



# Oregon Parks and Recreation Commission

July 20, 2011

Bandon

## 7/20/2011 Meeting Minutes

Those attending all or part of the meeting included:

**Commissioners Present:**

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

**Staff:**

Tim Wood, Director  
Steve Shipsey, Assistant Attorney General  
Vanessa DeMoe, Commission Assistant  
John Potter, Assistant Director, Operations  
Roger Roper, Assistant Director, Heritage Programs  
Kyleen Stone, Assistant Director, Recreation and Community Programs  
Lisa Van Laanen, Assistant Director Administration  
Cliff Houck, Real Property Manager  
Jim Morgan, Natural Resources Manager  
Darin Wilson, Engineering Manager  
Richard Walkoski, Recreation Programs Manager  
Alex Phillips, Trails Coordinator  
Kathy Schutt, Planning Manager  
Jenn Cairo, Valleys Region Manager  
MG Devereux, Cottonwood Canyon Project Manager  
Mark Davison, Planning Team Leader  
John Allen, Coastal Region Manager

**Wednesday July 20<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: 10:15 a.m.**

**1. Commission Business (Action)**

- a) Approval of Agenda

**Commissioner Musser moved to approve the July 2011 Commission meeting agenda. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

Agenda Item 9 was moved up in the agenda to follow Item 5.

**Commissioner Graves moved to approve the revised July 2011 Commission meeting agenda. Commissioner Chalfant seconded. The motion passed unanimously, 7-0.**

**2. Public Comment:** *This time was for the public to address matters **not** included in the agenda.*

**[All of the public comment heard by the Commission, including item 2a and 2b, can be accessed online at: <http://www.oregon.gov/OPRD/commission.shtml>]**

- a) Floras Lake Project – George Rhodes, Curry County Commission Chair
- b) Bandon State Natural Area Project – Hank Hickox, Manager, Bandon Dunes Resort

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

- a) May 2011

Commissioner Risley noted a change in Item 11; the spelling of “Chair” needs to be corrected in the discussion section.

**Commissioner Graves moved to approve the May 2011 Commission meeting minutes. Commissioner Risley seconded. The motion passed unanimously, 7-0.**

**4. Director’s Update**

Director Wood shared that he recently met with the Association of Oregon Counties and Oregon Solutions. He said they discussed a group called the Lower John Day Working Group that has been working with OPRD and have been involved in the planning of Cottonwood Canyon. Director Wood shared that there is a strong regional interest in working together to create a partnership to bring some funds toward development of facilities for education, tourism, art and culture at Cottonwood Canyon. Director Wood stated that this plan fits within our regional concept for the park. He explained that it’s really a coalition that might come together for the purpose of raising money to make that happen. Director Wood said the visitor center and welcome center in the master plan could serve that purpose and there may have to be some conceptual redesign to achieve this. He shared that the parties involved are currently in the process of looking to see if there are others that want to partner in this project.

- a) Audit Committee Charter (Action)  
Lisa Van Laanen, Assistant Director of Administration

Ms. Van Laanen said that the Commission last reviewed and approved the Audit Committee Charter at the March 2010 meeting. She reported that the Audit Committee reviews its charter regularly and recommends changes when appropriate. The Audit Committee is recommending changes to the charter to:

- Affirm the definition of internal auditing as outlined by the International Professional Practices Framework (Red Book).
- Clarify roles and responsibilities.

Commissioner Brown commented that these are a good set of changes. He commented that the previous charter was aimed at solving some particular issues and trying to provide direction to a specific individual. He said that this set of changes brings it back to where we should be. Commissioner Brown shared that he felt the current staff member in the position understands both her role as an internal auditor and as a consultant to the agency on quality assurance.

**Commissioner Brown moved to approve the Audit Committee Charter revisions. Commissioner Chalfant seconded. The motion passed unanimously, 7-0.**

- b) 2011 Oregon State Fair Update (Information)  
Lisa Van Laanen, Assistant Director of Administration

Ms. Van Laanen provided a packet of information on the 2011 Oregon State Fair to the Commission. She shared that everything is on track and ready for the event. She briefly covered some of the events that will occur during the 11 day event.

**5. Consent Calendar (Action)**

- a) Approval of Delegated Authority Report  
1. Contracts (Action)

**Commissioner Graves moved to approve the contracts under the Delegated Authority Report. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

2. Natural Resources (Action)

Commissioner Chalfant stated that he would abstain from participating on this item and stated a potential conflict of interest due to a relationship with an individual that has applied for a permit under the scenic waterways program. He stated he has had no discussion with staff related to this matter and will not participate in any action, discussion or decision regarding this matter.

