

**Winter Lake Phase III Team**  
**Additional Information for**  
**Application # ACU-23-074/FP-23-012**  
Excerpts from the Coos County Comprehensive Plan

04/03/24

The Winter Lake Project Team has developed the Phase III project in the Winter Lake floodplain to align with the Coos County Zoning and Planning criteria. Those planning/zoning criteria directly are associated with the Coos Comprehensive Plan. Within the plan Section in Volume 1 Part 1 the Project Team has noted language in green highlight with relevance to the ACU-23-074/FP-23-012.

**Guidance from Coos County Planning: 04/03/2024**

*“Comprehensive Plan: The comprehensive plan, often referred to as the master plan or general plan, is a long-term vision document that outlines broad goals, objectives, policies, and strategies for guiding future growth and development within a jurisdiction. It typically covers various aspects of community development, including land use, transportation, housing, economic development, environmental conservation, and infrastructure. The comprehensive plan reflects the community's values, priorities, and aspirations and provides a framework for decision-making by local government officials, planners, developers, and residents. It serves as a blueprint for the physical, social, and economic development of the community over a specified period, often ranging from 10 to 20 years.”*

**GOAL**

Coos County shall preserve and maintain agricultural lands for farm uses "consistent with existing and future needs for agricultural products, forest, and open space,"z except where legitimate needs for nonfarm uses are justified.

**PLAN IMPLEMENTATION STRATEGIES**

**Volume 1 Part 1 pg 44; #3.** Coos County shall cooperate with the Natural Resources Conservation Service (NRCS) and Coos Soil and Water Conservation District (Coos SWCD) and other agencies in their efforts to promote bank stabilization, preferring non-structural stabilization methods except where bank protection structures are necessary

This strategy is based on recognition that streambank protection and stabilization are necessary to prevent the erosion of agricultural soils.

**Volume 1 Part 1 pg 44; #4.** Coos County shall cooperate with NRCS and Coos SWCD and drainage districts in their efforts to obtain permits and to maintain funding for drainage projects on floodplain land in agricultural use (including "wet meadows" classified by the U.S. Fish & Wildlife Service as wetlands). Such drainage projects may include improvement or maintenance of existing facilities or construction of new dikes and drainage channels.

This strategy recognizes that: (1) improved or well-maintained drainage facilities are essential to the most efficient use of Coos County's most productive agricultural lands, and (2) recently adopted Federal policies to protect wetlands for their wildlife habitat values are unduly restrictive in the case of seasonally flooded, diked wet meadows, because

agricultural and wildlife habitat uses are thoroughly compatible in these wet meadow areas.

Volume 1 Part 1 pg 44; #5. Coos County shall generally support the efforts of the NRCS, Coos SWCD, Coos Watershed Association, Coquille Watershed Association, and other entities to develop water storage projects to supply additional irrigation water to improve the County's agricultural economy except where strong public opinion is presented and accompanied by documentation.

This strategy recognizes the need for additional water storage projects and that the NRCS and Coos SWCD should play a lead role in the development of such projects.

## **FISH & WILDLIFE HABITATS**

Volume 1 Part 1 pg 55

### **Problem/Opportunity Statement**

Coos County contains many significant fish and wildlife habitat areas; some of these areas are threatened by development that could reduce or destroy habitat.

### **ISSUE**

Fish and wildlife have extremely important commercial and recreational economic value to the County. In addition, fish and wildlife species provide a wide variety of recreational opportunities and are essential links in the ecological system. Careful identification of significant protection of habitat must be balanced with legitimate development needs.

What can the County do to protect significant fish & wildlife habitats and still meet the economic and housing needs of the County residents?

### **GOAL**

Coos County shall value its identified significant fish and wildlife habitat and shall strive to protect them where practicable.

