

**OPRD Publiccomment - don't do it**

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**From:** Greg Patrick <crawlindirt@gmail.com>  
**To:** <opr.d.publiccomment@state.or.us>  
**Date:** 11/18/2013 5:25 PM  
**Subject:** don't do it

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As a retired resident of Bandon my interest in the area is NOT served by this exchange. I retired here to take advantage of the natural wonders of the area of which the Bandon Natural Area is one of more than several tuned to my interest of recreational pleasure.

The Bandon area is not served well by this exchange in my humble opinion. I have been coming here for about 40 years as an outdoors man participating in fishing, hiking and viewing the wonders of this part of the Pacific Ocean coast. It is here I chose to retire and here that I want to stay. What does another golf course serve in this area of natural wonder? How does another golf course serve to benefit the local economy when the existing golf opportunities are NOT fully utilized?

The designation of a natural area is important in the extreme. It signifies our commitment to protect places that exist nowhere else with resources that exist nowhere else. Bandon Natural Area is one of those important and irreplaceable areas people like myself have come to rely on for contemplative and pristine enjoyment.

Why does the State of Oregon feel this action is of 'overwhelming benefit to the people of the State and our visitors' when so much has been 'developed' by outside industry already; impacting our natural environment including fish, wildlife and general recreational opportunities. I retired here, purchased a home in Bandon and have contributed to local economy in the belief and hope that my values will be recognized and preserved in such a wonderment of a place I chose to live many years ago.

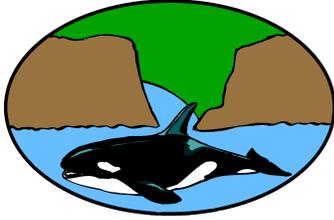
I am extremely disappointed that Oregon State Parks, the Oregon Executive Administration and Parks Commission has allowed this travesty of environmental justice get to this point.

Please take immediate action to STOP this exchange allowing a private concern to usurp the will of the people of Oregon and take away a natural wonder of the area and turn it into another golf course that does not help the local economy or the environment.

MAY ENVIRONMENTAL JUSTICE PREVAIL and leave us with a unique place to provide for our 'CONTEMPLATIVE RECREATION (in the words of Isaac Walton)' for posterity.

Thanks for listening and providing for my hope.

Greg



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*Protecting the Oregon Coast*

November 18, 2013

Via Email

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Oregon Parks and Recreation Department  
725 Summer St. NE, Suite C  
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Re: Proposed Land Exchange with Bandon Biota

Dear Director, Communications Director and Commissioners,

On behalf of Oregon Coast Alliance (ORCA), please accept these comments on the proposed land exchange between Bandon Biota (Biota or the Applicant) and the Oregon Parks and Recreation Department (Parks Department). ORCA is opposed to the proposed land exchange because the exchange fails to comply with applicable law, as set forth below. The proposed exchange would allow the Applicant to acquire roughly 280 acres of the dunal uplands, wetlands, and pine forest in the Bandon State Natural Area (BSNA)<sup>1</sup> in exchange for an 111-acre oceanfront parcel that adjoins the BSNA to the south and west; a 97-acre tract on Coquille Spit, adjacent to Bullards Beach State Park; 10.87 acres of property owned by a third party at Whale

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<sup>1</sup> Recently, the Applicant changed the configuration of BSNA acreage it wants to acquire through the proposal. The proposal now includes a narrow neck of land stretching north in BSNA that is dominated by wetlands, high value habitat, and lack of invasive species. If this exchange is approved, these wetlands and high value habitat will be lost or significantly modified and invasive species will likely spread.

Cove near Depoe Bay by providing \$450,000 for state matching funds required to leverage a federal grant and landowner donation for acquisition of the Whale Cove property; \$2,500,000 for the purchase and acquisition of Grouse Mountain Ranch parcels in Grant County as an addition to the state park system; \$300,000 to provide gorse control; and an easement to the Parks Department across Sheep Ranch at Bandon Dunes to relocate a section of the Oregon Coast Trail.

In essence, in exchange for 280 acres of existing coastal parkland, the Applicant proposes to provide roughly 218 acres of land to be added the state park system, as well as funds for the alleged purchase of other parklands, including a 6,300<sup>2</sup> acre ranch in Grant County in eastern Oregon (the Grant County parcels). There would be a net loss of coastal parklands, and the size of the BSNA would be diminished and segmented. In place of the BSNA, a golf course would be developed with all of the attendant adverse impacts associated with development in a natural area. Simply put, the proposed exchange would come at the expense of Oregon's most valuable natural resource: the beautiful Oregon coast. The submissions from the Applicant thus far fall significantly short of the requirements contained in chapter 736, division 19. The Applicant's burden is extremely high in this matter, requiring nothing short of an "overwhelming public benefit to the Oregon State Park system, its visitors, and citizens, which is resounding, clear and obvious."<sup>3</sup>

#### I. Parks Department policies for land acquisition and exchange and the public interest

The purpose of the Parks Department's program to acquire and exchange land "is to acquire the best representative landscapes and most significant sites in Oregon for the purpose of protecting the State's most valuable natural, scenic, cultural, historic, and recreational resources." OAR 736-019-0000. Also, the Parks Department must "[e]nsure the general public's access to and enjoyment to these sites..." OAR 736-019-0000(1). The Parks Department must "comply with all federal and state laws pertaining to real property acquisition, and ensure the prudent use of public monies in its real property transactions," OAR 736-019-0040; "[s]eek to preserve the public's confidence in the [the Department's] business practices

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<sup>2</sup> While the original proposal entailed approximately 6,100 acres in Grant County, the proposal has recently changed to approximately 6,300 acres. The additional land added to the proposal includes a ranch and residence. ORCA objects to significant funds intended for acquisition of parklands being used to acquire an expensive residence. This does not "[e]nsure that the discharge of [the Parks Department's] fiduciary responsibility for the use of public funds receives the highest priority," OAR 736-019-0040(1), and it does not "preserve the public's confidence in [the Parks Department's] business practices and stewardship of real estate assets," OAR 736-019-0040(2). Simply put, high quality parklands are not supplemented by expensive residences, and, therefore, ORCA objects to the loss of coastal parklands to acquire what amounts to a house in Grant County.

<sup>3</sup> Though the rules define "overwhelming public benefit," "resounding, clear, and obvious" are not defined. The plain dictionary meaning of "resounding" is "loud enough to reverberate" and "unmistakable; emphatic." "Clear" is defined to mean "easy to perceive, understand, or interpret" and "transparent." "Obvious" is defined to mean "easily perceived or understood; clear, self-evident, or transparent." Given that that there exists significant public opposition to the proposed land exchange, the requirements have not been satisfied, as is shown below.

and stewardship of real estate assets,” OAR 736-019-0040(2). Also relevant to the concerns raised by many in Grant County, the Parks Department must “[b]alance the need for and benefits of public open space with impacts on local tax revenue and private economic opportunity.” OAR 736-019-0040(4).

The Parks Department also purports to serve the public interest if a land acquisition or exchange “[p]rotects areas of outstanding natural, scenic, cultural, historic and recreational significance for the enjoyment and education of present and future generations,” OAR 736-019-0060(2)(a); “[c]onsolidates state park parcels, trail systems or greenways so that more efficient management and administration of the state park system is made possible,” OAR 736-019-0060(2)(b); “[p]rovides a buffer to adjacent or nearby development that may diminish the recreation or conservation values of a state park or parcel,” OAR 736-019-0060(2)(c); “[p]rovides access to recreation areas for management or protection of state park parcels,” OAR 736-019-0060(2)(d); and “[a]ddresses opportunities that may be lost to the Department if acquisition is delayed, amongst others. These public interest criteria are important because they must be applied to any sale or exchange of real property owned by the Parks Department. *See* 736-019-0070(1)(a). As is shown below, the Applicant and Parks Department cannot satisfy these criteria, and, therefore, the land exchange and acquisition must be denied.

## II. History of inadequate proposals to the Parks Department for a land exchange

ORCA is concerned that the Applicant’s present proposal is another inadequate offer in a series of offers with serious shortcomings designed to convert public parkland into a golf course in an area that already boasts an abundance of golf courses. In 2010 and 2011, the Applicant sought to acquire a portion of BSNA through a land exchange, and each time the proposals were apparently inadequate. The most recent proposal, however, also falls short of the demanding requirements at issue. Except for alleging to provide funds to complete purchase of Whale Cove, which the Parks Department has already committed to purchasing regardless of the outcome of this proposed exchange, and more than \$2 million for purchase of a ranch in Grant County as a future park, the proposals are practically identical.

## III. The proposed land exchange and alleged acquisition does not protect areas of outstanding natural, scenic, cultural, historic and recreational significance for the enjoyment and education of present and future generations

Under OAR 736-019-0060(2)(a), the Parks Department must “[p]rotect[] areas of outstanding natural, scenic, cultural, historic and recreational significance for the enjoyment and education of present and future generations.”<sup>4</sup> Here, however, the Parks Department would be sacrificing a natural area containing outstanding natural, scenic, cultural, historical, and recreational significance.

First, the BSNA contains significant natural areas that include native flora and fauna, as indicated by the 2007 Biological Assessment of BSNA prepared for Michael Keiser. The BSNA contains threatened and endangered species, including steelhead, coho salmon, breeding

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<sup>4</sup> OAR 736-019-0070 requires that “all elements of the ‘Criteria for Acquisition’ provided in OAR 736-019-0060 must be applied for exchanges of real property owned by the Parks Department.

populations of snowy plover, and one of the last strongholds silvery phacelia, a federal species of concern threatened with extinction, according to the Oregon Natural Heritage Information Center.<sup>5</sup> The Biological Assessment notes that the BSNA contains over 1,000 silvery phacelia, one of the two largest populations of this species, making the BSNA ecologically critical for this rare, native plant species. The Biological Assessment also acknowledges that “[w]ildlife species are extremely diverse” in the area,<sup>6</sup> including Southern torrent salamander, coastal tailed frog, western toad, foothill yellow-legged frog, bald eagle, Mountain quail, band-tailed pigeon, northern pygmy-owl, common nighthawk, olive-sided flycatcher, pileated woodpecker, purple martin, western bluebird, yellow-breasted chat, vesper sparrow, western meadowlark, amongst many others. The BSNA also contains substantial native vegetation, including rare fescue, seashore bluegrass plant associations, old-growth stands, wetlands (both perennial and seasonal) in good to excellent condition that are intensively used by waterfowl throughout the year.<sup>7</sup> If the BSNA is transformed into a golf course, many of these species will inevitably be lost or driven from the area. While some gorse may exist in the area, this does not preclude conservation efforts to minimize or eliminate gorse. In fact, the Biological Assessment maintains that wetlands and trees in the BSNA will eventually out-compete gorse. According to the Biological Assessment prepared by the Applicant, much of the gorse that the Applicant proposes to control would be controlled by natural processes if allowed to do so. Therefore, the proposed land exchange would not protect or help restore significant coastal natural areas.

The October 2013 Assessment by the Parks Department demonstrates that significant portions of the BSNA proposed for the exchange contain “healthy native plant communities with little weed invasion.” For those portions that contain a high incident of weed invasion, the assessment contains no substantiated allegations that invasive plants would be better controlled with the development of a golf course and other related amenities. To the contrary, one of the largest threats to native plants is the conversion to urban uses. Importantly, the Assessment does not conclude that gorse or other invasive plants could be better controlled by transferring the property into the hands of private interests than it could be under public ownership. In fact, because gorse “does poorly under a dense forest canopy,” much of the gorse can be passively controlled. To create a golf course, forested habitat would have to be removed, necessarily increasing the degree to which gorse could be limited, and likely increasing the spread of gorse.

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<sup>5</sup> The October 2013 Assessment acknowledges that: “[l]ichen and bryophyte surveys of the area have not been exhaustive, and it is expected that further survey for lichen and bryophyte species would result in new sightings.” As result, the Assessment is admittedly insufficient to adequately and accurately identify flora and fauna in the BSNA, which is proposed to be transferred out of the parks system. Regardless of this failure, a local amateur lichenologist and naturalist, “independently found one location within the study area containing two rare lichen species....” Clearly, rare lichens attest to the significance of the BSNA, and demonstrate that there can be no overwhelming public benefit to removing any portion of the BSNA.

<sup>6</sup> The BSNA contains 14 species of amphibians; 12 species of reptiles; 125 species of birds; and 52 species of mammals.

<sup>7</sup> Given the intensive use by waterfowl, the area has also been designated as an Important Bird Area.

Overall, the 2013 Assessment serves only to reinforce how important and significant the BSNA is from an ecological standpoint.<sup>8</sup>

Second, the Oregon coast is renowned as one of the most scenic areas in the United States, and, according to Parks Department statistics, coastal parklands are favored by visitors over every other type of parklands in Oregon.<sup>9</sup> If the Parks Department were to sacrifice the BSNA for a golf course, the Parks Department would fail to protect this significant scenic area. The proposed exchange would result in a net loss of coastal parklands, and, therefore, the Parks Department could not protect significant scenic areas on the coast.

Third, the Oregon coast and the BSNA are culturally and historically significant for Oregonians, and the proposed exchange would not protect these significant resources. The Oregon coast was historically used as a corridor for travel by Native Americans, and Oregon's beaches were protected in the landmark 1967 "Oregon Beach Bill," which established public ownership of land along the Oregon Coast. An exchange that removes significant natural areas and places a golf course in its place along the shoreline, even though the 280 acre exchange parcel is not directly adjacent to the beach, would be inconsistent with Oregon's cultural and historical legacy. Because the land exchange would further erode existing protections in place for significant cultural and historical areas for the enjoyment and education of present and future generations, the proposed land exchange cannot be approved.

Fourth, the Oregon coast is the most significant and outstanding recreational asset in Oregon, according to Oregonians. Oregon coastal parks are the most visited parklands in the state, constituting more than half of total park visits to all Oregon parks during fiscal years 2012 and 2013.<sup>10</sup> The Biological Assessment acknowledges that recreation activities are extensive, including horseback riding, hunting, hiking, skeet shooting, and wildlife viewing, amongst others. This multitude of recreational activities would be lost in order to provide a single recreational activity: golf. Simply put, the proposed land exchange would not protect the most significant and outstanding recreational asset in Oregon for the for the enjoyment and education of present and future generations

Significantly, there is no evidence of outstanding natural, scenic, cultural, historic, and recreational significance in the parcels proposed for acquisition in Grant County. Moreover, there has not yet been a biological survey in the areas proposed for acquisition in Grant County to demonstrate that the parcels are significant. The file does contain an "OPRD Assessment of Natural Resource Values: Vegetation and Habitat of Grouse Mtn. Property." If this document is intended to be a biological survey that purports to assess the natural, scenic, cultural, historic,

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<sup>8</sup> Notably, the 2013 assessment was prepared by the Parks Department, not the applicant, which violates the Parks Department's rules.

<sup>9</sup> In 2012, Oregon parks received 40.4 million day-use visitors statewide, and 21.8 million were to Oregon coastal parks. In 2013, those figures increased to 42.4 million and 23.3 million, respectively. For overnight visitors to Oregon parks, there were 2.3 million visitors statewide and 1.4 million in 2012. Thus, coastal parklands visits (both day-use and overnight) comprise more than half of those statewide. The BSNA received 300,332 visitors in the 2012 fiscal year, and increased to 305,016 in the 2013 fiscal year. It is unclear how the loss of parklands overwhelmingly favored by Oregonians for the Grant County parcels can constitute an overwhelming public benefit to the Oregon State Park system, its visitors, and citizens, which is resounding, clear and obvious.

<sup>10</sup> Oregon Parks and Recreation Department statistics.

and recreational significance of the parcels, then ORCA objects to this characterization because the document is terse, admittedly contains “significant inaccuracies” and errors<sup>11</sup> and highlights the significant ecological and financial liabilities, as set forth below. In addition, of the twenty-one (21) pages of the assessment, more than half are large-scale maps or blank pages. The remaining pages cannot adequately or accurately characterize roughly 6,300 acres that are contained within the Grant County parcels. The assessment is oriented towards vegetation, and contains a conspicuous dearth of information on fauna. Such a document can hardly be characterized as a biological survey. The memorandum from Shaun Robertson to the Grant County Farm Bureau (Nov. 5, 2013) identifies several fatal flaws in the Parks Department’s Assessment, including conclusions unsupported by data; failure to use analytical evaluations; failure to evaluate significance; failure to use definitive metrics. The Parks Department Assessment stands in stark contrast to the reports in the file on the BSNA, demonstrating the truly unique and rare dunal uplands and wetlands found in the portion of the BSNA proposed to be transferred out of the public’s hands.<sup>12</sup> Specifically, the October 2013 Assessment provides that “hydrological modification to existing wetlands should be avoided,” but the significant water requirements of a golf course will result in modified hydrology and degraded wetlands.

In fact, the Grant County parcels proposed to be purchased with funds from the Applicant include or are adjacent to a former asbestos mine<sup>13</sup>, and substantial mine waste may be present on some portion of the parcels or adjacent parcels. No Parks Department or Applicant materials yet submitted show a map of this mine, an assessment of the mine site and the tailings, or cost estimates for removal and restoration of the mining area to ensure there is no danger to the public from asbestos. Even if the mine is found to be outside the property boundary, it is close to the proposed park, and its effects on the park and potential dangers to the public from tailings or

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<sup>11</sup> “The modeled extents of these cover types given by the LANDFIRE BiOPS model is probably erroneous in areas, particularly with regard to the extent of aspen forest.”

<sup>12</sup> The most recent Vegetation Assessment (October 2013) is flawed because it concedes that “[n]o formal [wetlands] delineation was done in the course of [the] study.” In fact, the assessment concedes its limitations, acknowledging that “any use of the wetland features mapped in this assessment should only be for general planning purposes.” The assessment also anticipates construction on wetlands, stating that “[s]pecific construction designs that overlap with or closely approach these areas will need official wetland determination and delineation, leading up to the Oregon Department of State Lands (DSL) and US Army Corps of Engineers (USACE) wetland permits.” It is unclear how the narrow, northern portion of the property could ever be utilized for any construction given the extensive and “definite” wetlands. Without assessing the true extent of wetlands, the assessment cannot adequately or accurately identify the BSNA’s natural values. Thus, the proposed exchange cannot be approved until an actual wetlands delineation is performed. Regardless of this shortcoming, the Assessment demonstrates that the portion of the BSNA proposed to be transferred out of the Parks System includes significant and extensive wetlands.

<sup>13</sup> Under OAR 736-019-0100(h), the Parks Department will “utilize sound business principles in securing appraisals and conducting negotiations, and shall complete its due diligence in connection with real property acquisitions and exchanges, including the request for and review of title searches [and] *hazardous material assessments*....” (emphasis added). It is undisputed that asbestos is a hazardous material, and the Parks Department’s failure to even address this issue clearly violates OAR 736-019-0100(h).

asbestos dust evaluated. It is unclear how an asbestos mine can be considered outstanding in any sense, including natural, scenic, cultural, historic, and recreational. Because there is no evidence that demonstrates that the Grant County parcels contain outstanding natural, scenic, cultural, historic and recreational significance for the enjoyment and education of present and future generations, and it is clear from attendance statistics that Oregonians believe that coastal parklands contain outstanding natural, scenic, cultural, historic and recreational significance, the proposed land exchange cannot be approved.

IV. The proposed land exchange and alleged acquisition does not consolidate state park parcels, trail systems or greenways so that more efficient management and administration of the state park system is made possible

Under OAR 736-019-0060(2)(b), the Parks Department must “[c]onsolidate[] state park parcels, trail systems or greenways so that more efficient management and administration of the state park system is made possible.” The loss of a significant portion of the BSNA would narrow existing wildlife corridors, despite adding a small parcel to the south. The Applicant has not demonstrated how reconfiguring, narrowing, and reducing the size of the BSNA would consolidate state park parcels to permit more efficient management of the park system. Furthermore, the issue has been soundly raised by Grant County residents that adding 6,300 acres in additional parkland in an area that is significantly devoted to Federal public lands would not be efficient management and administration of the parks system because there has been no demonstrated availability of funds to ensure *any* effective management and administration of such a large, new park in Grant County. There are no other adjacent State Parks with which the Parks Department could consolidate these Grant County parcels or improve parks management. The nearest State Park is Clyde Holliday, which is neither adjacent to nor contiguous with Grant County parcels. The proposal also now includes the purchase of a very expensive private residence, essentially a mansion, in Grant County. The Parks Department has not demonstrated how the inclusion of a private residence, which would require significant upkeep and management, would make management and administration of the state park system more efficient. Therefore, the proposed exchange cannot be approved because it would not result in a more efficient management and administration of the state park systems.<sup>14</sup>

The recent Parks Department agenda (Nov. 20, 2013) lists a trail easement proposal across Sheep Ranch, directly connecting a portion of the Oregon Coast Trail, and a trail easement on the southern portion of BSNA under consideration to the Applicant. This easement does not “consolidate” the parks or trail system in order to make management more efficient. If a larger parcel that was adjacent to an existing park was acquired, then it would consolidate the parks for more efficient management. There is no support for a finding that Sheep Ranch trail easement consolidates parks, trails or makes their administration more efficient.

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<sup>14</sup> If the Parks Department commits itself to years of ecological remediation, upkeep, and maintenance at the likely cost of hundreds of thousands of dollars, as well as the purchase of what amounts to a house for additional hundreds of thousands of dollars, the Parks Department must demonstrate how spending such significant funds would provide an “overwhelming public benefit to the Oregon State Park system, its visitors, and citizens, which is resounding, clear and obvious.”

- V. The proposed land exchange and alleged acquisition does not “[p]rovide[] a buffer to adjacent or nearby development that may diminish the recreation or conservation values of a state park or parcel.”

Under OAR 736-019-0060(2)(c), the Parks Department must “[p]rovide[] a buffer to adjacent or nearby development that may diminish the recreation or conservation values of a state park or parcel.” Here, the proposed land exchange would be directly contrary to this requirement. Instead of buffering unique natural resources, the proposal aims to place a golf course in the midst of an existing natural area that contains significant, sensitive, threatened, and endangered wildlife. The impacts from a golf course can be extensive, especially when placed in the midst of a natural area, such as the BNSA. For example, golf courses can bring light and noise pollution, irrigation, herbicides, garbage, waste, and invasive species, amongst others, all of which can adversely impact flora and fauna. Golf courses generally require significant amounts of water, which can lower the water table, impacting the many high quality wetlands, waterfowl, and water bodies in and around the location of the proposed golf course. Golf courses are also designed to bring golfers and other visitors to the area, greatly increasing pressure on sensitive habitats and park values, including solitude and scenic beauty. Therefore, the Parks Department cannot approve the proposed land exchange.

Again, acquisition of the Grant County parcels does not provide a buffer against development that would diminish the recreation or conservation values of a state park or parcel because there are no adjacent or nearby state parks or parcels. Thus, this criterion cannot be satisfied.

- VI. The proposed land exchange and alleged acquisition and does not provide access to recreation areas for management or protection of state park parcels

Under OAR 736-019-0060(2)(d), the Parks Department’s interests are served when an acquisition “[p]rovides access to recreation areas for management or protection of state park parcels.” Here, the Parks Department would be losing a significant natural resource on the coast that would result in the fragmentation of the BSNA. This would make management or protection of the state park parcels more difficult given the attendant environmental degradation associated with development, including loss of wetlands, biodiversity, and rare, sensitive, and listed species.

Acquisition of the Grant County parcels would not provide access to recreation areas for management or protection of state park parcels because it is not adjacent to other state park parcels. The provision specifically requires that access must be provided to recreation areas for management or protection of *state park parcels*. The Grant County parcels are not adjacent to any other state park parcels, and, therefore, acquisition of the Grant County parcels would not serve the interests of the Parks Department.

- VII. The proposed land exchange would a financial and ecological liability

Under OAR 736-019-0060(2)(e), the Parks Department’s interests are served when an acquisition will “[a]ddress opportunities that may be lost to the Department if the acquisition is delayed.” As shown below, significant issues exist related to the Parks Department’s ongoing cost of managing and remediating the Grant County parcels if acquired. A lost opportunity that would otherwise be a financial and ecological liability – as conceded by the Parks Department –

would serve the interests of the Parks Department. The Parks Department cannot credibly argue that a lost opportunity to acquire a property with heavy financial liabilities would serve the Parks Department's interests. Therefore, the Parks Department cannot satisfy this criterion, despite a showing that the Merediths, present owners of the Grant County parcels, desire to sell to the State quickly, and might consider a sale to other private parties if the State sale is not consummated expediently.

VIII. The proposed land exchange is not consistent with the Parks Department's purpose and long-range planning goals

Under OAR 736-019-0060(3), "acquisition or exchange of all real property shall be consistent with the Department's purpose and its long range planning goals." The purpose of the Parks Department's program to acquire and exchange land "is to acquire the best representative landscapes and most significant sites in Oregon for the purpose of protecting the State's most valuable natural, scenic, cultural, historic, and recreational resources." OAR 736-019-0000. As is shown below, the Parks Department's statistics show unequivocally that coastal parklands are favored over every other type of parkland, which objectively demonstrates how Oregonians perceive natural, scenic, cultural, historic, and recreational resources. There has been no demonstration that the Grant County parcels are among the "most significant sites in Oregon." The Parks Department has openly admitted that the Grant County parcels are a financial and economic liability, and the recent memorandum submitted by Shaun Robertson to the Grant County Farm Bureau (Nov. 5, 2013) demonstrates that the Grant County parcels are neither significant nor outstanding, including possible contamination from a former asbestos mine. Thus, this criterion cannot be satisfied.

Though the Parks Department's rules are not specific, it appears as though the long-range planning goals are represented by the Parks Department's rating system, which includes relationship to the Parks Department's mission, development and operational costs, geographic distribution, diversity of values, public demand, and other factors connected to its feasibility as a state park. OAR 736-019-0060(3). The Grant County parcels, however, have scored moderately on the Parks Department's list. Simply put, mediocrity is not sufficient to satisfy this criterion.

Specifically, the Parks Department lists the acquisition evaluation criteria as follows:

- **Mission Impact:** Areas of outstanding natural, scenic, cultural, historic and recreational significance for present and future generations.
- **Enhance Existing Areas:** Consolidates state park parcels, trail systems or greenways for more efficient management & administration. Improves access.
- **Strategic Return on Investment:** Favorable return on cost to develop and maintain property/area.
- **Leverage:** Small amount of OPRD funds compliment larger contribution from external sources.
- **Buffer:** Provides buffer to adjacent or nearby development that may diminish the recreation or conservation values of existing park property.
- **Geographic Distribution:** Located in county that has fewer than 25 acres of State Park land per 1,000 population
- **Feasible:** Probability of successful acquisition with minimal risk.

- **Compelling Opportunity:** Addresses opportunities that may be lost if acquisition is delayed.
- **Popular Initiative:** Public demand, investment for future growth, Legislation
- **Long-range planning:** Consistent with acquisition priority stated within a Park Master Plan or other plan adopted by the Commission.
- **Community Impact:** Benefits and has the support of local communities.

The most the Grant County parcels received for any single category was a 2. Many of these criteria have been addressed or are addressed below. Overall, the Parks Department cannot, in good faith, argue that a parcel the Parks Department has deemed a financial and ecological liability, scored a 7 on the evaluation acquisition list, and is overwhelmingly opposed by the local community in Grant County, as is demonstrated by the many letters of opposition on file, is an appropriate acquisition.

There is certainly no “popular initiative” or public demand in favor of the Grouse Mountain acquisition. Furthermore, the “feasibility” criterion is not met at all: there is little probability of successful acquisition with minimal risk. If the Grouse Mountain Ranch acquisition is part of the proposed land exchange with Bandon Biota, there is certainly a large risk that this unwieldy, complex and politically charged exchange will fail at some point in its execution even if initially approved. In addition, Parks would need to come up with at least \$2 million in addition to funds provided through the potential Biota exchange to complete acquisition of the Grant County parcels. The Parks Department cannot satisfy this criterion of the Administrative Rules and, therefore, the acquisition and exchange cannot be approved.

IX. The Parks Department should look favorably at opportunities for acquisitions and exchanges that enhance the overall management of existing parks

Under OAR 736-019-0060(4), the Parks Department should look favorably at opportunities for acquisitions and exchanges that enhance the overall management of existing parks. The acquisition of the Grant County parcels, however, does not enhance the management of any existing parks, of which there is only one (Clyde Holliday) relatively nearby. To the contrary, the acquisition of such large parcels, not contiguous adjacent or even near any other parklands, would likely draw resources away from existing parks, whether in Grant County, on the coast or elsewhere. Because the Grant County parcels will not enhance the overall management of any *existing* parklands, this criterion cannot be satisfied.

X. The proposed exchange does not align with the Department’s mission, strategies, and objectives.

Under OAR 736-019-0070(3)(a), the Department must “[d]etermine whether the exchange aligns with the Department’s mission, strategies, objectives, and work plan.” Here, the proposed land exchange runs contrary to the majority of the Department’s strategies and objectives. As noted above, the proposed exchange does not protect areas of outstanding natural, scenic, cultural, historic, and recreational significance for the enjoyment and education of present and future generations, ORS 736-019-0060(2)(a); does not consolidate state park parcels and create efficient management and administration of the state park system, ORS 736-019-0060(2)(b); and fails to provide a buffer to adjacent or nearby development that may diminish the recreation or conservation values of a state park parcel, ORS 736-019-0060(2)(c).

Because the land exchange would result in a net loss of coastal parkland and the permanent loss of parkland features at BSNA, as well as loss of its ecological integrity, ORCA does not believe that the proposed exchange could be aligned with the Parks Department's mission, strategies, objectives, and work plan. Coastal land is highly valued and the Applicant's proposal would result in a net loss of acreage on the coast. The Applicant apparently attempts to make up for this shortcoming by providing funds to purchase the Grant County parcels in eastern Oregon. Though the proposed park in Grant County may have some inherent value, that value is outweighed by Oregon coastal parklands in terms of Oregonians' preference for parklands; outstanding natural, scenic, cultural, historic and recreational significance on the Oregon coast for the enjoyment and education of present and future generations traditional appraisals; and the need for ecosystem service appraisals<sup>15</sup>.

As noted elsewhere, the Grant County parcels have only a moderate ranking according to the Parks Department's evaluation criteria, getting only a 7 on a scale that appears, at least, to extend to 13. ORCA disputes that moderately ranked parcels could amount to an overwhelming public benefit to the Oregon State Park system, its visitors, and citizens, which is resounding, clear and obvious. Furthermore, there is no evidence that proposed exchange's appraisals have or will utilize ecosystem services. Thus, the land exchange would not "use sound principles of real estate acquisition when acquiring or exchanging real property." *See* OAR 736-019-0040.

#### XI. The proposed exchange is not supported by the local counties and communities

Under OAR 736-019-0120, the Parks Department considers it "important" to demonstrate that the "county, local community, interested state and federal agencies support the acquisition...." Here, because the exchange will take place in Coos County and Grant County, the Parks Department must look to both of the counties and communities to determine whether there is support for the land exchange. ORCA has worked closely with impacted communities on the coast, and it is clear that many people in the Bandon area and nearby areas of Coos County are opposed to the proposed land exchange, including local cranberry farmers, whose farming infrastructure would be impacted. For example, the Oregon Farm Bureau has submitted a letter of opposition to the exchange because the proposed exchange would remove land from agricultural and resource use.<sup>16</sup>

Though ORCA's work does not typically take it to eastern Oregon, it is evident from the numerous letters in opposition to the proposed exchange that the proposed exchange is not supported by Grant County, and affected local communities and ranching groups in Grant County. For example, the Grant County Court, including the Grant County Judge, Commissioners, and Assessor, has formally objected to the proposed addition of the "Grouse Mountain Ranch Parcels" in Grant County to the state park system. It is difficult to imagine a greater representative of the community and county than the Grant County Court, which represents roughly 7,450 Oregonians.

One reason the Grant County Court opposes this exchange is that it may have significant adverse impacts on the county government by reducing the tax base and tax revenues in an already cash-strapped county, resulting in the further loss of law enforcement personnel and

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<sup>15</sup> *See infra* for discussion on ecosystem services appraisals.

<sup>16</sup> *See infra* for discussion of how the proposed exchange will result in a loss of high value farmland.

other county services, including schools, hospitals, emergency services, public libraries, and so forth. Grant County already has a reduced tax base because Grant County consists of over two-thirds public lands, and the proposed exchange would only exacerbate the County's shortfall. The residents of Grant County, as well as the democratically elected representatives, see neither a need nor an adequate justification for additional public lands in Grant County when so much of the land is already devoted to federal and state ownership. Thus, this "important" factor weighs against approving the proposed land exchange. This conclusion is only reinforced by the Grant County Stockgrowers' letter of opposition to the loss of ranchland and ranch infrastructure if the Grant County parcels were acquired. Since many Grant County residents in this area make their livings partly or wholly through ranching, the Parks Department must strongly weigh the Stockgrowers' firm opposition to this exchange and the attendant loss of ranchland.<sup>17</sup>

XII. The Department has not demonstrated whether the exchange will be in the best interest of the Department and accommodate public use and access

Under OAR 736-019-0070(3), the Department must determine whether the exchange "will accommodate public use and access, and be in the best interest of the Department." With a substantially greater number of Oregonians living in western Oregon, the loss of critical coastal parklands in exchange for lands in eastern Oregon does not promote or accommodate public use. While eastern Oregon contains majestic elements of Oregon's natural and scenic legacy, the simple fact is that the public use is better accommodated by leaving the entirety of BNSA in Parks ownership, especially in light of Grant County's opposition to the exchange. Far from providing for public access to natural resources and parklands, the proposed exchange will only increase access to golf courses, of which there are already at least five owned by Bandon Dunes golf resort in the Bandon vicinity, totaling eighty-five holes. While the Applicant purports to give discounts to locals if the golf course is constructed, the Department's interests and obligations to maintain a Parks system that best benefits park visitors are not served by low cost golf. Instead, the Department's best interests are served by preserving significant natural resources under its jurisdiction.

Oregonians clearly hold coastal parklands in high regard, as mentioned previously. According to Parks Department statistics, more than half of all annual visits, day use, and overnight stays occur at coastal parklands.<sup>18</sup> In 2012, Oregon parks received 40.4 million day-use visitors statewide, and 21.8 million were to Oregon coastal parks. In 2013, those figures increased to 42.4 million and 23.3 million, respectively. For overnight visitors to Oregon parks, there were 2.3 million visitors statewide and 1.4 million in 2012. Thus, coastal parklands visits (both day-use and overnight) comprise more than half of those statewide. The BSNA received 300,332 visitors in the 2012 fiscal year, and increased to 305,016 in the 2013 fiscal year. The proposed exchange is, therefore, not in the best interests of the Parks Department and reduces the public use and access to Oregon coast parklands, a clear favorite among Oregonians.

XIII. The Applicant's Environmental Reviews are outdated, inadequate, and irrelevant

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<sup>17</sup> The recently released agenda lists "local support" for "Grouse Mountain" as "yes" and "no." This conclusion is clearly unsupported. The opposition at Parks' public meetings by Grant County residents has been overwhelming.

<sup>18</sup> See Oregon Parks and Recreation Department Statistics for 2002-20013.

ORCA is not aware of any environmental review that purports to satisfy the OAR 736-019-0070(3)(e), which requires that “the proponent provide the Department a written environmental review for all lands the Department is to receive in the exchange.” Here, one document that could potentially satisfy this requirement is the 2007 Biological Assessment for Twomile Creek property and southern Bandon State Natural Area, Coos County, Oregon, prepared for Michael Keiser. This document, however, covers some of the area that the Applicant would like to obtain, but none of the land that the Department would receive, either in Coos County or Grant County.<sup>19</sup> There is also an assessment, again funded by the Applicant and dating from 2007, of the Coquille Spit property, which thus addresses one component, albeit in an outdated and sketchy manner, of the lands the Parks Department would receive. Neither of these documents satisfy the requirements for the proposed land exchange, and the simple fact that the Applicant will provide funds to purchase the Grant County parcels, as opposed to providing the Grant County parcels themselves, is irrelevant. Clearly, the Grant County parcels are lands that the Parks Department would receive in the proposed exchange.

Even if the 2007 assessments addressed all the lands that the Department would receive, the assessment of portions of BSNA (which the Department would lose, not gain) is still outdated and inadequate from an analytical perspective. For example, it does not show a comparative analysis of the environmental impacts to the natural area from construction and development of a golf course and from retaining the area as public lands. Nor does it focus on the actual lands the Applicant seeks in this iteration of the exchange. ORCA is particularly concerned about the impacts to adjacent parcels of high value farmland and parkland that will occur. In addition, golf courses require a significant amount of water. The Applicant has not demonstrated whether the Applicant has obtained water rights and what impact further drawdown on the water table, adjacent creeks and streams, and vegetation will have on parklands and cranberry farmlands. Cranberry farms use a substantial amount of water, and it has not been demonstrated that there is water available in the area for appropriation, especially for a golf course, which uses significant amounts of water. To ORCA’s knowledge, the Applicant has not yet applied to obtain or transfer existing water rights.

Apparently conceding the shortcoming of the 2007 Biological Assessment of BSNA and its insufficiency as a matter of law pursuant to OAR 736-019-0070(3)(e), the Parks Department has now submitted an additional Natural Resource Review of the BSNA, only recently disclosed to the public. This review serves only to underscore the importance of the BSNA, which serves as a testament to why a portion of the BSNA should not be transferred out of the public’s hands. ORCA’s review of the new Natural Resource Review of the BSNA is set forth below.

XIV. The Applicant has not provided sufficient information for the Department to evaluate the transaction for natural resource impacts and protection, cultural impacts and protection, and overwhelming public benefit to the parks system

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<sup>19</sup> Regardless, under the analysis for an “overwhelming public benefit,” the Applicant must also account “for the natural, scenic, cultural, historic, recreational, and operational benefits that are likely to be above and beyond the monetary value of the exchange.” OAR 736-019-0020(8); *see also* OAR 736-019-0070(3)(f)(A) (proposals must contain adequate detail re natural resource impacts and protection).

The Applicant's six-year old biological assessments for two components (portions of BSNA and the Coquille Spit parcel) of a proposed multi-component land exchange fails to provide the Department with enough information to adequately evaluate the transactions for natural resource impacts and protection, cultural impacts, and overwhelming public benefit to the parks system. *See* OAR 736-019-0070(3)(f)(A)-(C). The agency's Vegetation Assessment of the Grant County parcels, as explained above, is simply inadequate to act as a biological survey, and serves largely to underscore the fact that the Grant County parcels have been modified to such a degree to make the parcels underwhelming and, in the Parks Department's own words, an ecological and financial liability.<sup>20</sup> As it currently stands, the Applicant and Parks Department are relying on an outdated and inaccurate (for this exchange) environmental review of parts of BSNA by the Applicant, a similar outdated review of the Coquille Spit property by the Applicant, and three incomplete and sketchy 2013 Reviews by the Parks Department: one of the BSNA exchange parcels, a second of the Grant County parcels, and a very recent (November 2013) superficial vegetation assessment of the "oceanfront parcel" in Coos County south of BSNA. This is not what is called for by OAR 736-019-0070(3)(e). Therefore, the land exchange cannot be approved.

XV. The proposed land exchange will not have "an overwhelming public benefit"

For those land exchanges initiated by entities other than the Parks Department, the Parks Department must determine that the "proposed exchange provides an overwhelming public benefit to the Oregon State Park system, its visitors, and the citizens of Oregon," which is "resounding, clear, and obvious." OAR 736-019-0070(4). This is arguably one of the more demanding standards that ORCA has come across in its years of working on the coast. Because this proposed exchange contains so many flaws, this demanding standard cannot be reasonably satisfied. An "overwhelming public benefit" means "a Commission determination in the approval of a property exchange that accounts for the natural, scenic, cultural, historic, recreational, and operational benefits of a proposal that are likely to be above and beyond the monetary value of the exchange. OAR 736-019-0020(8). As has already been shown, the Applicant has presented a stale biological assessment that purports to only assess a portion of the land the Applicant would receive while ignoring the other parcels at issue. Less than three weeks before the Commission vote, the Parks Department provided to the public an outdated 2007 assessment prepared for Michael Keiser on the Coquille Spit property, and prepared an Approximate Vegetation Assessment for the so-called "oceanfront parcel" in Coos County that Mr. Keiser would give to the Parks Department. The Whale Cove parcel has not been evaluated for purposes of this exchange to the best of ORCA's knowledge.

There is no indication that an overwhelming public benefit would accrue to the Oregon State Parks system because it would lose valuable coastal parklands, of which there are only a limited amount. While the proposal would add a 111-acre parcel that adjoins the BSNA to the south and west, a 97-acre tract on the Coquille Spit, adjacent to the Bullards Beach State Park, and provide the remaining funds required to purchase 10.87 acres of property at Whale Cove

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<sup>20</sup> Conspicuously absent from the Vegetation Assessment is any mention of the former asbestos mine that is either on or in close proximity to the Grant County parcels.

near Depoe Bay<sup>21</sup>, the proposal still falls short. First, the amount of coastal land is not equal in terms of acreage, monetary value, or environmental/scenic/cultural/historic/recreational value. The Applicant would receive far more coastal property than it would be providing to the Parks system.

In addition, a substantial portion of the oceanfront parcel, the former Bandon County park parcel, south of the BSNA is below high tide, and, therefore, there is even less parkland than is evident on its face. The parcel is also heavily infested with non-native species such as gorse and European beach grass. The Department states openly in its Assessment that “Invasive plant species are extremely pervasive in portions of the study area” (p. 22), which have led to diminishing rare and valuable open dune habitat. Similarly, the Bullards Beach/Coquille Spit parcel is a sand spit covered mainly in non-native vegetation which in addition regularly floods. Again, this provides substantially less parkland than appears on the face of the proposed exchange. From the perspective of acreage, the monetary value of the coastal parklands that the Applicant would receive far outweighs what the Parks Department would get in return. Therefore, in terms of coastal parklands, which are some of the most valuable and visited parklands in the state, there is no overwhelming public benefit to the coastal parks system.

The Applicant has also failed to demonstrate that there is an overwhelming public benefit to the visitors of parks system. Visitors to the coastal parklands would not receive an overwhelming public benefit because the proposed exchange would result in a net loss of coastal parklands, which in addition have high concentration of valuable native habitats. As indicated *supra*, existing coastal parklands are significant because visitors overwhelmingly visit them in relation to all other types of parklands in Oregon. There has been no showing that acquisition of the Grant County parcels would result in an overwhelming public benefit because the Applicant has not set forth any information detailing the environmental, scenic, cultural, historical, and recreational benefits of a new park in Grant County, where more than two-thirds of the land base already consists of public lands. Furthermore, as stated before, the Grant County parcels either contain or are adjacent to a former asbestos mine. The Parks Department has not provided any maps information regarding cleanup cost estimates. The Parks Department has yet to acknowledge even the existence of the asbestos mine. In addition, the recently completed (November 2013) memorandum prepared by Shaun Robertson makes it clear that these parcels are mediocre at best as it relates to fish habitat value, scenic value especially of serpentine outcroppings found throughout Grant County on public lands, and recreation potential. Even the Parks Department Vegetation Assessment points out the need for continuous weed control on the property. All of this paints a picture of a property that falls far short of the overwhelming public benefit standard.

Finally, the Citizens of Oregon would not receive an overwhelming public benefit from the proposed exchange because it would result in a net loss of coastal parklands; reduction in the tax base for an already cash-strapped County; and result in a loss of high value farmland in Coos County. The loss of coastal parklands and the impact to the Grant County’s tax revenue and public services has already been established *supra*.

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<sup>21</sup> Acquisition of the Whale Cove parcel is not contingent upon this proposed land exchange because the Parks Department has already committed to completing the purchase of that parcel. Therefore, the proposed land exchange is worth even less than is apparently represented by the Applicant and less valuable to the citizen of Oregon.

Because high value farmland provides a significant benefit to the citizens of Oregon, it is provided significant protections under state law, and the loss of high value farmland cannot be an overwhelming public benefit to the citizens and State of Oregon. The proposed land exchange would result in the loss of high value farmland because cranberry bogs would be exchanged for land that does not contain high value farmland. High value farmland outside of the Willamette Valley includes those tracts growing specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization Service (i.e. the Farm Service Agency) prior to December 6, 2007. Specified perennials include those perennials grown for market research purposes including but not limited to, nursery stock, berries, fruits, nuts, Christmas trees, or vineyards, but not including seed crops, hay, pasture, or alfalfa. Cranberries are a perennial crop that appears present within at least one tax lot in the proposed exchange.

Surrounding land uses, including cranberry bogs and wetlands, are likely to be negatively affected by the proposed golf course would utilize. First, cranberry bogs utilize a significant amount of water and the significant amount of water that is required of a golf course will likely adversely impact the productivity of nearby cranberry bogs. This could lead to drainage disruption and increased flooding, amongst other impacts. Second, water quality is closely associated with water quantity, and off-site land use practices (including highly consumptive uses, such as golf courses) will likely impact the quality of water used on food crops. Third, as noted in the outdated biological assessment, there are significant, high-quality wetlands in and around the area proposed in the exchange, which can be destroyed by over-utilizing water for adjacent and nearby uses. The citizens of Oregon are ill-served by the loss of additional wetlands, as well as high value farmland. As noted by the Oregon Farm Bureau, the proposed exchange “removes land from agriculture and natural resource use.”

Under ORS 215.243, the State of Oregon’s Agricultural land use policy provides that “[o]pen land used for agricultural use is an efficient means of conserving natural resources that constitute an important physical, social, aesthetic and economic asset to all of the people of this state, whether living in rural, urban or metropolitan areas of the state”; and “[t]he preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state’s economic resources and the preservation of such land in large blocks is necessary in maintaining the agricultural economy of the state and for the assurance of adequate, healthful and nutritious food for the people of this state and nation.” The proposed exchange would result in the loss of cranberry bogs that fall into the State’s definition of high value farmland. This proposed exchange runs contrary to the State of Oregon’s policy to conserve high value farmland for the public benefit. In addition, there are unanalyzed impacts to surrounding high value farmland and parklands from the proposed 27-hole golf course – of which there are already at least five at Bandon Dunes and two others in the area.

Because at least some of the land is in cranberry bogs, a high value farmland, a golf course is not a permitted use on such lands zoned for exclusive farm use. To develop a golf course over high value farmland would require an exception to Statewide Planning Goal 3 (Agricultural Lands) from Coos County. The exception process is burdensome, requiring that the Applicant demonstrates a need for developing a golf course that cannot be done in other similarly situated areas. Given that the area contains at least seven golf courses, it is highly unlikely that a demonstrated necessity for yet another golf course could be shown. Not only is the Applicant’s end-goal of a golf course is highly untenable, the notion that an overwhelming public benefit could accrue to the citizens of the state of Oregon is also untenable if high value farmland would be lost.

Finally, the Department may consider

“[o]ther contributions to the Oregon State Park system, beyond the property to be received, which the Commission determines when combined with the property to be received by the Department, and when weighed against the property to be transferred out of the Oregon State Parks system, along with the Departments transaction costs, will result in an overwhelming public benefit to the Oregon State Park system.”

OAR 736-019-0070(4)(c).

First, the net loss of parklands on the coast is not outweighed by acquiring funds to purchase parcels in Grant County because of the unique impacts on Grant County, including the further loss of Grant County’s already diminished tax-base.

Second, the Department has provided no estimate of the transaction costs, management and upkeep costs for the private home and the 6,300 acre property as a whole<sup>22</sup>, and, therefore, it is impossible to adequately assess the proposed exchange in light of the above-cited administrative rule. For example, the Parks department made a site visit to the Grant County parcels in August 2012. The Parks Department prepared a document, entitled “Vegetation and Habitat of Grouse Mtn. Property.” In that document, the Parks Department determined that the landscape had been significantly modified, primarily from “past intensive grazing by domestic livestock, seeding of pastures to palatable livestock forage, hydrological modifications, weed introduction, and fire suppression.”<sup>23</sup> In essence, the Grant County parcels appear to be an ecological and financial

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<sup>22</sup> While it is impossible to determine the continuing management costs of the 6,300 acre project, the costs appear to be significant. For example, the area contains existing trails that will require upkeep; contains an office building and maintenance yard that will require upkeep; contains an existing small house, main house, and out buildings, as well as stables, all of which will require maintenance and upkeep. In addition, the Parks Department has identified several open fields that it proposes for camping, ag leases, cabins, bicycle camping, group camping, and walk-in camping. Maintenance of existing structures and trails and construction of cabins and campgrounds will require significant funding, the amount of which the Parks Department has not yet disclosed.

<sup>23</sup> In addition,

- “[I]ivestock grazing has left abundant signs on the landscape particularly in areas of lower, flatter ground where livestock were present for more of the year. These areas have transitioned away from the former native bunch grass communities to introduced and invasive grass species. Even forested areas show signs of grazing history in the species composition of the grasses present – which have transitioned to having areas of non-native bluegrasses common in ‘improved’ pastures. Some areas of open meadowland are almost entirely composed of non-native grasses that have either been directly seeded, or hve occurred because of overgrazing of native bunchgrasses and passive introduction of invasive non-native grasses.”
- “Hydrological modifications are evident in the Gordon Lakes area, where earthmoving was used to either increase the impoundment capacity of an existing wetland or pond; or, a new impoundment altogether may have been created from a former creek, seep, or spring. Bottomland riparian areas, particularly surrounding Beech creek, have likely been narrowed through either active channelization and conversion of bottomlands to pasture, by stream downcutting due to influence of vegetation loss due to overgrazing, or by a combination of the two forces.”

liability, requiring a significant investment to bring the area back to its original environmental baseline. The Parks Department admits as much in the section entitled “Potential Ecological Liabilities Associated with Acquisition,” which identifies “additional cost commitments and management obligations, including:

- “Additional fuels treatment needed. This could cost up to \$125,000 (\$250,000 without wood products revenue offset)”
- “Weed treatment. This property, while in better condition than most similar land in the area, could require significant weed control costs, depending on goals.”
- “Agricultural/fallow field management. Long-term restoration cost estimates for grass-only native prairie would be in the vicinity of approximately \$1000/ac total over the initial multi-year establishment period. Bottomland native prairie establishment areas would cover no more than 100 acres. Annual maintenance costs after the initial establishment period (which would include periodic mowing or prescribed burning, broadcast spraying, and spot spraying) would be approximately \$200/ac.”
- “Woody debris structures. Restoration of the floodplain of Beech Creek has included construction of woody debris structures. These may need either upkeep or removal in the future.”

