

**ADDITIONAL  
PUBLIC TESTIMONY  
SUBMITTED FOR  
NOVEMBER 20, 2024  
CITY COUNCIL HEARING  
Land Use Appeal # 24-1  
Nedonna Wave Planned Unit  
Development - Phase 2**

(Received as of 3:45 pm on 11/18/2024)

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**From:** joel bradach <[REDACTED]>  
**Sent:** Monday, November 18, 2024 10:03 AM  
**To:** Melissa Thompson; Marymcginniscitycouncil@gmail.com; Tmartine13719@gmail.com; Kristineforrockaway@gmail.com; Alesiafrankenrbcitycouncil@gmail.com  
**Subject:** Nedonna home owner opposition to Nedonna Wave Development - Support for Appeal 24-1

I strongly oppose the approval of the Nedonna Wave Development and am in clear support of the appeal of that decision - #Appeal-24-1

Joel Bradach  
Nedonna Homeowner  
Rockaway, OR

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**From:** Riley <[REDACTED]>  
**Sent:** Monday, November 18, 2024 12:35 PM  
**To:** Melissa Thompson  
**Subject:** Nedonna home owner opposition to Nedonna Wave Development - Support for Appeal 24-1

As Trustee to the Nedonna residence owned by the Joel E. Bradach 2018 Trust I am writing to express my strong opposition to the approval of the Nedonna Wave Development and clear support of the appeal of that decision - #Appeal-24-1.

Respectfully,  
Riley Bradach - Trustee Joel E. Bradach 2018 Trust

Send to:  
[Cityrecorder@corb.us](mailto:Cityrecorder@corb.us)  
[Charlesforrockawaybeachmayor.org](http://Charlesforrockawaybeachmayor.org)  
[Pennycheek@live.com](mailto:Pennycheek@live.com)  
[Marymcginniscitycouncil@gmail.com](mailto:Marymcginniscitycouncil@gmail.com)  
[Tmartine13719@gmail.com](mailto:Tmartine13719@gmail.com)  
[Kristineforrockaway@gmail.com](mailto:Kristineforrockaway@gmail.com)  
[Alesiafrankenrbcitycouncil@gmail.com](mailto:Alesiafrankenrbcitycouncil@gmail.com)

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**From:** Jessie Rose <[REDACTED]>  
**Sent:** Monday, November 18, 2024 3:26 PM  
**To:** Melissa Thompson  
**Subject:** written comments: file number #Appeal-24-1

Dear Commissioners,

This letter is to support the above-referenced appeal of the City's August 1, 2024 decision to approve a request to modify the final plan for Planned Unit Development (PUD) Application #SPUD-07-19.

Chapter 10 of the Rockaway Beach Zoning Ordinance relates generally to PUDs and requires that:

- proposed development "must be completed within a reasonable period of time" – 10.050(2d)
- final plan is due within one year after concept approval – 10.060(1)
- any revisions are due within 30 days after that – 10.060(2)
- resulting development must not be "inconsistent with the Comprehensive Plan provisions or zoning objectives of the area" – 10.050(2c)

As approved in **2008**, this plan acknowledged applicability of **ORS 92.040** which, in Section 2, states "when a local government makes a decision on a land use application for a subdivision inside an urban growth boundary, only those local government laws implemented under an acknowledged comprehensive plan that are in effect at the time of application shall govern subsequent construction on the property unless the applicant elects otherwise." Section 3 goes on to clarify that a "local government may establish a time period during which decisions on land use applications under subsection (2) of this section apply. However, in no event shall the time period exceed 10 years, **whether or not a time period is established by the local government.**"

In light of both the local ordinance regulating PUDs and the state statute regulating local government land use applications, I believe **the Planning Commission would be acting *within its discretion* to require the applicant to resubmit their entire application for this development for review against contemporary standards and regulations** which include, but are not limited to:

- RBZO 3.080, prohibiting residential development in a Special Area Wetlands Zone.
- RBZO 3.142, requiring the incorporation of evacuation measures and improvements.
- RBZO 4.150, requiring the City to protect the riparian setback on McMillan Creek.

