

Siuslaw Estuary Partnership

*An Integrated Multiple Objective Approach To Watershed Protection
and Restoration*

Exhibit G

**Siuslaw Estuary Trail Vision
Preferred Location and Design**

**City of Florence and Port of Siuslaw
January 31, 2013**

Siuslaw Estuary Partnership, Siuslaw Estuary Trail Project

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Project Coordinator: Carol Heinkel, Florence Planning Consultant

Project Manager: Mike Miller, Florence Public Works Director

Inter-disciplinary Team: The Siuslaw Estuary Partnership Interdisciplinary provides technical and policy guidance on the project and serves the project objective: Scientific Investigation. For a detailed description of the Partnership and a complete listing of team members, please visit the project web site: www.siuslawwaters.org.

Siuslaw Estuary Trail Technical Team: This report was prepared with the assistance and guidance of the Siuslaw Estuary Trail Technical Team, with participation from the following members:

Florence City Manager: Jacque Betz

Port of Siuslaw: Robert Forsythe, Manager; Susan Lacer, Administrative Assistant

City of Florence Public Works: Mike Miller, Public Works Director

City of Florence Planning Consultant: Carol Heinkel

Florence Planning Department: Wendy Farley-Campbell, Katya Reyna, Kelli Weese

City of Florence Surveyor (consultant): Gene Wobbe, Wobbe and Associates

Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians: Howard Crombie

Oregon Department of Fish and Wildlife: Jason Kirchner, John Spangler, Bob Buckman

Oregon Department of Land Conservation and Development: Dave Perry

Oregon Department of State Lands: Anna Buckley, Gloria Kiryuta

Oregon Department of Transportation: Angela Kargel, Jeff Lange, April Jones

Siuslaw Watershed Council: Liz Vollmer-Buhl, Mizu Burruss

U.S. Army Corps of Engineers: Benny Dean

U.S. Bureau of Land Management: Wade Judy

This project has been funded wholly or in part by the United States Environmental Protection Agency under assistance agreement WC-00J04801-0 to City of Florence. The contents of this document do not necessarily reflect the views and policies of the Environmental Protection Agency, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.

Acknowledgments

The Project Team gratefully acknowledges the following Siuslaw Estuary Partnership Stakeholder Group members for their contributions to this Siuslaw Estuary Trail Vision.

Stakeholders

Community Stakeholder Group

Audubon Society and Local Birdwatcher Group: Adele Dawson
Central Oregon Coast Board of Realtors: Rob Shepherd
Florence Chamber of Commerce: Lisa Walter-Sedlacek
Fisheries: Steelheader Group: David Hunnington
Florence Area Hospitality Association: Tiffany Rogato
Florence Planning Commissioners: Mark Tilton
Lane County Planning Commission: Nancy Nichols
Oregon Shores Conservation Coalition: Anne Caples and Sue Noble
Scuba Club/Divers: Clarence Lysdale
STEP (Salmon Trout Enhancement Program): Bill Hennig
Surfrider Foundation: Gus Gates
Volkswalkers: Jean White
Ocean Dunes Golf Links: Randy Curtola
Coast Village: Mary McGann
Sand Ranch: Deacon Mathews
Florentine Estates: Nola Xavier and Del Phelps
Koning and Cooper (business owners): Art Koning and Gary Cooper
Recycling and Solid Waste: Dave Twombly

Elected Official Stakeholder Group

Siuslaw Watershed Council Leadership Board: Jim Grano, Chair
Florence City Council: Phil Brubaker, Mayor; Sue Roberts
Lane County Board of Commissioners: Jay Bozievich
Heceta Water District Board: Jerry Nordin
Port of Siuslaw Board: Joshua Greene
Tribal Council of the Confederated Tribes of the Coos, Lower Umpqua, and
Siuslaw Indians: Bob Garcia
Siuslaw Soil and Water Conservation District Board: Fuzzy Gates

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Siuslaw Estuary Trail Visioning Project Route Options, August 16, 2010
- B: Forest Service Trail Accessibility Guidelines

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I. Introduction

The Siuslaw Estuary Trail Visioning project is being conducted as part of the Siuslaw Estuary Partnership, a collaborative effort by the City of Florence and its federal, state, and local partners to protect and improve water quality and fish and wildlife habitat in the lower Siuslaw River Watershed. This multi-year project is funded by project partners and the US Environmental Protection Agency.

This “Siuslaw Estuary Trail Vision: Preferred Location and Design,” report was prepared by project staff, with input and guidance from the Siuslaw Estuary Trail Technical Team (see back of front cover for a list of technical team members) and the Siuslaw Estuary Partnership Interdisciplinary Team.¹

Purpose and Objectives

The purpose of this project is to conduct preliminary scoping and alternatives analysis for a Siuslaw Estuary Interpretive Trail.

The objectives are to:

1. Involve all interested citizens, businesses, and affected property owners in the development of a vision for a Siuslaw Estuary Trail.
2. Implement Public Education and Stewardship Guiding Principles, particularly Guiding Principles #1 and #7:
 1. Promote public education and stewardship activities that increase public awareness of water quality and fish and wildlife facts and issues within the lower Siuslaw River Watershed and North Florence Dunal Aquifer.
 7. Promote good stewardship of water resources in public education and communication programs as a way to foster livability and help protect surface and groundwater resources from cumulative impacts.
3. Prepare a Vision, including location and design options, that meets the requirements of appropriate state and federal regulatory agencies; is consistent with City policies and codes; and complements the Siuslaw Water Trail. For a detailed description of the water trail, please visit the web site:
<http://www.siuslawwatertrail.com/>.

¹ For detailed information about the Siuslaw Estuary Partnership and Project Partners, visit the web site: www.siuslawwaters.com.

Product and Timeline

This project will result in a Final Report: *A Vision for the Siuslaw Estuary Trail: Preferred Location and Design*.

The project began in the summer of 2010 and was completed in 2013 with approval by the Florence City Council.

Interdisciplinary Team and Stakeholder Process

This project involved the following steps:

1. Finalize Scope of Work: Incorporate comments from Public Education and Stewardship Team and City Staff.

The Scope of Work was finalized by the Siuslaw Estuary Partnership Public Education and Stewardship Team on July 6, 2010; and refined (interim product dates) on July 26, 2010.

2. Form and convene Technical Team of staff from the Port, the City Surveyor, and state and federal agencies.

The Siuslaw Estuary Trail Technical Team was formed on July 30, 2010.

3. Identify options for a connected trail and prepare maps showing potential estuary trail route, taking into consideration existing land use, Plan designation and zoning, and wetlands and riparian areas; coordinate with and complement the Water Trail (e.g., kayak launch) and look for opportunities to tie trail in with other existing trails and public rights-of-way.

An initial draft Trail Location Options Report was prepared and reviewed by the Technical Team on August 19, 2010.

4. Meet with Technical Team to determine feasibility under existing legal framework and physical constraints.

The Siuslaw Estuary Trail Technical Team met three times: August 18 and October 21, 2010 and on August 3, 2011. At the August, 2010 meeting, the team reviewed and discussed preliminary location options for various trail segments. Based on the comments from that first meeting, staff prepared a revised report on trail and design options.

