

86-3-6

IN THE BOARD OF COMMISSIONERS

FOR CLATSOP COUNTY, OREGON

8014

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MAR 05 1986

ORDINANCE NO. 86- 5

(AN ORDINANCE AMENDING THE CLATSOP
(COUNTY COMPREHENSIVE PLAN, TEXT AND
(MAP, LAND AND WATER DEVELOPMENT AND
(USE ORDINANCE, AS ADOPTED BY THE
(BOARD OF COUNTY COMMISSIONERS,
(ADOPTING CERTAIN FINDINGS, RESCINDING
(INCONSISTENT PROVISIONS AND DECLARING
(AN EMERGENCY

The Board of County Commissioners of Clatsop County, Oregon ordains as follows:

SECTION 1. SHORT TITLE.

This ordinance shall be known as the Dredged Material Disposal, Area D, East Sand Island Amendments.

SECTION 2.

The Board of County Commissioners of Clatsop County, Oregon recognizes the need to revise and amend the Clatsop County Comprehensive Plan, Background Reports, Community Plans and Comprehensive Plan/Zoning Map. In the interest of the health, safety and welfare of the citizens of Clatsop County and in accordance with the recommendations of the Clatsop County Planning Commission and pursuant to State law, the Board of Commissioners hereby determines the necessity of amending the Comprehensive Plan text and map.

The Board of County Commissioners determines and takes notice that the adoption procedure for this ordinance complies with the Post Acknowledgement rules of the Land Conservation and Development Commission. The County Planning Commission has sought review and comment and has conducted the public hearing process pursuant to the requirements of ORS 215.050 and 215.060. The Planning Commission held a hearing on February 11, 1986, The Board received and considered the Planning Commission's recommendation

on this amendment and held a public hearing on this ordinance pursuant to law on March 5, 1986.

SECTION 3. CONFORMITY WITH THE LAW.

This ordinance shall not substitute for nor eliminate the necessity for conformity with any and all laws or rules of the State of Oregon, or its agencies, or any ordinance, rule or regulation of Clatsop County.

SECTION 4. INCONSISTENT PROVISIONS.

This ordinance shall supercede, control and repeal any inconsistent provision of the Clatsop County Comprehensive Plan, as amended, the Clatsop County Land and Water Development and Use Ordinance, as amended, or any other ordinance or regulation made by Clatsop County.

SECTION 5. SEPARABILITY.

If any section, subsection, sentence, clause, phrase or any other portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. EFFECTIVE DATE.

This ordinance shall be in full force immediately upon adoption as set forth in the emergency clause.

SECTION 7. EMERGENCY CLAUSE.

In order to implement the recommendations of the Planning Commission and findings of the Board with the greatest expedience and in order to realize the benefits to be derived from the adoption of this ordinance to the Comprehensive Plan Background Reports, County-wide Elements, Community Plans and the County Land and Water Development and Use Ordinance (80-14), an emergency is declared to exist and this ordinance shall become effective immediately upon its passage.

SECTION 8. ADOPTION CLAUSE.

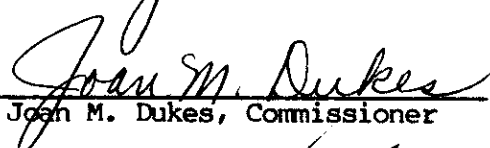
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The Board of Commissioner's hereby adopts the findings and conclusions set forth in Exhibit "A" attached hereto and by reference herein made a part of this ordinance in its entirety.

ENACTED this 5th day of March, 1986.

THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

BY 
Roger A. Berg, Chairman

BY 
Joan M. Dukes, Commissioner

BY 
Bob Westerberg, Commissioner

Vote: Aye: Bob Westerberg, Joan M. Dukes, Roger A. Berg

Nay: - 0 -

Abstention: - 0 -

Attest: 
Recording Secretary to the Board

Date: March 5, 1986

Date of first reading: March 5, 1986

Date of second reading: March 5, 1986

3/4/86

AMENDMENTS TO CLATSOP COUNTY LAND AND WATER USE ORDINANCE

(Note: New language is underlined, deleted language is bracketed [])

Amendment to Section 3.624, development uses and activities permitted in the Marine Industrial Shorelands Zone

9. Dredged material disposal at sites designated in the Comprehensive Plan.

Amendment to Section 3.626, development uses and activities permitted with review in the Marine Industrial Shorelands Zone

5. Dredged material disposal at sites not designated in the Comprehensive Plan provided that the disposal does not pre-empt the use of the site for allowable water-dependent development activities.