RBZO 4.150 specifically states "all structures and uses shall be located outside" the designated setback, and any re-vegetation plans must be reviewed and approved in advance by Oregon Department of Fish and Wildlife. With impacts from drinking-water quality to protection against wildfire damage, wetland preservation benefits the public. I urge the Commission to affirm this appeal, advocate for the public trust, and require the developer to follow our community's documented contemporary development standards.

Thank you for your consideration,

J. Hooker  
[REDACTED] Neptune St.  
Rockaway Beach, OR 97136

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**From:** Ernie Niemi <ernie.niemi@nreconomics.com>  
**Sent:** Sunday, November 17, 2024 3:28 PM  
**To:** Melissa Thompson  
**Cc:** nancy webster; Lyndsey; April Clark  
**Subject:** Appeal-24-1 Nedonna Wave PUD  
**Attachments:** NedonnaWave PUD 2024-1117A.pdf

To:  
City Recorder, Rockaway Beach, Oregon

Dear Melissa Thompson;

Will you please forward the attached file, which contains comments on the potential economic costs to society from the proposed Nedonna Wave PUD-24, to members of the City Council prior to their hearing of Appeal-24-1 for Nedonna Wave PUD-24.

If you or Council Members have questions, please contact me:

Email: [ernie.niemi@nreconomics.com](mailto:ernie.niemi@nreconomics.com)

Phone: 541-505-2704

Mail: Natural Resource Economics  
82311 Hanna Road  
Dexter, Oregon USA 97431

Thank you.

Ernie Niemi  
President, Natural Resource Economics

17 November 2024

**TO: Rockaway Beach City Council**  
**cc: North Coast Communities for Watershed Protection**  
**FROM: Ernie Niemi, President**  
**SUBJECT: Appeal -24-1 against the Proposed Nedonna Wave PUD-24**

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Please accept and consider the following information as you consider Appeal-24-1 against the proposed Nedonna Wave PUD.

A decision to allow the proposed Nedonna Wave PUD will generate both benefits and costs. The benefits will be measured by the established markets: for land, public services, etc. The costs will include economic damage imposed on society as a whole. Economists commonly apply the term “external costs” to describe these costs because they accrue to workers, families, businesses, the community, and future generations who lie outside the pool of individuals and institutions that exert decision-making authority over the development or directly receive revenues therefrom. The external costs from the proposed development will materialize in many ways. I recommend that the City Council examine and weigh these external costs as you consider the appeal to determine if the external costs outweigh the potential economic benefits.

One useful way to sort through and understand their scope and scale looks closely at those associated with (a) the climate crisis, and (b) the biodiversity/ecosystem crisis.

### **External Costs Related to the Climate Crisis**

Approval of the proposed development will lead to disturbance of the coastal wetland and other actions that will intensify climate change by increasing the amounts of carbon dioxide and other greenhouse gases in the atmosphere. The following sections summarize research that describes some of the external costs that will result from these increases. They include:

- A. External costs climate change imposes on Oregonians
- B. External costs per ton of carbon dioxide
- C. Human deaths that result from climate pollution
- D. External Costs to Children

#### **A. External Costs to Oregonians**

Disturbance of coastal wetlands can result in substantial increases in atmospheric carbon dioxide, and these increases will impose economic costs on society for the foreseeable future. These costs will be felt in Rockaway Beach and throughout Oregon. By increasing the frequency and intensity of heatwaves, wildfires, droughts, flooding and other impacts, climate change imposes costs on Oregon’s economy, on every Oregonian, every year. A few examples of costs include (2023 dollars):<sup>1</sup>

