



May 29, 2019

To | Jill Rolfe, Planning Director, Coos County
From | Mike Howard, IPRE and Sid Hariharan, Emerson Hoagland, and RJ Theofield,
Student Researchers [IPRE]
SUBJECT | **COOS BAY ESTUARY MANAGEMENT PLAN (CBEMP) REVISIONS (PART 1, PART 2)
AND COOS COUNTY AND COOS BAY IMPLEMENTING ORDINANCE REVISIONS**

PURPOSE

This memo outlines recommendations to update Volume II, Part 1, Part 2 of the Coos Bay Estuary Management Plan (CBEMP) and jurisdiction implementing ordinances to integrate the Coos Estuary and Shoreland Atlas (Map Atlas) and Community Lands and Waterways Data Source (Data Source).

The zone boundaries have not been modified through this process, however, the review and recommended revisions ensure that they incorporate in the current map data from the Map Atlas where applicable. There are no new exceptions proposed as part of this project.

The Map Atlas is proposed to replace the current County Plan Maps, except as noted herein. It shall be recognized that there were a few maps that are no longer required as part of the plan which were eliminated and a few that were not able to be updated that will be shown as a policy statement for the county to continue to work toward completion.

The Data Source is proposed to replace portions of the written text in the CBEMP Part 2.

~~Overstrike~~: language to be removed.

Underline: language to be added.

The recommendations are organized into three categories:

- 1) Document Structure
- 2) Plan Usability
- 3) Land Use/Legal Framework

For each category, a series of recommendations are made that identify revisions for CBEMP Part 1 and for the implementing ordinances for Coos County, City of Coos Bay, and City of North Bend. Recommendations for Part 2 Inventories and Factual Base is provided is the end of this document.

DOCUMENT STRUCTURE

This section is organized into two sections – Document Organization & Logic and Improve clarity of policies, ordinances, goals, and criteria.

CBEMP Part I

I) Digitize and hyperlink the CBEMP

The entirety of Part I is available digitally in Word format so no further digitization is necessary. However, there are considerable components of this Part that need hyperlinking. There are two types of hyperlinks that need to be created: (1) Internal and (2) External. Internal hyperlinks are used to connect information within the CBEMP, while external hyperlinks are used to connect the CBEMP to outside information or sources. Most recommended hyperlinks are internal. There are several key sections where these links need to be established. A list of the changes included in this revision is provided below:

- a) **Part 1, Section 1.2 Authority, Purpose and Scope** provides a summary of legal requirements and statutory authorities which are involved in the management and regulation the estuary. For each agency, permit, and processes described, a hyperlink was inserted to connect to the appropriate dedicated website.
- b) **Part 1, Section 1.7 How to use this Plan** describes steps for how to determine whether a proposed use or activity is, or may be, allowed at any specific site. A hyperlink to the Plan Map or the Plan Map itself will be inserted where the steps say the Plan Map is “attached”. Additionally, hyperlinks and page numbers for sections mentioned here were included.
- c) **Part 1, Section 2.5 Relationship to Other Plans** describes how the CBEMP is connected to the cities’ and counties comprehensive plans. Hyperlinks to the respective comprehensive plans for each of these jurisdictions were inserted.
- d) **Part 1, Section 3.2 Definitions states the definitions for the CBEMP.** Every time a definition is mentioned throughout the entire document a hyperlink/hover over will be inserted.
- e) **Part 1, Section 3.3 Policies** states “...elsewhere in the Plan, Plan provisions are presented in descending order...”, hyperlinks were inserted here to connect to this reference.
- f) **Part 1, Section 3.3 Policies** provides many policies that apply to management units in the CBEMP. Within these policies, it is stated which management units the policy applies to. Hyperlinks connecting the management units listed to the specific Management Unit description that outlines uses and activities and all applicable policies will be inserted.
- g) **Part 1, Section 5** details management units’ objectives, uses and activities, and policies. All mentioned policies were hyperlinked to the full policy statement found within Part 1, Section 3.3.

- h) **Throughout the entirety of Part 1**, hyperlinks connecting to sections and subsections were be inserted any time a reference is made. This includes inserting hyperlinks to sections and the top of the page in the footer of each section.
- i) **Throughout the entirety of Part 1 and within Sections 6 and 7 in particular**, hyperlinks connecting references to maps to Map Atlas maps have been inserted.

2) Use clear headers to explain the purpose and contents of each document section.

