PLANNING COMMISSION WORK SESSION AGENDA
Monday, September 12, 2022 - 6:00 PM
City Hall, Council Chambers, 169 SW Coast Hwy, Newport, OR 97365

All public meetings of the City of Newport will be held in the City Council Chambers of the Newport City Hall, 169 SW Coast Highway, Newport. The meeting location is accessible to persons with disabilities. A request for an interpreter, or for other accommodations, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder at 541.574.0613, or p.hawker@newportoregon.gov.

All meetings are live-streamed at https://newportoregon.gov, and broadcast on Charter Channel 190. Anyone wishing to provide written public comment should send the comment to publiccomment@newportoregon.gov. Public comment must be received four hours prior to a scheduled meeting. For example, if a meeting is to be held at 3:00 P.M., the deadline to submit written comment is 11:00 A.M. If a meeting is scheduled to occur before noon, the written comment must be submitted by 5:00 P.M. the previous day.
To provide virtual public comment during a city meeting, a request must be made to the meeting staff at least 24 hours prior to the start of the meeting. This provision applies only to public comment and presenters outside the area and/or unable to physically attend an in person meeting.

The agenda may be amended during the meeting to add or delete items, change the order of agenda items, or discuss any other business deemed necessary at the time of the meeting.

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1. CALL TO ORDER

Jim Patrick, Bill Branigan, Bob Berman, Jim Hanselman, Gary East, Braulio Escobar, John Updike, Dustin Capri, Greg Sutton, and Annie McGreenery.

2. NEW BUSINESS

2.A Welcome Citizen Advisory Member Annie McGreenery.

3. UNFINISHED BUSINESS

3.A Newport Housing Study – Overview of the Constructability Assessment.
Memorandum
Housing Constructability Assessment PowerPoint Slides

3.B Yaquina Bay Estuary Management Plan Update- Needs and Gaps Assessment.
Memorandum
PowerPoint Presentation by Lisa Phipps, dated April 2021
Yaquina Bay Estuary Management Plan Needs and Gaps Assessment, dated August 2022
Lincoln County Estuary Management Plan, dated September 1982

3.C Work Program Update.
Memorandum
Updated Work Program

4. ADJOURNMENT

City of Newport

Community Development Department

Memorandum

To: Planning Commission/Commission Advisory Committee

From: Derrick I. Tokos, AICP, Community Development Director

Date: September 8, 2022

Re: Newport Housing Study – Overview of the Constructability Assessment

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Enclosed is a set of PowerPoint slides that provide an overview of the constructability assessment component to the housing study. This wasn't ready when you reviewed ECONorthwest's analysis of the City's projected housing needs over the next 20-years and the updated buildable lands assumptions at your last work session. A less refined set of these materials was presented to the Housing Study Advisory Committee at its August 25, 2022 meeting. ECONorthwest is putting together a detailed report on this topic, which should be ready by next week. I'll include that document as an informational item for a future meeting.

It took a while for us to work through the analysis and results with the Housing Study Advisory Committee, so I expect that it will take the bulk of the time we have for this work session. Please take a moment to review the slides and I look forward to your comments or questions.

Attachments
Housing Constructability Assessment PowerPoint Slides



Constructability Assessment

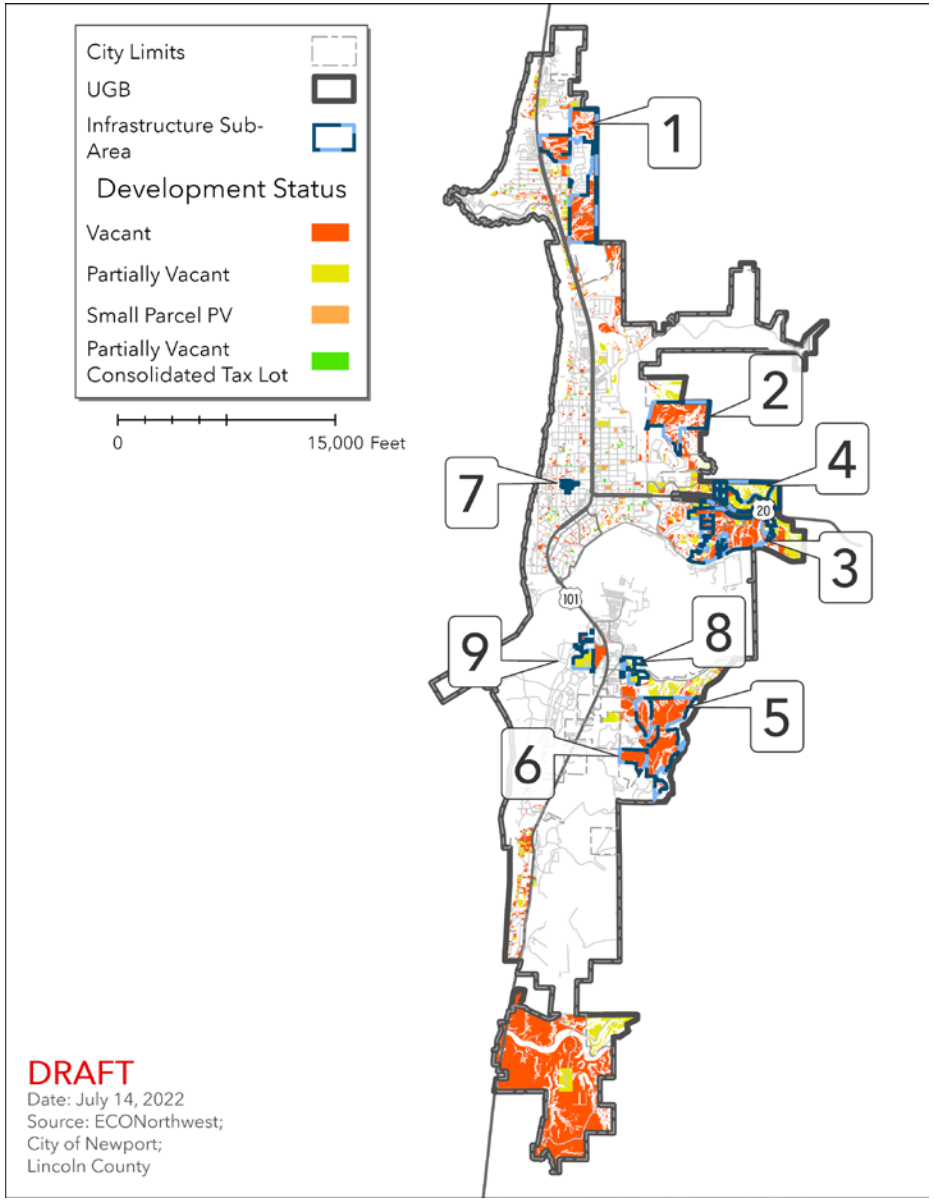
ECONorthwest

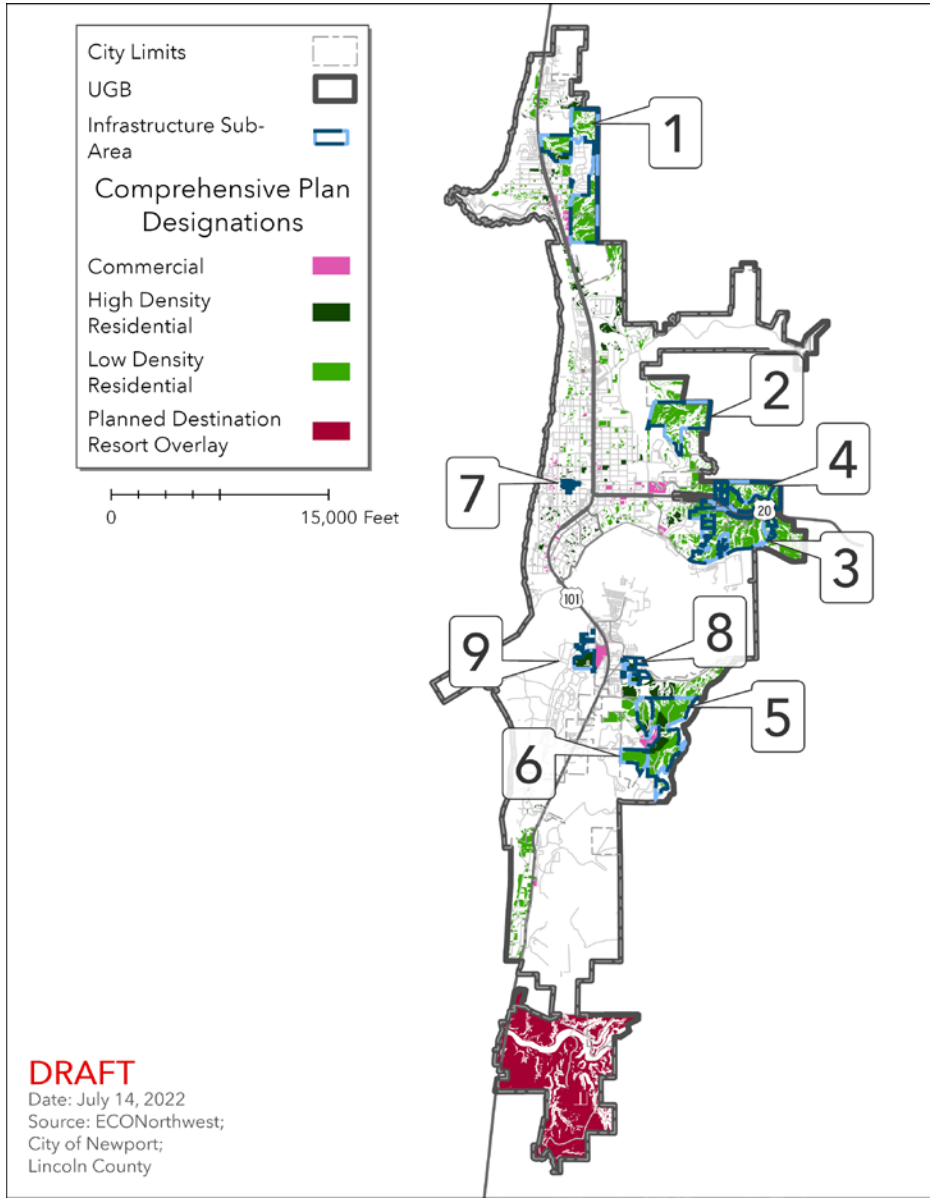
ECONOMICS • FINANCE • PLANNING

Purpose

- Provide a rough indication of whether residential development on key vacant & partially vacant land is likely to be feasible given estimated infrastructure costs – can development afford to build the needed infrastructure?
- Refine assessment of housing capacity to account for infrastructure barriers and challenges

Constructability Analysis: Overview of Subareas





Constructability Analysis: Approach

- What are likely pricing / rents for future housing in Newport given market conditions?
- How much could future housing development afford to spend on infrastructure?
  - "Residual Value": Given value of future development and other development costs, how much is left to pay for land and infrastructure while allowing a reasonable financial return for the developer?
- How many net buildable acres in each subarea?
- How much housing could be built in each subarea?
- What are the infrastructure needs & costs to serve each subarea?
- Does the "residual value" cover the infrastructure costs? Is there enough left to pay a landowner?

Constructability Analysis: Housing Types & Estimated Pricing

Apartments (rental)

- 3 stories (50 units)
- Required site area (buildable): 72,600 sf
- Units & pricing:
  - 1BR (728 sf): $1,445/mo
  - 2BR (1,005 sf): $1,660/mo
  - 3 BR (1,204 sf): $2,030/mo
- Parking: 75 surface stalls (1.5 per unit)

Quadplex (rental)

- 2 stories (4 units)
- Required site area (buildable): 7,000 sf
- Units & pricing:
  - 1BR (728 sf): $1,445/mo
  - 2BR (1,005 sf): $1,660/mo
- Parking: 4 surface stalls (1 per unit)

Cottage Cluster (rental)

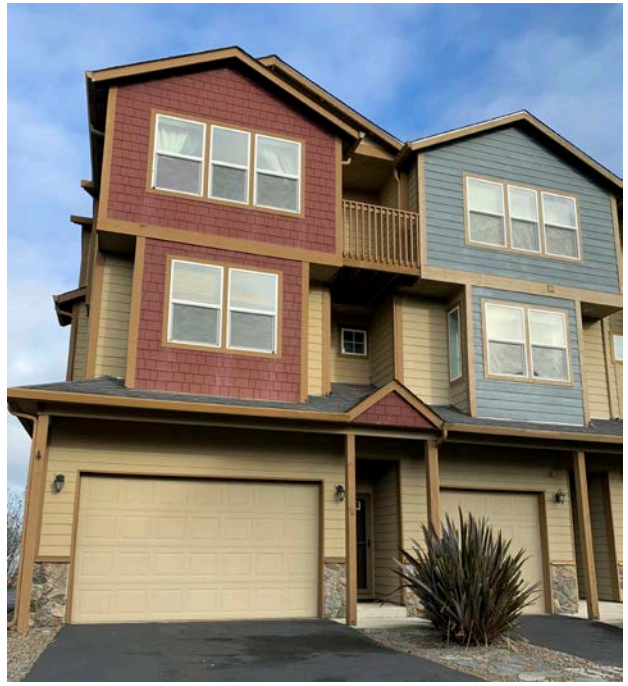
- 1 story (4 units)
- Required site area (buildable): 12,000 sf
- Units & pricing:
  - Studio (600 sf): $1,290/mo
  - 1BR (800 sf): $1,590/mo
  - 2BR (1,000 sf): $1,730/mo
- Parking: 4 surface stalls (1 per unit)

Constructability Analysis: Housing Types & Estimated Pricing

Townhouse (ownership)

- 3 stories
- Required site area (buildable): 2,000 sf per unit
- Units & pricing:

  3BR (1,800 sf): $420,000
- Parking: 1 garage stall and 1 driveway space per unit



Small Single-Detached (ownership)

- 2 stories
- Required site area (buildable): 4,000 sf per unit
- Units & pricing:

  3BR (1,782 sf): $574,000
- Parking: 1 garage stall and 1 driveway space per unit

Constructability Analysis: Housing Types & Estimated Pricing

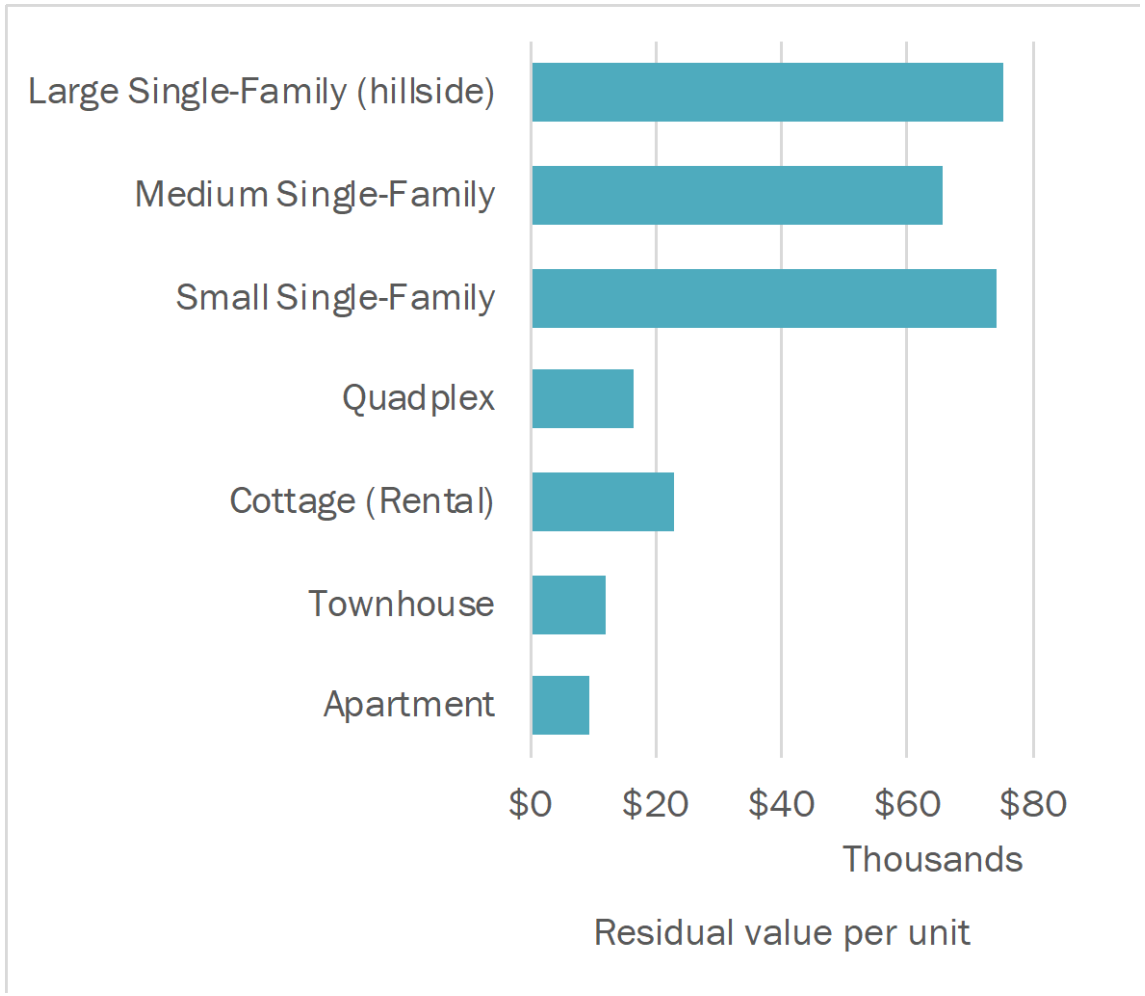
Medium Single-Detached Hillside (ownership)

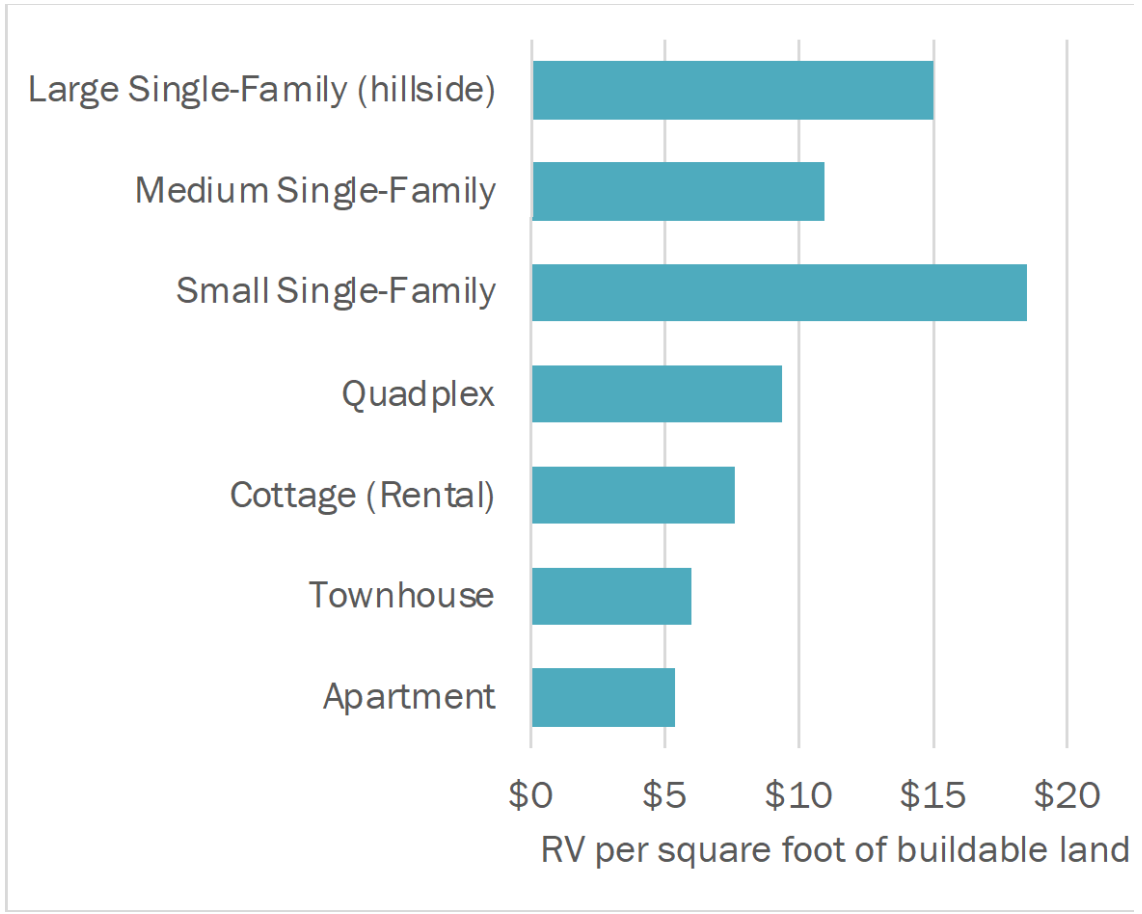
- 2 stories
- Required site area (buildable): 7,000 sf per unit
- Units & pricing:
  4BR (2,173 sf): $705,000
- Parking: 2 garage stalls, 2 driveway spaces

Large Single-Detached Hillside (ownership)

- 2 stories
- Required site area (buildable): 5,000 sf per unit
- Units & pricing:
  4BR (2,544 sf): $782,000
- Parking: 2 garage stalls, 2 driveway spaces

Relative Ability to Pay for Land & Infrastructure



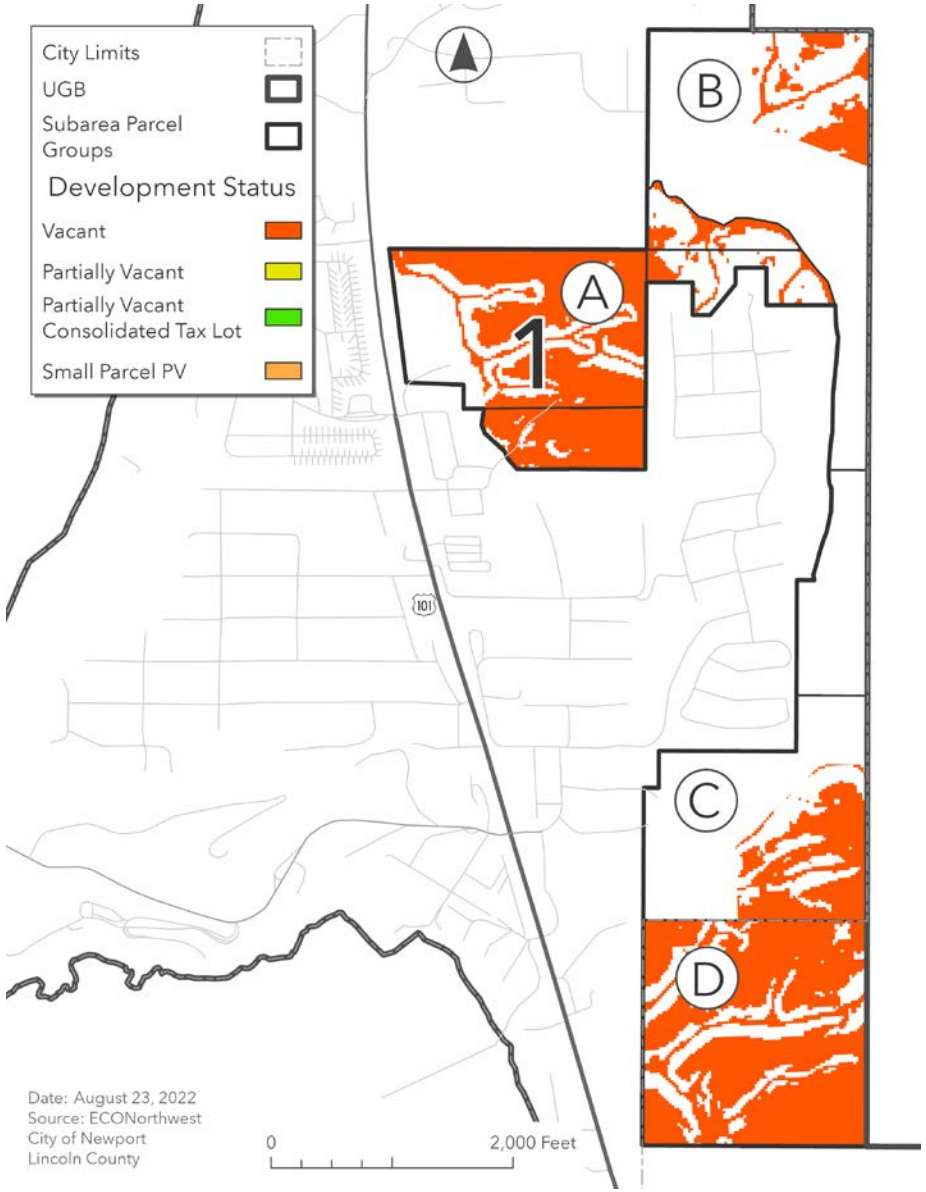


Subarea 1

	Buildable Acres	Apartment Units	Townhouse Units	Cottage Units	Quadplex Units	Small Single-Family Units	Medium Single-Family Units	Large Single-Family (hillside) Units	Total Units
1A: Multifamily	24.92	560	0	0	0	0	0	0	**560**
1A: HDR blend	24.92	74	65	57	49	65	14	0	**324**
1B: Hillside LDR	7.51	0	2	2	0	3	12	29	**48**
1C: Hillside LDR	8.57	0	2	2	0	3	14	34	**55**
1D: Hillside LDR	30.60	0	10	10	0	12	50	121	**203**

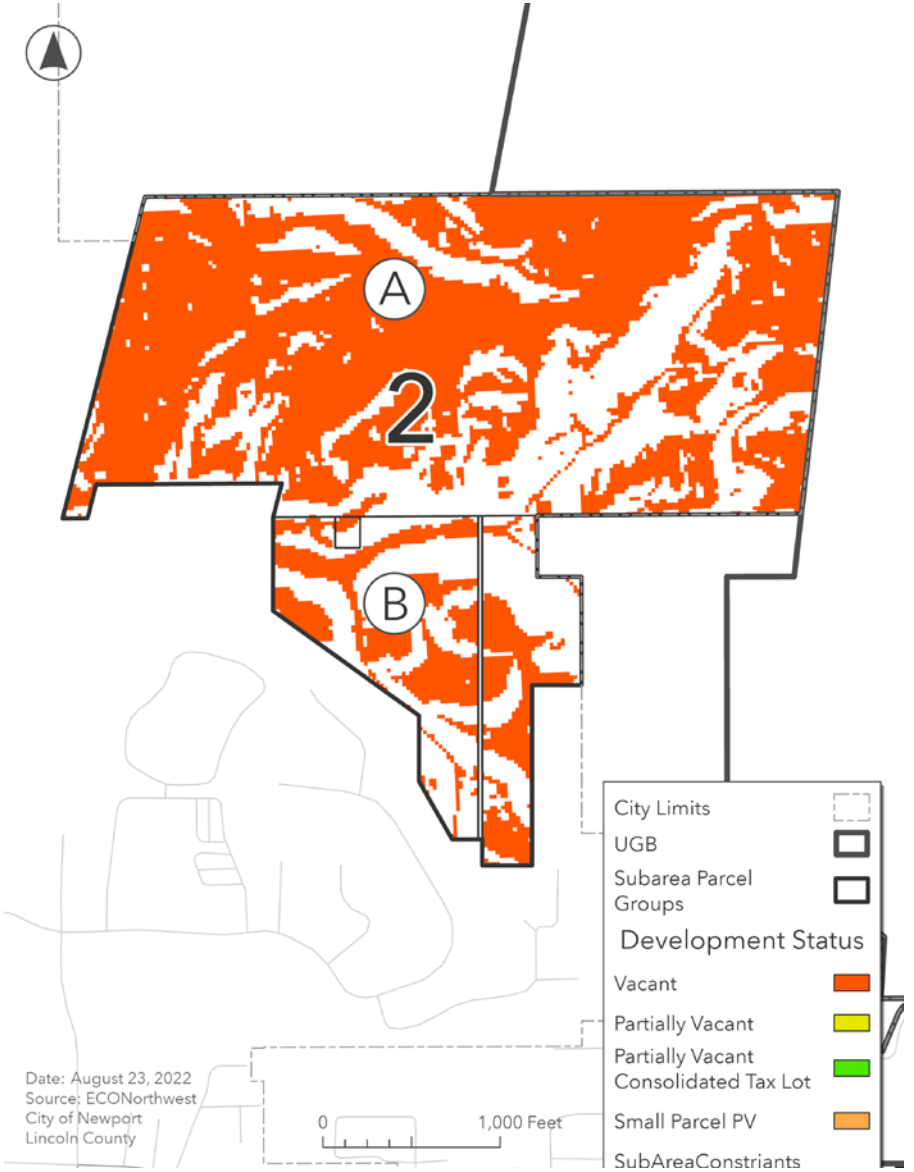
<u>Major infrastructure needs:</u>

- 1A: collector road, bridges
- 1B: collector road, local streets, bridge
- 1C: collector road, local streets, water pump station, wastewater lift station
- 1D: collector road, local streets, bridges, water pump station



Subarea 2

	Buildable Acres	Apartment Units	Townhouse Units	Cottage Units	Quadplex Units	Small Single-Family Units	Medium Single-Family Units	Large Single-Family (hillside) Units	Total Units
LDR	65.55	0	55	22	25	167	222	0	**491**



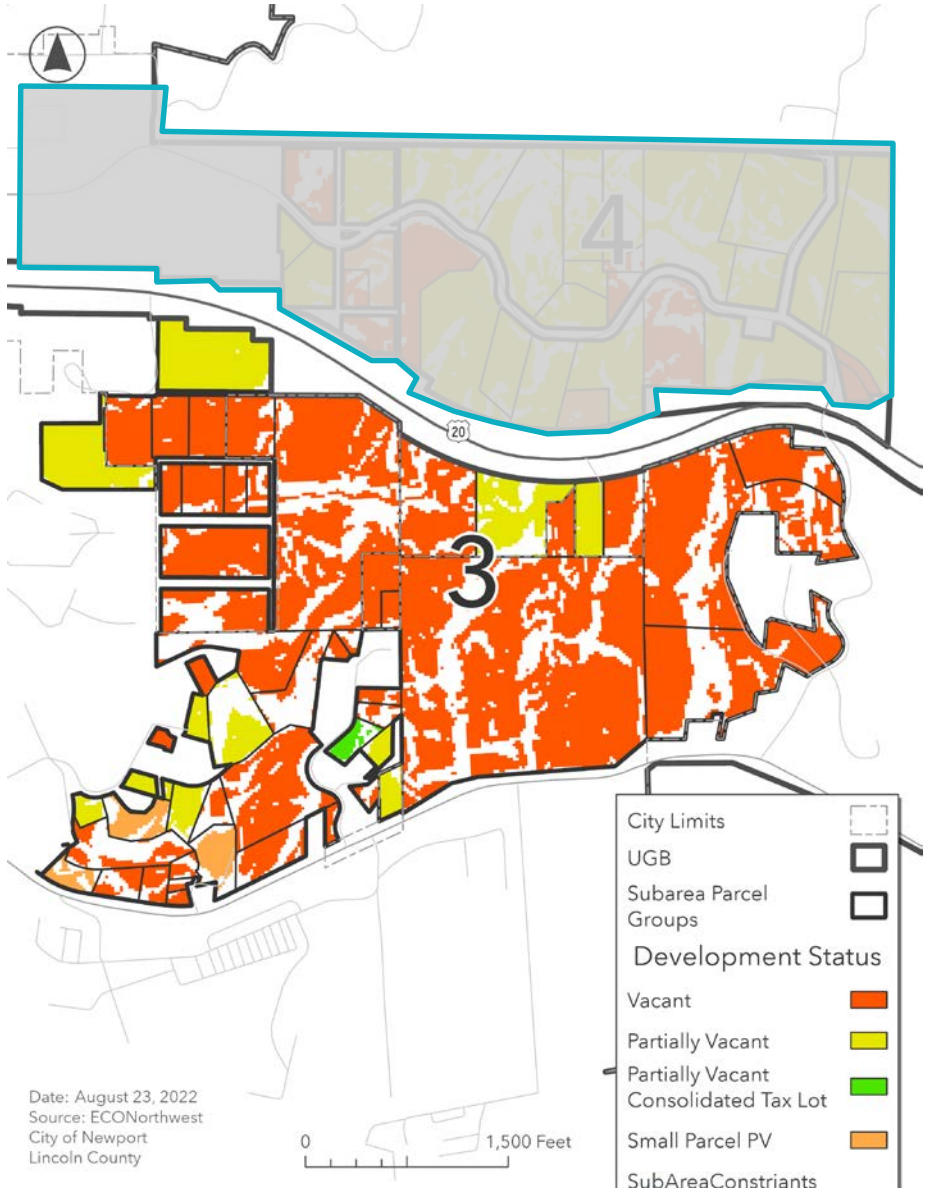
Major infrastructure needs:

- 2A: collector road, local street network, water & wastewater lines, water pump station, wastewater lift station
- 2B: access road, local street network

Subarea 3

	Buildable Acres	Apartment Units	Townhouse Units	Cottage Units	Quadplex Units	Small Single-Family Units	Medium Single-Family Units	Large Single-Family (hillside) Units	Total Units
Hillside LDR	103.98	0	34	34	0	43	172	413	696

Note: because this area is parcelized, the yield would likely be lower.



