

Final draft from committee

DUNES MANAGEMENT PLAN

FOR THE

LONG BEACH PENINSULA

PACIFIC COUNTY, WASHINGTON

JUNE, 1989

The preparation of this plan was financially aided through a grant from the Washington State Department of Ecology with funds obtained from the National Oceanic and Atmospheric Administration, and appropriated for Section 306 of the Coastal Zone Management Act of 1972.

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Dear Reader,

The fourteen members of the Dunes Management Committee, Ardell McPhail our coordinator, and Douglas Canning, Dept. of Ecology have met for the past year. Meetings have been most often weekly. Argument has been vigorous, if polite, and those of opposing views have often been able to dissuade each other. We have been advised at length by the best of scientific, legal, biological, botanical, governmental, geological, oceanographic, and academic authorities and have endlessly argued their conclusions. We have included the opinions of law enforcement and park regulatory agencies from three states. We have been provided with many publications and maps both current and historical. Although we are not always unanimous in our conclusions we are in agreement upon the matter of most importance: **the need for orderly, limited usage or real development of the dunelands and beaches in order to conserve what is unique and irreplaceable.**

No one current in world affairs can be unaware of the damage done to our global environment by the unrestrained application of the technological revolution in the last centuries. The damage to our own small segment is as yet not the most serious. Neither is it trivial. It is imperative that our government and citizenry recognize that the economic pressures to use and build have now reached the critical point. The capacity of our land to absorb man-made change without losing its uniqueness is threatened. The preservation of the ocean beach and Willapa Bay is the foundation of our economy. It is also the reason we choose to reside here.

We know we must and will continue to build and develop for such is the cornerstone of capitalism and free economy. Perhaps what is urgently needed is a sense of shared destiny. We must accept that preservation of what is irreplaceable must be given equal weight with personal choice about how to use one's property or choose one's means of recreation. We must all increasingly recognize the effect of our personal choices upon one finite and shrinking world, our neighbors, and the citizenry everywhere who own some share of the beauty of headlands and beaches. Then we must all understand and be willing to relinquish some of our personal choices to the need of the common good. This is the thrust of the Shorelines Management Act of the Washington legislature and its resultant local master plans. This was the enabling principle of our committee's formation.

An enlightened society is one that takes care of the place where it lives, its economy, laws, and governing. Urgently now, the list must include ecology and environment. To address this we must balance the conflicting interests in the preservation of our most valuable asset, the peninsular dunes, beaches and seashore. It behooves the governed as well as the governors to learn how the physical world works and to adapt and accept our laws and regulations accordingly.

This study has disclosed that ours is a fragile and changing sandspit. We are not living upon a solid ground of rock and soil stabilized for millenia, but rather, an elongated pile of shifting sand. It is formed by the sands issuing from the Columbia River and just as constantly being eroded by the winds and sea. In the memory of most of us, and since the completion of the north jetty, we have been in a positive balance with accretion of the beach westward. We have assumed this would continue forever and that the land configurations are stable. Our scientists advise us that this is not to be so. We must adjust our plans to the knowledge that the river's gift of sand is diminishing and that the store of sand on Peacock Spit is gone. We, therefore, may face erosion, and such is predicted. The natural defense of the foredunes is the best defense, and the preservation of the foredunes is as paramount as the preservation of the purity of Willapa Bay.

In keeping with the above we present our conclusions.

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TABLE OF CONTENTS

BACKGROUND	4
GOALS	5
STUDY AREA	6
GLOSSARY	7
GENERAL MANAGEMENT ELEMENT	9
NATURAL RESOURCE ELEMENT	11
RECREATION ELEMENT	13
LAND USE ELEMENT	15
SAFETY ELEMENT	19
APPENDIX A -Information Resources	20
APPENDIX B -Minority Report	25

BACKGROUND

The Dune Management Committee, made up of citizens from the Long Beach Peninsula, was appointed by the Pacific County Commissioners to develop a land use management plan for the dunes area. The formation of this committee was recommended by the Citizen's Planning Task Force in their revision of the subarea Comprehensive Land Use Plan for the Long Beach Peninsula. The latter group believed there were many issues specific to the dune area that required more indepth study than was given in the comprehensive plan update.

A regional meeting was held in December, 1987 to involve local citizens and local and state agency staff in a discussion of issues and concerns in the dunes area. With strong expressed interest in the development of a plan and policies for the dune area and the promise of funding and technical assistance from the Department of Ecology, the County appointed the Dunes Management Committee in February, 1988.

A series of public education meetings was held for the first three months of the process. Topics included:

Overview of Dune Management and Planning, Coastal Accretion and Erosion, Physical and Biological Dune Processes, Accreted Land Ownership, Groundwater and Wetlands, Flood Management and Federal Flood Insurance Programs, Economics of the Peninsula, Shorelines Master Program and Regulations, Land Use Law, and Dune Management and Maintenance at Nedonna Beach, Oregon. (See appendix for reference materials provided by the various speakers.)

The public education meetings were also recorded on video tape and will be made available to the local libraries as a continuing education resource.

For the most part, the Dunes Management Committee made decisions on goals and policies by group consensus. When they became stalemated, policies were included in the plan if there was a majority in favor. The committee was selected to represent the diverse opinions and backgrounds of the population of the Long Beach Peninsula in order to ensure input from all groups. Public meetings were held periodically to solicit further input.

GOALS

- 1. Develop a plan that is workable for all.**
- 2. Ensure an up-to-date plan.**
- 3. Ensure fair, consistent enforcement of regulations.**
- 4. Ensure that the dunes area is a safe place.**
- 5. Protect the dunes from destructive activities.**
- 6. Maintain a clean, beautiful Peninsula.**
- 7. Preserve some areas of open space within the dunes.**
- 8. Set aside areas for recreational activities.**
- 9. Ensure adequate public access to the beach.**
- 10. Ensure that any development in the dunal areas shall be in an orderly fashion, and such developments complement each other, and utilize and preserve our unique environment.**
- 11. Maintain the aesthetics of the dunal area through a design review process.**
- 12. Ensure local input into land use issues.**

STUDY AREA

The Dunes Management Plan is focused on an area on the westerly side of the Long Beach Peninsula from Fort Canby State Park north to Leadbetter State Park, and from the westerly face of the primary dune east to the Line of 1889. The study area for this planning program was slightly larger--from Cape Disappointment north to Leadbetter Point, and from the offshore beach east through the dunelands and associated wetlands to the line of dense forest vegetation.

