

SUMMARY NOTES
Neskowin Citizen Advisory Committee Meeting
February 4, 2017

The Neskowin Citizen Advisory Committee (NCAC) convened for their regular bi-monthly meeting at 9 a.m. on February 4, 2017, at the Neskowin Fire Station. The meeting was led by NCAC Chair Richard Hook. Also attending were Bill Busch, Earl and Molly Ingle, Jim Ullrich, Genie Ullrich, Guy Sievert, Jim Boyer, Roger Wickland, Bob Schlicting, Susan Amort, Cameron Nagel, Alex Sifford, Sue Gabriel, Troy Trute, Verne Mobley, Charlie Cieko, Vicki Poole, Mike Herbel, Steve Rupert, David Yamamoto, George Gould, Gary Dunn, Pete Owston, Dave and Cathy Benneth, Al Gits, Russ Gillette and Jean Cameron.

The summary notes of the December NCAC meeting were approved as drafted. The final notes will be posted at <http://www.neskowincommunity.org/cac.html>.

Updates on current development applications

- Proposal Rock Cove (County Commissioner David Yamamoto excused himself from the meeting for this part of the discussion)
 - Richard Hook reported that the Tillamook County Planning Commission had approved this permit application at their December 15, 2016 meeting with conditions including the final drainage design. He had attended this meeting with David Kraybill and Bill Busch; a motion to reschedule the meeting due to bad weather had been denied. Two appeals have been filed, so the Tillamook County Board of Commissioners will hold an appeals hearing on February 6th at 10:30 a.m.
 - Richard noted that the NCAC has submitted comments twice on this permit application, and has testified twice. These comments primarily focus on drainage issues, roads and wetlands impacts. Both sets of comments are available at <http://www.neskowincommunity.org/cac.html>. Richard and Bill plan to attend and comment at the February 6th meeting.
 - If the Board of Commissioners upholds the Planning Commission’s decision, there may be further appeals to the Oregon Land Use Board of Appeals (LUBA).

- Seashore Woods, Neskowin North
 - There is no further update on this permit application. The County has requested additional information. No hearing is currently scheduled.

- Café on Hawk Creek remodel/expansion
 - Richard explained that two variance applications had been filed: one is to expand the building and one was for a parking variance. The building expansion would enlarge the kitchen, enlarge the dining area and extend the deck, as well as making access ADA compliant. The Oregon Department of Transportation (ODOT) has approved use of their parking area near the bus stop. Staff at the Tillamook County Department of Community Development is considering the application.

Update on the Emergency Access Road

- Richard reported that Liane Welch, Director of the Tillamook County Department of Public Works, reported that design work on the road is 85% complete. The remaining project cost is estimated to be \$1.5 million. NOAA rejected a grant application from the County, but the Nestucca/Neskowin/Sand Lake Watersheds Council is revising the application to focus more on biological benefits. The Watershed Council will be seeing letters of support for the grant proposal; the NCAC will post the instructions for such letter. Haley Lutz, the Watershed Council Coordinator, will advise us on this.
- Guy Sievert stated that the “Salmon Super Highway” program may also provide some funding towards the project cost. He also noted that local support had included the promise of donated building materials.

- In response to a question regarding whether the old tide gates are interfering with fish passage now, it was reported that they're currently open and will be removed once new culverts are installed.

Hawk Street "legalization"

- Richard Hook explained that there has always been a discrepancy between the actual location of Hawk St. north of Corvallis St. and the County's right-of-way. More than twenty years ago, Tillamook County offered the owners of lots along that section of Hawk St. land on the seaward side of their lots in exchange for easements along the road. Some of the property owners agreed and some did not, so there is no uniformity to the County's easements in that section.
- Last year, Tillamook County Commissioner Mark Labhart tasked Community Development and Public Works staff to evaluate this problem and ascertain possible solutions. He noted support for a resolution from the Community as well as from the Neskowin Regional Sanitary Authority (NRSA), which is interested in running a sewer line north in order to connect lots along Hawk St. County staff decided that it would take too much time and expense to rectify this problem. Commissioner David Yamamoto explained that staff estimated the cost to the County to be \$0.5 million, and the funding is just not there to do this, since the County is already looking at a budget deficit.
- As this may eliminate the possibility of a NRSA line extension, the County is hoping that members of the Community of Neskowin can resolve this issue themselves. Richard Hook noted that voluntary easements from the 20 landowners in question would resolve the issue.
- Richard Hook will work with NRSA and the Neskowin Regional Water District to seek resolution of these easement issues.

