

COASTAL SHORELANDS ELEMENT

Goal 17

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COASTAL SHORELANDS ELEMENT (GOAL 17)

1. NEED TO PLAN FOR COASTAL SHORELAND

The coastal shorelands of Tillamook County extend from the mouth of the Salmon River Estuary to Cape Falcon, a linear distance of approximately 58 miles. In addition to this 58-mile length of ocean shorelands, Tillamook County shorelands also include lands contiguous to five estuaries (including tidally influenced portions of their tributary rivers and streams) and 10 coastal lakes. Careful planning of these coastal shoreland areas is necessary in order to maintain both the environmental and economic resources and benefits of coastal shorelands.

From an environmental perspective, shoreland areas are important because of their direct and significant impact on coastal water bodies through the flow of runoff water from land drainage. The activities which occur in shoreland areas and associated coastal watersheds, and itself affects the quality of the aquatic habitat in adjacent coastal water bodies. Freshwater marshes and riparian vegetation in coastal shorelands purify runoff water by retarding water flows and thereby promoting settling of suspended solids and infiltration of runoff water through the soil. Freshwater marshes and riparian vegetation are also valuable wildlife and waterfowl habitat.

From an economic perspective, the coastal shorelands of Tillamook County are important because of the direct or indirect contribution of shoreland resources to the basic industries of Tillamook County. *The Tillamook County Economy: A Working Model For Evaluation OF Economic Change* lists the basic industries of Tillamook County as:

- 1) Timber and wood-processing;
- 2) Cheese manufacturing and the related dairy industry;
- 3) Recreation and tourism, and
- 4) Marine food production #1

Agricultural and forested lands within coastal shorelands contribute to the County=s timber and dairy industries. The exceptional aesthetic and scenic qualities of Tillamook county=s coastal shorelands serve to draw people to the area for recreation and tourism. The attractiveness of coastal shorelands as locations for vacation homes, or for primary residences, is indicated by the fact that most of Tillamook county=s major population centers are adjacent to ocean or estuarine shorelands. Coastal shorelands contribute to both the recreation and tourism industry and the marine food production industry by providing back-up land for water-dependent recreational and commercial facilities such as marinas, moorages or port facilities. Coastal shorelands contribute to the marine food production industry in other respects, since shoreland freshwater marshes and riparian

vegetation maintain water quality in adjacent aquatic areas, thereby helping to maintain populations of aquatic organisms at a level which will continue to support the marine food production industry of Tillamook County.

#1 The Tillamook County Economy: A Working Model for Evaluating Economic Change, Oregon State University Extension Service.

Planning for coastal shoreland areas is necessary to obtain a balance between conservation of the environmental resources of shorelands and utilization of the economic resources and benefits of coastal shorelands. The planning process must consider both environmental and economic resources, as well as geologic and hydrologic hazards within coastal shorelands which could impact these resources. Examples of hazard areas include areas of coastal flooding or erosion, areas within the 100-year floodplain, and active and inactive landslide areas and other geologic hazards. Only careful planning will ensure that shoreland development is compatible with both the natural hazards of coastal shorelands and the values of adjacent coastal water bodies.

2. STATE PLANNING REQUIREMENTS FOR COASTAL SHORELANDS

The objective of Goal 17, coastal Shorelands, is :

To conserve, protect, where appropriate develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and

To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.≡ #1

#1 LCDC Statewide Planning Goals and Guidelines, p. 18.

GOAL 17
COASTAL SHORELANDS PLANNING AREA
(11 x 17 MAP)

To accomplish this objective, Tillamook County is required to develop a comprehensive plan for coastal shorelands based on two sets of requirements: coastal shoreland boundary identification requirements and use and activity requirements. To provide base data for use in identification of a coastal shoreland boundary, Goal 17 requires that an inventory of geologic and hydrologic hazards, fish and wildlife habitat, water-dependent uses, economic resources, recreational uses and aesthetic resources be conducted within a coastal shoreland planning area[≡] which is defined as:

A(1) All lands west of the Oregon Coast Highway as described in ORS 366.235, except that:

- (b) In Tillamook County, only the lands west of the western boundaries of the following described roadways: Brooten Road (County Road 887) northerly from its junction with the Oregon Coast Highway to Pacific City, McPhillips Drive (county Road 915) northerly from Pacific City to its junction with Sandlake Road (County Road 871) northerly to its junction with Cape Lookout Park, Netarts Bay Drive (County Road 665) northerly from its junction with the Sandlake-Cape Lookout Road (County Road 871) to its junction at Netarts with State Highway 131, and northerly along State Highway 131 to its junction with the Oregon coast Highway near Tillamook:

and

(2) All lands within an area defined by a line measured horizontally:

- (a) 1000 feet from the shoreline of estuaries; and
- (b) 500 feet from the shoreline of coastal lakes.[≡] #1

#1 LCDC Statewide Goals and Guidelines, p. 18

This inventory of features within the coastal shoreland planning area[≡] is used to establish the extent of coastal shorelands. Goal 17 requires that the extent of identified shorelands shall include at least:

- A(1) Areas subject to ocean flooding and lands within 100 feet of the ocean shore or within 50 feet of an estuary or a coastal lake:
- (2) Adjacent areas of geologic instability where the geologic instability is related to or will impact a coastal water body:

- (3) Natural or man-made riparian resources, especially vegetation necessary to stabilize the shoreline and to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas:
- (4) Areas of significant shoreland and wetland biological habitats whose habitat quality is primarily derived from or related to the association of coastal water areas:
- (5) Areas necessary for water-dependent and water-related uses, including areas of recreational importance which utilize coastal water or riparian resources, areas appropriate for navigation and port facilities, dredge material disposal and mitigation sites, and areas having characteristics suitable for aquaculture:
- (6) Areas of exceptional aesthetic or scenic quality, where the quality is primarily derived from or related to the association with coastal water areas: and
- (7) Coastal headlands.≡ #1

#1 Ibid.

Lands designated as coastal shorelands are subject to both general priorities for the overall use of coastal shoreland, as well as specific use priorities for certain special shoreland areas. Goal 17 establishes the following general priorities for coastal shoreland uses:

A General priorities for the overall use of coastal shorelands (from highest to lowest) shall be to:

- (1) Promote uses which maintain the integrity of estuaries and coastal waters:
- (2) Provide for water-dependent uses:
- (3) Provide for water-related uses:
- (4) Provide for non-dependent, non-related uses which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses:
- (5) Provide for development, including non-dependent, non-related uses, in urban areas compatible with existing or committed uses:
- (6) Permit non-dependent, non-related uses which cause a permanent or

long-term change in the features of coastal shorelands only upon a demonstration of public need.≡ #2

#2 LCDC Statewide Goals and Guidelines, p. 18-19

Goal 17 also establishes the following specific use priorities for the following areas within coastal shorelands:

- (1) Major marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources inventoried in the coastal shoreland planning area shall be protected. uses in these areas shall be consistent with protection of natural values. Such uses may include propagation and selective harvesting of forest products consistent with the Oregon Forest Practices Act, grazing, harvesting wild crops, and low-intensity water-dependent recreation.
- (2) Shorelands in urban and urbanizable areas and in rural areas built upon or irrevocably committed to non-resource use especially suited for water-dependent uses shall be protected for water-dependent recreational, commercial and industrial uses. Some factors which contribute to this special suitability are:
 - (a) Deep water close to shore with supporting land transport facilities suitable for ship and barge facilities;
 - (b) Potential for aquaculture;
 - (c) Protected areas subject to scour which would require little dredging for use as marinas; and
 - (d) Potential for recreational utilization of coastal water or riparian resources.

Other uses which may be permitted in these areas are temporary uses which involve minimal capital investment and no permanent structures or a use in conjunction with and incidental to a water-dependent use.

- (3) Local governments shall determine whether there are any existing, developed commercial/industrial waterfront areas which are suitable for redevelopment which are not designated as especially suited for water-dependent uses. Plans shall be prepared for those areas which allow for a mix of water-dependent, water-related and water-orientated non-dependent uses and shall provide for public access to the shoreline.

- (4) Shorelands in rural areas other than those built upon or irrevocably committed to non-resource use those designated in :
 - (1) Above shall be used as appropriate for:
 - (a) Farm uses as provided in ORS Chapter 215;
 - (b) Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
 - (c) Private and public water-dependent recreation developments;
 - (d) Aquaculture;
 - (e) Water-dependent commercial and industrial uses, water-related uses and other uses only upon a finding by the County that such uses satisfy a need which cannot be accommodated on uplands or in urban and urbanizable areas or in rural areas built upon or irrevocably committed to non-resource use.

In addition to the comprehensive Plan requirements for coastal shoreland boundary identification and coastal shoreland uses and activities, Goal 17 (Page 10) also establishes six implementation requirements dealing with the following areas or features within coastal shorelands:

- (1) Forested lands - Implementation Requirement 1 requires the Oregon Department of Forestry to recognize the unique and special values of coastal shorelands when developing standards and policies with other state and federal agencies. The Department of Forestry is also required to develop forest management practices and policies including, where necessary, amendments to the FPA rules and programs which protect and maintain the special shoreland values and forest uses especially for natural shoreland and riparian vegetation.
- (2) Mitigation and dredged material disposal sites - Implementation Requirements 2 and 3 require that coastal shoreland areas which may be used to fulfill the mitigation requirement of the Estuarine Resources Goal (Goal 16) or coastal shoreland areas which are identified as dredged material disposal sites be protected from new uses and activities which would prevent their ultimate use for mitigation or dredged material disposal.

- (3) Riparian vegetation - Implementation Requirement 4 requires that riparian vegetation be maintained, and, where appropriate, restored and enhanced where consistent with water-dependent uses.
- (4) Structural shoreline stabilization - Implementation Requirement 5 establishes a preference for land use management practices and non-structural solutions over structural solutions to problems of erosion and flooding, and requires that structural solutions be designed to minimize adverse impacts on water currents and erosion and accretion patterns.
- (5) Public Access - Implementation Requirement 6 requires that the County, in coordination with the Parks and Recreation Division, develop and implement a program to provide increased public access, such a program would require that existing public ownerships, rights-of-way and similar public easements which provide access to coastal waters be retained or replaced if sold, exchanged or transferred.

3. COASTAL SHORELAND INVENTORY AND BOUNDARY

3.1 Methodology for Shoreland Inventory

The Tillamook County coastal shoreland boundary was established through an inventory of all areas within the Acoastal shoreland planning area≅ defined by Goal 17 which are outside of the Urban Growth Boundary of an incorporated city. The purpose of this inventory was to determine the location of the seven features which are required by Goal 17 to be included within coastal shorelands. The following section lists these seven features and briefly describes the methodology used to identify these areas.

- 3.1a Lands which limit, control or are directly affected by the hydraulic action of the coastal water body, including floodways.

These areas include all areas within the coastal shoreland planning area subject to ocean flooding and lands within 100 feet of the ocean shore or within 50 feet of an estuary or a coastal lake.

- 3.1b Adjacent areas of geologic instability.

The term Aadjacent areas of geologic instability≅ is interpreted as geologic hazard areas which are caused by the action of a coastal water body, or have the potential to adversely impact a coastal water body. Geologic hazard areas which are caused by the action of a coastal water body include rapidly or slowly retrograding coastlines, and areas where wave erosion is undercutting headlands and

terraces, causing shoreline retreat through debris slides, rock-fall, slump failure or slope retreat. Geologic hazard areas with potential to impact a coastal water body include active and inactive landslides and faults, and landslide topography. Although areas of landslide topography show no evidence of landsliding within the last 100 years, the Environmental Geology of the Coastal Region of Tillamook and Clatsop Counties, Oregon (Bulletin 74, State of Oregon Department of Geology and Mineral Industries, 1972) notes that development of steep hillsides containing landslide topography could initiate landslides. For this reason, landslide topography within 1000 feet of estuaries or within 500 feet of coastal lakes has been considered as an area of geologic instability if the area contains moderate or steep slopes (slopes 2, 3 and 4 as identified on bulletin 74 slope maps), and is in a zone with a minimum lot size of less than 10 acres.

In summary, adjacent areas of geologic instability include:

- (a) Rapidly or slowly retrograding coastal shoreland areas identified in Shoreline Changes and Physiographic Hazards on the Oregon Coast (Stembridge, 1975);
- (b) Other areas of shoreline erosion identified in the Beaches and Dunes Handbook for the Oregon Coast, A Physical Processes and Geologic Hazards on the Oregon Coast. (Oregon Coastal Zone Management Association, 1979)
- (c) The following areas of geologic instability within the coastal shoreland planning area, as identified in Environmental Geology of the Coastal Region of Tillamook and Clatsop Counties, Oregon (Bulletin 74, State of Oregon Department of Geology and Mineral Industries 1972):
 - i Active and inactive landslides (including those identified on pp 79-84 of Bulletin 74 which are caused by wave undercutting of headlands and terraces)
 - ii Faults
 - iii Landslide topography within 1000 feet of estuaries or within 500 feet of coastal lakes in areas with slopes 2, 3 and 4 (as identified on Bulletin 74 slope maps) which are in a zone with a minimum lot size of less than 10 acres. Included in this category is the landslide topography on the southern end of Sears Lake (T 4S, R 10W, 5, 6, 7) and the landslide topography between

Jetty Fishery and the Fishery Point Cove (T 2N, R 10W, S 4, 9. 16).

- 3.1c Natural or man-made riparian resources, especially vegetation necessary to stabilize the shoreline and to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas.

The LCDC Statewide Planning Goals and Guidelines, p. 24, define the term riparian as Aof, pertaining to, or situated on the edge of the bank of a river or other body of water. Consistent with this definition of the word riparian in terms of location, Tillamook County has inventoried riparian resources by identifying a width of land adjacent to estuaries, rivers, streams, and coastal lakes which could or does support vegetation that would function to stabilize streambanks and maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas. The identification of a riparian area recognizes the value of existing vegetation or structures within the area, as well as the possibility of restoration or enhancement of riparian vegetation (where appropriate and consistent with water-dependent uses). For this reason, the identification of a riparian area was considered to be a more comprehensive approach than in inventory of existing riparian vegetation and shoreline stabilization structures.

The initial identification of riparian areas was made by the Tillamook branch of the Oregon Department of Fish and Wildlife (ODFW). The ODFW recommendations were then reviewed and concurred with the District conservationist for the U.S. Soil conservation Service (SCS). The following factors were considered during the identification of riparian areas:

- a. Hydrology of the water body
- b. Water quality protection needs
- c. Wildlife habitat needs

The hydrology of the water body was the main factor considered by both the ODFW and the SCS in determining the width of riparian areas necessary to reduce streambank erosion. Rivers and streams of Tillamook County were categorized as having low, moderate or high streambank erosion potential.

River segments and streams and creeks with a channel width of less than 15 feet were considered to have low potential for streambank erosion. This category contains tributary streams and creeks (such as

Coal Creek, a tributary to the Nehalem River) which have low streambank erosion potential because they have small watersheds and carry relatively small volumes of water. This category also contains the headwater segments of major rivers, #1 since, in addition to carrying relatively small volumes of water, they flow in well-defined canyons which prevent river meandering. These river segments are also above head of tide, and their streambanks are not subject to the erosive forces of tidal currents.

#1 The major rivers of Tillamook County, on the basis of drainage basin size and volume of water carried, are the Nestucca, Little Nestucca, Three Rivers, Tillamook, Trask, Wilson, Kilchis, Miami, Nehalem & North Fork of the Nehalem Rivers.

In rivers and streams with low streambank erosion potential, both the ODFW and the SCS considered a riparian area equal to the width of one or two rows of shrubs (approximately 15 feet) to be adequate to reduce streambank erosion. The ODFW also considered the 15-foot wide riparian area to be adequate to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas.

River segments with high potential for streambank erosion were identified as the main stems of the Nestucca, Little Nestucca, Three Rivers, Tillamook Trask, Wilson, Kilchis, Miami, Nehalem and North Fork Nehalem Rivers where the river channel is greater than 15 feet in width. These river segments were considered to have high potential for streambank erosion for one or more of the following reasons:

- a. These rivers have large watersheds and carry relatively large volumes of water;
- b. Portions of these river segments (with the exception of Three Rivers) are within head of tide. Streambanks along the tidally influenced portions of these rivers are subject to the erosive forces of both tidal and river currents;
- c. These river segments are more prone to meandering than are the headwater segments which run through well defined canyons.