The CBEMP document is organized into three Parts. Part 1 is then further divided into seven (7) sections. Due to the length of the document it is important to provide clear headers, section briefs, and a list of each section’s contents.

Recommendation(s):

- a) **Part 1, Section 1.1 General Introduction** provides a short outline of the document structure. The section descriptions for Part 1 were used to develop Section purpose statements and included at the start of each section.
- b) **At the beginning of all Part 1 Sections**, a hyperlinked table of contents for each section was included so subsections are easily found. For Part 1, Section 3 the table of contents includes all bay-wide policies.

2) Improve clarity of policies, ordinances, goals, and criteria.

1) Cross-referencing Plan Policies and Regulations

Part 1, Section 5 details the 144 aquatic and shoreland management units for the estuary and adjacent shorelands. This is perhaps the most difficult section of Part 1 to follow.

Recommendation(s):

- a) The Management Unit Matrix will be inserted at the beginning of **Part 1, Section 5** Designation of Site-specific Management Units, Uses and Activities. Furthermore, the Management Units Matrix will be hyperlinked to connect to specific Management Units.
- b) Within the Management Units in **Part 1, Section 5**, hyperlinks to each policy in Section 3 were made.
- c) Within the Policies of **Part 1, Section 3**, hyperlinks to mentioned management units will be made.

2) Using Figures and Tables to Explain Process and Policies

Recommendation(s):

- a) A flowchart was developed for **Part 1, Section 2.5** Relationship to Other Plans to visually communicate the connections and inserted.
- b) The Management Unit Matrix will be inserted into Part 1, Section 5.

Implementing Ordinance(s)

I) Digitize and Hyperlink

For all ordinances, it is recommended to publish searchable PDF's on each jurisdiction's website and enable each PDF to have "hover over" definitions. "Hover over" definitions allow enables a document user to see the definition in a pop out square when their cursor is located on a defined term in the definitions section. Hyperlinks have been incorporated into each ordinance to assist users navigate between relevant policies. Below are the changes and recommendations for each implementing ordinance.

a) Coos County Enabling Ordinance (Coos County Code, Chapter 3)

Defining and providing internal hyperlinks to the definitions section of the document enable the user to understand complex terms or phrases that currently require a user to constantly scroll throughout the document. We also recommend hyperlinking, externally, each map reference to the actual map located in the proposed Map Atlas and corresponding data in the Data Source to increase the user-friendly nature of the Ordinance.

We are also in the process of linking the new Map Atlas to the Ordinance by replacing the old mentions of maps to the corresponding new map in the Map Atlas.

b) City of Coos Bay Implementing Ordinance (Volume 3)

For this document, a table of contents has been added to improve the usability of this document while maintaining its current structure. The Policies within the table of contents has been hyperlinked to provide quick navigation to each individual policy. Moving forward, creating the "hover-over" definitions could be helpful, but is a time intensive process.

c) City of North Bend Implementing Ordinance (Chapter 18.88)

The City of North Bend's code is structured differently than the other jurisdictions. *North Bend City Code Chapter 18.88: Estuary* is located within Title 18 of North Bend City Code (NBCC) whereas Coos County and City of Coos Bay have enabling ordinances that stand independently in their respective chapter(s). Ordinance 1952 § 1(4), 2006, adopted the portions of the CBEMP are applicable to land located in, or owned by, the City of North

Bend as part of the North Bend Comprehensive Plan in 1995. For this jurisdiction it is not recommended to integrate the above hyperlinking and “hover over” definitions due to the limited content located within NBCC 18.88. Changes that are made to the CBEMP will be reflected in North Bend without change to NBCC 18.88.

Recommendation:

a) “Hover Over” Definitions:

1. Publish PDF versions of each enabling ordinance
2. Create “Hover Over” definitions using the following method
3. In Adobe DC Pro:
 - i. Go to Tools → Prepare Form, and select the Add New Field tool, and then Button Field.
 - ii. Draw the button over the area which you want to trigger the pop-up showing up and then go its Properties.
 - iii. Under the General tab, in the Tool tip field, enter the text you want to show up.
 - iv. Then go to the Appearance tab and set it to have a transparent border and fill color.
 - v. Click Close and exit the Form Edit mode.

b) Hyperlink map references to the updated Map Atlas.

Plan Usability

CBEMP Part I

1) User Guide

Recommendation(s):

- a) A draft user guide that provides a brief overview of the CBEMP and step-by-step directions on how to use it was developed and a final version will be inserted at the **beginning of Section 1** of the CBEMP.

