

**SUMMARY NOTES**  
**Neskowin Citizen Advisory Committee Meeting**  
February 3, 2018

The Neskowin Citizen Advisory Committee (NCAC) convened for their regular bi-monthly meeting at 9 a.m. on February 3, 2018, at the Neskowin Fire Station. The meeting was led by NCAC Chair Richard Hook. Attending were Jeff Walton, Susan Amort, Dave Benneth, Roger Wicklund, Barbara Triplett, Marge Jozsa, Pat and Rich Albright, Bob Schlicting, Biff Schlicting, Gale Moore, Jim Carlson; Netarts CAC, Mary Kimball, Cathy Bennett, Pete Owston, Chris Silkowski, Erin Skaar; Executive Director, Community Action Resource Enterprises (CARE), Pat Ihnat, Randall Koch, Michael Schlicting, Earl Ingle, Cameron Nagel, Mike Herbel, Bill Busch; NCAC Vice Chair and Jean Cameron; NCAC Secretary.

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

NCAC Bylaws

- Jean Cameron explained that the original bylaws had been adopted in 2006 when this organization was known as the “Neskowin Community Planning Advisory Committee.” The Tillamook County Board of Commissioners adopted an ordinance in 2013 “forming and giving direction to the Citizen Advisory Committees for Tillamook County,” thereby changing the title as well as the mandate for the advisory committees.
- Jean worked with Richard Hook and Bill Busch to make initial revisions to the 2006 bylaws reflecting these changes. Subsequently, a Bylaws Subcommittee that included Andreas von Foerster and Charlie Cieko made additional revisions
- Those Draft Bylaws were approved at the August 5<sup>th</sup> NCAC meeting. They were then forwarded to Sara Absher for County Counsel Bill Sargent’s review. Jean reported that Ms. Absher had advised her on 1/16/18 that Mr. Sargent had approved the draft.
- Those attending voted unanimously to adopt these Bylaws as final. They will be posted at <http://neskowincommunity.org/cac.html>.

Proposal Rock Cove Subdivision - Status of appeal

- By way of background, Bill Busch explained that a developer had requested a Tillamook County permit to subdivide a 3.2 acre parcel in the Cove in South Beach into 9 lots. This proposed development is in the Coastal Hazard Overlay Zone, and some lots would be located in a wetland.
- After approval by the County, the neighbors appealed the County’s decision to the Oregon Land Use Board of Appeals (LUBA), which approved their appeal.
- The developer subsequently appealed LUBA’s decision to the Oregon Court of Appeals; that hearing is scheduled for February 12<sup>th</sup>. Richard Hook explained that the case is largely based on the County’s interpretation of the 180-day period for a permit applicant to submit a complete application.

Status of the Café on Hawk Creek’s expansion permit application

- Richard Hook stated that the Café received approval from the County to expand the building. The new building will be a foot or so higher and may include an elevator for disabled customers. He

also noted that the Ullrichs had made improvements in ODOT's parking lot at the north entrance to Neskowin, in exchange for an ODOT permit to use some of those parking spaces for café customers.

Items of interest to Neskowin from the Board of Commissioners' South County Listening Session 1/23/18. Jean Cameron gave the following summary of the 1/23 meeting:

- Updates on County activities were provided by County Commissioners David Yamamoto and Bill Baertlein and by Sarah Absher, Director of Community Development; Rachel Hagerty, Chief of Staff; and Bill Sargent, County Counsel.
- Baertlein noted in an update on workforce housing issues that both developers and non-governmental organizations are interested in coming to Tillamook County to focus on this issue. Tillamook County is applying for a state grant to hire an advocate to liaise with interested parties on housing development.
  - Tillamook County will set up a 7-9 person Housing Commission that will eventually become a community development entity.
  - Tillamook County would also like to get a state grant to pay for SDCs for qualifying housing initiatives.
- Sarah Absher discussed tsunami resilience planning, which is covered below in these Summary Notes.
- Sarah also noted that the Oregon Department of Geology and Mineral Industries (DOGAMI) has been studying coastal dunes; their information will be useful for coastal development decision-making.
- County Counsel Bill Sargent reported that he is handling two LUBA appeals, one of which is the Proposal Rock Cove appeal reported above. The other appeal has to do with siting of an RV on a small woodlot; this appeal could result in revisions to the County's codes.
- Sarah Absher reviewed the status of the Pacific City/Woods Community Plan update. Jean noted that this topic was covered in the recent edition of the *Headlight Herald*. She stated that the significance for Neskowin, as we begin revisions to our Community Plan, is that a lot of opposition was voiced over high-density housing. Ms. Absher had stated, however, that there were no changes to the Pacific City zoning map.
- The issues surrounding Hawk St. north and Neskowin's need for an emergency egress route were both mentioned; both are covered below.

Update on Hawk Street South (Emergency Egress Rd.)

- Noting that the County does not seem to see a way forward to secure funding to complete the planned extension of Hawk Street, Richard Hook recommended inviting Chris Laity, the new Public Works Director to the April NCAC meeting (he was invited to this meeting, but had a family conflict).
- Susan Amort noted that Tillamook County has dedicated 30% of the Tourist Lodging Tax (TLT) to roads, and that the TLT has generated more than \$3 million over the last three years. Approximately \$300,000 of that has come from Neskowin; 30% of that amount is \$90,000.
- Jean Cameron recommended that a committee be designated to go to the County and ask how we can access some of Neskowin's TLT funds to move this project forward. Earl Ingle, Susan Amort, Guy Sievert and Roger Wicklund will form this committee, which was approved unanimously by those attending. Guy Sievert noted that the USFWS and ODFW should be kept in

the loop regarding any changes to the approved design. He also stated that the culverts for this road are on the Nestucca, Neskowin, and Sand Lake Watershed Council's project list.

#### Update on Hawk Street North

- Richard Hook noted that Hawk Street North is becoming an increasingly complicated issue. The NCAC encouraged Tillamook County to take control of the issue and conduct a land survey of property lines vis-à-vis the existing road. As a preliminary step, the County sent a mail survey to property owners on Hawk St. North regarding their willingness for the county to conduct a land survey on their property; the results from this mail survey have not yet been released by the County.
- A portion of Hawk St. north through the "S" curve is involved in a lawsuit between the Neskowin Regional Sanitary Authority (NRSA) and the Walton family. At a preliminary hearing last month, the judge decided to expand the case to include property owners abutting the "S" curve. All property owners north of the disputed road area will receive notice of the legal action because they may be affected by a determination of certain issues that have been raised in the case.
- Pat Ihnat, who is employed as legal counsel for several title companies that operate or have operated in Tillamook County, was invited by Richard Hook to comment on the issues. Pat noted that the arguments and legal theories by the parties in the NRSA/Walton lawsuit appear to raise issues that may affect legal access for property owners who use Hawk Street north of Corvallis to access their properties. It appears that NRSA and the Walton are, in part, arguing about whether the Waltons own the disputed road area free of any public rights of way, including public utilities. It appears that the judge in the pending case recognized these issues may affect the owners who use Hawk Street for access. As a result, the judge apparently has required that property owners who abut the disputed road area are to be added as parties to the lawsuit. Property owners north of the disputed area are to receive notice of the lawsuit and be given an opportunity to intervene in the case. The notice will be drafted jointly by attorneys for NRSA and the Waltons.
- Ms. Ihnat noted that property owners who are potentially affected by Hawk St. north issues may want to check the records from the purchase of their properties to determine whether they have a title insurance policy and, if so, whether they are entitled to submit a claim under their title insurance.
- Richard Hook thought that Tillamook County is waiting for this issue to be resolved before conducting any surveys of the road and adjacent properties. Pat Ihnat noted that there are Oregon statutes which would allow Tillamook County to legalize the existing route once surveyed, without payment of any funds to the property owners provided the legalized route does not require removal of any structures. However, the County will likely want community buy-in for this legalization.
- Guy Sievert noted that Tillamook County needs to demonstrate leadership and take initiative to resolve this problem.
- Jeff Walton commented that his family has been here for over a century and that their name has now been "dragged through the mud for no reason."
- Richard Hook noted that "the Walton family is part of Neskowin's DNA," and that the NRSA provides a critically important service to the area it serves. He encouraged the community to "lower the emotions and drop the 'us versus them' approach so that we can resolve this issue amicably and achieve a win-win solution."

