



Community Development

Mailing Date:
Tuesday, February 27, 2024

Coos County Community Development

FILE NUMBER: ACU-23-074/FP-23-012

HEARING DATE: Work Session – March 5, 2024 at 1:30 p.m.

HEARING LOCATION: 201 N. Adams Street, Coquille Oregon 97423
This meeting can be attended virtually at
Board of Commissioners Hearings
Please join my meeting from your computer, tablet or smartphone.
<https://meet.goto.com/964495293>
You can also dial in using your phone.
Access Code: 964-495-293
United States: [+1 \(571\) 317-3122](tel:+15713173122)

APPLICANT(s): Fred Messerle, Beaver Drainage District
Caley Sowers, Coos Soil and Water District Manager
Fred Messerle, Treasure, Fred Messerle & Sons, Inc.
Cynthia Henson, President, Everett-Ona Isenhardt Ranch, Inc.
Laura and John Isenhardt, Trustee, Isenhardt Living Trust
Sara Gregory, ODFW, Umpqua Watershed District Manager
Luke Fitzpatrick, Trustee, The Bridges Family Trust
Juliana Ruble, District 7 Permit Specialist


STAFF CONTACT: Jill Rolfe, Planning Director
Phone: 541-396-7770
Email: planning@co.coos.or.us

HEARINGS BODY: Board of Commissioners

RECORD: Record items can be viewed and downloaded from:

SUMMARY/REQUEST: The applicants have requested an Administrative Conditional Use Review. There have been some concerns raised with this request and the Board of Commissioners would like to review the matter in a work session and render a decision if they would like to formally call the matter up for a public hearing or allow the project to be reviewed by the Planning Director. The Winter Lake Phase III project entails a working lands infrastructure rehabilitation effort proposed on 1,290 acres within the 1,790-acre Beaver Slough Drainage District and two additional parcels totaling 99 acres in the Coaledo Drainage District. The project aims to replace/consolidate a total of 42 pasture culverts with associated tidegates, install over 90,000 ft of new and reconstructed tidal/farm drainage channels, repair five segments of failing berms, excavate deposited sediments from China Camp Creek, and install up to nine heavy-use watering site troughs.

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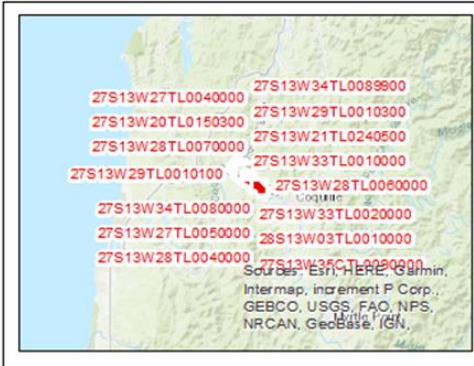
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SUBJECT PROPERTY DETAILS:
(map not to scale)

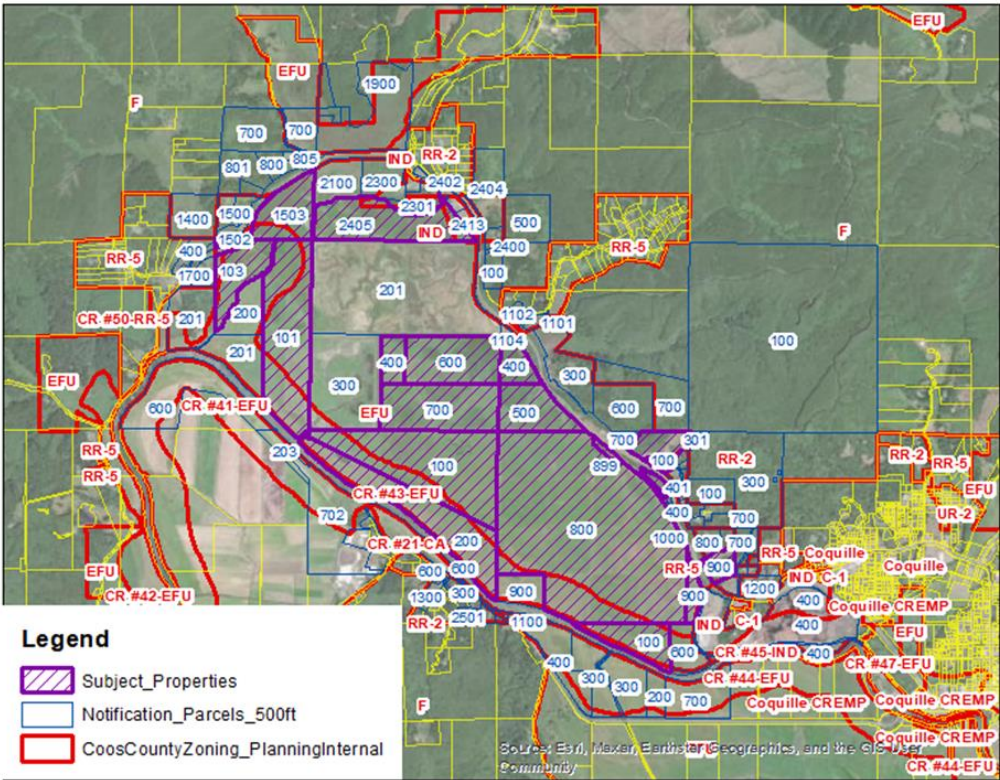


COOS COUNTY PLANNING DEPARTMENT

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 Physical Address: 60 E. Second, Coquille Oregon
 Phone: (541) 396-7770
 TDD (800) 735-2900



File:	ACU-23-074/FP-23-012
Applicant/	Oregon Department of Fish & Wildlife/ Coos Soil & Water Conservation District/
Owner:	Various
Date:	February 13, 2024
Location:	Various
Proposal:	Conditional Use/Floodplain Review



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Account Number:	716702	716800	717401
Map Number:	27S132700-00400	27S132700-00500	27S132800-00600
Property Owner:	THE BRIDGES FOUNDATION C/O FITZPATRICK, LUKE, TRUSTEE PO BOX 1123 TURNER, OR 97392-1123	THE BRIDGES FOUNDATION C/O FITZPATRICK, LUKE, TRUSTEE PO BOX 1123 TURNER, OR 97392-1123	THE BRIDGES FOUNDATION C/O FITZPATRICK, LUKE, TRUSTEE PO BOX 1123 TURNER, OR 97392-1123
Acreage:	25.36 Acres	54.43 Acres	80.00 Acres
Zoning:	EXCLUSIVE FARM USE (EFU)	EXCLUSIVE FARM USE (EFU)	EXCLUSIVE FARM USE (EFU)
Special Development Considerations and Overlays:	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY (NWI) NH LIQUEFACTION (NHEQL) NH TSUNAMI (NHTHO)	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY (NWI) NH LIQUEFACTION (NHEQL) NH TSUNAMI (NHTHO) WET MEADOW WETLAND (WM)	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY (NWI) NH LIQUEFACTION (NHEQL) NH TSUNAMI (NHTHO) WET MEADOW WETLAND (WM)
Account Number:	717500	717600	721200
Map Number:	27S132800-00700	27S132900-00101	27S133300-00200
Property Owner:	THE BRIDGES FOUNDATION C/O FITZPATRICK, LUKE, TRUSTEE PO BOX 1123 TURNER, OR 97392-1123	THE BRIDGES FOUNDATION C/O FITZPATRICK, LUKE, TRUSTEE PO BOX 1123 TURNER, OR 97392-1123	ISENHART LIVING TRUST ET AL ISENHART, JOHN & LAURA J TTEE PO BOX 174 BROADBENT, OR 97414-0174
Acreage:	100.00 Acres	148.51 Acres	120.60 Acres
Zoning:	EXCLUSIVE FARM USE (EFU)	COQUILLE RIVER ESTUARY MGT PLN CREMP AQUATIC D21 CONSERVATION (CRA21C) CREMP EXCLUSIVE FARM USE (CR-EFU) CREMP SHORELAND SEGMENT 43 (CRS43) EXCLUSIVE FARM USE (EFU)	COQUILLE RIVER ESTUARY MGT PLN CREMP AQUATIC D21 CONSERVATION (CRA21C) CREMP EXCLUSIVE FARM USE CREMP SHORELAND SEGMENT 43 EXCLUSIVE FARM USE (EFU)
Special Development Considerations and Overlays:	NH LIQUEFACTION (NHEQL) NH TSUNAMI (NHTHO) WET MEADOW WETLAND (WM)	BIRD SITE MEETS GOAL 5C REQRMT (B5C) COLEDO DISTRICT AREA (CDA) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY (NWI) NH LIQUEFACTION (NHEQL) WET MEADOW WETLAND (WM)	ARCHAEOLOGICAL AREAS (ARC) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY (NWI) NH LIQUEFACTION (NHEQL)

Account Number:	722300	99916787	99916790
Map Number:	27S133400-00800	27S132900-00103	27S132000-01503
Property Owner:	FRED MESSERLE & SONS, INC. 94881 STOCK SLOUGH LN COOS BAY, OR 97420-6346	THE BRIDGES FOUNDATION C/O FITZPATRICK, LUKE, TRUSTEE PO BOX 1123 TURNER, OR 97392-1123	THE BRIDGES FOUNDATION C/O FITZPATRICK, LUKE, TRUSTEE PO BOX 1123 TURNER, OR 97392-1123
Acreage:	554.53 Acres	47.34 Acres	52.19 Acres
Zoning:	COQUILLE RIVER ESTUARY MGT PLN CREMP AQUATIC D21 CONSERVATION (CRA21C) CREMP EXCLUSIVE FARM USE CREMP SHORELAND SEGMENT 43 EXCLUSIVE FARM USE (EFU)	COQUILLE RIVER ESTUARY MGT PLN CREMP EXCLUSIVE FARM USE (CR-EFU) CREMP SHORELAND SEGMENT 43 (CRS43) EXCLUSIVE FARM USE (EFU)	COQUILLE RIVER ESTUARY MGT PLN CREMP EXCLUSIVE FARM USE CREMP SHORELAND SEGMENT 43 (CRS43) EXCLUSIVE FARM USE (EFU)
Special Development Considerations and Overlays:	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY NH LIQUEFACTION (NHEQL) NH TSUNAMI (NHTHO)	BIRD SITE MEETS GOAL 5C REQ RMT (B5C) COLEDO DISTRICT AREA (CDA) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY (NWI) NH LIQUEFACTION (NHEQL) NH TSUNAMI (NHTHO) WET MEADOW WETLAND (WM)	COLEDO DISTRICT AREA (CDA) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY NH LIQUEFACTION (NHEQL) NH TSUNAMI (NHTHO) WET MEADOW WETLAND (WM)
Account Number:	712904	716702	724600
Map Number:	27S132100-02405	27S132700-00400	27S1335C0-00900
Property Owner:	OREGON DEPARTMENT OF FISH AND WILDLIFE/C/O REALTY SERVICES 4034 FAIRVIEW INDUSTRIAL DR SE SALEM, OR 97302-1142	THE BRIDGES FOUNDATION C/O FITZPATRICK, LUKE, TRUSTEE PO BOX 1123 TURNER, OR 97392-1123	FRED MESSERLE & SONS, INC. 94881 STOCK SLOUGH LN COOS BAY, OR 97420-6346
Acreage:	109.20 Acres	25.36 Acres	27.00 Acres
Zoning:	EXCLUSIVE FARM USE (EFU) INDUSTRIAL (IND)	EXCLUSIVE FARM USE (EFU)	EXCLUSIVE FARM USE (EFU) INDUSTRIAL (IND)
Special Development Considerations and Overlays:	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY NH LANDSLIDE (NHLND) NH LIQUEFACTION (NHEQL)	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY (NWI) NH LIQUEFACTION (NHEQL)	COQUILLE MUTUAL INTEREST AREA FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY NH LIQUEFACTION (NHEQL)

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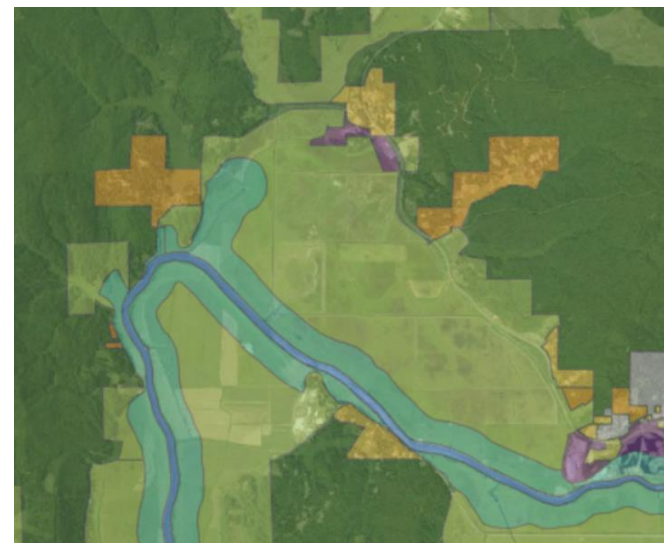
Account Number:	898300	7715000	721202
Map Number:	28S130300-00100	27S133400-00899	27S133300-00100
Property Owner:	FRED MESSERLE & SONS, INC. 94881 STOCK SLOUGH LN COOS BAY, OR 97420-6346	STATE OF OREGON 61036 HWY 101 SOUTH COOS BAY, OR 97420	EVERETT-ONA ISENHART RANCH, INC; ETAL 97065 LANGLOIS MOUNTAIN RD LANGLOIS, OR 97450-9668
Acreage:	46.24 Acres	4.06 Acres	175.68 Acres
Zoning:	COQUILLE RIVER ESTUARY MGT PLN CREMP EXCLUSIVE FARM USE (CR- EFU) CREMP SHORELAND SEGMENT 43 (CRS43) EXCLUSIVE FARM USE (EFU)	EXCLUSIVE FARM USE (EFU)	COQUILLE RIVER ESTUARY MGT PLN CREMP EXCLUSIVE FARM USE CREMP SHORELAND SEGMENT 43 (CRS43) EXCLUSIVE FARM USE (EFU)
Special Development Considerations and Overlays:	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY NH LIQUEFACTION (NHEQL)	FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY (NWI) NH TSUNAMI (NHTHO)	ARCHAEOLOGICAL AREAS (ARC) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY NH LIQUEFACTION (NHEQL) WET MEADOW WETLAND (WM)

Zoning: Exclusive Farm Use (EFU)
Coquille River Estuary Management Segments:

- CREMP-Exclusive Farm Use Shoreland Segment CREMP EFU 43,
- CREMP Aquatic 21 Conservation Aquatic

Industrial

The project will take place in the Exclusive Farm Use and Coquille River Estuary Management Plan Zoning.



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I. APPLICABLE CRITERIA

COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO)

CHAPTER III – ESTUARY ZONES

SECTIONS

- 3.3.710(2) – Coquille River Estuary Management Plan - Exclusive Farm Use (CREMP-EFU) Shoreland Segments - Administrative Conditional Development and Use: Drainage and Tide Gating
- 3.3.730 – Criteria and Review Standards for Conditional Use Permits (Both Administrative & Hearings Body)
- § 3.3.740 – Development and Use Standards

Coquille River Estuary Policies

- Policy #14 – General Policy Uses within the Rural Coastal Shorelands
- Policy #18 – Protection of Historic, Cultural, and Archaeological Sites
- Policy #19 – Management of “Wet-Meadow” wetlands within Coastal Shorelands
- Policy #22 – Mitigation Sites: Protection against Pre-emptory Uses
- Policy #23 – Riparian Vegetation/Streambank Protection
- Policy #27 – Floodplain Protection within Coastal Shorelands

CHAPTER IV - BALANCE OF COUNTY ZONES, OVERLAYS & SPECIAL CONSIDERATION

SECTIONS

- 4.6.200(8) – Exclusive Farm Use – Use Table - Diking, drainage, tide-gating, fill, mitigation, non-shoreland stabilization, dredge material disposal and restoration
- 4.11.243(4) – Duties and Responsibilities of the Floodplain Administrator – Alteration of Watercourses
- 4.11.251 – Floodplain - General Standards – Other Development

CHAPTER V – ADMINISTRATION

SECTIONS

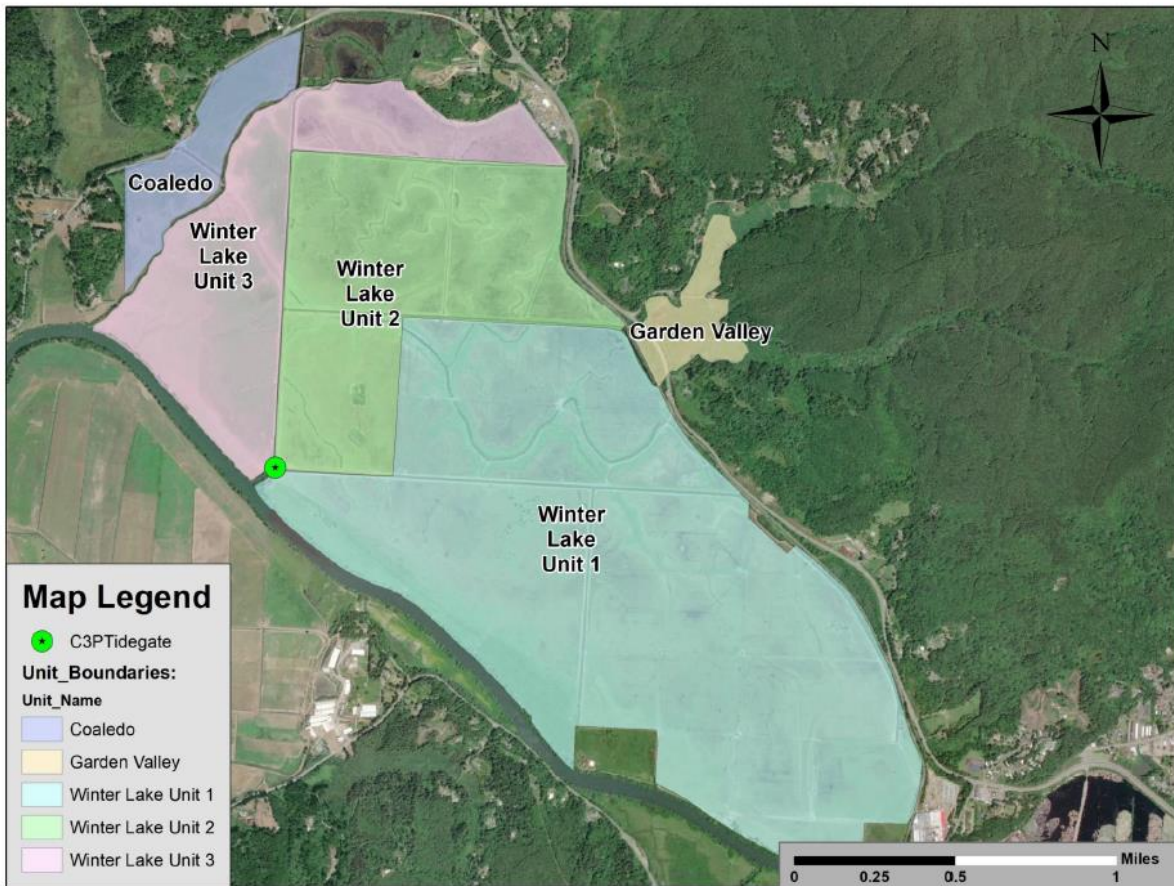
- 5.0.600 Board of Commissioners Review of Applications and Appeals *** The Board of Commissioners reserves the right to pre-empt any permit review process or appeal process and hear any permit application or appeal directly. The Board also reserves the right to appoint a Hearings Officer or Hearings Body to hear and consider any permit application or appeal. Notice of appeals of administrative actions shall be promptly forwarded to the Board of Commissioners, which may elect to hear the appeal instead of the Planning Commission.