In river segments with high streambank erosion potential, both the ODFW and the SCS considered a riparian area equal to two three canopy widths (approximately 50 feet) to be adequate to reduce streambank erosion. The

ODFW considered the 50-foot wide riparian area to be more than adequate to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas.

Rivers and streams with moderate potential for streambank erosion were considered to be all other perennial rivers and streams with a channel greater than 15 feet in width. Foley Creek, a tributary of the Nehalem River, and Mill Creek, a tributary to the Trask River, are included within this category. In these areas, both the ODFW and the SCS considered a riparian area equal to one tree canopy width (approximately 25 feet) to be adequate to reduce streambank erosion. The ODFW considered the 25-foot wide riparian area to be more than adequate to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas.

Along estuaries, coastal lakes and reservoirs of one acre or more, the wildlife and waterfowl habitat provided by riparian vegetation is extremely important. In these areas, the ODFW recommended a 50-foot wide riparian area to provide a waterfowl nesting area, a travel corridor for wildlife, and a buffer to screen waterfowl and wildlife from human activities. Along coastal lakes, this 50-foot wide riparian area will also help to maintain water quality, since vegetation within this area will filter out sediment and excess nutrients from water draining into coastal lakes. Along estuaries, both the ODFW and the SCS felt that this 50-foot wide riparian area would also serve to reduce streambank erosion caused by both tidal and river currents.

The identification of riparian areas discussed above was made on a County-wide basis. However, only those riparian areas adjacent to estuaries, coastal lakes, or tidally influenced segments of rivers and streams were included within the extent of coastal shorelands. With the following exceptions, all identified riparian areas adjacent to estuaries, coastal lakes, or tidally influenced segments of rivers and streams were included within the extent of coastal shorelands:

- a. Along Highway 101 between Smith Creek and the western city limits of Garibaldi (adjacent to Tillamook Bay);
- b. Along Bayocean Road (adjacent to Tillamook Bay);
- c. Along Netarts Bay Drive and Whiskey Creek Road between the boat basin and the half section line of Section 17 in T 2S, R 10W (adjacent to Netarts Bay); and
- d. Along the tidally influenced portions of Neskowin Creek in T 5S, R

11W, Section 25.

In portions of these four areas (see Tillamook County Zoning Maps and Map 10 p. 64, the Shoreland boundary line runs along a highway, and only the area between the highway and the MHW line or the line of nonaquatic vegetation has been designated as coastal shorelands. The vegetation on the landward side of the highway in these areas was not considered to be riparian vegetation, since it is not located on the edge of the bank of a coastal water body, and does not function to stabilize the shoreline or to provide shading for the waters of a coastal water body.

- 3.1d Areas of significant shoreland and wetland biological habitat whose habitat quality is primarily derived from or related to an association with coastal water areas (oceans, estuaries and coastal lakes).

The following information sources were used to inventory areas of significant shoreland and wetland biological habitat within the coastal shoreland planning area:

Oregon Department of Fish and Wildlife (1981) Map of Special Wildlife Habitat in Tillamook County. Prepared by Doug Taylor, ODFW Wildlife Biologist, for the Tillamook County Planning Department, February, 1981.

U.S. Fish and Wildlife Service (1979) National Wetland Inventory Map. U.S. Department of the Interior, Fish and Wildlife Service.

The Nature Conservancy (1977). Oregon Natural Areas Data Summary for Tillamook County. Report prepared by the Oregon Natural Heritage Program of the Nature Conservancy under contract with the Land conservation and Development Commission.

Areas identified in these information sources were considered on an individual basis for designation as an area of significant shoreland or wetland biological habitat. Areas of insignificant shoreland or wetland biological habitats have been separated into two categories: Major marshes and insignificant wildlife habitat.

General factors considered by Tillamook County during the designation of an area as a major marsh were 1) area size; 2) scarcity of wetland types represented in the area; 3) wildlife or waterfowl habitat value (considered to be a degree of surrounding development and the characteristics of the surrounding lands); 4) value for maintaining water quality in adjacent aquatic areas; 5) value for streambank stabilization.

Areas designated as Amajor marshes≡ fall into one of three categories:

- a. Emergent wetlands fringing coastal lakes. All emergent wetlands fringing coastal lakes were considered Amajor marshes≡ because they are limited in extent within Tillamook County, are extremely important habitat for waterfowl due to their proximity to coastal lakes, and because they serve to maintain coastal lake water quality by filtering out sediments and nutrients from land drainage.
- b. Emergent wetland in low-lying areas on the landward side of coastal dunes. Only one area, the Neskowin Crest wetland, falls within this category. The Neskowin Crest wetland was considered a Amajor marsh≡ because of its large size, the variety of wetland types within the area (the area contains both permanent open water areas and lands), and the scarcity of this type of emergent wetland within Tillamook County.
- c. Nontidal emergent wetlands adjacent to estuaries. #1 Two areas, the Beltz Farm wetland and the Rain River Preserve, fall within this category. The Beltz Farm wetland was considered a major marsh because of its large size (36 acres). the uniqueness of freshwater wetland habitat adjacent to Sandlake Estuary, and its value to waterfowl. This wetland was considered exceptionally valuable to waterfowl because of its proximity to Sandlake Estuary and the variety of the wetland habitat (the vegetation). The Rain River Preserve was considered a major marsh because of its large size (150 acres). The scarcity of ungrazed freshwater wetlands adjacent to Tillamook Estuary, and its value to waterfowl. This wetland was considered exceptionally valuable to waterfowl because of its isolation and lack of development, its proximity to Tillamook Estuary, and the variety of habitat types within the area (the area contains open water areas, freshwater and brackish emergent vegetation, between upland and aquatic habitats).
#1 Tidally influenced freshwater wetlands have been included within the estuary planning boundary.

ASignificant shoreland habitats≡ were defined as areas which fall into one of the following three categories:

- (1) Areas which provide specialized habitat for;
 - (a) Rare, threatened or endangered plant or animal species

- (b) Marine mammals
 - (c) Band-tailed pigeons or
 - (d) Shorelands and waterfowl. These include:
 - i Offshore islands and cliffs of coastal headlands; and
 - ii Coastal lakes and open water areas.
- (2) Areas which serve as representative examples of habitat types or ecosystems found only in coastal shorelands
 - (3) Forested freshwater wetlands. The remaining large acreage tracts of forested freshwater wetlands in the Tillamook and Nehalem Estuary shorelands were considered to be significant because of their size, their scarcity in comparison with past abundance in Tillamook County, their wildlife habitat value, and their values as wetlands.

All areas within the coastal shoreland planning area identified on the Map of Special Wildlife Habitat in Tillamook County were categorized as *Asignificant wildlife habitat*. Areas identified on the National Wetland Inventory which lie within the coastal shoreland planning area were categorized as *Amajor marshes* or *Asignificant shoreland habitat* on a case-by-case basis, as described above. With the following exceptions, all sites within the coastal shoreland planning area which were identified in the Oregon Natural Areas Data Summary, were also categorized as *Amajor marshes* or *Asignificant wildlife habitat*

- (1) A built and committed exception has been taken for Site No. T1-16, and area of coastal dune forest between Oceanside and Netarts Beach (see Justification Element, T 1S, R 10W, Map 12, 13);
- (2) Site No. T1-26 and T1-53, two bald eagle nests identified in the Oregon Natural Areas Data Summary, have been eliminated because their location could not be verified by the Oregon Department of Fish and Wildlife;
- (3) Site No. T1-20 (Camp Clark and Camp Meriwether, an area of ocean front and forest) and a portion of site No. T1-34 (the pine/shrub/beach grass habitat at Camp Magruder) were not

designated as a significant shoreland habitat because these habitat types were not identified as specialized habitat areas. These habitat types are represented in other designated significant shoreland habitat areas, and are not scarce habitat types within Tillamook County.

Areas of significant shoreland and wetland biological habitat are listed in Section 3.2 pp 18-41 and mapped on maps 5-9, pp 42-51.

- 3.1e Areas needed for water-dependent and water-related uses, including areas of recreational importance which utilize coastal waters and riparian resources, dredge material disposal and mitigation sites, areas appropriate for navigation and port facilities, and areas having characteristics suitable for aquaculture.

To determine the extent of coastal shorelands in Tillamook County, an inventory of areas necessary for water-dependent and water-related uses was conducted using the following information sources:

Henderson, Bruce (1980). Oregon Private Marine Aquaculture Survey Plan, 1980. Report prepared for the National Marine Fisheries Service.

Economic Consultants Oregon, Ltd. (1979). Commercial and Recreational boating Facilities in Oregon Estuaries: Inventory and Demand Analysis, 1979. Report prepared for the Department of Land Conservation and Development.

Hemple, Monty and Paul Levesque (1977). A Citizens Planning Handbook,, Tillamook County Planning Department, June 1977, pp C-C43.

Oregon State Game Commission (1971). North coast Access Plan.

Oregon State Game Commission (1969). Tillamook County Lakes and Reservoirs: Master Plan for Angler Access and Associated Recreational Uses.

The following areas necessary for water-dependent and water-related uses were included within the extent of coastal shorelands:

- a) Existing or proposed County, State or Federal public recreational areas and facilities, such as parks, campgrounds, scenic waysides, marinas and moorages for recreational boats,

- and boat ramps or other public access points to coastal water bodies;
- b) Existing or proposed private recreational areas, such as commercial resorts and campgrounds, or marinas or moorages for recreational boats;
- c) Existing or proposed public or private commercial marinas or moorages for commercial boats;
- d) Existing or proposed commercial aquaculture facilities.

Specific areas necessary for water-dependent and water-related uses are listed in Section 3.2 pp. 18-41, and are mapped on Map 1, p. 42. The list includes existing and proposed areas for water-dependent and water-related uses, and notes the areas considered to be especially suited for water-dependent development which have been included within the Water-Dependent Development (WDD) Zone described in Section 3.050 of the Tillamook County Zoning Ordinance.

- 3.1f Areas of exceptional aesthetic or scenic quality, where the quality is primarily derived from, or related to, the association with coastal water areas.

Areas of exceptional aesthetic or scenic quality were defined as:

- a) Areas identified in the Visual Resource Analysis of the Oregon Coastal Zone (Oregon Coastal Conservation and Development commission, 1974) as areas with both a Potential for Exceptional Coastal Experience and an Obvious and Strong Coastal Association" and which contain minimal recreational or residential development; and
- b) Other areas identified as areas of exceptional aesthetic or scenic quality by local Citizen Advisory Committees (CACs).

With the four exceptions listed below, the areas designated by Tillamook County as areas of exceptional or scenic quality are identical to the areas identified in the Visual Resource Analysis as areas with both Potential for Exceptional Coastal Experience and an Obvious and Strong Coastal Association:

- a) Spring Lake and Nestucca Spit State Park, which were considered areas of exceptional aesthetic or scenic quality by

the local Citizen Advisory Committees.

- b) North of Sandlake Estuary, the designation of areas of exceptional aesthetic or scenic quality has been limited to the Sandlake Estuary Sandspit between Galloway Road and the mouth of Sandlake Estuary. With the exception of this area, which is closed to ORV use, the area identified in the Visual Resource Analysis as having APotential for Exceptional Coastal Experience≅ and AObvious and Strong Coastal Association≅ is used extensively by off-road vehicles. This off-road vehicle use, in the opinion of many local residents, severely detracts from the area=s aesthetic and scenic qualities.
- c) Between Oceanside and the community of Cape Meares, the designation of areas of exceptional aesthetic or scenic quality has been applied only to areas west of the Beach Zone line, and to the Cape Meares headland. The density of development within the unincorporated communities of Oceanside and Cape Meares, the degree of alteration of the scenic qualities of a portion of this area due to timber harvesting, and the lack of a visual connection to a coastal water body throughout the entire area was considered to be adequate justification for not designating the entire area as an area of exceptional aesthetic or scenic quality.
- d) Within Oswald West, Nehalem Spit, Cape Meares, Cape Lookout, Cape Kiwanda and Nestucca Spit State Parks, the designation of areas of exceptional aesthetic and scenic quality has been limited to coastal headlands and undeveloped portions of sandspits. Although all areas within these state parks are visually attractive, the coastal headlands and sandspits have exceptional aesthetic and scenic qualities because of the lack of developed recreational facilities, and because of the variety and/or extent of coastal views provided in these areas.

Areas of exceptional aesthetic or scenic quality (e.e., exceptional aesthetic resources) are listed in Section 3.2. pp 18-41 and mapped on Map 3, p. 44.

3.1g Coastal Headlands

Although coastal headlands are identified in the Visual Resource Analysis of the Oregon Coastal Zone (Oregon Coastal Conservation

and Development Commission, 1974), the scale of mapping used in the report is not large enough to determine the exact extent of coastal headlands. For this reason, the Engineering Geologic Maps contained in Environmental Geology of the Coastal Region of Tillamook and Clatsop Counties, Oregon (Bulletin 74 State of Oregon Department of Geology and Mineral Industries, 1972) were used to determine the extent of coastal headlands. The extent of coastal headlands is defined as all lands west of Highway 101 which are west of the line connecting the following points:

- a) At Cape Falcon, a line connecting the southerly extent of beach sands (bs) at Cove Beach with the northern extent of marine terraces (Omt) at Neahkahnie Beach.
- b) At Cape Meares, a line connecting the most westerly point of contact between the Astoria formation (Tmv) and the Miocene volcanic rocks (Tmv) on the north side of Cape Meares with the point on the south end of Cape Meares where Cape Meares begins to jut out into the ocean.
- c) At Maxwell Point, a line connecting Short Creek north of Maxwell Point with the point of contact between the stable dunes (sd) and the Miocene volcanic rocks (Tmv) south of Maxwell Point.
- d) At Cape Lookout, a line connecting the most westerly point of contact between the Miocene volcanic rock of Cape Lookout and the marine terraces on the north side of Cape Lookout with the point of contact between the Astoria formation (Tma) and the sand dunes on the south side of Cape Lookout.
- e) At Cape Kiwanda, a line defining the boundary of the Astoria formation (Tma).
- f) At Cascade Head, a line connecting the southerly extent of the beach sands below Proposal Rock with the point of contact between the undifferentiated Eocene volcanic rocks (Tevu) and the Eocene sedimentary rocks (Tes) on the south side of Cascade Head.

The location of coastal headlands is shown on Map 2, p. 43.

3.2 Coastal Shoreland Inventory

The following section lists significant shoreland and wetland biological habitat

(categorized as either A significant wildlife habitat or as a A major marsh), areas necessary for water-dependent and water-related uses, areas of exceptional aesthetic or scenic quality, and coastal headlands, which were identified during the inventory of the coastal shoreland planning area. The list, which is arranged geographically by shoreland subarea, is followed by eight maps (pp 42-51) showing the location of the listed features by type. Mitigation and dredge material disposal sites are described and mapped in the Goal 16 element of the Comprehensive Plan. Larger scale maps showing these features will be prepared during Comprehensive Plan implementation, or as part of the first Comprehensive Plan update.

