



Oregon Parks and Recreation Commission

September 23-24, 2013

Condon, OR Memorial Hall, 120 S. Main St., Condon

September 23-24, 2013 Meeting Minutes

Those attending all or part of the meeting included:

Commissioners Present:

Jay Graves, Vice-chair
Robin Risley
Cal Mukumoto
Sharon Rudi
Brad Chalfant
Wendy Veliz Buck

Staff:

Tim Wood, Director
Steve Shipsey, Assistant Attorney General
Chris Matthews, Assistant Attorney General
Vanessa DeMoe, Commission Assistant
Holly Morgan, Executive Assistant
Chris Havel, Associate Director, Communications & Research
John Potter, Assistant Director, Operations
Lisa Van Laanen, Assistant Director, Administration
MG Devereux, Project Manager
Mark Davison, Integrated Services Manager
Jim Morgan, Stewardship Manager
Kammie Bunes, Acquisition and Property Management Specialist
Richard Walkoski, Communications and Research
Steve Kay, Grants Manager
Scott Nebeker, Engineering Manager
Rocky Houston, Park Trails Specialist
Jaime English, Senior Planner
Tanya Crane, Budget Manager
Terry Bergerson, Research
Jerry Winegar, Mountains Region Manager
Maggie Riley, Mountains Region

Monday, Sept 23rd

Work-sessions

Trail Planning Process - Terry Bergerson, Research

Best Practices – Chris Havel, Associate Director of Communications and Research

Executive Session

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.

Tuesday, Sept 24th

Business Meeting:

1. Commission Business (Action)

- a) Approval of Agenda

Agenda Item 10e, Contract Approval – Alfred A Loeb Electric and Water Upgrades (Action), was added to the agenda.

Commissioner Chalfant moved to approve the September 2013 Commission meeting agenda. Commissioner Rudi seconded. The motion passed unanimously, 6-0.

2. Public Comment

John Edmundson – Heppner

Mr. Edmundson provided comment in support of the naming of a campground at Ona Beach State Park in honor and memory of Chester Armstrong. He also recognized and commended Commissioner Rudi for her service representing the east side of the state.

[Additional public comment was received during Item 6a.]

3. Approval of Commission Meeting Minutes

- a) July 2013 (Action)

Commissioner Risley moved to approve the July 2013 Commission meeting minutes. Commissioner Mukumoto seconded. The motion passed unanimously, 6-0.

4. Director's Update

a) Senate Bill 331 Update (Information)

Tim Wood, Director

Director Wood said that SB 331 was introduced on behalf of the counties by Association of Oregon Counties (AOC) requesting a change to the current RV bond distribution split of 65/35 (state/county). He said the bill was not passed but resulted in a budget note which was put in the agency's budget requiring the department to engage with AOC in a facilitated process to address the issue of RV funding. Director Wood explained that Oregon Solutions will facilitate the process. He said it is anticipated there will be a series of meetings involving Oregon Parks and Recreation Department Commissioners, department staff as well as representatives from the counties. The budget note requires a report back to legislature by January 2014.

b) State Fair Update (Information)

MG Devereux, Project Manager

Mr. Devereux provided a brief update on the 2013 Oregon State Fair. He shared that the preliminary attendance figures indicate a slight drop in attendance of 5.6 percent; much of this drop can be attributed to a lower concert attendance, and a couple days of rain and unsettled forecasts. He said that moving forward there is a lot of positive momentum from the event as we approach the transition to form a public corporation that will take on the ownership and operations of the Oregon State Fair and Exposition Center (OSFEC). He also shared several news clippings that highlighted improvements to this year's event.

