



A CHANCE TO COMMENT

NOTICE OF STATE RULEMAKING HEARING

LEADING TO THE ADOPTION OF THE NEHALEM BAY STATE PARK MASTER PLAN

The Oregon Parks and Recreation Department (OPRD) will hold a public hearing leading to the eventual adoption of a new master plan for Nehalem Bay State Park. This long-established park is located between the ocean shore and the Nehalem Bay estuary at the mouth of the Nehalem River, and abuts the Urban Growth Areas of Manzanita and Nehalem in Tillamook County. Public input on the draft master plan was gathered from an advisory committee and the general public during meetings and written comment periods held between February, 2007 and February, 2009. The Oregon State Parks Commission approved the content of the draft plan at their meeting on May 21, 2009. The most current draft of the master plan document dated June, 2009, includes changes that were made based on verbal and written comments received to date.

The rulemaking hearing that will lead to the eventual adoption of the master plan is scheduled as follows:

TIME:	July 22, 2009 6:00 PM	PLACE:	Nehalem Bay State Park 9500 Sandpiper Lane, Nehalem In the Meeting Hall (south of registration booth)
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PURPOSE OF THE HEARING: The hearing is being held to accept public testimony on the content of the master plan, June 2009 draft. The master plan is proposed for adoption as a state rule under Oregon Administrative Rule 736-018-0045. There will be no action to adopt the master plan at the hearing. A 30-day written comment period will follow the hearing, during which any additional written comments will be accepted on the content of the draft master plan.

STATUTORY AUTHORITY: ORS 390.124 authorizes the Oregon Parks and Recreation Commission to adopt rules to carry out the duties, functions and powers imposed by law upon the Commission and Department (OPRD). ORS 390.180 requires the OPRD director to adopt administrative rules that establish a master plan for each state park. Accordingly, state park master plans are adopted as state rules under OAR 736-018-0045.

PROPOSED RULE LANGUAGE: The proposed rule language under which the master plan will eventually be adopted is attached to this notice. Persons wishing to review the draft master plan may do so at the locations listed on the reverse side of this notice.

NEED FOR THE RULE: The master plan is needed to provide direction to OPRD on the development of park facilities and management of the park resources within the state park boundaries over the next 20 years. Current information on resource conditions and recreation needs has been used as a basis for formulating the master plan. The purpose of the proposed amendment to OAR 736-018-0045 is to adopt the master plan through the administrative rule process.

POTENTIAL IMPACTS OF THE RULE: Adoption of the master plan through the administrative rule process is not expected to result in additional costs to the public, OPRD, other agencies, businesses, or others. Neither the master plan nor the administrative rule amendment will impose additional fees, record keeping, permitting requirements, or other government processes. The master plan may be used as a basis for seeking funding for planned park development projects. However, neither the master plan nor the rule amendment will provide the funding for the planned projects. Therefore, no positive or negative fiscal or economic impacts are expected to result from this action.

ADVISORY COMMITTEE: An advisory committee has assisted OPRD in developing the draft master plan. Committee members were chosen to represent a broad spectrum of interests related to the park resources, outdoor recreation needs and opportunities, and the local community. The committee member affiliations include natural resource agencies and interest groups, outdoor recreation providers and interest groups, interested federal, state and local government agencies, confederated Tribes, and the park neighborhood. A complete roster of the committee members and their affiliations is included at the front of the draft master plan document.

WHERE TO REVIEW THE DRAFT MASTER PLAN:

OPRD web site: http://egov.oregon.gov/OPRD/PLANS/planning_nehalem.shtml

Local libraries:

- Tillamook County Library, 1716 Third Street, Tillamook, OR
- Manzanita Branch Library, 571 Laneda Ave., Manzanita, OR

OPRD Offices:

- OPRD Headquarters in Salem (see address below)
- Nehalem Bay State Park office, 9500 Sandpiper Lane, Nehalem.

If you need your own copy of the plan, you may request a printed or CD copy by contacting OPRD. See the contact information below.

HOW TO COMMENT: You may provide verbal testimony at the scheduled hearing and/or submit written comments by August 21, 2009, to:

Ron Campbell
Oregon Parks and Recreation Department
725 Summer Street N.E. Suite C
Salem, Oregon 97301-1271
ron.campbell@state.or.us

LAND USE COMPATIBILITY: Concurrent with the state rulemaking hearing process, OPRD will be consulting with Tillamook County planning officials to assure that the master plan content is compatible with the County's comprehensive plan, and to determine what land use permits will be required prior to development of the planned park projects.