3.2a NEHALEM ESTUARY SHORELANDS - (Northern limits of the Rockaway UGB to the northern boundary of Tillamook County)

Site	Oswald West State Park
Location	T 3N, R 11W, S1, 12, 13
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 1) Coastal headland (Map 2) Exceptional aesthetic resource (Map 3, Site 1) Significant wildlife habitat (Map 5, Site 1)
Discussion	Cape Falcon (included in Oswald West State Park) is a coastal headland, that contains significant habitat for nesting seabirds, and is an exceptional aesthetic resource. Oswald West State Park is also an important coastal recreation area. This designation does not include existing areas of developed recreation facilities.
Site	Falcon Rock
Location	T 3N, R 11W, S 12
Classification	Exceptional aesthetic resource (Map 3, Site 2)
Discussion	Falcon Rock is a significant seabird habitat which has been proposed for addition to the Oregon Islands National Wildlife Refuge.
Site	Neahkahnie Mountain Wayside
Location	T 3N, R 10W, S 18
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 2)
Discussion	State Highway Department scenic wayside.
Site	Neahkahnie Beach
Location	T 3N, R 10W, S 18

Classification	Area needed for water-dependent and water-related uses (Map 1, Site 3)
Discussion	State Parks Department public ocean beach access.
Site	Neahkahnie Lake
Location	T 3N, R 10W, s 29
Classification	Significant wildlife habitat (Map 5, Site 3)
Discussion	Neahkahnie Lake and the freshwater emergent wetland on the north end of the lake are significant wildlife habitat, due to the importance of coastal lakes and their associated wetlands to waterfowl.
Site	North Fork Nehalem Wetland
Location	T 3N, R 10W, S 12, 14
Classification	Significant wildlife habitat (Map 5, Site 4).
Site	AEagle Head≅ Wetland
Location	T 3N, R 10W, S 23 (SW 1/4)
Classification	Significant wildlife habitat (Map 5, Site 5)
Discussion	These two areas are the two largest remaining tracts of forested wetland within the Nehalem Estuary Shorelands (see discussion of forested wetlands in the Tillamook Estuary Shorelands section).
Site	Pigeon Watering Area
Location	T 3N, R 10W, S 33, 34 (Portion outside of Nehalem UGB)
Classification	Significant habitat area (Map 5, Site 6)
Discussion	This site was identified by the ODFW as a significant pigeon watering area. This site is also identified in the Estuarine Resources element as a priority mitigation site. Mitigation actions in this area will not decrease pigeon habitat values (personal comm. Doug Taylor, ODFW).
Site	Roy Creek Park
Location	T 3N, R 9W, S 31
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 4)
Discussion	Tillamook County public boat ramp identified in Commercial and Recreational Boating Facilities in Oregon Estuaries.

Site	Botts Marsh
Location	T 2N, R 10W, S 2 T 3N, R 10W, S 35
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 5)
Discussion	Shoreland areas at this site were included in the Water-Dependent Development (WDD) Zone to provide for a proposed marine industrial development (See Goal 2 Section, T 3N, R 10 and 11, Map 11).
Site	Nehalem Spit State Park Ramp
Location	T 3N, R 10W, S 33
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 6)
Discussion	Tillamook County public boat ramp, identified in commercial and Recreational boating Facilities in Oregon Estuaries.
Site	Nehalem Spit State Park
Location	T 2N, R 11W, S 5, 8, 17 T 3N, R 10W, S 32, 33
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 7)
Discussion	Exceptional aesthetic resource (Map 5, Site 7) Portions of Nehalem spit have been identified as a significant habitat area for the snowy plover by the ODFW. The southern end of Nehalem Spit (Sections 8 and 17, T 2N, R 10 W) has been identified as an exceptional aesthetic resource. Nehalem Spit State Park is also an important coastal recreation area.
Site	Fishery Point
Location	T 2N, R 10W, S 4
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 8)
Discussion	Shoreland areas at this site have been included in the Water-Dependent Development (WDD) Zone to provide for a proposed private aquaculture development. (See Goal 2 Section, T 2N, R 10W, Map 1).
Site	Brighton Moorage
Location	T 2N, R 10W, S 9

Classification Area needed for water-dependent and water-related uses (Map 1, Site 9)

Discussion Private recreational moorage identified in commercial and Recreational Boating Facilities in Oregon Estuaries. Shoreland areas at this site have been included in the Water-Dependent Development (WDD) Zone. (See Goal 2 Section, T 2N, R 10W, Map 2).

Site Jetty Fishery

Location T 2N, R 10W, S 17

Classification Area needed for water dependent and water-related uses (Map 1, Site 10)

Discussion Private recreational moorage identified in commercial and Recreational boating Facilities in Oregon Estuaries. Shoreland areas at this site have been included in the Water-Dependent Development (WDD) Zone. (See Goal 2 Section, T 2N, R 10W, Map 2).

3.2b TILLAMOOK ESTUARY SHORELANDS - Southern boundary of Section 7 (T 1S, R 10W) to the northern limits of Rockaway UGB at the southern boundary of Section 17 (T 2N, R 10W).

Site Spring Lake

Location T 1N, R 10W, S 5, 8

Classification Area needed for water-dependent and water-related uses (Map 6, Site 11)

Discussion Exceptional aesthetic resource (Map 3, Site 4)
Spring Lake is extensively used for recreational boating and fishing, and was considered an exceptional aesthetic resource by the local CAC. Due to the impacts of the recreational use on wildlife, the lake is not considered a significant wildlife habitat by the ODFW.

Site Watseco Creek Wetlands

Location T 1N, R 10W, S 8 (SW 1/4, NW 1/4)

Classification Significant wildlife habitat (Map 6, site 1)

Discussion This is a small impounded open water area at the confluence of Rock Creek and Watseco Creek which was identified as a significant waterfowl habitat by the ODFW.

Site Smith Lake

Location	T 1N, R 10W, S 7, 8, 17, 19
Classification	Significant wildlife habitat (Map 6, Site 2)
Site	Hidden Lake
Location	T 1N, R 10W, S 17
Classification	Significant wildlife habitat (Map 6, Site 3)
Discussion	Smith Lake is a 35-acre coastal lake with limited adjacent freshwater emergent and shrub-scrub wetlands on the northern end o the lake (Draft National Wetland Inventory, U.S. fish and Wildlife Service, 1980). Smith Lake and Camp Magruder (a recreational church sponsored camp west of the lake) were included in the Oregon Natural Areas Data Summary for Tillamook County, Hidden Lake, a small 1-acre impounded lake surrounded by dense brush, may be connected to Smith Lake during high water.
Site	Barview Life Saving Station
Location	T 1N, R 10W, S 18
Classification	Historical site (Map 4, Site 11)
Discussion	This station was build, along with others, on the Oregon coast to give assistance to mariners crossing river bars such as that of the Tillamook Estuary. The station was build in 1908 and abandoned in 1936 when the operations were moved to Garibaldi.
Site	Wentworth Wayside
Location	T 1N, R 10W, S 17
Classification	Area needed for water-dependent and water-related uses (Map 1, site 13)
Discussion	State Highway Department scenic wayside.
Site	Hobsonville Point
Location	T 1N, R 10W, S 27
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 14)
Discussion	There is a State Highway Department public parking area and bay access point at Hobsonville Point.
Site	Kilchis Point
Location	T 1S, R 10W, S 11

Classification	Major marsh (Map 6, Site 7)
Discussion	Significant wildlife habitat (Map 6, Site 7) The tip and southern edge of Kilchis Point is one of two significant pigeon watering areas identified in Tillamook County by the ODFW. The forested freshwater wetland between Kilchis Point and Goose Point is one of the five large acreage tracts of forested freshwater wetlands remaining in the Tillamook Estuary shorelands.
Site	Rain River Preserve
Location	T 1S, R 10W, S 23 (N 2), S 22 (NE 1/4)
Classification	Major marsh (Map 6, Site 9)
Discussion	The Rain River Preserve is a 150-acre parcel of diked tidal marsh in Nature Conservancy ownership which is being managed for waterfowl habitat enhancement. A detailed description of the Rain River Preserve is contained in the Management Plan for the Rain River Nature Preserve, Draft Report (Shea, 1977).
Site	Squeedunk Slough Forested Freshwater Wetland
Location	T 1S, R 10W, S 13 (NW 1/4)
Classification	Significant wildlife habitat (Map 6, Site 8)
Site	Hoquarton Slough Forested Freshwater Wetland
Location	T 1S, R 9W, S 30 (N 2)
Classification	Significant wildlife habitat (Map 6, Site 11)
Site	Hoquarton Slough forested Freshwater Wetland
Location	T 1S, R 10W, S 25 (NE 2, NE 1/4)
Classification	Significant wildlife habitat (Map 6, Site 10)
Site	Tillamook River Forested Freshwater Wetland (west of Highway 101)
Location	T 1S, R 10W, S 35 (SE 1/4), 36 (SW 1/4, SW 1/4)
Classification	Significant wildlife habitat (Map 6, Site 12)
Discussion	These four areas contain four of the five large acreage tracts of forested freshwater wetlands remaining in the Tillamook Estuary shorelands (see also Kilchis Point description). The historical abundance of forested wetlands in Tillamook County has been greatly reduced by the clearing of forested areas within river floodplains for agricultural use or for urban

development. With the exception of the five large acreage tracts in the Tillamook Estuary shorelands, and three other large acreage tracts along the Nehalem River, forested freshwater wetlands in Tillamook County are confined to narrow strips adjacent to river and stream channels. (Draft National Wetland Inventory U.S. Department of the Interior, Fish and Wildlife Service, 1979).

Site Pacific Pines Marina
 Location T 1S, R 10W, S 26
 Classification Area needed for water-dependent and water-related uses (Map 1, Site 20)
 Discussion Private recreational moorage identified in commercial and Recreational Boating Facilities in Oregon Estuaries.

Site Big Barn Marina
 Location T 1S, R 10W, S 26
 Classification Area needed for water-dependent and water-related uses (Map 1, site 21)
 Discussion Private recreational moorage identified in commercial and Recreational Boating Facilities in Oregon Estuaries.

Site Burton Bridge Access
 Location T 1S, R 10W, S 26
 Classification Area needed for water-dependent and water-related uses (Map 1, Site 22)
 Discussion Proposed location of ODFW public boat launch.

Site Olsen Oyster Company
 Location T 1S, R 10W, S 22
 Classification Area needed for water-dependent and water-related uses (Map 1, Site 18)
 Discussion This area has been included in the Water-Dependent Development (WDD) Zone to provide for water-dependent and water-related uses in conjunction with the oyster company. (See Goal 2 Section, T 1S, R 10 and 11, Map 7).

Site Tillamook County Boat Launch
 Location T 1S, R 10W, S 22
 Classification Area needed for water-dependent and water-

Discussion	related uses (Map 1, Site 17) Tillamook County public boat launch identified in commercial and Recreation Boating Facilities in Oregon Estuaries Shoreland areas at this site have been included in the Water-Dependent Development (WDD) Zone. (See Goal 2 Section, T 1S, R 10 and 11W, Map 7).
Site Location Classification Discussion	Tillamook Bay Bald Eagle Nest T 1S, R 10W, S 16 Significant wildlife habitat (Map 6, site 6) This eagle nest was included in the Oregon Natural Areas Data Summary for Tillamook County. Its location has been verified by the ODFW. The landowner (Crown Zellerbach) and the U.S. Fish and Wildlife Service have reached an agreement to leave an unlogged Abuffer area around the eagle nest to preserve the habitat.
Site Location Classification Discussion	Bayocean Spit T 1S, R 10W, S 6, 7 T 1N, R 10W, S 29, 30-32 Area needed for water-dependent and water-related uses (map 1, Site 15) Exceptional aesthetic resource (Map 3, Site 5) Significant wildlife habitat (Map 6, Site 4) Bayocean Spit was described in the Oregon Natural Areas Data Summary for Tillamook County. The spit contains a great diversity of habitat types which are utilized by small mammals, deer, and by snowy plover and other birds. A rare plant species occurs on the spit. The spit contains an historical site (the Old Bayocean City site) and archaeological site. The northern portion of the spit (from Bayocean Lake north to the end of the spit) has been designated as an exceptional aesthetic resource. The publicly (Federal and County) owned portions of the spit should be considered an important coastal recreational area.
Site Location Classification	Cape Meares Lake (Bayocean Lake) T 1S, R 10W, S 6, 7 Major marsh (fringing marshes (map 6, Site 5)

Discussion Significant wildlife habitat (Map 6, Site 5)
 Cape Meares Lake (also called Bayocean Lake) is a freshwater lake which was created through the construction of a dike across Biggs Cove in Tillamook Bay after the breaching of the Bayocean Spit by a storm in 1952. The dense marsh vegetation around the lake is an EPA freshwater marsh study site. An inventory of Bayocean Lake and spit is contained in the Oregon Natural Areas Data Summary for Tillamook County.

3.2c NETARTS ESTUARY SHORELANDS - Southern boundary of Section 1 (T 3S, R 11W) to the southern boundary of Section 7 (T 1S, R 10W)

Site Pyramid Rock
 Location T 1S, R 11W, S12
 Classification Exceptional aesthetic resource (Map 3, Site 6)
 significant wildlife habitat (Map 7, Site 1)

Site Pillar rock
 Location T 1S, R 11W, S 13
 Classification Exceptional aesthetic resource (Map 3, site 7)
 significant wildlife habitat (Map 7, Site 2)
 Discussion Pyramid Rock and Pillar Rock are part of the Oregon Islands National wildlife Refuge administered by the U.S. Fish and Wildlife Service. Both rocks are significant habitat for colonies of seabirds. The rocks and surrounding areas were designated as an area with APotential for Exceptional Coastal Experience≅ in the Visual Resource Analysis of the Oregon Coastal Zone.

Site Cape Meares State Park
 Location T 1S, R 11W, S 13
 T 1S, R 10W, S 18
 Classification Area needed for water-dependent and water-related uses (Map 1, site 16)
 Coastal headland (Map 2)
 Exceptional aesthetic resource (Map 3, Site 8)
 Significant wildlife habitat (Map 7, Site 4)
 Discussion Cape Meares State Park contains a coastal headland (Cape Meares) which has been identified as an exceptional aesthetic resource.

Cape Meares State Park also contains two significant wildlife habitat areas: the Cape Meares National wildlife Refuge, and a bald eagle nest identified in Oregon Natural Areas Data Summary for Tillamook County.

<p>Site Location Classification Discussion</p>	<p>Maxwell Point T 1S, R 11W, S 24, 25 Coastal headland (Map 2) Maxwell Mountain is a coastal headland which is committed to commercial development (see Goal 2 Section).</p>
<p>Site Location Classification Discussion</p>	<p>Ocean Beach From Oceanside to Cape Meares T 1S, 11W, S 13, 24, 25 T 1S, R 10W, S 7 Area needed for water-dependent and water-related uses (Map 1, Site 23) Exceptional aesthetic resource (Map 3, Site 10) A State Parks public ocean beach access is located at Oceanside Beach. The area between Oceanside and Cape Meares was identified as an area with APotential for Exceptional Coastal Experience≅ in the AVisual Exceptional Coastal Experience in the Resource Analysis of the Oregon Coastal Zone.</p>
<p>Site Location Classification Discussion</p>	<p>Three Arch Rocks T 1S, R 11W, S 25 Exceptional aesthetic resource (Map 3, Site 11) Significant wildlife habitat (Map 7, Site 5) Three Arch Rocks and Cape Meares National Wildlife Refuge are part of the National Wildlife Refuge system. The area surrounding Three Arch Rocks is a significant habitat for sea mammals and seabirds. Both areas were designated as areas with APotential for Exceptional Coastal Experience≅ in the Visual Resource Analysis of the Oregon Coastal Zone.</p>
<p>Site Location Classification Discussion</p>	<p>Public Access Point T 1S, R 10W, S 31 Area needed for water-dependent and water-related uses (Map 1, Site 24) Tillamook County public access point to Netarts</p>

Bay.

Site Happy Camp
Location T 1S, R 10, S 31
Classification Area needed for water-dependent and water-related uses (Map 1, site 25)
Discussion Private resort and campground identified in Facilities in Oregon Estuaries.

Site Netarts Boat Basin
Location T 2S, R 10W, S 5
Classification Area needed for water-dependent and water-related uses (Map 1, Site 26)
Discussion Tillamook County public boat launch and moorage identified in Commercial and Recreational Boating Facilities in Oregon Estuaries.

Site Hanson Oyster Hatchery
Location T 2S, R 10W, S 5
Classification Area needed for water-dependent and water-related uses (Map 1, site 27)
Discussion This area has been included in the Water-Dependent Development (WDD) Zone to provide for water-dependent and water-related uses in conjunction with the oyster hatchery. (See Goal 2 Section, T 2S, R 10W, Map 2).