Amendment to Section 3.664, development uses and activities permitted in the Conservation Shorelands Zone

8. Dredged material disposal at sites designated in the Comprehensive Plan.

Amendment to Section 3.666, development uses and activities permitted with review in the Conservation Shorelands Zone

2. Dredged material disposal at sites not designated in the Comprehensive Plan provided that the proposed disposal site is not located within a Category 1 coastal shoreland.

Amendment to Section 3.744, development uses and activities permitted in the Aquatic Development Zone

8. Dredged material disposal at sites designated in the Comprehensive Plan.

Approval of Permitted Uses 1 through [7] 8 must include approval of dredging, fill or piling installation if necessary for the placement or installation of these Permitted Uses.

Amendment to Section 3.746, development and uses permitted with review in the Aquatic Development Zone.

9. Dredged material disposal at sites not designated in the Comprehensive Plan provided the dredged material is utilized as a source of fill material for an approved water dependent development project.

Amendment to Section 3.764, development uses and activities permitted in the Aquatic Conservation Two Zone.

11. Beach nourishment at sites designated in the Comprehensive Plan.

Approval of Permitted Uses 1 through [8] 11 above must include approval of dredging, fill or piling installation if necessary for the placement or installation of these Permitted Uses.

Amendment to Section 3.766, development uses and activities permitted with review in the Aquatic Conservation Two Zone.

- [9. Dredged material disposal at sites identified in the Comprehensive Plan.]

Amendment to S4.233, Dredged Material Disposal Standard

- [A. Aquatic and shoreland disposal of dredged material shall be allowed only at approved sites identified in the Comprehensive Plan except if the disposal operation is part of an approved fill project or an approved flow-lane operation in development designated navigation channel areas.]
- F. Except for flow-lane disposal and beach nourishment, disposal of dredged materials inside the estuary shall be substituted for ocean disposal only when [sea or weather conditions area a hazard to safe navigation for the dredging vessel.] the use of ocean disposal sites is not feasible.

Amendments to Sections 4.162 through 4.179. Dredged Material Disposal Overlay Reserve District (/DMD).*

(Note: New and deleted language is not highlighted in this section)

Section 4.162. Purpose. The intent of this district is to designate dredged material disposal sites in the County with respect to present and expected water-dependent development and navigational access requirements and to protect these sites for dredged material disposal operations.

Section 4.164. District Boundaries. The /DMD district conforms to the description of dredged material disposal sites in the County's Dredged Material Disposal Plan. Revisions to the County's Dredged Material Disposal Plan must be recorded by amendment to the Comprehensive Plan.

Section 4.166. Priority I Dredged Material Disposal Sites. The purpose of Priority I site designations is to protect important dredged material disposal sites from incompatible and pre-emptive uses that may limit their ultimate use for the deposition of dredged material, and to assure that an adequate number of sites will be reserved in order to accommodate dredged material disposal needs resulting from five years of existing and expected water-dependent development and navigation projects.

Section 4.168. Uses Allowed in Priority I Dredged Material Disposal Sites. Dredged material disposal at Priority I sites designated in the Comprehensive Plan is permitted with standards under a Type I procedure. In addition, only those development uses and activities permitted, permitted with review, or conditionally permitted in the underlying zone which are determined not to pre-empt the site's future use for dredged material disposal are allowed, subject to the policies and procedural requirements of the underlying zone.

Section 4.170. Removal of Priority I Dredged Material Disposal Site Designation.

- (1) After a Priority I dredged material disposal site has been filled to capacity and is no longer available for additional dredged material disposal, the dredged material disposal site designation shall be removed.
- (2) Removal of a Priority I dredged material disposal site designation before a site has been filled to capacity shall only be approved if:
 - (a) Provision is made for a replacement Priority I dredged material disposal site of suitable characteristics; or

- (b) The dredging need for which the Priority I site was initially designated for dredged material disposal is withdrawn or reevaluated.

Section 4.172. Priority II Dredged Material Disposal Sites. The purpose of Priority II dredged material disposal site designations is to identify disposal areas necessary to meet probable and projected dredging needs. These sites may be required in the future to provide disposal site volumes associated with long-range water-dependent development and navigational dredging needs. The importance of these sites, as compared with Priority I dredged material disposal sites, does not justify efforts to protect all or portions of each site from potential pre-emptive uses.

Section 4.174. Uses Allowed in Priority II Dredged Material Disposal Sites. Dredged material disposal at Priority II sites designated in the Comprehensive Plan is permitted with standards under a Type I procedure. In addition, development uses and activities permitted, permitted with review, or conditionally permitted in the underlying zone are allowed subject to the policies and procedural requirements of the zone. Allowable uses which will pre-empt use of the site for dredged material disposal shall be subject to the 30 day hold period indicated in Section 4.176.

