

**The Hayes Family
894 So. Nita**

September 26, 2017

Re: Dunes Vegetation

Dear Gearhart Officials:

As you work to consider dunes area management policies for the future, we write to encourage a policy that supports restoration of the dunes area to a more open grassland, removing trees and noxious species, encouraging the return of native wildflowers and other grassland plants, and restoration of views.

From all we've read and heard over the last year, and experienced from our own porch, an open grassland policy seems better for the land and native species, better for public safety, better for the views (public and private), and better for reducing the risk of fire – not a small consideration after this summer of wildfires.

When our house was built by our grandparents in 1963 it was surrounded by beach grass. There were open views of Little Beach and the estuary to the south, and of the ocean to the west. Over the last few years both views have disappeared, filled in with coastal pines and scotch broom. A walk to the beach has become a walk through a forest. And that forest has become habitat for elk, late night parties and overnight campers.

It may well be time to update the Zoning Ordinance concerning dunes vegetation, since it was enacted when erosion was the big concern. Our concern now should be quite the opposite – how to avoid being overgrown. Recommendation No. 3 of the Dunes Vegetation Committee appropriately allows removal of diseased or dead vegetation and noxious weeds, but it should also allow removal of other vegetation and clearly goes too far in protecting trees. Heavily treed areas are a recent development and should be reduced or eliminated, not protected. And the recommended restrictions on smaller trees are too elaborate and too restrictive. The current provision covering only trees greater than 12" seems more appropriate.

Thank you for considering these comments, along with all the others you must be receiving.

Sincerely,

The Hayes Family
894 So. Nita
Gearhart

City of Gearhart Oregon via City of Gearhart Oregon to me

Sep 28

Submitted on Thursday, September 28, 2017 - 4:25pm

Submitted by anonymous user: 71.94.171.134

Submitted values are:

First Name: Don

Last Name: Frank

Email Address: don@donfrankphotography.com

Phone: [503.738.5118](tel:503.738.5118)

...

Type of Wildlife Encountered: Elk

Type of Experience: Negative

Feedback/Please Describe Your Experience: I am a professional photographer and I shoot family portraits throughout the county. Late this summer I was shooting a family with 2 children, ages 8 and 12, and we left their house on Gin Ridge and headed down the path to the beach. I saw a bull elk about 300 yards away, on a different path, and he saw us as well. He trotted back down his path to the perpendicular path and then headed up ours towards us. This took approximately 45 seconds. I shooed the family past me towards the beach, hoping that would be our safe spot. Then I turned and was 30 yards from the elk. He stopped and I thought to myself, "do I get big and wave my arms or just slowly walk backwards?" With the family safe, I slowly retreated and the elk did not come any closer. The family was quite shook up and thanked me for handling it. I don't think I really did much except put myself between them and the elk. I am more than happy to share this area with some elk, perhaps not a herd over 100, but I am also trying to make my livelihood living in this community and I don't want myself nor a family I am working with to be injured just going about our regular business.

...

Would you like us to forward your feedback to the ODFW (Oregon Department of Fish & Wildlife): Yes

The results of this submission may be viewed at:

<http://www.cityofgearhart.com/node/1441/submission/981>

City of Gearhart Oregon via City of Gearhart Oregon to me

Sep 28

Submitted on Thursday, September 28, 2017 - 4:11pm

Submitted by anonymous user: 184.100.228.74

Submitted values are:

First Name: Kathie

Last Name: Tilander

Email Address: Tilander2@aol.com

Phone: [503-739-1958](tel:503-739-1958)

...

Type of Wildlife Encountered: Elk

Type of Experience: Negative

Feedback/Please Describe Your Experience:

Probably 50 elk by our house and in our yard eating our plants 9/17/2017

Probably 80 elk by our house and in our yard eating our plants and pooping in front and back yard. We have to shovel it up.

So frustrating to spend money on beautiful plants and then have them eaten by elk. By the way our back yard is fenced but obviously because of CC&Rs we can't have a tall enough fence to keep them out. It just keeps getting worse. We have lived here since 2013. I wish they could be relocated or something.

...

Would you like us to forward your feedback to the ODFW (Oregon Department of Fish & Wildlife): Yes

The results of this submission may be viewed at:

<http://www.cityofgearhart.com/node/1441/submission/971>

City of Gearhart Oregon via City of Gearhart Oregon to me

Sep 18

Submitted on Monday, September 18, 2017 - 9:12am

Submitted by anonymous user: 67.5.156.183

Submitted values are:

First Name: Jason

Last Name: Bangild

Email Address: jasonb@gearhartgolflinks.com

Phone: [503-739-5037](tel:503-739-5037)

Type of Wildlife Encountered: Elk

Type of Experience: Negative

Feedback/Please Describe Your Experience: Ushering Elk off the golf course is an almost daily task that we perform very cautiously for both the safety of the Elk, our staff, and surrounding neighbors. Last night (9/17/17) we had a herd so large and so aggressive that ushering them off the course was not an option. We stood back and watched as they severely damaged #15, #16 and #17 greens. Their droppings are everywhere, as are hoof prints and gauges all over the golf course. This summer, they Elk have damaged the golf course over and over again, and we have learned to live with the hundreds of extra man hours needed to repair the courses as well as the cost. We are much more concerned with the safety of our golfers, our staff, and the residents and visitors of Gearhart. A friend's dog was trampled to death last year....do we have to wait until a human is injured or worse before something is done?

