

## ORDINANCE NO. 312

### AN ORDINANCE AMENDING COOS BAY COMPREHENSIVE PLAN 2000, VOLUME III, COOS BAY ESTUARY MANAGEMENT PLAN, TO COMPLY WITH STATEWIDE PLANNING GOALS 16 AND 17

The City of Coos Bay ordains as follows:

**Section 1.** Part 1, Chapter 3, is hereby amended to read as follows:

**A. Chapter 3, Section 3.1, is hereby amended to read as follows:**

#### 3.1 INTRODUCTION

The management framework for this Plan consists of nine policy components:

- Policy Definitions
- Bay-wide Policies
- Management Unit (Segment) Classification System
- Plan Map (including Management Unit Designations)
- Management Unit Objectives
- Uses and Activities Matrix (including “General” and “Special Conditions”)
- Special Dredged Material Disposal Plan
- Special Mitigation/Restoration Plan
- Future Processes (See Section 2)

Section 3 details the policy components set forth above.

**B. Chapter 3, Section 3.2, paragraph 1, is hereby amended to read as follows:**

#### 3.2 POLICY DEFINITIONS

The definitions set forth below are a matter of policy, and shall be used in the implementation and interpretation of this Plan. Words and phrases used in this Plan and not specifically defined herein shall be interpreted according to their ordinary and common meanings. As used in this document, the singular number may include the plural, and the plural number, the singular. Words used in the masculine gender may include the feminine and the neuter. The term “County” shall refer to the County of Coos; the term “Cities” shall refer to the Cities of North Bend and Coos Bay; the term “Port” shall refer to the Oregon International Port of Coos Bay; the term “Estuary” shall refer to the Coos Bay Estuary; and the term “Plan” shall refer to the Coos Bay Estuary Management Plan.

**B. Chapter 3, Section 3.2, is hereby amended by amending the following definitions:**

1. AIRPORTS: Terminal stations for aircraft, passenger, and cargo operations, including runways, towers, and associated structures.
2. COASTAL LAKES: Lakes in the coastal zone that are bordered by a dune formation or that have a direct hydrologic surface or subsurface connection with salt water.
3. COASTAL SHORELANDS: The lands lying between the Coastal Shorelands Boundary set forth elsewhere in this Plan and the line of nonaquatic vegetation, which is also known as the Section 404 Line. Those areas immediately adjacent to the ocean, all estuaries and associated wetlands, and all coastal lakes.
4. CONSERVATION AQUATIC (CA): An aquatic management unit.
5. CONSERVATION SHORELANDS (CS): A shoreland management unit.
6. DEVELOP: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights to access.
7. DEVELOPMENT AQUATIC (DA): An aquatic management unit. (See Section 3.5.)
8. DEVELOPMENT SHORELANDS (D): A shoreland management unit. (See Section 3.5.)
9. DOCKS AND MOORAGE: A pier or secured float or floats for boat tie-up, fishing, or other water-dependent use, often associated with a specific land use on the adjacent shoreland, such as a residence, or group of residences, but not exceeding five berths. Small commercial moorages (five berths or less) with minimal shoreside services and no solid breakwater are included in this category. Float houses, which are used for boat storage, net-drying and similar purposes are also included in this category.
10. DREDGING: The removal of sediment or other material from a stream, river, estuary or other aquatic area. Maintenance Dredging refers to dredging necessary to maintain functional depths in maintained channels, or adjacent to existing docks and related facilities; New Dredging refers to deepening either an existing authorized navigation channel or deepening a natural channel, or to create a marina or other dock facilities; Dredging to Maintain Dikes and Tidegates refers to dredging necessary to provide material for existing dikes and tidegates; Minor Dredging refers to small amounts of removal as necessary, for instance, for a boat ramp. Minor dredging may exceed 50 cubic yards, and therefore, require a permit.
11. MINOR NAVIGATIONAL IMPROVEMENTS: Alterations necessary to provide water access to existing or permitted uses in conservation management units, including dredging for access channels and for maintaining existing navigation but excluding fill and in-water navigational structures other than floating breakwaters or similar permeable wave barriers.
12. MITIGATION: The creation, restoration, or enhancement of an estuarine area to maintain the functional characteristics and processes of the estuary, such as its natural biological productivity,

habitats, and species diversity, unique features and water quality (ORS 541.626).

**C. Chapter 3, Section 3.2 is hereby amended by the addition of the following new definitions:**

1. BRIDGE CROSSINGS: The portion of a bridge spanning a waterway not including supporting structures or fill located in the waterway or adjacent wetlands.
2. BRIDGE CROSSING SUPPORT STRUCTURES: Piers, piling, and similar structures necessary to support a bridge span but not including fill for causeways or approaches.
3. ESTUARINE ENHANCEMENT: An action which results in a long-term improvement of existing estuarine functional characteristics and processes that is not the result of a creation or restoration action.
4. OCEAN FLOODING: The flooding of lowland areas by salt water owing to tidal action, storm surge, or tsunamis (seismic sea waves). Land forms subject to ocean flooding include beaches, marshes, coastal lowlands, and low-lying interdune areas. The highest predicted tide is approximately six (6) feet above Mean Sea Level (MSL).
5. RESTORE: Revitalizing, returning, or replacing original attributes and amenities, such as natural biological productivity, aesthetic and cultural resources, which have been diminished or lost by past alterations, activities or catastrophic events. A restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work *is* performed, and may not have been a functioning part of the estuarine system when alteration work began.

Active Restoration involves the use of specific positive remedial actions, such as removing fills, installing water treatment facilities, or rebuilding deteriorated urban waterfront areas.

Passive Restoration is the use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

6. TEMPORARY ALTERATION: Dredging, filling, or another estuarine alteration occurring over a specified short period of time which is needed to facilitate a use allowed by an acknowledged plan. Temporary alterations may not be for more than three years and the affected area must be restored to its previous condition. Temporary alterations include: (1) alterations necessary for federally authorized navigation projects (e.g., access to dredged material disposal sites by barge or pipeline and staging areas or dredging for jetty maintenance), (2) alterations to establish mitigation sites, alterations for bridge construction or repair and for drilling or other exploratory operations, and (3) minor structures (such as blinds) necessary for research and educational observation.
7. WATER ORIENTED: A use whose attraction to the public is enhanced by a view of or access to coastal waters.

**D. Chapter 3, Section 3.2 is hereby amended by deleting the following definition:**

RESTORATION: Replacing or restoring original attributes or amenities such as natural biological productivity and esthetic or cultural resources which have been diminished or lost by past alterations,

activities or catastrophic events. Active Restoration involves the use of specific remedial actions such as removing dikes or fills, installing water treatment facilities, or rebuilding or removing deteriorated urban waterfront areas. Passive Restoration is the use of natural processes, sequences or timing to bring about restoration after the removal or reduction of adverse stresses.

**E. Chapter 3, Section 3.3, Bay-wide Policies, is hereby amended by amending the following Bay-wide Policies to read as follows:**

**1. Bay-wide Policy #2:**

**#2. GENERAL SCHEDULE OF PERMITTED USES AND GENERAL USE PRIORITIES**

Local government shall restrict estuarine development or alteration so as to be equal to or less intensive than uses and activities that are allowed, or may be allowed pursuant to LCDC Goal #16 and the Oregon Administrative Rule classifying Oregon estuaries (OAR 600-17-000 as amended 6/81).

Local government's determination regarding estuarine management unit designation as well as respective uses and activities permitted reflect priorities for estuarine uses and activities necessary to:

- i. Ensure compatibility with the requirement of LCDC Goal #16 and the Administrative Rule classifying Oregon estuaries (OAR 600-17-000 as amended 6/81).
- ii. Maintain the integrity of the estuarine ecosystem. This strategy shall be implemented by limiting uses and activities within natural, conservation and development estuarine management units so that such uses and activities are not more intensive than those stipulated in the following table.

According to LCDC Goal #16, uses and activities listed below may be allowed in respective management units:

<p style="text-align: center;"><b>MANAGEMENT UNIT</b></p> <p style="text-align: center;">Natural</p>	<p style="text-align: center;"><b>NO SPECIAL ASSESSMENT REQUIRED</b></p> <p><b><u>Without special assessment of the resource capabilities of the area, but subject to special conditions and other policies set forth elsewhere in this Plan.</u></b></p>	<p style="text-align: center;"><b>SPECIAL ASSESSMENT REQUIRED</b></p> <p><b><u>When it is established that such uses are consistent with the resource capabilities of the area and the purposes of the management unit (pursuant to “Linkage” and “Goal Exception” findings in this Plan) but also subject to special conditions and other policies set forth elsewhere in this Plan.</u></b></p>
	<ol style="list-style-type: none"> <li>1. Undeveloped, low-intensity, water-dependent recreation;</li> <li>2. Research and educational observation;</li> <li>3. Navigational aides (such as beacons and buoys);</li> <li>4. Passive restoration measures;</li> <li>5. Protection of habitat, nutrient, fish, wildlife and aesthetic resources;</li> <li>6. Dredging necessary for on-site maintenance of existing functional tidegates and associated drainage channels and bridge crossing support structures;</li> <li>7. Riprap for protection of uses existing as of October 7, 1977, unique natural resources, historical and archeological values; and public facilities; and</li> <li>8. Bridge crossings.</li> </ol> <p>Note: Existing man-made features may be retained, maintained and protected if existing as of October 7, 1977.</p>	<ol style="list-style-type: none"> <li>1. Aquaculture;</li> <li>2. Communication facilities;</li> <li>3. Active restoration measures;</li> <li>4. Boat ramps for public use where no dredging or fill for navigational access is needed;</li> <li>5. Pipelines, cables and utility crossings, including incidental dredging necessary for their installation;</li> <li>6. Installation of tidegates in existing functional dikes;</li> <li>7. Temporary alterations;</li> <li>8. Bridge crossing support structures and dredging necessary for their installation;</li> <li>9. Placement of low water bridges (see Policy #6).</li> </ol>

<p style="text-align: center;"><b>MANAGEMENT UNIT</b></p> <p style="text-align: center;"><b>Conservation</b></p>	<p style="text-align: center;"><b>NO SPECIAL ASSESSMENT REQUIRED</b></p> <p><u>Without</u> special assessment of the resource capabilities of the area, but subject to special conditions and other policies set forth elsewhere in this Plan.</p>	<p style="text-align: center;"><b>SPECIAL ASSESSMENT REQUIRED</b></p> <p><b>When it is established that such uses are <u>consistent with the resource capabilities of the area and the purposes of the management unit</u> (pursuant to “Linkage” and “Goal Exception” findings in this Plan) but also subject to special conditions and other policies set forth elsewhere in this Plan.</b></p>
	<p>All uses listed in natural management units except temporary alterations.</p> <p>1. Active restoration measures</p>	<ol style="list-style-type: none"> <li>1. High-intensity water-dependent recreation, including boat ramps, marinas and new dredging for boat ramps and marinas;</li> <li>2. Maintenance dredging of existing facilities;</li> <li>3. Minor navigational improvements;</li> <li>4. Mining and mineral extraction, including dredging necessary for mineral extraction;</li> <li>5. Other water-dependent uses requiring occupation of water surface area by means other than dredge or fill;</li> <li>6. Fills (see special “fill” policy);</li> <li>7. Waste water/storm water discharge meeting state and federal water quality standards;</li> <li>8. Temporary alterations.</li> </ol>

<p style="text-align: center;"><b>MANAGEMENT UNIT</b></p> <p style="text-align: center;"><b>Development</b></p>	<p style="text-align: center;"><b>NO SPECIAL ASSESSMENT REQUIRED</b></p> <p><u>Without</u> special assessment of the resource capabilities of the area, but subject to special conditions and other policies set forth elsewhere in this Plan.</p>	<p style="text-align: center;"><b>SPECIAL ASSESSMENT REQUIRED</b></p> <p><b>When it is established that such uses are <u>consistent with the purposes of the management unit</u> (pursuant to “Linkage” and “Goal Exception” findings in this Plan) and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment; also subject to special conditions and other policies set forth elsewhere in this Plan.</b></p>
	<ol style="list-style-type: none"> <li>1. Navigation and water-dependent commercial enterprises and activities.</li> <li>2. Needed commercial and industrial water- dependent uses consistent with a shallow-draft estuary, as defined herein;</li> <li>3. Water transport channels where dredging may be necessary;</li> <li>4. Dredge or fill as allowed elsewhere in Goal 16 (see special “dredge” or “fill” policy);</li> <li>5. Navigational structures other than those permitted in natural and conservation management units;</li> <li>6. Marinas;</li> <li>7. Dredged material disposal; Flow-lane disposal of dredged material monitored to assure that Estuarine sedimentation is consistent with the resource capabilities and purposes of affected natural and conservation management units;</li> <li>8. Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation.</li> </ol>	<ol style="list-style-type: none"> <li>1. Water-related and non-dependent, nonrelated uses not requiring dredge or fill;</li> <li>2. All uses permitted in natural and conservation management units;</li> <li>3. Activities identified in Natural and Conservation Management Units.</li> </ol>

This strategy is based on the recognition that the “Use and Activity Matrices” set forth as policy elsewhere

in this Plan conform with and shall be maintained in compliance with the “priority of uses” and other “use” requirements of Goal #16. Unless otherwise noted in respective “Use and Activity Matrices,” the “resource capability assessments” call for in Goal #16 have been conducted, and uses subject to these findings are thus allowed by this Plan, subject only to Baywide Policies and Special Conditions set forth herein.