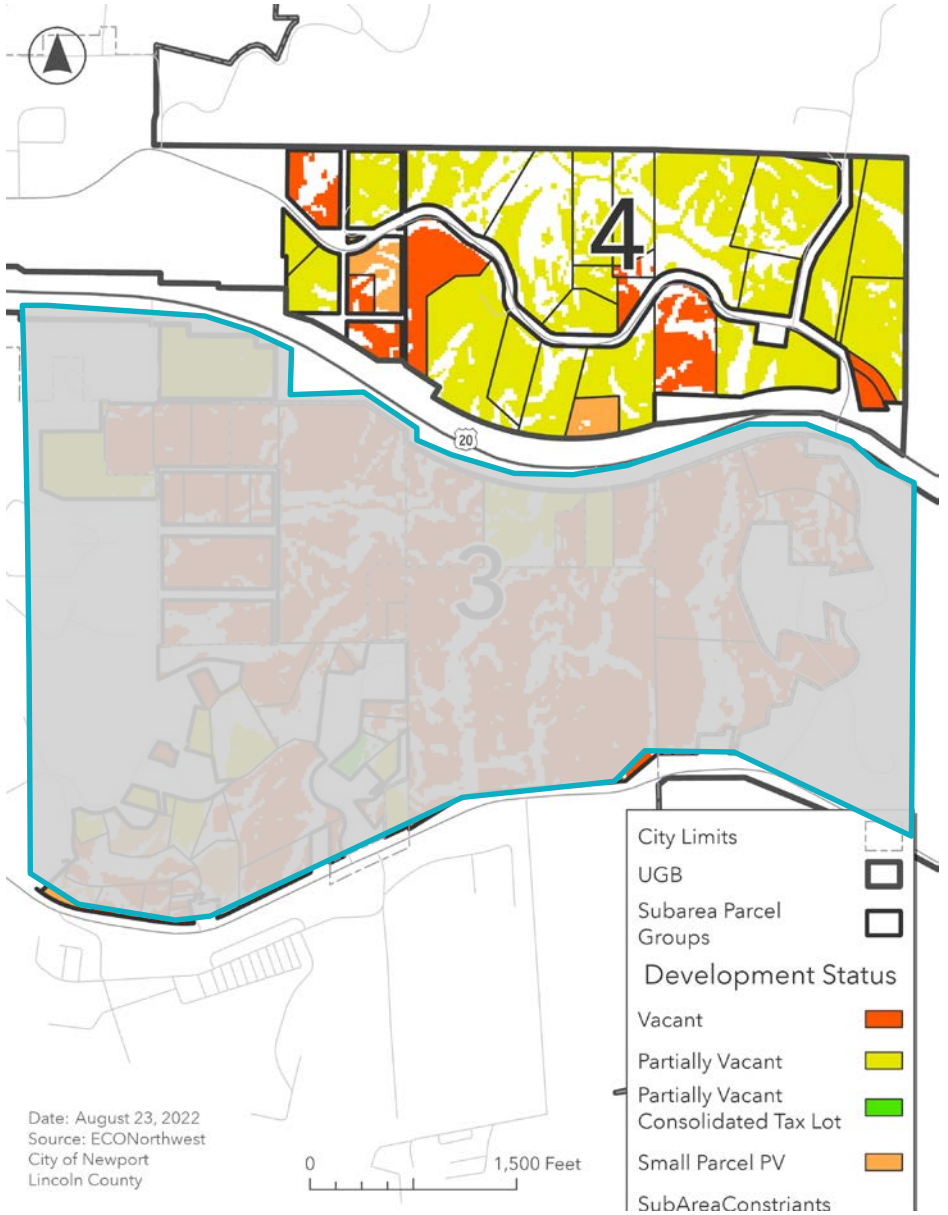
Major infrastructure needs:

- Collector road, additional local streets, water tank & pump system, wastewater lift station

Subarea 4

	Buildable Acres	Apartment Units	Townhouse Units	Cottage Units	Quadplex Units	Small Single-Family Units	Medium Single-Family Units	Large Single-Family (hillside) Units	Total Units
Hillside LDR	55.05	0	18	18	0	22	91	218	**367**

Note: because this area is parcelized, the yield would likely be lower.

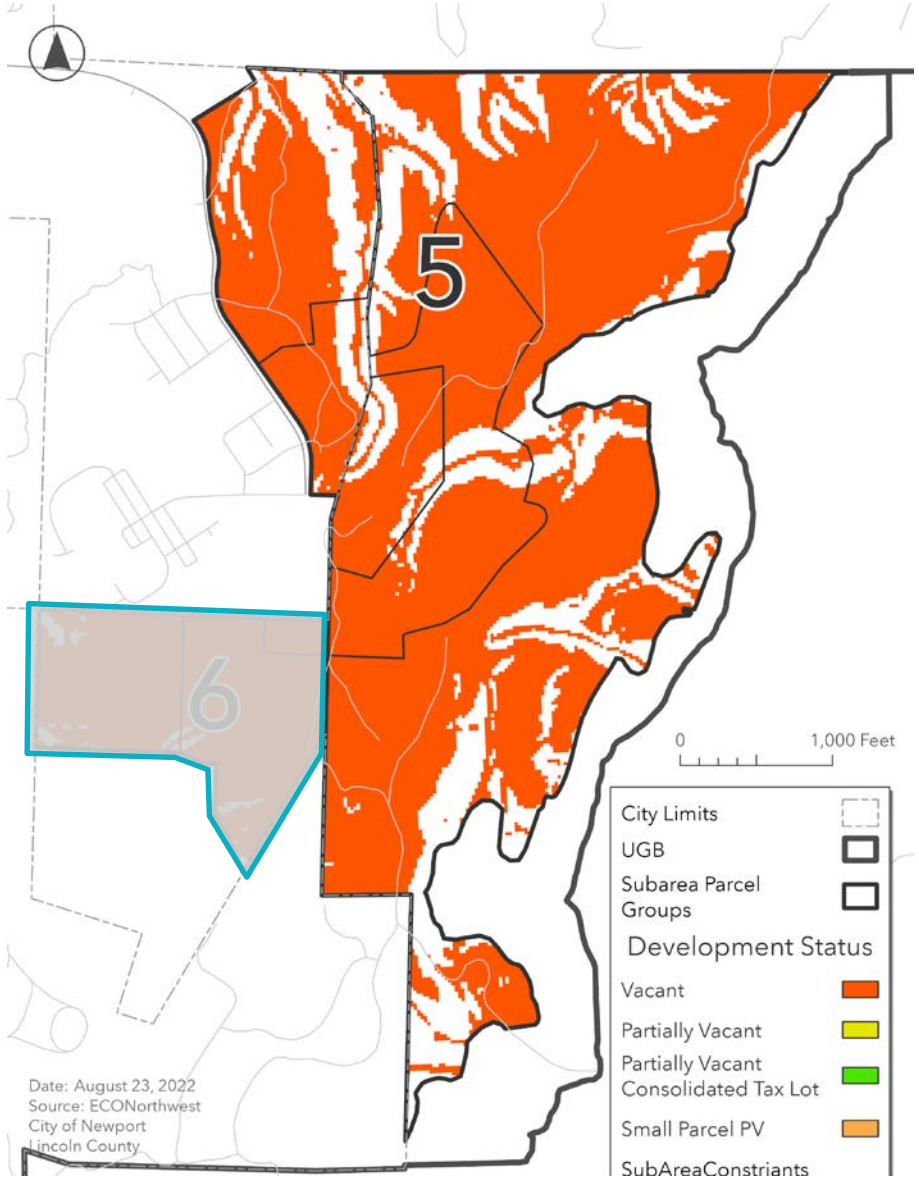


Major infrastructure needs:

- Water tank & pump system, wastewater lift station, additional local streets

Subarea 5

	Buildable Acres	Apartment Units	Townhouse Units	Cottage Units	Quadplex Units	Small Single-Family Units	Medium Single-Family Units	Large Single-Family (hillside) Units	Total Units
LDR	120.15	0	102	40	46	306	408	0	**902**
HDR blend	120.15	360	314	279	239	314	69	0	**1575**

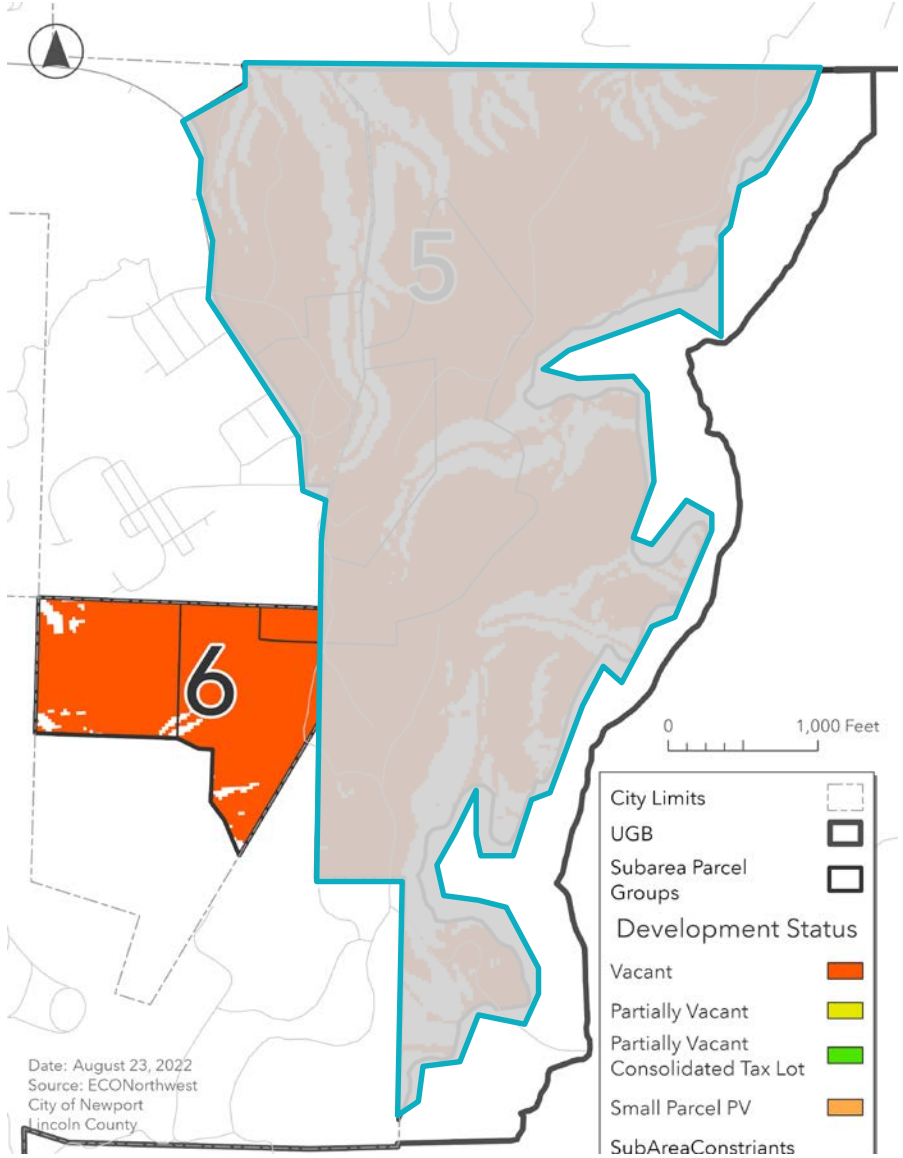


Major infrastructure needs:

- Collector road, local street network

Subarea 6

	Buildable Acres	Apartment Units	Townhouse Units	Cottage Units	Quadplex Units	Small Single-Family Units	Medium Single-Family Units	Large Single-Family (hillside) Units	Total Units
LDR	22.38	0	19	7	8	57	76	0	**167**
HDR blend	22.38	67	58	51	44	58	12	0	**290**



Major infrastructure needs:

- Collector road, local street network

Subarea 7

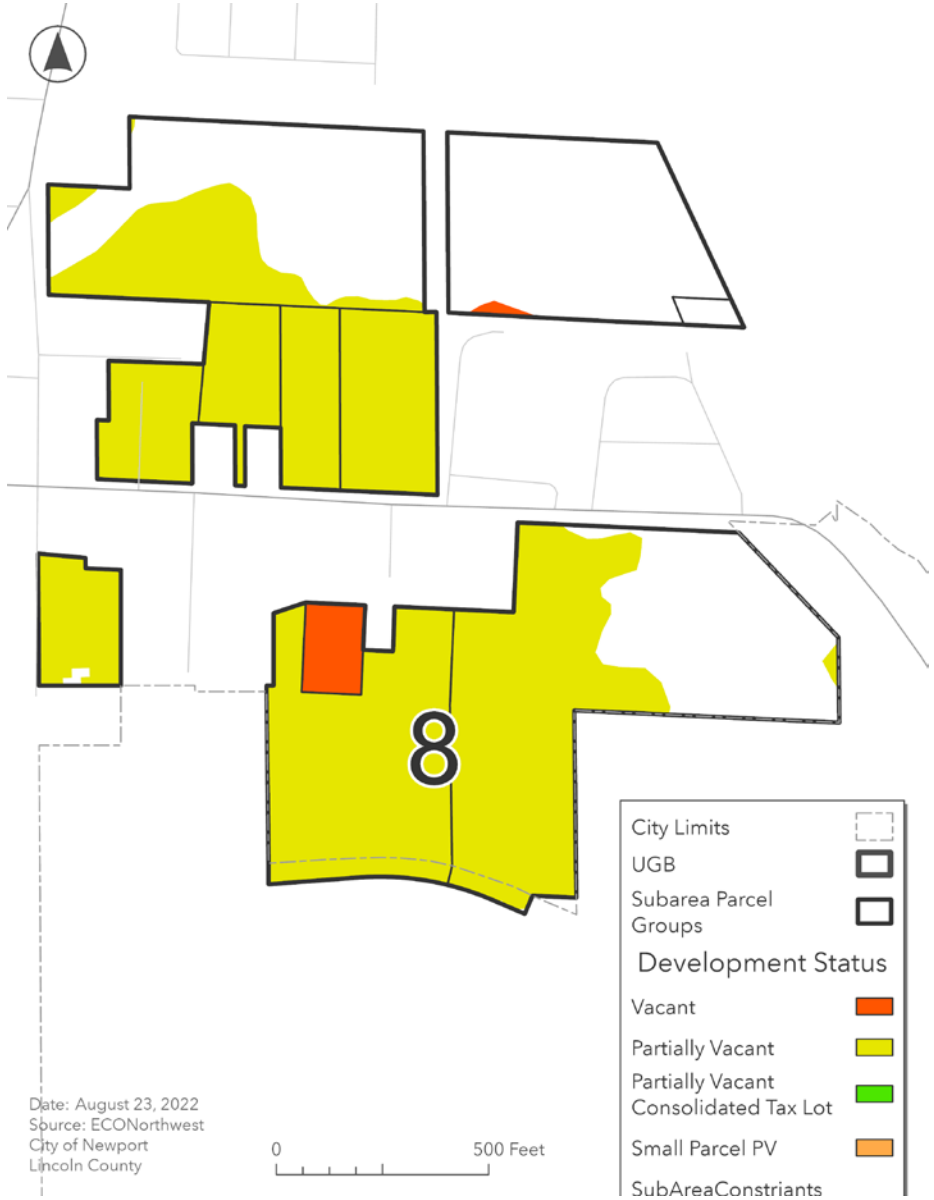
	Buildable Acres	Apartment Units	Townhouse Units	Cottage Units	Quadplex Units	Small Single-Family Units	Medium Single-Family Units	Large Single-Family (hillside) Units	Total Units
Infill	1.90	0	4	5	4	6	4	0	**23**

Major infrastructure needs:

- Local street extensions, water and sewer line extensions, culvert for stream

Subarea 8

	Buildable Acres	Apartment Units	Townhouse Units	Cottage Units	Quadplex Units	Small Single-Family Units	Medium Single-Family Units	Large Single-Family (hillside) Units	Total Units
HDR blend	9.61	28	25	22	19	25	5	0	**124**
Infill	9.61	0	17	23	20	26	17	0	**103**

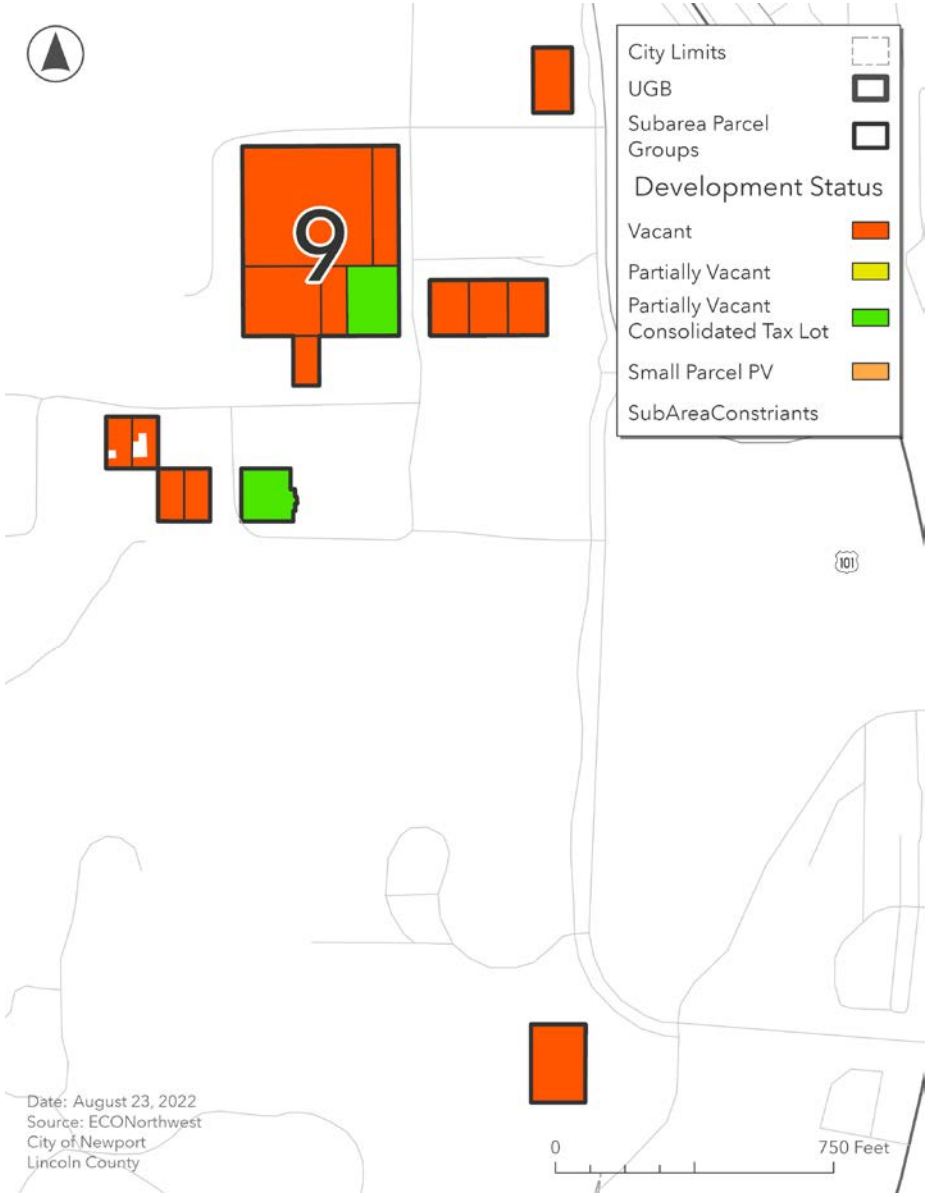


Major infrastructure needs:

- Street extensions, additional local streets

Subarea 9

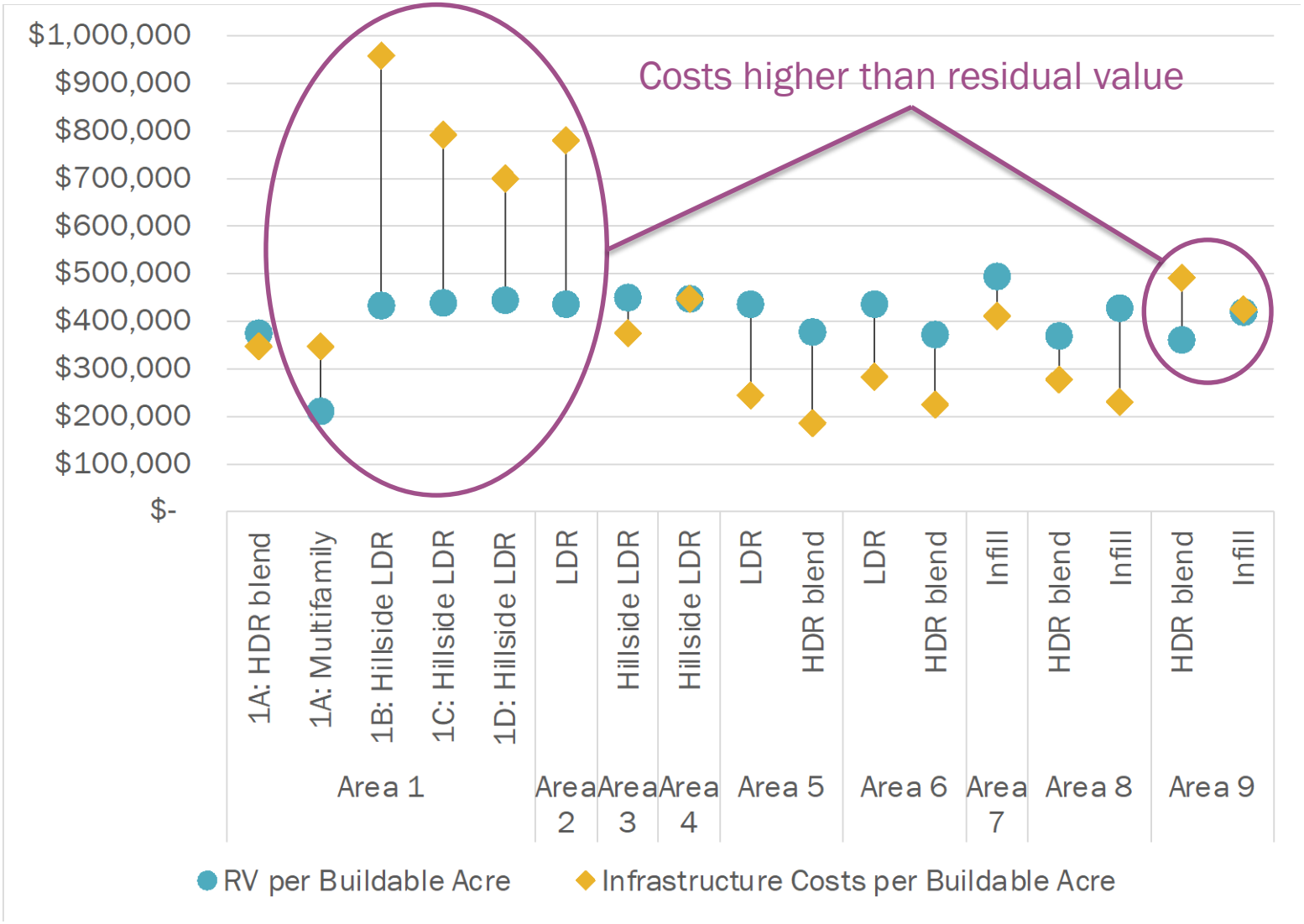
	Buildable Acres	Apartment Units	Townhouse Units	Cottage Units	Quadplex Units	Small Single-Family Units	Medium Single-Family Units	Large Single-Family (hillside) Units	Total Units
HDR blend	3.86	11	10	8	7	10	2	0	**48**
Infill	3.86	0	7	9	8	10	7	0	**41**



Major infrastructure needs:

- Frontage improvements (some lots), new local streets, pump upgrade at existing lift station

Infrastructure Costs vs. Residual Value of Development



		RV compared to costs
Area 1	1A: HDR blend	108%
	1A: Multifamily	61%
	1B: Hillside LDR	45%
	1C: Hillside LDR	56%
	1D: Hillside LDR	63%
Area 2	LDR	56%
Area 3	Hillside LDR	120%
Area 4	Hillside LDR	100%
Area 5	LDR	179%
	HDR blend	203%
Area 6	LDR	154%
	HDR blend	165%
Area 7	Infill	120%
Area 8	HDR blend	134%
	Infill	186%
Area 9	HDR blend	73%
	Infill	99%

Conclusions & Limitations

- Analysis has a high margin of error – many unknowns. Provides a rough indication only. Refined information could change results.
- Areas 1 and 2 face very high infrastructure costs, and development potential may not be enough to cover them.
  - Area 1A has lower costs, but multifamily has less room to absorb infrastructure costs
  - A mix of housing types could make development feasible in 1A
- Areas 3 & 4 are borderline when treated as a single development and will be more challenging because they are highly parcelized—individual landowners may not be able to take on larger development costs.
- Areas 5, 6, and 8 appear to have strongest potential to cover infrastructure costs.
- Areas 7 and 9 have lower infrastructure costs, but these still may be a barrier to small-scale development.
- Infrastructure cost limitations could impact close to 300 buildable acres of residential land – over 2,000 units of potential capacity.