NEXT STEPS: Comments received by August 21, 2009, will be compiled and presented to the OPRD Director for consideration in the Director's decision on the adoption of the master plan as a state rule. Notice of the date of adoption of the master plan will be announced in the Oregon Bulletin by the Secretary of State office. Printing of the final master plan document will occur once the master plan is adopted as a state administrative rule.

FOR MORE INFORMATION: Contact Ron Campbell, 503-986-0743 or ron.campbell@state.or.us

OAR Chapter 736 Division 18

Added language denoted by **bold and underline**.

Deleted language denoted by ~~striketrough~~.

736-018-0045

Adopted State Park Master Plan Documents

(1) The following state park master plan documents have been adopted and incorporated by reference into this division:

- (a) Fort Stevens State Park Master Plan, as amended in 2001;
- (b) Cape Lookout State Park;
- (c) Cape Kiwanda State Park, renamed as Cape Kiwanda State Natural Area;
- (d) Nestucca Spit State Park, renamed as Robert Straub State Park;
- (e) Jessie M. Honeyman Memorial State Park as amended in 2009;
- (f) Columbia Gorge Management Unit Master Plan, including: Rocky Butte State Scenic Corridor, Lewis and Clark State Recreation Site, Dabney State Recreation Area, Portland Womens' Forum State Scenic Viewpoint, Crown Point State Scenic Corridor, Guy W. Talbot State Park, George W. Joseph State Natural Area, Rooster Rock State Park, Shepperd's Dell State Natural Area, Bridal Veil Falls State Scenic Viewpoint, Dalton Point State Recreation Site, Benson State Recreation Area, Ainsworth State Park, McLoughlin State Natural Area, John B. Yeon State Scenic Corridor, Bonneville State Scenic Corridor, Sheridan State Scenic Corridor, Lang Forest State Scenic Corridor, Lindsey Creek State Scenic Corridor, Starvation Creek State Park, Viento State Park, Wygant State Natural Area, Vinzenz Lausman Memorial State Natural Area, Seneca Fouts Memorial State Natural Area, Koberg Beach State Recreation Site, Memaloose State Park, and Mayer State Park;
- (g) Molalla River State Park;
- (h) Champoeg State Park;
- (i) Willamette Mission State Park;
- (j) Cascadia State Park;

(k) Willamette River Middle Fork State Parks Master Plan, 2006, including: Elijah Bristow State Park; Jasper State Recreation Site; Pengra Access; Dexter State Recreation Site; Lowell State Recreation Site; and the parks that comprise the Fall Creek State Recreation Area, including Winberry Park, North Shore Park, Sky Camp, Cascara Campground, Fisherman's Point Group Camp, Free Meadow, Lakeside 1 and Lakeside 2;

(l) Cove Palisades State Park Master Plan, as amended in 2002;

(m) Silver Falls State Park Master Plan, as amended in 2009;

(n) Curry County State Parks Master Plan, including: Floras Lake State Park, renamed as Floras Lake State Natural Area; Cape Blanco State Park; Paradise Point Ocean Wayside, renamed as Paradise Point State Recreation Site; Port Orford Heads Wayside, renamed as Port Orford Heads State Park; Humbug Mountain State Park; Otter Point Wayside, renamed as Otter Point State Recreation Site; Cape Sebastian State Park, renamed as Cape Sebastian State Scenic Corridor; Otter Point Wayside; Port Orford Cedar Forest Wayside, renamed as Port Orford Cedar Forest State Scenic Corridor; and Buena Vista Ocean Wayside; Pistol River State Scenic Viewpoint; Samuel H. Boardman State Scenic Corridor; Harris Beach State Recreation Area; McVay State Recreation Site; Winchuck State Recreation Site; Crissey Field State Recreation Site; Alfred A. Loeb State Park;

(o) Hat Rock State Park Master Plan, renamed as Hat Rock State Recreation Area;

(p) Deschutes County State Parks, including: La Pine and Tumalo State Parks; Cline Falls, renamed as Cline Falls State Scenic Viewpoint; and Pilot Butte, renamed as Pilot Butte State Scenic Viewpoint;

(q) Sunset Bay District Parks, including: Umpqua Lighthouse State Park (this chapter was replaced by the Umpqua Lighthouse State Park Master Plan, 2004); William M. Tugman State Park; Yoakam Point State Park, renamed as Yoakum Point State Natural Site; Sunset Bay State Park; Shore Acres State Park; and Cape Arago State Park;

(r) Bullards Beach District Parks, including: Seven Devils State Wayside, renamed as Seven Devils State Recreation Site; Bullards Beach State Park; Bandon Ocean Wayside, renamed as Face Rock State Scenic Viewpoint; and Bandon State Park, renamed as Bandon State Natural Area;