This strategy recognizes that the Plan’s estuarine management unit designations and permitted uses and activities are based upon and establish general priorities for the use of estuarine resources. The general priorities (from highest to lowest) for management and use of estuarine resources as implemented through the management unit designation and permissible use requirements below shall be:

- a. Uses which maintain the integrity of the estuarine ecosystem;
- b. Water-dependent uses requiring estuarine location, as consistent with the overall Oregon Estuarine Classification;
- c. Water-related uses which do not degrade or reduce the natural estuarine resources and values; and
- d. Non-dependent, non-related uses which do not alter, reduce or degrade estuarine resources and values.

**2. Bay-wide Policy #4:**

**#4. RESOURCE CAPABILITY CONSISTENCY AND IMPACT ASSESSMENT**

Local government concludes that all proposed actions (approved in this Plan) which would alter or potentially alter the estuarine ecosystem have been based upon a full consideration of the impacts of the proposed alteration, except for the following uses and activities:

- a. Natural Management Units
  - Aquaculture
  - Bridge crossings
  - Log storage
- b. Conservation Management Units
  - Aquaculture
  - Bulkheading
  - Dike maintenance dredging
  - High-intensity water-dependent recreation
  - Log storage dredging
  - Minor navigational improvements requiring dredging or fill
  - New or expanded log storage
  - Rip-rap
  - Water intake or withdrawal and effluent discharge
- c. Development Management Units



- Aquaculture
  - Bulkheading (except for Aquatic Units #3DA, 5DA, and 6DA)
  - Dredging
  - Fill
  - Flow lane disposal of dredged material
  - In-water structures
  - Mining and mineral extraction
  - New or expanded log storage
  - Water-related and nondependent, nonrelated uses not requiring fill
- d. Any other uses and activities which require the resource capability consistency test as a condition within a particular management unit or which could affect the estuary's physical processes or biological resources.

Unless fully addressed during the development and adoption of comprehensive plans, actions, which would potentially alter the estuarine ecosystem shall be preceded by a clear presentation of the impacts of the proposed alteration.

For uses and activities requiring the resource capabilities test, a special condition is noted in the applicable management unit uses/activities matrix. A determination of consistency with resource capability and the purposes of the management unit shall be based on the following:

- i. A description of resources identified in the plan inventory;
- ii. An evaluation of impacts on those resources by the proposed use (see impact assessment procedure, below); and
- iii. In a natural management unit, a use or activity is consistent with the resource capabilities of the area when either the impacts of the use on estuarine species, habitats, biological productivity and water quality are not significant or that the resources of the area are able to assimilate the use and activity and their effects and continue to function in a manner to protect significant wildlife habitats, natural biological productivity, and values for scientific research and education.
- iv. In a conservation management unit a use or activity is consistent with the resource capabilities of the area when either the impacts of the use on estuarine species, habitats, biological productivity and water quality are not significant or that the resources of the area are able to assimilate the use and activity and their effects and continue to function in a manner which conserves long-term renewable resources, natural biologic productivity, recreational and aesthetic values and aquaculture.

The impact assessment need not be lengthy or complex, but it should enable reviewers to gain a clear understanding of the impacts to be expected. It shall include information on:

- i. The type and extent of alterations expected;
- ii. The type of resource (s) affected;
- iii. The expected extent of impacts of the proposed alteration on water quality and other physical

characteristics of the estuary, living resources, recreation and aesthetic use, navigation and other existing and potential uses of the estuary; and

- iv. The methods which could be employed to avoid or minimize adverse impacts.

This policy is based on the recognition that the need for and cumulative effects of estuarine developments were fully addressed during the preparation of this Plan and that, except as otherwise stated above, no additional findings are required to meet Implementation Requirement #1 of LCDC Goal 16.

### **3. Bay-wide Policy #5:**

#### **#5. ESTUARINE FILL AND REMOVAL**

Dredging and/or filling shall be allowed only:

- a. If required for navigation or other water-dependent uses that require an estuarine location or if specifically allowed by the applicable management unit requirements of this goal; and
- b. If no feasible alternative upland location exists; and
- c. If a public need (i.e., a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
- d. If adverse impacts are minimized; and
- e. The activity is consistent with the objectives of the Estuarine Resources Goal and with other requirements of state and federal law, specifically the conditions in ORS541.615 and Section 404 of the Federal Water Pollution Control Act (P.L. 92-500).

Other uses and activities which could alter the estuary shall only be allowed if the requirements in (b), (c), and (d) are met. All portions of these requirements may be applied at the time of plan development for actions identified in the Plan. Otherwise, they shall be applied at the time of permit review.

This strategy shall be implemented by the preparation of findings by local government documenting that such proposed actions are consistent with the Comprehensive Plan, and with criteria “a” through “e” above. However, where goal exceptions are included within this plan, the findings in the exception shall be sufficient to satisfy criteria “a” through “c” above. Identification and minimization of adverse impacts as required in “d” above shall follow the procedure set forth in Policy #4a. The findings shall be developed in response to a “request for comment” by the Division of State Lands, which shall seek local government’s determination regarding the appropriateness of a permit to allow the proposed action.

“Significant,” as used in “other significant reduction or degradation of natural estuarine values,” shall be determined by:

- i. The U.S. Army Corps of Engineers through its Section 10 and 404 permit processes; or
- ii. The Department of Environmental Quality for approvals of new aquatic log storage areas

only; or

- iii. The Department of Fish & Wildlife for new aquaculture proposals only.

This strategy recognizes that Goal #16 limits dredge, fill and other estuarine degradation in order to protect the integrity of the estuary.

**4. Bay-wide Policy #5a:**

#5a. TEMPORARY ALTERATIONS

Local government shall support as consistent with this Plan (without taking exception to the Statewide Planning Goals) temporary alterations to areas and resources that the Goal otherwise requires to be preserved or conserved. This exemption is limited to alterations in support of uses permitted by Goal 16; it is not intended to allow uses which are not otherwise permitted by the Goal. Such actions shall be limited to the following:

- i. Alterations necessary for federally authorized Corps of Engineers projects, such as access to dredged material disposal sites by barge or pipeline, or staging areas or dredging required for jetty maintenance;
- ii. Alterations necessary for access to dredged material disposal site, for mitigation actions, for bridge construction or repair, and for drilling or other exploration operations;
- iii. Alterations necessary to install pipelines for utilities and communication facilities.

Further, application of the resource capabilities test to temporary alterations should ensure:

- i. That the short-term damage to resources is consistent with resource capabilities of the area; and
- ii. That the area and affected resources can be restored to their original condition.

Mitigation shall not be required by this Plan for such temporary alterations.

This policy shall be implemented through the administrative conditional use process and through local review and comment on state and federal permit applications.

This policy is based on the recognition that temporary estuarine fill and habitat alterations are frequently legitimate actions when in conjunction with jetty repair and other important economic activities. It is not uncommon for projects to need staging areas and access that require temporary alteration to habitat that is otherwise protected by the Plan.

**5. Bay-wide Policy #6:**

#6. FILL IN CONSERVATION AND NATURAL ESTUARINE MANAGEMENT UNITS

Local government shall allow fill activities in Conservation management units only if listed as an “allowable” use within a respective segment, and then only as part of the following use or activities:

- a. Maintenance and protection of man-made structures existing as of October 7, 1977.
- b. Active restoration if a public need is demonstrated.
- c. Low water bridges if:
  1. An estuarine location is required;
  2. Within the estuary, there are no alternative locations such as in a development management unit; and
  3. Adverse impacts are minimized as much as feasible.
- d. Bridge crossing support structures if:
  1. The findings of C above are made; and
  2. Consistent with the resource capabilities of the area and purposes of the management unit.
- e. Aquaculture, high-intensity water-dependent recreation and minor navigational improvements if:
  1. The findings of D above are made; and
  2. No alternative upland locations exist for the portion of the use requiring fill.
- f. Flood and erosion control structures if:
  1. Required to protect a water-dependent use as otherwise allowed in E above; and
  2. Land use management practices and nonstructural solutions are inadequate to protect the use.

Further, local government shall allow, riprap activities in Natural management units only when necessary for the maintenance and protection of man-made structures existing as of October 7, 1977 and unique natural resources, historical and archaeological values or public facilities.

This strategy shall be implemented through estuarine “Use and Activity” matrices set forth elsewhere in this Plan, and through local review and comment on state and federal permit applications for such projects. This strategy recognizes the general objectives of LCDC Goals #16 and 17.

## **6. Bay-wide Policy #8**

#8 ESTUARINE MITIGATION REQUIREMENTS

Local government recognizes that mitigation shall be required when estuarine dredge or fill activities are permitted in inter-tidal or tidal marsh areas. The effects of the dredge or fill activities shall be mitigated by creation, restoration or enhancement of another area to ensure that the integrity of the estuarine ecosystem is maintained. Comprehensive plans shall designate and protect specific sites for mitigation which generally correspond to the types and quantity of intertidal area proposed for dredging or filling, or make findings demonstrating that it is not possible to do so.

However, mitigation shall not be required for projects which the Division of State Lands has determined meet the criteria in ORS196.830(3).

This strategy shall be implemented through procedures established by the Division of State Lands, and as consistent with ORS196.830 and other mitigation/restoration policies set forth in this Plan.

This strategy recognizes the authority of the Director of the Division of State Lands in administering the statutes regarding mitigation.

**7. Bay-wide Policy #9:**

**#9. SOLUTIONS TO EROSION AND FLOODING PROBLEMS**

Local government shall prefer non-structural solutions to problems of erosion and flooding to structural solutions. Where shown to be necessary and allowed, water and erosion control structures such as jetties, bulkheads, seawalls and similar protective structures and fill shall be designed to minimize adverse impacts on water currents, erosion and accretion patterns.

Further, where listed as an “allowable” activity within the respective management unit, rip-rap shall only be allowed in Development Aquatic (DA) units upon findings that:

- a. Land use management practices and nonstructural solutions are inadequate; and
- b. Adverse impacts on water currents, erosion and accretion patterns are minimized; and
- c. It is consistent with the Development management unit requirements of the Estuarine Resources Goal.

Further, where listed as an “allowable” activity within respective management, units, rip-rap shall only be allowed in Conservation Aquatic (CA) units upon findings that:

- a. Land use management practices and nonstructural solutions are inadequate; and
- b. Adverse impacts on water currents, erosion and accretion patterns are minimized; and
- c. Rip-rap is consistent with the resource capabilities of the area and the purposes of maintaining Conservation management units.

Further, where listed as an “allowable” activity within respective management, units, rip-rap shall only be allowed in Natural Aquatic (NA) units upon findings that:

- a. There is a need to protect from erosion uses existing as of October 7, 1977, unique natural resources and historic archaeological values, or public facilities;
- b. Land use management practices and nonstructural solutions are inadequate;
- c. It is consistent with the natural management unit as set forth in this Plan and required by Goal #16; and
- d. Adverse impacts on water currents, erosion and accretion patterns and estuarine organisms and their habitat are minimized.

Implementation of this strategy shall occur through local review of and comment on state and federal permit applications for such projects.

This strategy is based on the recognition that non-structural solutions are often more cost-effective as corrective measures, but that carefully designed structural solutions are occasionally necessary. The strategy also recognizes LCDC Goal 16 and 17 requirements and the Oregon Administrative Rule classifying Oregon estuaries (OAR 660-17-000 as amended June, 1981).

**8. Bay-wide Policy #17:**

#17 PROTECTION OF “MAJOR MARSHES” AND “SIGNIFICANT WILDLIFE HABITAT” IN COASTAL SHORELANDS

Local government shall protect major marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources located within the Coos Bay Coastal Shorelands Boundary and included in the Plan inventory, except where exceptions allow otherwise. Local government shall consider:

- iv. “major marshes” to include areas identified in the Goal #17 “Linkage Matrix” and the Shoreland Values inventory map;
- v. “significant wildlife habitats,” coastal headlands and exceptional aesthetic resources to include those areas identified, on the map “Shoreland Values.”

This strategy shall be implemented through (i) plan designations and use and activity matrices set forth elsewhere in this Plan that limit uses in these special areas to those that are consistent with protection of natural values, and (ii) through use of the “Shoreland Values” map that identifies such special areas and restricts uses and activities therein to uses that are consistent with the protection of natural values. Such uses may include propagation and selective harvesting of forest products, consistent with the Oregon Forest Practices Act, grazing, harvesting wild crops, and low-intensity water-dependent recreation.

This strategy recognize that special protective consideration must be given to key resources in coastal shorelands over and above the protection afforded such resources elsewhere in this Plan.