Mr. Devereux gave an update on Senate Bill 7. He shared that the process outlined in the bill indicates that the council will be formed by January 2014. He explained that once the council is formed it will work directly with the Department of Administrative Services (DAS) to negotiate a lease arrangement giving the council operating authority over the OSFEC. Mr. Devereux said the hope is to have the process for nomination of the council completed within the next two weeks. The department will provide the Commission an update of the progress at the November meeting in Corvallis.

c) Cottonwood BLM Recreation Public Purposes Agreement (Information)

MG Devereux, Project Manager

Mr. Devereux provided background information on the discussion with Bureau of Land Management (BLM) in regards to the property that is interspersed with agency fee title property at Cottonwood Canyon State Park. He said that in July of 2011 the Commission approved the comprehensive plan for Cottonwood Canyon State Park as well as direction to staff to pursue a Recreation Public Purposes Act application for the BLM property. Mr. Devereux stated that staff are in the information gathering stage and had submitted the initial application; staff are working with BLM at the District level to refine the application and gather any additional information needed to conduct resource analysis to meet federal review standards. He shared that BLM will open a public process in late 2013 to review the application and solicit public comment. In the interim, OPRD and BLM have a Cooperative Management Agreement that will help guide management decisions. Mr. Devereux said that updates will be provided to the Commission as the public meetings are scheduled and additional information becomes available.

- d) 2014 Commission Meeting Dates (Information)
Tim Wood, Director

Director Wood shared draft dates and locations for the 2014 Commission meetings. He asked Commissioners to communicate any conflicts or suggestions to the Commission Assistant prior to the November meeting. The proposed dates and location for 2014 are:

February 4-5, Salem
April 15-16, Bend
June 24-25, Klamath Falls
September 16-17, Silver Falls
November 18-19, Astoria

- e) Best Practices (Action)
Chris Havel, Associate Director

Mr. Havel provided the Best Practices report to the Commissioners; the report was complete as a result of the Best Practices Work-session. He said that the report indicated that the Commission had passed the 15 Best Practices and the report is ready for submission to the Department of Administrative Services (DAS). Mr. Havel requested approval of the report.

Commissioner Rudi moved to approve the 2012 Best Practices report. Commissioner Chalfant seconded. The motion passed unanimously, 6-0.

5. Consent Calendar (Action)

- a) Approval of Delegated Authority Report
 - 1. Contracts
 - 2. Natural Resources
- b) Denial of Scenic Waterways Permit
- c) Approval of Local Government Planning Grants

Commissioner Mukumoto moved to approve the consent calendar. Commissioner Chalfant seconded. The motion passed unanimously, 6-0.

6. Property

- a) Bandon Exchange (Information)
Jim Morgan, Stewardship Manager

Mr. Morgan gave a brief update on the proposed Bandon Exchange. He shared that this update was a follow up to a presentation given at the July Commission meeting in Coos Bay where the department was entertaining a proposal submitted by Bandon Biota for the exchange of 280 acres of the Bandon State Natural Area, Bandon Biota would contribute cash, land and in-kind services. As a result of that meeting staff were instructed to provide more opportunities for public input. He said that public meetings were held in Bandon and Mt Vernon, both were well attended and additional input was received via email, twitter and on-line. Mr. Morgan shared that the public input has been made available to the Commission and to the public on-line and will continue to be made available as more comment is received.

[Audio for agenda item 6a, including the public comment, is available on-line at:
<http://www.oregon.gov/oprd/pages/commission.aspx>]

Public Comment

Dan Driscoll – Dayville, OR

Mr. Driscoll provided a letter and public comment representing many concerned citizens in Grant County in opposition to the proposed exchange.

Mike Kilpatrick – Mt Vernon, OR

Mr. Kilpatrick provided public comment in opposition to the proposed exchange concerning Grouse Mountain.

Jeff Thomas – Grant County Farm Bureau

Mr. Thomas provided public comment in opposition to the proposed exchange.

Boyd Britton – Grant County

Mr. Britton provided public comment in opposition to the proposed exchange concerning Grouse Mountain.

Mike Freese – Oregon Farm Bureau

Mr. Freese provided public comment in opposition to the proposed exchange.

Barry Bushue – Oregon Farm Bureau President

Mr. Bushue provided public comment concerning the proposed exchange with Bandon Biota; including the public involvement process and the agriculture and tourism balance.

