



**OCEAN SHORE  
ALTERATION PERMIT**

Application Approved with Conditions:



Application Denied:



Date: 14 August 2008

Applicant:

U.S. Forest Service, Siuslaw National Forest

OPRD File Number:

BA-644-08

County:

Lane

Project Location:

T19S R12W, Sec 32 TL 500 – Siltcoos Estuary

OPRD's review included a staff inspection of the site and evaluation of the project against the Ocean Shore Permit Standards, OAR-736-020-0005 through 736-020-0030.

**Project Description:**

Remove non-native European beachgrass and lower dune height to create bare sand area to restore natural dune processes and natural habitats for state and federally listed threatened species such as western snowy plover and pink sand verbena. The proposed project includes mechanical and manual methods to control European beachgrass over a period of ten years depending on USFS funding.

*ORS.390.605 (2) defines the "ocean shore" to mean the land lying between extreme low tide of the Pacific Ocean and the statutory vegetation line as described by ORS 390.770 or the line of established upland shore vegetation, whichever is farther inland. In the location of the proposed project the statutory vegetation line is located farther inland.*

The project is proposed to be located



Seaward of the statutory vegetation line



Seaward of the line of established upland shore vegetation

and therefore within OPRD's jurisdiction to make a decision on your application.

Submitted plans:

Attached  (See Condition \_ )

Not Applicable

Based on the evaluation of the above standards, staff inspections of the site, and consideration of public and agency comments, the Oregon Parks and Recreation Department:



Approves your application  
with conditions.



Denies your application

Conditions:

1. This permit is valid for habitat restoration work only within Township 19S, Range 12W, Section 32 TL 500 in Lane County through 15 August 2018.
2. Only sand, incidental vegetation, and driftwood debris may be deposited onto the beach.
3. All material placed on the beach shall be placed between the most recent high tide line and the surf so that material will be redistributed during the next high tide.
4. The USFS shall take all necessary precautions during mechanical treatments to minimize any risk of discharge of sediment into Siltcoos Creek. No mechanical treatments shall occur within a minimum distance of 50 feet of Siltcoos Creek and adjacent wetland areas. To minimize impacts to the creek from excess sediment load a limited amount of area may be mechanically treated in a given year.
5. No request for the use of herbicide has been made in this Ocean Shore Alteration Permit Application and therefore will not be permitted on the ocean shore from the natural vegetation line to the extreme low tide.
6. The USFS shall submit an annual summary report which includes the following information: 1) map identifying location and acreage of habitat restoration work completed and proposed locations of next year's work, 2) summary of snowy plover use in restored habitat areas 3) observations of sand movement rates, 4) changes or affects if any on location of mouth of Siltcoos Creek, 5) any unanticipated impacts identified through implementaion and monitoring efforts along with any corrective measures proposed to address such impacts. The annual summary shall be submitted to OPRD, Coastal Land Use Coordinator, 89814 Cape Arago Hwy, Coos Bay, OR 97420.
7. The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw will need to be notified at least 72 hours prior to any ground disturbing activities so that a tribal representative may be present.
8. Consult with Department of State Land and the Army Corps of Engineers concerning potential impacts to wetlands and determine need for permits. OPRD shall be consulted on progress and will take part in meetings.
9. Consult with National Marine Fisheries Service concerning compliance with the Magnuson-Stevens Fishery Conservation Management Act and USFWS for Endangered Species Act. Forward written confirmation to OPRD Ocean Shores, Sunset Bay State Park, 89814 Cape Arago Hwy., Coos Bay OR 97420
10. The Permittee shall agree to save and hold harmless the State of Oregon, the Commission, and its members, and all officers, agents and employees of the Department, from any claim, suit or action whatsoever for damages to property, or injury or death to any person or persons due to negligence of Permittee, its or their officers, agents or employees, and arising out of the performance of any work or project covered by the granting of a permit.

11. In no event shall the issuance of any permit hereunder be construed as a sale, lease, or grant of easement, or any form of conveyance of the state recreational area, Ocean Shore or submerged lands.
12. The duration of any permit granted hereunder shall be solely within the discretion of the Department. The Director may revoke, suspend or not renew an Ocean Shore permit only after giving notice and opportunity for a hearing as provided in ORS 183.415 to 183.430, 183.440 to 183.460 and 183.470.
13. The Permittee shall comply with the provisions of ORS 390.235 through 390.240, ORS 358.905 through 358.955 and OAR 736-051-0060 through 736-051-0090 as these statutes and other statutes and rules affect the discovery, excavation, salvage, removal and disposition of archaeological resources and the permitting requirements for these activities as they affect archaeological sites on public and private land
14. If, during the period covered by this permit, the Permittee shall fail to comply with the conditions provided herein and otherwise imposed by the Department, the Department shall exercise its authority under Oregon Revised Statutes 390.661 through 390.676; 390.990 through 390.995, and the provisions of OAR 736-020-0100 to cease any further activity by the Permittee on the ocean shore except as directed by the Department. In such circumstances, the Department may assess a civil penalty according to the provisions of OAR 736-080-0005 through 736-080-0070.
15. This approval does not affect any obligation the Permittee might have to other persons or agencies, local, state or federal. regulations.

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Jeff Farm  
Ocean Shore Manager  
Oregon Parks and Recreation Department

Cc: Gloria Kiryuta, Department of State Lands  
Arrow Coyote, Confederated Tribes of Coos, Lower Umpqua, and Siuslaw  
Laura Todd, U.S. Fish & Wildlife Service  
Anita Andazola, U.S. Army Corps of Engineers  
Chuck Wheeler, National Marine Fisheries Service

**Appeal Process**

*Any person aggrieved or adversely affected by the grant of a permit or the conditions imposed on the permit may file a written request for a hearing with the Parks and Recreation Director. The request must be received within 30 days of the date of the permit. The hearing shall be conducted as a contested case in accordance with ORS 183.415 to 183.430, 183.440 to 183.460 and 183.470*