**E. Chapter 3, Section 3.4, is hereby amended to read as follows:**

3.4 RESERVED

**F. Chapter 3, Section 3.5, MANAGEMENT SEGMENT CLASSIFICATION SYSTEM, Development Aquatic (DA), is hereby amended to read as follows:**

Development Aquatic (DA)

Development Aquatic areas are managed for navigation and other water-dependent uses, consistent with the need to minimize damage to the estuarine system. Some water-related and other uses may be allowed, as specified in each respective unit. Development Aquatic areas include areas suitable for deep or shallow-draft navigation (including shipping and access channels or turning basins), sites and mining or mineral extraction areas, and areas adjacent to developed or developable shorelines which may need to be altered to provide navigational access or create new land areas for water-dependent uses.

**Section 2.** Part 1, Chapter 5, Designation of Site-Specific Management Segments: Uses and Activities, is hereby amended by amending the following aquatic units to read as follows:

<p>ISTHMUS SLOUGH</p> <p>MANAGEMENT CLASSIFICATION - DA</p>	<p>AQUATIC UNIT</p> <p>ISTHMUS SLOUGH</p> <p>SHALLOW-DRAFT NAVIGATION CHANNEL (22-foot authorized draft)</p>
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**PROJECT DESCRIPTION:**

This unit consists of an authorized channel 22 feet deep by 150 feet wide from mile 15.0 at Bunker Hill to mile 17.0 at Millington.

**MANAGEMENT OBJECTIVE:**

This channel may be dredged to the authorized depth (22 feet). Private dredging shall continue as in the past.

**USES:**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. Aquaculture</li> <li>2. Bridge Crossing Support Structures and dredging necessary for their installation</li> <li>3. Bridge Crossings</li> <li>4. Commercial</li> <li>5. Docks</li> <li>6. Industrial and Port Facilities</li> <li>7. Log Dump/Sort/Storage (in water)</li> <li>8. Marinas</li> <li>9. Mining/Mineral Extraction, including dredging necessary for mineral extraction</li> <li>10. Recreation Facilities             <ol style="list-style-type: none"> <li>a. Low-intensity</li> <li>b. High-intensity</li> </ol> </li> </ol> | <p>N</p> <p>N</p> <p>*</p> <p>N</p> <p>N</p> <p>N</p> <p>N</p> <p>N</p> <p>N</p> <p>N</p> <p>N</p> <p>N</p> |
|--|---|

- |     |  |   |
|-----|--|---|
| 11. | Research and Educational Observation   | N |
| 12. | Utilities  |   |
|     | a. Low-intensity   | * |
|     | b. High-intensity  | N |
| 13. | Water storage areas where needed for products used in,<br>or resulting from industry, commerce, and recreation | N |

ACTIVITIES:

- |     |  |     |
|-----|--|-----|
| 1.  | Dikes  |     |
|     | a. New Construction                            | N/A |
|     | b. Repair/Maintenance                          | N/A |
| 2.  | Dredging                                       |     |
|     | a. New   | *   |
|     | b. Maintenance Dredging of Existing Facilities | *   |
|     | c. To Repair Dikes and Tidegates               | N/A |
| 3.  | Fill   | N   |
| 4.  | Flow Lane Dredged Material Disposal            | N   |
| 5.  | Mitigation                                     | A   |
| 6.  | Navigational                                   |     |
|     | a. Aids (e.g., beacons, buoys)                 | A   |
|     | b. Minor Improvements                          | A   |
|     | c. Structures                                  | N   |
| 7.  | Piling/Dolphin Installation                    | A   |
| 8.  | Restoration                                    |     |
|     | a. Active                                      | N   |
|     | b. Passive                                     | N   |
| 9.  | Shoreline Stabilization                        |     |
|     | a. Vegetative                                  | N/A |
|     | b. Rip-rap                                     | N/A |
|     | c. Bulkheads                                   | N/A |
| 10. | Temporary Alterations                          | *   |
| 11. | Waste Water/Storm Water Discharge              | *   |

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

3 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

12a Low-intensity utilities are only permitted if designed so as not to interfere with navigation.



Activities

2a, 2b These activities are only allowed subject to findings that adverse impacts have been minimized (see Policy #5).

10, 11 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

LOWER BAY/UPPER BAY

AQUATIC UNIT  
DEEP-DRAFT NAVIGATION  
CHANNEL (35' authorized  
draft)

MANAGEMENT CLASSIFICATION - DA

---

PROJECT DESCRIPTION:

The entrance and lower bay section includes a federally-authorized project extending from the Entrance Bar at the outer (western) extremity of the jetties to the railroad bridge at Bay Mile 9.0 north of Pony Slough. The project specifies a 45-foot deep channel with “suitable” width across the Entrance Bar, a 35-foot deep by 300-foot wide channel to the railroad bridge, an Anchorage Basin at Bay Mile 3.5 (southwest of Sitka Dock), a Buoy Storage Area between Sitka Dock and Pigeon Point (not part of federal project), a Turning Basin north of Empire at Bay mile 6.0, and the Anchorage Basin southwest of Roseburg Lumber Co. at Bay mile 7.5. In-bay disposal sites are located off of Coos Head (“G”) and North Bend Airport (“D”). Two other in-bay disposal sites at Bay Miles 4 and 5 are included in this segment.”

The upper bay section includes a federally-authorized project from the railroad bridge (Mile 9.0) to Isthmus Slough at Bunker Hill (Mile 15.0). The federal project involves a navigation channel 35 feet deep by 300 to 400 feet wide, and Turning Basins at North Bend (Mile 12.0) and Coalbank Slough (Mile 14.5).

MANAGEMENT OBJECTIVE:

This unit shall be regularly maintained to authorized depths as the deep-draft navigation channel. Conflicting uses and activities are not permitted.

USES:

- |    |  |   |
|----|--|---|
| 1. | Aquaculture  | N |
| 2. | Bridge Crossing Support Structures and dredging necessary for their installation | A |
| 3. | Bridge Crossings   | * |
| 4. | Commercial   | N |
| 5. | Docks  | N |
| 6. | Industrial and Port Facilities   | N |
| 7. | Log Dump/Sort/Storage (in water)   | N |

8.	Marinas	N
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	N
10.	Recreation Facilities	
	a. Low-intensity	N
	b. High-intensity	N
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	*
	b. High-intensity	N
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N/A
	b. Repair/Maintenance	N/A
2.	Dredging	
	a. New	*
	b. Maintenance Dredging of Existing Facilities	*
	c. To Repair Dikes and Tidegates	N/A
3.	Fill	N
4.	Flow Lane Dredged Material Disposal	*
5.	Mitigation	N
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Minor Improvements	A
	c. Structures	N
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a. Active	N
	b. Passive	N
9.	Shoreline Stabilization	
	a. Vegetative	N/A
	b. Rip-rap	N/A
	c. Bulkheads	N/A
10.	Temporary Alterations	*
11.	Waste Water/Storm Water Discharge	*

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

3 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

12a Low-intensity utilities are only permitted if designed so as not to interfere with navigation.

Activities

2a, 2b These activities are only allowed subject to findings that adverse impacts have been minimized (see Policy #5).

4 Flow-lane disposal may be permitted, pursuant to Policies #46 and #46A.

10, 11 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

COOS RIVER/MILLICOMA RIVER

AQUATIC UNIT  
COOS-MILLICOMA RIVERS  
SHALLOW-DRAFT  
NAVIGATION CHANNEL

MANAGEMENT CLASSIFICATION - DA

(authorized depth 5 feet; 3 feet  
above Dellwood)

---

PROJECT DESCRIPTION: The unit includes a federally-authorized channel project. A 5 foot deep by 50 foot wide channel is authorized for the Coos River, the Millicoma River to Allegany (River Mile 8.3), and the South Fork Coos River to Dellwood (River Mile 8.75). Channel depth is reduced to 3 feet from River Mile 8.75 to River Mile 9.25 on the South Fork Coos River above Dellwood.

MANAGEMENT OBJECTIVE:

This channel shall be maintained to permit continued use for log transport and other shallow-draft navigation within the current authorization. Disposal of dredged materials on the adjacent banks for dike maintenance purposes shall be encouraged.

USES:

- |    |  |   |
|----|--|---|
| 1. | Aquaculture  | N |
| 2. | Bridge Crossing Support Structures and dredging necessary for their installation | N |
| 3. | Bridge Crossings   | * |
| 4. | Commercial   | N |
| 5. | Docks  | N |
| 6. | Industrial and Port Facilities   | N |
| 7. | Log Dump/Sort/Storage (in water)   | N |
| 8. | Marinas  | N |
| 9. | Mining/Mineral Extraction, including dredging necessary                          |   |

	for mineral extraction	N
10.	Recreation Facilities	
	a. Low-intensity	N
	b. High-intensity	N
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	*
	b. High-intensity	N
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N/A
	b. Repair/Maintenance	N/A
2.	Dredging	
	a. New	*
	b. Maintenance Dredging of Existing Facilities	*
	c. To Repair Dikes and Tidegates	N/A
3.	Fill	N
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	N
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Minor Improvements	A
	c. Structures	N
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a. Active	N
	b. Passive	N
9.	Shoreline Stabilization	
	a. Vegetative	N/A
	b. Rip-rap	N/A
	c. Bulkheads	N/A
10.	Temporary Alterations	*
11.	Waste Water/Storm Water Discharge	*

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- 3 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or

designated for waterfront redevelopment.

12a Low-intensity utilities are only permitted if designed so as not to interfere with navigation.

Activities:

2a, 2b These activities are only allowed subject to findings that adverse impacts have been minimized (see Policy #5). First consideration for obtaining material shall be given to dredged material disposal on the adjacent banks for dike maintenance purposes.

10, 11 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

UPPER BAY

MANAGEMENT  
CLASSIFICATION - NA

AQUATIC UNIT - 15

BOUNDARIES:

This unit extends west to the deep-draft channel beginning at a line that extends west along the south edge of the natural Kentuck Channel and ending at a line that extends west from Pierce Point along the north edge of the natural Cooston Channel. It also includes Willanch Slough to head of tide (tidegate at East Bay Drive).

MANAGEMENT OBJECTIVE:

This natural aquatic unit shall be managed to protect its natural resource productivity. The unit also contains a designated mitigation site (U-9c), which shall be protected from pre-emptive uses as a “medium” priority site (see Policy #22).

USES:

- |     |  |   |
|-----|--|---|
| 1.  | Aquaculture  | * |
| 2.  | Bridge Crossing Support Structures and dredging necessary for their installation | * |
| 3.  | Bridge Crossings   | A |
| 4.  | Commercial   | N |
| 5.  | Docks  | N |
| 6.  | Industrial and Port Facilities   | N |
| 7.  | Log Dump/Sort/Storage (in water)   | N |
| 8.  | Marinas  | N |
| 9.  | Mining/Mineral Extraction, including dredging necessary for mineral extraction   |   |
| 10. | Recreation Facilities  | N |
|     | a. Low-intensity   | N |

- b. High-intensity N
- 11. Research and Educational Observation A
- 12. Utilities
  - a. Low-intensity A
  - b. High-intensity N
- 13. Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation N

ACTIVITIES:

- 1. Dikes
  - a. New Construction N
  - b. Maintenance/Repair N
- 2. Dredging
  - a. New N
  - b. Maintenance Dredging of Existing Facilities N
  - c. To Repair Dikes and Tidegates N
- 3. Fill N
- 4. Flow Lane Dredged Material Disposal N
- 5. Mitigation A
- 6. Navigational
  - a. Aids (e.g., beacons, buoys) A
  - b. Minor Improvements N
  - c. Structures N
- 8. Piling/Dolphin Installation N
- 9. Restoration
  - a. Active N
  - b. Passive A
- 10. Shoreline Stabilization
  - a. Vegetative A
  - b. Rip-rap \*
  - c. Bulkheads N
- 11. Temporary Alterations \*
- 12. Waste Water/Storm Water Discharge N

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- 1, 2 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

Activities

- 10b This activity is only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring non-structural to structural solutions, and to the specific findings for rip-rap.
- 11 This use is allowed when it is established that such uses are consistent with the resource capabilities of the area and the purposes of the management unit.

UPPER BAY

MANAGEMENT  
CLASSIFICATION - CA

AQUATIC UNIT - 16

BOUNDARIES:

This unit extends to the southwest side of the Cooston finger channel, beginning at a line extending west from the northwest tip of Pierce Point and ending at a line extending west from the L-turn in East Bay Drive south of Pierce Point.

MANAGEMENT OBJECTIVE:

This unit shall be managed to accommodate access through the natural “finger channel” (located in the segment) to the natural Cooston shallow-draft channel (located outside the unit) for upland aquaculture and future industrial uses, particularly storage and transport of logs.

