Mayor Steidel and Councilors:

Thank you for ensuring an extensive process for this important topic.

I have been involved in grading dunes along Ocean Avenue and at Breakers Point for almost exactly 20 years this fall. During that period 12-15 projects have been successfully completed, in that they were graded (or scraped) and replanted and the dunes regained their natural forms.

As I have testified many times before the Planning Commission in two decades, I consider myself an ardent environmentalist, and am a legacy donor to the North Coast Land Conservancy. I have no problem working on dune grading projects. As the City Planner came to the realization in 1999, the dunes are a human caused phenomena, covered with a noxious invasive weed. In no way can they be compared to an old growth forest, a wetland, or a pristine estuary. European beach grass was brought in to stabilize the dunes up and down the coast, and it has succeeded with a vengeance.

Although there have been some bumps along the way and mistakes made, dune grading has created benefits not only for homeowners but for residents and visitors. Ocean Avenue had a 12’ wall of sand along its length before it was graded down to street level in 2000 or so. Today it is essentially a seven-block public park where people walk their dogs, picnic, have weddings or other ceremonies, and view wildlife. Grading the dunes several times has not deterred the elk herd. The land west of Ocean Avenue was purchased by one of the Ocean Avenue homeowners, the Burmeister-Browns, to protect it from development. It will always be conservation land. In the not too distant past, you had to walk down sets of stairs to get to the beach. In 50 years or so, a massive dune complex has developed hundreds of feet across providing substantial flood protection but also blocking views of houses, some of which have been there for more than 100 years.

Unlike some of the communities to the south, Cannon Beach has always had strict controls on dune grading through the conditional use process and oversight by the planner and planning commission. Revegetation has been immediately done after grading, and within one or two years the dunes regained their natural shapes of peaks and valleys. As anyone who walks on the beach can testify, the movement of sand within a relatively short period of time is immense, with tens of thousands of cubic yards being shifted in a short time span covering tide pools or changing the profile of the beach. Similarly the dunes are very dynamic. I have witnessed a dune at Breakers Point grow 7 feet in a 24 hour period.

Dune grading for views has been allowed by Cannon Beach for two decades, but each project has been reviewed and approved by many agencies, including Oregon State Parks, DEQ, ODFW, National Marine Fisheries, EPA and the Corps of Engineers. Through numerous public hearings, the City has approved dune grading projects with appropriate conditions. I believe that indicates the process is working.
As Dr. Jonathan Allen states in his report,

“It is apparent that a fourth objective is necessary in some dune regions, particularly areas undergoing rapid vertical growth and backed by properties behind the dunes such as at Chapman Point. In these areas there is a strong desire to maintain the dunes at a particular height in order to retain views of the ocean. It has become common practice to or scrape (lower) the dune down to a design elevation, pushing the sand over the seaward face of the foredune and out onto the beach. In these areas an effective management strategy that addresses the intrinsic dune management goals listed previously, while retaining secondary benefits such as views, is important.”

So we applaud the planning commission for their work on the plan and ordinance. It has been a tremendous amount of effort, countless hours and tens of thousands of dollars expended. That said, we would suggest a few tweaks to the Management Plan, Comp Plan policies, and ordinance amendments. First, I think it would be helpful if all of the grading requirements are included in the ordinance. Currently, they are spread among the three documents. An applicant should be able to determine the spacing of dune grass planting, the time of year of grading and replanting, the depth of sand on the beach, and other requirements in the ordinance. Other amendments proposed are as follows:

1. The period in which grading and replanting takes place should be November through March, rather than April to June, when replanted dune grass will have a much better survivability rate.
2. Dune grass spacing should be 18” to 2’ rather than 1’, based on our experience.
3. Sand deposited on the beach should be up to 18” deep rather than 4 inches. Our experience shows that 18” will be washed out by the tides in 2 tidal cycles.
4. Sand should be placed down to 6’ NGVD rather than 9’ as recommended by ODFW. No razor clams are known to exist between 6’ and 9’ elevation.
5. Sand should be kept away from the buildings a distance of 35’ rather than 20’.
6. A mixture of native and non native vegetation should be encouraged for habitat protection.
7. Chemical fertilizer should not be used because of the harm to the creek and ocean. Experience has shown that it is not necessary.
8. Mowing of beach grass should continued to be allowed.
9. Permits should be issued for more than one time only, possibly as many as five years with strict monitoring requirements.

In summary, perhaps houses and condos should never have been built on sand dunes or near the beach. John Yeon could have donated the Chapman Point land to the State Park. Downtown Cannon Beach and much of the north side should never have been built on a pristine wetlands in the early 20th century. And maybe nothing should be built in the tsunami zone. But we have to deal with the reality of where we are and the history of the community. On behalf of the homeowners that have to deal with living on the oceanfront, as fortunate as they are to be there, I believe they should be given the opportunity to manage the dunes in a responsible way. The proposed plan and ordinance, with a few changes, would accomplish that goal.