City of Newport

Community Development Department

Memorandum

To: Planning Commission/Commission Advisory Committee

From: Derrick I. Tokos, AICP, Community Development Director

Date: September 8, 2022

Re: Yaquina Bay Estuary Management Plan Update - Needs and Gaps Assessment

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In April of 2021, Lisa Phipps, with DLCD attended a work session to brief the Planning Commission on a long overdue update to the Yaquina Bay Estuary Management Plan. That Plan, adopted almost 40 years ago, included natural resource and land use inventories to inform where conservation and development areas should be established. The City relies upon this plan, and local policies and codes derived from it, when reviewing development or conservation activities proposed in those portions of the estuary that fall within its city limits. Lisa also attended a City Council meeting, and a copy of her presentation from that meeting is enclosed. The project kicked off shortly thereafter and it has progressed slowly.

Recently, DLCD shared a Needs and Gaps Assessment (enclosed), developed by Lincoln County and their consultants, which identify sections of the Plan that need to be updated and the relative priority of the amendments. For this work session, I am looking for your feedback on the Assessment and whether or not there are comments you would like us to share with DLCD staff. The Yaquina Bay Estuary Management Plan is also known as the Lincoln County Estuary Management Plan and I have attached a scanned copy of that Plan for your reference.

Attachments
PowerPoint Presentation by Lisa Phipps, dated April 2021
Yaquina Bay Estuary Management Plan Needs and Gaps Assessment, dated August 2022
Lincoln County Estuary Management Plan, dated September 1982

Yaquina Bay Estuary Management Plan Update

DLCD

April 5, 2021

Lisa Phipps
North Coast Regional Representative

What are Estuary Management Plans?

Statewide Planning Goal 16 provides the principal guidance for the planning and management of Oregon's estuaries.

The overall objective of Goal 16 is to "to recognize and protect the unique environmental, economic and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long term environmental, economic and social values, diversity and benefits of Oregon’s estuaries".

To accomplish this, the goal establishes detailed requirements for the preparation of plans and for the review of individual development projects and calls for coordinated management by local, state and federal agencies that regulate or have an interest in activities in Oregon's estuaries.

What are Estuary Management Plans? (con't)

The goal requires individual estuary plans to designate appropriate uses for different areas within each estuary based on biological and physical characteristics and features, and to provide for review of proposed estuarine alterations to assure that they are consistent with overall management objectives and that adverse impacts are minimized.

Most Goal 16 requirements are implemented through locally adopted estuary plans, but some are applied by state agencies through their review of various permit applications.

Lincoln County implements the estuary management plan in coordination with the City of Newport and the City of Toledo.

The Values of Estuaries

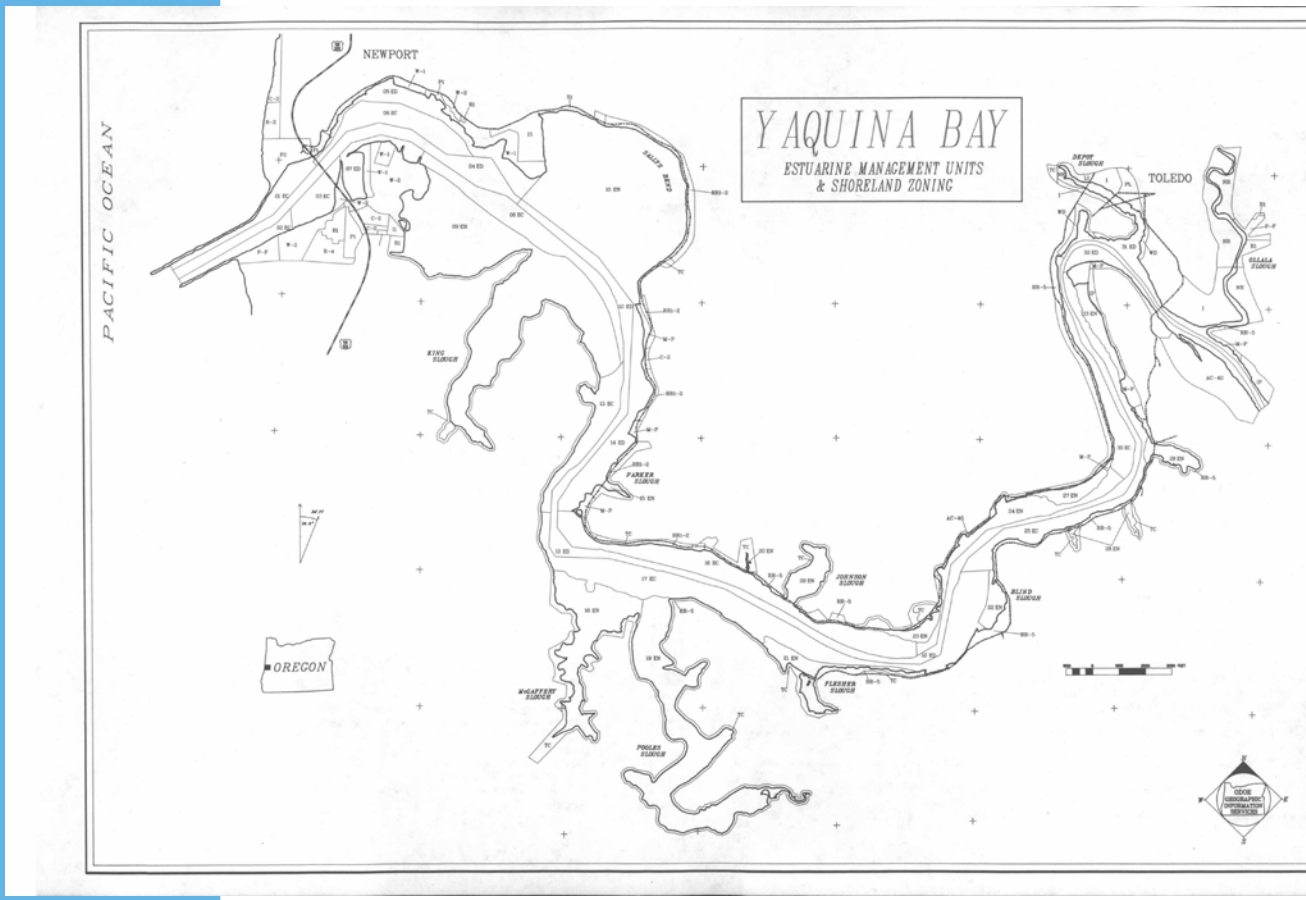
Estuaries impact all levels of a community:

Social

Economic

Environmental

Why Update?


YAQUINA BAY
ESTUARINE MANAGEMENT UNITS
& SHORELAND ZONING
NEWPORT
TOLEDO
PACIFIC OCEAN
OREGON

Why Update?

Estuary management plans and zoning are part of coastal communities comprehensive plans. Estuary management plan allows local jurisdictions the ability to manage its estuaries for the benefit of the public and natural resources in a way that meets the needs of the community.

At almost 40 years old in most places, updating estuary management plans is timely.

We have updated mapping, a better understanding of ecosystem processes, a better understanding of how estuaries fit into communities and their needs, and 40 years of implementing the plans that can help inform what is working, what is no longer relevant, and what did we miss or not anticipate in the original estuary management planning.

My Map

Many agencies, individuals and organizations have contributed data for this habitat compilation, including ODFW, EPD, USFWS, Ducks Unlimited and others. | Esri, NASA, NGA, USGS | State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA | State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

Why Yaquina Bay?

Yaquina Bay is a perfect site to establish a pilot project to update an estuary management plan. It is relatively small, it is actively utilized for a number of economic and social activities, it is ecologically significant, and there is a group of interested and collaborative partners to work with.

The Project

The Oregon Coastal Management Program (OCMP) secured funding through NOAA for a Project of Special Merit to update the Yaquina Bay Estuary Management Plan.

The Project "WHY"

The purpose of the project is to update the Yaquina Bay estuary plan using a hazards and climate change lens and utilize the process as a pilot to develop guidance that can be used by other jurisdictions during their respective estuary plan update processes.

The Project "How"

This will be accomplished through extensive coordination, hazards and resources data assessment, plan drafting, outreach and engagement, development of plans and associated ordinances, and the development of planning guidance. This project will not only look at natural resource data developed for Oregon estuaries, but also assess and incorporate coastal hazards and climate change into the plan evaluation and analysis.

The Project "Who"

OCMP is in the process of working with the Steering Committee to contract with a consultant. The Steering Committee is currently comprised of representatives from Lincoln County, Newport, Toledo, the Ports of Toledo and Newport, and the Confederated Tribes of the Siletz Indians have been invited to be a SC member. The Steering Committee will be fully integrated into the entire scope of the project and guiding the work of the consultant.

A Technical Advisory Committee will also be formed comprised of a diverse group of stakeholders, including elected official representation, to support the process. The Technical Advisory Committee will be engaged at various points in the process to provide input and expertise into products as they are generated.

The Project "What"

We are anticipating a 12-month process although there is an opportunity for a one-time extension of 12 months.

The Consultant, working with the Steering Committee and Technical Advisory Committee will provide review and input that include:

a. Incorporating updated resource inventory information,

b. Updating and revising, as needed, overall plan policies and standards

c. Updating and revising, as needed, management unit descriptions and policies

d. Updating and revising, as needed, plan maps

e. Other plan revisions identified by the Task Force and/or the jurisdictions

The Project "What" (con't.)

f. Recommendations for implementing code/ordinance revisions

g. Review of draft plan updates

Desired Outcome(s):

Adoption-ready updates to the Yaquina Bay Estuary Management Plan

Comprehensive Plan and possible ordinance amendments

Development of a Draft Estuary Plan Update Guidance Document.

DLCD

Department of
Land Conservation
& Development

Lisa Phipps
North Coast Regional Representative
503-812-5448
Lisa.Phipps@state.or.us

Any questions ?

Yaquina Bay Estuary Management Plan Needs and Gaps Assessment

DRAFT

Version 1 - August 2022

Authors: Lincoln County, Willamette Partnership, University of Oregon (IPRE)

Table of Contents

1. Executive Summary

Yaquina Bay sits at the mouth of the Yaquina River on the central coast of Oregon. Located in Lincoln County, Yaquina Bay has the City of Newport at the entrance to the bay, and Toledo further upriver. The Yaquina Bay Estuary Management Plan (YBEMP or Plan) regulates estuarine resource conservation and development decisions in compliance with Statewide Planning Goal 16: Estuarine Resources. The YBEMP was adopted by Lincoln County in 1982 and is in need of modernization and updating.

The purpose of the Needs and Gaps Assessment is to identify the components of the Yaquina Bay Estuary Management Plan that need to be modernized to reflect current conditions and improve plan usability and implementation. A modernized plan will facilitate the protection of the Yaquina Bay's natural resources and habitat for years to come and guide development activities to ensure the Bay's communities and residents thrive.

The Needs and Gaps Assessment was conducted by comparing other Oregon estuary management plans as well as an analysis of each of the ten parts of the YBEMP by Lincoln County, Willamette Partnership, and University of Oregon's Institute for Policy and Research Engagement (IPRE). A review of issues not addressed in the current plan, such as climate change, was also completed. The review of each plan part and the development of recommendations for modernizing each part focus on identifying needs and actions that will achieve or advance one or more of the following modernization objectives:

- ***Update***: Actions that replace or eliminate text or information that is out of date or no longer valid, or actions that add or incorporate relevant new information.
- ***Improve usability and/or accessibility of the plan:*** Actions that improve the understanding and usability of the plan for plan users and the public.
- ***Improve plan implementation:*** Actions that improve and/or clarify standards and processes applicable to plan implementation.
- ***Further Goal 16 or local policy objectives:*** Actions that revise or add to substantive content of the plan needed to fulfill Goal 16 requirements or local policy objectives.

Each modernization need and corresponding recommended action was assigned a priority based on user feedback and the final analysis. Some of the specific updates of the YBEMP have constraints (e.g. time and capacity) that make some of the recommended actions infeasible for completion within this planning process.

The priority categories are:

- **Tier 1:** Actions that can and should be accomplished through the current update process.
- **Tier 2:** Actions that would accomplish desirable modernization objectives but which, due to their scope and/or complexity, would be impracticable to complete within the limits of resources and/or time constraints of the current update process.
- **Tier 3:** Actions that cannot be practicably achieved through local planning processes without additional policy support and/or technical assistance from outside agencies.

Below is a summary of recommendations to update and modernize the Yaquina Bay Estuary Management Plan.

Recommendations			Modernization Objectives			
	Description	**Priority Tier**	**Update**	**Improve Usability / Accessibility**	**Improve Implementation**	**Further Goal 16 or Local Policy**
1	Revise Organizational Structure	1	X	X		
2	Update Maps	1	X	X	X	
3	Revise Part I Introduction	1	X	X		
4	Revise Part II Overall Management Policies	1				X
5	Revise Part III Sub-Areas	1	X	X		
6	Revise Part IV Permitted Use Definitions	1	X	X		
7	Revise Part V Estuarine Use Standards	2			X	
8	Revise Part VI Management Units	1	X	X	X	X
9	Revise Part VII Restoration and Mitigation Sites	1	X			X
10	Remove Part VIII Log Storage and Transportation	1	X			
11	Revise Part IX Future Development Sites	2	X			
12	Revise Part X Plan Implementation	1	X	X	X	

13	Develop State-Wide Estuarine Climate Change Policy	3				X
14	Develop Policy to Support Aquaculture Industry	2				X
15	Revise Plan to Incorporate Climate Change Impacts	1	X			X
16	Revise Plan to Consider Equity and Public Health	1				X

2. Introduction to the Needs and Gaps Assessment

Yaquina Bay sits at the mouth of the Yaquina River on the central coast of Oregon. Located in Lincoln County, Yaquina Bay has the City of Newport at the entrance to the bay, and Toledo further upriver. The Yaquina Bay Estuary Management Plan (YBEMP or Plan) regulates estuarine resource conservation and development decisions in compliance with Statewide Planning Goal 16: Estuarine Resources. The YBEMP was adopted by Lincoln County in 1982 and is in need of modernization and updating.

Background on Goal 16: Estuarine Resources

Oregon's Department of Land Conservation and Development (DLCD) has a system of 19 statewide land use planning goals that guide comprehensive planning and land use planning throughout the state. Goal 16: Estuarine Resources guides estuary management and Estuary Management Plan (EMP) development. All of the Statewide Planning Goals, including Goal 16, are incorporated into the federally approved Oregon Coastal Management Program (OCMP). The OCMP is administered by DLCD.

Goal 16 sets forth the requirements for local estuary management planning and implementation. Estuary management planning functions similarly to zoning and land use planning but in an aquatic setting, with certain uses allowed in different management units. The EMP is just one of many regulatory documents used in Yaquina Bay's management efforts. It only applies to the bay's estuarine areas, or the aquatic areas that are tidally affected and have a mix of salt and freshwater. Goal 16 requirements include:

- Identifying estuarine areas
- Describing important environmental, economic, and social features
- Classifying management units
- Establishing policies and allowable uses for each unit
- Considering cumulative impacts of development in the estuary.

Yaquina Bay's EMP is a part of Lincoln County's overall estuary management plan, which also includes Salmon River, Siletz Bay, and Alsea Bay, and several smaller estuaries. While the existing plan includes the entire county, the scope of this report and the YBEMP update focuses exclusively on the Yaquina Bay estuary.

How the Yaquina Bay Estuary Management Plan Functions

The YBEMP is a regulatory document that applies a spatial approach to estuarine resource conservation and development decisions in Yaquina Bay. This is accomplished primarily through the implementation of the Goal 16 requirement to divide the estuary into geographically discrete management units; each estuary management unit (EMU) is then classified according to Goal 16 requirements as *natural*, *conservation* or *development*. These classifications establish the limits of permissible development and alteration that may occur within the management unit. The overall plan is based on an inventory that includes informational sections about industry, recreation, mitigation and restoration, resources and habitats, and geographic data visualized through maps. The most common application of the YBEMP by local officials is in reviewing proposed uses and activities within each management unit.

Plan Uses and Limitations

As a land use planning tool, the YBEMP is limited to guiding activities and uses within the estuary. The landward boundary of the estuary is defined by the Mean Higher High Water (MHHW) mark, which is the average elevation of the higher of the two daily high tides over a 19 year period, or inland to the line of non-aquatic vegetation, whichever is further landward. The upstream extent of the estuary is the head of tide, which is the upstream limit of tidal influence.

The Yaquina Bay Estuary Management Plan has been adopted into respective comprehensive plans by Lincoln County, the City of Newport, and the City of Toledo.

The Pacific Ocean shoreline north and south of the Bay's entrance is regulated by statewide Goal 17: Coastal Shorelands. Lincoln County's Coastal Shorelands Overlay Zone manages uses and activities of the estuary and coasts' shorelands[1]. The City of Newport administers Goal 16 and 17 through an Ocean Shorelands Overlay Zone and within the City's zoning code pertaining to the Yaquina Bay Estuary and Shorelands.[2] The City of Toledo describes estuarine and shoreline land uses within articles 16 and 17 of the City's comprehensive plan[3].

The YBEMP regulates where buildings or structures can and cannot be located. Certain in-water structures and activities are required to meet performance related design standards. However, the plan does not regulate how buildings look or what features they must include. That purview falls under the jurisdiction of the municipality or county.

The YBEMP also works in conjunction with other planning documents like the Natural Hazard Mitigation Plan, the City of Newport and City of Toledo Comprehensive Plans, the Port of Newport and Toledo's Port Plans, and other acts and laws like the Clean Water Act. A more robust description of other regulations that guide activities and uses within the estuary is included in the YBEMP Part X Plan Implementation.

Purpose of Assessing the Yaquina Bay EMP

The original EMP was adopted in 1982 and was based on the economic, demographic, and environmental conditions at the time. A lot has changed since 1982; not just in the bay and its functions, but in related policies and regulations. The YBEMP's hand-drawn paper maps are in need of digitization so that the administering communities of Lincoln County, City of Newport,

[1] Office of Lincoln County Legal Counsel. (2018). *Lincoln County Code.* Chapter 1: Land Use Code Planning. 1.1381 Coastal Shorelands (CS) Overlay Zone.

[2] City of Newport. (Accessed May 2022). *Newport Municipal Code.* Chapter 14.38 Ocean Shorelands Overlay Zone.

[3] City of Toledo. (Accessed August 2022). 2020 Vision for Toledo, Oregon. Articles 16-17.

and City of Toledo can utilize accurate and accessible digital maps through Geographic Information Systems (GIS). GIS can accurately map estuarine resources and provide updated information to local officials, decision-makers, and the public at large. Another major aspect of the update would be to incorporate new information and issues either not applicable or known in 1982 such as impacts from climate change. Coastal communities and environments are very susceptible to impacts from changes in the climate and need to understand, prepare for, and mitigate these impacts. Both of these are included in the update process.

The purpose of the Needs and Gaps Assessment is to identify the components of the Yaquina Bay Estuary Management Plan that need to be modernized to reflect current conditions and improve plan usability and implementation. A modernized plan will facilitate the protection of the Yaquina Bay's natural resources and habitat for years to come and guide development activities to ensure the Bay's communities and residents thrive.

3. Process and Methodology

The Needs and Gaps Assessment to modernize the Yaquina Bay Estuary Management Plan was conducted by comparing other Oregon estuary management plans as well an analysis of each of the ten parts of the YBEMP by Lincoln County, Willamette Partnership, and University of Oregon's Institute for Policy and Research Engagement (IPRE). The analysis consisted of the following steps:

- Conduct research to better understand gaps and compare estuary management plans;
- Develop plan modernization objectives;
- Perform preliminary review of each plan part;
- Solicit feedback from primary plan users;
- Develop recommended modernization actions for each plan part; and
- Assign a priority to each recommended modernization action.

Gaps and Differences in Estuary Management Plans

Four other estuary management plans, analogous to Yaquina Bay, were reviewed and compared to Lincoln County's Estuary Management Plan which houses the YBEMP. The review and recommendations can be found in Section III. Preliminary Review of Yaquina Bay and Other Oregon Estuary Management Plans.

Plan Modernization Objectives

The review of each plan part and the development of recommendations for modernizing each part focus on identifying needs and actions that will achieve or advance one or more of the following objectives:

- ***Update***: Actions that replace or eliminate text or information that is out of date or no longer valid, or actions that add or incorporate relevant new information.
- ***Improve usability and/or accessibility of the plan:*** Actions that improve the understanding and usability of the plan for plan users and the public.
- ***Improve plan implementation:*** Actions that improve and/or clarify standards and processes applicable to plan implementation.
- ***Further Goal 16 or local policy objectives:*** Actions that revise or add to substantive content of the plan needed to fulfill Goal 16 requirements or local policy objectives.

Preliminary Review

A detailed review of each plan part was conducted in order to identify needs and gaps that would further the modernization objectives.

Plan User Feedback

The preliminary suite of modernization needs was discussed with planning staff from relevant local jurisdictions. Feedback was solicited on the preliminary analysis and input on additional topics and issues was gathered.

Final Review and Recommended Actions

Based on the preliminary review and user feedback, the final modernization needs and recommended actions were developed. The modernization objectives that would be addressed by each recommended action were then identified.

Assign Priorities

Each modernization need and corresponding recommended action was assigned a priority based on user feedback and the final analysis. Some of the specific updates of the YBEMP have constraints (e.g. time and capacity) that make some of the recommended actions infeasible for completion within this planning process.

The priority categories are:

- **Tier 1:** Actions that can and should be accomplished through the current update process.
- **Tier 2:** Actions that would accomplish desirable modernization objectives but which, due to their scope and/or complexity, would be impracticable to complete within the limits of resources and/or time constraints of the current update process.
- **Tier 3:** Actions that cannot be practicably achieved through local planning processes without additional policy support and/or technical assistance from outside agencies.

4. Preliminary Review of Yaquina Bay and Other Oregon Estuary Management Plans

The purpose of this section is to review how Oregon Goal 16 has been implemented in estuaries throughout the state. It reviews Oregon estuary management plans for estuaries classified for development under the statewide estuary classification rule (OAR 660-017) to learn lessons from other estuary management plans and apply them to the YBEMP update. These EMPs were compared to the Yaquina Bay Estuary Management Plan, and key recommendations and takeaways are summarized. The estuary management plans reviewed include: Coos Bay Estuary

Management Plan, Columbia River Estuary Land and Water Use Plan, Tillamook Estuary Management Plan, and Coastal Resources Plan for Douglas County.

Recommendations

The full review and comparison of estuary management plans is located in Appendix A. Based on the review of comparable Estuary Management Plans, we recommend the following considerations for the Yaquina Bay Estuary Management Plan.

1. **Plan Organization** (See below for Modernization Recommendation)
    a. Provide a clear structure and table of contents with bookmarks for straightforward document navigation.
    b. Include clear and descriptive titles for sections and arrange to provide foundational information prior to any land use designation or permitted uses for good plan usability.
    c. Include maps within the body of the document to orient the reader and provide necessary visual context to accompany plan language.
    d. If referencing other plan sections from the original YBEMP, include a section to describe how the YBEMP update aligns with the past sections.
2. **Organization of Allowable Uses** (See Part VI Estuarine Use Standards for Recommendations)
    a. Consolidate allowable uses for management units into one allowable use matrix for each type of management unit.
    b. Consider testing different formats (i.e.: matrix, list, narrative, etc.) for conveying the permitted uses information.
3. **Sub-areas** (See Part V Sub-Areas for Recommendations)
    a. Digitize sub-areas and align boundaries with EMU boundaries when possible.
    b. Include sub-area(s) designation in EMU descriptions.
    c. Improve alignment of sub-area policies with special policies of EMUs therein.

Modernization Needs

The overall organization of the YBEMP can be revised to improve usability. Furthermore, creating and modernizing maps will support the accessibility and implementation of the plan. County and municipal staff have indicated that updating the sub area map and creating individual maps for each estuary management unit would support the local review process. In addition to these planning maps, updating the inventories as well as the restoration and mitigation lists with digitized maps improves the accessibility and usability of the plan.

Recommendation 1: Revise the Organizational Structure of the Plan

Recommended Actions:

- Provide a clear structure and table of contents with bookmarks for straightforward document navigation.
- Include clear and descriptive titles for sections and arrange to provide foundational information prior to any land use designation or permitted uses for good plan usability.
- If referencing other plan sections from the original YBEMP, include a section to describe how the YBEMP update aligns with the past sections.

Modernization Objectives Addressed:

- Update
- Improve usability and/or accessibility of the plan

Priority: Tier 1

Rationale: The YBEMP would benefit from these organizational and surface-level changes to improve plan usability. Revising the Plan to incorporate these changes is within the project timeframe and project team capacity.

Recommendation 2: Update Maps

Recommended Actions:

- Review, update, and create digital maps of sub-areas , estuary management units, restoration sites, mitigation sites, and inventories.

- Include maps within the body of the document to orient the reader and provide necessary visual context to accompany plan language.

Modernization Objectives Addressed:

- Update
- Improve usability and/or accessibility of the plan
- Improve plan implementation

Priority: Tier 1

Rationale: The YBEMP would benefit from modernized maps to support implementation of specific plan parts as well as inform inventory updates. Updated maps have been identified by local staff as one of the most valued outcomes of the YBEMP update.

4. YBEMP Modernization Needs Assessment: Plan Parts I-X

This section reviews each Yaquina Bay Estuary Management Plan part in order, identifies modernization needs and makes recommendations to update the plan part.

Plan Part I—Introduction

Overview

Part I of the Yaquina Bay Estuary Management Plan serves as an introduction to the purpose, scope and structure of the YBEMP. It provides a brief description of the process of developing the plan, a summary of guidance on the use of the document, and what is essentially an executive summary of each of the plan's nine parts, and of the companion Dredged Material disposal Plan and Resource Inventory.

Modernization Needs

While Part I is not essential to achieving the substantive objectives of the plan, it serves an important function in enhancing the overall accessibility and usability of the plan. Because the

text is more than forty years old, some portions are substantially dated in terms of both content and basic terminology. In addition, because other parts of the plan may undergo substantial revision, Part I will need to be updated to correspond with and accurately describe these revised sections. The inclusion of a glossary of terms, while avoiding redundancy with definitions in parts IV and V, located in the Introduction may improve plan usability and accessibility.

Recommendation 3: Revise Part I - Introduction

Recommended Actions:

- Technical re-write of Part I to modernize content and terminology and to align with other parts of the plan that have undergone revision.
- Include a glossary of terms and and crosswalks of out-dated terms from the original YBEMP to modern terminology.

Modernization Objectives Addressed:

- Update
- Improve usability and/or accessibility of the plan

***Priority*:** Tier 1

Rationale: Part I should be updated in the current YBEMP update process to help improve usability and maintain consistency with other parts of the plan that undergo revision in the current process.

Part II—Overall Management Policies

Overview

Part II of the YBEMP plan sets forth the overall policy foundation for the plan and its implementing measures. These policies represent the highest, most general level of policy in the three-level hierarchy of policy established in the plan. The policies of Part II essentially

paraphrase policy statements and priorities of use provided for in Statewide Planning Goal 16 (Estuarine Resources), and the Goal's implementation requirements (requirements 1 and 2) for which local governments are primarily responsible. This high level of policy is intended to guide the development of more specific plan and implementation measures. These policies apply county-wide, to all estuaries and all management units, however classified.

Modernization Needs

As the policy foundation that guides the overall content of the estuary management plan, Part II is fundamentally grounded in the policy expressions of Goal 16. Goal 16 has been only nominally amended since the original development of the YBEMP (including Part II); these amendments are technical in nature and have not changed overall policy as reflected in Part II. The lone exception to this is the amendment to Goal 16, Implementation Requirement 2 that was adopted in 1984. This specific amendment to Goal 16 has not been incorporated into Policy 4 of Part II; therefore Policy 4 should be amended to reflect the current language of Implementation Requirement 2. Otherwise, Part II remains sound as a policy foundation for the plan and is not in need of further modernization.

Recommendation 4: Revise Part II Overall Management Policies

Recommended Actions:

- Amend Policy 4 of Part II to conform to Goal 16, Implementation Requirement 2.

Modernization Objectives Addressed:

- Further Goal 16 objectives

Priority: Tier 1

Rationale: Policy 4 of Part II needs to be revised to maintain consistency with Goal 16.

Part III—Sub-Area Policies

Overview

Part III establishes the Sub-Area policies, the second level of policy in the three-tier policy structure of the YBEMP. It provides policy guidance for management unit designations, special policies, and implementation measures for each of seven sub-areas of the estuary. The sub-areas encompass reaches of the estuary that are identified based on cohesive geophysical, habitat and cultural features. Each sub-area is described in terms of existing character, major committed uses, and existing and potential conflicts. An analysis of existing and potential conflicts in relation to existing character and committed uses forms the basis for sub-area policies. These policies set priorities for the management and conservation of natural resources and for the appropriate types and intensity of development within each sub-area.