II. BASIC FINDINGS

LEGALLY CREATED UNITS OF LAND STATUS: The Coos County Zoning and Land Development Ordinances requires that property are legally created pursuant to Article 6.1 Lawfully Created Lots and Parcels ORS 92. Staff found that all units of land that are part of the project are legally created units of land.

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SITE DESCRIPTION AND LAND USE HISTORY: The property was mainly farmland with drainage area including tidegates.



In 2016 an administrative conditional use was approved to allow:

- Replacement of the existing corrugated metal pipe (CMP) culvert and flap-gate tide gate structures with new concrete culverts and side-hinged tide gates, mounted on a vertical slide, controlled by a muted tidal regulator (MTR) and supplemental hydraulic power;
- Excavation of a new primary habitat channel and secondary tidal channels throughout Unit 2 properties;
- Placement of excavated material for topographic diversity and to fill in some existing linear drainage ditches;
- Modification of existing berms and creation of two new berms to isolate Unit 2 from adjacent agricultural properties;
- Excavation of a new alignment of the China Camp Creek canal (proposed North-South Canal) to further isolate the restored site from adjacent properties;
- Removal of nine (9) existing interior or channel crossing culverts (some with existing flap gates) and minor canal excavation in the Wheeler/ODFW canal;
- Installation of up to five (5) new interior culverts with side-hinged tide gate to allow continued drainage from two adjacent landowners in Units I and 3 into primary drainage canals after modifying berms (# depends on preferred drainage route for landowners);

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- Installation of five (5) bridges to cross existing drainage canals and the new habitat channel on the ODFW property in Unit 2, to provide construction access, provide more reliable permanent access to the site after removal of the 9 culverts/flap gates for operation and maintenance of the drainage infrastructure, and to provide potential future public access to the ODFW property;
- Installation of a water control structure and side-hinged tide gate on China Camp Creek at Hwy 42 to prevent normal tidal fluctuations during spring, summer, and early fall from flooding low subsided areas upstream of the highway; and,
- Modification of the existing North Dike and excavation to relocate portions of historical channel along the north side of the upgraded dike in Unit 3 for construction access and permanent access for operation and maintenance for the BSDD;
- Canal maintenance on the North, East, and Messerle/Smith/Isenhart Canals to ensure water flow with the new culverts/tide gates (up to 30,000 linear feet of maintenance);
- Replacement of drainage culverts/tide gates on Messerle, Isenhart Ranch and Isenhart parcels to take advantage of the new flows/water regime with the new culverts/tide gates. These culverts will be the same 48-inch plastic pipes with side-hinged tide gates as proposed above.
- Re-vegetation in Unit 2 with native trees and shrubs.

2016 AERIAL IMAGE



2018 AERIAL IMAGE:



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2022 AERIAL IMAGE:



Since the 2016 application there have been other minor applications applied for to facilitate the project. The current application is referenced to as Phase III of the project.

PROPOSAL: According to the applicants the Winter Lake Phase III project is a working lands infrastructure rehabilitation project proposed on 1,290 acres of the 1,790 acre Beaver Slough Drainage District and two additional parcels totaling 99 acres in the Coaledo Drainage District. The project will replace/consolidate a total of 42 pasture culverts with associated tidegates, install over 90,000 ft of new and reconstructed tidal/farm drainage channel, repair five segments of failing berm, excavate deposited sediments from China Camp Creek, and install up to nine heavy use watering site troughs (see 404 Fill and Removal permit application and associated Additional Materials). The project area is fully within properties that are zoned as EFU, EFU/CREMP, and or EFU/IND. As such the proposed actions to rehabilitate drainage infrastructure for farming use are facilitatively allowed under the Coos County Planning Code. The lands are within the FEMA floodway Zone A. An engineer floodplain certification application documenting that the project complies with FEMA guidelines is in preparation for submission separately to accompany the 404 Fill and Removal permit application materials to the County Planning Department.

REVIEW PERIOD: The subject applications were submitted on December 21, 2023, and during the preliminary 30-day review, they were found to be complete for the purpose of review. The completeness review is defined in Section 5.0.200. Calculating the 150-day time frame to complete the review from January 19, 2024, which means a final decision of the county is required to be rendered no later than June 18, 2024. Upon receipt of a complete application, the Planning Department may take action on a conditional use request by issuing an administrative decision or scheduling a public hearing as determined by the applicable zoning. In this case, there appears to be some controversy with this matter which led to the decision to have the Board of Commissioners review the matter to see if they would be the decision-maker in place of the Planning Director.

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Originally the matter was scheduled for a formal hearing but after reviewing the language regarding pre-empting hearings by the Board of Commissioners it was found to be appropriate to have a work session to allow input on the matter regarding if a public hearing should be granted at this stage or allow the matter to move forward the administrative decision process.

The Board of Commissioners may review the current record and make this determination or allow a presentation by the applicant with a question-and-answer session. Staff recommends that the Board of Commissioners allow the applicant's presentation of the project and take comments, then set a public hearing to review the merits of the matter and address the applicable criteria through a public hearing process.

An administrative conditional use process does not provide for interaction with the public and agency comments to understand concerns or allow the applicant to respond. Therefore, it is staff's opinion that a public hearing would be appropriate. Also, after staff has read some of the comments and assessed the likelihood of an appeal of a lower decision, staff does recommend that the Board of Commissioners hear the presentation and comments but reserve the merits of the matter directed to the criteria for a separate public hearing. Staff recommends setting this hearing in early April unless the applicant would like additional time to address the comments regarding how they relate to the criteria.

The main focus of this meeting should be the impacts to surrounding farm and forest operations. There have been some comments received regarding topic. The changes to water course are the main concern and the impacts to that may happen to the adjacent properties. The benefit to reviewing this in a work session is to allow the Board to hear comments about the project in general both from proponents and opponents to make the decision if a formal public hearing is required to decide this matter. The formal hearing will focus on the criteria and building finds that the project is compliant or is not compliant with the criteria.


PUBLIC AGENCY COMMENTS: The Planning Department provided notice of the proposal on February 14, 2024. There have been no public agency comments received as of the date of this report.

PUBLIC COMMENTS: The Planning Department mailed notice of the conditional use application to all property owners within 500 feet of the subject property on February 14, 2024. The applicant also complied with the posted notice requirements of Section 5.0.900. Public comments were received and are referenced and summarized below. The full comments can be found at Attachment B.

Staff notes that seven (7) comments were received, six (6) in opposition or concerned over the proposal and one (1) in support.

- John Krall and Catherine Krall emailed stating they are owners of property located directly across from the acreage included in Winter Lake Phase III. Expansion of the project will further exacerbate the mosquito problem making it impossible for Coquille residents to enjoy any outdoor activities from the beginning of August and into fall of the year. It is our position that no further expansion should be taken until the mosquito problem that was created by the first part of the project is resolved.
- Benny Hempstead – He is an adjacent property owner who owns tax lot 2300 Industrial / EFU, The Old Chromite Mill. He received a notice of a meeting in regards to future work to be done in the area surrounding my property in three directions: north, south, and west. He explained a few years back there was a project immediately west of my Tax Lot 2300, on Tax Lot 2100 owned by ODFW. The project lowered the dike on the west of what was referred to as The Old Luckman Parcel on Tax Lot 2100, opened up areas of the dike and installed two bridges allowing waters from the channels west of

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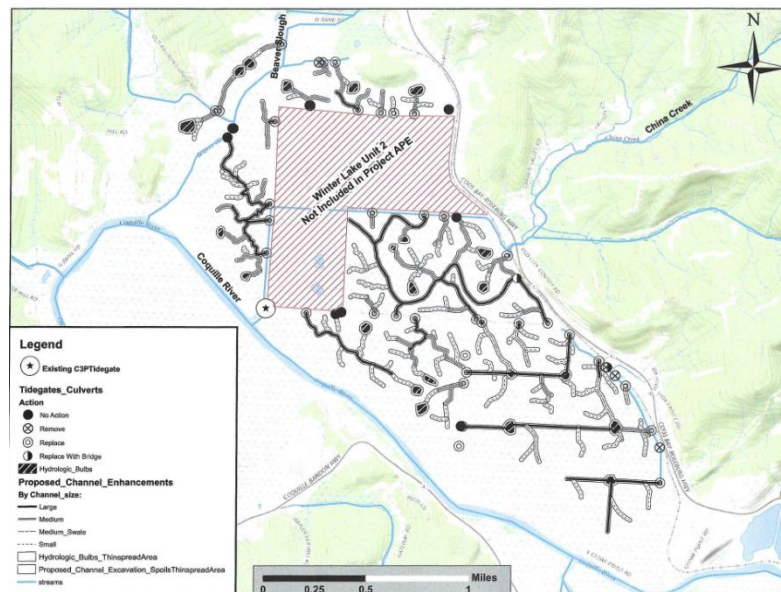


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the dike to flow onto and flood the easterly areas of Tax Lot 2100, and deepened the water channels significantly from the main channel under bridges, and throughout the Old Luckman Parcel (now owned by ODFW). That project has permanently damaged my EFU land by allowing the flow of water through Tax Lot 2100 to flow on to my Tax Lot 2300, as a dike or berm on the east side of Tax Lot 2100 abutting my property was never constructed. Water that never reached my parcel is now allowed to flow freely and flood. No effort to prevent flooding on parcel 2300 was attempted.

He is concerned with approval of any work to be done on or through Parcel 2300 which could create flooding, deposits of soils, or modify water flows. Additionally, he objects to projects adjacent to his property that could now or in the future possibly cause damage or a loss of value to, due to activities created from any private project, permitted project, or Agency projects/work. He is in general supportive of projects such as restorations of lands designated for such projects, however does not support of over-reach of State or Federal agencies making significant modifications which create a negative impact on private properties. He is concerned about his financial investment of his land. It is my hope that ODFW would provide the required water dike on the westerly side of my land to protect my parcel 2300 from previous projects. The same for future projects as to the one being given notice to.

- Verna Rose resides in the Beaver Slough Drainage District and opposes any land from being removed from the Drainage District without her request being honored. The testimony is related to the taxes being used for larger owner and no benefit for smaller owners.
- Sharon Waterman, Land Owner is concerned about the impacts to their farmlands and other farmland. After reviewing the application, it makes me wonder if this is all pre-wetland work under the disguise of irrigation, water quality and fish habitat. Oregon Department of Fish and Wildlife already is moving forward with acquisition of the Bridges Foundation property. The attached "Attachment A, Figure 12b" shows, in black and white, a considerable amount of grazing land will be removed from production to build channels but it does not show the fence and planting buffers which take up more grazing land in the project area.



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Due to the fact they own a house in proximity to the proposed project, my major concern is mosquitos. The numerous "hydrologic bulbs" being built throughout the project area are concerning. "At the endpoints of selected channels, the project will construct 'hydrologic bulbs'. These habitat improvement actions will: a). Provide areas of greater depth long distances within the pasture networks where native fish, e.g. coho can shelter and feed during winter months prior to floodwaters rising and allowing fish to feed on pastures; b). These habitat improvement structures will provide volumetric areas at endpoints where the hydraulic forces of inflow/outflow will flush minor sediment accumulations from the length of the channel network downstream." "Hydrologic bulbs at the terminus of larger channel networks that provide a small basinal low area excavated to provide fish habitat in winter and channel flushing to move any accumulation of sediments from the channel network." These excavated "bulbs" (approximately 22 of them) will be filled with water during irrigation and rain events (Figure 12 & page 45 of 81). The concern is that the bulbs will retain water during hot summer weather especially after irrigation events and the water pools (bulbs) will enhance mosquito habitat. No one wants more mosquitos.

She goes on to explain that "parrot feather" is choking the waterways in the wetland. Its dense growth provides a breeding ground for mosquitos and it can degrade both water quality and habitat for fish and wildlife. There is concern with the potential for spread of this invasive on private property. She speculates that the parrot feather may have been transferred to this area during the last two phases of the Winter Lakes Project.

Sharon Waterman made some recommendations to the Board of Commissioners and/or Coos County Planning the following "conditions" on this Application:


1) ODFW should be required to utilize their CVWA Management Plan (mosquito section) and Vector Control Guidance for Sensitive Areas policy to treat the mosquitos in the existing wetland. BTI is one tool.

2) BSDD landowners, Bridges Foundation, and ODFW should also be required to ensure all hydrologic bulbs have connectivity to the channels. The hydrologic bulbs should be designed to drain completely after each irrigation event to reduce the creation of more mosquito habitat.

3) Invasive species (parrot feather and others) in the project area need to be eradicated prior to the beginning of the work. All equipment must be thoroughly cleaned and free from invasive species prior to entering the site.

- Gail Olsen and Eric Olsen are property owners on Garden Valley and they voice the same concerns that Sharon Waterman has expressed.
- Jan Hopmans owns property in the Garden Valley area and has concerns about additional wetlands and mosquitos. It appears she also requested to be removed from the Beaver Slough Drainage District.
- Jeffrey Jackson, supports the Beaver Slough Drainage District's and Coos Soil and Water Conservation District's application for infrastructure upgrades as outlined in the Winter Lake Phase III project. He has been a fish biologist with nearly 25 years of experience working for federal, state and non-profit organizations in Oregon, Alaska and California, he expresses confidence that habitat restoration projects such as Winter Lake not only benefit salmon to a great degree, but also benefit drainage that increases use and productivity by agricultural landowners. Recent research at Winter Lake conducted by the Coquille Watershed Association has shown how incredibly productive off-channel areas are to coho salmon. Juvenile coho move downstream and seek areas to over-winter, get out of heavy winter flows and find food and shelter. Replacing internal tidegates will facilitate water

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movement and help juvenile salmon find their way out of the channels and canals as water temperatures become too high later in the spring. A suite of native fish and amphibians thrive in Winter Lake: steelhead, Cutthroat trout, Pacific lamprey can all be found there seasonally. And while it is true that a variety of non-native fish are present, active water management makes this a less hospitable environment for them to flourish. In addition to the natural resources benefits afforded by this project, Winter Lake Phase III will replace aging and non-functional infrastructure that will greatly benefit grazing and pasture management. As spring turns into summer, native fish move out of the project area, water can be drawn down, and Winter Lake goes into another mode of production – for livestock. Landowners can't turn their animals out until the land is dried out, and upgraded infrastructure will facilitate maximum use. That's the beauty of projects such as this: promote agricultural use in the summer and salmon in the winter.

III. FINDINGS & CONCLUSIONS

In this report, staff is providing the criteria and explaining what needs to be addressed. A full analysis will be completed once the Board of Commissioners chooses a pathway for review.

Coos County Zoning and Land Development
Chapter III – Estuary Zones

Coquille River Estuary Management Plan - Exclusive Farm Use (CREMP-EFU) Shoreland Segments

- *Exclusive Farm Use Shoreland Segments 23 (23-EFUS) and 26 (26-EFUS) shall be managed for the continuation of farm use as defined in ORS 215.203 (2) (a) and such other non-farm uses as are conditionally permitted in ORS 215.213. Mitigation shall also be permitted, and designated mitigation sites shall be protected against pre-emptory uses.*
- *Exclusive Farm Use Shoreland Segments: 27 (27-EFUS), 28 (28-EFUS), 31(31-EFUS), 32(32-EFUS), 33 (33-EFUS), 34 (34-EFUS), 36 (36-EFUS), 37 (37-EFUS), 41 (41-EFUS), 42 (42-EFUS), 43 (43-EFUS), 44 (44-EFUS), 47(47-EFUS), 53(53-EFUS), 55 (55-EFUS), 56 (56-EFUS), 60 (60-EFUS), 62 (62-EFUS), 73 (73-EFUS), 75 (75-EFUS) shall be managed for the continuation of farm use as defined in ORS 215.203 (2)(a) and such other farm uses as are conditionally permitted in ORS 215.213.*

FINDING: In the Estuary Zones the applicant is required to show how a proposal meets the management objective. The applicant is required to show that the use will continue and for the property to be managed for uses as defined in ORS 215.203.


SECTION 3.3.710 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

*The following uses and their accessory uses may be allowed as administrative conditional uses in the "CREMP-EFU" zone subject to applicable requirements in Sections 3.3.730 and 3.3.740.****

- 2. Drainage and tide-gating. The applicable review criteria are CREMP Policies #14, #18, #19, #22, #23, and #27.*

FINDING: The applicant will need to address Policies #14, #18, #19, #22, #23, and #27 and Sections 3.3.730 and 3.3.700.

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Coquille River Estuary Policies

- Policy #14 – General Policy Uses within the Rural Coastal Shorelands
- I. Coos County shall manage its rural areas with the "Coquille River Coastal Shorelands Boundary" by allowing only the following uses in rural shoreland areas, as prescribed in the management units of this Plan, except for areas where mandatory protection is prescribed by LCDC Goal #17 and #18:
- a. farm uses as provided in ORS 215;
 - b. propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
 - c. private and public water-dependent recreation developments;
 - d. aquaculture;
 - e. water-dependent commercial and industrial uses, water-related uses and other uses only upon a finding by the county that such uses satisfy a need which can not be accommodated on uplands or in urban and urbanizable areas or in rural areas built upon or irrevocably committed to non-resource use;
 - f. single family residences on lots, parcels, or units of land existing on January 1, 1977 when it is established that:
 1. the dwelling is in conjunction with a permitted farm or forest use, or
 2. the dwelling is in a documented "committed" area, or
 3. the dwelling has been justified through a goal exception, or
 4. such uses do not conflict with the resource preservation and protection policies established elsewhere in this Plan;
 - g. any other uses, provided that the Board of Commissioners determines that such uses satisfy a need which cannot be accommodated at other upland locations or in urban or urbanizable areas. In addition, the above uses shall only be permitted upon a finding that such uses do not otherwise conflict with the resource preservation and protection policies established elsewhere in this Plan.


This strategy recognizes (1) that Coos County's rural shorelands are a valuable resource and accordingly merit special consideration, and (2) that LCDC Goal #17 places strict limitations on land divisions within coastal shorelands. This strategy further recognizes that rural uses "a" through "g" above, are allowed because of need and consistency findings documented in the "factual base" that supports this plan.

FINDING: The applicant will need to show that this project is consistent with one of the general uses within the Goal #17 listed.

- Policy #18: Protection of "Historical, Cultural and Archaeological Sites"

Local government shall provide special protection to historic and archaeological sites and shall continue to refrain from widespread dissemination of site-specific information about identified archaeological sites.

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I. This strategy shall be implemented by requiring review of all development proposals involving an archaeological or historical site to determine whether the project as proposed would protect the historical and archaeological values of the site.