(s) Tillamook County Coastal State Parks, including: Oswald West State Park; Nehalem Bay State Park (**this chapter was replaced by the Nehalem Bay State Park Master Plan, 2009**); Cape Meares State Park, renamed as Cape Meares State Scenic Viewpoint; Neahkanie-Manzanita State Wayside, renamed as Neahkanie-Manzanita State Recreation Site; Manhattan Beach State Wayside, renamed as Manhattan Beach State Recreation Site; Rockaway Beach State Wayside, renamed as Rockaway Beach State Recreation Site; Twin Rocks State Wayside, renamed as Twin Rocks State Natural Site; Oceanside Beach State Wayside, renamed as Oceanside Beach State Recreation Site; and Neskowin Beach State Wayside, renamed as Neskowin Beach State Recreation Site;

(t) Beverly Beach District Parks South, including: Boiler Bay State Park, renamed as Boiler Bay State Scenic Viewpoint; Rocky Creek State Wayside, renamed as Rocky Creek State Scenic Viewpoint; Otter Crest State Wayside, renamed as Otter Crest State Scenic Viewpoint; Devil's Punchbowl State Park, renamed as Devil's Punchbowl State Natural Area; Beverly Beach State Park; Agate Beach State Wayside, renamed as Agate Beach State Recreation Site; and Ellmaker State Park, renamed as Ellmaker State Wayside;

(u) Smith Rock State Park;

(v) Collier District Parks, including: Booth State Wayside, renamed as Booth State Scenic Corridor; Chandler State Wayside; Collier Memorial State Park; Goose Lake State Recreation Area; Jackson F. Kimball State Park, renamed as Jackson F. Kimball State Recreation Site; and Klamath Falls-Lakeview Forest Wayside, renamed as Klamath Falls-Lakeview Forest State Scenic Corridor;

(w) Banks-Vernonia State Park, renamed as Banks-Vernonia State Trail;

(x) Sumpter Valley Dredge State Park, renamed as Sumpter Valley Dredge State Heritage Area;

(y) Illinois River Forks State Park;

(z) Wallowa County State Parks Master Plan, 2000;

(aa) L.L. "Stub" Stewart Memorial State Park Master Plan, 2005;

(bb) Master Plan for Clay Myers State Natural Area at Whalen Island, 2003;

(cc) South Beach State Park Master Plan, 2003;

(dd) Prineville Reservoir Resource Management Plan/Master Plan, 2003;

(ee) Detroit Lake State Park Master Plan, 2002;

(ff) Umpqua Lighthouse State Park Master Plan, 2004;

(gg) Fort Yamhill State Heritage Area Master Plan, 2004;

(hh) Thompson's Mills State Heritage Site Master Plan, 2006;

(ii) Luckiamute State Natural Area Master Plan, 2009;

(jj) Iwetemlaykin State Heritage Site Master Plan, 2009;

(kk) Kam Wah Chung State Heritage Site Master Plan, 2009; ı

(ll) Nehalem Bay State Park Master Plan, 2009.

(2) The master plan documents which have been incorporated by reference into this division are available from the State Parks and Recreation Department, 725 Summer Street NE, Suite C, Salem OR 97301.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 390.180(1)(c)

Stats. Implemented: ORS 390.180(1)(c)

Hist.: PRD 9-1998, f. 7-29-98, cert. ef. 7-31-98; PRD 4-1999, f. & cert. ef. 5-14-99; PRD 9-2000, f. 6-14-00, cert. ef. 7-1-00; PRD 1-2001, f. & cert. ef. 2-1-01; PRD 5-2001, f. & cert. ef. 6-29-01; PRD 6-2001, f. & cert. ef. 9-6-01; PRD 3-2002, f. & cert. ef. 3-22-02; PRD 2-2003, f. & cert. ef. 2-27-03; PRD 3-2003, f. & cert. ef. 2-27-03; PRD 5-2003, f. & cert. ef. 7-8-03; PRD 9-2003, f. & cert. ef. 10-13-03; PRD 11-2003, f. & cert. ef. 11-7-03; PRD 7-2004, f. & cert. ef. 5-14-04; PRD 9-2004, f. & cert. ef. 6-14-04; PRD 1-2005, f. & cert. ef. 2-4-05; PRD 3-2005, f. & cert. ef. 5-4-05; PRD 4-2006, f. 7-14-06, cert. ef. 7-14-06; PRD 5-2006, f. 9-15-06, cert. ef. 10-1-06; PRD 1-2009, f. 1-15-09, cert. ef. 2-1-09