Section 4.176. Site Reservation. When a valid development permit application is submitted for Planning Department or Planning Commission approval which entails use of a Priority II dredged material disposal site in a way which would be incompatible with or pre-empt use of the site for dredged material disposal, action on the application shall be suspended for 30 days from the date a complete application is filed. The period of suspension is to allow interested parties time to negotiate for use of the site as a dredged material disposal area. If negotiations are not completed within the 30 day period, the development application will be reviewed in accordance with normal procedures.

Incompatible and pre-emptive use of Priority I and Priority II dredged material disposal sites includes the following:

- (1) Uses requiring substantial structural or capital improvements (e.g., construction of permanent buildings);
- (2) Uses that require extensive alteration of the topography of the site, thereby reducing the potential usable volume of the dredged material disposal area (e.g., extensive site grading, elevation by placement of fill materials other than dredged spoils).
- (3) Uses that include changes made to the site that would prevent expeditious use of the site for dredged

material disposal. Such uses would delay deposition of dredged materials on the site beyond the period of time commonly required to obtain the necessary federal, state and local dredging and spoil disposal permits (approximately 90 days).

AMENDMENTS TO CLATSOP COUNTY COMPREHENSIVE PLAN - GOAL 16 AND 17 ELEMENTS

Regional Policies

(Note: New language is underlined, deleted language is bracketed []).

Amendments to Policy P20.5, Dredged Material Disposal Site Selection

- [2. Aquatic and shoreland disposal of dredged material shall be allowed only at approved sites identified in the Dredged Material Management Plan except if the disposal operation is part of an approved development project in an appropriate management unit designation or an approved flow-lane disposal operation in channel areas designated Aquatic Development.]
- 3,B,1, b) A freeze is placed on development requests for [90 to 180] 30 days on Priority II dredge material disposal sites, for the purpose of allowing affected government agencies or private interests to negotiate for the use of the property as a DMD site.

Amendment to Policy P20.6, Dredging and Dredged Material Disposal

- 1. Loss or disruption of significant estuarine fish and wildlife habitat and damage to essential properties of the estuarine resource shall be minimized by careful location, design and construction of: (1) facilities requiring dredging, (2) sites designated to receive the dredged material, and (3) dredging operation staging areas and equipment marshalling yards. Disposal of dredged material shall be at [an approved] sites where the biological productivity and physical characteristics are appropriate to receive the material. Dredged materials shall not be placed in productive habitat unless as an activity associated with an approved development project. Shoreland disposal should enhance or be compatible with the final use of the site area. Except for flow-lane disposal and beach nourishment, in-water disposal within the estuary may be substituted for ocean disposal only when [sea or weather conditions prohibit dredging vessels from using ocean disposal sites.] the use of ocean disposal sites in not feasible.

Dredged Material Disposal Plan

Site Identification

9a(S) (East Sand Island, Columbia River Mile 5.0, East Baker Bay)

Zoning

Conservation Shoreland

Priority

I

Project-Related Use

Maintenance dredging of Chinook Channel (primarily the northern portion of the channel) and the Port of Chinook Boat Basin. The site is reserved primarily for receiving fine grained sediment.

Dredging Requirement

The portion of Chinook Channel maintenance conducted by pipeline dredging requires removal of approximately 300,000 cubic yards of material on a 3 to 5 year cycle.

Expected 5-year pipeline dredging requirement of Chinook Channel: 300,000 cubic yards

Acreage/Capacity

18 acres

Approximate present elevation of site relative to surrounding land (January 1986): 15 feet

Approximate remaining capacity of site assuming a final elevation of 35 feet: 580,000 cubic yards.

Special Conditions on Use

Conditions on the use of site 9a(S) shall include, but shall not be limited to, the following:

- 1) The site shall be prepared with containment berms and drainage weir(s) adequate to contain the pipeline dredge discharge, allow for proper settling of dredged materials, and control effluent flow into the estuary.
- 2) The site shall not be expanded beyond its January 1986 boundaries as depicted on the Clatsop County Comprehensive Plan/Zoning Map.
- 3) The containment berm shall be constructed from material obtained from within the existing disposal site. This material shall be placed on top and/or inside of the existing berm surrounding the site. No material shall be placed beyond the outside toe of the existing berm.
- 4) Care shall be taken not to disturb the vegetation on the outside face of the existing berm.

