



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

Official Use Only
Fee \$875
Receipt No. 209920
Check No./Cash 26860
Date 5/20/19
Received By DB
File No. FP-19-005

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): GMA Garnet USA Corporation Telephone: 208 761.5121

Address: 1780 Hughes Landing, Suite 725

City/State: Woodlands TX Zip Code: 77380

Agent(s): NA Telephone: _____

Address: _____

City/State: _____ Zip Code: _____

Township: 25 S Section: 35

Range: 13 W Tax Lot: 300

Situs Address: Vacant Property next to 63776 Mullen Drive, Coos Bay, OR 97420

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 Construct a 80 x 400 feet gravel pad adjacent to the existing Southern Pacific Rail Road Coos Bay Branch Rail Spur. Existing vegetation would be removed and graded and appromimately 593 cubic yards or drain rock/gravel would be placed.

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

The gravel pad will measure 80 feet by 400 feet and will be adjacent to the existing Coos Bay rail spur. The pad will not contain any structures.

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

- Yes Zone: Zone AE and part of Zone X
- No

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

Zone: Zone AE and Zone X

Panel Number: 410044 and 410042

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

- Yes - Copies of all permits must be attached.
- No GMA will submit Joint DSL and Corps of Engineers 404 Application and 1200Z application to DEQ

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): _____

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.

No structures, just gravel pad

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.

NA

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:

NA

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.

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.

Applicant

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

Applicant

Applicant(s) Original Signature

Applicant(s) Original Signature

Date

Date

Land Use Compatibility Statement



State of Oregon
Department of
Environmental
Quality

What is a land use compatibility statement?

A LUCS is a form developed by DEQ to determine whether a DEQ permit or approval will be consistent with local government comprehensive plans and land use regulations.

Why is a LUCS required?

DEQ and other state agencies with permitting or approval activities that affect land use are required by Oregon law to be consistent with local comprehensive plans and have a process for determining consistency. DEQ activities affecting land use and the requirement for a LUCS may be found in Oregon Administrative Rules (OAR) Chapter 340, Division 18.

When is a LUCS required?

A LUCS is required for nearly all DEQ permits and certain approvals of plans or related activities that affect land use prior to issuance of a DEQ permit or approval. These permits and activities are listed in section 1.D on p. 2 of this form. A single LUCS can be used if more than one DEQ permit or approval is being applied for concurrently.

Permit modifications or renewals also require a LUCS when any of the following applies:

1. Physical expansion on the property or proposed use of additional land;
2. Alterations, expansions, improvements or changes in method or type of disposal at a solid waste disposal site as described in OAR 340-093-0070(4)(b);
3. A significant increase in discharges to water;
4. A relocation of an outfall outside of the source property; or
5. Any physical change or change of operation of an air pollutant source that results in a net significant emission rate increase as defined in OAR 340-200-0020.

How to complete a LUCS:

Step	Who Does It?	What Happens?
1	Applicant	Applicant completes Section 1 of the LUCS and submits it to the appropriate city or county planning office.
2	City or County Planning Office	City or county planning office completes Section 2 of the LUCS to indicate whether the activity or use is compatible with the acknowledged comprehensive plan and land use regulations, attaches written findings supporting the decision of compatibility, and returns the signed and dated LUCS to the applicant.
3	Applicant	Applicant submits the completed LUCS and any supporting information provided by the city or county to DEQ along with the DEQ permit application or approval request.

Where to get help:

For questions about the LUCS process, contact the DEQ staff responsible for processing the permit or approval. DEQ staff may be reached at 1-800-452-4011 (toll-free, inside Oregon) or 503-229-5630. For general questions, please contact DEQ land use staff listed on our [Land Use Compatibility Statement page](#) online.

CULTURAL RESOURCES PROTECTION LAWS: Applicants involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction, or alteration of an archeological site or object or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking, to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, ext. 232.

