

Shaun W Robertson

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15 July 2013

Oregon State Parks & Recreation Commission through
Tim Wood, Director
Chris Havel, Communications and Research Division
Vanessa R DeMoe, Commission Assistant

VIA ELECTRONIC MAIL ONLY TO tim.wood@state.or.us, chris.havel@state.or.us, and
vanessa.demoe@state.or.us

RE: PUBLIC COMMENT – COMMISSION MEETING JULY 17, 2013; AGENDA ITEM 6(B)

Dear Commission Members:

My name is Shaun W. Robertson and I am writing to you today in opposition to the Oregon State Parks and Recreation Department's (OSPRD) proposed acquisition of the Grouse Mountain Ranch parcel (Property) as part of the OSPRD's proposed Bandon Dunes Exchange Proposal (Project). While I recognize that public ownership of important and significant properties are a valuable tool of the park system, the Property clearly does not meet the statutory criteria for acquisition. Furthermore, due to the superfluous infrastructure present on the Property, the acquisition is not cost effective and the public's money and interests would be better served elsewhere. For these and many other reasons that I would be willing to explain to the OSPRD Commission in detail given additional comment period, I am requesting that the Property be dropped from further consideration.

I am fourth generation from Grant County and have spent significant time on the Property since my grandparents were very close friends of the former Property owner. Currently, I am a natural resource consultant in John Day, with over 25 years experience in fish, wildlife, and watershed management in the John Day Basin and presently serve on the Board of Directors of the John Day Basin Trust, a local, nonprofit land trust composed of local landowners dedicated to the conservation of important lands and resources in the John Day basin. Based on my substantial natural resource management experience in the John Day basin, I am in disbelief that OSPRD purports that acquiring the Property complies with the statutory criteria for public acquisitions or provides an overwhelming public benefit. While the property is scenic and the current owner has completed numerous conservation projects (many with public assistance), there is nothing unique, remarkable or outstanding regarding the Property and, in fact, the Property is no different than any other adjoining or adjacent ranch in the area. The excessive construction and resource-impacting location of the current residence directly conflicts with the rules for acquiring property for the park system and the Property fails to add to or buffer an existing park, address an immediate opportunity that would be lost without acquisition, or fulfill any of the other conditions of OSPRD acquisition.

Frankly, there appears to be no other explanation for the proposed acquisition other than some type of relationship between the Property owner and either Bandon Biota or OSPRD, which relationship fails to

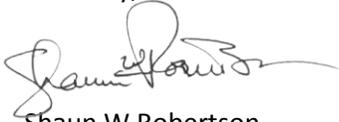
satisfy the conditions and criteria for acquisition. Although the other parts of this Project may remain viable, there can be no other reasonable outcome than for the Property to be dropped from further consideration.

So that I may better understand the Project, I am requesting information regarding the following topics:

- Disclosure of any relationship between the Property owner and Bandon Biota and any document(s) that evidences how the Grouse Mountain Property became involved in the proposed Project, including, but not limited to, correspondence between the OSPRD and the current Property owner.
- A copy of the rating system per OAR 736-019-0060(3) that evaluates the Property relative to the proposed Project.
- A copy of the written environmental review, if any, conducted by the Project proponent.
- Evidence that the OSPRD has, or intends to, inquire whether the local county and communities support the acquisition of the Property.

Please place these comments in the public record related to this Project and provide this correspondence to the other members of the Commission as part of their review of the Project. I would appreciate future notification of the Project to the extent that the Property remains in consideration.

Sincerely,



Shaun W Robertson

cc: Rep. Cliff Bentz
Sen. Ted Ferrioli
Judge Scott Meyers, Grant County
Sharon Rudi, OSPRD Commissioner
Brad Chalfant, OSPRD Commissioner
Grant County Lands Committee
Grant County Farm Bureau
Grant County Stockgrowers



County Court of Grant County
July 12, 2013

Mr. Tim Wood
Oregon Parks & Recreation Dept.
725 Summer St. NE, Suite C
Salem, OR 97301

Dear Mr. Wood & the Members of OPRD Commission,

The Grant County Court and the Grant County Assessor would like to formally object to the proposed addition of the "Grouse Mountain Ranch Parcels" in Grant County to the state park system.

Your staff report concludes that this exchange, transfer or purchase of this property would fulfill the terms of OAR 736-019-0070(4) where it states that the exchange needs to demonstrate an overwhelming public benefit to the OPRD system, its visitors and the citizens of Oregon. The Grant County Court which represents 7,450 citizens of Oregon strongly disputes this allegation for a variety of reasons:

1. There has been no opportunity for any local public comment on the proposed exchange.
2. When there are rural counties in Oregon that are on the precipice of financial insolvency this is a horrible precedent to county governments.
3. There has been no research done to ascertain the negative impact on county government, i.e. reducing tax revenues and the potential impact on local Law Enforcement.
4. The potential impact to private landowners that will have to at least augment a percentage of the fire protection rates.
5. The impact on a State government that arguably has significant budget problems and PERS liabilities.
6. There has been to date, no demonstration of significant ecological, geographic, cultural or scenic qualities that would indicate these parcels are exceptional.

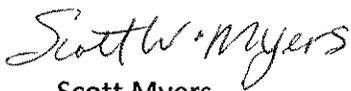
Mr. Wood, when the Bates State Park was originally conceptualized by members of the community and the Grant County Court in 2007/2008 it was presented to OPRD with overwhelming enthusiastic public support by the community. OPRD did a thorough public

hearing process and also did an exhaustive DEQ evaluation. It is our opinion that the formation of the Bates State Park was an example of the standard as defined in OAR 736-019-0070(4).

It is our contention that OPRD, its staff and Bandon Biota are attempting to circumvent this rule to benefit a private entity at the expense of the citizens of Grant County.

It would be the request of the Grant County Court and the Grant County Assessor that OPRD respects the tenets of transparency and governmental accountability by, at the very least, bring this proposal to the citizens of Grant County with the public hearing process.

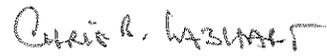
We, "the County Court" strongly feel that Grant County has a sufficient amount of public land within its borders (64%) without removing these parcels from private ownership. OPRD has failed in any substantive way to demonstrate the terms of OAR 736-019-0070(4) have been fulfilled.



Scott Myers
County Judge



Boyd Britton
County Commissioner



Chris Labhart
County Commissioner



Lane Burton
County Assessor

Chris Havel - Fwd: Fw: Bandon land exchange

From: OPRD Publiccomment
To: Chris Havel; Jim Morgan
Date: 7/11/2013 8:20 AM
Subject: Fwd: Fw: Bandon land exchange
CC: John Potter; Tim Wood

This came in to the public comment email. Forwarding for response and FYI. Thanks ~ Vanessa

>>> Phillip Nemrava <pnemrava@yahoo.com> 7/10/2013 6:06 PM >>>

----- Forwarded Message -----

From: Phillip Nemrava <pnemrava@yahoo.com>
To: "orpd.publiccomment@state.or.us" <orpd.publiccomment@state.or.us>
Sent: Wednesday, July 10, 2013 5:57 PM
Subject: Bandon land exchange

As long time Coos and Curry county residents we are concerned primarily with how beach access will or could be affected over time. We know that in the past Bandon Biota has expressed a desire to vacate the Whiskey Run Beach access road, and most probably still would like to do so? While we are not opposed to, or in favor of the actual golf course or land exchange, we are very suspicious of those who would have even considered closing such a popular and frequently used access as Whiskey Run Beach.

