



# Oregon Parks and Recreation Commission

November 6-7, 2012

Tillamook

## November 6-7, 2012 Meeting Minutes

Those attending all or part of the meeting included:

### **Commissioners Present:**

Davis Moriuchi, Chair  
Jay Graves, Vice-chair  
Jim Brown  
Brad Chalfant  
Sharon Rudi  
Robin Risley  
Cal Mukumoto

### **Staff:**

Tim Wood, Director  
Steve Shipsey, Assistant Attorney General  
Vanessa DeMoe, Commission Assistant  
Holly Morgan, Executive Assistant  
John Potter, Assistant Director, Operations  
Lisa Van Laanen, Assistant Director, Administration  
Roger Roper, Assistant Director, Heritage and Community Programs  
Chris Havel, Associate Director, Communications & Research  
Mark Davison, Integrated Services Manager  
Jim Morgan, Stewardship Manager  
MG Devereux, Project Manager  
Kammie Bunes, Property Agent  
Richard Walkoski, Communications and Research  
Rocky Houston, Trails Coordinator  
Claude Crocker, District Manager  
Terry Bergerson, Communications and Research  
Jerry Winegar, Mountains Region Manager

### **Visitors:**

John Hoffnagle, Oregon State Parks Foundation  
Daniel Dalegowski, City of Cave Junction  
Scott Gerber, Citizen – West Linn  
Carl Edwards, Citizen – West Linn  
Joel Komarek, City of Lake Oswego & Tigard  
Eric White and Randy Rosenberger, Oregon State University

**Tuesday, November 6<sup>th</sup>**

Work-sessions:

1. Economic Impact Study
2. Park System Planning

**Wednesday, November 7<sup>th</sup>**

**Executive Session: 8:30 a.m.**

The Commission met in Executive Session to discuss acquisition priorities and opportunities, and potential litigation. The Executive Session was held pursuant to ORS 192.660(2)(e) and (h). The Executive Session was closed to the public.

**Business Meeting: 10:00 a.m.**

**1. Commission Business (Action)**

- a) Approval of Agenda

**Commissioner Graves moved to approve the November 2012 Commission meeting agenda. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

- b) Re-appointment of OPRD Director

**Commissioner Chalfant moved to approve the re-appointment of OPRD Director. Commissioner Risley. The motion passed unanimously, 7-0.**

**2. Public Comment:**

Daniel Dalegowski, City of Cave Junction

Mr. Dalegowski addressed the Commission with concerns regarding management and the potential closure of Illinois River Forks State Park. He recognized the positive efforts of staff and the agency as well as the concerns brought forward by the local community, including poor communication and lack of adaptive and creative management. Mr. Dalegowski requested that the Commission strongly consider keeping the park open, he emphasized that the community is ready to assist in any way they can.

**3. Approval of Commission Meeting Minutes (Action)**

- a) August 2012

**Commissioner Chalfant moved to approve the August 2012 Commission meeting minutes. Commissioner Graves seconded. The motion passed unanimously, 7-0.**

**4. Director's Update**

- a) Oregon State Fair/Expo Center Update (Information)  
Lisa Van Laanen, Assistant Director of Administration

Ms. Van Laanen said that since the Commission meeting in August, staff has worked with stakeholders, legislators and the Governor's Office to seek solutions and assess viable alternatives to create a sustainable business model for the Fair and Exposition Center.

Although these conversations have been informative and had the benefit of yielding useful dialogue and fostering increased awareness of key issues amongst stakeholders, no clear alternative or solution has yet emerged. Ms. Van Laanen stated that staff recommends continuing to work with stakeholders, legislators and the Governor's office to narrow the alternatives. This includes developing a strategy to guide the discussion during the 2013 legislative session. She said that staff will provide information on the progress of this dialogue with the Governor's Office, legislature and stakeholders for consideration by the Commission at the January 2013 meeting.