Site Netarts Bay Picnic Area
Location T 2S, R 10W, S 19
Classification Area needed for water-dependent and water-related uses (Map 1, Site 29)
Discussion Crown Zellerbach public picnicking and camping area.

Site Netarts Bay Salmon Hatchery
Location T 2S, R 10W, S 17
Classification Area needed for water-dependent and water-related uses (Map 1, Site 28)
Discussion This area has been included within the Water-Dependent Development (WDD) Zone to provide for water-dependent and water-related uses in conjunction with the salmon hatchery. (See Goal 2, Section T 25, R 10W, Map 4).

Site Anderson Viewpoint
 Location T 2S, R 11W, S 36
 Classification Area needed for water-dependent and water-related uses (Map 1, Site 30)
 Discussion Tillamook County scenic viewpoint.

Site Netarts Spit (Cape Lookout State Park)
 Location T 2S, R 11W, S 6, 7, 18, 19, 30, 31
 Classification Exceptional aesthetic resource (Map 3, Site 12)
 Significant wildlife habitat (Map 7, Site 6)
 Discussion Netarts Spit was recently designated as an Oregon Natural Area Preserve through an agreement between the State Parks Department and the Oregon State Land board. The spit is a significant habitat area for the snowy plover, and is a haul out area for harbor seals. The northern end of the spit (Sections 5, 6, 7 and 18, T 2S, R 10W) has been identified as an exceptional aesthetic resource. A comprehensive description of Netarts Spit is contained in the Preserve Analysis: Netarts Sand Spit (Oregon Natural Area Preserves Advisory Committee, 1979).

Site Cape Lookout State Park
 Location T 3S, R 11W, S 1, 2
 T 2S, R 11W, S 25, 36
 T 2S, R 10W, S 6, 7, 18, 19, 30, 31
 Classification Area needed for water-dependent and water-related uses (Map 1, Site 30)
 Coastal headland (Map 2)
 Exceptional aesthetic resource (Map 3, Site 13)
 Significant wildlife habitat (Map 7, Site 7)
 Discussion Cape Lookout State Park contains a coastal headland (Cape Lookout) which has been identified as an exceptional aesthetic resource. The ODFW has identified a bald eagle nesting site on Cape Lookout. The cliffs of the cape are significant habitat for seabirds and were historically used by nesting Peregrine Falcons. Cape Lookout State Park is also an important coastal recreation area.

3.2d SANDLAKE ESTUARY SHORELANDS - Half section line of Section 6 (T 4S, R 10W) to the southern boundary of Section 1 (T 3S, R 11W)

Site Unnamed Rock (near Cape Lookout)
 Location T 3S, R 11W, S 1
 Classification Exceptional aesthetic resource (Map 3, Site 14)
 Significant wildlife habitat (Map 8, Site 8)
 Discussion Unnamed Rock is a significant habitat for seabirds which has been proposed for inclusion into the Oregon Islands National Wildlife Refuge. The rock and surrounding area was designated as an area with APotential for Exceptional Coastal Experience≅ in the Visual Resource Analysis of the Oregon Coastal Zone.

Site Chamberlain Lake
 Location T 3S, R 10W, S 18
 Classification Significant wildlife habitat (Map 8, Site 1)
 Discussion Due to the scarcity of coastal lake and reservoir habitat in Tillamook County, and to the significance of coastal lakes as waterfowl habitat, Chamberlain Lake is considered a significant wildlife habitat.

Site Sandbeach Access
 Location T 3S, R 10W, S 30
 Classification Area needed for water-dependent and water-related uses (Map 1, Site 32)
 Discussion Tillamook County public ocean beach access.

Site Sandlake Park Sandspit
 Location T 3S, R 10W, S 30
 Classification Exceptional aesthetic resource (Map 3, Site 15)
 Significant wildlife habitat (Map 8, Site 3)
 Discussion This area was identified as an area with Apotential for Exceptional Coastal Experience≅ in the Visual Resource Analysis of the Oregon Coastal Zone, and has been identified by the ODFW as a significant habitat for the Snowy Plover.

Site Sandbeach Campground
 Location T 3S, R 10W, S 30
 Classification Area needed for water-dependent and water-related uses (Map 1, Site 32)
 Discussion U.S. Forest Service Campground.

Site	Darlingtonia Bog
Location	T 3S, R 10W, S 17
Classification	Significant shoreland habitat
Discussion	This area was inventoried in the Oregon Natural Areas Data Summary for Tillamook County. The site contains rare and threatened plant species.
Site	Keta Corporation Salmon Release and Recapture Facility
Location	T 3S, R 10W, S 20
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 34)
Discussion	Private chum salmon release and recapture facility.
Site	Whalen Island Park
Location	T 3S, R 10W, S 31
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 33)
Discussion	Tillamook County public boat ramp and campground identified in Commercial and Recreational Boating Facilities in Oregon Estuaries.
Site	Beltz Farm Sandspit
Location	T 3S, R 10W, S 31
Classification	Exceptional aesthetic resource (Map 3, Site 16) Significant wildlife habitat (Map 8, Site 14)
Discussion	This area was identified as an area with a potential for Exceptional Coastal Experience in the Visual Resource Analysis of the Oregon Coastal Zone, and has been identified by the ODFW as a significant habitat for Snowy Plover.
Site	Beltz Farm Wetland and Reneke Creek
Location	T 3S, R 10W, S 31
Classification	Major marsh (Map 8, Site 5) Significant wildlife habitat (Map 8, Site 5)
Discussion	The Reneke Creek drainage from its headwaters to the ocean has been identified as a potential Research Natural Area (RNA). The Siuslaw National Forest designated the Reneke Creek drainage within National Forest boundaries for RNA status in the draft Hebo District Management Plan. Reneke Creek drains into

the northern end of the Beltz Farm wetland, a diked freshwater wetland which was once part of Sandlake Estuary.

3.2e NESTUCCA ESTUARY SHORELANDS - Tillamook County line to the half section line of Section 6 (T 4S, R 10W)

Site	Tierra Del Mar
Location	T 4S, R 10W, S 12
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 36)
Discussion	State Parks public ocean beach access.
Site	Sears Lake
Location	T 4S, R 10W, S 6, 7
Classification	Significant wildlife habitat (Map 9, site 1) Major marsh (fringing marshes on the west side of Sears Lake) (Map 9, site 1)
Site	Miles Lake
Location	T 4S, R 10W, S 7, 18
Classification	Significant wildlife habitat (Map 9, site 2)
Site	Town Lake
Location	T 4S, R 10W, S 19
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 36) significant wildlife habitat (Map 9, Site 3)
Discussion	Town, Miles and Sears Lakes are coastal lakes which were inventoried in Lakes of Oregon, Vol. 1: Clatsop, Columbia and Tillamook Counties. All three lakes were included in the Oregon natural Areas Data Summary for Tillamook County (site report provided for Sears Lake). Due to the importance of coastal lakes and their fringing wetlands to waterfowl (see Daley Lake discussion), these three coastal lakes have been designated as a significant waterfowl habitat. Town Lake is the site of an undeveloped public access point owned by the ODFW.
Site	Cape Kiwanda State Park
Location	T 4S, R 11W, S 12, 13
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 37)

	Coastal headland (Map 2) Exceptional aesthetic resource (Map 3, Site 17) Significant shoreland habitat
Discussion	Cape Kiwanda State Park contains a sandstone headland (Cape Kiwanda) which has been identified as an exceptional aesthetic resource. Cape Kiwanda State Park contains Cape Kiwanda Forest, and the Miles Creek Sitka spruce forest (see descriptions for sites T1-99 and T1-116 in the Oregon Natural Areas Data Summary for Tillamook County). Cape Kiwanda State Park is a popular coastal recreation area.
Site	Cape Kiwanda County Park
Location	T 4S, R 11W, S 24
Classification	Area needed for water-dependent and water related uses (Map 1, Site 38)
Discussion	Cape Kiwanda is the site of a Tillamook County public park and ocean access point.
Site	Haystack Rock
Location	T 4S, R 11W, S 24
Classification	Exceptional aesthetic resource (Map 3, Site 18) Significant wildlife habitat (Map 9, Site 4)
Discussion	Haystack Rock is a significant seabird habitat which has been included in the Oregon Islands National Wildlife Refuge. The rock and surrounding area was designated as an area with APotential for Exceptional Coastal Experience≅ in the visual Resource analysis of the Oregon Coastal Zone.
Site	Nestucca Spit Boat Ramp
Location	T 4S, R 10W, S 30
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 39)
Discussion	Tillamook County public boat ramp. Identified in commercial and Recreational Boating Facilities in Oregon Estuaries.
Site	Nestucca Spit State Park
Location	T 5S, R 11W, S 1 T 4S, R 11W, S 25 T 4S, R 10W, S 30, 31
Classification	Area needed for water-dependent and water-

	related uses (Map 1, Site 40) Exceptional aesthetic resource (Map 3, Site 19) Significant wildlife habitat (Map 9, Site 5)
Discussion	Nestucca Spit (excluding the developed day use areas and the Tillamook County boat launch) has been identified as an exceptional aesthetic resource. Portions of the spit were identified by the ODFW as significant habitat for the Snowy Plover. Nestucca Spit State Park is an important coastal recreation area.
Site	Woods Park
Location	T 4S, R 10 W, S 19
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 41)
Discussion	Tillamook County public park and camping area.
Site	Rainier Resort
Location	T 4S, R 10W, S 19
Classification	Area needed for water-dependent and water-related uses (Map 1, Site)
Discussion	Private recreational boating marina identified in Commercial and Recreational Boating Facilities in Oregon Estuaries.
Site	Nestucca Marina
Location	T 4S, R 10W, S 19
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 43)
Discussion	Private recreational boating marina identified in Commercial and Recreational Boating facilities in Oregon Estuaries.
Site	Fisher Tract Boat Ramp
Location	T 4S, R 10W, S 30
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 44)
Discussion	Tillamook County/ODFW public boat ramp identified in commercial and Recreational Boating Facilities in Oregon Estuaries.
Site	Riverview Lodge
Location	T 4S, R 10W, S 29
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 45)

Discussion	Private resort and recreational boating marina identified in Commercial and Recreational Boating Facilities in Oregon Estuaries.
Site	Cloverdale Landing
Location	T 4S, R 10W, S 22
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 46)
Discussion	Northwest Steelheaders public boat ramp identified in commercial and Recreational Boating Facilities in Oregon Estuaries.
Site	Cannery Point
Location	T 4S, R 10W, S 31
Classification	Significant wildlife habitat (Map 9, Site 6)
Discussion	Cannery Point is the location of a bald eagle roosting site.
Site	South side Mouth of Nestucca Estuary
Location	T 5S, R 11W, S 1 T 5S, R 10W, S 6
Classification	Significant wildlife habitat (Map 9, site 8)
Discussion	The sandy beach areas have been identified by the ODFW as significant habitat for the Snowy Plover.
Site	Daley Lake
Location	T 5S, R 11W, S 12, 13
Classification	Major marsh (fringing marshes adjacent to Daley Lake) (Map 9, Site 9) Significant wildlife habitat (Map 9, Site 9)
Discussion	Daley Lake is a coastal lake which was inventoried in Lakes of Oregon, Vol. 1: Clatsop, Columbia and Tillamook Counties. Coastal lakes and their fringing wetlands serve as feeding areas for waterfowl and wading birds. These open water areas are particularly important to waterfowl during their spring and fall migrations, especially in Tillamook County, which contains approximately 20% of the State=s coastline, but less than 2% of the total coastal acreage of lakes and reservoirs. For this reason, all coastal lakes in Tillamook County (with the exception of Spring Lake) have been designated as significant habitat for waterfowl. Daley Lake

was included in the Oregon Natural Areas Data Summary for Tillamook County.

Site	Neskowin Crest Wetlands
Location	T 5S, R 11W, S 13, 14, 25
Classification	Major marsh (Map 9, Site 10)
Discussion	The Neskowin crest wetlands include the contiguous chain of wetlands which extend from the northern boundary of the Neskowin Golf course through the southern half of Section 24, as well as the three separate wetlands between the southern half of Section 24 and Daley Lake. The Draft National Wetland Inventory (U.S. Department of the Interior, Fish and Wildlife Service, 1979) notes a mixture of freshwater wetland types within this area, including permanent open water areas and seasonal and permanent emergent and shrub-scrub wetlands.
Site	Neskowin Beach
Location	T 5S, R 11W, S 36
Classification	Area needed for water-dependent and water-related uses (Map 1, Site 48)
Discussion	State Parks public ocean beach access.
Site	Proposal Rock
Location	T 5S, R 11W, S 35
Classification	Exceptional aesthetic resource (Map 3, Site 20) significant wildlife habitat (Map 9, site 11)
Discussion	Proposal Rock is a significant seabird habitat which has been proposed for inclusion into the Oregon Islands Natural wildlife Refuge. The rock and surrounding area was designated as an area with APotential for Exceptional coastal Experience≅ in the Visual Resource Analysis of the Oregon Coastal Zone.
Site	Two Arch Rocks
Location	T 6S, R 11W, S 10
Classification	Exceptional aesthetic resource (Map 3, Site 21) Significant wildlife habitat (Map 9, Site 12)
Discussion	Two Arch Rocks is a significant seabird habitat which is part of the Oregon Islands National Wildlife Refuge administered by the U.S. Fish

and Wildlife Service. The rock and surrounding area was designated as an area with APotential for Exceptional coastal Experience≡ in the Visual Resource Analysis of the Oregon Coastal Zone.

Site Cascade Head Scenic Research Are (CHSRA)
 Location T 6S, R 11W, S 1, 2, 11-14
 T 6S, R 10W, S 6, 7 and 18
 Classification Coastal headland (Map 2)
 Exceptional aesthetic resource (Map 3, Site 22)
 Significant wildlife habitat (Map 9, site 13)
 Discussion The Cascade Head Scenic Research Area includes the Nature conservancy Cascade Head Preserve, the Neskowin Creek Research Natural Area and the Cascade Head experimental forest (U.S. Forest Service). This area is an exceptional aesthetic resource, and contains significant habitat for the bald eagle and some rare plant and rare mammal species (see site report for Cascade Head Preserve and Neskowin Crest Research Natural Area in Oregon Natural Areas Data Summary for Tillamook County, Nature Conservancy, 1977).

Site Three Rocks
 Location T 6S, R 11W, S 14
 Classification Exceptional aesthetic resource (Map 3, Site 23)
 Significant wildlife habitat (Map 9, Site 14)
 Discussion Three Rocks is the site of a great blue heron rookery. Three Rocks was designated as an area with APotential for Exceptional Coastal Experience≡ in the Visual Resource Analysis the Oregon Coastal Zone.

MAP 1

11 X 17 Map "Areas needed for water-dependent and water related uses"

MAP 2
"Coastal Headlands"

MAP 3

Exceptional Aesthetic Resources

MAP 4

Historical Sites within Shorelands

MAP 5

Significant Shoreland & Wetland Biological Habitats

Amendment

MAP 6

Significant Tillamook

MAP 7

Lookout

8 1/2 X 11 MAP 8

Tierra Del Mar

MAP 9

Cascade Head

MAP 10
Shoreland Boundary

3.3 COASTAL SHORELAND BOUNDARY

3.3a Areas Included

The extent of coastal shorelands in Tillamook County is defined by the Coastal Shoreland Boundary line described below. The Coastal Shoreland Boundary line (delineated on the Tillamook County Zoning Maps) defines the limits of Shoreland Overlay (SH) zone described in Section 3.090 of the Tillamook County Zoning Ordinance.

All lands west of the Coastal Shoreland Boundary line are designated as coastal shorelands, except in areas adjacent to river or slough channels within head of tide, where only the lands between the boundary line on either side of the river or slough channel are included. Coastal shorelands include the following areas:

- 1) Areas containing one or more of the seven features described in Section 3.1, and
- 2) Other areas containing significant shoreland features and resources described in Section 3.2.