**Commissioner Musser moved to approve the Natural Resources Delegated Authority Report. Commissioner Rudi seconded. The motion passed unanimously, 6-0 (Chalfant abstain).**

### 3. Local Government Grant Requests (Action)

**Commissioner Chalfant moved to approve the Local Government Grant Requests under the Delegated Authority Report. Commissioner Musser seconded. The motion passed unanimously, 7-0.**

## 9. Planning and Land Use

- a) Tryon Creek Management Unit Comprehensive Plan (Information)  
Jenn Cairo, Valleys Region Manager  
Kate Schutt, Planning Manager

Ms. Cairo stated that staff are in the beginning of a planning process for several parks in the Tryon Creek Management Unit. She said that this new planning effort will include two groupings of selected parks; all of these parks are located in the Portland area, in Multnomah and Clackamas Counties, with the main park management office located in the Tryon Creek State Natural Area. Each group will have a separate Stakeholder Group:

#### Group A:

Tryon Creek State Natural Area (SNA)  
Willamette Stone State Heritage Site (SHS)  
Wapato Access Greenway property  
Coalca Greenway property

#### Group B:

Milo McIver State Park  
Bonnie Lure State Recreation Site (SRS)

Ms. Cairo said that each of these parks could benefit from the guidance of a Comprehensive Park Plan. She highlighted the planning needs for each property. Ms. Cairo stated that additional information will be brought back to the Commission in November.

- b) Cottonwood Canyon Comprehensive Plan (Action)  
Mark Davison, Planning Team Leader  
MG Devereux, Cottonwood Canyon Project Manager

Mr. Devereux stated that the Cottonwood Canyon Comprehensive Plan was being brought before the Commission for final approval. He stated that the final draft of the Cottonwood Canyon Comprehensive Plan does not contain substantive changes from the May draft, but includes reformatting where needed to be more readable and reflects clarifications and input from the last round of public meetings held on the plan.

Mr. Davison explained the minor changes in the plan, including formatting changes, the welcome center orientation, preservation of the barn, affirmation for the light recreational footprint and restoration projects. He shared that the process to complete this draft has involved: an unprecedented level of involvement from the local communities surrounding Cottonwood Canyon State Park; input from a wide variety of stakeholders, partners, and interest groups; and agency staff input from every section and division of OPRD. The final plan reflects the need for a limited development profile that maximizes the values of landscape protection and carefully managed access for a variety of recreation interests.

Mr. Devereux shared the next steps in planning for Cottonwood Canyon State Park. He highlighted the following items that will take place:

- Continue work with the partners
- Explore opportunities to make this a regional education center for the local community and visitors
- Continue work with other stakeholders and partners to help us manage the resource
- Work has started on the second phase focusing on how to translate the initial priorities and concepts into on the ground action

Mr. Devereux said that the approval of the Cottonwood Canyon State Park Plan would facilitate discussions with Sherman and Gilliam County staff to secure approval for development concepts in preparation for construction of priority park facilities in 2012.

Mr. Devereux explained that staff were requesting:

- 1) The Commission approve the Comprehensive Plan for Cottonwood Canyon State Park and authorize submission to Sherman and Gilliam Counties for land use approval, and;
- 2) The Commission authorizes the filing of a Recreation Public Purposes Act application to incorporate the management and/or land transfer of BLM property in the Cottonwood Canyon State Park Comprehensive Plan.

#### Discussion

Commissioner Rudi asked if the Governor has decided to continue the Park-a-Year program. Director Wood stated that it is not associated with the current Governor and has become a term of OPRD rather than that of the Governor's office.

Commissioner Chalfant stated that an advocacy group had voiced concern that the intensity of the development was too significant and was potentially problematic. Mr. Davison replied that they did receive limited comment sharing that concern. He said that comments were focused on any development done in the Murtha homestead area, which tied into the resource and recreation studies of the park. Mr. Davison stated that the advisory committee was made up of tribal, BLM, ODFW and local representatives. He said that this group really set the agenda for the footprint; and that consensus from the group came back with the footprint for the park. Mr. Davison said that the advisory committee feels really confident that this is a light footprint on the land for the next 100 years.

Commissioner Brown stated that he had hoped access upstream of Highway 206 would have been broader and easier to drop off gear. Mr. Davison said that the extent of this use would be controlled by the Park Manager.

**Commissioner Chalfant moved to approve the Comprehensive Plan for Cottonwood Canyon State Park and authorize submission to Sherman and Gilliam Counties for land use approval. Commissioner Risley seconded. The motion passed unanimously, 7-0.**

**Commissioner Brown moved to authorize the filing of a Recreation Public Purposes Act application to incorporate the management and/or land transfer of BLM property in the Cottonwood Canyon State Park Comprehensive Plan. Commissioner Chalfant seconded. The motion passed unanimously, 7-0.**

## 6. Budget & Legislative

### a) Budget Update (Information)

#### 2009-11 Budget Update

Lisa Van Laanen, Assistant Director of Administration

Ms. Van Laanen reported that the June 2011 Lottery forecast, released May 12, 2011, reflected an increase in Lottery Fund revenue for the Department of \$88,717. Since the close of session, the Lottery Fund revenue forecast has decreased by \$3,823,162. The Department's budget was built on a Lottery Fund revenue forecast of \$85.280 million and the June 2011 forecast is \$81.456 million. The Department is in the process of closing out the 2009-11 biennium. The Department expects to close the accounting records with all expenditures within approved limitations and appropriate cash ending balances.