II. The development proposal, when submitted shall include a site development plan showing, at a minimum, all areas proposed for excavation, clearing and construction. Within three (3) working days of receipt of the development proposal, the local government shall notify the Coquille Tribe in writing, together with a copy of the site development plan. The Coquille Tribe shall have the right to submit a written statement to the local government within Thirty (30) days of receipt of such notification, stating whether the project as proposed would protect the historical and archaeological values of the site, or, if not, whether the project could be modified by appropriate measure to protect those values. "Appropriate measures" may include, but shall not be limited to, the following:


- a. retaining the historic structure in-situ or moving it intact to another site; or
- b. paving over the site without disturbance of any human remains or cultural objects upon the written consent of the Tribe; or
- c. clustering development so as to avoid disturbing the site; or
- d. setting the site aside for non-impacting activities, such as storage; or
- e. if permitted pursuant to the substantive and procedural requirements of ORS 97.750 and 358.920, contracting with a qualified archaeologist to excavate the site and remove any cultural objects and human remains and reintering the human remains at the developer's expense.
- f. Using civil means to ensure adequate protection of the resources, such as acquisition of easements, public dedications, or transfer of title.

If a previously unknown or unrecorded archaeological site is encountered in the development process, the above measures shall still apply. Land development activities, which violate the intent of this strategy, shall be subject to penalties prescribed in ORS Chapter 97.990.

III. Upon receipt of the statement by the Tribe, or upon expiration of the Tribe thirty day (30) response period, the local government shall conduct an administrative review of the development proposal and shall:

- a. approve the development proposal if no adverse impacts have been identified, as long as consistent with other portions of this Plan, or
- b. approve the development proposal subject to appropriate measures agreed upon by the landowner and the Tribe, as well as any additional measures deemed necessary by the local government to protect the historical and archaeological values of the site. If the property owner and the Tribe cannot agree on the appropriate measures, then the governing body shall hold a quasi-judicial hearing to resolve the dispute. The hearing shall be a public hearing at which the governing body shall determine by preponderance of evidence whether the development project may be allowed to proceed, subject to any modifications deemed necessary by the governing body to protect the historical and archaeological values of the site.

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- c. Through the "overlay concept" of this policy and the Special Considerations Map, unless an Exception has been taken, no uses other than propagation and selective harvesting of forest products consistent with the Oregon Forest Practices Act, grazing, harvesting wild crops, and low-intensity water-dependent recreation shall be allowed unless such uses are consistent with the protection of the historic and archaeological values, or unless appropriate measures have been taken to protect the historic and archaeological values of the site.

This strategy recognizes that protection of historical and archaeological sites is not only a community's social responsibility, is also legally required by ORS 97.745. It also recognizes that historical and archaeological sites are non-renewable cultural resources.

FINDING: Staff provided notice to the Coquille Tribe.


- Policy #19: Management of "Wet-Meadow" Wetlands within Coastal Shorelands
- I. Coos County shall protect for agricultural purposes those areas defined as 'wet meadow' wetlands by the U.S. Fish and Wildlife Service but currently in agricultural use or with agricultural soils and not otherwise designated as "significant wildlife habitats" or "major marshes", unless an Exception allows otherwise. Permitted uses and activities in these areas shall include farm use and any drainage activities, which are necessary to improve agricultural production. Filling of these areas, however, shall not be permitted, so as to retain these areas as wildlife habitats during periods of seasonal flooding and high water tables, with the following exceptions:
 - a. for transportation corridors where an Exception has been taken to Goal #3 (Agricultural Lands); or
 - b. agricultural buildings, where no alternative site exists on the applicant's property; or
 - c. minor improvements for which there is no practical alternative; or
 - d. where no fill permit is required under Section 404 of the Water Pollution Control Act; or
 - e. for priority dredged material disposal sites designated by this Plan for protection from pre-emptory uses.

Any activity or use requires notification of Division of State Lands, with their comments received prior to the issuance of any permits.

- II. This policy shall be implemented by designating these lands as "Agricultural Lands" on the Special Considerations Map and by making findings in response to a request for comment by the Division of State Lands, which show whether the proposed action is consistent with the Comprehensive Plan. This strategy recognizes:
 - a. that protection of these areas for agricultural use is necessary to ensure the continuation of the local agricultural economy;
 - b. that improved drainage is necessary to maintain or enhance productivity by establishing preferred forage types;
 - c. that the present system of agricultural use in the Coquille Valley is compatible with wildlife habitat values because the land is used for agriculture during the season when the land is dry and therefore not suitable as wetland habitat, and provides habitat areas for wildfowl during the flooding season when the land is unsuitable for most agricultural uses; and
 - d. that these habitat values will be maintained provided filling is not permitted.

FINDING: This property does have identified wet meadow wetlands. The applicant will need to address this policy.

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- Policy #22: Mitigation Sites: Protection Against Pre-emptory Uses

Consistent with permitted uses and activities:

- ~ "High Priority" designated mitigation sites shall be protected from any new uses or activities which could preempt their ultimate use for this purpose.
- ~ "Medium Priority" designated mitigation sites shall also be protected from uses which would preempt their ultimate use for this purpose.

However, repair of existing dikes or tidegates and improvement of existing drainage ditches is permitted, with the understanding that the permitting authority (Division of State Lands) overrides the provisions of Policy #38. Wetland restoration actions designed to answer specific research questions about wetland mitigation and/or restoration processes and techniques, may be permitted upon approval by Division of States Lands, and as prescribed by the uses and activities table in this Plan.

- ~ "Low Priority" designated mitigation sites are not permanently protected by the Plan. They are intended to be a supplementary inventory of potential sites that could be used at the initiative of the landowner. Pre-emptory uses shall be allowed on these sites, otherwise consistent with uses and activities permitted by the Plan. Any change in priority rating shall require a Plan Amendment.

Except as provided above for research of wetland restoration and mitigation processes and techniques, repair of existing dikes, tidegates and improvement of existing drainable ditches, "high" and "medium" priority mitigation sites shall be protected from uses and activities which would preempt their ultimate use for mitigation.

I. This policy shall be implemented by:

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- a. Designating "high" and "medium" priority mitigation sites in the plan inventory.
- b. Implementing an administrative review process that allows uses otherwise permitted by this Plan but proposed within an area designated as a "high" or "medium" priority mitigation site only upon satisfying all of the following criteria:
 1. The proposed use must not entail substantial structural or capital improvements (such as roads, permanent buildings or non-temporary water and sewer connections);
 2. The proposed use must not require any major alteration of the site that would affect drainage or reduce the usable volume of the site (such as extensive site grading/excavation or elevation from fill); and
 3. The proposed use must not require site changes that would prevent the expeditious conversion of the site to estuarine habitat; or
 4. For proposed wetland restoration research projects in "medium" priority mitigation sites the following must be submitted:
 - i. A written approval of the project from Division of State Lands, and
 - ii. A description of the proposed research, resource enhancement and benefits expected
- c. Local government's review of and comment on state and federal waterway permit applications for dike/tidegate and drainage ditch actions.

This policy recognizes that potential mitigation sites must be protected from pre-emptory uses. However, "low priority" sites are not necessarily appropriate for mitigation use and are furthermore in plentiful supply. It further recognizes that future availability of "medium priority" sites will not be pre-empted by repair of existing functional dikes, tidegates and drainage ditches or otherwise allowed by this policy. This insures the continuation of agricultural production until such time as sites may be required for mitigation. This policy also recognizes that research activities designed to gain further understanding of wetland, restoration and mitigation processes and techniques are needed. The consideration of "medium priority" mitigation sites for this purpose will facilitate future identification and successful use of mitigation sites (OR 95-11-010PL 1/24/96).


FINDING: According to the CCCP map this property is not located within a mitigation site.

- Policy #23: Riparian Vegetation and Streambank Protection
 - I. Local government shall strive to maintain riparian vegetation within the shorelands of the estuary, and when appropriate, restore or enhance it, as consistent with water-dependent uses. Local government shall also encourage use of tax incentives to encourage maintenance of riparian vegetation, pursuant to ORS 308.792 - 308.803.

Appropriate provisions for riparian vegetation are set forth in the CCZLDO Section 3.2.180 (OR 92-05-009PL).

- II. Local government shall encourage streambank stabilization for the purpose of controlling streambank erosion along the estuary, subject to other policies concerning structural and non-structural stabilization measures.

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This strategy shall be implemented by Oregon Department of Transportation (ODOT) and local government when erosion threatens roads. Otherwise, individual landowners in cooperation with the Ports of Bandon and Coquille, Coos Soil and Water Conservation District, Watershed Council, Division of State Lands and Oregon Department of Fish & Wildlife shall be responsible for bank protection.

This strategy recognizes that the banks of the Coquille Estuary are susceptible to erosion and has threatened valuable farm land, roads and other structures.

FINDING: The applicant is required to address this policy.

- Policy #27: Floodplain Protection within Coastal Shorelands

The respective Flood Regulations of local governments set forth requirements for uses and activities in identified flood areas; these shall be recognized as implementing ordinances of this Plan.

This strategy recognizes the risk of substantial loss of stock and property damage resulting from the widespread flooding of the Coquille River Valley floor which occurs during most winters.

FINDING: The applicant is required to address Section 4.11.251 for compliance with the relevant floodplain ordinance.

Section 3.3.730 – Criteria and Review Standards for Conditional Use Permits (Both Administrative & Hearings Body)
A use may be allowed provided the following requirements are met:

1. Such uses will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use.
2. Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.
3. Siting Standards for Dwellings and Structures in the EFU Zone.


FINDING: The applicant is required to do an impacts analysis showing that the proposed use will not force a significant change in accepted farm practices on surrounding properties zoned and devoted to farm. The applicant shall address how the proposal will not increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.

Section 3.3.740 – Development and Use Standards

All dwellings and structures approved shall be sited in accordance with this section.

FINDING: Development and Use standards only apply to structures. There are no planned structures at this time.

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CHAPTER IV - BALANCE OF COUNTY ZONES, OVERLAYS & SPECIAL CONSIDERATION

Section 4.6.200(8) – Exclusive Farm Use – Use Table - Diking, drainage, tide-gating, fill, mitigation, non-shoreland stabilization, dredge material disposal and restoration.

FINDING: In the EFU portion of the properties that are not located in the CREMP the use is permitted subject to notifications to Department of State Lands and the local Tribes.

Section 4.11.243(4) – Duties and Responsibilities of the Floodplain Administrator – Alteration of Watercourses

4. Alteration of Watercourses

- a. Notify adjacent communities, the Department of Land Conservation and Development and other appropriate state and federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance & Mitigation Administration.
- b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

Section 4.11.251 – Floodplain - General Standards – Other Development ***

7. Other Development. Includes mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of a special flood hazard, but does not include such uses as normal agricultural operations, fill less than 12 cubic yards, fences, road and driveway maintenance, landscaping, gardening and similar uses which are excluded from definition because it is the County’s determination that such uses are not of the type and magnitude to affect potential water surface elevations or increase the level of insurable damages.


Review and authorization of a floodplain application must be obtained from the Coos County Planning Department before “other development” may occur. Such authorization by the Planning Department shall not be issued unless it is established, based on a licensed engineer’s certification that the “other development” shall not:

- a. Result in any increase in flood levels during the occurrence of the base flood discharge if the development will occur within a designated floodway; or,
- b. 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.

FINDING: The applicant is required to address the cumulative increase as addressed by a licensed engineer.

IV. STAFF RECOMMENDATIONS – At this time staff does not have a recommendation other than for the Board of Commissioners to choose a review pathway. Staff does believe it would be beneficial to move forward with a formal hearing process.

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Attachment "A" Application

File Number : ACU-23-074, FP-23-012



COOS COUNTY CONDITIONAL USE LAND USE APPLICATION
 SUBMIT TO COOS COUNTY PLANNING DEPT. AT 60 E. SECOND STREET OR MAIL TO:
 COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL
PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

If the fee is not included the application will not be processed
 (If payment is received on line a file number is required prior to submittal)

Date Received: Dec 21, 2023 Receipt #: _____ Amount: _____ Received by: C. Carr

This application shall be filled out electronically. If you need assistance please contact staff.
Applications shall be submitted by the property owner or a purchaser under a recorded land sale contract. "Property owner" means the owner of record, including a contract purchaser.
The application shall include the signature of all owners of the property.
A legal representative may sign on behalf of an owner upon providing evidence of formal legal authority to sign.

LAND INFORMATION

A. Property Owner(s) See attached Appendix A. Table 1 for full list of property owner

Mailing address: 379 North Adams St. Coquille OR 97423

Phone: 541-396-6879 Email: info@coosswcd.org

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lots:
Select	Select	Select	Select	Select	Select
Select	Select	Select	Select	Select	Select

Tax Account Number(s): _____ Zone: Select Zone Exclusive Farm Use (EFU)
 Tax Account Number(s) _____ Please Select

B. Special Districts and Services

Water On-Site (Well or Spring) Sewage Disposal Select type of Sewage System
 School Coquille Fire District Coos Forest Protective Association

C. Type of Application (s) please consult with staff to determine prior to submittal

- Administrative Conditional Use for CREMP Zoning, EFU
- Hearings Body Conditional Use for _____
- Historical, Cultural and Archaeological Resources, Natural Areas of Wilderness
- Beaches and Dunes
- Non-Estuarine Shoreland Boundary
- Significant Wildlife Habitat
- Natural Hazards
 - Flood Landslide Liquefaction Erosion Wildfires
- Airport Surfaces Overlay
- Variance to which standard _____

Include the supplemental application with all criteria addressed. If you require assistance with the criteria please contact a land use attorney or professional consultant. Property information may be obtained from a tax statement or can be found on the County Assessor's web page at the following links: [Map Information](#) Or [Account Information](#)

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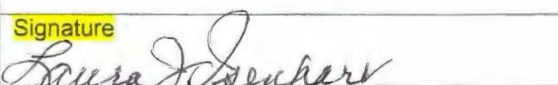
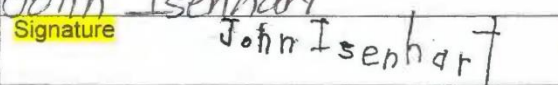
- D. ATTACHED WRITTEN STATEMENT. With all land use applications, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

- I. PROPOSAL AND CRITERIA: A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
1. Project summary and details including timelines.
 2. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. This shall be addressed on the supplemental criteria page (see staff for criteria).
- II. PLOT PLAN OR SKETCH PLAN: A detailed drawing delineating the following:
- Owner's name, address, and phone number, map and Tax lot number
 - North Arrow and Scale - using standard engineering scale.
 - Accurate shape and dimensions of parcel, development site, including the lengths of the all property lines.
 - Any adjacent public or private roads, all easements and/or driveway locations. Include road names. Driveway location and parking areas, including the distance from at least one property line to the intersection of the driveway and the road (apron area);
 - All natural features, which may include, but are not limited to water features, wetlands, ravines, slope and distances from features to structures.
 - Existing and proposed structures, water sources, sewage disposal system and distances from these items to each other and the property boundaries.
- III. DEED: A copy of the current deed, including the legal description, of the subject property. *See Attached Appendix A. Pages 11-19*
- IV. CERTIFICATION: I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director’s decision on this land use action. I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request. If this application is refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county’s behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit. If the property owner would like staff to contact a legal representative or consultant please provide the contact information using a consent form.

PROPERTY OWNER SIGNATURES REQUIRED FOR PROCESSING

(13) SIGNATURES	
<p>Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. By signing this application I consent to allow Corps or DSL staff to enter into the above-described property to inspect the project location and to determine compliance with an authorization, if granted. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project. I understand that payment of the required state processing fee does not guarantee permit issuance. To be considered complete, the fee must accompany the application to DSL. The fee is not required for submittal of an application to the Corps.</p>	
Fee Amount Enclosed	\$
Applicant Signature (required) must match the name in Block 2	
Print Name Fred R. Messerle	Title District Manager
Signature 	Date 06/01/2022
Authorized Agent Signature	
Print Name Caley Sowers	Title District Manager
Signature 	Date 02/09/2023

Landowner Signature(s)	
Landowner of the Project Site (if different from applicant)	
Print Name Fred Messerle & Sons, Inc.	Title Secretary-Treasurer
Signature 	Date 6/10/2022
Landowner of the Project Site (if different from applicant)	
Print Name Everett-Ona Isenhart Ranch, Inc.	Title President
Signature 	Date 06/02/2022
Landowner of the Project Site (if different from applicant)	
Print Name Laura Isenhart	Title Owner Trustee, Isenhart Living Trust
Signature 	Date 6.10.22
Landowner of the Project Site (if different from applicant)	
Print Name John Isenhart	Title Trustee Trustee, Isenhart Living Trust
Signature 	Date 6.10.22

Landowner Signature(s)*	
Landowner of the Project Site (if different from applicant)	
Print Name Sara Gregory	Title ODFW, Umpqua Watershed District Manager
Signature <i>Sara Gregory</i>	Date April 13, 2022
Landowner of the Project Site (if different from applicant)	
Print Name Luke Fitzpatrick	Title Trustee, The Bridges Foundation
Signature <i>Luke Fitzpatrick</i>	Date 7-28-2022
Landowner of the Project Site (if different from applicant)	
Print Name Juliana Ruble	Title District 7 Permit Specialist
Signature <i>Juliana Ruble</i>	Date 04.04.2023
Landowner of the Project Site (if different from applicant)	
Print Name	Title
Signature	Date

ACCESS INFORMATION

The Coos County Road Department will be reviewing your proposal for safe access, driveway, road, and parking standards. There is a fee for this service. If you have questions about these services please contact the Road Department at 541-396-7660.

Property Address: See Attached Appendix B. Maps and Site Plans for Equipment Staging Areas

Type of Access: County Road Name of Access: From a private access/staging area that will be located off of North Bank Road

Is this property in the Urban Growth Boundary? No

Is a new road created as part of this request? No

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

- a. Traffic Study completed by a registered traffic engineer.
- b. Access Analysis completed by a registered traffic engineer
- c. Sight Distance Certification from a registered traffic engineer.

Regulations regarding roads, driveways, access and parking standards can be found in Coos County Zoning and Land Development Ordinance ([CCZLDO Article 7](#)).

By signing the application I am authorizing Coos County Roadmaster or designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. Inspections should be made by calling the Road Department at 541-396-7660

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: _____ Receipt # _____

File Number: DR-

SANITATION INFORMATION

If this is a request for a recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering Coos Health and Wellness, Environmental Health Staff will be reviewing the proposal to ensure the use meets environmental health standards for sanitation and water requirements to serve the facility. If the proposal indicates that you are using a community water system a review may be required. A fee is charged for this service and shall be submitted with the application \$83.00. If you have questions about regulations regarding environmental health services please call 541-266-6720. This form is required to be signed off for any type of subdivision, recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering.

Water Service Type: Select

Sewage Disposal Type: Select

Please check if this request is for industrial, commercial, recreational or home base business use and complete the following questions:

- How many employees/vendors/patrons, total, will be on site?
- Will food be offered as part of the an on-site business?
- Will overnight accommodations be offered as part of an on-site business?
- What will be the hours of operation of the business?

