

November 1, 2022

Board of Commissioners
of Tillamook County, Oregon
201 Laurel Ave
Tillamook, OR 97141

Re: Enforcement Action Requested – Riprap Removal at Pine Beach and George Shand Tracts (Tillamook County Planning File Nos. 851-21-000086)

Dear Chair Yamamoto and Commissioners:

On September 30, 2022, the Land Use Board of Appeals (LUBA) remanded the County's decision to approve a post-acknowledgement plan amendment for an exception to Goal 18 and the related floodplain development permits for installation of beachfront protective structures in the above-entitled matters. *See ORCA v. Tillamook County*, ___ Or LUBA ___ (LUBA Nos. 2021-101 & 104, Sept. 30, 2022). No appeal of that decision was filed, making LUBA's decision final.

Following the County's decision, our groups filed an appeal to LUBA. Fully aware of that appeal, the applicants nevertheless began constructing the improvements, which included tree removal, grading, installation of riprap, and other significant activities. In deciding to proceed with construction, the applicants accepted the risk that their approvals might be remanded or reversed, rendering their improvements unpermitted. With LUBA's remand, the applicants currently lack the required permits and authorizations for their land use activities.

We thus request that you take action to enforce your zoning ordinance and complete removal of these unlawful improvements, as well as restore the landscape where the armoring was installed. Thank you for your consideration.

Sincerely,

Phillip Johnson
Oregon Shores
Conservation Coalition

Charlie Plybon
Surfrider Foundation

Cameron La Follette
Oregon Coast Alliance