

PROTECTING OREGON'S STATE PARKS



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Oregonians love our state parks and it shows: Oregon's 361 state parks are among the most visited in the nation and the Oregon Parks & Recreation Department (ORPD) has served a dizzying 43 million customers, most often related to campground and day use park services.

The ORPD's mission is
“to provide and protect outstanding natural, scenic, cultural, historic and recreational sites for the enjoyment and education of present and future generations.”

Anyone who has enjoyed a day in Oregon's parks—whether examining tide pools at Cape Arago, boating at Cove Palisades, picnicking at Oswald West, or surprising a group of bighorn sheep during a hike at Lake Owyhee—knows the magic of Oregon's parks, and likely supports their protection and preservation.

In 2014, the Oregon state park system became tobacco-free, as the result of an Executive Order requiring all state agencies to implement tobacco-free policies. Community members pushed for expansion of the tobacco-free parks rules to include Oregon's 362 miles of public beaches. Results were mixed, but Oregon's quest for tobacco-free parks and beaches demonstrates how nimbly a comprehensive tobacco control program can be mobilized in response to an emerging policy issue.

THE TRAIL LEADING TO TOBACCO-FREE STATE PARKS

In August 2012, Governor Kitzhaber signed Executive Order 12-13, which required most State agencies in Oregon to implement a tobacco-free properties policy. A majority of agencies moved their campuses to tobacco-free in 2013, and one year post-implementation, State human resources leaders reported that staff and visitor compliance with the new policy was high.

The Executive Order gave State agencies with more complicated implementation issues—like parks—more time to put their policies in place. Specifically, the Order encouraged

the Oregon Parks & Recreation Commission, the body that guides the ORPD, *“to adopt policies by December 31, 2014 that limit or restrict the use of tobacco products at state parks and recreation areas to address wellness issues, and to reduce the risk of forest fires.”* ORPD staff had longstanding concerns about cigarette butt litter in state parks, so there was already strong internal support for addressing the issue when the Executive Order went into place.

about cigarette butt litter, secondhand smoke, and negative effects on flora and fauna. Two representative citizen comments submitted in favor of the policy in public testimony included:

“I have practically stopped camping in the state parks that I love because I am sick of breathing secondhand smoke.”

“I am thrilled at the prospect of the no smoking ordinance in the State Parks. Folks go to the parks for an outdoor experience, with all the wonderful accompanying smells. Someone smoking on the trail spoils that for everyone.”



PROPOSED RULE CHANGES & COMMUNITY INVOLVEMENT

Oregon Parks & Recreation determined that they couldn't implement a smokefree policy without administrative rules changes: this moved the issue from the executive branch into a public process. ORPD began soliciting citizen feedback about the proposed policy through a series of public hearings and opportunities to submit written public testimony.

ORPD received more than 125 mailed and emailed public comments. About 40% of the comments were from citizens who opposed to the proposed smokefree state parks policy. Those in opposition felt the rule violated personal rights and/or was *“silly”* and *“unenforceable.”* Some expressed more general concerns about Oregon becoming a *“nanny state”* with *“too many damn rules.”* However, close to 60% were in favor of the proposed ban, citing concerns



MOBILIZING THE STATEWIDE TPEP INFRASTRUCTURE TO EXPAND RULE CHANGES TO OCEAN SHORES & BEACHES

Concurrent to the public comment period on smokefree parks, Smokefree Oregon was running a statewide prevention campaign featuring ads addressing the environmental damage caused by cigarette butts. The message resonated with Gus Gates, a Florence native and employee of Surfrider Foundation, an organization whose mission is *“the protection and enjoyment of oceans, waves and beaches through a powerful activist network.”* Gates knew from years of doing beach clean-ups that cigarette butts were the number one littered item on Oregon beaches, an issue of huge concern to him and other Surfrider members because of their toxicity to the marine ecosystem, wildlife, and pets.

The ad motivated Gates to investigate the smokefreeoregon.org website, where he learned about the proposed smokefree parks policy. He contacted the state TPEP to find out whether the proposed policy would cover ocean beaches,



PARKS ADOPT SMOKEFREE RULES; BEACHES DEFER RULEMAKING

and was dismayed to learn that it wouldn't. Gates strongly believed that beaches should be included:

“It makes sense to adopt rule making and promote smokefree beaches because our beaches are arguably our greatest natural assets.... For a lot of people who really enjoy spending time on the beach, secondhand smoking is a significant degradation of our recreational enjoyment...Cigarette butts consistently are the number one item we find in our beach, highway and river cleanups...they make up 35% of the debris that's consistently out there and that's a big concern.”