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

Staff Signature: _____

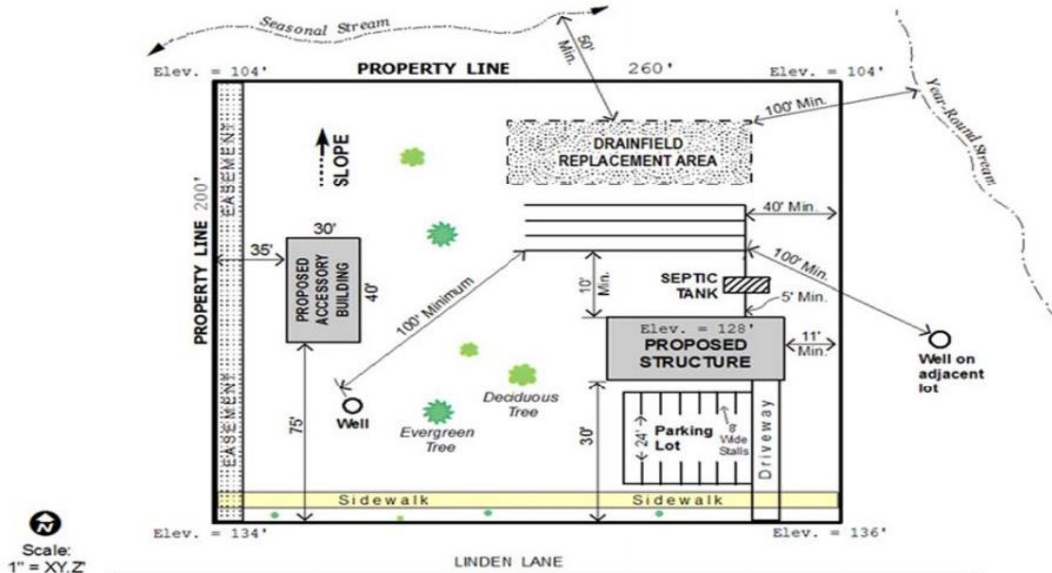
- This application is found to be in compliance and will require no additional inspections
- This application is found to be in compliance but will require future inspections
- This application will require inspection prior to determining initial compliance. The applicant shall contact Coos Health and Wellness, Environmental Health Division to make an appointment.

Additional Comments:

This section does not appear to be applicable to our project.

Plot Plan
The grid for the plot plan is found on the next page

SAMPLE PLOT PLAN



ITEMS THAT MUST BE ON THE PLOT PLAN:

At a minimum, the site plan should provide information on the following items:

- Existing and proposed lot lines, lot or parcel numbers, and acreage/square footage of lots.
- Dimensions of all illustrated features (i.e. all structures, septic systems, driveways, roads, etc.)
- Significant natural features (slopes greater than 20%, geologic hazards, wetlands, drainage ways, rivers, streams, and the general location of existing trees, etc.).
- Existing easements (access, storm drainage, utility, etc.).
- Existing and proposed (structures, outbuildings, septic, etc.) on site and on adjoining properties.
- Existing and proposed road locations including widths, curbs, and sidewalks.
- Existing and proposed driveway approach locations on site, existing driveway approaches on adjoining properties on the same side of the street, and existing driveway approaches across the street from the site.
- Contiguous properties under the same ownership.
- General predevelopment topographical information (minimum 10' contour intervals).
- Location of utilities.
- If redevelopment is viable in the future, a redevelopment plan should be included.
- Preliminary site utility plan.

- Please add any additional Road or parking items from the parking form.

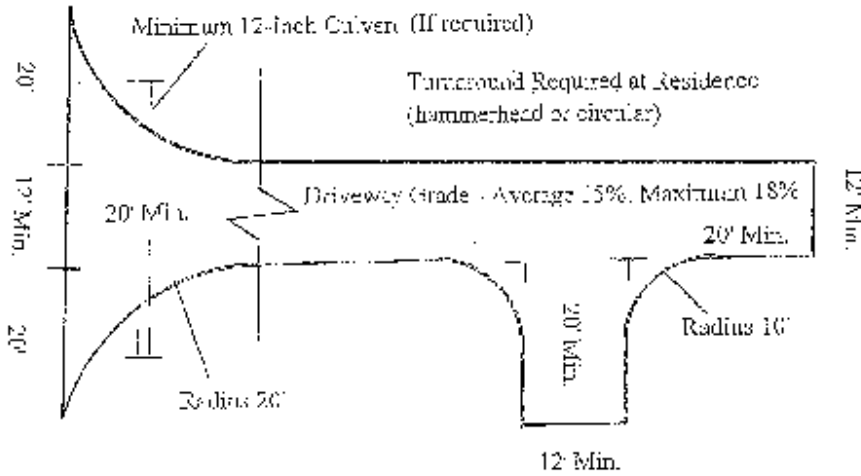
**ADDITIONAL DRIVEWAY, ROAD, PARKING STANDARDS
DRIVEWAY STANDARDS DRAWING – SINGLE RESIDENCE**

Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100' both directions
- Speed greater than 35mph – 150' both directions

All Weather Surface – minimum 4 – inches aggregate base or as required by Roadmaster.

Figure 7.1.425



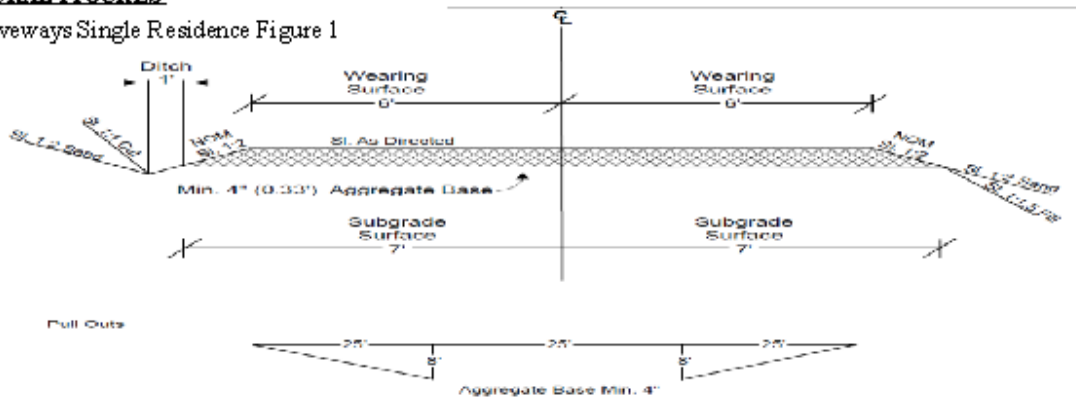
Construct appropriate ditches to prevent water runoff from discharging from the land onto a public road under county jurisdiction. Pursuant to ORS 368.256 the creation of a road hazard prohibited.

If driveway is over 1,000 ft., a pullout is required every 600 ft.

If a driveway cannot meet the maximum 18% grade then a legal agreement may be signed and recorded at the County Clerk's office releasing the County from any liability from such driveway development. This document must be referenced on the property deed to allow future purchasers know that the driveway does meet standard. A sign shall be placed at the bottom of the driveway to warn any users of the driveway that it is not built to standard. Proof must be filed with the Planning and Road Department that the documents have been filed and a sign has been placed. The form located on the following page must be completed, signed and recorded prior to any land use authorizations.

RURAL FIGURES

Driveways Single Residence Figure 1



FORESTRY, MINING OR AGRICULTURAL ACCESS:

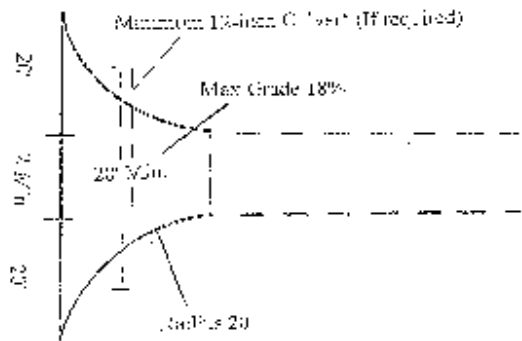
A private road which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways reviewable by the County. However, all new and re-opened forestry, mining or agricultural roads shall meet the access standards listed in this section.

Forestry, Mining or Agricultural Access Standard drawing
Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100’ both directions
- Speed greater than 35 mph – 150’ both directions

All Weather Surfaces – minimum aggregate base as required by the Roadmaster
The access will be developed from the edge of the developed road.

Figure 7.1.450

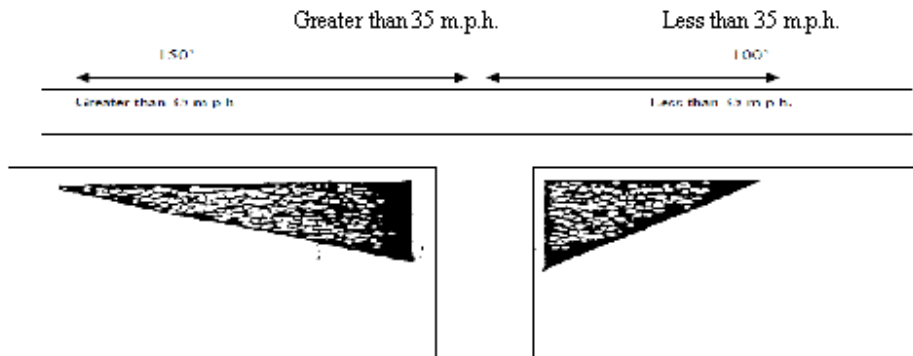


Construct appropriate ditches to prevent water runoff from discharging from the land onto a road under county jurisdiction. Pursuant to ORS 368.256 creation of a road hazard is prohibited.

VISION CLEARANCE TRIANGLE:

The following regulations shall apply to all intersections of streets and roads within all districts in order to provide adequate visibility for vehicular traffic. There shall be no visual obstructions over thirty-six (36) inches in height within the clear vision area established herein. In addition to street or road intersections, the provisions of this section shall also apply to mobile home park, recreational vehicle park, and campground accesses (entrances or exists).

The clear vision area shall extend along the right-of-way of the street for a minimum of 100 feet where the speed limit is less than 35 M.P.H.; and not less than 150 feet where the speed limit is greater than 35 m.p.h. The clear vision area shall be effective from a point in the center of the access not less than 25 feet back from the street right-of-wayline.



PARKING STANDARDS

USE	STANDARD
Retail store and general commercial except as provided in subsection b. of this section.	1 space per 200 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Retail store handling bulky merchandise (furniture, appliances, automobiles, machinery, etc.)	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Bank, general office, (except medical and dental).	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Medical or dental clinic or office.	1 ½ space per examination room plus 1 space per employee. 1 Bicycle space
Eating or drinking establishment.	1 space per 200 square feet of floor area, plus 1 space for every 4 seats. 1 Bicycle space
Bowling Alley	5 spaces per alley plus 1 space per 2 employees. 1 Bicycle space
Dance hall, skating rink, lodge hall.	1 space per 100 square feet of floor area plus 1 space per 2 employees. 1 Bicycle space
Stadium, arena, theater, race track	1 space per 4 seats or every 8 feet of bench length or equivalent capacity if no seating is provided. 1 Bicycle space
Storage warehouse, manufacturing establishment, or trucking freight terminal	1 space per employee. 1 Bicycle space
Wholesale establishment.	1 space per employee plus 1 space per 700 square feet of patron serving area. 1 Bicycle space
Welfare or correctional institution	1 space per 5 beds for patients or inmates, plus 1 space per employee. 1 Bicycle space
Convalescent hospital, nursing home, sanitarium, rest home, home for the aged.	1 space per 5 beds for patients or residents, plus 1 space per employee. 1 Bicycle space
Church, mortuary, sports arena, theater.	1 space for 4 seats or every 8 feet of bench length in the main auditorium. 1 Bicycle space
Library, reading room.	1 space per 400 square feet of floor area plus 1 space per employee. 1 Bicycle space
Preschool nursery, kindergarten.	2 spaces per teacher; plus off-street loading and unloading facility. 1 Bicycle space per 20 students
Elementary or junior high school.	1 space per classroom plus 1 space per administrative employee or 1 space per 4 seats or every 8 feet of bench length in the auditorium or assembly room whichever is greater. 1 Bicycle space per 10 students
High school	1 space per classroom plus 1 space per administrative employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main Auditorium, whichever is greater. 1 Bicycle space per 20 students

Other auditorium, meeting room.	1 space per 4 seats or every 8 feet of bench length. 1 Bicycle space
Single-family dwelling.	2 spaces per dwelling unit.
Two-family or multi- family dwellings.	1 ½ spaces per dwelling unit. 1 bicycle space per unit for buildings with 4 or more units.
Motel, hotel, rooming or boarding house.	1 space per guest accommodation plus 1 space per employee.
Mobile home or RV park.	1 ½ spaces per mobile home or RV site.

Parking lot standards – Use the table above along with the area available to calculate the number of spaces required and determine the type of parking lot that needs to be created. The table below explains the spacing and dimensions to be used.

Minimum Horizontal Parking Widths for Standard Automobiles					
	One-way Parallel	30 deg	45 deg	60 deg	90 deg
Figures	A	B	C	D	E
Single row of Parking					
Parking Aisle	9'	20'	22'	23'	20'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	21'	36'	39'	43'	44'
Figures #'s					
Two Rows of Parking					
Parking Aisle	18'	40'	44'	46'	40'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	30'	56'	61'	66'	64'

For figures please see Coos County Zoning and Land Development Ordinance (CCZLDO) § 7.5.175.

Please note: If you are developing in any wetlands or floodplain please contact Department of State Lands to ensure you are not required to obtain a state permit.

APPENDIX A.

Winter Lake Phase III Restoration Project

*Assessment of Project Actions and Coos County
Planning/Zoning*



Prepared by,

*Christopher W. Claire
Habitat Protection Biologist
ODFW
Charleston, OR*

*Caley Sowers
District Manager
Coos Soil and Water Conservation District
Coquille, OR*

Introduction

The Winter Lake Phase III project is a working lands infrastructure rehabilitation project proposed on 1,290 acres of the 1,790 acre Beaver Slough Drainage District and two additional parcels totaling 99 acres in the Coaledo Drainage District. The project will replace/consolidate a total of 42 pasture culverts with associated tidegates, install over 90,000ft of new and reconstructed tidal/farm drainage channel, repair five segments of failing berm, excavate deposited sediments from China Camp Creek, and install up to nine heavy use watering site troughs (see 404 Fill and Removal permit application and associated Additional Materials). The project area is fully within properties that are zoned as EFU, EFU/CREMP, and or EFU/IND. As such the proposed actions to rehabilitate drainage infrastructure for farming use are facilitatively allowed under the Coos County Planning Code. The lands are within the FEMA floodway Zone A. An engineer floodplain certification application documenting that the project complies with FEMA guidelines is in preparation for submission separately to accompany the 404 Fill and Removal permit application materials to the County Planning Dept. All potentially affected parcels are noted in Table 1. Herefore, this report is written feedback for specifically applicable planning criteria that directly guide project actions within these zoning codes. Ownership documentation in Appendix A.

Table 1. Winter Lake Phase III taxlot parcels within and included in project action area.

Owner Name	TLID	Tax Account #	Plan Zoning
<i>BRIDGES FOUNDATION LANDS</i>	27S13W29TL0010300	99916787	EFU , CREMP
<i>BRIDGES FOUNDATION LANDS</i>	27S13W20TL0150300	99916790	EFU*
<i>BRIDGES FOUNDATION LANDS</i>	27S13W29TL0010100	717600	EFU , CREMP
<i>BRIDGES FOUNDATION LANDS</i>	27S13W28TL0040000	717402	EFU
<i>BRIDGES FOUNDATION LANDS</i>	27S13W28TL0060000	717401	EFU
<i>BRIDGES FOUNDATION LANDS</i>	27S13W27TL0040000	716702	EFU
<i>BRIDGES FOUNDATION LANDS</i>	27S13W27TL0050000	716800	EFU
<i>BRIDGES FOUNDATION LANDS</i>	27S13W28TL0070000	717500	EFU
<i>EVERETT-ONA ISENHART RANCH,INC; ETAL</i>	27S13W33TL0010000	721202	EFU , CREMP
<i>ISENHART, JOHN & LAURA J TTEE</i>	27S13W33TL0020000	721200	EFU , CREMP
<i>FRED MESSERLE & SONS, INC.</i>	27S13W34TL0080000	722300	EFU , CREMP
<i>FRED MESSERLE & SONS, INC.</i>	28S13W03TL0010000	898300	EFU , CREMP
<i>FRED MESSERLE & SONS, INC.</i>	27S13W35CTL0090000	724600	EFU
<i>OREGON DEPARTMENT OF FISH/WILDLIFE</i>	27S13W21TL0240500	712904	IND, EFU
<i>STATE OF OREGON</i>	27S13W34TL0089900	7715000	EFU

Responses to Applicable Coos Planning Code Criterion

Criterion One

SECTION 3.3.710, pg 491 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and their accessory uses may be allowed as administrative conditional uses in the “CREMP-EFU” zone subject to applicable requirements in Sections 3.3.730 and 3.3.740.

1. *Diking (construction and maintenance). CREMP Policies #14, #18, #19, #22, #23, and #27.*
2. *Drainage and tide-gating. CREMP Policies #14, #18, #19, #22, #23, and #27.*
3. *Fill. CREMP Policies #14, #18, #19, #22, #23, and #27. Use not permitted in Segment 26.*
5. *Dredge material disposal. CREMP Policies #14, #18, #19, #20, #22, #23, and #27. DMD is to include stabilization measures to control run-off and prevent sloughing. Use not permitted in Segment 26.*
13. *Shoreland structural stabilization. Flood elevation certificate required. CREMP Policies #9, #14, #23, #27, #18, #19, and #22. Use not permitted in Segment 47.*

Winter Lake Phase III Project Information in regard to Criterion One

Response items #1-5):

- *The Winter Lake Phase III project will address insufficient culvert size at 42 existing interior pasture drain culverts upstream of the Winter Lake Phase I control point large tidegates installed in 2017 and upstream of the Coaledo Tidegates upgraded last in the 1990’s. Project actions are within Zoning codes EFU, EFU/IND, and EFU/CREMP. The full suite of project actions, tactics, and Best Management Practices are illuminated in detail within the 404 Fill and Removal permit application and associated Additional Materials submitted with this assessment.*
- *The project will address rehabilitation of five segments of existing dike, installation of new larger culverts and upgraded tidegates, place fill to 3” depths in accordance with Oregon Department of State Lands (DSL) and U.S. Army Corps of Engineers (USACE) guidelines, and dispose of dredge fill through 3” thinspread in alignment with DSL/USACE. All actions are designed to minimize effects to the floodplain and estuary habitat in accordance with the National Marine Fisheries Service (NMFS) Tidal Area Restoration Programmatic (TARP), which requires construction actions within tidal areas to be implemented with specific tact and measures to minimize negative effects.*
- *The project materials will include (in progress) an engineer Flood certification (in progress) for submission to the County providing documentation the project will align with the FEMA Floodway guidelines for the project area, which is designated Zone A.*

Criterion Two

SECTION 3.3.730, pg 495 CRITERIA AND REVIEW STANDARDS FOR CONDITIONAL USE PERMITS (BOTH ADMINISTRATIVE AND HEARINGS BODY)

A use may be allowed provided the following requirements are met:

1. Such uses will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use.
2. Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.
3. *Siting Standards for Dwellings and Structures in the EFU Zone. The following siting criteria shall apply to all dwellings, including replacement dwellings and structures in the EFU zone. Replacement dwellings may be sited in close proximity to the existing developed homesite. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on agricultural lands. These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads, and siting on that portion of the parcel least suited for agricultural uses, and shall be considered together with the requirements in Section 3.3.740 to identify the building site. Dwellings and structures shall be sited on the parcel so that:*
 - a. They have the least impact on nearby or adjoining forest or agricultural lands;
 - b. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - c. The amount of agricultural lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 - d. The risks associated with wildfires are minimized.