#### 2011-13 Budget Update

Lisa Van Laanen, Assistant Director of Administration

Ms. Van Laanen shared that the governor has signed OPRD's 2011-13 Budget bill, SB 5534. She explained that staff are now in the process of determining how the budget will be allocated based upon the reductions. She said that the actual beginning balance carried over from the 09-11 biennium was \$32 million; by the time the changes were considered that impacted the agency the balance was \$44 million. Ms. Van Laanen said the reductions that the agency had to participate in statewide reduced the balance by 6.5% and another 3.5% in two other categories.

Ms. Van Laanen said that the next step will be for the Executive Team to complete budget allocation to the Assistant Director level. At this level, the Department will be able to complete an analysis of the impact of the reductions made to the budget.

#### Discussion

Commissioner Graves asked how, in the 2011-13 budget, there can be a close of session forecast of \$94 million; would you not start the 11-13 forecast with what your ending balance was? Ms. Van Laanen explained that these are revenue forecasts not the actual revenue. The table reflects the forecast changes and impacts throughout the two bienniums.

Commissioner Chalfant asked about revenue from DAS. Ms. Van Laanen explained that it is not actually revenue from DAS, it is the transfer of lottery funds.

Commissioner Rudi asked where the budget for the State Capital State Park is. Ms. Van Laanen replied that it is in Park Operations.

### b) Legislative Update (Information)

Kyleen Stone, Assistant Director of Recreation and Community Programs

Ms. Stone provided a summary of the status of OPRD priority bills and others that were approved that have an impact on the department.

SB 123: As previously reported, this commission-approved bill would have given the commission authority to increase camping and other rates without Legislative approval. Fees became an important political touch-point and there was virtually no support for any fee increases or, similarly, bills such as this one that would allow fee increases without legislative scrutiny.

SB 125 morphed into HB 2859: This commission-approved housekeeping bill cleaned up the language describing the Tourism Commission membership on the Heritage Commission. This bill moved through the Senate. Then the House chose to combine the elements of SB 125 into HB 2859, which also expanded the duties of the Heritage Commission to work with State Archives and the State Library to improve storage and management of historic records. The governor signed the bill on June 16, 2011.

SB 124: This is the commission-approved bill that will allow us some flexibility to operate the Oregon Exposition Center and relax some of the procurement and other administrative requirements. This bill, with some minor amendments that we requested, passed the Senate Committee on General Government, Small Business and Consumer protection on April 20, 2011 and was referred to Ways and Means. No hearing was scheduled in Ways and Means and the bill did not move. We will continue working the concept and seek a legislative sponsor and bill for the February 2012 session.

HB 2329: This bill, with some amendments that we requested, implements recommendations from the ATV Advisory Committee. The bill passed out of the House Floor on April 20, 2011. Representative Wiedner requested an amendment to the bill to add a person who represents persons with disabilities to the ATV Advisory Committee. The amended bill moved through the Legislature on June 9 and was signed by the Governor on June 16<sup>th</sup>. There is no emergency clause, so the bill will become effective January 1, 2012.

SB 342: This is the bill that implements Ballot Measure 76. The amended bill was approved by the Senate Natural Resources Committee and has passed through the Capital Construction subcommittee of the Joint Ways and Means Committee. It passed through the legislature on June 30<sup>th</sup> and was signed by the Governor on July 21<sup>st</sup>. It will go into effect immediately upon signing.

HJR 29: This bill did not move forward and did not have a hearing.

SB 58: This bill transfers the Natural Heritage Advisory Council to OPRD from the Department of State Lands. This bill was anticipated in our Governor's Balanced Budget. The Legislature passed the bill on June 8 and the Governor signed it into law on June 14, 2011. The bill includes appropriation language, separate from our agency budget, and will go into effect July 1.

HB 3210: This original bill established a Task Force on Heritage Vitality to study public funding of historical societies and other organizations related to cultural heritage of Oregon. The bill was amended to expand the duties of the Heritage Commission to convene the Task Force. It has passed out of the full Ways and Means committee on June 10, 2011. This bill is on the Governor's desk and is set for signature. [It was subsequently signed August 2]

SB 444: This bill amends OLCC statute so that amateur brewers and winemakers can continue to compete at the Oregon State Fair. This Governor signed the bill into the law and it went into effect March 28, 2011.