Modernization Needs

The sub-area policies in Part III represent an intermediate level of policy specificity between the overall management policies and the management unit designations and policies. While not required by Goal 16, the analysis and sub-area policies of Part III serve several important purposes. Part III documents for each sub area, relative to Goal 16 and local policy choices, the rationale for the more specific management unit designation decisions. In addition, each set of sub-area policies establishes priorities for conservation and development over a larger geographic area than the management unit level, and thereby provides important context for future planning decisions. Finally, the sub-area policies identify potential future conflicting uses and thus provide guidance for adapting the plan in ways that the more specific management unit designations do not.

Because the analysis contained in Part III is based on existing character, committed uses and existing and potential conflicts *known at the time*, it is by design subject to obsolescence. Not surprisingly, at several decades old, many of the descriptions and analyses reflect conditions that have changed substantially. For example, at least some of the identified committed uses are no longer present and, in some cases, identified existing and potential conflicts no longer exist, but others have emerged. While the essential structure and function of Part III remains sound, to fulfill its purpose within the plan, it needs to be fully updated. This update should include an analysis based on current conditions and factors for each sub-area. This is also an opportunity to

better align the sub-areas with the estuary management units. Sub-area policies do not necessarily overlap perfectly with the estuary management units located within. Aligning sub-area and EMU policies or providing clarifying language as to how the two interact would improve plan usability. Moreover, listing which estuary management units are within each sub-area would help connect the sub-area policies to the EMU(s) when use and activities are considered.

The update should be an edit of the existing Part III instead of a full redraft, eliminating language which is no longer relevant or applicable, and adding new language to reflect the changed current conditions and corresponding Sub-Area Policies. To improve usability, Part III would also benefit from the addition of a high-quality digital map that depicts the seven sub-area locations and boundaries, with sub-area boundaries aligned with EMUs when applicable.

Recommendation 5: Revise Part III Sub-Areas

Recommended Actions:

- Technical re-write of Part III to update the analysis in order to reflect current conditions, connect sub-area policies to EMU special policies, and to modernize content and terminology.
- Creation of a digital sub-area map suitable for inclusion in the plan document.

Modernization Objectives Addressed:

- Update
- Improve plan usability/accessibility

Priority: Tier 1

Rationale: Part III needs to be fully updated to fulfill its function of establishing intermediate policy direction and help guide future plan adaptation decisions in addition to reflecting current conditions.

Part IV—Management Classifications and Permitted Use Definitions

Overview

Part IV consists of two components: the first is a description and basic definition of each of the three management classifications (*natural*, *conservation* and *development*) assigned to individual management units. The second is a set of definitions for the three categories of regulation specified for uses and activities through the permitted use matrix: *P (permitted with standards)*, *C (conditional)* and *N (not allowed)*. The management classification descriptions are largely a recitation of the management unit requirements of Goal 16. The permitted use definitions are a locally developed adaptation of Goal 16 permitted use requirements that are designed for use with the individual permitted use matrices developed for each management unit.

Modernization Needs

The descriptions and definitions for the management classifications set forth in Part IV of the plan mirror the corresponding provisions of Goal 16. Because these provisions of Goal 16 have undergone only a few minor changes since the YBEMP was developed, the corresponding Part IV provisions likewise need only minor revisions. These revisions consist of updating the list of permitted uses for natural and conservation management classifications to align with the current Goal 16 language.

The Permitted Use Definitions of Part IV of the plan require more detailed analysis in the context of other modernization actions specific to plan implementation. The current Permitted Use Definitions are problematic in several respects, primarily related to the plan's reliance on state and federal regulatory processes for decisions on the application of some local standards and requirements. Due to significant changes in these state and federal regulatory processes and standards, this basic approach of relying on other agency processes for decision making has a number of both practical and legal flaws. In addition, this process needs to be reevaluated in light of changes to Oregon land use law since adoption of the YBEMP.

Modernization needs for plan implementation are fully analyzed below under Part X - Plan Implementation. The recommended revisions to the permitted use definitions of Part IV are those that are needed to align with modernization actions recommended for Part X.

Recommendation 6: Revise Part IV Permitted Use Definitions

Recommended Actions:

- Technical re-write of the management classification descriptions to align with the current Goal 16 language.
- Revision of the permitted use definitions of Part IV as needed to align with recommended modernization actions for Part X.

Modernization Objectives Addressed:

- Update
- Improve plan implementation

***Priority*:** Tier 1

Rationale: Because the management classification descriptions need to be revised to fully align with current Goal 16 requirements, this revision should occur within the current update process.

Part V—Estuarine Use Standards

Overview

Part V establishes detailed development standards for fourteen categories of estuarine uses and activities such as types of structures, dredging, and aquaculture. The various uses and activities are defined and specific siting, preferences, and performance criteria are set forth in the form of mandatory standards. These standards are applied by local jurisdictions to review proposed new uses and activities within the estuary.

Modernization Needs

The estuarine use standards of Part V provide considerable substantive content for plan implementation. Modernization needs related to the use standards are therefore closely linked to the modernization needs for plan implementation (Part X) and for the permitted use definitions of Part IV. In particular, the needs for modernization of procedural requirements for the application of the use standards are addressed in the assessment of Part X.

The basic structure and content of the use standards present a number of issues for local plan administration. These can be summarized as follows:

- **Mixing Uses and Activities/Alterations**: The fourteen separate categories of standards include discrete lists for both uses and activities/alterations. This mixing of uses and activities can be confusing, resulting in multiple sets of standards being applicable to a single development proposal. It can also create redundancy or conflict between sets of standards. Reorganization and consolidation of these different sets of standards would help simplify the overall structure of Part V.
- **Discretionary Application**: Many of the estuarine use standards are highly discretionary in nature. Guidance language included in Part V such as "shall be encouraged," "minimize adverse impacts," and "shall be preferred" leads to discretionary interpretations and application of regulations. This not only contributes to uncertainty; it also creates additional procedural burdens for local decision-making processes. Due to the discretionary nature of Goal 16 implementation requirements, it is not possible to eliminate all discretion in local decision-making processes related to estuarine development proposals. However, the current estuarine use standards include numerous criteria that go beyond Goal 16 requirements. It is likely that some sets of standards can be simplified to reduce the number of discretionary findings required.
- **Technical Burden:** Many of the standards impose requirements for findings that necessitate a level of technical analysis that is beyond the capacity of local staff and decision makers. This is especially problematic for smaller projects where the resources available for expert technical assistance are limited. Revising standards to reduce the technical complexity of the required findings would help simplify and improve local plan implementation.

Recommendation 7: Revise Part V Estuarine Use Standards

Recommended Actions:

- Review the current structure and organization of Part V to consolidate and simplify the use standards.
- Review and revise Part V standards to reduce the number of discretionary findings required.
- Review and revise Part V standards to reduce the technical complexity of required findings.

Modernization Objectives Addressed:

- Improve plan implementation

Priority: Tier 2

Rationale: Evaluating the structure and organization of Part V Estuarine Use Standards is a complex undertaking. This should involve a robust local process to evaluate and arrive at needed changes or revisions. Because these standards are not required by Goal 16, immediate revision is not required.

Part VI—Management Units

Overview

Part VI establishes the third and most specific policy level of the YBEMP, the individual management unit delineation and classification. Part VI provides a narrative and a permitted use matrix for each of the 34 management units identified in Yaquina Bay.

The narrative for each management unit includes a description of the spatial boundaries of the unit, a summary of the natural resource characteristics, and a description of major uses and alterations present in the unit. The description also assigns the management classification (*natural*, *conservation* or *development*) of the unit and provides a summary rationale for the classification. To address Goal 16 permitted use requirements, each description includes a statement of resource capability and specifies uses that are deemed consistent with the resource

capability of the unit, and those uses that will require case-by-case resource capability determinations. Each description sets forth a management objective which provides an overall statement of priorities for management of the unit. Finally, the descriptions set forth special policies specific to each management unit which serve to clarify, or in some cases further limit, the nature and extent of permitted uses identified in the permitted use matrix.

The permitted use matrix for each management unit identifies a list of uses, listed in row fashion, and a corresponding list of activities/alterations, listed in column fashion. Each use is identified as permitted, conditional or not allowed. For each use that is listed as either permitted or conditional, individual activities/alterations are listed as permitted, conditional or not allowed in the intersecting cell for the use and activity.

Modernization Needs

In accordance with the framework of Goal 16, the YBEMP is fundamentally a spatial plan. Part VI is the central element of the spatial planning architecture of the YBEMP: it sets forth the spatial designation and classification for each discrete management unit and establishes permissible uses for each unit based on management unit classification. Therefore, modernization actions amending Part VI have the potential to greatly impact both the substance and the usability of the plan. Additionally, updates to other plan parts such Part III: Sub-Area Policies must be reconciled and aligned with updates to Part VI. Modernization needs for Part VI implicate all of the identified modernization objectives.

Management Unit Narratives

Description: Similar to the sub-area descriptions, the current narrative text for the management unit descriptions was written based on conditions known at the time. As a result, some of this descriptive text is outdated and needs to be reviewed and revised to accurately reflect current conditions. A key element of each management unit description is the narrative description of the spatial extent of the unit. These descriptions should be evaluated to verify their accuracy and completeness in relation to any changes in conditions, such as the creation or expansion of tidal wetlands, and revised as necessary. The usability of

the management unit descriptions would also be greatly enhanced by the inclusion of high-quality digital maps or aerial images that depict the management unit boundaries.

Classification: This review should also include a basic assessment of any change in conditions that may be relevant to the classification of a management unit as prescribed by Goal 16 requirements.

Resource Capability: Resource capability statements for each management unit will be reviewed to ensure that they appropriately reflect current conditions.

Management Objective: Management objectives will be reviewed to ensure alignment with current uses and conditions within the unit.

Special Policies: Management unit special policies should be reviewed in relation to changes in conditions to verify their current accuracy and validity, and revised as necessary. Updates to special policies is an opportunity to implement recommendations described in the last section (Issues Not Addressed by the Current Plan) of the Needs and Gaps Assessment. A review of EMU special policies and applicable sub-area policies should be performed and revisions should improve alignment and eliminate confusion or conflict between the sets of policies.

Permitted Use Matrix

The permitted use matrix was developed as an implementation tool to prescribe permissible uses and activities in individual management units with a fairly high degree of specificity. Over time, however, limitations to the matrix approach have become apparent. The matrix design is somewhat complex and can prove difficult to understand for members of the public, as well as practitioners unfamiliar with its structure. Adding to this confusion, the distinction between uses and activities that is the basis of the matrix structure is not set forth in Goal 16. Instead, Goal 16 mixes uses and activities in the listing of permissible uses for each management unit type. The attempt to implement use/activity distinction through the matrix, while conceptually sound, has left some gaps and therefore is not entirely successful. Finally, working experience suggests that in at least some cases, the higher level of specificity

of the matrix does not adequately provide for unanticipated uses or activities otherwise consistent with overall management objectives.

The possibility that the overall plan would benefit from a more uniform approach to prescribing uses in individual management units should be considered. While there would be some trade-offs in certainty from employing a more general approach, the resultant flexibility would allow the plan to be more adaptive over time. The development of conventional text-based zoning districts for each management classification would provide a tool for comparative evaluation of the two different approaches.

Recommendation 8: Revise Part VI Management Units

Recommended Actions:

- Technical re-write of the management unit narratives to reflect current conditions and to incorporate revised boundary descriptions where needed.
- Review and revise management unit special policies as needed to reflect current conditions and align with applicable sub-area policies.
- Create a digital map of each management unit suitable for inclusion in the plan document.
- Develop conventional text-based zoning districts for each management classification and evaluate the relative merits of replacing the permitted use matrix with such districts.

Modernization Objectives Addressed:

- Update
- Improve plan usability/accessibility
- Improve plan implementation
- Further Goal 16 or local policy objectives

Priority: Tier 1

Rationale: As the primary component of the YBEMP's spatial planning scheme and regulatory system, updating Part VI should be fully addressed in the current update process.

Part VII—Mitigation and Restoration

Overview

Part VII addresses the related topics of mitigation and restoration. It fulfills Goal 16's implementation requirement 5 (identification and protection of mitigation sites) and implementation requirement 8 (identification of areas suitable for restoration). Part VII provides a general summary of the concepts of and relationship between restoration and mitigation; it sets forth an overall restoration policy; it provides a general summary of restoration needs and opportunities; and it provides an inventory listing of fifteen potential restoration sites. It also provides a general estimate of mitigation needs in Yaquina Bay and identifies seven sites that are reserved for mitigation use. These sites are protected from conflicting uses that would preempt their availability for mitigation use.

Modernization Needs

The overall discussion of restoration and mitigation provided in Part VII is generally sound. However, it is recognized that since the adoption of the YBEMP, considerable work has been done by agencies, tribal governments, and conservation interests in identifying and assigning priorities to restoration opportunities in Yaquina Bay. A review of estuary habitat, restoration priorities, and key organizations that have undertaken restoration in Yaquina Bay can be found in Appendix B. Reports that have been produced from this work have been used to guide various agency and conservation group strategic plans and restoration projects. These reports and strategic plans can be reviewed for potential restoration sites and selected for inclusion in the update of Part VII if they meet Goal 16's requirements.

While it is not within the authority or purpose of the YBEMP to establish priorities or initiatives to accomplish specific restoration projects, the text of Part VII would clearly benefit from

incorporating the new information generated from these efforts. In particular, an update of the inventory of potential restoration sites based on currently available research would strengthen the plan's alignment with Goal 16 requirements.

The general estimate of mitigation needs should be revisited given the extensive passage of time since this estimate was originally formulated. Additional sites for mitigation may need to be identified and protected accordingly.

Recommendation 9: Revise Part VII Restoration and Mitigation Sites

Recommended Actions:

- General review and update of the text of Part VII as needed to reflect new information and/or changed conditions.
- Revision of the inventory of potential restoration sites to reflect currently available research and previously identified restoration opportunities in Yaquina Bay.
- Update the estimate of future mitigation needs. Revise the inventory of protected mitigation sites to align with the updated estimate of mitigation needs.

Modernization Need(s) Addressed:

- Update
- Further Goal 16 or local policy objectives

***Priority*:** Tier 1

Rationale: The increased focus on estuarine restoration activities in recent years as well as new research identifying additional restoration sites represents substantial new information which should be incorporated into the current planning process. The current estimate of mitigation needs is more than forty years old and should be likewise reevaluated in the current planning process.

Part VIII—Log Storage and Transportation

Overview

A major issue during the development of the YBEMP was the management of in-water log storage and transportation. As was common in many Oregon estuaries, mills in Yaquina Bay area were sited and designed in reliance on in-water transport and storage of their raw materials. Wood product manufacturing was concentrated in the Toledo area, and several plants were historically dependent on in-water storage and handling of logs to provide a supply of raw material for operation. At the time the plan was developed, at least two of these mills still had major inventories of logs stored and transported in Yaquina Bay, occupying significant surface area within the estuary.

While essential to the operation of economically important wood products facilities, the storage of raw logs in estuarine waters is known to have significant adverse impacts on natural resources, including negative effects on water quality and benthic habitats. Thus, this major use of the estuary became a focal point of conflict in the planning process, with industry advocating for continued use and possible future expansion, while resource agencies sought to limit the practice to reduce adverse resource impacts.

Resolution of this conflict resulted in the development of this element of the YBEMP. Part VIII provides a discussion of current and anticipated future needs for log storage, evaluates alternatives to in-water storage, details the resource impacts associated with in-water log storage, and specifies the basic spatial allocations for areas within the estuary where storage is permitted. Part VIII also sets forth detailed policies and conditions for in-water log handling within the estuary, both for current use, and for future expansions.

Modernization Needs

In the forty some years since this element of the YBEMP was developed, much has changed in the wood products industry. Of the six mills that were operating on Yaquina Bay in the early 1980s, only one remains in operation, the Georgia-Pacific paper mill in Toledo. The two mills that were still utilizing in-water log storage at that time both ceased operations more than three

decades ago. Currently, no in-water log storage or transportation is conducted in Yaquina Bay. Most of the associated infrastructure (pilings and dolphins) is in a deteriorated state. Given current technology and foreseeable market conditions, it is not anticipated that there will be any future demand for the storage or transport of raw logs in the estuary.

Given these factors, it is concluded that Part VIII is no longer relevant to the management of future use of the Yaquina Bay estuary. However, it is possible that decades of log storage use have altered the habitats of these areas and the management of Yaquina Bay may be improved by an evaluation by agencies and researchers as to current conditions of these areas.

Recommendation 10: Remove Part VIII Log Storage and Transportation

Recommended Actions:

- Amend the YBEMP to remove Part VIII in its entirety.
- Amend text throughout the document, including special policies of affected individual management units and estuarine use standards, to reflect the removal of in-water log storage as a priority use.

Modernization Objectives Addressed:

- Update

***Priority*:** Tier 1

Rationale: Part VIII is no longer relevant to current conditions and should be removed from the plan as a part of the current update.

Part IX—Future Development Sites

Overview

Part IX addresses potential future demand for development not accommodated by the current management scheme. It identifies possible future development types and provides an analysis

of sites within the estuary that, while not designated for development, could conceivably accommodate such development if they were redesignated.

Modernization Needs

The identification of potential sites for redesignation to accommodate future development needs is not required by Goal 16. This analysis was included in the YBEMP in recognition that areas within the estuary qualifying for development management unit designation were largely fully developed at the time the plan was completed, and that accommodating additional major development could require the redesignation of areas currently designated *natural* or *conservation*. Part IX does not provide binding policy and is thus primarily an attempt to provide general guidance for future deliberations on redesignation.

Because the analysis of future development needs is based on economic and market forecasts from the late 1970s, Part IX is currently obsolete. Adding to that obsolescence are the significant changes in applicable state and federal environmental standards since Part IX was adopted. Given these current standards, the likelihood is remote that a number of the identified potential future development sites could secure necessary regulatory approvals for development. Part IX is therefore of limited utility as presently formulated.

Redesignating *natural* or *conservation* management units to *development* is subject to the Statewide Planning Goal 2 exceptions process. Such an exception would be adopted and implemented through one or more amendments to local (city and/or county) comprehensive plans. An exception and plan amendment would be required for redesignation irrespective of guidance provided by Part IX.

Given these factors, Part IX should be reevaluated in concept to determine if it continues to fulfill a useful purpose in the YBEMP. Appendix C provides additional information on how current conditions differ from the economic, demographic, and regulatory conditions of when the YBEMP was adopted. Further research will be needed to evaluate Part IX and, if it is determined that Part IX should be retained, it should be reformulated to provide an updated

analysis and forecast of potential future development needs, and assess whether accommodating those needs warrants identifying potential future development sites.

Recommendation 11: Revise Part IX Future Development Sites

Recommended Actions:

- Evaluate Part IX to determine its efficacy and purpose within the context of the YBEMP and Goal 16.
- Technical re-write of Part IX, as necessary, based on current economic forecasts and likely future development needs.

Modernization Objectives Addressed:

- Update

Priority: Tier 2

Rationale: Part IX does not represent binding policy and its current dated condition does not compromise other core elements of the YBEMP. Revaluating Part IX should involve an in-depth analysis of its structure and function in relation to local needs; this would be best accomplished in a future local planning process.

Part X—Plan Implementation

Overview

Part X details the procedures for plan implementation; it primarily focuses on local decision-making processes for proposed new uses and alterations within the estuary. It describes local review procedures for uses that are listed in the individual permitted use matrices as either *permitted* or *conditional*; it describes the requirements and process for the application of estuarine use standards set forth in Part V; it details a process for the coordination of local

review of estuarine development with state and federal agency regulatory programs; and it provides a list of major state and federal regulatory authorities that are applicable to estuarine development.

Modernization Needs

Part X is outdated in a number of respects. The local review procedure set forth in Part X does not align with current procedural requirements of Oregon land use law, and the descriptions of state and federal agency regulatory authorities and programs relied upon for agency coordination are out of date.

As presently comprised, the procedure for review of uses listed as "permitted" prescribes a ministerial process. However, many of the standards and criteria applicable to the review of these uses are discretionary in nature, the application of which requires, at a minimum, notice and opportunity for a hearing. The ministerial procedure spelled out in Part X does not provide for these minimum due process requirements. As a result, the local procedure as described in Part X is, in most cases, effectively preempted by the more rigorous requirements of Oregon statute (ORS 215.416 and ORS 227.175). The local review procedure in Part X needs to be revised to properly align with applicable statutory requirements.

The state and federal agency coordination process described in Part X is similarly problematic. In particular, the provisions that defer to state and federal standards to fulfill certain requirements of Goal 16 are flawed for at least two reasons. First, most of the Goal requirements that are subject to reliance on state and federal authorities are also codified in different locations within the YBEMP. In general, the determination of compliance with such locally codified decision criteria cannot be deferred to another agency or process. Notwithstanding the provisions of Part X, local governments are still obligated to determine compliance with the Goal requirements as expressed in the standards and policies of the YBEMP, and make findings accordingly. As a result, this portion of Part X has no practical effect.

Second, at least some of the referenced agency standards relied upon have undergone revision since adoption of the YBEMP, so the analysis of equivalency is no longer valid. The coordination section of Part X needs to be restructured to reflect current standards and legal requirements.

The list of major state and federal regulatory authorities that are applicable to estuarine development is a helpful addition to Part X in terms of plan usability and should be updated to provide current references and citations.

Recommendation 12: Revise Part X Plan Implementation

Recommended Actions:

- Revise the local review procedure in Part X to conform to current Oregon procedural requirements for land use decisions.
- Restructure the state and federal agency coordination provisions of Part X to clarify obligations for the application of locally adopted standards consistent with Oregon law.
- Update the list of major state and federal authorities and programs to incorporate current references and citations.

Modernization Objectives Addressed:

- Update
- Improve plan implementation
- Improve usability/accessibility

Priority: Tier 1

Rationale: Revision of Part X is needed to bring the plan into compliance with current legal requirements and standards for local land use decisions.

5. Issues Not Addressed by the Current Plan

The preceding analysis of the ten parts of the YBEMP indicate that its basic structure has proved durable, and that it has generally accomplished the objectives of Goal 16. The use of advanced decision making based on spatial planning concepts has proven to be effective in providing a system-wide approach to estuarine management. However, as the analysis also points out, this

same basic structure of the plan does not facilitate ready adaptation in response to changes in conditions or other drivers of change. The result is that some issues related to management of the estuary are not addressed in the current plan. Efforts to fully modernize the YBEMP should consider addressing climate change, community health, and equity. The full analysis of issues not addressed in the current plan can be found in Appendix D.

Climate Change

Foremost among the emerging issues not accounted for in the current plan is climate change. While climate change is not discussed as a term in the existing EMP, there is a significant concern with mitigating adverse impacts on the estuary. The YBEMP seeks to protect and maintain estuarine habitat while allowing development and accompanying uses within reason and strategies to address climate change's impacts on the estuary would further support that goal. While the impacts of climate change will be widespread throughout both natural and human made systems, two specific effects are of particular importance to the maintenance and operation of the YBEMP: sea level rise and ocean acidification.

Sea Level Rise

Rising sea levels are well documented in the scientific literature. Yaquina Bay is expected to experience a potential sea level rise (SLR) between 0.6 and 2.9 ft by 2050.[3] Sea level rise has several anticipated negative impacts on Yaquina Bay including exacerbating major flood events. Structures and uses on land adjacent to the bay are at risk of inundation and destruction. Estuary ecosystems are further at risk if estuary adjacent industrial properties are inundated and toxic pollutants are carried back into the bay as waters recede. Sea level rise is expected to have a direct impact on critical estuarine ecosystems such as tidal wetlands and eelgrass habitat.

Beyond impacts to estuarine conditions and uses, the jurisdictional extent of the estuary subject to the regulatory provisions of the plan is defined (in Statewide Planning Goals) as Mean Higher High Water (MHHW) or, in the case of tidal marsh, line of non-aquatic vegetation. Obviously, a significant rise in average sea level will, over time, alter these jurisdictional boundaries.

Ocean Acidification

As with climate change, the impacts of ocean acidification (OA) are widespread, and will have effects on the entire marine ecosystem. Changes in pH are likely to affect shell formation in diverse species of commercial, recreational, and cultural value.[3] Of particular concern among the uses governed by the YBEMP, are the prospective effects of OA on aquaculture. Currently, the plan designates a substantial area of the mid-estuary as a priority aquaculture zone, and economically important aquaculture enterprises operate within this area. While the long-term effects of OA on these operations are unknown, it is conceivable that changes in management unit classifications and/or to permissible uses may be necessary to accommodate changes in industry technology and/or locations of operation in response to OA impacts.

Community Health & Equity

The YBEMP does not include specific sections or descriptions of processes to evaluate the plan's impacts on community resident's health or equity. The Bay is the center of these communities and how it is managed has significant impacts on not just the local economy, but also public health and equitable access to the benefits it provides.

Modernization Needs

It is not possible to precisely forecast either the rate and extent of sea level rise, ocean acidification, or other specific impacts on estuarine features, habitats, and uses as a result of climate change. Incorporating climate change into the host of regulatory requirements administered by the YBEMP or other estuary management plans is currently not feasible due to the MHHW planning boundaries and lack of direction by Goal 16. The establishment of a policy framework that would guide the adaptation of relevant plan provisions in response to sea level rise may be a workable approach, and should be explored. In particular, this guidance should focus on identifying the type and timing of needed changes to the spatial components of the plan. Since this issue affects estuary management statewide, guidance for this type of policy

framework would be best developed at the state level through the Oregon Coastal Management Program. Changes to Goal 16 language may need to be considered.

Ocean acidification will have a profound effect on Yaquina Bay's aquaculture and attempts to address it will require engagement, data collection, and planning with aquaculture experts and users within specific sub areas. Local jurisdictions need to develop policy to guide future plan adaptations necessary for the aquaculture industry to respond to OA impacts. This should be accomplished in consultation with the industry, researchers and other stakeholders.

Beyond state-level or sub-area level policy guidance to be completed at a later date, there are opportunities within the current EMP update to address climate change impacts. More information can be found in Appendix D on strategies which incorporate sea level rise in the permitting review process or use non-binding guidance to ensure regular updates of specific plan components in order to stay up-to-date as projected sea level rise is actualized.

Lastly, public health and equity concerns need to be considered during the preparation of the YBEMP update. While the plan is spatial in nature, there may be opportunities to support local health and equity goals as well as identify opportunities for inclusion in Tier 2 or 3 recommendations.

Recommendation 13: Develop State-Wide Estuarine Climate Change Guidance

Modernization Actions

- Work with the OCMP and other stakeholders to develop statewide guidance and policy on incorporating sea level rise adaptation into local estuary management plans.

Modernization Objectives Addressed:

- Further Goal 16 and/or local policy objectives

Priority: Tier 3

Rationale: Establishing a process for adapting the plan's basic spatial framework to reflect rises in sea level will be critical in the long term. However, this issue requires statewide policy guidance, the development of which will occur outside of the local plan update process.

Recommendation 14: Develop Policy to Support Aquaculture Industry

Modernization Actions

- Work with aquaculture operators, researchers and other stakeholders to develop and incorporate into the YBEMP policy guidance for accommodating industry needs in response to OA impacts.

Modernization Objectives Addressed:

- Further Goal 16 and/or local policy objectives

Priority: Tier 2

Rationale: Establishing a process and policies to accommodate changes in aquaculture operations in response to OA, while not an immediate need, could become critically important in the near future. Developing this policy framework will require local jurisdictions to work closely with the industry and research experts, and this will be best accomplished outside of the current update process.

Recommendation 15: Revise Plan to Incorporate Climate Change Impacts

Modernization Actions

- Work with the Steering Committee, Advisory Group, OCMP and other stakeholders to review strategies to prepare for or adapt to sea level rise and/or ocean acidification in the current EMP update.

Modernization Objectives Addressed:

- Further Goal 16 and/or local policy objectives

- Update

Priority: Tier 1

Rationale: There are discrete ways that the current EMP update can prepare for or address climate change impacts. Broader approaches to incorporating climate change adaptation into the YBEMP will require statewide policy guidance, which will occur outside of the local plan update process.

Recommendation 16: Revise Plan to Consider Equity and Health

Modernization Actions

- Perform inclusive and accessible stakeholder engagement to ensure the breadth of those who use and rely on a thriving and accessible Yaquina Bay inform the YBEMP update.
- Review public health and equity documents and metrics and engage researchers to identify ways to improve public health and equity through the YBEMP update..

Modernization Objectives Addressed:

- Further Goal 16 and/or local policy objectives

Priority: Tier 1

Rationale: This review can be accomplished within the project timeline and should be included to further local policy and planning goals.

LINCOLN COUNTY

ESTUARY MANAGEMENT PLAN

LINCOLN COUNTY
ESTUARY MANAGEMENT PLAN

SEPTEMBER, 1982

PART I

INTRODUCTION

Four major estuaries and two minor estuaries are within the jurisdiction of Lincoln County. Of the major estuaries, Salmon River, Siletz Bay and Alsea Bay are of primary importance as recreation areas, while Yaquina Bay is one of three major estuaries on the Oregon Coast with an authorized deep water navigation channel and major port. In many ways, the County's estuaries serve as a focal point for the local economy.