2) Integrate Map Atlas and Data Source into CBEMP

Recommendation(s):

- a) The CBEMP Management Units Map will be inserted into **Part 1, Section 1**.
- b) Table numbers and references will reflect updated information for the Data Source throughout **Part 1, Sections 6 and 7**.
- c) Map names and numbers will reflect Map Atlas.
- d) **Policy #3/Special Considerations Map** in Part 1, Section 3.3 Policies, will be updated to reflect the maps available in the Map Atlas.

- e) “Table 7.1 Mitigation Sites Inventory: Priority Ratings” will be updated to reflect the updates Site #s, Action, and Priority Rating found within the Data Source.

3) Include all Management Units in the CBEMP.

Currently, the CBEMP contains only management units located within County’s jurisdiction – the management units found within the City of Coos Bay and City of North Bend are only located in their respective comprehensive plans and implementing ordinances. Further, there are even cases where the same management unit is listed in two separate documents with different text. To increase usability and streamline future amendment processes, the following recommendations are made:

Recommendation(s):

- a) To reconcile this issue, all management units were reinserted into **Part 1, Section 5** of the CBEMP. The table below lists the management units by jurisdiction that have been reinserted into the CBEMP.

Table 2: Management Units Inserted into the CBEMP by Jurisdiction

Coos Bay Units	North Bend Units
15-NA	44-UW
16-CA	44-UNW
17-CA	46-DA
18B-CA	46-UD
20-CA	47-DA
21-RS	47-UW
21-CA	48-CA
21A-NA	48-CS
23-DA	48A-CA
23A-UW	50-UD
23B-UD	50-NA
24-NA	51-UD
24-CS	51-CA
25-NA	52-NA
26-UD	53-CS
26A-CA	
26B-CA	
27-DA	
27-UW	
28A-DA	
28B-DA	
28-D/UW	
38-CA	

42-UD
 43-DA
 43-UW
 44-DA
 44a-UW
 44b-UD
 45-CS
 45A-CA
 45-NA
 52-CS
 52A-DA
 53-CA
 54-DA
 54-UW
 55-UD

- b) There are several cases where management unit text varies between jurisdiction. Table 3 below shows these cases. Decision-makers will be asked to provide direction for the preferred unit description to be included in the CBEMP, however, a recommendation is made for each.

Table 3: Management Units with Conflicts

Management Unit	Jurisdictional Conflict	Differences	Recommendation
CMRSDNC-DA	Coos Bay / CBEMP	Entire	CBEMP
DDNC-DA	Coos Bay / CBEMP	Entire	CBEMP
ISSDNC-DA	Coos Bay / CBEMP	Entire	CBEMP
44-DA	Coos Bay / North Bend	Activity 12	North Bend
	Coos Bay / North Bend	Entire	North Bend
44-UW	Coos Bay / North Bend	Boundary/UA/Conditions	County Ordinance
45A-CA	Coos Bay / CBEMP / County Ordinance	Obj./UA/Conditions	TBD
52-NA	Coos Bay / North Bend	Entire	CBEMP
55B-NB	Coos Bay / CBEMP	Entire	CBEMP

- c) Management Unit 9A-CS was not mapped on original mylars or digital zoning maps. This will be corrected on updated maps.

Implementing Ordinance(s)

1) Relocating Management Units from the respective ordinances to the CBEMP

This recommendation comes as a result of finding a way to make the estuary plan more useable for Staff and other users of the document. All management units have been consolidated into the CBEMP so each ordinance can be more concise. Having all of the management units consolidated in the CBEMP also aims to ensure consistency between the jurisdiction in the way they identify uses and activities allowed within the same Management Units. We have also noted, or revised the inconsistencies between the same Management Units that were present between the different documents. For example, if a Management Unit within the City of Coos Bay Area has a different allowed use than what is currently located within the CBEMP, this has been noted or rectified based on input from planning Staff. Moving forward, we have recommendations that will further improve the usability of the CBEMP Management Units Section.

Recommendation(s):

- a) Consolidate all Management Units into the CBEMP and remove the Management Unit descriptions from each individual jurisdiction's respective document.
(Completed)
- b) Denote which jurisdiction holds the review authority for each Management Unit within the revised CBEMP. This will ensure interested parties consult the proper jurisdiction when inquiring about the Management Unit.