3.3b Nehalem Estuary Shorelands (Nm)

1. From the Clatsop County line to the west end of the U.S. Highway 101 bridge over the Nehalem River (excluding areas within the Nehalem or Manzanita UGB), the boundary line

follows U.S. Highway 101, except around Neahkahnie Lake (T 3N, R 10W, S 29, NE 1/4) where the boundary line extends 50 feet around the lake. #1

#1 Around coastal lakes, the boundary line is measured from either the line of nonaquatic vegetation or the Ordinary High Water (OHW) line, whichever is greater.

2. From the head of tide on the North Fork of the Nehalem river to the northeastern boundary of the City of Wheeler UGB (excluding areas within the Nehalem city UGB) the boundary line includes the following areas:
 - a. Areas within 50 feet of either the Nehalem river channel or the channels of its tidally influenced tributary streams, or
 - b. Areas within 50 feet of the North Fork Nehalem Wetland (T 3N, R 10W, S 13 and S 14), or
 - c. Areas with 50 feet of the Eagle Head Wetland (T 3N, R 10W, S 23, SW 1/4).
3. From the head of tide on the South Fork of the Nehalem River to the Mohler Bridge over the South Fork of the Nehalem river, the boundary line includes the following area:
 - a. Areas within 1000 feet of the south bank of the Nehalem River between the Southern Pacific Railroad bridge and Foley Creek (areas of steep slopes and landslide hazard); and
 - b. Areas within 1000 feet of the north bank of the Nehalem River in T 3N, R 10W, S 36 (SE 1/4) which contain inactive landslides and landslide topography; and
 - c. Other areas within 50 feet of the Nehalem River.
4. From the Mohler Bridge on the south Fork of the Nehalem River to the junction of the North and South Forks of the Nehalem river at Fork Island, the boundary line includes:

Areas within 50 feet of either the Nehalem River channel or the channels of its tidally influenced tributary streams.

5. From the western boundary of the Wheeler City UGB to the Fishery Point Cove, the boundary line follows U.S. Highway 101.
6. Between the Fishery Point Cove (T 2N, R 10W, S 4) to the northern boundary of the Rockaway UGB, the boundary line follows U.S. Highway 101, except where it extends 1000 feet east of Nehalem Bay to include small active landslide areas and areas of landslide topography with steep slopes. (25-49%).

3.3c TILLAMOOK ESTUARY SHORELANDS (Tk)

1. From the southern boundary of the Rockaway City UGB to the Barview intersection, the boundary line follows U.S. Highway 101, except around Spring Lake, where the boundary line extends 50 feet around Spring Lake, and 50 feet around the Watseco Creek Wetlands.
2. From the Barview intersection to just below Lifesaving Creek (T 1N, R 10W, S 17, SE 1/4, SW 1/4), the boundary line extends 1000 feet northwest of Tillamook Bay to include an inactive landslide area.
3. From just below Lifesaving Creek to the western city limits of Garibaldi, the boundary line follows U.S. Highway 101.
4. From the eastern city limits of Garibaldi to the intersection of the Miami River Road and U.S. Highway 101, the boundary line follows U.S. Highway 101.
5. Between the intersection of the Miami River Road and U.S. Highway 101 and Ekroth Road (T 1N, R 10W, S 22, SW 1/4, NE 1/4, S 23, NW 1/4) the boundary line includes:
 - a. Areas within 50 feet of the Miami River channel up to head of tide; or
 - b. DMD site 16; and
 - c. MIT site 1, or
 - d. Areas within 50 feet of Illingsworth Creek up to head of

tide.

6. From Electric Creek (T 1N, R 10W, S 22, NW 1/4) to the northern end of Larson Cove, the boundary line extends 1000 feet east of Tillamook Estuary to include an active landslide, an inactive landslide, and a portion of two faults.
7. From the northern end of Larson Cove to the northern Bay City city limits, the boundary line extends 50 feet around the Cove, except at DMD Site 13, at the southeastern end of the Cove, where the boundary line is extended to include the DMD site.
8. From the southern city limits of Bay City to the point where the Southern Pacific Railroad crosses Vaughn Creek, the boundary line follows the Southern Pacific Railroad.
9. From the point where the southern Pacific Railroad crosses Vaughn Creek to the intersection of U.S. Highway 101 with the State Highway 131, the boundary line includes all of the following areas which are outside of the Tillamook City UGB:
 - a. Areas east and west of U.S. Highway 101 northeast of Tillamook city which are within 50 feet of a tidally influenced river, stream or slough; or
 - b. Areas within 50 feet of the Rain River Preserve wetland (T 1S, R 10W, S 23 (N 2), S 22. (NE 1/4)); or
 - c. Areas with 50 feet of the Squeedunk Slough Freshwater Wetland (T 1S, R 10W, S 13 (NW 1/4)).
10. From the intersection of U.S. Highway 101 with State Highway 131 to the intersection of State Highway 131 with Bayocean road, the boundary line includes all of the following areas which are outside of the Tillamook City UGB:
 - a. Areas south of Highway 131 or southwest of Tillamook City within 50 feet of a tidally influenced river, stream or slough.
 - b. Areas within 50 feet of the Tillamook River Forested Freshwater Wetland (T 1S, R 10W, S 35, (SE 1/4), S 36 (SW 1/4); T 2S, R 10W, 52 (NE 1/4) S1 (NW 1/4)).

3.3d NETARTS ESTUARY SHORELANDS (Ns)

1. Between the intersection Bayocean Road with Cape Meares Drive to the southern boundary of Cape Meares State Park, the boundary line includes:
 - a. Areas within 50 feet of Cape Meares Lake; or
 - b. Areas within 100 feet of the oceans shore; or
 - c. Areas within the boundaries of Cape Meares State Park.
2. From the southern boundary of Cape Meares State park to the junction of Cape Meares Drive with the Oceanside/Netarts Highway, the boundary line follows Cape Meares Drive, except at Oceanside where the boundary line is extended to include an inactive landslide area.
3. From the junction of Cape Meares Drive with the Oceanside/Netarts Highway to the intersection of the Oceanside/Netarts Highway with Netarts Bay Drive the, boundary line includes areas within 100 feet of the ocean shore and areas within 50 feet of Netarts Estuary.
4. From the junction of Oceanside/Netarts Highway with Netarts Bay Drive, the boundary line follows Netarts Bay Drive to the intersection of Netarts Bay Drive with Whiskey Creek Road (County road 665), then follows Whiskey Creek road south to its junction with Cape Lookout road at Cape Lookout State Park, with the following exceptions:
 - a. Between the northern and southern portions of Management Unit 14EC1, the boundary line extends to include all areas within the Water-Dependent Development (WDD) Zone;
 - b. Around Yager Lake and the five intertidal areas on the east side of Whiskey Creek Road and Netarts Bay Drive (Netarts Estuary Management Unites 12 EC1, 14 EC1, 15EC1 and 21 EC!) where the boundary line extends 50 feet around these areas

3.3e SANDLAKE ESTUARY SHORELANDS (S1)

1. From the intersection of Whiskey Creek Road with Cape

Lookout Road at Cape Lookout State Park, the boundary line follows Cape Lookout Road through Cape Lookout State Park, then proceeds south following a boundary line 100 feet from the ocean shore to the southern boundary of Section 19 and then east to where it intersects with Galloway Road. At Chamberlain Lake an island of shoreland will be created with a 50 foot boundary around the lake.

2. From the intersection of Section 19 with Galloway Road the boundary line continues south to Tierra Del Mar to include the Beltz Farm Sandspit and Wetland, areas within 50 feet of Sandlake Darlingtonia Bog, an island of shoreland will be created by a 50 foot boundary around the bog.
3. On Whalen Island, the boundary line includes areas within 50 feet of Sandlake Estuary.

3.3f NESTUCCA ESTUARY SHORELANDS (Na)

1. From Tierra Del Mar to the intersection of Sandlake county Road with the Pacific City bridge, the boundary line follows Sandlake county road, except at Tierra Del Mar, where the boundary includes areas within 100 feet of the ocean shore, and at Sears Lake, where the boundary line extends 500 feet around the southern end of the lake to include the landslide topography adjacent to the lake and 50 feet around the northern end of the lake. At Miles and Town Lakes, islands of shorelands will be created by 50 foot boundaries around each lake.
2. From the intersection of Pacific City bridge with Sandlake County Road, (T 4S, R 10W, S 19, NW 1/4, SW 1/4), to head of tide on the big Nestucca River, and continuing on the south side of the river to the intersection of Brooten Road and Pacific City bridge, the boundary line includes areas within 50 feet of the big Nestucca River channel with the exception of the Braden Mountain area, T 4S, R 10W, S 29, SW 1/4, where the boundary is extended 1000 feet from the Big Nestucca River channel to include an active landslide area.
3. From the intersection of Braden Road with the Pacific City bridge, the boundary line follows Braden Road to the point where Braden Road crosses the half section line of Section 32. From that point to the east end of the Little Nestucca River

Bridge, the boundary line follows areas within 50 feet of the Little Nestucca River channel.

4. Along the Little Nestucca River channel from the Little Nestucca River bridge to head of tide of the Little Nestucca River, the boundary line includes the greater of the following areas:
 - a. Areas within 50 feet of the Big Nestucca River channel.
5. From the west end of the Little Nestucca River bridge around the east side of Cannery Hill to Cannery Point, the boundary line includes areas within 50 feet of the Little Nestucca River channel.
6. At Cannery Point, the boundary line extends to include a eagle roosting area, then runs 50 feet from the Nestucca Estuary along the west side of Cannery Hill to the south side of the mouth of the Nestucca Estuary.
7. From the south side of the mouth of the Nestucca Estuary to Daley Lake, the boundary line follows a line 100 feet from the ocean shore, except at Daley Lake where the boundary line extends 50 feet around Daley Lake.
8. From Daley Lake to Butte Creek in Neskowin (T 5S, R 11W, S 25, NE 1/4), the boundary line includes either all areas within 100 feet of the Neskowin Crest Wetlands.
9. Where Butte Creek intersects U.S. Highway 101 North at Neskowin (T 5S, R 11W, S 25, N 2) to the Lincoln County line, the boundary line follows the Cascade Head Scenic Research Area (T 6S, R 10W, S 7), area boundary on the south, then the limits of the headland identified in the Comprehensive Plan, to Highway 101 except for areas within 50 feet of Sutton and Neskowin Creeks up to head of tide.

4. GENERAL POLICIES FOR COASTAL SHORELANDS

4.1 General Use Priorities

Policy

New Shoreland development, expansion, maintenance or restoration of existing development and restoration of historic waterfront areas shall

conform to the following general priorities for the overall use of coastal shorelands (in order of priority):

1. Uses which maintain the integrity of the estuary;
2. Water-dependent uses (See Section 5.1);
3. Water-related uses (See Section 5.2);
4. Non-dependent, non-related uses which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses;
5. Development, including non-dependent, non-related uses, in urban areas (compatible with existing or committed uses);
6. Non-dependent, non-related uses which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.

4.2 Shoreland Development

Policy

New shoreland development, expansion, maintenance or restoration of existing development; or restoration of historic waterfront areas shall be sited, designed, constructed and maintained to minimize adverse impacts on riparian vegetation, water quality and aquatic life and habitat in adjacent aquatic areas, and to be consistent with existing hazards to life and property posed by eroding areas and flood hazard areas.

To accomplish this:

- a. The requirements of the National Flood Insurance Program shall be used to regulate development in flood hazard areas within coastal shorelands:
- b. Shoreland setbacks shall be established to protect riparian vegetation and to recognize eroding areas (See Section 9, of this element):
- c. Priority shall be given to nonstructural rather than structural solution to problems of erosion or flooding:
- d. Existing state and federal authorities referenced in the Water Quality policies shall be utilized for maintaining water quality and minimizing

man-induced sedimentation in aquatic areas.

4.3 Scenic Views and Public Access

Policy

New shoreland development, expansion, maintenance or restoration of existing development and restoration of historic waterfront areas shall be designed to promote visual attractiveness and scenic views and provide, where appropriate, visitor facilities, public viewpoints and public access to the water. Existing public access to publicly owned shorelands shall be maintained.

Existing public ownerships, right-of-way and similar public easements in coastal shorelands which provide access to, or along coastal waters shall be retained or replaced if sold, exchanged or transferred. Rights-of-way may be vacated to permit redevelopment or shoreland areas provided public access across the affected site is retained.

4.4 Multiple Use of Shoreland

Policy

Multiple use of shorelands shall be encouraged when the integration of compatible uses and activities is feasible and is consistent with the intent of other comprehensive plan policies contained in this plan element.

4.5 Dredged Material Disposal and Mitigation Sites

Policy

Shoreland areas suitable as dredged material disposal (DMD) or mitigation sites shall be identified in the Tillamook County Comprehensive Plan. Sites identified as priority dredged material disposal (DMD 1) or priority mitigation (M 1) sites shall be protected from uses or activities which disposal or mitigation.

4.6 Planned Development in Shorelands

Policy

Clustering of non-water-dependent and non-water-related residential, commercial or industrial development on shorelands shall be encouraged through application of the Planned Development (PD) overlay. Fresh water wetland areas may be used to compute lot area or density to encourage clustering and provide for planned unit development. Development densities

shall be compatible with significant shoreland resources and features identified in the Tillamook County Comprehensive Plan, and with adjacent estuarine areas designated for resource protection or conservation.

5. FINDINGS AND POLICIES FOR WATER-DEPENDENT AND WATER-RELATED USES

5.1 Water- Dependent Uses

Findings

The Statewide Land Use Planning Goals and Guidelines (p. 24) provide the following definition for the term *Water-dependent*:

WATER-DEPENDENT: A use or activity which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production or source of water.

Policy

Tillamook County considers the following uses to be water-dependent:

1. Docks, moorages, marinas or boat ramps for commercial or recreational marine craft (including seaplanes);
2. Piers, wharves and other terminal or transfer facilities for passengers or water-borne commerce such as fish, shellfish, timber or timber products;
3. Water intake and discharge structures;
4. Water access structures of facilities which require access to a water body as part of the manufacturing, assembly, fabrication or repair of marine craft or marine equipment, due to the size of the craft or equipment;
5. Portions of aquaculture facilities which require direct access to, or use of, water;
6. Other uses which can only be carried out on, in, or adjacent to water areas because the use requires access to a water body for:
 - a. Water-borne transportation;

- b. Recreation;
- c. A source of water (such as energy production, cooling of industrial equipment or waste water, or other industrial processes).

5.2 Water-Related Uses

Findings

The Statewide Land use Planning Goals and Guideline (p. 24) provide the following definition for the term *Water-related*:

WATER-RELATED: uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil area dump sites, roads and highways, restaurants, businesses, factories and trailer parks are not generally considered dependent on or related to water location needs.

The use of the phrase *except as necessary for water-dependent uses and facilities* and the *generally* in the last sentence above, implies that the listed uses can be considered water-related under certain circumstance. Tourism is an important industry in Tillamook County, and many tourist activities (such as recreational boating and fishing) are water-dependent. Clustering of tourist facilities, particularly restaurants and tourist accommodation, in close proximity to waterfront areas and water-dependent uses encourages tourism within an area by creating a *point of destination*. An example is the city of Garibaldi, which has experienced an increase in tourism since the establishment of the Old Mill Marina complex. Clustering of facilities can also result in energy savings, since clustered facilities encourage walking from facility to facility.

For these reasons, Tillamook County finds that restaurants and certain types of tourist accommodations which occur in conjunction with a water-dependent use should be included in a preliminary list of water-related uses. Due to the subjectivity of the criteria which are used to define water-related uses (*direct association* with a water-dependent land or waterway use, and a *public loss in quality of goods or services offered* if the use does not located adjacent to water), Tillamook County also finds that a case-by-case

determination must be made for these and other water-related uses.

Policy

Uses shall be identified as water-related on a case-by-case basis. A use is determined to be water-related when the use:

1. Provides goods and/or services that are directly associated with water-dependent uses (supplying material to, or using products of water-dependent uses); and
2. If not located near the water, would experience a public loss of quality in the goods and services offered. Evaluation of public loss of quality will involve a subjective consideration of economic, social and environmental consequences of the use.