## PLAN IMPLEMENTATION STRATEGY

Volume 1 Part 1 pg 52. #1 Coos County shall consider as "Sc" Goal #5 resources (pursuant to OAR 660-16-000) the following:

- \* "Sensitive and peripheral Big-game Range" (ORD 85-08-010L)
- \* Bird Habitat Sites (listed in the following table)
- \* Salmonid Spawning and Rearing Areas

Uses and activities deemed compatible with the objective of providing adequate protection for these resources are all uses and activities allowed, or conditionally allowed, by the Zoning and Land Development Ordinance, except that special care must be taken when developing property adjacent to salmonid spawning and rearing areas so as to avoid, to the greatest practicable extent, the unnecessary destruction of riparian vegetation that may exist along stream banks. The Oregon Forest Practices Act is deemed adequate protection against adverse impacts from timber management practices.

This policy shall be implemented by:

- a. County reliance on the Oregon Forest Practices Act to ensure adequate protection of "significant fish and wildlife habitat" against possible adverse impacts from timber management practices; and
- b. The Zoning and Land Development Ordinance shall provide for an adequate riparian vegetation protection setback, recognizing that "virtually all acknowledged counties have adopted a 50 foot or greater standard;"<sup>3</sup> and
- c. (ORD 85-08-010L) Use of the "Special Considerations Map" to identify (by reference to the detail inventory map) salmonid spawning and rearing areas subject to special riparian vegetation protection; and sensitive and peripheral big game range; and
- d. Stipulating on County zoning clearance letters that removal of riparian vegetation in salmonid spawning and rearing areas shall be permitted only pursuant to the provisions of this policy.
- e. Coos county shall adopt an appropriate structural setback along wetlands, streams, lakes and rivers as identified on the Coastal Shorelands and Fish and Wildlife habitat inventory maps.
- f. (ORD 85-08-010L) Coos County shall not permit residential densities in identified Big Game Range to exceed:
  - 1) one dwelling per 40 acres in Peripheral Big Game Range; or
  - 2) one dwelling per 80 acres in Sensitive Big Game Range.

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<sup>3</sup> DLCD report on Coos County, November 28, 1984.

Coos County shall also consider as Goal #5 "5c" resources the following bird habitat areas:

	Township	Range	Section	Area
Bald Eagle Nests	23S	13W	23	Tenmile
	23S	11W	05	Big Creek
	23S	12W	21	Willow Point
	24S	12W	04	Palouse
	24S	13W	36	Mettman
	25S	11W	29	Bessy Creek
	25S	11W	33	Dellwood
	25S	11W	22	Rachel Creek
	25S	11W	32	Morgan Ridge
	26S	14W	14	South Slough
	27S	13W	09	
	28S	10W	09	Brewster Gorge
	31S	12W	16	Baker Creek
	29S	14W	31	Twomile Creek
	28S	14W	11	Randolph
Great Blue Heron Colonies	24S	13W	27SW $\frac{1}{4}$	
	25S	14W	24SE $\frac{1}{4}$	
	23S	13W	26	Saunders Lake
	24S	13W	23	North Bay
	25S	11W	15	Weyerhaeuser
	25S	12W	31NW $\frac{1}{4}$	Catching Slough
	25S	14W	24	North Spit
	26S	14W	11	South Slough
	25S	13W	24	
	26S	14W	14 NE $\frac{1}{4}$ ,SE $\frac{1}{4}$	
	27S	14W	35 SE $\frac{1}{2}$ ,NW $\frac{1}{4}$	Sevenmile
	26S	14W	14NW $\frac{1}{4}$	
	30S	15W	15	Muddy Lake
	23S	12W	28	Templeton Arm
Band-Tailed Pigeon Mineral springs	24S	13W	24&25	Haynes
	25S	13W	24	Cooston
	26S	13W	01	
	28S	14W	10	Prosper
	29S	11W	26	
	29S	11W	35	Blueslide
	29S	11W	36	Rock Quarry

Special care must be taken when developing property adjacent to "5c" bird sites so as to avoid, to the greatest practical extent, the unnecessary destruction of, or impact upon, said bird sites. The Oregon Forest Practices Act (FPA) is deemed adequate protection against adverse impacts from timber management practices.