Team reviewed and discussed different location options in coming to agreement on a Preferred Vision. For each option, the Team reviewed detailed information on property ownership, comprehensive plan designation, zoning, floodplain, and water levels. The options are presented graphically in the Appendix A. The Policy Analysis is summarized in Chapter III of this report.

The October meeting began with a discussion of policy considerations and included a field trip in which team members walked the length of the trail and discussed the design and location options. By the end of the October Technical Team meeting, the team agreed on a Vision for preferred location and design. Based on the Policy Analysis in Chapter II and input from the Team, the Team determined that the preferred trail location and design could meet state and federal legal requirements; the permits will need to demonstrate that no upland alternative is feasible where the trail is located within the estuary. On August 3, 2011, the Team discussed the details of the trail design, costs, and environmental impacts. The Team was sent the revised draft in December 2012 and comments submitted were addressed.

5. Identify owners of property in options from “4;” and meet with them to ascertain their interest in including their property as an option for a connected trail.

City staff met with the owners of all property that could be included in or directly connected with the preferred trail location options agreed to by the Technical Team and obtained their agreement to move forward with Stakeholder and public review of the options. Trail Sections 1 and 2 are on property owned by the Port of Siuslaw. The trail location and design was modified in these sections based on input from the Port.

6. Develop alternative design options: describe opportunities and constraints for different options; modify routes and draft preliminary general design options; identify alternative sites for potential acquisition of missing linkages in estuary trail.

The Draft Siuslaw Estuary Trail Vision: Location and Design Options report described the opportunities and constraints for different options; presented modified routes and draft preliminary general design options; and identified alternative sites for potential acquisition of missing linkages in the estuary trail.

7. Convene Community and Elected Official Stakeholder Groups to review and comment on the location and design options. Present options at Public Open Houses.

The Draft Siuslaw Estuary Trail Vision: Location and Design Options report presented preferred location and design options for review and comment by the Community Stakeholder group, a group representing 14 organizations with an interest in the Siuslaw Estuary and the Elected Official Stakeholder Group, representing elected and non-profit groups with policy or program responsibility in the study area. See Acknowledgments for a list of Stakeholder Groups and members. The Stakeholder review meetings on the trail were held February 24, 2011 and April 19, 2012. The options report was presented at Open Houses on April 25, 2011 and April 30, 2012. The Stakeholder Groups reviewed a revised Trail Vision at their meeting in 2013 and comments submitted were addressed.

8. Identify funding sources and refine Trail Vision.

In November, 2012, the City and the Port jointly submitted a request to ODOT for 2015-2018 State Transportation Improvement Program (STIP) funding for the trail and, in January, 2013, the City submitted a request for 2013 Oregon Recreational Trails grant funding. Together, these two funding sources, combined with local match, if successful, would slate the entire trail to be constructed by the end of 2018. As part of these funding request processes, the Siuslaw Estuary Trail has been redesigned consistent with direction from the Port of Siuslaw and the City. Changes include the following:

- Trail changed from pedestrian trail to multi-use trail (for bikes and pedestrians).
- Trail sections were redefined to better match ownerships and realistic project phasing. A north trailhead was identified in the Redwood Street right-of-way, which became planned trail parking; and easements to and along Munsel Creek were added to the location of the trail in this section. A south trailhead was identified at the Siuslaw Bridge Interpretive Site under the bridge, with sidewalk monuments and signs leading to viewpoints along the “Old Town Scenic Route” and connecting with the Port’s boardwalk.
- Trail was re-routed to east side of dredged materials disposal site.
- “Relocate public works buildings” was removed from budget and task sheet.
- A link with the existing Munsel Creek bike path was added north of Highway 126.

All estimated costs and impacts were re-calculated. A revised draft Vision was prepared and reviewed by the Team and Stakeholders.

9. Prepare final report.

Following review by the Team and Stakeholders, this report was revised to address and incorporate their comments and edits. A final report was then prepared that addresses and incorporates all comments submitted prior to formal approval by the Florence City Council.

II. Siuslaw Estuary Trail Vision

The Siuslaw Estuary Trail Preferred Vision is shown in Figure 1. This vision reflects the consensus of the Siuslaw Estuary Trail Technical Team (see Chapter I). The Technical Team agreed that this vision, as described in the text below, is preferred in terms of meeting the requirements of the local, state, and federal agencies that were represented on the Technical Team (see Chapter III).²

Trail Sections

All sections of the trail will be multi-use, i.e., accessible by foot and bicycle, and all constructed surfaces will be ADA³ -approved (see Appendix B). Each of these sections is described in detail below, followed by Table 1: Siuslaw Estuary Trail Requirements, Estimated Costs, and Environmental Impacts.

As shown in Figure 1, the 1.34 mile trail is divided into four sections, as follows. In November 2012, the Siuslaw Estuary Trail Preferred Vision in Figure 1 was submitted by the City and the Port of Siuslaw for 2015-2018 State Transportation Improvement Program (STIP) funding; and, in January 2013, a 2013 Oregon Recreational Trails Grant application was submitted for Trail Sections 1 and 2.

***Section 1: South Trailhead to Boardwalk (4,114 feet)**

- Existing Old Town Scenic Route (2,544 feet)
- Upland Trail Link with Port of Siuslaw Boardwalk (1,570 feet)
- Signed Natural Footpath

***Section 2: Port Campground Link (350 feet)**

- Cantilevered Steel Grate Walkway

****Section 3: Bridge in Estuary (330 feet)**

Section 4: Link to Highway 126 (2,292 feet)