## **5. Consent Calendar (Action)**

- a) Approval of Delegated Authority Report
  1. Contracts
  2. Natural Resources
- b) Designation of Banks Vernonia as State Designated Regional Trail
- c) Appointment of Lauralee Svendsgaard as ORTAC member representing Coast

**Commissioner Graves moved to approve the Consent Calendar. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

## **6. Rulemaking**

Richard Walkoski, Communications and Research

- a) Adopt OAR 736-015 – Tribal/Foster Fee Waiver (Action)

Mr. Walkoski requested the commission adopt revisions to OAR chapter 736 division 15 which will add families in homes certified by tribal governments and the Oregon Youth Authority to the list of those eligible for the foster fee waiver and add requirements that campers using preregistration check in or notify park staff prior to 1:00 p.m. of the second day of the reservation. In addition, staff recommends that the foster waiver also be extended to individual foster families providing care through third party providers when those providers are certified by DHS.

**Commissioner Brown moved to approve the adoption of OAR 736-015 – Tribal/Foster Fee Waiver. Commissioner Chalfant seconded. The motion passed unanimously, 7-0.**

- b) Adopt OAR 736-010 – General Park Rules (Action)

Mr. Walkoski requested the commission adopt the revision to OAR 736-010-0060 banning alcohol at Iwetemlaykin State Heritage Site

**Commissioner Chalfant moved to approve the adoption of OAR 736-010 – General Park Rules. Commissioner Rudi seconded. The motion passed unanimously, 7-0.**

## **7. Heritage & Community Programs**

Roger Roper, Assistant Director of Heritage and Community Programs

### b) Heritage Vitality Task Force (Information)

Mr. Roper explained that the Heritage Vitality Task Force launched a survey that lasted a year with some on the ground listening sessions. After the survey the Task Force submitted its report to the Legislature in September 2012 and has begun circulating it among the heritage community. Mr. Roper briefly went over the recommendations for the Legislature, state agencies, city, county and tribal governments, and heritage organizations.

### a) Heritage Programs Report (Information)

Mr. Roper gave an update on the Heritage All-Star Community Program and the Jacksonville ATV Land Exchange.

Mr. Roper shared that the Heritage All-Star Community Program is a new program rolled out in September of 2012, created by the Oregon Heritage Commission. The program encourages communities and guides them in ways to make the most of their heritage resources and also provides recognition for those communities that meet the All-Star benchmark.

Mr. Roper reported that The Jacksonville City Council recently voted (5 to 1) to move forward with a land exchange between the city and the Motorcycle Riders Association (MRA). He explained that this exchange was the subject of public comments at the Commission meeting in Medford last spring. The city will receive a 40-acre parcel currently owned by the MRA in a non-motorized area known as Forest Park managed by the city. The MRA will receive 380 acres located higher up the mountain and adjacent to property currently owned by the MRA. Together these properties will be managed for motorized recreation by the MRA.

### c) Recreational Grants Section Update (Information)

Mr. Roper provided an update on recent changes to the Recreation Grants Team. He explained that because of recent retirements, four positions have gone through a transition. Mr. Roper provided the Commission with an updated staffing chart showing the recent changes.

## **8. Budget**

Lisa Van Laanen, Assistant Director of Administration

### a) 2011-13 Budget Update (Information)

Ms. Van Laanen shared the September 2012 Lottery forecast was released August 29, 2012. It reflects a decrease in Lottery Fund revenue for the Department of \$1,275,452. Since the close of session, the Lottery Fund revenue forecast has decreased by \$3,931,596. The Department's budget was built on a Lottery Fund revenue forecast of \$84.6 million and the September 2012 forecast is \$80.69 million. She said that the Executive Team is collecting and reviewing options to adjust the Department's spending to accommodate the Lottery Fund decline. In addition, Other Fund revenue forecasts are being reviewed to determine if further action is required.

b) 2013-15 Budget (Information)

