

# Tunnel Echoes

*Arch Cape/Falcon Cove Beach Community*

A Newsletter

September 2016

Welcome to Fall in Arch Cape

## September Potluck: Lessons Learned from the Cascadia Rising 2016 Emergency Exercise

by John Piatt

The End of Summer Meeting of the Arch Cape Falcon Cove Beach Community Club will be on Saturday, September 17th, at the Arch Cape Fire Station (79729 Highway 101) between Castle Rock Estates and the historic cannon marker wayside.

Come hear Tiffany Brown, Clatsop County Emergency Director, talk on what was learned in the recent multi-organizational response to a hypothetical Cascadia earthquake and resulting tsunami. Learn what our community might expect in the response following such an event.

The potluck supper begins at 6:00 p.m. Bring an entrée, side dish or dessert to share, and your plate, silverware and beverage. Wine is available for a modest contribution.

Come out and share with your neighbors what you've been doing all summer.



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## Weighing Incorporation Considerations

by John Piatt

Over the years, there has been a degree of dissatisfaction with the services provided by Clatsop County in relation to the taxes collected from our area. Issues considered in April 2009 are found at [http://www.archcape.com/government/SW Coastal DR CAC April 29 2009 meeting notes.pdf](http://www.archcape.com/government/SW_Coastal_DR_CAC_April_29_2009_meeting_notes.pdf).

With the Clatsop County Commissioners voting unanimously in February to dissolve the Southwest Coastal Citizen’s Advisory Committee/Arch Cape Design Review Committee, there may be an additional motivation to take another look at incorporation as a city. Dissolution will result in either elimination of specific land use requirements in the Arch Cape overlay or adoption of any Arch Cape requirements considered worthwhile for county-wide implementation. However, in July, the County Planning Commission, after hearing citizen input from our area, directed staff in the Clatsop County Planning Department and Legal Council to look for alternatives that promoted a continued citizen input without incurring any county liability. Staff members are to come back to the Planning Commission with alternatives in September.

The main advantage of incorporation is controlling our own destiny. The main disadvantage is controlling our destiny. The work of determining and addressing the needs of our area is formidable.

How can this area consider incorporation when the resident population is only about 250 people? There are 119 incorporated cities in Oregon with a population of less than 1000 people.



That’s almost half the incorporated cities in Oregon. Of these, there are 67 incorporated cities with a population of less than 500 people or over a quarter of all incorporated cities in Oregon. There are 13 cities with a population of 250 or fewer residents. These are places like Cloverdale, Detroit, Hebo, and Tygh Valley. Closer to home is Nehalem, with a population of 267.

How can Arch Cape or the combined area of Arch Cape, Falcon Cove and Cove Beach incorporate when there is no business core other than inns, B&Bs and rental homes?

Typically, city revenues come from several sources with a nominal breakdown as follows:

- Property Tax 52%
- Liquor, Gas and Other Taxes 25%
- Grants 11%
- Charges for Services 6%
- Franchise Fees (Cable, phone, etc) 5%
- Interest 1%

Thus, while a large business base is valuable, it’s not the only way to finance city operations.

Other smaller, poorer communities have incorporated. How did they do it? Two of the largest cost drivers are providing utilities for their communities. This has largely been addressed by water and sanitary districts based on charges for services provided. This eliminates a couple large cost items in a city's budget. At the same time, it shows what can be done without resorting to incorporation.

Our water and sanitary districts are considered special purpose units of local government whereas an incorporated city is considered a general purpose unit of local government. Our geographical area is within other special purpose units such as the Cannon Beach Rural Fire District, various school districts, Clatsop County Rural Law Enforcement District and Road District No. 1.

The League of Oregon Cities has developed a handbook for communities considering incorporation that everyone should read. It reviews the alternatives to incorporation and cautions that residents should consider incorporation "as the most extreme response to their needs – to be considered only if the other alternatives available to them prove insufficient in meeting local needs or desires." The question is whether we have already exhausted the feasible alternatives and any expectation of increased county support.