Update on Hawk Creek water quality issues

- Richard Hook reviewed the background on this issue, explaining that high E-coli samples were found in Hawk Creek in late summer/early fall for the past years. Weekly sampling was expanded up Hawk Creek and to Butte and Kiwanda Creeks last fall; these samples were taken and tested by NRSA staff. For more information, see <http://www.neskowincommunity.org/NeskowinHawkCrSamplingPlan.pdf>. Richard also noted that the Oregon Health Authority tested the beaches.
- Creek sampling was for E-coli bacteria, which is found in fresh water; salt and brackish water sampling is for Enterococcus bacteria.
- He noted that a public meeting to discuss the water quality problem is scheduled for February 15th at the Neskowin Fire Hall. He expects that meeting to help generate a plan for moving forward.
- Results of the sampling done by the Watershed Council, which includes Hawk Creek at the bridge, are posted on the Tillamook Estuary Program's website on an Interactive map related to the Water Trail. There is an icon for bacteria results that can be turned on; <http://www.tbnep.org/map.php>.

Update on the Enhanced Sheriff's Patrol District

- Bill Busch reported on a Tillamook County Board of Commissioners' hearing on February 1st where they approved putting the vote to establish an Enhanced Sheriff's District (ESD) for Neskowin and Pacific City on the May ballot. He noted that the Commissioners stated that there are seven incorporated cities in North Tillamook County with their own police forces, and Garibaldi has an ESD; they hoped that this proposal would create an equivalent structure for South County.
- Bill recounted some of the objections raised at the hearing, i.e., that Neskowin residents would be paying approximately 45% of the costs while the number of calls from Neskowin in the past has been only 17% of the total for both communities. Concern was also expressed that if Neskowin voters rejected the proposal, they would be out-voted by Pacific City voters.
- In response to a question regarding who would supervise the ESD, Bill explained that the Board of Commissioners supervises the Sheriff's department, which would administer the ESD. He also explained that the County is not allowed to use the Tourist Lodging Tax for public safety.

- Verne Mobley and Susan Amort, both of whom were on the ESD Steering Committee, explained that the two deputies would live in or near Neskowin and Pacific City. These two deputies, one of which would be on duty at a time over two shifts, would respond to both emergencies and nuisance calls in Neskowin and Pacific City. They would also supplement existing Sheriff's Department coverage in other areas of South County in the event of an emergency. Vern and Susan also speculated that the number of calls from Neskowin might increase when citizens know that a deputy is more available.

Report from the Neskowin Regional Water District regarding acquisition of the Hawk Creek Watershed lands

- Jean Cameron spoke as the President of the Neskowin Regional Water District (NRWD) Board of Commissioners. She introduced the other Commissioners: Steve Rupert, Al Gits, Vicki Poole and Gary Dunn.
- She explained that the Board has been considering acquisition of the Hawk Creek watershed since 2000 because it is the Source Water Area for the District.
 - She explained that protecting watersheds lowers drinking water treatment costs, avoids expensive restoration, minimizes damage from natural disasters, and increases adjacent property values, among other benefits, according to an EPA report. She also shared the following facts from a 2015 Oregon Department of Environmental Quality (ODEQ) review of the Hawk Creek watershed:
 - The Hawk Creek watershed is approximately 1,543 acres, of which 76% is in private industrial forest (Nestucca Forests LLC) and 11% is owned by the U.S. Forest Service. The rest is in small, private holdings.
 - There are 20.81 stream miles in the watershed; the primary hazard to drinking water is erodible soils. Timber harvest and coastal storms represent the greatest erosion risks.
 - The average age of trees in the Watershed is 35 years old. Although clear-cuts are replanted by law, the resultant simplified forest stands are less robust in facing weather, fire, or infestation risks.
 - Jean further noted that Hawk Creek is a fish-bearing stream up to a point and that the Oregon Department of Forestry is amending regulations to increase the no-cut buffers in order to protect water temperatures in fish-bearing streams. However, these regulations will not apply to the small, ephemeral streams or the springs at the head of the watershed, so these will remain unprotected.
 - In 2012, the NRWD hired Trout Mountain Forestry to conduct an analysis of the portion owned by Nestucca Forests, LLC, which is 1,146 acres, i.e., the largest portion of the watershed. At that time, they estimated a total acquisition cost of around \$5 million. The Board assumes that this cost has probably gone up in the last four years.
- Troy Trute, General Manager for the Water District, then noted that his predecessor, Guy Holzworth, who was the General Manager of the Water District for 30 years, is still very interested in securing the future of Neskowin's Watershed.
 - Troy explained that he views the unpredictability of our raw water supply to be a major risk to the District's ability to deliver safe dependable drinking water to the community.
 - He further noted that the District hired Alex Sifford and Guy Sievert of E-System Services to help guide us through this project. With their guidance, the Board of Commissioners has met with representatives from the Oregon Coast Bank, Ecotrust Forest Management and the Special Districts Association of Oregon, in order to explore various funding options for acquiring the land.
 - Troy reported, however, that Nestucca Forests LLC has stated that they are not interested in selling their portion at this time. Since that could change, however, he and the Board agree that it is important to plan and explore our options now.
 - He also noted that the Hawk Creek Watershed is small and well-defined, which makes it more likely that we can acquire it.
 - As the Water District's General Manager, he strongly encourages the Water District to manage its watershed, and believes that the most effective way to do that is to purchase the individual properties in the Watershed. If negotiating low-impact management agreements with existing