Water-related uses can include, but are not limited to, the following:

- a. Water-related industrial uses such as:
 - i. Fish or shellfish processing plants; or
 - ii. Warehousing and/or other storage areas for marine equipment or water-borne commerce;
- b. Water-related commercial uses, such as:
 - i. Fish or shellfish retail or wholesale outlets;
 - ii. Marine craft or marine equipment sales establishments;
 - iii. Sport fish cleaning, smoking or canning establishments;
 - iv. Charter fishing offices;
 - v. Retail trade facilities in which the majority of products are products such as ice, bait, tackle, nautical charts, gasoline, or other products incidental to or used in conjunctions with a water-dependent use;
 - vi. Restaurants which provide a view of the water-front, and which are in conjunction with a water-dependent or water-related use, such as a seafood processing plant or a charter office.

6. FINDINGS AND POLICIES FOR SIGNIFICANT SHORELAND RESOURCES: MAJOR MARSHES, SIGNIFICANT WILDLIFE HABITAT, COASTAL HEADLANDS, EXCEPTIONAL AESTHETIC RESOURCES

6.1 Findings for Compatibility to Low-Intensity Uses with the Protection of Natural Values of Significant Shoreland Resources

Tillamook County finds that:

- a. Uses and activities which are consistent with the protection of the natural values of significant shoreland resources are those uses which do not require developed facilities, #1 and which can be accommodated without adverse impact to an area or its resources;

#1 A Facility is defined as a group or combination of structures that is built, installed or established to serve a particular purpose.

- b. The following uses and activities are consistent with the protection of natural values of MAJOR marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources.

(1) Recreational uses such as hiking, fishing, hunting, photography, wildlife observation, sightseeing or beachcombing which can be conducted with only minor alteration (such as foot trails, simple interpretive devices or viewpoint signs) to an area or its resources;

(2) Grazing and other farm uses (excluding farm structures) which do not require a building, development or mobile home or recreational vehicle placement permit from Tillamook County, or a Division of State Lands or U.S. Army Corps of Engineers permit.

(3) Research or educational activities which maintain or enhance the natural characteristics of an area or its resources;

(4) Harvesting wild crops.

- c. The following forest management activities are considered to be low-intensity activities within coastal headlands, and exceptional aesthetic resources.

(1) Fire, insect and disease control, reforestation and hazard tree

removal, consistent with the Oregon Forest Practices Act, as long as the resource remains substantially unaltered.

6.2 Finding for Compatibility of Uses Permitted Under Existing management Programs in Areas containing significant Shoreland Resources: Oswald West, Nehalem Bay, Cape Meares, Cape Lookout, Cape Kiwanda, Nestucca Spit State Parks.

6.2a Cascade Head Scenic Research Area

Tillamook County finds that :

- a. The general management objectives for the Cascade Head Scenic Research Area (CHSRA) are stated in Public Law 95-535. These objectives are:

To provide present and future generations with the use and enjoyment of certain ocean headlands, rivers, streams, estuaries and forested areas, to insure the protection and encourage the study of significant areas for research and scientific purposes, and to promote a more sensitive relationship between man and his adjacent environment.≡ #1

#1 Final Environmental Impact Statement for the Management Plan for the Cascade Head Scenic Research Area. U.S. Department of the Interior, Forest Service, November, 1976, p. 1.

- b. Public Law 93-535 divides the CHSRA into six subareas, and established primary management objectives and management policies for each subarea. The following four subareas contain significant shoreland resources which were identified in the Tillamook County Comprehensive Plan (See description of the Cascade Head Scenic Research Area in Section 3.2 of this element):

- (1) Coastline and Sand Dune Spit subarea
- (2) Upper Timbered Slope and Headland Subarea
- (3) Lower Slope - Dispersed Residential Subarea

- c. The primary management objective for the Coastline and Sand Dune Spit subareas #2 is:

"To protect and maintain the scenic and wildlife values while allowing

selective recreation and extensive research-educational activities."

#2 Primary management objectives and management policies for each subarea were taken from the Final Environmental Impact Statement for the Management Plan for the Cascade Head Scenic Research Area. U.S. Department of the Interior, Forest Service, November 16, 1976, p. 76-87

HEBO RANGER STATION Subareas

8 1/2 X 11

The management policies are:

Because of the relatively small size of these subareas, their terrain, wildlife values, soils, vegetative characteristics, and their proximity to the ocean and its influence, management direction is to limit mans activities in order to protect these lands.

Access in these subareas will be limited to foot travel.

Forest Service research will emphasize collection of complete baseline information on the biological, physical, and social resources, and monitor the impacts of man and nature on these resources.

Selective recreational activities that are compatible with protecting and maintaining the scenic and wildlife values are hiking, viewing scenery, meditation, observing birds and wildlife, beachcombing, and picnicking.

Groups using these subareas should be well dispersed and will be encouraged through personal contacts and brochures to limit their size to 10 persons in order to protect wildlife values and to increase the recreational and educational experience

for themselves and others.≡

- d. The primary management objective for the Upper Timbered Slope and Headland Subareas is:

"To protect the scenic, soil and watershed, and fish and wildlife values while allowing selective recreation and extensive research-educational activities. Timber harvesting activity may occur in these subareas only when the Secretary determines that such harvesting is to be conducted in connection with research activities or that the preservation of the timber resource is imminently threatened by fire, old age, infestation or similar natural occurrences."

The Management Policies are:

"The viewpoints will be marked with signs to interpret the points of interest for viewers.

The view from the north and south viewpoints will be maintained. Site plans for these viewpoints will be prepared, detailing parking, sanitation, and interpretive opportunities.

Small (10-car) parking facilities will be planned and built at the trail heads for the Hart=s Cove Trail and at the north end of the Nature conservancy Trail.

Research activities in these subareas will follow the direction as established for the area on page 68. #1

#1 Page 68 of the Final Environmental Impact Statement for CHSRA states: AThe overall objective for the research program at the CHSRA will be to study the natural organization and behavior of coastal ecosystem, the effect of various human uses and activities on the health of these communities and organisms and the effect of mans activities on the visual resource.≡

Selective recreational activities that are compatible with protecting the scenic, soil, watershed, fish, and wildlife values are hiking, horseback riding, picnicking, viewing scenery, meditating, observing birds and wildlife, and operating motorized vehicles on established public roads."

- e. The primary management objective for the Lower Slope-dispersed

Residential Subarea is:

To maintain the scenic, soil, watershed, and fish and wildlife values, while allowing dispersed residential occupancy, selective recreation use, and agriculture use.≡

The Management Policies are:

The following criteria reflect the environmental constraints and the legislative background of this act:

- (1) Any new development must meet all State and County sewer, water, zoning and building requirements.
- (2) Any new development must retain the characteristic landscape for the subarea.
- (3) If a proposed development is in an area of unstable soil, a soil scientist will be consulted to assure protection of the soil values.
- (4) Individual residences will generally require a minimum lot size of 5 contiguous acres in the same ownership. Generally≡ in the previous sentence is meant to cover the occasional and infrequent exception to this minimum lot size.

The management direction for this subarea may result in some additional residences being built within this subarea.

The properties on which additional houses are developed will lose their protection from condemnation under the provisions of the final guidelines. However, if the proposal meets criteria priority for federal acquisition.

Research and scientific studies will be limited to those requiring no more than minor, unobtrusive manipulation of the soil or vegetative cover. Monitoring of the effects of residential occupancy, recreation use, and agricultural use on this and adjacent subareas will be a research goal.

Motorized travel will be confined to the existing roads. Cross country travel and trail use will be limited to hikers or horse travel. The Forest Service will cooperate with the landowners to resolve the problems associated with the south end of the

Nature Conservancy Trail.

Agriculture use may continue in this subarea as practiced on June 1, 1974.

Selective recreation activities that are compatible with the scenic, soil, watershed, fish, and wildlife values are hiking, driving for pleasure, viewing scenery, horseback riding and wildlife observation.

The Hebo District Ranger will cooperate with the state historic programs coordinator if the Stephen John Baxter House is nominated.

- f. The primary management objectives and management policies for the subareas listed in c-e above will ensure that uses and activities which are permitted by Public Law 93-535 in the CHSRA are consistent with the protection of the natural values of the coastal headlands, exceptional aesthetic resources, historical and archaeological sites and significant wildlife habitat within the CHSRA.

6.2b Tillamook County finds that:

- a. State Park Master Plans have been completed for Oswald West, Nehalem Bay, Cape Meares, Cape Kiwanda, Nestucca Spit, and Cape Lookout State Parks;
- b. State Park Master Plans separate lands within State Parks into land use classes, establish the amount and kind of protection for each land use class, and specify the intensity of future recreation use that will be allowed for each State Park.
- c. The A "typical developments" described under each of the land use class designations in the master plan serve as generic examples. They do not have the same status as land uses allowed on coastal shorelands as found in the County zone ordinance.
- d. The PROTECTION land use class contains lands with the following features:

"Land with important or unique park attractions such as scenic or geologic features, fish, wildlife and plant habitats, historic sites, or ecologic areas.≡∇

Compatible recreational activities and typical developments within this

land use class are:

"Activities having low impact on the resource, such as pedestrian use, fishing, swimming, non-motorized boating, nature and scientific study; and developments causing little alteration to the resource, such as trails, signs, rustic bridges, simple interpretive devices, and self-contained toilets.≡"

- e. Typical management activities permitted in the PROTECTION land use class are:

"Natural processes are encouraged, as long as public health and safety are not endangered. Allows fire, disease, and insect control that does not alter the resources more than that naturally occurring; other management practices required for public safety and to prevent the loss of developments, resources, or personal property on or adjacent to the park."

- f. The following coastal headlands identified in the Tillamook County Comprehensive Plan have been included within the PROTECTION

land use class:

- (1) Cape Falcon (Oswald West State Park)
- (2) Cape Meares (Cape Meares State Park)
- (3) Cape Kiwanda (Cape Kiwanda State Park)

- g. The following areas containing exceptional aesthetic resources identified in the Tillamook County Comprehensive Plan have been included within the PROTECTION Land use class:

- (1) Cape Falcon
- (2) Cape Meares
- (3) Cape Lookout
- (4) Cape Kiwanda
- (5) Netarts Spit (Sections 6, 7, 18, T 2S, R 10W)

- h. The following significant wildlife habitat areas identified in the Tillamook County Comprehensive Plan have been included within the PROTECTION land use class:

- (1) Cliffs of Cape Falcon (Oswald West State Park)
- (2) Bald eagle nesting site (Cape Meares State Park)
- (3) Cape Meares National Wildlife Refuge (Cape Meares State Park)

- (4) Bald eagle nesting site (Cape Lookout State Park)
 - (5) Cliffs of Cape Lookout (Cape Lookout State Park)
 - (6) Snowy Plover use area on Nestucca Spit (Nestucca Spit State Park)
 - (7) Snowy Plover use area on Netarts Spit (Cape Lookout State Park)
 - (8) Seal haul out area on Netarts Spit (Cape Lookout)
- i. Typical management and recreational activities permitted within the PROTECTION land use class are consistent with the protection of natural values of coastal headlands, exceptional aesthetic resources, and significant wildlife habitat (See Section 6.1).
 - j. The MANAGEMENT land use class contains lands with the following features:

"Land with general park attractions of lesser quality than those which qualify as PROTECTION, which are suitable for limited recreation activities. These lands may be used for open space, buffer zones, soil stabilization, demonstration forests, and maintained watersheds.≡"
 - k. Compatible recreational activities and typical developments within this land use class are:

"Activities having moderate impact on the resource, such as bicycling, equestrian use, primitive camping, dispersed picnicking, and any activities allowed in a PROTECTION class. Developments which may cause minor alteration to the resource, such as primitive campground, simple equestrian facilities, dispersed picnicking facilities, utilities, structures, boat ramps and docks, secondary roads and parking lots, fire breaks, quarry and barrow pits, and any developments allowed in a PROTECTION class□"
 - l. Typical management activities permitted in the MANAGEMENT land use class are: "Allows the minimum resource manipulation required to accomplish specific objectives such as insect and disease control, fire prevention and supervision, wildlife habitat improvement and visual resources enhancement."
 - m. The following coastal headlands identified in the Tillamook County Comprehensive Plan have been included in part within the MANAGEMENT land use class:

- (1) Cape Meares (Cape Meares State Park)
 - (2) Cape Falcon (Oswald West State Park)
- n. The following areas containing exceptional aesthetic resources identified in the Tillamook County Comprehensive Plan have been included in part within the MANAGEMENT land use class:
- (1) Nehalem Spit (Nehalem Bay State Park)
 - (2) Cape Meares headland (Cape Meares State Park)
 - (3) Cape Falcon (Oswald West State Park)
- o. The following significant wildlife habitat areas identified in the Tillamook County Comprehensive Plan have been included within the MANAGEMENT land use class:
- (1) Snowy Plover use area on Nehalem Spit (Nahalem Bay State Park)
- p. The following mitigation and dredge material disposal sites identified in the Tillamook County Comprehensive Plan have been included within the MANAGEMENT land use class:
- (1) Dredge Material disposal sites 25 (Priority), 12 (Priority), 27 (Reserve), Site 28 (Reserve) and a portion of Site 23 (Priority) on Nehalem pit (Nehalem Bay State Park).
- q. Typical management and recreational Activities permitted within the MANAGEMENT land use class are consistent with the protection of exceptional aesthetic resources, significant wildlife habitat, and Priority dredge material disposal and mitigation sites.
- r. The DEVELOPMENT land use class contains lands with following features:
- "Land suitable for intensive recreation development.
- Compatible recreational activities and developments within this land use class are:
- Activities having potentially high impacts on the resource. All appropriate recreation activities are allowed. Developments which may cause a major alteration to the resource, including all recreation related development and support facilities.
- s. Typical management activities permitted in the DEVELOPMENT land use class are: "Appropriate management activities required for the

safe and enjoyable use of the area."

- t. The following dredge material disposal sites identified in the Tillamook County Comprehensive Plan have been included within the DEVELOPMENT land use class:
 - (1) Dredge material Disposal Site 24 (Reserve) and a portion of Site 23 (Priority) on Nehalem Spit (Nahalem Bay State Park).
- u. The following exceptional aesthetic resources identified the Tillamook County Comprehensive Plan have been included in part within a DEVELOPMENT land use class:
 - (1) Cape Meares headland (Cape Meares State Park)
- v. Typical management and recreational activities permitted within the DEVELOPMENT land use class consistent with the protection of natural values of exceptional aesthetic resources and Priority dredge material disposal sites.

FOOTNOTE:

Land use class, typical activities, typical developments, and typical management descriptions for the PROTECTION, MANAGEMENT, AND DEVELOPMENT land use categories were taken from the Tillamook County Coastal State Parks Master Plan proposal, Oregon State Parks Division, February, 1985.

The PROTECTION LAND USE CLASS IS CONSISTENT WITH THE PRIMARY RESOURCE PROTECTION land use category contained in the Master Plan Proposal for Cape Lookout State Park, Oregon State Parks Division, Spring, 1981.

6.2c National Wildlife Refuges

Tillamook County finds that:

- a. The following National wildlife Refuges within Tillamook County have been designated as significant wildlife habitat and exceptional aesthetic resources in the Tillamook County Comprehensive Plan (See Section 3.2 of this element):
 - (1) Cape Meares National Wildlife Refuge
 - (2) Three Arch Rocks National Refuge
 - (3) Oregon Islands National Wildlife Refuge (Pyramid Rock, Pillar Rock, Haystack Rock, Two Arch Rocks)
- b. National Wildlife Refuges are established to provide protection and habitat for waterfowl, colonial birds, endangered species and other

wildlife.#1

#1 National Wildlife Refuges of Region 1, U.S. Department of the Interior, Fish and Wildlife, April 11, 1977, p. 2.

- c. There are no public use facilities in National Wildlife Refuges within Tillamook County. Uses within these National Refuges are limited to low-intensity uses such as viewing and photographing birds and other wildlife and research and environmental education. These uses are consistent with the protection of natural values of significant wildlife habitat and exceptional aesthetic resources (See Section 6.1).

