

## Oregon Parks and Recreation Commission

February 24, 2016

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Agenda Item: 7a

Information

Topic: Memaloose State Park / Union Pacific Railroad Updates

Presented by: MG Devereux, Deputy Director

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### **Background**

In September of 2015 the Oregon Parks and Recreation Commission (OPRC) received a presentation from representatives of the Union Pacific Railroad (UPRR). This presentation highlighted the activities of the rail line operated by the railroad in the Columbia River Gorge. This rail line is adjacent or inside of many properties owned and managed by the Oregon Parks and Recreation Department (OPRD). During this presentation UPRR inquired about starting a dialog about acquisition and use of several small parcels of property near Mosier and Memaloose State Parks to help facilitate a large construction project on UPRR property. The OPRC directed staff to continue discussions with UPRR in order to determine if a transaction would be in the interest of the agency.

### **Current Status**

Since September the dialog between UPRR and OPRD has continued and is focused on several small temporary access agreements and one small, less than five acre, transfer inside Memaloose State Park. This parcel is currently adjacent to UPRR property, and near a park utility crossing that has been the focus of a significant work to bring that crossing up to current standards. The discussion with UPRR has focused on:

- Increased, safe access to the Columbia River
- Development of facilities at Memaloose State Park
- Trail opportunities in the Gorge

Staff has been working closely with UPRR to ensure that the elements of the property acquisition policy are understood and met.

**Prior Action by Commission:** None

**Action Requested:** None

**Attachments:** Map of potential impacted areas

**Prepared by:** MG Devereux



**Legend**

- Project Area --Includes Temporary Use Areas as well as Acquisition Area
- Affected OPRD Parcels

**Figure 1**  
**Affected Parcels**  
**Oregon Parks and Recreation Department**  
 UPRR Second Mainline Track Project  
 Wasco County, OR

## Oregon Parks and Recreation Commission

February 24, 2016

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Agenda Item: 7b

**Action**

Topic: Hood River County - Dimmick Property

Presented by: Kammie Bunes, Acquisition and Property Specialist

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The state acquired and managed approximately 22 acres of land along the East Fork of the Hood River as the Ziba Dimmick State Wayside, until park improvements were wiped out by flood waters in 1980. Rather than rebuild, the state transferred the property at no cost to Hood River County. Because the property had been acquired using highway funds, the Department of Justice (DOJ) required the transfer deed must include language that would restrict the use and all profits derived from it for “highway, road and park purposes”, and further that the “property will continue to be used for a public purpose by the county,” or else revert back to the state.

Hood River County is now requesting OPRD lift the deed restrictions so the county may exchange the subject property for a preferred park site known as Punchbowl Falls, currently owned by Western Rivers Conservancy and subject of a local parks grant. DOJ has advised the 1981 deed restriction was not intended primarily as a reservation of a property interest, but rather the core objective was to establish an enforceable prohibition against a diversion of the use of the Dimmick property for a purpose other than what was allowed with highway funding at the time of transfer. DOJ has stated transferring OPRD’s reversionary interest in the Dimmick property to the Punchbowl Falls property is acceptable, provided there is language in the deed restricting use to parks and recreation, and that the replacement property be of equal or greater monetary value.

The appraised value of the 103-acre Punchbowl Falls property is \$1,150,000; the Dimmick property value is \$120,000. The recreational utility of Punchbowl Falls exceeds that of the Dimmick property as well. A robust public process led to a plan for Punchbowl Falls Park that will focus on preservation of the unique scenic and ecological features of the property as well as its cultural and historical qualities. Hiking, picnicking and non-motorized boating will be featured. The Dimmick property is undeveloped and its primary value to the county has been as open space.

**Prior Action by the Commission:** 1981 transfer of Dimmick property to county.

**Action Requested:** Approve release of the reversionary interest in the Dimmick property in exchange for language in the Punchbowl Falls deed restricting uses to parks and recreation.

**Prepared by:** Kammie Bunes

**Attachment:** Map

Hood River County - Dimmick Property  
February 24, 2016;  
Agenda Item 7c, Attachment 1

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