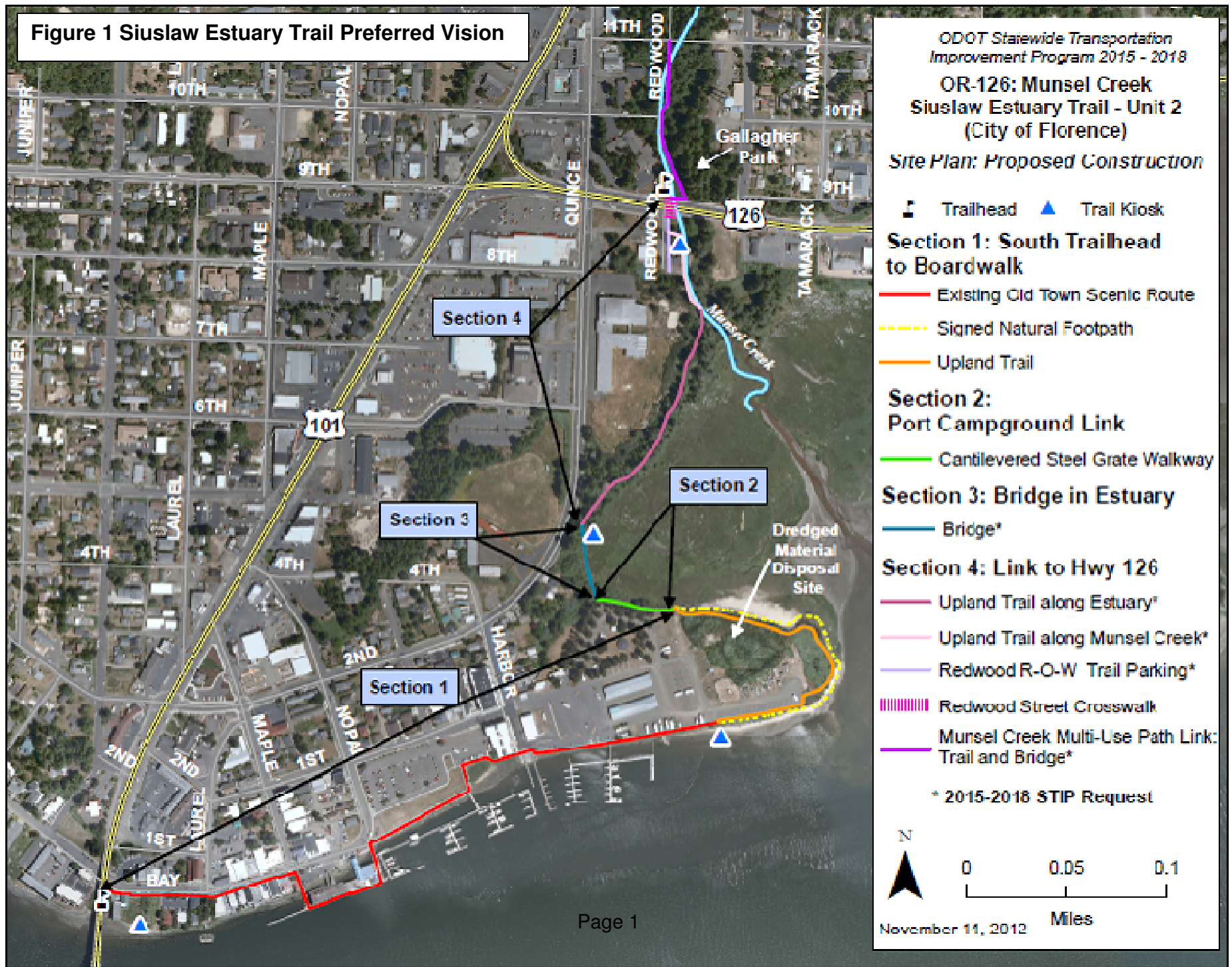
- Upland trail along estuary**
- Upland trail along Munsel Creek**
- Redwood right-of-way Trail parking**
- Redwood Street Crosswalk
- Munsel Creek Multi-use Path Link: Trail and Bridge**

*Trail Sections 1 and 2 were included in the 2013 Oregon Recreational Trails grant application. **These items in Trail Sections 3 and 4 were included in the 2015-2018 STIP funding request. The Redwood Street Crosswalk is a project in the current STIP.

² It is important to note that no actual determination of compliance with federal and state regulations is possible until the formal permit processes have been completed and permits issued.

³ Americans with Disabilities Act.

Figure 1 Siuslaw Estuary Trail Preferred Vision



Section 1: South Trailhead to Boardwalk (4,114 feet)

- Existing Old Town Scenic Route (2,544 feet)
- Upland Trail Link With Port of Siuslaw Boardwalk (1,570 feet)
- Signed Natural Footpath

Existing Old Town Scenic Route

- Locate the south trailhead in the planned parking area under the Siuslaw Bridge at the west federal Scenic Byways Siuslaw Bridge Interpretive Site.
- Install a kiosk at the estuary viewing site at the east Siuslaw Bridge Interpretive Site.
- Install signs and sidewalk monuments along the existing 2,544 foot Old Town Scenic Route to link the Interpretive Sites with the start of new Estuary Trail at the end of the Port's existing boardwalk. The signs and sidewalk monuments will guide people to estuary viewpoints in Old Town, such as the Old Town Wharf, Old Town Gazebo, and docks.



South Trailhead: Siuslaw Bridge Interpretive Site west and planned parking area.

Upland Trail Link With Port of Siuslaw Boardwalk

- Construct 1,570 feet of multi-use upland trail connecting the Port's existing boardwalk to the Port's southern campground property, east and north (estuary side) of the dredged materials disposal site (DMDS).



Dredged Materials Disposal Site



Port of Siuslaw Boardwalk

- Trail construction will extend past the existing free paddling launch site for the Siuslaw Estuary Water Trail where signage will be located (see <http://siuslawwatertrail.com/> for more information.) The Port is installing a launch for kayaks here.
- The trail will then extend east and north toward the Port of Siuslaw Campground where the Port is constructing a campground for touring bicyclists and hikers. The extension of the Port's trail installs the multi-use path needed for access to the campground for these travelers.
- For the upland trail, a pervious surface, i.e., crushed rock, will be used to reduce stormwater runoff impacts on the estuary and to improve long term function and durability.
- A kiosk will be installed in the upland trail where a natural footpath provides access down to the estuary.

Signed Natural Footpath in Estuary

- The natural footpath portion in the estuary would be left in its natural condition, with interpretive signage. An interpretive sign and two directional signs will be installed in the estuary as a guide to the natural footpath and to lead back to the upland trail.
- There are numerous wetland plants growing in the estuary at this spot, which is flat, easy to traverse, and typical of a native low marsh plant community (e.g. Pickleweed, Salt grass).
- It is very difficult to get state and federal permits for activities that will impact such wetlands for any kind of a developed walkway. For this reason, signage and self-guided tour information will direct people along the natural footpath that exists today.



Natural footpath in Siuslaw Estuary

Section #2: Port Campground Link (350 feet)

Cantilevered Steel Grate Walkway

- Construct 350 foot cantilevered galvanized steel grate walkway along the edge of the salt marsh on the east edge (estuary side) of the Port Campground; and connect walkway to bridge in estuary in Section 3.
- Galvanized steel grate construction will allow light to pass through to wetland plants below; and will prevent materials from rotting in wet environment.
- Placement exposes filtered views of the estuary while protecting privacy and views of campground patrons.



East edge of Port Campground



Filtered views of estuary from cantilevered walkway

Section 3: Bridge in Estuary (330 feet)

- Construct 330 foot galvanized steel bridge across high marsh in Natural Estuary.
- Connect bridge to upland path in Section 4 along edge of Old School Site and locate interpretive kiosk here to provide environmental education.
- Bridge provides spectacular views of the estuary.



High marsh where bridge in Section 3 will be located.

Section 4: Link to Highway 126 (2,292 feet)

Note: There are discussion points related to Section 4. See “Discussion” below.

- Construct crushed rock upland trail along Siuslaw Estuary.
- Construct crushed rock upland trail within the 50 foot riparian setback along Munsel Creek.
- Install kiosk with interpretation of estuary and riparian area in riparian area just south of Highway 126.
- Construct parking area and Trailhead in Redwood Street right-of-way (at south side of Highway 126).
- Provide directional signage to planned Redwood Street Crosswalk to access trail system north of Highway 126.



Trail location along edge of estuary in Section 4.