<http://www.orcities.org/Portals/17/Premium/2007%20Incorporation%20Guide%20new%20cover%204-2012.pdf>

Incorporation does not necessarily mean that a new city necessarily takes over all functions currently provided by the county or special purpose units of government (fire, school, law enforcement, etc.). There is some latitude to determine the scope of work to be undertaken. To get a better sense of this, take a look at a recent panel on incorporation held in Pacific City, Oregon. <http://www.tillamookcountypioneer.net/pacific-city-town-hall-attendees-reverse-two-decade-opposition-to-entertaining-incorporation/>

As you consider the idea of incorporation, there are a couple other factors that may enter into the equation. First, there remains some hope that Clatsop County will find a way to preserve and streamline citizen involvement in land use decisions here in Arch Cape. A reasonable goal is not to place an undue burden on property owners seeking to develop their property, while at the same time preserving those land use requirements that make Arch Cape such a desirable place to live. Should all this fail, land use in Arch Cape will follow the rest of the unincorporated areas of Clatsop County. Secondly, there is hope that some infrastructure improvements (i.e., roads and drainage) may be possible using the funds generated by a small portion of the increase in transient lodging tax earmarked by the county for that purpose.

While we wait to see how Clatsop County treats our area, do your homework. Should we expect more from our tax dollars going to the county? Do we have unmet needs that have not and cannot be met by alternatives to incorporation? If we do nothing, that is a decision and we have no reason to complain.

## Water District Receives Feasibility Study Grant

by Phil Chick

The Oregon Health Authority has recently named the Arch Cape Water District as a recipient for funding for a sustainable infrastructure planning project. The District will be awarded a \$20,000 grant for a feasibility study to determine options for developing a secondary water source within the District. Arch Cape Water District currently relies on a limited supply from two surface water sources, Asbury and Shark Creeks. In the event of a severe drought or system failure, the capacity of these sources to meet the District's water needs would be insufficient.

The planning project intends to evaluate all potential water sources, with the goal of identifying the most feasible option for providing the community with a redundant supply to its existing water source. Of particular interest will be the examination of groundwater sources as a secondary water supply. Potential Well sites and geological reports will be investigated as part of the project. Work will begin on the initial phase of the project in 2016. The second phase of the project will be the development of the identified source, and will be implemented as future funding resources allow.

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## CERT Members Basic Training

by Paula Vetter, CERT Coordinator

A reminder to all current CERT members that our next round of Basic Training CERT classes begin on Saturday, Sept. 17th. If you'd like to brush up your skills, you're all welcome to attend the classes.

Please register for classes as soon as possible to help us plan by contacting Laura Yokoyama at [503.436.2811](tel:503.436.2811) or [yokoyama@ci.cannon-beach.or.us](mailto:yokoyama@ci.cannon-beach.or.us).

Classes are:

- Sat, Sept 17th 9:00am-4:30pm
- Sat, Sept 24th 9:00am-4:30pm
- Thurs, Sept 29th 5:30pm-7:45pm

Drill:

- Sat, Oct 1st 8:00am-12:30am



If you're not planning to attend the classes, please mark your calendar for Oct 1st as we could use your help as a victim. If you can help us out this way, email or call Paula Vetter ([503.706.4123](tel:503.706.4123) or [pvtaps@gmail.com](mailto:pvtaps@gmail.com)).

Remember to recruit your family and neighbors. The more people who possess this knowledge, the better we'll be individually and as a community.

# Shake Out™



Join millions of people around the world by practicing earthquake preparedness Thursday, October 20 at 10:20 am. This occurs on the 27<sup>th</sup> anniversary of the Loma Prieta earthquake in southern California. Locally, at that exact time, pretend that the “BIG ONE,” the Cascadia earthquake has just struck the coast. First DROP, COVER, and HOLD ON <http://www.dropcoverholdon.org/>. Then, if you are in the inundation zone, grab your go-bag and walk uphill and make your way to the nearest assembly area. In a real earthquake, the longer the shaking, the worse the earthquake and the greater the resulting tsunami. Remember, if you are injured by the earthquake, you reduce your chances of escaping the resulting tsunami. So protect yourself from the earthquake first! Then head for high ground. The website link provides good information on what to do if you are driving, in bed, or in a public building when an earthquake hits.

