



**OCEAN SHORE  
ALTERATION PERMIT**

Application Approved with Conditions:

Application Denied:

Date: July 21, 2005

Applicants: Oregon Parks and Recreation Department

OPRD File Number: BA-599-05

County: Clatsop

Project Location: 33043 Sunset Beach Lane, Warrenton  
Clatsop County Assessor's Office describes the parcel as Township 7, Range 10, Section 9, no Tax Lot designated (but approximately west of T7N, R10W, Section 9CB Tax Lot 900).

OPRD review included a staff inspection of the site and evaluation of the project against the Ocean Shore Permit Standards, OAR-736-020-0005 through 736-020-0030.

**Project Description:**

The proposed project includes the construction of a beach trail, boardwalk, and a view platform located west of the Sunset Beach State Recreation Wayside. The project will provide public access to an ocean viewpoint and will be built to conform to the standards of the American with Disabilities Act (ADA). The 8-foot X 24-foot long boardwalk and a 36-foot by 16-foot view platform will be constructed on the crest of the beach foredune at the end of the trail.

*ORS.390.605 (2) defines the "ocean shore" to mean the land lying between extreme low tide of the Pacific Ocean and the statutory vegetation line as described by ORS 390.770 or the line of established upland shore vegetation, whichever is farther inland. In the location of the proposed project the statutory vegetation line is located farther inland.*

The project is proposed to be located  Seaward of the statutory vegetation line  
 Seaward of the line of established upland shore vegetation

and therefore within OPRD's jurisdiction to make a decision on your application.

Submitted plans: Attached  (See Condition 1) Not Applicable

Based on the evaluation of the above standards, staff inspections of the site, and consideration of public and agency comments, the Oregon Parks and Recreation Department:

Approves your application  Denies your application  
for a beach access trail, boardwalk and view platform

Conditions:

1. The project shall be constructed in accordance with the submitted plans and descriptions provided in the permit application, and comply with the location, dimensions of the proposed beach access trail, boardwalk and view platform structures, and materials as specified in the plans and descriptions.
2. The view platform and boardwalk will be constructed in a manner that allows for disassembly and transport to a landward location in event of unexpected beach and dune erosion.
3. OPRD will be required to obtain a Conditional Use Permit and a Building Permit from the Clatsop County Community Development Department prior to construction.
4. Use of equipment or vehicles on the beach requires a separate permit from OPRD. Use of public beach access routes, construction of any roads or other temporary access improvements, and timing of inspections shall be subject to conditions of the Equipment Access Permit. Contact Tony Stein at (541) 867-3340 prior to construction for the necessary permit.
5. The project shall be completed prior to **July 21, 2006**. If it appears that, due to unforeseen circumstances, the project cannot be installed by the expiration date, the Permittees or authorized representative(s), may request a permit extension. A time extension may be granted based on the submission of a revised construction schedule.
6. Upon completion of the project, adjacent areas of the ocean shore shall be cleared of any debris remaining from the project, and ocean shore areas disturbed by construction activity shall be restored to pre-existing conditions.
7. The Permittee or subsequent owners (collectively, "Permittees") shall be responsible for maintaining the beach access trail, boardwalk and view platform. If, due to damage or lack of maintenance, the beach access trail, boardwalk and view platform approved under this permit become a safety hazard, or cause a detriment to ocean shore resources, the Permittee shall be responsible for removal of the facility.
8. In no event shall the issuance of the permit be construed as a sale, lease, granting of easement or any form of conveyance of the state recreational area, ocean shore or submerged lands.
9. The Permittees shall comply with the provisions of ORS 390.235 through 390.240, ORS 358.905 through 358.955 and OAR 736-051-0060 through 736-051-0090 as these statutes and rules affect the discovery, excavation, salvage, removal and disposition of archaeological resources and the permitting requirements for these activities as they affect archaeological sites on public and private land. If archeological objects are encountered during the project, all work must stop immediately, and work may not proceed until an archeological permit is issued under ORS 390.235.
10. This approval does not affect any obligation the Permittees might have to other persons or agencies, local, state or federal.
11. In issuing this permit, OPRD makes no representation regarding the quality or adequacy of the permitted project design, materials, construction, or maintenance, except to approve the project's design and materials, as set forth in the permit application, as satisfying the resource protection, scenic, safety, recreation, and public access requirements of ORS Chapter 390 and related regulations.
12. If the Permittees fail to comply with the conditions provided herein and otherwise imposed by OPRD, OPRD shall exercise its authority under Oregon Revised Statutes 390.661 through 390.676; 390.990

through 390.995; and the provisions of OAR 736-020-0200 to cease any further activity by the Permittees on the ocean shore except as directed by OPRD. In such circumstances OPRD may assess a civil penalty according to the provisions of OAR 736-080-0005 through 736-080-0070.

13. The Permittees shall agree to save and hold harmless the State of Oregon, the Oregon Parks and Recreation Commission, and its members, and all officers, agents and employees of the Oregon Parks and Recreation Department, from any claim, suit or action whatsoever for damages to property, or injury or death to any person or persons due to negligence of permittee(s), their officers, agents or employees, and arising out of the performance of any work or project covered by the granting of a permit.
14. The Permittees shall agree to save and hold harmless the State of Oregon, the Oregon Parks and Recreation Commission, and its members, and all officers, agents and employees of the Oregon Parks and Recreation Department, from any claim, suit or action whatsoever for damages to property, or injury or death to any person or persons due to negligence of permittee(s), their officers, agents or employees, and arising out of the performance of any work or project covered by the granting of a permit.

**/s/ Dave Wright, for**

Tim Wood  
Director  
Oregon Parks and Recreation Department

Cc: Terri Allen, Clatsop County Department of Community Development  
Paul Klarin, DLCD  
Mike Stein, Ft. Stevens State Park  
OPRD/Area 1 Office

**Appeal Process**

*Any person aggrieved or adversely affected by the grant of a permit or the conditions imposed on the permit may file a written request for a hearing with the Parks and Recreation Director. The request must be received within 30 days of the date of the permit. The hearing shall be conducted as a contested case in accordance with ORS 183.415 to 183.430, 183.440 to 183.460 and 183.470*