2) INCORPORATING THE MAP ATLAS AND DATA SOURCE

Two documents, the Lands and Waterways Data Source (Data Source) and the Map Atlas, are being incorporated into the CBEMP and accompanying County and City Ordinances(s) to provide users of the document with the most up-to date scientific background and accurate maps. Specifically, any mentions of the prior data source or specific map(s) are being replaced with the corresponding data or map(s).

LAND USE/LEGAL FRAMEWORK

Many of the updates necessary for the land use/legal framework component are dependent on language that is yet to be developed. Therefore, recommendations for this component will need to be elaborated as the language is available.

CBEMP Part I

I) Tribal Government Considerations

Recommendation(s):

- a) Convene meeting with tribal governments in fall of 2019 to discuss potential opportunities to improve collaboration and involvement in the land use and development process.
- b) Insert a policy into **Part 1, Section 3 Policies** regarding the sharing of the cultural resource inventory maps. This policy number will then need to be inserted into all impacted management units and updated in **Part 1, Section 5**.

Implementing Ordinance(s)

1) Correcting inconsistencies between CBEMP and Ordinances

Based on feedback from staff, we have examined the CBEMP Management Units and are working to current inconsistencies between documents.

Jill Rolfe, County Planner, informed our group of noted inconsistencies between the CBEMP and the County Ordinance. These inconsistencies included incorrect boundary descriptions to typographical errors that have been made in past updates to the Ordinance. Using this information, we corrected the inconsistencies to mirror the CBEMP as the Plan is the controlling document.

We have also analyzed documents describing text amendments provided by City and County staff to ensure that these text amendments that have occurred have been incorporated into the CBEMP and/or Ordinances.

(INSERT MIKE'S TABLE)

2) Include a comprehensive and consistent list of definitions

The CBEMP contains a comprehensive list of terms and their corresponding definitions that are used within the CBEMP (Volume 2, Part 1, Section 3). Coos County and Coos Bay also include comprehensive definition sections that define key words or phrases that are used within their ordinances (North Bend's implementing ordinance refers to the CBEMP for definitions). In general, the implementing ordinances contain the same definitions that are used in the CBEMP. There are 14 instances where definitions differ between the implementing ordinances and/or the CBEMP listed herein and described in detail within Attachment A.

We recommend using the CBEMP Definitions Section and that all implementing ordinances using the definition as used in the CBEMP, not including any definitions pertaining to jurisdiction specific characteristics. However, there are some instances where we believe another definition would be more appropriate. These have all been outlined in the following recommendations.

Definition Recommendations

This section of the memo lists the definition we recommend for each inconsistent glossary term. The complete comparison of each inconsistent term can be found in the attached document (Attachment A).

Coastal Shoreland Area: [CBEMP] 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.

Commercial Uses: [CBEMP] Privately-owned or operated facility or place of business open to the public for sale of goods or services. Examples include: restaurants, taverns, hotels, motels, offices, personal services, retail stores, recreational vehicle parks, and campgrounds. Public facilities offering similar goods of services are also defined as commercial uses.

Docks and Moorage: [CBEMP] 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 (5 berths or less) with minimal shoreside services and no solid breakwater are included in this category. Floathouses, which are used for boat storage, net-drying, and similar purposes are also included in this category.

Not defined in the Coos County Ordinance.

Floodway: [CBEMP] The normal stream channel and that adjoining area of the natural floodplain needed to convey the waters of a regional flood while causing less than one-foot increase in upstream flood elevations.

Not defined in City of Coos Bay Ordinance.

Impact: [CBEMP] The consequences of a course of action; effect of a goal, guideline, plan, or decision.

LCDC: [CBEMP] Land Conservation and Development Commission of the State of Oregon. Seven lay citizens, non-salaried, appointed by the Governor, confirmed by

the Oregon Senate; at least one commissioner from each Congressional District; no more than two from Multnomah County.

Mitigation: [CBEMP] The creation, restoring, or enhancing 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 196.830).

Recreational Vehicle Park: [CBEMP] A lot, parcel, or tract of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

Not defined in City of Coos Bay Ordinance.

Restoration: [City of Coos Bay] 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. 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 of reduction of adverse stresses.

Shoreline: [Ordinance] The boundary line between a body of water and the land, measured on tidal waters at mean higher high water, and on non-tidal waterways at the ordinary high-water mark.