## Tsunami planning: DOGAMI "Beat-the-Wave" mapping project

- Richard Hook introduced this topic by suggesting that we discuss tsunami drills at every meeting. He also suggested that Neskowin's annual "Fun Run" include a tsunami drill element.
- Bill Busch then gave a PowerPoint presentation titled *Tsunami Resilience; Policy and Beat-the-Wave Maps*. This is now posted at <http://neskowincommunity.org/Tsunami%20resilience%203%20Feb%202018.pdf>.
- Bill explained that Tillamook County is planning to incorporate tsunami resilience into Comprehensive Plan Policies in order to protect life, minimize damage, and facilitate rapid recovery. Planning will also facilitate orderly and expedient evacuation, reduce development risk, and promote tsunami awareness education and outreach. The County process will also develop hazard mitigation plans.
- Policies in the Tsunami Resilience Comprehensive Plan will address tsunami debris management plans, limit hazardous material storage in inundation zones, improve facilities and infrastructure associated with evacuation (such as signage and identification of evacuation routes), restrict development of and plan for relocation of key facilities, and adopt DOGAMI's Tsunami Inundation Maps (TIMs) and Tsunami Hazard Overlay Zone maps.
- The County plans to adopt a Tsunami Hazard Overlay Zone in order to increase resilience to a local source Cascadia subduction zone (CSZ) tsunami. The intent of such a zone would be to reduce risk and increase resilience by restricting or limiting certain categories of uses within the zone; by integrating development and improvement of evacuation infrastructure into land use reviews and development; and by providing incentives for development designs which reduce risk and increase resiliency.
- Bill then showed a Neskowin tsunami inundation map from DOGAMI (the inundation zones have not changed on their new maps) and explained how the areas varied based on distant earthquakes versus a local CSZ quake. DOGAMI tsunami websites are as follows:
  - Evacuation brochures are at <http://www.oregongeology.org/tsuclearinghouse/pubs-evacbro.htm>
  - Tsunami inundation map (TIM) series: <http://www.oregongeology.org/tsuclearinghouse/pubs-inumaps.htm>
  - Interactive tsunami evacuation zones maps: <http://nvs.nanoos.org/TsunamiEvac>
- Bill explained that DOGAMI has been developing what they call *Beat the Wave* maps for communities on the Oregon coast. These are designed to illustrate the best routes out of inundation zones as well as the speeds needed to get to high ground in a XXL tsunami (a tsunami associated with a magnitude 9.1 CSZ earthquake).
- These maps are based on minimum foot speed required to reach safety, incorporating such factors as:
  - Identified evacuation paths;
  - Ground slope;
  - Surface cover, e.g. asphalt, dirt, soft sand; and
  - Estimated tsunami wave arrival time.

- Using the *Beat the Wave* map developed by DOGAMI for Seaside, Bill explained that DOGAMI used LIDAR<sup>1</sup> to identify precise elevations. The area was divided into grids and the distances to safe ground were calculated for each grid.
- DOGAMI's next step was to map the XXL tsunami wave arrival times for Seaside. They then estimated the foot speed required for safe evacuation from various locations, assuming seismic retrofitted bridges only and a 5 minute delayed start caused by ground shaking from the earthquake. They also estimated evacuations based on 3 minutes of shaking and 7 minutes to get underway.
- DOGAMI calculated travel speeds (in feet per second) for average adults, both impaired and unimpaired, for the elderly and for children. Using all this data, they produced a simplified evacuation map showing the most efficient routes to safety.
- Bill also showed a DOGAMI *Beat the Wave* maps for Rockaway Beach.
- Bill has spoken with Laura Gabel of DOGAMI, who is developing a *Beat the Wave* map for Neskowin. Ms. Gabel is working with Sarah Absher to organize planning meetings with unincorporated areas in South County. We have suggested that she meet with Neskowin residents to focus on the Neskowin map, since these are drafts which are subject to change pending community input. Bill will organize a group of local residents to provide that initial input.

