

Rulemaking OAR 736-024-0015
Public comments received
January 7, 2021 through January
19, 2021

MARSHALL Janelle * OPRD

From: TERRY AND PENNY sheldon <tpsheldon@msn.com>
Sent: Wednesday, January 13, 2021 3:18 PM
To: PUBLICCOMMENT * OPRD
Subject: Re: Driving Restrictions on Tillamook County Beaches

Katie,
Thanks so much for replying. Appreciate your help.

Penny Sheldon

----- Original Message -----

From: [PUBLICCOMMENT * OPRD](#)
To: [TERRY AND PENNY sheldon](#)
Sent: Wednesday, January 13, 2021 3:02 PM
Subject: RE: Driving Restrictions on Tillamook County Beaches

Hi,
Just wanted to let you know we received your comment.

Thanks,
Katie

From: TERRY AND PENNY sheldon <tpsheldon@msn.com>
Sent: Wednesday, January 13, 2021 2:50 PM
To: PUBLICCOMMENT * OPRD <OPRD.Publiccomment@oregon.gov>
Subject: Fw: Driving Restrictions on Tillamook County Beaches

----- Original Message -----

From: [TERRY AND PENNY sheldon](#)
To: oprđ.publiccomments@oregon.gov
Sent: Wednesday, January 13, 2021 2:37 PM
Subject: Driving Restrictions on Tillamook County Beaches

We read about the proposed parking restrictions on the Tillamook County beaches. We specifically wanted to comment on the beach at Cape Kiwanda.

We have property on Ridge Road at Pacific City. This is a County road just north of Pelican Pub. After last summer's closure of the beach by the county parking lot it showed how much it affected the surrounding area. Cars were parked everywhere up and down the highway (McPhillips Drive or Kiwanda Drive) and even up Ridge Road which is a very narrow and not very well maintained county road. Parking up and down the road puts peoples lives in danger as there is no place to park. Also, a berm was put along the west side of the main road of the highway which makes it impossible to walk on that side. This means to walk up the hill your back is turned to the traffic. This is very dangerous and one person that we know of has been hit there already. It is dangerous for us to use anymore and we've had this place for years. We also have grandchildren and friends that use this road to walk down to the beach and shops.

For years they have parked on this beach and not all people will be willing to pay the \$10 fee for off street parking. This is going to hurt the businesses in Pacific City as not as many people will come to the beach. Why can't you leave as is and let the people park on the south side of the beach and the boats/fishermen use the north side?

Another alternative would be for the county and state to purchase property or use the county campground as additional parking. Otherwise, you are only putting lives at risk as they have no alternative but to park on the side of the highway if they want to avoid paying the parking fee which many people cannot afford. Also, you have put no parking signs along the highway going south of the county parking lot which eliminates parking also.

Pacific City has become a popular place and more people are visiting. This we understand but there has to be a different solution such as the county campground for parking. Regardless, the berm needs to be removed from the west side of the road for safety concerns and more no parking signs put there. We suggest that the state needs to come in person and look at the parking situation/berm. If a person walked up the highway with their back turned to the traffic and slipped, they could fall right in front of a car.

We would appreciate it if you took our concerns into consideration.

Terry and Penny Sheldon

MARSHALL Janelle * OPRD

From: pamkniffin1@gmail.com
Sent: Saturday, January 16, 2021 2:12 PM
To: PUBLICCOMMENT * OPRD
Subject: Tierra Del Mar beach access by car

I am writing in support of the year around ban on cars on the section from the Sand Lake south to the Northern border of the Cape Kiwanda Natural area. My dad owned a house at Tierra Del Mar from 1997 and now my husband and I own the house. Allowing cars to drive on this strip of the beach is not safe as the residents and visitors are not expecting them and are unaware. I found myself this October with a car coming fast toward me. I had to move out of its path. I was not sure if they saw me. This is not the first time.

As a homeowner in Tierra Del Mar I support the year around ban on cars.
Pam Kniffin
5755 Austin Ave
Tierra Del Mar
503-580-8648

Sent from my iPhone

MARSHALL Janelle * OPRD

From: Tina Papke <tpapke@hotmail.com>
Sent: Sunday, January 17, 2021 2:27 PM
To: PUBLICCOMMENT * OPRD
Subject: Vehicular Access to Beaches in Tillamook County

I have previously raised my concerns about allowing vehicles on the beaches in Pacific City with both Tillamook County and in writing to your agency. With the decision to go forward with rulemaking on this issue, I wanted to weigh in again.