This policy shall be implemented by:

- a. County reliance upon the FPA and the March 1984 Department of Forestry/ODFW agreement to insure adequate protection of "5c" bird sites against possible adverse impacts from timber management practices; and
- b. Use of the "Special Considerations Map" and detailed inventories in the Plan to identify "5c" bird sites subject to special protection; and
- c. For "5c" bird site protection, stipulating in the Zoning and Land Development Ordinance that conflicting uses shall be reviewed by the Oregon Department of Fish and Wildlife to determine that any proposed use is not expected to produce significant and unacceptable environmental impacts on any of the "5c" bird sites; and
- d. Stipulating on County Zoning Clearance Letters that establishment of conflicting uses adjacent to "5c" bird sites shall be permitted only pursuant to the provisions of this policy.

Coos County shall require a location map for any development activity (except grazing or forest practices) within its regulatory scope that is determined to be within a "5c" habitat. The location map shall be referred to the Oregon Department of Fish and Wildlife requesting an opinion within 10 days as to whether the development is likely to produce significant and unacceptable impacts upon the "5c" resources, and what safeguards it would recommend to protect the resource.

ODFW's determination shall be reviewed by the Coos County Planning Director, who shall consider the ODFW findings and approve, approve with conditions, or deny an Administrative Conditional Use for the matter (ACU) based upon sound principles of conservation and appropriate balancing of the EESE consequences so if conflicting uses are allowed the resource site is protected to some extent. With regard to Bald Eagle nests, new dwellings (on identified, inventoried tax lots containing nests) shall be sited at least 300 feet from the protected nest (ORD 85-08-010L). The ACU shall be processed pursuant to the Zoning and Land Development Ordinance.

2. Coos County shall manage its riparian vegetation and identified non-agricultural wetland areas so as to preserve their significant habitat value, as well as to protect their hydrologic and water quality benefits (ORD 85-08-010L). This strategy does not apply to forest management actions, which are regulated by the Forest Practices Act.

This strategy recognizes that protection of riparian vegetation and other wetland areas is essential to preserve the following qualities deriving from these areas:

Volume 1 Part 1 pg 54

<b>Natural Flood Control</b> Flow stabilization of streams and rivers	<b>Environmental diversity</b> Habitat for fish and wildlife, including fish and wildlife of economic concern
<b>Reduction of sedimentation</b>	<b>Recreational opportunities</b>
<b>Improved water quality</b>	<b>Recharge of aquifers</b>

3. Coos County shall support the efforts of the Oregon Department of Fish and Wildlife to maintain a productive fishery in County streams and lakes.

This strategy recognizes the economic and recreational importance that results from maintaining adequate fish stocks.

4. Coos County shall protect for agricultural purposes those land areas currently in agricultural use but defined as "wet meadow" wetland areas by the U.S. Fish and Wildlife Service, and also cranberry bogs, associated sumps and other artificial water bodies.

Implementation shall occur through the placement of the plan designation "Agriculture" on such areas.

Volume 1 Part 1 pg 55

This strategy recognizes:

- i. That agriculture is an important sector of the local economy;
- ii. That some of the productive lands in Coos County's limited supply of suitable agricultural lands are such seasonally flooded areas;
- iii. That designation of these areas for agricultural use is necessary to ensure the continuation of the existing commercial agricultural enterprise; and
- iv. That the present system of agricultural use in these areas represents a long-standing successful resolution of assumed conflicts between agricultural use and habitat preservation use, because the land is used agriculturally during months when the land is dry and therefore not suitable as wetland habitat, and provides habitat area for migratory wildfowl during the months when the land is flooded and therefore not suitable for most agricultural uses.