USES:

- |     |   |   |
|-----|---|---|
| 1.  | Aquaculture   | * |
| 2.  | Bridge Crossing Support Structures and dredging necessary for their installation                            | A |
| 2.  | Bridge Crossings  | A |
| 3.  | Commercial  | * |
| 4.  | Docks   | * |
| 5.  | Industrial and Port Facilities  | * |
| 6.  | Log Dump/Sort/Storage (in water)  | * |
| 7.  | Marinas   | N |
| 8.  | Mining/Mineral Extraction, including dredging necessary for mineral extraction                              | N |
| 9.  | Recreation Facilities   |   |
|     | a. Low-intensity  | * |
|     | b. High-intensity   | N |
| 11. | Research and Educational Observation  | N |
| 12. | Utilities   |   |
|     | a. Low-intensity  | A |
|     | b. High-intensity   | A |
| 13. | Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation | N |

ACTIVITIES:

1.	Dikes	
	a.	New Construction N
	b.	Maintenance/Repair *
2.	Dredging	
	a.	New N
	b.	Maintenance Dredging of Existing Facilities *
	c.	To Repair Dikes and Tidegates N
3.	Fill	N
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	
	a.	Aids (e.g., beacons, buoys) A
	b.	Minor Improvements A
	c.	Structures N
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a.	Active *
	b.	Passive A
9.	Shoreline Stabilization	
	a.	Vegetative A
	b.	Rip-rap *
	c.	Bulkheads *
10.	Temporary Alterations	*
11.	Waste Water/Storm Water Discharge	*

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- 1 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 4, 5, 6 These uses are only permitted if water-dependent and need to occupy the water surface by means other than fill (e.g., pilings).
- 7 New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).
- 10a Such recreational facilities must be water-dependent.



Activities

- 1b This activity is only permitted subject to the findings required by Policy #6, “Fill in Conservation and Natural Management Units,” and subject to finding that adverse impacts have been minimized (see Policy #5) and to Policy #8 requiring mitigation.
- 2b These uses are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 6c Minor dredging for the purpose of “scalping” shoaled areas is only allowed subject to the making of resource capability findings and subject to the assessment of impacts (Policy #4.) Other minor navigational improvements are allowed outright.
- 8a Active restoration shall be allowed only when consistent with Policy #22b.
- 9b, 9c These activities are only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring non-structural to structural solutions, and to the specific findings for rip-rap.  
  
Further, bulkheads are only allowed subject to (1) the making of resource capability consistency findings and impact assessments (see Policy #4a); (2) a finding that adverse impacts have been minimized (see Policy #5); and (3) Policy #8 requiring mitigation.
- 10, 11 This use is permitted when it is established that the use is consistent with the resource capabilities of the area and the purposes of the management unit.

UPPER BAY

MANAGEMENT  
CLASSIFICATION - NA

AQUATIC UNIT - 17

---

BOUNDARIES:

This unit extends west to the natural Cooston Channel beginning at a line extending west from the L-turn in East Bay Drive south of Pierce Point and ending at the line dividing S. 19 from S. 30, T. 25, R. 12 west of East Bay Drive.

MANAGEMENT OBJECTIVE:

This aquatic unit consisting of mudflats and marsh areas shall be managed to protect its natural resource productivity.

USES:

1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	*
3.	Bridge Crossings	A
4.	Commercial	N
5.	Docks	N
6.	Industrial and Port Facilities	N
7.	Log Dump/Sort/Storage (in water)	N
8.	Marinas	N
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	N
10.	Recreation Facilities	
	a. Low-intensity	N
	b. High-intensity	N
11.	Research and Educational Observation	A
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	N
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	N
2.	Dredging	
	a. New	N
	b. Maintenance Dredging of Existing Facilities	N/A
	c. To Repair Dikes and Tidegates	N
3.	Fill	N
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Structures	N
	c. Minor Improvements	N
8.	Piling/Dolphin Installation	N
9.	Restoration	
	a. Active	N
	b. Passive	A
10.	Shoreline Stabilization	
	a. Vegetative	A
	b. Rip-rap	*
	c. Bulkheads	N
11.	Temporary Alterations	*
12.	Waste Water/Storm Water Discharge	N

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

1, 2 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

Activities

10b This activity is only permitted subject to the general findings required by Policy #9, "Solutions to Erosion and Flooding Problems," preferring non-structural to structural solutions, and to the specific findings for rip-rap. may be allowed subject to findings that adverse impacts have been minimized (see Policy #5).

11 These uses are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

UPPER BAY

MANAGEMENT  
CLASSIFICATION - CA

AQUATIC UNIT - 18B

BOUNDARIES:

This unit consists of the natural Cooston Channel from Coos River to the deep-draft channel.

MANAGEMENT OBJECTIVE:

This natural shallow-draft channel shall be managed for navigation and subtidal log storage uses.

USES:

- |    |  |   |
|----|--|---|
| 1. | Aquaculture  | * |
| 2. | Bridge Crossing Support Structures and dredging necessary for their installation | A |
| 3. | Bridge Crossings   | A |
| 4. | Commercial   | N |
| 5. | Docks  | N |
| 6. | Industrial and Port Facilities   | N |
| 7. | Log Dump/Sort/Storage (in water)   | * |
| 8. | Marinas  | N |
| 9. | Mining/Mineral Extraction, including dredging for                                |   |

	mineral extraction	N
10.	Recreation Facilities	
	a. Low-intensity	*
	b. High-intensity	N
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	N
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	N
2.	Dredging	
	a. New	N
	b. Maintenance Dredging of Existing Facilities	*
	c. To Repair Dikes and Tidegates	N
3.	Fill	N
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Minor Improvements	*
	c. Structures	N
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a. Active	*
	b. Passive	A
9.	Shoreline Stabilization	
	a. Vegetative	N/A
	b. Rip-rap	N/A
	c. Bulkheads	N/A
10.	Temporary Alterations	*
11.	Waste Water/Storm Water Discharge	*

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- 1 This use is only allowed subject too the making of resource capability consistency findings and impact assessments (see Policy #4a).

7 This use shall be limited to log storage only.

New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (See Policy #5c).

10a Such recreational facilities must be water-dependent.

Activities

2b If due to hydraulic conditions, shoaling in the natural channel should hamper shallow-draft navigation, maintenance dredging shall be allowed to return the area to its natural depths. Further, this activity is only allowed subject to finding that adverse impacts have been minimized. (See Policy #5.)

In addition to the above requirements, when this activity involves dredging for log storage, the activity is only allowed subject to the making of resource capability consistency findings and impact assessments. (See Policy #4a.)

6b Minor dredging for the purpose of “scalping” shoaled areas is only allowed subject to the making of resource capability findings and subject to the assessment of impacts (Policy #4.) Other minor navigational improvements are allowed outright.

8a Active restoration shall be allowed only when consistent with Policy #22b.

10, 11 This use is permitted when it is established that the use is consistent with the resource capabilities of the area and the purposes of the management unit. (See Policy 4a.).

COOS RIVER/MILLICOMA RIVER

MANAGEMENT  
CLASSIFICATION - CA

AQUATIC UNIT - 20

---

BOUNDARIES:

This unit extends from the banks to the shallow-draft channel on both sides of the Coos and Millicoma Rivers from river mile 0 of the authorized channel to the heads of tide past Allegany and Dellwood. The unit does not include the aquatic areas directly in front of the Harbor Barge and Tug facility, the barge site at the forks or the log sorting sites at Allegany and Dellwood. It does include the tidal portions of Lillian Creek and Daniels Creek.

MANAGEMENT OBJECTIVE:

This aquatic unit shall be managed to allow log transport while protecting fish habitat. Log storage shall be allowed in areas of this unit which are near shoreland log sorting areas at Allegany, Shoreland Unit 20C, and Dellwood, Shoreland Unit 20D, as well as in areas for which valid log storage and handling leases exist from

the Division of State Lands.

See also EXCEPTION 10.

USES:

- |     |   |   |
|-----|---|---|
| 1.  | Aquaculture   | * |
| 2.  | Bridge Crossing Support Structures and dredging necessary for their installation                          | A |
| 3.  | Bridge Crossings  | A |
| 4.  | Commercial  | N |
| 5.  | Docks   | * |
| 6.  | Industrial & Port Facilities  | N |
| 7.  | Log Dump/Sort/Storage (in-water)  | * |
| 8.  | Marinas   | N |
| 9.  | Mining/Mineral Extraction, including dredging necessary for mineral extraction                            | N |
| 10. | Recreation facilities   |   |
|     | a. Low-intensity  | * |
|     | b. High-intensity   | * |
| 11. | Research and Educational Observation  | N |
| 12. | Utilities   |   |
|     | a. Low-intensity  | A |
|     | b. High-intensity   | A |
| 13. | Water storage areas where needed for products used in or resulting from industry, commerce and recreation | N |

ACTIVITIES:

- |     |  |   |
|-----|--|---|
| 1.  | Dikes  |   |
|     | a. New Construction                            | N |
|     | b. Repair/Maintenance                          | * |
| 2.  | Dredging                                       |   |
|     | a. New   | N |
|     | b. Maintenance dredging of existing facilities | * |
|     | c. To repair dikes and tidegates               | * |
| 3.  | Fill   | N |
| 4.  | Flow-lane Disposal of Dredged Material         | N |
| 5.  | Navigational                                   |   |
|     | a. Aids (such as beacons and buoys)            | A |
|     | b. Structures                                  | N |
|     | c. Minor Navigational Improvements             | * |
| 8.  | Piling/Dolphin Installation                    | A |
| 9.  | Shoreline Stabilization                        |   |
|     | a. Vegetative                                  | A |
|     | b. Rip-rap                                     | * |
|     | c. Bulkheads                                   | * |
| 10. | Mitigation                                     | A |

- |     |                                   |   |
|-----|-----------------------------------|---|
| 11. | Restoration                       |   |
|     | a. Active                         | * |
|     | b. Passive                        | A |
| 12. | Temporary Alterations             | * |
| 13. | Waste Water/Storm Water Discharge | * |

SPECIAL CONDITIONS:

Uses

1 These uses are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

5, 10b These uses are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy # 4a).

In addition, recreational facilities must be water-dependent.

Docks shall be limited to small-scale private boat docks, and shall occupy the water surface by means other than fill.

7 This use shall be limited to log storage and log sorting.

New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).

10a Such recreational facilities must be water-dependent.

Activities

1b This activity is only permitted subject to the findings required by Policy #6, “Fill in Conservation and Natural Management Units,” and subject to finding that adverse impacts have been minimized (see Policy #5); and to Policy #38 requiring mitigation.

2b Where intertidal areas are affected, these activities are only allowed subject to finding that adverse impacts have been minimized (see Policy #5), and subject to Policy #8 requiring mitigation.

In addition to the above requirements, when this activity involves dredging for log storage, the activity is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

2c. Dredging is only permitted to maintain/repair existing functional tidegates and associated drainage channels and bridge crossing support structures or for emergency repair of dikes where breaching has occurred or is in imminent danger of occurring. Dredging shall be limited to minimum necessary for functional operation (Policy #5).

5c Minor dredging for the purpose of “scalping” shoaled areas is only allowed subject to the making of resource capability findings and subject to the assessment of impacts (Policy #4). Other minor

navigational improvements are allowed outright.

9b, 9c These activities are only permitted subject to the general findings required by Policy #9, "Solutions to Erosion and Flooding Problems," preferring non-structural to structural solutions, and to the specific findings for rip-rap.

Further, bulkheads are only allowed subject to (1) the making of resource capability consistency findings and impact assessment (see Policy #4a); (2) a finding that adverse impacts have been minimized (see Policy #5); (3) findings required by Policy #6, "Fill in Conservation and Natural Management Units," and (4) Policy #8 requiring mitigation.

11a Active restoration shall be allowed only when consistent with Policy #22b.

12, 13 These uses are allowed when it is established that the uses are consistent with the resource capabilities of the area and the purposes of the management unit.

CATCHING SLOUGH

MANAGEMENT  
CLASSIFICATION - CA

AQUATIC UNIT - 21

BOUNDARIES:

The aquatic areas of Catching Slough from the mouth at the Coos River Road Bridge to the extent of tidal influence. The aquatic area includes two tributary streams south of Sumner to the extent of tidal influence.

MANAGEMENT OBJECTIVE:

This aquatic unit shall be managed to allow rural upland uses while protecting aquatic resources. Dredging for routine repair/maintenance of dikes shall only be permitted if no alternative upland source of suitable fill material is reasonably available and/or land access is not possible.