Based on both significant safety and ecological concerns, I am opposed to vehicle access to the local beaches. Regarding safety, the actual access points present challenges for vehicles and pedestrians. With so few public access areas in the Pacific City area, it is imperative that pedestrians have access to the beach. Allowing vehicles to use basically the same access points creates dangerous situations for drivers who are unfamiliar with safe operations of their vehicles in the sand. In addition, drivers prove over and over again that they are unfamiliar with issues presented by the changing tides, which results in dangerous situations for the drivers and passengers if the vehicle becomes stuck and is swamped by rising tides.

Of particular concern is the access point at the base of Pacific Avenue (Beachy Bridge or The Turnaround). It is already a very crowded parking area, and will become even busier with Tillamook County's preliminary plans to put additional parking on the adjacent Jensen property which they just acquired. More parked cars in the area translates into more pedestrians accessing the beach there. Even if the County moves forward with plans to build a pedestrian access path over the dune, unknowing pedestrians will still try to use the same access as vehicles.

In order for a vehicle to get up and over the dune to access the beach, they would need significant acceleration in the parking area, where families tend to gather. In addition, there is no visibility to what is on the other side of the dune because of the sand accumulation on the dune itself. Even if the driver was successful in navigating the parking lot and gaining significant enough speed to get up and over the dune, they could still hit unsuspecting pedestrians leaving the beach on the other side.

The ecology and environment in this area is unique. Random vehicle access to the beaches can disturb nesting birds and sea life. The Nestucca Spit is fragile, consisting mainly of sand, and is not stable enough to accommodate the speed and degradation that can be caused by vehicle traffic. Because the area is unique, it is well populated with beach walkers and equestrians; all of which are vulnerable to vehicles that speed down the beach to get to the mouth of the river. To preserve these special OR beaches for all Oregonians requires protecting the environment. Vehicles have no place on these beaches.

The only consideration for vehicles should be for the Dory Fleet, accessing the beach at Cape Kiwanda. The Dory Fleet members are well versed in beach driving and only use the beach to launch their boats. They are among the most active participants in beach cleanup and conservation efforts. As a general population, they understand the ocean well, do not create emergency situations by accessing the beach and are mindful of the privilege they are provided to continue with their cultural fishing grounds.

Thank you very much for considering these comments as you deliberate vehicle access to the beaches.

Christina Papke

PO Box 640

Pacific City, OR 97135

tpapke@hotmail.com

MARSHALL Janelle * OPRD

From: Rob Porter <robporter@hotmail.com>
Sent: Monday, January 18, 2021 10:35 AM
To: PUBLICCOMMENT * OPRD
Subject: Beach access Pacific City

I feel the beach should be open to vehicles in the areas it used to be. Being able to park on the beach is a nice way to enjoy the beach. This is especially good for the elderly and disabled who have trouble walking. Driving to the mouth of the river is a joy. I miss doing that. Please reopen the beach to vehicles.

Thank you Rob Porter

Sent from my iPhone

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Saturday, January 9, 2021 4:44 AM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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|----------------|---|
| First Name | Christine |
| Last Name | Yoo |
| Email | ceeyoo@mail.com |
| Public Comment | There are not many beaches on the Oregon coast that allow cars. Please keep these beaches open to cars for those who have trouble walking on sand. This includes the elderly and families with small children, not just people who may be able to obtain a disabled parking tag. There are many other beaches available for those who would prefer a car free area. |