6.2d Rain River Preserve

Tillamook County finds that:

- a. The Rain River Preserve is a 150-acre parcel of diked tidal marsh which was donated to the Nature conservancy for the purpose of conservation and enhancement of waterfowl.
- b. The Rain River Preserve has been designated as a major marsh in the Tillamook County Comprehensive Plan (See Section 3.2) due to:
 - (1) The scarcity of large acreage tracts of ungrazed freshwater marsh in the Tillamook Estuary shorelands;
 - (2) The extent of aquatic plant communities within the area;
 - (3) The value of the area to waterfowl as a result of the diversity of plant communities (aquatic and upland) and the proximity of Tillamook Bay.
- c. Research on the physical and biological characteristics of the Preserve has been conducted since 1977. The purpose of the research was "to develop and implement management strategies leading to use by wildlife (particularly waterfowl) and a return of the area to a basically natural condition". #1

#1 Rain River Preserve Management Studies: 1979, Report prepared by Wester-Eco-Systems, Inc. for the Nature Conservancy, September, 1979, pp. 1 & 2.
- d. In 1979, the following activities were undertaken to implement the management strategies for the area:

"Implement experimental plantings of native emergent and submergent marsh species to determine plant viability and waterfowl food preferences.

Establish permanent transects and plots in various marsh and field communities and carry out the first year of long-term study of plant succession.

Conduct monitoring of water quality in order to analyze physical and chemical reasons for plant growth problems.

Analyze flow and physical dynamics of the tidal input to the marsh water system.

Establish enclosures in submergent vegetation areas to supplement last years (19978) emergent vegetation enclosure data.

Continue waterfowl census with methodology used during last 2 seasons."#1

#1 Rain River Preserve Management Studies: 1979, Report prepared by Western-Eco-Systems, Inc. for the Nature conservancy, September, 1979, pp. 1 & 2.

- e. The Rain River Preserve Management Studies; 1979 page 29, recommends that the following activities be undertaken in the future to implement the management strategies for the area:
 - (1) Additional plantings of native emergent and submergent marsh species;
 - (2) Modifications to existing functional structures (several culverts and a dam) in order to regulate the amount and salinity of water entering the preserve.
- f. The activities described in d and e above are undertaken for the purpose of research and educational observation or improvement of water flow and quality, and are a major marsh (See also Section 6.1).

6.3 Findings for Farm Uses and Propagation and Harvesting of Forest Products in Coastal Headlands and Exceptional Aesthetic Resources.

6.3a Coastal Headlands

Tillamook County finds that:

- a. The following coastal headlands have been identified in the Tillamook County Comprehensive Plan (See Section 3.2 of this element):

- (1) Cape Falcon
- (2) Cape Meares
- (3) Maxwell Point
- (4) Cape Lookout
- (5) Cape Kiwanda
- (6) Cascade Head

- b. The coastal headlands listed in a. above are:

- (1) Built and committed to non-farm or forest use (See findings for Maxwell Point in the Justification Element, T 1S, R 10 and 11W, Map 12); or
- (2) Located within an area which is under a management program which limits the intensity of farm use or propagation and harvesting of forest products to a level which is consistent with the protection of the natural values of coastal headlands (See findings for Cascade Head in Section 6.21) (and findings for Cape Lookout and Cape Kiwanda in Section 6.2b); or
- (3) Located within an area where farm and forest uses have been limited to those farm and forest uses described in Section 6.1 of this element, which are consistent with protection of natural values of coastal headlands, exceptional aesthetic resources and historical or archaeological sites.

6.3b Exceptional Aesthetic Resources

Tillamook County finds that:

- a. The following exceptional aesthetic resources have been identified in the Tillamook County Comprehensive Plan (See Section 3.2 of this element):

- (1) Cape Falcon

- (2) Falcon Rock
- (3) Nehalem Spit
- (4) Spring Lake
- (5) Bayocean Spit
- (6) Pyramid Rock
- (7) Pillar Rock
- (8) Cape Meares
- (9) Ocean beach from Oceanside to Cape Meares
- (10) Three Arch Rocks
- (11) Netarts Spit
- (12) Cape Lookout
- (13) Unnamed rock (near Cape Lookout)
- (14) Sandlake Park Sandspit
- (15) Beltz Farm Sandspit
- (16) Cape Kiwanda
- (17) Haystack Rock
- (18) Nestucca Spite
- (19) Proposal rock
- (20) Two Arch Rocks
- (21) Cascade Head
- (22) Three Rocks

- b. With the exception of Cape Falcon, Cape Meares, Cape Lookout, Cape Kiwanda and Cascade Head, the exceptional aesthetic resources listed above are physically unsuited for farm use or propagation and harvesting of forest products.
- c. Cape Lookout, Cape Kiwanda and Cascade Head re located within an area which is under a management program which limits the intensity of farm use or propagation and harvesting of forest produces to a level which is consistent with the protection of natural values of exceptional aesthetic resources (See Section 6.2); or
- d. On Cape Falcon and Cape Meares farm and forest uses are limited to those described in Section 6.1 of this element.

6.4 Policies for Protection of Natural Values of Significant Shoreland Resources

- a. Shoreland development shall be sited and designed to be consistent with the protection of the natural values of identified major marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources within the shorelands planning boundary identified in the Tillamook County

Comprehensive Plan.

- b. Forestry operations within coastal shorelands shall be consistent with the protection of the natural values of major marshes, significant wildlife habitat and riparian vegetation. The State Forest Practices Act and Forest Practices Rules administered by the Department of Forestry shall be used to protect the natural values of these resources on commercial forest lands and other lands under the jurisdiction of the Forest Practices Act within coastal shorelands.

- 6.5 Public Access Program for Coastal Shorelands in Tillamook County. The majority of public access points in coastal Shorelands are state park beach access points and public easements and rights-of-way to beaches, coastal lakes and estuarine shorelands. Additional access to coastal lakes and estuarine shorelands is provided by county parks, boat ramps and marinas. the vacation of public easements or rights-of-way to coastal shorelands is reviewed by Tillamook County to ensure that public access is retained.

By the end of 1987, the county will pursue a program of improvement and development of several public access projects to coastal shorelands. The County boat basin on Netarts estuary and the boat ramp an Memaloose Point on Tillamook Bay are both scheduled for maintenance dredging. Both of these facilities are functional only at the highest of tides and therefore their condition restricts boat launching to a few hours per day. A new public boat ramp is planned for the lower Kilchis River. Approximately three acres of land has been donated to the Oregon Department of Fish and wildlife for a boat ramp, parking facilities and an access road off old U.S. Highway 101. The County would be responsible for future maintenance of the facility.

The Barview County Park provides public access to the Tillamook estuary and ocean beaches. The County is in the process of developing a master plan for the improvement and expansion of the Barview Park facilities. The expansion plans include the construction of additional camping, trailer and recreational vehicle sites in addition to an overall upgrading of the existing sewer and water system in the park. In co-ordination with State Parks and Recreation, the County is developing a program to provide signs at major beach access points in beachfront communities. Beach access signs at street ends to beach Drive in Nedonna Beach One planned as part of the Foredune Management Plan for this area.

The above projects constitute Tillamook Countys interim program to provide increased public access to coastal shorelands. On or before the first periodic review, Tillamook County shall expand on this program by:

- (1) Completing an inventory of existing and potential public accesses in Tillamook County by location, size of parcel, type of access and ownership.
- (2) In conjunction with State Parks and Recreation, the State Department of Forestry, the State Department of Fish and Wildlife and local Citizen Advisory Committees, identify areas where access improvements or new accesses are needed.
- (3) Develop a list of specific access projects to be completed as part of an overall public access program to coastal shorelands. This program would be reviewed by /Tillamook County at each periodic review.

7. FINDINGS AND POLICIES FOR WATER-DEPENDENT DEVELOPMENT SHORELANDS

7.1 Designation of Areas Especially Suited for Water-Dependent Development

Findings

Goal 17, Coastal Shoreland Uses (2) states that:

- "(2) Shorelands in urban and urbanizable areas and in rural areas built upon or irrevocably committed to non-resource use especially suited for water-dependent uses shall be protected for water-dependent recreation, commercial and industrial uses. Some factors which contribute to this special suitability are:
- (a) Deep water close to shore with supporting land transport facilities suitable for ship and barge facilities;
 - (b) Potential for aquaculture;
 - (c) Protected areas subject to scour which would require little dredging for use as marinas; and
 - (d) Potential for recreational utilization of coastal water or riparian resources." Other uses which may be permitted in these areas are temporary uses which involve minimal capital investment and no permanent structures, or a use in conjunction with, and incidental to, a water-dependent use.

Policy

Shoreland areas especially suited for water-dependent development shall be

designated as Water-Dependent Development (WDD) shorelands, and shall be reserved for water-dependent uses through appropriate ordinance provisions. The following general factors shall be considered in evaluating the suitability of an area for water-dependent use:

- (a) Proximity of deep water suitable for transportation of water-borne commerce, recreational or commercial boating or other water-dependent uses;
- (b) Potential for aquaculture;
- (c) Proximity of adjacent areas subject to scour which would require little dredging for use as marinas;
- (d) Potential for recreational utilization of coastal water or riparian resources;
- (e) Availability of land transportation facilities;
- (f) Availability of water, sewer and power supplies;
- (g) Compatibility of development with adjacent uses and with the resource values of the area or of adjacent estuary zones;
- (h) Value to local communities as an economic resource.

7.2 Water-Related and Non-Water-Dependent Uses in Water-Dependent Development Shorelands

Findings

Water-related and non-dependent uses often compliment water-dependent uses by providing additional economic inputs necessary to make water-dependent uses economically viable, or by increasing the operating efficiency of water-dependent uses. Recreational and commercial boating facilities and seafood processing plants are examples of uses which have water-dependent and non-water-dependent components which compliment each other.

In Tillamook County, marinas and moorages generally occur as part of a total marine recreational development, such as the Old Mill Marina in Garibaldi, or Raines Resort in Nestucca Bay. These marine recreational developments contain non-water-dependent components such as dry boat storage, retail trade facilities for marine supplies, charter fishing offices or fish cleaning, smoking or canning facilities. Most of these non-water-dependent uses are

incidental or subordinate to the main water-dependent use, and can be accommodated within a small area. Local marina owners state that the diversification of services provided by these non-water-dependent uses is necessary in order to make a moorage or marina economically viable.

Seafood processing plants are another example of a use with complimentary water-dependent and water-related components. Water-dependent components include piers, wharves or other terminal or transfer facilities for fish or shellfish, and water discharge structures for seafood processing wastes. Water-related components include cold storage processing facilities. The actual area occupied by the water-related or non-dependent components may exceed the area occupied by the water-dependent components. However, this does not preclude water-dependent uses. Water-dependent uses may actually be enhanced, since forcing the separation of the water-dependent and non-water-dependent components could decrease the overall operating efficiency of the facility, and could increase transportation and labor costs, thereby making the water-dependent use economically unfeasible.

Tillamook County finds that water-related and non-dependent uses are compatible with water-dependent uses when they are accessory uses to a water-dependent use, or in other cases where it can be demonstrated that the use does not preclude or unduly conflict with water-dependent uses.

Policy

Water-related and non-dependent uses shall be permitted as accessory uses within Water-Dependent Development (WDD) shorelands, and in other cases where a finding can be made that the proposed use does not preclude or unduly conflict with existing or potential water-dependent uses on the site or in the vicinity. Water-related and non-dependent uses Which are accessory uses in conjunction with a water-dependent use shall be given priority over other water-related and non-dependent uses.

8. FINDINGS AND POLICIES FOR RURAL SHORELANDS

8.1 Goal 17 Use Requirements for Rural Shorelands

Shorelands in rural areas . . . shall be used as appropriate for:

- (a) Farm uses as provided in ORS Chapter 215;
- (b) Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;

- (c) Private and public water-dependent recreation developments;
- (d) Aquaculture;
- (e) Water-dependent commercial and industrial uses, water-related uses and other uses only upon a finding by the governing body of the county that such uses satisfy a need which cannot be accommodated on uplands or in urban and urbanizable areas; or in rural areas built upon or irrevocably committed to non-resource use.

8.2 Findings for Exemption of "Built and Committed" Rural Shorelands from goal 17 Rural shoreland Use Requirements 3e.

Tillamook County finds that there are shoreland areas which are not urban under the definition of "urban lands" provided on page 24 of the Statewide Planning Goals and Guidelines, yet which are "built and committed" to a type and degree of development which is not rural in nature. These include the following communities which are not rural as defined by the Goals, because they are not characterized by sparse settlement, small farms or acreage homesites. (Refer to Sections 2 and 3 of the Urbanization Element for a discussion on rural lands and urban lands and for policies and findings for these community centers.)

- a. Communities which are NOT necessary, suitable or intended for urban use (Falcon Cove, Cape Meares and Tierra Del Mar); and
- b. Communities which are necessary, suitable or intended for urban use (Netarts, Oceanside, Pacific City, Neskowin, Cloverdale, Neahkahnie and Twin rocks-Watseco-Barview.)

Tillamook County also finds that there are individual land parcels outside of the communities listed above which are committed to uses other than the following:

- a. Farm uses;
- b. Propagation and harvesting of forest products;
- c. Private and public water-dependent recreation development;
- d. Aquaculture; and
- e. Water-dependent commercial and industrial uses.

Tillamook County finds that these built and committed communities and

individual land parcels are committed to uses other than (a) - (e) above. For this reason, these built and committed areas shall be used according to the purposes of the underlying zone and shall not be restricted only to uses listed in (a) - (e) above.

The Justification Element of the Tillamook County Comprehensive Plan describes the criteria used to identify "built and committed" areas, provides maps showing the location of these rural shoreland areas, and provides site-by-site commitment findings.

8.3 Findings for Water-DEPENDENT Commercial and Industrial Uses and Water-Related Uses on Rural Shorelands

- a. Rural shoreland areas which are especially suited for water-dependent commercial and industrial uses have been included within the Water-Dependent Development (WDD) shoreland zone.
- b. The WDD zone provides for water-dependent industrial and commercial uses as permitted, and provides for water-related uses as conditional uses.
- c. The Justification Element of the Tillamook County Comprehensive Plan provides maps showing the location of the WDD zone within rural shorelands, and provides findings that each site included in the WDD zone is "built and committed" to, or needed for, water-dependent development.

8.4 Findings for "Other Uses" on Rural Shorelands Within the Farm (F-1), Forest (F) or Small Farm and Woodlot 20-Acre (SFW-20) Zone.

Tillamook County finds that:

- a. Farm uses as provided for in ORS Chapter 215, and propagation and harvesting of forest products consistent with the Oregon Forest Practices Act are permitted uses in rural shoreland areas (subject to Goal 17 Coastal Shoreland Use finding requirement for shoreland areas identified as major marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources).
- b. Rural shoreland areas which qualify as agricultural or forest lands, and which are not "built and committed" to, or needed for uses other than agricultural or forestry use, have been included within the F-1, or SFW-20 Zones. These zones meet the requirements of Goals 3 and 4 for protecting farm and forest land for farm and forest use;

- c. Goal 17 use Requirements for Rural Shoreland Areas (See Section 8.1) define "other uses" as any use other than:
- 1) Farm uses;
 - 2) Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
 - 3) Private and public water-dependent recreation developments;
 - 4) Aquaculture; and
 - 5) Water-dependent commercial and industrial uses.
- d. Goal 17 requires that "other uses" in rural shorelands be allowed only upon a finding by the governing body that such uses satisfy a need which cannot be accommodated at other upland locations or in urban or urbanizable areas or in rural areas built upon or irrevocably committed to non-resource use.
- Other upland locations include non-shoreland locations OUTSIDE OF a given parcel of land and non-shoreland locations WITHIN a given parcel of land.
- e. The following Permitted or Conditional uses provided for in the Farm (F-1) zone are "other uses" which are necessary in conjunction with commercial farm use and must be located on the land parcel which is used for farm use:
- 1) Farm dwellings on parcels of 40 or more acres, including a mobile home for the owner, operator or employees required to carry out a use permitted outright.
 - 2) Farm buildings, other than dwellings, customarily provided in conjunction with farm use, including roadside stands selling farm products produced on property owned or leased for farm use by the owner of the property on which the roadside stand is located.
 - 3) Recreation vehicles for the owner, operator or employees of the farm, provided in conjunction with farm use for a period not to exceed six months in a calendar year.
 - 4) Commercial activities that are in conjunction with farm use.
- f. The following Permitted or Conditional uses provided for in the Forest (F) Zone are necessary in conjunction with commercial forest use, and must be located on the land parcel which is used for forest use:

- 1) Structures accessory to commercial forest management;
 - 2) A recreation vehicle for the owner, operator or employees provided in conjunction with forest resource management for a period not to exceed six months in a calendar year.
 - 3) Primary wood processing facilities.
 - 4) Facilities and test sites for experimental and research activities associated with the propagation, management or harvesting of forest tree species.
 - 5) Forest tree nurseries and accessory facilities.
 - 6) Helipad and balloon bedding areas necessary to commercial forest management.
- g. The following Permitted or Conditional uses provided for in the Small Farm and Woodlot 20-Acre (SFW-20_ Zone are necessary in conjunction with commercial farm or forest use, and must be located on the land parcel which is used for resource use:
- 1) Dwellings and other buildings customarily provided in conjunction with farm or forest uses, including a mobile home for the owner.
 - 2) Commercial activities that are in conjunction with farm or forest uses.
 - 3) A facility for the primary processing of forest products, provided that such facility is found to not seriously interfere with accepted farming or forest practices and is compatible with farm or forest uses described in Subsection 2 of ORS 215.203.
- h. Findings that the uses in e-g above satisfy a need which can not be accommodated on on-shoreland locations within a given parcel of land and can only be made on a case-by-case basis.
- i. In cases where agricultural or forest productivity varies within a given parcel of land, location of the uses in e-g above on non-shoreland locations may impact resource productivity to a greater extent than location of these uses within coastal shorelands.