- Construct extension of Munsel Creek Multi-use Path and a bridge across Munsel Creek on north side of Highway 126 to create a seamless multi-use path system connecting North Florence with Old Town.



Trail location along edge of Munsel Creek in Section 4.



Location of planned Redwood Street Crosswalk in Section 4.

Section 4 Discussion

1. Highway 126 Crossing

The Vision in Section 4 continues the upland trail in the riparian area along the west side of Munsel Creek overland via the planned Redwood Street crosswalk. The long-term solution for this section includes replacing the undersized culvert at Munsel Creek to improve passage for aquatic species. The existing culvert is undersized, restricting passage for fish and other aquatic species. If replacement of the culvert requires fill or removal in the creek related to the trail, it offers the potential for “ecological lift” or improvement relative to existing condition. This would create a favorable case for state

and federal permits for the project.⁴ The obvious cost of replacing the culvert is monetary and would depend on the availability of funding.

Thorough research was conducted into the question of replacement of this culvert. Due to statewide funding priorities and limited resources, this replacement realistically will not occur until this culvert reaches the stage where it no longer functions for fish passage. Once that occurs, the culvert will be replaced. Oregon Department of Transportation (ODOT) staff estimate this will become necessary within the next 10 years, although it is not possible to know the precise timeframe.

When the culvert is replaced, the preferred vision is for Highway 126 to be raised where it crosses Munsel Creek so that the highway is high enough to allow the trail to pass under the highway. This will require construction of an east-west bridge over Munsel Creek to allow for a north-south trail connection under the highway. The Team and Stakeholders recognize that the preferred vision, i.e., the bridge, will likely be cost-prohibitive. For this reason, the Vision in this section is for an at-grade crosswalk at Highway 126 and Redwood Street using a pedestrian activated signal such as a Rectangular Rapid Flash Beacon; and future replacement of the under-sized culvert under the highway with a larger culvert that allows fish passage.

2. Easement along Estuary and Munsel Creek

For the trail section along the Old School Site, a prior development proposal (Windham Timeshare) proposed a trail to follow along the back of their development at the top of the slope. There was general agreement during that development review process that a trail was a major amenity for this type of development, and the easement was part of the approved proposal, although the project did not move forward in the development process.

3. Alternative Mode Access and Connectivity

The entire trail will be multi-use, i.e., for both pedestrians and bicyclists. Sections 1 and 4 provide alternative mode connectivity independent of the other sections. Section 1 connects the South Trailhead under the Siuslaw Bridge with all of Old Town, the Port's boardwalk, and to the Port's planned campground for touring bicyclists. Section 4, and the extension of the Munsel Creek Multi-Use Path provide an alternative mode connection between North Florence and Quince Street in Old Town. The two center sections, Sections 2 and 3, provide environmental education and recreation benefits and, when connected with sections 1 and 4, together, the trail provides a seamless multi-use path network connecting North Florence to all of Old Town.

Estimated Costs and Environmental Impacts

Preliminary estimated costs and environmental impacts were calculated for the trail sections as part of the application process for STIP funding (see Table 1).

⁴ It is the improvement in ecological function, or ecological lift, that provides the mitigation value or credit to offset wetland impacts of functional loss.

**Table 1. Siuslaw Estuary Trail Estimated Costs and Environmental Impacts
Draft 11-19-12**

Trail Sections: Specifications and Requirements	Estimated Cost	Project Phasing	Environmental Impacts
<p>Section #1: South Trailhead to Boardwalk (4,114 feet)</p> <ul style="list-style-type: none"> ■ Existing Old Town Scenic Route (2,544 feet) ■ Upland Trail (1,570 feet) ■ Signed natural footpath <p>Proposed: Signs and sidewalk monuments to link Siuslaw Bridge Interpretive Site and existing Old Town Scenic Route to Estuary Trail at Port property; 1,570 feet of developed upland trail connecting Port's existing boardwalk to the Port's southern campground property, east and north (estuary side) of the dredged materials disposal site (DMDS); and a signed natural footpath in the estuary around the DMDS.</p>			
Existing Old Town Scenic Route and Upland Trail:		2013	No environmental impacts have been identified for the upland portion of the trail. Bulkhead repair estimate is based on 10% of \$443,750 cost for repairing whole bulkhead for furnish piling, drive pile, place concrete lagging, remove old bulkhead, backfill bulkhead, repair existing ground; with 10% = \$44, 375
Directional Signs (8 @ \$100) and Sidewalk directional monuments (8 @ \$200) in existing Old Town Scenic Route (to federal byways Interpretive Site)	\$2,400.00		
Bulkhead repair	\$44,375.00		
Land value of trail easement 1\$ per sq ft. (1570 X 12)	\$15,700.00		
Survey for public easement	\$2,000.00		
Trail Construction (1570 L X 10 W): insurance and mobilization; temporary features and traffic control; clearing and grubbing; earthwork; 1"-0 aggregate: geotextile fabric (1744 sq yds): restoration, clean-up and slope stabilization.	\$44,998.00		
Trail Directional Signs (2)	\$200.00		
Lighting (32 solar lights on each side of trail @ \$40/pr)	\$1,280.00		
Engineering Design & Contingency (see Total Project Cost)			
Kiosk and Overlook east of DMDS	\$10,000.00		

**Table 1. Siuslaw Estuary Trail Estimated Costs and Environmental Impacts
Draft 11-19-12**

Trail Sections: Specifications and Requirements	Estimated Cost	Project Phasing	Environmental Impacts
Subtotal:	\$120,953.00		
Natural Footpath:		2013	No impact analysis will be required for the unimproved walkway, because no structures will be constructed in this area, only signage. Less than one cubic yard by hand does not need a permit (could be about 4 signs).
Land Acquisition for signed natural footpath	\$15,700.00		
Directional Signs (2)	\$200.00		
Interpretive Sign (1)	\$1,500.00		
Subtotal:	\$17,400.00		
Section #1 Total:	\$138,353.00		
<p>Section #2: Port Campground Link (350 feet) ■ Cantilevered Galvanized Steel Grate Walkway</p> <p>Proposed: 350 foot long cantilevered steel grate walkway along edge of salt marsh along east edge (estuary side) of Port Campground.</p>			
		2013	
Permits*: ACE and DSL ; Joint permit application preparation/administration and all required documentation and reports	\$28,000.00		Impact documents needed: Wetland Investigation and Delineation Report; Historic Properties Impact Assessment; Archaeological Survey; Biological Assessment: Coho Salmon, Oregon Coast ESU; Critical Habitat for Coho Salmon, Oregon Coast ESU; Green Sturgeon, Sothern DPS; and Brown Pelican.
Land value of trail easement \$1/sq ft	\$3,500.00		
Survey for public easement	\$2,000.00		
Interpretive Sign (1)	\$1,500.00		
Metal grate walkway to allow light through to wetlands	\$70,928.00		
Trail Directional Sign (2)	\$200.00		
Engineering Design & Contingency (see Total Project Cost)			
Section #2 Total:			