Submission ID: b6c20579-fce7-4b05-bcbc-43a456fd4c48

Record ID: 601

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Saturday, January 9, 2021 3:24 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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|----------------|---|
| First Name | Joe |
| Last Name | Walicki |
| Email | joewalicki@comcast.net |
| Public Comment | <p>Hello Commissioners: My wife and I own a factional share of the condos (Kiwanda Cottages) just above the beach where the Dory's enter and exit the ocean. We have been at this location for almost 10 years and have seen the use and misuse of the beach in front of the condos and farther south, south of the boat ramp. The Dory people are very conscious of keeping the beach clean and safe. It's after they leave that members of the public drive their cars into this area and in too many cases leave big holes, fire pits and trash. Buy prohibiting cars from entering this area and having this area exclusively for the Dorys would go a long way in keep this portion of the beach safe and clean. (It is vital that funds be allocated for park personnel to be on site seven days a week in the summer and enforce the rules.) (I would like to complement the Parks Department for having rangers on site on the weekends enforcing the current rules. They do an excellent job in keeping people safe and keeping the beach clean.) On the area south of the boat ramp and north of Pacific Ave, we strongly support the ban of cars on this stretch of beach. We are at our condo six weeks of the year including two weeks in August the same time every year. In the summer of 2019, I counted over 100 cars on this stretch of beach on one weekend. You cannot imagine the chaos this many cars cause: about every 10 minutes a car gets stuck in the sand, a couple of times a day there are close calls with pedestrians and, of course, much trash left behind. We strongly support the banning of cars from this stretch of beach so that members of the public can enjoy the beach without fear of injury as well as having plenty of room to stretch out and have a quiet and pleasant experience. We also strongly support the ban of cars on the beach from the mouth of Sand Lake to the Cape Kiwanda State Park north boundary. Thank you. Sincerely, Joe Walicki Beaverton, Oregon</p> |

Submission ID: 719a00ca-79b9-4879-b75b-c6117f4ee05d

Record ID: 604

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Sunday, January 10, 2021 3:03 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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|----------------|--|
| First Name | Dan |
| Last Name | Russ |
| Email | Dan.A.Russ@doc.state.or.us |
| Public Comment | I'm okay with limiting it to boaters only but it should include all boats and small craft like Kayaks. |

Submission ID: 000fc8ef-02d0-4d24-a248-d0b81d43f6cb

Record ID: 608

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Monday, January 11, 2021 4:11 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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| First Name | Katherine |
| Last Name | Muldoon |
| Email | katymuldoon@me.com |
| Public Comment | <p>I strongly favor adopting the proposed rule restricting beach driving in south Tillamook County, and frankly wish strict no-driving rules would apply to all Oregon beaches. As a full-time south county resident and daily beach walker, I've had many dangerously close encounters with vehicles roaring down our beaches. While such encounters are threatening and unpleasant, and while public safety must be a top priority, my concerns run deeper. Mounting evidence proves that driving on sandy beaches is among the most environmentally damaging activities humans cause to these complex and fragile ecosystems. For example, a 2016 study published in the journal Nature found that areas open to beach driving have significantly less fauna species diversity; the compacting, rutting and displacement of sand caused by vehicles makes it harder for animals to survive in their native habitat. As far back as 2008, a Journal of Coastal Conservation study noted how beach driving damaged flora and accelerated erosion. Vehicles on beaches frighten and disrupt shorebird populations, many of which already are struggling, as well as other birds that use the beaches; when the pandemic prompted closure (to vehicles) of the southern tip of the Nestucca spit early in 2020, bald eagles returned in force, using it daily as a feeding ground. Since 1967, when the Oregon Beach Bill (HB 1601) passed, our state has been a leader in protecting our magnificent resource. Let's go farther than simply enjoying the fact that that we've saved beaches from private ownership: Let's protect what belongs to us all. Thank you.</p> |

Submission ID: 747d2bfc-3932-4cc3-b360-53032bbb73ea

Record ID: 613

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Monday, January 11, 2021 8:03 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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| First Name | Sara |
| Last Name | Delvecchio |
| Email | Saradelvecchio@hotmail.com |
| Public Comment | Please keep vehicles off the beach! We regularly stay at a family home in Tierra Del Mar, one of the cleanest and most pristine beaches along the west coast and abundant with beautiful wildlife. We've seen litter and waste increase greatly along the beach with the presence of vehicles, and tide pools filled with the sheen of gas and oil. Wildlife, adults, children and dogs alike should be free to safely roam and enjoy the beach without pollution and worrying about getting run over. Please keep this beach a special and coveted place without the noise pollution brought by vehicles that have no place on the beach. The cars directly result in the increased crowds, litter and garbage that we need to keep from endangering nesting birds and sea life. There is no valid reason why vehicles need to be on the beach. None. Thank you. |