Site Identification

100(B) (South shore of East Sand Island on the beach lying between two existing pile dikes, Columbia River Mile 5, East Baker Bay)

Zoning

Aquatic Conservation Two

Priority

I

Project-Related Use

Maintenance dredging of Chinook Channel (southern portion of channel only). The site is reserved for receiving coarse grained sediments only.

Dredging Requirement

The portion of Chinook Channel maintenance conducted by pipeline dredging requires removal of approximately 300,000 cubic yards of material on a 3 to 5 year cycle.

Expected 5-year pipeline dredging requirement of Chinook Channel: 300,000 cubic yards

Acreage/Capacity

Approximate beach length 4,100 feet

Approximate capacity assuming a average disposal depth of 10 feet and width of 300 feet: 450,000 cubic yards.

Special Conditions on Use

Conditions on the use of site 100(B) shall include, but shall not be limited to, the following:

- 1) Dredged material shall not be placed beyond the boundaries depicted on the Clatsop County Comprehensive Plan/Zoning Map.
- 2) The final elevation of the dredged materials shall not exceed the elevation at the top of the existing bankline at the site.
- 3) Dredged material disposal shall be undertaken as beach nourishment. In order to comply with this condition, the project sponsor shall demonstrate the following:
 - a) there is a present erosion problem at site 100(B).
 - b) specific actions will be taken by the project sponsor to ensure that the beach configuration is maintained once it is restored.
- 4) The project sponsor shall demonstrate that erosion of the dredged material from the beach nourishment site does not result in adverse siltation in areas of emergent vegetation or other intertidal or subtidal productive areas.

- 5) Dredged material shall be graded at a uniform slope and contoured to minimize juvenile fish stranding.
- 6) Dredged material disposal shall be timed so as not to interfere with commercial crabbing and gillnet fishing in the vicinity of the site.
- 7) The project sponsor shall consult with Fish and Wildlife management agencies to ensure that the disposal actions are timed to minimize impacts to juvenile salmonids, juvenile Dungeness Crab, and nesting gulls and Caspian terns.

Additional Comments

Beach nourishment actions involve placing fill in the aquatic area. Under Implementation Requirement 2 of Goal 16, filling in aquatic areas is allowed only:

- "a. If required for navigation or other water-dependent uses that require an estuarine location or if specifically allowed by the applicable management unit requirements of this goal; and
- b. if a need (i.e., a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
- c. if no feasible alternative upland locations exist; and
- d. if adverse impacts are minimized."

In order to designate beach nourishment site 100(B), it is necessary to demonstrate that disposal actions will conform to the four criteria above. Addressing these criteria for site designation purposes does not abrogate the requirement for the project sponsor to address these criteria for specific dredging projects.

Criterion a: Beach nourishment site 100(B) is required for maintenance dredging of Chinook Channel. The dredged material disposal site is therefore needed for navigation uses.

Criterion b: Chinook Channel is a federally-authorized navigation channel which provides access to a public port. Use of site 100(B) to maintain the channel therefore provides a substantial public benefit.

Criterion c: Upland dredged material disposal sites in the vicinity of Chinook Channel potentially suitable for pipeline disposal include CREST Plan sites designated as 8(S) and 9(S) and County Plan sites designated as 9a(S) and 5(S). The primary criteria which determine the feasibility of using these sites are distance from Chinook Channel and the sites' environmental suitability. The distances between Chinook Channel and the sites listed above are as follows: 9a(S) - 6,200 feet; 9(S) - 7,800 feet; 8(S) - 9,000 feet; and 5(S) - 16,000 feet. Use of site

5(S) would require a booster pump, resulting in an increased cost of approximately 40% to 50% over the other sites (approximately \$1,087,500 (1986 dollars) as compared with approximately \$750,000 (1986 dollars) for site 9a(S)). Use of site 5(S) as well as any other potential sites more distant from Chinook Channel is infeasible from an economic standpoint. Both sites 9(S) and 8(S) are partially covered by non-estuarine wetlands; therefore, they are unsuitable as disposal sites from an environmental standpoint.

Upland disposal at Site 9a(S) provides the only feasible alternative to using Site 100(B) for Chinook Channel maintenance. Site 9a(S) has the capacity to meet the expected 5-year pipeline dredging requirement in Chinook Channel; however, the site cannot meet disposal needs significantly beyond a 5-year period. In order to extend the useful life of site 9a(S), Chinook Channel pipeline disposal will be divided among two sites. Sediments that are unsuitable for in-water disposal (primarily the fine material from the northern half of Chinook Channel) will be placed at site 9a(S) while sediments suitable for in-water disposal (primarily the sandy material from the southern half of Chinook Channel) will be placed at site 100(B). Use of both sites for Chinook Channel pipeline maintenance dredging will meet the expected 15-year maintenance dredging needs.