Does the State have safeguards in place that protect current beach access? Are there any deals buried in the fine print of this pending agreement that would effect current beach access anywhere?

A response would be greatly appreciated.

Thank You,

Phillip Nemrava, President

Coos and Curry Counties Kite Boarder and Surfer Association.
(541) 297-5991

Chris Havel - Fwd: State Parks Land Swap

From: Tim Wood
To: Havel, Chris
Date: 7/11/2013 11:57 AM
Subject: Fwd: State Parks Land Swap

>>> Alex Mitchell <mitchell.alexanderb@gmail.com> 7/11/2013 10:30 AM >>>
Hello Tim,

I saw an article in the Oregonian today about the proposed swap of a portion of coastal land near Bandon, for a piece of former ranch property in Grant County. I'm not sure how much citizen input via e-mail will sway your decision, but I thought I'd offer my opinion.

I'm generally familiar with that area of the coast... we vacation out there frequently... and I'm also familiar with much of central and eastern Oregon due to 4 years living in Klamath Falls and traipsing all over that part of the state.

As it's described in the article... I think this land swap is a good idea. It seems to be a cost-effective use of state resources and I think the public benefit is there. Central and eastern Oregon offers so many opportunities for beautiful parks in an otherwise sometimes (often?) mostly-neglected area of the state.

I know exactly what kind of old ranch bottom-lands you're proposing to acquire. Gorgeous pieces of land, in my opinion. The coastal areas are worth preserving too, but a medium-sized, ecologically-sensitive golf course seems like a fine use for an otherwise gorse-infested dune... especially if the actual ocean-view portion will be preserved for public access.

Again, as an Oregon resident, voter, fiscally-conservative taxpayer, and park-user, I support this land swap.

Sincerely,

Alex Mitchell
Newberg, OR

OPRD Publiccomment - Bandon Biota land deal

From: Chris Luecke <chris.luecke@gmail.com>
To: <OPRD.publiccomment@state.or.us>
Date: 7/13/2013 1:52 PM
Subject: Bandon Biota land deal

To: Parks and Recreation Commission
Re: Land swap deal with Bandon Biota

It seems like the Parks management personnel will have the best perspective on the value of this tradeoff. It looks like the Oregon Parks system will benefit from the exchange, payment of money, and gorse control to me. The area that would be lost does not get extensive use by the public now.

--

Chris Luecke
Lower Four Mile Lane
Bandon, Oregon



OREGON SHORES
CONSERVATION COALITION

July 15, 2013

Mr. Tim Wood, Oregon Parks and Recreation Department Director
Parks and Recreation Commission Assistant Vanessa R. DeMoe
Oregon State Parks and Recreation Commissioners
Oregon Parks and Recreation Department
725 Summer St. N.E. Suite C
Salem, OR, 97301

Re: Proposed Land Exchange with Bandon Biota

Dear Director Wood, Commission Assistant DeMoe, and Oregon State Parks and Recreation Commission,

Oregon Shores submits these comments regarding the Parks and Recreation Commission's consideration of a land exchange proposed by Bandon Biota for land in just south of Bandon, on the agenda for the Commission's July 16-17, 2013 meeting. These comments hereby incorporate by reference Oregon Shores' comments on the prior Bandon Biota exchange proposal, dated July 20, 2011. Oregon Shores is a private, non-profit organization with members in Coos County and statewide. Oregon Shores' mission is to protect and conserve the natural resources of the Oregon Coast, aid residents in preserving their communities, lands, and waters, and ensure the public's access to Oregon's beaches and natural areas.

Oregon Shores has grave concerns about the proposed exchange of land between

(cont.)

OPRD and Bandon Biota. We do not believe that a case has been made yet that the exchange would be of “overwhelming public benefit,” the standard to which all land exchanges involving state park land must be held according to OPRD’s own rules.¹ Nor do we believe that there has been a clear demonstration that the exchange “pencils out” even in purely financial terms relating to comparative value.

Oregon Shores strongly urges OPRD and the Parks and Recreation Commission to defer any decision until the situation has been more fully analyzed and the facts are known to the public. OPRD land acquisition policy requires that the Commission “conduct real estate transactions in an atmosphere of openness, honesty and integrity with sellers and the public”² Currently, significant components of the proposal have not been made available to the public. If the Commission renders its decision prior to disclosure of all relevant information, it will not be performing due diligence and risks giving away almost infinitely precious and rare shoreland acreage without receiving appropriate value in return. OPRD should make additional information about the exchange available to the public well in advance of taking any action on the proposal. Otherwise, the Commission will very definitely not have given the public sufficient time to learn the facts and engage in legitimate public debate.

OPRD land acquisition policy requires important analyses and information prior to any decision. Specifically, OPRD policy requires that the department rank and prioritize acquisitions by completing the “Park Acquisition Evaluation” for each property to determine its feasibility and suitability as a state park.³ OPRD must only acquire property that is “consistent with the department’s purpose and its long-range planning goals.”⁴ Staff has not yet disclosed the information or analysis that supports such a finding. In addition, the acquisition policy specifically requires that a proposal include adequate detail to evaluate the transaction for natural resource assessment, impacts and protection; cultural assessment, impacts and preservation; and overwhelming benefit to the park system.⁵ So far, very little information about the exchange, including the exact parcels proposed for inclusion in the transaction, or detail regarding the quality and condition of the ecosystem, habitat, and recreational values, has been disclosed. Oregon Shores requests that the department require the proponent to provide a written environmental review for all lands the department is to receive in the exchange, and make that review available to the public.⁶

For potential land transfers, OPRD establishes the value of the land by an up-to-date appraisal. OAR 736-019-0100(a). An exchange requires transfer land and/or assets of equal value. OAR 736-019-0020(5). Oregon Shores has some questions about the

¹ OAR 736-019-0070(3)(f)(C)

² OPRD Policy # PSP.010, Policy 2(c).

³ OPRD Policy # PSP.010, Policy 5(f).

⁴ *Id.* Policy 5(a).

⁵ *Id.* Policy 8(c).

⁶ OAR 736-019-0070(3)(e)

timeliness and accuracy of the appraisal submitted by Bandon Biota. OPRD Land Exchange criteria require that the appraisal submitted by Bandon Biota be independently verified, be up-to-date, and that it reflect the intended use, not simply the current or best use as identified by OPRD.

For a land exchange involving property of greater than \$250,000 value, OPRD conducts an independent valuation unless it determines that the outside party's land valuation meets OPRD guidelines. OAR 736-019-0100(b). According to the land appraisals submitted by Bandon Biota, the value of the OPRD land is \$910,000, while the value of the Bandon Biota land is \$1,020,000.⁷ OPRD can rely on the valuation provided by the seller if it meets OPRD appraisal criteria. OAR Land Acquisition Policy (Aug. 22, 2010). Has OPRD either independently verified this appraisal or determined that it meets the standards set out in OPRD's Policy for land exchanges, which includes requiring the appraisal be up-to-date and that it considers the property's intended use? OAR 736-019-0100(i)-(j). Has OPRD conducted an independent appraisal of the lands proposed for this exchange?

Under OPRD policy, "appraisals upon which offers are made shall be dated as close in time to the expected closing as possible, and not be older than one year." OAR 739-019-0100(i). The appraisal conducted for the preliminary Bandon Biota proposal, dated June 5, 2010, is already over three years old.⁸ A formal proposal by Bandon Biota would call for a revised appraisal to ensure it is up-to-date and in accordance with OPRD policy for appraisals. Does OPRD intend to have a more recent appraisal completed?