Third, the Parks Department already committed to purchasing the Whale Cove parcel irrespective of the outcome of the proposed land exchange, as proved by the Parks Department signature on a grant guaranty form of the Oregon Dept. of Transportation. ODOT is the agency through which funneled the existing Federal Scenic Byways Grant that provides the other portion of the Whale Cove purchase price. Fourth, funds provided for the acquisition of the Grant County parcels would likely be outweighed by the ongoing costs of managing an additional 6,300 acres of parklands, an issue that the Parks Department has not yet addressed. Therefore, the financial incentives beyond the property to be received do not provide for an overwhelming public benefit to the Parks Department.

XVI. The Parks Department has not demonstrated that the BSNA is less suitable for open space and recreation than the land the Parks Department would acquire

Under OAR 736-019-0080(5), the “Department will employ land exchanges when the land traded away is less suitable for open space and recreation than the land received.” Here, the Department will be hard-pressed to demonstrate that the coastal parklands, which garner more than half of all parks visits statewide, are less suitable for open space and recreation than other lands that would be acquired. The Applicant’s own 2007 biological assessment for the BSNA concedes that recreation activities were even then extensive, including horseback riding, hunting, hiking, skeet shooting, and wildlife viewing, amongst others. As noted *supra*, the oceanfront former County park parcel and Bullards Beach parkland are frequently flooded or below high tide, and, therefore, the recreational benefit of these parcels is questionable, especially in light of the documented recreation at the BSNA. The Applicant has not set forth *any* environmental,

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- “Weeds usually occur in close association with livestock grazing and agriculture, and this property is no exception. Weeds present include North Africa grass, spotted knapweed, tumbledustards, cheatgrass, medusahead, teasel, scotch thistle, Canada thistle, and forage grasses. The grass weeds are the most widespread. North Africa grass’ abundance is quite high.”

scenic, historic, cultural, and recreational benefits from the land it proposes to trade. This is a significant shortcoming, and, therefore, the proposed land exchange cannot be approved.

XVII. The Parks Department has not complied with the acquisition practices provided for in chapter 736, Division 19

The Parks Department must “[e]ngage in land purchases and land sales in which the value of the land is established by an up-to-date appraisal prepared by an independent professional appraiser or a qualified government employee, OAR 736-019-0100(1)(a); “[o]btain an independent review of appraisals when the appraised value exceeds \$250,000.00,” OAR 736-019-0100(1)(b); and “[c]onsult with local taxing entities of government when a land purchase has potential to cause a significant loss of property tax revenue,” OAR 736-019-0100(1)(c). The Parks Department must also:

“utilize sound business principles in securing appraisals and conducting negotiations, and shall complete its due diligence in connection with all real property acquisitions and exchanges, including the request for and review of title searches, hazardous material assessments, agreements with third parties intended to facilitate an acquisition by the Department, and any other documents necessary to make the best decision regarding a land purchase or exchange.”

OAR 736-019-0100(1)(h). In addition, any appraisal is required to “consider the new, anticipated, or intended use, income, or zone, if the Grantee proposing an exchange or sale intends, or is likely to pursue a different highest and best use than the Department’s current use or zone.” OAR 736-019-0100(1)(j).

The Department, however, is not confined to only considering the new or intended use. For example, it is common practice by economists to value public and recreational lands in terms of their ecosystem services. Ecosystem services are the beneficial outcomes and goods and services supplied by the natural environment, including the physical, chemical, and biological processes or attributes that contribute to the self-maintenance of an ecosystem. Generally, markets and traditional appraisals are inadequate in reflecting the full social and environmental costs or benefits of a good or, in this case, a land exchange.

Ecosystem services are usually public goods that may be enjoyed by a number of people, such as parklands. Without an appraisal that utilizes ecosystem services valuation, the proposed exchange cannot adequately assess and account for the “[n]atural resource impacts,” OAR 736-019-0070(3)(f)(A); “[i]dentify and acquire the best representative landscapes and most significant sites in Oregon for the purpose of “protecting the State’s most valuable natural, scenic, cultural, historic, and recreational resources,” OAR 736-019-0000(1); and ensure that there is an actual overwhelming public benefit, which requires that a property exchange account for the “natural, scenic, cultural, historic, recreational, and operational benefits” of a proposed land exchange. Thus, without an appraisal that accounts for ecosystem services, the proposed land exchange cannot be approved.

Two of the currently available appraisals were prepared more than three years ago and one was prepared more than two years ago.<sup>24</sup> OAR 736-019-100(1)(i) requires that “[a]ppraisals

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<sup>24</sup> This includes the Marineau and Associates appraisal for Coos County Map and Tax Lot 29-15-35-100 (Bandon County Park Property) (June 5, 2010) and Map and Tax Lots 28-15-24-100, 28-

upon which the Department makes an offer must be dated as close in time to the expected closing as possible, *and not be older than one year*” (emphasis added), and OAR 736-019-0100(1)(a) requires “an up-to-date appraisal.” In addition, all of the existing appraisals have been prepared for the Applicant, and, therefore, these appraisals are not “independent” in any sense of the term. Nor has the Parks Department, to the best of ORCA’s knowledge, obtained “an independent review of appraisals when the appraised value exceeds \$250,000.” *See* OAR 736-019-0100(1)(b). As a result, the currently available proposals are inadequate to satisfy the Parks Department’s requirements, and the exchange cannot be approved.

In addition, because the proposal to add significant lands in Grant County to the parks system would result in significant loss of tax revenue to Grant County, the Parks Department must consult with the local taxing authority. *See* OAR 736-019-0100(1)(c). As noted *supra*, the Grant County Court and its constituency is overwhelmingly opposed to the proposed exchange for a variety of reasons. Therefore, the proposed land exchange cannot be approved.

#### XVIII. The proposed land exchange will violate federal law because of the exchange would be inconsistent with the Coos Bay Resource Management Plan

The Parks Department acquired most of Bandon SNA, including the 280 acres proposed for transfer to the Applicant through a 1968 purchase from the Bureau of Land Management (BLM) pursuant to the Recreation and Public Purposes Act of 1954. The parcel was conveyed to the Parks Department at less than fair market value, and, therefore, the United States was reserved a reversionary interest in lands that will be invoked if the lands are utilized for a purpose other than that for which the lands were conveyed or in a manner inconsistent with the terms of the conveyance. The qualified uses for the initial conveyance were for park purposes only, and a golf course is not a qualifying use under the Recreation and Public Purposes Act of 1954.

Land conveyances or interests in land through sale or exchange must be accomplished in conformance with the Resource Management Plan for the Coos Bay BLM District. The Federal Land Policy Management Act is the basic “organic act” for management of the public lands under BLM’s administration. Under FLPMA, the BLM must develop land use plans for the public lands under its control. *See* 43 U.S.C. § 1712. FLPMA further requires that all resource management decisions “shall conform to the approved [land use] plan.” 43 C.F.R. § 1610.5-3(a). The subject parcel is not listed as suitable for disposal out of Federal ownership in the current Resource Management Plan, though this does not necessarily restrict subsequent iterations of the Resource Management Plan from listing the parcel as suitable for disposal out of Federal ownership. Thus, as of now, the proposed land exchange is inconsistent with the Resource Management Plan, and, therefore, the proposed exchange would violate FLPMA. The exchange cannot occur absent a plan amendment the Coos Bay Resource Management Plan. Furthermore, the purpose of the project is fundamentally at odds with the intent and purpose of the Recreation and Public Purposes Act because the land exchange provides little public benefit.

Because the proposed land exchange would be inconsistent with the current Coos Bay BLM District Resource Management Plan, the proposed exchange would not “comply with all federal and state laws,” OAR 736-019-0040, including the FLPMA, which requires compliance

with the applicable Resource Management Plan. If the Parks Department and the Applicant were to violate federal law, then there could be no possibility of a benefit, let alone an “overwhelming public benefit to the Oregon State Park system, its visitors, and the citizens of Oregon, which is resounding, clear, and obvious.”

XIX. The Grant County Parcels have not been initiated by the Parks Department

The proposed exchange was proposed by the Applicant. As a result, the Applicant and Michael Keiser must satisfy a significant burden. Recently, however, in an apparent attempt to ease the burden on the Applicant and the Parks Department, the Parks Department has taken the position that the Parks Department is proposing the acquisition of the Grant County parcels, despite the fact that the exchange proposed by the Applicant will provide more than half of the \$4.5 million purchase price. The mere fact that the Grant County parcels have been on the Parks Department’s acquisition list does not mean that the acquisition has been initiated by the Parks Department. The simple fact is that the Grant County parcels would not be acquired but for the funding provided for by the exchange proposed by the Applicant. Furthermore, the Parks Department staff report specifically states that the proposed exchange was initiated by the Applicant.

In 2007, the Parks Department released the “OPRD Acquisition Plan 2007-2013.” The document purports to identify properties acquire over the next six years. “The properties have been found to meet the department’s criteria for addition to the OPRD system of parks including statewide significance, size, potential for public access and use, potential threats, compatibility with surrounding uses and fits with the field management structure.” The document includes the following categories: “major trails and water trails,” “outstanding natural areas, the best of the best,” “state parks for central and southeastern Oregon,” “major new public beach accesses,” “significant cultural sites,” and “protecting and enhancing existing state parks.” Noticeably absent are the Grant County parcels. Thus, as of 2013, the Parks Department did not consider the Grant County parcels to be worthy of acquisition, nor did the Parks Department find that the Grant County parcels fall within any of the aforementioned categories, necessarily reducing their significance to the Parks Department. Though the 2013-15 list of Parks Department’s Acquisition Priorities does include Grouse Mountain, this does not change the fact that the Parks Department would not be able to acquire this property without the exchange with the Applicant, which would provide so large a portion of the total purchase price. Thus, the OAR criteria relevant to “Exchanges Initiated by Others” still apply.

The Parks Department’s attempt to ease its burden by applying only the criteria contained in OAR 736-019-0060 is unavailing, contrary to the Parks Department’s initial position, and serves only to further erode the public’s confidence in an exchange that the public clearly opposes. Regardless of this specious change in course, ORCA has addressed the acquisition criteria above as they relate to the Grant County parcels and the other parcels delineated as part of the exchange.

XX. The BSNA is a significant resource to the people of Oregon and the Parks Department and any proposal that attempts to remove it from park system cannot result in an overwhelming public benefit

The Parks Department recently submitted the “Vegetation Inventory and Botanical Resource Assessment for the Portion of the Bandon State Natural Area under Potential Land Exchange Consideration,” prepared by Noel Bachellor, Natural Resource Coordinator/Botanist for the Parks Department (October 23, 2013). The Assessment acknowledges that the property proposed to be taken out of the Parks Department is “highly significant” and acknowledges that a threatened plant species is present in a portion of the study area, as well as several rare and sensitive species.

The Assessment also demonstrates that the vast majority of the BSNA proposed to be wrested from public ownership is either the “highest natural resource value,” containing “legally protected species”; “high resource value”; “moderate natural resource value,” where “restoration target is feasible, and if restored . . . would rank as having high natural resource value”; and “moderate natural resource value,” which contains degraded habitat that “still contains some important natural resource elements.” The Assessment further provides that “[a]ll areas mapped as shore pine/kinnikinnik, shore pine/hairy manzanita, dunal summits and ridgetops, Port Orford Cedar forest, bog blueberry/slough sedge wetland, and hooker will/slough sedge-sphagnum are of very high conservation priority,” which are appropriately conserved in “ ‘Reserve’ areas.” These reserve areas comprise a substantial portion of the proposed exchange area within the BSNA, and it is likely that a golf course would have to degrade these high conservation priority areas, much to the detriment of the natural resource values. With such a significant amount of the BSNA comprising high natural resource value or capable of becoming high resource value<sup>25</sup>, there can be no overwhelming public benefit to removing this habitat from public ownership.

ORCA is also concerned about the many twists and turns this proposed exchange and acquisition has taken, oftentimes without full disclosure to the public. For example, the BSNA land proposed to be acquired by the Applicant has been reconfigured. The new configurations would further narrow the BSNA along more of its length and increase inefficient management of the remaining parklands. In addition, the land contains significant native plant communities and wetlands. These important areas could only be sought by the Applicant to be converted to a golf course. The lands proposed to be traded are the very lands that the Parks Department should be keeping, protecting and managing to enhance the already-rich diversity of native plant and wetland communities -- not giving away.

## XXI. Conclusion

ORCA is opposed to the proposed land exchange because it violates both state and federal law. The proposed land exchange is flawed in many respects, and neither the Applicant nor the Parks Department can possibly demonstrate that the proposed land exchange would result in an “overwhelming public benefit to the Oregon State Park system, its visitors, and the citizens of Oregon, which is resounding, clear, and obvious.” Simply put, if the public benefit was clear and obvious, then the proposal would not have resulted in the significant public opposition that currently exists. As has been the case in the past when the Applicant proposes a land exchange to acquire highly valued parklands on the Oregon coast to construct yet another golf course, the

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<sup>25</sup> The Assessment further acknowledges “rare communities with very high conservation value,” including shore pine/kinnikinnik or shore pine/hairy manzanita habitat; forested dune summits and slopes with madrone and/or silktassel

proposal is inadequate and the proposed exchange must be denied as the previous proposals were.

Sincerely,

*/s/ Cameron La Follette*

Cameron La Follette  
Land Use Director

Enclosures:

1. OPRD Park Day Use Statistics, 2002-2013
2. OPRD-ODOT Guarantee Form re Whale Cove property
3. OPRD Grouse Mountain Evaluation Using Ranking Criteria

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Calendar Year													
2	Region Number	Region Name	Location	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
3	1	Coastal	AGATE BEACH STATE RECREATION SITE	178,116	206,010	206,834	197,222	219,130	216,810	210,162	211,588	205,572	205,262	317,854
4	1	Coastal	ALFRED A LOEB STATE PARK	147,626	133,390	129,784	124,934	147,056	125,412	124,002	103,898	83,642	94,594	101,714
5	1	Coastal	ALSEA BAY HISTORIC INTERPRETIVE CENTER	0	0	0	0	0	0	0	0	0	0	13,131
6	1	Coastal	ARCADIA BEACH STATE RECREATION SITE	234,302	222,392	381,294	378,248	346,954	407,638	296,810	347,796	374,954	287,292	410,280
7	1	Coastal	ARIZONA BEACH									27,154	20,020	21,188
8	1	Coastal	BANDON STATE NATURAL AREA	332,364	311,764	428,188	367,708	324,064	320,804	306,020	307,172	290,136	306,412	301,124
9	1	Coastal	BEACHSIDE STATE RECREATION SITE	74,542	237,554	73,924	63,146	93,788	66,986	53,274	151,986	63,478	60,992	59,524
10	1	Coastal	BEAVER CREEK STATE NATURAL AREA (now included under Brian Booth)									4,602	32,235	Incl in Brian Booth
11	1	Coastal	BEVERLY BEACH STATE PARK	171,800	179,098	171,110	168,422	155,344	169,054	143,814	165,770	165,096	164,184	146,646
12	1	Coastal	BOB STRAUB STATE PARK	139,044	198,376	134,216	141,696	151,256	134,740	96,764	127,128	123,412	128,808	114,120
13	1	Coastal	BOILER BAY STATE SCENIC VIEWPOINT	590,500	556,364	537,808	490,476	551,200	529,080	479,220	540,920	551,912	533,320	534,664
14	1	Coastal	BRADLEY STATE SCENIC VIEWPOINT	165,788	151,588	146,356	136,636	134,346	130,720	117,990	113,910	58,256	96,956	104,322
15	1	Coastal	BRIAN BOOTH STATE PARK											
16	1	Coastal	BULLARDS BEACH STATE PARK	488,004	402,460	470,728	397,920	379,420	409,176	339,292	383,160	406,020	395,960	403,116
17	1	Coastal	CAPE ARAGO STATE PARK	345,576	329,112	329,856	272,280	295,512	342,728	313,500	341,692	339,132	292,136	286,396
18	1	Coastal	CAPE BLANCO STATE PARK	199,108	216,272	217,108	218,272	204,136	244,516	184,656	220,436	197,752	207,972	178,044
19	1	Coastal	CAPE LOOKOUT STATE PARK	205,840	117,076	101,222	101,016	171,194	159,098	158,956	107,226	159,212	132,484	177,654
20	1	Coastal	CAPE MEARES STATE SCENIC VIEWPOINT	188,022	315,310	371,072	392,080	393,096	484,236	462,388	511,452	442,444	421,352	428,036
21	1	Coastal	CAPE SEBASTIAN STATE SCENIC CORRIDOR	72,108	74,048	69,380	58,240	75,048	80,580	77,188	77,592	91,260	205,484	86,684
22	1	Coastal	CARL G WASHBURN/PONSLER VIEWPOINT	198,228	291,952	202,940	296,208	192,308	183,508	212,148	197,340	209,528	220,628	195,272
23	1	Coastal	CLAY MYERS STATE NATURAL AREA AT WHALEN ISLAND									55,752	54,660	60,090
24	1	Coastal	CRISSEY FIELD STATE RECREATION SITE							15,404	176,576	166,984	173,692	143,940
25	1	Coastal	D RIVER STATE RECREATION SITE	1,224,684	1,162,272	1,131,824	1,080,800	1,206,252	1,140,364	1,064,600	1,113,164	1,122,684	1,024,584	1,047,948
26	1	Coastal	DEL REY BEACH STATE RECREATION SITE	97,102	97,008	92,870	90,540	95,794	98,096	89,552	93,890	85,506	89,468	87,416
27	1	Coastal	DEPOE BAY	0	0	0	0	0	0	0	0	0	0	0
28	1	Coastal	DEVIL'S PUNCH BOWL STATE NATURAL AREA	515,302	583,792	729,300	635,746	708,024	668,468	646,666	695,978	529,936	458,760	552,778
29	1	Coastal	DRIFTWOOD BEACH STATE RECREATION SITE	88,124	87,938	188,808	170,468	167,160	181,980	146,780	169,380	152,328	133,596	142,072
30	1	Coastal	DEVIL'S LAKE STATE RECREATION AREA	147,330	143,448	137,478	139,402	143,812	144,562	142,582	148,012	132,600	132,240	132,454
31	1	Coastal	ECOLA STATE PARK	369,558	395,222	441,194	479,522	416,022	526,778	552,198	469,796	642,222	331,866	420,740
32	1	Coastal	ELLMAKER STATE WAYSIDE	206,520	253,160	291,152	285,544	292,448	302,456	292,784	288,952	295,604	287,224	285,904
33	1	Coastal	FACE ROCK STATE SCENIC VIEWPOINT	307,696	258,432	239,672	277,988	259,016	248,704	220,044	246,960	239,224	267,364	257,816
34	1	Coastal	FOGARTY CREEK STATE RECREATION AREA	185,974	162,876	163,792	159,378	162,022	188,670	197,122	210,134	206,662	210,230	202,814
35	1	Coastal	FORT STEVENS HISTORIC AREA	165,434	171,616	164,253	170,336	172,700	170,810	182,342	180,169	165,581	144,884	143,384
36	1	Coastal	FORT STEVENS STATE PARK	919,614	904,782	880,166	805,710	910,018	854,402	854,348	1,007,730	986,208	877,424	1,435,327
37	1	Coastal	GEISEL MONUMENT STATE HERITAGE SITE	17,016	16,572	15,348	15,294	15,416	13,834	13,590	14,346	13,630	15,834	11,526
38	1	Coastal	GLENEDEN BEACH STATE RECREATION SITE	255,068	271,176	251,920	229,524	233,168	223,388	72,564	60,868	227,244	177,812	199,100
39	1	Coastal	GOLDEN & SILVER FALLS STATE NATURAL AREA	20,030	21,778	19,674	17,580	16,954	18,614	19,064	24,162	21,726	17,326	14,000
40	1	Coastal	GOV PATTERSON MEMORIAL STATE REC SITE	194,234	155,906	233,494	238,232	205,226	221,478	169,142	224,258	228,506	215,264	156,946
41	1	Coastal	H B VAN DUZER FOREST STATE SCENIC CORR	471,488	469,540	455,922	453,176	475,548	456,322	405,710	442,000	450,006	421,326	406,770
42	1	Coastal	HARRIS BEACH STATE RECREATION AREA	1,116,944	1,163,272	1,129,416	1,033,888	1,143,864	1,099,256	1,060,140	1,070,456	889,636	930,904	1,479,276
43	1	Coastal	HECETA HEAD LIGHTHOUSE SCENIC VIEWPOINT	551,004	483,220	445,236	473,136	501,972	450,376	336,288	786,488	799,616	719,280	730,240
44	1	Coastal	HUG POINT STATE RECREATION SITE	244,000	149,922	230,138	240,272	190,408	250,746	278,276	306,282	442,774	210,084	174,342
45	1	Coastal	HUMBUG MOUNTAIN STATE PARK	110,636	127,624	80,584	72,360	44,316	57,924	62,480	66,920	70,400	68,796	66,080
46	1	Coastal	JESSIE M HONEYMAN MEMORIAL STATE PARK	679,248	776,772	975,660	499,168	669,684	629,968	594,196	657,100	610,844	529,976	343,940
47	1	Coastal	LOST CREEK STATE RECREATION SITE	183,498	182,658	177,580	235,570	243,182	195,276	191,464	169,002	140,626	149,694	165,758
48	1	Coastal	MANHATTAN BEACH STATE RECREATION SITE	96,784	89,398	90,206	96,230	69,354	75,430	70,628	74,534	68,218	69,164	72,908
49	1	Coastal	MCVAY ROCK STATE RECREATION SITE	47,792	112,180	122,628	129,908	126,152	118,360	108,272	120,000	120,948	130,332	143,420
50	1	Coastal	MUNSON CREEK FALLS STATE NATURAL SITE									29,554	42,786	39,942
51	1	Coastal	NEHALEM BAY STATE PARK	191,932	211,462	208,062	187,160	187,402	200,660	208,278	355,754	343,358	390,024	541,610
52	1	Coastal	NEPTUNE STATE SCENIC VIEWPOINT	506,508	451,492	660,496	773,764	452,688	503,168	434,140	430,564	440,820	455,332	618,368
53	1	Coastal	NESKOWIN BEACH STATE RECREATION SITE	205,796	195,484	196,972	201,080	202,284	191,132	176,892	188,764	182,176	173,564	193,328

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Calendar Year													
2	Region Number	Region Name	Location	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
54	1 Coastal	OCEANSIDE BEACH STATE RECREATION SITE		366,958	358,388	352,878	340,884	347,202	322,696	328,180	375,034	332,346	280,156	328,096
55	1 Coastal	ONA BEACH STATE PARK (1/2013 now called Brian Booth State		294,076	330,752	175,336	160,358	187,634	167,834	175,892	195,856	167,468	174,886	220,877
56	1 Coastal	OPHIR REST AREA						165,230	135,858	130,668	142,490	88,910	117,440	122,226
57	1 Coastal	OSWALD WEST STATE PARK		413,304	526,964	738,782	617,998	729,632	961,698	623,690	526,492	519,566	418,150	521,114
58	1 Coastal	OTTER CREST STATE SCENIC VIEWPOINT		325,536	400,544	476,244	464,732	476,368	458,208	434,884	354,984	455,800	484,072	438,984
59	1 Coastal	OTTER POINT STATE RECREATION SITE		28,610	23,074	30,966	30,020	26,626	40,824	25,122	28,676	27,580	27,124	22,114
60	1 Coastal	PARADISE POINT STATE RECREATION SITE		105,536	129,912	157,868	115,320	157,668	120,588	73,122	54,720	61,042	64,282	48,376
61	1 Coastal	PISTOL RIVER STATE SCENIC VIEWPOINT		77,552	67,604	65,132	59,736	55,396	68,108	68,928	80,668	58,564	124,116	86,236
62	1 Coastal	PORT ORFORD HEADS STATE PARK		81,132	117,240	114,544	110,964	104,060	124,136	112,112	129,476	123,600	112,496	100,856
63	1 Coastal	ROADS END STATE RECREATION SITE		404,616	369,074	409,238	401,818	459,460	449,572	419,032	397,240	429,534	407,360	420,050
64	1 Coastal	ROCKY CREEK STATE SCENIC VIEWPOINT		201,868	178,524	181,684	172,528	178,740	174,708	157,916	164,048	166,204	178,056	163,908
65	1 Coastal	SADDLE MOUNTAIN STATE NATURAL AREA		47,238	50,574	61,158	56,252	48,216	58,278	25,638	48,036	52,348	55,778	59,784
66	1 Coastal	SAMUEL H BOARDMAN STATE SCENIC CORRIDOR		748,040	770,686	778,970	764,798	760,626	809,264	884,060	826,686	814,306	726,192	674,484
67	1 Coastal	SEAL ROCK STATE RECREATION SITE		188,374	232,568	180,832	165,704	173,488	183,356	181,356	192,418	180,976	185,046	198,774
68	1 Coastal	SEVEN DEVILS STATE RECREATION SITE		62,936	56,836	75,044	69,972	59,376	71,756	57,924	85,468	76,372	58,592	51,412
69	1 Coastal	SHORE ACRES STATE PARK		258,952	255,224	253,680	232,456	217,192	235,832	117,856	326,128	228,500	216,072	215,120
70	1 Coastal	SIUSLAW NORTH JETTY		0	0	376,564	351,156	792,512	412,244	406,616	453,968	422,160	503,268	421,938
71	1 Coastal	SMELT SANDS STATE RECREATION SITE		229,996	151,484	261,316	114,868	187,104	239,040	221,572	249,652	234,624	297,224	302,216
72	1 Coastal	SOUTH BEACH STATE PARK		352,680	602,510	706,782	641,342	634,504	692,454	621,402	744,398	644,486	614,706	974,638
73	1 Coastal	STONEFIELD BEACH STATE RECREATION SITE		62,018	40,124	44,694	30,810	40,116	56,462	68,372	70,724	37,000	23,400	91,800
74	1 Coastal	SUNSET BAY STATE PARK		775,386	770,220	677,306	683,548	612,838	683,278	563,526	697,998	582,954	530,778	544,070
75	1 Coastal	SUNSET BEACH		0	0	0	8,542	116,650	106,884	57,886	99,536	88,850	77,700	99,180
76	1 Coastal	TOLOVANA BEACH STATE RECREATION SITE		428,490	404,844	437,708	419,804	441,610	550,962	482,194	533,474	578,838	547,584	441,876
77	1 Coastal	TSERIADUN		0	0	0	0	17,034	28,020	31,190	41,958	56,526	40,554	19,254
78	1 Coastal	UMPQUA LIGHTHOUSE STATE PARK		378,642	236,270	463,352	344,216	384,174	357,902	566,574	399,320	239,930	322,200	306,520
79	1 Coastal	UMPQUA STATE SCENIC CORRIDOR		45,864	26,788	31,460	27,580	24,380	29,152	25,180	25,564	26,332	28,800	28,180
80	1 Coastal	WB NELSON STATE RECREATION SITE		71,560	46,756	51,398	53,946	66,272	59,550	42,110	61,312	82,872	50,800	42,128
81	1 Coastal	WILLIAM M TUGMAN STATE PARK		190,652	180,228	183,048	180,596	200,484	222,460	198,284	185,228	146,512	206,516	161,128
82	1 Coastal	WINCHUCK STATE RECREATION SITE		96,400	120,356	150,080	110,208	110,496	146,332	95,636	100,220	83,352	66,900	62,916
83	1 Coastal	YACHATS OCEAN ROAD STATE NATURAL SITE		182,092	177,742	251,228	234,020	204,960	212,870	175,164	220,044	215,532	239,872	208,294
84	1 Coastal	YACHATS STATE RECREATION SITE		452,310	351,558	470,078	526,000	481,352	616,536	612,304	517,136	383,822	394,050	385,812
85	1 Coastal	YAQUINA BAY STATE RECREATION SITE		1,206,786	1,071,638	1,365,870	1,439,148	1,347,752	1,441,598	1,518,138	1,466,756	1,166,906	1,143,222	1,401,858
86		<b>Total Coastal Region</b>		<b>20,927,888</b>	<b>21,090,250</b>	<b>23,248,905</b>	<b>21,925,604</b>	<b>22,953,890</b>	<b>23,474,768</b>	<b>21,684,258</b>	<b>23,497,013</b>	<b>22,428,747</b>	<b>21,426,973</b>	<b>23,314,225</b>
87	2 Valley	ALDERWOOD STATE WAYSIDE		36,632	74,794	117,408	61,986	45,304	43,282	43,788	61,666	47,788	53,522	45,704
88	2 Valley	BALD PEAK STATE SCENIC VIEWPOINT		72,012	71,652	31,748	63,468	65,904	83,180	79,944	58,876	65,880	69,000	108,240
89	2 Valley	BANKS-VERNONIA STATE TRAIL		29,018	27,580	14,138	20,955	7,491	19,637	14,118	15,638	28,152	250,995	159,052
90	2 Valley	BENSON STATE RECREATION AREA		127,272	110,730	75,652	99,584	98,796	93,932	90,680	111,394	115,154	106,950	118,624
91	2 Valley	BRIDAL VEIL FALLS STATE SCENIC VIEWPOINT		179,936	168,084	166,804	172,564	163,550	168,176	164,640	181,626	190,476	155,736	221,566
92	2 Valley	CASCADIA STATE PARK		97,552	89,612	81,288	93,280	81,516	68,492	47,332	44,684	63,084	57,544	56,412
93	2 Valley	CHAMPOEG STATE HERITAGE AREA/VISITOR CNT		374,374	339,944	329,204	332,860	347,268	373,568	413,000	455,768	469,712	443,008	442,476
94	2 Valley	CROWN POINT STATE SCENIC CORRIDOR		577,084	524,000	701,800	680,800	675,200	663,448	758,516	645,904	633,904	542,060	585,064
95	2 Valley	DABNEY STATE RECREATION AREA		179,754	196,472	178,680	180,394	177,862	190,732	201,560	206,434	229,552	256,050	232,560
96	2 Valley	DALTON POINT STATE RECREATION SITE		155,772	223,376	112,572	150,320	155,720	157,076	144,808	184,916	184,916	211,012	171,620
97	2 Valley	DETROIT LAKE STATE RECREATION AREA		168,820	131,144	120,312	136,164	168,360	145,508	149,884	274,080	125,356	122,352	95,928
98	2 Valley	DEXTER STATE RECREATION SITE		128,932	238,236	226,442	227,734	242,146	301,700	218,552	366,406	301,240	340,440	170,730
99	2 Valley	ELIJAH BRISTOW STATE PARK		61,864	106,670	124,452	80,856	82,828	191,310	160,694	180,198	211,652	183,792	176,140
100	2 Valley	FALL CREEK STATE REC AREA (WINBERRY)		85,244	111,270	203,200	100,042	75,912	60,348	85,492	110,310	57,844	25,372	76,586

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Calendar Year													
2	Region Number	Region Name	Location	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
101	2	Valley	FORT YAMHILL STATE HERITAGE AREA							41,972	52,148	44,292	81,600	46,924
102	2	Valley	GUY W TALBOT STATE PARK	340,476	304,024	326,212	341,208	332,722	325,918	317,496	329,612	349,314	42,972	306,010
103	2	Valley	HISTORIC COLUMBIA RIVER HWY STATE TRL	261,828	245,186	214,178	255,602	256,668	266,408	278,966	308,068	341,582	360,790	332,300
104	2	Valley	HOLMAN STATE WAYSIDE	182,496	174,464	182,436	237,328	189,428	103,244	0	0	0	0	0
105	2	Valley	JASPER STATE RECREATION SITE	49,492	54,852	44,472	53,512	59,364	68,914	137,338	89,496	87,234	66,942	72,726
106	2	Valley	KOBERG BEACH STATE RECREATION SITE	340,388	312,968	312,300	319,484	296,180	269,492	206,404	217,756	339,676	240,000	220,000
107	2	Valley	LEWIS AND CLARK STATE RECREATION SITE	247,110	287,530	259,886	240,608	240,446	231,714	236,636	235,602	284,250	23,200	257,046
108	2	Valley	LL STUB STEWART STATE PARK							7,483	9,692	45,090	271,052	66,364
109	2	Valley	LOWELL STATE RECREATION SITE	62,376	174,674	223,950	207,198	137,618	205,070	139,650	222,014	237,394	160,376	160,498
110	2	Valley	LUCKIAMUTE LANDING STATE NATURAL AREA											144,000
111	2	Valley	MAPLES REST AREA	679,120	885,088	879,756	780,604	887,124	759,380	846,648	852,496	1,633,532	1,601,264	867,964
112	2	Valley	MARY S YOUNG STATE RECREATION AREA	358,474	349,986	0	0	0	0	0	0	0	0	0
113	2	Valley	MAUD WILLIAMSON STATE RECREATION SITE	104,392	121,492	123,044	137,396	89,588	87,248	77,656	78,572	91,668	92,748	82,544
114	2	Valley	MAYER STATE PARK	178,034	186,370	185,724	172,350	165,622	170,960	165,762	173,734	174,108	182,518	154,462
115	2	Valley	MILO MCIVER STATE PARK	371,080	331,564	370,364	336,644	337,108	337,088	327,756	409,580	397,432	381,264	368,616
116	2	Valley	MOLALLA RIVER STATE PARK	192,228	221,452	214,460	237,072	219,648	224,948	236,504	248,060	224,452	227,884	223,120
117	2	Valley	NORTH SANTIAM STATE RECREATION AREA	50,776	48,810	67,464	39,632	34,510	36,086	29,802	32,166	49,190	53,750	71,384
118	2	Valley	PORTLAND WOMEN'S FORUM STATE SCENIC VIEW	266,680	243,788	323,926	300,774	297,598	288,414	277,720	285,356	280,964	267,540	307,368
119	2	Valley	ROOSTER ROCK STATE PARK	421,144	391,852	444,372	441,536	408,908	407,008	409,660	480,868	487,544	378,040	486,256
120	2	Valley	SARAH HELMICK STATE RECREATION SITE	110,180	106,112	80,656	98,772	107,024	79,136	80,812	90,484	93,644	82,544	51,124
121		Valley	SENECA FOUTS MEMORIAL STATE NATURAL AREA											
122	2	Valley	SILVER FALLS STATE PARK	827,876	813,808	880,424	789,908	783,084	799,592	850,036	1,050,760	990,936	927,456	1,033,336
123	2	Valley	SILVER FALLS-NORTH FALLS	82,372	81,108	101,256	121,792	131,792	92,632	143,672	199,300	0	0	0
124	2	Valley	STARVATION CREEK STATE PARK	174,616	206,936	182,936	177,788	180,328	183,884	168,948	188,060	214,232	180,148	186,944
125	2	Valley	TRYON CREEK MU ADMIN	0	28,640	0	0	0	0	0	0	0	0	0
126	2	Valley	TRYON CREEK STATE NATURAL AREA	313,756	386,554	383,548	371,212	398,266	439,662	480,278	507,034	434,252	538,778	627,008
127	2	Valley	VIENTO STATE PARK	75,762	73,144	94,194	63,508	59,848	64,660	63,216	70,908	76,620	72,424	72,302
128	2	Valley	WASHBURNE STATE WAYSIDE	67,312	113,284	160,540	251,160	193,960	227,244	200,612	102,228	145,162	194,072	189,940
129	2	Valley	WILLAMETTE GREENWAY PROPERTIES	180,146	224,822	241,230	283,480	208,838	259,668	266,570	221,454	274,796	272,820	241,604
130	2	Valley	WILLAMETTE GREENWAY-CLACKAMAS CO-CHAMPOE		3,810	0	0	0	0	0	0	0	0	0
131	2	Valley	WILLAMETTE GREENWAY-CLACKAMAS CO-TRYON		47,542	0	8,988	10,132	1,018	0	0	0	0	0
132	2	Valley	WILLAMETTE GREENWAY-LANE CO-SO WILL		192,770	213,332	249,764	180,900	221,064	234,572	161,984	0	0	0
133	2	Valley	WILLAMETTE GREENWAY-LINN CO-SO WILL		32,052	27,898	33,716	27,938	38,604	31,998	3,154	0	0	0
134	2	Valley	WILLAMETTE GREENWAY-POLK COUNTY-WILL MIS		70,470	53,778	79,812	101,338	53,102	39,000	41,944	0	0	0
135	2	Valley	WILLAMETTE GREENWAY-YAMHILL CO-CHAMPOEG		38,180	31,468	52,892	74,688	79,256	109,256	52,972	0	0	0
136	2	Valley	WILLAMETTE MISSION STATE PARK	331,602	278,060	299,972	210,060	251,260	299,960	242,948	270,168	293,534	277,310	297,982
137			<b>Total Valley Region</b>	<b>8,543,982</b>	<b>9,444,956</b>	<b>9,407,476</b>	<b>9,294,807</b>	<b>9,049,785</b>	<b>9,181,763</b>	<b>9,222,379</b>	<b>9,883,570</b>	<b>10,341,704</b>	<b>9,768,981</b>	<b>9,528,524</b>
138	3	Mountain	BATES STATE PARK										0	17,804

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1	Calendar Year													
2	Region Number	Region Name	Location	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
139	3	Mountain	BATTLE MOUNTAIN FOREST ST SCENIC CORRIDR	27,258	26,072	20,880	22,954	22,032	22,158	21,452	20,184	24,596	26,436	23,778
140	3	Mountain	BOOTH STATE SCENIC CORRIDOR	7,826	12,398	8,602	6,354	8,390	6,368	16,234	16,734	11,438	2,104	9,952
141	3	Mountain	CATHERINE CREEK STATE PARK	20,800	19,966	12,502	10,974	11,108	8,732	9,432	11,228	3,778	120	Counter not replace
142	3	Mountain	CASEY STATE RECREATION SITE	231,518	239,376	227,840	202,152	185,496	182,546	168,842	180,506	191,452	169,250	178,382
143	3	Mountain	CHANDLER STATE WAYSIDE	21,788	20,116	16,464	8,140	6,344	24,376	22,200	21,668	15,684	0	103,952
144	3	Mountain	CLINE FALLS STATE SCENIC VIEWPOINT	181,284	213,712	294,980	301,216	280,600	350,684	235,324	279,468	253,960	235,384	263,296
145	3	Mountain	CLYDE HOLLIDAY STATE RECREATION SITE	159,436	194,152	159,804	163,204	150,464	111,380	159,448	169,036	170,808	160,136	178,400
146	3	Mountain	COLLIER MEMORIAL STATE PARK	400,762	397,746	407,536	396,032	324,738	360,980	337,586	351,454	366,862	335,050	515,108
147	3	Mountain	DESCHUTES RIVER STATE RECREATION AREA	233,260	241,098	299,244	237,774	229,336	259,538	242,556	272,290	266,140	255,686	255,068
148	3	Mountain	EMIGRANT SPRINGS STATE HERITAGE AREA	108,488	107,732	98,574	96,892	95,710	98,348	92,232	106,544	107,300	94,740	97,458
149	3	Mountain	FAREWELL BEND STATE RECREATION AREA	349,054	373,708	377,362	148,230	128,806	131,398	109,470	168,042	161,042	119,196	129,562
150	3	Mountain	FORT ROCK STATE NATURAL AREA	22,038	23,012	23,070	22,842	21,178	26,280	15,578	21,676	25,294	36,868	26,598
151	3	Mountain	GOOSE LAKE STATE RECREATION AREA	40,800	46,726	34,680	26,876	22,024	27,926	31,964	33,510	25,888	45,594	20,166
152	3	Mountain	HAT ROCK STATE PARK	133,466	133,308	114,298	124,372	118,690	118,630	108,444	143,214	152,330	144,249	142,228
153	3	Mountain	HILGARD JUNCTION STATE RECREATION AREA	71,396	76,510	59,928	66,920	76,544	83,838	73,036	76,344	81,602	47,354	64,086
154	3	Mountain	ILLINOIS RIVER FORKS STATE PARK	203,228	170,100	172,524	157,392	161,040	176,020	172,084	146,676	118,464	112,556	134,456
155	3	Mountain	INDIAN CREEK	27,438	63,998	67,440	92,976	83,118	82,768	86,526	70,024	68,110	52,156	58,936
156	3	Mountain	JACKSON F KIMBALL STATE RECREATION SITE	19,712	20,538	19,388	16,342	18,136	18,302	14,714	22,830	39,808	22,576	4,474
157	3	Mountain	JASPER POINT STATE PARK	74,688	72,208	90,552	89,200	92,476	96,064	56,872	69,712	72,440	67,680	Incl in Prineville
158	3	Mountain	JOSEPH H STEWART STATE RECREATION AREA	214,248	230,152	235,328	207,300	191,084	171,328	198,144	197,624	163,700	178,608	193,148
159	3	Mountain	LAKE OWYHEE STATE PARK	72,894	54,476	78,092	91,666	135,552	93,872	80,712	104,338	101,132	184,936	192,024
160	3	Mountain	LAPINE STATE PARK	99,932	119,726	195,716	195,914	147,898	161,902	201,238	229,390	146,020	169,172	122,536
161	3	Mountain	MINAM STATE RECREATION AREA	30,664	29,126	31,828	52,266	49,512	50,234	34,154	42,064	56,322	58,762	41,324
162	3	Mountain	OC&E WOODS LINE STATE TRAIL	52,417	47,458	56,681	56,794	63,885	65,129	65,371	68,444	74,609	66,849	75,809
163	3	Mountain	OCHOCO STATE SCENIC VIEWPOINT	91,746	83,698	149,550	192,016	203,408	202,552	160,204	182,952	175,960	197,164	226,604
164	3	Mountain	ONTARIO STATE RECREATION SITE	205,656	222,550	266,012	278,250	124,290	66,312	54,414	96,464	111,974	58,280	60,118
165	3	Mountain	PETER SKENE OGDEN STATE SCENIC VIEWPOINT	365,096	341,692	348,884	365,600	333,752	399,080	327,700	330,052	340,692	360,636	353,272
166	3	Mountain	PILOT BUTTE STATE SCENIC VIEWPOINT	762,852	772,072	752,196	817,016	759,108	933,460	710,828	809,508	849,296	870,068	998,236
167	3	Mountain	PRINEVILLE RESERVOIR STATE PARK	108,496	69,356	226,870	314,380	337,770	240,996	314,026	345,606	217,984	304,462	462,052
168	3	Mountain	RED BRIDGE STATE WAYSIDE	21,454	19,086	18,904	20,858	15,520	19,376	22,792	28,398	25,310	22,178	17,964
169	3	Mountain	SMITH ROCK STATE PARK	463,672	437,720	449,116	411,184	394,968	463,560	444,772	401,212	436,684	482,224	483,448
170	3	Mountain	SUMPTER VALLEY DREDGE STATE HERITAGE	73,650	80,240	71,444	81,368	98,846	89,762	3,998	22,542	88,512	81,640	80,950
171	3	Mountain	THE COVE PALISADES STATE PARK	637,906	668,872	554,878	571,486	409,912	567,202	462,294	508,708	515,816	469,874	483,546
172	3	Mountain	TOUVELLE STATE RECREATION SITE	339,096	335,336	334,032	261,616	283,624	326,328	312,856	297,780	289,432	273,996	264,340
173	3	Mountain	TUB SPRINGS STATE WAYSIDE	67,772	70,628	69,512	69,904	66,088	67,128	77,500	79,140	69,224	70,288	85,644
174	3	Mountain	TUMALO STATE PARK	144,768	173,104	171,848	170,268	203,200	174,404	144,964	241,276	251,272	177,748	187,496
175	3	Mountain	UKIAH-DALE FOREST STATE SCENIC CORRIDOR	30,108	29,246	28,742	25,956	20,036	25,216	15,654	22,566	21,404	21,116	15,422
176	3	Mountain	UNITY LAKE STATE RECREATION SITE	21,512	22,484	34,312	40,794	23,972	18,548	48,296	36,250	28,430	29,830	20,404
177	3	Mountain	VALLEY OF THE ROGUE STATE RECREATN AREA	1,854,020	1,804,796	1,569,376	1,525,396	1,649,852	1,663,748	1,511,872	1,522,128	1,504,840	1,553,924	1,617,372
178	3	Mountain	WALLOWA LAKE HIGHWAY FOREST STATE SCENIC	85,524	81,664	76,004	119,168	71,784	70,048	64,096	81,308	108,820	131,104	65,956
179	3	Mountain	WALLOWA LAKE STATE RECREATION AREA	655,588	624,816	627,456	589,912	381,490	510,650	528,156	500,444	586,434	516,420	440,380
180	3	Mountain	WARM SPRINGS STATE RECREATION SITE	293,962	177,952	224,018	174,032	257,446	233,836	179,084	211,148	242,324	208,750	207,714
181	3	Mountain	WHITE RIVER FALLS STATE PARK	52,722	31,048	45,162	32,632	32,724	41,702	36,276	31,778	33,586	26,638	31,832
182			<b>Total Eastern Region</b>	<b>9,079,995</b>	<b>8,979,774</b>	<b>9,121,629</b>	<b>8,856,618</b>	<b>8,291,951</b>	<b>8,842,709</b>	<b>7,973,395</b>	<b>8,572,260</b>	<b>8,596,773</b>	<b>8,441,802</b>	<b>8,933,491</b>
183														
184			<b>Total Statewide</b>	<b>38,551,864</b>	<b>39,514,980</b>	<b>41,778,009</b>	<b>40,077,029</b>	<b>40,295,626</b>	<b>41,499,240</b>	<b>38,880,032</b>	<b>41,952,843</b>	<b>41,367,223</b>	<b>39,637,756</b>	<b>41,776,239</b>

## Initial Donations/Contributions Approval Form

Oregon Parks and Recreation Department  
Name of Subrecipient Agency

8/12/13

Date

Kammie Bunes

Contact Person

503.986.0630

Phone Number

Pacific Coast NSB: Whale Cove

Project Name

16756

Key Number

Michael Starnes – Local Agency Liaison

Region Contact Person

503-986-6920

Phone Number

### Type and Description of Donation/Contribution

Materials     Services     Funds    and/or     Credit for Property

Services may include OPRD staff time;

Funds may include cash payments from the state treasury or funds deposited into escrow by a third party; and

Credit for Property is no longer the most likely form of match, but may be implemented if cash funds are not available.

\$450,000.00 (not to exceed), or 20% of total project cost  
Stated Value

**We certify that the value of the donation/contribution will be documented in an approved manner by ODOT and incorporated into the project, the donation/contribution has never previously received Federal funding or was paid for with Federal funds, and if the value of the donation/contribution at the end of the project is less than the originally stated value, we will provide funding to make up the difference.**

*Ken Wood* Director

Signature and Title of Subrecipient Agency

8/12/13

Date

**ODOT Review and Concurrence**

Programming and Funding Services Unit  
Department

Steve Leep  
Contact Person

503-986-4453  
Phone Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

<b>OPRD 13-15 Potential Acquisition List</b>													
<b>PARK ACQUISITIONS - EXISTING PARKS</b>													
<b>Park</b>	<b>Property Name</b>	<b>Mission Impact</b>	<b>Enhance Existing Parks/Trails</b>	<b>Strategic Return on Investment</b>	<b>Leverage</b>	<b>Buffer</b>	<b>Geographic Distribution</b>	<b>Feasible</b>	<b>Compelling Opportunity</b>	<b>Popular Initiative</b>	<b>Long-range Planning</b>	<b>Community Impact</b>	<b>Total</b>
	Grant County/Meredith	2		1	1		1	1	1				7

**OPRD Publiccomment - Land swap**

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**From:** Jeffrey Haga <cranbogger@gmail.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/18/2013 3:17 AM  
**Subject:** Land swap

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My name is Jeff haga i have lived here all my life i'm a 3rd generation cranberry farmer going on fourth.my problem with the land swap is the property that is being traded in bandon is natural land that has been untouched for years and your always trying to protect this land .and your going to allow someone to go and reshape the dunes . And destroy all that natural land and habitat that you can never get back. Because of all the protecting there is no logging,fishing , Farming is struggling,so when does it stop when do the people matter, the generations that have struggled to make a living not to just make money but to raise familys and to make this there home. I hope that we look at this close and listen to the people not the money.

**OPRD Publiccomment - Bandon/Biota Grouse Mt land exchange**

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**From:** Ty Stubblefield <ty@oregonhunters.org>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/18/2013 10:17 AM  
**Subject:** Bandon/Biota Grouse Mt land exchange

---

Dear State Parks Board of Commissioners,

I support the proposed Bandon/Biota Grouse Mt land exchange, the current proposal demonstrates an overwhelming benefit to all Oregonians.

Thank you for considering my comments.

Sincerely,

**Ty Stubblefield**  
**Field Administrator**  
**Oregon Hunters Association**  
Cell; 541.643.5327 Office; 541.772.7313  
[oregonhunters.org](http://oregonhunters.org)

**OREGON HUNTERS  
ASSOCIATION**

· WILDLIFE · HABITAT  
· HUNTERS RIGHTS

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Thank you.

**OPRD Publiccomment - Bandon/Biota comment**

---

**From:** Greg Mead <youryardpro@gmail.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/18/2013 7:24 AM  
**Subject:** Bandon/Biota comment

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Parks Commissioners,

I support the Bandon/Biota land exchange as proposed. The proposed agreement demonstrates an overwhelming benefit to all Oregonians, specifically the Grouse Mountain ranch, which offers a large scale state park in an area of Oregon with few large scale state parks. State managed lands are unique in that the people of Oregon have the opportunity to aid in the management plans for these state parks.

I support the Grouse Mountain State Park encouraging the use of hunting as a wildlife management tool in the park, taking into consideration safety zones around picnic areas and campsites.

>>> I adamantly oppose the sale or transfer of any ODFW Wildlife Areas in Grant County, specifically the Philip W. Schneider Wildlife Area. These lands are vital to wintering wildlife such as mule deer and elk in a county where damage caused by wintering deer and elk on private lands has caused financial strain for area landowners. ODFW wildlife areas offer wintering wildlife a place of refuge without causing damage to private lands.

Again, I offer the commission my support in the Bandon/Biota parks exchange with the use of hunting as a wildlife management tool in the park.

--

Greg Mead  
541-601-5019  
Your Professional Landscape Service, LLC  
P O BOX 492  
Medford OR 97501  
LCB #8171

## OPRD Publiccomment - State Parks Land Exchange

---

**From:** Dale Sauer <dsauer30338@gmail.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/18/2013 9:43 AM  
**Subject:** State Parks Land Exchange

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I support the Bandon/Biota land exchange as proposed and I support the use of hunting as a wildlife management tool in the park.