Guided by State TPEP, Gates contacted the local TPEPs to offer Surfrider's assistance in moving a smokefree beaches policy forward. Several local TPEPs moved into action, particularly the TPEPs in two coastal counties, Tillamook and Clatsop. The local TPEPs, along with volunteers at local Surfrider Foundation chapters, came out in support of the smokefree parks policy, but also urged ORPD to consider expanding the rules to Oregon's 362 miles of public beaches. About 1 in 4 public comments encouraged ORPD to consider smokefree Oregon beaches, such as this letter from Surfrider Foundation:

“Cigarette butts are polluting the coastal areas where people surf, swim, kayak, fish, and play. They can be toxic to marine life, take decades to decompose, and have been shown to be lethal to fish and other marine species. Oregon's coastal parks are the crowning glory of our state park system and receive some of the highest rates of visitation within the state. Leaving the Ocean Shores Recreation Area out of rulemaking would send an incorrect message to the public; that smoking on Oregon's public beaches has no negative consequences. This is clearly not true.”

ORPD responded to those community voices by recommending that the Parks Commission consider a smokefree rule for ocean shores, as well. The public process began in August and concluded in November 2014.

Outdoor tobacco bans can generate strong opinions on both sides. Concerns related to personal choice and civil liberties inevitably emerge, but arguments for litter control, establishing positive tobacco-free role models for youth, reducing youth



access to tobacco, and avoiding exposure to secondhand smoke frequently win out—especially in relation to hospitals, schools, and city parks, which are becoming the norm across Oregon and the nation.

In Oregon, these arguments prevailed in the case of smokefree parks, but not in regards to smokefree beaches.

In February 2014, the parks department adopted the smokefree rule for most areas of Oregon state parks, including trails and picnic areas. With passage of the new ordinance, Oregon joined a small handful of smokefree state park systems across the nation.

But in November 2014, ORPD recommended that the Commission table the rulemaking that would restrict smoking on the ocean shore for two years, while the department conducts an anti-littering education campaign, accompanied by better signs and new trash receptacles at strategic

locations: *“If we can accomplish those goals without a rule that would be difficult to enforce, we should try that first,”* parks spokesman Chris Havel said in a November 6th article in the Oregonian. *“This doesn’t mean we’ll never consider making it a rule, but we’re going to see how much headway we can make with education first, and, hopefully, that will be enough.”*

Why did Oregon approve smokefree parks, but not beaches?

Despite strong messaging from Surfrider members and community engagement by local TPEPs, about half of Oregonians who provided public



comments opposed the smokefree ocean shores rule, and the media was categorically negative about it. Matt Love’s guest opinion in the Oregonian echoes the main objections to the rule presented by citizens who opposed it in written or oral public testimony: *“I understand the need to ban smoking in state park campground areas where many campers are clustered together like so much cordwood... But this ban on our beaches is a bureaucratic overreach that borders on draconian. It’s probably unenforceable, and it’s completely unnecessary. It also undermines Oregon’s unique legacy of people freely recreating on the state’s publicly owned beaches.”*



SUPPORTING HEALTHIER COMMUNITIES

Oregonians want to protect their parks and public spaces. As of 2014, efforts to protect and preserve Oregon’s 361 state parks include rules prohibiting tobacco use. Although similar rules prohibiting tobacco on Oregon’s beaches did not pass, the public process elevated community debate about how tobacco-free environments can support healthier options for all community members. Furthermore, efforts to create tobacco-free Oregon

beaches demonstrated how a statewide comprehensive tobacco control program—which includes media, surveillance data, and local community programs—can be mobilized to respond to emerging policy issues that arise.

As a result of the smokefree beaches work, coastal TPEPs formed new partnerships with surfers, kayakers, and beachgoers. Local TPEPs will join these partners to support ORPD’s efforts to protect Oregon beaches from cigarette butt litter, and will support smokefree rules in the future, if the need for them arises over the next two years of public education and evaluation.