An appraisal must consider the "new, anticipated, or intended use" is that is different from the current or best use as identified by OPRD. The appraisal relied upon by Bandon Biota is based upon construction of a single-family dwelling.⁹ Oregon Shores questions whether an appraisal based upon this use is an accurate assessment of the value of the lands for OPRD's purposes. Is a single-family dwelling really the "highest and best use" of the land that is currently part of a State Natural Area and which Bandon Biota intends to convert to a golf course? Did the appraisal take Bandon's Biota's development plans for a 27-hole golf course on this land into consideration when determining the value of the OPRD land? Did the appraisal relied upon by Bandon Biota consider the value of the property's intended use?

In any case, for an exchange to meet the "overwhelming public benefit" standard, the Commission must account for the natural, scenic, cultural, historic, recreational, and operational benefits that are likely to be above and beyond the monetary value of the exchange.¹⁰ If the Parks and Recreation Commission makes available the actual values involved in the proposed exchange, allows the information to be fully and independently

⁷ Bandon Biota Proposal (Aug. 19, 2010).

⁸ Bandon Biota land Exchange Proposal, 28 (Aug. 19, 2010).

⁹ *Id.* at 28.

¹⁰ OAR 736-019-0020(8)

analyzed, and then gives the public sufficient time (months, not weeks) to fully respond, Oregon Shores would not at this time take a categorical position in opposition to the proposal, but would instead consider the full range of potential benefits and impacts, monetary and otherwise. However, if the decision were to be made at this time, the only responsible decision is to reject the proposal, both because it is by no means certain that the exchange would meet even the strictly technical criteria, and because the public has not had a legitimate opportunity to learn the relevant facts and then formulate responses.

The following factors and concerns should guide OPRD's consideration of the proposal and the Parks and Recreation Commission's deliberations.

1. The Bandon-area properties which Bandon Biota proposes to exchange in return for the 280-acre parcel of the Bandon State Natural Area are unquestionably valuable from an ecological point of view. However, their value in calculating the benefits of the proposed exchange depends on whether their resource values would be lost unless they came into public hands. If they are not effectively developable, then acquiring them would have little public benefit. Oregon Shores members familiar with land use in the Bandon area contend that little is actually being gained in this exchange, because the properties to be traded won't be developed in any case. This is the crux of the matter, in terms of determining the financial balance of the exchange and thus the "overwhelming public benefit." No decision should be made until this question has been thoroughly vetted by independent experts.
2. Coastal shorelands in public hands are scarce and of extremely high value—even those currently overgrown with gorse. Land located in eastern Oregon should have absolutely no place in an exchange that would involve loss of coastal lands. The "Grouse Mountain" parcel has zero value in determining the public benefit in this situation. OPRD is responsible for conserving the resource values of public lands, not simply for providing recreational playgrounds; the lands in eastern Oregon, however conveniently situated for park development, do not constitute a scarce resource, and would not in any way compensate for the loss of coastal shorelands. OPRD has a special responsibility for maintaining the legacy of Sam Boardman, the agency's founder, who considered coastal lands and access to them the linchpin of the state park system. The eastern Oregon property must be left out of the equation.
3. The property proposed for purchase at Whale Cove is indeed coastal, and highly valuable to the public. However, before its value is considered in weighing the public benefit of this exchange, OPRD must clearly answer whether the funds offered by Bandon Biota are in any way essential to this purchase. If the company's financial contribution simply facilitates a transaction that would happen anyway, ultimately having the role of simply freeing up funds that will later be spent on some other property lower on the priority list, this too should be left entirely out of the equation.
4. There has been great emphasis on the fact that the 280 acres to be surrendered by OPRD is covered with gorse and currently of low habitat or public access value. The

long-term future of this land must be considered in weighing the public benefit. If it were doomed to remain perpetually degraded by invasive species, then indeed its value would be relatively low. But if restoration is possible at a reasonable cost, or if in fact there are plans to conduct such restoration, then the value of this land must be considered in terms of the natural habitat and desirable open space it can become. The Commission has the authority to sell, lease, or exchange of real property if in the opinion of the department it is no longer needed, required or useful for department purposes.¹¹ The framework for this proposal does not demonstrate or explain why the BSNA parcel is “no longer needed, required or useful” for the state parks system.

5. There must be a careful and thorough analysis of the potential impact of the proposed golf course on what would then be the adjacent lands of the remaining Bandon State Natural Area. Would there be direct access by golfers and other visitors on the public land in what would otherwise be a remote area? Would there be potential impacts on current or potential snowy plover nesting areas, or on other species of concern? Would there be light or noise pollution? Would chemical pollution (herbicide or other) be a possible threat to the public lands? Would irrigation of the golf course affect the water table, or water flows affecting public lands?

Golf courses have potentially negative impacts on the surrounding area, including impacts to groundwater and wildlife habitat, and pollution issues. Visitors to the golf course will likely want to visit the beaches and headlands and this could be disastrous for the endemic and sensitive wildlife species. Garbage and waste associated with the large development will inevitably lead to an increase in opportunistic species, such as raccoons, which will just as inevitably move onto the BSNA, imperiling a host of nesting seabirds. The golf course may also allow invasive species to proliferate, endangering fragile endemic plants in the area. Crows, raccoons, and opossums, which are known to interfere with seabird populations, will have increased access and will likely become nuisance animals. Increased activity by visitors could also interfere with wildlife activity on the natural area.

The Bandon Dunes Golf Course requires the treatment of domestic sewage and production of Class B recycled water. Since 2002, they have been issued four Notices of Non-Compliance with their water permit issued by DEQ.¹² This history raises questions about whether this area and the adjacent park area will be properly protected. Oregon Shores requests that the Commission conduct a careful review of the ecosystem impacts of the proposed trade.

OPRD must determine the impact to natural resources from any proposed exchange. The proposal submitted by Bandon Biota acknowledges the threat posed to the Western Snowy Plover from predatory species and human activity.¹³ The result of the

¹¹ ORS 390.121(3).

¹² See DEQ Proposed Renewal of WPCF Permit for Bandon Dunes L.P. (May 7, 2010).

¹³ Bandon Biota Land Exchange Proposal, 24 (Aug. 19, 2010).

proposed development would be increased human traffic in the surrounding area. An increase in human activity can also lead to an increase in scavenger species, such as skunks, raccoons, and foxes, all of which pose a threat to the snowy plover. Both of these factors have the potential to harm snowy plover habitat and pose threats to the species survival. OPRD has invested a great deal of time and expense in developing and participating in a recovery plan for the Snowy Plover; the Commission must take great care to assure that this effort not be jeopardized before giving consideration to the proposed exchange.

While the Bandon Biota proposal discusses potential impacts to the Snowy Plover, it fails to provide information on the impacts on other wildlife and plant species in the area, including the Beach Sagewort. What measures would OPRD envision as part of any trade to ensure protection of wildlife habitat and sensitive plant species on the BSNA? These should be clearly set forth for public consideration in advance of a public comment period.

6. The long-term effects of losing the 280-acre parcel must be considered. With sea level rise and increasing storm surges, much higher rates of coastal erosion are anticipated in coming decades. Is there a possibility or likelihood that the public shoreline in this area will be eroded back, such that the parcel in question might acquire increasing value as it becomes more immediately adjacent to the beach? Might this parcel eventually be needed to allow the shoreline to move back and still remain public? Moreover, there is a very high probability of a major tectonic earthquake on the south coast in the relatively near future (decades). The result of such tectonic quakes is that the land drops relative to sea level, typically by three feet or more. This kind of alteration of the shoreline might well cause the portion of the BSNA under consideration for the trade to become more valuable. Conversely, a tsunami, an earthquake, predicted sea level rise and increased storm surges may all cause the land Bandon Biota proposes to trade to become less valuable, and very possibly leave it underwater. The Commission should weigh the long-term values of the parcels in question in light of the risks posed by predictable natural hazards.

