

HOUSE COMMITTEE ON ENVIRONMENT AND ENERGY

SUBCOMMITTEE ON PARKS

February 28, 1997 Hearing Room E

1:30 P.M. Tapes 7 - 8

MEMBERS PRESENT:

Rep. Mark Simmons, Chair

Rep. Michael Fahey, Vice-Chair

Rep. Mike Lehman

Rep. Jim Welsh

MEMBER EXCUSED: Rep. Leslie Lewis

STAFF PRESENT:

Pat Zwick, Policy Analyst

Marjorie Taylor, Administrative Support

MEASURE/ISSUES HEARD:

HB 2378 Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

Tape/#	Speaker	Comments
TAPE 7, A		
001	Chair Simmons	Calls the meeting to order at 1:39 p.m. and opens the public hearing on HB 2378.
<u>HB 2378 PUBLIC HEARING</u>		
008	Rep. Thompson	State Representative, describes history of HB 2378. Explains that constituents believe that their private property will be used as access points to beaches if some State Parks are closed. States that beach access points are crucial and that if parks are closed equal public access points need to be provided (EXHIBIT A).
055	Rep. Welsh	Asks the intent of a particular clause of HB 2378.

060	Rep. Thompson	Explains that before a park closes, a new access must be found.
066	Rep. Fahey	Asks about parking availability.
069	Rep. Thompson	Explains that there are no provisions for parking, just beach access. Relates a story about beach access near Agate Beach.
088	Rep. Welsh	Verifies that if alternative public accesses are needed, the Parks Department can work with private citizens to access their land.
093	Rep. Thompson	Answers affirmatively.
095	Rep. Welsh	Asks if private land owners would be required to provide access.
096	Rep. Thompson	No, but many people feel that it is their right to have access to the beach.
114	Chair Simmons	Explains that Willowa Lake Park in NE Oregon, is rarely used by the locals since they can't get reservations for access. Asks how many beach access point parks exist.
124	Rep. Thompson	Estimates that there are 15 in 40 miles of Lincoln County. Cites the Lincoln City area as an example of what would happen if public access points were removed - no access for about 10 miles of beach.
146	Chair Simmons	Verifies that some of the state parks are only viewpoints.
147	Rep. Thompson	Answers affirmatively.
155	Chair Simmons	Referring to funding, asks if patrons can be charged for parking.
169	Rep. Thompson	Explains that if a charge is applied to park entrance or parking, people will not pay and neighboring private citizens will be encumbered.
198	Charlie Swindells	Representative of 1000 Friends of Oregon. Expresses support for HB 2378. Explains that private landowners will be impacted greatly if beach accesses are closed and that private lands as a source of beach access are diminishing. Urges support of HB 2378 (EXHIBIT B) .
252	Bob Meinen	Director, Oregon State Parks and Recreation. Expresses opposition to HB 2378. Explains that the basis of the bill is a lack of adequate and stable funding to keep the parks open. States that in 1986, it became apparent that there would be a lack of funding to keep all parks open. The Parks Department believes that having fewer, well maintained, and safe parks is better than operating at a lower standard. (EXHIBIT C) .
310	Meinen	Explains that when the parks were evaluated for closure, the department tried to be fair to the state, looking at significance to the system, significance to the local areas, costs and benefits, protection of resources, and the transfer of operation. The Parks Department did not try to pick on the coast but proportionally, the coast has more of the spectacular parks.

342	Meinen	Explains statistics of proposed park closings related to the coast. States that a developed park has restrooms, parking, and various furniture.
TAPE 8, A		
005	Meinen	States that a 1988 inventory found that there were 430 developed and undeveloped access beach access points on the coast. Approximately 600 other locations offer access to estuaries and other types of beaches.
016	Chair Simmons	Asks how many of the access point described in the 1988 study are in danger of being closed to public access.
021	Meinen	Indicates that the study needs to be updated and that many of the 400+ sites are in jeopardy.
026	Nan Evans	Oregon State Parks and Recreation Department. Indicates that SB 153 proposes to study some of the 400+ public access site that are road ends. SB 153 proposed to maintain current access points.
040	Rep. Lehman	Asks how many access sites that are proposed to be closed are not directly located near another access point.
046	Meinen	States that only three areas lack other access points, and four others have no access within a mile. The Parks Department supports the 1967 Beach Bill and takes seriously the monitoring of the coast. It applies to a north-south strip of land 362 miles long, but does not provide a right to the public to trespass on private property to access the beach.
088	Chair Simmons	Verifies that the public has no right to trespass on public land.
089	Meinen	Public agencies can manage their lands to control public access.
093	Nan Evans	Indicates that some public beaches have been closed to protect wildlife.
099	Meinen	Indicates that the 1967 Beach Bill encourages the department to acquire and develop shore property to protect the scenic and recreational uses of the ocean shore. Indicates that if HB 2378 passes it would have an additional negative affect on the department's ability to keep the parks open. States that public access is not as simple as keeping the gates open. If the parks are forced to remain open, the department has no choice but to operate them at the same level as others.
151	Meinen	Violence against the parks occurs when gates are left open yet the department does no maintenance. Damage is done when there is staffing to protect the parks, but without staffing more will occur. Without supervisions and maintenance of the parks, the state could be exposed to some major liability issues. States that the cost to keep the access points open is over \$750,000, but another funding source would need to be found.
225	Rep. Lehman	Verifies that the 1988 study found 400+ beach access points, but only seven of them would be affected by HB 2378.
235	Meinen	States that 69 sites would be affected with 19 on the close list.
239	Rep. Lehman	Indicates that the bill states if another access point is available, the department would not have to keep the sites open.