However, the plan also makes recommendations for land use and other activities elsewhere on the Peninsula. The committee chose to make these recommendations because they considered it desirable to direct certain land uses and activities away from the dunelands.

While for the most part the Peninsula dune area is considered as a whole, there are several different geographical features that require special consideration to be given and separate policies applied to a given area that may not apply to the whole area. It was deemed most appropriate to identify subsections of the dune area in order to effectively manage these areas. When a policy applies only to a given section, it will be so stated, otherwise the policies apply to the entire dune area.

Subsections are as follows:

Section 1: Cape Disappointment: The area from the Columbia River north to Beard's Hollow. (These lands are predominantly owned and managed by the State Parks and Recreation Commission.)

Section 2: Seaview: Beard's Hollow to the south city limits of Long Beach. (Considerably more accretion in this area and little development at present west of J street in Seaview.)

Section 3: Long Beach: This is a political rather than geographical distinction. The County plan has no jurisdiction over the city.

Section 4: North limit of Long Beach to 201st street. (Less accretion than Section 2. Existing development is mixed. Lacks design planning.)

Section 5: Ocean Park South: 201st street to Bay Avenue in Ocean Park. (Beginnings of some erosion in this area.)

Section 6: Ocean Park North: Bay Avenue to Joe John's Rd. (290th) (More dense residential area.)

Section 7: Surfside: 290th to north limits of Surfside plus 108 feet. (No accretion, major foredune view obstruction problems. Good design policies for homes. Illegal dune cuts causing problems for neighbors.)

Section 8: Leadbetter: North of Surfside to Leadbetter Point (Lowlands with water and flood problems. State owned wildlife preserve at Leadbetter.)

GLOSSARY

Accretion: The seaward widening or extension of a sandspit by a positive balance between sand supply from the Columbia River and sand removal by wind and wave action.

Beach: The unconsolidated strip of sandspit extending from the low tide line to the seaward edge of shoreland vegetation, a narrow strip of sand paralleling the ocean or bay coastline.

Dunal areas, Dunelands: (See diagram next page) Seashore sand grass formations, and other vegetation, usually ridges parallel to sea and each other, created by wind and wave action and later stabilized by emergent characteristic coastal vegetation and trees. The **dunal area** extends from the seaward line of vegetation comprising the foredune to the established tree line eastward. (Ref. graphics showing eastward line.)

Erosion: The landward narrowing or retraction of a sandspit by a negative balance between sand supply from the Columbia River and sand removal by wind and wave action. Water erosion tends to move sand along the shoreline and remove it from the beach. Wind erosion tends to move sand about in the dunelands.

Foredune: The sand and grass ridge adjacent to the beach forming the primary barrier to sea and wave erosion. Also called primary dune.

Line of Dense Forest Vegetation: The irregular line formed on the dunal area by a dense line of trees between coastal wetlands and the upland. Scattered, outlying trees may lie on the dunelands. (See diagram)

“Non-permanent” Public Facilities: Examples include: viewing towers, toilets, walkways, parking lots, lighting, restrooms and informational kiosks.

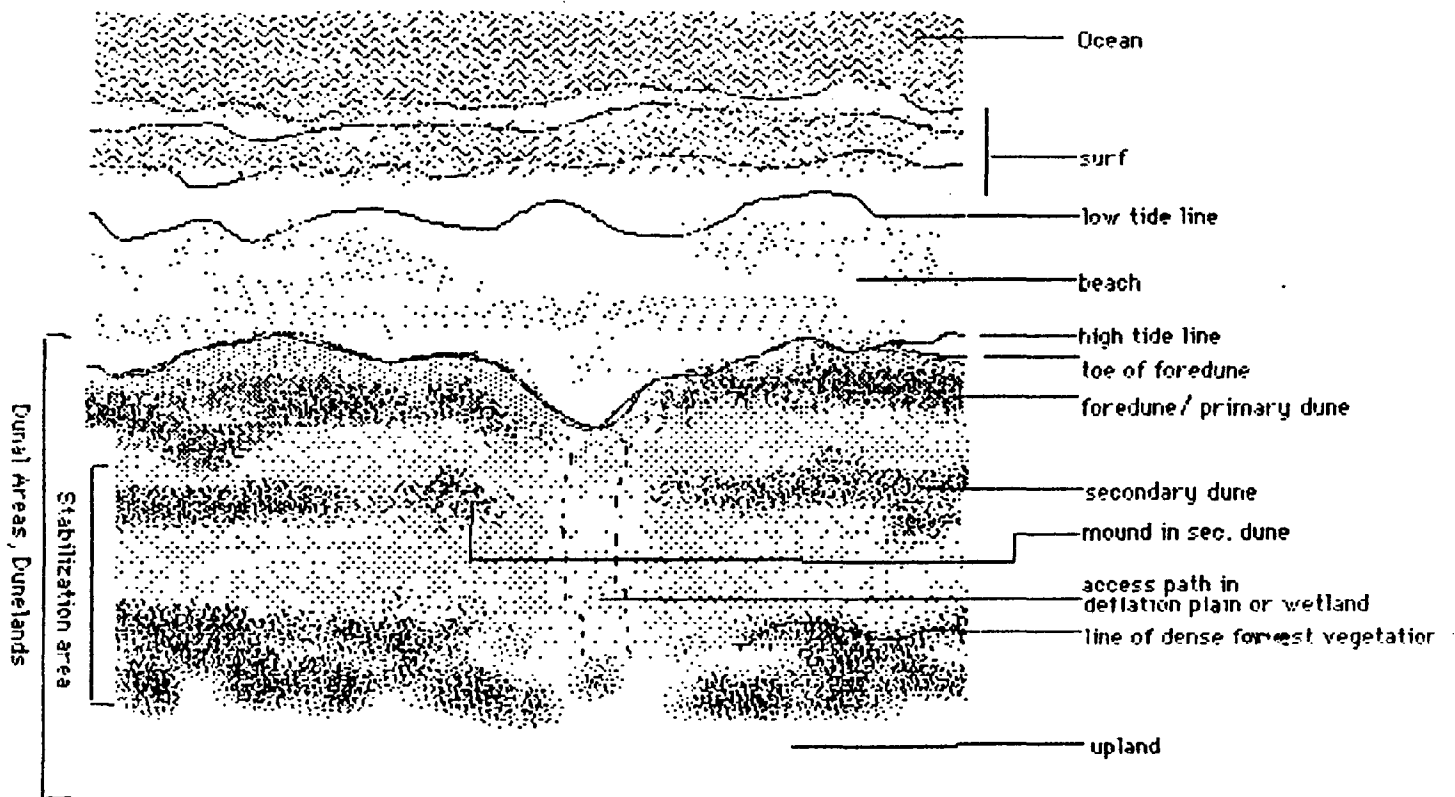
Open Space: Scenic areas both public and private left in so far as possible in its natural state and designated for public viewing devoid of permanent structures.