Solid Waste Disposal: [Ordinance] All useless or discarded putrescible and non-putrescible materials, including but not limited to garbage, rubbish, refuse, ashes, paper and cardboard, sewage sludge, septic tank and cesspool pumpings or other sludge, useless or discarded commercial, industrial, demolition and construction materials, discarded or abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid materials, dead animals and infectious waste. The term does not include: Hazardous waste as defined in ORS 466.005; Materials used for fertilizer, soil conditioning, humus restoration, or for other productive purposes or which are salvageable for these purposes and are used on land in agricultural operations and the growing or harvesting of crops and the raising of fowls or animals, provided the materials are used at or below agronomic application rates; or(c) Woody biomass that is combusted as a fuel by a facility that has obtained a permit described in ORS 468A.040.

Structure: [CBEMP] Anything constructed or installed or portable, the use of which requires a location on a parcel of land.

Subordinate: [CBEMP] Placed in a lower order, class, or rank; occupying a lower position in a regular descending series; inferior in order, nature, dignity, power, importance, or the like: belonging to an inferior order in classification, and having a lower position in a recognized scale; secondary, minor. (As pertaining to "subordination of use/activity plan provisions to plan policies", the term "subordinate" is used as defined by Black's Law Dictionary.)

Wetlands: [CBEMP] Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

For City of Coos Bay, there are a multitude of definitions in the glossary that direct the user to *See Section 3.5*. This definition does not state which Volume or Part of CBEMP to look to, so we recommend that the following terms change their definition from (*See Section 3.5*) to (*See Volume II, Part 1, Section 3.5*):

- Development Aquatic Area
- Development Shoreland Area
- Natural Aquatic Areas
- Natural Shorelands Areas
- Urban Development Areas
- Urban Water-Dependent Areas
- Water-Dependent Development Shorelands

3) NEXT STEPS

Moving forward, we recommend the Cities and the County have a strong coordination policy for updates to their respective documents. This aims to reduce the possibility of inconsistencies between the various jurisdiction.

CBEMP Part 2 – Inventories and Factual Base

The Communities, Lands & Waterways Data Source (Data Source) is proposed to replace portions of the written text in the CBEMP Part 2. The Data Source is a compilation of all available data describing the socioeconomic and environmental conditions in the Coos Bay area. The Data Source provides users with in-depth status and trends information about the Coos Bay Estuary’s attributes, and includes evaluations of those attributes, and highlights significant data gaps.

The Data Source is organized into 17 chapters divided into two parts. The Communities section (six chapters) characterizes socioeconomic status and trends in the project area, evaluates the area’s social and economic attributes for comparison with other communities, and provides the Data Source with critical historical perspectives. The Lands & Waterways section (eleven chapters) characterizes and evaluates the status and trends of the project area’s environmental attributes and describes the likely effects of climate change on those attributes.

The Data Source was developed by the Partnership for Coastal Watersheds (PCW), a group of civic-minded local community members representing county and city planners, natural resource managers, and development and conservation interests.

A comparison of content from the CBEMP Part 2 and the Data Source is displayed in the matrix below. The CBEMP table of contents has four tiers, only the first two tiers are displayed in the matrix. The matrix indicates which sections of the CBEMP Part 2 are replaced by sections of the Data Source and which sections are retained.

Table 1: CBEMP & DATA SOURCE COMPARISON

CBEMP Subheading	Applicable Data Source Section	Suggested Action
Section 1. Introduction		
1. Introduction	Not Directly Addressed in Data Source	Update and revise.
Section 2. The Setting		
2.1 Physical Aspects	Chapter 8: Physical Description of the Coos Estuary and Lower Coos Watershed	Replace with data source Chapter.
2.2 Resources	Whole Document	Replace with data source resources.
2.3 Population	Chapter 4: Community Demographics	Replace with data source Chapter.
2.4 Economy	Chapter 6: Jobs and Employment	Replace with data source Chapter.
2.5 Land and Water Use	Lands & Waterways (Ch. 8 – 18)	Replace with data source Chapters 8-18.
Section 3. Coastal Shorelands Boundary Identification and Findings		
3.1 introduction	Not Directly Addressed in Data Source	Retain CBEMP section 3.1 (pg. 3.1-1)
3.2 Planning Area		Retain CBEMP section 3.2 (pg. 3.1-1)
3.3 Shoreland Identification Criteria and Boundary Maps		Retain CBEMP section 3.3 (Re-reference data as needed), Add Map Atlas and Reference Historic Maps as applicable (pg. 3.1-1 through 3.3-3)
3.4 Geographic Areas Within the Coastal Shorelands Boundary		Retain CBEMP section 3.4 (pg. 3.4-4 through 3.4-7)
3.5 Identification of Agricultural and Forest Lands		Retain CBEMP section 3.5 (coordinate with Vol. I for consistency; pg. 3.5-8) Add Map Atlas and Reference Historic Maps as applicable (pg. 3.1-1 through 3.3-3)

