

March 14, 2023 -- Submitted via Don Lindly Park Survey Form

To: Lincoln County Parks Department
Kelly Perry, County Parks Operations Supervisor

From: Jon French and Patricia Ferrell-French
2002 NW Corvette St., Waldport OR 97394
Tel: (503) 880-1647
Email: waldport44@gmail.com

**Re: Our Comments Regarding Lincoln County's Proposed Conceptual Plan C
Development Of Don Lindly Park**

We are writing as private citizens, tax payers, and full time residents of Lincoln County to request that our local Don Lindly Park not be radically developed into a 54,000 square foot parking lot and motorized boat launch facility as the County has proposed. We are not opposed to improvements being made to the park, but we hope that the park will be allowed to retain its unique natural state as much as possible. The donors of the County's Brown Memorial Park on the Siletz River, Walt and Barbara Brown, were dear friends of ours, and we would hope that the Browns' wisdom in working to conserve our limited natural resources might be adopted by the County in considering how best to develop Don Lindly Park.

We approve of a non-motorized boating launch and a mixed use dock as proposed by the County, with ADA accessibility. We would not object to a rustic trail that extends through the narrowing western portion of the park over what is now an abandoned overgrown roadway, nor would we object to a more formal trail system that is ADA accessible. Jon's mother, in a wheelchair, lived with us for many years, and we know how important that kind of opportunity is for people with physical disabilities. We approve of some formal vehicle parking along the park's driveway. We are skeptical, however, given the park's low lying topography and seasonal flooding, of the park's ability to handle runoff from an asphalted parking lot and from flush toilets. We would welcome any efforts toward safeguarding the park's extensive wetlands, and the planting of more trees and native vegetation along the river. We adamantly oppose turning this beautiful park into just another asphalt parking lot and motorized boat launch.

Please consider the following factors as arguing against any radical development of the park:

- 1 - Highest and best use of the park.
- 2 - Environmental concerns.
- 3 - Public safety.
- 4 - Financial considerations.

Also, please consider our ending comments regarding the nature and extent of citizen involvement that is required by Oregon Statewide Land Use Planning Goal 1.

1 - HIGHEST AND BEST USE OF THE PARK.

The County's and Oregon State Marine Board's stated purpose for developing the park is to provide increased boating access to the lower portion of the Alsea River, which already supports an abundance of public and private motorized boat launch facilities. The Port of Alsea recently completed an almost three million dollar expansion and upgrade, including expanding its motorized boat launch and moorage facilities. Between the Port of Alsea and Don Lindly Park are many private marinas with motorized boat launch facilities, and almost every private residence along the river includes a motorized boat launch. Eleven of Lincoln County's fifteen public parks include boat ramps. We don't need another boat launch for motorized boats.

What we *do* need is to preserve the natural setting of Don Lindly Park, the only park on the lower Alsea River where the public can kayak, canoe, swim, fish from the bank (not everyone who wants to fish can afford a motorboat, trailer, and tow vehicle), or simply picnic, sit and enjoy the park's natural beauty, walk their dog, relax, unwind, seek solace, rejuvenate, meditate, take photos, and watch birds and other wildlife in a quiet and relatively undisturbed natural setting. We have attached Oregon State Marine Board's Conceptual Plan C map for the County's proposed development, incorporated and made public by the County, on which we have colored in the proposed development and the park's existing wetlands to show how little of the park's limited open space would be preserved under the current proposed development plan, Plan C. We are also attaching some recent photos Jon took at the park. It would be a real loss to Lincoln County residents and visitors alike if this unique and beautiful spot is degraded into basically just another asphalted parking lot.