Land Use Compatibility Statement

SECTION 1 - TO BE COMPLETED BY APPLICANT			
1A. Applicant Name: GMA Garnet USA Corp	1B. Project Name: GMA Garnet Process Plant		
Contact Name: Greg Hildebrand	Physical Address: Vacant Land Next to 63776 Mullen Road		
Mailing Address: 1780 Hughes Landing, Ste 725	City, State, Zip: Coos Bay, OR 97420		
City, State, Zip: Woodlands, TX 77380	Tax Lot #: 300		
Telephone: 208.761.5121	Township: 25 S Range: 13 W Section: 35		
Tax Account #: N/A	Latitude: 43 Deg. 21'31.46" North		
	Longitude: 124 Deg 12'21.64" West		
<p>1C. Describe the project, include the type of development, business, or facility and services or products provided (attach additional information if necessary): GMA Garnet operates a industrial minerals plant at 63776 Mullen Road, Coos Bay Oregon. GMA also owns the 12.26 undeveloped property adjacent to its industrial minerals plant. From past historical photographs, this area was once a log stoarge yard. GMA proposes to lay down drain/rock and gravel to create a pad roughly 400 by 80 feet adjacent to the existing rail spur. This pad would along with a mobile conveyor would be used to off bulk garnet sand from rail cars into a dump or pneumatic truck, the sand then would be transported next door to GMA's processing plant. The off-loading of garnet sand will require a 1200Z Permit. In addition, the drainage ditch that runs the length of the pad and rail spur will be filled in with rock/gravel and will require a USACE 404 Permit. This application would be submitted to DSL and Corps of engineers.</p>			
<p>1D. Check the type of DEQ permit(s) or approval(s) being applied for at this time.</p> <table style="width:100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Air Quality Notice of Construction <input type="checkbox"/> Air Contaminant Discharge Permit (<i>excludes portable facility permits</i>) <input type="checkbox"/> Air Quality Title V Permit <input type="checkbox"/> Air Quality Indirect Source Permit <input type="checkbox"/> Parking/Traffic Circulation Plan <input type="checkbox"/> Solid Waste Land Disposal Site Permit <input type="checkbox"/> Solid Waste Treatment Facility Permit <input type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester) <input type="checkbox"/> Conversion Technology Facility Permit <input type="checkbox"/> Solid Waste Letter Authorization Permit <input type="checkbox"/> Solid Waste Material Recovery Facility Permit <input type="checkbox"/> Solid Waste Energy Recovery Facility Permit <input type="checkbox"/> Solid Waste Transfer Station Permit <input type="checkbox"/> Waste Tire Storage Site Permit </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Pollution Control Bond Request <input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit <input type="checkbox"/> Clean Water State Revolving Fund Loan Request <input type="checkbox"/> Wastewater/Sewer Construction Plan/Specifications (<i>includes review of plan changes that require use of new land</i>) <input type="checkbox"/> Water Quality NPDES Individual Permit <input type="checkbox"/> Water Quality WPCF Individual Permit (<i>for onsite construction-installation permits use the DEQ Onsite LUCS form</i>) <input checked="" type="checkbox"/> Water Quality NPDES Stormwater General Permit (<i>1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z</i>) <input type="checkbox"/> Water Quality General Permit (<i>all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.</i>) <input checked="" type="checkbox"/> Water Quality 401 Certification for federal permit or license </td> </tr> </table>		<input type="checkbox"/> Air Quality Notice of Construction <input type="checkbox"/> Air Contaminant Discharge Permit (<i>excludes portable facility permits</i>) <input type="checkbox"/> Air Quality Title V Permit <input type="checkbox"/> Air Quality Indirect Source Permit <input type="checkbox"/> Parking/Traffic Circulation Plan <input type="checkbox"/> Solid Waste Land Disposal Site Permit <input type="checkbox"/> Solid Waste Treatment Facility Permit <input type="checkbox"/> Solid Waste Composting Facility Permit (includes Anaerobic Digester) <input type="checkbox"/> Conversion Technology Facility Permit <input type="checkbox"/> Solid Waste Letter Authorization Permit <input type="checkbox"/> Solid Waste Material Recovery Facility Permit <input type="checkbox"/> Solid Waste Energy Recovery Facility Permit <input type="checkbox"/> Solid Waste Transfer Station Permit <input type="checkbox"/> Waste Tire Storage Site Permit	<input type="checkbox"/> Pollution Control Bond Request <input type="checkbox"/> Hazardous Waste Treatment, Storage, or Disposal Permit <input type="checkbox"/> Clean Water State Revolving Fund Loan Request <input type="checkbox"/> Wastewater/Sewer Construction Plan/Specifications (<i>includes review of plan changes that require use of new land</i>) <input type="checkbox"/> Water Quality NPDES Individual Permit <input type="checkbox"/> Water Quality WPCF Individual Permit (<i>for onsite construction-installation permits use the DEQ Onsite LUCS form</i>) <input checked="" type="checkbox"/> Water Quality NPDES Stormwater General Permit (<i>1200-A, 1200-C, 1200-CA, 1200-COLS, and 1200-Z</i>) <input type="checkbox"/> Water Quality General Permit (<i>all general permits, except 600, 700-PM, 1700-A, and 1700-B when they are mobile.</i>) <input checked="" type="checkbox"/> Water Quality 401 Certification for federal permit or license
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<p>1E. This application is for: <input type="checkbox"/> Permit Renewal <input checked="" type="checkbox"/> New Permit <input type="checkbox"/> Permit Modification <input type="checkbox"/> Other:</p>			
SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL			
<p>Instructions: Written findings of fact for all local decisions are required; written findings from previous actions are acceptable. For uses allowed outright by the acknowledged comprehensive plan, DEQ will accept written findings in the form of a reference to the specific plan policies, criteria, or standards that were relied upon in rendering the decision with an indication of why the decision is justified based on the plan policies, criteria, or standards.</p>			
<p>2A. The project proposal is located: <input type="checkbox"/> Inside city limits <input type="checkbox"/> Inside UGB <input type="checkbox"/> Outside UGB</p>			
<p>2B. Name of the city or county that has land use jurisdiction (the legal entity responsible for land use decisions for the subject property or land use):</p>			