Each year an increasing number of demands are placed on the estuaries by an expanding economic base and growing population. The ability of the estuary to accommodate these demands remains constant or diminishes. The result is often conflict between the various groups that want to use the resources of the estuary and the agencies responsible for managing those resources.

The responsibility for making decisions about the use of the land and water resources of estuarine areas falls to a wide variety of local, state and federal agencies. Each agency that has some authority uses a plan or written guidelines to make management decisions. The cities and county have comprehensive plans; the Corps of Engineers, U.S. Fish and Wildlife Service, Environmental Protection Agency, Oregon Department of Fish and Wildlife, Oregon Division of State Lands and other state and federal agencies each have their own regulations. The result is that the process for making decisions and obtaining permits is confusing, uncertain and often frustrating for the individuals involved.

The development of the Estuary Management Plan has been brought about through the combined efforts of local government, concerned citizens, industry and state and federal agencies working within the framework of the Oregon Coastal Zone Management Program. The emphasis of this program is to resolve conflicts over use and development of coastal resources through the development of coordinated comprehensive plans. As an element of these coordinated comprehensive plans, the Estuary Management Plan represents an overall management scheme for the resources of the estuaries which reflects not only local interests, but also incorporates the concerns of affected state and federal agencies. The product of this coordinated process is that the plan has a certain "predictability". An individual, a local city or county legislative body, a state or federal agency will be able to use this plan with the assurance that the mangement scheme within the plan will have the concurrence of all agencies involved in finalizing a decision.

The final decisions contained in this plan often reflect considerable compromise made by all parties involved. While it was not possible to completely satisy all participating interests,

the concerns and viewpoints of all interests were thoroughly considered. A sincere effort was made to balance the sometimes conflicting needs to preserve dwindling natural resources and provide needed opportunities for economic growth and stability.

Content and Use of the Document

The estuary management plan provides an overall, integrated management scheme for estuarine aquatic areas in Lincoln County. Lincoln County retains overall responsibility for development and coordination of the Estuary Management Plan for estuaries in the county except for Depoe Bay, which is wholly within the jurisdiction of the City of Depoe Bay. City comprehensive plans incorporate relevant portions of the Estuary Plan. Amendments to any element of the plan will be coordinated by Lincoln County with the affected cities, ports, State and Federal agencies.

The plan contains comprehensive provisions for guiding estuarine development and conservation activities, from broad overall policies to site specific implementing measures.

The planning and decision making framework of the estuary management plan is contained within a concept of descending levels of policies. The concept recognizes that one set of policies applied to the entire estuary cannot provide the kind of guidance to individual property owners nor government in making decisions on permitting uses and activities on specific sites. Yet to develop policies only at the site specific level fails to recognize the implications of those policies to the total estuary. Policies, therefore, must begin with the total estuary and end with site specific guidelines. Each level of policy and the size of the area to which those provisions apply is more specific than the preceding level.

In the estuary management plan, three levels of policy are established:

Overall Management Policies

Overall estuary management policies are established for the entire county. These policies are very broad and general in nature and are designed to say, in essence, that "...this is how we expect to use the estuary..." and"...this is what we expect to achieve in using the estuary...".

Sub-Area Policies

The size and complexity of the Yaquina Bay estuary required a second level of policy; the Sub-Area Policy. The estuary has been divided into seven sub-areas, each representing a

common set of natural and man-related features. Sub-areas provide a basis for describing how different areas of the estuary presently function and how they should be planned to function in the future. Each sub-area is described in terms of its existing character; its major committed uses; its existing and potential conflicts. Policies are established for each sub-area on the management of the sub-area's natural resources and on development within the sub-area.

Management Units

The third level of policy in the estuary management plan is the management unit. This is the most specific policy level and is designed to provide specific implementing provisions for individual project proposals. Each unit is given a management classification (defined in Part IV) of Natural, Conservation or Development. These classifications are based on the resource characteristics of the units as determined through an analysis of resource inventory information. The classification carries with it a general description of intent and a Management Objective. Each management unit objective is implemented by a Permitted Use Matrix which specifies which uses and activities are either permitted, conditional or not allowed in the unit. Many management units also contain a set of Special Policies that relate specifically to that individual unit.

In addition to the three basic policy levels, the estuary management plan also contains a number of other sections, each with a specialized role in guiding overall estuary management.

Estuarine Use Standards

This part of the plan has detailed development standards for 14 categories of uses and activities (structures, dredging, log handling, etc.). These standards will be applied to all new uses and activities within the estuaries as a part of the plan implementation process.

Restoration and Mitigation

This section includes a general description of restoration, its relation to mitigation as required by Oregon Law, and an overall policy concerning restoration. It also contains locations and brief descriptions of potential restoration sites and projects in the estuaries. Also included in this section is a general assessment of estuarine mitigation needs and an identification of sites to be protected in fulfilling the mitigation planning requirements of Goal 16.

Future Development Sites

This part of the plan includes a summary of projected development needs and a summary of potential development sites. Its purpose is to address concerns which are presently beyond the scope of the specific management unit framework to provide general, long term direction to future development.

Log Storage and Transportation

Because of the importance of the lumber and wood products industry to the Yaquina Bay area, the historic dependence on the estuary for log storage and transportation, and the potential for serious adverse impacts on natural resources as a result of that storage, a special section of the plan was developed to address the issue. This section details the needs of the industry in relation to log storage and transportation, and it lays out a planning strategy to accommodate those needs while minimizing adverse resource impacts.

Plan Implementation

This section of the plan provides the administrative procedures for implementing the plan's substantive requirements. It describes the procedures for review of individual development proposals and the application of plan standards to such proposals. Also included is a procedure describing how the local review procedures for estuarine development proposals will be integrated with existing state and federal permit processes.

Dredge Material Disposal Plan

The Lincoln County Dredged Material Disposal Plan is a companion document to the Estuary Management Plan. It describes the location and procedures for use of dredged material disposal sites. Dredging needs over the next 20 years were estimated and sites located to handle the disposal of the material.

Resource Inventories

As part of Lincoln County's overall comprehensive plan, detailed resource inventories of the County's estuarine areas have been adopted. The information contained in the plan's management unit descriptions and resource capability assessments is based on factual base material drawn from these comprehensive resource inventories. The rationale for permitted use decisions and management classifications is contained in these brief factual base summaries; for detailed resource information and a bibliography of documents included in the inventory, the Lincoln County Comprehensive Plan Inventory should be consulted.

PART II

OVERALL MANAGEMENT POLICIES

OVERALL MANAGEMENT POLICIES

1. Lincoln County's estuaries represent an economic resource of regional importance. The overall management of each estuary shall ensure adequate provision for development, consistent with the Overall Oregon Estuary Classification and according to the following general priorities (from highest to lowest):

   a. Uses which maintain the integrity of the estuarine ecosystem

   b. Water dependent uses requiring an estuarine location

   c. Water related uses which do not degrade or reduce natural estuarine resources and values

   d. Non-dependent, non-related uses which do not alter, degrade or reduce estuarine resources or values and are compatible with existing and committed uses.

2. Lincoln County's estuaries support a variety of vitally important natural resource values. The overall management of each estuary shall include adequate provision for both conservation and preservation of natural resources.

3. Lincoln County's estuaries represent a recreational resource of both local and statewide importance. Management of each estuary shall protect recreational values and ensure adequate public access to the estuary.

4. Dredge, fill or other reduction or degradation of natural values by man shall be allowed only:

   a. if required for navigation or other water dependent uses that require an estuarine location; and

   b. if a public need is demonstrated; and

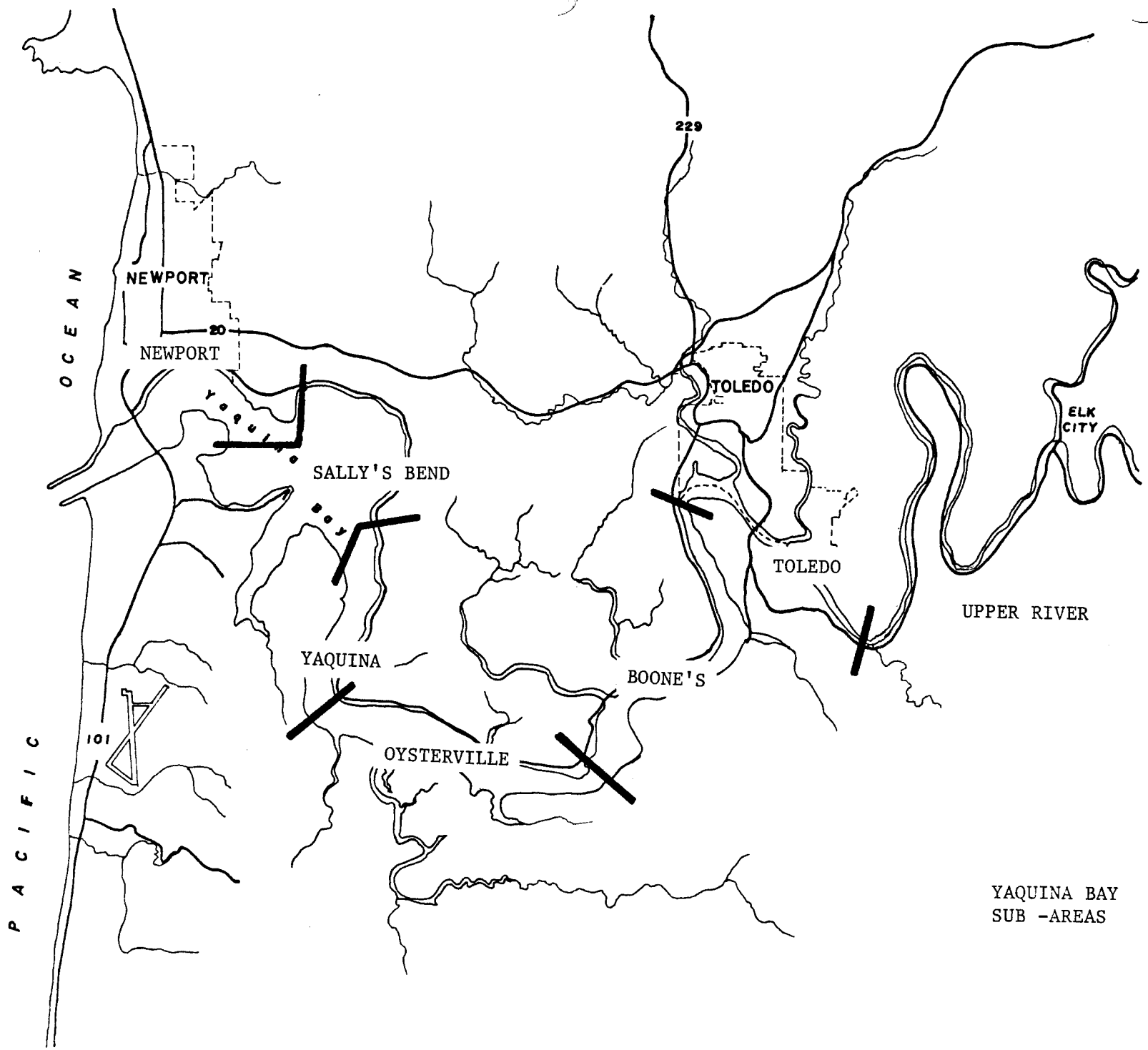
   c. if no alternative upland locations exist; and

   d. if adverse impacts are minimized as much as possible.

5. Actions which would potentially alter the integrity of estuarine ecosystem shall be preceeded by a clear presentation of the impacts of the proposed alteration and a demonstration of the public's need and gain which warrant such modification or loss.

PART III

SUB-AREA POLICIES



YAQUINA BAY
SUB -AREAS

NEWPORT SUB-AREA

Predominant Character

The Newport sub-area is a high intensity use area. It is the hub of commercial fishing, deep water shipping and tourist related commercial activities on Yaquina Bay. Adjacent shorelands are urban in character and the shoreline is more or less continuously altered throughout the sub-area. As a fully serviced urban area in close proximity to the harbor entrance and with shoreland access to the deepwater channel, the Newport sub-area represents the most important portion of the estuary for water dependent development.

Important resource values within the sub-area include eel grass and algal beds, shellfish beds and fish spawning and nursery areas.

Major Committed Uses

The sub-area contains a mix of water dependent, water related and non-water related uses. Industrial uses are concentrated at McLean Point (Northwest Natural Gas LNG tank and deepwater terminal facilities) and along the Newport waterfront. A recreational marina and a number of non-water related tourist oriented commercial uses also occur along the Newport waterfront. Major uses in the South Beach area include the OSU Marine Science Center, Oregon-Aqua foods salmon ranching facility and the South Beach Marina recreational complex. The sub-area takes in the entire authorized deep water channel, including the maintained jetties. Recreational use in the sub-area, including sport fishing, crabbing, clamming, diving and other activities, is heavy. Commercial harvest of fish and shellfish occurs at a number of locations within the sub-area.

Existing and Potential Conflicts

Several conflicts exist within the sub-area. Conflicts have developed between tourist oriented commercial uses and water dependent marine commercial and industrial uses in the Newport waterfront. These conflicts involve both competition for available space as well as use conflicts (e.g. traffic, parking, etc.) between established uses. As demand accelerates for both types of uses, conflicts may worsen. In the past, competition between recreational and commercial vessels for moorage has been a problem. Development of some 600 moorage spaces designed to accommodate recreational vessels at the South Beach Marina and re-development of the existing commercial moorage areas to handle the newer, larger commercial fishing boats should do much to alleviate this conflict. The demand for major development in aquatic areas poses a potential conflict with the protection of natural resources throughout the sub-area.

Sub-Area Policies

1. The primary objective in the Newport sub-area shall be to manage for the development of deep draft navigation, commercial fishery support facilities and other water dependent uses.

2. Non-water related uses shall not occupy estuarine surface area nor be located on shorelands with direct water access. However, limited non-water related uses may be permitted in keeping with the scenic and historic waterfront community on the north side of the sub-area.

3. Adverse impacts of development on natural resources and established recreational uses shall be minimized.

SALLY'S BEND SUB-AREA

Predominant Character

The Sally's Bend sub-area represents one of the most important natural resource areas of Yaquina Bay. It is essentially undeveloped and includes eel grass and algal beds, shellfish beds, fish spawning and nursery areas and wildlife habitats, all of major significance. The area's intertidal flats represent the largest tract in the estuary.

Major Committed Uses

The predominant use of the sub-area is for hunting, sport angling and recreational shellfish harvest. The sub-area also includes a portion of the navigation channel which supports medium draft commercial traffic. Adjacent shoreland uses consist primarily of low density housing and commercial forest management. Industrial uses are adjacent (though they do not extend into the sub-area) at McLean Point and South Beach. Portions of the sub-area have historically been used for log storage, though no current activities are present.

Existing and Potential Conflicts

No major conflicts exist within the sub-area, though potential for conflict is present at several locations. Demands for urban level development in the Idaho Point area (which is proposed for inclusion within the Newport urban growth boundary) may be incompatible with preservation of natural values in the adjacent portion of the estuary. Industrial development at McLean Point and in the Coquille Point area may impact important resource areas at Sally's Bend. If increases in deepwater shipping precipitate a demand for expansion of the current channel and turning basin, some loss of natural resource values would result from the required dredging. Owners of intertidal lands within the sub-area have identified desires for future use of these areas which may conflict with the preservation of natural resource values.

Sub-Area Policies

1. The primary objective in the Sally's Bend sub-area shall be to manage to preserve and protect natural resources.

2. It is recognized that some alteration of the sub-area may be required in conjunction with expansion and/or deepening of the deepwater channel and turning basin. Other alterations shall be limited to those necessary to maintain existing uses or those undertaken in conjunction with restoration projects.

3. To maintain recreational values, commercial shellfish harvest by mechanical means should not be permitted above extreme low water.

4. Low intensity land uses which do not adversely impact estuarine natural values shall be preferred on adjacent shorelands. Identified ares of important wildlife habitat shall be protected.

YAQUINA SUB-AREA

Predominant Character

The Yaquina sub-area is a mixture of high intensity recreational developemt (east shore) and areas of sparse or no development (west shore). The primary character of the area is derived from the concentration of commercial marinas and related uses along the east shore of the estuary. Major natural resources within the sub-area include important fish spawning and nursery areas, shellfish beds and eel grass and algal beds. Areas of important wildlife habitat are concentrated on the undeveloped west shore.

Major Committed Uses

On the east shore, between river mile 4.5 and 5.3, there are four developed marina facilities (use is approximately 90% recreational) providing slightly more than 300 moorage spaces. There are also two boat building and repair facilities in this area. Development of commercial fishing related marine industrial facilities at Coquille Point is pending. Rural residential use is also concentrated in the area along the east shore. The west shore is essentially undeveloped ; most of the land is held in industrial forest ownerships and is managed for commercial timber production.

Existing and Potential Conflicts

The sub-area has characteristics which make it suitable for aquaculture. The sub-area also has a significant amount of high intensity development and potential for additional development. Conflicts will likely develop over demands for additional high intensity development and the need for maintenance of water quality for aquaculture (the east side of the estuary is currently closed to commercial shellfish harvest because of potential contamination). Conflicts may also develop along the east shore of the sub-area as recreational and marine-industrial interests compete for use of estuarine surface area and remaining shoreland back up space. Occupation of surface area by aquaculture activities may conflict with navigation and recreational activities. Lack of adequate facilities and services to the area may pose constraints on needed development.

Sub-Area Policies

1. It is recognized that demand for development in the lower estuary may exceed available space in the Newport urban area. Water dependent development should be accomodated along the east shore of the Yaquina sub-area when it can be demonstrated that such development cannot be accomodated within the urban area and is consistent with available levels of public facilities and services.

2. The portion of the sub-area west of the navigation channel shall be managed to conserve natural resources, protect water quality, and maintain overall suitability for aquaculture.

3. The potential within the sub-area for occupation of estuarine surface area by in-water structures is significant. Such occupation of surface area shall not interfere with the use of the navigation channel and should not unreasonably interfere with established recreational uses within the sub-area.

4. Shorelands on the east side of the sub-area shall be reserved for water dependent uses. On shorelands on the west side of the sub-area, low intensity natural resource uses shall be preferred.

OYSTERVILLE SUB-AREA

Predominant Character

The Oysterville sub-area is rural in character, with a mixture of low intensity development and natural resource areas. The preodminant development in the area is for aquaculture uses. The natural resource areas include tide flats, extensive tracts of salt marsh, eel grass and algal beds, important fish spawning and nursery areas and major shellfish beds. Areas of important wildlife habitat occur throughout the sub-area, particularly on the south shore of the estuary.

Major Committed Uses

The predominant use within the sub-area is aquaculture. A large share of the estuarine area outside of the navigation channel is devoted to aquaculture. Portions of the sub-area have been used in the past for log storage. Recreational use of the sub-area (primarily boating and angling) is also extensive. Shoreland uses include landside facilities for aquaculture operations, scattered rural residences and commercial forest management activities.

Existing or Potential Conflicts

The Oysterville sub-area is relatively free of conflict. Potential conflict could develop if demand for increased recreational moorage facilities spills over from adjacent sub-areas. Such development could threaten existing and future aquaculture operations by adversely impacting water quality. Possible future log storage could conflict with existing aquaculture activities.

Sub-Area Policies

1. The Oysterville sub-area is the prime aquaculture area of Yaquina Bay. In light of the scarcity of such resources, maintaining suitability for aquaculture should receive top priority in the overall management of the sub-area.

2. The overall management of the Oyseterville sub-area shall emphasize conservation of natural resources and maintenance of water quality. Natural resource values of major tracts of salt marsh and tide flats shall be preserved.

3. The recreational resources of the sub-area should be utilized by maintaining existing patterns of use. High intensity recreational development shall not be permitted.

4. In general, low intensity land uses such as forestry and low density housing shall be preferred in adjacent shoreland areas, consistent with the protection of significant wildlife habitat. It is recognized that some adjacent shoreland areas will also be needed for developed aquaculture facilities.

BOONE'S SUB-AREA

Predominant Character

The Boone's sub-area is a largely undeveloped portion of the estuary. Some minor alterations of the estuary are present, mostly in conjunction with the diking of marshlands and development for log storage. A variety of important natural resource values are associated with the sub-area, including tideflats, extensive salt marshes, eel grass and algal beds, fish spawning and nursery areas and shellfish beds of major importance. Adjacent shorelands include substantial area of important wildlife habitat.

Major Committed Uses

Major uses in the sub-area include in-water log handling and recreation. A substantial amount of estuarine surface area outside of the navigation channel is used for log storage. Log dumping and extensive log transportation activities also occur within the sub-area. Important recreational activities include boating, angling and water skiing. Shoreland uses consist primarily of dispersed rural residences, forestry and agriculture. A commercial moorage facility with capacity for 75 vessels occurs within the sub-area at river mile 10.7. The Toledo airport is located within the sub-area at river mile 11.1. A public boat launch is located adjacent to the Toledo Airport.

Existing or Potential Conflicts

There is an existing conflict within the sub-area between the grounding of log rafts in intertidal areas and the protection of natural resources. Potential conflicts could occur between intensified recreational use in the area and the extensive occupation of estuarine surface area by log handling activities. Expansion of existing log handling activities could have potential impacts on water quality. The possible expansion of the Toledo airport facility and the resulting fill that would be required would conflict with the preservation of productive salt marsh within the sub-area. In Boone and Nute sloughs, a potential conflict exists between the possible need for the area as a restoration/mitigation site and the demand to commit the area to land uses which would preclude its use for restoration/mitigation.

Sub-Area Policies

1. The emphasis in the Boone's sub-area shall be to manage to conserve and protect natural resources.

2. Water handling of logs in the Boone's sub-area is recognized as an appropriate and economically important use of the estuary. Continuation of water handling of logs shall be provided for in accordance with the Estuarine Use Standards set forth in this plan.

3. Establishment of new uses which would substantially degrade recreational values within the sub-area shall not be permitted.

4. Boone and Nute's sloughs shall be protected from land uses which would preclude their potential use as a restoration/mitigation site.

5. Low intensity land uses such as forestry, agriculture and low density housing shall be preferred in adjacent shoreland areas. Such uses shall be consistent with the protection of significant wildlife habitat.

TOLEDO SUB-AREA

Predominant Character

The Toledo sub-area is a mix of high intensity industrial development and undeveloped areas which are rural in character. The character of the sub-area is defined primarily by the concentration of wood products related industrial uses along the urban waterfront. Natural resources of major significance include anadromous fish migration routes, wetlands, and some areas of important wildlife habitat.

Major Committed Uses

A portion of the Toledo sub-area is committed to high intensity industrial uses, primarily lumber and wood products manufacture. These industrial uses are served by medium draft navigation, mostly log towing and barge traffic. Substantial estuarine surface area is committed to log storage. Recreational use in the sub-area is light.

Existing or Potential Conflicts

No major conflicts exist within the sub-area. Intensified industrial development could potentially have adverse impacts on water quality. Demand for industrial expansion may also potentially conflict with protection of fish and wildlife habitat in the area.

Sub-Area Policies

1. The portion of the Toledo sub-area within the Toledo Urban Growth Boundary shall be managed for continued development of water-dependent and water-related industrial uses. Restoration and maintenance and expansion of existing non-water related uses shall be permitted.

2. Effects on water quality must be carefully considered in the process of industrial expansion in order to minimize adverse impacts, both within the sub-area and on areas down-river.

3. Areas of significant habitat and major marshes shall be protected.

4. If not needed for water-dependent development, the diked areas along Depoe and Olalla Sloughs should be protected as potential restoration sites.

UPPER RIVER SUB-AREA

Predominant Character

The Upper River sub-area is a largely undeveloped rural environment. Only minor commercial navigation and channel improvements occur in this sub-area and overall alteration of the river is minmal. While river flows are subject to tidal influence, the river environment is predominantly fresh-water. Shoreland areas are characterized by scattered areas of diked marshlands, and a narrow floodplain grading into steep forested uplands.

Major Committed Uses

Major uses in the Upper River sub-area include small scale agricultural operations, high intensity commercial forest management activities and recreational activities (primarily angling for anadromous fish). No commercial or industrial uses are located within the sub-area.

Existing or Potential Conflicts

No major conflicts exist within the sub-area. Some potential for conflict exists with pressures for additional river front residential development within the sub-area. Such development may precipitate demand for construction of individual docks and moorage, shoreline stabilization and other activities which may conflict with conservation of estuarine resources and established recreational uses.

Sub-Area Policies

1. The primary objective in the Upper River sub-area shall be to manage to conserve and protect natural resources. Uses which require minimal or no alteration to the estuary shall be preferred.

2. Increased public recreational access to the estuary shall be encouraged.

3. Natural resource based uses (e.g. forestry and agriculture) shall be preferred in adjacent shoreland areas.

4. The proliferation of individual single purpose docks and piers within the sub-area shall be restricted by encouraging community facilities at appropriate locations.

PART IV

MANAGEMENT CLASSIFICATIONS

AND

PERMITTED USE DEFINITIONS

CLASSIFICATION SYSTEM

In order to maintain a diversity of values and resources, the estuary has been divided into management units. A management unit is a discrete geographic area defined by physical, biological and cultural characteristics within which certain management objectives and priorities are promoted or encouraged.

Each individual management unit is assigned a classification which defines a management objective and provides a general policy framework for the unit. The management unit classification system consists of three management classifications: Natural, Conservation and Development. The classifications are defined below in terms of the general attributes and characteristics of geographic areas falling into each category. The management objective for each classification is also stated.

1. Natural Management Units. Natural management units are those areas which are needed to assure the protection of significant fish and wildlife habitats, of continued biological productivity within the estuary, and of scientific, research, and educational needs. These shall be managed to preserve the natural resources in recognition of dynamic, natural, geological and evolutionary processes. Such areas shall include, at a minimum, all major tracts of salt marsh, tideflats and seagrass and algae beds.

   Permissible uses in natural areas shall be undeveloped low-intensity water-dependent recreation; research and educational observation, navigational aides, such as beacons and buoys; protection of habitat, nutrient, fish, wildlife and aesthetic resources, and passive restoration measures; and where consistent with the resource capabilities of the area and the purpose of this management unit, aquaculture; communication facilities; and active restoration measures.

MANAGEMENT OBJECTIVE: To preserve, protect and where appropriate enhance these areas for the resource and support values and functions they provide.

2. Conservation Management Units. Conservation management units shall be designated for long-term uses of renewable resources that do not require major alteration of the estuary except of the purpose of restoration. These areas shall be managed to conserve the natural resources and benefits. These shall include areas needed for maintenance and enhancement of biological productivity, recreational and aesthetic uses, and aquaculture. They

shall include tracts of significant habitat smaller or of less biological importance than those in (1) above, and oyster and clam beds. Partially altered areas or estuarine areas adjacent to existing development of moderate intensity shall also be included in this classification unless otherwise needed for preservation or development consistent with the overall Oregon Estuary Classification.

While the general purpose and intent of the conservation classification is as described above, the application of this classification to specific areas may be adjusted by special policies applicable to individual management units in order to accomodate needs for natural preservation.

Permissible uses in conservation areas shall be those allowed in (1) above; active restoration measures; aquaculture; and communication facilities. Where consistent with resource capabilities of the area and the purposes of this management unit, high-intensity water-dependent recreation; maintenance dredging of existing facilities; minor navigational improvement; mining and mineral extraction; water-dependent uses requiring occupation of water surface area by means other than fill; and bridge crossings, shall be appropriate.

MANAGEMENT OBJECTIVE: To conserve, protect and where appropriate enhance renewable estuarine resources for long term uses and to manage for uses which do not substantially degrade the natural or recreationsl resources or require major alterations of the estuary.

3. Development Management Units. Development management units shall be designated to provide for navigation and other identified needs for public, commercial, industrial water dependent uses, consistent with the level of development or alteration allowed by the overall Oregon Estuary Classification. Such areas shall include deepwater areas adjacent or in proximity to the shoreline, navigation channels, subtidal areas for in-water disposal of dredged material and areas of minimal biological significance needed for uses requiring alteration of the estuary.

   While the general purpose and intent of the development classification is as described above, the application of this classification to specific areas may be adjusted by special policies applicable to individual management units in order to accomodate needs for natural resource preservation.

Permissible uses in areas managed for water-dependent activities shall be navigation and water-dependent commercial and industrial uses. Where consistent with the resource capabilities and the purposes of this management unit, water-related and non-dependent, non-related uses not requiring fill; mining and mineral extraction; and activities identified in (1) and (2) above, shall also be appropriate.

MANAGEMENT OBJECTIVE: To provide for water dependent and water related development.

PART V

ESTUARINE USE STANDARDS

PERMITTED USE DEFINITIONS

In addition to the management unit classification, each management unit is more explicitly defined in terms of permitted uses and activities by means of a permitted use matrix. The matrix for each unit lists uses and activites and categorizes them as follows:

Permitted with Standards (P): Permitted as consistent with the management objective of the classification. Permitted uses must conform to the Estuarine Use Standards set forth in the plan and also to any policies specific to the individual management unit. Some permitted uses (most notably dredge and fill activities must still be subjected to the resource capability test through the state and federal permit processes. For specific requirements see Part X, Plan Implementation.