Criterion d: Impact Assessment

I. Identification of Resources and Impacts

A. Aquatic Life Forms and Habitat: Site 100(B) encompasses a sandy beach and adjacent intertidal sand flat. The tides at the site exhibit an average range of 5.01 feet and an extreme range of 12.1 feet. Salinities range from 0.5 parts per thousand on strong ebb tides during high river discharge periods to 33 parts per thousand on flood tides during low river discharge periods. The site contains no marsh vegetation and most likely exhibits very low benthic diatom productivity. Benthic infauna include primarily a mixture of several species of marine worms (polychaetes) and the soft-shelled clam (*Macoma balthica*). Juvenile and adult Dungeness crab utilize the portion of the estuary in which the site is located. Crabs are taken commercially from deep water areas near site 100(B) from about December through May. Commercial crab fishing usually does not occur at the site itself. The principal marine fish occurring at and near site 100(B) include starry flounder, northern anchovy, Pacific staghorn sculpin, surf smelt, whitebait smelt, Pacific tomcod, and snake prickleback. Anadromous fishes that migrate past the site include American shad, eulachon, and the salmonids. Juvenile salmonids migrate downriver from March through August. Subyearling Chinook salmon, which migrate primarily in near-shore habitats, are the most abundant salmonid species at site 100(B).

during the migration period. The open water area near site 100(B) is fished by commercial salmon gillnetters primarily during March. Birds that utilize the site include gulls, Caspian terns, shorebirds, cormorants, and waterfowl species. Gulls and Caspian terns nest on East Sand Island (see shoreland resources below).

Dredged material disposal at site 100(B) would involve pumping sand material onto the beach and adjacent intertidal area. Benthic infauna would be buried at the site and may be smothered downriver from the site. Dungeness crabs would be buried and/or displaced by the dredge materials. The disposal actions will have little or no adverse effects on commercial crab or salmon fishing because of conditions placed on the timing of the use of the site (see Condition 6, above). Fish and bird species will be temporarily displaced during the disposal actions. Fish and wildlife management agencies will be consulted prior to disposal activities to ensure that the disposal is timed to minimize impacts to juvenile salmonids and nesting gulls and Caspian terns (see Condition 7, above).

B) Shoreland life forms and habitat: The major shoreland resources potentially affected by the disposal include nesting gulls and Caspian terns. The gull nesting colony is immediately north of site 100(B) while the tern colony is about 3,000 feet east of the site. Provided that the disposal activities do not occur during the nesting season (see Condition 7, above), disposal will not adversely impact gulls and terns. In fact, available nesting habitat will be increased by a disposal action.

C) Water Quality: The disposal operations will result in an increase in turbidity at the project site and adjacent areas. The turbidity increase is expected to be limited to the project duration. Erosion of the dredged materials subsequent to disposal can potentially have adverse effects in areas down-current from the site. The project sponsor will be required to demonstrate that adverse siltation effects will not occur and that actions will be taken to maintain the beach configuration after disposal (see conditions 3 and 4, above).

D) Hydraulic characteristics: The disposal action will cause a minor decrease in channel cross-sectional area in the lower estuary. The decrease is not expected to significantly affect circulation patterns or shoaling and erosion patterns in adjacent areas.

II. Impact Minimization and Mitigation

Project timing restrictions discussed above will minimize impacts to estuarine resources. Disposal actions at site

100(B) are exempt from the mitigation requirement for intertidal fill under Comprehensive Plan Policy P20.15, 8,(a). This policy exempts actions that do not require an Oregon State Removal and Fill permit.

III. Conclusion

Dredged material disposal at site 100(B), as conditioned in Special Conditions 1 through 7 above, does not represent a potential degradation or reduction of significant fish and wildlife habitats and essential properties of the estuarine resource.

Site Identification

D-Estuary (in-water site located at 46° 14' 19" N, 123° 57' 26" W, Columbia River Mile 7)

Zoning

Aquatic Development

Priority

I

Project Related Use

Area D provides for portions of Corps of Engineers disposal needs for maintenance of Desdemona Shoal, Flavel Shoal, Upper Sands Shoal, Tongue Point Crossing Shoal, Chinook Channel, Baker Bay West Channel, Skipanon Channel and the Columbia River Bar. Area D may also be used for non-federal dredging projects in the lower Columbia River.

