



**Coos County
Planning Department
Application to Develop in a
Special Flood Hazard Area**

Official Use Only
Fee \$875.00
Receipt No. _____
Check No./Cash 3120
Date 10/12/20
Received By A. Dikde
File No. FP-20-003

The undersigned hereby makes application for a permit to develop in a designated Special Flood Hazard Area ("floodplain"). The work to be performed is described below and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the Coos County Comprehensive Plan, Coos County Zoning and Land Development Ordinance, and any other applicable Local, State, and Federal regulations. This application does not create liability on the part of the Coos County Planning Department or any officer or employee thereof for any flood damage that results from the reliance on this application or any decision made lawfully thereunder.

Owner(s): Stevie Pauline Quackenkahn Telephone: 541-290-2711 ~~541-297-4276~~
Address: 93220 Luscombe Loop
City/State: Coos Bay OR Zip Code: 97400
Agent(s): Ken Butler Const. Telephone: 541-329-2480
Address: P.O. Box 2036
City/State: Bandon OR Zip Code: 97411
Township: 27S Section: 02
Range: 13W Tax Lot: 2800
Situs Address: 93220 Luscombe Lp.
City/State: Coos Bay OR Zip Code: 97420

A. Description of Work (Complete for All Proposals):

1. Proposed Development Description:

- New Building Improvement to Existing Building
 Manufactured Structure Fill
 Other _____

2. Size and location of proposed development (a site plan must be attached):

home 27' x 60'

3. Is the proposed development in a Special Flood Hazard Area (Zones A, AE, A1-A30, AH, AO, V, or VE)?

- Yes Zone: _____
 No

4. Per the FIRM, what is the zone and panel number of the area of the proposed development?

Zone: _____

Panel Number: _____

5. Have any other Federal, State, or Local permits been obtained?

- Yes - Copies of all permits must be attached.
 No

6. Is the proposed development in an identified floodway?

- Yes - A "No Rise Certification" with supporting data must be attached.
 No

B. Complete for New Structures and Building Site:

1. Base Flood Elevation (BFE) at the site (complete one):

NGVD 29 _____ feet Source: _____

NAVD 88 _____ feet Source: _____

2. Required lowest floor elevation, including basement (complete one):

NGVD 29 _____ feet Source: _____

NAVD 88 _____ feet Source: _____

3. Number and area of flood openings (vents): 16

4. Enclosed area below BFE (in square feet): _____

C. Complete for Alterations, Additions, or Improvements to Existing Structures:

1. What is the estimated market value of the existing structure? Justification for the estimate must be attached and may include, but is not limited to, appraisals completed by private agencies or the County Assessor's office.

2. What is the cost of the proposed construction? Justification for the estimate must be attached. The estimate is required to include fair market value for any work provided by the property owner or without compensation.

3. If the cost of the proposed construction equals or exceeds 50 percent of the market value of the structure, then the substantial improvement provisions shall apply.

D. Complete for Non-Residential Floodproofed Construction:

1. Type of floodproofing method:

2. The required floodproofing elevation is (complete one):

NGVD 29 _____ feet Source: _____

NAVD 88 _____ feet Source: _____

3. Floodproofing certification by a registered engineer must be attached.

E. Complete for Land Divisions, Subdivisions, and Planned Unit Development:

1. Does the proposal contain 50 lots or 5 acres?

Yes - The plat or proposal must clearly identify base flood elevation.
 No

2. Are the 100-year Floodplain and Floodway delineated on the site plan?

Yes
 No

F. Authorization: All areas must be initialed by all applicant(s) prior to the Planning Department accepting any application.

I hereby attest that I am authorized to make the application for Application to Develop in a Special Flood Hazard Area and the statements within this application are true and correct to the best of my knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by Coos County may be revoked if it is determined that the action was issued based upon false statements or misrepresentation.

SD PD
Applicant

I understand it is the function of the Planning Department to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I bear the burden of proof. I understand that approval is not guaranteed and the applicant(s) bear the burden of proof to demonstrate compliance with the applicable review criteria.

SD PD
Applicant

As applicant(s) I/we acknowledge that is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.