I am very strongly opposed to the sale or transfer of any ODFW Wildlife Areas in Grant County, particularly the Philip W. Schneider Wildlife Area. This area is wintering ground for both mule deer and elk and is vital to the future of these herds. Do not sell it to a private interest!

Thank you for considering my views.

Dale Sauer

**From:** Mark Webb <mwebb1285@gmail.com>  
**To:** <vanessa.demoe@state.or.us>  
**CC:** <tim.wood@state.or.us>, <chris.havel@state.or.us>  
**Date:** 11/18/2013 7:07 AM  
**Subject:** Fwd: Grouse Mountain Ranch

11/18/13

Attn. Jay Graves, OPRD Commission Co-chair

\*RE: OPRD's propose purchase of Grouse Mountain Ranch\*

To OPRD Commission:

My name is Mark Webb. As a potential neighbor, area contractor, and former Grant County Judge, I support OPRD's proposed purchase of Grouse Mountain Ranch as a state park. I do so for a variety of reasons.

First, the proposed purchase is supported by a significant number of area residents who represent a broad array of interests, strong community involvement, and a commitment to work with state and other agencies to enrich the quality of life for residents of Grant County.

Second, if executed, OPRD's purchase of Grouse Mountain Ranch will enhance its other sites and offerings, both locally and regionally--and thus prove to be a good strategic move for OPRD. It will diversify and strengthen Grant County's economy in a manner consistent with county values and its existing natural resource base--and thus prove to benefit the state and area communities socially, economically, and ecologically. And it will, finally, create new and exciting opportunities for OPRD and area partners to break new ground as state (and public) dollars, invested for the general public's benefit and enjoyment, are invested locally with a more sensitive eye to also meeting local interests, needs, and concerns in novel ways--and thus help retool state and local attitudes about how best to work together effectively for the benefit of all interested and impacted parties.

During my tenure as the county judge, Grant County successfully partnered with OPRD on two different projects--first, a land purchase that provided additional acreage for the popular Morrow County OHV Park, and second, Bates State Park. Both efforts are proving successful; both efforts (and OPRD) have in the main enjoyed strong general support by local government and county residents; and both efforts have, in a variety of ways, been good for OPRD and for Grant County. I believe OPRD's purchase of Grouse Mountain Ranch will likewise prove successful, enjoy strong general support, and prove good for OPRD and Grant County.

I encourage the OPRD Commission to support OPRD's purchase of Grouse Mountain Ranch for a state park.

Sincerely,  
Mark Webb

November 17, 2013

Oregon Parks and Recreation Department

725 Summers Street NE, Suite C

Salem, OR 97301

**Re: Grouse Mountain Acquisition – Bandon Biota Exchange Proposal**

As land owners and cattle producers located on the John Day River below the Grouse Mountain property in question we have continually been treating noxious weeds for years. These same species of noxious weeds are located on the Grouse Mountain property at Beech Creek, where there has been little or no treatment of these weeds. Good property management, with weed control, on this Grouse Mountain Property would help solve this down stream flow of noxious weed seeds every year. This being said only means that better management of this private property would make the land more productive for producing livestock and making the land more environmentally sound, without being a state park.

The Grouse Mountain property proposed in this land exchange is in no way ready to be considered land used as a State Park in Oregon. In the best years this land has been used and developed as ranch property for raising livestock, primarily cattle production. Over the recent years there has been very little done to manage the land to its maximum potential for agriculture production.

In Grant County where over 60% of the land is publically owned, and off the property tax records, it is very important to keep what private lands we have that provide funds for our county. According to the Oregon Department of Agriculture and Oregon State University, Agriculture Commodity Sales in Grant County is led by cattle production with 85% and alfalfa and other hay production is the second largest agriculture product with a total of 12% of the money earned. With agriculture being the largest industry in Grant County it is extremely important to keep private land available for private citizens to participate in agriculture practices that are so important to our county. These agriculture practices only take place in the hands of private citizens. This is another reason private

land is so very important and valuable to us as residents and land owners in Grant County.

This Grouse Mountain property provides no “overwhelming public benefit” when considering it as a State Park. There are many properties that are both state and federally owned in Grant County that are far more suited as parks and are already available and being used by the public now.

We don't oppose Mr. and Mrs. Meredith selling their property to whomever they choose, we certainly do oppose the OPRD considering the Grouse Mountain property benefiting Grant County as a State Park. This property does not meet the criteria for a park in Oregon and should be allowed to become productive agricultural land again.

This land exchange proposal will benefit Bandon Biota, George and Priscilla Meredith financially and the OPRD will receive lands that they have no plans or funds to manage and the people of Grant County lose property tax funds for a park that they don't want or need. There will be no attraction for people to visit this proposed park without the OPRD putting in likely thousands or millions of dollars over many years to get this land ready to be a park.

Anyone evaluating the Grouse Mountain property can only truly see it as agriculture land best managed by private citizens and not a state park managed by OPRD. Therefore, we're opposed to having the Grouse Mountain property considered as a park and being part of the Bandon Biota land exchange.

Sincerely,

J. Gail and Shirley Enright

59062 Hwy 26

Mt. Vernon, OR 97865

**OPRD Publiccomment - Bandon/Biota parks exchange**

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**From:** DANNY MEILICKE SHARON MEILICKE <dsmeilicke@centurylink.net>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/17/2013 3:00 PM  
**Subject:** Bandon/Biota parks exchange

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I support OHA in the Bandon/Biota parks exchange as proposed because the proposed agreement demonstrates an overwhelming benefit to all Oregonians, specifically the Grouse Mountain ranch, which offers a large scale state park in an area of Oregon with few large scale state parks. State managed lands are unique in that the people of Oregon have the opportunity to aid in the management plans for these state parks.

I am opposed to the sale or transfer of any ODFW Wildlife Areas in Grant County, specifically the Philip W. Schneider Wildlife Area

**From:** <radams@bendbroadband.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/17/2013 4:06 PM  
**Subject:** Bandon Proposal

I would like to urge the Commission to approve the land exchange for the establishment of the new Grouse Mountain State Park and to allow hunting as part of the management plan to control the animals using the park. Please do not entertain ideas of selling or transferring any ODFW Wildlife Areas as they are a great buffer for the other landowners in the area to reduce Deer and Elk crop damage to their fields and fences.

Sincerely,  
Rod Adams, Bend, Or.  
radams@bendbroadband.com

**From:** Rich Shepard <rshepard@twodogs.us>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/17/2013 2:38 PM  
**Subject:** Bandon/Biota Land Exchange

As an active member of the Oregon Hunters Association (OHA) I add my support to their position on the Bandon/Biota land exchange as proposed.

The proposed agreement demonstrates an overwhelming benefit to all Oregonians. The Grouse Mountain ranch offers a large scale state park in an area of Oregon with few such state parks. State managed lands allow the people of Oregon the opportunity to aid in development of management plans for these parks.

I support, and encourage, hunting on the proposed Grouse Mountain State Park as a wildlife management tool; safety zones around picnic areas and campsites should be defined and will be observed by all responsible hunters.

Establishment of the proposed Grouse Mountain State Park must not result in any off-setting compensation in Grant County such as the sale or transfer of any ODFW Wildlife Areas in the county, including specifically the Philip W. Schneider Wildlife Area. These lands are vital to wintering mule deer and elk wildlife in a county where private lands damage caused by wintering wildlife has resulted in financial strain for area landowners. ODFW wildlife areas offer wintering wildlife a place of refuge without causing damage to private lands.

Grant County is not the only Oregon county containing federal lands within the borders of the county. Many counties, especially east of the Cascade Mountains have 50% or more federally managed lands within their boundaries: for example, Malheur County is 75% public lands; Douglas County is 57% public lands; and Harney County is 77% public lands.

Dr. Richard Shepard  
Troutdale  
503-667-4517

**From:** duane dungannon <mvp@ccountry.net>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/17/2013 9:59 PM  
**Subject:** Support for Grouse Mountain State Park

I applaud OPRD for its work in pursuing the Bandon Biota / Grouse Mountain Ranch exchange and the formation of a new state park in Grant County, which would offer a unique public property to the area. While Grant County is not without an average amount of public land, most of it is high elevation timberland. If a substantial portion of the park were open to public hunting as Cottonwood Canyon is now, it would offer a unique ranch-like hunting opportunity in terrain rarely accessible to public hunting in Grant County.

The number of "Welcome Hunters" signs on Grant County businesses in the fall demonstrates the importance of hunting tourism to the area. I saw elk racks in the backs of three pickups parked at eateries as I passed through John Day this fall.

While I understand the concern about tax rolls and tax burdens, such a small impact should be able to be addressed when there's so much to be gained. However, I CANNOT support the loss of any amount of acreage of the Philip Schneider Wildlife Area to make the deal happen. That wildlife area is there for a reason. It's important to wintering wildlife, and it wintering gives wildlife a place to go instead of the private fields of local landowners. Sportsmen's dollars purchased the wildlife area, and hunters have invested thousands of dollars and thousands of volunteer hours into habitat improvement on the wildlife area. It's not for sale.

Thank you again for your work on this issue, and I hope an amenable solution is found to make it happen.

Sincerely,

Duane Dungannon  
PO Box 873  
Phoenix, OR 97535  
mvp@ccountry.net

**From:** Melissa Brooks <melissa\_brooks@hotmail.com>  
**To:** "OPRD.publiccomment@state.or.us" <OPRD.publiccomment@state.or.us>  
**Date:** 11/17/2013 6:39 PM  
**Subject:** Grouse Mt. Land Exchange

I was raised in Grant County. My husband and I both greatly oppose this land trade. Grant County has enough public land already.

Thank you,  
Sam and Melissa Helmick

Sent from my iPad

**OPRD Publiccomment - Oregon State Parks Land Exchange**

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**From:** Jon Weber <jcweberx1@hotmail.com>  
**To:** "OPRD.publiccomment@state.or.us" <oprd.publiccomment@state.or.us>  
**Date:** 11/16/2013 12:40 PM  
**Subject:** Oregon State Parks Land Exchange

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To Whom it may concern,

Being an avid outdoor enthusiast, sportsman and member of Oregon Hunters Association, I completely agree with OHA in supporting the Bandon/Biota land exchange as proposed. The proposed agreement demonstrates an overwhelming benefit to all Oregonians, specifically the Grouse Mountain ranch, which offers a large scale state park in an area of Oregon with few large scale state parks. State managed lands are unique in that the people of Oregon have the opportunity to aid in the management plans for these state parks.

OHA supports the Grouse Mountain State Park encouraging the use of hunting as a wildlife management tool in the park, taking into consideration safety zones around picnic areas and campsites.

OHA is adamantly opposed to the sale or transfer of any ODFW Wildlife Areas in Grant County, specifically the Philip W. Schneider Wildlife Area. These lands are vital to wintering wildlife such as mule deer and elk in a county where damage caused by wintering deer and elk on private lands has caused financial strain for area landowners. ODFW wildlife areas offer wintering wildlife a place of refuge without causing damage to private lands.

Grant County is not unique when speaking of federal lands within the borders of the county. Many Oregon counties, especially those east of the cascades have 50% or more federally managed lands within their boundaries: Malheur County 75% Public lands, Douglas County 57% lands and Harney County 77% public lands, to name a few.

In closing, OHA again offers the commission its support in the Bandon/Biota parks exchange with the use of hunting as a wildlife management tool in the park.

Sincerely,  
Jon Weber  
Terrebonne, OR

**OPRD Publiccomment - Proposed Grouse mountain State Park in Grant County**

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**From:** mike dec <mikedec68@gmail.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/16/2013 8:41 AM  
**Subject:** Proposed Grouse mountain State Park in Grant County

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As a fervent devotee of outdoor spaces necessary to soothe the soul of man caught up in urban landscapes, I favor a new park accessible for multiple outdoor uses, including hunting. Having an extensive background in economics and public finance, I am also sympathetic to revenue losses to rural counties that impinge upon their ability to provide basic services to their residents. Why not share revenue generation from the park with the counties? Perhaps even a dedicated surcharge that can clearly be seen as earmarked for local uses could be assessed, so the local community sees the monetary value of the park and does not just feel the negative impact of a reduction in the tax base. Michael J. Dec

**From:** "Tom Winters" <ducksouptom@centurytel.net>  
**To:** <vanessa.demoe@state.or.us>  
**CC:** <tim.wood@state.or.us>, <chris.havel@state.or.us>, "George Meredith" <wg...>  
**Date:** 11/16/2013 7:29 AM  
**Subject:** Attn: Jay Graves, OPRD Commission Co-chair

November 16, 2013

To the Oregon Parks and Recreation Commission

In concerns with the formation of a state park north of Mt Vernon, Oregon

I have been a resident of Grant County for 30 years and have known George and Priscilla Meredith since they arrived. I know there has been a great amount of vocal opposition to creating a state park with some of their property, most of which is traditional posturing without any serious or viable concerns.

The Merediths have put much time and effort in improving the land under their care. Their largest concern is this land be maintained in a healthy manner for generations to come. Knowing their dedication to the land and the community, I have the utmost confidence that their choice to involve the Oregon State Park system was the result of diligent research and contemplation. Therefore I am adding my voice in support of the Merediths and this proposal.

Sincerely,

Thomas J Winters

Thomas J Winters

21524 Spring Rd

Canyon City, OR 97820

Tom Winters  
541-620-2922 cell 541-542-2006 BV home

What do you love about life? Serve that.  
What fills you with joy? Serve that.  
There isn't enough love and joy in the world,  
but those are the spiritual and soul forces that nurture life.  
May peace fill your entire being.

**OPRD Publiccomment - support bandon/biota land exchange**

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**From:** <parrish776@comcast.net>  
**To:** <opr.d.publiccomment@state.or.us>  
**Date:** 11/15/2013 9:52 PM  
**Subject:** support bandon/biota land exchange

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I support the Bandon/Biota land exchange as proposed. The proposed agreement demonstrates an overwhelming benefit to all Oregonians, specifically the Grouse Mountain ranch, which offers a large scale state park in an area of Oregon with few large scale state parks. State managed lands are unique in that the people of Oregon have the opportunity to aid in the management plans for these state parks. I am adamantly opposed to the sale or transfer of any ODFW Wildlife Areas in Grant County, specifically the Philip W. Schneider Wildlife Area. These lands are vital to wintering wildlife such as mule deer and elk in a county where damage caused by wintering deer and elk on private lands has caused financial strain for area landowners. ODFW wildlife areas offer wintering wildlife a place of refuge without causing damage to private lands. I support the Grouse Mountain State Park encouraging the use of hunting as a wildlife management tool in the park, taking into consideration safety zones around picnic areas and campsites. Thanks for your time Matt Parrish

**OPRD Publiccomment - Land Use**

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**From:** Robert Dixon <bobdix1@me.com>  
**To:** "OPRD.publiccomment@state.or.us" <OPRD.publiccomment@state.or.us>  
**Date:** 11/15/2013 6:21 PM  
**Subject:** Land Use

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OHA supports the Bandon/Biota land exchange as proposed. The proposed agreement demonstrates an overwhelming benefit to all Oregonians, specifically the Grouse Mountain ranch, which offers a large scale state park in an area of Oregon with few large scale state parks. State managed lands are unique in that the people of Oregon have the opportunity to aid in the management plans for these state parks.

OHA supports the Grouse Mountain State Park encouraging the use of hunting as a wildlife management tool in the park, taking into consideration safety zones around picnic areas and campsites.

OHA is adamantly opposed to the sale or transfer of any ODFW Wildlife Areas in Grant County, specifically the Philip W. Schneider Wildlife Area. These lands are vital to wintering wildlife such as mule deer and elk in a county where damage caused by wintering deer and elk on private lands has caused financial strain for area landowners. ODFW wildlife areas offer wintering wildlife a place of refuge without causing damage to private lands.

Grant County is not unique when speaking of federal lands within the borders of the county. Many Oregon counties, especially those east of the cascades have 50% or more federally managed lands within their boundaries: Malheur County 75% Public lands, Douglas County 57% lands and Harney County 77% public lands, to name a few.

In closing, OHA again offers the commission its support in the Bandon/Biota parks exchange with the use of hunting as a wildlife management tool in the park.

Bob Dixon  
LaPine, OR

**OPRD Publiccomment - Grouse Mountain Proposal**

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**From:** Harriet Crum <hcrum@centurytel.net>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/15/2013 9:46 AM  
**Subject:** Grouse Mountain Proposal

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26917 Chimney Gulch Rd.  
John Day, OR 97845  
Oct. 21, 2013

Oregon Parks and Recreation Department  
Atten: Commissioners,

Recently I attended the Grant Co. Farm Bureau meeting where the guest speaker was John Potter, a staff member of Oregon Parks and Recreation Department (OPRD). It was a well attended meeting where after John gave his spiel on all the "positive" reasons for the purchase of the Grouse Mountain Ranch in Grant Co. by the OPRD. After John's spiel President Jeff Thomas went around the room where each individual gave the opinion of the "proposed" purchase. Not one person wanted this action. All gave many the same but many different reasons for their opposition. It occurred to me that the OPRD are using their staff people as pawns to accomplish the directive to connivence the local people of their scheme. John took a beating and many said they felt sorry for him sitting in that seat. Now the question is "Will that message he heard be delivered to the commission and will they listen??" Will you understand or hear the passion of the local people?

This was my first meeting on this purchase, but the opposition to the project did not surprise me.

1. My husband and I, as smaller landowners, are concerned about the effect this will have on Grant Co property taxes and the decrease in the Grant Co. tax base in which to operate the county.
2. Why in the world would a park be made out of land with rocks, junipers, sagebrush with very little desirable land. As was suggested there are several more attractive areas that can be made into a park for visitors to truly enjoy. For example Lake Creek camp in Logan Valley or Canyon Creek Meadows.
3. Why are you wasting our state tax money on such a large undesirable piece of property? The obvious answer is to accommodate and, appease one man by buying a property he can't sell as private land.
4. Why in the world do you want to be responsible for shoving another government idea down the throats of so many local Grant Co. property owners that they don't want???

Please Listen to local Grant County people before making your decision.

Sincerely  
Harriet Crum.

**OPRD Publiccomment - Trade of land in Bandon for land in Grant County**

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**From:** <dbkruse@comcast.net>  
**To:** <oprđ.publiccomment@state.or.us>  
**Date:** 11/15/2013 7:45 PM  
**Subject:** Trade of land in Bandon for land in Grant County

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There should be an agreement that the noxious weeds be removed from Bandon land. Grant County should get some compensation for losing taxable property - maybe a hunting fee in the park that goes to the county. It may be that money spent in county by hunters will provide enough revenue to offset the lost taxes.

Dave Kruse  
Gladstone

**From:** Vanessa Demoe  
**To:** OPRD.publiccomment@state.or.us  
**Date:** 11/15/2013 7:27 AM  
**Subject:** Fwd: Grouse mt. Ranch park

>>> Rena Bargsten <[renabargsten@gmail.com](mailto:renabargsten@gmail.com)> 11/14/2013 7:47 PM >>>  
I would like to encourage you to buy the Grouse Mt. ranch for a park. It is well suited for a Park for everyone that is outdoorsy from backpacking to horseback riding and fishing. It also will help the county with more tourists coming to enjoy the ranch. If it is sold to be a ranch again I am afraid it will be overgrazed again. Thank you for reading this.

**From:** Vanessa Demoe  
**To:** oprd.publiccomment@state.or.us  
**Date:** 11/15/2013 9:54 AM  
**Subject:** Fwd: Grouse Mt.

>>> "Art Andrews" <[art.andrews@centurytel.net](mailto:art.andrews@centurytel.net)> 11/15/2013 9:44 AM >>>

While I understand that there are some parts of our population in Grant County oppose the Grouse Mountain proposal I want to express my support for this proposal.

I think that Governor Kitzhaber coming out yesterday with solutions that should answer the main issues of opposition is a very positive step in moving this forward.

I appreciate all the effort that has been put forth on this proposal.

Shaun W Robertson

PO Box 242  
John Day, OR 97845  
(541) 620-0211

[swrobertson@centurytel.net](mailto:swrobertson@centurytel.net)



November 15, 2013

Mr. Jay Graves, Chair  
Oregon State Parks Commission through

Tim Wood, Director  
Chris Havel, Communications and Research Division  
Vanessa R DeMoe, Commission Assistant

VIA ELECTRONIC MAIL ONLY TO [tim.wood@state.or.us](mailto:tim.wood@state.or.us), [chris.havel@state.or.us](mailto:chris.havel@state.or.us), and [vanessa.demoe@state.or.us](mailto:vanessa.demoe@state.or.us)

RE: PUBLIC COMMENT – COMMISSION MEETING JULY 17, 2013; AGENDA ITEM 6(B)

Dear Commission Members:

The purpose of this correspondence is to elaborate on my comments previously forwarded to the Oregon State Parks and Recreation Commission (Commission) on July 15, 2013 in opposition to the proposed acquisition of Grouse Mountain (Acquisition<sup>1</sup>) by the Oregon Parks and Recreation Department (OPRD) and to once again request that the Commission deny the Acquisition. After reviewing all of the available information prepared or otherwise made available by Parks relevant to this Acquisition, including those obtained through public records requests, I submit the following additional comments for the Commission's consideration.

- **The proposed Acquisition does not comply with State policy:**

- Oregon policy limits State ownership of land to:

*"...no more [than] is necessary to conduct official business..."*

and requires that acquisition of property by the State be:

*"...subject to a statewide plan that will encourage the transfer through sale or lease of state-owned real property already in state ownership to private ownership and use so as to minimize state investment in such land and place such land on the tax rolls". (ORS 270.010(1))*

OPRD mentions briefly that "...there is a coordinated effort among state agencies to identify surplus state lands in Grant County and place those properties on the open market" (Nov. 13,

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<sup>1</sup> OPRD has reported varying acreage figures (i.e., both 6,100 and 6,300) for what they propose to acquire from the current owners of Grouse Mountain, George and Pricilla Meredith. However, Director Wood confirmed in comments to the Grant County Court on July 24, 2013 that OPRD has agreed to purchase all of the property owned by the Meredith's, which according to the official records of Grant County, is over 6,500 acres. Interestingly, OPRD never discussed the full extent of the proposed Acquisition or the entire purchase price until very late in the process, instead consistently referring to the acquisition as "6,100" acres for \$2.5 million. Consequently, the public has been denied their right to review the acquisition project as it was actually contemplated and planned by the OPRD.

2013 Staff Report) but fails to evidence<sup>2</sup> that this effort is part of a statewide plan and whether the Acquisition is consistent with such a plan, if one exists. Furthermore:

- Given that over 1.8 million acres of the lands within Grant County (~62% of the entire land base; data on file with Grant County) are already open and available for public recreation and that multiple public and private use facilities (e.g., meeting and educational centers, conference rooms, parks, campgrounds, museums, etc.) of widely varied nature are already readily available within Grant County, OPRD failed to evidence that: 1) current needs that might be served with a new park are not being satisfied; and 2) how the proposed Acquisition would satisfy those unmet needs if, in fact, any exist.
  - OPRD made a brief comment at a single public meeting that overflow from the existing Holliday State Park may not be met at certain, high demand times of the year, although they failed to provide any evidence or analysis supporting that remark.
  - In contrast, County Commissioner Boyd Britton has personally researched the landownership surrounding the existing Holliday Park and has secured preliminary indications from the landowners (including Grant County who owns a sizable parcel adjacent to the Park) that they are all willing to consider selling to OPRD to facilitate expansion of the Park. Such an acquisition would not only service future overflow from Holliday Park, but resolves nearly all of the controversy surrounding the acquisition of Grouse Mountain, satisfies OPRD rules, and furthers the Park's purpose and policies. An acquisition around the existing park would also comply with Grant County's Comprehensive Land Use Plan and Development Code.
  - The reasonable solutions identified by Grant County and other Acquisition opponents to satisfy any possible overflow needs at Holliday Park have all be rejected by OPRD staff. OPRD's stated reasoning for discouraging acquisition of small parcels in favor of vast tracts of private land is that OPRD desires a park system that is sustained with higher gate fees, which can only be accommodated at parks that are necessarily larger in scale with more substantial facilities. This philosophy is inconsistent with the demands and needs of Grant County, its policies as stated in its Land Use Plan and Code, and once again fails to demonstrate that the Acquisition is necessary.
- Grouse Mountain has multiple structures, including a mansion-residence<sup>3</sup> (Photo 1) with substantial value<sup>4</sup> that OPRD has included in the Acquisition proposal but that

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<sup>2</sup> In light of general State statute and specific Parks policy and rule, as well as both the nature of the acquisition and the overwhelming controversy surrounding the Acquisition and larger land exchange proposed by Bandon Biota, I contend that OPRD's analysis should have been more substantive than mere mention of matters pertaining to the Acquisition or simple claims, without substantiation, that objectives, rule, or policy were considered.

<sup>3</sup> Interestingly, OPRD never discussed the residence publically until after I filed a public records request to obtain photographs of the home. Furthermore, none of the OPRD published maps disclosed the substantial inholding that would have been created in the proposed park by OPRD's initial two-phase approach to the acquisition or that

actually may be reconveyed to the landowner along with a parcel larger than what was initially purchased<sup>5</sup>. OPRD has failed to demonstrate why the mansion-residence is necessary to conduct official business and instead has simply stated that it "...provides a basis for future development of a state park..." and suggests that it might be used as a meeting or some type of educational center<sup>6</sup>.

- The City, County, State, and Federal government and many private citizens have all made multiple, substantial investments of public and private land and financial resources in a diversity (e.g., urban and remote, modern and rustic, concentrated and dispersed) of structural improvements throughout Grant County<sup>7</sup> for the same purposes that the OPRD intends from the mansion-residence existing on the Property and the proposed infrastructure development (i.e., campgrounds and other facilities).
  - OPRD has failed to demonstrate that all of the existing public use lands and facilities currently available in the County are insufficient to satisfy existing

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will be created under the current proposal if OPRD fails to appropriate the remaining balance of the agreed-upon purchase price. When I questioned OPRD staff as to this omission they replied with a convoluted justification that still failed to disclose the total acreage to be purchased or the inholding that would be created (correspondence from C. Havel, 9/16/13).

<sup>4</sup> OPRD has never disclosed the separate value of the residence. However, based upon an average land value of the 6,100 acres to be acquired using \$2.5 million from Bandon Biota and the OPRD agreed-upon purchase of the home and 400-acre residence parcel, the value of the mansion could be in excess of \$1.8 million.

<sup>5</sup> The residence will be purchased along with a 400-acre parcel left out of the initial, Bandon Biota-funded transaction for \$2.0 million from an as-yet unidentified source. The terms of the purchase agreement as disclosed by OPRD (staff report, attachment B) state that if the balance of \$2.0 million is not appropriated by OPRD that the Meredith's will be reconveyed the residence and 695 acres.

<sup>6</sup> OPRD staff has consistently and frequently "adapted" their message in Grant County regarding the purpose and benefit of the Park in response to the detailed opposition comments. Initially, it was simply conveyed locally that OPRD is an outstanding neighbor, that the increased tourism from the new Park would be great for the community, and that Grouse Mountain contained significant and important resources. At the subsequent public meeting (and after receiving extensive testimony that the Property was not outstanding) OPRD's argument then focused on the representative nature of the Property and the supposed negligible impact on private land tax base and effect on agriculture. It wasn't until OPRD received numerous opposition comments from the agricultural community that the Acquisition morphed into a so-called "legacy" to Grant County agriculture and a center for agricultural education directed at urban residents. Since that suggestion was resoundingly rejected by the Grant County Farm Bureau, the proposal has returned to a traditional park with some type of environmental education center.

<sup>7</sup> There are so many existing parks, campgrounds, conference and visitor centers, and meeting and educational facilities under different federal, state, local, and private ownerships scattered widely across the County that no single entity has them mapped or knows their full extent. However, and most importantly for judging the assumed economic benefit from a new Park at Grouse Mountain, the advocates for these prior-created, non-production infrastructure used the same arguments to justify their developments as the Park staff is using to justify Grouse Mountain. Apparently, none of the prior developments have had any measurable impact on the local economy (based upon all of the available economic indicator data) and OPRD has generated no evidence that the proposed Acquisition is so substantially different from those that it will actually achieve any measure of local economic improvement.

and projected public demand and, therefore, that additional public lands and facilities are necessary.

- OPRD has failed to evaluate whether the proposed development would actually undermine and threaten the prior and continued investment of public and private resources in existing meeting, educational, and recreational infrastructure within the County.<sup>8</sup>
- OPRD's publically-subsidized competition with local governments' and private citizens' ventures represents unfair and unreasonable competition<sup>9</sup>.
- **The proposed Acquisition does not comply with OPRD policy:**
  - OPRD's policy is to "...use sound principles of real estate acquisition when acquiring or exchanging real property, comply with all federal and state laws pertaining to real property acquisition, and ensure the prudent use of public monies in its real property transactions." (OAR 736-019-0040).
    - As discussed above, OPRD has not concluded that additional public lands or facilities are necessary in the County or that the Acquisition would satisfy any public interest. Therefore, the use of public funding to complete the Acquisition has not been demonstrated to be prudent.
    - The purchase of the mansion-residence wastes precious acquisition funding on an unnecessary and competing facility at a time when so many other actual important and demand-responsive acquisitions remain unserved.
    - OPRD's existing \$40 to \$60 million projected revenue shortfall for maintenance is unreasonably exacerbated by the purchase of the mansion-residence, which is in addition to the extensive improvement and maintenance needs already estimated by OPRD staff for noxious weed control and other maintenance obligations on the Property.
    - Purchasing lands without being in possession of appropriated funds, possibly requiring interest payments on notes carried by the landowner, in addition to purchasing unneeded land and facilities hardly appears to be a prudent use of public resources.
  - OPRD policy objectives include; "Balance the need for and benefits of public open space with impacts on local tax revenue and private economic opportunity." (OAR 736-019-0040(4)).

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<sup>8</sup> I am particularly concerned with the Parks proposed facility development that would directly compete with existing developments where the County used or continues to use investments of local property taxes and for which the taxpayer investments have not yet been recaptured or where taxpayers continue to subsidize those facilities.

<sup>9</sup> As a downtown John Day business owner who is currently converting an historical building into meeting and office space, I view the OPRD's suggestion of converting the mansion-residence into a meeting facility as direct, publically subsidized competition with private industry.

- As discussed above, OPRD has failed to provide any evidence that there is a need for any additional public open space in Grant County and merely assumes, without substantiation, that a benefit will be derived to the public from the Acquisition. In contrast, OPRD has received direct testimony and substantial evidence of the overwhelming impact this Acquisition will have on County revenue and private economic opportunity (e.g., expansion of agricultural operations). The conditions of approval recommended by OPRD staff to address these concerns actually fail to do so and are unacceptable for many reasons, including that they cannot be guaranteed.
- Over 62% (1.8 million acres) of Grant County is already “public open space” and acquisition opponents have commented at length that this proportion is already unbalanced in favor of public ownership; therefore, it is impossible for the Acquisition to comply with this policy.
  - OPRD and the landowner have attempted to diminish opponent arguments by claiming that the total acreage purchased and resultant tax revenue decrease are insignificant relative to the entire scale of County property ownership.
  - By this same logic, no realistic acquisition could ever then upset the balance of ownership and the policy becomes meaningless. Rather, OPRD must evaluate the effect of the Acquisition on the stated policy in light of the cumulative effect of ownership and tax revenue on the County.
- OPRD has ignored direct public testimony regarding the value, rarity, and demand of spring and fall pasture and irrigated lands, which are in very limited supply in Grant County.
  - The demand for irrigated lands by Grant County producers always exceeds supply and this Acquisition removes additional lands from supply, unreasonably so since there is no compelling reason to have them as part of the Park.
  - OPRD has suggested leases to address this matter, which are unreasonable. Based on extensive experience with other governmental agencies on similarly-purposed properties, leases have been generally unworkable and are considered unfavorable to producers.
- OPRD’s use of public resources dollars to acquire vast tracts of agricultural lands of this nature represents an unfair competition with private industry.
- Specific examples of OPRD’s failure to adhere to their policy to “[c]onduct real estate transactions in an atmosphere of openness, honesty and integrity with land owners and the public...” (OAR 736-019-0040(3)) are described elsewhere in these comments. Additionally, OPRD initially requested that the Grant County Judge keep secret the proposed transaction from County residents. All of these specific examples evidence plainly that OPRD has ignored this policy.

- **The proposed Acquisition does not comply with OPRD rules:**
  - OPRD’s criteria for acquisitions are clear that, in this case, the Acquisition must protect an area of “outstanding significance”.
  - In addition to both OPRD staff and the property owner acknowledging publically that there is nothing “remarkable” about Grouse Mountain and that it is only “representative” of all the properties in the area, a thorough review OPRD’s documentation of resource condition indicates conclusively that the property lacks outstanding significance<sup>10</sup>.
  - The Acquisition is clearly part of an exchange initiated by another party as characterized by the OPRD staff reports, meeting notices, statements at public meetings, and other prepared materials. Therefore, OPRD should have required the exchange proponent to provide the OPRD with a written environmental review for the Grouse Mountain Property and a thorough Property description, which was never required nor prepared (OAR 736-019-0070(3)).
  
- **The proposed acquisition fails to comply with County rule and policy**
  - Grouse Mountain is zoned by Grant County through the Grant County Land Development Code (Code) in a combination of Multiple Use Range (MUR) and Primary Forest (PF).
  - Public parks and community centers owned by governmental agencies are only allowed in the MUR zone and parks are only allowed in the PF zone with conditional use permits issued by Grant County (Code 66.050(H)). OPRD has not obtained a conditional use permit from the County.
  - OPRD’s terms of the purchase and sale agreement requires creation of a non-farm parcel containing the existing mansion-residence. This action would require a permit for the division of land from the County, which has not been obtained.
  - The Acquisition, which leads to creation of a park and associated facilities, fails to comply with numerous Article 98 Code provisions including, but not limited to:
    - 98.020(B): No recreation development shall be located in or adjacent to an area of known valuable mineral deposits...
      - the Property is commonly known to contain valuable mineral deposits.
    - 98.020(C): Demonstrate that the proposed site is not suited for continued resource management, and that the proposed development is compatible with adjacent resource uses
      - OPRD has received direct testimony and other compelling evidence that the Property is suitable for continued resource management (i.e., agriculture and timber) and that creation of the park is incompatible with adjacent agricultural uses.

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<sup>10</sup> See attached Memorandum from Shaun W. Robertson to the Grant County Farm Bureau, 11/5/13, which is herein incorporated in its entirety by reference.

- 98.020(D): Demonstrate that the proposed project meets the public recreation needs and tourism needs identified by the Grant County Comprehensive Plan
  - OPRD has not provided any evidence that the proposed park satisfies this standard. In contrast, OPRD has received direct testimony that the proposed park fails to meet the County's recreation and tourism needs.
- The proposed Acquisition fails to comply with numerous policies of the County's included in its Comprehensive Land Use Plan (January 1996) including, but not limited to:
  - III. Agricultural Lands Element, which ensures the preservation of agricultural land for agriculture.
  - IV. Forest Lands Element, which seeks to evaluate forest uses before converting them to other uses
  - V. Natural Resources Element, which discourages increased public control of resources; and
  - VII. Recreation Element, which gives priority to private enterprises to develop recreation opportunities.
- **General comments addressing other parts of the OPRD proposal**
  - OPRD staff has acknowledged publically that the subject Property is not "remarkable", which is entirely consistent with the testimony of the property owner. However, OPRD staff has indicated that even if the Property is not remarkable and is merely representative of the other properties in the area, that it is the best of what is available on the market currently. This statement is not only false, but whether the Property is the best currently available is beside the point. OPRD's acquisition criteria as well as other policy and rule are clear that the purchase must protect an area of "outstanding significance". Based on the testimony and evidence in front of the Commission and the OPRD's own conclusion, the Acquisition clearly fails in this regard.
  - OPRD has stated that there are both people in favor and those against the Acquisition in Grant County. While this is true, it conveys a false sense of the lack of local support for the Acquisition. By a large majority, opponents to the Acquisition far outnumber the proponents. In fact, at two public meetings held in John Day, only two people spoke in favor of the acquisition; one was the landowner and the other was a retired government employee. Furthermore, a quick comparison of the comments received by both groups evidences plainly that the input and support of the Acquisition advocates is superficial and lacks substantiation. Most of their claims are referenced only as "beliefs", "feelings", and "opinions" without any verification. In contrast, the Acquisition opponents have submitted testimony based on evidence derived from research, investigation, and analysis.
  - Both the Governor's office and OPRD staff have recommended a suite of conditions or commitments that should be met and memorialized in the Commission's decision, should the Acquisition be approved. These conditions are completely unacceptable since they fail to directly address the concerns of the opponents, including those of the Grant County Court, many are not even within the authority of the State of Oregon to effectuate, and

none of the conditions/commitments are enforceable, therefore they are merely more empty assurances from a government that has demonstrated historically that it has difficulty following through on its promises.

### **Conclusion**

OPRD has historically been a good partner to Grant County and we have supported your other acquisitions (i.e., Bates and Kam Wa Chung) that we viewed as positive contributors to the State and region. OPRD now has the opportunity to expand Holliday State Park to meet future demand and can do so in a manner that complies with both State and County law and policy, satisfies public interest, and mitigates the concerns of the local community while benefiting local businesses. OPRD's continued pursuit of a flawed acquisition at Grouse Mountain will only erode the foundation of your relationship with the local community and make future developments difficult. The wisest and most responsive and responsible decision that the Commission can make is to deny the Grouse Mountain acquisition outright.

Sincerely,

A handwritten signature in black ink, appearing to read "Shaun W Robertson". The signature is fluid and cursive, with a large initial "S" and "R".

Shaun W Robertson

John Day

Photo 1. Grouse Mountain residence; photograph obtained from OPRD through public records request



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**INTEROFFICE MEMORANDUM**

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**TO:** GRANT COUNTY FARM BUREAU  
**FROM:** SHAUN W ROBERTSON  
**SUBJECT:** REVIEW OF GROUSE MOUNTAIN VEGETATION AND HABITAT ASSESSMENT  
**DATE:** NOVEMBER 5, 2013  
**CC:** B. Britton, Grant County Court  
Grant County Stockgrowers  
Oregon Coast Alliance

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### Summary

- While the OPRD Assessment appears to meet the stated purpose of a “broad” property description, its conclusions are unsupported by data and are not derived from any analytical evaluation
- The Assessment lacks an actual evaluation of significance using readily definable metrics and instead relies solely upon the professional opinion of staff or other, unspecified and unreferenced conclusions
- The Assessment concludes that only two resources on the property are of any significance, but then fails to evaluate the significance of those resources (e.g., fails to find that any resources are outstanding within the rule meaning and acquisition criteria).
- The actual determinations of significance are flawed when judged with actual resource information

### Introduction

At the request of local landowners, I reviewed the document entitled Vegetation and Habitat of Grouse Mtn. Property, An OPRD Assessment of Natural Resource Values (October 4, 2012; Assessment) by Noel Bacheller, Oregon Parks and Recreation Department (OPRD) staff. The stated purpose of the Report was to describe “...the habitat and environment of the property in broad terms, with attention to vegetation composition and general ecological setting” although the Report also contains numerous policy and management recommendations. Most importantly for judging the merits of the proposed acquisition, the Assessment also contains a determination of resource significance. The Assessment was prepared in response to a proposal from the owners of Grouse Mountain to sell their property to OPRD and the acquisition of Grouse Mountain is now incorporated into a larger land exchange termed the “2013 Bandon Biota Exchange Proposal” (Proposal; memorandum from J. Morgan to Oregon Parks and Recreation Commission, July 17 2013, Exhibit A), which is described in detail elsewhere<sup>1</sup>.

Since it is the acquisition of Grouse Mountain that is of primary concern to local landowners, I limit my discussion below to a brief background of the policy and rule context of the Assessment and a

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<sup>1</sup> <http://www.oregon.gov/oprd/pages/commission-bandon.aspx>

review of the Assessment's conclusions regarding determinations of resource significance relevant to the Grouse Mountain property.

## Background & Context of Report

The statutory requirements for OPRD to create acquisition criteria and identify acquisition priorities are contained in ORS 390.112 and 390.122<sup>2</sup> and the substantive rules to implement the statute are contained in OAR 736 Division 19<sup>3</sup>.

Although the Grouse Mountain acquisition came in front of OPRD separate from the Bandon Biota proposal, OPRD staff has clearly categorized the acquisition as part of an exchange proposal initiated by an outside party<sup>4</sup>. Such distinction is largely academic for the purpose of reviewing the Assessment since the exchange of property owned by OPRD requires OPRD to “apply all elements of the Criteria for Acquisition”<sup>5</sup>. Furthermore, OPRD has made it clear that even if funding for the partial purchase of Grouse Mountain is not contributed by Bandon Biota as part of the exchange that OPRD will still move forward with acquiring Grouse Mountain using other monies. Consequently, I focus on the standards related to the acquisition rather than exchange. That said, I do assert that if there is a finding that the acquisition of Grouse Mountain is not in the public interest (i.e., because it does not meet any of the stated acquisition criteria) that it would be very difficult for the Parks Commission to conclude that an overwhelming public benefit was derived from the exchange.

The OAR rule describing the criteria for acquisition is included at (emphasis added):

736-019-0060

Criteria for Acquisition

(1) ...

(2) The purpose of the Department and the public's interests are served when an acquisition satisfies one or more of the following objectives:

(a) Protects areas of **outstanding natural, scenic, cultural, historic and recreational significance** for the enjoyment and education of present and future generations.

(b) Consolidates state park parcels, trail systems or greenways so that more efficient management and administration of the state park system is made possible.

(c) Provides a buffer to adjacent or nearby development that may diminish the recreation or conservation values of a state park parcel.

(d) Provides access to recreation areas for management or protection of state park parcels, and

(e) Addresses opportunities that may be lost to the Department if acquisition is delayed.

(3) The acquisition or exchange of all real property shall be consistent with the Department's purpose and its long-range planning goals, and shall be prioritized through a rating system. The rating system will evaluate an acquisition or exchange's significance as it relates to the Department's mission, development and operational costs, geographic distribution, diversity of values, public demand, and other factors connected to its feasibility as a state park. The Commission will periodically review the rating system.

(4) The Department will look favorably at opportunities for acquisitions and exchanges that enhance the overall management of existing park lands.

Stat. Auth.: ORS 390.121 & 390.124

Stats. Implemented: ORS 390.112 & 390.121

Hist.: PRD 11-2004, f. & cert. ef. 9-15-04; PRD 3-2011, f. & cert. ef. 3-30-11

I contend that with regards to Grouse Mountain, (2)(b) through (2)(e) may be excluded from consideration since those objectives relate to consolidation or acquisition of parcels that adjoin

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<sup>2</sup> <http://www.oregonlaws.org/ors/390.112>

<sup>3</sup> [http://arcweb.sos.state.or.us/pages/rules/oars\\_700/oar\\_736/736\\_019.html](http://arcweb.sos.state.or.us/pages/rules/oars_700/oar_736/736_019.html)

<sup>4</sup> OAR 736-019-0070(3)

<sup>5</sup> OAR 736-019-0070(1)(a); Bandon Biota would receive properties currently owned by the State of Oregon

existing State parks, which Grouse Mountain does not. Apparently, OPRD staff also disregards the other objectives since their entire discussion and evaluation has focused on the resource significance of the property, which relates exclusively to subparagraph (a) of this part<sup>6</sup>. Therefore, in order for the acquisition to serve the OPRD and public's interest, objective (2)(a) must be met. OPRD made its determinations of significance in the Assessment.

### **OPRD Assessment Determinations**

The Assessment concludes that **only** two natural features of any significance are present on the Property—serpentine outcrops and the fish habitat of Beech and Little Beech creeks; the serpentine slopes being identified as the most significant feature. Although I discuss each of these resource features in turn below, it is important to note that at no point in the resource assessment or, in fact, in any document made available by OPRD staff related to the Grouse Mountain acquisition is any determination or reference made to any outstanding area of significance<sup>7</sup>.

#### Distinction between “significance” and “outstanding significance”:

Neither the term “significant” nor “outstanding” are defined anywhere in the OPRD rule although they are clearly distinguishable adjectives<sup>8</sup>. Furthermore, OPRD seems to have no method of evaluating or determining significance except that any resource or area can be so designated based on the professional opinion of the staff. Lastly, while acquisition evaluation criteria have been defined by OPRD<sup>9</sup>, there is apparently no analytical process to assigning ranking numbers to the criteria that results in any explanation of how the ranking number was derived<sup>10</sup>.

Because many areas and resources can be significant but only a few may be outstanding and since the Park's rules and policy focus on acquiring only the best areas and resources, I argue that the acquisition criteria described in the rule can only be read to mean that the public interest standard can only be met with an acquisition that protects areas (or resources) that are both significant and outstanding and not merely significant. Such a reading is emphasized by the language in 736-019-0060(3), which states in part that acquisitions shall be prioritized through a rating system, which will “...evaluate an acquisition[s] significance.”. In other words it is not the resource that is to be rated

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<sup>6</sup> Recently, OPRD staff remarked that acquisition of Grouse Mountain also addresses an opportunity that may be lost to the Department if acquisition is delayed. I disagree that this objective may be met since subparagraph (e) is connected to (d) with an “and” and comma. Therefore, in order to meet this objective, Grouse Mountain would have to provide access to recreation areas and address and opportunity that may be lost.

<sup>7</sup> It is also important to note that there is no document available that evidences any OPRD determination of significance for scenic, cultural, historic or recreational resources, let alone an evaluation that resulted in an outstanding rating for any resource.

<sup>8</sup> From the Merriam-Webster dictionary:

Significant: very important; remarkable

Outstanding: extremely good or excellent; standing out

<sup>9</sup> Document received from C. Havel entitled “Acquisition Evaluation Criteria 11/6/12” but without attribution.

<sup>10</sup> Document received from C. Havel entitled “2013-15 Acq Eval table rank order 12-11-2012 grouse mt.xls”

but rather the evaluation of the significance of the resource (e.g., the extent of significance). Therefore, a determination of whether resources or resource values present on the property are significant is insufficient to serve the public interest but the further evaluation of--in the case of natural, cultural, scenic, historic, and recreational resources—whether those significant resources are then outstanding<sup>11</sup>.

Regarding Grouse Mountain, none of the resources that were initially identified by OPRD to be significant were further determined to be outstanding. The lack of outstanding determination is entirely consistent with the property owner’s and OPRD staff’s separate conclusions that there is nothing remarkable about the property but that it is just a good representation of the area landscape<sup>12</sup>.

### Challenges to the Determinations of Resource Significance

Serpentine Outcroppings: OPRD’s assessment concludes that the serpentine slopes are the most “unusual and significant feature of the property” but only alludes to the reason such features are significant, apparently because of distinctive flora and being visually striking.

While it is true that serpentine soils may have distinctive flora<sup>13</sup>, including a federal species of concern, *Luina serpentine*, that is only known from Grant County<sup>14</sup>, OPRD failed to identify any unique plant species actually located on the property. In fact, *Luina serpentine* is not known from this location but rather from a single locality on public land far south of Grouse Mountain<sup>15</sup>. OPRD’s failure to actually describe any rare or unusual flora associated with serpentine features on the property suggests that, at least with regards to flora, the serpentine features may be significant but are not necessarily so without further evaluation. OPRD agrees and states in the assessment that an actual determination of significance “...will require more in-depth assessment of presence, extent, and condition...” of habitats. Furthermore, while serpentine features may be generally significant because of their potential to contain rare and unusual flora, since the single candidate plant species associated with serpentine features is not known from this location, the serpentine features on Grouse Mountain cannot be outstanding as the term is widely accepted.

I concur with the staff report that serpentine features may be “visually striking”, however, appearance is not necessarily synonymous with possessing “outstanding” character. I mapped serpentinite rock types from geologic GIS coverages compiled by the Oregon Department of

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<sup>11</sup> This argument is entirely consistent and further emphasized by reading the rule in context with other OPRD rule and policy that consistently refers to “**best** representative landscapes”, “**most** significant sites”, and “**most** valuable...resources” (emphasis added).

<sup>12</sup> statement of J. Morgan, OPRD’s Mt. Vernon public meeting, August 19, 2013 and statement by George Meredith given in testimony before the Grant County Court, July 24, 2013.

<sup>13</sup> See <http://www.fs.fed.us/wildflowers/communities/serpentes/adaptations.shtml> for an excellent summary of plant adaptations to the serpentine environment.

<sup>14</sup> Rare, threatened and endangered species of Oregon. Oregon Biodiversity Information Center. October 2012. <http://orbic.pdx.edu/documents/2010-rte-book.pdf>

<sup>15</sup> <http://oregondigital.org/cdm4/document.php?CISOROOT=/herbarium&CISOPTR=1801&REC=7>

Geology and Minerals<sup>16</sup> overlaid against 2011 NAIP aerial photographs<sup>17</sup> to spot check boundary accuracy. While the State coverage generally over-approximates the spatial extent of serpentine features, it appears to do so consistently so that reasonable comparisons may be drawn between overall land management and ownership. Using tax lot and ownership information from Grant County I then evaluated the extent of serpentine features across property ownership categories. My findings support a conclusion that the serpentine features on Grouse Mountain, while visually striking are neither significant nor outstanding since they are merely representative of many comparable features on both public and private land throughout Grant County.

Around 30,000 acres of serpentine geology have been mapped within Grant County. Of the total acreage, approximately 14,000 are on private lands and 16,000 acres are already in public ownership (Figure 2). Nearly every configuration of serpentine feature (e.g., size, elevation, aspect, character, quality, access, etc.) is currently widely and adequately represented on existing public ownerships with a diversity of public access opportunities from extremely remote (e.g., Aldrich Mountain roadless area) to immediately accessible (e.g., Little Canyon Mountain within five minutes of downtown John Day)(Figure 3). Quite simply, while the somewhat unusual character of the serpentine outcroppings on Grouse Mountain could be considered visually pleasing, they are far from remarkable, significant or outstanding based on the nature and extent of similar deposits elsewhere. Furthermore, only a single commenter has even mentioned serpentine features as a benefit from the proposed creation of the park, which indicates low demand for these areas for recreation. Therefore, the application of any type of evaluation metrics<sup>18</sup> (e.g., rarity, local demand, etc.) to the determination of significance leads to the conclusion that the feature fails to rise to the level of being both significant and outstanding.