- j. There are benefits derived from maintaining productivity of resource lands within the F-1, R, and SFW-20 Zones.
- k. Compatibility of the uses listed in e-g above with the objective of Goal 17 to protect riparian vegetation will be achieved through application of the Supplementary Regulations for Protection of Water Quality and Streambank Stabilization in Section 4.080 of the Tillamook County zoning ordinance.

8.5 Findings for "Other Uses" on Rural Shorelands Within the Recreation Management (RM) Zone

Tillamook County finds that:

- a. The RM Zone is intended for existing state and private campgrounds and day use facilities. It is also appropriate for other areas which have significant natural and open space values;
- b. Within coastal shorelands, an important function of the RV Zone is to provide for low-density coastal recreational developments on large-acreage tracts;
- c. Goal 17 Use Requirements for Rural Shoreland Areas (See Section 8.1) define "other uses" as any use other than:
 - 1) Farm uses;
 - 2) Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
 - 3) Private and public water-dependent recreation developments;
 - 4) Aquaculture; and
 - 50 Water-dependent commercial and industrial uses.
- d. Goal 17 requires that "other uses" in rural shorelands be allowed only upon a finding by the governing body that such uses satisfy a need which cannot be accommodated at other upland locations or in urban or urbanizable areas. Other upland locations include non-shoreland locations OUTSIDE OF a given parcel of land, and non-shoreland locations WITHIN a given parcel of land.
- e. The following Permitted uses provided for in the RM Zone are "other uses" which are necessary in conjunction with large-acreage, low

density coastal recreational developments, and must be located on the land parcel which is used for coastal recreational developments:

- 1) General maintenance and operation of campground, lodging, recreation and meeting facilities.
 - 2) Repair and improvements and additions necessary to serve the same numbers and densities of visitors served by the existing facilities, providing that off-site impacts are not increased. These include facilities such as picnic areas, playgrounds, pavilions, maintenance buildings, tennis courts and swimming pools.
 - 3) Residence for caretaker.
 - 4) Lodging for resident staff needed to serve existing facilities.
- f. Compatibility of the uses listed in d. above with the objectives of Goal 17 to protect riparian vegetation will be achieved through application of the Supplementary Regulations for Protection of Water Quality and Streambank Stabilization in Section 4.080 of the Tillamook County Zoning Ordinance;
- g. The 40-acre minimum lot size provided for in the RM Zone will insure that the uses listed in d. above are compatible with the objective of Goal 17 to protect wildlife habitat.

8.6 Findings for Specific "Other Uses" on Rural Shorelands

8.6a Home Occupations and Cottage Industry on Rural Shorelands

Tillamook County finds that:

- a. Allowing the establishment of home occupations or cottage industry on surplus floor area within an existing dwelling or accessory structure increases employment opportunities for the residents of Tillamook County, and reduces the operating costs of small businesses by eliminating the need to rent or purchase additional floor space in order to establish a business;
- b. There is a need to provide for additional employment opportunities in urban and rural areas within Tillamook County (See Economic Element of the Tillamook County Comprehensive Plan);

- c. Since home occupations and cottage industry must occur within a dwelling, an outbuilding accessory to a dwelling, or within an outbuilding accessory to a farm use in the F-1 Zone, they must locate on the same land parcel as the dwelling or farm use (i.e., There are no alternative locations for these uses outside of the given land parcel);
- d. Compatibility of home occupations and cottage industry with the objectives of Goal 17 to protect riparian vegetation will be achieved through application of the Supplementary Regulations for Protection of Water Quality and Streambank Stabilization in Section 4.080 of the Tillamook County Zoning Ordinance;
- e. Home occupations and cottage industry are compatible with Goal 17 requirements for protection of wildlife habitat, since they can be accommodated within existing structures on a given parcel of land, and do not increase density of development within the land parcel.

8.6b Exploration and Extraction of Extractable Resources on Rural Shorelands

Tillamook County finds that:

- a. The location of extractable resources (geothermal, rock, aggregate, mineral or other subsurface resources) is limited to specific sites within Tillamook County (See Open Spaces, Scenic and Historic Areas and Natural Resources Element).
- b. Each site containing extractable resources is unique, due to the following variables associated with resource extraction on the site:
 - 1) Quality or extent of resources on the site;
 - 2) Exploration costs;
 - 3) Extraction costs;
 - 4) Transportation costs;
 - 5) Cost of acquisition of land ownership, easements or leases.
- c. There is a need to provide for exploration and extraction of extractable resources;
- d. Exploration and extraction may be accommodated in alternative was within an individual site, but cannot be accommodated to the same

degree or extent on an alternative site or on alternative locations within a given site due to the unique characteristics of each site, and the distribution of resources within each site.

- e. Compatibility of exploration and extraction of extractable resources with the Goal 17 objectives for protection of riparian vegetation and wildlife habitat be achieved through application of the Supplementary Regulations for Protection of Water Quality and Streambank Stabilization in Section 4.080 of the Tillamook County Zoning Ordinance.

8.6c Energy Facilities and Utilities in Rural Shorelands

Tillamook County finds that:

- a. Electrical distribution lines, water, sewer or gas lines and water and sewage treatment plants are necessary to provide normal domestic service to residential dwellings and to other permitted uses within rural shorelands;
- b. With the exception of Mount Hebo, all sites identified in the Energy Conservation Element of the Comprehensive Plan as being potentially suitable for Wind Energy Conservation Systems (WECS) are located within rural shorelands;
- c. There is a need to provide for normal domestic energy facilities and utility service within rural shorelands and to provide for energy sources such as WECS. This need can not be met on upland locations or in urban or urbanizable areas;
- d. Compatibility of energy facilities and utilities and WECS with the objectives of Goal 17 to protect riparian vegetation will be achieved through application of the Supplementary Regulations for Protection of Water Quality and Streambank Stabilization in Section 4.080 of the Tillamook County Zoning Ordinance.
- e. Compatibility of development on rural shorelands with the Goal 17 requirements for protection of wildlife habitat depends primarily on the density of development provided for, which is determined by the minimum lot size requirements. If development densities within an area are consistent with the protection of wildlife habitat, the incremental disruption of wildlife habitat produced during the installation of either WECS or energy facilities and utilities which are necessary to serve existing or permitted development should also be consistent with protection of wildlife habitat.

8.6d Recreational Vehicle Used During the Construction of a Permitted Use for which a Building or Placement Permit Has been Issued.

Tillamook County finds that:

- a. Recreational vehicles are sometimes used as interim housing or as temporary office space during the construction of a permitted use;
- b. Temporary recreational vehicle placement does not preclude uses which are allowed as permitted or conditional uses within rural shorelands;
- c. Recreation vehicle placement is subject to the following requirements;
 - 1) Department of Environmental Quality requirements for subsurface sewage disposal;
 - 2) Tillamook County Zoning Ordinance requirements in:
 - (a) Section 4.040, Mobile Home/Recreation Vehicle Siting Criteria;
 - (b) Section 4.080, Requirements for Protection of Water Quality and Streambank Stabilization;
 - (c) Section 4.070, Development Requirements for Geologic Hazard Areas;
 - (d) Section 3.060, Flood Hazard Overlay.
- d. The requirements listed in c. above, and the temporary nature of the recreation vehicle placement will serve to prevent adverse impacts to rural shorelands.

8.6e Signs

Tillamook County finds that:

- a. Areas of exceptional aesthetic and scenic quality have been identified in Section 3.2 of the Coastal Shoreland Element of the Tillamook County Comprehensive Plan;

- b. The placement of signs in areas of exceptional aesthetic and scenic quality is subject other requirements i the Shorelands Overlay Zone.
- c. The placement of signs in rural shoreland areas which have not been identified as areas of exceptional aesthetic and scenic quality does not produce adverse impacts on rural shorelands.

8.7 Rural Shoreland Policies

Shorelands in rural areas (other than those designated as major marshes, significant wildlife habitat, coastal headlands, and exceptional aesthetic resources) shall be used, as appropriate, for:

- a. Farm uses (as provided in ORS 215);
- b. Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
- c. Private and public water-dependent recreational developments and open space;
- d. Aquaculture;
- e. Water-dependent commercial and industrial uses, water-related uses and other uses only upon a finding by the governing body of the County that such uses satisfy a need which cannot be accommodated on uplands or in urban and unurbanizable areas or in rural areas built upon or irrevocably committed to non-resource use.

Tillamook County shall review alternative upland locations for "other uses" within a given land parcel within rural shorelands on a case-by-case basis. In determining the suitability of alternative upland locations for "other uses" within a given land parcel in the Farm (F-1), Forest (D), or Small Farm and Woodlot 20-Acre (SFW-20) Zones, consideration shall be given to the productivity of resource land. "Other uses" within these zones shall be located so that productivity of resource land in maintained.

9. FINDINGS AND POLICIES FOR PROTECTION OF RIPARIAN VEGETATION

Findings

Goal 17 Implementation Requirement 5 establishes the following requirements for the protection or riparian vegetation within coastal shorelands:

- "(5) Because of the importance of vegetative fringe adjacent to coastal waters to water quality, fish and wildlife habitat, recreational use and aesthetic resource, riparian vegetation shall be maintained; and where appropriate restored and enhanced, consistent with water-dependent uses."

Tillamook County feels that protection of riparian vegetation is equally important adjacent to aquatic areas outside of coastal shorelands. For this reason, Tillamook County has identified "areas of riparian vegetation" adjacent to all aquatic areas on pp. 13-18 of Section 3.1 of this element, and has developed ordinance provisions for protection of riparian vegetation within these identified areas (See Section 4.080 of the Tillamook County Land Use Ordinance).

Tillamook County recognizes, however, that under certain circumstances, maintenance of riparian vegetation according to the provisions of Section 4.080 is either impracticable or would place an undue restriction on the use of land. An obvious example is the case of a water-dependent use which requires direct access to or use of water. In this case, a certain amount of riparian vegetation must be removed in order to accommodate the use. Another example would be the case of an existing lot of record where maintaining riparian vegetation according to the provisions of Section 4.080 would reduce the buildable lot area to the extent that development on the lot would be precluded. Based on the experience of the Tillamook County Planning Department, a minimum depth of 45 feet is necessary in order to accommodate development.

It was not possible to estimate the impacts of removal of riparian vegetation in conjunction with a water-dependent use, since it was not possible to anticipate all areas in which water-dependent uses might be proposed. (This is particularly true in the case of individual private docks for recreational boat moorage.) However, an attempt has been made to estimate the impacts of allowing removal of riparian vegetation to provide for development of small existing lots of record. The most recent Assessors maps available to the Tillamook County Planning Department were used to locate existing lots of record within the extent of coastal shorelands which could not be developed under the provisions of Section 4-080. #1

- #1 *Although the requirements for protection of riparian vegetation apply County-wide, only lots of record within coastal shorelands were located, for the following reasons: (1) Goal 17 Implementation Requirement 5 applies only within the extent of coastal shorelands; and (2) Most of the major population centers of Tillamook County are located within coastal shorelands, so it is reasonable that most small lots are in this area.*

Through examination of Assessors maps, approximately 800 lots of record which are too small to accommodate development under the requirements of Section 4.080 were identified within areas which are built and committed to development. A smaller number of lots which are lots of record according to Oregon law exist

outside of committed areas. The incremental adverse environmental impact of allowing additional removal of riparian vegetation was considered to be more acceptable than the social and economic impacts produced by precluding development of these lots in order to achieve total protection of riparian vegetation.

Removal of riparian vegetation may be necessary for several other reasons. If riprap is needed to halt erosion, riparian vegetation removal will be necessary if the riprap must be placed from the landward side of the bankline. Other authorized work within rivers, streams, lakes or other waterbodies may require the removal of riparian vegetation in conjunction with it. For example, placement or replacement of a bridge or utility line may require the removal of riparian vegetation.

Tillamook County finds that there is justification for reducing the requirements for protection of riparian vegetation in order to provide for direct access to water in conjunction with a water-dependent use, or to provide for development on existing lots in committee areas and statutory lots of record.

Policy

Riparian vegetation shall be retained, except in cases where removal is required for direct water access in conjunction with a water-dependent use, or where removal is necessary in conjunction with approved structural shoreline stabilization, or where removal is necessary in conjunction with authorized work within rivers, streams, lakes or other waterbodies. Restoration and enhancement of riparian vegetation is encouraged, where appropriate for and of riparian vegetation is encouraged, where appropriate for and consistent with water-dependent uses. Riparian vegetation need not be retained where its removal is necessary to create a minimally developable area in the following lots:

1. lots in areas identified as "built and committed" in the Goal 2 Exception Justification Element of the plan, and which existed on the date of adoption of this plan.
2. Single family residential "lots of record" as defined by Chapter 884, Oregon Laws, 1981 as amended.

Any such removal of riparian vegetation to site the proposed building shall be the minimum necessary after all other relevant requirements for yard or street setbacks opposite the riparian vegetation area have been reduced to minimum width established in the zoning ordinance for purposes of safety.

10. IMPLEMENTATION POLICIES

1. Shorelands of Tillamook County shall be managed through implementation of the Tillamook County Comprehensive Plan by means of the zoning

ordinance, which shall contain the Land and Water Use Standards, shoreland zones and zoning maps.

2. Tillamook County shall review the following for consistency with the Tillamook County Comprehensive Plan, zoning map, zoning ordinance and Land and Water Use Standards:
 - a. State or federal permit applications for uses and activities within shorelands;
 - b. Applications for Tillamook County Development Permits;
 - c. Building and mobile home placement permits, development permits for flood hazard areas, preliminary subdivision plat applications and planned developments within coastal shorelands;
 - d. A-95 project pre-application notifications, by means of referral from and comment to the Clatsop-Tillamook Intergovernmental Council.

Where applicable, procedures for review shall be developed as part of the Tillamook County Zoning Ordinance.

3. Tillamook County shall coordinate with local, state and federal agencies and citizen advisory groups during implementation of the Coastal Shorelands element of the Tillamook County comprehensive Plan. Tillamook County may convene as implementation conference as a means of coordination during the following:
 - a. Preparation of post-acknowledgment amendments to the Comprehensive Plan or Land Use Ordinance;
 - b. Periodic updates of the Tillamook County comprehensive Plan;
 - c. Review of recommendations and/or findings of fact for state or federal permit applications as a forum for discussion or resolution of disputes over regulatory functions;
 - d. Establishment of mitigation banks.