Dredging Requirements

Disposal at Area D amounts to approximately 650,000 cubic yards per year for Corps of Engineers projects. An additional 100,000 cubic yards per year are allowable for other projects.

Acreage/Capacity

The site capacity has been set at approximately 650,000 cubic yards per year for Corps of Engineers projects and 100,000 cubic yards per year for other projects.

Special Conditions on Use

Conditions on the use of site D shall include, but shall not be limited to, the following:

- 1) Dredged material disposal at Area D shall be allowed for the following Corps dredging projects and sites: Flavel Shoal, Desdemona Shoal, Upper Sands Shoal, Tongue Point Crossing Shoal, Chinook Channel, Baker Bay West Channel, Skipanon Channel, and the Columbia River Bar. Non-federal projects proposed in estuarine locations between the mouth of the Columbia River and Tongue Point may also be eligible for disposal in Area D, provided they meet the policies and standards for estuarine in-water disposal.
- 2) Total disposal for Corps of Engineers projects at Area D shall not exceed 3,250,000 cubic yards over a 5 year period.
- 3) The Corps of Engineers has provided the following estimates of their Area D disposal needs for the projects and shoals listed in Condition #1.

Flavel Shoal	500,000 cubic yards per year
Desdemona, Upper Sands, and Tongue Point Crossing Shoals	30,000 cubic yards per year

Columbia River Bar	50,000 cubic yards per year
Skipanon, Chinook, and Baker Bay West Channels	65,000 cubic yards per year
Total Disposal	Approximately 650,000 cubic yards per year

All dredged material disposal at Area D shall be reported to the Clatsop County Department of Planning and Development. If annual disposal amounts significantly exceed those given above, the Corps of Engineers shall limit subsequent disposal operations at Area D to ensure that the 5-year disposal limit (3,250,000 cubic yards) is not exceeded.

- 4) Total annual disposal for non-federal projects shall not exceed 100,000 cubic yards.

Additional Comments

In designating Area D as a dredged material disposal site its zoning was changed from Aquatic Conservation Two to Aquatic Development. The following discussion provides justification for this zone change:

Within the Columbia River Estuary there are natural, conservation and development management units. Goal 16 specifies that within development management units areas shall be designated for navigation needs. The Goal further specifies that such areas shall include subtidal areas for in-water disposal of dredged material. Area D is a subtidal in-water dredged material disposal site needed for maintenance of federally authorized navigation channels and has been utilized by the Corps of Engineers on a continuous basis since approximately 1946. It is appropriate, therefore, that the site be designated development to reflect past and expected future usage.

Under the County Dredged Material Disposal Plan, conditions placed on use of the site will not allow disposal to increase significantly above current disposal rates (see Condition 3 above). Since the site has been chronically disturbed since 1946 and because future disposal will be controlled, the integrity of the estuarine ecosystem will not be affected by the change in zone designation.

Subarea Policies

(Note: New language is underlined, deleted language is bracketed [])

Amendments to Section 31, Lower River and Islands Plan

Subsection: Area Policies

4. Dredged Material Disposal at Area D and Tansy Point
 [The Area D and Tansy Point in-water dredged material disposal sites should be used only when weather and sea conditions render the use of disposal sites outside the Columbia River mouth hazardous.]
The use of Area D and Tansy Point in-water dredged material disposal sites shall be kept to an absolute minimum. In all cases, ocean disposal shall be substituted for the use of these sites whenever feasible. The use of Area D shall be carefully regulated by implementing cubic yardage limitations for dredged material disposal. These limitations shall be stipulated in the County's Dredged Material Disposal Plan.

The shoaling problems which result from dredged material disposal at Area D present an ongoing concern in the estuary. A large portion of the material deposited at the site moves upriver and is eventually redeposited in the navigation channel. A smaller portion of the Area D material moves into Baker Bay and is deposited. The Corps of Engineers should continue to examine alternative disposal sites and methods that would result in fewer adverse shoaling impacts. The use of Area D should be discontinued when feasible alternatives are found.

Amendments to Section P31.2, Baker Bay

Subsection: Issues and Findings

Use conflicts in this subarea include the impacts on aquatic and terrestrial habitat of dredging, dredged material disposal, and proposed black sands mining. The eastern portion of the small Sand Island has been inventoried as a nesting area for Caspian terns. This area has also been used as a disposal site for maintenance dredging of the Chinook Channel [;it is now filled to capacity.]...

Subsection: Subarea Policies

1. Channel realignments must be justified in terms of hydraulics, sand transport and impacts on maintenance dredging.

- [2. No more dredged material disposal should occur on the uplands of Little Sand Island. Beach nourishment is also discouraged, because the material may contribute to shoaling in Baker Bay.]
3. ...