SD PD
Applicant

[Signature]
Applicant(s) Original Signature

10-5-2020
Date

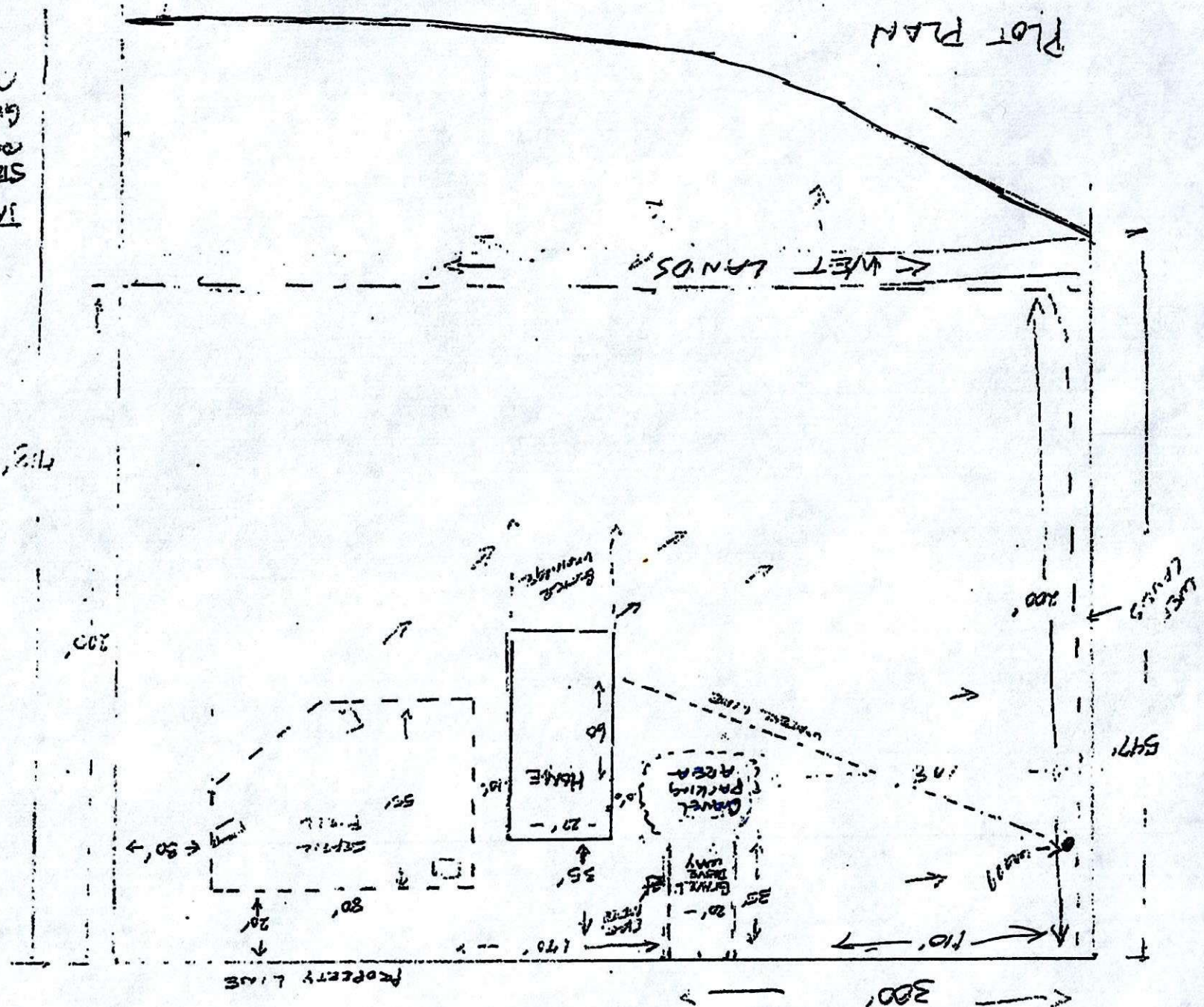
[Signature]
Applicant(s) Original Signature

Oct 5, 2020
Date

PLOT PLAN

TAX LOT 2800
STEEL & IRON
MUNICIPAL
GROSS AREA
NEEDS

← WEST LANDS



27-13-02C-2800

MUSCOMBE 100F

N
↓



Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN#*

WN2020-0022

Responsible Jurisdiction

Staff Contact Crystal Orr	Jurisdiction Type County	Municipality Coos County
Local case file # CD-20-002	County Coos	

Activity Location

Township 27S	Range 13W	Section 02	QQ section C	Tax Lot(s) 2800
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Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

Coos

Latitude

43.252745

Longitude

-124.211604

Wetland/Waterway/Other Water Features ^

There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

The National Wetlands Inventory shows wetland, waterway or other water features on the property

The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

The property includes or is adjacent to designated Essential Salmonid Habitat.