Ms. Van Laanen said that the department has been working with the Governor appointed Program Funding Teams (PFT), the department has been in front of the Healthy Environment and Economy and Jobs teams. She said that the department is awaiting recommendations from the PFT's. Ms. Van Laanen stated that the Governor's budget is required to be published by December 1, 2012. As current schedule stands, the PFTs are to provide recommendations to the Governor by October 15, 2012. After that, the Governor will make decision about the budget; agencies will not have a chance to appeal any decisions. The budget will be balanced to the December 2012 revenue forecast which will be released in November 2012 and available to the Governor before the public release. Ms. Van Laanen said that at the January 2013 Commission meeting, the Department will be able explain what changed between the Agency Request Budget and the Governor's Budget. The next step then will be presenting to the Legislature and working with OPRD's Legislative Fiscal Analyst (LFO) to adjust and arrive at the Department's Legislatively Adopted Budget.

**9. Planning and Land Use**

John Potter, Assistant Director of Operations

a) Park System Plan -- Draft Approval (Action)

Mr. Potter said that this discussion was to talk about a recommended strategic business direction that will help sustain the quality of the park system and mitigate any negative financial consequences that could arise over the next 10 years. He reported that staff has been working on this over the past year and conducted a number of public workshops with the Commission to look into aspects of the park system and how it is financed and operated. Mr. Potter stated that this work was initiated because the Commission had questions about how we were investing and if the right decisions were being made; asking the question, "what does a decision today mean in terms of what is sustainable in the future."

Mr. Potter addressed three main points:

- The escalating gap between projected revenues and projected expenditures;
- Decisions that we make today will have an impact on what service we will be able to provide to the public in the future; and
- A recommended strategy that will help us mitigate the expected financial challenges.

Mr. Potter discussed the following highlights of the draft plan:

- External Business Environment
- Internal Business Model
- Park Infrastructure
- Deferred Maintenance
- Financial Projections
- Value Generation
- Recommended Business Strategy

Mr. Potter noted that the most pessimistic projections anticipate a \$64 million gap between projected expenditures to provide the current level of service and available revenue by the

2021-23 biennium. Failing to grow revenues in the short-term will also add to the park system's deferred maintenance and lowering of standards for aging facilities. To mitigate this Mr. Potter described a business strategy that:

- Builds on competitive advantages;
- Generates economic value;
- Increases revenues; and
- Reduces expenditures.

Mr. Potter stated the expectation that a concerted effort across key policy areas would put the park system in the best position to continue contributing value and building wealth in the state. Specific policy direction was provided in the draft plan for the following areas: Service Delivery, System Maintenance, System Enhancement, Workforce Maintenance, and System Funding.

Mr. Potter clarified that staff were asking for approval of the general business direction and suggested that minor edits from the prior work-session discussion be included in the approval of the plan.

**Commissioner Chalfant moved to approve the draft Park System Plan with minor editorial changes. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

**[The Commission discussed a change in the agenda, moving Item 10a to be heard after Item 9a. Commissioner Graves made a motion to accept the change in the agenda. Commissioner Chalfant seconded. The motion passed unanimously, 7-0]**

## **10. Real Property**

Jim Morgan, Stewardship Manager

### a) Lake Oswego/Tigard Pipeline Easement Request (Action)

Mr. Morgan explained that this was a request from the City of Lake Oswego/Tigard Water Partnership for a utility easement on property owned by OPRD known as Mary S Young Park. He said that OPRD owns the property and it is managed, through an agreement, by the City of West Linn. Mr. Morgan said that as the landowner, OPRD was approached by the Water Partnership to entertain allowing the construction of a water supply line from the Clackamas River underneath the Willamette River and the property owned by OPRD. He shared that staff met with the proposers on site last year, gathered information and presented it to the Commission to keep them aware of development of the project. Mr. Morgan said that staff had worked with City of West Linn parks and the proposer to find ways that this project could occur and have minimal impact on the property. He said that in working with the City of West Linn and the Water Partnership the original proposal was modified to minimize the impact on the park.

Mr. Morgan clarified that the information provided to the Commission in the agenda brief outlines the items that the city had to address in order to meet the threshold of a project that would provide overwhelming public benefit to the park system. He said that in working with partners at the City of West Linn, a list of projects were created that would help meet that goal.