- Oregonians risk losing over \$450 million in ecosystem services each year from salt marshes depending on the degree of sea level rise.
- The economic costs to Oregonians from heat-related deaths during the 2021 heatwave total between \$1.3 billion and \$4.6 billion.
- Including both short-term and long-term costs, Oregon’s 2018 fire season may have generated \$6.8 billion in costs, or \$3,900 per household.
- The average Oregonian could lose roughly \$12,000 in personal income per year due to changes in the climate that have already been set in motion due to past greenhouse gas emissions.
- Oregonians will also likely see increases in the cost of food and other goods and services.
- Douglas fir die-off (traced clearly to climate change) in southern Oregon is eliminating carbon sequestration services worth over \$100 million per year.
- Current global analyses looking over the next several decades suggest that climate change may reduce Oregon’s gross domestic product by \$7,500 per Oregonian per year.
- Wildfire smoke was responsible for an average of 411 deaths in Oregon per year over the past decade. Under our planet’s current trajectory, the number of deaths will increase to around 600 per year by the 2050s so that the mortality costs of wildfire smoke in Oregon will grow by more than \$7.9 billion dollars per year, or by \$4,500 per household relative to today.”

## **B. External Costs per Ton of Carbon Dioxide**

Every ton of carbon dioxide added to the atmosphere because of the planned development will increase the economic damage. Federal agencies currently estimate that the damage, known as the social cost of carbon dioxide, will be \$200 per metric ton. The actual damage will be higher; one study concluded that the social cost of carbon dioxide is perhaps \$3,319 per metric ton.<sup>2</sup> But even this number does not capture the real costs. Distinguished scientists, led by researchers at Oregon State University, warn that the climate, ecological, and social changes and impacts from continued emission of greenhouse gases will become far more severe without prompt steps are taken to prevent actions that would increase emissions.

*“We are on the brink of an irreversible climate disaster. This is a global emergency beyond any doubt. Much of the very fabric of life on Earth is imperiled. We are stepping into a critical and unpredictable new phase of the climate crisis. For many years, scientists, including a group of more than 15,000, have sounded the alarm about the impending dangers of climate change driven by increasing greenhouse gas emissions and ecosystem change.”<sup>3</sup>*

## **C. Climate-Related Human Deaths**

Research shows it is reasonable to anticipate that every 3,700 tons of carbon dioxide (or equivalent for other pollutants) added to the atmosphere likely will lead to the death of one person.<sup>4</sup> Extensive evidence suggests that actual death rate will be much higher in the future.<sup>5</sup>

## **D. External Costs to Children**

An analysis published earlier this year focused on the costs changes in climate will impose on America’s children, by reducing their incomes and increasing their cost of living. It concludes that, for a typical child born in 2024, the costs will total least \$500,000 over the course of their lifetime—and possibly as much as \$1 million.<sup>6</sup> These costs will potentially wipe out perhaps 25 years of annual income (using today’s median income for comparison) over each lifetime.

## External Costs Related to the Biodiversity/Ecosystem Services Crisis

Nature provides numerous, valuable benefits for humans. Economists apply the label, ecosystem services, to these benefits. The multiplicity and overall value of these benefits depends on local and global biodiversity—the diversity of life. Human actions, especially over the past century, have seriously diminished biodiversity, and the ability of ecosystems to continue providing valuable ecosystem services. This curtailment of ecosystem services imposes costs on all humans, including the Residents of Rockaway Beach.

The best science currently available strongly suggests it would be prudent for the City Council to expect that approval of the proposed development will curtail the production of ecosystem services, with value of the costs far exceeding the development’s potential economic benefits. The following sections look at these costs from several perspectives:

- A. External costs: recent research
- B. External costs: default estimate
- C. External costs: estimates from FEMA
- D. External Costs: impacts on water
- E. External costs: impacts on salmon

### A. External Costs: Recent Research

A recent review of global research reached these conclusions:<sup>7</sup>

*“Our analysis shows that both conservation and ecological restoration bring considerable net benefits in terms of public goods and common pool resources, regardless of the habitat or type of ecosystem state change being considered. [so that], within the broad habitat and geographic range present in our data, **we have typically passed the point where the benefits of further change from nature towards human-modified uses exceed the costs to society.**”<sup>1</sup> [bold emphasis added]*

### B. External Costs: Default Estimate

A 2021 landmark analysis of the economic importance of biodiversity and ecosystem services, found that, because ecosystems have been degraded so extensively, the economic importance of each remaining unit (e.g., acre) is growing exponentially.<sup>8</sup> The threats of climate change boost the values even more rapidly. As a result, while the average rate of return on investments that degrade biodiversity, such as the proposed development, tends to be about 5% per year, the rate of return on investments that conserve/restore biodiversity/ecosystems has recently been about 4 times greater, and this is growing rapidly. Thus, whatever the alleged economic benefits from the proposed development, it is reasonable for the City Council to adopt a default assumption that the external economic costs from ecological harms will be 4+ times larger, unless the proponent can provide compelling evidence to the contrary.