HB 3416: This bill establishes a World War II Memorial Task Force and requires construction of a memorial at the State Capitol State Park. The bill directs the Department of Veteran's Affairs to convene the Task Force, seek private and other funding for construction, and maintain the memorial. The Senate-amended bill passed out of the House on June 8, 2011 and was signed by the Governor on June 21<sup>st</sup>.

SB 5534: This is the OPRD budget bill. It was signed by the Governor on June 29<sup>th</sup>. Details are included in Agenda Item 6a.

## 7. Rulemaking

- a) Adopt OAR 736, division 10; ADA Compliance (Action)  
Richard Walkoski, Recreation Programs Manager

Mr. Walkoski stated that at the March 16, 2011 meeting the commission adopted temporary rules to bring OPRD park area rules into compliance with new ADA regulations. Those new regulations expand the types of mobility devices that may be used for access. The commission adopted the temporary rules and granted permission to begin permanent rule making to put those changes into division 10 park area rules. In addition to the ADA rules, two other division 10 rule changes were included in the permanent rule making action:

- 1) A rule on campsite occupancy specifying that persons must occupy the site each night during the entire length of stay; and
- 2) an exclusion of Pet Friendly yurts and cabins from the rule prohibiting animals in park facilities.

The rule changes have been reviewed by Department of Justice and were open for public comment during the month of May. No comments were received.

### Discussion

Commissioner Brown asked for clarification on "crime deterrent." Mr. Shipsey replied that that term is used in relation to service animals; persons have stated that a pet is a service animal because it provides personal protection and is a "crime deterrent." He noted that the language comes from federal rules.

**Commissioner Graves moved to adopt OAR 736, division 10; ADA Compliance. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

- b) Adopt OAR 736, division 15; Veterans and Foster Fee Waiver Proof of Eligibility (Action)  
Richard Walkoski, Recreation Programs Manager

Mr. Walkoski stated that at the March 16, 2011 meeting, the commission granted permission to begin permanent rule making for division 15 to include the requirements for proof of eligibility for fee waivers under the Foster and Veterans programs. Although the department included the requirements for proof of eligibility in the Registration and Reservation Administrative Procedures (RRAP) Manual, the Department of Justice recently advised that those requirements should be adopted in rule as opposed to policy. In addition to the waiver requirements, the department proposed three other revisions:

- 1) A change in the definitions section to separate the definition of “Reservation Cancellation” from the “Reservation Change” definition;
- 2) Add a section to the rule on “Claiming Reservations” and penalties for no shows; and
- 3) add a rule to ensure accessible yurts and cabins that are reservable will be held for use by individuals with disabilities until all other facilities of that type have been reserved.

Mr. Walkoski stated that during the rule making process it came to our attention that the rule waiving fees for those staying in standard campsites during State Parks Day did not include extra vehicle fees, although that was the intent of the waiver and in fact has been our practice through a waiver request each year to the director. Since division 15 is currently open we have added the extra vehicle fee waiver to the State Parks Day waiver.

Mr. Walkoski shared that the proof of eligibility requirements have been in place for several years through policy and were developed in consultation with and advice from veterans and foster groups as well as agencies that administer those programs for the state. The rule changes have been reviewed by Department of Justice and were open for public comment during the month of May. No comments were received.

**Commissioner Brown moved to adopt OAR 736, division 15; Veterans and Foster Fee Waiver Proof of Eligibility. Commissioner Rudi seconded. The motion passed unanimously, 7-0.**

- c) Adopt OAR 736, division 201; Oregon State Fair (Action)  
Lisa Van Laanen, Assistant Director of Administration

Ms. Van Laanen explained that the rule changes focus on advertising, canvassing, soliciting and disseminating written materials outside admission gates. More specifically, the rule changes address the following:

- How to register with OPRD to advertise, canvass, solicit or disseminate information;
- The timeline for conducting such activities with respect to the start and end of scheduled events at the Oregon State Fair and Exposition Center;
- Location restrictions based on ensuring safety of all present; and
- Restrictions regarding noise level and offensive conduct and language to ensure the enjoyment and safety of all present.

Ms. Van Laanen said that in addition to the above listed changes, the new rules have more specific definitions, a new section that details how individuals may advertise, canvass, solicit and disseminate written materials inside admission gates, more specific protest procedures and clearer enforcement language.

Ms. Van Laanen said the changes implemented in the advertising, canvassing, soliciting and disseminating written materials section of the rule were developed with input from safety personnel. In addition, some of these changes were previously included in the Oregon State Fair rules, when the Oregon State Fair was an independent state agency. The rule changes have been reviewed by Department of Justice and were open for public comment during May and part of June. No comments were received.

Ms. VanLaanen noted that there are minor editorial changes that will be corrected in the rule and the rule will have a final review by Mr. Shipsey prior to filing.