“Permanent” Structures: Buildings other than non-permanent public facilities.

Primary Dune: Same as foredune.

Public Access: The means by dedicated path or road allowing physical approach to the beach from the upland through the dunes.

Stabilization: The protection or replacement of the dune from erosion or removal by growth of natural vegetation or by man-made structural means.



GENERAL MANAGEMENT ELEMENT

In studying the Long Beach Peninsula dunelands, two facts seem to stand out. The first is that the dunelands are a natural system formed and altered by the action of tides, waves, wind, vegetation, and a supply of sedimentary sand. Second, given the presence of these elements, coastlines take on a form common the world over.

These facts of dune formation appear to suggest stability. However, this seeming stability is counteracted by the other salient fact, that of unpredictable duneland formation. Changes in any of the formative factors will change the pattern of dune formation. The Long Beach Peninsula provides an excellent example of this inconsistency. The Peninsula itself is a product of slow accretion during thousands of years of deposition from the Columbia River. However, two recent acts of man have altered the normal dune and coastal processes on the Long Beach Peninsula. Following the construction of the Columbia River's North Jetty in 1915, there was a very rapid accretion on the ocean side. During the 1930s, European Beach Grass was planted along the coast to stabilize dunes; this led to the formation of taller, more densely vegetated dunes.

Accretion-erosion patterns on the Long Beach Peninsula have changed during the past decade. Prior to 1978, the entire ocean beach of the Peninsula was accretional, with only scattered, short-term incidents of erosion. During the past decade, the rate of accretion has decreased. The south Peninsula between the Columbia River Jetty and North Head reversed and has been erosional. While the shoreline or beach accretion has slowed, the westward movement of the grassline has not. This reflects that in the past the grassline was not building westward as rapidly as the shoreline accretion. Whether the erosion pattern south of North head will spread north is speculative.

Experts have been reluctant to make predictions about the future of our dunelands. However, they have counseled caution in our approach and respect for the unpredictability of Mother Nature. It is therefore the opinion of the Dunes Management Committee that a conservative approach to dunes management be adopted. This approach must in some way recognize the potential for change in coastal formation.

Goals:

- 1. Ensure an up-to-date plan.**
- 2. Develop a plan that is workable for all.**
- 3. Ensure fair, consistent enforcement of regulations.**
- 4. Ensure local input into land use issues.**

Policies:

- 1. Review the dune management plan every 5-10 years to allow for economic or natural changes.**
- 2. Appoint a Dunes Study Group to act as a watchdog advisory body charged with the following responsibilities:**
 - a. Act as a repository for information on coastline phenomena. Collect and catalog incoming scientific, economic, and sociological data.**
 - b. Act aggressively as a public information and education source so that citizens would be aware of coastline processes.**
 - c. Organize a system to monitor height of the frontal dune, accretion and/or erosion rates, water table, and state and federal laws governing duneland use.**
 - d. Act as advisors to the Board of County Commissioners. In this capacity, the DSG could recommend revision to the Peninsula Comprehensive Plan, the need for a new study of unexpected events, and other issues.**
 - e. Act as a coordinating agency for county, state and federal studies and programs to ensure economy of effort and lack of duplication.**
- 3. Formalize the Dunes Study Group by county resolution and appoint the nucleus from the present Dunes Management Committee.**
 - a. Institute overlapping terms of office to ensure continuity.**
 - b. Consult the DSG for nominations to fill vacancies.**
 - c. Require a yearly report on its actions to be presented to the County Commissioners.**
- 4. Develop a funding plan to provide monies for adequate enforcement of land use laws and other ordinances in the dunes area to the planning department, sheriff's department and the prosecutors office. Suggestions include: a. fines and forfeitures, b. day use and user fees, c. festival parking fees, d. Centennial Clean Water monies, e. Coastal Zone Management funds.**
- 5. Adequate enforcement of dune protective ordinances must be provided.**

NATURAL RESOURCE ELEMENT

The Long Beach Peninsula has a unique and invaluable natural resource in the ocean, beach, and grassy dune wetland open space. The pristine value of this area is difficult to assess in strictly economic terms. Without a doubt, this environment is the attraction that brings tourists to the area for short term visits. We need to be mindful of the axiom that to alter the natural features of unique geography for some gainful purpose is to diminish the reason why the area is unique. Some have warned about "irretrievable losses" if the natural resource is substantially altered.

In managing this natural resource, the benefits must be understood. The accreted lands and dunes provide a physical barrier against the sea. The series of low sand dunes, stabilized by nature with dune grasses, protect inland areas from damaging inundation caused by a combination of high tides and storms, from the harmful effects of wind-blown sand, and dissipate wave energy that could cause flooding. They also serve as pollution-free recharge areas for our fresh water aquifer. Though accretion has been a way of life here, erosion has begun principally in front of the North Jetty to North Head. Thus, the accreted lands become a buffer area if we enter an erosion era.

Goals and policies related to the natural resources of the area must weigh the benefits of natural open space, safety factors, and the esthetic value of the area. The issue of dune modification was the most controversial for the dunes management committee. It is recommended that the future Dunes Committee continue to look at this issue carefully.