Winter Lake Phase III Project Information in regard to Criterion Two

Response items #1-3):

- *The Winter Lake project is designed specifically to improve the functional production of forage grasses, while allowing for increased ecological productivity. The project will provide substantial benefit to the farming/ranching operations. The project is expected to improve irrigation water delivery and benefit operations costs of ranching/farming. No dwellings, barns, or similar structure will be installed/sited within the project area as part of the project.*

Criterion Three

SECTION 3.3.740, pg 496 DEVELOPMENT AND USE STANDARDS

Development Standards All dwellings and structures approved shall be sited in accordance with this section.

Winter Lake Phase III Project Information in regard to Criterion Three

Response:

- *The Winter Lake Phase III project will not implement installation of any housing, dwelling, barn, or other similar infrastructure. The project is designed to minimize removal of riparian woody vegetation. The actions of the project will include installation of 72,000ft of fencing to provide for planting of native riparian woody species (willow, cottonwood, ash) along selected reconstructed/new channels. This riparian enhancement is a critical component of the design of the project with the goal of improving water quality (temperature and dissolved oxygen).*

Criterion Four

SECTION 4.6.200, EXCLUSIVE FARM USE – USE TABLES:

Table II identifies the uses and activities in the Exclusive Farm Use (EFU) zone. The tables describe the use, type of review, applicable review standards and Section 4.6.210 Development and Siting Standards. Properties that are located in a Special Development Consideration and/or overlays shall comply with the applicable review process identified by that Special Development Consideration and/or overlay located in Article 4.11.

Winter Lake Phase III Project Information in regard to Criterion Four

Response:

- *The Winter Lake Phase III project will enhance riparian habitat through project actions which in compliance with the CREMP goals. The channel excavation, installation of interior field drain culverts/tidegates and fence construction are allowed actions under the Exclusive Farm Use.*

Criterion Five

SECTION 4.6.210, pg 142 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and their accessory uses may be allowed as administrative conditional uses in the "Exclusive Farm Use" zone and "Mixed Use" overlay subject to the applicable requirements in and applicable siting and development requirements. Additional conditional use review criteria can be found in § 4.6.230 and must be addressed unless otherwise specified by the ordinance.

- i. Creating of, restoration of, or enhancement of wetlands. The removal of high value farmland from agricultural production for the purpose of creating wetlands except within 35 feet of the mean high water mark (extended riparian vegetation area). The applicant must address floodplain requirements.*

Winter Lake Phase III Project Information in regard to Criterion Five

Response:

- *The project will improve inflow outflow drainage from the Beaver Slough Drainage District (BSDD) and Coaledo Drainage District (CDD) lands where work will be completed. Improvement of drainage will be accomplished by replacing undersized culverts with new appropriately sized infrastructure addressing issues at 42 locations in the Winter Lake floodplain and reconstructing/installing a greatly increased channel network.*

- *The project is designed to enhance Exclusive Farm Use and Coquille River Estuary Management Plan (EFU/CREMP) habitat function for native fish and wildlife. The improved drainage will facilitate reduced water souring of pasture soils and allow for appropriate irrigation in the summer months. Management of water during winter through the new tidegates*
- *The proposed project actions have been reviewed and evaluated for relationship to the 100 year floodflow levels. The project floodplain certification is currently in progress by the project engineer to delineate that the project will not result in greater than 1.0ft of floodwater rise associated with the 100yr flood.*

Criterion Six

SECTION 4.6.230, 4.6.230, pg 194 CRITERIA AND REVIEW STANDARDS FOR CONDITIONAL USE PERMITS (BOTH ADMINISTRATIVE AND HEARINGS BODY):

A use may be allowed provided the following requirements are met:

- 1. Such uses will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use.*
- 2. Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.*
- 3. Siting Standards for Dwellings and Structures in the EFU Zone. The following siting criteria shall apply to all dwellings, including replacement dwellings and structures in the EFU zone. Replacement dwellings may be sited in close proximity to the existing developed homesite. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on agricultural lands. These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads, and siting on that portion of the parcel least suited for agricultural uses, and shall be considered together with the requirements in § 4.6.240 to identify the building site. Dwellings and structures shall be sited on the parcel so that:*
 - a. They have the least impact on nearby or adjoining forest or agricultural lands.*
 - b. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized.*
 - c. The amount of agricultural lands used to site access roads, service corridors, the dwelling and structures is minimized.*
 - d. And The risks associated with wildfires are minimized.*

Winter Lake Phase III Project Information in regard to Criterion Six

- *The Winter Lake Phase III project is designed to improve the drainage and irrigation capacity for the lands that are in the project area. Accordingly, the project goals will maintain or increase function for farming use. There is not forestry use on the project area. Project actions will not have offsite effects to neighboring properties.*

- *The project actions (reconstructed/new channels, culverts, water control structures) will provide infrastructure that will reduce the effort of the agricultural landowners to manage water levels that occur from flooding and rainfall on the pastures. In that context the cost to manage the lands will be maintained or reduced over current levels.*
- *No structures such as houses, barns, sheds, or other will be constructed as part of this project.*

Criterion Seven

SECTION 4.6.240, pg 194 DEVELOPMENT AND USE STANDARDS

Development Standards All dwellings and structures approved shall be sited in accordance with this section.

Winter Lake Phase III Project Information in regard to Criterion Seven

1). *The Winter Lake Phase III project will not implement construction of houses, barns, or similar structures or roads, thus this Section 4.6.240, 1-9 are not applicable.*

2. *The project area has few if any trees, however, riparian sedges and grass vegetation will be impacted through excavation actions that will be used to construct channels, rebuild berms, and install new culverts. ODFW guidance for the project has been incorporated to develop tactics and strategies that minimize impacts to the riparian vegetation and wetlands. ODFW technical oversight is noted as an approved pathway for compliance with the county ordinance 4.6.240 (10)(d).*

Criterion Eight

SECTION 4.11.125, 4.11.125(3), pg 228 SPECIAL DEVELOPMENT CONSIDERATIONS:

The considerations are map overlays that show areas of concern such as hazards or protected sites. Each development consideration may further restrict a use. Development considerations play a very important role in determining where development should be allowed in the Balance of County zoning. The adopted plan maps and overlay maps have to be examined in order to determine how the inventory applies to the specific site.

Winter Lake Phase III Project Information in regard to Criterion Eight

Section 1, 2, 4, and 7 not applicable

Section 3. Historical, Cultural and Archaeological Resources, Natural Areas and Wilderness (Balance of County Policy 5.7): The Winter Lake Phase III project area has legacy berms/dikes that were constructed in 1908 and 1909 when the interior pasture canals were excavated (see DSL/USACE 404 Fill and Removal permit application). These berms have been altered repeatedly over the years through repair and additional excavation events. These berms will not be permanently altered in character or nature during rebuilding as the rebuilt sections will be blended in to match with those segments that need no repair.

Section 5. 5. Non-Estuarine Shoreland Boundary (Balance of County Policy 5.10)

- *Riparian Vegetation*
- *Wetlands under agricultural use*

The Winter Lake Phase III project is designed to reconstruct and install channels, replace existing culverts, and water control structures that will improve the wetland hydrology and facilitate a more functional level of pasture management. Riparian vegetation in the project area consists of sedges and grasses. These cover types and all channel adjacent vegetation will be benefitted by the more natural inflow/outflow tidal regimes that will be able to be incorporated as a goal of the project.

Section 6. Significant Wildlife Habitat (Balance of County Policy 5.6): The wetland pastures comprise the majority of the work area (other than berms). These pastures are able to serve as high quality habitat for juvenile anadromous fish. The current undersized culverts and lack of channel networks inhibit full wetland function and access for anadromous fish. This project has as a major goal incorporated features that will improve the access for juvenile anadromous fish to rear and feed in the wetland pastures. As such the project proposed actions fully support County Planning goals in Section 6 of 4.11.125, 4.11.125(3).

Criterion Nine

SECTION 4.11.217, pg 249; PROCEDURAL REQUIREMENTS FOR DEVELOPMENT WITHIN SPECIAL FLOOD HAZARD AREAS:

4. Other Development. Includes mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of a special flood hazard, but does not include such uses as normal agricultural operations, fill less than 12 cubic yards, fences, road and driveway maintenance, landscaping, gardening and similar uses which are excluded from definition because it is the County's determination that such uses are not of the type and magnitude to affect potential water surface elevations or increase the level of insurable damages.

Review and authorization of a floodplain application must be obtained from the Coos County Planning Department before "other development" may occur. Such authorization by the Planning Department shall not be issued unless it is established, based on a licensed engineer's certification that the "other development" shall not:

- a. Result in any increase in flood levels during the occurrence of the base flood discharge if the development will occur within a designated floodway. or,
- b. 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.

Winter Lake Phase III Project Information in regard to Criterion Nine

1). The Winter Lake Phase III project designs and proposed actions have been developed by ODFW, the Coos Soil and Water District, the Beaver Slough Drainage District, and are under review by an Oregon Licensed engineer. The Oregon licensed engineer is currently developing information to support the proposed designs do not have attributes or features incorporated into the project that will: a). Not raise the base flood discharge; and b). Will not result in a cumulative increase of more than one foot during the occurrence of the base flood discharge. (see attached floodplain certification).

Criterion Ten

SECTION 4.11.231, pg 255; ALTERATION OF WATER COURSES:

If a development application proposes a stream, creek or other water body relocation or alteration, Coos County shall:

1. Notify affected cities and the State Coordinating Agency (Department of Land Conservation and Development – DLCD) and other appropriate state and federal agencies prior to any alteration or relocation of a water course, and shall submit evidence of such notification to the Federal Insurance Administration at the following address (or if the office moves, at any subsequent address):

Federal Insurance Administration
500 C Street SW
Washington, DC 20472

2. Require that maintenance is provided within the altered or relocated portion of said water course so that the flood carrying capacity is not diminished.

Winter Lake Phase III Project Information in regard to Criterion Ten

Note: The Winter Lake Phase III project will realign tidal/drainage channels, however, they are within the control and upstream of the Winter Lake Beaver Slough Drainage District C3P tidegate. As such the realignment of drainage networks is subservient hydrologically to that tidegate structure and the associated Water Management Plan.

- The project will install numerous additional on grade channels within agricultural wetland pastures that follow historical tidal channel paths and provide hydrologic connectivity that mimics conditions that were present pre-European settlement.
- These channels and increased culvert sizes on pasture channels will provide for improved pasture drainage and designs have been evaluated to not have potential to raise the floodflows as is specified with FEMA guidelines.
- There will not be impacts to adjacent properties associated with the project actions.
- Channels and culverts will increase the outflow capacity improving hydrologic function. Channels will be inspected by landowners annually for drainage function and if there is an accumulation of material that needs cleaned it will be addressed.

Appendix A. Ownership documentation for parcels within the Winter Lake Phase III project area.

RECORDING REQUESTED BY:



105 E 2nd Street
Coquille, OR 97423

Luke E. Fitzpatrick as trustee of The Bridges Foundation
approves this document and conveyance

Luke E. Fitzpatrick, trustee of
The Bridges Foundation

Dated: _____

GRANTOR'S NAME:

Hanna Elizabeth Hart, Successor Trustee of the Maria Concepcion
Frias 1996 Revocable Trust dated August 12, 1996 as amended
and restated on October 9, 2006

GRANTEE'S NAME:

The Bridges Foundation

AFTER RECORDING RETURN TO:

Order No.: 360621038553-TT
The Bridges Foundation, an Oregon non-profit corporation
Attn: Luke Fitzpatrick, Trustee, PO Box 1123
Turner, OR 97392

SEND TAX STATEMENTS TO:

The Bridges Foundation
Attn: Luke Fitzpatrick, Trustee, PO Box 1123
Turner, OR 97392

APN: 99916790

716702

716800

717402

717401

717500

717600

99916787

Map: 27S13200001503

27S13270000400

27S13270000500

27S13280000400

27S13280000600

27S13280000700

27S13290000101

27S13290000103

Vacant Land Lower Coquille River (Chisholm Tract) 528 Acres,
Coos Bay, OR 97420

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Hanna Elizabeth Hart, Successor Trustee of the Maria Concepcion Frias 1996 Revocable Trust dated August 12, 1996 as amended and restated on October 9, 2006, Grantor, conveys and warrants to The Bridges Foundation, an Oregon non-profit corporation, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO MILLION SIX HUNDRED FORTY THOUSAND AND NO/100 DOLLARS (\$2,640,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: _____

Hanna Elizabeth Hart, Successor Trustee of the Maria Concepcion Frias 1996 Revocable Trust dated August 12, 1996 as amended and restated on October 9, 2006

BY: _____

Hanna Elizabeth Hart
Successor Trustee

State of _____

County of _____

This instrument was acknowledged before me on _____ by Hanna Elizabeth Hart, Successor Trustee of the Maria Concepcion Frias 1996 Revocable Trust dated August 12, 1996 as amended and restated on October 9, 2006.

Notary Public - State of Oregon

My Commission Expires: _____

**COOS COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES**

Account # 721202
Map 27S133300 00100
Owner EVERETT-ONA ISENHART RANCH,INC; ETAL
 97065 LANGLOIS MOUNTAIN RD
 LANGLOIS OR 97450-9668

Name Type	Name	Ownership Type	Own Pct
OWNER	EVERETT-ONA ISENHART RANCH,INC,ETAL	OWNER	100.00
OWNER	SMITH, CLATIE & ONA	OWNER	

AFTER RECORDING RETURN TO:
Law Offices of Patrick M. Terry
PO Box 630
Coos Bay, OR 97420

Coos County, Oregon **2021-13197**
\$91.00 Pgs=2 11/29/2021 02:25 PM
eRecorded by: PATRICK M. TERRY LAW OFFICE
Debbie Heller, CCC, Coos County Clerk

SEND TAX STATEMENTS TO:
John Isenhart and Laura J. Isenhart, Trustees
Isenhart Living Trust
PO Box 174
Broadbent, OR 97414

CONSIDERATION: \$0.00

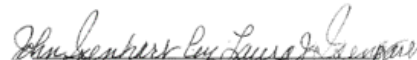
BARGAIN AND SALE DEED

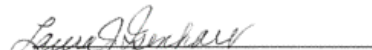
John Isenhart and Laura J. Isenhart, hereinafter known as Grantors, do hereby grant, bargain, sell, and convey unto John Isenhart and Laura J. Isenhart, Trustee of the Isenhart Living Trust as restated in its entirety on March 18, 2014, hereinafter known as Grantees, with power of sale, the following described real property; that is, the fee shall vest in the survivor of the Grantees:

See Exhibit A

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

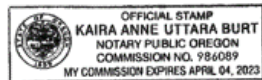
WITNESS my hand and seal this 29th day of November, 2021.


John Isenhart, by Laura J. Isenhart as Agent
Durable Power of Attorney, dated 10/24/14


Laura J. Isenhart

STATE OF OREGON
County of Coos

Before me this 29th day of November, 2021, personally appeared the above named Laura J. Isenhart, individually and in her capacity as Agent under Durable Power of Attorney dated 10/24/14 for John Isenhart, and acknowledged that she executed the foregoing instrument freely and voluntarily.




Notary Public for Oregon

**COOS COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES**

Account # 722300
Map 27S133400 00800
Owner FRED MESSERLE & SONS, INC.
94881 STOCK SLOUGH LN
COOS BAY OR 97420-6346

Name Type	Name	Ownership Type	Own Pct
OWNER	FRED MESSERLE & SONS, INC.	OWNER	100.00

**COOS COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES**

Account # 724600
Map 27S1335C0 00900
Owner FRED MESSERLE & SONS, INC.
94881 STOCK SLOUGH LN
COOS BAY OR 97420-6346

Name Type	Name	Ownership Type	Own Pct
OWNER	FRED MESSERLE & SONS, INC.	OWNER	100.00

**COOS COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES**

Account # 898300
Map 28S130300 00100
Owner FRED MESSERLE & SONS, INC.
94881 STOCK SLOUGH LN
COOS BAY OR 97420-6346

Name Type	Name	Ownership Type	Own Pct
OWNER	FRED MESSERLE & SONS, INC.	OWNER	100.00

COOS COUNTY, OREGON **2017-09908**
\$81.00 10/16/2017 10:16:00 AM
DEBBIE HELLER, CEA, COOS COUNTY CLERK Pgs=8

SEND TAX STATEMENTS TO:
Oregon Department of Fish and Wildlife
ATTN: REALTY SERVICES (Tofte)
4034 Fairview Industrial Drive SE
Salem, OR 97302

AFTER RECORDING, RETURN TO:
same as above

**AFTER RECORDING
RETURN TO**
Ticor Title Company
300 West Anderson Ave. - Box 1075
Coos Bay, OR 97420-0233
60158235

WARRANTY DEED
(ORS 93.850)

RAYMOND C. WHEELER, Grantor, conveys and warrants to the STATE OF OREGON, by and through the OREGON DEPARTMENT OF FISH AND WILDLIFE, Grantee, the following described real property free of all encumbrances except as specifically set forth herein:

Land in Coos County, Oregon, as described on **Exhibit "A"** attached hereto and by this reference made a part hereof.

SUBJECT TO the encumbrances described on **Exhibit "B"** attached hereto and by this reference made a part hereof; and

The true consideration for this conveyance is \$294,900.00

RESERVING UNTO THE GRANTOR, a personal, non-assignable, non-appurtenant easement for the purpose of ingress and egress to Grantor's property North and adjacent to property conveyed herein, for the term of Grantors life, forty (40) feet in width, which is twenty (20) feet on each side of the following described centerline:

Beginning on the Southerly boundary of the old Southern Pacific Railroad right-of-way at a point that bears North 73°10'14" East 864.34 feet from a 2" iron pipe per CS PB3-1 marking the Center South Sixteenth (CS1/16) corner of said Section 21, Township 27 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, thence along the centerline of the herein described easement South 00°25'39" East 248.64 feet, said center line being perpendicular and offset 15 feet West of the East boundary of that property described per Warranty Deed 90-11-0535, Deed Records of Coos County, Oregon;

Thence leaving said parallel offset and continuing along said easement centerline, also being the centerline of an existing dirt road as follows:

South 36°45'37" East 187.93;
South 02°05'55" East 62.28 feet;
South 20°34'05" West 39.23 feet;
South 39°51'48" West 65.56 feet;
South 59°44'35" West 350.45 feet;
South 56°11'21" West 142.27 feet;

Page 1 of 8

South 71°09'24" West 183.45 feet;
North 89°28'41" West 275.75 feet;
North 80°51'56" West 109.87 feet;
North 72°51'34" West 227.65 feet;
North 50°06'00" West 446.42 feet;
Thence North 31°35'41" West 132.96 feet to a point on the North line of that property described per said Deed Instrument 90-11-0535, said point bearing South 80°02'00" West 731.27 feet from said Center South Sixteenth (CS1/16) section corner of Section 21 and the end of the easement centerline.