Submission ID: 27794319-1355-46eb-bb0f-fc449224b306

Record ID: 614

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Monday, January 11, 2021 8:46 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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|----------------|---|
| First Name | Eric |
| Last Name | Rowe |
| Email | rowee5@hotmail.com |
| Public Comment | Vehicles should be limited or completely prohibited from driving on Oregon beaches. Oregon beaches should only be used for non-motorized access to help reduce pollution and keep beach goers safe. |

Submission ID: dd3b8959-b88a-4884-8974-fba33980d5a6

Record ID: 615

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Wednesday, January 13, 2021 8:02 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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|----------------|---|
| First Name | Kenneth |
| Last Name | Moffett |
| Email | Pacificstallion2@gmail.com |
| Public Comment | <p>The beaches are a treasure for all of us. My community has already made it clear that we want all beaches to remain open to all activities through a super majority vote. Apointing the anti community corporate cheerleaders for a "commity" is obscece. Acting with the super majority vote is the only possible correct decision. Anything short of that is complete failure to serve this community. It is proof positive of your corporate lean and destroys all integrity/credibilty of you decision. The "local" community members of the dory association and the chamber speak for less than .05 percent of my community. Respect the super majority vote Thankyou for your interest Ken Moffett.</p> |

Submission ID: a56df6b2-3f27-4a18-942c-45e045f98e39

Record ID: 644

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Friday, January 15, 2021 4:52 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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| First Name | Catherine |
| Last Name | Forzley |
| Email | cforzley@gmail.com |
| Public Comment | I write in support of the new rules restricting driving on Tillamook area beaches. As a family homeowner in Tierra del Mar and frequent visitor of Tillamook, I recognize the strain that closing the beach to vehicles will put on the community's infrastructure. However, the area near the boat ramp often gets very overcrowded with both vehicles and beachgoers and is a major safety risk to those on the beach. In TDM, the current rules are often overlooked (or potentially get confused), which inhibits the conservation efforts for the snowy plover. Additionally, drivers use the area to drive at higher speeds than is safe, posing a safety risk. For these reasons, I support the proposed rules. Thank you. |

Submission ID: 1cb9ae8d-dca1-438b-8bc9-1e0bfc7c4a23

Record ID: 692

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Monday, January 18, 2021 5:17 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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| First Name | Linda |
| Last Name | Hilliard |
| Email | lkhilliard@hotmail.com |
| Public Comment | <p>My family has owned property in Tierra del Mar since 1964. We are in favor of banning vehicles on this stretch of beach. Over the years, we have seen more and more people enjoying the beach year round. When trucks and cars are driving on it, it becomes more difficult and nerve-racking to wade in the water, build sand castles with small children or walk the dog along the shore. Since there are several paths to this stretch of beach, residents of Tierra del Mar and day users can access it easily by foot. There is no need for vehicles to be on the beach. I walk quite far north and it's wonderful to see the birds all along the shoreline. It would be sad to see this pristine coastline damaged from vehicle activity.</p> |

Submission ID: 7fdf6042-22d9-4d94-8ecb-6adaef5f81b0

Record ID: 696

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Monday, January 18, 2021 6:58 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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| First Name | Sandy |
| Last Name | Gunder |
| Email | sandygunder@comcast.net |
| Public Comment | <p>We have owned a cabin in Tierra del Mar for over 50 years. The amount of cars driving north on the beach from the public beach access point has increased tremendously in the past 10 years. In addition, more people are accessing the beach in Tierra del Mar, including many people who have discovered the beach via hiking in Sitka Sedge or just driving to the beach and enjoying it for the day. So the number of people on the beach has also increased significantly. I think allowing people to drive north creates a safety issue for the residents and other people who are recreating on the beach. I have been out there with our dog and cars have driven fast past us. I also think visibility can be an issue with our frequent gray and misty days. I strongly endorse not allowing cars to drive north at any time during the year. I know they are not allowed to drive north in the summer (although some still do and it is hard to enforce). But I would like that to be extended to the entire year. If cars are not going to be allowed at Cape Kiwanda, they will come to Tierra del Mar so you need to have the same rules for both beach communities otherwise, the cars will increase even more. Thanks.</p> |

Submission ID: cbb1b846-f226-4512-8de6-58dc2c312197

Record ID: 697

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Tuesday, January 19, 2021 10:06 AM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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| First Name | Lisa |
| Last Name | Macy-Baker |
| Email | Macyl20@yahoo.com |