See also **EXCEPTION #10.**

USES:

- |    |  |   |
|----|--|---|
| 1. | Aquaculture  | * |
| 2. | Bridge Crossing Support Structures and dredging necessary for their installation | A |
| 3. | Bridge Crossings   | A |
| 4. | Commercial   | N |
| 5. | Docks  | * |
| 6. | Industrial & Port Facilities   | N |
| 7. | Log Dump/Sort/Storage (in-water)   | N |
| 8. | Marinas  | N |
| 9. | Mining/Mineral Extraction, including dredging necessary for mineral              |   |



	extraction	N
10.	Recreation facilities	
	a. Low-intensity	*
	b. High-intensity	*
11.	Utilities	
	a. Low-intensity	A
	b. High-intensity	N
12.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation.	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Repair/Maintenance	*
2.	Dredging	
	a. New	N
	b. Maintenance dredging of existing facilities	*
	c. To repair dikes and tidegates	*
3.	Fill	*
4.	Flow-lane Disposal of Dredged Material	N
5.	Mitigation	A
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Minor Improvements	*
	c. Structures	N
7.	Piling/Dolphin Installation	A
8.	Shoreline Stabilization	
	a. Vegetative	A
	b. Rip-rap	*
	c. Bulkheads	N
9.	Mitigation	A
10.	Restoration	
	a. Active	*
	b. Passive	A
11.	Temporary Alterations	*
12.	Waste water/storm water discharge meeting state and federal water quality standards	*

SPECIAL CONDITIONS:

Uses

- 1, 10b These uses are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
5. This use is only permitted if it occupies the water surface by means other than fill (e.g., pilings).

- 10a Such recreational facilities must be water-dependent.  
10b

Activities

- 1b, 3 These activities are only permitted subject to the findings required by Policy #6, “Fill in Conservation and Natural Management Units,” and subject to finding that adverse impacts have been minimized (see Policy #5); and to Policy #8 requiring mitigation.
- 2b These uses are allowed when it is established that the uses are consistent with the resource capabilities of the area and the purposes of the management unit.
- 2c Dredging for routine repair/maintenance of dikes shall only be permitted if no alternative upland source of suitable fill material is reasonably available and/or land access is not possible (see Policy #5b). This activity is also subject to Policy #8 requiring mitigation, as applicable.
- Dredging shall be permitted to maintain/repair tidegates and for emergency dike repair where breaching has occurred or is imminent.
- However, all dredging shall be the minimum required to maintain functional operation (see Policy #5b).
- 6b Minor dredging for the purpose of “scalping” shoaled areas is only allowed subject to the making of resource capability findings and subject to the assessment of impacts (Policy #4). Other minor navigational improvements are allowed outright.
- 8b This activity is only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring non-structural to structural solutions, and to the specific findings for rip-rap.
- 10a Active restoration shall be allowed only when consistent with Policy #22b.
- 11,12 These uses are allowed when it is established that the uses are consistent with the resource capabilities of the area and the purposes of the management unit.

UPPER BAY

MANAGEMENT  
CLASSIFICATION - DA

AQUATIC UNIT - 23

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BOUNDARIES:

This unit extends east to the shallow-draft navigation channel beginning at the Coos River Highway Bridge and ending at a line extending east from the north side of the existing white building north of the barge-loading facility. Most of the segment is shallow subtidal.

MANAGEMENT OBJECTIVE:

This unit shall be managed to facilitate aquatic access for the development of water-dependent uses on adjacent shorelands.

USES:

1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	*
3.	Bridge Crossings	*
4.	Commercial	N
5.	Docks	A
6.	Industrial and Port Facilities	*
7.	Log Dump/Sort/Storage (in water)	*
8.	Marinas	N
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	N
10.	Recreation Facilities	
	a. Low-intensity	A
	b. High-intensity	A
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	A
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	*
2.	Dredging	
	a. New	*
	b. Maintenance Dredging of Existing Facilities	*
	c. To repair dikes and tidegates	*
3.	Fill	*
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	N
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Minor Improvements	A
	c. Structures	N
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a. Active	N
	b. Passive	N

- |     |                                   |   |
|-----|-----------------------------------|---|
| 9.  | Shoreline Stabilization           |   |
|     | a. Vegetative                     | A |
|     | b. Rip-rap                        | * |
|     | c. Bulkheads                      | * |
| 10. | Temporary Alterations             | * |
| 11. | Waste Water/Storm Water Discharge | * |

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- 1 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 2, 3 These uses are allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or waterfront redevelopment.
- 6 If the use is water-related or non-dependent/related and does not require fill *or dredge*, findings must be that the use is consistent with the resource capabilities and purposes of the management unit. Fill is not permitted for non-water-dependent uses.
- 7 Log dump/sort uses shall be allowed only on an interim basis for salvage or waste disposal operations.

New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).

Activities

- 1b, 2a, 2b, 3 These activities are only allowed subject to findings that adverse impacts have been minimized (see Policy #5) and to Policy #8 requiring mitigation.
- 2c These uses are allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or waterfront redevelopment.
- 9b, 9c These activities are only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring non-structural to structural solutions, and to the specific findings for rip-rap.

Further, bulkheads are only allowed subject to (1) the making of resource capability consistency findings and impact assessments (see Policy #4a); (2) a finding that adverse impacts have been minimized (see Policy #5); and (3) Policy #8 requiring mitigation.

10, 11 These uses are allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or waterfront redevelopment.

UPPER BAY

MANAGEMENT  
CLASSIFICATION - NA

AQUATIC UNIT - 24

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BOUNDARIES:

This aquatic unit consists of the area of the W-shaped marsh and adjacent tidal flats north to the -3 foot MLLW contour on the Marshfield Channel.

MANAGEMENT OBJECTIVE:

This aquatic unit which contains a large productive marsh known as the “W-shaped marsh” shall be managed to protect its natural resource productivity.

USES:

1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	*
3.	Bridge Crossings	A
4.	Commercial	N
5.	Docks	N
6.	Industrial and Port Facilities	N
7.	Log Dump/Sort/Storage (in water)	N
8.	Marinas	N
9.	Mining/Mineral Extraction	N
10.	Recreation Facilities	
	a. Low-intensity	N
	b. High-intensity	N
11.	Research and Educational Observation	A
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	N
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	N



corner of the upper bay, together with adjacent subtidal areas northeast of the Coos River Channel, and scattered small upland islands.

MANAGEMENT OBJECTIVE:

This unit contains a major estuarine salt marsh and shall be managed in its natural condition to protect resource productivity and habitat values. Shoreline stabilization is allowed if breaching of the existing shoreline appears imminent.

USES:

1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	*
3.	Bridge Crossings	A
4.	Commercial	N
5.	Docks	N
6.	Industrial and Port Facilities	N
7.	Log Dump/Sort/Storage (in water)	N
8.	Marinas	N
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	N
10.	Recreation Facilities	
	a. Low-intensity	N
	b. High-intensity	N
11.	Research and Educational Observation	A
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	N
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	N
2.	Dredging	
	a. New	N
	b. Maintenance Dredging of Existing Facilities	N
	c. To Repair Dikes and Tidegates	N
3.	Fill	N
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Minor Improvements	N
	c. Structures	N

7.	Piling/Dolphin Installation	N
8.	Restoration	
	a. Active	N
	b. Passive	A
9.	Shoreline Stabilization	
	a. Vegetative	A
	b. Rip-rap	*
	c. Bulkheads	N
10.	Temporary Alterations	*
11.	Waste Water/Storm Water Discharge	N

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- 1, 2 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

Activities

- 9b This activity is only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring non-structural to structural solutions, and to the specific findings for rip-rap.
- 10 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

UPPER BAY

MANAGEMENT  
CLASSIFICATION - CA

AQUATIC UNIT - 26A

BOUNDARIES:

This unit consists of the natural Marshfield Channel from the deep-draft channel to the Coos River shallow-draft channel.

MANAGEMENT OBJECTIVE:

This natural shallow-draft channel shall be managed for navigation and subtidal log storage uses.

USES:



1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	A
3.	Bridge Crossings	A
4.	Commercial	N
5.	Docks	N
6.	Industrial & Port Facilities	N
7.	Log Dump/Sort/Storage (in-water)	*
8.	Marinas	N
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	N
10.	Recreation facilities	
	a. Low-intensity	*
	b. High-intensity	N
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	A
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N/A
	b. Repair/Maintenance	N/A
2.	Dredging	
	a. New	*
	b. Maintenance dredging of existing facilities	*
	c. To repair dikes and tidegates	N/A
3.	Fill	N
4.	Flow-lane Disposal of Dredged Material	N
5.	Navigational	
	a. Aids (such as beacons and buoys)	A
	b. Minor Navigational Improvements	*
	c. Structures	N
6.	Piling/Dolphin Installation	A
7.	Shoreline Stabilization	
	a. Vegetative	N/A
	b. Rip-rap	N/A
	c. Bulkheads	N/A
8.	Mitigation	A
9.	Restoration	
	a. Active	*
	b. Passive	A
10.	Temporary Alterations	*
11.	Waste water/storm water discharge	*

SPECIAL CONDITIONS:

Uses

- 1 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 7 This use shall be restricted to log storage only. New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).
- 10a Such recreational facility must be water-dependent.

Activities

- 2a,2b New dredging shall be permitted only to provide access to a dredged marina in adjacent Segment 26B CA. Maintenance dredging shall be permitted for this facility after construction. These activities are only allowed subject to finding that adverse impacts have been minimized (see Policy #5).

In addition to the above requirements, when these activities involve dredging for log storage, these activities are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

- 5b If due to hydraulic conditions, shoaling in the natural channel should hamper shallow-draft navigation, minor navigational improvements shall be allowed to return the area to its natural depths.
- 9a Active restoration shall be allowed only when consistent with Policy #22b.
- 10, 11 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

UPPER BAY

MANAGEMENT  
CLASSIFICATION - CA

AQUATIC UNIT - 26B

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BOUNDARIES:

This aquatic unit begins at the northwest corner of the Eastside peninsula and ends at a line continuing north from the boundary between Shoreland Segments 26 UD and 27 UW.

MANAGEMENT OBJECTIVE:

This tidelflat between the Marshfield Channel and the upland shall be managed to allow development of a dredged marina and day-use boat ramp, with log storage as an interim use. Other uses shall not preempt the use of part of this site for at least 22 acres of moorage needs.

NOTE: See also **EXCEPTION #20**

USES:

1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	A
3.	Bridge Crossings	A
4.	Commercial	N
5.	Docks	*
6.	Industrial and Port Facilities	N
7.	Log Dump/Sort/Storage (in water)	*
8.	Marinas	*
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	N
10.	Recreation Facilities	
	a. Low-intensity	*
	b. High-intensity	*
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	A
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	N/A
2.	Dredging	
	a. New	*
	b. Maintenance Dredging of Existing Facilities	*
	c. To Repair Dikes and Tidegates	N
3.	Fill	N
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	c. Minor Improvements	A
	b. Structures	N
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a. Active	*
	b. Passive	A
9.	Shoreline Stabilization	
	a. Vegetative	A

- b. Rip-rap \*
- c. Bulkheads \*
- 10. Temporary Alterations \*
- 11. Waste Water/Storm Water Discharge \*

GENERAL CONDITIONS

None

SPECIAL CONDITIONS:

Uses

- 1, 10b These uses are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 5 This use is only permitted if it occupies the water surface by means other than fill (e.g., pilings).
- 7 This use shall be limited to log storage and shall not conflict with the ultimate development of a marina.  
  
New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).
- 8 Marinas are only permitted without a jetty or dredged channel.
- 10a, 10b Development of a day-use boat ramp associated with the marina shall be allowed.
- 10b Such recreational facilities must be water-dependent.

Activities

- 2a, 2b New/maintenance dredging shall only be allowed in conjunction with the development of a marina and associated boat ramp. These activities are only allowed subject to finding that adverse impacts have been minimized (see Policy #5) and to Policy #8 requiring mitigation.  
  
In addition to the above requirements, when these activities involve dredging for log storage, these activities are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 3 Fill shall only be allowed in conjunction with high-intensity water-dependent recreation, or as otherwise allowed by Policy #6, subject to the conditions contained therein. This activity is only allowed subject to finding that adverse impacts have been minimized (see Policy #5) and to Policy #8 requiring mitigation.
- 8a Active restoration shall be allowed only when consistent with Policy #22b.

- 9b, 9c These activities are only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” referring nonstructural to structural solutions, and the specific findings for rip-rap.

Further, bulkheads are only allowed subject to (1) the making of resource capability consistency findings and impact assessments (see Policy #4a); (2) a finding that adverse impacts have been minimized (see Policy #5); (3) the findings required by Policy #6, “Fill in conservation and Natural Management Units,” and (4) Policy #8 requiring mitigation.

- 10, 11 These uses are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

ISTHMUS SLOUGH

MANAGEMENT  
CLASSIFICATION - DA

AQUATIC UNIT - 27

BOUNDARIES:

This unit extends west to the deep-draft channel beginning at a line extending west from the northwest corner of the Eastside Peninsula and ending at a line extending south from First Avenue.

MANAGEMENT OBJECTIVE:

This unit, which is located between the deep-draft channel and prime development land, shall be managed in conjunction with water-dependent industrial uses in the uplands.