Goals:

1. Protect the dunes from destructive activities.
2. Preserve some areas of open space along the dunes.
3. Maintain a clean, beautiful Peninsula.

Policies:

1. Consider the foredune as untouchable.
2. No disturbance of the foredune shall be allowed except as necessary for stabilization such as planting.
3. No modification shall be allowed in the 100 foot protective strip and any dunal formation westward thereof.
4. Areas should be set aside or identified to be used in a non-destructive way such as open space, natural areas, national preserves, and/or public parks containing "non-permanent" buildings. (see glossary)

5. The Pacific County Planning Department in cooperation with the State Parks Commission shall initiate studies of beach access by elevated roads and walkways that do not disturb the foredune.

If studies prove the feasibility, access shall be by this method.

6. Consideration shall be given to filling and revegetating existing foredune cuts where feasible.

7. No action in the dunes will be tolerated which adversely affects the upper fresh water aquifer.

8. Request that the County and State do a feasibility study to designate the Long Beach Peninsula dunelands as a National Seashore or comparable. Management of a National Seashore should be retained by local jurisdictions as presently arranged at Ebbey's Landing.

9. All state-owned lands in the dunes shall be declared "open space" and building or alterations allowed as necessary to carry out other policies within this plan. As future land is donated to the state, it shall be declared open space as well. Development of day use parks at recommended locations is encouraged.

RECREATION ELEMENT

The Long Beach Peninsula becomes a seasonal haven for tourists and locals alike to enjoy recreational activities unique to the state. Wave watching, beach combing, beach driving, picnicking, horseback riding, jogging and walking on the beach, sandcastle building, and kite flying are but a few of the activities on the peninsula.

Recreational activities must not interfere with the protective barrier of the foredune system.

Goals:

- 1. Ensure adequate public access to the beach.**
- 2. Set aside areas for recreational activities.**

Policies:

- 1. Adequate parking areas and sanitary facilities shall be provided for users of newly created recreational opportunities.**
- 2. Elevated walkways and roadways shall be provided to prevent destruction of the dunes. It is the intent of this policy to limit the number of walkways in long plat development to the minimum and to encourage consolidation of access.**
- 3. No motorized vehicles shall be allowed in the dunal area other than authorized public vehicles.**
- 4. An ongoing education program about the fragility of the dunes shall be adopted for the Peninsula and pertinent information included in various tourist information materials.**
- 5. Adequate parking and sanitary facilities shall include:**
 - a. Some type of paving to control dust and sand blowing. Possibly government surplus airstrip matting could be obtained. Grass growing through permeable surfaces such as crushed rock or matting should be removed by non-toxic means.**
 - b. The parking sites should not be located near the foredune or the building setback lines so as not to harm the view of nearby homesites.**
 - c. Those parking sites in remote areas require supervision by either volunteer or paid attendants with some means of communication with the sheriff's deputies. This is to preclude 1) automobile burglary, 2) dumping of household garbage in the parking lot containers, 3) disorderly or noisome activities.**
 - d. Where feasible, lighting capacity should be installed. The use of this would be at the discretion of sheriff's and parks officials. (Police have advised that lighting can be misused by youthful auto users causing noisy disturbances.)**

e. Some means of financing the operation of the parking lots is needed. Suggestions have included parking meters, a collectable charge made by the park managers, the use of parking lots as sites for street dances and other activities where the users could be charged, and the provision of tax funds by the state legislature that mandated the parking areas. Another suggestion is to franchise the parking areas to private operators who could staff and charge fees in a manner regulated by the county commissioners.

f. A function of supervision would be to control noise levels of unstructured activities and to prevent use of parking areas for moving vehicle activities.

g. One pathway to the beach and through the foredune should be provided at each parking area as the only foot access to the beach.

h. Toilet facilities should be provided and maintained in a sanitary state. In remote areas only outhouses would be possible but these should be made of metal upon concrete foundations so as to be fireproof and nonremovable.

i. Signs should be posted defining the proper use of dunes and beaches and prohibiting the use of firearms and fireworks on any portion of the beaches or dunes, and prohibiting campfires in the dunal grass areas. The warnings should include prohibition of any RV's in the dunal areas. There need to be signs that also give general instructions such as are found at the beach approaches concerning speed limits, driving on clam beds, and safety considerations such as swimming, mounting logs on incoming tides, etc.

j. Instead of being only negatively prohibitive, signs or legends could be placed in kiosks that persuade the public to share responsibility for the preservation of the fragile dunal system. Encourage school contests for the best posters to be placed in the kiosks that explain why restrictions are needed on beach and dune usage.

LAND USE ELEMENT

In some of the Sections of this study area, there is existing development and potentially room for further development. The purpose of this element is to provide guidelines for that development consistent with the rest of the dune management plan. These guidelines are to be used along with the Long Beach Peninsula Comprehensive Land Use Plan and existing or subsequent zoning ordinances.

Goals:

- 1. Ensure that any development in the dunal areas is in an orderly fashion, and that such developments complement each other, and utilize and preserve our unique environment.**
- 2. Maintain the esthetics of the dunal area through a design review process.**
- 3. Ensure local control over property on the Peninsula without the illegal taking of private property rights.**

Policies:

General Land Use Policies:

- 1. There should be a joint survey of a common Seashore Conservation Line-County Grass Line in 1990 by the Parks and Recreation Commission, the Department of Ecology, and Pacific County. This standardized line should be resurveyed every five years or as necessary.**
- 2. In the event of coastal erosion eastward of the 1990 surveyed grassline, the building line shall be moved eastward on a yearly basis a distance equal to the amount of erosion. In the event that erosion occurs exceeding the previously established accretion, the building setback shall be moved eastward an amount equal to the erosion excess.**
- 3. The setback easterly from the Western Boundary of Upland Ownership should be standardized at ten feet for those who do not own west of the upland ownership line..**
- 4. For owners of property that includes west of the Western Boundary of Upland Ownership the formula which determines easterly setback from the Grass Line is understandable and is working; there is no need to change the formula.**
- 5. The height of buildings on the furthest westward lots shall be restricted to 24 feet above the existing average grade level along the building line. (The intent of this policy is to keep a low profile on the front line of buildings.)**
- 6. Require notification by the County to anyone within 600 feet of a proposed site where there is a request for a variance from the applicable regulatory control.**

7. The Pacific County Planning Department in cooperation with local fire and emergency services shall develop a plan for access to structures by fire and emergency vehicles throughout the dune area. Of priority interest is the Seaview Section #2 to provide a north-south fire and utility access road between 30th and 35th Streets.