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| Public Comment | <p>Dear OPRD, Thank you for the opportunity to comment on behalf of my family in regards to the beach driving and parking in South Tillamook County. We are a family of beach stewards, dorymen, and surfers who have owned homes or resided in the PC area since the early 1920s. We once loved to drive on the beach. With change and increased visitor traffic, that love has turned into fear and distaste. We fully support rule making to not allow driving North of the TDM access point to mouth of Sand Lake. As home owners in TDM, we regularly witness drivers violating the signs, destructing the dunes and destroying important marine habitat. There is no more frightening moment than when a vehicle is approaching you and your children at high speeds with no regard to safety. This is not what Oswald West intended. In addition, we support the closure at Cape Kiwanda. The beach will be safer. As surfers and dorymen, we hope that you consider detailed language about where boats can launch and land and where trailers can park. Vaguely crafted language can lead to abuse of the rules and less safe waters for boaters, waders, boogieboarders and surfers. We are greatly concerned about the parking fees scheduled to be enforced at Cape Kiwanda and the Turnaround. After a public process, citizens believed the parking fees would be \$4, similar to those at other county boat launches. That fee increased from \$4 to \$10 by a commissioners order and with little to no public process. This inhibits equitable access for Oregonians and visitors alike. It goes against everything the Beach Bill stands for and sets a terrible precedent for public access along the Oregon Coast. Other potential ramifications seem endless. There is great concern that the North side of the cape, which will be open to driving and free parking to the TDM access point, will be ruined with overflow and increased driving. Are we just moving the problem to the north? While we support the current proposed rule making, we are concerned that it may not be going far enough and that beach driving at other access points should be limited as well. The Turnaround is an incredibly dangerous driving access point as it takes some skill and knowledge to navigate the area safely. We have all too often witnessed near misses between vehicles and people, with parents screaming as children are running to dodge a speeding vehicle up the or down the hill. The area around Bob Straub is of great concern as well. Vehicles don't slow down as they should when nearing walkers and picnickers. The opportunity for vehicle-pedestrian interaction is too great. This goes for the north side of the cape as well. If driving continues in those areas, we hope that better signage and lower speed limits are enforced. Who has the right of way on the beach, a vehicle or pedestrian? Can a vehicle drive at 25MPH through a crowd of traffic? We hope that OPRD and Tillamook County work together to plan for the area's future, one that has not been adequately protected and preserved. While we support this rule making, we greatly concerned that it doesn't go far enough. Thank you for your work and consideration, Lisa Macy-Baker and family, Tierra Del Mar Tara Macy Rich and family, McMinnville Thrina Macy Parent and family, Pacific City JacE Macy, Pacific City</p> |
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Submission ID: 7e4fbf03-d848-4484-95d8-7610c6a1ec21

Record ID: 698

MARSHALL Janelle * OPRD

From: oregon-gov-web-services@egov.com
Sent: Tuesday, January 19, 2021 6:04 PM
To: PUBLICCOMMENT * OPRD
Subject: Restrict Beach Driving in South Tillamook County
Attachments: formsubmission.csv

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| First Name | Jeff |
| Last Name | Carter |
| Email | carterpdx@gmail.com |
| Public Comment | <p>Hello, we are homeowners in Pacific City and we vehemently oppose the ban to drive on the beaches. I have a large family who loves to surf and it is so nice to be able to drive all of our gear down to the beach. This was one of the reasons we purchased a home in Pacific City. The parking lot has gotten out of control since the beach closure and the only way for us to be able to bring our gear down to the beach is to wake up early to try and secure a parking spot so we can swap out cars later. Additionally, when you banned driving in Tierra Del Mar it made the problem exponentially worse since everyone had to try and pack into the Cape Kiwanda parking lot. Tierra Del Mar was always the overflow which allowed people to space themselves out. I have never seen the parking lot as busy as it has been and it is ruining the feel of the area. There was never an issue previously and I don't think taking more of our rights away during a pandemic is a smart solution. We never had a problem driving down on the beach and everyone really enjoyed the experience. Thank you.</p> |

Submission ID: 48ed2e7c-a0fa-485e-9d87-3a89622e9334

Record ID: 699