**Table 1. Siuslaw Estuary Trail Estimated Costs and Environmental Impacts
Draft 11-19-12**

Trail Sections: Specifications and Requirements	Estimated Cost	Project Phasing	Environmental Impacts
	\$106,128.00		
Section 3: Bridge in Estuary* (330 feet)			
<u>Proposed:</u> 330 foot long bridge across high marsh in Natural Estuary.			
*Included in 2015-2018 STIP Enhancement Funding Request			
		2015-2018	
Permits: ACE and DSL Joint permit application preparation/administration & all required documentation and reports	\$28,000.00		Impact documents needed for wetlands on site: Wetland Investigation and Delineation Report; Historic Properties Impact Assessment; Archaeological Survey; Biological Assessment: Coho Salmon, Oregon Coast ESU; Critical Habitat for Coho Salmon, Oregon Coast ESU; Green Sturgeon, Sothern DPS; and Brown Pelican
Land value of trail easement \$1/sq ft	\$3,300.00		
Survey for public easement	\$2,000.00		
Bridge	\$70,928.00		
Trail Directional Signs (2)	\$200.00		
Interpretive Sign (1)	\$1,500.00		
Engineering Design & Contingency (see Total Project Cost)			
Section #3 Total:	\$105,928.00		
Section 4: Link to Highway 126 (2,292 feet)			
<ul style="list-style-type: none"> ■ Upland Trail along Estuary* ■ Upland Trail along Munsel Creek* ■ Redwood Crossing (in current STIP) ■ Link to Existing Munsel Creek Multi-use Path* 			
*Included in 2015-2018 STIP Enhancement Funding Request			
<u>Proposed:</u> Construct 1,600 foot trail along estuary in conservation easement (to be dedicated through development permit process) and along west bank of Munsel Creek and connect easement with an easement to proposed parking area in Redwood Street right of way; install signage to link trail with planned crosswalk at Redwood and Highway 126; install signs on north side of Highway 126 and create trail link and bridge with Munsel Creek Multi-use Path to the north starting at Gallagher Park.			
		2015-2018	
DSL/ACE Permits*	\$28,000.00		No impact analysis will be needed for trail in riparian area or bridge across Munsel Creek as long as construction is outside high water mark of Munsel Creek.
Survey for Easement	\$2,000.00		
Land value of trail easement	\$16,000.00		

**Table 1. Siuslaw Estuary Trail Estimated Costs and Environmental Impacts
Draft 11-19-12**

Trail Sections: Specifications and Requirements	Estimated Cost	Project Phasing	Environmental Impacts
Trail link to Munsel Creek Multi-use Path: Trail Construction (692 L X 10 W) and bridge over Munsel Creek	\$50,000.00		Impact documents needed for wetlands on site: Wetland Investigation and Delineation Report; Historic Properties Impact Assessment; Archaeological Survey; Biological Assessment: Coho Salmon, Oregon Coast ESU; Critical Habitat for Coho Salmon, Oregon Coast ESU; Green Sturgeon, Sothern DPS; and Brown Pelican.
Trail Construction (1600 L X 10 W): insurance and mobilization; temporary features and traffic control; clearing and grubbing; earthwork; 1"-0 aggregate; geotextile fabric (1744 sq yds); restoration, clean-up and slope stabilization	\$44,998.00		
Munsel Creek Interpretive Signage (1)	\$1,500.00		
Redwood St. r-o-w land value	\$32,000.00		
Redwood r-o-w parking lot striping	\$700.00		
Redwood r-o-w Trail parking signage (2)	\$200.00		
Signage to Trail on north side of Highway 126 (2)	\$200.00		
Engineering design and Contingency (see Total Project Cost)			
Section 4 Total:	\$175,598.00		
Trail Total:	\$526,007.00		
Contingency 10%	\$52,600.00		
Engineering Design 35% of construction cost (\$408,407 * 35%)	\$142,942.00		
Total	\$721,549.00		
*Permit costs include: biological assessment \$5,000; historical survey \$3,000; wetland investigation and delineation \$5,000; and archeological survey \$3,000; and \$12,000 to prepare and coordinate application.			

III. Policy Analysis

Summary of Findings:

1. The estuary trail is consistent with the Florence Comprehensive Plan and the Florence City Code because it is either a permitted use in each of the applicable Plan designation areas and zoning districts or would be allowed with Administrative Review with findings of consistency with specific criteria.

Florence Realization 2020 Comprehensive Plan

The *Florence Realization 2020 Comprehensive Plan* (Comprehensive Plan) guides long range planning for the City. Findings of consistency with the Comprehensive Plan are required in order for the estuary trail to be implemented as presented in the Preferred Vision. This section cites relevant policies and Plan designations, followed by findings of consistency.

Trail Sections (from south to north) traverse Comprehensive Plan designations: Marine, Downtown, and Public in Chapter 2 of the Comprehensive Plan. In addition, the trail would traverse the Natural Estuary and Conservation Estuary Management Units designated in Chapter 16 of the Comprehensive Plan; and the Mixed Development, Dredged Materials Disposal/Mitigation Site, and Natural Resource Conservation Shoreland Management Units in Chapter 17 (see Map 17-1: Estuary and Coastal Shoreland Management Units in the Florence UGB).

Chapter 2: Land Use

“Public: “The Public designation is intended to identify existing public and semi-public uses including the airport, public parks, schools, community colleges, cemeteries and other public buildings as well as major utility facilities.”

Finding: The trail is a public use and thus the estuary trail within this Plan designation is consistent with the Public designation.

“Downtown: Designation is guided by the Downtown Implementation Plan which has the following priority, “Establish an estuary trail connecting the Boardwalk to the Munsel Creek Bikepath.”

Finding: An estuary trail in the Downtown designation is consistent with the Comprehensive Plan because it establishes an estuary trail connecting the Boardwalk to the Munsel Creek Bikepath.

“Marine: These lands are intended for development of water dependent industrial, recreation and commercial uses and associated water related uses.”

Comprehensive Plan Introduction, Definitions

“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 and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.”

Finding: The estuary trail is consistent with the Marine designation in this location because it fits the definition of a Water-related Use, in that it provides visual and physical access to the estuary and all adjacent waterway uses, including kayaking, and, if it is not located adjacent to water, it would result in a public loss of quality in the goods or services offered.

This finding is also supported by the finding of consistency with Comprehensive Plan policy for Management Unit 4, below, that identifies one-half of the Port property designated Waterfront-Marine is to be preserved for water dependent uses; and the campground is the portion of the site that is already developed for non-water dependent uses (camping). Therefore, it is not possible to locate a water dependent use in this shoreland area.

Chapter 16: Estuarine Resources

- “15. The general priorities (from highest to lowest) for management and use of the estuarine resources, as implemented through the Management Unit designation and permissible use requirements shall be:
- a. Uses which maintain the integrity of the estuarine ecosystem
 - b. Water-dependent uses requiring estuarine location, as consistent with the Shallow Draft Development Estuary classification
 - c. Water-related uses which do not degrade or reduce the natural estuarine resources and values
 - d. Non-dependent, nonrelated uses which do not alter, reduce, or degrade estuarine resources and values.”