8. The County Planning Department shall formulate a disclosure statement regarding the dynamic nature of the Long Beach Peninsula Coastline. This disclosure statement must be presented to prospective buyers of duneland property by the seller or agent. The disclosure statement will inform the prospective buyer that like all coastal areas, the Long Beach Peninsula beach and dunes area is in a constant state of change. The statement should include an explanation of the possibilities of accretion and erosion and the resulting effect on the deflation plain and foredune. In addition, because of prevailing winds, the height of the foredune is unpredictable and ocean views may become obstructed. A statement of accretion and erosion and a 50 year history shall also be included. The Planning Department should propose an ordinance to the Board of County Commissioners setting forth the disclosure statement system and containing penalties for failure to disclose. The Prosecutor shall design a "hold harmless" clause to protect the County.

Building Setback Line by Section:

9. Section #1 (Cape Disappointment) : No recommendation. This is State Parks land.

10. Section #2 (Seaview): No development shall be allowed west of the 1889 line with the exception of non-permanent public facilities and public access. This line shall be reviewed every five years.

11. Section #3 (Long Beach): No recommendation, City of Long Beach.

12. Section #4 (North limit of Long Beach to 201st): Adopt the existing building setback line. Review of this line shall be done every 5 years. (From the north city limits of Long Beach as of January 1, 1974, draw a straight line to the middle of Cranberry Road as follows: Starting 200 feet easterly of the 1968 Seashore Conservation Line traveling north to the middle of Cranberry road at which point measure 1/4 the distance between the easterly edge of the protective strip to the 1889 line. North of the middle of Cranberry Road the setback line is 1/4 the distance between the easterly edge of the protective strip to the Western Boundary of Upland Ownership.)

13. Section #5 (Ocean Park South): Freeze the existing 1983 grassline and replace the building line formula with the 1976 monumented grassline. This line will be reviewed in 5 years.

14. Section #6 (Ocean Park North): Adopt the 1976 monumented traverse line as the building line. This line will be reviewed in 5 years.

15. Sections #4, #5, and #6: There will be no westward movement of the building lines until there are 600 feet of accretion, at which time it may be considered to move the building line no more than 200 feet west.

16. Section #7 (Surfside): Freeze the existing building setback line. Review in 5 years.

17. Section #8 (Leadbetter): Construction shall be confined to the north-south high ridge which follows the west line of Section 33 and the west line of Section 28 (the same ridge as J Place extended).

18. Lobby for legislative changes to facilitate trading of private property and state owned lands to eliminate the patchwork ownership of beach frontage in order to maintain large blocks of land in "public trust".

RV Parks

19. A special effort should be made by the Planning Department to find suitable RV park sites in the central strip of the Peninsula and designate these zones R-3 or C-1. If insufficient or no areas can be found, then placement must be allowed West of Highway 103. Such installations must conform to special restrictions.

20. The existing R-3 zone from the North boundary of Long Beach to Cranberry Road (in Duneplan Section 4) must be utilized as placement for RV parks before any other area, and no existing R-1 or R-1 areas west of Highway 103 shall be rezoned to R-3 or other.

21. An architectural Design Review Commission should be established with authority to approve or disapprove plans for RV sites, motels, and other tourist-type installations with respect to density, health considerations, concealment of offensive elements, and overall aesthetic attractiveness.

22. Placement of RV parks near or on the dunal areas shall be subject to the following:

a. Density restrictions for septic tank, sewage system, and sewage treatment placement now decreed by County Health Department must be observed and enforced. Septic tank permits cannot now be issued without building permits or business licensing.

b. Parking sites for trailers and motorhomes should be concealed with fences or foliage so as to be invisible from beach and highway and residents to the north and south. Each trailer placement site should be divided from others by at least two trees and two evergreen bush plantings. Maintenance of this foliage is the contractual responsibility of the owner of the RV park.

c. Such RV rental spots shall begin 150 feet west of Highway 103 and in no case approach to within 600 feet of the 1976 monumented traverse line with greenbelts on both the east and west boundaries.

d. Those RV parks designed in conjunction with motel accommodations, especially those with recreational facilities should be given preference for the limited RV park sites.

e. One footpath per park shall be allowed for crossing the foredune to the beach. A footbridge across the foredune may be considered if experiments show that they are practical and effective in preserving the foredune.

f. Noise control over the use of outdoor radios, tape players, VCRs and other speakers should be a contractual responsibility of the owner or manager of the RV park.

g. The permanent Dunes Study Group will be the oversight agent to ensure noise, dust, refuse, and grounds maintenance adequacy. It will report to the planning department for correctional enforcement.

h. Revocation of a conditional use permit will be the penalty for failure of RV park management to maintain the above required elements. Pacific County will develop RV standards through ordinances and require them as a conditional use in specific zoning districts.

Other land use policies:

23. The Dunes Committee opposed the additional north-south road west of Hwy. 103 in the circulation element of the new Comprehensive Plan.

24. The county and/or state shall be encouraged to consolidate currently owned State Parks lands or to purchase available property east of the dunal area and west of 103 for park access where necessary to provide for future relatively small day use parks (recommended 1 to 20 acre parcels) at appropriate intervals along the beach west of Hwy. 103. Land should be acquired now while purchase is easier and less costly and held until needed and until funds for quality development and maintenance of said parks can be obtained. It is the intent of this statement that there shall be a system of small parks which make possible beach access for residents and visitors. It is also the intent that they be kept "small" to effect distribution of users along the length of the peninsula rather than cluster the use, and thus minimize the impact on fragile dunelands.