Would you like us to forward your feedback to the ODFW (Oregon Department of Fish & Wildlife): Yes

The results of this submission may be viewed at:

<http://www.cityofgearhart.com/node/1441/submission/911>

City of Gearhart Oregon via City of Gearhart Oregon to me

Sep 18

Submitted on Monday, September 18, 2017 - 12:20pm

Submitted by anonymous user: 66.169.252.228

Submitted values are:

First Name: Joe

Last Name: Schulte

Email Address: Schultejc@aol.com

Phone: 503680110

Type of Wildlife Encountered: Elk

Type of Experience: Negative

Feedback/Please Describe Your Experience: I do not hunt and am a nature and wildlife lover. However, I have been stalked by elk multiple times to the point where I felt I was in danger. An elk killed my dog last year. I will not let my son walk my dog for fear of a problem with the Elk. The elk no longer fear humans and have become more aggressive. The situation is unsafe and needs to be addressed. They are beautiful animals and I wish them no harm, however they are not endangered and do not hold the same value as a human life. Let's not wait until someone gets seriously injured or killed before we address this dangerous and important issue. Until they fear human contact again in Gearhart, it is only a matter of time until something bad is going to happen. If that does occur, I would think that there will be liability for those who have been informed and warned, yet did not take reasonable and appropriate action to protect human life. This, in my opinion, is negligent, irresponsible and a complete disregard for human well being. Thank you for considering my comments and input.

Would you like us to forward your feedback to the ODFW (Oregon Department of Fish & Wildlife): Yes

The results of this submission may be viewed at:

<http://www.cityofgearhart.com/node/1441/submission/921>

Form submission from: Gearhart Elk & Wildlife

City of Gearhart Oregon via City of Gearhart Oregon to me

Sep 28

Submitted on Thursday, September 28, 2017 - 11:23am

Submitted by anonymous user: 75.175.3.106

Submitted values are:

First Name: Forrest

Last Name: Goodling

Email Address: Forrestgoodling@gmail.com

Phone: [503-849-9249](tel:503-849-9249)

Type of Wildlife Encountered: Elk

Type of Experience: Negative

Feedback/Please Describe Your Experience:

At approx. 7am on 9/28/2017, approx. 80 head of elk crossed the golf course on holes 8,7,6,and 5 damaging turf in and on fairways, rough, fescue areas, and greens. The repair took 5 man hours and has cost our business \$456.00, in sand used to repair the grass, fertilizer, and labor.

Forrest

Would you like us to forward your feedback to the ODFW (Oregon Department of Fish & Wildlife): Yes

The results of this submission may be viewed at:

<http://www.cityofgearhart.com/node/1441/submission/961>

Bonnie Delaney to mayorbrown@cityofgearhart.com, me, gailcomo@cityofgearhart.com

7:02 AM

September 28, 2017

Mayor Matt Brown, the City Council, the Planning Commission and City Manager Chad Sweet,
City of Gearhart
Gearhart, Oregon 97138

To the City of Gearhart Leadership:

Following is a letter first submitted as correspondence for the record on August 1, 2017. I understand it was delivered after the packet for the August 2017 Council meeting was prepared. Since it also did not appear in the September 2017 packet, I am providing it again in order to assure inclusion in the official record for the October 2017 Council meeting. It is of particular concern that this information be considered prior to Council work sessions on dune management issues. Thank you.

Sincerely,
Jack Delaney
(Full address following the letter below.)

The August 1, 2017 letter begins:

I am writing to express my complete disagreement with the make up, process and resulting recommendations of the Sand Dune Vegetation Committee. While the notion of citizen involvement in crafting City policy is noble in concept, there must be assurance that a broad cross section of stakeholders will be represented on any committee granted power of recommendation. This committee almost exclusively reflected the narrow personal interests of a vocal minority which sought to redefine the very meaning of "view" and largely ignored the vast body of professional, scientific information gathered for the Town Hall sponsored by the City in January 2017.

As a retired professional firefighter, I volunteered for the Sand Dune Committee with intent to advocate for sensible public policy for fire suppression and personal safety in the dunes. When this goal was removed from the charge of the committee, I stayed on because it was clear the bulk of the committee's members had a pre-conceived, personal agenda devoid of concern for a vast number of unrepresented stakeholders.