USES:

- |     |  |   |
|-----|--|---|
| 1.  | Aquaculture  | * |
| 2.  | Bridge Crossing Support Structures and dredging necessary for their installation | * |
| 3.  | Bridge Crossings   | * |
| 4.  | Commercial   | * |
| 5.  | Docks  | A |
| 6.  | Industrial and Port Facilities   | * |
| 7.  | Log Dump/Sort/Storage (in water)   | * |
| 8.  | Marinas  | A |
| 9.  | Mining/Mineral Extraction, including dredging necessary for mineral extraction   | * |
| 10. | Recreation Facilities  |   |
|     | a. Low-intensity   | A |
|     | b. High-intensity  | A |
| 11. | Research and Educational Observation Structure                                   | N |
| 12. | Utilities  |   |
|     | a. Low-intensity   | A |

- |   |   |
|---|---|
| b. High-intensity   | A |
| 13. Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation | N |

ACTIVITIES:

- |  |   |
|--|---|
| 1. Dikes                                       |   |
| a. New Construction                            | N |
| b. Maintenance/Repair                          | * |
| 2. Dredging                                    |   |
| a. New   | * |
| b. Maintenance Dredging of Existing Facilities | * |
| c. To Repair Dikes and Tidegates               | N |
| 3. Fill  | * |
| 4. Flow Lane Dredged Material Disposal         | N |
| 5. Mitigation                                  | A |
| 6. Navigational                                |   |
| a. Aids (e.g., beacons, buoys)                 | A |
| b. Minor Improvements                          | A |
| c. Structures                                  | N |
| 7. Piling/Dolphin Installation                 | A |
| 8. Restoration                                 |   |
| a. Active                                      | * |
| b. Passive                                     | A |
| 9. Shoreline Stabilization                     |   |
| a. Vegetative                                  | A |
| b. Rip-rap                                     | * |
| c. Bulkheads                                   | * |
| 10. Temporary Alterations                      | * |
| 11. Waste Water/Storm Water Discharge          | * |

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- |      |  |
|------|--|
| 1    | This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).  |
| 2, 3 | These activities are allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment. |
| 4, 6 | If the use is water-related or non-dependent/non-related and does not require fill, findings must be made that the use is consistent with the resource capabilities and purposes of the management unit.                           |

Fill is not permitted for non-water-dependent uses.

7 This use shall be limited to log storage only. New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).

9 Mining/mineral extraction is only allowed if compatible with navigation and moorage uses, and if consistent with the resource capabilities of the area and the purposes of the management objective.

Activities

1b, 2a, 2b, 4 These activities are only allowed subject to finding that adverse impacts have been minimized (see Policy #5); and to Policy #8 requiring mitigation.

8a Active restoration shall be allowed only when consistent with Policy #22b.

9b, 9c These activities are only permitted subject to the general findings required by Policy #9, "Solutions to Erosion and Flooding Problems," preferring non-structural to structural solutions, and to the specific findings for rip-rap.

Further, bulkheads are only allowed subject (1) to the making of resource capability consistency findings and impact assessment (see Policy #4a); (2) to a finding that adverse impacts have been minimized (see Policy #5); and (3) to Policy #8 requiring mitigation.

10, 11 These activities are allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

ISTHMUS SLOUGH

MANAGEMENT  
CLASSIFICATION - DA

AQUATIC UNIT - 28B

---

BOUNDARIES:

This unit borders the Isthmus Slough shallow-draft channel beginning at a line extending south from First Avenue and ending at a line extending east from the north edge of Kennedy Field.

MANAGEMENT OBJECTIVE:

This Development aquatic unit shall be managed to allow in-water log dump, sort and storage associated with adjacent mills and other water-dependent development, including access.

USES:

- |    |  |   |
|----|--|---|
| 1. | Aquaculture  | * |
| 2. | Bridge Crossing Support Structures and dredging necessary for their installation | A |

3.	Bridge Crossings	A
4.	Commercial	*
5.	Docks	A
6.	Industrial and Port Facilities	*
7.	Log Dump/Sort/Storage (in water)	*
8.	Marinas	*
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	*
10.	Recreation Facilities	
	a. Low-intensity	A
	b. High-intensity	A
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	A
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	*
2.	Dredging	
	a. New	*
	b. Maintenance Dredging of Existing Facilities	*
	c. To Repair Dikes and Tidegates	N
3.	Fill	*
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Minor Improvements	A
	c. Structures	N
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a. Active	*
	b. Passive	A
9.	Shoreline Stabilization	
	a. Vegetative	A
	b. Rip-rap	*
	c. Bulkheads	*
10.	Temporary Alterations	*
11.	Waste Water/Storm Water Discharge	*

GENERAL CONDITIONS:

None



SPECIAL CONDITIONS:

Uses

- 1 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 4, 6 If the use is water-related or non-dependent, nonrelated and does not require fill, findings must be made that the use is consistent with the resource capabilities and purposes of the management unit. Fill is not permitted for non-water-dependent uses.
- 7 New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).
- 8 This use is only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.
- 9 Mining/mineral extraction is only allowed if it does not conflict with access to shoreland uses, and if consistent with the resource capabilities of the area and the purposes of the management objective.

Activities

- 1b, 2a, 2b, 3 These activities are only allowed subject to finding that adverse impacts have been minimized (see Policy #5); and to Policy #8 requiring mitigation.
- 8a Active restoration shall be allowed only when consistent with Policy #22b.
- 9b, 9c These activities are only permitted subject to the general findings required by Policy #9, "Solutions to Erosion and Flooding Problems," preferring non-structural to structural solutions, and to the specific findings for rip-rap.  
  
Further, bulkheads are only allowed subject (1) to the making of resource capability consistency findings and impact assessment (see Policy #4a); (2) to a finding that adverse impacts have been minimized (see Policy #5); and (3) to Policy #8 requiring mitigation.
- 10, 11 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

ISTHMUS SLOUGH-COALBANK SLOUGH

MANAGEMENT  
CLASSIFICATION - CA

AQUATIC UNIT - 38

---

BOUNDARIES:

This unit consists of the aquatic area of Coalbank Slough from the railroad bridge to the extent of hydraulic influence (tidegates on Shingleouse/Libby Road), excluding the two salt marshes on the southeastern shore.

MANAGEMENT OBJECTIVE:

The Management Objective of this unit is two-fold:

- (1) The portion of the unit between Seventh Street in Coos Bay and the mouth of the slough shall be managed to facilitate development of a small-scale, shallow-draft marina. Continuation of historic log storage shall be appropriate between the highway and railroad bridges only.
- (2) The portion of the unit upstream from Seventh Street in Coos Bay shall be managed to restrict intensive uses and thereby protect the area's resource productivity.

In addition, dredging for routine repair/maintenance of existing dikes shall be permitted only if no alternative upland source of suitable fill material is reasonably available and/or land access is not possible.

SEE ALSO EXCEPTION #10.

USES:

1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	A
3.	Bridge Crossings	A
4.	Commercial	*
5.	Docks	*
6.	Industrial and Port Facilities	*
7.	Log Dump/Sort/Storage (in water)	*
8.	Marinas	*
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	N
10.	Recreation Facilities	
	a. Low-intensity	*
	b. High-intensity	*
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	A
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	*

2.	Dredging	
	a.	New *
	b.	Maintenance Dredging of Existing Facilities *
	c.	To Repair Dikes and Tidegates *
3.	Fill	*
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	A
	a.	Aids (e.g., beacons, buoys) A
	c.	Minor Improvements A
	b.	Structures N/A
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a.	Active *
	b.	Passive A
9.	Shoreline Stabilization	
	a.	Vegetative A
	b.	Rip-rap *
	c.	Bulkheads *
10.	Temporary Alterations	*
11.	Waste Water/Storm Water Discharge	*

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

1, 10b These uses are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a). In addition, recreational facilities must be water-dependent.

4, 5, 6 These uses are only permitted if they are water-dependent and need to occupy the water surface by means other than fill (e.g., pilings). Industrial uses shall not be allowed upstream of Seventh Street.

7 Log storage shall be allowed between the highway and railroad bridges only; log dump/sort shall not be allowed.

New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).

8 A marina shall only be allowed east of Seventh Street in Coos Bay, and shall not involve new dredging of a channel for access purposes.

10a Such recreational facilities must be water-dependent.

Activities

- 1b This activity is only permitted subject to the findings required by Policy #6, “Fill in Conservation and Natural Management Units,” and subject to finding that adverse impacts have been minimized (see Policy #5); and to Policy #8 requiring mitigation.
- 2a New dredging shall be allowed only for the purpose of establishing a marina for shallow-draft vessels as described in the Management Objective, but shall not involve new dredging of an access channel. This activity is only allowed subject to finding that adverse impacts have been minimized (see Policy #5); and Policy #8 requiring mitigation.
- 2b These activities are only allowed subject to finding that adverse impacts have been minimized (see Policy #5); and to Policy #8 requiring mitigation.  
  
Further, where dredging for log storage is involved, this activity shall only be allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 2c Dredging for routine repair/maintenance of dikes shall only be permitted if no alternative upland source of suitable fill material is reasonably available and/or land access is possible (see Policy #5b). This activity is also subject to Policy #8 requiring mitigation, as applicable. Dredging shall be permitted to maintain/repair tidegates and for emergency dikes repair where breaching has occurred, or is imminent. However, all dredging shall be the minimum required for functional operation.
- 3 Fill shall be allowed to permit development of a small-scale marina, subject to findings that adverse impacts have been minimized (See Policy #5) and to Policy #8 requiring mitigation.
- 8a Active restoration shall be allowed only when consistent with Policy #22b.
- 9b, 9c These activities are only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring non-structural to structural solutions, and to the specific findings for rip-rap, and subject to finding that adverse impacts have been minimized (see Policy #5); and to Policy #8 requiring mitigation. .
- 10, 11 These uses are only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

## ISTHMUS SLOUGH

MANAGEMENT  
CLASSIFICATION - DA

AQUATIC UNIT - 43

### BOUNDARIES:

This unit extends northeast to the deep-draft channel beginning at a line extending east from Curtis Street and ending where the southern Pacific railroad bridge crosses Coalbank Slough.

### MANAGEMENT OBJECTIVE:

This aquatic management unit, which is in close proximity to the channel and turning basin, shall be managed for development as allowed by the uses and activities matrix. The uses and activities allowed shall not, however, conflict with safe navigation.

USES:

1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	*
3.	Bridge Crossings	*
4.	Commercial	*
5.	Docks	A
6.	Industrial and Port Facilities	*
7.	Log Dump/Sort/Storage (in water)	*
8.	Marinas	A
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	*
10.	Recreation Facilities	
	a. Low-intensity	N
	b. High-intensity	N
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	A
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	*
	b. Maintenance/Repair	*
2.	Dredging	
	a. New	*
	b. Maintenance Dredging of Existing Facilities	*
	c. To Repair Dikes and Tidegates	*
3.	Fill	*
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Minor Improvements	A
	c. Structures	*
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a. Active	*
	b. Passive	A
9.	Shoreline Stabilization	

- |     |                                   |   |
|-----|-----------------------------------|---|
|     | a. Vegetative                     | A |
|     | b. Rip-rap                        | * |
|     | c. Bulkheads                      | * |
| 10. | Temporary Alterations             | * |
| 11. | Waste Water/Storm Water Discharge | * |

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- 1 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 2, 3 These activities are allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.
- 4, 6 If the use is water-related or non-dependent, nonrelated and does not require fill, findings must be made that the use is consistent with the resource capabilities and purposes of the management unit. Fill is not permitted for non-water-dependent uses.
- 7 New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).
- 9 Mining/mineral extraction is only allowed if compatible with navigation and moorage uses, and if consistent with the resource capabilities of the area and the purposes of the management objective.

Activities

- 1a, 1b These activities are only allowed subject to finding that adverse impacts have been minimized (see 2a, 2b Policy #5); and to Policy #8 requiring mitigation.
- 2c, 3, 6c
- 8a Active restoration shall be allowed only when consistent with Policy #22b.
- 9b, 9c These activities are only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring non-structural to structural solutions, and to the specific findings for riprap.

Further, bulkheads are only allowed subject (1) to the making if resource capability consistency findings and impact assessment (see Policy #4a); and (2) to a finding that adverse impacts have been minimized (see Policy #5); and (3) to Policy #8 requiring mitigation.

10, 11 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

## UPPER BAY

MANAGEMENT  
CLASSIFICATION - DA

AQUATIC UNIT - 44

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### BOUNDARIES:

This unit extends east to the deep-draft channel beginning at a line east from the northern boundary of the Menasha property just south of Simpson Heights and ending at a line to the east from Curtis Street in Coos Bay.

### MANAGEMENT OBJECTIVE:

This aquatic unit between the channel and the shoreline shall be managed to provide continued essential water access for the upland water-dependent uses. This shall be accomplished through the uses and activities allowed.