If you’ve ever noticed tree stumps on the beach when the sand has receded, you’ve likely seen remnant’s of the last ‘Big One’ about 1700. Similarly, it is believed that the north coast may sink by as much as 10 feet or more in the next “Big One.” If you are on a bluff overlooking the ocean, you may find your home on the beach due to a landslide.

As you respond this October, look for your neighbors at your nearby assembly area. You can register your participation with The Great Oregon Shake Out <http://www.shakeout.org/oregon/>.



## Commissioner's Corner

by Lianne Thompson, Clatsop County Commissioner, District 5

Why did I run for election to public office, you may wonder? In order to continue the public service I'd begun in 1968, I'd answer. In order to do the greatest good for the greatest number. In order to inspire and involve others in public service. In order to help build an environmentally sustainable economy. In order to protect neighborhood livability. In order to . . .you get the idea.

Looking at the Clatsop County Board of Commissioners, I saw that we were a group that served only one or two terms of office, for varying reasons. That's not usually a sign of effective governing, neither inside nor outside a particular jurisdiction.



As you can see, these present some worthy challenges.

We are now engaged in some vigorous public discussions about vitally important issues, including forestry and neighborhood livability. Let's talk about the process for including public input and how we can do good governance.

On the national scene, we see political matters unfolding in ways that are beyond our direct control. In our neighborhoods and our county, we have more direct and personal means of influencing each other.

And it is influence that we're talking about. It is people, each other, that we're talking about. There is no entity of "the government" or "the State" or "the County." It is only people, you and I, who are involved.

We operate within different roles, such as "neighborhood activist," or "appointed official," or "paid lobbyist," or "elected official," for example. How those roles determine our point of view is one thing; how we operate as human beings is quite another.

My hope for us as neighbors, as friends, as colleagues, and as human beings is that we follow my Grandpa's advice. He was a wise old man, and I've guided myself by one of his favorite pieces of wisdom. "Look at how you leave yourself," he'd tell me as we played cribbage or pool. "Always look at how you leave yourself."

What does that mean to me, today? A term of office is time-limited, by law or by other events. It's only a little while. While I'm serving, I'm contemplating the results of my service, considering both the process and the product.

My goal, my intention, is that we build communities of engaged, respectful, and affectionate members. If we're not looking for the best in each other, we're missing the boat. If we're making war with each other, we fail, in my way of looking at things.

When I get right down to it, my reason for serving is to say "thank you" to the people and the place. It's a wonderful place, and we can be joined together in celebration of the place and each other. Let's do it, as we engage to create a world that works well for all of us, no matter what the issues involved.