The committee's final recommendations are unnecessarily restrictive. The purported "compromise" solutions do not address the cautions of the Gearhart Police and Fire Chiefs, completely ignore view maintenance concerns and do not propose affordable abatement practices. Additionally, the notion that eradication of noxious growth in the dunes will be *permitted* or *allowed* rather than **required** renders the policy toothless and is diametrically opposed to the City's existing code **requiring** removal of nuisance weeds on private property. Failure to adhere to the City's own mandate means property in the Beach and Dune Overlay Zone, both public and private, has been infected with noxious plants targeted for removal by every other state, county & private agency charged with being stewards of the land.

I file this dissenting report with a series of concerns for City Councilors and Planning Commissioners and the City Manager to consider:

- 1. The committee DID NOT represent a majority of Gearhart residents and property owners.** This committee was allowed to stand with participants who neither live nor own property inside Gearhart or its urban growth boundary. Four committee positions were held by two married couples whose singular viewpoint was doubly amplified during discussion and twice tallied as each spouse was allowed to vote on recommendations. Groups of homeowners whose dune front properties are within the Gearhart Beach and Dune Overlay Zone from the estuary to the northern boundary of The Highlands were largely unrepresented. The recommendations directly impact existing weed removal and mowing practices of property owners in the condominiums, Gearhart Palisades and the Highlands. Except for three members from the *same* small condominium association, these groups were missing contributors.
- 2. Although the CREST facilitator deposited scientific information in an online dropbox, THIS MATERIAL WAS NEVER DISCUSSED during the committee meetings.** Instead, committee members spent time debating their personal preferences and new information they "Googled" on their own. There was **no effort to revisit the expert testimony** of local scientists, field technicians and public agency representatives. The north Oregon coast is rich with experts, some who were even in attendance at one or more meetings but these people were never consulted. Instead, recommendations were based largely on the inexpert preferences of an amateur few. The only committee member with any scientific credentials was a marine biologist living in Croatia whose lectures favoring "natural progression" rather than dune preservation and restoration dominated long stretches of several meetings. His effort to inform the group that scotch broom doesn't burn easily when, in fact, it is a serious threat as starter fuel near the ever thickening forest, caused me to question his knowledge or intent.

to reduce fire load will be prohibitively expensive. Thinning or removing the forest outright would be much more affordable and a much longer lasting fix. Removing six feet of understory also creates a protective umbrella for transient campers and the troublesome elk herd, the nuisance of which has increased exponentially with the increasing spread and density of the forest. **Further, qualifications for grant funding and allowance for private contributions for work on public lands were never considered.** Access to grants and grant writers is available to municipalities that adhere to requirements for protection of endangered wildlife. Instead, the committee's **recommendations protect the predator forest which is directly adjacent to the area identified by Oregon Parks & Recreation and the Audubon Society as an "important bird area"** and may even lead to Gearhart Beach being *removed* as a protected snowy plover habitat—a shameful legacy the City should not wish to embrace.

4. **Issues presented by the Gearhart Chiefs of Fire & Police were not just ignored, they were treated with derision.**

That some committee members perceive no current threat of fire or public jeopardy does not mean danger is not imminent. Testimony of residents who no longer feel safe walking in the dunes was rudely dismissed as irrelevant.

5. **Preservation and restoration of the natural dune habitat must be valued** above the selfish desire for access to yet another Oregon forest for watching common birds and foraging for mushrooms. These activities are available in many nearby locations. Accessing the Gearhart beach through unobstructed dunes is not.

The City of Gearhart can no longer afford to ignore the result of the well-intended but ill-advised introduction of invasive dune stabilizing plants in the 1930s. After decades of deferred decision making, it is time for City officials to take responsibility for protecting the unique Gearhart dunes. While it is likely unrealistic to propose elimination of the European and American beach grasses, it *is* possible to require eradication of nuisance weeds, protect native plants that have survived or returned and encourage reintroduction of additional native species where possible. It is NOT necessary to accept the spread of forest land as inevitable. Citizens whose private property extends into the Beach and Dune Overlay Zone from the estuary north through The Highlands development have, for years, willingly funded abatement activities. Local residents and agencies stand ready to help the City seek grant money as well as private contributions to address noxious plants and fire-prone forests in the B.A.D. Zone.

Please, have the courage to forge public policy to benefit the many for generations to come rather than bend to the narrow, restrictive wishes of the present few.

Respectfully submitted for the record,

Jack Delaney
Member, Sand Dune Vegetation Committee
Permanent Gearhart Resident
P.O. Box 2187
Surfside Condominium #217
[1250 N. Ocean Ave.](#)
[Gearhart, OR 97138](#)