Conditional (C): Permitted only after a case review of the proposed use and issuance of a local conditional use permit (in addition to relevant state and federal permits). A conditional use shall be permitted provided that:

a. it is compatible with the management objective and definition of the management classification

b. it complies with the applicable Estuarine Use Standards set forth in this plan

c. it complies with the management objective and policies of the individual management unit

d. it is consistent with the resource capabilities of the area

e. the cumulative impacts of the proposed use have been considered.

Not Allowed (N): Not permitted. Activity or use can only be allowed upon adoption of a plan amendment by the governing body.

ESTUARINE USE STANDARDS

The following standards will be applied to all new uses and activities in Lincoln County's estuaries. All estuarine uses that involve dredging, fill, structures, shoreline stabilization (except vegetative) or other alteration waterward of Mean Higher High Water or the line of non-aquatic vegetation are currently regulated either at the state level (State Removal/Fill Law, ORS 541,695), federal level (Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act) or both. Certain other uses such as energy facility siting, aquaculture, and exploration for oil, gas, or geothermal energy are further regulated by additional state or federal permits. To minimize duplication of local, state, and federal permits, the estuarine use standards will be applied through local review of the appropriate state and/or federal permits. In addition to the standards set forth herein, all uses and activities must further comply with applicable state and federal regulations governing water quality, resource protection, and public health and safety.

Structures

Definition: Structures include all constructed, man-made facilities which extend into the estuary; fixed or floating.

Structures do not include log rafts or new land created from submerged or submersible lands (see fill). Structural types include:

Docks: A fixed or floating decked structure against which a boat may be berthed temporarily or indefinitely.

Pier: A structure extending into the water from solid land generally to afford passage for persons or goods to and from vessels, but sometimes to provide recreational access to the estuary.

Wharf: A structure built alongside a waterway for the purpose of receipt, discharge and storage of goods and merchandise from vessels.

Piling: A long, slender stake or structural element of steel, concrete or timber which is driven, jetted, or otherwise embedded into the bed of the estuary for the purpose of supporting a load.

Dolphin: A group of piles driven together and tied together so that the group is capable of withstanding lateral forces from vessels or other floating objects.

Jetty: An artificial barrier used to change littoral drift to protect inlet entrances from excessive sedimentation and to direct and confine the stream of tidal flow. Usually constructed at the mouth of a river of estuary to help deepen and stabilize a channel.

Groin: A shore protection structure (usually perpendicular to the shoreline) to trap littoral drift or retard erosion of the shoreline. Generally constructed of rock or other solid material.

Pile Dike: Flow control structures analagous to groins, but constructed from closely spaced piling connected by timbers.

Breakwater: An offshore barrier, sometimes connected to the shore at one or both ends to break the force of waves. Used to protect harbors and marinas, breakwaters may be constructed of rock, concrete, piling or may be floating structures.

1. The siting and design of all structures shall be chosen to minimize adverse impacts on aquatic life and habitats, flushing and circulation characteristics and patterns of erosion and accretion.

2. Materials to be used for structures shall be clean and durable so as to allow long term stability and minimize maintenance. Materials which could create water quality problems or which will rapidly deteriorate are not permitted.

3. The development of structures shall be evaluated to determine potential conflicts with established water uses (e.g. navigation, recreation, aquaculture, etc.). Such conflicts shall be minimized to the extent feasible.

4. Occupation of estuarine surface area by structures shall be limited to the minimum area practical to accomplish the proposed use.

5. Where feasible, breakwaters of the floating type shall be preferred over those of solid construction.

6. Floating structures shall not be permitted in areas where they would regularly contact the bottom at low water (i.e. shall be located waterward of Mean Lower Low Water). Exceptions may be granted for structures of limited area which are necessary as part of an overall approved project where grounding would not have significant adverse impacts.

7. Individual single purpose docks and piers for recreational and residential uses shall be permitted only when it has been demonstrated that there are no practical alternatives (e.g. mooring buoys, dry land storage etc.). Community facilities or other structures common to several uses are encouraged at appropriate locations.

8. Piers, docks and similar facilities for individual recreational or residential uses shall meet each of the following requirements:

   a. No dock, pier or similar facility shall extend into any watercourse more than 25' beyond MLLW unless it can be demonstrated that additional extension is essential to accomplish the intended purpose of the structure.

b. No individual private recreational dock, pier or similar facility shall extend into any watercourse more than 5% of the width thereof (as measured perpendicular from MLLW on one side of the watercourse to MLLW on the opposite side) unless it can be shown that additional extension is essential to accomplish the intended purpose of the structure.

9. Docks and similar facilities shall have the long dimension running parallel to the channel unless future development will result in pier construction or moorages being connected, necessitating facility design perpendicular to the channel.

Dredging

Definition: The removal of sediment or other material from the estuary usually for the purpose of deepening a channel, mooring basin or other navigation area.

1. All dredging in the estuary shall be conducted in such a manner so as to minimize:

   a. Adverse short term effects such as pollutant release, dissolved oxygen depletion and disturbance of important biological communities.

   b. Adverse long term effects such as loss of fish habitat and tidelands, loss of flushing capacity, destabilization of bottom sediments, and biologically harmful changes in circulation patterns.

   c. Removal of material in wetland and productive shallow submerged lands.

2. Dredging shall be permitted only:

   a. For navigation or navigational access; or

   b. In conjunction with a permitted or conditionally permitted water dependent use; or

   c. As part of an approved restoration project; or

   d. For mining or mineral extraction as provided for in the Mining and Mineral Extraction Standards; or

   e. For an approved public use, such as bridge crossings, submerged utility crossings, etc.

3. Local governments shall rely on the Division of State Lands to administer the provisions of ORS Ch. 541 requiring the mitigation of adverse impacts of dredging in intertidal and tidal marsh areas.

Shoreline Stabilization

Definition: The stabilization or protection from erosion of the banks of the estuary by vegetative or structural (rip rap or bulkheads) means.

1. Shoreline stabilization procedures shall be confined to to those areas where:

   a. Active erosion is occurring which threatens existing uses or structures; or

   b. New development or re-development of water dependent or water related uses requires protection for maintaining the integrity of upland structures or facilities.

2. The following, in order, are the preferred methods of shoreline stabilization:

   a. Vegetative or other non structural

   b. Vegetated rip rap

   c. Unvegetated rip rap

   d. Bulkheads.

Structural shoreline stabilization methods shall be permitted only where a higher priority method is not feasible.

3. Materials to be used must be clean and of a non-erodable quality that will allow long term stability and minimize maintenance. Materials which could create water quality problems or which will rapidly deteriorate are not permitted.

4. Minor modification of the bankline profile may be permitted on a case-by-case basis. These alterations shall the purpose of gaining additional upland area.

5. Shoreline stabilization structures shall be designed and located so as to minimize adverse impacts on aquatic life and habitat, circulation and flushing characteristics, and patterns of erosion and accretion.

6. The use of bulkheads shall be limited to "development" and "conservation" management units.

Fill

Definition: Placement of material in the estuary to create new shoreland area.

1. Fill shall be permitted only in conjunction with a water dependent use which requires an estuarine location and for which no feasible alternatives (e.g. construction on piling) or upland locations exist.

2. All fill projects shall be designed and place so as to minimize adverse impacts on aquatic life and habitats, flushing and circulation characteristics, erosion and accretion patterns, navigation and recreation.

3. Fill materials which could create water quality problems or which will rapidly deteriorate are not permitted.

4. When available from an authorized dredging project, dredged materials shall be preferred over upland materials for approved fill projects.

5. As an integral part of the fill process, new fills placed in the estuary shall be protected by approved methods of bank stabilization to prevent erosion.

6. Local governments shall rely on the Division of State Lands to administer the provisions of ORS Ch. 541 requiring the mitigation of adverse impacts of filling in intertidal or tidal marsh areas.

7. In the design of fill projects, provision of public access to the estuary shall be encouraged to the extent compatible with the proposed use.

Marina and Port Facilities

Definitions: Marina: A small harbor, boat basin or moorage dockage for recreational craft.

Port Facilities: Facilities which accomodate and support commercial fishery and navigation activities, including terminals and boat basins and moorage for commercial vessels, barges and oceangoing ships.

1. All structures, fills, dredging or shoreline stabilization measures undertaken in conjunction with marina or port facility development must comply with applicable standards set forth in this plan.

2. Provision must be made in the design of marina and port facilities to ensure adequate flushing for the maintenance of water quality.

3. Open moorage shall be preferred over covered or enclosed moorage except for repair or construction facilities.

4. Multi-purpose and cooperative use of moorage, parking, cargo handling and storage facilities shall be encouraged.

5. In the development of new port marina facilities, maximum feasible public access shall be encouraged, consistent with security and safety requirements.

Aquaculture

Definition: The raising, feeding, planting and harvesting of fish, shellfish or marine plants, including facilities necessary to engage in the use.

1. All structures located in conjunction with aquaculture operations shall be subject to the standards set forth in this plan for structures.

2. Water diversion structures or man-made spawning channels shall be constructed so as to maintain minimum required stream flows for aquatic life in the adjacent streams.

3. The potential impacts of introducing a new fish or shellfish species (or race within a species) shall be carefully evaluated in light of existing aquatic life and potential fish and shellfish production in the stream, estuary and ocean.

4. Aquaculture facilities shall be located far enough from any sanitary sewer outfalls to prevent any potential health hazard.

Mineral and Aggregate Extraction

Definition: The removal for economic use of minerals, petroleum resources, sand, gravel or other materials from the estuary.

1. All mineral and aggregate removal projects shall be conducted in such a manner so as to minimize:

   a. Adverse short term effects such as pollutant release, dissolved oxygen depletion, excessive turbidity, and disturbance of important biological communities.

   b. Adverse long term effects such as loss habitat and tidelands, loss of flushing capacity, destabilization of bottom sediments and biologically harmful changes in circulation patterns.

2. Removal of aggregate materials from the estuary shall be allowed only after a clear demonstration that comparable materials are not available from local upland sources.

3. Unless part of an approved fill project, spoils and stockpiles shall be placed beyond the reach of high water and in such a manner that sediment will not enter or return to the waterway.

4. Riparian vegetation shall be retained to the optimum degree possible. Disturbed shoreline areas shall be revegetated.

Dikes

Definition: An earthern embankment or ridge constructed to restrain high waters. New diking is placement of dikes on area which (1) has never been previously diked; or (2) has previously been diked but all or a substantial part of the area is presently subject to tidal inundation and tidal marsh has been re-established.

1. Existing functional dikes and tide gates may be maintained and repaired as necessary to fulfill their original purpose.

2. New dikes or expanded dikes in estuarine areas shall be allowed only:

   a. As part of an approved fill project; subject to the standards for fill; and

   b. If appropriate mitigation is undertaken in accordance with relevant state standards.

3. Dikes constructed to retain fill materials shall be considered fill and are subject to standards for fill.

4. The outside face of new dikes shall be protected by approved shoreline stabilization procedures.

Outfalls

Definition: An outlet through which materials are discharged into the estuary. Outfalls include sanitary (sewer) discharges, storm drainage facilities and industrial waste discharges.

1. As applicable, the standards for dredging, shoreline stabilization and placement of structures as set forth in this plan must be complied with in the installation of outfalls.

2. Outfalls shall not be allowed in poorly flushed areas of the estuary, unless all state and federal water quality standards can be met.

Submerged Crossings

Definition: Power, telephone, water, sewer, gas or other transmission lines which are constructed across the estuary, usually by embedding into the bottom of the estuary.

1. Trenching or other bottom disturbance undertaken in conjunction with installation of a submerged crossing shall conform to the standards for dredging as set forth in this plan.

2. Submerged crossing shall be designed and located so as to eliminate interference with present or future navigational activities.

3. Submerged crossings shall be designed and located so as to ensure sufficient burial or water depth to avoid damage to the crossing.

Restoration

Definition: Replacing or restoring original attributes or amenities such as natural biological productivity or cultural and aesthetic resources which have been diminished or lost by past alterations or activities. Active restoration involves the use of specific remedial action such as removing dikes, installing water treatment facilities, etc. Passive restoration is the use of natural processes, sequences or timing to bring about restoration after the removal or reduction of adverse stresses.

1. Restoration in areas designated for development shall be undertaken only if it is likely that the project will not conflict with or be destroyed by existing or subsequent development.

2. All restoration projects shall be designed so as to minimize adverse impacts on aquatic life and habitats, flushing and circulation characteristics, erosion and accretion patterns, navigation and recreation.

Excavation

Definition: Excavation of shorelands to create new estuarine surface area directly connected to other estuarine waters.

1. Creation of new estuarine surface area shall be allowed only for navigation, other water dependent use, or restoration.

2. All excavation projects shall be designed and located so as to minimize adverse impacts on aquatic life and habitats, flushing and circulation characteristics, erosion and accretion patterns, navigation and recreation.

3. Excavation of as much as is practical of the new water body shall be completed before it is connected to the estuary.

4. In the design of excavation projects, provision of public access to the estuary shall be encouraged to the extent compatible with the proposed use.

Dredged Material Disposal

Definition: The deposition of dredged material in estuarine areas or shorelands.

1. Disposal of dredged materials should occur on the smallest possible land area in order to minimize the quantity of land that is disturbed. Clearing of land should occur in stages on an as needed basis.

2. Dikes surrounding disposal sites shall be well constructed and large enough to encourage proper "ponding" and to prevent the return of suspended sediments into the estuary.

3. The timing of disposal activities shall be coordinated with the Department of Environmental Quality and the Department of Fish and Wildlife to ensure adequate protection of biologically important elements such as fish runs, spawning activity, etc. In general, disposal should occur during periods of adequate river flow to aid flushing of suspended sediments.

4. Disposal sites which will receive materials with toxic characteristics shall be designed to include secondary cells in order to achieve good quality effluent. Discharge from the sites should be monitored to ensure adequate cell structures have been constructed and are functioning properly.

5. Revegetation or other stabilization of disposal sites shall occur as soon as is practicable in order to stabilize the site and retard wind erosion.

6. Outfalls from dredged material disposal sites shall be located and designed so as to minimize adverse impacts on aquatic life and habitats and water quality.

7. General priorities for dredged material disposal sites shall be (in order of preference):

   a. Upland or approved fill project sites

   b. Approved offshore disposal sites

   c. Aquatic areas

The Lincoln County Dredge Material Disposal Plan should be consulted for information concerning specific disposal sites and further policy recommendations.

Water Handling of Logs

Definition: Water handling of logs is the combined process of log dumping, storage, transportation, millside handling and takeout as logs are placed into the water and moved to a final processing site.

1. Water handling of logs shall be conducted in such a manner to insure that violations of water quality standards do not result from such activities.

2. New free fall log dumps shall not be permitted. All new log dumps and shipside unloading shall employ easy let-down devices.

3. The inventory of logs in the estuary for any purpose shall be the lowest practical number for the shortest practical time considering log availability and market conditions.

4. The inventory of logs in areas where grounding will occur shall be the lowest practical number for the shortest practical time considering log availability, market conditions.

5. Best practical bark and wood debris control, collection and disposal methods shall be employed at log dumps, shipside unloading areas, raft building areas and millside handling and takeout areas.

PART VI

MANAGEMENT UNITS

MANAGEMENT UNIT 1

Description

Management unit 1 consists of the area between the navigation channel and the north jetty west of the Highway 101 bridge. Natural resources of importance include shellfish beds, fish spawning and nursery areas and wildlife habitat. Of special importance are areas used by ling cod for spawning and a major algae bed. Primary uses in the area are medium and shallow draft navigation and recreation (angling, boating, diving). Alterations include the north jetty, rip-rapped shoreline east of the jetty, and piling dolphins at the base of the bridge footings. (See maps for location of resources and uses)

Classification: Conservation

This unit has been classified as conservation in order to conserve the natural resources of the unit while allowing minor alterations similar to those now existing in the unit.

Resource Capability

The major algal bed in this unit is a sensitive habitat area of special value. Other habitats, while of major importance, are less susceptible to disturbance from minor alterations. Low intensity alterations such as piling, dolphins and rip-rap have occurred in this area in the past without significant damage to resource values. Similar activities of this nature in conjunction the uses contemplated in unit 1 will constitute minor alterations consistent with the resource capabilities of the area.

Management Objective

Management unit 1 shall be managed to conserve shellfish beds, fish spawning and nursery areas and other natural resources. Navigation improvements necessary for the maintenance of the harbor entrance and channel shall be provided for.

Special Policies

1. The algal bed within management unit 1 as defined by the Oregon Department of Fish and Wildlife Habitat Classification Map shall be preserved.

2. It is recognized that navigation improvements (including jetty maintenance) will be required within Management unit 1.

PERMITTED USE MATRIX

Management Unit No. Yaquina 1
Classification Conservation

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial / Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
C	Mining	N	N	N	C	C	P	C	N	N	N	C	C	C	C	
C	Oil or Gas Extraction	N	N	N	C	C	P	N	N	N	N	N	C	C		
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
P	Overhead crossings	N	N	N	N	N	N	N	N	N	N	N	N	N	N	2
C	Submerged crossings	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
C	Bridge crossings	P	N	C	P	P	P	C	C	C	N	N	N	P	P	3
C	Storm water outfall	C	N	N	C	C	P	N	C	C	N	N	N	C	C	
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	C	N	N	C	P	P	C	C	C	N	N	N	C	C	4
C	Aquaculture Facilities	N	N	N	C	C	P	C	N	N	N	N	N	C	C	
	Restoration															
N	Active															
N	Passive															

MANAGEMENT UNIT 2

Description

Management unit 2 contains the area between the south jetty and the navigation channel west of the third (westernmost) groin. Natural resources of importance include shellfish beds, algal beds, fish spawning and nursery areas and waterfowl habitat. Major uses in the unit are shallow draft navigation and recreational activities, including fishing, diving and boating. Alterations in the area include the south jetty, navigation aids and a submerged crossing. (See maps for location of resources and uses)

Classification: Conservation

This unit has been classified as conservation in order to conserve the natural resources of the unit while allowing minor alterations similar to those now existing in the unit.

Resource Capability

Management unit 2 is a predominantly subtidal area situated in a high energy marine environment. Substrates in this area are primarily coarse marine sands and rocks. Kelp and other algal species cover the rocky areas around the jetty and groins, though the unconsolidated sand areas are generally devoid of larger plants. Development which threatens water quality or seriously disrupts benthic habitats (i.e. major dredging or filling) can have major impacts in marine subsystems. Minor structural alterations such as piling, dolphins and bank stabilization result in only short term disturbances and may enhance fish habitat by providing cover and substrate for algal species. Such minor alterations are consistent with the resource capability of Management Unit 2.

Management Objective

Management unit 2 shall be managed to conserve shellfish beds, algal beds, fish spawning and nursery areas and other natural resources. Navigation improvements necessary for the maintenance of the harbor entrance and channel shall be provided for.

Special Policies

1. It is recognized that navigation improvements (including jetty maintenance) will be required within Management Unit 2.

PERMITTED USE MATRIX

Management Unit No. Yaquina 2
Classification Conservation

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial / Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
C	Boat launching	P	N	N	P	P	P	C	N	N	N	P	P	P	P	
	Industrial															
N	Log dumping															
N	Log storage															
C	Mining	N	N	N	P	P	P	C	N	N	N	C	C	C	C	
C	Oil or Gas Extraction	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
C	Submerged crossings	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Bridge crossings															
C	Storm water outfall	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	C	N	N	P	P	P	C	C	C	N	N	N	C	C	1
C	Aquaculture Facilities	N	N	N	P	P	P	C	N	N	N	N	N	C	C	
	Restoration															
N	Active															
N	Passive															

MANAGEMENT UNIT 3

Description

Management unit 3 consists of the area between the navigation channel and the south shore from the third jetty groin to the South Beach Marina breakwater. The area has a number of important characteristics including tideflats, eelgrass beds, significant shellfish beds, important fish spawning and nursery areas, and important waterfowl habitat. Major uses within the unit are shallow draft navigation and recreation (clam digging, fishing, boating). Some minor commercial shellfish harvest takes place in the unit. Alterations include the south jetty, groins, the South Beach Marina breakwater, piling, a pier structure, the bridge crossing, navigation aids and rip-rapped shorelines. (See maps for location of resources and uses)

Classification: Conservation

This unit has been classified as conservation in order to conserve the natural resources of the unit while allowing minor alterations similar to those now existing in the unit.

Resource Capability

Management unit 3 is similar in character to management unit 2, though it has a larger intertidal area, and larger and more important shellfish beds. It is also more extensively altered as a result of jetty improvements, the bridge crossing and construction on the South Beach Marina. These structural alternatives have created diverse fish habitat as well as substrate for algal species. Further minor structural alterations such as piling, dolphins or recreational piers would be consistent with the existing character and resource capability of the area.

Management Objective

Management unit 3 shall be managed to conserve natural resources of importance. Navigation improvements necessary for the maintenance of the harbor entrance and channel shall be provided for.

Special Policies

1. Major clam beds are located within the management unit 3. These clam beds shall be protected.

2. It is recognized that navigation improvements (including jetty maintenance) will be required in management unit 3.

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PERMITTED USE MATRIX

Management Unit No. Yaquina 3
Classification Conservation (1)

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial / Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
C	Boat launching	P	N	N	P	P	P	C	N	N	N	P	P	P	P	
	Industrial															
N	Log dumping															
N	Log storage															
C	Mining	N	N	N	P	P	P	C	N	N	N	C	C	C	C	
C	Oil or Gas Extraction	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
P	Fishing Pier	P	N	N	N	N	P	N	N	N	N	P	N	P	P	
P	Overhead crossings	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
C	Submerged crossings	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
C	Bridge crossings	P	N	C	P	P	P	C	C	C	N	N	N	P	P	
C	Storm water outfall	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	C	N	N	P	P	P	C	C	C	N	N	N	C	C	2
C	Aquaculture Facilities	N	N	N	P	P	P	C	N	N	N	N	N	P	P	
	Restoration															
N	Active															
N	Passive															

MANAGEMENT UNIT 4

Description

Management unit 4 is the Corps of Engineers authorized deep-water channel including the turning basin up to the urban growth boundary. Natural resources within the unit include fish spawning and nursery areas, and important shellfish beds. Major uses within the unit include navigation (shallow, medium and deep draft), recreation (fishing, crabbing, boating) and commercial harvest. Alterations include piling, submerged crossings and the bridge crossing. Of special importance is the maintenance dredging of the federally authorized channel and turning basin. (See maps for locations of resources and uses).

Classification: Development

This unit has been classified as development, because of the dredging required to maintain the deep-water channel and turning basin.

Resource Capability

Management unit 4 is an area of diverse marine influenced habitats, including some major shellfish beds. The area is periodically dredged for maintenance of the federally authorized channel, and resources present are subject this regular disturbance.

Management Objective

Management unit 4 shall be managed to protect and maintain the channel and turning basin for deep-draft navigation.

Special Policies

1. Adverse impacts of mining, mineral extraction or other dredging operations within management unit 4 on existing commercial clam harvest shall be minimized.

PERMITTED USE MATRIX

Management Unit No. Yaquina 4
Classification Development

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
P	Log dumping	X	N	N	N	N	N	N	N	N	N	N	N	N		
N	Log storage															
C	Mining	X	N	N	P	P	P	N	N	N	N	N	N	C	C	1
C	Oil or Gas Extraction	X	N	N	P	P	P	N	N	N	N	N	N	C	C	
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
C	Overhead crossings	X	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	X	N	N	P	N	P	N	N	N	N	N	N	N	N	
C	Bridge crossings	X	N	N	N	N	P	N	N	N	N	N	N	C	C	X
C	Storm water outfall	X	N	N	P	P	P	N	N	N	N	N	N	N	N	
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	X	N	N	P	P	P	C	C	C	N	N	N	C	C	
C	Aquaculture Facilities	X	N	N	P	P	P	N	N	N	N	N	N	C	C	
	Restoration															
N	Active															
N	Passive															

MANAGEMENT UNIT 5

Description

Management unit 5 consists of the area along the north shore of the bay from the bridge to McLean Point. It includes the Port of Newport moorage basins, the dredged water front in the Newport urban area, and the terminal facilities at McLean Point. Natural resources of importance include tideflats, eelgrass and shellfish beds, and fish spawning and nursery areas. This portion of the estuary is used intensively for shallow and medium draft navigation, moorage of small and large boats and for recreation. Other significant uses include a terminal operation, research activities, U.S. Coast Guard Station, and commercial harvest. The shoreline and aquatic areas are significantly altered with rip-rap, bulkheads, piers and wharves, piling, floating docks, dredging and other activities. (See maps for location of resources and uses)

Classification: Development

This unit is classified as development because of the port's development needs and the water dependent uses along the waterfront.

Resource Capability

Management unit 5 is the most extensively altered area in the estuary. Plans for redevelopment of existing facilities in this area call for further alterations including major dredging and construction activities. Given the nature of existing development and resources in this area, continued development for water dependent uses will be consistent with the capabilities of this unit.

Management Objective

Management unit 5 shall be managed to provide for the development of Port Facilities and other water-dependent uses fronting on the water. Uses shall be in keeping with the unique mixed use character of the Newport waterfront.

Special Policies

1. Improtant shellfish beds are located in management unit 5. Adverse impacts on these shellfish beds from future development shall be minimized.

2. Due to the limited water surface area available and the need for direct land to water access, alternatives (such as mooring buoys or dry land storage) to docks and piers for commercial and industrial uses are not feasible in Unit 5. Multiple use facilities common to several users are encouraged where practical.

YAQUINA BAY

YAQUINA BAY

PERMITTED USE MATRIX

Management Unit No. Yaquina 5
Classification Development (1)

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
P	Water dependent	P	C	P	C	P	P	C	C	C	P	P	P	P	P	
C	Water related	P	N	N	N	N	P	N	C	C	C	C	C	C	C	
N	Non-water related															
N	Marina															
P	Boat launching	P	N	P	C	P	P	C	N	N	P	P	P	P	P	
	Industrial															
N	Log dumping															
N	Log storage															
C	Mining															
C	Oil or Gas Extraction	N	N	N	P	P	P	C	N	N	N	C	C	C	C	
P	Industrial outfalls	P	N	N	P	P	P	C	N	N	N	N	N	N	N	
P	Marine ways	P	N	P	P	P	P	N	N	N	P	P	P	P	P	
P	Water dependent industrial	P	C	P	P	P	P	C	C	C	P	P	P	P	P	
C	Water related industrial	P	N	N	N	N	P	N	C	C	C	C	C	C	C	
N	Non-water related industrial															
	Public															
P	Overhead crossings	N	N	N	N	N	N	N	N	N	N	N	N	N	N	2
P	Submerged crossings	P	N	N	P	P	P	N	C	C	N	N	N	C	C	
C	Bridge crossings	P	N	P	P	P	P	C	C	C	N	N	N	P	P	3
P	Storm water outfall	P	N	N	P	P	P	N	C	C	N	N	N	P	P	
N	Sanitary outfall															
	Port Facilities															
P	Deep draft (over 23')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
P	Medium draft (10'-22')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
P	Shallow draft (0-9')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
P	Navigation improvement	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
C	Aquaculture Facilities	P	N	N	P	P	P	N	N	N	N	N	N	C	C	
	Restoration															
N	Active															
N	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 6

Description

Management unit 6 consists of the area between the navigation channel and the port breakwater, from the Highway 101 bridge east to the turning basin. It is a predominantly subtidal area with a number of important resource characteristics. These include eelgrass and shellfish beds, fish spawning and nursery areas, and waterfowl habitat. Major uses in the unit include recreation (fishing, boating, crabbing), medium and shallow draft navigation and commercial harvest activities. Alterations within the unit include the port breakwater, pilings and navigation aids. (See maps for location of resources and uses)

Classification: Conservation

This unit has been classified as conservation in order to conserve the natural resources of the unit while allowing minor alterations similar to those now existing in the unit.

Resource Capability

Management unit 6 is a subtidal area at the upper end of the marine subsystem. It supports a variety of important resources which could be adversely impacted by major fill, removal or other aquatic alterations. Important uses in the unit such as navigation and recreation require a largely unobstructed surface area. For these reasons, alterations consistent with the resource capability of this unit are limited to minor structural alterations such as piling and dolphins. Any removal activities should be evaluated on a case by case basis.

Management Objective

Management unit 6 shall be managed to conserve natural resources and to provide for uses compatible with existing navigation and recreation activities.

Special Policies

1. The shellfish beds to the south of the port breakwater as defined by the publication "Subtidal Clam Populations: Districution, Abundance and Ecology" (OSU Sea Grant, May 1979) are considered a resource of major importance.