Finding: The estuary trail is consistent with this policy because it will maintain the integrity of the estuarine ecosystem.

- “16. In **Natural Estuary Management Units**, the following additional policies shall apply:
- a. Permitted uses shall be limited to the following, provided that no such use shall involve dredge or fill:
 - 2) Research and educational observations”

Finding: The estuary trail is consistent with this policy because it is a research and educational observation facility and, as such, is a permitted use in the Natural Estuary Management Unit.

- “17. In **Conservation Estuary Management Units**, the following additional policies shall apply:
- a. Permitted uses shall be limited to the following, provided that no such use shall involve dredge or fill:
 1. All uses permitted in the Natural Estuary MU Policy a.”

Finding: The estuary trail is consistent with this policy because it is a research and educational observation facility and, as such, is a permitted use in the Natural Estuary Management Unit as per policy a; and all uses permitted in the Natural Estuary MU Policy are permitted in the Conservation Estuary Management Units.

Chapter 17: Coastal Shorelands: Ocean, Estuary, and Lake Shorelands

- “5. The management of Coastal Shorelands shall be compatible with the characteristics of the adjacent coastal waters. The policies in this Chapter are in addition to the policies in Chapter 16, Siuslaw River Estuary; and where conflicts exist, the policies and provisions of Chapter 16 shall prevail.”

Finding: The estuary trail is consistent with this policy because the use will comply with the policies in Chapter 16, and, where conflicts exist, the policies and provisions in Chapter 16 shall prevail.

- “12. 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 nondependent, nonrelated uses which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses;
 5. Provide for development, including nondependent nonrelated uses, in urban areas compatible with existing or committed uses;
 6. Permit nondependent, nonrelated uses which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.”

Finding: The estuary trail is consistent with this policy because the use will maintain the integrity of estuaries and coastal waters.

“15. In Mixed Development Management Units, the following additional policies shall apply:

- a. For Shorelands in the Mixed Development MU within the Florence UGB, implementation requirements in Lane Code Chapter 10 Overlay Zoning Districts shall apply outside city limits, and the Mixed Development Overlay Zoning District in Florence City Code Title 10 Chapter 19 shall apply inside city limits.
- b. Uses shall respect the priorities set out in the General Priority statement (Policy 12).
- c. Native riparian vegetation should be maintained or encouraged to provide erosion control, bank stabilization, aesthetic quality and to maintain water quality and temperature, except where maintenance of vegetation would preclude use of the site for a water-dependent use and removal will not be detrimental to erosion control, bank stabilization or water quality.
- d. Land divisions outside city limits within the Florence UGB shall not be allowed prior to annexation to the city. Land divisions within city limits in this MU shall be approved only with affirmative findings that the land division and subsequent use are consistent with shoreland values as identified by on site evaluation.”

Finding: The estuary trail is consistent with this policy because, as demonstrated in the findings below, the use is consistent with Mixed Development Overlay Zoning District in Florence City Code Title 10 Chapter 19; the use respects the priorities set out in the General Priority statement (Policy 12, above); the use will maintain all native riparian vegetation; and no land divisions are proposed.

“Management Unit 4.2 (Port of Siuslaw): This area extends from Nopal Street to dredge spoils site #19. The northern boundary follows First Street to Harbor Street, where it intersects with the Port of Siuslaw property. This area will probably continue to be the primary commercial and industrial marine-related center on the bay.

At least fifty percent of Unit 4.2 must be protected for water-dependent and water-related uses.⁵ Access, terrain, proximity to deep water, compatibility with historical and existing uses, and ownership patterns would support this reasoning. About one-third of this unit is already developed into water-dependent/related uses. It is vital to the future economy of the Florence area that an adequate portion of this area be reserved for the widest possible range of high intensity recreation, commercial and industrial water-dependent uses.

⁵ CRMP amendment by Lane County in 1996.

Due to the proximity of the Management Unit to the North Fork shoals, the main turning basin and the lack of suitable dredged sites near those shoals, a dredged material disposal “stockpile” site has been designated (DMDP site #19) in this unit. The location of that site is critical. Improvements such as those to the jetty which would allow more year-round, all weather bar crossing is expected to increase the demand for marine-related uses and the needs of the fishing industry. This area has the highest potential for receiving stations and processing facilities, marinas/moorages, boat repair and servicing, cold storage, canneries, or possible aquaculture release/recapture facility at Munsel Creek. Uses for this area must be flexible and in keeping with the Port of Siuslaw goals. One recorded tribal archaeological site is located in this management unit and another tribal archaeological site is located in the nearby Natural Estuary Management Unit G. There is a high probability that there are additional archaeological resources in this Management Unit.”

Findings: The estuary trail walkway is consistent with the Management Unit 4.2 designation because the shoreland adjacent to the estuary in the location of the trail is committed to non-water-dependent, non-water-related uses (a campground) and this area is therefore not included in the 50% of Management Unit 4.2 that is designated a Water Dependent Site.

“13. In Shoreland Dredged Material Disposal Site Management Units, the following additional policies shall apply:

- a. For Shorelands in the Shoreland Dredged Material Disposal Site MU within the Florence UGB, implementation requirements in Lane Code Chapter 10 Overlay Zoning Districts shall apply outside city limits, and the Dredged Material/Mitigation Overlay Zoning District in Florence City Code Title 10 Chapter 19 shall apply inside city limits.
- b. In order to protect the navigability of the river, sites (with the exception of designated “stockpile” sites) included in the adopted *Siuslaw River Dredged Material Disposal Plan* shall be retained for that use until such time as the filling capacity has been reached or the site is removed from the adopted, revised *Siuslaw River Dredged Material Disposal Plan*. However, sites that have reached their filling capacity which can be reconfigured to accept more material shall continue to be retained. A determination that fill capacity has been reached shall be based upon the recommendation of the Army Corps of Engineers and other interested agencies and persons.

The re-classification of any applicable dredge material disposal site protection overlay zoning shall require positive findings by the City or the County (if outside city limits) that one or both of these conditions are met, following public hearing. Following removal of the overlay zone, the permitted uses on the site will be the same as those allowed in the underlying zoning district. Rezoning of the underlying zoning district may be considered at the same time as removal of the overlay zoning, in accordance with this Plan and the Florence City Code and Lane County Code.

- c. Sites designated for “stockpile” use, where the spoils will be hauled away and the site used again for spoils, shall be retained and designated as a disposal site until such time as an appropriate alternative for disposal is designated and the “stockpile” site is deleted in the adopted, revised *Siuslaw River Dredged Material Disposal Plan*.
- d. Temporary use of dredged material disposal sites shall be permitted, providing no permanent facilities or structures are constructed or no man-made alterations take place which would prevent the use of the land as a disposal site, and the use is consistent with other policies contained in this Plan and the Florence City Code and Lane County Code.
- e. Dredge spoil disposal shall provide adequate run-off protection and maintenance of a riparian strip along the water.“

Findings: The preferred trail location and design are consistent with this policy because the trail meets the requirements of the Dredged Material/Mitigation Overlay Zoning District in Florence City Code Title 10 Chapter 19; the DMDP Site #19 is a “stockpile site,” where the spoils will be hauled away and the site used again for spoils, and it will be retained and designated as a disposal site until such time as an appropriate alternative for disposal is designated and the “stockpile” site is deleted in the adopted, revised *Siuslaw River Dredged Material Disposal Plan*; any use of DMDP site #19 for the trail will be a temporary use involving no construction of permanent facilities or structures and no man-made alterations will take place which would prevent the use of the land as a disposal site, and the use is consistent with other policies contained in this Plan and the Florence City Code; and the trail will not result in impacts to run-off protection or maintenance of a riparian strip along the water.