John Morris – John Day, OR

Mr. Morris provided public comment in regards to weed management on State Parks land.

b) Milo McIver-PGE Exchange (Action)

Jim Morgan, Stewardship Manager and Kammie Bunes, Acquisition and Property Management Specialist

Commissioner Buck, an employee of PGE, announced a conflict of interest and recused herself from discussion and voting on Item 6b.

Mr. Morgan discussed a proposed exchange of land with PGE of lands inside and adjacent to Milo McIver State Park. He shared that PGE had proposed a fish habitat restoration project adjacent to the park, in researching the deed for allowing access to the restoration site staff found that due to movement of the river some of the land under consideration for restoration was located inside the park boundary. Mr. Morgan said that the research also discovered land that the park had been using as public access was actually owned by PGE. He said that a possible solution in the best interest of the agency was to realign boundaries to allow continued public access at the same time benefiting the fish habitat by allowing PGE to conduct their enhancement project. Mr. Morgan stated that staff were requesting approval to proceed with this land exchange conditioned upon an appraisal confirming the land received by OPRD is equal to or greater in value than the land being conveyed to PGE.

Commissioner Chalfant moved to approve the Milo McIver-PGE Exchange. Commissioner Risley seconded. The motion passed unanimously, 5-0.

- c) Ona Beach (Action)
Kammie Bunes, Acquisition and Property Management Specialist

Ms. Bunes requested Commission approval to enter in to a purchase option agreement with ODOT for a 17-acre parcel adjacent to Ona Beach State Park in Lincoln County. Ms. Bunes explained the Memorandum of Understanding (MOU) between OPRD and ODOT. She said the MOU sets forth the terms and conditions of a proposed purchase option agreement (Agreement) that would allow OPRD to immediately co-locate with ODOT at the site and to exercise the option to acquire the property anytime within the next twelve years, dependent upon when funds become available. In turn, ODOT may remain at the site until OPRD acquires the property and then for a hold over period if they have not yet located a replacement site by the time OPRD takes title to the property. The Agreement represents a more efficient use of resources and accommodates administrative needs for both agencies.

Commissioner Chalfant moved to approve the purchase option agreement with ODOT. Commissioner Risley seconded. The motion passed unanimously, 6-0.

7. Budget

- a) 2013-15 Budget Update (Information)
Tanya Crane, Budget Manager
- Lottery Forecast
 - September Forecast showed an increase of \$206,389.
 - The Department's budget was built on a Lottery Fund revenue forecast of \$79.1 million
 - The September 2013 forecast is \$79.3 million.
 - OPRD's budget at each approval point in the budget building process.
 - 2013-15 Agency Request Budget
 - 2013-15 Legislative Adopted Budget
 - 2013-15 Governor's Budget
 - Highlights of the changes from the Governor's Budget:
 1. The Department's requested rate adjustments are included in the bill.
 2. The legislature approved all the technical adjustments requested by the Department
 3. Oregon State Fair and Expo Center (OSFEC):
 - a. \$3.8M in non-Measure 76 Lottery funds not approved
 - b. Replaced with \$1.0M General Funds and \$2.5M Measure 76 Lottery funds
 4. Balanced Lottery Funds to forecast and for OSFEC:
 - a. Balanced the Local Government Grant Program to 12% of the May 2013 Lottery forecast
 - b. Eliminated Package 110 – Invest in Facilities Maintenance \$2.0M
 - c. Reduce Park Development by \$195,000
 5. Removed debt service payments from the budget related to Willamette Falls pass thru of Lottery Bond proceeds.
 6. Additional reductions for changes to PERS. \$1,557,105 total funds

7. The budget was adjusted for statewide assessment changes.

- Emergency Board Meetings
 - Dates for the Interim Joint Committee on Ways and Means have been released
 - Dates for Emergency Board meetings will be released after the February 2014 session.
- Building 2015-2017 budget
 - Initial training will be provided to the Commission in the near future
 - Development of the 2015-17 Agency Request Budget will occur by June 2014.