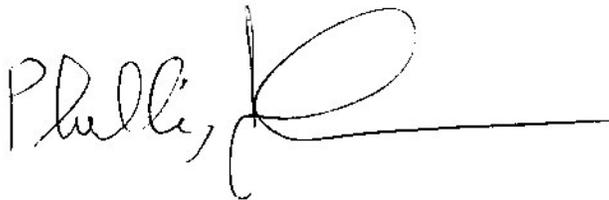
7. The intended use for the state lands sought in the exchange is relevant only in terms of how it might impact adjacent public land. The fact that the announced plan is to develop a golf course is not relevant in terms of regarding this as “recreation” and thus somehow beneficial in terms of OPRD’s mission. There is no certainty that the property would remain in this use. The area has a superabundance of golf courses, so it can scarcely be said that this use would meet some compelling public need. Beyond stating this obvious fact, Oregon Shores isn’t taking a position on golf—the point here is that the Parks and Recreation Commission should not take this use into account either, whether favorably or otherwise. The only relevant consideration is that the land would pass from public control and become available for private development. (As noted above, the intended use can be relevant in terms of assessing the ultimate monetary value of the land to be traded, but that is a different issue.)

8. Oregon Shores has long held the principle that public lands, and especially state parks, should have buffer zones—that rather than allow development right up to their boundaries, so that the public land in effect becomes an amenity for the private development, at the expense of solitude, scenic vistas and habitat values to the public, these lands should be shielded by buffer zones required of adjoining property owners who wish to develop. OPRD is to consider whether acquiring a parcel will provide “a buffer from private development that may diminish the recreation or conservation values of a state park parcel” in evaluating an exchange.¹⁴ In this case, the Commission is being asked to approve a land exchange that would move in the opposite direction, removing the effective buffer created by the little-used land in the 280-acre parcel. If the proposed development by Bandon Biota is allowed to occupy the entire parcel sought in the exchange, then the public shoreland area remaining would have no buffer. If the exchange is to be considered, OPRD and the Parks and Recreation Commission should very carefully examine the possibility of requiring a buffer zone—on Bandon Biota land—between the developed area and the Bandon State Natural Area.

Conclusion

Oregon Shores appreciates the opportunity to comment on this proposal, and looks forward to the opportunity to review more details about the land exchange. Oregon Shores remains willing to consider whether the proposed exchange will be of overwhelming net benefit to the parks system and the public. However, the public has not yet been provided with the information that will make this judgment possible. We state in the strongest possible terms that this matter is not yet ripe for decision, and that if a decision is made now it must be to reject the proposal. Oregon Shores asks that the Commission consider the evaluation criteria carefully and take appropriate measures to ensure that OPRD’s policies are carried out to the fullest extent in considering this proposed land exchange.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip Johnson", with a long horizontal line extending to the right.

Phillip Johnson
Executive Director
Oregon Shores Conservation Coalition

¹⁴ OAR 736-019-0060(2)(c)

NATIONAL COAST TRAIL ASSOCIATION

PO Box 11045 – Portland, OR / www.CoastTrails.org / 503-335-3876

“Keeping the Coast for Everyone”
through advocacy, education and action
for public access, trails and coastal preservation

July 14, 2013

Oregon State Parks Commission
725 Summer Street NE, Suite C
Salem, Oregon 97301

The purpose of this letter is to **provide the *Oregon State Parks Commission* with our comments** on the **proposed exchange with *Bandon Biota*** regarding an exchange of real property and funds for 280 acres of the *Bandon State Natural Area*.

Given that . . .

- Our organization's mission is "**Keeping the Coast for Everyone**" through advocacy, education and action **for public access, trails and coastal preservation.**
- The mission of the ***Oregon Parks and Recreation Department*** is to **provide and protect outstanding natural, scenic, cultural, historic and recreational sites for the enjoyment and education of present and future generations.**
- And, our organization's global ends policy includes developing . . . **a continuous and well-maintained coastal trail system . . . with protected natural and cultural resources . . . to serve the public . . .**

. . . we **believe our comments are consistent both with our mission, and also that of the *Oregon Parks and Recreation Department***, plus some of the ends we are both working to achieve along the Oregon coast.

The development of the Oregon State Park system, especially along the Oregon coast, has been the result of growing its land base over many decades, through acquisition and donation, thereby not only providing for present but also for future generations. The **pro-active long-term vision of past park directors, like Sam Boardman, and Oregon State Park Commissioners has made all the difference** in making Oregon State Parks what they are today, and what they will be in the future.

The value of the Oregon State Park system, especially along the Oregon coast, not only relative to tourism in contributing to the state and local economy, but also in providing recreational opportunities and quality of life benefits, is significant. Another value of the state park system is in **protecting wildlife habitat and natural open space.** The **protection of existing lands within the Oregon State Park system**, preserving what's already there, as was recently done by the ***Commission*** relative to the *Floras Lake State Natural Area* proposal in Curry County, **is vital in continuing to realize these values.**

Given that . . .

- **Preserving the upland scenic viewshed along recreational trails** is an important component in creating a quality recreational experience for hikers.
- **Protecting and restoring habitat along recreational trails** is an important management approach in enhancing opportunities for wildlife viewing for hikers.

- **Expected continued and significant sea level rise during the 21st-century** combined with resulting **higher storm surges and shoreline erosion** events, plus the geological potential for a **major tsunami event** with resulting **damaging impacts to foredune areas**, could mean the **loss of land** directly parallel to and further inland thereby potentially shrinking the existing land base and wildlife habitat of *Bandon State Natural Area*.
- **Loss of the 280-acre parcel would preclude the use of the land for any future potential state park** purposes to use the land for public recreational purposes such as primitive or other types of campsites with their related facilities.
- **Past donations of land to the state park system have been made**, as in the case of a gift of 367 acres of land in 1950 by Borax Consolidated, Ltd of London, now a part of the *Samuel H. Boardman State Scenic Corridor* along the south coast.
- **And the apparent fact that “. . . Admittedly, he (Mike Keiser) could build Muni (the proposed 27-hole golf course) on the land he (already) owns, and it could be 'pretty good' . . .”**
(Source: *Golf Traveler Insider* website article/interview re: Bandon Muni by Matt Ginella, May 13, 2013)

Therefore, we specifically . . .

- **Seek the continued preservation and protection of the *Bandon State Natural Area* land base as it currently exists.**
- **And encourage *Bandon Biota*, instead of an exchange of the coastal lands they own, to make a lasting contribution to the public by simply donating both the 111-acre oceanfront and the 97-acre Bullard's Beach Spit parcels, thereby growing the Oregon State Parks system for future generations.**

Finally, given the former response by the *Oregon State Parks Commission* to the initial proposal of *Bandon Biota*, regarding an exchange of coastal lands for coastal lands, **the past decision apparently meant the original proposal did not meet the criteria of providing an "overwhelming public benefit to the state park system."**

A more general question which might be asked by the *Commission* relative to the current proposal -- and the apparent precedent-setting decision that would result -- is "Does the Commission agree to an "exchange of state park land" when money is also offered to fund another state park project, whether on the coast or elsewhere?"