SAFETY ELEMENT

The Dunes Management Committee recognizes that when people are introduced in the dunelands there are potential safety issues that must be addressed. First, the dune grass is highly volatile, and with the help of frequent strong winds, fire can easily consume acres of grass in a short period of time. Nearby homes may be threatened unless precautions are taken to keep the grass away from buildings. Secondly, though there is a significant pheasant population living in the dunes and some may wish to hunt them, there are also people walking or playing in the dunes unaware that there may be hunters, particularly during the late summer or early fall season. Thirdly, motorized vehicles in the dunes may pose a safety problem to the dunes themselves as well as people walking or playing in the area. Thus, the following goals and policies were recommended to deal with these safety issues.

Goals:

- 1. Ensure that the dunes area is a safe place.**
- 2. Protect the dunes from destructive activities.**

Policies:

- 1. Because of fire hazard, fires and/or fireworks shall only be allowed 100 feet west of the grassline providing State Parks permits use in this area.**
- 2. Fire and emergency vehicles shall be exempt from the law prohibiting driving on the primary dune and 100 foot protective strip.**
- 3. Recommend that the fire district provide safety information about what homeowners can do to avoid dune fires damaging their property. For example: mow a 10 foot strip between the house and the dune grasses to create a fire break.**
- 4. No hunting shall be allowed west of the following: Willows Road to 30th, north to the junction of Hwy. 101 and 103, continuing north on Hwy. 103 to 290th, west to K Street, K Street north to the south boundary of Surfside Estates, all of Surfside Estates, then continuing from the north boundary of Surfside Estates north on the high ridge to the south boundary of Leadbetter Point State Park.**
- 5. No vehicular traffic shall be allowed on the foredune or 100 foot protective strip.**
- 6. No vehicles or ORV's shall be allowed to operate off of any highway or road west the following: Willows Road to 30th, north to the junction of Hwy. 101 and Hwy. 103, west of 103 to 290th, west to K street, K Street north to the south boundary of Surfside Estates, then continuing north to J Place to the north boundary of Surfside Estates, then continuing north on the high ridge to south boundary of Leadbetter Point State Park.**
- 7. Provide adequate enforcement of these policies.**

APPENDIX A

INFORMATION RESOURCES

Appendix A contains a listing of speakers and resources provided to the Dunes Management Committee during their deliberations. All of the educational programs were open to the public.

INFORMATION RESOURCES

Throughout the early phase of the Peninsula Dunes Committee planning process, a series of public meetings were held which was devoted to providing the Committee and the community at large with information on the coastal dunes and related issues. This appendix to the Plan describes the information resources that were provided. Documentary information provided to the Committee was also made available to the public. Public speakers were drawn from the local community, the academic world, and state and federal agencies. The presentations were videotaped, and copies were made available to committee members for referral.

General Information on Coastal Planning and Natural Processes

On February 18, 1988, Mr. David W. Owens, Director, North Carolina Department of Natural Resources and Community Development, delivered a keynote talk to the Long Beach Peninsula Dunes Management Citizen Advisory Committee.

His talk addressed coastal dune management in general, and particularly the problems inherent in developed coastal areas.

Documentary materials provided:

Battelle-Northwest. 1970. The future of the Long Beach Peninsula seashore: Research report. Battelle-Northwest, Richland, Washington for Washington State Parks and Recreation Commission, Olympia, and Pacific County Commissioners, South Bend, Washington.

Coastal Accretion and Erosion

Accretion -- the building up of shorelines and dunes -- has been a prominent feature of the Long Beach Peninsula since the turn of the Century, although there have been incidents of erosion -- the wearing away of shorelines -- both past and present.

On March 1, 1988 a presentation on coastal accretion and erosion was delivered by Dr. James B. Phipps, Grays Harbor College, Aberdeen. Dr. Phipps has degrees in geology and oceanography, and in 1978 prepared a report for the Washington Department of Ecology on coastal accretion and erosion.

His talk focused on coastal accretion and erosion in southwest Washington and particularly with respect to the Long Beach Peninsula; included a consideration of long term and recent trends, including the potential for a change from the present accretional pattern to erosional; and covered related issues such as sea level rise and seismic subsidence at a secondary level-of-emphasis.

Subsequently the Department of Ecology contracted with Dr. Phipps for an update of his 1978 accretion-erosion study, and in November, 1988, Dr. Phipps presented his findings in a second presentation to the Committee. In April, 1989, an advance printing of Dr. Phipps' final draft was distributed to the Committee members.

Documentary materials provided:

Phipps, James B. & John M. Smith. 1978. Coastal accretion and erosion in southwest Washington. Washington Department of Ecology, Olympia.

Everts, Craig H., Greg Hartman & Steve Chessier. 1985. Sedimentation rates and channel deepening, mouth of Columbia River. pp 180-192 in: Proceedings: West coast regional coastal design conference.

Phipps, James B. 1989. Coastal accretion and erosion in southwest Washington: 1977 - 1987 (Interim Printing). Shorelands and Coastal Zone Management Program, Washington Department of Ecology, Olympia.

US Army Corps of Engineers. Bathymetric atlas of the Columbia River estuary. selected maps.

Physical and Biological Dunes Processes

On March 16, 1988, Dr. Alfred M. Wiedemann, The Evergreen State College, Olympia delivered a talk on coastal dune physical and ecological processes. Dr. Wiedemann holds degrees in botany, and conducted his doctoral research on the Oregon coastal dunes.

His talk focused on coastal dune physical and ecological processes in southwest Washington and particularly with respect to the Long Beach Peninsula.

Documentary materials provided:

Wiedemann, Alfred M. 1984. Chapter 4: Dune processes, from: The ecology of Pacific Northwest coastal sand dunes: A community profile. FWS/OBS-84/04. US Fish & Wildlife Service, Washington.

Proctor, Charles M., et al. 1980. An ecological characterization of the Pacific Northwest coastal region. US Fish & Wildlife Service publication FWS/OBS-79-13. selected figures representing dunes processes.

Ground Water

On March 29, 1988, Alan Wald, hydrologist, Water Resources Program, Washington Department of Ecology, spoke on the subject of ground water on the Long Beach Peninsula, including salt water intrusion, recharge areas, and wetlands.

Documentary materials provided:

Tracey, J. V. 1978. Ground-water resources of the North Beach Peninsula, Pacific County, Washington. US Geological Survey Open-file Report 77-647.