Mr. Morgan reported that both the partners and staff feel that the projects, along with the compensation for the proposed easement, meet that threshold.

Mr. Morgan explained that the request before the Commission is to consider granting the easement contingent on local land use approval and the conveyance of this right in a manner that would satisfy any concerns of the Oregon Department of Justice.

#### Public Comment

Scott Gerber, Carl Edwards – City of West Linn

Mr. Gerber and Mr. Edwards provided comment in opposition to the proposed Lake Oswego/Tigard pipeline project through Mary S Young Park. They shared that there are numerous objections to the project, including land use planning and appropriateness of such a project being in a residential neighborhood and through a state park. They shared other concerns of local residents in regards to safety, noise issues during construction and project expansion and stated that this project was intrusive and unnecessary and asked the Commission to not approve the easement.

Joel Komarek – City of West Linn/Tigard

Mr. Komarek gave comment in support of the pipeline and proposed easement. He stated that the previous two commenters were representatives of a small organization in the neighborhood whose sole goal is to stop the proposal to expand the water treatment plant in West Linn. Mr. Komarek provided background and history of the pipeline and explained the next steps in the process. He asked the Commission to consider that the standards of approval have been met and the pipeline project will not impact use of the park.

**Commissioner Brown moved to approve the Lake Oswego/Tigard Pipeline Easement Request subject to final local land use approval and exhaustion of judicial review thereof. Commissioner Graves seconded. The motion passed unanimously, 7-0.**

## 9. Planning and Land Use - continued

- b) Park A Year Program Review (Information)  
John Potter, Assistant Director of Operations

Mr. Potter stated that at the direction of the governor's office, the Oregon Parks and Recreation Department implemented a Park-a-Year Program that began in 2004 and concluded in 2011. Over this period, eight new state parks were acquired, designed, constructed, and opened to the public in communities across the state. Mr. Potter discussed the effectiveness of this program and shared information regarding visitation and the local economic benefits that have resulted.

- c) Beaver Creek Planning (Information)  
Mark Davison, Integrated Services Manager

Mr. Davison gave an update on the Beaver Creek planning process. He discussed key issues including; where staff are in the planning process, development and management opportunities and constraints, and the next steps. Mr. Davison stated that staff anticipates

providing another update at the July Commission meeting and presenting the draft comprehensive plan at the September Commission meeting.

d) Cottonwood Canyon Update (Information)  
MG Devereux, Project Manager

Mr. Devereux reported that the Cottonwood Canyon State Park is moving forward toward an anticipated opening in the fall of 2013. He said that staff continues to work on a number of issues to advance the project toward completion. He briefly discussed the following areas of focus:

- Land Use
- BLM
- Park Opening Construction
- Oregon Solutions

e) Salmonberry Corridor Project (Information)  
MG Devereux, Project Manager

Mr. Devereux shared that in early 2012, a coalition of potential stakeholders came together to explore the potential for reconnection of the corridor with a recreational trail. The coalition including Oregon Department of Forestry, Cycle Oregon, Oregon Parks and Recreation Department, the Oregon Coast Scenic Railroad, and the Port of Tillamook Bay Corporation, have been meeting to create a high level feasibility study of a potential trail. Mr. Devereux briefly covered the feasibility study, public outreach, and the next steps for the project. He said that the initial feasibility analysis will be completed by the end of November 2012. The Salmonberry Coalition will evaluate the study and use the decision making framework to decide the next course of action. If the coalition decides to move forward with the trail concept additional work will be done to identify priority trail segments, detailed cost and construction analysis, and catalyst projects that will help jumpstart awareness and community support.

**Additional Discussion on Item 10a:**

The Commission revisited Item 10a. Based on discussion the motion was clarified to read, “subject to final local land use approval and exhaustion of judicial review. Mr. Shipsey stated that he would clarify the intent of the motion, stating that the “judicial review” meant judicial review of the land use decision.