CBEMP Subheading	Applicable Data Source Section	Suggested Action
Section 4. Physical Characteristics and Biological Resources		
4.1 Physical Characteristics	Chapter 8: Physical Description of the Coos Estuary and Lower Coos Watershed	Replace with data source Chapter.
4.2 Biological Estuarine Characteristics	LANDS & WATERWAYS	Replace with data source Chapter.
4.3 Coastal Shoreland "Values" Requiring Mandatory Protection	Not Directly Addressed in Data Source	Retain CBEMP section 4.3. Minor re-referencing and formatting may be required. (Section 4 pg. 74-81)
4.4 Beaches and Dunes	Chapter 8: Physical Description of the Coos Estuary and Lower Coos Watershed	Replace with data source Chapter. References to Goal 18 and Maps to be added as needed.
Section 5. Socio-Economic Resources and Characteristics		
5.1 Existing Land Uses	Chapter 5: Zoning and Land Use	Replace with data source Chapter.
5.2 Existing Water Uses	Not Directly Addressed in Data Source	Replace with data source Chapter.
5.3 Land & Water Ownership Patterns	Not Directly Addressed in Data Source	Replace with data source Chapter.
5.4 Socio-Economic Resources & Characteristics	Chapter 6: Jobs and Employment	Replace with data source Chapter.
5.5 Areas Suitable for Increased Economic Growth and Activity	Chapter 6: Jobs and Employment	Replace with data source Chapter.
5.6 Economic Need Projections	Chapter 6: Jobs and Employment	Replace with data source Chapter.
5.7 Development Priority Areas	Chapter 6: Jobs and Employment	Replace with data source Chapter.
5.8 Selection of Sites to Fulfill Projected Needs	Chapter 6: Jobs and Employment	Replace with data source Chapter.

CBEMP Subheading	Applicable Data Source Section	Suggested Action
Section 6. Special Moorage Element		
6.1 Introduction	Not Directly Addressed in Data Source	Retain CBEMP Section 6 (pg. 6.1-1 through 6.4-58)
6.2 Inventory and Analysis		
6.3 Projection of Need		
6.4 Potential Moorage Sites		
6.5 Site Selection		
Section 7. Special Dredged Material Disposal Element		
7.1 Introduction	Not Directly Addressed in Data Source	Retain CBEMP section 7.0 (Section 7 pg. 1-27)
7.2 DMD Plan Process Project Descriptions and Dredging		
7.3 Requirements		
7.4 Dredged Material Needs and Disposal Options		
7.5 Sediments		
Section 8. Special Mitigation/Restoration Element		
8.1 Introduction	Not Directly Addressed in Data Source	Retain CBEMP section 8.0 (pg. 8.1-1 through 8.6-27)
8.2 Mitigation/Restoration - Discussion of Terminology		
8.3 Plan Development Methodology		
8.4 Types of Sites, Possible Actions and Consequences		
8.5 Priority Rating System		
8.6 Restoration Concepts		
Section 9. Annotated Bibliography	Data Source	Replace with Data Source references.
Section 10. Supplemental Materials	Not Directly Addressed in Data Source	Delete. Replaced by materials in Data Source, Map Atlas.

ATTACHMENT A

Underlined portions of definitions, in this section, indicate the inconsistent portions of the definitions.