Amendments to Section 31.3, Estuary Channels

Subsection: Issues and Findings

In-water disposal of dredged material is a major issue. Approximately 1.2 million cubic yards of dredged material are removed from this reach each year. Approximately 630,000 cubic yards of material (most originating from the river channels upstream from the estuary) are placed in the Harrington Point Sump by hopper dredge each year, and eventually placed by pipeline dredged on Rice Island (in the Estuary Sands subarea). [Between 700,000 and 1,000,000] Approximately 650,000 cubic yards of material is deposited in Area D annually [this total has been declining and may be much smaller in the future.] Use of the Tansy Point site is minor and irregular.

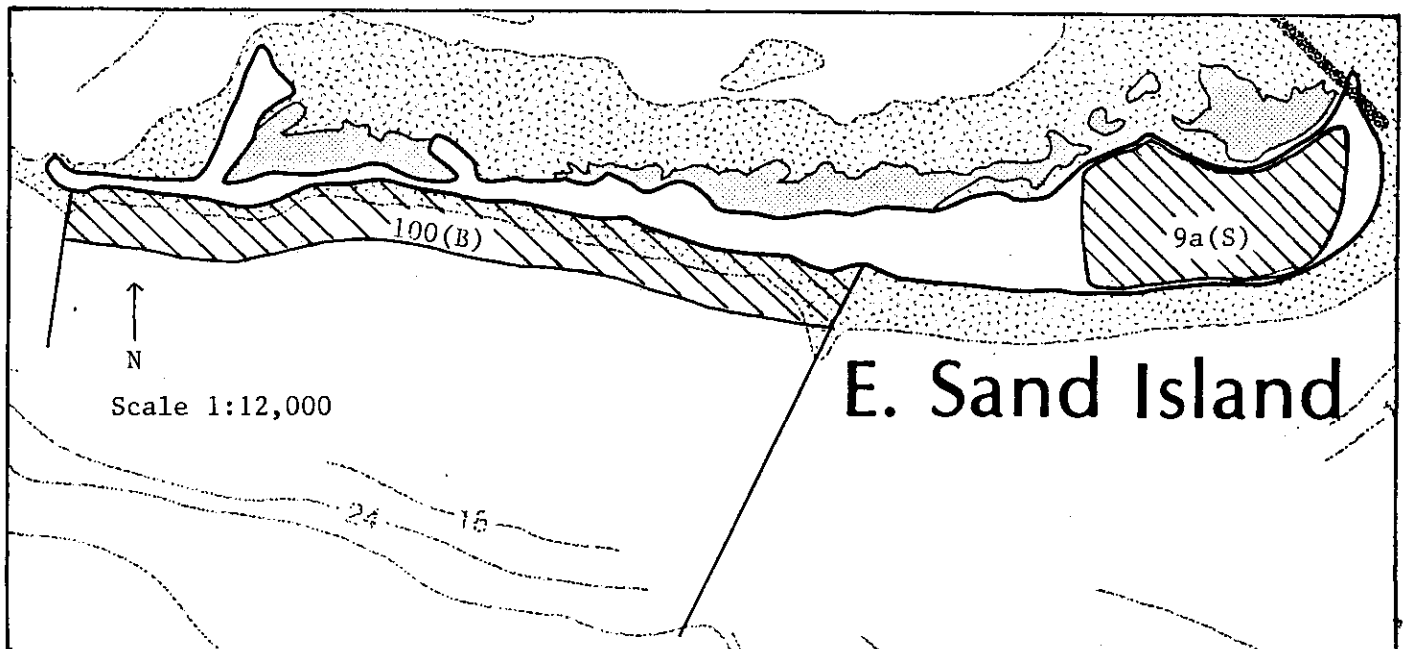
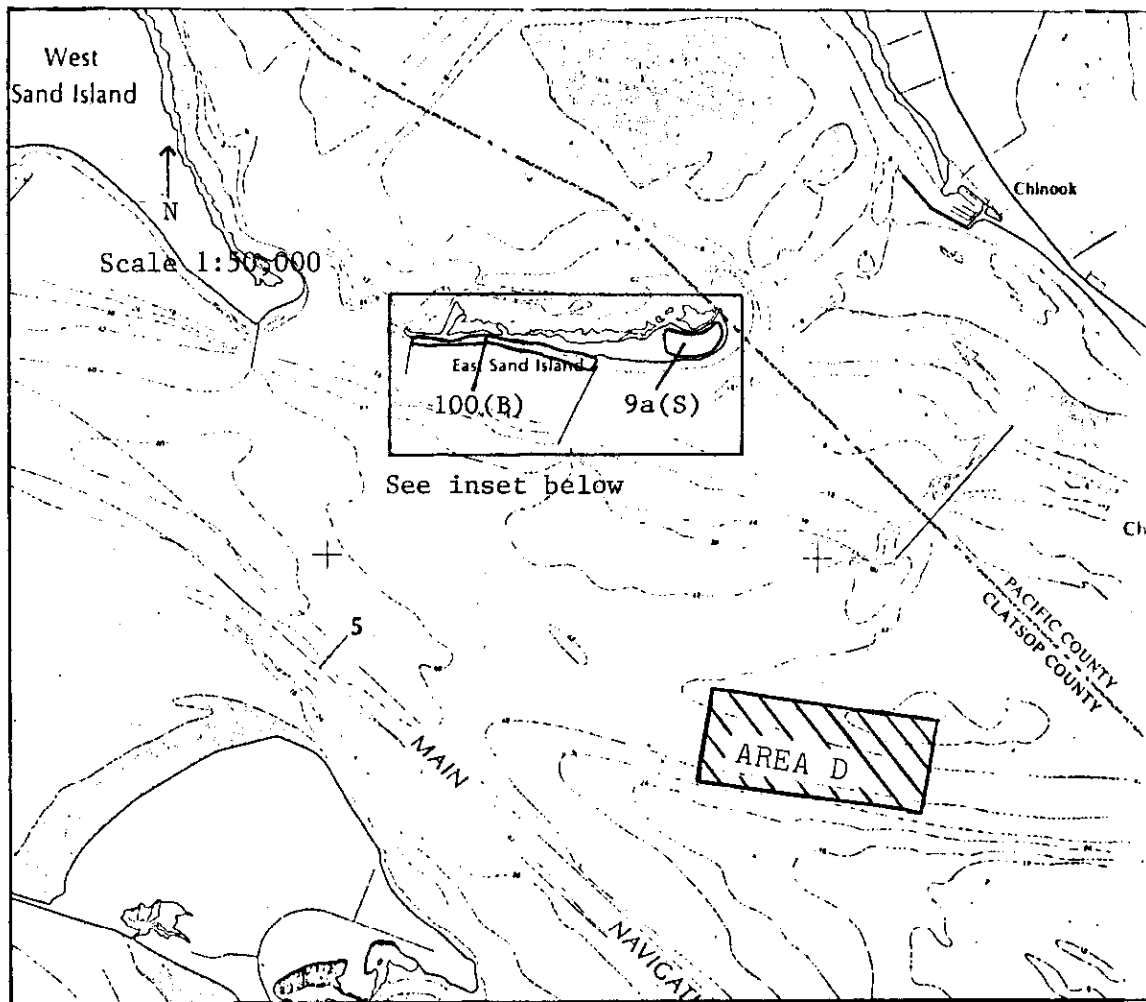
The overall filling trend in the estuary was discussed under Aquatic Features. The fate of the dredged material deposited in estuary disposal sites is a major concern. Much of the material may stay in the estuary reentering channels or building up shoals in bays and flats marginal to the channels. [Material placed in Area D, for example, may end up in Baker Bay, increasing the already severe shoaling and access channel maintenance problems there.]

Subsection: Subarea Policy

[The continued use of the Tansy Point site and Area D should occur (as per interagency agreement) only when weather and sea conditions render the use of disposal areas outside the mouth hazardous.] The use of Area D and Tansy Point in-water dredged material disposal sites shall be kept to an absolute minimum. In all cases, ocean disposal shall be substituted for the use of these sites whenever feasible. The use of Area D shall be carefully regulated by implementing cubic yardage limitations for dredged material disposal. These limitations shall be stipulated in the County's Dredged Material Disposal Plan. [New in-water sites in the estuary may be designated in the future and that the use of Area D and Tansy Point may be discontinued within the next few years.]

The shoaling problems which result from dredged material disposal at Area D present an ongoing concern in the estuary. A large portion of the material deposited at the site moves upriver and is eventually redeposited in the navigation channel. A smaller portion of the Area D material moves into

Baker Bay and is deposited. The Corps of Engineers should continue to examine alternative disposal sites and methods that would result in fewer adverse shoaling impacts. The use of Area D should be discontinued when feasible alternatives are found.



Amended portions of the Clatsop County Comprehensive Plan/Zoning Map depicting dredged material disposal sites D, 100(B), and 9a(S).