What's seems to be complicating this proposal for the *Commission* is that it goes beyond the simple exchange of land – which was the apparent specific intent being addressed by their existing policy of "overwhelming public benefit" – since in this case it also involves the additional offer of significant money for other state park projects.

How the Commission interprets their existing policy statement relative to the current proposal and situation will make all the difference, not only to this 280-acre parcel, but potentially and more importantly to the future of the Oregon State Park system itself . . . and generations to come.

Thank you for your consideration, respectfully,



Al LePage, *Executive Director*

cc: Board of Directors, *National Coast Trail Association*

Oregon State Parks & Recreation Commission
725 Summer St. N.E., Suite C
Salem, OR 97301

RE: PUBLIC COMMENT – COMMISSION MEETING JULY 17, 2013; AGENDA ITEM 6(B)
RELATING TO GROUSE MOUNTAIN RANCH ACQUISITION PROPOSAL

July 16, 2013

Dear Commissioners,

I am the State Representative for District 60, which includes Grant County. The proposed acquisition, by the State of Oregon or any non-profit, non-taxpaying entity, of the Grouse Mountain Ranch, if consummated and if not appropriately structured, would cause further economic damage to Grant County. Not only would it have a substantial negative impact upon real property tax and fire suppression revenues, it would also further reduce the economic stability of the County.

Of course, this negative impact could be at least partially offset if an appropriate management plan is in place. Such a management plan would have to include use of the property that at least maintains or improves economic activity and allows use of the property for other economically beneficial actions. Additionally, the loss of real property taxes would somehow have to be addressed. Unfortunately, there has not been a public hearing which would allow local residents to understand the proposed future use of the multi-thousand acre parcel.

The failure of timber policy and the refusal of the federal authorities to allow activity on federal forest and BLM lands (which comprise approximately 70% of the County) has pushed the small rural communities in the County to the brink of fiscal ruin. This proposed acquisition, by a public non-taxpaying entity (State Parks), would only accelerate this economically disastrous process.

On behalf of my constituents in Grant County, I urge you to hold a hearing in Grant County so that local residents concerns can be heard. Absent such a hearing, I urge you to oppose the suggested land exchange.

The standard which applies (strong benefit for all of Oregon) is certainly not met by any part of this proposal.

Again, I urge you to vote NO. Thank you for your service and for your consideration.

Very truly yours,

Representative Cliff Bentz
House District 60

July 14, 2013

Oregon Parks and Recreation Commission
Oregon Parks and Recreation Dept.
Attn: Chris Havel
725 Summer St. NE
Salem, OR 97301
Email: chris.havel@state.or.us
tim.wood@state.or.us

Dear Chris Havel and OPRD Commission

As a landowner in Grant County, I would like to weigh in on the recently-discovered “proposed land swap”. I am adamantly opposed to privately-owned property being taken out of the tax base. Counties like Grant County, that had relied on timber dollars just a few short years ago are struggling to survive because of those tax dollars disappearing. They do not need to have their situation made worse by taking land off the tax rolls.

I am dismayed by the fact two State officials would ask our county judge to keep a matter like this “under his hat”. I think these 2 state officials’ jobs should be at stake, speaking as a long term taxpayer in the State of Oregon. It is our way of life that is being affected...and our tax dollars that are being used.

Respectfully,

Shannon Rust

Oregon Parks and Recreation Dept.
Attn: Chris Havel
725 Summer St. NE
Salem, Oregon 97301

July 10, 2013

Dear Mr. Havel,

I am writing to voice my opinion and concerns on the proposed land exchange with Bandon Biota, in Grant County Oregon. I am a taxpayer and land owner in this county and am also a neighbor to the property being discussed. Our County cannot stand to have any more property taken from our tax roles. We are nearing destitution now, because of the lack of employment and the ongoing waste of our taxpayer dollars, by our State and Federal government. I don't feel like any form of government needs to own more land, when in reality they are not good stewards of the land they have.

During these tough economic times we need to tighten our belts and direct our efforts to the basic things that are needed to provide us with good fire protection, schools, medical facilities, police protection etc. We are having a difficult time in this county just providing adequate services in all of these departments, without adding another park that will take more tax payer dollars to develop. I thought the state was supposed to be broke. If so, how do we propose to do this? I also don't believe that this park would have an "overwhelming benefit to the public." The property was homesteaded in the 1800's and developed to be productive, working agriculture land. We need to remember that these properties raise the food to feed the people of this great state and nation. Please keep that in mind.

Thank you for hearing me out and I truly hope and pray that you will take my concerns to heart and really hear them. I am not the only one in this county that is concerned about this issue.

I would appreciate a response to my letter regarding the decision made on this issue.
Thank you.

Sincerely,



Mary Ellen Brooks
P.O. Box 487
Mt. Vernon, Oregon 97865
541-932-4540

PO BOX 488
Long Creek, OR 97856
July 14, 2013

Oregon Parks and Recreation Commission
Oregon Parks and Recreation Dept.
Attn: Chris Havel
725 Summer St. NE
Salem, OR 97301
Email: chris.havel@state.or.us
tim.wood@state.or.us

Commission Members

I am a lifetime resident of Grant County, Oregon, and a taxpayer in the county since March of 1966. I am extremely opposed to a land exchange program which was recently brought to my attention. It is my contention that the land in Grant County being considered for exchange has no unique benefits. It will not be an essential part of the Oregon parks division.

Grant County is suffering loss of jobs and population because of the loss of the timber industry in the area. One remaining industry that is still viable is the grazing of livestock. Taking land out of production is not a benefit to Grant County or the state. The reduction in taxes by removing the property from taxation both for county taxes, and fire patrol for Oregon Department of Forestry is definitely not in the best interests of this county.

It is my understanding that this land exchange has been in the making for some six months, and that the Grant County Judge when approached to discuss this land exchange was told by two state agency employees that he was to keep it secret. This goes against all public policy, and is an affront to the residents of the county.

In closing, I once again state this is not an acceptable transaction for the citizens of the county

Respectfully submitted

Sharon E. Livingston
541-421-5276

Chris Havel - Bandon State Natural Area - do not trade it away

From: Margaret Stephens <mlstep@msn.com>
To: "chris.havel@state.or.us" <chris.havel@state.or.us>
Date: 7/16/2013 4:57 PM
Subject: Bandon State Natural Area - do not trade it away

Greetings:

I am writing to urge that OPRD not accept the proposed land exchange that would give Bandon Biota 280 acres of Bandon State Natural Area.

I fail to see how carving away a natural area for another golf course in this area is in the "overwhelming" public benefit. What I see is publicly owned natural areas in a prime site being given to benefit a privately owned business. (Yes, I do understand there would be other lands acquired in this land exchange; however, I do NOT think this is the way to obtain these lands and I question the value received by the Oregon public in this proposed exchange.)

OPRD should continue to obtain land that benefits the public good. OPRD should not trade away any part of this important ecosystem.

I treasure my visits to BSNA. It, and the ecosystem there, needs to be protected and expanded, not diminished.

Sincerely,

Margaret Stephens
Salem, OR 97301

July 10, 2013

Oregon Parks and Recreation Department
ATTN: Chris Havel
725 Sumer St. NE
Salem, Oregon 97301

Dear Chris Havel and OPRD Commission:

It is with great concern that I address the draft agenda item 6b, Proposed Exchange with Bandon Biota. As a resident of Bandon and lifetime Oregonian, I do not believe this land trade meets the "overwhelming public benefit" criteria for various reasons.