#### Discussion of January 17 - 18 coastal flooding

- It was noted that three homes in Neskowin were damaged by the high water and a lot of large logs and other driftwood has been found high in the dunes.
- Richard Hook recounted how he and his wife and dog were chased off the beach by a large wave two hours before high tide.
- Someone stated that "we will see worse."

#### Golf Cart policy

- Representatives from the Neskowin Community Association reported that they support a "common sense" approach to managing the use of golf carts in Neskowin, but that they do not believe that adoption of formal guidelines would be wise.
- Richard Hook noted that Sheriff Long stated that he wouldn't support adoption of a County ordinance on this issue, because golf carts are not legal "vehicles."
- If an accident occurs when a minor is driving, the responsible adults will be cited.

#### Update on the Neskowin Community Plan Review (see

[http://www.co.tillamook.or.us/gov/ComDev/documents/community/nesk\\_plan.pdf](http://www.co.tillamook.or.us/gov/ComDev/documents/community/nesk_plan.pdf))

- Work on the Neskowin Community Plan will begin when the Tillamook County Department of Community Development has completed their work on the Pacific City/ Woods community plan.
- Bill Busch encouraged those interested in helping on the Review Subcommittee to contact him.

#### Erin Skaar, Executive Director, Community Action Resource Enterprises (CARE)

- Ms. Skaar explained that CARE provides resources and referrals to help low income people in Tillamook County with housing, food and health support.

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<sup>1</sup> **LIDAR**, which stands for Light Detection and Ranging, is a remote sensing method that uses light in the form of a pulsed laser to measure ranges (variable distances) to the Earth.

- CARE's main office is in Tillamook (2310 First St., Suite 2) and is open from 9 to 4 Monday through Friday; they can be reached at 503-842-5261. Website: <https://www.careinc.org/>
- Ms. Skaar reported that 20% of the people whom CARE serves are from South County. CARE has received a grant from the State to hire an outreach person for both North and South County. She asked those attending for input regarding the best place to locate that resource person in South County.
- Ms. Skaar noted that housing stock along the Tillamook coast is dynamic, whereas housing stock inland is stagnant, partly as a result of the fact that homes are aging and their owners lack money for upkeep.
- She explained that CARE has a Healthy Families program that provides home visits for expecting mothers and infants.
- CARE also operates the Kilchis House, which provides assisted living for senior citizens. This is a non-profit operation that accepts both private and state funding.
- CARE will gladly accept financial donations as well as goods such as tarps, towels, sleeping bags and hygiene items. Donations can be made online (see above). She noted that CARE is currently conducting a capitol campaign for construction of a new building.

#### Other

- Marge Jozsa reported that there will be a Disaster Preparedness Fair at the Kiawanda Community Center in Pacific City on May 19<sup>th</sup>.
- Jean Cameron noted that NRPD Chief Jim Oeder reports that the County Commissioners approved installation of the no-parking signs on Breakers Avenue by the County road department. The Chief will work with the road department to site the signs, which should be installed in the next few weeks
- Jean also noted that the U.S. Bureau of Offshore Energy Management will hold a public meeting at 3 p.m. next Tuesday, February 6, at the Red Lion Hotel in Salem (3301 Market St., NE) regarding their intent to permit offshore drilling on the Oregon Coast. Environmental groups are organizing a public demonstration on the Capitol steps at 2:30 p.m. that same day.

Respectfully submitted,  
 Jean Cameron, NCAC Secretary  
 Neskowin Citizen Advisory Committee