- “14. In Natural Resources Conservation Management Units, the following additional policies shall apply:
 - a. For Shorelands in the Natural Resources Conservation MU within the Florence UGB, implementation requirements in Lane Code Chapter 10 Overlay Zoning Districts shall apply outside city limits, and the Natural Resource Conservation Overlay Zoning District in Florence City Code Title 10 Chapter 19 shall apply inside city limits.
 - b. Uses shall fall within and respect Priorities 1-5 of the Priority Statement (Policy 12).
 - c. Filling in Coastal Lakes adjacent to this MU shall only be allowed in very rare instances and after a complete study of potential physical or biological impacts on the Lake. The cumulative effects of all such fills shall be considered. Positive benefits must outweigh negative effects.

- d. Land divisions outside city limits within the Florence UGB shall not be allowed prior to annexation to the city. Land divisions within city limits in this MU shall be approved only with affirmative findings that the land division and subsequent use are consistent with shoreland values as identified by on site evaluation.
- e. For any approved development on coastal lake or estuarine shoreland in this MU, a minimum 50' horizontal buffer zone is required from the estuary or lake. (Setback requirements on ocean shorelands in this MU will vary depending on the rate of erosion in the area and will be determined by site review, with a 100 foot minimum.)
- f. Only developments and activities which do not pose a threat to life or property from land instability, erosion or other natural hazard shall be allowed."

Findings: The estuary trail is consistent with this policy because the use complies with the Natural Resource Conservation Overlay Zoning District in Florence City Code Title 10 Chapter 19; the trail use falls within and respects Priorities 1-5 of the Priority Statement (Policy 12, above); the trail does not involve land divisions or filling in Coastal Lakes; the trail will be constructed within the minimum 50' horizontal buffer zone required from the estuary in this shoreland management unit designation, and this is allowed because the trail complies with the requirements of the adjacent Natural Estuary designation which allows "research and educational observations" as an allowed use in the estuary and Policy 5 in Chapter 17, above, provides that the provisions and policies of Chapter 16 shall prevail where there are conflicts; and the trail will not pose a threat to life or property from land instability, erosion or other natural hazard.

Chapter 8: Parks and Recreation

Policies

"Open Space

- 13. The City shall encourage and support public/private efforts to ensure permanent public access and views of the Siuslaw River and its scenic estuary.
- 14. The City shall develop an interconnecting trail system, providing a full circular route around the Florence area and incorporating Rhododendron Drive, Munsel Lake, beaches, dunes, Old Town, Port and Siuslaw Estuary. The system shall also connect the various parks, residential areas, business, public places through the following actions:
 - e. Develop a system of trails and pathways to provide a safe network that links neighborhoods, parks, natural open space, schools, employment centers, shopping locations, recreation facilities and other key community destinations.

19. The City, in conjunction with the Port of Siuslaw, Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians and the Siuslaw Watershed Council, shall plan and provide estuary and aquatic trails and put in and take out points along the Siuslaw River.”

“Recommendations

7. The City should pursue establishment of an estuary trail connecting the Boardwalk with the Munsel Creek bike/pedestrian trail. ODOT has indicated a preference for an in-culvert pedestrian crossing under Highway 126. Absent that opportunity they prefer a surface crossing be located midblock between Redwood and Spruce Streets.
8. In order to provide the public with increased and unrestricted access to the Siuslaw River and its estuary, the City should develop its public street rights-of-way which terminate at the River as river access parks, which may include parking to meet Old Town parking needs as appropriate.”

Finding: The trail is consistent with and supports these policies and recommendations.

Chapter 9: Economic Development

Recommendations

- “4. The City should continue to develop and improve recreational facilities and sites for tourists to draw more visitors to the town. Such activities may include Siuslaw Estuary Water Trail kayak launches, viewing platforms for bird watchers, trail signage, frisbee golf, in-city open space areas (such as 3 Mile Prairie), and a family recreational development in the Old Town area.”

Finding: The trail is consistent with and supports this recommendation.

Chapter 12: Transportation

Appendix 12: Transportation System Plan (TSP)

TSP, Executive Summary

Other Highway 126 Improvements, page 8

“3. Culvert Replacement

The replacement of the Munsel Creek culvert should be designed to meet fish passage standards and to allow the Estuary Trail to pass under Highway 126 to connect to the Munsel Creek Bike Path.”

Pedestrian Improvements, page 10

“3. Siuslaw River Estuary Trail. This trail is proposed as part of the Downtown Implementation Plan, and is also a priority of the Port of Siuslaw. The proposed trail will connect the Port’s Boardwalk to Highway 126, and eventually, when the Munsel Creek culvert is replaced, through a bike path set into the culvert to connect to the Munsel Creek Bike Path.”

TSP Section 3: Modal Plans

Detailed Project Descriptions, Page 34

“3. Culvert Replacement

At a future date, capacity improvements, together with the requirements for improved fish passage in Munsel Creek, will dictate the replacement of the Munsel Creek Culvert. The reconstruction may or may not include a culvert structure. However, the crossing structure must be designed to include the passage of the Siuslaw Estuary Trail under Highway 126 to connect to the Munsel Creek Bike/Ped Path and its planned extension to Munsel Lake.”

Pedestrian Improvements, Page 39

“3. Siuslaw River Estuary Trail

This trail is proposed as part of the Downtown Implementation Plan, and is also a priority of the Port of Siuslaw. The proposed trail will connect the Port’s Boardwalk to Highway 126, and eventually, when the Munsel Creek culvert is replaced, through a bike path set into the culvert to connect to the Munsel Creek Bike Path. The proposed path will connect future development on the Middle School site in Old Town with the Boardwalk. The trail will feature interpretative signage about estuarine formation, maintenance, wildlife species and habitat, and other pertinent data.”

Table 12-5-F1. Future Transportation System Improvements, page 58

“Project #: J-2 Siuslaw River Estuary Trail Estimated Cost: \$125,000”

Finding: The trail is consistent with and supports these policies.

“Table 12-5-B2. Prioritized Funding Needs, page 60

Project #	Project Description	Estimated Cost	Funding Source(s) Identified F,S,C,L,P*	Funding Approved (y/n)
Highest Priority Projects (no order within list) 1-5 Years				
J-2	Completion of portions of the Estuary Trail	\$125,000	F,S,L	N
Medium Priority Projects (no order within list) 5-15 Years				
J-2	Replace culvert under Hwy 126, inc. provision for Estuary Trail		F,S	N

*F-Federal, S-State, L-Local, P-Private”

Finding: The trail is consistent with and supports these policies.