Photos, numbered 1 to 12:

- 1 - Entrance gate looking down past proposed parking spaces for 20 something vehicles, and at the bottom, the upstream beginning of a proposed 54,000 square foot parking lot for boats, boat trailers, and tow vehicles.
- 2 - Looking toward the river and the upstream beginning of the proposed parking lot.
- 3 - Looking from the park's driveway to part of the large palustrine forested Wetland A bordering the highway.
- 4 - Part of Wetland A, close-up.
- 5 - Looking downstream from the approximate beginning of the proposed parking lot, showing alders, maples, and a landmark cedar, all of which could be sacrificed for the creation of the parking lot.
- 6 - Another photo looking downstream from the approximate beginning of the proposed parking lot.
- 7 - Wetland A where it almost touches the proposed parking lot.
- 8 - The proposed parking lot, looking upstream.
- 9 - Part of riparian Wetland B bordering Alsea River.
- 10 - Existing mixed use dock, with access ramp removed
- 11 - Looking uphill from the park's driveway towards Highway 34.
- 12 - Looking from the park entrance/exit upriver towards the Highway 34 bridge.

2 - ENVIRONMENTAL CONCERNS.

It seems too obvious to need to mention that replacing the park's limited grassy and treed open space with an asphalt parking lot and rip rapped motorized boat launch would be harmful to the environment. Such a development would reduce carbon sequestration and shading of aquatic habitat, vehicle oils would pollute the river when the park floods during the winter, and the increased local boating usage would exert increased pressure on our dwindling freshwater and marine resources. As stated in the County's undisclosed 2022 "Joint Permit Application" (more about that below),

"Though the project reach of the Alsea River is already heavily used by boaters and recreationalists, the project will result in a local increase of boat traffic and river usage in the project area."

The National Marine Fisheries Service (NOAA Fisheries) is currently evaluating a petition that was granted in January, 2023, to consider listing Oregon coast Chinook salmon as threatened or endangered on the Endangered Species List. As stated by NOAA Fisheries in the Federal Register, 1/11/2023:

"After reviewing the information contained in the petition, as well as information readily available in our files, we conclude that the petition presents substantial scientific information indicating that the petitioned action to list the OC [Oregon Coast] and SONCC [Southern Oregon Northern California Coast] Chinook salmon ESUs as threatened or endangered under the ESA may be warranted . . . "

We understand the decision on listing Chinook is to be made by the end of August, 2023. It seems reckless at best for the County at this time to consider radical development and asphaltting of Don Lindly Park when Chinook salmon may soon be listed as threatened or endangered. Such a listing would require the preparation of an elaborate interagency management plan for Oregon coast Chinook salmon, including on the Alsea, and could well place substantial restrictions on any development of Don Lindly Park.

To further illustrate the current dire situation, as reported on 3/11/2023 by Courthouse News Service,

"An extremely low 'abundance' of California Chinook salmon stocks and projected low spawning escapements has led to the cancellation of the upcoming commercial and recreational salmon fishing season along most of the Oregon coast. Thursday's announcement came in two parts from the Oregon Department of Fish and Wildlife, with both actions canceling fishing seasons between March 15 and May 15, 2023. According to Fish and Wildlife, the action applies to all commercial ocean troll salmon fishery seasons from Cape Falcon to the Oregon-California Border. Meanwhile, recreational salmon fishing has been canceled in ocean waters between Cape Falcon and Humbug Mountain off the Oregon coast."

This is clearly not the time to increase pressure on our deteriorating aquatic resources, including but not limited to developments which could adversely affect salmon habitat. At the minimum, the County should place a moratorium on considering the development of Don Lindly Park until the listing status of Oregon coastal Chinook salmon is determined. More than that, it is now incontrovertible that our planet is barreling towards the tipping point on climate change, nearing a point beyond which we won't be able to reverse the disastrous effects of our skyrocketing thoughtless human development. Yes, Don Lindly Park is only a small area, a very tiny piece of the larger puzzle, but we believe it would be terribly irresponsible for the County not to recognize the larger environmental concerns of potential development and to respond with appropriate conservation measures.

3 - PUBLIC SAFETY.

The park is served by a sloped driveway. Just east of the park is a bridge spanning the Alsea River. Vehicles fly blindly over this bridge, travelling west at 50 mph-plus and are unable to see the park driveway until just one or two seconds away. Development of the park as a boat launch facility, with vehicles towing boats and turning left into the park, or slowly entering uphill onto the highway from the park, would create an extreme public safety hazard. Even if the speed limit is reduced, vehicles would still travel fast over the bridge, and the topography cannot be altered to make the park less of a blind spot for vehicles travelling west. Developing the park for vehicles towing boat trailers would inevitably result in injuries and perhaps deaths.