Land Use Compatibility Statement

SECTION 2 - TO BE COMPLETED BY CITY OR COUNTY PLANNING OFFICIAL		
Applicant Name:	Project Name:	
2C. Is the activity allowed under Measure 49 (2007)? <input type="checkbox"/> No, Measure 49 is not applicable <input type="checkbox"/> Yes; if yes, then check one:		
<input type="checkbox"/> Express; approved by DLCD order #:		
<input type="checkbox"/> Conditional; approved by DLCD order #:		
<input type="checkbox"/> Vested; approved by local government decision or court judgment docket or order #:		
2D. Is the activity a composting facility?		
<input type="checkbox"/> No <input type="checkbox"/> Yes; Senate Bill 462 (2013) notification requirements have been met.		
2E. Is the activity or use compatible with your acknowledged comprehensive plan as required by OAR 660-031? <i>Please complete this form to address the activity or use for which the applicant is seeking approval (see 1.C on the previous page). If the activity or use is to occur in multiple phases, please ensure that your approval addresses the phases described in 1.C. For example, if the applicant's project is described in 1.C as a subdivision and the LUCS indicates that only clearing and grading are allowed outright but does not indicate whether the subdivision is approved, DEQ will delay permit issuance until approval for the subdivision is obtained from the local planning official.</i>		
<input type="checkbox"/> The activity or use is specifically exempt by the acknowledged comprehensive plan; explain:		
<input type="checkbox"/> Yes, the activity or use is pre-existing nonconforming use allowed outright by <i>(provide reference for local ordinance)</i> :		
<input type="checkbox"/> Yes, the activity or use is allowed outright by <i>(provide reference for local ordinance)</i> :		
<input type="checkbox"/> Yes, the activity or use received preliminary approval that includes requirements to fully comply with local requirements; findings are attached.		
<input type="checkbox"/> Yes, the activity or use is allowed; findings are attached.		
<input type="checkbox"/> No, see 2.C above, activity or use allowed under Measure 49; findings are attached.		
<input type="checkbox"/> No, <i>(complete below or attach findings for noncompliance and identify requirements the applicant must comply with before compatibility can be determined)</i> : Relevant specific plan policies, criteria, or standards: Provide the reasons for the decision:		
Additional comments (attach additional information as needed):		
Planning Official Signature:		Title:
Print Name:	Telephone #:	Date:
If necessary, depending upon city/county agreement on jurisdiction outside city limits but within UGB:		
Planning Official Signature:		Title:
Print Name:	Telephone #:	Date:

- Legen**
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 - ☑ Sa
 - ☑ Str
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Location

our map.