#### Significance of Fish Habitat:

OPRD's assessment concludes that:

From a wildlife perspective, Beech Creek and Little Beech Creek are highly significant for their fish habitat. Both streams support strong runs of listed and other fish species. Mature cottonwood riparian forest and relatively dense shrub associates provide nearly ideal shading conditions and wood recruitment.

I agree that both creeks contain valuable fish habitat, although not necessarily on the subject property, and that portions of the streams on the subject property contain productive riparian features. What is particularly troubling, however, is the characterization of fish habitats as “highly” significant, riparian shade as “ideal”, and fish runs as “strong”, particularly since OPRD once again fails to identify any metrics (e.g., habitat surveys or production estimates) by which either the significance of the habitat may be evaluated or the terms can even be defined. As I testified at OPRD's public meetings, the Beech Creek watershed has been evaluated for summer steelhead spawning escapement since 1966 and various habitat surveys exist so that excellent measurements of

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<sup>16</sup> <http://spatialdata.oregonexplorer.info/geoportall/catalog/search/resource/details.page?uuid={D9B42C23-07E9-496F-8188-7C06A6D0E891}>

<sup>17</sup> Serpentine features are readily distinguished on the aerial photos due to their coloration.

<sup>18</sup> In reality, OPRD didn't apply any type of metrics to the evaluation of significance although I requested that they do so in the public meeting in Mt. Vernon and provided them with specific examples of metrics that could be applied to resources identified as being significant.

significance are readily available. However, OPRD ignored this direct testimony in favor of the professional opinion of their staff.<sup>19</sup>

The John Day basin is a relatively large tributary of the Columbia River with over 8,500 miles of streams, many of which provide substantial habitat for numerous fish species, including multiple species listed under the Federal Endangered Species Act or otherwise assigned some measure of value or desirability. For example, it is estimated that over 2,700 miles of summer steelhead spawning and rearing habitat exists in the subbasin<sup>20</sup>. Given the diversity of fish species and habitats and extensiveness of fish distribution throughout the subbasin, superlatives such as “highly significant” must convey some special characteristics.

Clearly the Beech Creek watershed contains habitat for at least summer steelhead, redband and westslope cutthroat trout, and likely does as well for certain non-game species (e.g., dace, redband shiner, sucker). However, distribution of these species within the watershed is not well known and current mapping of habitat distribution and use is based predominantly upon the “belief” of local biologists rather than observation<sup>21</sup>. There are, however, some inspections that may be used to evaluate relative significance of fish habitat on the property. For example, although westslope cutthroat (an Oregon state species of concern) are present in the watershed they are not known or suspected to reside anywhere near the subject property and only the extreme lower reach of Beech Creek is used by spring chinook<sup>22</sup>. Additionally, spawning escapement for summer steelhead (federally listed, threatened) in the John Day basin is estimated using long-term index surveys of redds, which are counted annually by biologists from the Oregon Department of Fish and Wildlife. Beech Creek has been an index count since 1966 and the East Fork of Beech has been in the index since 1962; Little Beech Creek is not counted, either in the index or expanded surveys.

Beech Creek ranks relatively low (8<sup>th</sup> of 11) in terms of spawning escapement for index streams (Table 1) and 20<sup>th</sup> out of 24 total counted streams in the upper John Day. Similarly it ranks 20<sup>th</sup> out of 36 index reaches in the entire John Day (45<sup>th</sup> out of 95 total counted reaches). The East Fork Beech Creek ranks somewhat higher, however, it is far above the subject property. Trends in escapement in both Beech Creek and East Fork Beech Creek are substantially downward (Figure 1).

Both production metrics diminish substantially the OPRD’s claims of habitat/production significance as well as the emphasis on recent habitat “improvements” conducted on the subject property as evidencing habitat value. Consequently, a reasoned and analytical evaluation of the available resource information would hardly agree with the OPRD’s opinion that fish production and habitats on the Meredith property are, respectively, “strong” or “highly significant” but rather, would conclude that these resources are valuable, but not outstanding.

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<sup>19</sup> This in itself is troubling since it is OPRD staff that are advocating for the acquisition. More so since the evaluation and ranking process, particularly when viewed in light of other staff comments and failed disclosures, could be viewed as biased and unobjective.

<sup>20</sup> Oregon native fish status report. 2005. Oregon Department of Fish and Wildlife.

<sup>21</sup> see metadata for Oregon fish distribution layers at <http://spatialdata.oregonexplorer.info/geoportal/catalog/main/home.page>

<sup>22</sup> see distribution data residing in StreamNet database; <http://q.streamnet.org/Request.cfm?cmd=BuildQuery&NewQuery=BuildCriteria&ID=1191162444114&Required=Run,Stream&DataCategory=23&Count=1>

Table 1. Rank of Upper John Day Summer Steelhead Spawning Index Streams (POR)

Stream	Average of Redds/Mile	Rank
Canyon	7.8	1
McClellan	6.5	2
Beech, East Fork	6.3	3
Riley	6.2	4
Cottonwood	5.6	5
Fields	5.2	6
Canyon, Middle Fork	5.1	7
Beech	4.8	8
Bear (Grant)	3.7	9
Tinker	2.3	10
Belshaw	1.9	11

Figure 1. Trends in Summer Steelhead Spawning Escapement

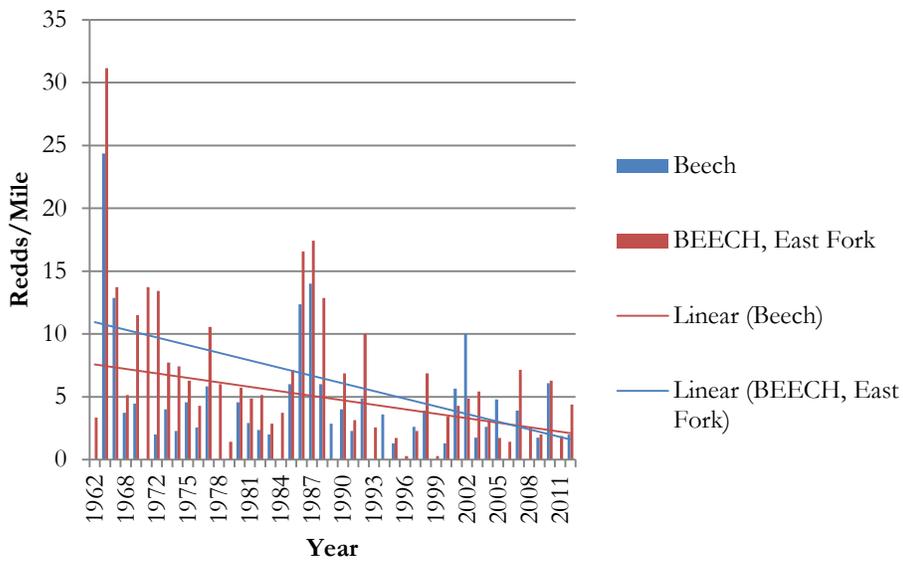


Figure 2.

## Serpentinite Features in Grant County, OR with public access status

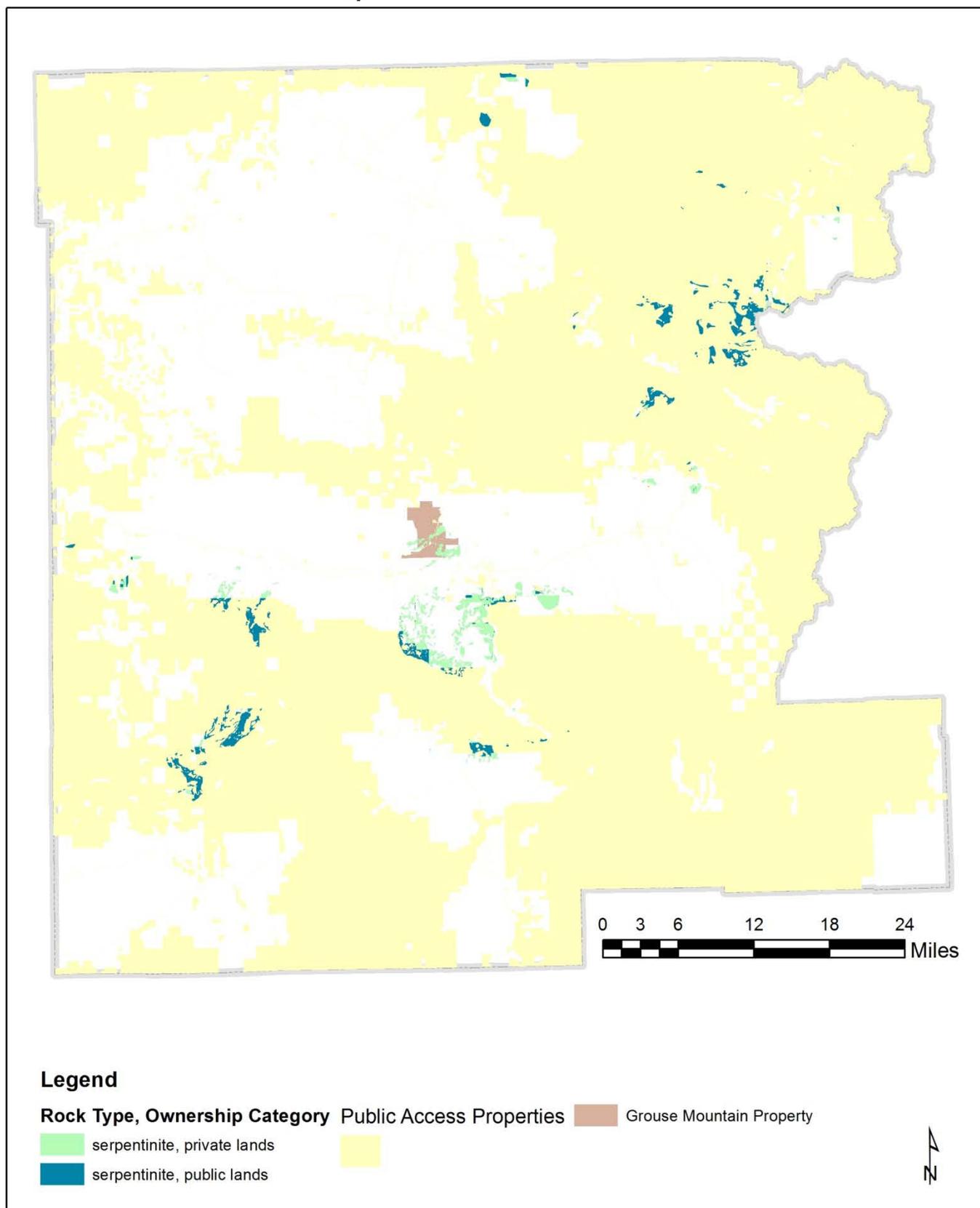
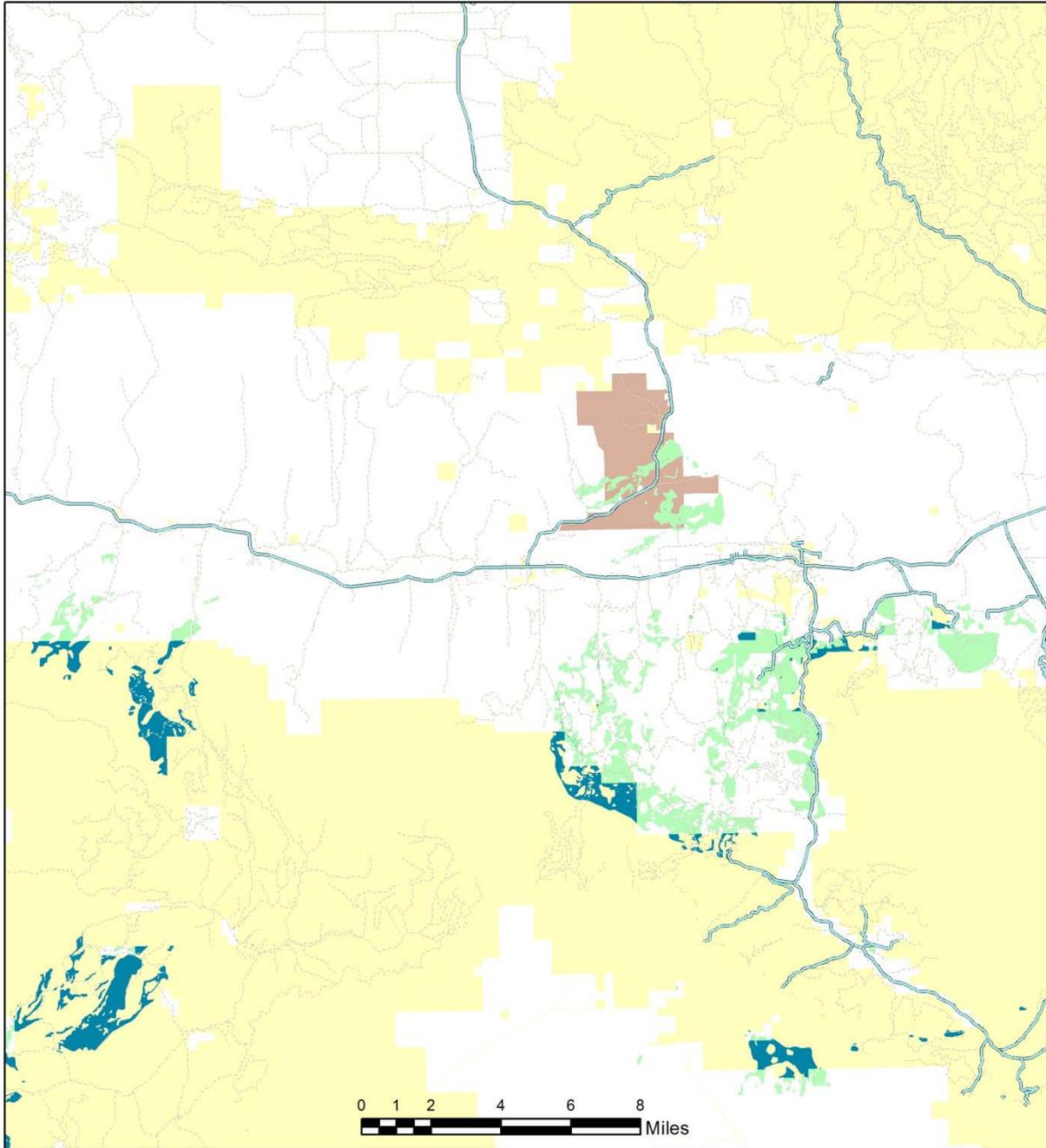


Figure 3.

## Serpentinite Features in Grant County, OR with public access routes



### Legend

Rock Type, Ownership Category	Public Access Properties	Grouse Mountain Property
serpentinite, private lands		
serpentinite, public lands		
		Primary Roads
		Secondary Roads

**From:** Sherilyn Webb <sheriwebb33@gmail.com>  
**To:** <vanessa.demoe@state.or.us>  
**CC:** <tim.wood@state.or.us>, <chris.havel@state.or.us>  
**Date:** 11/15/2013 10:23 PM  
**Subject:** Attn: Jay Graves,OPRD Commission Co-Chair re:Grouse Mt. State Park

I want to express my support for the proposed Grouse Mountain State Park. I see it as an opportunity to diversify our economy and I welcome the jobs it can bring as well as the people who will come to explore the lands we love. I do equally desire the state to fully address community concerns for the tax base and sensible stewardship of the land.

Sincerely,  
Sheri Webb  
22139 Highway 395  
Mt. Vernon,OR 97865  
541 620 0583

**From:** Peggy <pegm@centurytel.net>  
**To:** <vanessa.demoe@state.or.us>, <tim.wood@state.or.us>  
**CC:** <chris.havel@state.or.us>, George Meredith <wgmeredith@ortelco.net>  
**Date:** 11/14/2013 8:25 PM  
**Subject:** Conversion of Grouse Mountain Ranch to a State Park

Attn. Jay Graves, OPRD Commission Co-chair

I support George and Priscilla Meredith in their efforts to create a State Park on their land which would benefit our community and many people who visit our county. I believe they should have the freedom to make whatever choices they deem appropriate concerning land that belongs to them. George and Priscilla have put this idea forth in generosity and good faith. It is a well planned concept into which they have selflessly put much thought and planning. The Meredith's have been a very positive force in our community continually giving unselfishly of their time, knowledge and monetary donations. It is distressing that some in the community believe they have the right to tell others what to do with private property when those same individuals would be the first to complain if anyone dared to make decisions to manage their property. I support George and Priscilla in their "right" to make decisions about property they own.

Sincerely, Peggy Murphy

# Grant County Public Forest Commission

P.O. Box 310  
Canyon City, OR 97820

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Committed to a Thriving Community through Healthy Forests

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November 11, 2013

Elected  
Members

Dave Traylor Oregon Parks and Recreation Commission  
Attn: Bandon Proposal  
725 Summer Street, Suite C  
Mike Smith Salem, OR 97301  
Email: [OPRD.publiccomment@state.or.us](mailto:OPRD.publiccomment@state.or.us)

Tad Houpt **Re: Grouse Mountain Acquisition - Bandon Biota Exchange Proposal**

Brooks Smith The Grant County Public Forest Commission was established by an initiative of the electorate of Grant County, Oregon. The members of the Commission are elected by the voters of Grant County.

Dan Bishop

Walt Gentis At our regular meeting September 4, 2013 the members of the Grant County Public Forest Commission **voted unanimously in opposition to the proposal** by the Oregon Parks and Recreation Department to acquire the 6,100 acre Grouse Mountain Ranch as part of the Bandon Biota Exchange. **We request that the Commission not support the acquisition** and land exchange **in its current form**. The scope of this acquisition and land exchange does not contain sufficient benefit to the people of the State of Oregon to justify the transaction.

Roger Mckinley

King Williams

Larry Blasing We offer the following comments concerning, specifically that portion in Grant County, the proposed acquisition of the Grouse Mountain Ranch:

1. This ranch holds water rights senior to many down stream water rights and if these rights are sold or leased to in-stream uses it will be detrimental to many current down-stream water users in the John Day system. The recommendation from the OPRD states "Water rights in excess of OPRD needs would be considered for lease or sale to the private market." This is exactly the fear of the agricultural community and part of the basis for total opposition to this proposal by the Grant County Farm Bureau, Oregon Farm Bureau, Grant County Stockgrowers, and the Oregon Cattlemen's Association.

2. The landowners in Grant County all contribute to the Fire Patrol Taxes for control of wildfires in Grant County. These special assessments are calculated based upon the acres of private lands in each class. If the OPRD acquires another 6,100

acres of private lands with the Grouse Mountain Ranch the rest of the landowners in Grant County will see their assessments for Fire Patrol increase period. In addition the other service providers within Grant County will see a reduction in revenue. The recommendation by the OPRD to you as the commission states; “OPRD is committed to making sure those services associated with any future park are compensated; EITHER (capitalized for emphasis) directly through agreements negotiated with those service providers... OR INDIRECTLY through revenue generated from its operations...” OPRD goes on to state; “OPRD is committed to further discussions with the county to address this issue, including options such as in-lieu payments until the park is developed”. The problem is, tax payers and landowners in Grant County are saddled with the loss of revenue forever while the OPRD is “...committed to further discussions with the county to address this issue... until the park is developed.” First there is no assurance of any resolution only a commitment (for what that is worth) to further discussions. This is like Wimpy, “give me a hamburger today and I’ll pay you on Thursday”. The concept that future revenue generated from the park will offset a loss in special assessments such as the Fire Patrol Assessment is flawed. There is no distributive equity associated with this concept, ie, assuming an increase in sales by the retail, service, or hospitality sectors within Grant County as a result of the establishment of a state park only benefits those sectors and does nothing to offset the losses by the agriculture, timber and natural resource sectors associated with the loss of private land base. This is a redistribution of wealth from one sector to another sector in its purest sense and in this case takes from the base industries of an economy, natural resource based sectors, and benefits those sectors which do not create any new wealth to an economy.

3. The recommendation by OPRD concerning noxious weed control is unclear and we don’t believe that the State of Oregon Parks Department has demonstrated that they are capable of controlling noxious weeds on their current State Parks such as the Cottonwood Park which has an expansive weed infestation and is not being aggressively managed. We don’t believe that there will be future funding for the OPRD to effectively manage the current noxious weed infestation on this ranch.

4. The OPRD states; “OPRD will likely not re-introduce cattle into the higher-elevation range area where efforts to restore the native plant communities have been implemented”. This is scary to an economy in Grant County that is highly dependent upon the livestock industry for stability. It is also contrary to sound natural resource management and is a major reason for the total opposition to this proposal by the Grant County Farm Bureau, Oregon Farm Bureau, Grant County Stockgrowers, and the Oregon Cattlemen’s Association.

5. The management costs associated with a land base of this magnitude are greater than those associated with the management of a small park such as Clyde Holliday Park or Bates State Park. The costs associated with a 6,100 acre ranch without the associated income a traditional agricultural operation relies upon will require a substantial infusion of funding from the State of Oregon beyond those costs associated with management of the people utilizing the park for recreation. These costs have not been addressed.

6. None of the resources that were initially identified by OPRD to be significant were further determined to be outstanding. The lack of outstanding determination is entirely consistent with the property owner's and OPRD staff's separate conclusions that there is nothing remarkable about the property but that it is just a good representation of the area landscape. Therefore, the acquisition does not meet the criteria spelled out in OAR 736-019-0060 "Criteria for Acquisition". Specifically, several people have asked about an environmental assessment which should have addressed, among other issues, the ASBESTOS MINE located on the property and to this date we have seen no response.

7. OPRD attempted to marginalize the issue raised by many of the citizens of Grant County about the loss of private land base, by stating: "Though this is a RELATIVELY SMALL PORTION of the private land in Grant County, THERE IS A COORDINATED EFFORT AMONG STATE AGENCIES TO IDENTIFY SURPLUS LANDS IN GRANT COUNTY, and place those properties on the open market." This effort has been going on for over a dozen years that we know of and has not been very successful, so to use this as a basis for justifying the further "acquisition rather than exchange" of property in Grant County is disingenuous at best and does not rise to the level of responsiveness to citizen concerns. This is tantamount to "death by 1000 cuts" each cut in and of itself is a "relatively small" contributor to the "death" and the promise to place a Band-Aid on one of the cuts at some future time will not mitigate the "death". What the patient needs is a tourniquet at the time of the cut. What Grant County needs is a halt to the loss of private lands to public ownership without an equivalent exchange of public land to private ownership, NOT A PROMISE BY ONE BUREACRAT TO CLAIM A FUTURE BUREACRAT WILL MAKE THIS HAPPEN.

8. OPRD stated in response to the concern by landowners in and around the Grouse Mountain Ranch that a State Park would continue to make this property a sanctuary for, especially elk during hunting season. They state "Providing hunting in state parks is not central to OPRD's mission and is normally not compatible where..." nothing more is needed to be said. We all know that this will continue to be a sanctuary during Hunting season for as many animals as can amass on the property then after and before the seasons they will ravage and destroy the neighbor's property, crops and irrigation systems as described by the people in the meetings in Canyon City in July, in Mt Vernon, in Condon and at the Farm Bureau meeting last month.

The vast majority, and not a small minority of the people within Grant County and especially those that attended the public meetings seeking input on this proposed acquisition are opposed to the OPRD acquiring Grouse Mountain Ranch especially without addressing the water right issue, the tax and assessment issues and structuring it as a land exchange wherein the State of Oregon would give up to private ownership, within Grant County, an equal value of State of Oregon owned lands.

In summary we want to make sure that the Oregon Parks Commission understands that **the Grant County Public Forest Commission joins the Grant County Court, the Grant**

**County Farm Bureau, the Grant County Stockgrowers and the majority of the people providing comment from Grant County in OPPOSITION TO THE ACQUISITION of Grouse Mountain Ranch** by the State of Oregon as currently proposed by the Oregon Parks and Recreation Department. We reiterate that OPRD has not met the criteria set out in the Oregon Revised Statutes and the Oregon Administrative Rules for acquisition of property.

GRANT COUNTY PUBLIC FOREST COMMISSION

\_\_\_\_\_/s/ signed\_\_\_\_\_  
King Williams, member

Cc: Governor Kitzhaber  
Representative Cliff Bentz  
Senator Ted Ferrioli

**From:** mary smith <nandmsmith@me.com>  
**To:** "vanessa.demoe@state.or.us" <vanessa.demoe@state.or.us>  
**CC:** "tim.wood@state.or.us" <tim.wood@state.or.us>, "chris.havel@state.or.us" ...  
**Date:** 11/14/2013 11:46 AM  
**Subject:** OPRD Grouse Mountain

We presently share a property line with George Meredith. If the state acquires his land as proposed in the Bandon Biota Land Swap, we assume the OPRD would be good neighbors as George has been. We support the sale of said property to the OPRD.

Norbert and Mary Smith  
23121 HWY 395, Mt Vernon OR 97132

Sent from my iPad

**From:** "Robert Watt - JD Rents" <robertwatt@centurytel.net>  
**To:** <vanessa.demoe@state.or.us>  
**CC:** <tim.wood@state.or.us>, <chris.havel@state.or.us>, <grousemtn@ortelco.net>  
**Date:** 11/14/2013 2:54 PM  
**Subject:** Grouse Mt Exchange

November 14, 2013

Attn: Jay Graves, OPRD Commission Co-Chair, and to whom it may concern,

As long-time residents of Grant County, Oregon, we are writing in support of the development of Grouse Mtn. property into an Oregon State Park.

We have personally witnessed the improvements which have been made to this property and cannot think of a better ongoing use of the property than to make a park of it. It is unfortunate that there is opposition to its development. We are certain that quite a sum of effort, passion and money has been used to restore this property. We do not believe the same effort would continue if it went back to range land.

We are also concerned that as a private citizen owning, that I -or anyone else should be able to sell my land to whom we see fit. A bit naive possibly, but if I had put the amount of effort into reshaping and restoring a property, that I have seen here, and not be able to sell it to someone who had the same or better design for it, would be disheartening.

Thank you for your consideration in this matter,

Mr. Robert B and Mrs. Bonnie M. Watt

Grant County, Land and Business Owners

John Day, Oregon

## OPRD Publiccomment - Bandon Proposal

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**From:** Bo Winder <bowinder@gmail.com>  
**To:** <opr.d.publiccomment@state.or.us>  
**Date:** 11/13/2013 7:09 PM  
**Subject:** Bandon Proposal

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I've known this area well for 30 years. I support the Bandon Proposal.

Bo Winder

**From:** David Hess <hessd@ohsu.edu>  
**To:** "OPRD.publiccomment@state.or.us" <OPRD.publiccomment@state.or.us>  
**Date:** 11/12/2013 7:55 AM  
**Subject:** Ban-on proposal

To Whom It May Concern:

I wish to encourage the OPRD to proceed with the sale of the States Bandon property to obtain funds to purchase Whale Cove and the other properties under consideration. Whale Cove is a pristine part of the central Oregon Coast and should be preserved for all Oregonians. Acting now will finally put Whale Cove in the possession of Oregonians for the foreseeable future. Thanks for finally finding a way forward to accomplish this. You may call me at 503-780-8344 if you wish additional comments.

David L Hess,  
22 Marsh Lane  
Gleneden Beach, Oregon, 97388

**OPRD Publiccomment - land exchange**

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**From:** "Dave" <daves\_123@charter.net>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/11/2013 6:32 PM  
**Subject:** land exchange

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To whom it may concern;

In my opinion the land exchange with Mr.Keiser is a great opportunity for Bandon.

Bandon Dunes Golf Resort put Bandon on the map. Bandon Dunes Golf Resort advertises so heavily nation & worldwide we could never afford this type of exposure.

Tourism is the life blood that will support Bandon in the years to come.

Having high quality organizations like Bandon Dunes Golf Resort and Kemper Sports take an interest in developing more golf courses here is one of the best things that could ever happen to Bandon I am just glad they settled on Bandon and not some other nice little town.

In doing this project Mr. Keiser will create jobs and draw even more people to Bandon in the years to come.

I own Bandon Beach Vacation Properties, LLC, Bandon Beach Vacation Rentals and Bandon Property Management, LLC and can see the positive effects already.

Bandon is much busier than it has ever been, stroll through “Old Town” and you will see more people than ever before coming and going into all of the stores and much later in the season.

Please support Mr. Keiser and the land exchange.

Dave Schradieck  
Owner  
Bandon Beach Vacation Rentals  
Bandon Beach Vacation Properties, LLC  
Bandon Property Management, LLC

**OPRD Publiccomment - Agenda Item 6a Proposed Exchange of Bandon State Natural Area**

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**From:** "Myra & Jim Lawson" <myrajim2@mycomspan.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/11/2013 8:09 PM  
**Subject:** Agenda Item 6a Proposed Exchange of Bandon State Natural Area

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Dear Commission Members:

We are fifteen year residents of the City of Bandon. We retired here like many others because of the Oregon's parks, beaches and open spaces. We saw Oregon as a leader in conservation and land use planning. The Coos County/Bandon areas depend more and more on a tourism economy. Only 7% of Americans play golf. Our immediate area already has six golf courses. We have hike some of the proposed natural area property. It is quite desirable for recreation, and certainly not "totally gorse choked." Precious dune wetlands hold disappearing conservation values. If the ocean dune area is lost, it is lost for good to private development.

There is no guarantee that Bandon Biota will refrain from building lodging, restaurants, and shops on their private property, competing with the current businesses which are not now at capacity. Housing in and around Bandon is not in demand at this time. There is plenty of lodging but not plenty of water for another large resort in our area.

Because of these concerns, we certainly do not see the proposed "swap" as "an overwhelming public benefit" to the people of Bandon, Coos County, or Oregon.

Thank you for considering our opinions.

Sincerely,

Lawrence and Myra G. Lawson

1404 Strawberry Dr. SW  
Bandon, OR 97411  
541-347-5157

November 11, 2013

Oregon Parks and Recreation Department  
725 Summer Street NE, Suite C  
Salem, OR 97301

Dear Chair Moriuchi and Commission Members,

RE: 2013 Bandon Biota Exchange Proposal Comments

As adjoining property owners, we would like to comment on the above referenced proposal. We will comment on the Grouse Mt. acquisition first as that is the property that affects us the most and will save the Bandon comments to last.

**We oppose the acquisition of the Grouse Mountain property in Grant County as part of the Bandon Biota exchange proposal.** We have browsed through the comment letters and are in agreement with all the reasons why NOT to proceed with this part of the proposal (especially not satisfied with the water right concerns we have with this transaction.) We offer an additional reason to oppose this action and that is the **cost to the taxpayers** for this acquisition. Oregon Parks and Recreation Dept. (OPRD) has approached this as if it was one big "gimme" but the cost is not feasible, even with the donation of \$2.5 million from Michael Keizer. The OPRD is relying on the budget cycle of 2013-2014 to provide an additional \$2 million for a total purchase price of \$4.5 million (ref. Appendix 2 of OPRD Biota Exchange Commission Item Nov 13.pdf). If the OPRD doesn't get the remainder of the money in the next biennium, it will create a private property in-holding. The value of the in-holding will increase significantly once the estate is surrounded by publicly maintained parkland AND transfer of this in-holding will become much more expensive in the future, if it ever occurs. Ownership could transfer to some other wealthy entity that leaves the door open to conflict with the state park public use purposes. The above reference document also discusses the potential to develop the multi-million dollar house into a visitor's center and environmental education center (which we already have in Lake Creek Camp) and this will take significant capital investment and staff. The restoration of property will take significant expense to develop as a park; knapweed infestation along Beech Creek has never been attempted to be treated and will require repeated, expensive herbicide treatments. Invasive annual grasses (medusahead and Ventenata-South Africa grass) have no "silver bullet" treatment and will also require herbicide and seeding of adapted, competitive grass species (most native species are too slow to establish.). Locally, efforts to control these annual grasses have largely been unsuccessful and expensive; for this property the expense would be almost a perpetual and massive money pit. There are many interior down fences in the uplands that need to be rolled up. There are many non-productive fields in the bottomlands that will require significant cost to be brought into permanent vegetation (the OPRD document states the estimate is to spend \$1000/acre on 100 acres to put some of these fields into "native prairie"; that alone is \$100,000!!) Restoration as a goal on this property is going to be a massive and perpetual expense, if even possible, and this exemplifies why this acquisition does NOT have overwhelming public benefit. None of this includes the cost of establishing trails and camping facilities. Most likely the present landowner sees that he doesn't want to continue to sink his own funds into his great vision but it's wrong to transfer these realities onto the overburdened Oregon taxpayer. We pay our taxes and do not want *any* of it to go to support the *grand scheme* of making the public pay for a wealthy landowner's private park. We would be more willing for our taxes to go to improving the existing state parks that bring tourism to our county such as the #1 and #6 in the document-2013-2015 Land Acquisition Priorities-both benefit our local Kam Wah Chung state park and both could be obtained for less than half the cost of this proposed acquisition.

We would like to bring to the Commission's attention that there has been a high degree of misrepresentation by OPRD both at public meetings and within the summary document for the Commission meeting.

\*We were told at public meetings that no private land in-holding will be created and that nothing has been signed. However, the OPRD document requesting commission action on agenda item 6a shows that both of these statements were lies.

\*The natural resource review states that "the property adjoins US Forest Service and Bureau of Land Management lands over approximately 2 miles of its perimeter (6% of total perimeter). when it would be more accurately stated that 94% of the property is bordered by private lands. The map which shows access to the national forest lands misrepresents the fact that  $\frac{1}{4}$  mile of USFS land is an in holding surrounded by private lands not owned by Grouse Mt. and the other BLM boundary is an in holding surrounded by Grouse Mt. ranch. The only USFS access has no feasible trail from the Grouse Mt. property onto any USFS trails accessible by horseback or foot (slopes exceed 70% and north slope vegetation is dense and not suitable for access thoroughfare and would have to be dealt with USFS policy and procedures.) This highlights the issue of public trespass on our private property that will occur with this proposal.

\*Nowhere in the OPRD document does the commission hear that Grant County government is against the state proposal to acquire this property or that it's been expressed as not in the best interest of the county government services. Nowhere has it been stated the opposition to the acquisition has far out numbered those in favor. When OPRD staff at Mt. Vernon Open House were asked "do Grant County's wishes matter", they replied "absolutely yes" but OPRD continued to pursue this acquisition and recommended it to the commission despite the overwhelming opposition in meetings, letters and personal communications. At the October Grant County Farm Bureau meeting, John Potter faced a crowd of over 23 attendees that were unanimous in their opposition and he dodged answering many direct questions. He specifically said no agreement had been signed-which was a lie.

\*The Landfire map misrepresents the fire potential on this property as recently demonstrated with the 2013 Grouse Mt. fire across the highway from this property (which ran to the John Day city limits) and the Jenkins fire (2003) which came onto the property on the west side. This property is within a "lightening belt" according to ODF who have assessed Grant County the highest fire protection tax in the state. As long as the current owner holds title to the property, if a fire occurs, there is not liability to Oregon. However, if the payment process as outlined in Attachment B alternative (ii) which states "...with an agreement that if necessary funds are not budgeted for the balance of the price in the next biennium OPRD will re-convey a portion of the Property to the Seller (consisting of the ranch house and 695 acres around it)" occurs, there is significant liability to the state. If there are unsuspecting public in the house when a fire explodes, there is a HUGE liability. If the state cannot then afford to purchase the main house, the liability is perpetual.

\*The Natural Resource Review prepared by OPRD is biased and makes assumptions regarding the cause of the past degradation that presently exists on this property (as already mentioned above.) Numerous references can be cited on the benefits of managed grazing for restoration (see Winter 2014 issue of Range Magazine, pg. 82, *Land Language* by Steven H. Rich, for one example). However the present landowner has his own ideas on how to manage his land which is his prerogative. His approach has not generated *any* recovery of the resources; the property has no less annual grasses, no more willows or cottonwoods, no more perennial grass, no less noxious weeds (mowing doesn't kill all weeds although it looks better) and more juniper encroachment. Removal of grazing doesn't have a linear effect that the land will go back to what it was before man stepped on this earth, yet the above mentioned review document fails to address the cost to the taxpayer to restore this property to historic vegetation types as implied as a stated goal in that document. In-stream restoration work that the present landowner has done this year on the riparian area (which had 10 years of corridor fencing the taxpayers paid to put up and take down and did not alter any of the vegetation community or bank stability) is supposed to address the down cut stream system but creates a liability when and

if a flood event dislodges the woody debris and lodges it in the highway bridge or piles it up in Mt. Vernon downstream.

\*OPRD suggests that the tax problem will be addressed but proposals are nebulous at best. (See pg 2 of Grouse Mt. Potential Park Uses and Effects on the Community). There has been no concrete pledge to address these issues which are the paramount point of opposition.

We could go on but instead will suggest that the commission at the very least consider de-coupling the acquisition of the Grant County property as part of the Bandon Biota exchange proposal.

The relevance to Bandon Biota's original proposal for exchange of coastal property to include acquisition of a random parcel that has no pertinence to their proposal is obscure at best and brokering at it's worse. The acquisition of the Grouse Mt. property needs to be evaluated on its own merits to satisfy the requirements of "overwhelming public benefit" as so frequently has been cited in the objections of the majority of opponents to this part of the Bandon Biota proposal. If the \$2.5 million is needed to balance the values of the Bandon Dunes SNA exchange, it could be accepted as cash funds for future park purposes and OPRD can consider other willing sellers and properties that may provide greater public benefit to the citizens of Grant County. As suggested at the Grant County Farm Bureau meeting by a county commissioner, one example of this would be Lake Creek Camp which is presently publicly owned and has far superior public benefits for recreation and environmental education purposes and also provides winter recreation, is accessible and has all the facilities in place.

The highest and best use of agricultural land is for food production. There have been media reports that highlight recent projections that with the population growth we are currently experiencing, food shortages will soon be a dire reality in the near future. Changing the ownership of these 6100 (6300?-6500?) acres of land doesn't provide any outstanding public values. The natural resource values are already being garnered in private ownership without the transfer of the costs and burdens of ownership to the unsuspecting Oregon taxpayers.

Finally, to comment on the exchange of Bandon State Natural Area, we oppose the transfer of the former BLM property that was transferred to OPRD "for park purposes" to be obtained by a land developer for personal, economic gain. (Ref: Appendix A "Bandon Biota will be responsible for satisfying all title encumbrances including the BLM deed restriction"). There was a *reason deed* restrictions were placed on the property and if Bandon Biota can erase them for their development purposes, that is just plain wrong and probably illegal! In hindsight for BLM, they would have had to satisfy many public laws and prepare an EIS and go through an intensive review/comment process to make this exchange if it were still in their ownership and they still may not have been able to pass the "red faced" test to do this. OPRD should have to incur the same standard to this proposal. The loss of the ecologically significant qualities which Bandon Dunes SNA contains (which is the reason the BLM transferred it to OPRD in the first place) is not acceptable. OPRD must do a better job of gorse control to restore this property first before considering acquiring a larger, more intensive project to manage poorly.

Sincerely,

Ken & Cici Brooks  
34488 Short Corner Rd.  
Fox, OR 97856

**From:** Tom Kennedy <tfkennedy@mac.com>  
**To:** "OPRD.publiccomment@state.or.us" <OPRD.publiccomment@state.or.us>  
**Date:** 11/10/2013 10:50 AM  
**Subject:** Bandon - State Land Exchange.

I am in support of the proposed land exchange as described in the Sunday "Oregonian". Both purchases are good for the State, given the unique nature of both properties; and this is perhaps a one-time opportunity to acquire the money to do so.

I am also quite familiar with the Kaiser-owned Bandon Dunes and believe them to be a good custodian of the property they own and have worked to reclaim from the invasive Gorse. They are also the most significant economic force in an otherwise economically challenged region of Oregon.

Sincerely,  
Thomas F. Kennedy

Sent from my iPad

**From:** Sandra Kennedy <sankenn@mac.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/10/2013 10:42 AM  
**Subject:** Bandon Land Swap

I am writing in support of the proposal to swap the land near Bandon Dunes Resort for money that would allow the state to purchase land at Depoe Bay Whale Cove and in Grant County. I am personally familiar with the Whale Cove property and it will be very important for the State of Oregon to own this land. The private development of the Whale Cove property, which is the alternative, would be a tremendous loss to the people of Oregon.

Thank you for your efforts to put this intricate and complex deal together on behalf of the citizens of Oregon.

Sincerely,

Sandra Kennedy  
1451 Horseshoe Curve  
Lake Oswego, OR 97034

# Overwhelming Public Benefit? Yes!

After reading an economic impact study compiled by the University of Oregon in early 2010 before Old Macdonald and the Preserve came on line, I've come to the realization that Bandon Dunes Golf Resort is an unparalleled phenomenon, one deserving of everyone's support in the community. Here are some numbers that stuck out to me;

BDGR total payroll in 2009- \$10,413,892.

2008 BDGR was the 4<sup>th</sup> largest employer in Coos County. Today it is second behind Bay Area Hospital.

Cumulative payroll from 2000-2010, \$83,159,587. (Development years)

2009 average annual compensation for BDGR employees- \$32,133

2008 average annual compensation in Coos County - \$30,316

2009 BDGR paid \$518,886.70 in county taxes. Only GTE Verizon paid more

2009 BDGR paid a lodging tax of \$93,257 to the state.

2008 BDGR spent \$4,493,316 on a broad range of goods and services from 210 local vendors

\$650,000 given to local causes through philanthropic efforts in 2008 - this amount has continued annually

I believe this land swap is the exact definition of overwhelming public benefit and the benchmark to which any and all future deals of this kind should model after. As a working class father of two, I parallel my family's future on the South Coast with the success of Bandon Dunes. Please, for the future vitality of the area and its next generations, let this exchange happen without delay. Our children and area need opportunities like this to stay competitive in the world today.

While many areas in the country people are rightfully challenging the drilling of toxic, earthquake causing, fracking wells. The 27 holes Mr. Keiser proposes to drill are 4.25 inches in diameter and average 6 inches in depth. I can't think of any less impactful or better use of this gorse-choked wedge of unused land.

I've heard the opposition's worn old charges of "robbing Peter to pay Paul". I disagree; I like to think about this in terms of "Peter being gracious enough to help Paul with a kidney transplant". This is if we continue to drag Peter and Paul into the debate. I bet they both would have thought the world of Mr. Keiser as most in our community do.

Good Day, Brian Kraynik

**541-999-6575 btkvet@yahoo.com**

*Chris*

November 4, 2013

Oregon Parks and Recreation Department  
725 Summer Street N.E. Suite C  
Salem, Oregon 97301

Chairman Moriuchi and Commission Members  
Oregon Parks and Recreation

I oppose the Oregon Parks and Recreation Department acquisition of the Grouse Mountain property in Grant County. I support the opposition positions of the Oregon Farm Bureau, the Oregon Cattlemen's Association, and the Grant County Stockgrowers and Grant County Farm Bureau.

1. There are no reasons given that the land has any "overwhelming public benefit". In open houses and meetings Park and Recreation Department personnel have posed various uses, in many instances of opposite intents, from "camping and environmental education" (Mount Vernon Open House), to "show farming and ranching in Eastern Oregon" then stating "it is not a ranch and would take work" (John Day Farm Bureau meeting). The Proposal needs to clearly define the intended use and provide the public and your Commission through due diligence how and why the property meets the "overwhelming public benefit" requirement.
2. Questions about the status and future uses of the appurtenant water rights and uses have been repeatedly asked. No due diligence has been done for this component either. I specifically asked about the interest of the Bureau of Reclamation in Beech Creek (see attached minutes from Mount Vernon Open House), was assured of an answer, was sent no information but only the minutes. I have had a long relationship with the Bureau of Reclamation at national, regional and state levels and have never before been denied information. This is but one example of the affected public with legitimate standing being denied information not only necessary to them but to you as Commissioners in making your decisions.

I request your rejection of this acquisition and ask that information requested by the public be provided to them.

Thank you for your consideration and attention.

Most Sincerely,



Mary Burke  
35060 Short Corner Road  
Fox, Oregon 97856  
541-421-3078

**OPRD Publiccomment - Bandon Biota Land Swap**

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**From:** Chris Luecke <chris.luecke@gmail.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 11/7/2013 4:14 PM  
**Subject:** Bandon Biota Land Swap

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Dear Commissioners,

My wife and I are homeowners on Lower Four Mile Lane south of Bandon. On several occasions we have hike through the area that will become the golf coast if the Bandon Biota land swap goes through. The land present now is mostly covered in gorse. Some trails make walking through to the beach area possible, but the current access doesn't really allow use of the lands by the public. We have never seen anyone else on the property. We believe that putting a golf course in that area would benefit the local population especially if the golf course allowed access to the beach. The land swap will be a good thing for the citizens of Oregon.

Chris Luecke and Nancy Mesner  
86354 Lower Four Mile Lane  
Bandon, Oregon 97411



133 SW Second Ave, Suite 201 • Portland, OR 97204 • (503) 497-1000 • fax (503) 223-0073 • www.friends.org

Southern Oregon Office • PO Box 2442 • Grants Pass, OR 97528 • (541) 474-1155 • fax (541) 474-9389

Willamette Valley Office • PO Box 51252 • Eugene, OR 97405 • (541) 520-3763 • fax (503) 223-0073

Oregon Parks and Recreation Department  
Attn: Bandon Proposal  
725 Summer St. N.E. Suite C  
Salem, OR, 97301

November 7, 2013

RE: Agenda Item 6a – Proposed Exchange of Bandon State Natural Area Property

Dear Commission Members:

Thank you for this opportunity to present testimony opposing the proposed exchange of approximately 280 acres of the Bandon State Natural Area. Please place these comments in the record for the November 20, 2013 Commission meeting. 1000 Friends of Oregon is a nonprofit, membership organization that works with Oregonians to support livable urban and rural communities, protect family farms and forests, and provide transportation and housing choice.

“To approve an exchange that a party other than the [Parks and Recreation] Department initiates, the Commission shall determine that the proposed exchange provides an overwhelming public benefit to the Oregon State Park system, its visitors, and the citizens of Oregon . . . which is resounding, clear and obvious.” OAR 736-019-0070(4). **As evidenced by the many comments the commission has received from Oregon citizens objecting to this proposed exchange the public benefit to the citizens of Oregon is not “resounding, clear and obvious.” Instead, the exchange is controversial, contentious and divisive – far from the standard required by law.**

Objections come from across the spectrum of Oregon citizens. Farmers and ranchers, environmentalists and conservationists, and citizens near the proposed sites both on the Coast and in Eastern Oregon see this as a bad deal for the state and its citizens and not as a “resounding, clear and obvious” win. This alone is sufficient evidence to deny the proposed exchange and we urge you to vote against it.

OAR 736-019-0070(4) does not contemplate a trade when the balance merely favors the exchange or even when it’s a really good deal for the state. An exchange is only to take place when it “provides an *overwhelming* public benefit to the Oregon State Park system, its visitors, and the citizens of Oregon . . . which is *resounding, clear and obvious.*” **If serious balancing is required – if you must agonize over the decision or there is even serious debate – it is not “obvious” and it does not pass the legal test. The “overwhelming public benefit” is simply not there.** We ask you to vote against the proposed exchange. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven D. McCoy".

Steven D. McCoy  
Farm and Forest Staff Attorney

Oregon Parks and Recreation Dept  
State Parks  
725 Summer Street NE, Suite C  
Salem, Or. 97301

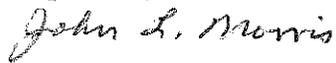
Attn. Director Tim Wood

Please consider the following concerns with the Oregon State Parks Dept. purchasing the "Grouse Mountain" Property.

- 1) The appraisal was not available at the Grant County Farm Bureau meeting attended by Oregon State Parks assistant director. This leaves several questions unanswered. a) Does the appraisal take into consideration the loss in value because of noxious weeds? b) Is the appraisal value reduced because of the hazardous asbestos site? c) What is the timber value remaining on the areas that have been logged in the last 15 years? d) Does the appraisal reflect the value as agriculture land or adjacent lands with homes?
- 2) Has there been any data compiled on the species and acres affected by noxious weeds? What is the cost and timeline for control and eradication?
- 3) Is there a business plan that indicates the estimated use and what is the cost of improvements needed to accommodate the expected use?
- 4) What is the expected return on the investment in the property and improvements?
- 5) What is the value on the remaining 300 acres and home?
- 6) The property does not conform to purchase statute of overwhelming public benefits and/or uniqueness.

These questions must be answered and the public has an opportunity to comment before the commission makes a decision.

Respectfully



John L. Morris

**From:** Carol Faulkner  
**To:** Oregon Parks and Recreation Dept  
**Subject:** Re: Fwd: Grouse Mountain

>>>> "Carol Faulkner <[pandion@centurytel.net](mailto:pandion@centurytel.net)>" <[pandion@centurytel.net](mailto:pandion@centurytel.net)>  
> 2013-11-04T10:44:40.601688 >>>  
> Dear Mr. Potter,  
>  
> I am writing this letter in support of a state park at Grouse Mountain Ranch  
> in Grant County. My family does a lot of hiking, and most trails in the  
> national forest are inaccessible to us during the winter months especially.  
> We end up having to climb fences or walk through junkyards, trashed BLM land,  
> or cemeteries. The only state park that is readily available is Clyde  
> Holliday, which is not nearly big enough to get a good walk in. I think a  
> new state park would be a great asset to this county.  
>  
> I do not believe that the outspoken ranchers who dominate the public  
> meetings and intimidate anyone who publicly disagrees with them represent the  
> majority opinion here. I know many other people who would also welcome a new  
> state park. Support for the park is unanimous among the other 4-H parents  
> I've talked to as well as many other friends who hike and bike.  
>  
> I hope the state will move forward with this project.  
>  
> With all sincerity,  
>  
> Carol Faulkner  
> PO Box 4  
> Canyon City, OR 97820  
> (541) 575-0706  
> [pandion@centurytel.net](mailto:pandion@centurytel.net)

**From:** Carol Doty <carol@johndoty.net>  
**To:** <opr.d.publiccomment@state.or.us>  
**CC:** Phillip Johnson <orshores@teleport.com>, Cameron La Follette <cameron@or...>  
**Date:** 11/1/2013 2:08 PM  
**Subject:** Bandon Biota

Dear Director Wood and the Oregon Parks Commission:

Please place this into the record for the November 20 meeting in Corvallis.