All bearings based upon CS 24B78, Records of the Coos County Surveyor

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 12 day of Oct, 2017.

Raymond C Wheeler
Raymond C. Wheeler

STATE OF OREGON)
) ss.
COUNTY OF Coos)

This instrument was acknowledged before me on 10/12, 2017 by Raymond C. Wheeler.

Karen Lee Tofte
Notary Public for Oregon

My commission expires: 4/29/2018



The State of Oregon, acting by and through the Oregon Department of Fish and Wildlife, accepts this conveyance in accordance with ORS 93.808.

OREGON DEPARTMENT OF FISH AND WILDLIFE:

By: *Shannon Hurn*
Shannon Hurn, Deputy Director
Fish and Wildlife Programs

STATE of OREGON)
) ss.
COUNTY of Marion)

This instrument was acknowledged before me on 10/3, 2017, by Shannon Hurn,
as Deputy Director of Fish and Wildlife Programs for the Oregon Department of Fish and Wildlife.

Karen Lee Tofte
Notary Public for Oregon

My commission expires: 4/29/2018



**COOS COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES**


Account # 7715000
Map 27S133400 00899
Owner STATE OF OREGON
61036 HWY 101 SOUTH
COOS BAY OR 97420

Name Type	Name	Ownership Type	Own Pct
OWNER	STATE OF OREGON	OWNER	

Appendix B: FIGURES AND PHOTOS

WINTER LAKE PHASE III

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423

 541-396-7770

@ planning@co.coos.or.us

 <https://www.co.coos.or.us/community-dev>

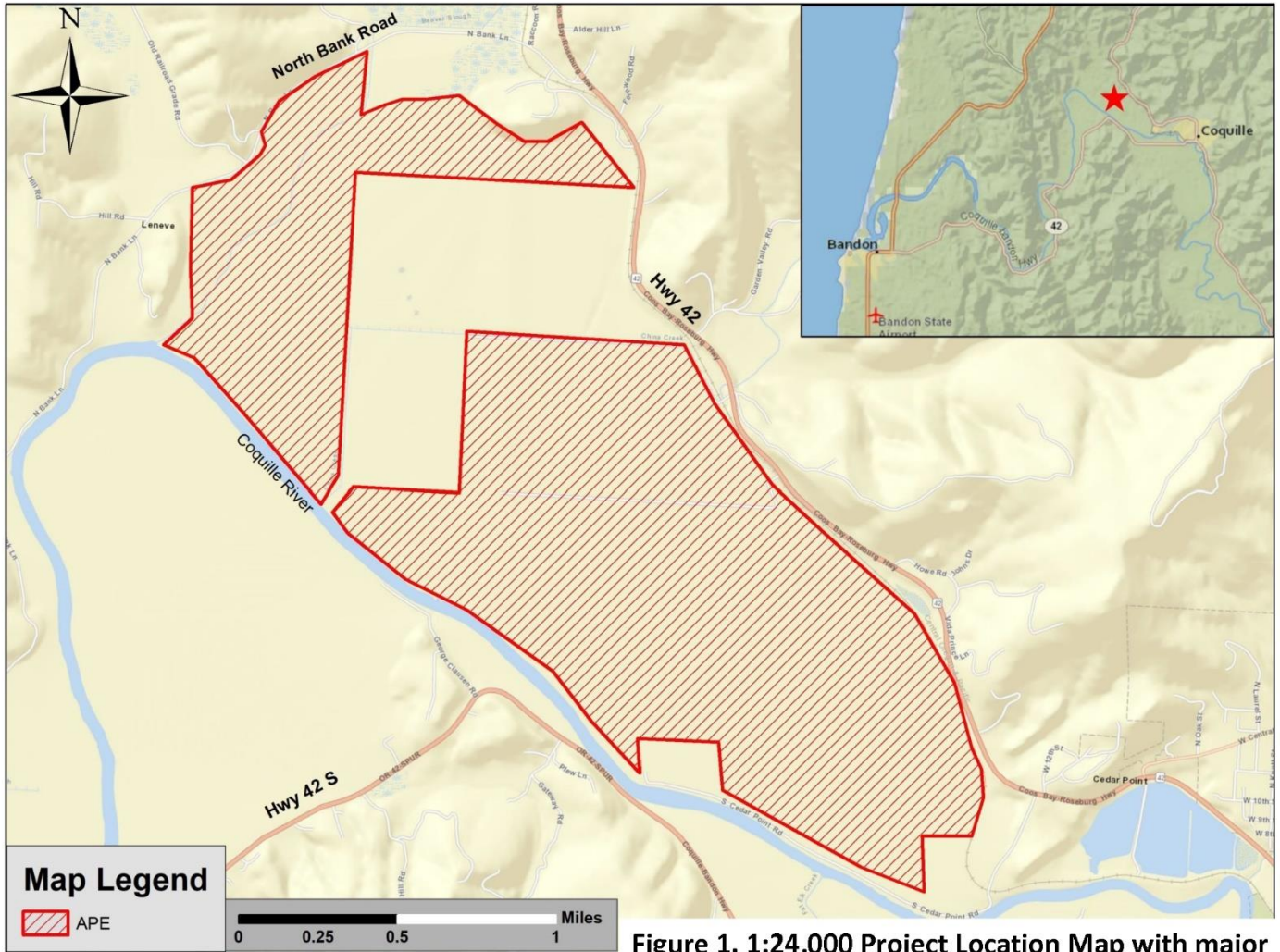


Figure 1. 1:24,000 Project Location Map with major roads/highways identified

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423

541-396-7770

@ planning@co.coos.or.us

<https://www.co.coos.or.us/community-dev>

Attachment "B" Comments Received

Amy Dibble

From: Catherine Krall <cathyewelch@aol.com>
Sent: Wednesday, February 21, 2024 1:50 PM
To: Planning Department
Subject: Notice of Coos County Public Land Use Hearing


This Message originated outside your organization.

We are owners of property located directly across from the acreage included in Winter Lake Phase III. Expansion of the project will further exacerbate the mosquito problem making it impossible for Coquille residents to enjoy any outdoor activities from the beginning of August and into fall of the year. It is our position that no further expansion should be taken until the mosquito problem that was created by the first part of the project is resolved.

John Krall
Catherine Krall
57926 Johns Dr.
Coquille, OR 97423
541-290-6255

1

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423

 541-396-7770

@ planning@co.coos.or.us



<https://www.co.coos.or.us/community-dev>

Amy Dibble

From: Benny Hempstead <bennyhempstead@gmail.com>
Sent: Wednesday, February 21, 2024 5:21 PM
To: Planning Department
Subject: Winter Lake Phase 3 project

This Message originated outside your organization.

Hello, Board of Commissioners,

Regarding: Notice of Public Use Land Hering; Item A File # ACU-23-074/FP-23-012

I own tax lot 2300 Industrial / EFU, The Old Chromite Mill. I have received a notice of a meeting in regards to future work to be done in the area surrounding my property in three directions: north, south, and west.

A few years back there was a project immediately west of my Tax Lot 2300, on Tax Lot 2100 owned by ODFW. The project lowered the dike on the west of what was referred to as The Old Luckman Parcel on Tax Lot 2100, opened up areas of the dike and installed two bridges allowing waters from the channels west of the dike to flow onto and flood the easterly areas of Tax Lot 2100, and deepened the water channels significantly from the main channel under bridges, and throughout the Old Luckman Parcel (now owned by ODFW). That project has permanently damaged my EFU land by allowing the flow of water through Tax Lot 2100 to flow on to my Tax Lot 2300, as a dike or berm on the east side of Tax Lot 2100 abutting my property was never constructed. Water that never reached my parcel is now allowed to flow freely and flood. No effort to prevent flooding on parcel 2300 was attempted.

I am writing this letter to notify the Board that I do not approve any work to be done on or through Parcel 2300 which could create flooding, deposits of soils, or modify water flows. Additionally I am not in favor of projects adjacent to my property that could now or in the future possibly cause damage or a loss of value to, due to activities created from any private project, permitted project, or Agency projects/work. I am in support of projects such as restorations of lands designated for such projects, however I am not a supporter of over-reach of State or Federal agencies making significant modifications which create a negative impact on private properties. I have a financial stake in the development of this land.

It is my hope that ODFW would provide the required water dike on the westerly side of my land to protect my parcel 2300 from previous projects. The same for future projects as to the one being given notice to.

"Anyone entering a signed petition(s) into the record is responsible for providing individual notice to the signee(s) of the petition(s). Please be aware that failure to raise an issue prior to the close of the evidentiary record, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision makers an opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals based on that issue. An appeal of a Hearings Body decision shall be made pursuant to Article 5.8 of the CCZLDO.

Further explanation concerning any information contained in this notice can be obtained by contacting the Planning Staff members at (541) 396-7770, or by visiting the Planning Department Website. This notice was posted, mailed and published."

I raise concern that any such project could adversely impact adjacent properties. A recommended potential impact study including surveys of all adjacent properties be completed to ensure such activities are contained

within the proposed work boundaries and ensure the adjacent lots are not affected, along with post construction survey and verification. I request additional information providing the full parameters for the proposed activities be provided specifying the grades and water flows at all lot boundaries.

Sincerely,

Benny Hempstead
541-297-5600

Verna L. Rose
58392 Garden Valley Road
Coquille, Oregon 97423

Coos County Community Development
250 North Baxter Street
Coquille, Oregon 97423

Response to ITEM A-File ACU- ourout23-074/FP-23-012

I oppose any changes in the remove of a
Land out of Beaver Slough Drainage District for any reason
unless they honor my request and remove my land from this
District. I was told numerous times that all I, have to do is
submit the request and would be removed. That was done
to the Drainage District guidelines, many years ago. All kinds
of delays of answers such as, not working on that now, not
on the agenda. Even one statement we can't change the
acres in a district. It's not fair to each landowner that the big
landowners have all the control over the all the lands. The
financial impact of levying bonds and how tax money only
goes to the larger landowners on the West side of route 42.
The landowners on the East side of route 42, only get to pay

taxes to district, without any benefit. The Board of directors on many occasions have stated openly they will not ever do anything for landowners on the east side of route 42. This isn't a fair district. These landowners have rights or say. I've paid taxes for decades to this district. I've submitted my request to be removed from this district so if you grant their request then you should honor my request for removal. Beaver Slough Drainage District which were submitted all the paperwork but didn't process them. There were other landowners who submitted the forms to their guidelines.

SO, NO MORE BENEFITS FOR THE BIG LANDOWNERS ON THE WEST SIDE OF ROUTE 42 IN THE DISTRICT. NO REMOVAL OF LANDS EVEN FOR WILDLIFE TRUST. Unless other individuals get their land out of the Beaver Slough Drainage District and their tax control and land control.

I would guess this is part of estate planning on the part of the large landowners and not just wildlife preservation. Also, they have used that land for income properties and their homes are not on them. Larger landowners paid a different tax base than the small landowners. My taxes paid to the drainage hasn't benefited me at all in over 50 years from this district. I do not want to still pay taxes to this district for the remaining landowner or owners on the west side of route 42. They were supposed to let the landowners out and repay the taxes and remove us from the Large Bond they voted in that the small land owner could stop. Get me out of this

self-serving large landowner district. This is my home with land in a district that cost without help from them. The land west of 42 in the valley, large landowners are doing commercial business, as at until now that want to put it into wildlife trust.

This change isn't any benefit to me at all. Since they have been, doing their changes in the past few years. There has been more insects and mosquitoes than ever. My father used to say," wow you don't have flies or mosquitoes, I'm surprised you living so close to ocean".

I pray, my comments don't go to deaf ear and but go to ones that can hear what is fair to other landowners and not vote for their request without the Beaver Slough Drainage District releasing me and others from the district as they said they would.

Sincerely,

Verna Rose

February 23, 2024

Coos County Planning Department
2250 North Baxter
Coquille, Oregon 97423
Emailed to: planning@co.coos.or.us

RE: File # ACU-23-074/FP-23-012: Winter Lake Phase III

Dear Coos County Planning Department and Coos County Board of Commissioners:

We have a house on North Bank Lane and property in the Coaledo Drainage District. Thank you for the public meeting notice and the opportunity to comment on the proposed Winter Lake Phase III.

After reviewing the application, it makes me wonder if this is all pre-wetland work under the guise of irrigation, water quality and fish habitat. Oregon Department of Fish and Wildlife already is moving forward with acquisition of the Bridges Foundation property. The attached "Attachment A, Figure 12b" shows, in black and white, a considerable amount of grazing land will be removed from production to build channels but it does not show the fence and planting buffers which take up more grazing land in the project area. What agriculture producer can afford such a loss of forage land if your heart is truly for agriculture?

Since I have a rental house near the proposed project, my major concern is mosquitos. The numerous "hydrologic bulbs" being built throughout the project area are concerning. "At the endpoints of selected channels, the project will construct 'hydrologic bulbs'. These habitat improvement actions will: a). Provide areas of greater depth long distances within the pasture networks where native fish, e.g. coho can shelter and feed during winter months prior to floodwaters rising and allowing fish to feed on pastures; b). These habitat improvement structures will provide volumetric areas at endpoints where the hydraulic forces of inflow/outflow will flush minor sediment accumulations from the length of the channel network downstream." "Hydrologic bulbs at the terminus of larger channel networks that provide a small basinal low area excavated to provide fish habitat in winter and channel flushing to move any accumulation of sediments from the channel network." These excavated "bulbs" (approximately 22 of them) will be filled with water during irrigation and rain events (Figure 12 & page 45 of 81). The concern is that the bulbs will retain water during hot summer weather especially after irrigation events and the water pools (bulbs) will enhance mosquito habitat. **No one wants more mosquitos.**

It has been mentioned that "parrot feather" is choking the waterways in the wetland. Its dense growth provides a breeding ground for mosquitos and it can degrade both water quality and habitat for fish and wildlife. There is concern with the potential for spread of this invasive on

lands adjacent to the CVWA wetland. Where did the parrot feather come from? Could it have been brought in on the equipment used for the Unit 2 restoration or could it have been planted in the wetland?

My recommendation is the Board of Commissioners and/or Coos County Planning require the following "conditions" on this Application:

1) ODFW should be required to utilize their CVWA Management Plan (mosquito section) and Vector Control Guidance for Sensitive Areas policy to treat the mosquitos in the existing wetland. BTI is one tool.

2) BSDD landowners, Bridges Foundation, and ODFW should also be required to ensure all hydrologic bulbs have connectivity to the channels. The hydrologic bulbs should be designed to drain completely after each irrigation event to reduce the creation of more mosquito habitat.

3) Invasive species (parrot feather and others) in the project area need to be eradicated prior to the beginning of the work. All equipment must be thoroughly cleaned and free from invasive species prior to entering the site.

Who wants to rent a house or live in an area where mosquitos are creating such a huge issue? No one wants a rerun of the Bandon Marsh which was a concern of many when the ODFW presented the CVWA wetland to the public. These mosquito outbreaks have the potential to reduce the property value in the area. They have a huge impact on the lives of the people who actually live in the area. I have attached the article on the West Nile Virus which was news during the mosquito outbreak in Bandon. Wetlands are not compatible with rural residential and ranching community.

Thank you for your consideration.

Respectfully,



Sharon Waterman, Landowner

Attachments: A, Figures 12b and 12 from DSL Joint Permit
Hydrologic Bulb Layout Cross-Section
Winter Lake Phase III; Tidal Restoration Project, TARP, Page 1
West Nile Virus article
Table I: Fish sampling summary