PERMITTED USE MATRIX

Management Unit No. Yaquina 6
Classification Conservation

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
C	Water dependent	X	N	N	N	N	P	N	N	N	N	N	N	P	P	
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
C	Mining	X	N	N	P	P	P	C	N	N	N	C	C	C	C	
C	Oil or Gas Extraction	X	N	N	P	P	P	N	N	N	N	N	N	C	C	
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
P	Overhead crossings	X	N	N	N	N	N	N	N	N	N	N	N	N	N	1
P	Submerged crossings	X	N	N	P	P	P	N	N	N	N	N	N	C	C	
C	Bridge crossings	X	N	C	P	P	P	C	N	N	N	N	N	P	P	
C	Storm water outfall	X	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	X	N	N	P	P	P	C	C	C	N	N	N	P	P	
C	Aquaculture Facilities	X	N	N	C	C	P	N	N	N	N	N	N	C	C	
	Restoration															
N	Active															
P	Passive	X	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 7

Description

Management unit 7 consists of the aquatic area between the navigation channel and the south shore, from the Highway 101 bridge east to the small boat pier at the Marine Science Center. It includes the South Beach Marina and the OSU Marine Science Center facilities. The majority of the unit is sub-tidal and includes eelgrass and shellfish beds, and fish spawning and nursery areas. Major uses in the area are medium and shallow draft navigation, moorage, aquaculture (salmon ranching), commercial harvest and recreation. Alterations include pilings, piers and wharves, breakwaters, floating docks, rip-rapped shorelines, dredging and other activities. (See maps for location of resources and uses)

Classification: Development

This unit has been classified as development because of the existing and proposed South Beach Marina and OSU Marine Science Center facilities on and near shore.

Resource Capability

Management unit 7 includes the developed area along the south shore of the Newport sub-area, corresponding to management unit 5 on the north shore. Based on the nature of the resources present in this area and the level and intensity of existing development, continued development of water dependent uses and structural alterations such as piling, piers, shoreline stabilization etc. are consistent with the resource capabilities of this area. Major fill and removal activities should be evaluated on an individual basis.

Management Objective

Management unit 7 shall be managed to provide for water dependent development compatible with existing uses and consistent with the resource capabilities of the area.

Special Policies

1. Eelgrass beds, shellfish beds, and fish spawning and nursery areas are located within management unit 7. Adverse impacts of future development on these resources shall be minimized.

2. Marina related development undertaken as a part of the approved South Beach Marina project shall be permitted.

3. Development of deep and medium draft port facilities shall be a permitted use only outside of the existing South Beach Marina boat basin.

4. Due to the limited water surface area available and the need for direct land to water access, alternatives (such as buoys and dry land storage) to docks and piers for commercial and industrial uses are not feasible in Unit 7. Multiple use facilities common to several users are encouraged where practical.

PERMITTED USE MATRIX

Management Unit No. Yaquina 7
Classification Development

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
P	Water dependent	P	C	P	P	P	P	C	C	C	P	P	P	P	P	
C	Water related	P	C	N	N	N	P	N	C	C	C	C	C	C	C	
N	Non-water related															
C	Marina	P	C	P	P	P	P	P	P	N	P	P	P	P	P	2
P	Boat launching	P	N	P	P	P	P	C	N	N	N	N	P	P	P	
	Industrial															
N	Log dumping															
N	Log storage															
C	Mining	N	N	N	P	P	P	C	N	N	N	C	C	C	C	
C	Oil or Gas Extraction	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
C	Industrial outfalls	P	N	N	P	P	P	N	N	N	N	N	N	N	N	
P	Marine ways	P	N	N	P	P	P	C	N	N	P	P	P	P	P	
p	Water dependent industrial	P	C	P	P	P	P	C	C	C	P	P	P	P	P	
p	Water related industrial	P	N	N	N	N	P	C	N	N	C	C	C	C	C	
N	Non-water related industrial															
	Public															
n	Overhead crossings															
p	Submerged crossings	P	N	N	P	P	P	N	C	C	N	N	N	C	C	1
n	Bridge crossings															
p	Storm water outfall	P	N	N	P	P	P	N	C	C	N	N	N	C	C	
n	Sanitary outfall															
	Port Facilities															
p	Deep draft (over 23')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	3
p	Medium draft (10'-22')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	3
p	Shallow draft (0-9')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
p	Navigation improvement	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
c	Aquaculture Facilities															
	Restoration															
N	Active															
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

MANAGEMENT UNIT 8

Description

Management unit 8 is a subtidal area between the navigation channel and the intertidal flats of the Idaho Point/King's Slough area. It contains eelgrass and shellfish beds, fish spawning and nursery areas, and waterfowl habitat. Use within the unit consists of medium and shallow draft navigation, commercial harvest and recreation. Existing alterations are limited to navigation aids. (See maps for location of resources and uses)

Classification: Conservation

This unit has been classified as conservation in order to conserve the natural resources of the unit while allowing minor alterations similar to those now existing in the unit.

Resource Capability

Management unit 8 is an important resource area. Shallow portions of this subtidal unit support eelgrass beds; major shellfish beds are also located in this area. Alterations in this area are limited to navigation aids (pile supported). Because of the area's proximity to the deep water turning basin, it may be needed as a site for temporary log raft anchorage. The piling and rafts should have no significant adverse impacts on resources in this area so long as they are sited to avoid grounding. If this activity is conducted under conditions to minimize occupation of surface area, minimize conflicts with recreational use and avoid grounding, it will be within the resource capabilities of the area.

Management Objective

Management unit 8 shall be managed to conserve natural resources such as eelgrass and shellfish beds. Navigation improvements found to be necessary for the maintenance of the deep water channel shall be provided for.

Special Policies

1. Temporary moorage of log rafts in management unit 8 shall conform to the following standards:

    a. Whenever feasible, individual logs shall be bundled, but shall always be held in rafts.

    b. The number of log rafts moored at any time shall be the lowest practical number for the shortest practical time considering log supply and tidal cycles.

Management Unit 8
(cont'd)

c. Water surface area occupied by temporary moorage shall not at any time exceed seven (7) acres.

d. Temporary moorage sites shall be occupied no more than two weeks in any six consecutive weeks.

e. Dolphins shall be sited and moorage conducted so that log rafts will not ground at low water.

f. As much as practical, shipment and movement of logs shall be timed to minimize conflicts with recreational uses in the area.

PERMITTED USE MATRIX

Management Unit No. Yaquina 8
Classification Conservation

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
P	Temporary Anchorage	N	N	N	N	N	P	N	N	N	N	N	N	P	P	1
N	Log dumping															
N	Log storage															
C	Mining	X	N	N	C	C	P	C	N	N	N	N	C	C	C	
C	Oil or Gas Extraction	X	N	N	C	C	P	N	N	N	N	N	N	N	N	
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
C	Overhead crossings	X	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	X	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Bridge crossings															
X	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	X	N	N	C	P	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	P	N	N	C	C	P	N	N	N	N	N	N	C	C	
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 9

Description

Management unit 9 includes the tideflats between the Marine Science Center and Idaho Point, all of King Slough and the intertidal area at the mouth of the slough. This is one of the largest tideflats in the estuary with a number of natural resource values of major significance, including eelgrass beds, low salt marsh, fish spawning and nursery areas and waterfowl habitat. The area is used extensively for recreational purposes, primarily angling, clamming and waterfowl hunting. A small marina development is present at Idaho Point. Most of the interdal area of King Slough is privately owned and has been used historically for log storage. Alteration to the unit is minimal, with a few scattered piling and limited areas of rip-rapped shoreline.

Classification: Natural

This unit has been classified natural in order to preserve the natural resources of the unit.

Resource Capability

Management unit 9 is a highly sensitive area with resource values of major importance the estuarine ecosystem. In order to maintain resource values, alterations in this unit should be kept to a minimum. Minor alterations which result in temporary disturbances (e.g. limited dredging for submerged crossings) would be consistent with resource values in this area; other more permanent alterations should be reviewed individually.

Management Objective

Management unit 9 shall be managed to preserve and protect natural resources and values.

Special Policies

1. Limited maintenance dredging and other maintenance activities may be permitted for the maintenance of the existing marina in management unit 9. Expansion of this use or establishment of new marina uses is not permitted.

2. Major portions of management unit 9 are held in private ownership. Because the preservation of critical natural resources requires that uses in this area be severely restricted, public acquisition of these privately owned lands is strongly encouraged.

PERMITTED USE MATRIX

Management Unit No. Yaquina 9
Classification Natural

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina	N	N	N	N	C	N	N	N	N	N	N	N	N	N	2
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
P	Submerged crossings	N	N	N	P	N	P	N	N	N	N	N	N	N	N	1
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	N	N	N	N	N	P	N	N	N	N	N	N	C	C	
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 10

Description

Management unit 10 includes the Sally's Bend area between Coquille Point and McLean Point. The unit consists of a major tideflat which supports eelgrass, shellfish and algal beds, fish spawning and nursery areas and wildlife habitat, all of major significance. Uses in the area are limited to shallow and medium draft navigation, recreational use and some minor commercial harvest. A number of minor alterations are present, including piling, dredging, and rip-rapped shorelines.

Classification: Natural

This unit has been classified natural in order to preserve natural resources in the unit.

Resource Capability

Management unit 10 is similar in character and resource values to management unit 9. Due to the importance and sensitive nature of the resources in this area, permitted alterations should be limited to those which result in only temporary disturbances. (several submerged crossings have been located in this area) More permanent alterations should be reviewed for consistency with the resource capabilities of the area.

Management Objective

Management unit 10 shall be managed to preserve and protect natural resources and values.

Special Policies:

1. A portion of management unit 10 has been identified as a potential future development site. Development of the area within the identified "resource line" shall require a clear demonstration of need, evaluation of alternative sites, consideration of long term consequences and a finding of compatibility with adjacent uses in order to justify the needed plan amendment and Goal 16 exception. See FUTURE DEVELOPMENT SITES section.

PERMITTED USE MATRIX

Management Unit No. Yaquina 10
Classification Natural

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
P	Submerged crossings	N	N	N	P	N	P	N	N	N	N	N	N	N	N	I
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	N	N	N	N	N	P	N	N	N	N	N	N	C	C	
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 12

Description

Management unit 12 is the Corps of Engineers authorized navigation channel from the turning basin to the upstream extent of dredging at Toledo. Natural resources of major significance in the unit are shellfish beds and fish spawning and nursery areas. The channel is used extensively for shallow and medium draft navigation, including log towing. Ohter uses include recreation, commercial harvest and aquaculture. Alterations within the channel include maintenance dredging and several minor alterations such as piling, submerged crossings and mavigation aids.

Classification: Development

This unit has been classified development as it is the federally authorized navigation channel.

Resource Capability

Resources within management unit 12 are subject to periodic major alterations as a result of maintenance dredging activities. Resource values are limited to those capable of reestablishing after these periodic disturbances. Other alterations need to be limited in order to maintain clear navigation.

Management Objective

Management unit 12 shall be managed to maintain navigational access to upriver areas above the turning basin.

Special Policies:

1. Bridge crossing construction shall be permitted only for maintenance or replacement of the existing Butler Bridge crossing.

2. The provisions of Goal 16 which require major natural resources to be placed in Natural or Conservation classifications and those which require navigation channels to be placed in a Development classification are in conflict in the case of management unit 12. A long established commitment and major public investment to maintain the area for navigational purposes indicate an overriding need to designate the area for development.

PERMITTED USE MATRIX

Management Unit No. Yaquina 12
Classification Development

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
P	Overhead Crossings	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
N	Log dumping															
N	Log storage															
C	Mining	X	N	N	C	C	P	N	N	N	N	N	N	C	C	
C	Oil or Gas Extraction	X	N	N	C	C	P	N	N	N	N	N	N	C	C	
C	Industrial outfalls	X	N	N	N	C	P	N	N	N	N	N	N	N	N	
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
C	Overhead crossings	X	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	X	N	N	P	P	P	N	N	N	N	N	N	N	N	
C	Bridge crossings	X	N	N	N	N	P	N	N	N	N	N	N	C	C	1
C	Storm water outfall	X	N	N	C	C	P	N	N	N	N	N	N	N	N	
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	X	N	N	P	P	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	X	N	N	C	C	P	N	N	N	N	N	N	C	C	
	Restoration															
N	Active															
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 13

Description

Management unit 13 is the water area between the navigation channel and the west shore, from the King Slough tide flats to River Bend. This mostly sub-tidal unit contains shellfish beds, fish spawning and nursery areas and important wildlife habitat. Uses in the area consist primarily of shallow and medium draft navigation, commercial harvest, and recreational boating and fishing. The area has natural characteristics which make it suitable for aquaculture. Alterations in the unit are limited to a few piling and navigation aids.

Classification: Conservation

This unit is a partially altered area with some important resource characteristics which qualify for conservation management.

Resource Capability

Unit 13 is part of the bay subsystem as described in the ODFW Habitat Classification System. This is a relatively protected area which provides a transition zone between marine and fresh water. It is within that portion of Yaquina Bay which is suitable for oyster culturing operations. Those minor alterations which will not jeopardize the suitability of the area for aquaculture are consistent with the resource capability of this area. Shoreline stabilization and dredging activities should be reviewed to assure consistency with this resource capability.

Management Objective

Management unit 13 shall be managed to conserve natural resources, protect water quality and to provide for aquaculture related development.

PERMITTED USE MATRIX

Management Unit No. Yaquina 13
Classification Conservation

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

	Commercial / Recreational	Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
C	Mining	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
C	Overhead crossings	C	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	P	N	N	P	P	P	N	N	N	N	N	N	N	N	
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
C	Navigation improvement	N	N	N	C	C	P	N	N	N	N	N	N	N	N	
P	Aquaculture Facilities	C	N	N	P	P	P	C	N	N	N	P	P	P		
	Restoration															
N	Active															
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N		

MANAGEMENT UNIT 14

Description

Management unit 14 is the area between the navigation channel and the east shore from Coquille Point to River Bend. Natural resources include fish spawning and nursery areas, eelgrass and shellfish beds, tideflats, and wildlife habitat (all minor significance). The predominant uses in the unit are small boat moorage, medium and shallow draft navigation and recreation. Major alterations are present in the form of piling and floating docks in conjunction with marina development. Additional alterations include fills, dredging, navigation aids, and stabilized (bulkheads and rip-rap) shorelines.

Classification: Development

Unit 14 is a deep water area close to shore with existing development of moderate intensity and thus is classified for devlopment management.

Resource Capability

Numerous major alterations have occurred in this area in conjunction with past developments, including dredging, intertidal fills and structures such as piers and docks. This unit also has natural deep water adjacent to developable shorelands, one of the last such areas in the estuary. Development of these areas for water dependent uses will be consistent with the characteristics and capabilities of this unit.

Management Objective

Management unit 14 shall be managed to provide for water dependent development consistent with available levels of services and backup space.

Special Policies

1. Due to the limited water surface area available and the need for direct land to water access, alternatives (such as mooring buoys and dry land storage) to docks and piers for commercial and industrial use are not feasible in Unit 14. Multiple use facilities common to several users are encouraged where practical.

PERMITTED USE MATRIX

Management Unit No. Yaquina 14
Classification Development

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial / Recreational															
P	Water dependent	P	C	P	P	P	P	C	C	C	P	P	P	P	P	
C	Water related	P	C	N	N	N	P	N	C	C	C	C	C	C	C	
N	Non-water related	C														
C	Marina	P	C	P	P	P	P	P	P	N	P	P	P	P	P	
P	Boat launching	P	N	P	P	P	P	C	N	N	N	P	P	P	P	
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
C	Oil or Gas Extraction	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
C	Industrial outfalls	P	N	N	P	P	P	N	N	N	N	N	N	N	N	
P	Marine ways	P	N	N	P	P	P	C	N	N	P	P	P	P	P	
P	Water dependent industrial	P	C	C	P	P	P	P	P	P	P	P	P	P	P	
C	Water related industrial	P	C	N	N	N	P	N	N	C	C	C	C	C	C	
N	Non-water related industrial															
	Public															
C	Overhead crossings	P	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	P	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Bridge crossings															
C	Storm water outfall	P	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	P	N	N	P	P	P	P	P	P	P	P	P	P	P	
P	Aquaculture Facilities	P	N	P	P	P	P	C	N	N	P	P	P	P	P	
	Restoration															
N	Active															
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N		

MANAGEMENT UNIT 15

Description

Management unit 15 consists of Parker Slough east of County Road 515. Natural resources of major significance in the unit include salt marsh, wildlife habitat and fish spawning and nursery areas. Uses within the unit are limited to some shallow draft navigation and minor recreational activity. Only minor alterations are present; these consist of piling and a small area of rip-rapped shoreline.

Classification: Natural

This unit is classified natural in order to preserve important resource values associated with the intertidal flats and tidal marsh areas.

Resource Capability

This unit is an essentially undisturbed slough sub-system. Alterations have occurred at the mouth of the slough through the construction of the county road and the subsequent bridging of the road dike. This bridge crossing spans the main sub-tidal channel of the slough, and is supported by piling and rip-rapped shorelines. Alterations of this nature in conjunction with the maintenance or replacement of this bridge crossing will occur in the least sensitive portion of this unit and are necessary to maintain the tidal circulations and other resource capabilities of the remainder of the unit.

Management Objective

Management unit 15 shall be managed to preserve and protect natural resources and values.

Special Policies

1. Bridge crossing construction may be permitted only for maintenance or replacement of the existing crossing.

PERMITTED USE MATRIX

Management Unit No. ~~Yaquina~~ 15
Classification ~~Natural~~

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial / Recreational															
N	Water dependent															
N	Water related															
N	Non-water related	C														
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
N	Submerged crossings															
C	Bridge crossings	P	N	N	N	N	P	N	N	N	N	N	N	P	P	I
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	N	N	N	N	N	P	N	N	N	N	N	N	C	C	
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 16

Description

Management unit 16 consists of the area between the navigation channel and the north shore of the bay from River Bend east to Grassy Point. Natural resources of significance in the unit include shellfish beds, fish spawning and nursery areas and wildlife habitats. This unit represents a portion of the prime aquaculture area of the estuary. Other uses in the unit include recreation, shallow draft navigation, and some minor log handling activities. Alterations within the unit include piling, floating docks, pier structures and rip-rapped shorelines.

Classification: Conservation

This unit is an area suitable and needed for aquaculture and related activities and is thus classified conservation in order to manage for long term uses of renewable resources.

Resource Capability

Unit 16 has been used for decades as a commercial oyster growing area. Water quality and other characteristics make this area especially suitable for such use. Numerous minor alterations needed for these commercial aquaculture operations have taken place in this area. These include piling, piers, floating docks and stabilized shorelines. Similar types of minor alterations are necessary for the operation of the oyster industry and are consistent with the resource capabilities of this unit.

Management Objective

Management unit 16 shall be managed to maintain and enhance natural resources and aquaculture opportunities and to provide for aquaculture related development.

Special Policies:

1. Aquaculture facilities may include receiving, processing and retail sales facilities.

PERMITTED USE MATRIX

Management Unit No. Yaquina 16
Classification Conservation

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related	C														
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
C	Mining															
C	Oil or Gas Extraction	N	N	N	C	C	P	N	N	N	N	N	N	C	C	
N	Industrial outfalls	N	N	N	C	C	P	N	N	N	N	N	N	C	C	
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
C	Overhead crossings	C	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
C	Navigation improvement	N	N	N	C	P	P	N	N	N	N	N	N	N	N	
P	Aquaculture Facilities	P	N	N	C	P	P	C	N	N	N	P	P	P	P	1
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 17

Description

Management unit 17 consists of the area between the navigation channel and the south shore of the bay from River Bend east to Grassy Point. Natural resources of significance include shellfish beds, fish spawning and nursery areas and wildlife habitat. This unit represents a portion of the prime aquaculture area of the estuary. Other uses in the unit include shallow and medium draft navigation, recreation, commercial harvest and some minor log handling activities. Overall level of alteration is minor with some piling, floating docks and rip-rapped shorelines.

Classification: Conservation

This is an area suitable and needed for aquaculture and related activities and is thus classified conservation in order to manage for long term uses of renewable resources.

Resource Capability

Unit 17 has been used for decades as a commercial oyster growing area. Water quality and other characteristics make the area especially suitable for such use. Numerous minor alterations needed for these commercial aquaculture operations have taken place in this area. These include piling, piers, floating docks and stabilized shorelines. Similar types of minor alterations will be necessary for the continued operation of the oyster industry and are consistent with the resource capabilities of this unit.

Management Objective

Management unit 17 shall be managed to maintain and enhance natural resources and aquaculture opportunities and to provide for aquaculture related development.

Special Policies:

1. Aquaculture facilities may include receiving, processing, and retail sales facilities.

PERMITTED USE MATRIX

Management Unit No. Yaquina 17
Classification Conservation

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
Commercial /Recreational																
N	Water dependent															
N	Water related															
N	Non-water related	C														
N	Marina															
C	Boat launching	N	N	N	N	N	N	N	N	N	N	N	C	C	N	
Industrial																
N	Log dumping															
N	Log storage															
C	Mining															
C	Oil or Gas Extraction	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
N	Industrial outfalls	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
Public																
C	Overhead crossings	C	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
Port Facilities																
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
C	Navigation improvement	N	N	N	P	P	P	N	N	N	N	N	N	N	N	
P	Aquaculture Facilities	P	N	N	P	P	P	C	N	N	N	P	P	P	P	1
Restoration																
C	Active	C	N	N	P	P	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 18

Description

Management unit 18 includes the salt marsh complex and intertidal area of McCaffery Slough. This is an important natural resource area, with a large salt marsh providing important primary productivity and extensive wildlife habitat. Use in the area is confined to some limited low intensity recreational activities. Most of the aquatic area and wetlands of this unit remain essentially unaltered.

Classification: Natural

As a major tract of tidal marsh, this unit is classified in order to preserve its essential resource characteristics.

Resource Capability

The McCaffery Slough area provides major resource values in the form of primary productivity and wildlife habitat. This is a sensitive area and alterations should be limited to those activities which do not disrupt the flow of these major resource values. Minor structural alterations such as piling or navigation aids would not significantly degrade productivity or wildlife habitat and are consistent with the resource capabilities of this area.

Management Objective

Management unit 18 shall be managed to preserve and protect natural resources and values.

PERMITTED USE MATRIX

Management Unit No. Yaquina 18
Classification Natural

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
P	Overhead crossings															
N	Submerged crossings	N	N	N	N	N	N	N	N	N	N	N	N	C	C	
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	N	N	N	N	N	P	N	N	N	N	N	C	C	C	
	Restoration															
N	Active															
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N			

MANAGEMENT UNIT 19

Description

Management unit 19 includes all of the salt marsh area of Poole's Slough. This area is part of the largest and most diverse salt marsh complex in the estuary and provides an extensive area of significant wildlife habitat. Uses in this area include shallow draft navigation, aquaculture activities, and recreational use.

Management unit 19 also includes the main sub-tidal channel of Poole's Slough. This area is presently used for oyster culture and some limited development of facilities is present. The channel is also used for shallow draft navigation in conjunction with aquaculture operations. This area is partially altered, with docks, piling and other minor structural improvements.

Classification: Natural

This area is a major tract of tidal marsh and is classified natural in order to preserve important resource values.

Resource Capability

Unit 19 provides a large area of tidal marsh and the associated resource values, particularly primary productivity and wildlife habitat. Alterations which do not significantly impact these values (e.g. piling, navigation aids and other minor structural alterations) are consistent with the resource capabilities of this area.

The sub-tidal portion of Poole's Slough is composed primarily of fine organic sediments, and many areas of the channel provide protected rearing sites for juvenile fishes and crabs, as well prime growing areas for oysters. Structural alterations which do not unduly impede circulation, occupy excessive surface area or adversely affect water quality are consistent with the resource capabilities of this unit. Other activities such as fill or removal can potentially disrupt these resource values, and should be reviewed for consistency with the area's resource capabilities.

Management Objective

Management unit 19 shall be managed to preserve and protect natural resources and values.

Special Policies

1. A Goal 16 exception has been taken to allow aquaculture development in unit 19 at a level of intensity greater than that normally permitted in a natural management unit. New dredge and fill activities for aquaculture development shall be limited to those activities specifically authorized by the exception statement (see appendix C). Any alterations proposed which are not included within the scope of the exception statement and are not consistent with the resource capabilities and management objective of this unit may only be permitted upon the adoption of appropriate revisions to the exception through the plan amendment process.

2. The proposed goal exception will be a phased development (see exception statement). Phases II and III of the project are to be undertaken in accordance with the need justification set forth in the exception statement. Additional expansion for uses other than the proposed seed nursery operation is not permitted under the provisions of this exception.

3. The proposed project size is felt to be adequate to provide seed nursery production for Yaquina Bay (with the possible eventuality of providing seed to other currently un-utilized grounds in other local estuaries). Additional similar projects shall require further justification of need based on an analysis of seed market conditions, demand, oyster production opportunities, etc.

4. Mitigation for adverse impacts of dredge and fill activities in the tidal marsh area will be required. The nature and extent of mitigation required and final site selection shall be addressed during the Fill and Removal permit process.

PERMITTED USE MATRIX

Management Unit No. Yaquina 19
Classification Natural

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
P	Overhead crossings	N	N	N	N	N	N	N	N	N	N	N	N	P	P	
N	Submerged crossings															
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	C	N	P	P	P	P	N	N	N	N	N	P	P	P	1
	Restoration															
N	Active															
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 20

Description

Management unit 20 is comprised of Winant Slough and Johnson Slough on the north side of the estuary. These small sloughs include salt marshes, tideflats, and wildlife habitats which are of major significance. Use in the sloughs is limited to minor recreational activity. Small areas of rip-rapped shoreline and pilings at the mouths of the sloughs represent the only alterations present.

Classification: Natural

Management unit 20 is considered to be a major tract of tidal marsh and is classified natural in order to protect essential resource values.

Resource Capability

Areas included within Unit 20 are important components of the estuarine system, in that they include tracts of productive tidal marsh and intertidal channels which have remained essentially unaltered. This is a sensitive area and should remain largely free of alterations, except for minor structural alterations which will not adversely impact tidal flow or the productive value of the marsh areas. Particularly important are minor piling and bank stabilization activities associated with the maintenance of the bridge crossings at the mouths of the sloughs. Such activities may be essential to the maintenance of the resource functions and capabilities of these areas.

Management Objective

Management unit 20 shall be managed to preserve and protect the resource values of the salt marshes, tideflats and wildlife habitats.

Special Policies:

1. Bridge crossing construction will be permitted for maintenance or replacement of the existing crossing.

2. Johnson Slough has been designated as future development site for aquaculture. It is anticipated that the nature and intensity of this development will require a goal exception and plan amendment.

PERMITTED USE MATRIX

Management Unit No. Yaquina 20
Classification Natural

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
N	Submerged crossings															
C	Bridge crossings	P	N	N	N	N	P	N	N	N	N	N	N	P	P	1
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
N	Navigation improvement															
C	Aquaculture Facilities	N	N	N	N	N	N	N	N	N	N	N	N	C	C	
	Restoration															
N	Active															
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 21

Description

Management unit 21 consists of Flesher Slough and the tideflats at the slough mouth down to MLLW. The unit contains salt marsh and wildlife habitat of major significance. Uses within the unit include limited shallow draft boat traffic and some recreational activity. The slough has been altered near its mouth by the road crossing. The dike on which the road crosses has a small culvert through it which allows only limited flushing of the slough.

Classification: Natural

This area is a major intertidal tract and is classified natural in order to preserve natural resource values.

Resource Capability

Flesher Slough is an important intertidal flat and tidal marsh area. Substrates in the slough are mostly fine grained organic materials, and small tracts of eelgrass are present near the mouth of the main slough channel. The slough mouth has been severely altered by placement of fill for the county road dike. Currently, the small culvert through which the slough fills and drains allows very limited tidal circulation. Removal activities to install additional culverts or the construction of a bridge crossing would greatly improve circulation and productivity of this area. These activities undertaken for the purpose of restoration would result in short term disturbance in the area, but long term benefits will more than offset these minor alterations.

Management Objective

Mangement unit 21 shall be managed to protect and, where appropriate, enhance the natural resources and values.

Special Policies:

1. Construction of a bridge crossing at the mouth of Flesher Slough would improve flushing of the slough and aid in its productivity. Such activity would be considered an active restoration measure consistent with purposes and resource capabilities of this unit. Bridge crossing construction will be limited to that associated with an approved restoration project.

PERMITTED USE MATRIX

Management Unit No. Yaquina 21
Classification Natural

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

	Commercial/Recreational	Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
N	Submerged crossings															
P	Bridge crossings	P	N	N	P	N	P	N	N	N	N	N	N	P	P	1
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	N	N	N	N	C	P	N	N	N	N	N	N	C	C	
	Restoration															
P	Active	P	N	N	P	N	P	N	N	N	N	N	N	P	P	1
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 22

Description

Management unit 22 consists of the salt marsh and tideflat area which is known locally as Busher Flats. The unit contains both salt marsh and wildlife habitat of major significance. Uses within the unit are limited to some shallow draft boat traffic and minor recreational use. The area is basically unaltered, with the exception of a few abandoned piling.

Classification: Natural

This unit is classified natural in order to preserve the resource values of the major tracts of tideflats and salt marsh.