Flood Risk, Management and Regulations

On April 12, 1988, Carl Cook and Larry Baisch, Federal Emergency Management Agency, Bothell, presented information on flood risk and the federal flood insurance program. Mr. Baisch presented information on the nature of coastal flooding, tsunamis, and surges; Mr. Cook discussed FEMA's flood insurance program. Tim D'Acci, Floodplain Management Section, Washington Department of Ecology made a brief presentation on the state's role.

Documentary materials provided:

Washington State Floodplain Management Act, Chapter 86.16 RCW.

Washington State Floodplain Management Rules, Chapter 173-158 WAC.

National Flood Insurance Program Regulations.

Washington State Shoreline Regulations

The principal Washington state shoreline regulations are the Seashore Conservation Act of 1967 and the Shoreline Management Act of 1971. The Seashore Conservation Act is implemented by the Washington Parks and Recreation Commission. The Shoreline Management Act is implemented by local governments through their shoreline master programs under the oversight of the Washington Department of Ecology. Complicating the state-local regulatory responsibilities are the complex patterns of Accreted Lands Ownership patterns caused by a series of contradictory case law decisions.

On April 26, 1988, David McKim, a retired Parks and Recreation Commission employee, and author of PRC's study on the evolution of accreted lands ownership patterns delivered a talk on the Seashore Conservation Act and Accreted Lands Ownership. His talk focused on the origins and purpose of the Seashore Conservation Act, and on the evolution of accreted lands ownership under Federal and Washington State legislation and case law. David Heiser, Environmental Coordination Chief, Parks and Recreation Commission was present to answer questions about current Parks Commission policy.

Additionally, Mark Carey, Pacific County Planning Director, provided information on the Shoreline Management Act and the Pacific County Shoreline Master Program.

Documentary materials provided:

Washington State Seashore Conservation Act, Chapter 43.51 RCW

Washington State Shoreline Management Act, Chapter 90.58 RCW

Pacific County Shoreline Master Program

Dune Elements from Shoreline Master Programs: Pacific County, Ilwaco, Long Beach, and South Bend; Grays Harbor County, Ocean Shores, and Westport.

McKim, David. 1982. The evolution of accreted lands ownership on the ocean beaches of the Long Beach Peninsula. Washington Parks and Recreation Commission, Olympia.

Local Economy

On May 12, 1988, Art Yoshioka, Director, Pacific County Economic Development Council, Raymond, delivered a presentation on the Pacific County economy, and the activities of the EDC to promote business and employment. Specific economic and business activity information for the Long Beach Peninsula is not generally available.

Land Use Law

On the advice of a Committee member who also served on the Long Beach Peninsula Comprehensive Plan Citizen Advisory Committee, a session on land use law was added to the schedule. The concern was that this committee not propose plan elements which would be found unconstitutional in the context of the "taking issue."

On May 24, 1988, Mr. Richard Settle, a professor of law at University of Puget Sound School of Law, Tacoma, and of counsel, Foster, Pepper, and Shefelman, Seattle, spoke on land use law. His presentation provided comprehensive coverage on private property rights, the taking issue, and government's responsibilities to protect the public health, safety, and welfare, including aspects of the public trust doctrine. Certainly, many in the group will have heard of the recent Nollan and First English cases, and you should discuss those cases as well as any others such as Orion you think appropriate.

Documentary materials provided:

Owens, David. 1987. Memorandum to North Carolina Coastal Resources Commission: Recent United States Supreme Court Cases (First Lutheran Church; Nolan v California Coastal Commission)

Settle, Richard L. Recent developments in the law: Municipal liability for tortious land use regulatory conduct; The public trust doctrine.

Settle, Richard L. Significant recent development in land use law (notes on First Lutheran Church v County of Los Angeles).

Dune Grading For View Restoration

Dune grading for view restoration is a sensitive issue on the Long Beach Peninsula. Many persons who built houses close to the primary dune many years ago have seen their views of the ocean vanish as the dunes undergo their natural growth process. Grading the primary dune is presently illegal under the Pacific County Shoreline Master Program, and would almost certainly be considered inconsistent with the overlying state Shoreline Management Act. Nevertheless many persons grade the dunes in front of their houses, often even when the primary dune is under the ownership of Pacific County or the state Parks and Recreation Commission.

On the recommendation of a Committee member, a presentation was arranged on the state of Oregon's experimental dune management program at Nedonna Beach.

On June 12, 1988, Mr. Robert Cortwrite, Oregon Department of Land Conservation and Development, Salem, provided a comprehensive presentation on the process the state of Oregon went through in amending its state coastal management laws to permit the experiment, the rationale for the revised goals regarding dune grading, and the results of the Nedonna Beach experiment.

Additionally, Mr. Wilbur Ternyik, Wave Beach Grass Nursery, Florence, Oregon, was available to answer technical questions about the comprehensive grading and revegetation program carried out at Nedonna Beach. Mr. Ternyik developed the dune grading plan for Nedonna Beach, and carried out the earthmoving and revegetation.

Documentary materials provided:

Redfren, Roger A. 1986. Rockaway - Nedonna Beach technical report on the foredune management study. Oregon Department of Land Conservation and Development, Salem.

Ternyik, Wilbur. 1986. Nedonna Beach foredune grading plan. Oregon Department of Land Conservation and Development, Salem.

Subsequently, the Department of Ecology granted a request of the Committee to provide information about the existing topography of the dunes with respect to houses built close to the primary dune. In October, 1988, Ecology requested bids from engineering and land surveying firms to provide topographic surveying services including data reduction and the plotting of dune cross sections:

Sixteen (16) cross sections at approximately one half (1/2) mile intervals between 357th Place (Section 5, Township 12 North, Range 11 West), and 210th Place (Section 8, Township 11 North, Range 11 West) were required. The exact location of the cross sections were determined by a subcommittee of the Peninsula Dunes Advisory Committee which also acquired property owners' consent where necessary. The cross sections extended from a point on the intertidal Pacific Ocean beach at or below mean sea level, east across the beach and primary (fore) dune to a point 100 feet east of the predominate building line.