8. Rulemaking

- a) Request to go to Rulemaking OAR chapter 736, division 10, Tobacco Use in Parks (Action)
Richard Walkoski, Communications & Research

Mr. Walkoski requested approval to begin the rulemaking process for OPRD rules, OAR chapter 736, division 10, relating to the use of tobacco in OPRD owned and managed properties.

Commissioner Chalfant moved to approve the request to go to Rulemaking OAR chapter 736, division 10, Tobacco Use in Parks. Commissioner Rudi seconded. The motion passed unanimously, 6-0.

- b) Request to adopt amendments to OAR chapter 736, division 15, Rates (Action)
Richard Walkoski, Communications & Research

Mr. Walkoski stated that this rulemaking effort had gone through a public process. He said that many comments were received via email outreach and a survey done through Reservations Northwest. Mr. Walkoski briefly discussed the summary of the public comment. Commission and staff discussed out-of-state fees, educational fee waivers for park use and outreach for public comment associated with demographics.

Mr. Shipsey clarified that the motion to approve was for adoption of the rules as presented with an amendment to OAR 736-015-0043 to reflect appropriate effective dates.

Commissioner Mukumoto moved to approve the request to adopt OAR chapter 736, division 15, Rates. Commissioner Rudi seconded. The motion passed unanimously, 6-0.

- c) Request to adopt a new rule in OAR chapter 736, division 2, working with donor organizations (Action)
John Potter, Assistant Director of Operations

Mr. Potter stated that this was a result of Senate Bill 196, a department legislative concept that passed the 2013 Oregon Legislative Assembly. He explained that the rule provides the department's procedures for entering into agreements with nonprofits that can in turn use certain services that the department may be able to make available to them to leverage private donations.

Commissioner Rudi moved to approve the request to adopt a new rule in OAR chapter 736, division 2, Working with Donor Organizations. Commissioner Chalfant seconded. The motion passed unanimously, 6-0.

9. Heritage & Community Programs

- a) Heritage Programs Report (Information)
Steve Kay, Grant Program Manager

Mr. Kay provided a brief update on recent Heritage Division projects. He highlighted the work being done on the Collections Policy and the 2013 Archaeological Field Schools that were held at Champoeg State Park and Fort Yamhill.

10. Planning

- a) Wapato Comprehensive Plan (Action)
Mark Davison, Integrated Services Manager

Mr. Davison requested Commission approval of the Wapato Greenway Comprehensive Plan. He shared that the department held public meeting in June; the meetings included neighbors, general public, stakeholders, partners and staff. Mr. Davison said that good communication and results came out of the meetings.

Major strategies that came out of the plan include:

1. Develop wetland restoration projects through partnership with Portland Audubon, the West Multnomah Soil and Water Conservation District, and the Lower Columbia Estuary Program. A primary restoration goal is to improve fish passage for juvenile salmon.
2. Protect and restore priority native plant communities and wildlife through partnership with local community volunteers, focusing on oak savannah habitat.
3. Retain a natural setting at Wapato with limited signage, clustered at the entrance and picnic shelter area. Use natural materials for signs that blend into the landscape.
4. Enhance environmental education programming initiatives to maximize effectiveness and the visitor experience including field classroom and outdoor school.
5. Improve day use area including parking and trails to improve orientation and park entrance experience.

Mr. Davison discussed the next steps in the planning process and requested the Commission approval of the plan.

Commissioner Chalfant moved to approve the Wapato Comprehensive Plan. Commissioner Mukumoto seconded. The motion passed unanimously, 6-0.

- b) State Designated Trail Nominations (Action)
Mark Davison, Integrated Services Manager

Commissioner Mukumoto announced a conflict of interest related to the Bear Creek Greenway Trail and recused himself from discussion and voting for agenda Item 10b.