### C. External Costs: Estimates from the Federal Emergency Management Agency (FEMA)

In 2022, FEMA acknowledged that, rather than pay communities and landowners to rebuild after a disaster, only to see the property damaged again, it often would be more efficient to invest in ecosystem conservation/restoration. To facilitate analysis of the benefits and costs of this approach, the agency

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published estimates of the value of ecosystem services derived annually from different ecosystems. Here are the numbers:<sup>9</sup>

**Table 4. Summary of Proposed Land Cover Categories and Ecosystem Service Values**

Ecosystem Service	Value by Land Cover Category (2021 USD/acre/year)								
	Urban Green Open Space	Rural Green Open Space	Riparian	Forest	Coastal Wetland	Inland Wetland	Coral Reefs	Shellfish Reefs	Beaches and Dunes
Aesthetic Value	7,010	7,505	767	1,477	1,648	1,303	327	-	223,840
Air Quality	201	-	254	711	-	-	-	-	-
Biological Control	-	-	199	-	-	-	-	-	-
Climate Regulation	54	77	96	199	125	56	-	-	-
Erosion Control	78	78	13,823	1,672	-	-	-	-	-
Existence Value	-	-	-	7,531	-	-	-	-	-
Flood and Storm Hazard Reduction	316	-	6,052	368	1,035	1,264	3,269	-	-
Food Provisioning	-	-	736	-	-	-	18	1,905	-
Habitat	5,890	2,021	2,547	-	2,420	1,416	2,222	-	-
Pollination	350	350	-	-	-	-	-	-	-
Recreation/Tourism	1,642	601	6,215	94	1,624	1,906	1,261	253	76,809
Research and Education	-	-	-	-	-	-	23	-	-
Water Filtration	-	-	6,239	435	1,558	1,584	-	600	-
Water Supply	-	-	272	103	544	643	-	-	-
Total Estimated Benefits	15,541	10,632	37,199	12,589	8,955	8,171	7,120	2,757	300,649

Note that the “Total Estimated Benefits” for coastal wetland is \$8.995 per acre per year. Also note that the number is incomplete, insofar as FEMA could not find research adequate to fill-in the gaps for Air Quality, Biological Control, Erosion Control, Existence Value, Food Provisioning, Pollination, and Research and Education. Moreover, FEMA’s climate-related estimate fails to account for all the social costs from carbon dioxide emissions. Nonetheless, it may be useful for the City Council to use this information to conduct a preliminary assessment of the potential external costs of the proposed development and to show that the proponents have not accounted for the adverse impacts on ecosystem values.

#### D. External Costs: Impacts on Water

In 2023, WWF published the “First ever annual estimate of economic value of water and freshwater ecosystems is \$58 trillion - equivalent to 60% of global GDP” and concluded that “Degradation of rivers,

lakes, wetlands and aquifers threatens their economic value and their irreplaceable role in sustaining human and planetary health.”<sup>10</sup> These findings might be useful for demonstrating that the area’s water resources have great economic value and the proposed development will destroy the value insofar as it degrades the water quality, the reliability of water quantity, and the ecosystem services supported by the wetland. All else equal, the economic loss solely from the degradation of water would equal 60% of the development’s contribution to GDP. Thus, it would be reasonable for the City Council to hold the developer accountable for these costs and provide commensurate compensation.