247	Meinen	Argues that HB 2378 states that similar access points and facilities must be provided in the event of park closure.
266	Rep. Lehman	Verifies that Mr. Meinen's interpretation of HB 2378 is that the Parks Department must not only provide beach access but parking, restrooms, and similar activities.
270	Meinen	HB 2378 is open to interpretation, but it requires like kinds of opportunities.
275	Rep. Lehman	Verifies the cost to keep all of the sites open at the current level of standards is about \$750,000.
280	Meinen	Answers affirmatively. Encourages the committee to keep in perspective that the coastal parks are a major showcase item for Oregon tourism.
314	Rep. Lehman	Asks if there is a middle point between closing parks and the \$750,000 cost of keeping them open.
322	Meinen	Agrees that there are alternatives, but the problem is not being solved by acting in a minor way.
362	Rep. Fahey	Agrees that parking needs to be provided for beach access.
369	Meinen	Answers affirmatively.
387	Chair Simmons	Indicates that his interpretation of HB 2378 is that the Parks Department must provide access and a place to park if the parks are closed.
400	Meinen	States that in some areas it might work, but the beaches are visited by hundreds of thousands of visitors.
TAPE 7, B		
016	Steven Shipsey	Board Member, Oregon Shores Conservation Coalition. Expresses support for HB 2378. Explains concerns for keeping access points open. Indicates that concerns need to focus on hiking and biking trails also. States preference for keeping access points open instead of having manicured grounds at the parks (EXHIBIT D).
051	Rep. Lehman	Asks if it is better to have access points with parks, without parks, or no access points.
057	Shipsey	Expresses the desire for the same access points and fewer services.
072	Doug Terra	Board Member, Oregon Shores Conservation Coalition. Expresses support for HB 2378. Indicates several reasons for supporting the bill 1) it makes good business sense 2) if parks are closed, the public will find other unsafe access points without parking 3) the public deserves access to the beaches.
125	Phillip Johnson	Board Member, Oregon Shores Conservation Coalition. Expresses support for HB 2378. Agrees that the bill does not provide a long term solution to the problem. With the 30th anniversary of the 1967 Beach Bill, the public still deserves right-of-way to the beach.
166	Johnson	States that no trespassing signs will be ignored by many and trespassing will occur. With fewer access points, those areas that are accessed are subject to faster deterioration. States that HB 2378 pertains to beach access not restroom access. Verifies that this action does not make up for finding

		funding for the state parks and that if parks are closed, the public's trust held by the state parks will be lost. Indicates that the Parks Department will have to go to court to close access points.
248	Paul Hanneman	Tillamook County resident. Expresses support for HB 2378
271	Curt Sorte	Lincoln County resident. Speaks of local beach access. States that there is no way to stop beach access short of barbed wire. Indicates that if parks are closed he will trespass. Relates a story of vandalism to created beach access. Indicates that disabled persons will lose beach access also. Expresses strong support for HB 2378.
366	Rep. Lehman	Asks Rep. Thompson to clarify the issue of equal access to beaches.
375	Rep. Thompson	Indicates the intention of equally convenient access to the beach is simply that. Equal access does not include restrooms and parking lots.
TAPE 8, B		
006	Rep. Lehman	Asks if HB 2378 passed now, the intent is to have equal access to the same stretch of beach if a park closes, not equal facilities.
009	Rep. Thompson	Answers affirmatively.
010	Rep. Lehman	Asks if there would be a problem with deleting a reference to "equally convenient to the public".
012	Rep. Thompson	No.
014	Chair Simmons	Closes the public hearing on HB 2378 and adjourns the meeting at 2:58 p.m.

Submitted By, Reviewed By,

Marjorie Taylor, Pat Zwick,

Administrative Support Policy Analyst

EXHIBIT SUMMARY

A - HB 2378, Faxed testimony, Rep. Thompson, 1 p.

B - HB 2378, Written testimony and materials, Charlie Swindells, 3 pp.

C - HB 2378, Written testimony, Bob Meinen, 6 pp.

D - HB 2378, Written testimony, Steven Shipsey, 2 pp.