Florence City Code: Zoning

The trail sections traverse several zoning categories from south to north: Waterfront Marine, Old Town Area C, Natural Estuary, Mainstreet Area A, and Multi-Family.

Findings: The trail complies with all of the following use criteria. Additional findings will be needed once the final location and design are proposed in order to demonstrate that impacts to estuarine resources, if any, are minimized or mitigated.

Waterfront/Marine District: permits outright those uses listed in the Marine District which includes under “water related uses”, “public water related outdoor recreation area”.

Old Town District, Area C: permits conditionally “recreational facilities (must be outdoor, water-related, and non-motorized such as canoeing or kayaking).

Mainstreet District, Area A: permits conditionally “public buildings and facilities not similar to those listed as permitted uses.”

Multi-Family Residential District: permits conditionally “Public parks, playgrounds, community centers and recreational facilities.”

Natural Estuary: The Natural Estuary Management Unit permits outright, 2. Research and educational observations and 7. Bridge crossings. Bridge crossing support structures are permitted with administrative review.

Development Estuary: The Natural Estuary Management Unit permits outright, 2. Research and educational observations and 7. Bridge crossings. Bridge crossing support structures are permitted with administrative review.

FCC 10-19-4: DEVELOPMENT ESTUARY DISTRICT (DE):

- A. Purpose and Extent: The primary purpose of the Development Estuary District (DE) is to provide for navigational needs and public, commercial and industrial water-dependent uses which require an estuarine location. Uses which are not water dependent which do not damage the overall integrity or estuarine resources and values should be considered, provided they do not conflict with the primary purpose of the District. The DE District is designed to apply to navigation channels, sub-tidal areas for in-water disposal of dredged material, major navigational appurtenances, deep-water areas adjacent to the shoreline and areas of minimal biological significance needed for uses requiring alteration of the estuary. These are as defined on the City Zoning Map as specified by this Title.
- F. Conditional Uses: Outside of Areas Managed for Water Dependent Activities, the following uses and activities are allowed in the estuary with a Conditional Use Permit, subject to the applicable criteria. A Conditional Use Permit may be approved according to the procedures set forth in Chapter 4 of this Title upon affirmative findings that: the use or activity is consistent with the purposes of the DE District; it must not be detrimental to natural characteristics or values in the adjacent estuary; and it must comply with the specific criteria below, and the applicable criteria in I and either G or H (if dredging or fill is required, the requirements in G apply; if the use will otherwise alter the estuary, the requirements in H apply):
10. Water-related uses, non-water-dependent uses, and non-water-related uses, provided no dredge or fill is involved and it is not possible to locate the use on an upland site.”

Finding: The trail is consistent with these criteria because it is a water-related use on an upland site that is consistent with the purposes of the DE District; the use will not be detrimental to natural characteristics or values in the adjacent estuary; the criteria in I, G, or H do not apply to this use because the use will not alter the estuary, involve dredging or fill, and it is not a pier or a dock; and the trail is a Water-related use in an upland area; and shoreland uses and buffer zones (in the Mixed Development Overlay District) shall not prohibit land-side components of activities and uses as otherwise permitted in the adjacent estuary.”

Zoning Overlays

The trail segments traverse several zoning overlays from south to north: Natural Resource Conservation, Mixed Development, and Dredged Material/Mitigation. These overlays apply in addition to the zoning districts identified above.

Findings: The trail complies with all of the following use criteria. Additional findings will be needed once the final location and design are proposed in order to

demonstrate that impacts to estuarine resources, if any, are minimized or mitigated.

FCC: 10-19-10: NATURAL RESOURCE CONSERVATION OVERLAY DISTRICT:

“A. Purpose: The Natural Resource Conservation Overlay District (/NRC) is applied to those coastal shorelands identified in inventory information and designated generally in the Lane County Coastal Resources Management Plan as possessing a combination of unique physical social or biological characteristics requiring protection from intensive human disturbance. Those areas serve multiple purposes, among which are education, preservation of habitat diversity, water quality maintenance and provision of intangible aesthetic benefits. The /NRC District is applied to prominent aesthetic features such as coastal headlands and open sand expanses in proximity to coastal waters, sensitive municipal watersheds and significant freshwater marsh areas. If the shorelands are adjacent to the estuary, refer to the adjacent Estuary District for additional allowed uses and criteria. The requirements of any adjacent Estuary District shall supersede the requirements of this Section of the Code. Shoreland uses and buffer zones shall not prohibit land-side components of activities and uses as otherwise permitted in the adjacent estuary.”

Finding: The trail is consistent with this zoning overlay district because the trail is for “research and education observation,” an allowed use in the Natural Estuary District; the provisions of the adjacent Estuary District allowed uses and criteria apply; the requirements of any adjacent Estuary District shall supersede the requirements of this Section of the Code; and shoreland uses and buffer zones shall not prohibit land-side components of activities and uses as otherwise permitted in the adjacent estuary.

FCC 10-19-7: MIXED DEVELOPMENT OVERLAY DISTRICT:

“A. Purpose: The Mixed Development Overlay District (/MD) is applied to those coastal shorelands which are recognized in the City Comprehensive Plan and supportive technical data as being all or partially committed to commercial, industrial and public uses. The proximity of these lands to the dredged channel of the Siuslaw River dictates that opportunities shall be provided to preserve and expand existing water-dependent and water-related commercial, industrial or public uses. If the shorelands are adjacent to the estuary, refer to the adjacent Estuary District for additional allowed uses and criteria. The requirements of any adjacent Estuary District shall supersede the requirements of this Section of the Code. Shoreland uses and buffer zones shall not prohibit land-side components of activities and uses as otherwise permitted in the adjacent estuary.”

The adjacent estuary district is Development Estuary and the trail, a Water-related Use, is a Conditional Use in that district:

FCC 10-19-8: DREDGE MATERIAL/MITIGATION SITE OVERLAY DISTRICT:

Finding: The same criteria and findings presented for this Comprehensive Plan designation apply to this zoning district overlay. Site #19 is a “stockpile site” and thus can only be altered for a temporary use, as per the criteria.

Riparian Protection and Vegetation Clearing Areas:

Riparian habitat protection is addressed under Florence City Code Title 10 Chapter 7 Special Development Standards. The criteria are specifically designated for building setbacks along Munsel Creek and River Cutbanks. No buildings are proposed and therefore do not apply to this project.

Vegetation removal is addressed under Florence City Code Title 4 Chapter 6 Vegetation Preservation. A clearing permit would be needed for the project where any vegetation is proposed to be removed.

FCC 10-7-3: SPECIAL DEVELOPMENT STANDARDS

Riparian Setback:

- B. Munsel Creek and Other Drainageways: A fifty foot (50') setback shall be required for all buildings from the creek channel, except by Planning Commission approval where it can be shown by accepted engineering practices or treatment that no erosion hazards, slide potential, or possible flood damage are likely to occur, and that riparian vegetation will be protected.

Finding: The trail is consistent with this criterion because it is not a building and thus can locate within the setback area of Munsel Creek.