#### Discussion

The Commission and staff discussed the use of the term “advertising” as it applied to the registrants for solicitation. Ms. Van Laanen explained that the registrants are soliciting signatures for petitions, if they want to advertise for the purpose of selling merchandise they would need to get a vendor or exhibitor permit.

The Commission and staff agreed to revisit the rule if significant confusion became apparent during this years State Fair.

Chair Moriuchi confirmed that the recommendation was to approve the rule as written; the department will correct minor editorial changes and there will be a final review by Mr. Shipsey prior to filing.

**Commissioner Chalfant moved to adopt OAR 736, division 201; Oregon State Fair. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

#### **8. Real Property**

- a) 2009-11 Biennium Land Acquisition Summary (Information)  
[Informational item only. No presentation was made to the Commission.]
- b) Land Acquisition Plan for 2011-13 Biennium (Action)  
Cliff Houck, Property Manager

Mr. Houck stated that this decision item is intended to give staff direction for its immediate and biennium-long land acquisition work. Mr. Houck briefly discussed the list of planned and reach projects. Mr. Houck stated that staff were seeking approval of the proposed work plan and to move forward with property acquisitions within these targeted initiative areas as budgeted in the 11-13 Land Acquisition Project List.

#### Discussion

Commissioner Chalfant asked how outside exchanges fit into the series of initiatives. Mr. Houck replied that priority wise, this is his work plan and first priority. He stated that certainly other issues take a lot of time but those things are really just a part of the work that comes at State Parks; not only exchanges but other property management issues such as easements, concessions, leases, etc.

**Commissioner Rudi moved to approve the Land Acquisition Plan for 2011-13 Biennium. Commissioner Chalfant seconded. The motion passed unanimously, 7-0.**

- c) Beaver Creek – Siegel Acquisition (Action)  
Cliff Houck, Property Manager

Mr. Houck explained that this property, known as the Siegel property, would offer an additional 39.3 acres of wetlands which adjoins the Ona Beach State Park on the west and the 30 acre parcel recently acquired from Forest Capital on the south. As part of the acquisition, The Wetland Conservancy (TWC) has received a USFW grant to acquire a conservation easement on 82.6 acres of the remaining 100 acres of Siegel uplands. The conservation easement would provide permanent protection of marbled murrelet habitat.

Mr. Houck reported that the property has been surveyed and a lot line adjustment has been prepared to adjoin the property into OPRD ownership. A market value appraisal has been

completed and reviewed. It establishes a value of \$153,000. OPRD would acquire the Siegel property with the Coastal Wetland grant; the acquisition would connect other proposed purchases in the Beaver Creek initiative and would bring OPRD one step closer to a north connection providing for trails and access between Ona and Beaver Creek.

#### Discussion

Commissioner Chalfant commented that the TWC easement is closely related to this acquisition; he asked if there have been conversations with TWC about being a back up holder on their easements. Mr. Houck replied yes, an MOU has been signed with TWC so in the event that TWC is going to step out of ownership of the easement it could come to State Parks.

**Commissioner Chalfant moved to approve the Beaver Creek – Siegel Acquisition. Commissioner Risley seconded. The motion passed unanimously, 7-0.**

- d) Easement Transfer to Bend Broadband at Peter Skene Ogden SSV (Action)  
Cliff Houck, Property Manager

Mr. Houck explained that this is a request for an easement from Bend Broadband to install 132 miles of fiber optic cable in Central Oregon. Bend Broadband chose the proposed routes for the fiber installation to minimize the environmental impact. The only one viable route from Redmond to Madras follows the existing power pole lines from Redmond towards Madras. The existing power pole line ends at Peter Skene Ogden State Scenic Viewpoint. From this pole, Bend Broadband will install a 2" conduit in a trench to the now footbridge that crosses over the Crooked River and install the fiber in the existing conduit on the bridge as long as there is adequate space available. Once across the bridge, Bend Broadband will install a 2" conduit the length of the old highway route until it reconnects with the new highway alignment. To accomplish this, Bend Broadband is requesting a ten foot (10') wide easement across OPRD lands in this area. Bend Broadband contracted Tom Harris of H&S Appraisal LLC to appraise the proposed easement of 17,800 sq. ft, and he determined a market value of \$2,500. Staff has reviewed this appraisal and agrees with the conclusion.

**Commissioner Graves moved to approve the Easement Transfer to Bend Broadband at Peter Skene Ogden SSV. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

- e) Ed Macy Easement Donation– Cove Palisades (Action)  
Cliff Houck, Property Manager

Mr. Houck said that this item addresses an issue from April of 2000, where OPRD acquired 273 acres from the Urbach Family Trust. An easement for an irrigation line across Brett Urbach's adjoining ownership was also granted to OPRD as a part of the acquisition. The purchase and sale agreement for the transaction provided that OPRD would assume the Urbach Family Trust's obligation for up to one-half of the costs (but not more than \$3,000 worth) for separating the power and distribution system for irrigation water delivered to the Brett Urbach property and the OPRD property.