4. FINANCIAL CONSIDERATIONS.

As previously noted, the Port of Alsea recently completed an almost three million dollar expansion and upgrade, paid for in part by Lincoln County residents' tax dollars. The County is now considering a development plan which would likely take business away from the port and from the private marina businesses downstream from and immediately above Don Lindly Park. The County has not disclosed how much their proposed development of the park might cost tax payers, but it won't be cheap. One alternative to building a new boat launch might be for the County, with the help of the Oregon State Marine Board and other sources and perhaps private, state, or federal grants or contributions, to assist some of our local smaller private marinas in upgrading their launch and moorage facilities. This would benefit the local economy and could increase fishing/boating access whereas a new public boat launch, especially if there is no usage fee, would result in higher development and park maintenance costs, paid for by tax payers, but would provide little financial benefit to Lincoln County businesses or residents.

GOAL 1 CITIZEN INVOLVEMENT REQUIREMENTS.

This is the most difficult issue to address. Goal 1 of Oregon's Statewide Land Use Planning Goals & Guidelines requires that citizens be provided the opportunity to be involved in all phases of the land use planning process, including preparation of plans and implementation measures, plan revisions, etc. This hasn't been done with Don Lindly Park. The only plan documents provided by the County have been two one-page Oregon State Marine Board maps

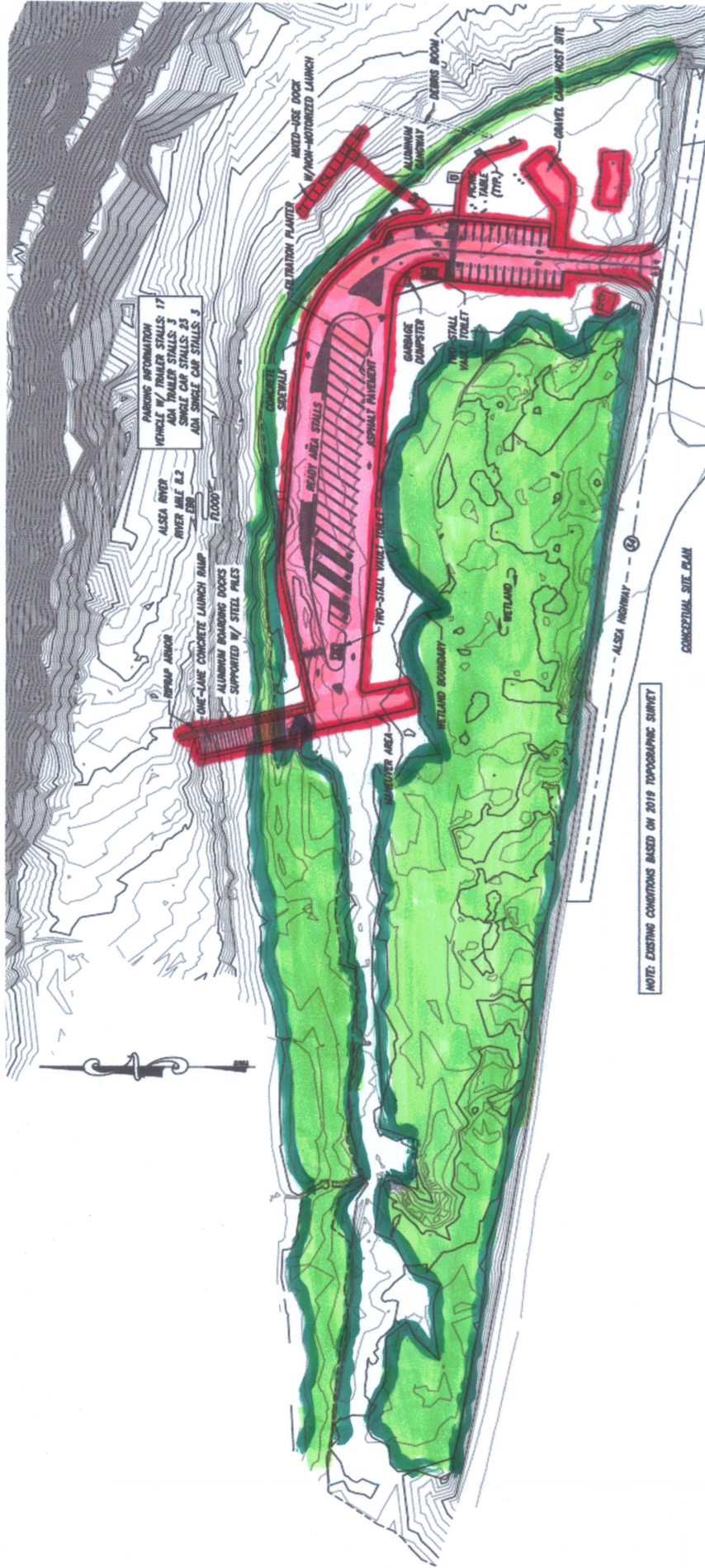
designated as Conceptual Plans B and C. Twice in recent weeks, Jon has written to the County requesting that any written documentation regarding the proposed development of Don Lindly Park be made public, but there has been no response. Conversely, in response to Jon's request of the Department of State Lands for information regarding DSL's response to the County's Conceptual Plan B, dated 2017, DSL provided a copy of a very detailed (and obviously very expensive) **148 page** Joint Permit Application submitted by the County and received by DSL on March 28, **2022**. This recent Plan B application, which the County has not made public, proposed a 77,000 square foot parking lot as compared to the County's current Plan C that provides for a somewhat smaller 54,000 square foot parking lot; but otherwise, both conceptual maps appear strikingly similar. The County's Plan B was not denied by DSL but was merely deemed incomplete because it did not contain provisions for mitigating the damage to the park's wetlands that would result from the proposed development. Plan B is still out there.