### USES:

- |     |   |   |
|-----|---|---|
| 1.  | Aquaculture   | * |
| 2.  | Bridge Crossing Support Structures and dredging necessary for their installation                            | * |
| 3.  | Bridge Crossings  | * |
| 4.  | Commercial  | * |
| 5.  | Docks   | A |
| 6.  | Industrial and Port Facilities  | * |
| 7.  | Log Dump/Sort/Storage (in water)  | * |
| 8.  | Marinas   | A |
| 9.  | Mining/Mineral Extraction, including dredging necessary for mineral extraction                              | * |
| 10. | Recreation Facilities   |   |
|     | a. Low-intensity  | A |
|     | b. High-intensity   | A |
| 11. | Research and Educational Observation  | N |
| 12. | Utilities   |   |
|     | a. Low-intensity  | A |
|     | b. High-intensity   | A |
| 13. | Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation | N |

### ACTIVITIES:

1. Dikes

	a. New Construction	*
	b. Maintenance/Repair	*
2.	Dredging	
	a. New	*
	b. Maintenance Dredging of Existing Facilities	*
	c. To Repair Dikes and Tidegates	*
3.	Fill	*
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	A
	b. Minor Improvements	A
	c. Structures	*
7.	Piling/Dolphin Installation	A
8.	Restoration	
	a. Active	*
	b. Passive	A
9.	Shoreline Stabilization	
	a. Vegetative	A
	b. Rip-rap	*
	c. Bulkheads	*
10.	Temporary Alterations	*
11.	Waste Water/Storm Water Discharge	*

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- 1 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).
- 2, 3 These activities are allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.
- 4, 6 If the use is water-related or non-dependent, nonrelated and does not require fill, findings must be made that the use is consistent with the resource capabilities and purposes of the management unit. Fill is not permitted for non-water-dependent uses.
- 7 New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).
- 9 Mining/mineral extraction is only allowed if compatible with navigation and moorage uses, and if consistent with the resource capabilities of the area and the purposes of the management objective.



Activities

1a, 1b These activities are only allowed subject to finding that adverse impacts have been minimized (see 2a, 2b Policy #5); and to Policy #8 requiring mitigation.

2c, 3,  
6c

8a Active restoration shall be allowed only when consistent with Policy #22b.

9b, 9c These activities are only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring non-structural to structural solutions, and to the specific findings for riprap; and

Further, bulkheads are only allowed subject (1) to the making if resource capability consistency findings and impact assessment (see Policy #4a); and (2) to a finding that adverse impacts have been minimized (see Policy #5); and (3) to Policy #8 requiring mitigation.

10, 11 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

LOWER BAY

MANAGEMENT  
CLASSIFICATION - NA

AQUATIC UNIT - 52

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BOUNDARIES:

This unit extends north to the deep-draft navigation channel beginning at a line extending northwest from the configuration change in the shoreline that parallels Runway 4-22. The segment ends at a line extending west from a point at the approximate center of Section 17 and surrounds the disposal islands southwest of Runway 4-22.

MANAGEMENT OBJECTIVE:

This aquatic unit contains extensive eelgrass beds with associated fish and waterfowl habitat, and shall accordingly be managed to maintain these resources in their natural condition in order to protect their productivity.

Dredging of a small channel on the north side of the proposed airport fill shall be necessary as a form of mitigation to maintain tidal currents.

Maintenance only of the existing sewage treatment plant outfall shall be permitted.

USES:

1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	*
3.	Bridge Crossings	A
4.	Commercial	N
5.	Docks	N
6.	Industrial and Port Facilities	N
7.	Log Dump/Sort/Storage (in water)	N
8.	Marinas	N
9.	Mining/Mineral Extraction	N
10.	Recreation Facilities	
	a. Low-intensity	N
	b. High-intensity	N
11.	Research and Educational Observation Structure	A
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	N
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	N/A
2.	Dredging	
	a. New	*
	b. Maintenance Dredging of Existing Facilities	N
	c. To Repair Dikes and Tidegates	N/A
3.	Fill	N
4.	Flow Lane Dredged Material Disposal	N
5.	Mitigation	A
6.	Navigational	
	a. Aids (e.g., beacons, buoys)	N
	b. Minor Improvements	N
	c. Structures	N
7.	Piling/Dolphin Installation	N
8.	Restoration	
	a. Active	N
	b. Passive	A
9.	Shoreline Stabilization	
	a. Vegetative	A
	b. Rip-rap	*
	c. Bulkheads	N
10.	Temporary Alterations	*
11.	Waste Water/Storm Water Discharge	*

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

- 1, 3 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

Activities

- 2a New dredging shall be allowed only to dredge a small channel on the north side of the proposed airport fill as necessary to maintain tidal currents. In addition, this activity is only allowed subject to a finding that adverse impacts have been minimized (see Policy #5).
- 9b This activity is only permitted subject to the general findings required by Policy #9, "Solutions to Erosion and Flooding Problems," preferring non-structural to structural solutions, and to the specific findings for rip-rap.
- 10, 11 This use is only allowed subject to the making of resource capability consistency findings and impact assessments (see Policy #4a).

LOWER BAY

MANAGEMENT  
CLASSIFICATION - DA

AQUATIC UNIT - 52A

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BOUNDARIES:

Beginning at a point on the extended centerline of Runway 4-22, North Bend Municipal Airport, North Bend, Oregon; said point bearing South 63 degrees 13' 56" West, a distance of 200 feet from the west end of Runway #4; thence running north 26 degrees 46' 04" west 362.5 feet; thence south 63 degrees 13' 56" west 2,000 feet; thence south 26 degrees 46' 04" east 725 feet; then north 63 degrees 13' 56" east 2,000 feet; thence north 26 degrees 46' 04" west 500 feet to the point of beginning.

MANAGEMENT OBJECTIVE:

This aquatic area shall be managed to protect natural resources until such time as the unit is filled to allow for extension of North Bend Municipal Airport Runway 4-22, which shall be allowed. Upon completion of required filling, the segment shall become new Shoreland Segment 51A; interim uses and activities shall be in effect until filling is completed. This unit comprises dredged material disposal site 9x.

**SEE ALSO EXCEPTION #21.**

USES:

- |     |   |   |
|-----|---|---|
| 1.  | Aquaculture   | N |
| 2.  | Bridge Crossing Support Structures and dredging necessary for their installation                            | N |
| 3.  | Bridge Crossings  | N |
| 4.  | Commercial  | N |
| 5.  | Docks   | N |
| 6.  | Industrial and Port Facilities  | N |
| 7.  | Log Dump/Sort/Storage (in water)  | N |
| 8.  | Marinas   | N |
| 9.  | Mining/Mineral Extraction, including dredging necessary for mineral extraction                              | N |
| 10. | Recreation Facilities   |   |
|     | a. Low-intensity  | N |
|     | b. High-intensity   | N |
| 11. | Research and Educational Observation Structure  | N |
| 12. | Utilities   |   |
|     | a. Low-intensity  | * |
|     | b. High-intensity   | * |
| 13. | Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation | N |

ACTIVITIES:

- |    |  |     |
|----|--|-----|
| 1. | Dikes  |     |
|    | a. New Construction                            | *   |
|    | b. Maintenance/Repair                          | *   |
| 2. | Dredging                                       |     |
|    | a. New   | N   |
|    | b. Maintenance Dredging of Existing Facilities | N   |
|    | c. To Repair Dikes and Tidegates               | N/A |
| 3. | Fill   | *   |
| 4. | Flow Lane Dredged Material Disposal            | *   |
| 5. | Mitigation                                     | A   |
| 6. | Navigational                                   |     |
|    | a. Aids (e.g., beacons, buoys)                 | N   |
|    | b. Minor Improvements                          | N   |
|    | c. Structures                                  | N   |
| 7. | Piling/Dolphin Installation                    | N   |
| 8. | Restoration                                    |     |
|    | a. Active                                      | N   |
|    | b. Passive                                     | N   |
| 9. | Shoreline Stabilization                        |     |
|    | a. Vegetative                                  | A   |
|    | b. Rip-rap                                     | *   |

- c. Bulkheads \*
- 10. Temporary Alterations \*
- 11. Waste Water/Storm Water Discharge \*

**INTERIM SPECIAL CONDITIONS**

Uses

- 12 Utilities shall be allowed in this unit, as consistent with the North Bend Municipal Airport Master Plan (including the runway extension project).

Activities

- 1a, b These activities shall be allowed as consistent with the North Bend Municipal Airport Master Plan  
3, 4, (including the runway extension project).  
9b, c

- 1a, b, In addition, these activities are only allowed subject to finding that adverse impacts have been  
3, 4 minimized (see Policy #5); and to Policy #8 requiring mitigation.

- 9b,c These activities are only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring non-structural to structural solutions, and to the specific findings for rip-rap.

Further, bulkheads are only allowed subject (1) to the making of resource capability consistency findings and impact assessments (see Policy #4a); (2) to a finding that adverse impacts have been minimized (see Policy #5); and (3) to Policy #8 requiring mitigation.

**LONG-TERM USES AND ACTIVITIES**

(for new Shoreland Unit 51 A)

USES:

- 1. Agriculture N
- 2. Airports A
- 3. Aquaculture N
- 4. Bridge Crossing Support Structures and dredging  
necessary for their installation N/A
- 5. Bridge Crossings N
- 6. Commercial N
- 7. Dryland Moorage N
- 8. Industrial & Port Facilities N
- 9. Land Transportation Facilities A
- 10. Log Storage/Sorting Yard (land) N
- 11. Marinas N
- 12. Mining/Mineral Extraction N
- 13. Recreation Facilities

	a. Low-intensity	N
	b. High-intensity	N
14.	Residential	N
15.	Solid Waste Disposal	N
16.	Timber Farming/Harvesting	N
17.	Utilities	
	a. Low-intensity	A
	b. High-intensity	A
18.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Stream Alteration	A
2.	Dikes	
	a. New Construction	N
	b. Maintenance/Repair	N
3.	Dredge Material Disposal	A
4.	Excavation to Create New Water Surface	N
5.	Fill	A
6.	Land Divisions	A
7.	Mitigation	N/A
8.	Navigational Aids	N
9.	Restoration	
	a. Active	N/A
	b. Passive	N/A
10.	Shoreline Stabilization	
	a. Vegetative	N
	b. Rip-rap	*
	c. Retaining Wall	*
11.	Temporary Alterations	*
12.	Waste Water/Storm Water Discharge	*

LONG-TERM GENERAL CONDITIONS

None

LONG-TERM SPECIAL CONDITIONS

Activities

7b,c These activities are only permitted subject to the general findings required by Policy #9, "Solutions to Erosion and Flooding Problems."

10, 11 These activities are only allowed when it is established that such uses are consistent with the purposes of the management unit and adjacent shorelands designated for water-dependent uses or designated for waterfront redevelopment.

LOWER BAY

MANAGEMENT  
CLASSIFICATION - CA

AQUATIC UNIT - 53

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BOUNDARIES:

This unit extends east of the deep-draft navigation channel beginning at a line extending waterward from the north end of Cape Arago Mill, and ending at a similar line 2,400 feet to the north, measured along the shoreline.

MANAGEMENT OBJECTIVE:

This unit shall be managed to (1) conserve its aquatic resources, and (2) to permit subtidal log storage in support of the mill to the south of the unit.

USES:

1.	Aquaculture	*
2.	Bridge Crossing Support Structures and dredging necessary for their installation	A
3.	Bridge Crossings	A
4.	Commercial	N
5.	Docks	N
6.	Industrial and Port Facilities	N
7.	Log Dump/Sort/Storage (in water)	*
8.	Marinas	N
9.	Mining/Mineral Extraction, including dredging necessary for mineral extraction	N
10.	Recreation Facilities	
	a. Low-intensity	N
	b. High-intensity	N
11.	Research and Educational Observation	N
12.	Utilities	
	a. Low-intensity	A
	b. High-intensity	N
13.	Water storage areas where needed for products used in, or resulting from industry, commerce, and recreation	N

ACTIVITIES:

1.	Dikes	
	a. New Construction	N
	b. Repair/Maintenance	N/A

2.	Dredging	
	a.	New
	b.	Maintenance Dredging of Existing Facilities
	c.	To Repair Dikes and Tidegates
3.	Fill	
4.	Flow Lane Dredged Material Disposal	
5.	Mitigation	
6.	Navigational	
	a.	Aids (e.g., beacons, buoys)
	b.	Minor Improvements
	c.	Structures
8.	Piling/Dolphin Installation	
9.	Restoration	
	a.	Active
	b.	Passive
10.	Shoreline Stabilization	
	a.	Vegetative
	b.	Rip-rap
	c.	Bulkheads
11.	Temporary Alterations	
12.	Waste Water/Storm Water Discharge	

N  
\*  
N/A  
N  
N  
A  
A  
A  
N  
A  
A  
A  
\*  
A  
A  
\*  
N  
\*  
\*

GENERAL CONDITIONS:

None

SPECIAL CONDITIONS:

Uses

1, 3 The use is allowed when it is established that the use is consistent with the resource capabilities of the area and the purposes of the management unit. (See Policy 4a.)

7 This use shall be limited to log storage and shall not conflict with the ultimate development of a marina.

New or expanded log storage shall only be permitted after review and approval by the Department of Environmental Quality (see Policy #5c).

Activities

2b Maintenance dredging *is* permitted for log storage and access to nearby docks. In addition this activity is only allowed subject (1) to making of resource capability consistency findings and impact assessments (see Policy #4a); (2) to a finding that adverse impacts have been minimized (see Policy #5); and (3) to Policy #8 requiring mitigation.

