



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Commenter name (if provided):**

Benita Robinson

**Date comment received:**

September 16, 2024 03:01 PM

**Commenter email (if provided):**

beliro1@yahoo.com

**Location (if provided):** , OR

**Public comment:**

I am a full-time resident at the condominiums located directly above Mill Beach. I often watch individuals and families enjoying the beautiful beach during the day, especially on weekends and holidays.

However, I do not appreciate being awakened in the middle of the night by people shouting, fighting, and/or using foul language on the beach. I've heard fireworks at odd hours of the night, dogs barking, as well as a woman screaming for help.

I've called the police and the local ranger several times when the noise has continued for hours. I once saw a fire close to the brush, left unattended by someone. This could have easily spread to nearby buildings.

The police and the ranger used to respond reasonably quickly, but my understanding is that the number of police has been reduced significantly due to budget shortages. I don't know if a ranger is assigned to our area anymore.

I've picked up trash both on the beach and along the road leading down to it, but gave up several months ago as I was fighting a losing battle. Several friends who used to walk their dogs on the beach every morning, have stopped doing so and switched to other areas not covered with so much trash in the morning, such as drug paraphernalia, items of clothing, bedding, etc. Human waste is not uncommon either as the public restrooms have not been functional for several years.

This is not acceptable and puts everyone's health at risk. Overnight camping on Mill Beach needs to be prohibited.

Thank you,

Benita Robinson



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Commenter name (if provided):**

Sandra Nash

**Date comment received:**

September 17, 2024 01:36 PM

**Commenter email (if provided):**

sockssandy@gmail.com

**Location (if provided):** Brookings, OR

**Public comment:**

Unhorsed persons should not be allowed to camp on our beaches, there is no provision for discarding their human waste. I haven't seen any respect for the environment, leaving their trash where ever they want. The persons that were camping in the view areas were removed because they were there unlawfully, and now the view areas are blocked off for the lawful people to use as to enjoy our beautiful coastline.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Commenter name (if provided):**

Gale Payne

**Date comment received:**

September 19, 2024 01:17 PM

**Commenter email (if provided):**

gcpattorney@aol.com

**Location (if provided):** Brookings, OR

**Public comment:**

I favor amending OAR 736-030-0020 to add Brookings to the list of cities and counties where camping is prohibited along Oregon's ocean shore. Regarding its impact on the homeless, respectfully, homelessness is a deep-seeded, multi-faceted issue which simply cannot be resolved by allowing camping on one small beach (Mill Beach) in Brookings.

Camping BY ANYONE on an ocean beach along Oregon's shore adversely impacts EVERY MEMBER OF PUBLIC'S access to the beach for recreation. Camping tents/structures clearly: (1) usurp the public's recreational use of the beach for the private use of any camper whosoever erecting such tents/structures and drawing a line in the sand to stake out campsites over which line the public cannot cross; and (2) prevent the overall public from being able to access that part of the beach taken up by tents/campsites. The public cannot fly kites, play catch or football, throw frisbees, sunbathe, sit, picnic, walk their dog, whale watch, and the like where tents take up that part of the beach for campers' personal campsites.

Beach camping BY ANYONE on Mill Beach has also demonstrably harmed EVERYONE's health and safety as a result of (i) campfires ignoring signs of prohibition, (ii) smoldering embers from abandoned campfires, (iii) feces on the beach (iv) closure of restroom sanitary facilities; (v) rotting garbage, (vi) plastic refuse, (vii) broken bottles, (viii) jagged-edged tin cans, (ix) used needles; (x) stench, bugs/vermin, etc. Such clear and present dangers to the health and safety of the general public using the beach and to marine ecosystems expose liability to governments responsible for protecting the public against these risks.

There has been chatter that a no-camping proposal wants people off public lands. This is incorrect. No camping will actually bring people who are avoiding Mill beach for fear of their safety and health back to Mill Beach. Also, Mill Beach is not publicly owned and is not actually public land. A public easement exists for the sole purpose of recreation which does not include encampments. No overnight camping ensures that all Oregonians are welcome to recreate on Mill Beach without restricted access and without danger to their health, safety, and welfare.