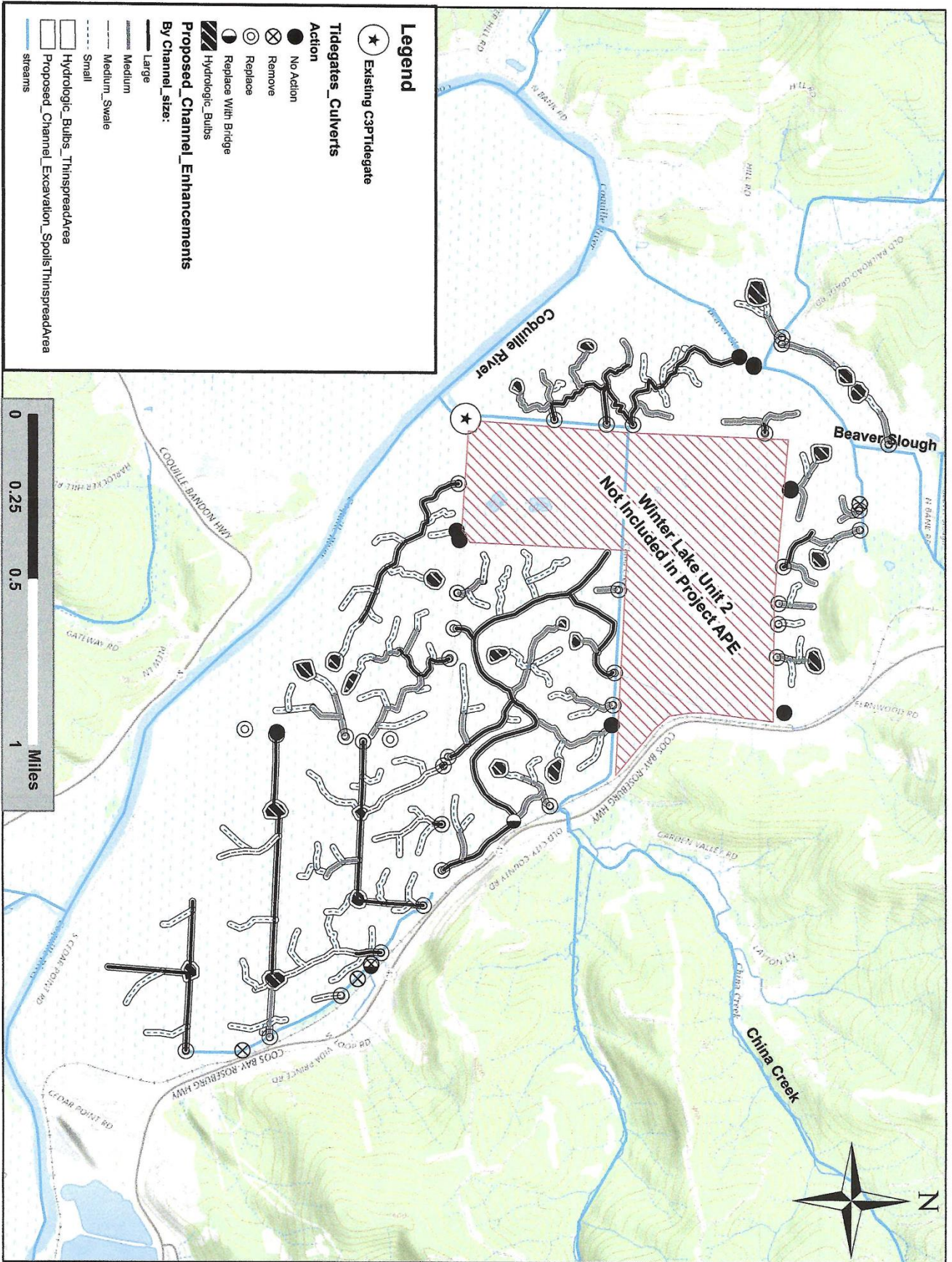


Figure 12. h Geographic Extent of Excavated Spoils

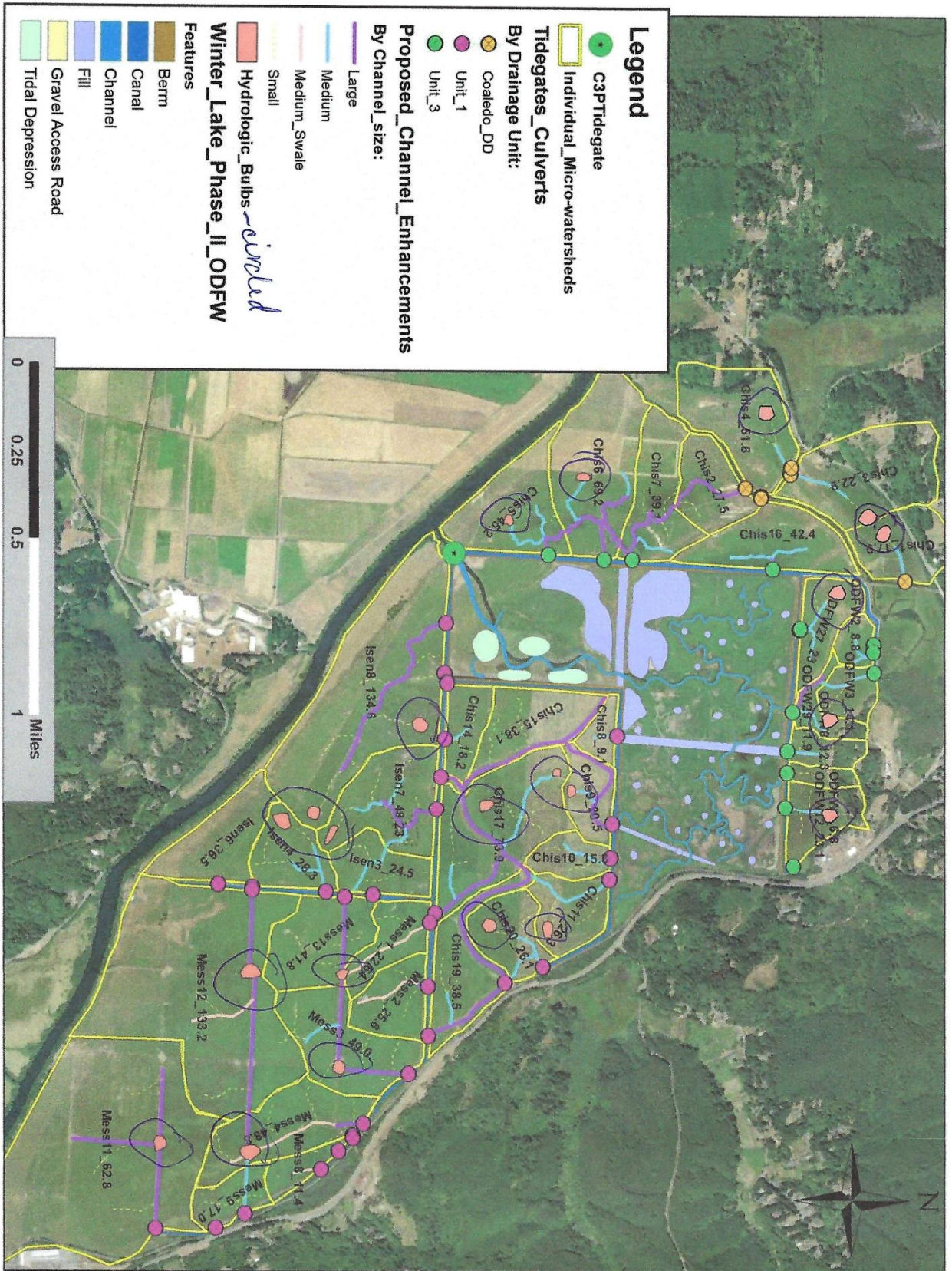
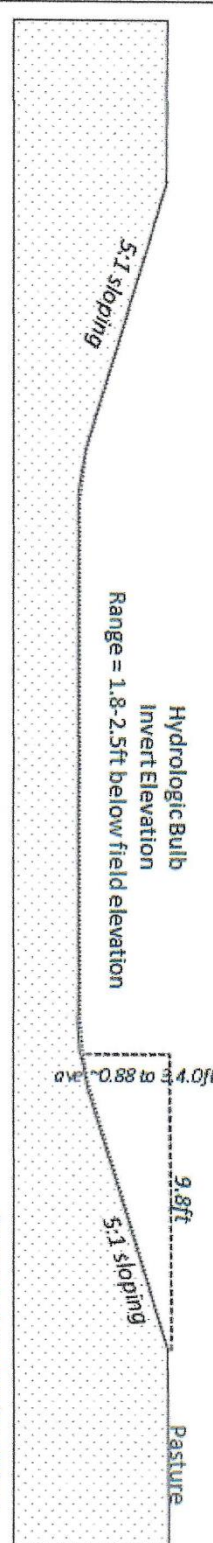


Figure 12. Individual micro-watersheds associated with culverts and proposed channel enhancements

Hydrologic Bulb Layout Cross-Section

Hydro Bulb I.D.	Channel Connect Size	Distance from Chan (ft)	NAVD88 Invert (ft)	Field Elevation (ft)	Excavate Depth (ft)	Acres	Sq ft	Excavate Volume CY
Isen8a2	Small	3,995	2.5	3.85	1.35	0.73	31,799	1,827
Mess1a2	Medium-S	1,571	1.8	4.35	2.55	0.7	30,492	3,112
Mess11d	Large	1,250	2.5	4.67	2.17	0.74	32,234	2,841
Mess1c2	Large	1,075	2.5	3.84	1.34	1.19	51,836	2,883
Isen7a3	Small	2,137	2.0	4.27	2.27	0.61	26,572	2,511
Mess2a	Large	1,215	1.8	2.99	1.19	0.46	20,038	1,081
Chis5b	Medium	837	2.1	3.74	1.64	0.43	18,731	1,331
Chis19c3	Small	688	1.8	2.88	1.12	0.8	34,848	1,686
Chis20c	Small	1,130	1.8	2.91	1.11	0.76	33,106	1,604
Chis5d	Medium	895	2.0	5.39	3.39	0.39	16,988	2,311
Chis19c	Small	1,500	2.3	4.33	2.08	0.28	12,197	1,071
Chis7c	Medium	902	3.5	4.79	1.28	0.47	20,473	1,172
Chis12b	Small	550	1.8	3.14	1.34	1.12	48,787	2,675
Mess1e	Small	880	2.5	3.96	1.46	1.14	49,658	2,990
Isen4a2	Small	1,333	2.0	4.62	2.62	1.05	45,738	4,631
Isen8d	Small	732	2.5	3.65	1.15	0.92	40,075	1,972
ODFW12a	Medium	655	1.0	2.71	1.71	1.2	52,272	3,627
ODFW3a	Small	422	1.0	2.89	1.89	0.94	40,946	2,866
ODFW27a;	Small	230	1.0	3.23	2.23	0.94	40,990	3,666
Chis1b	Small	377	1.5	3.82	2.32	0.94	40,946	3,790
Chis4b	Small	338	1.5	4.18	2.68	0.85	37,026	3,939
Chis3c	Small	516	1.5	4.94	3.44	1.9	82,764	10,921
Totals						18.56	808,517	64,505



Prepared by Winter/Lake Phase III Team
ODFW, BSSD, and Coos SWCD
Sheet 26 of 26

**Winter Lake Phase III
Tidal Restoration Project**

**Tidal Area Restoration Programmatic
(TARP)**

**Project Design Criteria - General Construction Measures
Assessment**

*Christopher W. Claire; Oregon Dept. of Fish and Wildlife
and
Caley Sowers; Coos SWCD
02/03/23*

Project Summary

*The Winter Lake Phase III Tidal Restoration project developed by the Coos Soil and Water District has been specifically designed to maximize ecological uplift while retaining early summer/summer/fall pasture grass farming operations. The site located at RM 20.5 in the Coquille River estuary. The project area is upstream of the C3P tidegates and C3P provides the overarching water control under the Beaver Slough Drainage District (BSDD) NMFS/ODFW water management plan. The land area, 1,290 acres below elevation 8.0ft and two pastures comprising 99 acres) within the Coaledo Drainage District (CDD) were historically a tidal forested freshwater complex with elevations that were predominantly below elevation 8.0ft. The project area has complex hydrology dominated by tidal amplitudes in dryer months, however, heavily influenced by rising river levels and floodwater in winter. The site plant species historically included red alder (*Alnus rubra*), however, predominantly Oregon ash (*Fraxinus latifolia*) and willow (*Salix spp.*). Vegetative species typified by slough sedge (*Carex obnupta*), small fruited bullrush (*Scirpus microcarpus*), and bur reed (*Sparganium Americanum*). This vegetative community would have in turn provided a strong detrital macroinvertebrate energy source. The site conditions as examined by LiDAR imagery indicate that there were substantial tidal channels penetrating the project area from the mainstem Coquille River prior to human alteration. These channels would have provided the rearing habitat for native salmonid and estuarine fish to feed within the marsh plain on the heavy loading of macroinvertebrate food items that were produced. In 1907-1908 pathways were cleared through the wetland forest, a new exit location was excavated through the Coquille River natural levee, tidegates were installed, the land area was drained during dry months and burned to create grazing land pastures.*

The Project Team has proposed installing over 90,000ft of new/reconstructed channel. The project will address 42 aging culverts with fish passage obstructive top-hinged tidegates. These culverts are placed to provide for individual water management precision through interior low elevation berms. Culverts will be upsized to appropriately meet the site hydrology (see Hydrologic Assessment). Tidegates will be replaced with side-hinged aluminum tidegates fitted with devices to allow doors to be held open in the fall/winter/early spring allowing for maximization of fish passage into reconstructed channels. The full network of channels upstream of C3P main tidegates is under the BSDD Water Management Plan. Overall the project is anticipated to have a substantive ability to increase access for juvenile coho production and other native fish compared to the current conditions.

West Nile infects Bandon man

Health officials urge protection, not panic

BY DANIEL SIMMONS-RTICHE
The World

NORTH BEND — An elderly Bandon man has become the first person in Coos County history to be infected with West Nile virus. The man, and a woman in Malheur County, each were confirmed to have the illness Tuesday by health officials. The pair are Oregon's first

human cases since 2009. Lena Hawtin, Coos County's communicable disease co-ordinator, said the Bandon man was bitten by a mosquito near his home last month. He later experienced muscle weakness and was diagnosed at Oregon Health and Science University in Portland. Hawtin said he is expected to fully recover. "I talked to him yesterday," she said. "He seemed like he was doing better. He was able to talk, and it seems like he's doing pretty good."

County first

Oregon joins a national surge in infections of the mosquito-borne virus. The Centers for Disease Control and Prevention says this year's outbreak is on track to be America's worst. Hawtin said, with only one reported case in Coos County, it is unclear how pervasive West Nile virus is among local mosquitoes. Although human infections in Oregon are rare, the virus is found each year in a small number of

SEE WEST NILE | A8

WEST NILE

Continued from Page A1

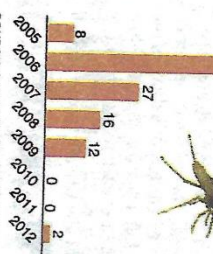
birds and mammals.

Hawtin said residents should remain cautious but calm. Eighty percent of those infected show no symptoms. Others experience only mild fever, headaches, or nausea. In less than 1 percent of cases, the disease can cause convulsions, disorientation, and affect the central nervous system.

Elders at risk

Hawtin said the Bandon man and the Malheur County woman were more likely to experience severe symptoms because they were older than 49. Elderly people generally have higher blood pressure and weaker immune systems than the general population. Frances Smith, the county's public health director, says the virus would likely have spread to Coos County mosquitoes through migrat-

West Nile virus infections in Oregon



SOURCE: Centers for Disease Control and Prevention
By Jeff Tremlina, The World

How to protect against mosquitoes

- Eliminate sources of standing water that are a breeding grounds for mosquitoes, including watering troughs, bird baths, clogged gutters and old tires.
- When outdoors at dusk or dawn when mosquitoes are most active, protect yourself by using mosquito repellents that contain DEET (N,N-diethyl-m-tolu-amide), oil of lemon eucalyptus, or picaridin, and follow the directions on the container.

Table 1. Fish sampling summary from the Dec 2020-May 2021 sampling season.

	Mainstem Sampling	Cochran ¹	Seestrom	Beaver Creek	Beaver Creek Captured, Transferred to Unit 2	Winter Lake, Unit 1 ²	Winter Lake, Unit 2 ³	Winter Lake, Unit 3
# of Sampling Events ⁴	9	6	7	11	4	0	19	6
Total coho caught	54	502	570	1045	137	0	67	1
Total coho tagged	54	139	271	428	137	0	62	1
Total Chinook caught	5	20	34	0	n/a	0	41	0

1 - The first sampling event (12/11) caught 0 coho, the 4th sampling event (2/25) caught few coho because a nutria had chewed a hole through the hoop trap

2 - No trapping was completed in Unit 1 and no detections were made by the PIT array on the tide gate for tagged fish entering the site

3 - Water levels were high during trapping events, causing low densities of coho and low trapping efficiency. See ODFW Winter Lake Volume Analysis for further information.

4 - Sampling events consisted of seining (beach or purse) and hoop traps. The number of hoop traps varied between 1 and 5, CPUE was not calculated for this chart.

A total of 21 other species of fish and aquatic organisms were captured in addition to coho, listed in Table 2. Winter Lake Unit 2 had the highest number of non-native fish species, a total of 1,051 bullhead catfish (*Ameiurus nebulosus*), 3,287 bluegill (*Lepomis macrochirus*), 283 yellow perch (*Perca flavescens*), and 269 largemouth bass (*Micropterus salmoides*). All are competing for food with coho juveniles while the large non-native fish are considered a potential predator on coho juveniles. Pacific lamprey (*Entosphenus tridentata*) were captured in all Units of Winter Lake, including flooded pastures of southern Unit 1 (Cedar Pt 2). All Pacific lamprey caught, a total of 6, were ammocoetes.

A surprisingly high number of juvenile fall Chinook salmon were caught at all three tide gated project sites starting in April. During the planning phase of these restoration projects it was hypothesized juvenile fall Chinook would not use these restoration sites heavily, because they typically reside in larger channels. During the last sampling event at each project site only Chinook were captured using a beach seine and they were also the last PIT tagged salmonids to leave Winter Lake.

February 22, 2024

Coos County Planning Department
2250 North Baxter
Coquille, Oregon 97423

RE: File # ACU-23-074/FP-23-012: Winter Lake Phase III

Dear Coos County Planning Department, Planning Commissioners and Coos County Board of Commissioners:

I would like to thank you for the opportunity to comment on the Winter Lake Phase III project application by Coos Soil Water Conservation District. I am a landowner in the Beaver Slough Drainage District and as a resident in the area, I do not want any projects which have the potential to increase the mosquito issues we are facing.

This project includes hydrologic bulbs which I believe need to be designed to drain after each irrigation event by the district so that it won't create more mosquito habitat if water is left in the bulbs during the warm summer weather.

I am against any expansion of the Coquille Valley Wildlife area and a portion of this project includes agriculture land targeted for acquisition by ODFW. ODFW has not been good neighbors. From the beginning of the Winter Lake wetland project, Beaver Slough Drainage District, Oregon Department of Fish and Wildlife and The Nature Conservancy assured us there would be no mosquito problems. As residents of the area, our lives are awful during the summer and fall due to the mosquitos. This is a new problem since the wetland project was completed. Mike Gray told us the ODFW has a stock pile of BTI but they haven't used it.

Coquille Watershed said "parrot feather" is choking the waterways in the wetland. The literature says "dense growths of parrotfeather provide breeding areas for mosquitos and will degrade both water quality and habitat for fish and wildlife."

Mosquitos carry diseases. They are impacting our physical and mental health by forcing us to stay indoors during the fly-off times during the summer and fall. Mosquitos are a hazard to drivers when mosquitos are flying around inside their cars.

Solutions: According to the ODFW Vector Control Guidance for Sensitive Areas, there is a process to resolve the mosquito problem.

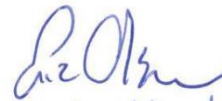
The Board of Commissioners and/or Coos County Planning needs to ask for "conditions" on this Application: 1) Require the ODFW to utilize their Vector Control Guidance for Sensitive Areas as a guideline to treat the mosquitos in the wetland, 2) BSDD landowners and Bridges Foundation or ODFW should also be required to ensure the drainage of the hydrologic bulbs after each irrigation event to reduce the creation of more mosquito habitat, 3) Any invasive species in the project area need to be eradicated and all equipment is cleaned and free from invasive species prior to construction.

Thank you for your consideration.

Respectfully,



Gail Olsen
Garden Valley Landowner



ERIC OLSEN
Garden Valley landowner



FACT SHEET

Freshwater Aquatic Invasive Species in Rhode Island

November 2017

Parrot Feather



Parrot feather has rubbery leaves that stay in their form out of the water. Parrot feather can take over a shallow pond.

Species Description and General Information

Parrot feather (*Myriophyllum aquaticum*) is a rooted aquatic plant that colonizes slow moving, nutrient rich waters. Stems rooted in the substrate grow through the water and emerge at the surface, sticking up above the surface at heights 1 inch to 1 foot in the air. Emergent leaves are bright green to bluish green and have a waxy surface. Leaves measure 1/2 inch to 2 inches long, and look like a feather divided with 6-18 leaflet pairs along the main vein of the leaf. Leaves are arranged around the stem in whorls of 4-6 leaves. Leaves are stiff and maintain shape out of water like plastic fish tank plants. Submerged leaves are slightly smaller than leaves above the water and have 10-15 leaflet pairs if present. Inconspicuous flowers form in the axils of emergent leaves. Only female flowers are present in the United States, restricting reproduction exclusively to fragmentation.

Why is Parrot Feather Considered an Invasive Species?

Because it reproduces easily by fragmentation, parrot feather can easily spread to new locations. It may establish itself in a new waterbody with only a small piece transported by birds or wildlife, or stuck to fishing gear, or boats, or trailers. Invasives grow in large abundances to quickly displace native plants, by competing for space, sunlight and nutrients. Plants can become a nuisance for recreational activities such as boating, fishing and swimming, and can slow water flow, making a breeding ground for mosquitoes.

How Did Parrot Feather Become Established in Rhode Island?

Parrot feather is native to South America. Due to its attractiveness, it was likely first introduced to the United States as an aquarium or water garden plant that escaped cultivation or was dumped into a natural water body. Parrot feather was first observed by DEM in Rhode Island at Pocasset Pond in Johnston Memorial Park, Johnston, RI in 2009. Once introduced to a water body, plant fragments carried by currents, waterfowl or boats can spread the infestation throughout a water body. Because of its robust stems and waxy leaves, plants can survive for long periods of time out of water. Thus, fragments attached to boats, trailers or fishing gear can be transported over long distances and introduced into new water bodies.

What Methods Can Be Used to Control Parrot Feather?

