



OCEAN SHORE  
ALTERATION PERMIT

Application Approved with Conditions:



Application Denied:



Date: March 20, 2007

Applicants: City of Cannon Beach, Richard Mays

OPRD File Number: BA-616-07

County: Clatsop

Project Location: Between Nazina Street and Nenana Street, Cannon Beach.  
Clatsop County Assessor's Map #5N-10W-31 AA, tax lots 500, 700, 1000,  
1100, 1200, 1300, 1400 and 1500.

OPRD review included a staff inspection of the site and evaluation of the project against the Ocean Shore Permit Standards, OAR-736-020-0005 through 736-020-0030.

Project Description:

The proposed project involves the placement of a horizontal drain system consisting of approximately twelve 1 1/2" inch diameter drain pipes drilled into the hillside to dewater the "S-Curves Slide" area. The pilot project proposes to reduce seasonal groundwater levels that may result in a reduction in the magnitude of slope movement. A track mounted drill rig will bore 4-inch holes perpendicular to the bluff face using rotary drilling techniques to install the 1 1/2" inch metal pipes.

*ORS.390.605 (2) defines the "ocean shore" to mean the land lying between extreme low tide of the Pacific Ocean and the statutory vegetation line as described by ORS 390.770 or the line of established upland shore vegetation, whichever is farther inland. In the location of the proposed project the statutory vegetation line is located farther inland.*

The project is proposed to be located



Seaward of the statutory vegetation line



Seaward of the line of established upland shore vegetation

and therefore within OPRD's jurisdiction to make a decision on your application.

Submitted plans: Attached  (See Condition 1)

Not Applicable

Based on the evaluation of the above standards, staff inspections of the site, and consideration of public and agency comments, the Oregon Parks and Recreation Department:



Approves your application



Denies your application

For placement of a horizontal drainage system extending onto the ocean shore.

Conditions:

1. The project shall be constructed in accordance with the submitted plans and descriptions provided in the permit application, and comply with the location and dimensions of the proposed horizontal drainage system, utilizing equipment and materials as specified in the plans and descriptions.
2. Use of equipment or vehicles on the beach requires a separate permit from OPRD. Use of public beach access routes, construction of any roads or other temporary access improvements, and timing of inspections shall be subject to conditions of the Motor Vehicle on the Ocean Shore Permit. Contact Tony Stein at (541) 265-9871 prior to construction for the necessary permit.
3. The project shall be completed prior to March 20, 2008. If it appears that, due to unforeseen circumstances, the project cannot be installed by the expiration date, the Permittees or authorized representative(s), may request a permit extension. A time extension may be granted based on the submission of a revised construction schedule.
4. Upon completion of the project, adjacent areas of the ocean shore shall be cleared of any debris remaining from the project, and ocean shore areas disturbed by construction activity shall be restored to pre-existing conditions.
5. The Permittee or subsequent owners (collectively, "Permittees") shall be responsible for maintaining the horizontal drain pipe system. If, due to damage or lack of maintenance, the horizontal drain system approved under this permit becomes a safety hazard, or causes a detriment to ocean shore resources, the Permittee shall be responsible for removal of the system along the ocean shore .
6. In no event shall the issuance of the permit be construed as a sale, lease, granting of easement or any form of conveyance of the state recreational area, ocean shore or submerged lands.
7. The Permittees shall comply with the provisions of ORS 390.235 through 390.240, ORS 358.905 through 358.955 and OAR 736-051-0060 through 736-051-0090 as these statutes and rules affect the discovery, excavation, salvage, removal and disposition of archaeological resources and the permitting requirements for these activities as they affect archaeological sites on public and private land. If archeological objects are encountered during the project, all work must stop immediately, and work may not proceed until an archeological permit is issued under ORS 390.235.
8. This approval does not affect any obligation the Permittees might have to other persons or agencies, local, state or federal.
9. If the Permittees fail to comply with the conditions provided herein and otherwise imposed by OPRD, OPRD shall exercise its authority under Oregon Revised Statutes 390.661 through 390.676; 390.990 through 390.995; and the provisions of OAR 736-020-0200 to cease any further activity by the Permittees on the ocean shore except as directed by OPRD. In such circumstances OPRD may assess a civil penalty according to the provisions of OAR 736-080-0005 through 736-080-0070.
10. The Permittees shall agree to save and hold harmless the State of Oregon, the Oregon Parks and Recreation Commission, and its members, and all officers, agents and employees of the Oregon Parks and Recreation Department, from any claim, suit or action whatsoever for damages to property, or injury or death to any person or persons due to negligence of permittee(s), their officers, agents or

employees, and arising out of the performance of any work or project covered by the granting of a permit.

11. In issuing this permit, OPRD makes no representation regarding the quality or adequacy of the permitted project design, materials, construction, or maintenance, except to approve the project's design and materials, as set forth in the permit application, as satisfying the resource protection, scenic, safety, recreation, and public access requirements of ORS Chapter 390 and related regulations.



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Jeff Farm  
Ocean Shores Program Manager  
Oregon Parks and Recreation Department

Cc: Dave Wright, Assistant Director of Operations  
Jeff Farm, Ocean Shores Program Manager  
Vanessa DeMoe, Natural Resource Section  
Steve Williams, DLCD  
Mark Smith, Nehalem Bay State Park  
OPRD/Region 1 Office

**Appeal Process**

*Any person aggrieved or adversely affected by the grant of a permit or the conditions imposed on the permit may file a written request for a hearing with the Parks and Recreation Director. The request must be received within 30 days of the date of the permit. The hearing shall be conducted as a contested case in accordance with ORS 183.415 to 183.430, 183.440 to 183.460 and 183.470*