9a Active restoration shall be allowed only when consistent with Policy #22b.



10b These activities are only permitted subject to the general findings required by Policy #9, “Solutions to Erosion and Flooding Problems,” preferring nonstructural to structural solutions, and the specific findings for rip-rap.

11, 12 The use is allowed when it is established that the use is consistent with the resource capabilities of the area and the purposes of the management unit. (See Policy 4a.)

**Section 3.** Part 2, Chapter 3, is hereby amended to read as follows:

**A. Chapter 3, Section 3.1, COASTAL SHORELAND BOUNDARY IDENTIFICATION AND FINDINGS, INTRODUCTION, is hereby amended to read as follows:**

### 3.1 INTRODUCTION

Statewide Planning Goal #17 (Coastal Shorelands) defines “coastal shorelands” as “those areas immediately adjacent to the ocean, all estuaries and associated wetlands, and all coastal lakes.” Goal #17 requires identification of shoreland areas in accordance with seven criteria. These criteria are applicable within the “Planning Area,” which is an area for inventory and study, to determine the location of the “Coastal Shorelands Boundary”.

**B. Chapter 3, Section 3.2, “PLANNING AREA,” is hereby amended to read as follows:**

According to Goal #17, the “Planning Area” for the Coos Bay Estuary system encompasses the following area:

“All lands west of the Oregon Coast Highway” except “all lands west of a line formed by connecting the western boundaries of the following described roadways: Oregon State 240, Cape Arago Secondary (FAS 263) southerly from its junction with the Oregon Coast Highway to Charleston; Seven Devils Road (County Road 33) southerly from its junction with Oregon State 240 (FAS263) to its junction with the Oregon Coast Highway, near Bandon;”

Also included to the east of Highway 101 and Cape Arago Highway are:

“All lands within an area defined by a line measured horizontally

- a. 1000 feet from the shoreline of estuaries (Statewide Planning Goal #17); and
- b. 500 feet from the shoreline of coastal lakes”.

According to these criteria, the “Planning Area” extends a maximum of 1,000 ft. from the estuary shoreline in the entire upper bay (above McCullough Bridge), in the upper slough and riverine systems, and in South Slough above Charleston Bridge.

**C. Chapter 3, Section 3.3, SHORELAND IDENTIFICATION CRITERIA AND BOUNDARY MAPS (Findings), is hereby amended to read as follows:**

The seven criteria of Goal #17 and the way in which they were interpreted and applied are detailed below. The criteria are mapped in detail within the planning area on a set of maps at a scale of 1" = 800'. Property lines are shown on all maps. The head of tide for sloughs and rivers was determined by use of (I) “Heads of

Tide for Coastal Streams,” Division of State Lands, and (ii) Coos County Planning Staff field surveys of tidegates on July 16 and 21, 1981 for those areas not surveyed by DSL. Working tidegates are deemed to be the effective head of tide, and therefore, the furthest extent of the estuarine area, wherever they occur. It is recognized that many working tidegates are not completely water-tight, and limited saline intrusion often occurs upstream. However, upstream areas above tidegates are not considered estuarine, because of the lack of direct tidal influence.

Lands contiguous with the ocean, estuaries, or coastal lakes are identified as coastal shorelands. The extent of shorelands shall include a least:

Criterion #1. “Areas subject to ocean flooding and lands within 100 feet of the ocean shore or within 50 feet of an estuary or a coastal lake;”

Criterion #2. “Adjacent areas of geologic instability where the geologic instability is related to or will impact a coastal water body”. These include:

1. Areas of slump topography. (There are none within the Coos Bay Coastal Shoreland Boundary. Source: Environmental Geology of Western Coos and Douglas Counties, DGMI, 1975.)
2. Areas of unstable open dune sand. (Source: “Beaches and Dunes of the Oregon Coast,” OCCDC and SCS, 1974.)

Criterion #3. “Natural or man-made riparian resources, especially vegetation necessary to stabilize the shoreline and to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas;”

- (a) Vegetation was mapped schematically using aerial photos, along estuarine shorelines and coastal rivers and sloughs, as a riparian strip which stabilizes banks and maintains water temperature. Without the necessary field surveys it is not possible to exactly determine the boundary between riparian vegetation and non-riparian vegetation. On-site field checks would be necessary to determine precisely the exact location of riparian vegetation for site specific development proposals.

Criterion #4. “Areas of significant shoreland and wetland biological habitats whose habitat quality is primarily derived from or related to the association with coastal water areas”.

- (a) “Significant wetland habitats” are identified by Oregon Department of Fish and Wildlife, using the USFWS National Wetlands Inventory as a basic source. Not all wetland areas inventoried by USFW are considered “significant.” Many are small isolated areas or wet meadows under agricultural use, which ODFW determined were not significant wildlife habitats. (See Section 4.3, “Coastal Shoreland Values Requiring Mandatory Protection,” for further discussion.)
- (b) Other non-wetland (upland) habitat areas within the planning area include such significant habitats as heron rookeries, snowy plover nesting sites. (See Section 4.3.)

Criterion #5. “Areas necessary for water-dependent and water-related uses, including areas of recreational

importance which utilize coastal water or riparian resources, areas appropriate for navigation and port facilities, dredge material disposal and mitigation sites, and areas having characteristics suitable for aquaculture”.

These areas include sites that are potential candidates for water-dependent and water-related uses. Because it is not possible to determine the needed land area at this stage they are not necessarily those sites that will finally be designated for these uses in the plan. (Source: Coos County Planning Dept.) Coastal recreation sites include boat ramps, waysides and parks. (Source: Coos County Comprehensive Plan Background Document, 1979.)

Criterion #6. “Areas of exceptional aesthetic or scenic quality, where the quality is primarily derived from or related to the association with coastal water areas (emphasis added); and

Criterion #7. “Coastal Headlands.”

The Coastal Shorelands Planning Area was initially established to provide a framework within which to map the shorelands boundary. The shoreland boundary itself follows the outline of the feature which extends furthest upland, but still within the planning area boundary. The boundary is delineated schematically on the 1" = 800' scale maps so as to show its relationship to the shoreline and to property boundaries. However, it may be necessary to make on-site determinations of the precise location of the boundary in many cases, particularly regarding riparian vegetation or flood hazard.

**Section 4.** Part 2, Chapter 4, Section 4.2.1, BIOLOGICAL ESTUARINE CHARACTERISTICS, 4.2.1 Introduction: Requirements of Estuarine Resources Goal (#16) is hereby amended to read as follows:

#### 4.2.1 Introduction: Requirements of Estuarine Resources Goal (#16)

The biological resources inventory is a major key to planning future uses of the Coos Bay Estuary, according to the requirements of State-Wide Planning Goal #16 (Estuarine Resources). The Inventory Requirements section of Goal #16 states:

“Inventories shall be conducted to provide information necessary for designating estuary uses and policies. These inventories shall provide information on the nature, location, and extent of physical, biological, social and economic resources in sufficient detail to establish a sound basis for estuarine management and to enable the identification of areas for preservation and areas of exceptional potential for development. (LCDC Goal #16, Estuarine Resources.)”

Goal #16 further requires state and federal agencies to assist in inventory work on estuarine resources. In the case of biological resources, Coastal Zone Management Act funds were passed on to the Oregon Department of Fish and Wildlife to provide technical assistance to local planning staffs in the form of habitat mapping and inventory reports to fulfill the requirements of the Goal. The result of this work is the draft report “Natural Resources of Coos Bay Estuary,” (ODFW, 1979) which forms the basis for this inventory and is extensively cited throughout.

The “Guidelines” to Goal #16 provide advisory direction on the categories of information that should be included in a biological resources inventory; they require local governments to address the location, description and extent of:

- a) The common species of benthic (living in or on bottom) flora and fauna;
- b) The fish and wildlife species, including part time residents;
- c) The important resting, feeding, and nesting areas for migrating and resident shorebirds, wading birds and wildlife;
- d) The areas important for recreational fishing and hunting, including areas used for clam digging and crabbing;
- e) Estuarine wetlands;
- f) Fish and shellfish and spawning areas;
- g) Significant natural areas; and
- h) Areas presently in commercial aquaculture”.  
(Guidelines, LCDC Goal #16, Estuarine Resources)

This list forms the basic outline for the biological resources inventory which follows.

Certain key biological resources are important in defining the location and extent of “Management Units” in the estuary, which determine the uses and activities that may occur. The “Management Units” section of Goal #16 requires that at a minimum, three types of management units shall be established: “Natural,” “Conservation,” and “Development,” within which certain prescribed uses and activities may, or may not occur, subject to certain conditions in some cases. The Goal requires that “Natural” management units:

“shall include, at a minimum, all major tracts of salt marsh, tideflats, and seagrass and algae beds” [emphasis added].”

“Conservation” management units, according to the Goal:

“shall include tracts of significant habitat smaller or of less biological importance than those in natural management units, and recreational or commercial oyster and clam beds not included in natural management units [Emphasis added]. (LCDC Goal #16).

The Goal adds that:

“Areas that are partially altered and adjacent to existing development of moderate intensity which do not possess the resource characteristics of natural or development units shall also be included in this classification [emphasis added]. (LCDC Goal #16)

“Development” management units shall include, among other types of areas:

“areas of minimal biological significance needed for uses requiring alteration of the estuary [emphasis added].” (LCDC Goal #16)

The most important function of the biological resources inventory is to distinguish habitat areas with these different levels of importance within the entire estuarine system. This distinction provides guidance in classifying the estuary into different management units. It also helps to determine, through the “Linkage” process, where statewide goal exceptions are needed for any Plan designations which do not comply with the goal requirements pertaining to establishment of management units quoted above.

Other important functions of the inventory, also required by the Goal #16, are to provide a factual basis to:

- (i) determine the impacts of “dredge, fill or other reduction or degradation of natural values; and
- ii) determine the “cumulative effect” of uses, activities and alterations in all development management units (LCDC Goal #16).

Lastly, Goal #16 requires that the effects of dredge or fill activities in intertidal or tidal marsh areas be “mitigated by creation, restoration or enhancement of another area to ensure that the integrity of the estuarine ecosystem is maintained.(LCDC Goal #16). The biological resources inventory provides a basis for determining what would be lost to dredge or fill activities. A separate inventory [Special Mitigation/Restoration Element] sets out candidate sites which may be used to satisfy this requirement.

**Section 5.** Part 2, Chapter 4, Section 4.3.1 COASTAL SHORELAND “VALUES” REQUIRING MANDATORY PROTECTION, Statewide Goal Requirements, is hereby amended to read as follows:

#### 4.3.1 Statewide Goal Requirements

State Planning Goal #17 (Coastal Shorelands), under the Section “Coastal Shoreland Uses,”

“Major marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources shall be protected” [emphasis added]. (LCDC Goal #17)

It further states that:

“Uses in these areas shall be consistent with protection of natural values. Such uses may include propagation and selective harvesting of forest products consistent with the Oregon Forest Practices Act, grazing, harvesting, wild crops, and low intensity water-dependent recreation.”

These features are identified on the inventory map “Shoreland Values Requiring Mandatory Protection,” and protection measures are specifically addressed in Section 3.3 of the Management Plan, “Bay-Wide Policies.”

Local government in coordination with the Parks and Recreation Division shall develop and implement a program to provide increased public access. Existing public ownerships, rights of way, and similar public easements in coastal shorelands which provide access to or along coastal waters shall be retained or replaced if sold, exchanged or transferred. Rights of way may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.

**Section 6.** Part 2, Chapter 5, Section 5.7.2, DEVELOPMENT PRIORITY AREAS, Statewide Goal Requirements, Goal #16, is hereby amended to read as follows:

Goal #16

In describing “Development” management units, Goal #16 requires that:

“...areas shall be designated to provide for navigation and other identified needs for public, commercial, and industrial water-dependent uses, ....”

and that

“... such areas shall include:

- deep-water areas adjacent or in close proximity to the shoreline,
- navigation channels,
- subtidal areas for in-water disposal of dredged material, and
- areas of minimal biological significance needed for uses requiring alterations of the estuary not included in natural or conservation units. (Goal #16)

A subsequent section (5.8.3) will explore in more detail the planning problems these apparently simple statements cause; for the moment it is noted that the Goal’s failure to define the terms “deep-water,” “in proximity,” and “minimal biological significance” means that value judgements must be made about the meaning of the terms so that the identification process can be completed.

**Section 7. Severability.** The sections and subsections of this Ordinance are severable. The invalidity of one section or subsection shall not affect the validity of the remaining sections or subsections.

The foregoing ordinance was enacted by the City Council of the City of Coos Bay the 18<sup>th</sup> day of September, 2001 by the following vote:

Yes: Mayor Benetti and Councilors Anna Marie Larson, Jeff McKeown, Kevin Stufflebean, Don Spangler and Judy Weeks

No: None

Absent: Councilor Cindi Miller

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Joe Benetti  
Mayor of the City of Coos Bay  
Coos County, Oregon

ATTEST:

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Joyce Jansen  
Deputy Recorder of the City of Coos Bay  
Coos County, Oregon