Copies of the dune cross sections were distributed to Committee members in March, 1989.

APPENDIX B

MINORITY REPORT

Appendix B is a document submitted by six members of the Dunes Management Committee as a Minority Report to the final Dune Management Plan.

MINORITY REPORT: DUNES MANAGEMENT PLAN

May 30th, 1989

This report is submitted to point out areas of the plan that have not met expectations of a balanced or comprehensive plan or where general consensus within the group was not reached. Consensus was defined early on as "Not being in total agreement with concepts, but able to live with the proposal." To this point the plan has failed! A list of goals was formulated as a direction for the group to take in reaching a finalized plan. We feel the following goals have not been met or are in jeopardy.

Goal #1. Develop a plan workable for all.

Goal #8. Set aside areas for recreational activity.

Goal #12. Ensure local input into land use issues.

The introductory letter to this plan is typical of the extremist attitude used in formulating the plan as submitted. It is based mainly on pure emotion and hyperbole, not on facts as represented over the historical presence of man on this coastline and a simple observation of what is really happening, and has happened, to this system of accretion lands beyond the 1889 Statehood line. This follows in the overall conclusions of the plan and one that sets a tone not as a "Conservative" approach, but rather a Conservationist approach !

An area of total neglect in this plan is the economic impact of implementation of the plan. How it impacts County government through property tax revenues, excise tax revenues and the costs of enforcement. How it impacts local business entities on the Peninsula. Finally, and not the least important, is how it impacts the property owner in the area of study. We agree that the impact will be adverse to all three groups and this will be explained in our presentation!

Under the General Management Section of this plan, a permanent dunes study group is called for and suggestions for funding are included. We feel this group would be a duplication of effort with other County, State and Federal agencies that have jurisdiction in the area of study. Currently the County Planning Department acts as the repository of information concerning shorelines, and we feel the cost of creating another entity to duplicate a service already in place, is unnecessary. The second concern is the composition of this group and the ability of the group members to maintain an objective balance.

Under the Natural Resource Element of the plan two areas cause concern. First is the failure to discuss a dune stabilization plan that would allow some relief to upland owners who are losing views due to the rapid vertical growth of the seaward dune, primarily in the 100 ft protective barrier. This area of the plan certainly failed the upland property owner!

With views of the ocean decreasing, especially from Klipsan Beach, north to Surfside, a conservative proposal for modification and stabilization was presented. The group felt it needed more information to determine if minor modification and stabilization were feasible, within current Federal (FEMA) and State standards. Washington State DOE funded a cross section survey of 18 points starting in the Klipsan area to the Surfside area. This survey indicated that those homes designed for ocean view along the primary dune had an elevation on the main living floor of not less than 24 ft above sea level, some 3 ft above FEMA standards for flood insurance, yet the seaward dune had built to over 30 ft in some cases. A vote was taken by the committee and failed by 1, (7/6) for a modification and stabilization program. Under the submitted plan, the only option for property owners will be to illegally cut the dune to open view, or petition the Board of Equalization for property tax relief. Most people are law abiding, but without a dune stabilization program, similar to the one in place at Nedonna Beach, Oregon, illegal dune cuts will continue. Implementation of a reasonable program, administered with safeguards, by the County, with co-operation of the State would reduce the potential for destructive cuts. County revenues will suffer from property tax relief, as well as owners suffering decreased property values, resulting in reduced excise tax collections to the County from the sale of real property. We recommend a program that will allow stabilization to the Federal mandated height of the V-zone.

The second area of this section creating concern, is that dealing with a study to determine the feasibility of creation of a National Seashore. A National Seashore would impact all owners in the study group. You would not be allowed to sell your home on the open market, but only to the Government! What effect will this have on property values? If the Federals take over the land, the County loses the tax revenue from this land, a situation Pacific County can hardly afford! This certainly contradicts the goal of local control of our affairs and we insist this should be removed from whatever plan the County adopts! Any funds spent for a study of this nature certainly contradict good management of a public trust when, we feel the majority of people would oppose this proposal.



Under the Land Use Section of the plan the building set back section, R/V park section and elimination of the North South road West of Highway 103 cause concern.

Building setback lines as they exist today are working and should not be changed! The proposed setbacks under this plan are extremely restrictive, especially in the Seaview and Leadbetter sections. Privately owned property will be affected and a loss of value, without compensation will result. This is a continued erosion of the rights of property ownership and we feel could be challenged as a "Taking" or downzoning by owners of this property. The County Assessor, who must establish values at highest and best use, by State law, would have little option but to reduce the value of the property in question. Again an economic shortfall for both the owner and County tax revenues!

R/V parks are to be clustered in an area North of Long Beach with severe restrictions on set back lines. The ultimate result would be postage stamp sized parks with little possibility of a profit in developing such facilities. Who hurts in this situation? We feel the businesses that rely on Tourism would be the most severely hurt. Many dollars are spent each year to attract the tourist. If we can't support this tourist with a place to stay or facilities for his motor home or travel trailer, he will not come back again! Other areas must be considered for this type of industry along the dunal areas. Let's not become so restrictive as to short one of the major economic drivers of the area.

The elimination of the North/South feeder road West of highway 103 is unacceptable a many plats done in the past have made provisions for this road and it seems a logical continuation for long term planning. Highway 103 can become choked on summer weekends leaving little room for fire and emergency services vehicles to move freely. This pressure will continue unless we make provisions for feeder roads to relieve congestion. The revised Comprehensive Plan eliminated the N/S road on the center of the Peninsula, due to environmental concerns over the wetlands. Elimination of a Western feeder road leaves us with no future relief of traffic on the already overburdened Highway 103. Let's not plan ourselves into permanent summer gridlock with this recommendation!

In conclusion; we have all worked on this plan for over a year. Initially it was hoped that we could make a plan "Workable" for all. The final draft does not give us that pleasure. Too many areas of great concern are briefly mentioned or neglected in the overall document. We feel the plan as submitted takes too much, but gives nothing in return. The plan will adversely impact all taxpayers, County government and property owners in the study area! We feel a balanced plan would be acceptable, with sensitivity to individual and environmental needs. To this end, the plan as submitted, has failed!