owners is a possible alternative, then the District will continue to take advantage of such opportunities as well.

- Alex Sifford and Guy Sievert of E-System Services then added the following information:
 - The predicted impacts of climate change on the Oregon coast include longer, dryer summers and more intense storms during the winter months. “Flashy” winter storms mean more intense run off and increased turbidity in the creek, leading to potential increased treatment costs to protect the water supply.
 - An ODEQ draft report details the potential problems for coastal water districts with very small, steep watersheds that are heavily logged. These problems include the use of herbicides, excess runoff after clear-cuts, runoff from roads, and less ability for the land to slowly absorb and store water. The Oregon Forest Practices Act offers little protection for drinking water from Hawk Creek, allowing logging activities on steep slopes as well as pesticide spraying close to and even over the stream and its tributaries.
 - The District can purchase the industrial timberland in the SWA (~1150 acres) and manage it for source water protection as the primary objective. Alternatively, the District may be able to negotiate increased riparian buffers through the use of purchased easements with Hancock Forest Mgmt.
 - Funds for either option might come from DEQ loans, commercial loans, private investors, gifts and grants, a bond paid for by property taxes, increased water rates, or a combination of all these.
 - If the District were to acquire some of the watershed lands, it would likely hire experienced forest managers to operate it in such a way as to protect drinking water. There are companies that currently manage lands in Oregon for conservation outcomes including water supply protection. Logging would be done in such a way as to avoid negatively affecting Hawk Creek and the water supply. Timber sale revenue could be used to pay for land management and provide funds for the district.
 - Alex and Guy explained that Corvallis, Cannon Beach, Astoria and McMinnville are four examples of systems owning their watershed lands. There are 50 small to medium districts with similar issues on the Oregon coast and many of those are considering a similar plan to Neskowin’s.
 - They noted that the first step is voter support to pursue this action and the second is land availability (for sale). As of now, the biggest block, which is managed by Hancock but “owned” by a Real Estate Investment Trust, is not for sale. These trusts typically run their course every 7-10 years, and this particular trust was created in 2008. The District is working with Ecotrust Forests LLC to approach Hancock. Ecotrust knows the business, knows Hancock and has other deals that this could be a part of. Moreover, Ecotrust has an incentive as a possible land manager for the District. The third step would be creating an optimum mix of funds using all the sources listed above, as well as the services of bond counsel and Special District advisors.
- Jean Cameron closed by explaining that is this presentation was for the community’s information. When land becomes available, funding will occur if the community votes to pay for it and that decision will need to be made quickly, so it is the District’s intent to keep everyone informed. She encouraged community members to check the Water District’s website (<http://nrwd.embarqspace.com/>) for more information on this project.

Other

- The Ballot for the Hills of Neskowin Owners’ Association’s request to withdraw from the NRSA will be in the mail on February 22nd. Completed ballots should be returned by March 14th.
- Mike Herbel asked whether an update to the Neskowin Community Plan was expected. Richard Hook called for volunteers to review the current Plan and recommend updates and revisions. The current Plan, which was finalized on 3/31/1999 and is available at http://www.co.tillamook.or.us/gov/ComDev/documents/community/nesk_plan.pdf.

The meeting was adjourned at approximately 11:30 a.m. The next meeting of the Neskowin Citizen’s Advisory Committee will be on April 1, 2017.

Respectfully submitted,

Jean Cameron, Secretary
Neskowin Citizen Advisory Committee