I was disappointed to learn that Michael Keiser has decided at a last moment that he needs more BSNA wetlands and rare plant habitat for another golf course, while continuing to be unable to justify that his project would provide an <sup>3</sup>overwhelming public benefit<sup>2</sup> per your standards.

I'm very opposed to the long gooseneck addition proposed that would impact much more public land east and west of the gooseneck than the original proposal. Such impact is completely unjustifiable.

While I only lived in Bandon eight years, the Oregon Coast with its parks has been my family's favorite place to spend holidays and vacations since we moved to Oregon in 1970. I didn't remain an active member in conservation organizations where I once lived, but have continued memberships in Oregon Shores and Oregon Coast Alliance since moving back to the Rogue Valley because Oregon's coast and parks are some of the most important natural resources in the United States. For years OPRD statistics indicate that tourists are attracted to this state for its coast and parks, and about 65% of Oregon park day use is in coastal parks. Protecting the coastal park system is probably more important to the system as a whole than protection of any other state park.

While living in Bandon I helped start and served on the Bandon Watershed Committee when I learned about the small size of the city's watershed and that much of it is in private ownership. Bandon is one of many coastal communities in the US with too much population and use impact on its watershed.

A golf course takes a lot of water, and Michael Keiser has been purchasing cranberry bogs in the Bandon area, certainly in large part for the water rights. There's no more water available in the area; in fact like most of Oregon, water is over-appropriated. Another golf course would pump water needed for cranberry bogs and other agriculture around Bandon.

I encourage the Staff and Commission Board members to remain true to the recently adopted standards and deny this project.

Carol N. Doty  
1040 W 13th Street  
Medford, OR 97501

cc: Emailed to Governor Kitzhaber

**OPRD Publiccomment - please approve the Bandon Land Exchange**

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**From:** "SmileDoc" <smiledoc@coolorthodontist.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 10/31/2013 2:09 PM  
**Subject:** please approve the Bandon Land Exchange  
**CC:** <tim.wood@state.or.us>, <vanessa.demoe@state.or.us>

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**To: Oregon Parks and Recreation Department**

**Building another world class, low impact, environmentally sensitive golf course on the southern Oregon coast is an overwhelming public benefit in conjunction with the exchanges as proposed.**

**One measure of “public benefit” is how many members of the public use and enjoy any given piece of property, it seems clear to me that more members of the public will use and enjoy the 260 acres Mr. Keiser seeks to acquire when it becomes a (public) golf course than ever do now. More members of the public will use and enjoy the remaining 800 acres of the BSNA than do now because of the gorse control Mr. Keiser will contribute to the remaining parcel. And many more members of the public will use and enjoy the 6,000 acres in Grant County when they become public domain than do now. Maintaining the unspoiled nature of Whale Cove in Lane County will also benefit the public in the future when the proposed parcels are removed from the possibility of residential development.**

**I have visited the area south of Bandon several times with my children and dog. It is very remote, and will continue to be so after a low impact development is achieved. Easier access will be available for those that enjoy it now, and for those that will enjoy it, that never would have without this exchange.**

**Aside from those on dune buggies, the park land proposed to be swapped to Bandon Biota is inaccessible to most. The land Bandon Biota is offering in return will be much more accessible to many more members of the public.**

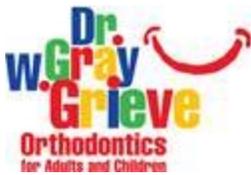
**And since the plan is to create a walking course the public will benefit from increased opportunities for recreation and exercise.**

**I believe that there is an overwhelming public benefit to this exchange, and further a question to those in opposition, I ask what would be such a proposal if not this? Those in opposition, for the most part, would not see any proposal positively, and as such, are not credible in their opposition.**

**Thank you**

**Gray Grieve**

**Bandon, Oregon**



*w. 541.484.1877*

*h. 541.485.3515*

*c. 541.521.9393*

*f. 541.485.6544*

*smiledoc@coolorthodontist.com*

*Facebook @ Dr. W. Gray Grieve Orthodontics and Gray Grieve*

*InvisalignEugene.com*

# Eastern Oregon Professional Services, Inc.

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P.O. Box 310, Mt. Vernon, Oregon 97865 ☎ 541-932-4366

Cell Phone: 541-620-0266 e-mail: [suenews@ortelco.net](mailto:suenews@ortelco.net)

October 30, 2013

OPRD

Attn: Bandon Proposal (Grouse Mountain)

725 Summer St. NE, Suite C

Salem, OR 97301

Dear Oregon State Parks and Recreation Commissioners:

I am writing in **support** of the Bandon Proposal which includes the Grouse Mountain acquisition. I am a citizen, property owner, business owner and past Mayor of Mt. Vernon. I currently own a professional services company in Mt. Vernon along with an outdoor catering business (campfire cooking - dutch ovens – solar ovens, etc). In the next couple of years I plan on moving full time into this tourism based business as my “retirement” job.

The subject of OPRD acquiring the 6,300 acres on Grouse Mountain is very contentious here in Grant County. I firmly believe you are hearing opposition from the loud vocal minority. While I respect their right to voice their views, I do not believe it represents what the silent majority believes, based on my conversations with many of my fellow Mt. Vernon/Grant County residents. In reading the minutes and attending at least one public meeting at the Grant County Courthouse I don't see many opinions (or attendance) from the business owners who badly need tourism based business as part of their income. And I understand why; they dread confrontation and retribution from the vocal minority which is not an uncommon occurrence here in our small county.

Here in Mt. Vernon we have many businesses that desperately need tourism dollars inserted into their revenue stream; 2 gas stations; 2 mini marts; motel; RV park; restaurant; small bar and café; fruit winery; 2 quilting stores; auto shop, outdoor cooking catering company (me!); horse rentals and more. The addition of Grouse Mountain as a State Park represents a very significant **positive** economic impact to our small town. I could make a much longer list to include all of Grant County businesses that would benefit from this new proposed State Park.

As you know, Clyde Holliday State Park is Mt. Vernon's neighbor. Four of their employees live and are raising their families in our community. I cannot adequately express how much Clyde Holliday State Park means to the economy of Mt. Vernon and Grant County as a whole. Clyde Holliday State Park is a very important partner with the City of Mt. Vernon. They have graciously assisted the City in many related projects that improve both the State Park and our community.

The addition of Bates State Park in Grant County has been very positive. What is most surprising about the negative voices being raised in regards to Grouse Mountain are the very same loud voices who pushed the hardest for OPRD to acquire Bates. They didn't have the same concerns about adequate budgets to support Bates State Park that they are now voicing over Grouse Mountain, which is simply a mystery to me.

I can't help but comment about Rep. Cliff Bentz comments at the Aug. 19, 2013 meeting here in Mt. Vernon that I read in the minutes of that meeting. I find his negative comment very confusing. It wasn't so long ago I sat in a meeting with him at the Mt. Vernon City Hall in which he discussed the need for additional tourism resources in Mt. Vernon. He stressed we should capitalize on our closest natural resources, including the John Day River, and find a way to open them up to the public as an economic resource. And now it appears he spoke in the negative about the very same thing he suggested as a positive in the recent past. I believe the influence of

the vocal minority leaning on their local state representative was certainly in play at that meeting. I am very saddened that it appears our County Commissioners do not seem to support this acquisition. However I also understand local politics and the pressure they are facing from the vocal minority. I wish the silent majority would make their position known to the Commissioners, but as I stated above many are very uncomfortable in expressing themselves.

Much has been said about the reduction of property taxes and the addition of more public land here in Grant County. In my opinion, the addition of this proposed State Park will produce **FAR** more income to this county than property taxes. The employment of new employees and their living and spending their pay checks here in Grant County will exceed any property taxes lost on this property. As for more public land...well this addition to State Parks will open up more access for recreation by local citizens and visitors alike. It will also provide public access to National Forest System Lands to the north that has been previously closed off by private ownership. State Parks has proven to us in Mt. Vernon what a good neighbor they are and I am confident they will continue to be a good neighbor with the new proposed State Park.

In regards to the weed control issues...a tour of some of the vocal minority's property who raised this concern will show you how poorly they are controlling weeds on their property. To raise this subject as an objection is an example of throwing something and seeing if it will stick to the wall; it is laughable. Based on the management at Clyde Holliday State Park and the lack of invasive weeds in that park makes me confident the management of invasive weeds at this new proposed State Park will be properly handled.

As for the subject offered by the vocal minority of not enough tourists in Grant County to support this new State Park, I would like to offer why I don't believe this observation. I have lived on Main Street (Hwy 26) in Mt. Vernon for 22 years and please let me assure you there is a lot of tourism traffic as supported by the presence of campers, recreational vehicles, motorcycles, bicycles, hunters, etc. traveling through our town. This is more than enough proof to me there are plenty of visitors who would love this new State Park. During the summer season Clyde Holliday State Park is regularly at capacity and having additional camping opportunities close to Mt. Vernon is much needed and in fact is identified in our strategic plan as an action item to create more camping facilities around Mt. Vernon to accommodate the overflow from Clyde Holliday State Park.

The vocal minority raised the issue of this property not having some kind of outstanding value necessary to making this a State Park. I would like to suggest this is not true. When the Meredith's acquired this property it was in very bad shape; overgrown, overgrazed, full of weeds, etc. They have worked very hard on projects that addressed forest health, riparian improvements, weed control, wildlife habitat improvements, meadow and wetland improvements and other important natural resource restoration projects. This property has outstanding value in regards to showing how sustainable management can restore poorly managed property and serves as a great example to the public of what good sustainable management can accomplish. This in itself is an outstanding value.

I am attaching an 8/7/13 Letter to the Editor that was published in our local newspaper for your review. It was written by Art Andrews who is employed by a local lumber mill and I think it is the most reasoned argument why this proposed State Park is a win/win/win for all parties.

In closing, I urge you to move forward and take the next steps to make this proposed new State Park a reality. Please rest assured this effort is supported by the silent majority of Mt. Vernon and Grant County.

Respectfully,

SUSAN E. NEWSTETTER, PLS  
President - EOPS, Inc.



3415 Commercial St. SE, Ste. 217  
Salem, Oregon 97302  
Phone: (503) 361-8941 • Fax: (503) 361-8947  
www.orcattle.com

October 29, 2013

Oregon Parks and Recreation Department  
725 Summer Street NE, Suite C  
Salem, OR 97301

Dear Chair Moriuchi and Commission Members,

RE: 2013 Bandon Biota Exchange Proposal Comments

The Oregon Cattlemen's Association (OCA) supports private property rights; however, in this instance OCA opposes the Oregon Parks and Recreation Department's (OPRD) acquisition of the Grouse Mountain ranch parcels outlined in the 2013 Bandon Biota Exchange Proposal. We are in support of the Grant County Stockgrower's position.

There remains unanswered questions and clearly significant local opposition to the purchase of this ranch. We would appreciate the following concerns and questions being adequately addressed and answered:

- A description of the proposed management plans for the Grouse Mountain Ranch parcels under OPRD's discretion;
- How the loss of tax revenue to the county will be reimbursed or otherwise compensated once the land is taken out of production and no longer incurring farm deferral taxes;
- The costs of managing additional public lands and the proposed generation of funds to do so;
- The details of an action plan for offsetting the unintended consequences from taking land out of agricultural production that neighboring landowners, the county and state will ultimately incur.

Oregon state agencies are continually suffering cuts to funding. Short staffed and underfunded, we are concerned that the 56% of Oregon lands now under public ownership will continue to see an increasing lack of management due to overextended resources. Government agencies acquiring private property in Oregon often results in taking working landscapes out of productivity. The unintended consequences of management decisions that negatively impact neighboring ranchers and landowners also adversely affect the broader community, by ultimately encouraging the conversion of private lands to urban development or other non-agriculture related uses. This fact has been recognized by NRCS; fortunately, this agency has indicated its commitment to its relationship with the agricultural producers that make greater wildlife habitat conservation possible.

The 2013 Bandon Biota Exchange Proposal states "The property will provide significant natural resources, recreational, cultural and scenic value to the park system." However, it is not clear how this proposal achieves the OPRD's acquisition evaluation criteria. We feel these listed benefits have the best opportunity to reach their fullest potential by continuing under private ownership. Grant County currently comprises of over 70% public lands which generate no tax revenue for their county. In addition to losing the Grouse Mountain Parcels farm deferral taxes that currently support local county services such as schools, hospital, emergency services, and library, there would be long-term rippling economic effects to the county and state from losing an operational ranch.

The Cattlemen's Association recommends the following considerations as an alternative to the Grouse Mountain Ranch parcels acquisition:

1. With the numerous economic challenges facing OPRD the funds could be better used for further support of programs or research geared towards the enhancement and ecological balance of vegetation and wildlife in their current parks.
2. OPRD's Mission is multi-faceted and they should concentrate on their present policy directives and programs not on additional programs and property to manage.

OPRD should not be acquiring the Grouse Mountain Parcels under their acquisition and exchange policy (OAR 736-019-0070) because the exchange will not "...provide an overwhelming public benefit to the... citizens of Oregon..." (as stated in the above listed policy). This is apparent from the OPRD's visitor records which indicate their coastal property visits per year by far exceed eastern Oregon park visits. In these times where vastly growing population paired with tremendous pressure on private working lands, such an acquisition promises tighter food supply, reduced economic benefit to the state, and increased financial responsibility of the public tax dole.

Thank you for the opportunity to comment on the proposed acquisition of the Grouse Mountain Ranch parcels. The OCA strongly encourages the OPRD to fully consider the concerns of local communities.

Sincerely,



Curtis Martin, President

H - 541-898-2361

C - 541-962-9269

vprchnp@eoni.com

## OPRD Publiccomment - Bandon State Natural Area Land Exchange Proposal - Comments

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**From:** Doug Heiken <dh@oregonwild.org>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 10/29/2013 2:11 PM  
**Subject:** Bandon State Natural Area Land Exchange Proposal - Comments

---

FROM: Doug Heiken, Oregon Wild | PO Box 11648, Eugene, OR 97440 | 541-344-0675 |  
[dh@oregonwild.org](mailto:dh@oregonwild.org)

TO: Oregon Parks & Recreation Commission

VIA: [OPRD.publiccomment@state.or.us](mailto:OPRD.publiccomment@state.or.us)

ATTN: Bandon Proposal

DATE: 29 October 2013

RE: **Bandon State Natural Area Land Exchange Proposal - Comments**

Please accept the following comments from Oregon Wild regarding the proposed Bandon State Natural Area Exchange. Oregon Wild represents approximately 10,000 members and supporters who share our mission to protect and restore Oregon's wildlands, wildlife and waters as an enduring legacy.

Oregon Wild opposes the disposal of the Bandon State Natural Area parcel because the proponent has not made the case that the land exchange meets the test applicable to land exchanges proposed by parties other than OPRD that the exchange provides "overwhelming public benefit" that are "resounding, clear and obvious." While this standard is highly subjective, we feel that the public interest is best served by retaining public lands dedicated to recreation and natural amenities, and finding other resources to acquire new park lands. We do not wish to diminish the benefits of new and expanded park lands, but the cost of losing the Bandon State Natural Area is too high. We support acquisition of Whale Cove and Grouse Mountain Ranch when other resources become available.

In making it's decision, we urge the Parks & Recreation Commission to consider the following factors:

1. The Bandon State Natural Area (BSNA) was deeded to the state by the Dept of Interior in 1968 "for parks purposes only," not for trading stock. If OPRD decides to trade this parcel so that a golf course can be built, the reversionary clause may be triggered, and BLM may require OPRD to purchase the deed at 100% of Fair Market Value. Including this significant cost in the equation will make it hard to find the exchange provides overwhelming public benefit. Much of the money intended for purchase of Whale Cove and Grouse Mountain will be used to pay this debt to the Department of Interior.
2. The Commission should carefully consider the effects of the golf development on imperiled species thought to be using the BSNA, including Threatened snowy plover and a two rare plants: silvery phacelia (with a state rank of "List 1" meaning that it is threatened with extinction throughout its entire range) and beach sagewort (with a Natural Heritage State Rank of S1 - "critically imperiled because of extreme rarity..."). These rare wildlife need more room to expand and recover their populations. The golf development, even if well-designed to accommodate sensitive species, will shrink the area of potentially occupied habitat.
3. The sensitivity of the natural assets of the BNSA have been recognized for a long time. That is why this area is designated as a "natural area" where recreation is encouraged in a natural, undisturbed setting with fairly minimal infrastructure, as opposed to a highly developed recreation site, golf course, or OHV playground.

4. The Bandon State Natural Area is very close to the Pacific Ocean. With climate change and rising sea levels, there is a significant value in retaining this parcel because public ownership provides more options for climate change preparation and adaptation that serves the public interest. In private hands, the future management of this parcel in the face of climate change will serve private interests, not public interests. For instance, the private owner might be tempted to install hardened shoreline protection which would result in adverse effects public resources. Shorelines are supposed to be dynamic. Trying to impose static engineered barriers will cause unintended offsite impacts such as increased erosion on adjoining parcels. The state with its current focus on natural processes and limited infrastructure is in a better position to tolerate and accommodate natural dynamic processes such as dune migration and sea level rise.
5. In evaluating the relative public benefit of parklands in different parts of the state, the Commission should consider the relative level of public interest (as measured by public recreation visitor days) in coastal areas compared to eastern Oregon rangelands. To be clear, we value conservation of rangelands, but it is clear that the public value of coastal areas is highly significant when the number of visitors is considered.
6. The proponent is seeking full fee title to the land. Their proposed golf development is not cast in stone, so the "overwhelming public benefit" test must consider all possible uses of the exchange parcel, including those that might conflict with the public interest.
7. The outline of the proposed exchange also says "Bandon Biota's contribution towards acquisition of the Whale Cove property [and others in the proposal] is non-refundable and not contingent on completion of the rest of the exchange." This makes it difficult to apply the public benefit test. The benefits of the exchange must be appropriately discounted to account for the uncertainty of realizing the public benefits.
8. Gorse control, while a laudable activity, is likely to provide only short-term benefits. Gorse will not be eradicated. It will likely return to the treated areas, and require continued state investment after the money from Bandon Biota is exhausted, so the public benefits of gorse control must be appropriately discounted.
9. Trading away the 280 acres of the Bandon State Natural Area is not even required to build a golf course. The proponent already controls enough land east of the BSNA to build a course.
10. Water use for a golf course could have adverse effects on surface water used by fish and wildlife and other water users. Groundwater removal so close to the ocean could also cause irreversible contamination of groundwater via saltwater intrusion.
11. Secondary development surrounding the proposed golf course could adversely affect existing property uses, including prime farm land.
12. In 2010-2011, a similar land exchange proposal was determined NOT to provide overwhelming public benefit and rejected by the state. This slightly modified proposal also fails to provide "overwhelming public benefits" that are "resounding, clear and obvious."
13. In the history of state parks we are unaware of any large land exchanges proposed by third parties being approved under the "overwhelming public benefit" test, as such we encourage the Commission to carefully consider the precedent-setting nature of using existing park lands as trading stock.

Sincerely,

/s/

---

Doug Heiken, Oregon Wild  
PO Box 11648, Eugene OR 97440  
[dh@oregonwild.org](mailto:dh@oregonwild.org), 541.344.0675

**From:** Alex Linke <alex.linke@msn.com>  
**To:** "OPRD.publiccomment@state.or.us" <OPRD.publiccomment@state.or.us>  
**Date:** 10/27/2013 9:39 PM  
**Subject:** Proposes Land Exchange

OPRD,

I am writing to in support of the proposed land swap with Bandon Biota. The Bandon Dunes group has done a wonderful job in building world class golf courses and also preserving/enhancing our natural areas at the same time.

Our local economy has benefitted immensely as a result of the development of Bandon Dunes.

Oregon is lucky to have a great steward of the environment as Mike Keiser has been. He does things the right way with great business sense and equally important with a conservation mindset.

Overwhelming benefit without a doubt.

The proposed exchange has my full support.

Sincerely,

Alex Linke Jr.  
Co-Owner  
Table Rock Motel  
840 Beach Loop Rd  
Bandon, OR 97411

Sent from my iPhone

October 21, 2013

Governor John Kitzhaber  
254 State Capitol  
Salem, OR 97310

Dear Governor Kitzhaber,

A significant number of Grant County citizens and landowners have expressed opposition to the acquisition of the Grouse Mt. Ranch by the Oregon Parks and Recreation Dept. through a proposal included in the Bandon Biota Exchange. The Grant County Stockgrowers and the Oregon Farm Bureau are attaching our letters to the Oregon Parks and Recreation Department as well as letters from the Oregon Cattlemen's Association, the Oregon Farm Bureau and the Grant County Court that speak clearly of the many reasons we are in opposition of this proposal. Further opposition has been expressed locally by many individuals and organizations:

- to the Oregon Parks and Recreation Commission,
- to our state senators & representatives,
- to the Grant County Court on numerous occasions;
- at the public meeting that was held in Mt. Vernon to accept comments (which included our Senator Bentz who spoke in opposition),
- in the local newspaper through letters to the editor,
- by neighboring landowners who have expressed their opposition to OPRD staff in person.

Despite the outcry, the OPRD continues to mine for support and has ignored the concerns and expressions in opposition. We understand that no final decision will be made by the State Parks and Recreation Commission until November 20<sup>th</sup> but we are asking you to investigate why this state agency continues to pursue this action against the wishes of the county and the majority of the taxpaying citizens that feel this would be detrimental to the well being of our county. We request you emphasize to this state agency that the objections to this proposal should not be ignored and to respect our concerns by denying the continual passage of private lands into government ownership.

Sincerely,

Jack Johns, president,  
Grant County Stockgrowers

Jeff Thomas, president  
Grant County Farm Bureau

Encl: 5



**GRANT COUNTY CHAMBER OF COMMERCE**

301 West Main Street

John Day Oregon 97845

(541) 575-0547 (800) 769-5664 Fax (541) 575-1932

[gadmin@gcoregonlive.com](mailto:gadmin@gcoregonlive.com) [www.gcoregonlive.com](http://www.gcoregonlive.com)

October 7, 2013

Oregon State Parks & Recreation

Attention Jay Graves; Tim Wood; John Potter; Jim Morgan; Chris Havel

RE Proposed land sale of Grouse Mountain Ranch, Grant County, Oregon

Gentlemen,

Please be advised that Grant County Chamber of Commerce completely supports the proposed sale by George and Pricilla Meredith of Grouse Mountain Ranch to Oregon State Parks & Recreation.

OPRD does a tremendous job of effective, efficient and professional land management. Visitors come to Grant County to enjoy the abundant outdoor recreational opportunities. Grouse Mountain Ranch has tremendous potential; creating trails for biking, hiking, horseback riding and backpacking will attract additional visitors and create positive economic impact for generations.

Grant County Chamber of Commerce encourages OPRD to add Grouse Mountain Ranch to Oregon's asset list. Development and proper management of this valuable natural resource as an Oregon State Park will benefit Grant County residents, all Oregonians and out-of-area visitors. We are confident OPRD has the capabilities to manage this land for many years to come.

Respectfully submitted,

*Sharon Mogg*

Sharon Mogg, Executive Director

cc: George Meredith; file

delivered via e-mail



**LEAGUE OF WOMEN VOTERS®  
OF OREGON**

October 9, 2013

To: Oregon Parks and Recreation Commission  
Attn: Bandon Proposal  
725 Summer Street, Suite C  
Salem, OR 97301  
Email: [OPRD.publiccomment@state.or.us](mailto:OPRD.publiccomment@state.or.us)

Re: Bandon Property Exchange Proposal – COMMENTS

The League of Women Voters of Oregon is a nonpartisan, grassroots political organization that encourages informed and active participation in government. The League adopted positions on Parks in January of 1999. Positions include a belief that state government should **“acquire, protect and preserve natural, scenic, cultural, historic, and wildlife sites.....”**; **“protect public ownership of beaches”**; **“secure affordable and safe access to parks and ocean beaches.** The Oregon parks system requires a long-range strategic plan that, in part, should give high priority to **“Preservation and maintenance of existing parks; Protection and expansion of public access to ocean beaches; Acquisition of additional park resources”**.

We remind the Commission of OAR 736-019-0070 which provides criteria for consideration of approving an exchange, including a most important part of the rule: **“To approve an exchange that a party other than the Department initiates, the Commission shall determine that the proposed exchange provides an overwhelming public benefit to the Oregon State Park system, its visitors, and the citizens of Oregon.”**  
([http://arcweb.sos.state.or.us/pages/rules/oars\\_700/oar\\_736/736\\_019.html](http://arcweb.sos.state.or.us/pages/rules/oars_700/oar_736/736_019.html))

In 2011, a proposal related to the Bandon State Natural Area was determined to not meet the criteria for providing overwhelming public benefit. This amended proposal should be considered similarly cautiously.

Members from around the state have followed the Bandon property exchange proposal. In particular, the League of Women Voters of Coos County provided the public with an opportunity to learn about the proposal, including from proponents and opponents. As a result, LWVOR provides the following specific comments that we hope will help guide the Commission in its decision making and that you ask yourselves if these factors have been adequately considered:

1. The land that is included in this transaction should be valued based on a recent assessment, and any money received in exchange for land should not be less than the value of the land.

2. A covenant should be put in place to assure the use of the property continues only for the purpose of a golf course, as proposed, and not for any other future development, such as a resort or lodging. Instead of a “sale,” the property might be acquired through a long-term lease, with the land reverting back to park land, if land use conditions are not met.
3. If future geological actions cause the current beach adjacent to this property to subside or erode, and the property in the swap were to become the “new” ocean front beach, then the public must be provided free access to the “new” beach, as allowed under the Oregon law which protects public beaches. If the transfer goes through, it would also be an advantage to the public to have access to the beach through the property.
4. If the property were to become a golf course, no special waivers on local taxes should be allowed. (It has been reported that this area is not in an economic development zone and that a waiver of taxes would not be requested by Bandon Biota for this development.)
5. There should be some assurance that the water use for the proposed golf course does not have a negative impact on the current agricultural and residential uses in the area. An environmental assessment should be done, which would consider not only water use, but also impact from use of proposed chemicals, etc.
6. Questions have been raised about whether the adjacent parcel of land already owned by Bandon Dunes contains cranberry bogs, and whether their parcel and the park land are classified as *high value farmland*. If the land in question is zoned as *high value farmland*, then the question is whether a golf course would be a permitted use, or would qualify for a waiver under the County’s land use plan. This discussion should be done in a transparent manner so that citizens have an opportunity to hear these issues and comment.
7. Finally, there is a concern that this transfer would set a precedent, allowing a private business to purchase public land for a profit making venture.

The League recognizes that there is an opportunity for a new park in Grant County and that the proposal might have some economic benefits. But we cite a recent Oregon Values survey ([http://oregonvaluesproject.org/wp-content/uploads/2013/10/OVB\\_Summary\\_Top-Findings.pdf](http://oregonvaluesproject.org/wp-content/uploads/2013/10/OVB_Summary_Top-Findings.pdf)) where 57% of Oregonians value environmental protection. “They want an approach to economic development that recognizes the importance of the state’s natural environment to its quality of life.” With that in mind, and your own rule requiring for an overwhelming public benefit, we ask that you act cautiously and in the long term good of Oregonians yet to come.

Sincerely,



Robin Wisdom  
President



Peggy Lynch  
Natural Resources Coordinator

Susan Horn

PO Box 111

Mt. Vernon, OR 97865

October 2nd, 2013

Oregon State Parks and Recreation

I would like to submit a letter in support of George Meredith selling Grouse Mountain to Oregon State Parks and Recreation.

First and foremost, I believe George and his wife have every right to sell their property to anyone they wish. If the community as a whole has a problem with a potential land sale, they also have a right to make their voices heard. But our government, local, state or federal has absolutely no right to "dictate" who we as private citizens sell our private properties to.

The second point that I would like to make is that in my opinion "Oregon State Parks" makes a great neighbor! I have been involved with the City of Mt. Vernon for the past 18 years. First as a volunteer, then as a council member and currently as the Mayor. Throughout my involvement with the city, Oregon State Parks has stepped up to the plate many times to lend a hand. Our city had an annual city cleanup day for several years and State Parks was always a part of it. Several of their employees volunteered to help and they donated the use of equipment each year. The city of Mt. Vernon has continuously had inter-agency agreements with State Parks, both formal and informal. During times of emergency, they have always been right in the middle of our local emergency response. They have repeatedly loaned their P.A. system, tables and garbage cans to both the city and to community events. The class of people that Clyde Holiday State Park attracts has always been an asset to our community. Legal problems at the park are very rare and visitors often come to town to spend their vacation dollars at our local businesses.

I fully understand the concern of more property being taken off of our counties tax rolls. However, I believe the financial impact a park of this size would far out way any loss in taxes. Oregon State Parks currently employees at least 4 citizens from Mt. Vernon. These are people who were born and raised in Grant County. Family wage jobs with benefits are rare in our community and it is wonderful to know that 4 stable families have the choice to stay here and raise their families.

I would welcome Oregon State Parks and Recreation to our community. I am sure that any concerns that we may have could be solved and that the city of Mt. Vernon could greatly benefit from having them next door, again.

Sincerely,

Susan Horn



October 3, 2013

Commissioners  
Oregon Parks and Recreation Department  
725 Summer St. NE, Suite C  
Salem, OR 97301

Dear Oregon Parks and Recreation Commissioners:

Thank you for providing Oregon Farm Bureau an opportunity to testify at the Oregon Parks and Recreation Commission meeting held in Condon on September 24, 2103. The Oregon Farm Bureau (“OFB”) is a voluntary, grassroots, nonprofit organization representing Oregon’s farmers and ranchers in the public and policymaking arenas. As Oregon’s largest general farm organization, its primary goal is to promote educational improvement, economic opportunity, and social advancement for its members and the farming, ranching, and natural resources industry as a whole. Today, OFB represents over 8,000 member families professionally engaged in the industry and has a total membership of over 60,000 Oregon families across the State.

As expressed in our testimony, Oregon Farm Bureau (“OFB”) has several outstanding concerns and various questions associated with the proposed Bandon Biota land exchange and related acquisitions. Answers to the following questions may help alleviate some of those concerns, and at the very least, facilitate a more productive conversation with our members as to whether the proposal qualifies as an “overwhelming public benefit” to the parks system, its visitors, and citizens of this State. For that reason, we request that the Commission direct OPRD to answer the questions below so that Oregon Farm Bureau and its members can provide meaningful and thorough public comments related to the proposed exchange.

- What water rights, if any, will OPRD receive as a result of the proposed exchange? If OPRD intends to acquire water rights by exchange or acquisition, what specifically will the water’s beneficial use entail and what priority date will the water rights carry?
- How will OPRD utilize the Grouse Mountain property? For instance, will OPRD use the property for overnight camping, day-use, employee retreat center, or completely undeveloped? If OPRD intends to develop the Grouse Mountain property, how many buildings will OPRD build on the property and for what purpose will the buildings be used?
- In regards to the Grouse Mountain property, will OPRD lease farmable acreage or grazing rights to local farmers and ranchers? If so, has OPRD estimated animal unit months (“AUM”s) for the property and the price per AUM?

- 
- Will OPRD allow hunting on any of the acquired properties?
  - Will OPRD pay county governments and service districts an amount equal to lost revenue as a result of removing taxable lands from county inventory? If so, for how many years will the payments continue?
  - Based on OPRD anticipated plans for each acquired property, how many people does OPRD estimate will use and travel to the acquired properties? Has OPRD conducted any traffic or environmental studies to determine the impacts of such plans that may affect surrounding landowners and government service entities?
  - Again, based on OPRD's plans and estimated use, has OPRD developed budgets for each acquired property that fully reflect each property's anticipated management needs? For instance, has OPRD considered trail maintenance, restroom maintenance, road maintenance, vegetation control, and land management costs for each individual acquisition? If so, will OPRD make that information available for public comment prior to exchange/acquisition approval?

Thank you in advance for your answers to the questions above. Without more information regarding potential public impacts to the proposed exchange/acquisition, Oregon Farm Bureau's comments will remain fervently opposed. And furthermore, without more information to inform the public as to the benefits and costs of the exchange/acquisition, OPRD's calculus for making an "overwhelming public benefit" determination will prove to be an illusory standard.

If you have any questions or concerns, please do not hesitate to contact Mike Freese at (503) 399-1701 or [mike@oregonfb.org](mailto:mike@oregonfb.org).

Sincerely,



Barry Bushue  
President  
Oregon Farm Bureau Federation

Cc: Chris Havel *via email* at: [chris.havel@state.or.us](mailto:chris.havel@state.or.us)

Date: September 24, 2013

To: Oregon State Parks and Recreation Commission

Subject: **Public input regarding the proposed OPRD Bandon/Grant Land Exchange and Park Creation**

**The majority of Grant County residents have strongly opposed the proposed exchange and park creation** in numerous County Court meetings and public input sessions. The principal concerns can be summarized as follows:

1. Grant County already has too much unproductive public land- 2 out of every 3 acres- and needs to increase private ground, not reduce it. This topic and a related ordinance have been discussed in County Court for many months prior to the OPRD plan being known because of other proposals by the Forest Service and ODFW. Increased private ground is needed to provide agricultural production and tax revenue to sustain the County's economy. County citizens have called for no net loss of tax revenue and replacement of any "swapped" private ground with newly acquired private ground to offset those losses.
2. The proposed OPRD exchange does not fit into OPRD criteria of "overwhelming benefits" for new parks as required by their own guidelines. There is nothing unique about the Grouse Mt property; access is difficult, potential visitor volume is minimal, and it is much too large to fit the role of a "park". Further, OPRD has demonstrated a continued inability to properly develop and manage their existing parks such as Kam Wah Chung, Bates and Owyhee parks. Commitments for improvements and historical presentations have been unfulfilled and the same failings could be expected with another park.
3. The economic loss to Grant County from the proposed swap could be in excess of \$7.5 million, including tax and economic opportunity losses over the next generation. The park's contribution to the county would be negative since operating expense comes from the private sector and visitor revenue to local businesses would be negligible given its remote location and lack of proximity to county businesses. A transaction fee payment by OPRD to the County of at least \$7.5 million would be required to offset these losses.

We know that our State Representative, Cliff Bentz, District 60, agrees with us on these issues because he attended the public meeting in Mt. Vernon and so indicated. We also understand that he will be writing a letter setting forth his objections to the proposed trade.

We ask the OPRD Commissioners to consider how you would feel if we announced we were coming into your homes and converting your property into our business using your money to pay for it. The arrogance of imposing your will on our county against the wishes of the citizens is a provocation that will not be ignored.

**We respectfully request this proposal be dropped immediately and assure you we will use every legal, political and financial resource available to oppose the plan if it is pursued.**

Sincerely,

Concerned Citizens of Grant County

Grant County Farm Bureau- Jeff Thomas, President

Grant County Sheriff- Glenn Palmer

Grant County Livestock Association-Jack Johns, President

Grant County Assessor/Tax Collector- Lane Burton

Grant County Commissioner-Boyd Britton

CC:

Oregon Representative Cliff Bentz, District 60

Oregon State Senator Ted Ferrioli

Oregon State Senator Jeff Kruse

Oregon State Representative Wayne Krieger, District 1

Oregon State Senator Betsy Johnson

Oregon State Senator Alan Bates

Oregon Governor John Kitzhaber

## OPRD Publiccomment - Bandon State Natural Area Exchange Proposal

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**From:** "Dan" <dmz29b@frontier.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 9/23/2013 9:50 PM  
**Subject:** Bandon State Natural Area Exchange Proposal

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To: Oregon Parks and Recreation Department, Oregon Parks and Recreation Commission members

Re: Bandon State Natural Area Exchange Proposal

September 23, 2013

I greatly appreciate the transparency that OPRD has demonstrated in this process. The on-line posting of comments and OPRD documents has been invaluable. This depth and level of information could not have been available in public meetings only. Thank you!

Bandon Biota first approached OPRD about acquiring part of the Bandon National Area in 2010. At the Coos Bay meeting on July 17, 2013, Jim Morgan of OPRD said that it was rare to have an outsider approach the department about acquiring state park land. He said the department was not sure how to proceed and "agonized" over the process.

It was clear that any proposal would need to meet a high standard. Over 3 years, Bandon Biota sweetened the deal until some felt that the high standard had been met.

I disagree, as do many individuals who have commented on the website.

The preservation of places of wildness and great beauty for us to enjoy is a gift that has been given to us by preceding generations. Theodore Roosevelt talked about the people owning together the most magnificent places. Frederick Olmsted said that the rights of posterity are more important than the desires of the present. The beaches of Oregon are publicly owned because of the application of this type of thinking.

I think we should continue this grand tradition for both future generations and for the wildlife that inhabit these areas. Wild coastal areas in temperate climates are among the scarcest of natural resources and are among the most desirable for "development."

We are being told that there is nothing in the Bandon Natural Area but dunes covered with gorse. We are told that the best use of this resource is to turn it over "FREE OF RESTRICTIONS IN USE" to a private developer since public funds are not available for gorse removal.

We are told about all the monetary advantages of having yet another world renowned golf course that attracts individuals and celebrities from around the world (many of whom are arriving in private jets and paying huge amounts to play and stay at a destination resort.) We are told of all the economic benefits we receive from having Bandon Dunes in our community. We are told how "green" the resort

is.

We are not told of the 5 year enterprise zone tax exemption. We are not told that this world class resort has one of the lower tax rates in the county. We are not told of the numerous corporate tax benefits that are used for corporate golfers, nor of the tax payer subsidies to refurbish the airport for the increased number of private aircraft. We are not told how the resort maintains its manicured fields, nor are we told (except by one commentator Lynne Leisy, August 8 2013) how those playing fields were shaped.

In his presentation, Jim Morgan talked of consolidating parks with contiguous areas, increasing acreage and reducing high maintenance areas. This corporate numbers based management approach does not address non economic issues. This concerns me. It seems to be about looking good on paper.

What would future generations lose? In his comment on July 17, 2013 Reg Pullen spoke eloquently of how this area used to be:

“open meadows extended for miles from China Creek to Four Mile Creek. Lower Two Mile Creek was a beautiful stream lined with a lush grove of willows and provided great trout fishing”  
He advocates giving the area to Bandon Biota because they have “demonstrated an ability to suppress and eradicate gorse on their property.” I respectfully suggest that instead we ask them how they do it and get it done. Restore this area! Are we going to give away/sell all public properties with noxious weeds because we are not willing to assume the responsibility for these places? Wouldn't it be better to restore these areas and grow things? How about contests for gorse eradication and/or uses?

We are told that the best we can do is service/servant jobs at resorts. I think we can do better. Our economy would be better served with local agriculture and value added timber products. We are blessed to live in a beautiful area with mostly great weather. People come from all over the world to experience this beauty. Let's take care of it for both ourselves, our visitors and future generations.

Lydia Delgado  
555 Douglas Ave.  
Bandon OR 97411

**OPRD Publiccomment - Bandon State Natural Area Exchange Proposal**

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**From:** "Dan" <dmz29b@frontier.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 9/24/2013 7:57 AM  
**Subject:** Bandon State Natural Area Exchange Proposal

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September 23, 2013

To: Oregon Parks and Recreation Department

To: Oregon Parks and Recreation Commission Members

Re: Bandon State Natural Area Exchange With Bandon Biota

I attended the North Bend Commission meeting July 17th and the Bandon Open House meeting August 16th. I have read all the comments and the meeting notes plus the voting results from the open house meeting held at Bandon, Coos County and Mount Vernon Grant County. I want to thank the department staff for providing all the documents needed to make an informed decision.

After taking all this information into consideration, I would have to agree with many others who have provided input to the current commission. That this proposal DOES NOT meet a high standard of 'Overwhelming Public Benefit'.

Nor public Support..as shown by the meeting notes, comments, and voting results from Bandon and Mt. Vernon.

I believe the Oregon Coastal area is a crown jewel for the the State of Oregon. 362 miles of Ocean Shore. One of three states with an Open Beach Law. The Bandon State Natural Area is a gem in that crown. The name says it all. ( Natural Area) Once it is sold, it is gone forever from the park system. Never to be natural again. The idea that OPRD cannot manage 280 acres of coastal land with gorse and should exchange it for 6,300 acres elsewhere that Dept. thinks it can manage does not make sense. This seems rather shortsighted to me. Your annual Performance Progress Report finalized (9/1/2013) states that Facilities Backlog repairs lags behind to about 79% complete---a backlog that has been on the books since 1999. These needed maintenance projects are on- going, and have to be addressed to maintain the #3 state ranking (2008-2009) as having one of the nation's best park system with total visits per state park acre. I would think that maintaining a high ranking and keeping what we have for our citizens / visitors would be of a higher priority for OPRD than obtaining larger tracts of land that will be harder to maintain and access. Grouse Mountain would only add to the overgrown Facilities Backlog.

A new park, Cottonwood Canyon is over 3,100 acres currently with plans to be over 8,000 acres. Silver Falls State Park is over 9,000 acres. The area of Grouse Mountain has 6,300 acres, OPRD already has 2 state parks nearby. Also in the same area are 23 combined US forest service and BLM parks-- all are in the vicinity of John Day, Grant County. Does OPRD want to get in the Fish and Game Business in Grant County ? Seems like a duplication of state agencies services. The figures I found on OPRD's web site are 3 years old. As of July, 2010, OPRD had a total of 102,457 acres, with over 361 parks with the average size park being 284 acres. Why does OPRD want such large tracts of land ? I would think that during lean times with tight state budgets that OPRD would be trying to keep up with the large backlog of repairs to the existing parks maintained by your Dept. Let's make the park system the best not the biggest.

We need more partnerships ( with schools, civic groups, volunteer organizations...) to make our park system even better for the future. Perhaps the new Commissioners could invest in some time spent with local citizens obtaining more input. That means you give all the people you represent a chance to speak to you. Not just OPRD staff, business folks or politicians in your areas that you represent. I believe that is why the Governor appointed each of you. To represent all the citizens in the State Of Oregon. Partnership programs can work when money and favors are not an issue.

Again, after reviewing the information concerning this land exchange. I ask the commission to deny this request.

This proposal does not meet a High Standard of 'Overwhelming Public Benefit'. OAR 736-019-0070(4) to the Oregon State Park System, its visitors, and citizens.

I and many others believe it is a resounding NO to this land deal... CLEAR AND OBVIOUS.....

Thank You For Requesting comments.

Daniel D. Williams  
88954 Beverly Lane  
Bandon, Oregon  
97411

September 21, 2013

Ralph J. Baxter  
P. O. Box 316  
Bandon, OR 97411

Mr. Tim Wood, Director  
Oregon Parks and Recreation Department  
Members, Oregon Parks and Recreation Commission  
Attn: Mr. Chris Havel  
725 Summer St. NE, Suite C  
Salem, OR 97301

Re: Proposed Land Exchange with Bandon Biota

Dear Director Wood and Commissioners,

The only appraisal available now of the BSNA land under consideration as a part of this land swap has recently been defined as "outdated and obsolete". The comments below apply to that "outdated" appraisal. They are also relevant to any future appraisal done on State lands. I hope new appraisals will be posted soon.

It is my judgment that any use of this outdated appraisal is detrimental the best interests of the State.

The appraiser makes a statement similar to the following numerous times throughout the appraisal document:

*"... there is a hypothetical assumption given in the Scope of Work that the appraiser is to assume a highest and best use of a possible golf course."*

And also states:

*In addition, the verbal instructions are that the appraiser is not to consider any special benefits or damages to the remainder property of the State ownership."*

The appraisal has been limited by these assumption to determine the value of the property to Bandon Biota, LLC., not to the State of Oregon. The restrictions (assumptions) placed on the appraiser by the state made an accurate determination of value impossible.

The BSNA land value was determined on the basis of comparable properties as an adjunct to a proposed golf course. Without this assumption there could be no comparable properties. The property is without parallel and without any comparable properties that could be used to determine value. A new 200-acre, beachfront, natural, un-molested area could not be purchased with the entire Oregon state treasury.

If you are a seller, as the OPRD is in this land swap, the actual value to the seller must be determined. Knowing the value to the buyer, not the value to the seller, is not a way for the seller to proceed with an exchange. The OPRD is being misled by this appraised value that conforms to the assigned Scope of Work.

The mandated assumptions required the appraiser to work within limits that made the results of his appraisal extraordinarily limited. He must only consider the value of the property to Bandon Biota, LLC. as an addition to their proposed golf course. Thus, this limited appraisal is useless to OPRD in establishing the actual value of the State property, Bandon State Natural Area.

The appraiser was required to determine the potential value of the land with the only allowable use specified as part of a fictional proposed golf course of indeterminate specifications. This would not allow the appraiser to find that the property had a highest and best use as an irreplaceable State Park Natural Area with over 300,000 visitors each year.

The appraiser describes the wonderful piece of property and is then limited to determining the value after it has been mauled and destroyed to create additional space for a fictional, nonspecific golf course.

There is no comparable property that can be used to determine value. This property cannot be replaced. The entire state of Oregon does not have an additional 200+ acres of natural, un-molested, unimproved property overlooking the ocean that could be used to replace this loss. This appraisal simply does not reflect the value of an irreplaceable State Park Natural Area.

The often-quoted description of the property as goarse-choked wasteland is very pejorative and inaccurate. Just viewing the photos attached to the appraisal invalidates this statement.

I urge OPRD to re-consider depriving 300,000 visitors per year, future generations of Oregonians and others, of the enjoyment of this natural area's uncommon beauty.

  
\_\_\_\_\_  
Ralph J. Baxter  
Bandon Oregon

September 15, 2013

Governor John Kitzhaber  
Oregon State Capitol Building  
900 Court St. NE, Suite 254  
Salem 97301- 4047

Oregon Parks and Recreation Department  
Christ Havel  
725 Sumer St. NE  
Salem, Oregon 97301  
Email: [chris.havel@state.or.us](mailto:chris.havel@state.or.us)

RE: BANDON BIOTA EXCHANGE

Governor Kitzhaber, Chris Havel and OPRD Commission:

I am opposed to the land swap and cash exchange between OSPRD and Bandon Biota. You must protect the Bandon State Natural Area for the enjoyment and education of present and future generations because of the “outstanding natural significance” of this piece of land to our state park system. The Bandon State Natural Area is a unique, irreplaceable parcel of land. If you allow Bandon Biota to acquire this land, the State of Oregon will never own another piece of land like this. As my grandfather said, “They aren’t making more land.”

Another issue that has not received attention in the Bandon Biota exchange is the effect on adjacent and nearby cranberry bogs. The majority of the cranberry bogs in the area are zoned Exclusive Farm Use under the Coos County Zoning code. This poses a serious obstacle to a golf course. A new golf course adjacent to or in the middle of cranberry bog areas would cause many conflicts. These include: (a) availability and use of water by area farmers, as there is not much "new" water available, and farmers need to maintain current supply and water quality for food production; (b) ability to conduct common farming practices; (c) disruption to drainage systems and increased flooding; (d) impacts to the local agricultural industry, especially the critical mass needed to support agricultural infrastructure.

Anticipating building these next three golf courses, Bandon Biota has already purchased several cranberry bogs and is adjacent to quite a few other cranberry bogs. Oregon State law is very protective of high value soils (HVF) and the crops they grow, including cranberries. Any attempt to site a golf course in this area, even if the exchange is completed, would be subject to the "exceptions" process. In considering whether or not this exchange is of "overwhelming benefit" to the citizens of Oregon, you must also weigh the loss of these irreplaceable cranberry bogs in the balance.

Please continue to protect the residents of Oregon and do not approve this land and cash exchange.

Cindy Gant  
PO Box 1587  
Bandon OR 97411  
[cindygant@msn.com](mailto:cindygant@msn.com)

State law defines certain kinds of highly productive soils as "high-value farmland" (HVF). High value farmland means a tract of land composed predominantly of certain soil types. A "tract" means one or more contiguous lots or parcels under the same ownership. In the general area of the new Bandon Muni golf course, three HVF soil types are found, Bandon-Blacklock complex and Blacklock fine sandy loams. These soil types are designated as farmland of unique importance by US Department of Agriculture's Natural Resources Conservation Service, recognizing their capacity to grow cranberries. Most of the HVF soils in this area are east of the dunes, while the lands to the west, including BSNA, have no HVF soils. Under the "soil types" definition, the HVF definition can be "diluted" by adding more land, such as the BSNA chunk if exchanged. That would dilute the *percentage* of HVF in the tracts containing HVF, and make the area ineligible for protective HVF regulations under state law.

**But cranberries are perennials, and cranberry bogs have water permits:** Part of the definition in state law of HVF outside the Willamette Valley (ORS 195.300 (10) and 215.710) includes land growing specified perennials as of December 2007 according to Farm Services Agency photos. One of the "specified perennials" is cranberries. Any land in a contiguous block that includes cranberry production that has been there before 2007 would be considered HVF, regardless of soil type. It also wouldn't matter if more land (such as the BSNA parcel) were added to make a larger tract under a single ownership, such as for a golf course. *If the tract includes cranberry production anywhere in its boundaries, it would be considered HVF.* In addition, if the existing cranberry bogs were as of 2007 "in the place of use for a permit (or) certificate of decree for use of water for irrigation issued by the Water Resources Department," the tracts would be considered HVF, regardless of what percentage of the land in a tract is actually farmed for cranberries.

**Why is this important?** If any of the land in question is thus by definition HVF, a golf course is **not permitted** on lands zoned Exclusive Farm Use (ORS 215.283 (2) (f)). The only way a golf course could be allowed is if Bandon Dunes applied to Coos County for a "reasons exception." This land use proceeding would require that Bandon Dunes show why a golf course needs to be located on resource (i.e., cranberry bog) lands; what alternatives exist to placing the golf course on resource lands; the long-term impacts of changing the use; and what measures would reduce adverse impacts.

P. O. Box 1471  
Port Orford, OR 97465  
September 2, 2013

Oregon Parks & Recreation  
725 Summer Street Suite C  
Salem, OR 97301

Attn: Bandon Proposal

To the OPRD Commission:

I do not play golf, though my husband enjoys the sport. I am a private citizen who is concerned about how we use our land in Oregon. I question whether the proposed swap by Bandon Dunes would really have "overwhelming public benefit." We went through this a few short years ago when a Curry County Commissioner had similar ideas. As you know, there was a huge public outcry from this area at the time, with many good reasons, in my opinion.