Your Activity ^

- A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

Applicable Oregon Removal-Fill Permit Requirement(s)

- A state permit is required for any amount of fill, removal, and/or other ground alteration in Essential Salmonid Habitat and within adjacent off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to the stream.

Closing Information

Additional Comments

This response is for only the proposed house, driveway, parking and septic field east of the house, as shown on the submitted site plan. The development of the property is shown to extend 95 feet maximum from the north lot line. This very northern end of the property is higher in elevation than the surrounding wetlands and wetlands should not be impacted in this location. Noble Creeks and wetlands in the southern two-thirds of the property are designated Essential Salmonid Habitat, so any amount of ground impact or filling would require a state permit.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

2/7/2020

Response by:

Lynne McAllister

Response Phone:

503-986-5300



COQUILLE INDIAN TRIBE

3050 Tremont Ave. North Bend, OR 97459
Telephone: (541) 756-0904 ~ Fax: (541) 756-0847
www.coquilletribe.org

January 21, 2020

Coos County Planning Department
250 N Baxter
Coquille, OR 97429

Re: CD-20-002

Project location: Township 27S, Range 13W, Section 02C, Tax Lot 2800

Thank you for the opportunity to comment on the proposal to construct a new dwelling and driveway at the above referenced location. The Coquille Indian Tribe THPO concurs with the anticipatory finding of no historic properties/cultural resources effected. **Extreme caution is recommended.** If any known or suspected cultural resources are encountered during the work, ground-disturbing activities should cease and the landowner or contractor should contact our office immediately.

Please be aware that state statutes and federal law governs how archaeological sites are to be managed. 43 CFR 10 applies on tribal and federal lands, federal projects, federal agencies, as well as to federal actions and federally funded (directly or indirectly) projects. ORS 97.745 prohibits the willful removal, mutilation, defacing, injury, or destruction of any cairn, burial, human remains, funerary objects, or objects of cultural patrimony of a Native Indian. ORS 358.920 prohibits excavation, injury, destruction, or alteration of an archaeological site or object, or removal of an archaeological object from public or private lands. If archaeological materials are discovered, uncovered, or disturbed on the property, we will discuss the appropriate actions with all necessary parties.

Thank you again and feel free to contact me at (541) 217-5721 if you have any questions.

Best,

Todd Martin
Tribal Historic Preservation Specialist

CRT20045



**CONFEDERATED TRIBES OF
COOS, LOWER UMPQUA & SIUSLAW INDIANS**

1245 Fulton Ave. Coos Bay, OR 97420
Phone (541) 888-9577 or 1-888-280-0726
Fax (541) 888-2853

4 February 2020

Crystal Orr
Coos County Planning Department
250 N. Baxter
Coquille, Oregon 97423

Re: CD-20-002

Dear Ms. Orr,

The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians have no objections to the proposed project. Please be aware that the proposed work area is in proximity to known cultural resource sites and so may contain as yet unlocated cultural resources. **We request that we be contacted immediately if any known or suspected cultural resources are encountered during the work.**

Please also be aware that federal and state laws prohibit intentional excavation of known or suspected cultural resources without an archaeological permit and require that we be notified immediately if resources are discovered, uncovered, or disturbed. 43 CFR 10 applies on tribal and federal lands, federal projects, federal agencies, as well as to federal actions and federally funded (directly or indirectly) projects. ORS 97.745 prohibits the willful removal, mutilation, defacing, injury, or destruction of any cairn, burial, human remains, funerary objects, or objects of cultural patrimony of any native Indian. ORS 358.920 prohibits excavation injury, destruction, or alteration of an archaeological site or object or removal of an archaeological object from public or private lands.

Please feel free to contact me if I may be of any further assistance.

Sincerely,

Courtney Krossman
Archaeological Assistant

CC: Stacy Scott



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Oregon Fish And Wildlife Office

2600 Southeast 98th Avenue, Suite 100

Portland, OR 97266-1398

Phone: (503) 231-6179 Fax: (503) 231-6195

<https://www.fws.gov/oregonfwo/articles.cfm?id=149489416>

In Reply Refer To:

September 16, 2020

Consultation Code: 01EOFW00-2020-SLI-0582

Event Code: 01EOFW00-2020-E-01212

Project Name: Quackenbush Mfg Home Pad

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to investigate opportunities for incorporating conservation of threatened and endangered species into project planning processes as a means of complying with the Act. If you have questions regarding your responsibilities under the Act, please contact the Endangered Species Division at the Service's Oregon Fish and Wildlife Office at (503) 231-6179. For information regarding listed marine and anadromous species under the jurisdiction of NOAA Fisheries Service, please see their website (http://www.nwr.noaa.gov/habitat/habitat_conservation_in_the_nw/habitat_conservation_in_the_nw.html).

Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

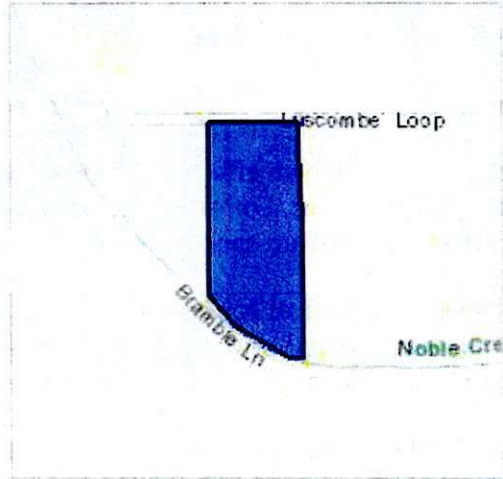
-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Marbled Murrelet <i>Brachyramphus marmoratus</i> Population: U.S.A. (CA, OR, WA) There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4467	Threatened
Northern Spotted Owl <i>Strix occidentalis caurina</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1123	Threatened
Western Snowy Plover <i>Charadrius nivosus nivosus</i> Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8035	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



Counties: Coos, OR

Project Summary

Consultation Code: 01EOFW00-2020-SLI-0582

Event Code: 01EOFW00-2020-E-01212

Project Name: Quackenbush Mfg Home Pad

Project Type: FILL

Project Description: 27S13W02C 2800
Map_No 27S13W02C
Parcel_No 2800
Account Number 692800
ACRES 4.52
OWNER1 QUACKENBUSH, STEPHEN E & PAULINE D
OWNER2
OWNER3
SITUSSTR 93220 LUSCOMBE LOOP
SITUSCITY COOS BAY
SITUSZIP 97420
AV 39,900
RMVLAND 72,050
RMVIMPR 0
PCLCD RESIDENTIAL - UNIMPROVED
PLAN_ZONE RR-2
TXCD 909
TLID 27S13W02CTL0280000
Fill for Mfg home pad

Project Location:

Approximate location of the project can be viewed in Google Maps: [https://
www.google.com/maps/place/43.252007409009366N124.21201475538713W](https://www.google.com/maps/place/43.252007409009366N124.21201475538713W)

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Oregon Fish And Wildlife Office
2600 Southeast 98th Avenue, Suite 100
Portland, OR 97266-1398
(503) 231-6179

Fw: ZCL-20-283 Butler for Quackenbush

1 message

Gregory Butler <butleregory26@yahoo.com>

6 October 2020 at 10:00

To: Kenbutlerrc Info <info@kenbutlerrc.com>

Ken Butler Remodeling and ConstructionPO Box 2036
Bandon, OR 97411
541-329-2480

----- Forwarded Message -----

From: Amy Dibble <adibble@co.coos.or.us>**To:** butleregory26@yahoo.com <butleregory26@yahoo.com>**Cc:** Steve Quackenbush <grfpd01@gmail.com>; Rep.CaddyMcKeown@oregonlegislature.gov <rep.caddymckeown@oregonlegislature.gov>; Planning Department <planning@co.coos.or.us>**Sent:** Monday, October 5, 2020, 05:10:00 PM PDT**Subject:** ZCL-20-283 Butler for Quackenbush

Mr. Butler,

Attached please find Conditional Zoning Compliance Letter ZCL-20-283. This Zoning Compliance Letter is providing conditional approval to obtain building permits for property located at 93220 Luscombe Loop in Coos Bay; however, they do have requirements still outstanding with the Planning Department that need to be fulfilled. These requirements are as follows:

- Driveway needs to be constructed and the Driveway Confirmation (DR-20-001) needs to be signed off by the Road Department
- A Floodplain Application needs to be submitted (fee \$875.00)
 - Requires certification from a licensed engineer stating that the "other development" shall not result in a cumulative increase of more than one foot during the occurrence of the base flood discharge if the development will occur within a designated flood plain outside of a designated floodway.

I have emailed the attached zoning compliance letter to the local State Building Codes Office; however, you will want to contact their office to see what their requirements will be moving forward.


Please let me know if you have any questions.


Thank you,
Amy Dibble

Disclaimer

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2 attachments

 **ZCL-20-283 Butler for Quakenbush.pdf**
3009K

 **Floodplain Application.pdf**
162K