In nearby Harris Beach Park, the beach is owned by the State and is public land. The State does

not allow camping on that beach and has thus determined that camping is not included in and, instead, restricts the public's easement for recreation and also harms the public's health, safety, and welfare in ways that go well beyond crime and littering.

Every regulation affecting Oregon's beaches has uniformly prohibited beach camping. Oregon Statutes, OPRD Regulations, Curry County Regulations, and Brookings Municipal Codes all prohibit camping on Oregon's shore.

Oregon State Statutes prohibit tents on the Oregon shoreline. Oregon Statutes 390.640, 390.650, and 390.605 allow no structures and appurtenances such as tents on Oregon's ocean shore without a permit granted by the OPRD. Such permits are available only to owner(s) of the dry sand area of the ocean shore and historically have been denied to such owners per State ex rel. Thornton v. Hay, 462 P.2d 671 (Or. 1969) as structures restrict public recreation on the beach.

State Regulation by the OPRD (exclusively vested with administering the public's easement to recreate on Oregon's coastline per ORS 390.610) uniformly prohibits camping on the Oregon shoreline.

The restriction of public access to recreate on Oregon's beaches and the public health and safety dangers caused by camping have necessitated the OPRD to exercise its exclusive, regulatory authority to uniformly prohibit camping on Oregon's ocean shore all the way from the State's northern to its southern border in Seaside, Cannon Beach, Manzanita, Rockaway Beach, Lincoln City, Newport, Bandon, Gold Beach, Clatsop County, and Tillamook County. (OAR 736-030-0020, 736-030-0095 & 736-030-0100). There is no sensible reason to treat the ocean shore within Brookings any differently than the rest of Oregon's beaches.

The beach in Brookings poses nothing unique from the other beaches along Oregon's shoreline. To somehow, draw an exception to allow camping on this small beach in Brookings lacks any sensible justification. It will not resolve the homeless issue where Mill Beach is not big enough to accommodate their numbers. Also, Mill Beach is almost completely underwater, and not habitable for campers, five months of the year. Even when it is not completely underwater, campers' safety is jeopardized by rogue/sleeper waves and variable tidal conditions. Camping and its byproducts also threaten sensitive, marine ecosystems.

Curry County Regulation prohibits camping on all beaches and waterway shores in Curry County. At Article 6, Division 11 of Curry County Regulation, effective June 28, 2023, Section 6.06.053 entitled "Prohibited Camp Locations" states, "It shall be unlawful for any person to establish or occupy a campsite at any time if such camp is ... (a) within 250 feet of a waterway," defined at section 6.06.0020 as meaning "any ocean, lake, estuary."

Where camping similarly restricts the public's free access to recreate in public parks and causes health and safety dangers, Brookings Municipal Code (at 12.25.012) prohibits camping BY ANYONE in all of its City-Owned Parks such as Chetco Point Park which includes the beach south of Chetco Point accessible by the Park. This park is open only from one-half hour before sunrise until one-half hour after sunset per BMC 12.25.010.

Many families cannot afford vacations and look to freely access the beach and public parks in Brookings as their principal source of recreation. I have observed that when there are tents on Mill Beach fewer people come to the beach to recreate.

I have also observed people inside tents on Mill Beach using needles. I can provide a photograph should you want to see it but do not want to provide anything, without permission, that someone

may consider to be offensive. At Mill Beach, I personally almost stepped on a used needle discarded in the sand and another time almost walked on top of smoldering embers from an abandoned campfire nestled low in the sand. I have observed many families and children using this beach while barefooted and worry that one might be poked by a used needle or step on hot embers from a left-over campfire.

Our community, Oregonians statewide, and its visitors can only count on the OPRD to exercise its exclusive authority do the right thing by extending its regulations to prohibit overnight camping on beaches in Brookings to preserve the public's health, safety, and recreational rights in uniformity with those other beaches throughout Oregon where such camping is prohibited. This camping prohibition serves the interests of the entire general public as set forth above and in the petition. The dangers that camping causes to the public's health and safety are uncontestable and can only be alleviated by a camping prohibition.