First of all, the Bandon State Natural Area is a very unique piece of property and irreplaceable. I find it amazing OPRD is considering trading a portion of this property to a "for profit" private entity whose goal is development. This is a highly sensitive area which needs to be protected and maintained for "public benefit". That is why the State of Oregon acquired so many properties along the Oregon Coast years ago. When these original coast acquisitions took place, many of those original landowners actually did not want the "State" to "take" their lands. How can the State justify trading them to a private entity when the State determined years ago that they were so unique, sensitive, and essential for "public benefit"?

Last time Bandon Biota proposed acquisition of this property, OPRD did not approve the land trade. I understand it was because it did not meet the "overwhelming public benefit" criteria. Now that Bandon Biota has sweetened the pot, it is before you again. I find it amazing that according to The World article dated 7/9/2013, Mr. Keiser "does not have enough land to build another golf course or they wouldn't have approached the parks four years ago." Do you know how much land Mr. Keiser currently owns south of Bandon, west of Hiway 101? If not, you need to find out from the Coos County Assessor's office. How much land does it take to build a golf course or is it going to be another "destination" resort? How many golf courses are currently in Bandon? How many can this small community support and is there really a "public need"? Do you really think this development benefits the local community and people of Oregon? How much water will this development require? What will its impact have on those water rights for agriculture use and what will the impact be on water needed for fish habitat? It only takes looking at Klamath to realize currently the importance of "water" in the State of Oregon. What impact will this development have on the fish and wildlife in the Bandon State Natural Area? What will the impact of this development have on the already existing agriculture/timber community south of Bandon? Isn't land planning supposed to protect our natural resource land base from this type of development? Is this type of development compatible next to a "state natural area" and productive natural resource land?

I am adamantly opposed to the conditions of the trade which incorporates the purchase and addition to the "state park system" the 6,100 acre Grouse Mountain Ranch. This property is natural resource land and therefore should be protected under SB100 for ranching/timber and continued private ownership. Our counties are facing financial difficulties and need these lands paying property taxes, providing jobs, and contributing to the local economy rather than going off the tax rolls when it transfers to the State. The cost for management of such a "park" will be extensive adding another cost to us taxpayers of

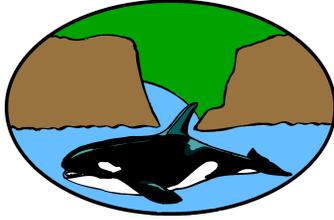
Oregon. Have you considered the real cost to Oregonians should this acquisition become a reality? Have you considered the impact of this acquisition to the natural resource community in Grant County?

Gorse control is something the State of Oregon should have been doing on their lands all along as well as other weed management. Putting \$300,000 into gorse control will do nothing to actually control the gorse unless OPRD has a pro-active gorse management plan in place and a budget each year to maintain control over this invasive. Whether or not you know anything about gorse, you must realize the seeds can lie dormant in the ground for 30+ years. Do you intend to treat these "state natural areas" with herbicides to manage the gorse? How are you going to dispose of these plants? These are huge concerns for us who live in Coos County as this invasive species continues to be spread due to lack of understanding and education of those who do not live in this area.

If your interest is truly "overwhelming public benefit", then you must realize that even though this proposal looks good on paper, the people of Oregon will be losing part of a very sensitive, irreplaceable natural area that every person can now enjoy! The Grouse Mountain Ranch is just another removal of private land into public ownership. There is a cost to Grant County as well as tremendous cost to operate and maintain such a park to Oregon and its taxpayers. Therefore, there is no overwhelming public benefit to this land transaction and it is in the best interest of all Oregonians and the State that the Bandon State Natural Area stays in State ownership and Grouse Mountain Ranch stays in private ownership.

Sincerely,

Sharon Waterman
87518 Davis Creek Lane
Bandon, Oregon 9741



ORCA: Oregon Coast Alliance

P.O. Box 857, Astoria OR 97103

(503) 391-0210

<http://www.oregoncoastalliance.org>

Protecting the Oregon Coast

July 12, 2013

Tim Wood, Director
Members, Oregon Parks and Recreation Commission
Oregon Parks and Recreation Dept.
725 Summer St. NE, Suite C
Salem, OR 97301

Dear Commission Members and Director Wood,

Oregon Coast Alliance is a non-profit organization whose mission is to protect the Oregon coast by working with coastal residents for sustainable communities; protection and restoration of coastal natural resources; and providing education and advocacy on land use issues.

ORCA writes this letter concerning the proposed Bandon Biota-OPRD exchange on behalf of its members and supporters in Coos County and elsewhere who cherish the Oregon coast. Oregon Coast Alliance has very serious reservations about this exchange proposal, and strongly questions whether it weighs out in the balance as providing an overall benefit to Oregonians and the State Parks system. We are in favor of OPRD's independent acquisition of Whale Cove and Grouse Mountain Ranch when monies become available, presuming those properties continue to meet OPRD's acquisition criteria.

Background

This proposed exchange is similar to that initiated by Bandon Biota in 2010 and 2011, with the addition of monies offered by Bandon Biota to purchase a small but important parcel in Whale Cove, and the large Grouse Mountain Ranch in Grant County. Bandon Biota or associated Bandon Dunes companies proposes to build a golf course, nicknamed 'Bandon Muni,' on the BSNA exchange land.

As before, this exchange falls under the category of "Exchanges Initiated by Other Parties" in the Oregon Administrative Rules that govern OPRD. OAR 736-019-0070(3) states that in such exchange proposals, OPRD will among other things:

- Determine whether the exchange aligns with the Department’s mission, strategies, objectives and work plan.
- Inquire whether the local county and local communities support the exchange.
- Determine whether the exchange will accommodate public use and access, and be in the best interests of the Department.

OAR 736-019-0070 (4) directs the Commission to “determine that the proposed exchange provides an overwhelming public benefit to the Oregon State Park system, its visitors, and the citizens of Oregon...which is resounding, clear and obvious.” Clearly, this proposal is one which will require careful consideration by the Commission because it is large, complex, and involves a great deal of money and land.

Getting the “Overwhelming Benefit” Rule Off to a Good Start

To the best of ORCA’s knowledge, this exchange is the first time the Overwhelming Benefit rule has been applied “on the ground,” so to speak. Even if it has been applied elsewhere, this is certainly the biggest test it has faced.

If this exchange is approved, the Commission will be setting a precedent for this Rule that ORCA considers to be dangerous and ill-advised: that it is appropriate to sacrifice one Park for another (or several others). In other words, this exchange paves the way for a policy of robbing Peter to pay Paul. This zero-sum game approach to maintaining and expanding the Parks system is not the way to move ahead. It would be preferable to enlarge the Parks system by collaboration and fundraising to purchase those lands needed for the Parks system, rather than enriching a private business by whittling one Park down to provide the means for others. The “Oregon way” is for parties to a problem or need to join forces, cooperate and find solutions that do not harm one party at the expense of another.

Benefiting the Park System, Visitors and Citizens of Oregon

The Commission must balance the opportunities pro and con in this exchange, and that is a statewide task. But ORCA reminds the Commission that Oregonians cherish the coastal Parks very highly; they are among the most frequently visited in the state. Thus balancing the benefits to all Oregonians must include an analysis of the costs and benefits to coastal Parks. Does this exchange benefit the *coastal* Parks system? ORCA has serious reservations about that.

