional Assessments, if applicable
- ☐ Cover Page
- ☐ Score Sheets
- ☐ SFAM PA, PAA, & EAA forms
- ☐ SFAM Report
- ☐ Assessment Maps
  - ☐ Aerial Photo Site Map and Topo Site Map (Both maps should document the PA, PAA, & EAA)

8 Compensatory Mitigation (CM) Eligibility & Accounting Worksheet
- ☐ Matching Quickguide sheet(s)
- ☒ CM Eligibility & Accounting sheet

☒ Alternatives analysis
☐ Biological assessment (if requested by the Corps project manager during pre-application coordination)
☒ Stormwater management plan (may be required by the Corps or DEQ)
☐ Other
- ☐ Please describe:

For U.S. Army Corps of Engineers send application to:

USACE Portland District
ATTN: CENWP-ODG-P
PO Box 2946
Portland, OR 97208-2946
Phone: 503-808-4373
portlandpermits@usace.army.mil

Counties:
Baker, Benton, Clackamas, Clatsop, Columbia, Gilliam, Grant, Hood River, Jefferson, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yamhill

U.S. Army Corps of Engineers
ATTN: CENWP-ODG-E
211 E. 7th AVE, Suite 105
Eugene, OR 97401-2722
Phone: 541-465-6868
portlandpermits@usace.army.mil

Counties:
Coos, Crook, Curry, Deschutes, Douglas, Jackson, Josephine, Harney, Klamath, Lake, Lane

For Department of State Lands send application to:

West of the Cascades:
Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
Phone: 503-986-5200

East of the Cascades:
Department of State Lands
951 SW Simpson Ave, Suite 104
Bend, Oregon 97702
Phone: 541-388-6112

For Department of Environmental Quality e-mail application to:

ATTN: DEQ 401 Certification Program
Water Quality
700 NE Multnomah St, Suite 600
Portland, OR 97232
401applications@deq.state.or.us