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Commenter name (if provided):**

Gale Payne

**Date comment received:**

September 23, 2024 11:56 AM

**Commenter email (if provided):**

gcpattorney@aol.com

**Location (if provided):** , OR

**Public comment:**

Dear Commission, I favor amending OAR 736-030-0020 to add Brookings to the list of cities and counties where camping is prohibited along Oregon's ocean shore. Someone mentioned its impact on the homeless. Respectfully, homelessness is a deep-seeded, multi-faceted issue which simply cannot be resolved by allowing camping on one small beach (Mill Beach) in Brookings.

Camping BY ANYONE on an ocean beach along Oregon's shore adversely impacts EVERY MEMBER OF PUBLIC'S access to the beach for recreation. Camping tents/structures clearly: (1) usurp the public's recreational use of the beach for the private use of any camper whosoever erecting such tents/structures and drawing a line in the sand to stake out campsites over which line the public cannot cross; and (2) prevent the overall public from being able to access that part of the beach taken up by tents/campsites. The public cannot fly kites, play catch or football, throw frisbees, sunbathe, sit, picnic, walk their dog, whale watch, and the like where tents take up that part of the beach for campers' personal campsites.

Beach camping BY ANYONE on Mill Beach has also demonstrably harmed EVERYONE's health and safety by: (i) campfires ignoring signs of prohibition, (ii) smoldering embers from abandoned campfires, (iii) feces on the beach (iv) closure of restroom sanitary facilities; (v) rotting garbage, (vi) plastic refuse, (vii) broken bottles, (viii) jagged-edged tin cans, (ix) used needles; (x) stench, bugs/vermin, etc. Such clear and present dangers to the health and safety of the general public using the beach and to marine ecosystems expose liability to governments responsible for protecting the public against these risks.

There has been chatter that a no-camping proposal wants people off public lands. This is incorrect. No camping will actually bring people who are avoiding Mill beach for fear of their safety and health back to Mill Beach. Also, Mill Beach is not publicly owned and is not actually public land. A public easement exists for the sole purpose of recreation which does not include encampments. No overnight camping ensures that all Oregonians are welcome to recreate on Mill Beach without restricted access and without danger to their health, safety, and welfare.

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State Regulation by the OPRD (exclusively vested with administering the public's easement to recreate on Oregon's coastline per ORS 390.610) uniformly prohibits camping on the Oregon shoreline. The restriction of public access to recreate on Oregon's beaches and the public health and safety dangers caused by camping have necessitated the OPRD to exercise its exclusive, regulatory authority to uniformly prohibit camping on Oregon's ocean shore all the way from the State's northern to its southern border in Seaside, Cannon Beach, Manzanita, Rockaway Beach, Lincoln City, Newport, Bandon, Gold Beach, Clatsop County, and Tillamook County. (OAR 736-030-0020, 736-030-0095 & 736-030-0100). There is no sensible reason to treat the ocean shore within Brookings any differently than the rest of Oregon's beaches.

The beach in Brookings poses nothing unique from the other beaches along Oregon's shoreline. To somehow, draw an exception to allow camping on this small beach in Brookings lacks any sensible justification. It will not resolve the homeless issue where Mill Beach is not big enough to accommodate their numbers. Also, Mill Beach is almost completely underwater, and not habitable for campers, five months of the year. Even when it is not completely underwater, campers' safety is jeopardized by rogue/sleeper waves and variable tidal conditions. Camping and its byproducts also threaten sensitive, marine ecosystems.

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Many families cannot afford vacations and look to freely access the beach and public parks in Brookings as their principal source of recreation. I have observed that when there are tents on Mill Beach fewer people come to the beach to recreate.

I have also observed people inside tents on Mill Beach using needles. I can provide a photograph should you want to see it but do not want to provide anything, without permission, that someone may consider to be offensive. At Mill Beach, I personally almost stepped on a used needle discarded in the sand and another time almost walked on top of smoldering embers from an



abandoned campfire nestled low in the sand. I have observed many families and children using this beach while barefooted and worry that one might be poked by a used needle or step on hot embers from a left-over campfire.

