

Oregon Parks and Recreation Commission

September 29, 2009

Agenda Item: 3

Action

Topic: Possible Consideration of Lease or Sale of Juniper Wayside

Presented by: Tim Wood

Background: At the September 17, 2009, meeting of the commission, staff presented a proposal by the Central Oregon Irrigation District (COID) for purchase of a 10.68 acre parcel owned by OPRD in the Redmond-Bend Juniper State Scenic Corridor. COID currently holds an easement across a portion of the property but requires ownership, or a long term interest, of the property in order to construct a hydro-electric facility.

At the commission's direction, the following considerations are being taken into account in the establishment of a valuation for the property:

- The benefit to the environment that is provided by clean energy production and the return of water to the river
- Public benefit of a project such as this being undertaken by an entity of government
- The encouragement of development of clean power by state policy and governor directive
- Enhancement to the visual corridor on the property under consideration

Staff concurs in the sale or lease of the property to COID and supports the project. At the time this brief was prepared, COID and OPRD had not come to agreement on terms of a lease or sale. Timely resolution of this issue is critical for COID to meet its project timelines.

Action Requested

If acceptable terms of a sale or lease of this property are reached prior to the September 29, 2009, meeting, staff will ask for commission approval to make this transaction.

If an agreement is not reached in time for decision by September 29, 2009, meeting, staff will ask the commission to delegate authority to consummate a deal for the sale or lease of this property to COID in accordance with the provisions of ORS 390.17: *the Commission is authorized to delegate to the Director the exercise of certain powers vested in the Commission. Among the powers that the Commission may delegate to the director is the authority to sell, lease, exchange or otherwise dispose or permit use of real property under ORS 390.121(3).*

Prior Action by Commission: September 17, 2009, meeting of the Commission. Staff presented an information item on this issue and public testimony was provided by representatives of COID.

Prepared by: Tim Wood