Mr. Davison requested approval to adopt the Bear Creek Greenway Trail as a State Designated Regional Trail and Dinah Moe Humm/Kiwa Butte Trail as a State Designated Scenic Trail.

Commissioner Rudi moved to approve the State Designated Trail Nominations. Commissioner Chalfant seconded. The motion passed unanimously, 5-0.

- c) Oregon Recreation Trails Advisory Council (ORTAC) Appointment (Action)
Mark Davison, Integrated Services Manager

Mr. Davison stated that the Council currently has two vacancies and one position requesting reappointment.

- Congressional District 3 representative, Nancy Ream Enabnit, is requesting re-appointment to the Congressional District 3 position.
- Congressional District 5 representative, Terry Wheeler, has served two four year terms and is leaving ORTAC. To replace Terry, the Director is recommending Becky Wolf be appointed to a four year term.
- Congressional District 2 representative, Bruce Galloway, has served two four year terms and is leaving ORTAC. Due to a requirement to have two Coastal representatives, this position is being filled by a Coastal representative now. The Director is recommending Julie Chick be appointed to a four year term.

Commissioner Risley moved to approve the Oregon Recreation Trails Advisory Council (ORTAC) Appointments. Commissioner Chalfant seconded. The motion passed unanimously, 6-0.

- d) Cottonwood Experience Center (Information)
MG Devereux, Project Manager

Mr. Devereux provided a brief review of the Comprehensive Plan for Cottonwood Canyon State Park and elements of the Declaration of Cooperation and the Experience Center concept.

Mr. Devereux shared information to update the Commission on the park opening and continued work by staff regarding the Experience Center. He provided a list of specific programming anticipated for the Experience Center:

- Natural and cultural resource inventory, research, understanding, and protection;
- Staff-led hikes; geologic, nature and history talks;
- Recreation instruction;
- Special events; community gatherings and connections to local food;
- School programs for kindergarten through high school;
- College and post-graduate research;
- Small-event art, photography and music appreciation;

- e) Contract Approval – Alfred A. Loeb Electric and Water Upgrades (Action)
Scott Nebeker, Engineering Manager

Mr. Neberker shared the results of the bid process and goals of the project. He requested Commission approval for award of the contract to Kunert Electric in the amount of \$506,160.00.

Commissioner Chalfant moved to approve the Alfred A. Loeb Electric and Water Upgrades Contract. Commissioner Risley seconded. The motion passed unanimously, 6-0.

11. Natural Resources

- a) Natural Areas Registration:
Klamath Lake Wildlife Refuge and Sycan Marsh Additions (Action)
Jim Morgan, Stewardship Manager

Mr. Morgan explained that in 2011, Senate Bill 58 transferred the State Natural Areas Program from the Department of State Lands (DSL) to the Department. OPRD is now responsible for processing nominations and petitions received to voluntarily add lands of a variety of ownerships to the register of State Natural Areas. The Nature Conservancy petitioned the Department to register two of their owned areas located in Lake and Klamath Counties. Mr. Morgan gave a brief description of the properties and said that staff had reviewed the petitions and had concluded that the subject properties are of high ecological value and meet the intent of the State Natural Areas Plan.

Commissioner Chalfant moved to approve the addition of the two Natural Areas into the registry of State Natural Areas. Commissioner Risley seconded. The motion passed unanimously, 6-0.

12. Reports (Information)

- a) Snowy Plover Management Plans
- b) Stewardship Grants projects 11-13
- c) Visitor Experience Staff Training Program Update
- d) Annual Performance Progress Report (APPR) for Fiscal Year (2012- 2013)

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 Commission will hold its next meeting in Corvallis, November 19-20, 2013.

Tentative itinerary:

Tuesday November 19th – afternoon work-sessions and Executive Session

Wednesday November 20th – Business Meeting

Adjournment: Commissioner Chalfant moved to adjourn the business meeting at 12:15 p.m., Tuesday, September 24, 2013. Commissioner Buck seconded.