## Japanese Tsunami Marine Debris

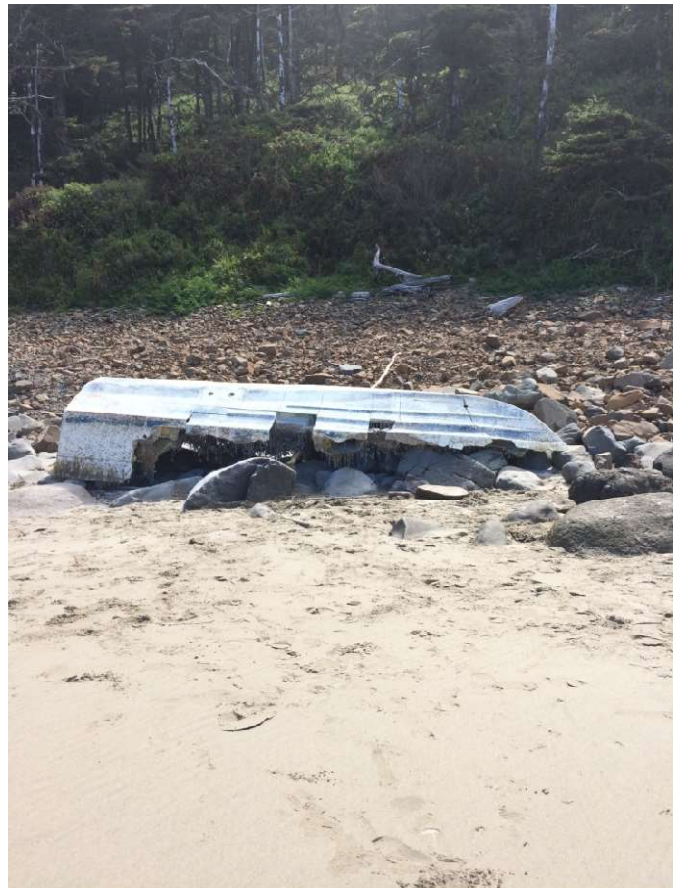
by Tara Erben

On July 21, Tara and John Erben watched an overturned boat wash ashore on the South end of Falcon Cove beach. They immediately notified Viviane Simon-Brown (Falcon Cove area coordinator for the NOAA monthly marine debris survey) who assisted in contacting Dr. John Chapman, from the Department of Fisheries and Wildlife, OSU, Hatfield Marine Science Center in Newport. Dr Chapman has been studying marine debris since before the Japanese tsunami. After examining the boat on two occasions, it is his opinion that the Falcon Cove discovery is in fact marine debris from the March 11, 2011 Japanese tsunami.



Dr. Chapman found many live *Balanus Trigonus* and *Megabalanus rosa* (typical Japanese tsunami marine debris species) and possibly two clam species and an oyster – all of which are not native to the area. Some of the oysters and one of the clam species appeared to be live at landing. There were no mussels found on the boat and no sign that there were ever mussels.

Oregon State Parks, Ken Murphy is currently making arrangements to cut up the hull and haul it away.



Pictured: Dr. Chapman with Japanese species. Goose Neck barnacles, layers deep. Boat cuts prepped for hauling.

## Fate of the SCCAC

by Dan Seifer and John Piatt

For the past 40 years Arch Cape's Southwest Coastal Community Advisory Committee (SCCAC) has worked to maintain Arch Cape's livability, natural resources and beauty. In the 1970's the SCCAC drafted the Southwest Coastal Community's Comprehensive Plan. This Plan guides development in Arch Cape by protecting our beaches, headlands, streams, wetlands, forestlands, and Highway 101 from improper development. The Plan was progressive for its time and remains a guiding document for the community and our land use ordinances.

Admittedly, going through the local planning process costs money, and can be slow and challenging. However, having the opportunity for local people to advise the County on proposed developments provides critical local knowledge and helps to ensure that developments are done properly and in the best interest of the community.

Without the SCCAC, the Plan, and the SCCAC's design review process, Arch Cape would likely look much different today. The entire 101 corridor could be a commercial strip like Rockaway Beach or Seaside. Ocean front homes could be three stories high like other communities and blocking the view of everyone living behind them and changing the natural feel of our glorious beach. All vacant lots could be cleared of trees and natural vegetation leaving our neighborhoods void of the remarkably lush coastal rainforest in which we live. While not the most glamorous aspect of Arch Cape, the SCCAC and its Plan are the core of our community.

Even though the SCCAC has advised the Clatsop County Planning Department regarding land use issues for years, Clatsop County has grown disinterested in this form of Arch Cape citizen involvement. In February, Clatsop County tried to dissolve the SCCAC without going through the Oregon land use process and without giving notice to Arch Cape property owners.