I would ask the Bandon Dunes people, "How much is enough?" The proposal for yet another course seems to me to border on greed. Together with Bandon Crossings, also a highly-rated course, Coos County seems to have enough places for those who so desire to play golf.

In hearings about the previous proposal, people pointed out statistics concerning what proportion of the public actually plays golf and how many courses are having difficulty in these tough economic times. Does the money really trickle down to help the communities where golf courses are located?

I urge you to use your best judgment on this issue and hope that you will deny this request.

Very truly yours,



Shirley Nelson

September 4, 2013

To: Oregon Parks and Recreation Department

To: Oregon Parks and Recreation Commission Members

Re: Bandon State Natural Area Exchange Proposal with Bandon Biota

I attended the Bandon meeting concerning this issue in August and want to thank the Parks Department for coming to Bandon to hold the meeting.

I do not believe this proposal meets the criteria of an 'overwhelming public benefit' to the parks system. I won't repeat many of the comments already made in other letters, but want to make two points.

1. From the beginning, this transaction has been referred to as a 'swap/exchange'. In its current iteration, there is not much swapping going on, it is simply an outright sale of public park lands to a private developer. In this deal, the plan is to keep the proceeds within the Oregon parks system to purchase other public properties. However, what, in the future, is to prevent the state from selling public park property to another developer, and using the money not for other public park purposes, but for other objectives the state feels is important, such as funding the shaky retirement system, better schools, roads, a bridge across the Columbia River? All these projects require money. State park properties could be viewed as an available source of funds. There are many developers who would be only too happy to pay a lot of money for some of Oregon's beautiful public lands. How will you say no to them after okaying this deal? Moving ahead with this would set a dangerous and unfortunate precedent.
2. What is so special about the Bandon State Natural Area that makes it so critical to Mr. Keiser's vision of another golf course? There are thousands of acres of undeveloped forest and farmland adjacent to and near this property where one could construct a perfectly decent golf course. Surely there are landowners in this area who would be receptive to a generous offer to sell to Mr. Keiser. Just look at Bandon Crossings Golf Course which is just across the road from the Bandon State Natural Area. This golf course was built just a few years ago without using any public property. If these folks did it, I am sure he can too. If this deal is rejected, there is nothing stopping him from acquiring private property to enable him to move ahead with his project.

Thank you for your consideration.

David Hellmann

761 12<sup>th</sup> St SW

Bandon, Oregon 97411

August 31, 2013

To: Oregon Parks and Recreation Department

To: Oregon Parks and Recreation Commission Members

RE: Bandon State Natural Area Exchange Proposal with Bandon Biota

I am opposed to the proposed land "swap" between Oregon Parks and Recreation Department and Bandon Biota. Not only does it not provide for overwhelming public benefit to the park system, its visitors, and the citizens of Oregon, I do not see a public benefit at all.

Coastal Property is a limited commodity. It is scarce and cannot be replaced. Your website says "The mission of the Parks and Recreation Department is to provide and protect outstanding natural, scenic, cultural, historic and recreational sites for the enjoyment and education of present and future generations."

At the meeting you held in Bandon in July, you said one of the purposes of the OPRD is to protect land from development, however, you are considering turning over scarce property to an individual for development.

Not only would this be a bad thing for the park system, its visitors, and the people of Oregon, it would be a very dangerous precedent that you would be setting. The precedent of the Parks and Recreation Commission turning land over to an individual for development is absurd. I would actually call it selling parks land to a developer.

You said that you want to save Whale Cove from development but you want to put up land you already own for development in this land swap/sale.

I attended the meeting you held in Bandon where you heard public comments. Many people gave excellent reasons why this land swap should not happen.

One person mentioned that today the piece of land you want to give away is coastal property, but in the future it will be ocean front property. We heard it, but I am not sure how many people took this seriously.

Well, timing is everything and you need to read the article in the August 2013 issue of *Vanity Fair* magazine. The article is called "From Coast to Toast." It is an article about how the beaches and bluffs in both Malibu and Nantucket are disappearing into the ocean. There are pictures of the beaches as they were in the past and as they are now in 2013. Broad Beach in Malibu has lost over 60 feet of the beach in just the last ten years. Pictures comparing the

beach in 1972 and 2013 are shocking. Here is the link to that article:

<http://www.vanityfair.com/society/2013/08/end-of-malibu-nantucket-erosion>

The land that you hold is valuable and rare and it should not leave the Oregon Parks and Recreation Department's holdings.

Another person at the meeting mentioned the huge amount of water that is drawn from the wells that the Bandon Dunes have. They said that drawing a lot of water from an area such as the land you are thinking of turning over to Bandon Biota could cause problems for the people who live out in that area and have wells.

I am having a problem finding any benefit to having another golf course vs. having this rare piece of nature in our parks system protected from development.

Several people mentioned the many forms of wildlife that live on this piece of property. What would be the benefit of destroying all this for another golf course?

The mention of jobs that might be created by a new golf course should not be a consideration for the Oregon Parks and Recreation Department when making this decision. These jobs would have no effect on the Parks and Recreation Department. The creation of 40 or 50 or even 80 jobs, mostly minimum wage, would not provide for overwhelming public benefit to the park system, its visitors, and the citizens of Oregon.

I know things are very tough job wise in Oregon and I want every person who wants or needs a job to have one. However, the decision to be made here is to be based on whether or not this land "swap" provides for overwhelming public benefit to the park system, its visitors, and the citizens of Oregon.

It was mentioned by Jim Morgan, in his presentation, that the land we have has gorse on it. It was also mentioned that the land we would get in the "swap" also has gorse on it and not to worry because gorse can be removed. It can be removed on the piece we already have just as it can be removed from the land we might receive in the "swap." Doesn't the OPRD have a gorse removal program for the land it owns?

So there is gorse and it can be removed. It is not a reason to get rid of a scarce commodity.

I keep putting the word "swap" in quotes for a reason. When the proposal was first introduced in 2010, it was a swap of lands being proposed. After evaluating the swap and deciding there was no overwhelming benefit to the park system, its visitors, and the citizens of Oregon, the proposal was not recommended by OPRD.

Now there is a new proposal and it is still called a land “swap”. Realistically, we now have a land sale. The same properties that were found to not be beneficial are still the same properties that would be received. But now there is money involved. And once we have money involved, we now have a land sale. You want to sell a property that now belongs to the Park System to an individual for development for approximately 2.9 million dollars. And then with those 2.9 million dollars, you want to buy Whale Cove and you want to buy property in Grant County for a park that Grant County does not want.

And so I have stated my case. Please hold true to your mission statement and to your criteria of considering land acquisition and exchange only when it has provided for overwhelming public benefit to the park system, its visitors, and the citizens of Oregon.

Since this seems to now be a sale and not an exchange, maybe it is not to be considered at all.

Sincerely,

Judy Smilan

761 12<sup>th</sup> St. SW

Bandon, Or 97411

----- Forwarded message -----

From: Nancy Evans <naevans1@frontier.com>

Date: Sat, Aug 17, 2013 at 12:44 PM

Subject: Re: Bandon meeting

I am in total favor of the plan but have not said anything formally.

If you would like to know I have 3 businesses in town, one a vacation rental for bird wachers here on the Jetty.

I think the folks out at the Resort are some of the best care takers of our environment around our area...maybe the very best! Plus they are currently granting funding from their new organization called Wild Rivers to help family farms in Coos County. I was the manager of Bandon's Little Farmers Market for 13 years...we are very happy this Golf Resort money is going to help our farmers!

If this email can count as public input please include it.

Thank you again for your help,

Nancy Evans

1057 4th Street SW

Bandon, Oregon. 97411

541-8081069



From: Nancy Evans <naevans1@frontier.com>  
Date: Sun, Aug 18, 2013 at 12:27 PM  
Subject: Fwd: City of Bandon Special Council Meeting Agenda and Resolution - August 19, 2013

Hello, I am on the city manager's email list and on Friday morning this Public Notice of a Special Meeting of the City Council tomorrow at 4PM arrived in my Inbox(please see below). I still had my fingers crossed a Resolution of Support for the "land trade" was forth coming. Unfortunately the city of Bandon has NOT giving any Public Comment.

In fact as far as I know the subject of the land trade and any resulting impact, one way or the other, has never been discussed formally here in town. Lots of "street talk" but NO discussion at the Planning Commission or City Council or any special district(fire, etc.). Why not? Your guess is as good as mine.

Of course the lands being considered/offered in the deal are outside the city limits but I was told guests of the proposed course will be using our town's accommodation, restaurants, etc. because the new courses will not include these services....giving Bandon great opportunities for managed growth. A God-Sent for a small town in the middle of nowhere you would think!

The Resolution the City IS interested in passing gives us a hint of what really is important to the Mayor and her Council.

The pests our city wants killed now are the food for the birds to come... Right? Will the federal government spray our pristine land and the certified organic and wild harvesting areas? Or will they... Just Say No?

The folks we depend on to lead and guide our town are surrounded by the most beautiful natural resources of all types. I have traveled and this is a very special place. What is offered by Mr. K is a blessing! I wish he would just buy the town! So someone with an understanding of the balance we must maintain could take care of it the way it deserves. The funny part? Bandon city hall would consider an offer. Really! ;-)

Anyway it is a perfect Sunday here on the Jetty overlooking Redmond Pond, everything in balance and harmony. I hope you have a wonderful day where you are too,

Nancy Evans  
bandonbirdhouse.com (see on FilpKey.com)

ps is the note above(and attachment) worth putting with the other public comments? If you think so please be so kind as to submit with my thanks.

**From:** Carol Acklin <cacklin@mycomspan.com>  
**To:** <chris.havel@state.or.us>  
**Date:** 8/21/2013 2:22 PM  
**Subject:** Bandon Biota

I attended the meeting on this land exchange when it was held in Bandon. I support the exchange. Even though it is public property and therefore a hot issue for some, I feel that the lands we will get in return (Whale Cove and that beautiful ranch in Grant County) for this hard-to-get-to piece of property far outweigh its loss to the Bandon area. Also, allowing Bandon Biota to create a municipal golf course allows for a far greater use of the property than exists today.

I understand there are a large number of visits to the said area, but I suspect many were repeat visits rather than unique visits. In addition, the land swap leaves a very large piece of the park untouched for use by those interested in the wildness of that area.

Your meeting was very well done. The two gentlemen who ran the meeting (Chris and Jim) were polite and level-headed, even when a few in the audience attempted to bully the proceedings. While I suppose that most of those attending were against the swap (only 4 of us spoke up in favor), I felt no "wave of anger" from most of them. They will no doubt grumble, but I doubt there will be more than that. Lots of people in Bandon either support the swap (and therefore felt no impetus to attend) or have no opinion on the matter.

Ultimately, the economic benefit from a new development will be good for the area and the jobs will be appreciated. I also look forward to visiting the two new beautiful parks that Oregon will develop.

Carol Acklin  
Bandon

**Chris Havel - Don't take our park**

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**From:** Larry Vonderlin <bandonites@hotmail.com>  
**To:** "chris.havel@state.or.us" <chris.havel@state.or.us>, "OPRD.publiccomment..."  
**Date:** 8/6/2013 3:04 PM  
**Subject:** Don't take our park

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To: Chris Havel

There is only a small percentage of Americans who play golf according to the National Golf Foundation. The number is less than 8%. The percentage of Americans who have visited out national parks is 81%. This does not include county, city and state parks but shows that, in general, ten times as many Americans use parks than those who play golf. The proposal to take part of the Bandon State Natural Area and turn it over to a private company for yet another golf course is absolutely wrong. If you allow this to happen you will be acting against the demonstrated wishes of the American people and giving in once again to a small, well-moneyed group. Taking valuable park land and turning it over to a rich developer in no way improves the park system.

Larry Vonderlin  
56507 Prosper Jct Rd  
Bandon, Or

**Chris Havel - Bandon Biota Proposal to swap land for part of Bandon Natural Area**

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**From:** "William P. Russell" <billruss@mycomspan.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 8/18/2013 10:41 PM  
**Subject:** Bandon Biota Proposal to swap land for part of Bandon Natural Area

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The undersigned has been a resident of Bandon, Oregon for over 23 years. I was an active player in the fight to "Save Coquille Point." After which I was a City Councilor for 4 years. I was the founding President of Shoreline Education for Awareness and continued to lead SEA Inc. for 17 years. I have been President of CyberLynx for 14 years and am one of two volunteer teachers who offers free computer classes in Bandon. CyberLynx also serves as fiscal agent for BandonCares, a collaboration of the nonprofits that serve Bandon and of BandonPrepares, a nonprofit of which I was the founding President in December 2012. BandonPrepares supports the City of Bandon and the Bandon Rural Fire Protection District in developing disaster preparedness in the greater Bandon Area.

So I have a deep personal investment in this community. Once again I am deeply torn between my hope and my fear. In the early 90's, Mike Keiser's agents were proposing a change in zoning to permit the building of a golf resort that "will put Bandon on the map." They presented glossy brochures assuring us that this would be a different kind of golf course with minimal ecological impact. At the time I said "I am cautiously optimistic, we should give them a chance." By now my optimism has been amply rewarded. Bandon Biota is not only a land acquisition agent, but also a real player in the conservation movement in this area. Their work to restore salt marsh in the Coquille Estuary will augment the difference in Coho salmon recovery earned by the conversion of the Ni-les'tun Unit of the Bandon Marsh NWR.

This new proposal brings back both the pros and the cons but I am gently bending toward giving them another chance. But I'm not sure so I propose a counter offer: a 30 year revocable lease instead of a transfer of ownership. Include in the lease strict controls over the number and types of buildings to support the golf operation and an escape clause to terminate the lease early if conditions are not met with mandatory arbitration in case of difference of opinion over violations. Make the control of gorse a continuing condition of the lease not a one time expense; they are masters of gorse control and know that a single treatment is a waste of time and money unless followed up by continuing action. Take the beachfront property and the subsidy of the Whale Cove purchase but let the Grouse Mountain purchase wait for other funding. The Coast Trail rerouting at Sheep Ranch should be kept but the location and routing should be revealed to the public.

**Chris Havel - Proposed Bandon Biota/BSNA Exchange**

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**From:** "David R. Allen" <daveallen@estplanlaw.com>  
**To:** <chris.havel@state.or.us>  
**Date:** 8/21/2013 4:57 PM  
**Subject:** Proposed Bandon Biota/BSNA Exchange

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I have been a Bandon resident for over 13 years and am recently retired. I support the proposed exchange for the following reasons.

1. Mr. Keiser has been an enlightened golf course owner, having recently won a national award for environmentally sensitive course maintenance.
2. The town of Bandon will benefit from the construction of a new course of this caliber south of town – it will cause Bandon Dunes Resort guests who otherwise might not leave the resort to travel right through downtown Bandon to try the new course.
3. If one measure of “public benefit” is how many members of the public use and enjoy any given piece of property, it seems clear to me that more members of the public will use and enjoy the 260 acres Mr. Keiser seeks to acquire when it becomes a (public) golf course than ever do now. More members of the public will use and enjoy the remaining 800 acres of the BSNA than do now because of the gorse control Mr. Keiser will contribute to the remaining parcel. And many more members of the public will use and enjoy the 6,000 acres in Grant County when they become public domain than do now. Maintaining the unspoiled nature of Whale Cove in Lane County will also benefit the public in the future when the proposed parcels are removed from the possibility of residential development.

Thank you for your consideration.

David R. Allen

Chris Havel - Fwd: Bandon Biota proposed land swap

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From : "blaine s. rose" <broseandorjhull@gmail.com>  
To: <chris.havel@state.or.us>  
Date: 8/28/2013 1:55 PM  
Subject: Fwd: Bandon Biota proposed land swap

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Regarding the proposed Bandon Biota land swap:

As I understand the measuring stick is "overwhelming benefit to the public". If this is true then increased jobs and getting rid of gorse on both the swapped land and also on other State land should be included in this measure. If the State was in a position and had to wherewithal to eliminate the gorse on the land involved in the proposed swap presumably they would have already done it. That has not happened. But Bandon Dunes has the proven ability and financial resources to do it. So to me part of the choice is gorse or mitigation. The latter won't happen without the swap. The public would be foolish to fail to take advantage of this opportunity.

And as a Coast Watcher reporting on miles 93, 94 and 95, I have reported for about a year now that gorse has started to appear on the West side of the New River, where it is joining that other invasive specie, European beach grass. The less gorse there is on the East side of the New River, the less seeding will occur on the West side. The snowy plover are already pressured by botanic changes along the dunes and the gorse is not going to make the situation better for those little birds.

I own ten acres at 86544 Lower Fourmile Lane (very close to the proposed swap) and have been fighting gorse (with not inconsiderable help from the Bureau of Land Management) on our land for years with some success. But I am surrounded by absentee owners with gorse covering their properties (and constantly reseeding mine).

Any thought that the current park property is available for public enjoyment is fatuous. Have you ever tried to walk thru thick gorse? Can't be done unless you are a rabbit or a path has been cut. (Which Bandon Biota has kindly done on the land they acquired from the county at the end of Lower Fourmile Lane for the benefit of the public.)

We have already had at least one fire start over in that area two or three years ago. An area that is very rarely visited so there is very little monitoring. The history of Bandon and fires started in or propagated by gorse is well known. If the land swap goes forward and the proposed golf course is built the chances of another fire, possibly expensive and/or fatal will be considerably reduced. This, too, should be weighed in considering public benefit. If there is a fire which leads to property damage or fatalities Oregon Parks might be liable.

I am not a golfer but I have enjoyed the opportunity to walk and tour the various Bandon Dunes courses. I was struck by the presence of deer who were not at all perturbed by the my presence. Unlike the deer at our own property. And the deer around our place have been declining noticeably according to both my observations and those of our neighbors over the last six years. The local mammals include beaver, raccoon, porcupine, skunk, fox, deer, rabbits, and numerous rodents including field mice and voles. I am no biologist but I suspect the only group that would suffer if that land became a golf course would be the rabbits as they can travel within the gorse and so would lose shelter. But, even for them, there will be grass. And the local deer population, now severely stressed, may increase and find habitat.

It should be noted that the Keiser Foundation has been immensely supportive of many community activities in the Bandon area thru their charitable activities and donations and presumably these will continue and be enhanced as Bandon Biota's economic activities expand. This, too, should be included when evaluating "overwhelming benefit to the public".

Property tax revenues to the school district, the hospital district and others will be enhanced if this proposed swap goes thru.

Bandon Biota happens to own a large expanse of land immediately across the Lower Fourmile Creek

and South of my property. They have been a wonderful neighbor, immediately responding when wind damaged one of their buildings and sent a crew out to mitigate the problem before any debris could fly off and damage any neighbors' structures. (The winds down here have been measured as high as 126 miles per hour.) They have also actively been replanting their land to protect the Creek for indigenous fish. They are proven good stewards of their lands.

Finally, the park land proposed to be swapped to Bandon Biota is inaccessible to most. The land Bandon Biota is offering in return will be much more accessible to many more members of the public. Another benefit, in my view, to be considered when calculating whether this proposal provides "overwhelming public benefit". And since the plan is to create a walking course the public will benefit from increased opportunities for recreation and exercise.

Yours,

- John Hull

86544 Lower Fourmile Lane

Bandon, OR 97411

[775 997-5647](tel:7759975647)

Craig J. Herman  
13180 S. Carus Road  
Oregon City, OR 97045  
503-347-0699

August 20, 2013

Commissioners  
Oregon Parks and Recreation Department  
725 Summer St. NE, Suite C  
Salem, OR 97301

Re: Proposed Land Exchange with Bandon Biota

Dear Oregon Parks and Recreation Commissioners:

I would like to voice my opposition to the proposed land exchange between Oregon Parks and Recreation Department and Bandon Biota (aka Bandon Dunes Golf Course). I request that the Commission not support the land exchange in its current form. The scope of this land exchange does not contain sufficient benefit to the people of the State of Oregon to justify it.

I am particularly concerned that the Grouse Mountain Ranch Parcel was included in this exchange proposal. This would remove a significant amount of land (6,100 acres) from private ownership in Grant County. A substantial portion of Grant County (approximately 70%) is already in public lands. By removing additional lands from private ownership, the property tax base for Grant County would be significantly reduced. In my opinion, the highest and best use for this parcel should continue to include farming, ranching and timber production. The proposal by the Oregon Parks and Recreation Commission does not identify any unique features of the Grouse Mountain Ranch Parcel that would justify its acquisition or why this needs to be turned into a park. There are already adequate lands in the various park systems in the State of Oregon. In assessing adequacy, the Commission needs to recognize the vast amount of Oregon land that is already held by various Federal, State and Local governments and available for public use. Providing this Department with additional lands does not make sense. Where will this agency get additional funding to manage additional lands?

Transferring this land to the Oregon Parks and Recreation Department clearly does not contain a true public benefit. I ask that the commission oppose the proposed land exchange.

Respectfully yours,

Craig J. Herman

Cc: Oregon Cattleman's Association  
Senator Ferrioli

**OPRD Publiccomment - Bandon Natural Area**

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**From:** Kellie and Francis Lombardi <fplom@earthlink.net>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 8/14/2013 8:38 PM  
**Subject:** Bandon Natural Area

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public comment regarding the plan to trade off Bandon State Park

Dear State Park Commissioners,

This proposal cuts to the heart and soul of Oregon state parks, not just Bandon or Coos County. Diversity should be the hallmark of our parks system. We need to save the full spectrum of natural habitats and recreation opportunities that define our great state. We count on you to be stewards of the land and tell the Governor and parks people that we want them to act with courage and integrity in the face of extreme wealth and another trumped up argument about jobs vs the environment.

Diversity is not just vital to the natural world, it's also important to the economic and social sustainability of every community. Bandon is fast becoming a golf mecca, rather than a community of year-round Oregonians. We don't need one more golf course, especially at the expense of a fragile and dynamic dune environment that is home to at least one plant in danger of going extinct - i.e. gone forever. The land also is a vital buffer for the endangered shore birds that nest on the beach.

Some say Mr. Keizer is doing the community a huge favor by providing a low cost golf course for locals and job opportunities for our youth...but according to Golf Travel Insider, he already has bought enough land to do this. He wants this additional public land so that he can have a 27-hole course instead of just 18! This is public land - it's our land. It would be obscene for the parks department to trade away rare habitat in order to provide more land for a golf course that could be built without that land. And what will become of this land in 25 years? Hard to believe but golf might actually become passé some day. What then? There are no protections or guarantees that go along with the land. This trade would remove the federal protection that currently exists. This land could become condos or a private recreational development that is not "municipal" and not open to the public. It could become something even worse - there are no strings attached to what a private landowner could do with it in the future.

I went to the trailhead and walked through some of the state park land. It's awesome! It's superlative just as it is and it's important to protect. I agree with the people who say we won't wish we had more golf courses in the future, but we will wish we had more wildlife and open space and hard to get to places that remind us of how small we are in the grand scheme. A place to contemplate a REAL, live birdie. I believe you could find studies that show just how much money bird watchers and other tourists bring to a community. Infinitely more than a single industry.

Bandon has drawn visitors from all over the world before you and I were born, long before the first golf course was developed here. We are on the cusp of letting what makes this area unique slip away. Our parks system is traveling down a slippery slope. If they can trade out of a natural

area that provides habitat for an imperiled plant species, then it becomes easier to trade out of a less unique place, like maybe parts of Bullard's Beach or Devils Kitchen. Why not sell off the Face Rock access point - wouldn't that make someone a nice homesite? The public can just go a little ways north and get to the beach at Coquille Point. You get the idea. Truly unique park land should not be for sale - at any price.

Please join with others who care about a sustainable future for Bandon. Celebrate an 18 hole municipal course with jobs and youth scholarships for local caddies NEXT to a unique state natural area, rather than instead of a natural area. The land they want to trade away provides locals and visitors with access to New River and awesome dunes. I have nothing against Mr. Keizer, but I'm not willing to quietly stand by while the state hands him unique property that should be held for the greater good and future generations. Please say no to this "deal".

Julia Smith  
PO Box 1765  
Bandon, OR 97411

## OPRD Publiccomment - No on Bandon Dunes Trade

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**From:** Bruce Barbarasch <treeturtle@gmail.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 8/11/2013 8:05 PM  
**Subject:** No on Bandon Dunes Trade

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Dear Park Commissioners,

I read the proposal to swap land from coast for ranch land inland. I highly support the acquisition of new land both along the coast as well as inland, however I am against selling any land on the coast.

We all know they don't make land anymore. Given that coastal access is in high demand and will continue to do so as the population grows and tourism increases, I can think of no excuse for selling of land near the sea.

Let's find another way to get the ranch, but please keep the coastal land at Bandon.

Sincerely,  
Bruce Barbarasch  
3510 SE Alder St.  
Portland, OR 97214

## OPRD Publiccomment - Bandon Biota Land Swap

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**From:** "Myra & Jim Lawson" <myrajim2@mycomspan.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 8/8/2013 5:45 PM  
**Subject:** Bandon Biota Land Swap

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I am concerned with the proposal for three reasons: 1. Precedent setting 2. economic impact 3. land use planning

Doesn't giving up public park lands for private use set a **precedent** for Oregon? Oregonians care very much about their natural resources.

Bandon Biota (i.e.. Michael Keiser, Bandon Dunes) would then own the 280 acres privately. Could they sell or develop something other than a golf course? Would another owner be able to buy and/or develop it in the future?

**Economically**, Bandon Dunes has brought jobs to our area. Many of them are "migrant" jobs where caddies commute from Oregon to Arizona or California for the winter months. Many others are restaurant and lodging tourist jobs. Most office and management jobs have been filled by experienced people imported from other areas. There are restaurants and lodgings available at the Resort, so very few golfers use the motels, vacation rentals, and restaurants available in Bandon. The Bandon City Planner recently stated publically that 50-55% of the Vacation Rental Dwellings are filled during the four summer months, the motel vacancies are similar. I never need to make reservations for one of our 25 eating establishments.

We certainly appreciate the donations to our 501C-3 organizations made by Mr. Keiser and his foundation, however he must appreciate the extremely low property tax rate which his Enterprise Zone County taxes have given him. The Resort still benefits from Coos Co. roads, water, utilities, fire, police, and ambulance services as well as our hospitals and schools. Bandon Dunes certainly benefits from our airport. From what used to be a reasonable fare with free parking, fares and rates have risen so that now most travelers at the Coos Co Airport carry golf bags. Few full time residents can afford to use what is part of our tax liability.

If the swap is agreed to, then I recommend that **Land Conservation and Development** study the adjacent properties, considering possible development and water availability. Another Vacation Resort Zone should be out of the question, and no buildings should be allowed on the 280 acres as Bandon Dunes owns many other acres in the area. There should be leaseback, conservancy or other legal clauses making sure that the proposed public land to be transformed into private holdings be a golf course, environmentally managed in perpetuity.

Myra G. Lawson  
1404 Strawberry  
Bandon, OR 97411  
541-347-5157

August 8, 2013

Tim Wood, Director  
Oregon Parks and Recreation Commission, Members  
Oregon Parks and Recreation Department  
725 Summer St. NE, Suite C  
Salem, OR 97301

Re: Bandon Proposal

Director Wood and Commission Members:

My name is Lynne Leisy and I am submitting these comments in opposition to the proposed land swap between the Oregon Parks and Recreation Department (OPRD) and Bandon Biota.

The proposed land swap as initially presented to OPRD by Bandon Biota in September 2010 and July 2011 was rejected since it failed to satisfy and meet the criteria for “providing **overwhelming** public benefit to the park system, its visitors, and the citizens of Oregon.” (OPRD’s OAR 736-019-0070) This was a correct and reasoned determination due to the high and unique environmental value of the fore dunes desired in the land swap. In a Eugene *Register-Guard* article of April 9, 2013, OPRD’s natural resource specialist, Sherri Laier, talks about the abundance of plant and animal life, the biota, if you please, of Bandon State Natural Area (BSNA). Ms. Laier speaks to the value of the BSNA as “a magnificent example of the dunal systems. As you know, the coast has been developed from California to Washington, and to find an undeveloped piece of dunes is very, very rare. This State natural area description is the highest designation we can give a state park. It means we don’t put any facilities on it, we don’t even put in trails, necessarily. We leave it natural.” Ms. Laier is also quoted as saying a golf course “would be devastating to the natural area...this is where all the value is of the dunal system.” The same article also states the acreage in the area was obtained by the OPRD from the federal Bureau of Land Management, “with the caveat that it remain in its natural state, meaning that the BLM would have to agree to any deal to build a golf course.” Has this issue of development been approved by the BLM? Or is Bandon Biota going to use its wealth and political clout on the BLM to ensure the bulldozing of 280 acres of dunes to create Bandon Muni?

The earlier rejected land swap proposal was for 210 acres of Bandon State Natural Area dunes to develop a 27 hole-golf course and the promise of 40-50 employees at the new Bandon Muni in exchange for properties owned by Bandon Biota/Bandon Dunes Resort/Michael Keiser: a 97-acre Bullards Beach Spit parcel adjacent to Bullards Beach State Park and 111 acres adjacent to the southwest line of Bandon State Natural Area. After the initial rejection by OPRD, the proposal was sweetened with the addition of \$3,250,000 to purchase properties in Lincoln and Grant County and to aid in gorse mitigation. There was also an increase to 80 Bandon Muni employees. The acreage carved out of Bandon State Natural Area was also increased, to 280 acres, 31.8% of the total 878 acres. It has not been proven to me how this loss of 280 acres of a unique dunal system is a public benefit to the park system and to the citizens of Oregon.

According to the OPRD's website, the Bandon State Natural Area has numerous activities – hiking, picnicking, viewpoints, wildlife viewing, fishing – with beach access and restroom facilities available for the annual day use attendance of 306,412 visitors! I understand how Bandon Biota benefits – the corporation acquires more land to build another golf course. Please refer to the “Proposed Exchange with Bandon Biota” submittal by the Oregon Coast Alliance, signed by Cameron La Follette, and dated July 12, 2013, including the attachments to Oregon Coast Alliance's testimony. Besides the BLM issue, the testimony also questions the need of Bandon Biota for the acreage to construct Bandon Muni. Oregon Coast Alliance cites an article from a May 13, 2013 *Golf Travel Insider* where Michael Keiser, founder of Bandon Biota, admits he already has enough acreage to build a “pretty good” course, but with the additional acreage “it would be superlative.” It appears Bandon Biota is not overly concerned with the public benefit; what Bandon Biota's Mr. Keiser is concerned about is golf and the golfing experience, at whatever the cost. When it comes to satisfying golfers, and encouraging their return, the Bandon Dunes Resort will do what it must, even modifying the landscape. In the Eugene *Register-Guard's* April 9, 2013 article “Resort Doesn't Let Its Courses Rest on Their Laurels”, the Bandon Trails' 18<sup>th</sup> hole was modified because initially, it was a “blind tee shot over a dune, and a tough approach shot to a false-fronted green, all this playing into the wind in the summer.” There isn't much anyone can do about the summer winds; but “in the redesign, the dunes was lowered so golfers can see the green from the tee box. The green was lowered as well, to remove the false front...and a severe slope on the right side of the green was softened with the lowering of the green. All this to reduce the chances of a good round being undone by a quadruple bogey with the clubhouse in sight.” So much for the statement by one of the proponents of the land swap that “Bandon Dunes has had a light touch on the environment ...and they follow the contours of the land.” ([www.theworldlink.com](http://www.theworldlink.com) article by Amy Moss Strong, July 22, 2013)

On a more personal level, I witnessed some of the construction of the south entry to the Bandon Dunes Resort at the intersection of Fahy Road and U.S. Highway 101, north of Bullards Beach Park, in early 1998. Before this entry was completed, an existing dune abutted the west edge of Fahy Road, dipped down to and continued east of U.S. Highway 101. This dune was bulldozed and graded to provide an entry suitable to the vision of the Resort's planners. **Attachment A** provides photographs of some of the changes and equipment used to reconfigure the dune. Unfortunately, I failed to photograph the dune before a portion of it was contoured out of existence, including whatever biota it supported. Again, no “light touch” displayed.

Proponents say the acquisition of the 280 acres of Bandon State Natural Area by Bandon Biota will be to the public's benefit, since Bandon Dunes Resort has been a good corporate citizen, providing employment and charitable contributions to the local citizens and a boost to the local economy. And yet Coos County's poverty level and unemployment numbers are still high, with many students receiving reduced or free lunches. Hopefully, the 80 promised jobs at Bandon Muni will alleviate the impoverishment of 80 families. One group, at least, will benefit - the golfers and future golfers of Coos and Curry County! Bandon Muni will magnanimously offer rounds of golf to Coos and Curry County residents, not at the High Season rate of \$280, but at

the discounted rate of \$25. Hopefully, the Resort's reservation staff will give preference to locals when scheduling tee times at Bandon Muni.

The offer of cash to aid in gorse removal is not an overwhelming benefit since OPRD already has a gorse mitigation program in place, which is doing its job. Please pardon my cynicism; if the Bandon Biota land swap proposal is already a "done deal" in the minds of the OPR Commission, I have a suggestion to get the most out of Bandon Biota's Bandon Muni. Add the stipulation that a portion of the fees collected from the courses be donated to OPRD for continued gorse mitigation! A precedent for this charitable conservation donation has already been set by Bandon Biota. All net proceeds from the Bandon Preserve Golf Course at the Bandon Dunes Resort benefits the Wild River Coast Alliance, an organization which coincidentally supports the current land swap between Bandon Biota and the OPRD.

As for the acquisition of Whale Cove property in Lincoln County – apparently this acquisition is already in process. Bandon Biota's cash offer would only speed up the purchase of the property. It is disingenuous to say, that by protecting scenic values and critical habitat for coastal wildlife in the 10.87 acres at Whale Cove, this is in the column of public benefit to the park system. Is there no public benefit in the scenic value or critical coastal wildlife habitat in the 280 acres at Bandon State Natural Area? 306,412 annual day use visitors seem to think so!

In regards to Grouse Mountain Ranch in Grant County – the testimony and submittals from the concerned citizens, both private and public, of Grant County indicate they are opposed to the purchase of Grouse Mountain Ranch and can see no public benefit to themselves. Or will the OPRD and OPR Commission see this as a "greater good" issue and give little weight to the objections of the people of Grant County in making its decisions?

In general, I'm disappointed in the OPRD's land acquisition and exchange policy's process of "determining overwhelming public benefit to the park system, its visitors, and the citizens of Oregon." The burden of proof should rest with the proposer of the land swap. Jim Morgan's presentation to the OPR Commission on July 17, 2013 is more a listing of the components of the land swap, and I feel, lacks a clear determination of the benefits, if any, from the land swap. Bandon Biota benefits, but not Bandon State Natural Area. And Bandon State Natural Area should benefit. Instead, it is losing 280 acres of a dunal system of unique biota and habitat. How can anyone quantify this loss?

I appreciate how difficult a decision-making task the Oregon Parks and Recreation Department staff and the Oregon Parks and Recreation Commission has in determining whether this Bandon Biota Land Exchange Proposal is truly in the interest of the citizens of Oregon. Thank you for your consideration and efforts.

Sincerely,  
Lynne Leisy  
88643 Weiss Estate Lane  
Bandon, Oregon 97411

FAHY ROAD & U.S. HWY 101  
INTERSECTION



March 16, 1998



March 18, 1998

## LETTERS TO THE EDITOR

### Park is win-win

#### To the Editor:

After reading the articles and comments regarding the proposed conversion of George and Priscilla Meredith's Grouse Mountain Ranch to an Oregon State Parks Department property, I am reminded of "Seward's Folly."

The public and political outcry against the purchase of Alaska from Russia showed that this was also controversial at the time. However, the purchase turned out to be of great benefit to the United States. I feel that the Grouse Mountain proposal will have a similar result for Grant County.

While I understand the concern regarding private lands transferring to government property, I feel that this particular situation does not call for alarm.

When the Merediths purchased the property it was largely unimproved. They hired many local companies to make improvements. Restoration

through active constructive management of the property has been their focus. Projects and investments have addressed forest health, riparian upgrades, weed control, wildlife habitat improvement, meadowland productivity as well as constructing and improving infrastructure.

The Merediths pay approximately \$18,000 a year in county taxes. Two-thirds of this relates directly to the investments they made in their residence. Only one-third relates to the land.

A large state park (over 6,000 acres), will attract visitors to the area which will bring in badly needed revenue. Also, the state park will add direct employment by the Parks Department and investments in park development. The Oregon State Parks Department has an excellent track record of effectively managing their properties.

The Merediths have an opportunity to realize their long-term vision of a wonderful natural resource area that will be man-

aged for the benefit of wildlife, native ecosystems and people who love and respect nature. The park service will establish a fine example of a natural area they can manage for the interests of people and wildlife, and Grant County will gain an asset that will attract visitors and their related economic activity and provide a valuable recreational resource for residents for the long-term. This is a win/win/win opportunity.

Art Andrews

John Day

### Not an attack

#### To the Editor:

Leland Spencer's letter to the editor July 31 is the nastiest one I have ever read in the Eagle.

Your letters policy reads in part, "no personal attacks." So, if his letter was acceptable, I guess this one should be, too.

Anna Pearson Alegria  
(Former Grant County resident)

Bend

**Letters policy:** Letters to the Editor is a forum for Blue Mountain Eagle readers to express themselves on local, state, national or world issues. Brevity is good, but longer letters will be asked to be contained to 350 words. No personal attacks; challenge the opinion, not the person. No thank-you letters. Submissions to this page become property of the Eagle. The Eagle reserves the right to edit letters for length and for content. Letters must be original and signed by the writer. Anonymous letters will not be printed. Writers should include a telephone number so they can be reached for questions. Deadline is 5 p.m. Friday. Send letters to editor@bmeagle.com, or Blue Mountain Eagle, 195 N. Canyon Blvd., John Day, OR 97845; or fax to 541-575-1244.

8/07/2013

Serving Eastern Oregon since 1894

# KILPATRICKS

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August 5, 2013

Oregon Parks and Recreation Department  
725 Summer St. N.E. Suite C  
Salem, OR 97301

## **Re Bandon / Grant County proposal**

I own the land West and North of the Meredith property. My ranch borders this property for about five miles.

I oppose this deal.

The state is usually a horrible neighbor.

I will have trespass problems. The State can't manage and finance the park system it has. This large parcel will require management.

It seems the park can't manage weed control on 300 acres, how will it manage 6,000 acres.

I have had no contact of any kind from the state about this deal. That does not bode well for the future. Why no contact with the neighboring property owners?

There are water rights issues on Fall Creek that are still not transferred by the State of Oregon.

I have either leased or owned or worked on this property from 1958 until the Meredith's bought it, I think I understand it well. This land does not qualify under Oregon law to be a new Oregon park. There is nothing unique or outstanding.

The State bureaucrats don't need a 2 million dollar log mansion for an executive weekend getaway.

I also worry the State is empire building. Clyde Holliday gave the state the land for a park the state then condemned MORE of his land to expand the park. I don't want that to happen to my ranch.

Mike Kilpatrick  
cc George Meredith  
Commissioners

July 24, 2013

Oregon Parks and Recreation Department  
Attn: Bandon Proposal  
725 Summer Street, Suite C  
Salem, OR 97301

Re: Public Comment - Bandon State Natural Area/Grouse Mountain Ranch

Dear Commission members:

This letter is intended to clarify my stance in support of the proposed subject land exchange and to provide additional details which may help you and your staff in making your determination regarding whether or not to include the 1,007 acre Juniper Ridge Ranch in this land swap. I previously stated in my July 20, 2013 letter that back in 2005 I had listed Beech Creek and its fish-bearing tributaries as one of the top five "reference stream systems" on the entire Malheur National Forest in terms of overall habitat the stream and its tributaries provided to Mid-Columbia ESU steelhead and isolated westslope cutthroat trout and redband trout populations. In fact out of the top-five streams on the entire forest I ranked Beech Creek and its fish-bearing tributaries number two (ahead of Camp Creek, Canyon Creek and Murderers Creek) in terms of overall importance as a reference stream to steelhead, redband trout and westslope cutthroat trout and I wanted to put that into perspective for those who may not be aware of the significance of that ranking. Back in 2005 while working for the Malheur National Forest as a district fishery biologist I was asked to name the five most important and/or "reference" streams in terms of importance to fisheries resources. I scoured through various stream survey reports and documents, made numerous field trips and talked with knowledgeable local ODFW biologists and named Beech Creek and its fish bearing tributaries as number two out of the top five on the entire Malheur National Forest.

So in my opinion Beech Creek and tributaries are extremely important overall in terms of habitat and water quality for steelhead, redband trout and cutthroat trout and also for the spring chinook salmon that may enter the lower reaches of the stream. I just wanted you to be aware of the significance of this potential land swap in terms of continued and long-lasting benefits to aquatic resources and I understand that a careful review and fact finding is underway, with budget and public concerns being taken into careful consideration, and that OPRD will likely make the best call for the Oregon public, Grant County, Coos and Lincoln

Counties and the fish, wildlife, plants and heritage sites they are tasked with protecting, sharing and enhancing.

I also noted in my previous letter that the 1,007 acre Juniper Ridge Ranch is currently for sale (which abuts the Grouse Mountain Ranch on the east side of Hwy 395) and I noted that if this property is still available you may wish to also consider including the Juniper Ridge Ranch in this potential land swap because of the biological and overall ecological significance of protecting and continuing to enhance cold water sources flowing into Beech Creek and Little Beech Creek. What I didn't mention in that previous letter was that one of the cold water sources that flows into Little Beech Creek and that heads on this ranch may contain an isolated population of westslope cutthroat trout or redband trout. An investigation would need to be conducted in order to verify what species of trout they are, but I have seen fish in this unnamed tributary to Little Beech Creek which appear to be trout. Additionally, one other important consideration in seriously considering including the 1,007 acre Juniper Ridge Ranch in this exchange is that the juniper ridgetop where the ranch headquarters and guest lodge are located could perhaps provide the "unquestioned best" deer and elk viewing throughout the entire area (possibly even including the entire 6,100 acre Grouse Mountain Ranch) for those who are elderly and/or handicapped and who would find it difficult or impossible to strike out on overland hiking explorations. There are also several badgers which can be viewed at times from the hilltop and a variety of raptors and all types of song birds. The ranch owner also has placed literally hundreds of bird houses of various sizes throughout the entire ranch especially in the riparian zones and as I walked the riparian zones this spring the number and diversity of song birds and woodpeckers was astounding.

The somewhat steep access road up to the Juniper Ridge Ranch mountain-top retreat flattens out on the ridge top where the main lodge and guest lodge are located and overlooks a valley where deer herds and elk herds often can be seen browsing perhaps only 300-500 feet away. They don't stay there all the time, but come and go and so viewing the herds would be hit or miss, but this viewpoint is the best I've seen in this entire John Day area (for a commanding view of open meadows and large herds of deer and elk) aside from perhaps the top of Vinegar Hill which is very rugged and remote to get to. The view to the Southwest from the main lodge is also very good and deer and elk can sometimes be viewed in that direction but at a greater distance and the views of the entire Strawberry Mountain range and Aldrich Mountains are spectacular as well.

I just wanted to make the point that most of this potential future State Park is steep ground and fairly inaccessible for elderly and/or handicapped, with the exception of the bottomlands along the highway, the Little Beech Creek area, and perhaps the Gordon Lakes area (which I've never been to) and this hilltop area on the Juniper Ridge Ranch where these herds (when they're there) can literally be viewed while sitting on the deck which would provide those who can't get around as well with spectacular wildlife viewing opportunities. In fact I think the possibilities for wildlife viewing on the Juniper Ridge Ranch are even better than those on the ODFW Phillip W. Schneider Wildlife Area and Murderers Creek area in the nearby Aldrich Mountains.

Also, I know it can be expensive but a paved foot access/utility vehicle access trail could be constructed from the hilltop parking area/ranch headquarters down to nearby Mary's Reservoir for handicapped and elderly where there is a dock and swimming possibilities for those who are able. There is enough room on the Juniper Ridge hilltop such that numerous small outfitters type cabins with bunk beds could be built so as to be rented out for visitors and bring in an income and also to provide limited overnight facilities, say with a central restroom for the 10 or so small cabins that might be constructed along that ridgetop. Also, I might have mentioned in my previous letter that adding the Juniper Ridge Ranch to this proposal would balance out access to include the east side of Hwy 395, where with the current proposal the only real road access to the east side of the highway is for about a mile and a half up Little Beech Creek. While this bumpy, poor access road up Little Beech Creek for the mile and a half is very interesting from a fisheries/riparian perspective, as far as wildlife viewing the Juniper Ridge Ranch hilltop is by far the best location, especially for those with physical limitations who can't hike as much.

Lastly, I also may have mentioned that from the hilltop retreat at Juniper Ridge several day hikes could be undertaken. A trail could head north from the main lodge for about a mile across several ridge tops and a draw which crosses a historic old road, that used to connect John Day with Long Creek in the past, and loop back to the main lodge for a total round trip of about two miles. Another trail could head south and east from Mary's Reservoir up and over a ridgetop and down into a little basin and then continue downstream to two spring-fed ponds where there is a picnic table and lunch stop, then proceed on up and over a small pass with a spur trail to an excellent view point, then down and across another basin and to a point on the main access road where a parking lot could be about 1/4 mile below the main lodge and the trail could continue on from there back up the ridge to the hilltop and main lodge parking area forming about a two mile loop. So much

potential that I wanted to make you and your staff aware of should this property remain available and be considered in the Grouse Mountain – Bandon State Natural Area – Bandon Biota proposal.

If you were to match the Grouse Mountain map with the Juniper Ridge map you'd see that it is a perfectly balanced fit with trail and wildlife viewing access points to both the west of the highway portion, and also the great wildlife viewing location for the elderly and handicapped from the Juniper Ridge Ranch hilltop retreat and trail access points, on the east of the highway portion.

Please note that I'm not commenting just so that the potential State Park acreage would be expanded just for the sake of a larger State Park, but that in my opinion, as a retired fisheries biologist and naturalist, there are real benefits to the biota (in terms of long term protection and continued proper management into perpetuity) and to the Oregon public (through access for research, recreation and soul searching for current and future generations) if this additional land were to become a part of this new State Park, perhaps with a fitting name such as the "Grouse Mountain - Juniper Ridge State Park, Fish & Wildlife Refuge and Ecological Reserve."

Thank you for the opportunity to further comment with regard to the significant biological/ecological benefits and added recreational benefits of including the 1,007 acre Juniper Ridge Ranch lands in this proposal.

Sincerely,

  
Scott Cotter  
John Day, Oregon

cc: Grant County Judge – Scott Myers  
Congressman Walden

## Chris Havel - Bandon Land Swap comment

---

**From:** "vines art glass" <vinesartglass@charter.net>  
**To:** <ben.fisher@state.or.us>  
**Date:** 7/26/2013 9:08 AM  
**Subject:** Bandon Land Swap comment  
**CC:** <chris.havel@state.or.us>

---

Hello,

My name is Bryce Dimitruk and I have been a resident and local business owner in Bandon for 10 years. I am writing today to express my overwhelming opposition to the land swap proposed by Bandon Biota and to request that it is denied. My family and I have been enjoying the new river area weekly for many years I jog to the mouth of the river from the china creek parking lot bi weekly, take my children to the lost lake at least once a week and i have even floated the entire length of the river from the Flores lake outlet all the way to the new river outlet on many occasions. This is a very sensitive ecological area and the river although it is a fairly low flow river that only spans for a few miles it is the home of a very large cutthroat and sea run cutthroat trout population, a native steelhead population and even a good size run of Coho and Chinook salmon. Last year i was able to witness the run of coho salmon while I stood in the mouth of the new river and it was nothing short of magic to see and hear a hundred salmon flood into this tiny river. This area is also the resting point for hundreds of water fowl and even hunting grounds for an occasional bald eagle. There is an abundance of sensitive wildlife located in this small low flow river system that depend on the water run off from the entire area and also the natural buffer from humans that this property maintains .I do not believe there is not enough water to support this golf resort and maintain proper flow of the river and the proximity to the river leads to the possibility of fertilizers and pollution reaching the river system. This area is treasure and should be keep in its natural state for all of the people of Oregon to enjoy for many lifetimes. I hope in the future my children will be able to enjoy the view of lines of geese flying in to land in this area not a line of cars .

I do believe that there are many fellow residents of Bandon that would agree with me but have not yet had there voice heard, for this reason I am going to put together a petition and collect as many signatures as I can to prove that this special place is enjoyed and treasured by many. If you could give me a ruff deadline by which i should have this petition submitted that would be very helpful.

**I appreciate the impact the Bandon Dunes has had on the local job market and the donations the Bandon dunes have given to the local schools and I am not against as many golfing locations in Bandon as possible but not in this area or any area that borders the New River/Flores lake reign**

I would urge you to review you mission statement on the back of your business cards and hopefully the panel that makes the final decision will come to understand that this location of the proposed land swap is in fact an outstanding natural, scenic, cultural, historic and recreational site that should be protected for our children's children.

**This land swap does not meet the requirement of overwhelming benefit to the public and should be denied!**

Thank you for your time and understanding and feel free to contact me if you have any questions about this letter or any of my experiences in the new river area

Bryce Dimitruk  
541-347-2652  
contact@vinesartglass.com

**OPRD Publiccomment - Bandon Natural Area**

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**From:** Linda Tarr <lindatarr@frontier.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 7/26/2013 12:45 PM  
**Subject:** Bandon Natural Area

---

Below is a print copy of my statement from the July meeting of the Parks Commission in Coos Bay

Dear Parks Commission Members,

First, I want to thank you for your service in protecting and overseeing Oregon's invaluable State Parks. The continued preservation of natural wild places, open to the public, is something which distinguishes Oregon as a place which is not only endowed with an extraordinary diversity of natural beauty, but also with the history of a citizenry which has repeatedly chosen not to sell out to the highest bidder. This legacy of wild beauty has been insured through the foresight and hard work of individuals such as Tom McCall, Samuel Boardman and Oswald West, joined by the widespread support and approval of Oregon's voters and taxpayers.

Now we are faced with a proposal, the specific details of which I am eager to learn. It appears preliminarily that one of the public's wild places near Bandon could become yet another very special golf course. The person making this proposal has earned a reputation as a community-minded person who is also a good steward of the land he has purchased and developed into golf resorts, and I respect those qualities and the economic benefits they have brought to nearby communities.

But I urge and trust you, as public servants, to judge this 'deal' in the context of the ever increasing value of wild places as our state becomes ever more popular, ever more peopled, and ever more altered by development.