Mr. Houck stated that in order to meet some of these obligations, OPRD needs an easement for the irrigation line over property belonging to a neighbor, Ed Macy. Staff has been in communication with Mr. Macy and he has agreed to donate this necessary easement to OPRD.

**Commissioner Chalfant moved to approve the Ed Macy Easement Donation. Commissioner Musser seconded. The motion passed unanimously, 7-0.**

- f) Champoeg State Heritage Area - Sulak Acquisition (Information)
- g) Stout Acquisition – Kam Wah Chung (Information)
- h) Ben Hur Lampman Transfer to City of Gold Hill (Information)

[Items 8f, 8g and 8h were informational only; no presentation was given to the Commission]

## **10. Recreation and Community Programs**

- a. State Scenic Bikeway Update (Information)  
Richard Walkoski, Recreation Programs Manager  
Alex Phillips, Bicycle and Water Recreation Coordinator

Mr. Walkoski gave a brief introduction on the State Scenic Bikeways program. He shared that at the September meeting staff will likely bring a list of recommendations to the Commission for consideration and approval.

Ms. Phillips shared that much was learned from the initial trail designation in 2005 of the Willamette Valley Scenic Bikeway. She said that one of the most important things learned was the importance of having local involvement and proponents. She shared that the Scenic Bikeway Committee created the application using criteria the committee developed. She shared that the local proponents have put an incredible amount of work into the designations and are very excited; she told the Commission they will likely see many of them at the September meeting.

### Discussion

Commissioner Graves commented on the work that has been done; he said it is great work and loves the map and complimented on the involvement of the local communities.

Commissioner Graves asked if funding for signage will be a part of the local support. Ms. Phillips said that the cost to manufacture signs is not significant. It is the installation that is costly and will be an ongoing cost. Mr. Walkoski added that the department has the authority to enter into an agreement with local road jurisdiction, and it has to be the road jurisdiction that puts the signs up. He said that the department has the authority to enter into the agreements whereas the local proponents would find it rather difficult.

- b. Proposed Trails Program Projects for 2011-13 Biennium (Action)  
Richard Walkoski, Recreation Programs Manager

Mr. Walkoski discussed the process for the recreation trails program projects for the 2011-13 biennium. He provided a list of OPRD Trails Projects for the 2011-13 biennium and explained that some of the projects are grant-dependant and may not be funded. Staff would proceed to complete the planned projects and address the reach projects as opportunity and funding allow. A mid-biennium report will update the Commission. Mr. Walkoski asked the Commission for approval of the proposed trail program projects.

**Commissioner Risley moved to approve the Proposed Trails Program Projects for 2011-13 Biennium. Commissioner Rudi seconded. The motion passed unanimously, 7-0.**

## 11. Heritage Programs

- a) Heritage Programs Report (Information)  
Roger Roper, Assistant Director of Heritage Programs

### **Ft. Yamhill Officers' Quarters #1: Rehab Work and Archaeology**

Work was completed this spring on reconstructing the front porch of the 1850s Officers' Quarters. Though we didn't have definitive evidence of what the original porch looked like, the archaeological evidence and other research gave us some degree of confidence in the final design (see attached photos). The new porch greatly enhances the "curb appeal" of the building to visitors. Removal of the much-later rear addition will be another major step toward returning the building to its historic appearance, though it will have to wait for better budget times.

Also this spring, OPRD contracted with OSU to fully excavate around the original foundation of Officers' Quarters #1 (at the top of the hill) in preparation for possibly moving the house back to its original location at some point in the future. If the building were to be moved, a new code-compliant foundation would be required, and the original would have to be removed. The excavation identified a rear corner of the building and some other construction details. No major artifacts were found, but we're now comfortable knowing that if the original foundation is removed, we won't be damaging any remaining artifacts. While the foundation was exposed, we had it scanned so it could be digitally recreated in the future as part of the site interpretation.

### **Heritage Grants**

During the 2009-11 biennium, Heritage awarded approximately 150 grants for a wide range of projects throughout the state. Here is a sampling of some of the projects.