To make matters worse, Rich Mays, the interim County Manager, claimed that SCCAC member harassed a county employee about her disability and refused to hold meetings in a federal American's with Disabilities Act (ADA)-approved facility, thus exposing the county to serious liability. In fact, the SCCAC had made several attempts to accommodate this county employee's hearing disability; first by moving their meetings to the Cannon Beach Fire Station meeting room and then to the Seaside Library. In addition, the ACFCB Community Club paid for initial sound attenuation materials to be applied to walls in the Arch Cape Fire Station. When the SCCAC asked what was required to accommodate the employee's disability, Mays interpreted this as discrimination, rather than frustration with the county for not making the special needs of this employee known. ADA applies to employers and the burden to accommodate the employee's disability rests on the employer, not to those with whom that employee interacts. Thus, the SCCAC was setup by the county who assigned an employee with some degree of hearing disability to attend design review meetings in Arch Cape, knowing full well where these meetings would be held. Next land developers and realtors from outside our community with a bias against the SCCAC's design review process were invited to attend the meeting. Sadly, County staff and the folks the County Manager notified swayed the Clatsop County Board of Commissioners who voted unanimously to dissolve the SCCAC.

Concerned Arch Cape citizens appealed the County's actions to the State's Land Use Board of Appeals ("LUBA"). The County made a motion to dismiss the appeal, which LUBA denied. The County voluntarily retreated and reactivated the SCCAC, until it could be abolished through an acceptable land use process with notification to residents and an open meeting with the Clatsop County Planning Commission.



And then an interesting thing happened. The Planning Commission listened to a number of Arch Cape residents who asked why, after all this time, the county was bent on dissolution of the SCCAC? And why dissolve a citizen advisory committee, if the foremost goal of Oregon's planning goals is citizen involvement? One response was that the SCCAC was originally set up in law under the County Commissioners and thus, the SCCAC could expose the county to potential liability. Also, time involved for Arch Cape land use decisions. After discussion between the Planning Commission members, planning staff and legal counsel were directed to come back to the Planning Commission in September with options that preserve citizen involvement in the land use process without subjecting the county to potential liability. It was truly amazing given the unanimous vote of the County Commissioners to eliminate the SCCAC and the clear agenda of this particular meeting to move that objective forward.

One would hope that the SCCAC could play a role in streamlining the design review process or coming up with suggestions to assist in the redesign for citizen involvement in land use decisions affecting our area. Only time will tell.

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## Land Conservancy and Tax Relief

by Charles A. Dice

If you would like to save some money on taxes or would like to do something great to preserve our forests and wetlands (or both), maybe you should consider donating land or an easement on land you own. This could end up providing for permanent protection for the land, the trees, the wetlands, as well as providing a tax deductible contribution and, perhaps, lowering or eliminating your property tax bill.

In Falcon Cove, we have had a few land owners who have either donated property outright or donated a conservation easement to either a 501(c)(3) conservancy organization or to the Water District and, in return, received a nice charitable contribution and preserved the property or certain elements of the property (like trees, streams, wetlands) for future generations.

If you own property in the area that contains features that you would like to see protected in the future or property that might be very difficult to build on, you might want to consider this option. Please feel free to contact me if you have an interest in doing something like this and would like to learn the benefits and how others have done it – or you might also contact one of the local conservancy organizations (like North Coast Land Conservancy) or your tax advisor.

## Arch Cape - Falcon Cove Beach Community Club

The Community Club meets four times yearly on the third Saturday of May, September, November and February. Membership in the club is \$16 for a household and includes membership as well as a subscription to this newsletter.

Not a member? Please join or renew today. You can mail to ACFCB Community Club, Attn: Treasurer, 79729 Hwy 101, Arch Cape, OR 97102

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## Board Members

**John Piatt** — President  
**open** — Vice President  
**Charles Dice** — Treasurer  
**Diane Matson** — Secretary  
**Court Carrier** — Member  
**Tara Erben** — Member  
**Patty Kinch** — Member  
**Ralph Wyatt** — Member

## Questions/Concerns/Comments?

Contact: [acfbcc@gmail.com](mailto:acfbcc@gmail.com)