Resource Capability

Busher Flats is an important resource area, with numerous values including productive intertidal and shallow subtidal areas, tidal marsh and important waterfowl habitat. Alterations which would occupy or remove significant amounts of intertidal surface area could have negative impacts on these resource values and their contribution to the estuarine system. However, limited minor alteration such as piling or navigation aids would not be significant impact on these values and are within the resource capabilities of this area.

Management Objective

Management unit 22 shall be managed to preserve the resource values associated with the important tideflats, salt marsh and wildlife habitat present within the unit.

PERMITTED USE MATRIX

Management Unit No. YAQUINA 22
Classification NATURAL

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial/Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
N	Submerged crossings															
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	N	N	N	N	C	P	N	N	N	N	N	N	C	C	
	Restoration															
N	Active															
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 23

Description

Management unit 23 shall be managed to preserve, protect and, where appropriate, enhance the natural values of its salt marsh and wildlife habitat.

Classification: Natural

This unit is a major tract of tidal marsh and is classified natural to preserve its important resource values.

Resource Capability

As a major tract of tidal marsh, this unit should be kept free of alterations which might result in channelization or disruption of tidal flow, destruction of wetland vegetation, or excessive soil disturbance. Minor structural alterations such as piling or navigation aids would be consistent with the maintenance of the area's resource values, particularly those activities which would be associated with improving tidal circulation for that portion of this unit north of County Road 515.

Management Objective

Management unit 23 shall be managed to preserve, protect and, where appropriate, enhance the natural values of its salt marsh and wildlife habitat.

Special Policies:

1. Improvement of tidal flow to those marsh areas north of Yaquina Bay road is considered to be active restoration consistent with the purposes and resource capabilities of this unit. Alterations for active restoration shall be limited to those in conjunction with the above described project.

PERMITTED USE MATRIX

Management Unit No. YAQUINA 23
Classification NATURAL

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

	Commercial/Recreational	Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
N	Submerged crossings															
P	Bridge crossings	P	N	N	N	N	P	N	N	N	N	N	N	P	P	1
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
N	Aquaculture Facilities															
	Restoration															
P	Active	P	N	N	N	N	P	N	N	N	N	N	N	P	P	1
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 24

Description

Management unit 24 includes the area between the navigation channel and the north shore from Grassy Point east to Criteser's Moorage. This unit contains a number of natural resources of major significance including eel grass and shellfish beds, fish spawning and nursery areas, tideflats and wildlife habitat. Medium and shallow draft navigation and recreational activity are the major uses within the unit. Alterations include rip-rapped shorelines, piling, navigation aids and dikes and tide-gates (at the mouth of Boone and Nute Sloughs).

Classification: Natural

This unit is classified natural in order to preserve the important diversity of natural resources values in the area.

Resource Capability

Unit 24 is an area of diverse resource values, including productive intertidal and shallow sub-tidal areas, shellfish beds, fish spawning and nursery areas and eelgrass beds. The nature of the resources in this is such that minor structural alterations such as piling or small docks which do not occupy excessive surface area or significantly effect circulation patterns would not have serious impacts on the functional characteristics of the area. Likewise, temporary minor disturbances such as dredging for submerged crossings would not be inconsistent with this area's resource capabilities.

Management Objective

Management unit 24 shall be managed to preserve natural resources such as shellfish beds, productive tideflats and wildlife habitat.

PERMITTED USE MATRIX

Management Unit No. YAQUINA 24
Classification NATURAL

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial															
N	Water dependent															
N	Water related															
N	Non-water related	C														
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
	Non-water related industrial															
	Public															
C	Overhead crossings	C	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	C	N	N	P	N	P	N	N	N	N	N	N	C	C	
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	C	N	N	N	N	P	N	N	N	N	N	N	C	C	
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 25

Description

Management unit 25 takes in the area between the navigation channel and the south shore from the upriver end of management unit 22 up to the Toledo city limits. This unit has shellfish beds, fish spawning and nursery areas and wildlife habitat, all of major significance. Major uses within the unit include in water log handling (storage, rafting and towing), recreation, and medium and shallow draft navigation. Numerous minor alterations are present within the unit. They include dredging, rip-rap, bulkheads, piers, wharves, floating docks, piling, and a boat launching ramp.

Classification: Conservation

As a partially altered area adjacent to development of moderate intensity, this unit is classified conservation in order to conserve resource values and manage for development which requires only minor alterations.

Resource Capability

Unit 25 is an area with a number of important resource characteristics; however the area has a number of significant alterations at several locations, including the Port of Toledo public boat launch facility, the Georgia-Pacific log dump and substantial log storage areas. Portions of this unit adjacent to the Toledo airport and the existing port facility are suitable for water dependent uses. Minor structural alterations such as piers, piling, docks and shoreline stabilization in conjunction with water dependent uses would not have significant adverse effects and would be similar to the existing development in this area.

Sites within unit 25 have been designated for expanded in-water log storage. These sites were selected based on proximity to existing storage sites and potential to minimize adverse impacts associated with grounding. The storage authorized is essentially temporary in nature, and any adverse resource impacts would be reversed when storage is discontinued. For these reasons, this activitiy is considered to consistent with the resource capabilities of this area.

Management Objective

Management unit 25 shall be managed to conserve natural resources and to provide for identified needs for water handling of logs.

Special Policies

1. Temporary moorage of log rafts in management unit 25 shall conform to the following policies:

   a. Whenever feasible, individual logs shall be bundled but shall always be held in rafts.

   b. The number of log rafts moored at any time shall be the lowest practical number for the shortest practical time considering log supply and tidal cycles.

   c. Water surface area occupied by temporary moorage shall not at any time exceed (7) acres.

   d. Temporary moorage sites shall be occupied no more than two weeks in any six consecutive weeks.

   e. Dolphins shall be sited and moorage conducted so that grounding of log rafts is minimized.

   f. As much as practical, shipment and movement of logs shall be timed to minimize conflicts with recreational uses in the area.

2. New log storage will be permitted in those authorized interim storage sites as specified in the Log Storage and Transportation section.

3. A portion of management unit 25 adjacent to the Toledo Airport has been identified as a potential future development site. See FUTURE DEVELOPMENT SITES section.

PERMITTED USE MATRIX

Management Unit No. YAQUINA 25
Classification CONSERVATION

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent	C														
N	Water related	P	N	C	P	P	P	C	N	N	N	P	P	P	P	
C	Marina	P	N	N	P	P	P	N	N	N	N	N	P	P	P	
C	Boat launching															
	Industrial															
P	Temporary anchorage	N	N	N	N	N	P	N	N	N	N	N	N	P	P	1
P	Log dumping	P	N	N	C	P	P	N	N	N	C	C	C	P	P	
P	Log storage	N	N	N	N	N	P	N	N	N	N	N	N	P	P	
C	Mining	N	N	N	C	C	P	N	N	N	N	N	N	C	C	
C	Oil or Gas Extraction	N	N	N	C	C	P	N	N	N	N	N	N	C	C	
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
C	Overhead crossings	C	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
C	Navigation improvement	N	N	N	C	P	N	N	N	N	N	N	N	N	N	
P	Aquaculture Facilities	P	N	N	C	P	P	C	N	N	N	P	P	P	P	
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 27

Description

Management unit 27 is a large salt marsh area immediately east of the mouth of Nute's Slough. The salt marsh and wildlife habitat within this unit are considered to be of major significance. The unit also includes a small tideflat area which supports important shellfish beds. Use within the unit is confined to recreational activities. A small portion of this unit is diked by a road crossing, but culverts allow the free flow of tidal waters into this area.

Classification: Natural

As a major tract of tidal marsh, this unit is classified natural in order to preserve critical resource values.

Resource Capability

Unit 27 is an important area for primary productivity and wildlife habitat values. This is a highly sensitive area and the resource values can be subject to disturbance from structural developments or alterations. Minor structural improvements for needed public uses such as navigation aids would be consistent with the resource capabilities of this unit.

Management Objective

Management unit 27 shall be managed to preserve and protect the resource values of the salt marsh and tidal flats within the unit.

PERMITTED USE MATRIX

Management Unit No. YAQUINA 27
Classification NATURAL

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial/Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
N	Submerged crossings															
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	N	N	N	N	N	P	N	N	N	N	C	C	C	C	
	Restoration															
N	Active															
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 28

Description

Management unit 28 consists of three small sloughs along the south shore of the bay west of the Toledo airport. These sloughs contain important salt marshes, and provide fish spawning and nursery areas and wildlife habitat of major significance. Minor recreational activity is the only current use within this unit. All three sloughs are partially closed off at the mouth by road crossings but piling bridges or culverts allow the sloughs to fill and drain with the tides.

Classification: Natural

These areas are classified natural in order to preserve the diversity of important resource values present.

Resource Capability

The areas contained in unit 28 are typical of the small sloughs found in the middle section of the estuary. The areas are primarily intertidal flats, with low and high tidal marshes around the fringes. In addition to their value for productivity, these sloughs provide a protected environment for rearing of juvenile fishes and crabs as well as valuable waterfowl feeding and resting sites. Because of these important resource values, alterations should be limited to minor structural types in association with low intensity uses.

Tidal circulation is currently impeded in these areas as a result of road construction activities. The construction of bridge crossings or the placement of additional culverts to enhance tidal circulation would improve resource values and would be consistent with the areas' resource capabilities.

Management Objective

Management unit 28 shall be managed to preserve, protect and where appropriate, enhance the natural resources and values.

Special Policies:

1. Bridge crossing construction may be permitted for maintenance of existing crossings or for active restoration of flushing action in these sloughs. Such activity is consistent with the purpose and resource capabilities of this unit.

PERMITTED USE MATRIX

Management Unit No. YAQUINA 28
Classification NATURAL

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
N	Submerged crossings															
P	Bridge crossings	P	N	N	N	N	P	N	N	N	N	N	N	P	P	1
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N	N	
C	Aquaculture Facilities	N	N	N	N	N	N	N	N	N	N	N	N	C	C	
	Restoration															
P	Active	P	N	N	N	N	P	N	N	N	N	N	N	P	P	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 30

Description

Management unit 30 takes in the area between the navigation channel and the north shore from Criteser's Moorage east of the Toledo city limits. Some shellfish beds, fish spawning and nursery areas and wildlife habitat are found within the unit, though they are of minor significance. Uses within the unit include a moorage facility for small boats, medium and shallow draft navigation and in-water log handling activities. Significant numbers of pilings and dolphins used for log storage are present, as well as a number of other more minor alterations including maintenance dredging, riprap, piers and floating docks.

Classification: Conservation

This is a partially altered area and is classified conservation in order to provide for uses which require only minor alterations and are consistent with the conservation of natural resources.

Resource Capability

Unit 30 is an area with a number of alterations, including docks, piers and maintenance dredging at Criteser's Moorage, and several extensive log storage areas. Some area adjacent to Criteser's Moorage is suitable for expansion of water dependent uses. Minor structural alterations such as piers, piling and docks in conjunction with water dependent uses would not have significant adverse effects and would be similar to existing development in this area.

Sites within unit 30 have been designated for expanded in-water log storage. These sites were selected based on proximity to existing storage sites and potential to minimize adverse impacts associated with grounding. The storage authorized is essentially temporary in nature, and adverse resource impacts would be reversed when storage is discontinued. For these reasons, this activity is considered to be consistent with the resource capabilities of this area.

Management Objective

Management unit 30 shall be managed to provide for continuation of existing water dependent uses, including identified needs for water handling of logs, consistent with the conservation of natural resources.

Special Policies

1. New log storage will be permitted in those authorized interim sites as specified in the Log Storage and Transportation section.

PERMITTED USE MATRIX

Management Unit No. Yaquina 30
Classification Conservation

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
Commercial/Recreational																
N	Water dependent															
N	Water related															
N	Non-water related															
C	Marina	C														
C	Boat launching	P	N	P	P	P	P	P	C	N	N	C	P	P	P	
		P	N	N	P	P	P	N	N	N	N	N	C	C	C	
Industrial																
N	Log dumping															
P	Log storage															
C	Mining	N	N	N	N	N	P	N	N	N	N	N	N	P	P	1
C	Oil or Gas Extraction	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
N	Industrial outfalls	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
Public																
C	Overhead crossings	P	N	N	P	N	P	N	N	N	N	N	N	P	P	
C	Submerged crossings	N	N	N	P	N	P	N	N	N	N	N	N	N	N	
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
Port Facilities																
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
C	Navigation improvement	N	N	N	P	P	P	N	N	N	N	N	N	N	N	
P	Aquaculture Facilities	P	N	N	C	P	P	C	N	N	N	P	P	P	P	
Restoration																
C	Active	C	N	N	P	P	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 31

Description

Management unit 31 consists of the area north of the navigation channel from the Toledo city limits upstream to the mouth of Mill Creek. It includes Depoe and Ollala Sloughs up to the tidegates. Natural resources present within the unit include marsh, tideflat, fish migration, spawning and nursery areas and wildlife habitat, all of minor significance. Uses of major significance within the unit include log storage and handling, medium draft navigation and terminal operations. The unit has a number of significant alterations, including bulkheads, piling, piers, dikes, overhead crossings and maintenance dredging.

Classification: Development

This is an area of minimal biological sensitivity and is designated development to provide for uses requiring alteration of the estuary.

Resource Capability

Unit 31 fronts on the industrialized urban waterfront at Toledo. This is a significantly altered area with numerous established water dependent uses including port facilities, boat building operations and water dependent wood products related activities. Biological values in this area are of minor significance. Maintaining the navigation channel free of obstructions will protect the migration routes of anadromous fish through this area. Competing uses for the limited surface area of this unit should be evaluated for compatibility.

Management Objective

Management unit 31 shall be managed to provide for continued development of water dependent and water related uses, including identified need for water handling of logs and barge traffic.

Special Policies:

1. New log storage will be permitted in those authorized interim storage sites as specified in the Log Storage and Transportation section.

2. Expansion or re-location of the existing sanitary outfall must comply with Department of Environmental quality requirements.

3. Major areas of shoreland north of the river and adjacent

to Olalla and Depot Sloughs are committed to industrial activity considered non-water dependent. However, water-front water-dependent activities are an integral part of these overall operations and shall be recognized as such.

4. New boat moorage, boat works, boat repair and associated water-dependent and water related commercial and industrial activity will be encouraged on Tokyo Slough and on other sites with direct access to navigable water. Docks for small boats will be allowed on a limited basis, only when they can be shown to be compatible with adjacent industrial activity, such as upstream of Depot Slough or when compatible with existing large vessel moorage and industrial activity on the river.

5. Areas suitable for barge/rail/highway transshipment will be protected for water-dependent development, to assure such facilities are available in the future and to maintain Toledo's unique advantages as a transshipment point.

6. The Port of Toledo will be encouraged to maintain its existing dock and marine ways at the foot of main street, for transfer of cargo and for boats seeking a downtown moorage.

7. Due to the limited water surface area available and the need for direct land to water access, alternatives (such as mooring buoys and dry land storage) to docks and piers for commercial and industrial uses are not feasible in unit 31. Multiple use facilities common to several users are encouraged where practical.

PERMITTED USE MATRIX

Management Unit No. Yaquina 31
Classification ~~Development~~

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
P	Water dependent	P	N	P	P	P	P	N	N	N	P	P	P	P	P	
C	Water related	P	N	N	N	N	P	N	N	N	P	P	P	P	P	
N	Non-water related	C														
C	Marina	P	N	P	P	P	P	P	P	N	P	P	P	P	P	4
C	Boat launching	P	N	P	P	P	P	N	N	N	N	P	P	P	P	4
	Industrial															
C	Overhead Crossings	C	N	N	N	N	P	N	N	N	N	N	N	P	P	
P	Log dumping	P	N	P	P	P	P	P	P	N	C	C	C	P	P	
P	Log storage	N	N	N	N	P	P	N	N	N	N	N	N	P	P	1
C	Mining	N	N	N	P	P	P	C	N	N	N	C	C	C	C	
C	Oil or Gas Extraction	N	N	N	P	P	P	N	N	N	N	N	N	C	C	
C	Industrial outfalls	P	N	N	P	P	P	N	N	N	N	N	N	N	N	
P	Marine ways	P	N		P	P	P	C	P	P	P	P	P	P	P	
P	Water dependent industrial	P	P	P	P	P	P	C	C	C	P	P	P	P	P	3
C	Water related industrial	P	N	N	N	N	P	N	N	N	P	P	P	P	P	
N	Non-water related industrial	C														
	Public															
C	Overhead crossings	C	N	N	N	N	P	N	N	N	N	N	N	P	P	
C	Submerged crossings	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
C	Bridge crossings	P	N	P	P	P	P	C	C	C	N	N	N	P	P	
P	Storm water outfall	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
C	Sanitary outfall	P	N	N	P	P	P	N	N	N	N	N	N	N	N	2
	Port Facilities															
N	Deep draft (over 23')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
P	Medium draft (10'-22')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	5
P	Shallow draft (0-9')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	6
P	Navigation improvement															
N	Aquaculture Facilities															
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 32

Description

Management unit 32 consists of the area south of the navigation channel from the Toledo city limits up to just above the mouth of Mill Creek. The unit contains some marsh, tideflats, and wildlife habitat, but these resources are considered to be of minor significance. Medium and shallow draft navigation and log storage and handling constitute the major uses within the unit. The unit has been significantly altered by structures and other activities, including bulkheads, piling, piers, floating docks, dikes and overhead crossings and is considered committed to development uses.

Classification: Development

This is an area of minimal biological sensitivity needed for uses requiring alteration of the estuary.

Resource Capability

Unit 32 is a partially altered area which borders the south shoreline of the Toledo urban area. Substantial log storage areas are present in this unit and expanded storage is anticipated during the planning period. Boat building operations and attendant alterations are also present in this unit. Some additional shoreland area is available for water dependent and water related uses and the general range of alterations needed for these uses should be provided for in this area.

Management Objective

Management unit 32 shall be managed to provide for water dependent and water related development, including identified needs for water handling of logs.

Special Policies

1. New log storage will be permitted in those authorized interim storage sites as specified in the Log Storage and Transportation section.

2. Water dependent and water related industrial/commercial uses will be encouraged on shoreland north and south of the Butler Bridge, where city facilities can be made available and access to the navigation channel is convenient.

3. Due to the limited water surface area available and the need for direct land to water access, alternatives (such as mooring buoys and dry land storage) to docks and piers for commercial and industrial use are not feasible in Unit 32. Multiple use facilities common to several users are encouraged where practical.

PERMITTED USE MATRIX

Management Unit No. Yaquina 32
Classification Development

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

	Commercial /Recreational	Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
P	Water dependent	P	N	P	P	P	P	N	N	N	P	P	P	P	P	2
C	Water related	P	N	N	N	N	P	N	N	N	P	P	P	P	P	2
N	Non-water related	C														
C	Marina	P	N	P	P	P	P	P	P	N	P	P	P	P	P	
C	Boat launching	P	N	P	P	P	P	N	N	N	N	P	C	P	P	
	Industrial															
C	Overhead Crossings	C	N	N	N	N	P	N	N	N	N	N	N	P	P	
P	Log dumping	P	N	P	P	P	P	N	N	N	C	C	C	C	C	
P	Log storage	N	N	N	N	N	P	N	N	N	N	N	N	P	P	1
C	Mining	N	N	N	P	C	P	C	N	N	N	C	C	C	C	
C	Oil or Gas Extraction	N	N	N	P	C	P	C	N	N	N	C	C	C	C	
C	Industrial outfalls	N	N	N	P	C	P	N	N	N	N	N	N	C	C	
P	Marine ways	P	N	P	P	P	P	C	P	P	P	P	P	P	P	
P	Water dependent industrial	P	P	P	P	P	P	C	C	P	P	P	P	P	P	2
P	Water related industrial	P	N	N	N	N	P	N	N	N	P	P	P	P	P	2
N	Non-water related industrial	C														
	Public															
C	Overhead crossings	C	N	N	N	N	P	N	N	N	N	N	N	P	P	
P	Submerged crossings	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
C	Bridge crossings	P	N	P	P	P	P	C	C	C	N	N	N	P	P	
P	Storm water outfall	C	N	N	P	P	P	N	C	C	N	N	N	P	P	
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
P	Medium draft (10'-22')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
P	Shallow draft (0-9')	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
P	Navigation improvement	P	C	P	P	P	P	P	P	P	P	P	P	P	P	
N	Aquaculture Facilities															
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N	N	
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

MANAGEMENT UNIT 33

Description

Management unit 33 consists of a marsh area immediately north of the Toledo airport. This is a tidal marsh and wildlife habitat of major significance. No uses are established in this unit at the present time. Alteration of the unit is minimal, with a few piling present. The northern portion of this unit is an area which has been diked in the past, but has reverted to tidal marsh due to beaches in the dike.

Classification: Natural

As a major tract of tidal marsh, this area is classified natural to preserve important resource values.

Resource Capability

Unit 33 is a tidal marsh area, portions of which are partially diked. Some piling and other minor structural alterations are present in the area and have had no apparent adverse effects. Similar minor structures for needed public uses such as navigation aids would be consistent with the area's resource capabilities.

Management Objective

Management unit 33 shall be managed to preserve and protect the natural resource values of the productive tidal marsh and wildlife habitat.

Special Policies:

1. The possibility of using a portion of management unit 33 for log stroage is currently being studied. If it is found to be feasible to use this site as an alternative to continued in water log storage, appropriate plan amendments shall be undertaken to permit this use.

2. Use of the northern portion of management unit 33 for restoration shall not be permitted prior to the completion of feasibility studies for its use as a log storage site.

PERMITTED USE MATRIX

Management Unit No. YAQUINA 33
Classification NATURAL

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /Recreational															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina															
N	Boat launching															
	Industrial															
N	Log dumping															
N	Log storage															
N	Mining															
N	Oil or Gas Extraction															
N	Industrial outfalls															
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
N	Overhead crossings															
N	Submerged crossings															
N	Bridge crossings															
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
P	Navigation improvement	N	N	N	N	N	P	N	N	N	N	N	N	N		
N	Aquaculture Facilities															
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N		
C	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N	2	

MANAGEMENT UNIT 34

Description

Management unit 34 includes the entire upper river from just above the mouth of Mill Creek up to the head of tide. Important natural resources in this unit include marshes, wildlife habitats and fish spawning and nursery areas. Uses within this unit include shallow draft navigation and recreation. This unit is of special importance as a major sport angling area for anadromous fish. Overall alteration of the unit is minimal and is comprised mainly of scattered rip-rap, dikes and floating docks.

Classification: Conservation

Resource Capability

Management unit 34 includes all of the riverine subsystem of the Yaquina Bay Estuary, as described in the ODFW estuarine habitat classification system. This unit has the character of a tidal river, with very narrow intertidal shores and a relatively broad channel area. Management recommendations made by ODFW for similar riverine areas suggest that the development of public marinas and boat launching ramps are in keeping with the resource capabalities of the area as such facilities will serve as an alternative to the proliferation of private docks. Publicly oriented facilities should be reviewed so that they are located only where minor alterations are required (i.e. no major dredge or fill activities). Minor structural alterations such as docks, piling and piers will not significantly degrade resources in this system.

Management Objective

Management unit 34 shall be managed to conserve natural resources and values and to provide for low intensity uses which do not require major alterations of the estuary.

Special Policy

1. Individual single purpose docks and piers shall not be permitted in new subdivisions and planned developments. Community facilities common to several users are encouraged.

PERMITTED USE MATRIX

Management Unit No. Yaquina 34
Classification Conservation

P = Permitted w/standards
C = Conditional
N = Not Allowed
X = Not Applicable

		Shoreline stabilization (structural)	Dikes (new)	Fill	New Dredging	Maintenance Dredging	Navigation Aids (beacons, buoys, etc.)	Breakwaters	Pile Dikes	Groins	Wharves	Piers	Docks	Pilings	Dolphins	Special Policy
	Commercial /~~Recreational~~															
N	Water dependent															
N	Water related															
N	Non-water related															
N	Marina	C														
C	Boat launching	P	N	P	P	P	P	N	N	N	N	N	C	P	P	
	Industrial															
	Log dumping															
N	Log storage															
C	Mining															
C	Oil or Gas Extraction	N	N	N	C	C	P	N	N	N	N	N	N	C	C	
N	Industrial outfalls	N	N	N	C	C	P	N	N	N	N		N	C	C	
N	Marine ways															
N	Water dependent industrial															
N	Water related industrial															
N	Non-water related industrial															
	Public															
C	Overhead crossings	C	N	N	N	N	P	N	N	N	N	N	N	C	C	
C	Submerged crossings	C	N	N	P	P	P	N	C	C	N	N	N	C	C	
C	Bridge crossings	P	C	C	C	P	P	N	N	N	N	N	N	P	P	
N	Storm water outfall															
N	Sanitary outfall															
	Port Facilities															
N	Deep draft (over 23')															
N	Medium draft (10'-22')															
N	Shallow draft (0-9')															
N	Navigation improvement															
C	Aquaculture Facilities	C	N	N	C	C	P	N	N	N	N	C	C	C	C	
	Restoration															
C	Active	C	N	N	C	C	N	N	N	N	N	N	N	N		
P	Passive	N	N	N	N	N	N	N	N	N	N	N	N	N		

City of Newport

Community Development Department

Memorandum

To: Planning Commission/Commission Advisory Committee

From: Derrick I. Tokos, AICP, Community Development Director

Date: September 8, 2022

Re: Work Program Update

Attached is an updated work program. I shifted the discussion on parking district code changes to the second meeting in September. That way it will occur after the Parking Advisory Committee has had a chance to discuss the issue and you will have the benefit of their input. The DLCD led Yaquina Bay Estuary Plan Update is progressing more slowly than they had hoped. They recently completed a needs and gap assessment identifying priority sections of the plan that should be updated, but are quite a ways away from being in a position to recommend policy or code changes.

I hope to have an update for you on the South Beach Annexation project in the fall, and would like a little bit of room between outreach in that process and the South Beach comprehensive plan and zone change amendments you recently recommended for approval (which are to be presented to the Council on 10/3). A discussion about erosion control and stormwater standards has also been shifted to a future meeting date. That work is involved and must be coordinated with Public Works. A couple of new work session items have been added. One involves potential amendments to the City's camping related land use regulations. There may be substantive changes you'll want to make to camping options on private property. It is also an opportunity to sync up the land use regulations with the definitions, terms, and other provisions of the non-land use related camping ordinance that the City Council will consider in October.

The South Beach Transportation Overlay Zone established a trip budget for various properties in the area. It was a way of addressing the State of Oregon Transportation Planning Rule, particularly as it relates to highway capacity, when the Transportation System Plan was amended in 2012. It wasn't addressed with the recent TSP work; however, there is a provision in the code that requires the City assess how it is working no later than 2023. I added it as a work session discussion item and will reach out to ODOT to see if they have any comment.

With respect to regular session items, I added an annexation as likely being ready for your October 24, 2022 meeting. The Boston Timber Opportunities UGB land swap is still with Lincoln County, who needs to hold hearings before its Planning Commission and the Board of Commissioners. I bumped Starfish Cove as well, as we still haven't seen the Planned Development application.

Attachments
Updated Work Program

Tentative Planning Commission Work Program

(Scheduling and timing of agenda items is subject to change)

July 11, 2022 — Work Session

- Potential Code Revisions for Short-Term Rental Work Group Consideration
- Working Draft of Camping Ordinance Being Developed for the City Council

July 25, 2022 — Regular Session

- Public Hearing File No. 2-Z-22 - 1-CP-22 South Beach Commercial - Industrial Amendments

August 8, 2022 — Work Session

- Final Scope of Work for TGM Funded City Center Revitalization Project
- Review Updates from Hearing #1 to South Beach Commercial - Industrial Amendments
- Review Updated Camping Ordinance (non-land use)

August 22, 2022 — Work Session

- Housing Study - Residential Land Needs Recommendation
- Review Final Draft of Yaquina Head Traffic Study

August 22, 2022 — Regular Session

- Public Hearing #2 File No. 2-Z-22 - 1-CP-22 South Beach Commercial - Industrial Amendments
- Initiate Legislative Amendments to Adopt Yaquina Head Traffic Study

September 12, 2022 — Work Session

- Housing Study – Overview of the Constructability Assessment
- Yaquina Bay Estuary Management Plan - Needs and Gap Assessment

September 26, 2022 — Work Session

- Identify Candidates for City Center Revitalization Project Stakeholder/Advisory Committees
- Preliminary Recommendations for Parking District Code Changes (Placeholder)

October 10, 2022 — Work Session

- Camping Related Land Use Amendments (Council hearing on other camping changes 10/3)
- Final Recommendation from STR Work Group

October 10, 2022 — Regular Session

- Public Hearing on File 2-CP-22 to Adopt Yaquina Head Traffic Study
- Starfish Cove 20-lot Planned Development North Side of Yaquina Head (Projected)

October 24, 2022 — Work Session

- Review of the South Beach Transportation Overlay Zone Trip Budget (req. by Ord. #2045)
- Review Options for Updating the City's Erosion Control and Stormwater Mgmt Standards

October 24, 2022 — Regular Session

- File No. 1-UGB-20 Revised UGB Land Swap for Boston Timber Opportunities (Projected)
- File 1-AX-22 Annexation/Rezone of 12-acres for Potential Church Use (Projected)