Due to its ability to reproduce through fragmentation, physical control of parrot feather is limited. Mechanical cutting or harvesting can spread plant fragments in a water body, unintentionally exacerbating the infestation. Hand pulling small patches may be effective if entire plants are removed. By law, the manual removal of submerged aquatic vegetation is restricted to that area adjacent to, but no more than fifteen feet from, existing or permitted docks, beaches or swimming areas under the Fresh Water Regulations (Rule 6.02). Manual plant removal outside this area requires a DEM wetlands permit (contact RIDEM Water Quality and Wetlands Restoration Team).

Parrot feather is adapted to water level fluctuations and is known to survive on wet river banks and lake shores. Water level draw downs are not an effective control option.

Chemical control of parrot feather is difficult as the waxy coating of the emergent leaves is difficult for herbicides to penetrate. Thus, eradication of parrot feather in a water body is unlikely once established. Several herbicides demonstrate potential for partial control. The DEM Division of Agriculture licenses the applicators that can apply federally regulated herbicides to treat target invasive plants. Each herbicide treatment requires a specific permit from the Division of Agriculture. The most appropriate means of selecting a specific treatment plan is to consult a lake manager or licensed herbicide applicator, who can provide treatment options and estimate the associated costs. A more detailed survey of the entire water body will likely be needed to develop the most effective and cost efficient long-term management plan.





mosquito habitat and parrott feather



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About 1,230,000 results (0.47 seconds)

Showing results for **mosquito habitat and parrot feather**
Search instead for **mosquito habitat and parrott feather**

Dense growths of parrotfeather provide breeding areas for mosquitoes and will degrade both water quality and habitat for fish and wildlife. It fouls intakes used to supply municipal drinking water and irrigation and becomes a navigation hazard. Parrotfeather should never be introduced to open waters.



NC Dept. of Environmental Quality (.gov)
<https://www.deq.nc.gov/about/water-supply-planning>

Parrotfeather (*Myriophyllum aquaticum*) - NC DEQ

About featured snippets Feedback

People also ask :

- What is the problem with Parrot feather plants?
 - How does Parrot feather affect the environment?
 - What is the habitat of the Parrot feather plant?
 - Is the Parrot feather an invasive species?
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USGS (.gov)
<https://nas.er.usgs.gov/queries/greatlakes/FactSheet>

Species Profile - Parrot feather

Myriophyllum aquaticum monocultures provide prime mosquito habitat; higher parrot feather density has been correlated with higher mosquito egg and larval ...



State of Michigan (.gov)
<https://www.michigan.gov/plants/aquatic/parrot...>

Invasive Species: Parrot Feather

U.S. Distribution: Parrot feather can be **found in at least 26 states, including those along the Eastern, Southern, and Western coasts**. Local Concern: This ...



Invasive.Org
<https://www.invasive.org/pubs/midatlantic/myaq>

Parrot-Feather (*Myriophyllum aquaticum*)

It can form dense mats with native aquatic plants, especially in shallow ponds. It also provides **habitat for mosquito larvae, impedes** boats and ...

Coquille Valley Wildlife Area Management Plan

April 22, 2016

Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302

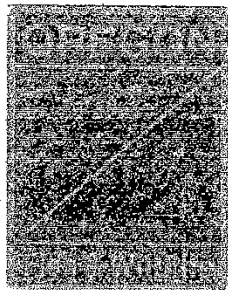
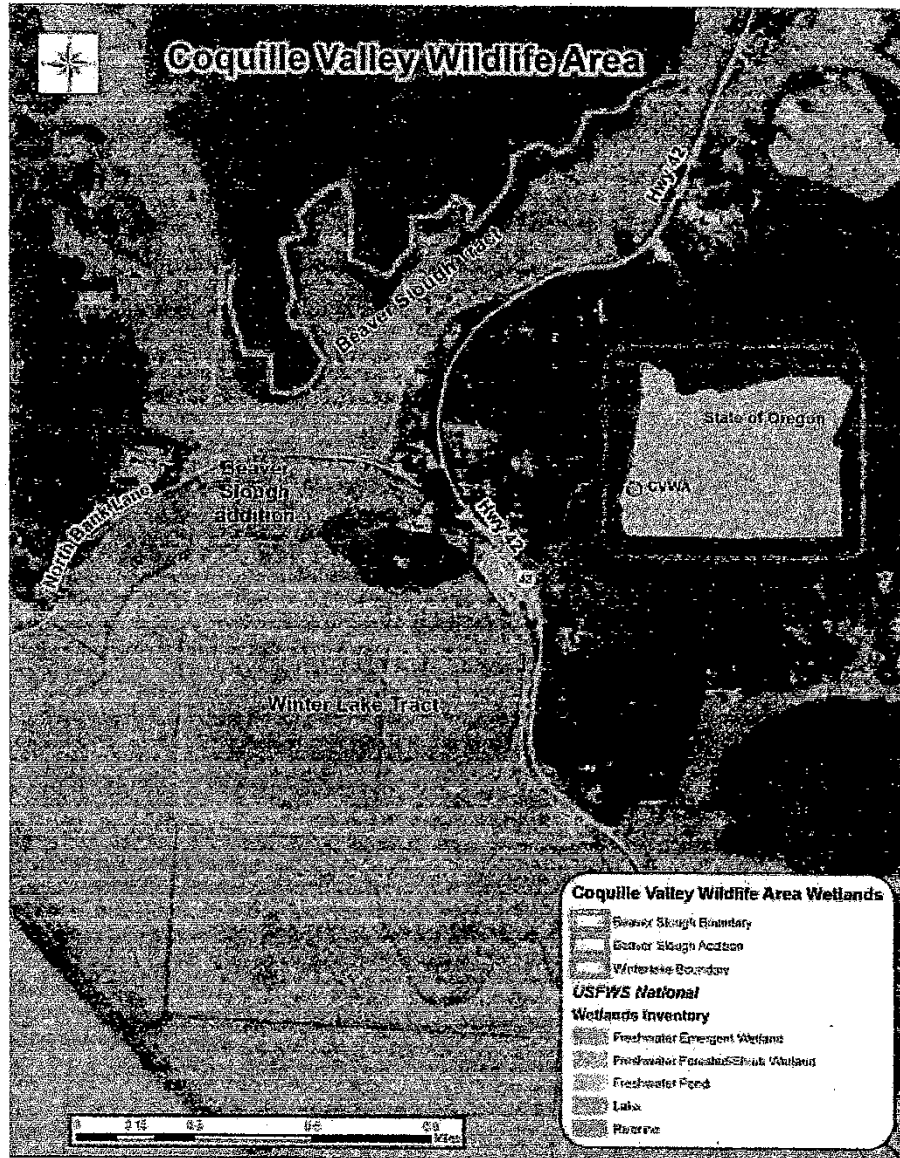


Figure 1. Coquille Valley Wildlife Area, including wetland habitat designation from USFWS National Wetlands Inventory.



Monitoring Section

winter and spring (early December through May). Monitoring will provide a better understanding of migration patterns through and within CVWA, abundance, changes to fish species composition over time and the quality of habitat.

Although the fish monitoring plan is not yet finalized, the following is a list of parameters that will likely be monitored:

- water temperature,
- dissolved oxygen (DO),
- water velocity,
- riparian shading,
- pool availability,
- large wood availability,
- fish passage,
- relative fish abundance,
- species composition.

Fish biologists have established index sites for evaluating fish use based on habitat types and will establish basic monitoring protocols. Continued monitoring efforts will be overseen by UWD. Fish habitat parameters such as water quality and dissolved oxygen can be monitored using passive data loggers. These have been deployed and are periodically downloaded by UWD.


Fish use and presence is monitored through a variety of collection methods, depending on the sites selected and effectiveness of techniques. Methods have included (and likely will continue to include) the following; electrofishing, beach seines, fyke traps, hoop traps, or other nets/traps. Some of the work may be conducted by contractors, graduate students, researchers, or other entities like watershed councils. ODFW is seeking funding and outside expertise to develop and implement scientific studies evaluating both habitat change and fish response to restoration efforts.

Plants

Vegetation photo points are useful for documenting vegetative response to restoration activities. Photo points have been established in Winter Lake Tract to document the progress of restoration activities. Measurements of tree height in areas of vegetative plantings may be established to monitor seedling establishment and survival of willow, ash and other tree and shrubs. These photo points and surveys may also be used to identify exotic plants and direct removal efforts.

Wildlife

Shortly after CVWA lands were acquired by ODFW, wildlife surveys were initiated to begin documenting species and relative abundance of individuals using CVWA lands. These surveys were point count surveys of wildlife species along specific survey routes. These surveys will continue for the life of this plan on a quarterly basis. (See Appendix 1)



Ground-based point count surveys along two transects (one in Beaver Slough and one in Winter Lake) will be conducted to document water bird and other wildlife use of the project area. During these surveys, we will record wildlife species and approximate number of individuals seen. Twelve surveys will be conducted in different months to represent wildlife use during all seasons of the year. After each monthly representative survey has been accomplished, these surveys will continue as quarterly surveys to monitor wildlife response to habitat restoration efforts. Wildlife surveys began before the initiation of restoration activities in Winter Lake Tract and will continue through the life of this plan.

Burrowing and feeding activities by some wildlife (beaver and muskrat) can damage berms, and tree and shrub plantings as well as neighboring private property. Beaver and muskrat populations will be monitored as part of a population management program.

Wildlife Diseases

ODFW will cooperate with the Coos County Health Department and the USFWS to monitor wildlife diseases. Animals showing signs of disease may be tested as they are reported by the public or ODFW depending on the suspected disease involved. Wildlife diseases that may occur in the project area include West Nile Virus (*Flavivirus sp.*), Avian Influenza (*Influenza*), Avian Botulism (*Clostridium botulinum*), Avian Cholera (*Pasturella multocida*), Deer Hair Loss Syndrome and others. ODFW district biologists will coordinate as appropriate with the ODFW veterinarian to respond appropriately to disease issues that arise.

Mosquitoes

Restoration and management of the CVWA are being planned to minimize the possibility of enhancing mosquito populations. ODFW and our restoration partners have consulted with mosquito experts who indicate that proposed management should not create an abundance of salt marsh mosquito (*Aedes sp.*). However, some mosquitoes may respond to the restoration of aquatic habitats on the CVWA. If mosquitos do become an issue, we will follow the ODFW Vector Control Guidance for Sensitive Areas (February 13, 2014).

Engineering of the restoration project will ensure that all lands inundated with tide water will either drain on each tide cycle or will be connected daily with water in the channel on Winter Lake Tract where fish populations exist. This will cause mosquito larvae to be accessible by fish and other predators. Three-spined Stickleback and Mosquitofish populations exist in the waters of CVWA, and these fish are known to effectively reduce mosquito production. If any disconnected water bodies are inadvertently created during the restoration project, ODFW will connect these areas hydrologically in an effort to allow natural predators of mosquitos to access mosquito larvae. If this is not effective for controlling mosquitoes or if hydrologic connection is not possible for some reason, ODFW

will release fish, such as Three-spined Stickleback, into these water bodies to prey on mosquito larvae.

Methods that have been successful in controlling mosquitoes at Bandon Marsh National Wildlife Refuge include the use of *Bacillus thuringiensis israelensis* (BTI) and controlling tidal inundation and connectivity in areas where mosquito reproduction is likely to occur. (William Bridgeland, USFWS Pers. Comm). BTI is a bacteria that kills mosquito larvae living in water bodies. Also, the ability to control the extent of tidal inundation on land can be useful in creating a situation that is not advantageous for mosquito reproduction (Dr. Daniel Markowski, Pers. Comm). ODFW intends to explore employing these techniques on CVWA to control mosquito reproduction and plans to monitor effectiveness through trapping mosquito adults and sampling larvae throughout the reproductive season on Winter Lake Tract as appropriate. Depending on need, ODFW may progressively use more aggressive means to control mosquitos.

Water Distribution

Water distribution will be monitored using wells, hydrographs, and water height gages placed in key locations. With neighboring landowner approval and coordination, monitoring sites may include neighboring lands.

Cultural Resources

The Coquille Valley is an area where a significant amount of historic and prehistoric human activity has occurred. Radio carbon dating of archeological sites found in the Coquille Valley indicates Native Americans were present and subsisting in the area at least as far back as 140 A.D. to 420 AD. Middens, or locations where shells and remains of wildlife used for human subsistence have been uncovered in the Coquille Valley, indicate that these people relied on the river, associated wetlands and estuary to find food. During the development of the Ni-les'tun Unit of Bandon Marsh National Wildlife Refuge, many significant archeological sites and objects were found which were related to the history of Native American people stretching far back into prehistory. ODFW is sensitive to the significance of these findings and is committed to preserving and protecting any archeological sites on CVWA. To detect and appropriately protect these sites, ODFW and project contractors will coordinate and consult with the Coquille Indian Tribe, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, and the Oregon State Historic Preservation Office.

European Settlement of the Coquille Valley

According to the book *A Guide to the Oregon South Coast History* (Douthit 1999), the first Europeans to settle the Coquille Valley did so in the late 1850s for the purpose of establishing small farms that produced a variety of crops. One of the major crops was hay with livestock such as cattle (*Bos sp.*) and pigs (*Sus sp.*) also being important products. Douthit noted, "By the mid-1890s, dairying had become next in importance to crop production." Douthit also state that "By

Comment – Coos County Board of Commissioners regarding Coos County Conditional Land Use Application: ACU-23-074/FP-23-012 Winter Lake Phase III project

Name: Jan Hopmans and Mieke Vandenreek

Mailing address: 1120 NW 17th street, Corvallis, OR 97330

For reasons outlined below, we ask for the proposal submitted by BSDD to be amended to consider inclusion of plans that would minimize mosquito invasions in Garden Valley, as the proposed expansion of habitat restoration in the Coquille Valley Wildlife Area (CVWA) would likely result in continued and increasing mosquito populations.

In 2015, we bought a 5-acre property at 58494 Garden Valley Rd, which is within the boundaries of the Beaver Slough Drainage District (BSDD). As a side note, for many years Garden Valley residents that own land within the boundaries of BSDD have petitioned to withdraw their properties from the boundaries of BSDD.

Let me start by stating that in principle we are very supportive of land restoration efforts such as in the CVWA, and in fact had plans initially to propose restoration of China Creek in Garden Valley (GV). However, our main concern is that since completion of the Unit 2 restoration, mosquitos have been a major nuisance and health issue in the past 4 years for the Garden Valley residents.

Over time, as I learnt about the restoration plan of Unit 2 of the Winter Lake area and the need to replace the tidal gate for better control of irrigation, flooding and drainage in the Winter Lake area. The construction of the new tidal gate was completed in the fall of 2018. Until that time, after my purchase of the GV property in 2015, there had been no mosquito issue at any time during those years. However, GV residents started complaining about the mosquito issue in August of 2019, the year after the completion of the tidal gate construction. We expressed concerns about this to the BSDD and speculated that it was caused by the restoration of Unit 2. We also inquired with ODFW and contacted with Chris Claire. He agreed that mosquitos are likely to breed in non-fish bearing breeding pools, through flooding of non-connected valleys. But he also indicated that it could be explained by the hot summer and the lack of strong summer winds that year.

Since 2019, the mosquitos have been a major issue starting in July of every year. Repeated complaints have not made any difference, and if anything, the mosquito

invasions have increased and were of longer duration. Therefore, when learning about the expansion of the CVWA restoration to Units 1 and 3, is it my expectation that the mosquito problem in Garden Valley will become an even greater issue. It is therefore that I urge BSDD and ODFW to include assurances in their proposal to address the mosquito issue heads on in their application.

The lack of addressing the mosquito issue is contrary to the 2016 ODFW's five-year Management Plan of the CVWA that specifically addresses mosquitos and plans to minimize the possibility of increasing mosquito populations. In this Plan¹, it states that "some mosquitoes may respond to the restoration of aquatic habitats on the CVWA." The same Plan states that "Restoration and management of the CVWA are being planned to minimize the possibility of enhancing mosquito populations." In their Plan, ODFW provides a series of solutions, including enhancing the population of mosquito-attacking fish such as Stickleback and Mosquito fish, after connecting nonflowing waters, so that this fish can prey on the mosquito larvae. If all else fails, ODFW stated to introduce bacteria such as BTI which was successful in controlling mosquitoes at Bandon Marsh. ODFW concluded in this 2016 Plan that "depending on need, ODFW may progressively use more aggressive means to control mosquitos". However, to our knowledge no or little action was taken by ODFW in the past years towards mitigating mosquito populations in the CVWA.

Regarding actions taken by the BSDD, their response has been that their ability to drain the Winter Lake area has been compromised by the faulty tidal gate not allowing to control water drainage when needed. In their responses, they have stated that much improved water level management will be possible after the tidal gate's repair, hopefully this year.

To conclude, I would like for the proposal to include provisions for ODFW to ensure that mosquito mitigating plans are included in the proposal and that such plans will be executed when needed. Moreover, for BSDD to ensure that all lands inundated with tidal water will be connected hydrologically so that mosquito larvae be accessible by fish and other predators.

Jan W. Hopmans

February 24, 2024



¹ Coquille Valley Wildlife Area Management Plan, April 22, 2016. Oregon Department of Fish and Wildlife, 4034 Fairview Industrial Drive SE, Salem, OR 97302

22 February 2024

To: Coos County Commissioners, Coquille OR

From: Jeffrey Jackson, Resident, Coquille OR

RE: File Number ACU-23-074, Winter Lake Phase III Project

Dear Commissioners,

This letter indicates support for the Beaver Slough Drainage District's and Coos Soil and Water Conservation District's application for infrastructure upgrades as outlined in the Winter Lake Phase III project. As a fish biologist with nearly 25 years of experience working for federal, state and non-profit organizations in Oregon, Alaska and California, I write to you that there is no doubt whatsoever that habitat restoration projects such as Winter Lake not only benefit salmon to a great degree, but also benefit drainage that increases use and productivity by agricultural landowners.

Recent research at Winter Lake conducted by the Coquille Watershed Association has shown how incredibly productive off-channel areas are to coho salmon. Juvenile coho move downstream and seek areas to over-winter, get out of heavy winter flows and find food and shelter. Replacing internal tidegates will facilitate water movement and help juvenile salmon find their way out of the channels and canals as water temperatures become too high later in the spring. A suite of native fish and amphibians thrive in Winter Lake: steelhead, Cutthroat trout, Pacific lamprey can all be found there seasonally. And while it is true that a variety of non-native fish are present, active water management makes this a less hospitable environment for them to flourish.

In addition to the natural resources benefits afforded by this project, Winter Lake Phase III will replace aging and non-functional infrastructure that will greatly benefit grazing and pasture management. As spring turns into summer, native fish move out of the project area, water can be drawn down, and Winter Lake goes into another mode of production – for livestock. Landowners can't turn their animals out until the land is dried out, and upgraded infrastructure will facilitate maximum use. That's the beauty of projects such as this: promote agricultural use in the summer and salmon in the winter.

Here's the bottom line: Winter Lake Phase III is completely, legally, environmentally and administratively within the scope, scale and intent of Coos County Planning and Land Use Ordinances. Landowners, natural resource specialists, fisherman and anyone who knows about fish and grazing all realize the benefits of this project. I invite the Commissioners who are opposed to this project to educate themselves by reaching out to ODFW and see first hand how the project is positively influencing the economy of Coos County.

Sincerely,

Jeff Jackson

Jeffrey Jackson

1390 N. Gould

Coquille OR