Our community, Oregonians statewide, and its visitors can only count on the OPRD to exercise its exclusive authority do the right thing by extending its regulations to prohibit overnight camping on beaches in Brookings to preserve the public's health, safety, and recreational rights in uniformity with those other beaches throughout Oregon where such camping is prohibited. Any notion that this camping prohibition fails to serve the interests of the entire general public lacks substantive viability for the reasons set forth above and in the petition.

Thank you for your service,

/s/Gale Payne  
Brookings Homeowner

Dated: September 17, 2024



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Commenter name (if provided):**

Michael Robinson

**Date comment received:**

September 23, 2024 11:57 AM

**Commenter email (if provided):**

michael.ssrp@sbcglobal.net

**Location (if provided):** , OR

**Public comment:**

In the last 17 years I have owned two vacation properties in the city of Brookings, one of them adjacent to Mill Beach. I have noticed a huge decline in the cleanliness, safety, and overall appearance of Mill Beach since the city has allowed overnight camping.

Friends and neighbors have shared horror stories of numerous incidences causing injuries, fear, and other emotional reactions to members of the public visiting the beach. Some residents have stopped using the beach due to the restrooms not being available for use, and individuals instead urinating and defecating on the beach and in the nearby bushes.

Residents' lives are being disrupted by campers coming and going at all hours of the day and night. Loud music, people talking and shouting on the beach and in the parking lot, as well as cars revving up their engines and honking their horns after dark is not pleasant to experience.

It's time to prohibit camping on Mill Beach and make it the same as all other beaches on the Oregon coast.

Very Truly Yours,

Michael K. Robinson



# Submit a public comment on a rule

Oregon Parks and Recreation Department

**Commenter name (if provided):**

Roberta and Sam Alford

**Date comment received:**

September 23, 2024 12:01 PM

**Commenter email (if provided):**

alf3@snowcrest.net

**Location (if provided):** , OR

**Public comment:**

Dear Oregon Parks and Recreation Department,

We are writing to voice our opinion of proposed amendment OAR 736-030-0020, to ADD Brookings, to the list of cities and counties, where camping is prohibited-we agree, it should be prohibited! Currently this ban runs from the North, at Seaside to the South, at Gold Beach...Brookings, should be no different. There is a reason the rest of the coastline supports this.

The Public, meaning family, friends, visitors, have all stated to us, many times, that while visiting Mill Beach, they do not feel safe, with campers and their bad behaviors. There are verbal and physical fights, rampant drug and alcohol use, harassment, extreme fire dangers, permanent restroom closure, trash, pets not properly being taken care of and the list goes on. There is nothing better, than a day spent at the beach, where children can play safely in the sand and water, just running and laughing with the joy, at and in the waves. Also, sandcastle building, just digging a hole, while adults enjoy peaceful walks with their pets, conversations are struck up among strangers regarding the weather, sunsets, fishing, kayaking, etc.

Yes, there is a problem/issue, when it comes to the Homeless. The lawlessness that occurs, is frequent. The Brookings Police Department, Brookings Fire Department, Curry County Sheriff, State Police and the Parks Department (located north at Harris Beach) have all had to deal with various issues, that are illegal, at Mill Beach, as well as the City of Brookings. There is a Del Norte County camping/tent site located just 2 miles south of the OR/CA border (Clifford Kamph Memorial Park), at Smith River. So, there is a designated area for tents, not far from here. The Brookings Police Department has a liaison officer, who works

with and gets to know the Homeless population. As well as, there are several facilities here and in our neighboring town, of Harbor, whose job it is to help...IF they want assistance.

We would like to thank you for your time, since this is an issue for all campers. PLEASE LISTEN! Come visit and see for yourself, it is not a huge beach, able to accommodate everyone and everything, but a true gem, to those who love to have a beautiful day use area, at our local beach.

Very Sincerely.

Roberta & Sam Alford

Brookings residents