- Ashland (\$15,360): Revised local historic preservation ordinance, conducted Preservation Month activities (public education), and conducted training workshops.
- Friends of Sumpter Valley Dredge (\$7,000): Interpretive signs, map, panels, and enhanced website for Sumpter Valley Dredge State Park.
- Wallowa Land Trust (\$10,133): Booklet documenting Wallowa County Century Farms.
- OPB (\$20,000): Converted 68 hours of deteriorating television news footage (205 vide tapes) of the Rajneeshees in Central Oregon (1981-1985) to a more stable format for use in a future documentary.
- Spray Pioneer Museum (\$6,900): New shingle roof to preserve the building and the artifacts inside.
- Whiteside Theater Foundation, Corvallis (\$19,210): Substantially upgraded the plumbing so the vacant building can be used again. Capped off with a "First Flush" ribbon-cutting event.
- Port of Cascade Locks (\$20,000): Major structural repairs to the 1904 Cascade Locks Historical Museum.
- Dayton (\$10,000): Fort Yamhill Blockhouse roof and wall repair.
- Miller Cemetery, Forest Grove (\$1,000): Repaired and reset 10 tombstones.
- Fort Rock Cemetery Assoc. (\$2,000): Installed fencing to keep livestock out of the cemetery.
- Oregon City (\$13,915): Conducted reconnaissance level survey of approximately 2,000 historic buildings.

### **Floras Lake Update**

Mr. Roper reported that there was a known archeological site disturbed at one of the pits that were dug at the Blacklock site at Floras Lake State Natural Area. He said that the site is listed in the National Register and is over 400 years old and possibly 250 years of occupation. He said that it is more significant damage than initially thought.

Chair Moriuchi asked, given that it is listed, what will be done. Mr. Roper replied that the hope is that the responsible party will be brought to judgment and pay for the damage assessment and any cost associated with damages; there could be criminal charges as well.

### **Cultural Advisor**

Mr. Roper told the Commission that the Governor had appointed a Cultural Advisor, Kendall Clawson. She recently attended the Heritage Commission to introduce herself and he believes she will be of great service to promote the work of the Commissions.

## **12. Operations Procurements and Facility Investment Program (FIP) Projects**

### a) FIP Backlog Project Update (Information)

Darin Wilson, Engineering Manager

Commissioner Graves thanked Mr. Wilson for this report. He said that it is a great snapshot of the department's past, present and future regarding FIP projects. Chair Moriuchi added that the report answered all the questions that came up at the last meeting.

### b) FIP Implementation (Action)

Darin Wilson, Engineering Manager

Mr. Wilson reported that staff has been working on a new implementation process for the Facility Investment and Park Improvement Program (FIP) to be used in the 11-13 biennium. He said that the approach will result in a list of projects and project budgets that consist of the highest priority *major maintenance projects*, including those eligible to receive funding from other sources, along with the highest priority *enhancement projects* that may also receive funding from other sources. The list will also identify *reach projects*, or those projects that could be completed if there are savings or plans change due to permitting or complex design issues.

Mr. Wilson said that staff developed this implementation process to efficiently and effectively prioritize major maintenance and enhancement projects as part of an overall effort to establish guidance for park system planning. Using consistent criteria to evaluate each project statewide and guidance for determining how each project scores against the criteria enables staff to rank each project. The highest scored project will be the top priority project. This new process allows staff to allocate the proper effort to top projects, and quickly identify other projects that could be worked on should time and funding allow. Like any process, it will be updated, clarified and improved after we work together through the various stages over time.

### Discussion

Commissioner Brown asked if enhancement projects, particularly new park development, are part of the FIP expenditures. Mr. Wilson replied that the enhancement projects are part of FIP.

Chair Moriuchi asked about the terms used in the report. He asked for clarification as to if the terms are the common language and if this terminology was used before. Mr. Wilson stated that it is the same philosophy but terms have been defined specifically so all involved are speaking the same language.

Commissioner Brown stated that he had a concern regarding new park development. He stated that capital construction, in terms of new park development, warrants a higher level of conversation with the Commission; the Commission should have a formal say as to where the department spends new capital construction funds. Director Wood replied that the new park development projects are listed as “enhancements” in the project list that comes to the Commission and that further clarification could be done to identify those projects on the list that are new park development projects. Commissioner Brown reiterated his concern that the Commission should have more involvement in the decision making in regards to new development. He stated that these projects should be pulled out more forthrightly in the FIP project list. Director Wood replied that the new park development projects can be identified more clearly on the project list.

Commissioner Chalfant said he had a concern on the Prineville Reservoir project. He said that although there is a 50 percent match from Bureau of Reclamation, there is an issue of what is going to be the operating level of that reservoir; and if the agency is making investments that may become at risk with the potential changing of operation of that system. He stated that those are fairly significant investments that move in a direction that warrants higher level discussion.

Director Wood stated that the following agenda item, the FIP 2011-13 Program Budget and Project List, gives the opportunity for discussion on the project list.

**Commissioner Chalfant moved to approve the FIP Implementation plan. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

c) FIP 2011-13 Program Budget and Project List (Action)

Mr. Wilson said that at the May 25, 2011 meeting, staff presented the Commission a summary of the Governor’s Balanced Budget for the 11-13 Facility Investment and Park Improvement Program (FIP). The new FIP implementation process was explained in the prior agenda item.