Michael Keiser/Bandon Dunes already has sufficient land to build a golf course to the east of BSNA *without* the 280 acres of exchange lands, according to a May 13, 2013 *Golf Travel Insider* article (attached to this testimony). The proposed ‘Bandon Muni’ golf course would be “pretty good” without the BSNA lands; but with the exchange lands the course would be “superlative.” This is not an adequate exchange of opportunities for the coast, nor sufficient reason to whittle away 280 acres of BSNA. The State of Oregon should not be in the business of giving its lands to improve the configuration of a proposed private amenity.

BSNA was granted to the State of Oregon by the U.S. Department of the Interior in 1968 “for parks purposes only,” as the deed language states. The Bureau of Land Management did not give this land to Oregon for parks purposes merely until it was better in the State’s eyes to trade it and allow a private golf course development. Indeed, if OPRD decides to trade a portion of it so that a golf course can be built there, BLM will require OPRD to purchase the reversionary clause in the deed at 100% of Fair Market Value, as current BLM policy requires.

Determining FMV for the reversionary clause is something OPRD must take into account for this exchange, as BSNA is highly valuable in ways not easily quantifiable, for solitude, ecosystem integrity, aesthetics, and similar values. The BSNA lands should be granted a similar per-acre value as the useable acreage at other similar sites, such as the proposed exchange parcel at New River.

BSNA has been managed primarily for its natural values since at least 1968, if not before – forty-five years or more. There are good reasons for this. It has unique botanical resources, especially including the critically endangered Beach Sagewort, which has a Natural Heritage State Rank of S1 “because it is considered to be critically imperiled because of extreme rarity...” As such, it has very high value in a consideration of maintaining species diversity in Oregon.

BSNA is also home to the Federally listed Snowy Plover, and is part of the Habitat Restoration area for the plover. This is in part because the area, which receives low-impact human use, has fewer Plover predators of the sort that increase with higher-impact use and human-generated garbage, such as foxes and crows. BSNA is one of the few areas that offers a sanctuary for this imperiled species, and the State has long managed the land to encourage this.

BSNA was classified by OPRD as a “State Natural Area” in the 1990s. The primary purpose of an SNA is “to protect outstanding, or important portions of Oregon’s ecosystems for continued public education, and/or for contributing to larger ecosystem health.” Such areas are managed primarily for natural values, and public recreation is encouraged in a natural, undisturbed setting with fairly minimal infrastructure. As OPRD describes it in the agency’s classification system documents, “A state natural area is a single large parcel, or a collection of nearby smaller parcels.” BSNA is clearly the first of these, a single large parcel managed as required under this classification, for “maintaining long term resource quality. Management will be directed to providing resource stabilization and enhancement...”

Other Benefit Considerations, Including the Gorse Problem

Though OPRD is not in the business of weighing economic benefits of a proposed Park exchange, the Commission must nevertheless consider the situation in Bandon as part of the “overwhelming benefit” to Park visitors and Oregon citizens. The Bandon area

currently has at least five Bandon Dunes golf courses, as well as other private courses. Opportunities for solitary recreation and undisturbed ecosystem are increasingly rare, while golf courses are increasingly common. This is true for visitors as well as residents. If private businesses construct golf courses and/or other amenities on their own land, that is not a matter of state policy; but maintaining the integrity of existing, large parks with strong ecosystem and recreational values is a very important state concern.

Last but not least, we must mention gorse. It is unfortunately true that BSNA suffers from gorse invasion; but this is not a unique problem. Many acres of south coast land, whether State Park, Federal and private, are strangled in this noxious weed, BSNA not more so than other areas. OPRD is implementing a gorse management plan on the fourteen infested coastal State Parks, and BSNA is receiving treatment. OPRD has spent \$67,000 on gorse control at BSNA since 2011, and no doubt will spend more, as gorse control requires continuous and longterm strategies to be effective. Gorse does compromise the natural values of BSNA, of course; but the solution is to methodically expand and succeed in a gorse control management plan, which Parks is doing.

Summary

In sum, Oregon Coast Alliance asks the Commission to think very seriously before approving a land exchange that sets the State on the path of sacrificing one Park for another as a means of expanding the Parks system when the opportunity presents itself, and enriching a private business in the process. OPRD has an important mandate to protect existing Parks and expand the system in ways that do not rob Peter to pay Paul, and ORCA hopes the Commission will take these major problems into account before making any decision to approve this very questionable exchange.

Thank you very much for the opportunity to testify in this matter.

Sincerely,

/s/ Cameron La Follette

Cameron La Follette
Land Use Director

[Golf Travel Insider](http://www.golfchannel.com) (www.golfchannel.com)

Fate of Bandon Muni may be decided this week; Cabot Cliffs update

- By [Matt Ginella](#)
- May 13, 2013 2:09 PM ET

What's the status of Bandon Muni?

“It's no better than 50/50 that this will happen,” says Mike Keiser, owner of Bandon Dunes, the five-course resort on the Southwest Coast of Oregon.

Keiser's admittedly frustrated. He has land, money, a vision for a lasting legacy that would continue to positively impact the locals and the local economy, and yet he's having a hard time giving it away. He has been trying to negotiate a land swap with the Oregon State Parks Department for four years. He's set to meet again on Wednesday, May 15, where he says he will make his final offer.



The proposed site of Bandon Muni, which would be home to a 27-hole course designed by Gil Hanse.

Keiser covets a 250-acre gorse-choked piece of coastal dunesland (pictured above) that's 15 miles south of Bandon Dunes Resort. The No. 1 golf destination in the U.S., as voted by [Golf Digest](#), consists of five courses and 85 holes. In exchange, and in his best estimation, Keiser is offering usable parkland worth four of his dollars for every one of theirs.

So what's the problem?

"There's a cultural divide," says Keiser. "Not to cast aspersions, but they're afraid."

Keiser says state park departments aren't in the business of trading land, especially rare coastal land, and he assumes they're suspicious of his intentions. In a [recent article in the Register-Guard](#), a local newspaper, writer Ron Bellamy told a story of environmental concerns, such as frogs, turtles and birds.

Keiser has always said Bandon Muni would be his philanthropic offering to a community that has afforded him the opportunity to build his dream of links golf in America. Bandon Muni would create another 80 jobs, and cater to Oregonians and locals with affordable green fees and an extensive junior caddie program.

"I see it as a \$15-million gift to Coos and Curry County golfers and juniors who don't even know they miss golf," says Keiser.

If he can't get the deal done on Wednesday, he says he'll move on. "The resort will be just fine, thank you."

If he can get the deal done, Gil Hanse, who's building the Olympic Course in Rio, will be the architect. "If it doesn't work, Gil will be just as disappointed," says Keiser, who hasn't spoken to Hanse in six months. "I've been laying low. There's nothing new to report."

Going back to 1999, with the modest opening of Bandon Dunes and a 50-room lodge, Keiser began the foundation of what has become a mecca for avid amateur golfers, with four of the top 25 public courses in the country. In doing so, he has created roughly 1,500 jobs and rescued the tenuous timber industry of Coos Bay. Not to mention the millions of dollars in donations for a local medical facility, schools, the environment and the 60-plus caddies who have gone on to earn Evans Scholarships, which consists of full college tuition to the University Oregon or Oregon State.

"I wish I had better news to report," says Keiser. "Previously, it seemed we were moving forward." Admittedly, he could build Muni on the land he owns, and it could be "pretty good," but if he could turn Hanse loose on a site like the one he wants, "it would be superlative."

Keiser hasn't become Keiser by building 'pretty good.'

Bandon's 'Punchbowl' seeded



Punchbowl at Bandon Dunes Resort

Keiser also told me they've started seeding 'Punchbowl,' the 150,000 square-foot putting course (pictured above), designed by Tom Doak and Jim Urbina. Keiser anticipates a soft opening in September and then, due to the newness of the turf, closing it again in October until the spring of 2014.