### E. External Costs: Impacts on Salmon

OSU research has examined the economic importance of Coastal Coho Salmon threatened with extinction. “Our results show that a program aimed at increasing numbers of returning salmon can generate sizable benefits of up to \$518 million/y for an extra 100,000 returning fish.... Moreover, while conservation investment strategies expected to achieve relatively rapid results are likely to have higher up-front costs, our results show that the public attaches substantial additional value of up to \$277 million/y for achieving conservation goals quickly.”<sup>11</sup> Note that the value per one-fish increase in the annual population is \$5,180–\$7,950. The same or larger value would apply per one-fish decrease in the annual population. Climate and other factors probably are increasing these values. Given these estimates, it would be reasonable for the City Council to require that the developer account fully for these values, accept all risk that the development could have an adverse impact, and provide full compensation if an adverse impact occurs. Note also that these findings, for salmon, indicate that similar values apply to other species, but research has not yet quantified the values.

Respectfully submitted,



Ernie Niemi  
President, Natural Resource Economics.

Ernie Niemi prepared this report for Natural Resource Economics, a consultancy in Dexter, Oregon USA, which is solely responsible for its contents. The report draws on currently available data and research findings, and on more than four decades of research on the economic importance of ecosystems,

<sup>1</sup> Miller, K. and others. 2024. [The Economic Costs of Climate Change for Oregonians: A First Look](#). Forum on Oregon Climate Economics.

<sup>2</sup> Kikstra, J., P. Waidelich, J. Rising, and others. 2021. [The Social Cost of Carbon Dioxide Under Climate-Economy Feedbacks and Temperature Variability](#).

<sup>3</sup> Ripple, W.J., and others. 2024. [The 2024 State of the Climate Report: Perilous Times on Planet Earth](#).

<sup>4</sup> Pearce, J.M., and R. Parncutt. 2023. [Quantifying Global Greenhouse Gas Emissions in Human Deaths to Guide Energy Policy](#).

<sup>5</sup> See, for example: Hansen, J., M. Sato, L. Simons, and others. 2023. [Global Warming in the Pipeline](#); British Medical Journal and others. 2023. [Time to Treat the Climate and Nature Crisis as One Indivisible Global Health Emergency](#); Newman, R., and I.

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Noy. 2023. [The Global Costs of Extreme Weather that Are Attributable to Climate Change](#); Lenton, T.M., and others. 2023. [The Global Tipping Points Report 2023](#); and He, H., R.J. Kramer, B.J Soden, and N. Jeevanjee. 2023. [State Dependence of CO<sub>2</sub> Forcing and Its Implications for Climate Sensitivity](#).

<sup>6</sup> ICF. 2024. [Cost of Climate Change to an American Born in 2024](#).

<sup>7</sup> Bradbury, R.B., S.H.M. Butchart, B. Fisher, and others. 2021. [The Economic Consequences of Conserving or Restoring Sites for Nature](#).

<sup>8</sup> Dasgupta, P. 2021. [The Economics of Biodiversity: The Dasgupta Review](#). Her Majesty's Treasury.

<sup>9</sup> FEMA. 2022. [FEMA Ecosystem Service Value Updates](#).

<sup>10</sup> WWF. 2023. [WWF Report: Water Crisis Threatens US\\$58 Trillion in Economic Value, Food Security, and Sustainability](#).

<sup>11</sup> Lewis, D.J., and others. 2019. [The Non-Market Benefits of Early and Partial Gains in Managing Threatened Salmon](#).

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**From:** Elaine Busby Thompson <[REDACTED]>  
**Sent:** Friday, November 15, 2024 4:47 PM  
**To:** Melissa Thompson  
**Subject:** #Appeal-24-1

To whom it may concern,

I am writing in opposition to the proposed development in Nedonna Beach on two counts.

1. I am a homeowner on Nedonna Avenue. I have owned the home for 24 years. It is an STR, and we visit year round to enjoy and work on the property. We plan to locate here when we retire within a year or so.

I know that our street is the only way in/out of Nedonna. I assume there are no speed bumps so that emergency vehicles can get in and out safely.

However, because the area has so many rentals, and few full time homeowners, people drive very fast in front of my home. Lake Nedonna, which is stocked so kids can fish, is right across the street. Kids and all tourists love to ride bikes, use skateboards and walk their dogs to the beach via this street. Many people, despite vacationing in the area themselves, drive very fast down the street, ignoring all signage.

And the traffic is constant in the summer months especially.