Mr. Wilson stated that the working amount for the 11-13 FIP budget is approximately \$13,860,000 for projects. This does not include other outside funding, personnel salaries, or the recreation trail program for the agency which are accounted for separately. The budget breaks down into the following categories and amounts:

- \$6,643,000 for Major Maintenance Projects, including those on the original backlog list;
- \$600,000 to match \$1,243,044 from ODOT for Paving Preservation Projects;
- \$1,000,000 for Preventive Maintenance Projects over \$5,000 to be prioritized and implemented by each Region;
- \$121,000 for Coastal Region Enhancement Projects;
- \$235,000 for Valleys Region Enhancement Projects;
- \$100,000 for the Bates State Park Enhancement Project;
- \$62,500 to match Bureau of Reclamation (BOR) grants for Enhancement Projects at BOR parks;
- \$4,300,000 for the Cottonwood Canyon State Park Enhancement Project;

- \$50,000 for statewide bridge inspections;
- \$150,000 for program services and supplies; and
- \$601,168 in contingency to increase project budgets, as needed; fund Emergency Repair Projects; and implement Reach Projects toward the later part of the biennium.

Mr. Wilson explained that the list provided also identifies Reach Projects, or those projects that could be completed with contingency funds made available should planned projects cost less, or are cancelled or postponed due to permitting or complex design issues. The list also includes a number of Carry Forward projects not completed last biennium either due to complex design, permitting or construction issues, or due to a phased project approach that spans biennia.

Mr. Wilson said the plan is to complete 36 Major Maintenance Projects with 10 Reach projects, and to do 11 Enhancement Projects with 12 Reach Projects identified. In addition, the plan is to complete a dozen or more paving preservation projects that are still being prioritized and budgeted. The plan includes Bates State Park and Cottonwood Canyon State Park new development projects. Mr. Wilson said that we are proposing to defer on a specific Park-A-Year emphasis for Fort Lane in 2012 and do not plan continuing new specific Park-A-Year projects unless identified as priority Enhancement Projects.

#### Discussion

Commissioner Graves stated that the report provided a good break down of the enhancement projects and shows the different aspects of how enhancement is defined.

Chair Moriuchi recognized that there may still be some projects that the Commission may not have seen much detail on. He asked, if there are specific items that there are significant questions about, would the Commission be comfortable with a conditional approval to defer those items to a future meeting for further discussion.

Mr. Wilson and Director Wood discussed the recently approved Delegated Authority Report with the Commission. They said that by approving that document it allows staff to go forward with projects under \$500,000 and the proposed project list only had two new park development items that are over that amount.

Commissioner Brown said that he feels that any new project should be highlighted and should be brought to the Commission to discuss and decide if it is a priority. He said that the agency is in a phase where there are limited resources and the Commission has a responsibility to have a conversation about where the limited funds will be invested. He stated that there should be a formal policy conversation as to where the funds will be invested.

Director Wood stated that there are a lot of projects that may be new but at a smaller dollar amount and have been already approved in a master plan. He asked if there was a level at which projects meet the criteria of new park development.

Commissioner Chalfant stated that part of the problem is that staff are operating from master plans that may have been adopted years ago and are moving in the direction of those master plans. He said that because of the change in the financial picture that direction may need to shift.

Commissioner Musser stated that she feels the staff know better than anyone how the funding and financial situation has changed. She said that the Commission needs to be informed but there also needs to be a balance and trust in the staff that they can make the right decisions.

The Commission and staff discussed the approval and process of the FIP project list, as well as the Commission role working within the internal process.

Commission and staff agreed to continue discussion at the September meeting.

**Commissioner Chalfant made a motion to approve the project list with the exception of the enhancement reach projects and a request to have staff bring the enhancement reach project list back to the Commission at the September meeting with an explanation of the projects. The Commission would consider approval of that section at the September meeting. Commissioner Musser seconded. The motion passed unanimously, 7-0.**

### **13. Reports (Information)**

- a) FIP Upcoming Contracts
- b) Bates Update
- c) Let's Go Camping Program Update
- d) Centennial Horizon Report

[Item 13 was informational only; no presentation was given to the Commission]

### **14. Commission Planning Calendar (Information)**

September 19<sup>th</sup> -21<sup>st</sup> – John Day Oregon

Monday Sept 19<sup>th</sup> – Travel

Tuesday Sept 20<sup>th</sup> – Bates Opening (10:00 – 12:00) and Worksessions (2:00-5:00)

Wednesday Sept 21<sup>st</sup> – Executive Session (8:30) and Business Meeting (10:15)

Lodging – Best Western

Meeting location – Grant County Regional Airport \* Ogilvie Field

**The July 20<sup>th</sup> meeting of the Commission adjourned at 4:04 p.m.**