It is hard to imagine that, 50 years from now, we will regret that there were only, how many, six? golf courses near Bandon, instead of seven? But we and our descendants may feel deep regret if there are not any Snowy Plovers here, for loss of critical habitat. And we will feel a loss if we aren't able to see and celebrate the triumph of wise and careful restoration and continued stewardship of a rare natural dune system, in the face of that most awesome foe, gorse.

The case for this land swap will be made in terms of dollars; economic benefits for a state struggling to meet many budgetary needs and the promised benefits for the nearby community. I have no doubt that if this one goes through, there will be no end of subsequent proposals near other communities who have their own economic struggles and aspirations.

But I am trusting you all to make careful and visionary consideration of this proposal in light of the larger context, the legacy of natural wild places, open to us all, which need our continued stewardship and which offer a return which cannot be measured in dollar amounts, but whose value to the public is intrinsic to what I love about Oregon.

Thank you.

Linda Tarr  
Port Orford, OR



July 24, 2013

Commissioners  
Oregon Parks and Recreation Department  
725 Summer St. NE, Suite C  
Salem, OR 97301

Dear Oregon Parks and Recreation Commissioners:

The Oregon Farm Bureau (hereinafter "OFB") submits the following comments to the proposed land exchange between Bandon Biota and Oregon Parks and Recreation Department (hereinafter "ORPD"). OFB opposes the proposed exchange because it removes land from agriculture and natural resource use, it lacks local support from all affected local governments, the proposal does not satisfy the overwhelming public benefit criteria as required by 736-019-0060(4), it is counterproductive to criteria for public land acquisitions pursuant to OAR 736-019-0060, and the proposal does not fulfill the policy objectives as set forth in OAR 736-019-0040. For these reasons and as explained below, OFB requests that the Commission not support Bandon Biota's proposed exchange.

Bandon Biota's proposed exchange contains several critical flaws as presented, both in substance and process. Substantively, the exchange would remove 6,100 acres of agriculture and natural resource lands from Grant County's tax base and reduces private land availability purchase or use. As you may know, Grant County's tax base is already stressed due to depressed timber harvest and public land ownership of approximately 70%.<sup>1</sup> Furthermore, local ranchers are hard pressed to find available land to graze cattle and support local ranching operations. The proposed exchange would remove more land from the tax base, reduce natural resource land availability, and add to the millions of acres already owned by State and Federal government entities. All of which do not support Grant County agricultural communities.

Additionally, the proposal contradicts the criteria for acquisitions as set forth in rule. OAR 736-019-0060 states in relevant part:

*(2) "The purpose of the Department and the public's interests are served when an acquisition satisfies one or more \*\*\* objectives:*

*(a) Protects areas of outstanding natural, scenic, cultural, historic and recreational significance for the enjoyment and education of present and future generations.*

*(b) consolidates state park parcels\*\*\*.*

<sup>1</sup> Grant County Court Letter to Tim Wood, Oregon Parks and Recreation Department dated July 12, 2013.

- 
- (c) provides a buffer to adjacent or nearby development\*\*\*.*  
*(d) provides access to recreation areas , and*  
*(e) addresses opportunities that may be lost to the Department if acquisition is delayed.”*

The proposal to acquire Grouse Mountain Ranch not only fails to meet the above-mentioned qualifications, but the exchange as a whole is counter-productive to current rules and policies. The Grouse Mountain acquisition unnecessarily adds thousands of acres to the millions of government owned lands. Regionally, there are sufficient public access points and the Department has not established the need for more access points or public lands in Grant County. Moreover, the Bandon State Natural Area (hereinafter “SNA”) land that the State would lose by exchanging it with a private developer is counterproductive to the goals of consolidating state park parcels, providing buffers from nearby development, and protecting anything of natural, scenic, cultural, historic or recreational significant. All of which are inapposite of the criteria for State park acquisitions.

Next, Bandon Biota’s proposal fails to satisfy the criteria for public land exchanges as required by OAR 736-019-0070. The rule states:

*“(4) To approve an exchange that a party other than the Department initiates, the Commission shall determine that the proposed exchange provides an overwhelming public benefit to the Oregon State Park system, its visitors, and the citizens of Oregon.”*

As proposed, the exchange falls well short of demonstrating an “overwhelming public benefit” to the park system or the citizens of Oregon. First, the proposal lacks the support of at least some affected local governments.<sup>2</sup> Second, the acquisition does not contribute to the park system because it removes land from the SNA, an established park. Third, it reduces available agriculture and natural resource lands from productive use in an area that is already primarily owned by government entities. And fourth, some of the lands the State would acquire as a result of this exchange are not accompanied by long-term stewardship endowments. In light of the many budgetary constraints this state faces, the department has not demonstrated the ability to maintain these lands as a park. Together, the facts do not add up to an “overwhelming public benefit.”

Furthermore, the process of approving this exchange must meet certain criteria as set forth in Oregon Administrative Rules. OAR 736-019-0070 provides in part that:

*“(3) For exchanges that party other than the Department initiates, the Department will:*  
*(a) Determine whether the exchange aligns with the Department’s mission, strategies, objectives and work plan,*  
*(b) Inquire whether the local county and local communities support the exchange,*  
*\*\*\* ”*

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<sup>2</sup> See Grant County Letter.

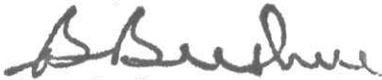
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In this case, the Department has done neither. OPRD has not sought approval from the Grant County Commissioners and it is unclear whether any local county or communities support the exchange. In addition, the proposed exchange does not align with the Department's mission, strategies or objectives. For example, the policies in OAR 736-019-0040 require that the department "conduct real estate transactions in an atmosphere of openness, honesty and integrity." As explained by the Grant County Court, there has been no opportunity for any local public comment on the proposed exchange. Furthermore, OPRD has not engaged any affected industry representatives to determine potential impacts that may result as a consequence of the proposed exchange. Therefore, the OPRD staff determination that the proposal meets "overwhelming public benefit" was made outside of "an atmosphere of openness, honesty and integrity" and should not be approved.

Alternatively, OFB respectfully requests that OPRD Commission hold a public hearing in Grant County prior to approving the proposed exchange and acquisition of Grouse Mountain Ranch.

If the Commission has any questions or concerns regarding OFB's position, please do not hesitate to contact Mike Freese at (503) 399-1701. Thank you for your attention and consideration.

Sincerely,



Barry Bushue  
President  
Oregon Farm Bureau

1040 W. 13<sup>th</sup> Street  
Medford, OR 97501  
July 11, 2013

Governor John Kitzhaber  
Oregon State Capitol Bldg.  
900 Court St. NE, Suite 254  
Salem 97301- 4047

Dear Gov. Kitzhaber,

As one of your longtime supporters, I am writing to you out of concern for a proposed exchange between Bandon Biota (a Michael Keiser company) and Oregon Parks and Recreation Department (OPRD) in Bandon, Coos County. My husband and I lived in Bandon between 1998 and 2006 and were deeply engaged in city and county committees and actions, and I presented testimony on this issue on July 20, 2011.

I understand that Mr. Keiser and/or his employees have met with you about this exchange, and I am writing to let you know I have serious doubts about the proposal, which I ask you to consider before a final decision is made by OPRD.

1. Bandon State Natural Area (BSNA) has been managed for its natural values for forty-five years. It contains rare botanical resources, especially habitat for the very rare Beach Sagewort, which is critically imperiled. BSNA is also home to the federally listed Snowy Plover, and is a habitat restoration area for the plover. The habitat succeeds for these species because the area is quite remote, with little human traffic; a golf course in that space, even though not directly on the beachfront, will dramatically change the habitat. Predators will increase in the wake of greater human presence.

BSNA is a fragile habitat and deserving of full protection by OPRD. The whole of this Bandon State Natural Area (BSNA) provides for the enjoyment of the natural world as it is without development. If these unique and valuable lands were traded away they could never be returned to their natural state or returned to the State park system.

2. OPRD has a new rule that requires "overwhelming public benefit to the State Parks system, its visitors and the citizens of Oregon...which is resounding, clear and obvious" in any exchange proposed by others.

Bandon Biota's exchange proposal is the first time this new rule is being applied. In the terms of exchange, Biota would receive 280 acres of Bandon State Natural Area (BSNA), while the State would receive two small coastal parcels, money to help purchase a third, money for in-kind gorse control services, and the entire funding for purchase of 6,100 acre Grouse Mountain Ranch in Grant County.

The exchange would set precedent for future cases--in this instance that Oregon is willing to cast off cherished natural areas to enable a private business to expand its resort by merely providing money for other purchases. I question establishing such a precedent.

This land exchange clearly does not meet the "overwhelming public benefit" required by policy. State Parks are for the enjoyment of everyone in Oregon and visitors from other areas as well, not just those that are fortunate enough to live close by. I oppose giving any public property to any private concern.

3. The Coastal State Parks are the crown jewel of the Oregon State Park system — the most popular in the state, along with Silver Falls State Park and the Columbia Gorge. Decision makers and citizens are required to weigh the balance of the coastal park system for the benefit of all Oregonians and thousands of tourists, keep a statewide focus, and decide if such exchanges are a good bargain for Oregon. What Bandon Biota proposes is whittling down a major Park in exchange for two non-threatened coastal parcels, some funding for gorse removal and money for a large parcel far from the coast. I ask your agreement with me that the proposal presents a poor bargain to Oregon and its Coastal Parks.

4. Bandon State Natural Area was deeded by the U.S. Dept. of Interior to the State of Oregon in 1968 "for park purposes only." Even if USDI would be willing to lift this deed restriction, it gives the State a black eye to have accepted Federal land in good faith for parks — until such time as turning part of it into a golf course was a better deal in the State's eyes.

If Oregon is serious about nurturing biological diversity, BSNA should remain whole. BSNA does unfortunately suffer from gorse invasion, but no more so than any other south coast land; and gorse can be successfully eradicated over time. The State is the custodian of public lands and required to ensure the general public's access to and enjoyment of all State Park sites.

I ask you to issue a statement to OPRD and the public that you, as Oregon's Governor, do not place a private resort company's expansion plans above the Oregon State Parks system, and especially the cherished

Coastal Parks. Additionally, I ask that you clarify to OPRD that the most valuable action the agency can take is one that preserves the integrity of the Parks system, and sets precedent for the decision-making process in future exchanges that will expand the Park system without whittling away other Parks, sacrificing one for another.

Sincerely,

A handwritten signature in cursive script that reads "Carol N. Doty".

Carol N. Doty

cc: Oregon Parks and Recreation Department  
725 Summer St. N.E. Suite C  
Salem, OR 97301

**OPRD Publiccomment - Bandon Biota Land Exchange**

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**From:** Arlys Fones <arlysphones@yahoo.com>  
**To:** "OPRD.publiccomment@state.or.us" <OPRD.publiccomment@state.or.us>  
**Date:** 7/19/2013 8:53 AM  
**Subject:** Bandon Biota Land Exchange

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As caretakers of public park lands, please retain this public ocean view natural area for public use and do NOT trade it to private interests for yet another golf course with an ocean view. Please do not let yourselves be influenced by monied interests with arguments in favor of jobs or lesser fees for Oregonians. Do the right thing...keep the ocean view for our children and grandchildren!

Thank you for your attention to this important matter,  
Arlys Fones  
arlysphones@yahoo.com  
503-334-5622  
9114 SW Trail Ct.  
Portland, OR 97219

54628 Geiger Creek Road  
Bandon, OR 97411-8850  
July 11, 2013

Governor John Kitzhaber  
Oregon State Capitol Bldg.  
900 Court St. NE, Suite 254  
Salem, OR 97301- 4047

Dear Gov. Kitzhaber,

According to a May 13, 2013 article in Golf Travel Insider, Keiser already owns sufficient land in the area for the new golf course he would like to build; the 280 acres of BSNA would merely be used to make the new golf course "superlative" rather than "pretty good." This is certainly not a reason for the State of Oregon to give up 280 acres of a prized natural area, in an area where golf courses are now common (Bandon Dunes has five at its resort already) and coastal solitude becoming increasingly rare. Bandon State Natural Area (BSNA) would be quite different with a major golf course at its back, since the park would provide much less of a buffer for beachgoers after the exchange was completed.

This exchange proposes to grow the State Park system by robbing Peter to pay Paul: the state receives funding for several other parcels only by giving up a large chunk of an existing park. As a policy matter, this is not a good way to build the State Parks system. If Grouse Mountain Ranch should be a part of the State Parks system – and it appears that it would be an excellent addition – then we should all work together to make it happen in the "Oregon way" without sacrificing one park for creation of another.

The removal of the gorse as proposed by Bandon Biota is not necessary. The State park system already has a gorse eradication program in place and working throughout the entire system. The fact that the State program has not gotten to this natural area should not be viewed as an inducement to complete the land exchange.

The appraisal of the land offered for the exchange by Bandon Biota states that of the total 111.3 acres offered

almost 34 acres are beach lands and 25 acres are submerged by New River. The appraiser defines only the upper 52 acres as useable property. Because the entire 111 acres were valued at \$800,000 even though only 52 acres were actually considered useable, this means the appraiser thinks useable upland is worth about \$15,000 an acre.

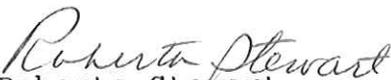
In contrast, the appraiser values the same type of upland acres in the adjacent BSNA at \$4400 per acre. If you value the BSNA upland at the same \$15,000 per acre for useable land, then the 208 acres of natural area wanted by Bandon Biota, are worth \$3.12 million.

No matter how many additional parcels may be added to the proposed exchange, I believe the basic value of these BSNA lands is in their present state. The real value of this land as natural habitat cannot be determined simply on the basis of how easily the land can be developed. If you insist on using development as the yardstick then the value is at a minimum \$3.12 million.

The trade of this land will remove it from the public trust and give it to a private concern for use as a 'for profit' development that serves a small minority while ignoring the general population. In my opinion, even if this proposed golf course offered "free green fees" every day it would not provide for the quality family recreation currently found in the State Park system.

The proposal from Bandon Biota certainly would not meet the requirements of the OPRD new rule that requires "overwhelming public benefit to the State Parks system, its visitors and the citizens of Oregon...which is resounding, clear and obvious" in any exchange proposed by others.

Sincerely,

  
Roberta Stewart

cc: Oregon Parks and Recreation Department  
725 Summer St. N.E. Suite C  
Salem, OR 97301

*Grant County Farm Bureau*  
*P.O. Box 472*  
*Kimberly, Or 97848*

Oregon State Parks & Recreation  
Tim Wood, Director

Grant County Farm Bureau is in opposition to the Oregon State Parks and Recreation Department's (OSPRD) proposed acquisition of the Grouse Mountain Ranch parcel (Property) as part of the OSPRD's proposed Bandon Biota Exchange Proposal (Project).

We can see no positive impact this land exchange will have on agriculture or the citizens of Grant County.

Since this land exchange greatly effects the citizens of Grant County we are requesting a Public Hearing to be held in John Day, Or.

Respectfully Yours,

Jeff Thomas  
President GCFB

Chris Havel, Director's Office  
Oregon Parks and Recreation Commission  
725 Summer Street, Suite C  
Salem, Oregon 97301

July 16, 2013

Re: Bandon Biota Proposal

Dear Director and Commissioners,

The proposed Bandon Biota exchange of real property and funds for a portion of Bandon State Natural Area for a 27-hole golf course is a win for our coastal community, the Oregon State Park system, visitors and citizens of Oregon. It is certainly clear and obvious that the public is not currently using the 280 acres at issue in the Bandon State Natural Area because it is mostly covered in gorse and has limited public access.

Bandon Biota will be contributing to the control of the noxious weed, gorse that is so invasive it is continuously doing more damage by not allowing the native beach plants and dune species to thrive and stabilize the dunes.

The local economy will certainly be boosted from the jobs that will be created to build the course and the continued jobs required to maintain and operate the facility. State wide, this land exchange could result in an increase in the number of jobs in other portions of the State as well.

The numbers of visitors to the Bandon area will only increase with this added public attraction. By doing so, there is an overwhelming benefit to the local Bullards Beach State Park because of the 97 additional acres for visitors to enjoy.

Oregon Parks and Recreation will receive 111 additional acres of oceanfront land that adjoins the Bandon State Natural Area to the south and west to further secure a more protected area for the Snowy Plover habitat.

The Whale Cove acquisition secures the property will be managed for its natural beauty, scenic value and provide a critical marine habitat for coastal wildlife. It will also protect the property from future development.

The additional \$2,500,000 purchase of Grouse Mountain Ranch for a new State Park benefits everyone in the State. It will not only provide significant value to the park system but will also create more State jobs for park rangers and managers of the property.

In conclusion, the Parks system will be enhanced with a brand new public park, the Park system will benefit with more funds to significantly fight the noxious weed gorse, 111 oceanfront acres will be added to the Park system and protect more area for the Snowy Plover and more jobs will be created for the public to enjoy more of what Oregon has to offer on the west and east sides of the State.

I sincerely appreciate the generosity of Mr. Mike Keiser, and what he is personally offering to the public in terms of land and funds to keep Oregon beautiful and open to everyone. Thank you for the opportunity to testify in favor of this exchange. I am a Bandon resident, Oregon tax payer and neighbor of the beautiful Bandon Dunes Golf Resort and use their public hiking trails on a monthly basis.

I sincerely hope that the Oregon Parks and Recreation Commission finds a unanimous vote in favor of the above exchanges to meet the overwhelming public benefit standard.

Respectfully submitted,

/s/

Juliette Jones  
89056 Whiskey Run Lane  
Bandon, OR 97411

July 15, 2013

David and Sharon Comden  
59045 Seven Devils Rd.  
Bandon, OR, 97411

OPRD  
ATTN: Chris Havel  
725 Summer St NE  
Salem OR 97301

Request for comments on proposed OPRD/Mike Keiser land swap.

Dear Chris:

We support the proposed land swap as the public benefits are many:

1. The land being offered by Bandon Biota will complement existing and accessible Bullard's Beach/Coquille River frontage, a much more useful area compared to the relatively unusable strip desired by Bandon Biota.
2. The Bandon State Natural Area (BSNA) is far from natural in its present state because it is covered by the introduced and invasive gorse. Bandon Biota will restore the area by managing invasive species like gorse and European beach grasses, thereby improving the local ecosystem.
3. Bandon Biota has offered to remove gorse from and maintain the BSNA lands adjacent to the desired parcel in a natural state, at no cost to the taxpayer, so the entire ecosystem will benefit from this improvement.

My wife and I don't, and never will, play golf. We have never met Mr. Keiser. So why should our opinions be considered when commenting on this land swap?

- We have owned and lived on 30+ acres about one mile from the Bandon Dunes and Bandon Biota properties for the past 13 plus years.
- We have first hand knowledge about the terrible invasive plant--gorse, its relationship to the environment and the huge fire dangers it represents. Almost all of our property has or had examples of gorse in various stages of growth. (The town of Bandon has twice burned to the ground due to wildfires fueled by gorse.)
- We are familiar with the success Mr. Keiser and his associates at the Bandon Dunes have had in battling gorse and bettering the environment at the same time. We note that these battles have been done with much sensitivity to the welfare of the wildlife on land, lakes, and streams. We have watched as they converted gorse covered waste land into a beautiful and successful golf resort. These lands have become environmental "good neighbors" that benefit all life.
- The Bandon Dunes has constructed and mapped miles of hiking trails that are open to the public, another example of being a good neighbor. The golf resort is part of our community, open for all to enjoy. Perhaps developing a public trail

system could be a condition added to the proposed new courses? Currently, most of the parcel is not good recreational land or habitat.

- We have been active in supporting and trying to better aspects of our community over the years and are familiar with the generosity Mr. and Mrs. Keiser have shown in giving back to our community, sometimes behind the scene.

The gorse reduction, including doing the same on adjacent state lands, at no cost to the state, is especially important because:

- Comments by some who believe stands of non-native and invasive gorse are good for wildlife and the environment are simply not based in fact. We offer knowledge based on years of first hand observation, sweat, blood, expense and broken equipment trying to contain gorse on our property.
- And those that claim the gorse covered lands are "open" may not have tried to walk through mature gorse. It is impenetrable for man or beast. While controlled smaller gorse stands can be a plus for wildlife as they can offer protection from predators, that is not the case for large (several acre) mature stands as seen in the BSNA parcel. As the gorse matures and grows to 10 to 15 feet high, it chokes out all other plants--everything! In fact, you will find very little wildlife because there is nothing to support life other than gorse. You may find wildlife on the edges of these stands, but not in the centers as there is almost no feed to attract or support animals.
- When highly flammable gorse burns, which it will do with certainty at some time, it will destroy the nearby plant and wildlife communities.
- Gorse is very invasive. Wind blown gorse seeds can survive for 40+ years just waiting for sun to warm the soil and sprout. New areas of sun on soil equals more gorse invasion. Gorse has demonstrated that it is the most successful invasive plant in our coastal area. It needs to be controlled for the safety and benefit of both man and wildlife.

All in all, for the above and many other reasons, we support this proposed land swap. Mr. Keiser has demonstrated he can bring good jobs, adhere to environmental regulations, and bring sustainable, clean and quiet recreational opportunities to our community. Bandon Biota has a proven track record as a caring custodian of the coastal environment.

For all of us, including the wildlife, this proposal is truly a win – win!

Thank you for considering our comments.

David and Sharon Comden  
Bandon, Oregon

Chris Havel, Director's Office

July 17, 2013

Oregon Parks and Recreation Commission

725 Summer Street, Suite C

Salem, Oregon 97301

Re: Bandon Biota Proposal

Dear Director and Commissioners:

I would like to go on record as supporting the proposed land exchange between Oregon State Parks and Bandon Biota. There are many reasons why this is a desirable exchange for the citizens of Oregon, such as adding much needed jobs on the depressed coast; blocking up lands along the Coquille River at Bullards Beach State Park and at New River; and creating new State Parks in other parts of Oregon. However, to me, the most important part of this exchange is the opportunity to control the spread of gorse.

Gorse is perhaps the greatest problem facing the community of Bandon and surrounding areas. My family has been recreating at the Bandon Natural Area for more than 30 years. When we first discovered it, open meadows extended for miles from China Creek to Four Mile Creek. Lower Two Mile Creek was a beautiful stream lined with a lush growth of willows and provided great trout fishing. Today, this entire area is covered with a twenty foot tall stand of gorse that has almost completely destroyed the natural values that made Bandon Natural Area so unique.

At the local level, I am sure that the State Parks staff has the best of intentions to restore this place to its former glory. Efforts have started to remove some of the gorse along the high ridge that is part of the proposed exchange. However, I am told that the budget for noxious weed control has been slashed this year, as it has so often in the past. The fact is that State Parks budget will never be able to support the kind of effort it will take to eradicate gorse in the Bandon Natural Area.

The Bandon Biota proposal offers the opportunity for a systemic approach to gorse control. They have demonstrated an ability to suppress and eradicate gorse on their properties to the north of Bandon. They are willing to accept this responsibility in the Bandon Natural Area for the foreseeable future. I think we should let them.

Reg Pullen



55966 Prosper Junction Road

Bandon, Oregon 97411



July 17, 2013

Oregon Parks and Recreation Department  
Attn: Bandon Proposal  
725 Summer Street Suite C  
Salem OR 97301

My name is Jim Seeley, Executive Director of the Wild Rivers Coast Alliance, a philanthropic organization funded by the net proceeds from the fifth golf course at Bandon Dunes Golf Resort owned by Mike Keiser. My remarks will pertain to two elements of the exchange - the conservation benefits of the project and the benefit to the community to be derived from the facilities proposed to be built there by Mr. Keiser.

**Conservation**

1. The golf holes to be built on the site will be constructed and managed with the same agronomic principles applied at Bandon Dunes Golf Resort.
  - a. Gorse management - The proposed golf course will be a working landscape, supporting the gorse control benefits in the exchange agreement. One needs only look to Bandon Dunes as a compelling example of the conversion of what was once unusable land due to gorse infestation to a working landscape of turf grass that attracts golfers from around the globe to play golf on the most highly rated public access golf facility in North America. So successful has the resort been that it has become one of the largest employers and economic drivers on Oregon's South Coast.
  - b. Two recent awards made to Bandon Dunes speak to the high degree of conservation excellence in place:
    - i. The Golf Digest Green Star Environmental Award announced in November 2012.
    - ii. The 2010 Oregon Sustainable Tourism and Leadership Award in recognition of Bandon Dunes Golf Resort's commitment to the KemperSports "Green To A Tee™" program helping it become a leader in environmentally-safe business practices in the golf and resort industry.



## Community

1. The motivation and commitment of Mike Keiser is to make a world class links golf facility that is affordable for all Oregonians. It would be modeled after St. Andrews, Scotland, where golf has been an integral part of the local culture for centuries. To accomplish this, the following facilities will be built;
  - a. 27 hole, walking only, championship links course designed by Gil Hanse, the world famous architect selected to do the Olympics course in Rio De Janeiro.
  - b. Other facilities: clubhouse, caddie house, putting course, short game facility with par 3 course and practice range.
  - c. Why these facilities?
    - iii. 27 holes will provide adequate golf opportunities to accommodate both locals and tourists which will enable the following rates strategy;
      1. Coos and Curry County residents over 18 years of age will pay as little as \$20 per round;
      2. Juniors (under 18) will pay as little as \$2 per round.
      3. Oregon residents who live outside of Coos and Curry Counties will pay a fraction of the out-of-state rate, which will be the same as the greens fees charged at Bandon Dunes.
    - iv. Other Benefits
      1. Junior Golf 18 and under. A robust teaching program where juniors will be encouraged to learn the game of golf on the practice facilities and play golf on the par 3 course. Once a certain skill level is reached, juniors will be encouraged to play on the 27 hole course.
      2. Summer Junior Work Program. Participating juniors will be trained and mentored to become caddies. Once graduated from the Mentor Program, junior caddies will be encouraged to work for the out of state "retail golfers," at rates appropriate to caddie skill level.
      3. College Scholarships. The Chick Evans Scholarship Foundation provides full four year college scholarships to qualified junior caddies. Currently at Bandon Dunes Golf Resort, about 4 junior caddies per year are qualifying for these scholarships. With a robust junior work program at Bandon Links, the number of full scholarships could easily quadruple and grow to 20 or more per year.
2. And finally, profits from Bandon Links will go towards:
  - a. Capital Improvement projects,
  - b. Scholarships,
  - c. Assisting with gorse control in South Coast State Parks, returning them to the uses intended.

**Michael J. Scalici**

54617 Geiger Ck Rd. Bandon, OR 97411  
Bus. 541-290-1520 migs97411@frontier.com FAX: 541-347-8374

*New Millennium: Natural Resources Consulting & Management  
Oregon Coast Wild Harvest*

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Oregon State Parks Commission

July 14, 2013

RE: Land swap between Bandon Biota and Oregon State Parks

Dear Commissioners,

Thank you for giving me the opportunity to comment on this proposed land trade with Bandon Biota.

As natural resources consultant based in Bandon, I am familiar with two of the area properties in the proposed land swap, and on my own recognizance have done assessments of the functional values of the wetlands on these properties using methodologies outlined in both the *Oregon Rapid Wetland Assessment Protocol* (Adamus, et. Al, July 2010) and the *Hydrogeomorphic Assessment Guidebook for Tidal Wetlands of the Oregon Coast* (Adamus, et. al, 2006). Based on results from these assessments, this land swap will be a positive one for the state of Oregon and its citizens.

The 97 acres on the Coquille River estuary's ocean spit that Bandon Biota is willing to trade to the state is a moderately functioning, high value tidal wetland. It has moderate functional value for visiting marine fish and out-migrating salmonid smolts; including the federally-listed coho salmon. Also, this wetland has moderately high function value for waterfowl and shorebirds as well as for sediment retention. Filled in by small caliber drift wood and aeolian sand encroachment over the last few decades, over half of this property's wetlands have been cut off from tidal waters since the 1960's, thus eliminating 15-20 acres of off-channel, high tide refuge and brackish water habitat for coho salmon smolts. As such, It has tremendous potential for tidal wetland restoration which would increase the functional values mentioned above.

Additionally, this property is located adjacent to the popular, heavily used Bullard's Beach State Park and has a horse trail crossing its west edge and a sandy, estuarine shoreline that is often a more tempered beach experience than the adjacent ocean beach on its east edge. It is visited by many people engaging in activities that are compatible with its natural function including kayaking, horseback riding, hiking, educational tours, and birding and is known to contain archeological artifacts. Because of these reasons, this property would be a jewel for the state to acquire.

In contrast with the 280 acres that Bandon Biota would like to acquire, which is mostly upland dunes with dense, impenetrable patches of the thorny, highly invasive shrub,

gorse. It has only about 15-20 acres of interdunal, seasonally-inundated, forested wetlands that are inaccessible to salmonids and scored a "0" for fish habitat and a very low function and value for waterbirds. Additionally, it has much lower accessibility to the public than the Coquille spit property. Thus, the functional value score for these wetlands is very low. Bandon Biota's proposal to cut and maintain the gorse on the adjacent state property will improve accessibility to that property.

Not being familiar with other properties proposed in the deal, I will not comment on them.

Considering Bandon Biota's and Mr. Keiser's record of outstanding land stewardship while improving properties' natural resources and public usage, I support going forward with negotiating a deal that will transfer the 280 acres of State Park property to Bandon Biota.

Once again, thank you for giving me the opportunity to comment on this proposed land swap.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Scalici".

Michael Scalici, *New Millennium Consulting*

REFERENCES:

Adamus, Paul R., Janet Morlan, Kathy Verble, July 2010. Manual for the Oregon Rapid Wetland Assessment Protocol (ORWAP), version 2.0.2.

Adamus, Paul R., 2006. Hydrogeomorphic Assessment Guidebook for Tidal Wetlands of the Oregon Coast, Part 1: Rapid Assessment Method. Produced by the Coos Watershed Association, Oregon Department of State Lands and U.S.E.P.A.,- Region 10. Charleston, OR

# Overwhelming Public Benefit? Yes!

After reading an economic impact study compiled by the University of Oregon in early 2010 before Old Macdonald and the Preserve came on line, I've come to the realization that Bandon Dunes Golf Resort is an unparalleled phenomenon, one deserving of everyone's support in the community. Here are some numbers that stuck out to me;

BDGR total payroll in 2009- \$10,413,892.

2008 BDGR was the 4<sup>th</sup> largest employer in Coos County. Today it is second behind Bay Area Hospital.

Cumulative payroll from 2000-2010, \$83,159,587. (Development years)

2009 average annual compensation for BDGR employees- \$32,133

2008 average annual compensation in Coos County - \$30,316

2009 BDGR paid \$518,886.70 in county taxes. Only GTE Verizon paid more

2009 BDGR paid a lodging tax of \$93,257 to the state.

2008 BDGR spent \$4,493,316 on a broad range of goods and services from 210 local vendors

\$650,000 given to local causes through philanthropic efforts in 2008 - this amount has continued annually

I believe this land swap is the exact definition of overwhelming public benefit and the benchmark to which any and all future deals of this kind should model after. As a working class father of two, I parallel my family's future on the South Coast with the success of Bandon Dunes. Please, for the future vitality of the area and its next generations, let this exchange happen without delay. Our children and area need opportunities like this to stay competitive in the world today.

While many areas in the country people are rightfully challenging the drilling of toxic, earthquake causing, fracking wells. The 27 holes Mr. Keiser proposes to drill are 4.25 inches in diameter and average 6 inches in depth. I can't think of any less impactful or better use of this gorse-choked wedge of unused land.

I've heard the opposition's worn old charges of "robbing Peter to pay Paul". I disagree; I like to think about this in terms of "Peter being gracious enough to help Paul with a kidney transplant". This is if we continue to drag Peter and Paul into the debate. I bet they both would have thought the world of Mr. Keiser as most in our community do.

Good Day, Brian Kraynik

# Shaun W Robertson

PO Box 242  
John Day, OR 97845  
(541) 620-0211

[swrobertson@centurytel.net](mailto:swrobertson@centurytel.net)



15 July 2013

Oregon State Parks & Recreation Commission through  
Tim Wood, Director  
Chris Havel, Communications and Research Division  
Vanessa R DeMoe, Commission Assistant

VIA ELECTRONIC MAIL ONLY TO [tim.wood@state.or.us](mailto:tim.wood@state.or.us), [chris.havel@state.or.us](mailto:chris.havel@state.or.us), and  
[vanessa.demoe@state.or.us](mailto:vanessa.demoe@state.or.us)

RE: PUBLIC COMMENT – COMMISSION MEETING JULY 17, 2013; AGENDA ITEM 6(B)

Dear Commission Members:

My name is Shaun W. Robertson and I am writing to you today in opposition to the Oregon State Parks and Recreation Department's (OSPRD) proposed acquisition of the Grouse Mountain Ranch parcel (Property) as part of the OSPRD's proposed Bandon Dunes Exchange Proposal (Project). While I recognize that public ownership of important and significant properties are a valuable tool of the park system, the Property clearly does not meet the statutory criteria for acquisition. Furthermore, due to the superfluous infrastructure present on the Property, the acquisition is not cost effective and the public's money and interests would be better served elsewhere. For these and many other reasons that I would be willing to explain to the OSPRD Commission in detail given additional comment period, I am requesting that the Property be dropped from further consideration.

I am fourth generation from Grant County and have spent significant time on the Property since my grandparents were very close friends of the former Property owner. Currently, I am a natural resource consultant in John Day, with over 25 years experience in fish, wildlife, and watershed management in the John Day Basin and presently serve on the Board of Directors of the John Day Basin Trust, a local, nonprofit land trust composed of local landowners dedicated to the conservation of important lands and resources in the John Day basin. Based on my substantial natural resource management experience in the John Day basin, I am in disbelief that OSPRD purports that acquiring the Property complies with the statutory criteria for public acquisitions or provides an overwhelming public benefit. While the property is scenic and the current owner has completed numerous conservation projects (many with public assistance), there is nothing unique, remarkable or outstanding regarding the Property and, in fact, the Property is no different than any other adjoining or adjacent ranch in the area. The excessive construction and resource-impacting location of the current residence directly conflicts with the rules for acquiring property for the park system and the Property fails to add to or buffer an existing park, address an immediate opportunity that would be lost without acquisition, or fulfill any of the other conditions of OSPRD acquisition.

Frankly, there appears to be no other explanation for the proposed acquisition other than some type of relationship between the Property owner and either Bandon Biota or OSPRD, which relationship fails to

satisfy the conditions and criteria for acquisition. Although the other parts of this Project may remain viable, there can be no other reasonable outcome than for the Property to be dropped from further consideration.

So that I may better understand the Project, I am requesting information regarding the following topics:

- Disclosure of any relationship between the Property owner and Bandon Biota and any document(s) that evidences how the Grouse Mountain Property became involved in the proposed Project, including, but not limited to, correspondence between the OSPRD and the current Property owner.
- A copy of the rating system per OAR 736-019-0060(3) that evaluates the Property relative to the proposed Project.
- A copy of the written environmental review, if any, conducted by the Project proponent.
- Evidence that the OSPRD has, or intends to, inquire whether the local county and communities support the acquisition of the Property.

Please place these comments in the public record related to this Project and provide this correspondence to the other members of the Commission as part of their review of the Project. I would appreciate future notification of the Project to the extent that the Property remains in consideration.

Sincerely,



Shaun W Robertson

cc: Rep. Cliff Bentz  
Sen. Ted Ferrioli  
Judge Scott Meyers, Grant County  
Sharon Rudi, OSPRD Commissioner  
Brad Chalfant, OSPRD Commissioner  
Grant County Lands Committee  
Grant County Farm Bureau  
Grant County Stockgrowers



**County Court of Grant County**  
July 12, 2013

Mr. Tim Wood  
Oregon Parks & Recreation Dept.  
725 Summer St. NE, Suite C  
Salem, OR 97301

Dear Mr. Wood & the Members of OPRD Commission,

The Grant County Court and the Grant County Assessor would like to formally object to the proposed addition of the "Grouse Mountain Ranch Parcels" in Grant County to the state park system.

Your staff report concludes that this exchange, transfer or purchase of this property would fulfill the terms of OAR 736-019-0070(4) where it states that the exchange needs to demonstrate an overwhelming public benefit to the OPRD system, its visitors and the citizens of Oregon. The Grant County Court which represents 7,450 citizens of Oregon strongly disputes this allegation for a variety of reasons:

1. There has been no opportunity for any local public comment on the proposed exchange.
2. When there are rural counties in Oregon that are on the precipice of financial insolvency this is a horrible precedent to county governments.
3. There has been no research done to ascertain the negative impact on county government, i.e. reducing tax revenues and the potential impact on local Law Enforcement.
4. The potential impact to private landowners that will have to at least augment a percentage of the fire protection rates.
5. The impact on a State government that arguably has significant budget problems and PERS liabilities.
6. There has been to date, no demonstration of significant ecological, geographic, cultural or scenic qualities that would indicate these parcels are exceptional.

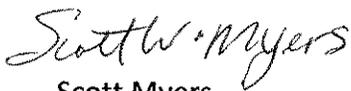
Mr. Wood, when the Bates State Park was originally conceptualized by members of the community and the Grant County Court in 2007/2008 it was presented to OPRD with overwhelming enthusiastic public support by the community. OPRD did a thorough public

hearing process and also did an exhaustive DEQ evaluation. It is our opinion that the formation of the Bates State Park was an example of the standard as defined in OAR 736-019-0070(4).

It is our contention that OPRD, its staff and Bandon Biota are attempting to circumvent this rule to benefit a private entity at the expense of the citizens of Grant County.

It would be the request of the Grant County Court and the Grant County Assessor that OPRD respects the tenets of transparency and governmental accountability by, at the very least, bring this proposal to the citizens of Grant County with the public hearing process.

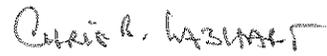
We, "the County Court" strongly feel that Grant County has a sufficient amount of public land within its borders (64%) without removing these parcels from private ownership. OPRD has failed in any substantive way to demonstrate the terms of OAR 736-019-0070(4) have been fulfilled.



Scott Myers  
County Judge



Boyd Britton  
County Commissioner



Chris Labhart  
County Commissioner



Lane Burton  
County Assessor

## Chris Havel - Fwd: Fw: Bandon land exchange

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**From:** OPRD Publiccomment  
**To:** Chris Havel; Jim Morgan  
**Date:** 7/11/2013 8:20 AM  
**Subject:** Fwd: Fw: Bandon land exchange  
**CC:** John Potter; Tim Wood

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This came in to the public comment email. Forwarding for response and FYI. Thanks ~ Vanessa

>>> Phillip Nemrava <pnemrava@yahoo.com> 7/10/2013 6:06 PM >>>

----- Forwarded Message -----

**From:** Phillip Nemrava <pnemrava@yahoo.com>  
**To:** "orpd.publiccomment@state.or.us" <orpd.publiccomment@state.or.us>  
**Sent:** Wednesday, July 10, 2013 5:57 PM  
**Subject:** Bandon land exchange

As long time Coos and Curry county residents we are concerned primarily with how beach access will or could be affected over time. We know that in the past Bandon Biota has expressed a desire to vacate the Whiskey Run Beach access road, and most probably still would like to do so? While we are not opposed to, or in favor of the actual golf course or land exchange, we are very suspicious of those who would have even considered closing such a popular and frequently used access as Whiskey Run Beach.

Does the State have safeguards in place that protect current beach access? Are there any deals buried in the fine print of this pending agreement that would effect current beach access anywhere?

A response would be greatly appreciated.

Thank You,

Phillip Nemrava, President

Coos and Curry Counties Kite Boarder and Surfer Association.  
(541) 297-5991

## Chris Havel - Fwd: State Parks Land Swap

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**From:** Tim Wood  
**To:** Havel, Chris  
**Date:** 7/11/2013 11:57 AM  
**Subject:** Fwd: State Parks Land Swap

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>>> Alex Mitchell <mitchell.alexanderb@gmail.com> 7/11/2013 10:30 AM >>>  
Hello Tim,

I saw an article in the Oregonian today about the proposed swap of a portion of coastal land near Bandon, for a piece of former ranch property in Grant County. I'm not sure how much citizen input via e-mail will sway your decision, but I thought I'd offer my opinion.

I'm generally familiar with that area of the coast... we vacation out there frequently... and I'm also familiar with much of central and eastern Oregon due to 4 years living in Klamath Falls and traipsing all over that part of the state.

As it's described in the article... I think this land swap is a good idea. It seems to be a cost-effective use of state resources and I think the public benefit is there. Central and eastern Oregon offers so many opportunities for beautiful parks in an otherwise sometimes (often?) mostly-neglected area of the state.

I know exactly what kind of old ranch bottom-lands you're proposing to acquire. Gorgeous pieces of land, in my opinion. The coastal areas are worth preserving too, but a medium-sized, ecologically-sensitive golf course seems like a fine use for an otherwise gorse-infested dune... especially if the actual ocean-view portion will be preserved for public access.

Again, as an Oregon resident, voter, fiscally-conservative taxpayer, and park-user, I support this land swap.

Sincerely,

Alex Mitchell  
Newberg, OR

## OPRD Publiccomment - Bandon Biota land deal

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**From:** Chris Luecke <chris.luecke@gmail.com>  
**To:** <OPRD.publiccomment@state.or.us>  
**Date:** 7/13/2013 1:52 PM  
**Subject:** Bandon Biota land deal

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To: Parks and Recreation Commission  
Re: Land swap deal with Bandon Biota

It seems like the Parks management personnel will have the best perspective on the value of this tradeoff. It looks like the Oregon Parks system will benefit from the exchange, payment of money, and gorse control to me. The area that would be lost does not get extensive use by the public now.

--

Chris Luecke  
Lower Four Mile Lane  
Bandon, Oregon



OREGON SHORES  
CONSERVATION COALITION

July 15, 2013

Mr. Tim Wood, Oregon Parks and Recreation Department Director  
Parks and Recreation Commission Assistant Vanessa R. DeMoe  
Oregon State Parks and Recreation Commissioners  
Oregon Parks and Recreation Department  
725 Summer St. N.E. Suite C  
Salem, OR, 97301

Re: Proposed Land Exchange with Bandon Biota

Dear Director Wood, Commission Assistant DeMoe, and Oregon State Parks and Recreation Commission,

Oregon Shores submits these comments regarding the Parks and Recreation Commission's consideration of a land exchange proposed by Bandon Biota for land in just south of Bandon, on the agenda for the Commission's July 16-17, 2013 meeting. These comments hereby incorporate by reference Oregon Shores' comments on the prior Bandon Biota exchange proposal, dated July 20, 2011. Oregon Shores is a private, non-profit organization with members in Coos County and statewide. Oregon Shores' mission is to protect and conserve the natural resources of the Oregon Coast, aid residents in preserving their communities, lands, and waters, and ensure the public's access to Oregon's beaches and natural areas.

Oregon Shores has grave concerns about the proposed exchange of land between

(cont.)

OPRD and Bandon Biota. We do not believe that a case has been made yet that the exchange would be of “overwhelming public benefit,” the standard to which all land exchanges involving state park land must be held according to OPRD’s own rules.<sup>1</sup> Nor do we believe that there has been a clear demonstration that the exchange “pencils out” even in purely financial terms relating to comparative value.

Oregon Shores strongly urges OPRD and the Parks and Recreation Commission to defer any decision until the situation has been more fully analyzed and the facts are known to the public. OPRD land acquisition policy requires that the Commission “conduct real estate transactions in an atmosphere of openness, honesty and integrity with sellers and the public ....”<sup>2</sup> Currently, significant components of the proposal have not been made available to the public. If the Commission renders its decision prior to disclosure of all relevant information, it will not be performing due diligence and risks giving away almost infinitely precious and rare shoreland acreage without receiving appropriate value in return. OPRD should make additional information about the exchange available to the public well in advance of taking any action on the proposal. Otherwise, the Commission will very definitely not have given the public sufficient time to learn the facts and engage in legitimate public debate.

OPRD land acquisition policy requires important analyses and information prior to any decision. Specifically, OPRD policy requires that the department rank and prioritize acquisitions by completing the “Park Acquisition Evaluation” for each property to determine its feasibility and suitability as a state park.<sup>3</sup> OPRD must only acquire property that is “consistent with the department’s purpose and its long-range planning goals.”<sup>4</sup> Staff has not yet disclosed the information or analysis that supports such a finding. In addition, the acquisition policy specifically requires that a proposal include adequate detail to evaluate the transaction for natural resource assessment, impacts and protection; cultural assessment, impacts and preservation; and overwhelming benefit to the park system.<sup>5</sup> So far, very little information about the exchange, including the exact parcels proposed for inclusion in the transaction, or detail regarding the quality and condition of the ecosystem, habitat, and recreational values, has been disclosed. Oregon Shores requests that the department require the proponent to provide a written environmental review for all lands the department is to receive in the exchange, and make that review available to the public.<sup>6</sup>

For potential land transfers, OPRD establishes the value of the land by an up-to-date appraisal. OAR 736-019-0100(a). An exchange requires transfer land and/or assets of equal value. OAR 736-019-0020(5). Oregon Shores has some questions about the

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<sup>1</sup> OAR 736-019-0070(3)(f)(C)

<sup>2</sup> OPRD Policy # PSP.010, Policy 2(c).

<sup>3</sup> OPRD Policy # PSP.010, Policy 5(f).

<sup>4</sup> *Id.* Policy 5(a).

<sup>5</sup> *Id.* Policy 8(c).

<sup>6</sup> OAR 736-019-0070(3)(e)

timeliness and accuracy of the appraisal submitted by Bandon Biota. OPRD Land Exchange criteria require that the appraisal submitted by Bandon Biota be independently verified, be up-to-date, and that it reflect the intended use, not simply the current or best use as identified by OPRD.

For a land exchange involving property of greater than \$250,000 value, OPRD conducts an independent valuation unless it determines that the outside party's land valuation meets OPRD guidelines. OAR 736-019-0100(b). According to the land appraisals submitted by Bandon Biota, the value of the OPRD land is \$910,000, while the value of the Bandon Biota land is \$1,020,000.<sup>7</sup> OPRD can rely on the valuation provided by the seller if it meets OPRD appraisal criteria. OAR Land Acquisition Policy (Aug. 22, 2010). Has OPRD either independently verified this appraisal or determined that it meets the standards set out in OPRD's Policy for land exchanges, which includes requiring the appraisal be up-to-date and that it considers the property's intended use? OAR 736-019-0100(i)-(j). Has OPRD conducted an independent appraisal of the lands proposed for this exchange?

Under OPRD policy, "appraisals upon which offers are made shall be dated as close in time to the expected closing as possible, and not be older than one year." OAR 739-019-0100(i). The appraisal conducted for the preliminary Bandon Biota proposal, dated June 5, 2010, is already over three years old.<sup>8</sup> A formal proposal by Bandon Biota would call for a revised appraisal to ensure it is up-to-date and in accordance with OPRD policy for appraisals. Does OPRD intend to have a more recent appraisal completed?

An appraisal must consider the "new, anticipated, or intended use" is that is different from the current or best use as identified by OPRD. The appraisal relied upon by Bandon Biota is based upon construction of a single-family dwelling.<sup>9</sup> Oregon Shores questions whether an appraisal based upon this use is an accurate assessment of the value of the lands for OPRD's purposes. Is a single-family dwelling really the "highest and best use" of the land that is currently part of a State Natural Area and which Bandon Biota intends to convert to a golf course? Did the appraisal take Bandon's Biota's development plans for a 27-hole golf course on this land into consideration when determining the value of the OPRD land? Did the appraisal relied upon by Bandon Biota consider the value of the property's intended use?

In any case, for an exchange to meet the "overwhelming public benefit" standard, the Commission must account for the natural, scenic, cultural, historic, recreational, and operational benefits that are likely to be above and beyond the monetary value of the exchange.<sup>10</sup> If the Parks and Recreation Commission makes available the actual values involved in the proposed exchange, allows the information to be fully and independently

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<sup>7</sup> Bandon Biota Proposal (Aug. 19, 2010).

<sup>8</sup> Bandon Biota land Exchange Proposal, 28 (Aug. 19, 2010).

<sup>9</sup> *Id.* at 28.

<sup>10</sup> OAR 736-019-0020(8)

Oregon Shores comment  
Bandon Biota Exchange Proposal  
OPRD Meeting July 17–18, 2013

analyzed, and then gives the public sufficient time (months, not weeks) to fully respond, Oregon Shores would not at this time take a categorical position in opposition to the proposal, but would instead consider the full range of potential benefits and impacts, monetary and otherwise. However, if the decision were to be made at this time, the only responsible decision is to reject the proposal, both because it is by no means certain that the exchange would meet even the strictly technical criteria, and because the public has not had a legitimate opportunity to learn the relevant facts and then formulate responses.

The following factors and concerns should guide OPRD's consideration of the proposal and the Parks and Recreation Commission's deliberations.

1. The Bandon-area properties which Bandon Biota proposes to exchange in return for the 280-acre parcel of the Bandon State Natural Area are unquestionably valuable from an ecological point of view. However, their value in calculating the benefits of the proposed exchange depends on whether their resource values would be lost unless they came into public hands. If they are not effectively developable, then acquiring them would have little public benefit. Oregon Shores members familiar with land use in the Bandon area contend that little is actually being gained in this exchange, because the properties to be traded won't be developed in any case. This is the crux of the matter, in terms of determining the financial balance of the exchange and thus the "overwhelming public benefit." No decision should be made until this question has been thoroughly vetted by independent experts.
2. Coastal shorelands in public hands are scarce and of extremely high value—even those currently overgrown with gorse. Land located in eastern Oregon should have absolutely no place in an exchange that would involve loss of coastal lands. The "Grouse Mountain" parcel has zero value in determining the public benefit in this situation. OPRD is responsible for conserving the resource values of public lands, not simply for providing recreational playgrounds; the lands in eastern Oregon, however conveniently situated for park development, do not constitute a scarce resource, and would not in any way compensate for the loss of coastal shorelands. OPRD has a special responsibility for maintaining the legacy of Sam Boardman, the agency's founder, who considered coastal lands and access to them the linchpin of the state park system. The eastern Oregon property must be left out of the equation.
3. The property proposed for purchase at Whale Cove is indeed coastal, and highly valuable to the public. However, before its value is considered in weighing the public benefit of this exchange, OPRD must clearly answer whether the funds offered by Bandon Biota are in any way essential to this purchase. If the company's financial contribution simply facilitates a transaction that would happen anyway, ultimately having the role of simply freeing up funds that will later be spent on some other property lower on the priority list, this too should be left entirely out of the equation.
4. There has been great emphasis on the fact that the 280 acres to be surrendered by OPRD is covered with gorse and currently of low habitat or public access value. The

long-term future of this land must be considered in weighing the public benefit. If it were doomed to remain perpetually degraded by invasive species, then indeed its value would be relatively low. But if restoration is possible at a reasonable cost, or if in fact there are plans to conduct such restoration, then the value of this land must be considered in terms of the natural habitat and desirable open space it can become. The Commission has the authority to sell, lease, or exchange of real property if in the opinion of the department it is no longer needed, required or useful for department purposes.<sup>11</sup> The framework for this proposal does not demonstrate or explain why the BSNA parcel is “no longer needed, required or useful” for the state parks system.