Coastal Shoreland Area

CBEMP	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.
Coos County Ordinance	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.
City of Coos Bay	The lands lying between the Coastal Shorelands Boundary set forth elsewhere in this Plan and the line of non-aquatic vegetation, which is also known as the Section 404 Line. <u>Those areas immediately adjacent to the ocean, all estuaries and associated wetlands, and all coastal lakes.</u>

Commercial Uses

CBEMP	Privately-owned or operated facility or place of business open to the public for sale of goods or services. <u>Examples include: restaurants, taverns, hotels, motels, offices, personal services, retail stores, recreational vehicle parks, and campgrounds. Public facilities offering similar goods of services are also defined as commercial uses.</u>
Coos County Ordinance	Privately-owned or operated facility or place of business open to the public for sale of goods or services.
City of Coos Bay	Privately-owned or operated facility or place of business open to the public for sale of goods or services. <u>Examples include: Restaurants, taverns, hotels, motels, offices, personal services, retail stores, recreational vehicle parks, and campgrounds. Public facilities offering similar goods or services are also defined as commercial uses.</u>

Development Aquatic areas

CBEMP	An aquatic management unit (See Volume II, Part 1, Section 3.5).
Coos County Ordinance	An aquatic management unit (See Volume II, Part 1, Section 3.5)
City of Coos Bay	An aquatic management unit. (See Section 3.5.)

Development Shoreland Area

CBEMP	A shoreland management unit (See Volume II, Part 1, Section 3.5).
Coos County Ordinance	A shoreland management unit (See Volume II, Part 1, Section 3.5)
City of Coos Bay	A shoreland management unit. (See Section 3.5.)

Docks and Moorage

CBEMP	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 (5 berths or less) with minimal shoreside services and no solid breakwater are included in this category. Floathouses, which are used for boat storage, net-drying, and similar purposes are also included in this category.
Coos County Ordinance	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 (5 berths or less) with minimal shore side 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.
City of Coos Bay	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 (5 berths or less) with minimal shore side 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.
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Floodway

CBEMP	The normal stream channel and that adjoining area of the natural floodplain needed to convey the waters of a regional flood while causing less than one foot increase in upstream flood elevations.
Coos County Ordinance	The channel or a river or other watercourse and the adjacent land areas that may be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
City of Coos Bay	<u>Not defined in City of Coos Bay Ordinance – new definition taken from Floodplain Ordinance</u>

All definitions are different, although they all have the same result.

Impact

CBEMP	The consequences of a course of action; <u>effect of a goal, guideline, plan, or decision.</u>
Coos County Ordinance	The consequences of a course of action; <u>effect of a goal, guideline, plan or decision.</u>
City of Coos Bay	The consequences of a course of action.

LCDC

CBEMP	Land Conservation and Development Commission of the State of Oregon. <u>Seven lay citizens, non-salaried, appointed by the Governor, confirmed by the Oregon Senate; at least one commissioner from each Congressional District; no more than two from Multnomah County.</u>
Coos County Ordinance	Land Conservation and Development Commission of the State of Oregon. <u>Seven lay citizens, non-salaried, appointed by the Governor, confirmed by the Oregon Senate; at least one commissioner from each Congressional District; no more than two from Multnomah County.</u>
City of Coos Bay	Land Conservation and Development Commission of the State of Oregon.

Mitigation

CBEMP	The creation, restoring, or enhancing 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 <u>(ORS 196.830).</u>
Coos County Ordinance	The creation, restoring, or enhancing 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 <u>(ORS 196.830).</u>
City of Coos Bay	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), <u>(ORS 196.830).</u>

Natural Aquatic Areas (NA)

CBEMP	An aquatic management unit (see Volume II, Part 1, Section 3.5).
Coos County Ordinance	An aquatic management unit (see Volume II, Part 1, Section 3.5).
City of Coos Bay	An aquatic management segment <u>(See Section 3.5).</u>

Natural Shoreland Areas (NS)

CBEMP	A shoreland management unit (see Volume II, Part 1, Section 3.5).
Coos County Ordinance	A shoreland management unit (see Volume II, Part 1, Section 3.5).
City of Coos Bay	A shoreland management segment (See Section 3.5.)

Recreational Vehicle Park

CBEMP	A lot, parcel, or tract of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.
Coos County Ordinance	A lot, parcel or tract of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes. [OR 01-02-004PL 6/13/01]
City of Coos Bay	Undefined

Restoration/ Restore

CBEMP	<p>RESTORATION: Replacing or restoring original attributes or amenities such as natural biological productivity and aesthetic 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 of reduction of adverse stresses.</p>
Coos County Ordinance	<p>RESTORATION: Replacing or restoring original attributes or amenities such as natural biological productivity and aesthetic 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 of reduction of adverse stresses.</p>
City of Coos Bay	<p>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. Removing fills, installing water treatment facilities or rebuilding deteriorated urban waterfront areas.</p> <p>Active Restoration involves the use of specific positive remedial actions, such as removing fills, installing water treatment facilities, or rebuilding deteriorated urban waterfront areas.</p> <p>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.</p>

Shoreline

CBEMP	The line where a body of water and the shore meet.
Coos County Ordinance	The boundary line between a body of water and the land, measured on tidal waters at mean higher high water, and on non-tidal waterways at the ordinary high-water mark.
City of Coos Bay	The boundary between an aquatic management segment and shoreland management segment determined by the establishment of the line of non-aquatic vegetation which is also the section 404-permit line.