Do we really need more short term rentals in the area without a second access road? I doubt they would become affordable homes or even primary residences.

Which I would not particularly object to if there weren't the road access issue and another issue I consider even more important.

## 2. Protecting wildlife habitat

I know that many tourists come to our area and this is a tourist based economy. I myself have benefitted from that economy as I have always used my home, with full STR compliance on all regulations, as a rental.

I now live in Hood River, in the middle of a protected area because of the gorge scenic act. I see how the efforts to protect the environment have benefitted the tourism economy here.

Most of the people who vacation at my home are from the Pacific Northwest. People from this region by and large respect and advocate for protecting wildlife habitat.

It could be another wonderful feature of this scenic and special part of the Oregon coast that visitors to Nedonna Beach could be made aware of.

Or it could result in more devastation and degradation of our environment and loss of habitat for some animals that I have seen for years in the area. I love seeing the wildlife. We even saw a cougar one day walking down Nedonna Avenue. I've seen river otters, beavers and deer. Neighbors have seen bears. They are ALL a part of what makes this area so very precious to me.

It is their home, too.

It's up to you to deny this appeal.

Thank you for your consideration in this matter.

Sincerely,

Elaine Thompson

████████ Nedonna Avenue  
Rockaway Beach, OR 97136

Mailing address:

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**From:** Mark Overmyer-Velazquez <[REDACTED]>  
**Sent:** Monday, November 18, 2024 3:14 PM  
**To:** Melissa Thompson  
**Cc:** charlesforrockawaybeachmayor@gmail.com; pennycheek@live.com; marymcginniscitycouncil@gmail.com; tmartine13719@gmail.com; kristineforrockaway@gmail.com; alesiafrankenrbcitycouncil@gmail.com; rockawaycitizen.water@gmail.com  
**Subject:** Save Our Nedonna Wetlands! #Appeal-24-1

Planning Department  
P.O. Box 5 Rockaway Beach, OR 97136

Dear Planning Commissioners,

I am a homeowner in Tillamook County and a Rockaway neighbor who lives on Neahkahnne Mountain. I am writing to urge you to **oppose** the construction of homes in a sensitive wetland area that is vital to the wellbeing of people and the local ecosystem and **support** the appeal of the planned subdivision. The Nedonna Marsh is an intact remnant of the original native coast. Within this wild area is a native saltwater marsh, spruce/willow wetlands, and a dune area with many native plants. Coyotes, river otters, beavers, deer, and other wildlife call this area home. Migratory birds use it to rest and refuel. Two streams, Jetty Creek and McMillan Creek, flow through this estuary and into the Nehalem River. The marsh is currently under threat. It is privately owned and part of it is in immediate danger of being developed. If this happens, Oregon will lose this special place forever.

In July 2024, the Rockaway Beach Planning Commission approved the Nedonna Wave Development, which would allow for a new housing subdivision within the Nedonna Marsh. In response to this approval, the Oregon Shores Conservation Coalition has submitted an appeal to the Rockaway Beach City Council. Oregon Shores is being represented by the Crag Law Center. Here are some reasons for supporting the appeal:

- The aquifer at Nedonna Beach is part of a groundwater system that supplies fresh water to the City of Rockaway Beach. It is vital for the community's water supply, and its management is key to ensuring a reliable and safe source of water for residents. Development could lead to pollution and over extraction of wells needed for the City's water system.
- These wells are particularly susceptible to adverse effects from nearby septic systems of varying ages and conditions, as well as surface activities such as fertilizing and pesticide application for yard maintenance. Moreover, their proximity to the ocean has resulted in noticeable saltwater intrusion as indicated by elevated sodium levels in water samples from the wells. Any further development is likely to intensify these negative impacts.
- Much of the proposed development is now in the City's Special Area Wetlands Zone (SA), the purpose of which is to "conserve significant freshwater wetlands and the shoreland and aquatic environment of Rockaway Beach's lakes."
- The would-be developer is trying to utilize the original approval for the project that is 16 years old. Both State and local laws have provisions that prohibit

such an old approval from being revived without further review based on current conditions. In those 16 years, the City has grown and changed, applicable regulations have evolved, and wetlands have shifted position. The City Council must deny this application, because the 16-year-old approval is no longer valid.