5. There must be a careful and thorough analysis of the potential impact of the proposed golf course on what would then be the adjacent lands of the remaining Bandon State Natural Area. Would there be direct access by golfers and other visitors on the public land in what would otherwise be a remote area? Would there be potential impacts on current or potential snowy plover nesting areas, or on other species of concern? Would there be light or noise pollution? Would chemical pollution (herbicide or other) be a possible threat to the public lands? Would irrigation of the golf course affect the water table, or water flows affecting public lands?

Golf courses have potentially negative impacts on the surrounding area, including impacts to groundwater and wildlife habitat, and pollution issues. Visitors to the golf course will likely want to visit the beaches and headlands and this could be disastrous for the endemic and sensitive wildlife species. Garbage and waste associated with the large development will inevitably lead to an increase in opportunistic species, such as raccoons, which will just as inevitably move onto the BSNA, imperiling a host of nesting seabirds. The golf course may also allow invasive species to proliferate, endangering fragile endemic plants in the area. Crows, raccoons, and opossums, which are known to interfere with seabird populations, will have increased access and will likely become nuisance animals. Increased activity by visitors could also interfere with wildlife activity on the natural area.

The Bandon Dunes Golf Course requires the treatment of domestic sewage and production of Class B recycled water. Since 2002, they have been issued four Notices of Non-Compliance with their water permit issued by DEQ.<sup>12</sup> This history raises questions about whether this area and the adjacent park area will be properly protected. Oregon Shores requests that the Commission conduct a careful review of the ecosystem impacts of the proposed trade.

OPRD must determine the impact to natural resources from any proposed exchange. The proposal submitted by Bandon Biota acknowledges the threat posed to the Western Snowy Plover from predatory species and human activity.<sup>13</sup> The result of the

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<sup>11</sup> ORS 390.121(3).

<sup>12</sup> See DEQ Proposed Renewal of WPCF Permit for Bandon Dunes L.P. (May 7, 2010).

<sup>13</sup> Bandon Biota Land Exchange Proposal, 24 (Aug. 19, 2010).

proposed development would be increased human traffic in the surrounding area. An increase in human activity can also lead to an increase in scavenger species, such as skunks, raccoons, and foxes, all of which pose a threat to the snowy plover. Both of these factors have the potential to harm snowy plover habitat and pose threats to the species survival. OPRD has invested a great deal of time and expense in developing and participating in a recovery plan for the Snowy Plover; the Commission must take great care to assure that this effort not be jeopardized before giving consideration to the proposed exchange.

While the Bandon Biota proposal discusses potential impacts to the Snowy Plover, it fails to provide information on the impacts on other wildlife and plant species in the area, including the Beach Sagewort. What measures would OPRD envision as part of any trade to ensure protection of wildlife habitat and sensitive plant species on the BSNA? These should be clearly set forth for public consideration in advance of a public comment period.

6. The long-term effects of losing the 280-acre parcel must be considered. With sea level rise and increasing storm surges, much higher rates of coastal erosion are anticipated in coming decades. Is there a possibility or likelihood that the public shoreline in this area will be eroded back, such that the parcel in question might acquire increasing value as it becomes more immediately adjacent to the beach? Might this parcel eventually be needed to allow the shoreline to move back and still remain public? Moreover, there is a very high probability of a major tectonic earthquake on the south coast in the relatively near future (decades). The result of such tectonic quakes is that the land drops relative to sea level, typically by three feet or more. This kind of alteration of the shoreline might well cause the portion of the BSNA under consideration for the trade to become more valuable. Conversely, a tsunami, an earthquake, predicted sea level rise and increased storm surges may all cause the land Bandon Biota proposes to trade to become less valuable, and very possibly leave it underwater. The Commission should weigh the long-term values of the parcels in question in light of the risks posed by predictable natural hazards.

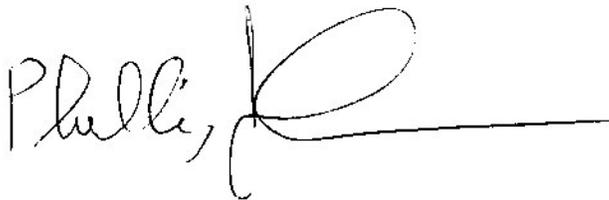
7. The intended use for the state lands sought in the exchange is relevant only in terms of how it might impact adjacent public land. The fact that the announced plan is to develop a golf course is not relevant in terms of regarding this as “recreation” and thus somehow beneficial in terms of OPRD’s mission. There is no certainty that the property would remain in this use. The area has a superabundance of golf courses, so it can scarcely be said that this use would meet some compelling public need. Beyond stating this obvious fact, Oregon Shores isn’t taking a position on golf—the point here is that the Parks and Recreation Commission should not take this use into account either, whether favorably or otherwise. The only relevant consideration is that the land would pass from public control and become available for private development. (As noted above, the intended use can be relevant in terms of assessing the ultimate monetary value of the land to be traded, but that is a different issue.)

8. Oregon Shores has long held the principle that public lands, and especially state parks, should have buffer zones—that rather than allow development right up to their boundaries, so that the public land in effect becomes an amenity for the private development, at the expense of solitude, scenic vistas and habitat values to the public, these lands should be shielded by buffer zones required of adjoining property owners who wish to develop. OPRD is to consider whether acquiring a parcel will provide “a buffer from private development that may diminish the recreation or conservation values of a state park parcel” in evaluating an exchange.<sup>14</sup> In this case, the Commission is being asked to approve a land exchange that would move in the opposite direction, removing the effective buffer created by the little-used land in the 280-acre parcel. If the proposed development by Bandon Biota is allowed to occupy the entire parcel sought in the exchange, then the public shoreland area remaining would have no buffer. If the exchange is to be considered, OPRD and the Parks and Recreation Commission should very carefully examine the possibility of requiring a buffer zone—on Bandon Biota land—between the developed area and the Bandon State Natural Area.

### Conclusion

Oregon Shores appreciates the opportunity to comment on this proposal, and looks forward to the opportunity to review more details about the land exchange. Oregon Shores remains willing to consider whether the proposed exchange will be of overwhelming net benefit to the parks system and the public. However, the public has not yet been provided with the information that will make this judgment possible. We state in the strongest possible terms that this matter is not yet ripe for decision, and that if a decision is made now it must be to reject the proposal. Oregon Shores asks that the Commission consider the evaluation criteria carefully and take appropriate measures to ensure that OPRD’s policies are carried out to the fullest extent in considering this proposed land exchange.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip Johnson", with a long horizontal line extending to the right.

Phillip Johnson  
Executive Director  
Oregon Shores Conservation Coalition

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<sup>14</sup> OAR 736-019-0060(2)(c)

# NATIONAL COAST TRAIL ASSOCIATION



PO Box 11045 – Portland, OR / [www.CoastTrails.org](http://www.CoastTrails.org) / 503-335-3876

***“Keeping the Coast for Everyone”***  
through advocacy, education and action  
for public access, trails and coastal preservation

July 14, 2013

***Oregon State Parks Commission***  
725 Summer Street NE, Suite C  
Salem, Oregon 97301

The purpose of this letter is to **provide the *Oregon State Parks Commission* with our comments** on the **proposed exchange with *Bandon Biota*** regarding an exchange of real property and funds for 280 acres of the *Bandon State Natural Area*.

Given that . . .

- Our organization's mission is "**Keeping the Coast for Everyone**" through advocacy, education and action **for public access, trails and coastal preservation.**
- The mission of the ***Oregon Parks and Recreation Department*** is to **provide and protect outstanding natural, scenic, cultural, historic and recreational sites for the enjoyment and education of present and future generations.**
- And, our organization's global ends policy includes developing . . . **a continuous and well-maintained coastal trail system . . . with protected natural and cultural resources . . . to serve the public . . .**

. . . we **believe our comments are consistent both with our mission, and also that of the *Oregon Parks and Recreation Department***, plus some of the ends we are both working to achieve along the Oregon coast.

**The development of the Oregon State Park system, especially along the Oregon coast, has been the result of growing its land base over many decades**, through acquisition and donation, thereby not only providing for present but also for future generations. The **pro-active long-term vision of past park directors, like Sam Boardman, and Oregon State Park Commissioners has made all the difference** in making Oregon State Parks what they are today, and what they will be in the future.

**The value of the Oregon State Park system, especially along the Oregon coast, not only relative to tourism in contributing to the state and local economy, but also in providing recreational opportunities and quality of life benefits, is significant.** Another value of the state park system is in **protecting wildlife habitat and natural open space.** The **protection of existing lands within the Oregon State Park system**, preserving what's already there, as was recently done by the ***Commission*** relative to the *Floras Lake State Natural Area* proposal in Curry County, **is vital in continuing to realize these values.**

Given that . . .

- **Preserving the upland scenic viewshed along recreational trails** is an important component in creating a quality recreational experience for hikers.
- **Protecting and restoring habitat along recreational trails** is an important management approach in enhancing opportunities for wildlife viewing for hikers.

- **Expected continued and significant sea level rise during the 21<sup>st</sup>-century** combined with resulting **higher storm surges and shoreline erosion** events, plus the geological potential for a **major tsunami event** with resulting **damaging impacts to foredune areas**, could mean the **loss of land** directly parallel to and further inland thereby potentially shrinking the existing land base and wildlife habitat of *Bandon State Natural Area*.
- **Loss of the 280-acre parcel would preclude the use of the land for any future potential state park** purposes to use the land for public recreational purposes such as primitive or other types of campsites with their related facilities.
- **Past donations of land to the state park system have been made**, as in the case of a gift of 367 acres of land in 1950 by Borax Consolidated, Ltd of London, now a part of the *Samuel H. Boardman State Scenic Corridor* along the south coast.
- **And the apparent fact that “. . . Admittedly, he (Mike Keiser) could build Muni (the proposed 27-hole golf course) on the land he (already) owns, and it could be 'pretty good' . . .”**  
(Source: *Golf Traveler Insider* website article/interview re: Bandon Muni by Matt Ginella, May 13, 2013)

Therefore, we specifically . . .

- **Seek the continued preservation and protection of the *Bandon State Natural Area* land base as it currently exists.**
- **And encourage *Bandon Biota*, instead of an exchange of the coastal lands they own, to make a lasting contribution to the public by simply donating both the 111-acre oceanfront and the 97-acre Bullard's Beach Spit parcels, thereby growing the Oregon State Parks system for future generations.**

Finally, given the former response by the *Oregon State Parks Commission* to the initial proposal of *Bandon Biota*, regarding an exchange of coastal lands for coastal lands, **the past decision apparently meant the original proposal did not meet the criteria of providing an "overwhelming public benefit to the state park system."**

A more general question which might be asked by the *Commission* relative to the current proposal -- and the **apparent precedent-setting decision** that would result -- is "Does the Commission agree to an "exchange of state park land" when money is also offered to fund another state park project, whether on the coast or elsewhere?"

**What's seems to be complicating this proposal for the *Commission* is that it goes beyond the simple exchange of land** – which was the apparent specific intent being addressed by their existing policy of "**overwhelming public benefit**" – since in this case it also involves the additional offer of significant money for other state park projects.

**How the Commission interprets their existing policy statement relative to the current proposal and situation will make all the difference**, not only to this 280-acre parcel, but potentially and more importantly to the future of the Oregon State Park system itself . . . and generations to come.

Thank you for your consideration, respectfully,



Al LePage, *Executive Director*

cc: Board of Directors, *National Coast Trail Association*

Oregon State Parks & Recreation Commission  
725 Summer St. N.E., Suite C  
Salem, OR 97301

RE: PUBLIC COMMENT – COMMISSION MEETING JULY 17, 2013; AGENDA ITEM 6(B)  
RELATING TO GROUSE MOUNTAIN RANCH ACQUISITION PROPOSAL

July 16, 2013

Dear Commissioners,

I am the State Representative for District 60, which includes Grant County. The proposed acquisition, by the State of Oregon or any non-profit, non-taxpaying entity, of the Grouse Mountain Ranch, if consummated and if not appropriately structured, would cause further economic damage to Grant County. Not only would it have a substantial negative impact upon real property tax and fire suppression revenues, it would also further reduce the economic stability of the County.

Of course, this negative impact could be at least partially offset if an appropriate management plan is in place. Such a management plan would have to include use of the property that at least maintains or improves economic activity and allows use of the property for other economically beneficial actions. Additionally, the loss of real property taxes would somehow have to be addressed. Unfortunately, there has not been a public hearing which would allow local residents to understand the proposed future use of the multi-thousand acre parcel.

The failure of timber policy and the refusal of the federal authorities to allow activity on federal forest and BLM lands (which comprise approximately 70% of the County) has pushed the small rural communities in the County to the brink of fiscal ruin. This proposed acquisition, by a public non-taxpaying entity (State Parks), would only accelerate this economically disastrous process.

On behalf of my constituents in Grant County, I urge you to hold a hearing in Grant County so that local residents concerns can be heard. Absent such a hearing, I urge you to oppose the suggested land exchange.

The standard which applies (strong benefit for all of Oregon) is certainly not met by any part of this proposal.

Again, I urge you to vote NO. Thank you for your service and for your consideration.

Very truly yours,

Representative Cliff Bentz  
House District 60

July 14, 2013

Oregon Parks and Recreation Commission  
Oregon Parks and Recreation Dept.  
Attn: Chris Havel  
725 Summer St. NE  
Salem, OR 97301  
Email: [chris.havel@state.or.us](mailto:chris.havel@state.or.us)  
[tim.wood@state.or.us](mailto:tim.wood@state.or.us)

Dear Chris Havel and OPRD Commission

As a landowner in Grant County, I would like to weigh in on the recently-discovered “proposed land swap”. I am adamantly opposed to privately-owned property being taken out of the tax base. Counties like Grant County, that had relied on timber dollars just a few short years ago are struggling to survive because of those tax dollars disappearing. They do not need to have their situation made worse by taking land off the tax rolls.

I am dismayed by the fact two State officials would ask our county judge to keep a matter like this “under his hat”. I think these 2 state officials’ jobs should be at stake, speaking as a long term taxpayer in the State of Oregon. It is our way of life that is being affected...and our tax dollars that are being used.

Respectfully,

Shannon Rust

Oregon Parks and Recreation Dept.  
Attn: Chris Havel  
725 Summer St. NE  
Salem, Oregon 97301

July 10, 2013

Dear Mr. Havel,

I am writing to voice my opinion and concerns on the proposed land exchange with Bandon Biota, in Grant County Oregon. I am a taxpayer and land owner in this county and am also a neighbor to the property being discussed. Our County cannot stand to have any more property taken from our tax roles. We are nearing destitution now, because of the lack of employment and the ongoing waste of our taxpayer dollars, by our State and Federal government. I don't feel like any form of government needs to own more land, when in reality they are not good stewards of the land they have.

During these tough economic times we need to tighten our belts and direct our efforts to the basic things that are needed to provide us with good fire protection, schools, medical facilities, police protection etc. We are having a difficult time in this county just providing adequate services in all of these departments, without adding another park that will take more tax payer dollars to develop. I thought the state was supposed to be broke. If so, how do we propose to do this? I also don't believe that this park would have an "overwhelming benefit to the public." The property was homesteaded in the 1800's and developed to be productive, working agriculture land. We need to remember that these properties raise the food to feed the people of this great state and nation. Please keep that in mind.

Thank you for hearing me out and I truly hope and pray that you will take my concerns to heart and really hear them. I am not the only one in this county that is concerned about this issue.

I would appreciate a response to my letter regarding the decision made on this issue.  
Thank you.

Sincerely,



Mary Ellen Brooks  
P.O. Box 487  
Mt. Vernon, Oregon 97865  
541-932-4540

PO BOX 488  
Long Creek, OR 97856  
July 14, 2013

Oregon Parks and Recreation Commission  
Oregon Parks and Recreation Dept.  
Attn: Chris Havel  
725 Summer St. NE  
Salem, OR 97301  
Email: [chris.havel@state.or.us](mailto:chris.havel@state.or.us)  
[tim.wood@state.or.us](mailto:tim.wood@state.or.us)

#### Commission Members

I am a lifetime resident of Grant County, Oregon, and a taxpayer in the county since March of 1966. I am extremely opposed to a land exchange program which was recently brought to my attention. It is my contention that the land in Grant County being considered for exchange has no unique benefits. It will not be an essential part of the Oregon parks division.

Grant County is suffering loss of jobs and population because of the loss of the timber industry in the area. One remaining industry that is still viable is the grazing of livestock. Taking land out of production is not a benefit to Grant County or the state. The reduction in taxes by removing the property from taxation both for county taxes, and fire patrol for Oregon Department of Forestry is definitely not in the best interests of this county.

It is my understanding that this land exchange has been in the making for some six months, and that the Grant County Judge when approached to discuss this land exchange was told by two state agency employees that he was to keep it secret. This goes against all public policy, and is an affront to the residents of the county.

In closing, I once again state this is not an acceptable transaction for the citizens of the county

Respectfully submitted

Sharon E. Livingston  
541-421-5276

**Chris Havel - Bandon State Natural Area - do not trade it away**

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**From:** Margaret Stephens <mlstep@msn.com>  
**To:** "chris.havel@state.or.us" <chris.havel@state.or.us>  
**Date:** 7/16/2013 4:57 PM  
**Subject:** Bandon State Natural Area - do not trade it away

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Greetings:

I am writing to urge that OPRD not accept the proposed land exchange that would give Bandon Biota 280 acres of Bandon State Natural Area.

I fail to see how carving away a natural area for another golf course in this area is in the "overwhelming" public benefit. What I see is publicly owned natural areas in a prime site being given to benefit a privately owned business. (Yes, I do understand there would be other lands acquired in this land exchange; however, I do NOT think this is the way to obtain these lands and I question the value received by the Oregon public in this proposed exchange.)

OPRD should continue to obtain land that benefits the public good. OPRD should not trade away any part of this important ecosystem.

I treasure my visits to BSNA. It, and the ecosystem there, needs to be protected and expanded, not diminished.

Sincerely,

Margaret Stephens  
Salem, OR 97301

July 10, 2013

Oregon Parks and Recreation Department  
ATTN: Chris Havel  
725 Sumer St. NE  
Salem, Oregon 97301

Dear Chris Havel and OPRD Commission:

It is with great concern that I address the draft agenda item 6b, Proposed Exchange with Bandon Biota. As a resident of Bandon and lifetime Oregonian, I do not believe this land trade meets the "overwhelming public benefit" criteria for various reasons.

First of all, the Bandon State Natural Area is a very unique piece of property and irreplaceable. I find it amazing OPRD is considering trading a portion of this property to a "for profit" private entity whose goal is development. This is a highly sensitive area which needs to be protected and maintained for "public benefit". That is why the State of Oregon acquired so many properties along the Oregon Coast years ago. When these original coast acquisitions took place, many of those original landowners actually did not want the "State" to "take" their lands. How can the State justify trading them to a private entity when the State determined years ago that they were so unique, sensitive, and essential for "public benefit"?

Last time Bandon Biota proposed acquisition of this property, OPRD did not approve the land trade. I understand it was because it did not meet the "overwhelming public benefit" criteria. Now that Bandon Biota has sweetened the pot, it is before you again. I find it amazing that according to The World article dated 7/9/2013, Mr. Keiser "does not have enough land to build another golf course or they wouldn't have approached the parks four years ago." Do you know how much land Mr. Keiser currently owns south of Bandon, west of Hiway 101? If not, you need to find out from the Coos County Assessor's office. How much land does it take to build a golf course or is it going to be another "destination" resort? How many golf courses are currently in Bandon? How many can this small community support and is there really a "public need"? Do you really think this development benefits the local community and people of Oregon? How much water will this development require? What will its impact have on those water rights for agriculture use and what will the impact be on water needed for fish habitat? It only takes looking at Klamath to realize currently the importance of "water" in the State of Oregon. What impact will this development have on the fish and wildlife in the Bandon State Natural Area? What will the impact of this development have on the already existing agriculture/timber community south of Bandon? Isn't land planning supposed to protect our natural resource land base from this type of development? Is this type of development compatible next to a "state natural area" and productive natural resource land?

I am adamantly opposed to the conditions of the trade which incorporates the purchase and addition to the "state park system" the 6,100 acre Grouse Mountain Ranch. This property is natural resource land and therefore should be protected under SB100 for ranching/timber and continued private ownership. Our counties are facing financial difficulties and need these lands paying property taxes, providing jobs, and contributing to the local economy rather than going off the tax rolls when it transfers to the State. The cost for management of such a "park" will be extensive adding another cost to us taxpayers of

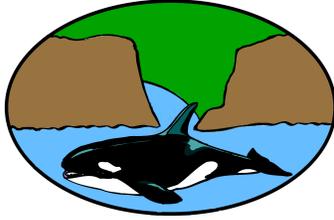
Oregon. Have you considered the real cost to Oregonians should this acquisition become a reality? Have you considered the impact of this acquisition to the natural resource community in Grant County?

Gorse control is something the State of Oregon should have been doing on their lands all along as well as other weed management. Putting \$300,000 into gorse control will do nothing to actually control the gorse unless OPRD has a pro-active gorse management plan in place and a budget each year to maintain control over this invasive. Whether or not you know anything about gorse, you must realize the seeds can lie dormant in the ground for 30+ years. Do you intend to treat these "state natural areas" with herbicides to manage the gorse? How are you going to dispose of these plants? These are huge concerns for us who live in Coos County as this invasive species continues to be spread due to lack of understanding and education of those who do not live in this area.

If your interest is truly "overwhelming public benefit", then you must realize that even though this proposal looks good on paper, the people of Oregon will be losing part of a very sensitive, irreplaceable natural area that every person can now enjoy! The Grouse Mountain Ranch is just another removal of private land into public ownership. There is a cost to Grant County as well as tremendous cost to operate and maintain such a park to Oregon and its taxpayers. Therefore, there is no overwhelming public benefit to this land transaction and it is in the best interest of all Oregonians and the State that the Bandon State Natural Area stays in State ownership and Grouse Mountain Ranch stays in private ownership.

Sincerely,

Sharon Waterman  
87518 Davis Creek Lane  
Bandon, Oregon 9741



## ORCA: Oregon Coast Alliance

P.O. Box 857, Astoria OR 97103

(503) 391-0210

<http://www.oregoncoastalliance.org>

*Protecting the Oregon Coast*

July 12, 2013

Tim Wood, Director  
Members, Oregon Parks and Recreation Commission  
Oregon Parks and Recreation Dept.  
725 Summer St. NE, Suite C  
Salem, OR 97301

Dear Commission Members and Director Wood,

Oregon Coast Alliance is a non-profit organization whose mission is to protect the Oregon coast by working with coastal residents for sustainable communities; protection and restoration of coastal natural resources; and providing education and advocacy on land use issues.

ORCA writes this letter concerning the proposed Bandon Biota-OPRD exchange on behalf of its members and supporters in Coos County and elsewhere who cherish the Oregon coast. Oregon Coast Alliance has very serious reservations about this exchange proposal, and strongly questions whether it weighs out in the balance as providing an overall benefit to Oregonians and the State Parks system. We are in favor of OPRD's independent acquisition of Whale Cove and Grouse Mountain Ranch when monies become available, presuming those properties continue to meet OPRD's acquisition criteria.

### Background

This proposed exchange is similar to that initiated by Bandon Biota in 2010 and 2011, with the addition of monies offered by Bandon Biota to purchase a small but important parcel in Whale Cove, and the large Grouse Mountain Ranch in Grant County. Bandon Biota or associated Bandon Dunes companies proposes to build a golf course, nicknamed 'Bandon Muni,' on the BSNA exchange land.

As before, this exchange falls under the category of "Exchanges Initiated by Other Parties" in the Oregon Administrative Rules that govern OPRD. OAR 736-019-0070(3) states that in such exchange proposals, OPRD will among other things:

- Determine whether the exchange aligns with the Department’s mission, strategies, objectives and work plan.
- Inquire whether the local county and local communities support the exchange.
- Determine whether the exchange will accommodate public use and access, and be in the best interests of the Department.

OAR 736-019-0070 (4) directs the Commission to “determine that the proposed exchange provides an overwhelming public benefit to the Oregon State Park system, its visitors, and the citizens of Oregon...which is resounding, clear and obvious.” Clearly, this proposal is one which will require careful consideration by the Commission because it is large, complex, and involves a great deal of money and land.

#### Getting the “Overwhelming Benefit” Rule Off to a Good Start

To the best of ORCA’s knowledge, this exchange is the first time the Overwhelming Benefit rule has been applied “on the ground,” so to speak. Even if it has been applied elsewhere, this is certainly the biggest test it has faced.

If this exchange is approved, the Commission will be setting a precedent for this Rule that ORCA considers to be dangerous and ill-advised: that it is appropriate to sacrifice one Park for another (or several others). In other words, this exchange paves the way for a policy of robbing Peter to pay Paul. This zero-sum game approach to maintaining and expanding the Parks system is not the way to move ahead. It would be preferable to enlarge the Parks system by collaboration and fundraising to purchase those lands needed for the Parks system, rather than enriching a private business by whittling one Park down to provide the means for others. The “Oregon way” is for parties to a problem or need to join forces, cooperate and find solutions that do not harm one party at the expense of another.

#### Benefiting the Park System, Visitors and Citizens of Oregon

The Commission must balance the opportunities pro and con in this exchange, and that is a statewide task. But ORCA reminds the Commission that Oregonians cherish the coastal Parks very highly; they are among the most frequently visited in the state. Thus balancing the benefits to all Oregonians must include an analysis of the costs and benefits to coastal Parks. Does this exchange benefit the *coastal* Parks system? ORCA has serious reservations about that.

Michael Keiser/Bandon Dunes already has sufficient land to build a golf course to the east of BSNA *without* the 280 acres of exchange lands, according to a May 13, 2013 *Golf Travel Insider* article (attached to this testimony). The proposed ‘Bandon Muni’ golf course would be “pretty good” without the BSNA lands; but with the exchange lands the course would be “superlative.” This is not an adequate exchange of opportunities for the coast, nor sufficient reason to whittle away 280 acres of BSNA. The State of Oregon should not be in the business of giving its lands to improve the configuration of a proposed private amenity.

BSNA was granted to the State of Oregon by the U.S. Department of the Interior in 1968 “for parks purposes only,” as the deed language states. The Bureau of Land Management did not give this land to Oregon for parks purposes merely until it was better in the State’s eyes to trade it and allow a private golf course development. Indeed, if OPRD decides to trade a portion of it so that a golf course can be built there, BLM will require OPRD to purchase the reversionary clause in the deed at 100% of Fair Market Value, as current BLM policy requires.

Determining FMV for the reversionary clause is something OPRD must take into account for this exchange, as BSNA is highly valuable in ways not easily quantifiable, for solitude, ecosystem integrity, aesthetics, and similar values. The BSNA lands should be granted a similar per-acre value as the useable acreage at other similar sites, such as the proposed exchange parcel at New River.

BSNA has been managed primarily for its natural values since at least 1968, if not before – forty-five years or more. There are good reasons for this. It has unique botanical resources, especially including the critically endangered Beach Sagewort, which has a Natural Heritage State Rank of S1 “because it is considered to be critically imperiled because of extreme rarity...” As such, it has very high value in a consideration of maintaining species diversity in Oregon.

BSNA is also home to the Federally listed Snowy Plover, and is part of the Habitat Restoration area for the plover. This is in part because the area, which receives low-impact human use, has fewer Plover predators of the sort that increase with higher-impact use and human-generated garbage, such as foxes and crows. BSNA is one of the few areas that offers a sanctuary for this imperiled species, and the State has long managed the land to encourage this.

BSNA was classified by OPRD as a “State Natural Area” in the 1990s. The primary purpose of an SNA is “to protect outstanding, or important portions of Oregon’s ecosystems for continued public education, and/or for contributing to larger ecosystem health.” Such areas are managed primarily for natural values, and public recreation is encouraged in a natural, undisturbed setting with fairly minimal infrastructure. As OPRD describes it in the agency’s classification system documents, “A state natural area is a single large parcel, or a collection of nearby smaller parcels.” BSNA is clearly the first of these, a single large parcel managed as required under this classification, for “maintaining long term resource quality. Management will be directed to providing resource stabilization and enhancement...”

#### Other Benefit Considerations, Including the Gorse Problem

Though OPRD is not in the business of weighing economic benefits of a proposed Park exchange, the Commission must nevertheless consider the situation in Bandon as part of the “overwhelming benefit” to Park visitors and Oregon citizens. The Bandon area

currently has at least five Bandon Dunes golf courses, as well as other private courses. Opportunities for solitary recreation and undisturbed ecosystem are increasingly rare, while golf courses are increasingly common. This is true for visitors as well as residents. If private businesses construct golf courses and/or other amenities on their own land, that is not a matter of state policy; but maintaining the integrity of existing, large parks with strong ecosystem and recreational values is a very important state concern.

Last but not least, we must mention gorse. It is unfortunately true that BSNA suffers from gorse invasion; but this is not a unique problem. Many acres of south coast land, whether State Park, Federal and private, are strangled in this noxious weed, BSNA not more so than other areas. OPRD is implementing a gorse management plan on the fourteen infested coastal State Parks, and BSNA is receiving treatment. OPRD has spent \$67,000 on gorse control at BSNA since 2011, and no doubt will spend more, as gorse control requires continuous and longterm strategies to be effective. Gorse does compromise the natural values of BSNA, of course; but the solution is to methodically expand and succeed in a gorse control management plan, which Parks is doing.

### Summary

In sum, Oregon Coast Alliance asks the Commission to think very seriously before approving a land exchange that sets the State on the path of sacrificing one Park for another as a means of expanding the Parks system when the opportunity presents itself, and enriching a private business in the process. OPRD has an important mandate to protect existing Parks and expand the system in ways that do not rob Peter to pay Paul, and ORCA hopes the Commission will take these major problems into account before making any decision to approve this very questionable exchange.

Thank you very much for the opportunity to testify in this matter.

Sincerely,

*/s/ Cameron La Follette*

Cameron La Follette  
Land Use Director

[Golf Travel Insider](http://www.golfchannel.com) (www.golfchannel.com)

## Fate of Bandon Muni may be decided this week; Cabot Cliffs update

- By [Matt Ginella](#)
- May 13, 2013 2:09 PM ET

What's the status of Bandon Muni?

“It's no better than 50/50 that this will happen,” says Mike Keiser, owner of Bandon Dunes, the five-course resort on the Southwest Coast of Oregon.

Keiser's admittedly frustrated. He has land, money, a vision for a lasting legacy that would continue to positively impact the locals and the local economy, and yet he's having a hard time giving it away. He has been trying to negotiate a land swap with the Oregon State Parks Department for four years. He's set to meet again on Wednesday, May 15, where he says he will make his final offer.



*The proposed site of Bandon Muni, which would be home to a 27-hole course designed by Gil Hanse.*

Keiser covets a 250-acre gorse-choked piece of coastal dunesland (pictured above) that's 15 miles south of Bandon Dunes Resort. The No. 1 golf destination in the U.S., as voted by [Golf Digest](#), consists of five courses and 85 holes. In exchange, and in his best estimation, Keiser is offering usable parkland worth four of his dollars for every one of theirs.

So what's the problem?

"There's a cultural divide," says Keiser. "Not to cast aspersions, but they're afraid."

Keiser says state park departments aren't in the business of trading land, especially rare coastal land, and he assumes they're suspicious of his intentions. In a [recent article in the Register-Guard](#), a local newspaper, writer Ron Bellamy told a story of environmental concerns, such as frogs, turtles and birds.

Keiser has always said Bandon Muni would be his philanthropic offering to a community that has afforded him the opportunity to build his dream of links golf in America. Bandon Muni would create another 80 jobs, and cater to Oregonians and locals with affordable green fees and an extensive junior caddie program.

"I see it as a \$15-million gift to Coos and Curry County golfers and juniors who don't even know they miss golf," says Keiser.

If he can't get the deal done on Wednesday, he says he'll move on. "The resort will be just fine, thank you."

If he can get the deal done, Gil Hanse, who's building the Olympic Course in Rio, will be the architect. "If it doesn't work, Gil will be just as disappointed," says Keiser, who hasn't spoken to Hanse in six months. "I've been laying low. There's nothing new to report."

Going back to 1999, with the modest opening of Bandon Dunes and a 50-room lodge, Keiser began the foundation of what has become a mecca for avid amateur golfers, with four of the top 25 public courses in the country. In doing so, he has created roughly 1,500 jobs and rescued the tenuous timber industry of Coos Bay. Not to mention the millions of dollars in donations for a local medical facility, schools, the environment and the 60-plus caddies who have gone on to earn Evans Scholarships, which consists of full college tuition to the University Oregon or Oregon State.

"I wish I had better news to report," says Keiser. "Previously, it seemed we were moving forward." Admittedly, he could build Muni on the land he owns, and it could be "pretty good," but if he could turn Hanse loose on a site like the one he wants, "it would be superlative."

Keiser hasn't become Keiser by building 'pretty good.'

## **Bandon's 'Punchbowl' seeded**



*Punchbowl at Bandon Dunes Resort*

Keiser also told me they've started seeding 'Punchbowl,' the 150,000 square-foot putting course (pictured above), designed by Tom Doak and Jim Urbina. Keiser anticipates a soft opening in September and then, due to the newness of the turf, closing it again in October until the spring of 2014.

I asked Keiser if he was afraid something like the Punchbowl, which will most likely be free and a lot of fun for the competitive types with sore feet and tight hamstrings, would steal business from his other five courses on property. "I don't fear it," says Keiser. "If people are willing to get here, I believe the more things we can present, the better. And I mean it."

To prove it, Keiser says he's also considering a second par-3 course, which would be located in the dunes south of the second hole at Bandon Trails. There's no name or specific timetable for this one, and he hasn't decided on an architect yet, but don't be surprised if it's David McLay Kidd, who built the original 18 holes at Bandon Dunes.

Keiser hasn't considered Kidd for another one of his courses until recently, after they bumped into each other twice in the past six months. Once at the grand opening of [Streamsong Resort in Florida](#), where Keiser says Kidd admitted that in some of his recent designs, he built courses too difficult for what Keiser likes to refer to as "the retail golfer."

**Golf.com** (blogs.golf.com)

May 16, 2013

## New Bandon Muni? Bring It On!

Posted at 1:23 PM by [Joe Passov](#) | Categories: [Bandon Dunes](#)



*The 14th hole at Old MacDonald at the Bandon Dunes resort (Courtesy of Bandon Dunes).*

The news from coastal Oregon on Wednesday was encouraging. Bandon Dunes domo Mike Keiser met with the governor of Oregon and the Oregon State Parks Department to discuss the fate of a new course he has planned, tentatively called Bandon Muni Golf Links. “There’s no official announcement at this time,” says Bandon Dunes spokesman B.R. Koehnemann, but sources indicate that the meeting resulted in a preliminary agreement for a land swap to take place that will allow for the creation of the 27-hole course. To that, I say, “Bring it on!”

From Day 1 in the spring of 1999, passionate course connoisseurs flocked to Bandon Dunes Golf Resort, the greatest “must-play” public-course mecca ever built in the United States. So significant was its impact that in 2004, Golf Magazine named it No. 34 of the 45 Greatest Golf Moments of the past 45 years. Since then, Keiser has only enhanced the product, exponentially. Naturally, environmentalists from a fistful of factions have raised stop signs -- or at least caution flags -- but if there’s one guy to trust to get things right on the Oregon coast, it’s Keiser.

The plan Keiser has in mind is to create a St. Andrews-style muni operation; while his would be privately owned, it would be operated to benefit locals especially, as is the case with how the St. Andrews Links Trust administers its golf offerings. To that end, Keiser acquired several coastal parcels roughly 15 minutes south of Bandon Dunes and hired golf’s hottest architect, Gil Hanse, to craft 27 holes. That plan has been in place for at least two, perhaps even three years, and Hanse has completed several preliminary routings. However, Keiser has had his eye on some virtually untouched State Park land, replete with massive dunes, scrubby vegetation and magnificent ocean views that would turn his good golf course into a potentially outstanding one. He proposed a land swap with the state government, but his proposal had stalled -- or at least had been idling for many months. Optimism on Keiser’s part had clearly faded -- until now.

The age-old issue of land tampering now rears its head. Do we really need more golf in Bandon? Is it worth it to intrude on such a pristine piece of property? For the state or Oregon to part with such a parcel, there has to be an “overwhelming public benefit,” says a state parks spokesman. Keiser makes a compelling case. He’s asking for a small slice of an otherwise inaccessible plot that’s covered with gorse and other invasive plant species. In exchange he would give up land of equal or greater value, plus cash. He would offer state residents substantial discounts and invite locals from Coos and Curry Counties to play for nominal, even miniscule rates. Juniors would play free of charge and a caddie program will be established to provide jobs for young people.

So long as the bulk of the duneland is maintained in its natural state, this sounds like an “overwhelming public benefit” to me. Thinking that Keiser has kept every promise in keeping Bandon Dunes sustainable and that Gil Hanse embodies the lay-of-the-land, don’t-fight-with-nature-but-rather-work-with-it-kind of architect, the Bandon Muni project seems like a certain home run. There remain many hurdles to overcome, but for now, I’m excited to place Bandon Muni on the front burner.

July 14, 2013

Oregon Parks and Recreation Dept.  
Attn: Chris Havel  
725 Summer St. NE  
Salem, OR 97301

Re: Grouse Mt. Land Acquisition, Bandon Dunes Land Exchange

Dear Sirs,

The Grant County Stockgrowers (GCSG) is comprised of over 70 ranching families and local businesses in Grant County, Oregon and we are strongly opposed to the above referenced land acquisition within *our* county that has nothing to do with the Bandon Dunes Land Exchange in Coos County, other than as a puzzle piece in a big money business deal for Michael Keiser's personal gain. We are extremely shocked and disappointed with the secretive nature with which the dealings on the Grouse Mt. acquisition has proceeded within our county and with our elected officials as well as the supposed public servants of the OPRD. We feel we still do not have all the pertinent information regarding this proposal. Of the 6,400 acres owned by Mr. & Mrs. George Meridith, 6,100 acres is the proposed acreage for acquisition by the OPRD. What is proposed for the other 300 acres and the multi-million dollar house that is not accounted for in this proposal? Will the state parks take over the Meredith's' existing "maintenance" burden and create for them their own personal residential "state" park?

The Stockgrowers are concerned with taking private land out of production which also decreases the taxpaying land base in this county. Timber production, livestock production, hay production are necessary for private landowners to pay their taxes and assessments, all of which provides jobs and turns dollars over many times in our local economy. Recreation helps but rarely can generate enough income or provide the jobs that agricultural production does. Taking additional private land out of our tax base increases the tax burden on agricultural landowners who are already being pressured with increased input costs such as feed, fuel, equipment and labor. Fire assessments add to the tax burden of owning private lands which will be spread amongst fewer and fewer private landowners whenever these acquisitions occur. The Grouse Mt. property currently pays approximately \$24,000 in farm deferral taxes, \$14,000 on the house alone. In 10 years, that is a loss of ~\$240,000. Who will support our county services; our schools, our hospital, emergency services, our library, etcetera?

All the benefits: "The property will provide significant natural resources, recreational, cultural and scenic value to the park system" already exist in private ownership. Why does the government need another park in a county that is over 70% public lands? Why does the government want more land? The Oregon government is experiencing cuts to agency funding yet these type of proposals continue to overwhelm the already overburdened taxpayers with the associated costs to acquire, operate (staff) and maintain the excess properties in a time when the State government can't even fund the operation and

maintenance of existing properties. The State can expect annual maintenance costs associated with these 6,100 acres of land which includes existing noxious weed problems that rival the gorse problem on Bandon State Natural Area. Who do you think will end up paying those bills? In short, the acquisition of this property does NOT provide an overwhelming public benefit to the ...citizens of Oregon per OPRD land acquisition and exchange policy **OAR 736-019-0070**.

Although the Grant County Stockgrowers Association is in support of private landowners rights to manage and dispose of their property as they feel necessary, our organization is not in support of the continued expansion of government acquisitions that essentially takes private property off our tax rolls and erodes the ability for our county government to support needed services. ***We are opposed to any acquisition or trade that takes one acre off the tax rolls and out of production.***

Sincerely,

Jack Johns  
President, Grant County Stockgrowers

Cc Rep. Greg Walden  
Sen. Ron Wyden  
Sen. Jeff Merkley  
State Rep. Cliff Bentz  
State Sen. Ted Ferrioli  
OCA President Curtis Martin  
Blue Mt. Eagle newspaper

Would like to be added to the  
\* Email notification list  
(Maybe touch base w/ them  
about other info)

**Oregon Parks and Recreation Commission**  
**PUBLIC COMMENT**  
**ATTENDANCE REGISTER**



*Nature*  
**HISTORY**  
*Discovery*

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: Hunter Access on  
the proposed Grouse Mountain Ranch parcel  
Land exchange

Name: Ty Stubblefield

Date: 7.17.2013      Meeting Location: North Bend

Address: 301 Serenity Lane

City/State/Zip: Roseburg, OR 97471

Phone Number: 541-643-5327

E-Mail Address: oha\_ty@yahoo.com

Organization Represented: Oregon Hunters Association

Oregon Parks and Recreation Commission

PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) 6.B

Do you wish to make a statement?

Yes     No

If yes, please specify subject: LAND TRANSFER

Name: JOHN SWEET / ch County Comm

Date: 7/17/13 Meeting Location: Coos Bay

Address: 1291 N. 9TH ST.

City/State/Zip: Coos Bay, OR 97420

Phone Number: (541) 269-9049

E-Mail Address: j.sweet1@charter.net

Organization Represented: Coos County

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) Bandon Botsa Exchange

Do you wish to make a statement?

Yes  No

If yes, please specify subject: Exchange

Name: Sharon Waterman

Date: \_\_\_\_\_ Meeting Location: \_\_\_\_\_

Address: 87518 Davis Cr Ln

City/State/Zip: Bandon, OR

Phone Number: 541-347-3453

E-Mail Address \_\_\_\_\_

Organization Represented: OFBP

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes  No

If yes, please specify subject: land swap  
involving Sandan Natural  
Area

Name: Lydia Delgado

Date: 2/12/13 Meeting Location: Coos Bay OR

Address: 555 Douglas Ave SW

City/State/Zip: Sandon OR 97411

Phone Number: 541-347-8035

E-Mail Address ldelgado@mycomspan.com

Organization Represented: \_\_\_\_\_

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: PROPOSED LAND SWAP  
WITH BANDON BIOTA

Name: Michael Scalice

Date: JULY 17 2013 Meeting Location: RED CLON

Address: 54617 GEIGER CK RD

City/State/Zip: BANDON OR

Phone Number: 541-290-1520

E-Mail Address migs97411@frontier.com

Organization Represented: NEW MILLENNIUM CONSULTING

Oregon Parks and Recreation Commission

PUBLIC COMMENT

ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) 6.6

Do you wish to make a statement?

Yes  No

If yes, please specify subject: Property exchange proposal - Bandon

Name: Claudia Hundhausen

Date: 7/17/13 Meeting Location: Red Lion Cross Bay

Address: 3795 Beach Loop Dr

City/State/Zip: Bandon

Phone Number: 541 347 1312

E-Mail Address: haus@mycomspan.com

Organization Represented: \_\_\_\_\_

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) Land Swap

Do you wish to make a statement?

Yes  No

If yes, please specify subject: Bandon Land Swap

Name: Mike Claassen

Date: 7-18 Meeting Location: Coos Bay

Address: 1455 Pelican Place

City/State/Zip: Bandon, OR 97411

Phone Number: 541-347-9585

E-Mail Address mnclass@earthlink.net

Organization Represented: Bandon City Council

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) 6 BANDON EXCHANGE

Do you wish to make a statement?

Yes  No

If yes, please specify subject: BANDON LAND EXCHANGE

Name: LINDA TARR

Date: 7/17/13 Meeting Location: NORTH BEND

Address: 42255 CEDAR HOLLOW

City/State/Zip: PORT ORFORD, OR 97465

Phone Number: 541 332-1032

E-Mail Address lindatarr@frontier.com

Organization Represented: \_\_\_\_\_

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: Bandon Biotra Land swap

Name: Bart Steily

Date: 7/17/13      Meeting Location: Red Lion

Address: 8712 Boak Rd

City/State/Zip: Bandon OR 97411

Phone Number: 541-551-0626

E-Mail Address \_\_\_\_\_

Organization Represented: \_\_\_\_\_

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) 6a

Do you wish to make a statement?

Yes       No

If yes, please specify subject: Bandon

Name: Sulre Miller, Bandon Chamber

Date: \_\_\_\_\_ Meeting Location: \_\_\_\_\_

Address: 300 2nd Street

City/State/Zip: Bandon OR 97411

Phone Number: 541 347-3054

E-Mail Address bandoncc@mycomspan.com

Organization Represented: Bandon Chamber

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: BANDON DUREN  
PROPERTY PROPOSAL

Name: SANDY MESSERLE

Date: 7/16 Meeting Location: ROCK LION

Address: 50 CENTRAL AVE (SCDC)

City/State/Zip: COOS BAY, OR 97420

Phone Number: 541-266-9753

E-Mail Address: SANDY@SCDC.ORG

Organization Represented: SCDC

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: Concern over the trade  
of BNSA. for

Name: Keith Saylor

Date: \_\_\_\_\_ Meeting Location: Coos Bay / Red Lion Inn

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone Number: 541-655-0328

E-Mail Address kf.saylor@gmail.com

Organization Represented: Personal

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) 6b

Do you wish to make a statement?

Yes     No

If yes, please specify subject: Bandon Biota

Name: Julie Jones

Date: 7/17/13 Meeting Location: Coos Bay

Address: 89056 Whiskey Run Lane

City/State/Zip: Bandon, OR 97411

Phone Number: 541.347.2528

E-Mail Address \_\_\_\_\_

Organization Represented: \_\_\_\_\_

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: does STATE PARKS OWN  
THE LAND SOUTH OF BANDON?  
MEETING AT NIGHT FOR WORKING PEOPLE

Name: DICK MORIK

Date: 7-17-13 Meeting Location: Coos Bay OR.

Address: PO Box 1361

City/State/Zip: Coos Bay OR 97420

Phone Number: 541 404 5660

E-Mail Address \_\_\_\_\_

Organization Represented: \_\_\_\_\_

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: SALE of PARK LAND

Name: JON COOPER

Date: NOV 17 2013 Meeting Location: RED LION

Address: 1450 RIVERSIDE

City/State/Zip: BANDON OR 97411

Phone Number: 347 9879

E-Mail Address \_\_\_\_\_

Organization Represented: \_\_\_\_\_

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: Bandon Land Swap Proposal

Name: Rob Taylor

Date: 17-7-2013 Meeting Location: Red Lion

Address: P.O. Box 973

City/State/Zip: Bandon OR

Phone Number: 541-347-9942

E-Mail Address: obetewic@msn.com

Organization Represented: myself

Oregon Parks and Recreation Commission

PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: live in area  
across from project - have  
concern

Name: Don Chance

Date: \_\_\_\_\_ Meeting Location: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone Number: 541-297-2667

E-Mail Address \_\_\_\_\_

Organization Represented: \_\_\_\_\_

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

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Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: BANDON

Name: Dwight Caswell

Date: \_\_\_\_\_ Meeting Location: \_\_\_\_\_

Address: 457 Alameda Ave.

City/State/Zip: ASTORIA OR 97103

Phone Number: 503-883-3097

E-Mail Address: dwright@vom.com

Organization Represented: \_\_\_\_\_

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

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Agenda Item Number (if applicable) \_\_\_\_\_

Do you wish to make a statement?

Yes       No

If yes, please specify subject: Sand Trade, Bandon

Name: Cam Parry

Date: \_\_\_\_\_ Meeting Location: Coo Bay

Address: P.O. Box 5924

City/State/Zip: Charleston, OR 97420

Phone Number: 541-888-1029

E-Mail Address: Camparry@frontier.com

Organization Represented: Myself, Coo County Resident

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) 6(b) - Bandon Biota Land Exchange

Do you wish to make a statement?

Yes  No

If yes, please specify subject: I'm speaking for Mike Keiser,  
proponent of the land exchange

Name: Steve Corey

Date: 7/17/13 Meeting Location: Coos Bay

Address: P.O. Box 218

City/State/Zip: Pendleton, Oregon 97801

Phone Number: 541-276-3331

E-Mail Address: corey@corey-byler.com

Organization Represented: Attorney for Bandon Biota

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) 6 b

Do you wish to make a statement?

Yes       No

If yes, please specify subject: BANDON LINKS GOLF COURSE

Name: JIM SEELEY

Date: 7/17/13 Meeting Location: COOS BAY

Address: 667 MADISON AVE S.E.

City/State/Zip: BANDON

Phone Number: 541 347 8842 847 609 2418(c)

E-Mail Address jseeley@wildriverscoastalliance.com

Organization Represented: WRCA & BANDON BIOTA

Oregon Parks and Recreation Commission  
PUBLIC COMMENT  
ATTENDANCE REGISTER



Nature  
HISTORY  
Discovery

Registration is optional; however, the Commission would welcome the opportunity to keep a record of those in attendance at this meeting, and would appreciate your indication in advance of any subject about which you may wish to make a statement.

Agenda Item Number (if applicable) 6a

Do you wish to make a statement?

Yes  No

If yes, please specify subject: Bandon

Name: Bill Sweet

Date: 7/17/13 Meeting Location: Coos Bay

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-Mail Address \_\_\_\_\_

Organization Represented: \_\_\_\_\_