- All different definitions.

Solid Waste

CBEMP	Storage or disposal of industrial solid waste, such as a co-generation facility.
Coos County Ordinance	All useless or discarded putrescible and non-putrescible materials, including but not limited to garbage, rubbish, refuse, ashes, paper and cardboard, sewage sludge, septic tank and cesspool pumpings or other sludge, useless or discarded commercial, industrial, demolition and construction materials, discarded or abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid materials, dead animals and infectious waste. The term does not include: Hazardous waste as defined in ORS 466.005; Materials used for fertilizer, soil conditioning, humus restoration, or for other productive purposes or which are salvageable for these purposes and are used on land in agricultural operations and the growing or harvesting of crops and the raising of fowls or animals, provided the materials are used at or below agronomic application rates; or (c) Woody biomass that is combusted as a fuel by a facility that has obtained a permit described in ORS 468A.040.
City of Coos Bay	Storage or disposal of industrial solid waste such as a cogeneration facility.

Ordinance has a more comprehensive definition.

Structure

CBEMP	Anything constructed or installed or portable, the use of which requires a location on a parcel of land.
Coos County Ordinance	Walled and roofed building including a gas or liquid storage tank that is principally above ground.
City of Coos Bay	Anything constructed or installed or portable, the use of which requires a location on a parcel of land.

Subordinate

CBEMP	Placed in a lower order, class, or rank; occupying a lower position in a regular descending series; inferior in order, nature, dignity, power, importance, or the like; belonging to an inferior order in classification, and having a lower position in a recognized scale; secondary, minor. (As pertaining to "subordination of use/activity plan provisions to plan policies", the term "subordinate" is used as defined by Black's Law Dictionary.)
Coos County Ordinance	Placed in a lower order, class, or rank; occupying a lower position in a regular descending series; inferior in order, nature, dignity, power, importance, or the like: belonging to an inferior order in classification, and having a lower position in a recognized scale; secondary, minor. (As pertaining to "subordination of use/activity plan provisions to plan policies", the term "subordinate" is used as defined by Black's Law Dictionary.)
City of Coos Bay	Anything pertaining to "subordination of use/activity plan provisions to plan policies," the term "subordinate" is used as defined by Black's Law Dictionary. That is: "placed in a lower order, class, or rank, occupying a lower position in a regular descending series; inferior in order, nature, dignity, power, importance, or the like; belonging to an interior order in classification, and having a lower position in a recognize scale; secondary, minor."

Structure of definition is the different, although definition remains similar.

Urban Development Areas

CBEMP	A shoreland management unit (see Volume II, Part 1, Section 3.5).
Coos County Ordinance	A shoreland management unit (see Volume II, Part 1, Section 3.5).
City of Coos Bay	A shoreland management segment. (See Section 3.5.)

Urban Water-Dependent Areas (UW)

CBEMP	A shoreland management unit (see Volume II, Part 1, Section 3.5).
Coos County Ordinance	A shoreland management unit (see Volume II, Part 1, Section 3.5).
City of Coos Bay	A shoreland management segment (<u>See Section 3.5.</u>)

Water Development Shorelands

CBEMP	A shoreland management unit (see Volume II, Part 1, Section 3.5).
Coos County Ordinance	A shoreland management unit (see Volume II, Part 1, Section 3.5).
City of Coos Bay	A shoreland management segment. (<u>See Section 3.5.</u>)

Wetlands

CBEMP	Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.
Coos County Ordinance	Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated conditions. Wetlands generally include swamps, marshes, bogs and similar areas.
City of Coos Bay	Land areas where excess water is the dominant factor determining the nature of soil development and the types of plant and animal communities living at the soil surface. Wetland soils retain sufficient moisture to support aquatic or semi-aquatic plant life. In marine and estuarine areas, wetlands are bounded at the lower extreme by extreme low water; in freshwater areas, by a depth of six feet. The areas below wetlands are submerged lands.