I asked Keiser if he was afraid something like the Punchbowl, which will most likely be free and a lot of fun for the competitive types with sore feet and tight hamstrings, would steal business from his other five courses on property. "I don't fear it," says Keiser. "If people are willing to get here, I believe the more things we can present, the better. And I mean it."

To prove it, Keiser says he's also considering a second par-3 course, which would be located in the dunes south of the second hole at Bandon Trails. There's no name or specific timetable for this one, and he hasn't decided on an architect yet, but don't be surprised if it's David McLay Kidd, who built the original 18 holes at Bandon Dunes.

Keiser hasn't considered Kidd for another one of his courses until recently, after they bumped into each other twice in the past six months. Once at the grand opening of [Streamsong Resort in Florida](#), where Keiser says Kidd admitted that in some of his recent designs, he built courses too difficult for what Keiser likes to refer to as "the retail golfer."

Golf.com (blogs.golf.com)

May 16, 2013

New Bandon Muni? Bring It On!

Posted at 1:23 PM by [Joe Passov](#) | Categories: [Bandon Dunes](#)



The 14th hole at Old MacDonald at the Bandon Dunes resort (Courtesy of Bandon Dunes).

The news from coastal Oregon on Wednesday was encouraging. Bandon Dunes domo Mike Keiser met with the governor of Oregon and the Oregon State Parks Department to discuss the fate of a new course he has planned, tentatively called Bandon Muni Golf Links. “There’s no official announcement at this time,” says Bandon Dunes spokesman B.R. Koehnemann, but sources indicate that the meeting resulted in a preliminary agreement for a land swap to take place that will allow for the creation of the 27-hole course. To that, I say, “Bring it on!”

From Day 1 in the spring of 1999, passionate course connoisseurs flocked to Bandon Dunes Golf Resort, the greatest “must-play” public-course mecca ever built in the United States. So significant was its impact that in 2004, Golf Magazine named it No. 34 of the 45 Greatest Golf Moments of the past 45 years. Since then, Keiser has only enhanced the product, exponentially. Naturally, environmentalists from a fistful of factions have raised stop signs -- or at least caution flags -- but if there’s one guy to trust to get things right on the Oregon coast, it’s Keiser.

The plan Keiser has in mind is to create a St. Andrews-style muni operation; while his would be privately owned, it would be operated to benefit locals especially, as is the case with how the St. Andrews Links Trust administers its golf offerings. To that end, Keiser acquired several coastal parcels roughly 15 minutes south of Bandon Dunes and hired golf’s hottest architect, Gil Hanse, to craft 27 holes. That plan has been in place for at least two, perhaps even three years, and Hanse has completed several preliminary routings. However, Keiser has had his eye on some virtually untouched State Park land, replete with massive dunes, scrubby vegetation and magnificent ocean views that would turn his good golf course into a potentially outstanding one. He proposed a land swap with the state government, but his proposal had stalled -- or at least had been idling for many months. Optimism on Keiser’s part had clearly faded -- until now.

The age-old issue of land tampering now rears its head. Do we really need more golf in Bandon? Is it worth it to intrude on such a pristine piece of property? For the state or Oregon to part with such a parcel, there has to be an “overwhelming public benefit,” says a state parks spokesman. Keiser makes a compelling case. He’s asking for a small slice of an otherwise inaccessible plot that’s covered with gorse and other invasive plant species. In exchange he would give up land of equal or greater value, plus cash. He would offer state residents substantial discounts and invite locals from Coos and Curry Counties to play for nominal, even miniscule rates. Juniors would play free of charge and a caddie program will be established to provide jobs for young people.

So long as the bulk of the duneland is maintained in its natural state, this sounds like an “overwhelming public benefit” to me. Thinking that Keiser has kept every promise in keeping Bandon Dunes sustainable and that Gil Hanse embodies the lay-of-the-land, don’t-fight-with-nature-but-rather-work-with-it-kind of architect, the Bandon Muni project seems like a certain home run. There remain many hurdles to overcome, but for now, I’m excited to place Bandon Muni on the front burner.

July 14, 2013

Oregon Parks and Recreation Dept.
Attn: Chris Havel
725 Summer St. NE
Salem, OR 97301

Re: Grouse Mt. Land Acquisition, Bandon Dunes Land Exchange

Dear Sirs,

The Grant County Stockgrowers (GCSG) is comprised of over 70 ranching families and local businesses in Grant County, Oregon and we are strongly opposed to the above referenced land acquisition within *our* county that has nothing to do with the Bandon Dunes Land Exchange in Coos County, other than as a puzzle piece in a big money business deal for Michael Keiser's personal gain. We are extremely shocked and disappointed with the secretive nature with which the dealings on the Grouse Mt. acquisition has proceeded within our county and with our elected officials as well as the supposed public servants of the OPRD. We feel we still do not have all the pertinent information regarding this proposal. Of the 6,400 acres owned by Mr. & Mrs. George Meridith, 6,100 acres is the proposed acreage for acquisition by the OPRD. What is proposed for the other 300 acres and the multi-million dollar house that is not accounted for in this proposal? Will the state parks take over the Meredith's' existing "maintenance" burden and create for them their own personal residential "state" park?

The Stockgrowers are concerned with taking private land out of production which also decreases the taxpaying land base in this county. Timber production, livestock production, hay production are necessary for private landowners to pay their taxes and assessments, all of which provides jobs and turns dollars over many times in our local economy. Recreation helps but rarely can generate enough income or provide the jobs that agricultural production does. Taking additional private land out of our tax base increases the tax burden on agricultural landowners who are already being pressured with increased input costs such as feed, fuel, equipment and labor. Fire assessments add to the tax burden of owning private lands which will be spread amongst fewer and fewer private landowners whenever these acquisitions occur. The Grouse Mt. property currently pays approximately \$24,000 in farm deferral taxes, \$14,000 on the house alone. In 10 years, that is a loss of ~\$240,000. Who will support our county services; our schools, our hospital, emergency services, our library, etcetera?

All the benefits: "The property will provide significant natural resources, recreational, cultural and scenic value to the park system" already exist in private ownership. Why does the government need another park in a county that is over 70% public lands? Why does the government want more land? The Oregon government is experiencing cuts to agency funding yet these type of proposals continue to overwhelm the already overburdened taxpayers with the associated costs to acquire, operate (staff) and maintain the excess properties in a time when the State government can't even fund the operation and

maintenance of existing properties. The State can expect annual maintenance costs associated with these 6,100 acres of land which includes existing noxious weed problems that rival the gorse problem on Bandon State Natural Area. Who do you think will end up paying those bills? In short, the acquisition of this property does NOT provide an overwhelming public benefit to the ...citizens of Oregon per OPRD land acquisition and exchange policy **OAR 736-019-0070**.

Although the Grant County Stockgrowers Association is in support of private landowners rights to manage and dispose of their property as they feel necessary, our organization is not in support of the continued expansion of government acquisitions that essentially takes private property off our tax rolls and erodes the ability for our county government to support needed services. ***We are opposed to any acquisition or trade that takes one acre off the tax rolls and out of production.***

Sincerely,

Jack Johns
President, Grant County Stockgrowers

Cc Rep. Greg Walden
Sen. Ron Wyden
Sen. Jeff Merkley
State Rep. Cliff Bentz
State Sen. Ted Ferrioli
OCA President Curtis Martin
Blue Mt. Eagle newspaper