**Commissioner Brown moved to approve the clarified motion for Item 10a with the addition of Mr. Shipsey’s clarification of the intent. Commissioner Graves seconded. The motion passed unanimously, 7-0.**

## 10. Real Property

Jim Morgan, Stewardship Manager

- a) Lake Oswego/Tigard Pipeline Easement Request (Action)  
[Item 10a was heard earlier in the agenda, following Item 9a]
- b) Sheppard's Dell Conveyance to Multnomah County (Action)

Mr. Morgan explained that the Oregon Parks and Recreation Department acquired 2.2 acres (gratis) next to Sheppard's Dell State Park from Multnomah County, the Multnomah County deed for the property contains a public purpose restrictive covenant. Park staff was recently contacted by Multnomah County officials regarding the status of the parcel. Park staff reviewed the status of the property and concluded that OPRD had no operational need for the property nor was the property contributing toward meeting the agency's mission. Mr. Morgan clarified that staff were requesting Commission approval to quit claim the subject property back to Multnomah County.

**Commissioner Brown moved to approve the Sheppard's Dell Conveyance to Multnomah County. Commissioner Rudi seconded. The motion passed unanimously, 6-0.**

- c) Oswald West State Park Retaining Wall Improvement (Action)

Mr. Morgan said that staff recommended granting a permanent easement to ODOT for the "rock wall" area to allow for a repair/maintenance project adjacent to Oswald West State Park. He explained that ODOT originally intended to provide a legal description of the easement area before this Commission meeting; however, their staff have been instructed to focus on higher priority projects. The "rock wall" work at Oswald West will not occur until September 2013. ODOT expects to have a legal description to OPRD by February 2013. OPRD Staff will review that description for accuracy and area calculation.

Mr. Morgan clarified that the action requested was for Commission approval to grant a permanent easement, not to exceed 500 square feet, to ODOT contingent upon the satisfactory review of a legal description from ODOT by OPRD staff.

**Commissioner Chalfant moved to approve the granting of the easement for the Oswald West State Park Retaining Wall Improvement. Commissioner Risley seconded. The motion passed unanimously, 6-0.**

## 11. Natural Resources

Jim Morgan, Stewardship Manager

- a. Natural Areas Program Update (Information)

Mr. Morgan said that with the passage of SB 58 in 2011, the State Natural Areas Program (formerly administered by the State Land Board and Oregon Division of State Lands) was transferred to Oregon Parks and Recreation Commission and Oregon Parks and Recreation Department. He explained that the responsibilities of the State Natural Areas Program include:

- 1) State Natural Areas Plan updates and analyses
- 2) Receiving, assessing, and reviewing new nominations and applications for addition of

- publicly and privately-owned properties to the register of State Natural Areas
- 3) Incorporating new registered and dedicated natural areas into the statewide Natural Areas network by approving nominations/applications (Commission action)
- 4) Management of the Federal Endangered Species Act Section 6 Invertebrate Grant Program for Oregon

**12. Reports (Information)**

- a) South Coast Gorse Removal and Dune Restoration Progress
- b) Territorial Sea Plan
- c) Snowy Plover Management Plan
- d) Economic Impact Study
- e) Department of Energy Mandated Energy Reduction Effort
- f) RV Dump Station Business Model Review
- g) 2013 Oswald West Declaration Commemoration
- h) Rulemaking Status

**Reports in agenda item 12 were provided to the Commission as information only. There was no formal presentation or discussion on the reports.**

**13. Commission Planning Calendar (Information)**

The January 2013 meeting will be held in Oregon City 1/29-1/30.  
Tentative Itinerary:

Tuesday, January 29<sup>th</sup>  
Tour of the Blue Heron Site  
Work sessions and Executive Session

Wednesday, January 30<sup>th</sup>  
Executive Session  
Business Meeting

**Adjournment:**

**Commissioner Mukumoto made a motion to adjourn the November 2012 meeting of the Oregon Parks and Recreation Commission; Commissioner Graves seconded. The meeting adjourned at 2:00p.m.**