- The issues with the outdated approval are demonstrated by the fact that much of this proposed PUD is now in a protected wetland zone that does not allow any residential development. Clearly, the City Council would be violating its own standards for protecting sensitive wetlands if it approves this development.
- At risk are wetlands and McMillan Creek, which flows past the area to be developed. They both provide habitat for a range of wildlife including river otters, coyotes, beavers, deer, and many species of birds.
- There are also risks to the community. Emergency evacuation via the one road outlet for the area is currently questionable as to effectiveness and safety. Adding more homes to the area would be highly irresponsible.
- The City has not done enough to mitigate the risk this development poses to its tsunami evacuation plan. To protect its residents, the City's code requires developments, such as this one, to have improvements made to evacuation routes, including adding capacity by creating new routes. The developer of this PUD will not be required to make any improvements to the evacuation routes, but will instead only have to conduct a "traffic study." That "traffic study" does nothing to improve the community's safety, and after it is conducted the City will no longer have any ability to require *actual* improvements from the developer based on the findings of the study.
- The area is already at risk of flooding and adding more impervious surfaces would make this worse. For comparison, the ongoing filling and development in the Rockaway Beach area near Washington Street has resulted in significant flooding issues. The neighborhood in Nedonna Beach relies on the flood mitigation properties of the wetlands which must be preserved and not filled or developed as was done in the Washington Street area.
- This neighborhood faces several significant fire hazards, such as inadequately maintained fire pits, beach fires positioned too close to driftwood, highly-combustible dune grass, the large wooded area south of the jetty, and the use of illegal fireworks on the Fourth of July. In the event of a major fire, the only access/egress point—only one way into or out of the area—would severely hinder evacuation efforts. Adding more dense housing in this area would be highly irresponsible.
- This is about developers making money at the expense of residents, who are already concerned about water and wetlands.
- Everyone should have to play by the rules. The residents of the area have purchased or built their homes in good faith compliance with the land use laws and the City's plan. This developer should not be allowed to evade those regulations, including those protecting wetlands and the rule setting an expiration date for PUD approvals.
- Effective December 1, 2024, regulations for development in the Special Flood Hazard Area (commonly known as the "floodplain") will be changing. These changes are mandated by FEMA for jurisdictions that participate in the National Flood Insurance Program (NFIP).

Please consider the future of this beautiful place and the legacy we leave to our kids and grandkids: save the wetlands!

Sincerely,

Mark Overmyer-Velázquez

██████████ Beulah Reed Road

Neahkahnie OR 97131

██████████



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**From:** Rebecca Overmyer-Velázquez <[REDACTED]>  
**Sent:** Sunday, November 17, 2024 9:21 PM  
**To:** Melissa Thompson  
**Cc:** charlesforrockawaybeachmayor@gmail.com; pennycheek@live.com;  
marymcginniscitycouncil@gmail.com; tmartine13719@gmail.com;  
kristineforrockaway@gmail.com; alesiafrankenrbcitycouncil@gmail.com;  
rockawaycitizen.water@gmail.com  
**Subject:** Save Our Nedonna Wetlands! #Appeal-24-1

Planning Department  
P.O. Box 5 Rockaway Beach, OR 97136

Dear Planning Commissioners,

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In July 2024, the Rockaway Beach Planning Commission approved the Nedonna Wave Development, which would allow for a new housing subdivision within the Nedonna Marsh. In response to this approval, the Oregon Shores Conservation Coalition has submitted an appeal to the Rockaway Beach City Council. Oregon Shores is being represented by the Crag Law Center. Here are some reasons for supporting the appeal:

- The aquifer at Nedonna Beach is part of a groundwater system that supplies fresh water to the City of Rockaway Beach. It is vital for the community's water supply, and its management is key to ensuring a reliable and safe source of water for residents. Development could lead to pollution and over extraction of wells needed for the City's water system.
- These wells are particularly susceptible to adverse effects from nearby septic systems of varying ages and conditions, as well as surface activities such as fertilizing and pesticide application for yard maintenance. Moreover, their proximity to the ocean has resulted in noticeable saltwater intrusion as indicated by elevated sodium levels in water samples from the wells. Any further development is likely to intensify these negative impacts.
- Much of the proposed development is now in the City's Special Area Wetlands Zone (SA), the purpose of which is to "conserve significant freshwater wetlands and the shoreland and aquatic environment of Rockaway Beach's lakes."
- The would-be developer is trying to utilize the original approval for the project that is 16 years old. Both State and local laws have provisions that prohibit such an old approval from being revived without further review based on current conditions. In those 16 years, the City has grown and changed, applicable regulations have evolved, and wetlands have shifted position. The City Council must deny this application, because the 16-year-old approval is no longer valid.

- The issues with the outdated approval are demonstrated by the fact that much of this proposed PUD is now in a protected wetland zone that does not allow any residential development. Clearly, the City Council would be violating its own standards for protecting sensitive wetlands if it approves this development.
- At risk are wetlands and McMillan Creek, which flows past the area to be developed. They both provide habitat for a range of wildlife including river otters, coyotes, beavers, deer, and many species of birds.
- There are also risks to the community. Emergency evacuation via the one road outlet for the area is currently questionable as to effectiveness and safety. Adding more homes to the area would be highly irresponsible.
- The City has not done enough to mitigate the risk this development poses to its tsunami evacuation plan. To protect its residents, the City's code requires developments, such as this one, to have improvements made to evacuation routes, including adding capacity by creating new routes. The developer of this PUD will not be required to make any improvements to the evacuation routes, but will instead only have to conduct a "traffic study." That "traffic study" does nothing to improve the community's safety, and after it is conducted the City will no longer have any ability to require *actual* improvements from the developer based on the findings of the study.
- The area is already at risk of flooding and adding more impervious surfaces would make this worse. For comparison, the ongoing filling and development in the Rockaway Beach area near Washington Street has resulted in significant flooding issues. The neighborhood in Nedonna Beach relies on the flood mitigation properties of the wetlands which must be preserved and not filled or developed as was done in the Washington Street area.
- This neighborhood faces several significant fire hazards, such as inadequately maintained fire pits, beach fires positioned too close to driftwood, highly-combustible dune grass, the large wooded area south of the jetty, and the use of illegal fireworks on the Fourth of July. In the event of a major fire, the only access/egress point—only one way into or out of the area—would severely hinder evacuation efforts. Adding more dense housing in this area would be highly irresponsible.
- This is about developers making money at the expense of residents, who are already concerned about water and wetlands.
- Everyone should have to play by the rules. The residents of the area have purchased or built their homes in good faith compliance with the land use laws and the City's plan. This developer should not be allowed to evade those regulations, including those protecting wetlands and the rule setting an expiration date for PUD approvals.
- Effective December 1, 2024, regulations for development in the Special Flood Hazard Area (commonly known as the "floodplain") will be changing. These changes are mandated by FEMA for jurisdictions that participate in the National Flood Insurance Program (NFIP).

Please consider the future of this beautiful place and the legacy we leave to our kids and grandkids: save the wetlands!

Sincerely,

Rebecca Overmyer-Velázquez  
 [REDACTED] Beulah Reed Road  
 Neahkahnie OR 97131  
 [REDACTED]

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**From:** Yandle, Jeffrey <[REDACTED]>  
**Sent:** Saturday, November 16, 2024 12:24 PM  
**To:** Melissa Thompson  
**Subject:** Nedonna Wave Development

We are vehemently against the approval of the Nedonna Wave Development and, as homeowners, are firmly in support of the appeal of that decision.

Jeff Yandle  
Rockaway, OR

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**From:** Molly Moran-Yandle <[REDACTED]>  
**Sent:** Saturday, November 16, 2024 12:38 PM  
**To:** Melissa Thompson  
**Subject:** Nedonna Wave Development

As residents of a nedonna beach home, we are vehemently opposed to the Nedonna Wave development. We are firmly in support of the appeal of the development #Appeal-24-1

Sincerely  
Molly Moran-Yandle  
Rockaway, Oregon  
[REDACTED]