In the County's 2022 application for development, the only mention of citizen involvement, on page 10 of 148, was that "interested citizens of Lincoln County" attended an on-site meeting in **2016**, six years before the development plan was submitted. We believe most people are not aware of the County's 2022 application and that people assume the County is starting at square one in now seeking comments from the public regarding development. At the County's recent Zoom public meeting, we were encouraged by the receptive attitude of the County's relatively new Parks Operation Supervisor, who was not part of the 2022 application and whose tenure with the County did not begin until after that application. Given the County's lack of transparency as noted above, however, we are equally concerned that the County, perhaps pressured by the Oregon State Marine Board, may be prone to simply tweaking and resubmitting their 2022 Plan B application, reducing Plan B's 77,000 square foot parking lot to Plan C's 54,000 square foot parking lot but otherwise simply pressing forward with a retooled 2022 development application regardless of what the public may want and regardless of any environmental, public safety, or financial concerns.

We request that, in accordance with Goal 1, the County make public through its website all documents regarding their recent and current plans to develop Don Lindly Park, including but not limited to past and present plan documents and applications and all communications between the County and the Oregon State Marine Board. We also request that all citizen comments on the County's proposed development be made public pursuant to the transparency requirements of Goal 1. Given Goal 1's requirements for disclosure, we do not believe a public records request should be necessary in order for this to occur. The public has a right to know.

Thank you for considering our comments. The best thing to result from the County's plan to develop Don Lindly Park is that more people have now become aware of the park. In the past, the few times we have driven by, the park has been gated and closed, and we had assumed that any entrance, even by foot, was prohibited. Now we have learned better, and we have seen how special the park is. We hope Lincoln County will allow it to remain special.

Jon French and Patricia Ferrell-French



WETLANDS

DEVELOPMENT





Don Lindly Park #1 3.6.2023



Don Lindly Park #2 3.6.2023



Don Lindly Park #3 3.6.2023



Don Lindly Park #4 3.6.2023



Don Lindly Park #5 3.6.2023



Don Lindly Park #6 3.6.2023



Don Lindly Park #7 3.6.2023



Don Lindly Park #8 3.6.2023



Don Lindly Park #9 3.6.2023



Don Lindly Park #10 3.6.2023



Don Lindly Park #11 3.6.2023



Don Lindly Park #12 3.6.2023