

Oregon Parks and Recreation Commission

November 18, 2015

Agenda Item: 11b

Information

Topic: Veteran Rulemaking Update

During the 2014 fee review, which is part of the budget preparation process, several program areas were identified for review including possible rule revisions. The goal of the review is to ensure the programs are operating in the most efficient and cost effective manner possible while providing the best possible service to the visitors who use those programs. In an effort to reduce confusion during the public process of rulemaking we chose to review the programs separately, conducting any needed rulemaking before moving on to the next program. The first area reviewed was the reservation process, including the group reservation rules (club camping). The rules related to that review were adopted at the September Commission meeting in Tillamook.

The next program being reviewed is the Special Access pass program, which provides fee waivers to Veterans and Foster families. Disabled Veterans are the major users of the program, so the review started with an external advisory committee meeting to identify what was working and what might need to be changed. Our advisory committee included current users of the Special Access Pass Program, veteran benefits advocates and representatives of the Oregon Department of Veterans Affairs. We were fortunate to get Mac MacDonald, the original sponsor of the Veterans waiver legislation, to participate on the advisory committee.

Using the recommendations made by the advisory committee and field staff, the following changes to the Special Access Pass program are being proposed:

1. Ability to receive the benefit online – This is a customer service improvement that will allow program users greater flexibility and convenience. Pass holders will be able to reserve online and receive the discount. Without this change, when pass holders choose to reserve online, they must pay in full and write in for a reimbursement, which is inefficient for our customers and for the department. The fiscal impact of this change would be positive for customers, who will not tie up funds for online reservations, which could be made nine months in advance, and have to wait for a refund, which could take several weeks to receive. In addition, the department will save time and money by not processing refund requests for discounted stays.

2. Simplifying the stay limits – This change is a customer service improvement, allowing pass holders who want to stay longer than five the ability to use their entire monthly benefit in one trip. Currently Veterans receive a maximum of ten nights of waiver each month, but they are limited to only five nights of waiver per stay. Those who want to use their full benefit for a month have to camp a second time to receive the remaining benefit. This change will waive camping fees for up to ten days in a stay, which will provide greater convenience for customers, as well as transaction efficiency and monitoring for the department. Customers who currently stay longer than five nights in one stay will save money, as they will no longer have to pay for the nights in excess of their first free five nights. The department will gain efficiencies by no longer splitting reservations and explaining the rules to program users.
3. Shower benefit – This change expands the Special Access pass benefit to include free showers at facilities that allow showers for non-campers (shower fees are \$2.00). Program users will save money by not paying for the shower, and the department will eliminate a current problem, where program users register for a site they do not need just so they can take a free shower.
4. Replacement fee – This rule would charge pass holders a \$5 fee to issue replacement cards for those that are lost. This provision will have a negative economic impact on program users, but the impact is very small compared to the benefit received and it will affect a very small portion of the current population of users. The department will be able to recoup a small portion of the costs associated with managing the program and provide an incentive for safeguarding the pass.
5. Pass suspension – Currently, the department’s option for enforcing program rules is to revoke passes for abuse. This rule will allow the department to temporarily suspend a pass, which is a softer approach to enforcing program rules. We rarely revoke passes; therefore, this rule will affect a small number of pass holders. This rule change would provide staff another tool to help reduce abuse of the waiver program.
6. Late cancelations and no shows – This rule change will charge pass holders an amount equal to one night’s camping fee if they do not cancel a reservation three or more days before their arrival date, or if they do not occupy a site by 1:00 PM on the second day of their reservation. This amount currently ranges from \$17 to \$31 depending on the type of site reserved. The goal of applying this penalty to reservations made under the special pass program is to encourage pass holders who change their plans to cancel their reservation. Currently a number of customers do not let the department know because there is nothing on the line in the way of fees, so the sites can sit empty when other customers would like to have them.

This is not a new fee for the department. Non-pass holders currently pay an amount equal to one night’s fee if they do not cancel a reservation three or more days before their arrival, or if they fail to check in by 1:00 PM, but since pass holders pay no deposit we have never charged the penalty on their reservations. This rule change would align business practices for pass holders with the rules currently in effect for other customers. In addition, this rule change will release inventory timely and allow other users to use unoccupied sites, which will increase revenue for the department.

7. Early departures – This rule change will affect pass holders who leave a park before their scheduled checkout date and do not notify the park of their departure. The change would deduct any remaining days on the stay from the ten day monthly benefit, just as if the pass holder had stayed for those days. It will affect a small number of pass holders and will allow the department to achieve greater program accountability. In addition, this rule change will allow the park to release inventory, which will allow other users access to more sites.

Over the next two months comments will be accepted on these proposed rules. The changes being proposed are significant enough and the program is highly visible, so a series of public hearings will be held to allow those wanting to make a comment in person the opportunity.

Date	Time	Location (list full address and location name)	Hearings Officer
12/2/2015	5:30 PM	North Mall Office Building-Park HQ, 725 Summer Street NE, Suite C, Salem OR 97301	Staff
12/3/2015	6:30 PM	Pine Ridge Inn, 1200 SW Mt. Bachelor Dr, Bend, OR 97702	Staff
12/7/2015	6:30 PM	Valley River Inn, 1000 Valley River Way, Eugene, OR 97401	Staff
12/12/2015	9:00 AM	Tryon Creek State Park Nature Center, 11321 SW Terwilliger Blvd, Portland, OR 97219	Staff
12/15/2015	6:30 PM	Tryon Creek State Park Nature Center, 11321 SW Terwilliger Blvd, Portland, OR 97219	Staff
12/16/2015	6:30 PM	Rogue Regency Inn, 2300 Biddle Road, Medford, OR 97504	Staff

The current schedule will bring the final rule changes before the Commission for adoption at the February 2016 meeting.

Prepared by: Richard Walkoski

Oregon Parks and Recreation Commission

November 18, 2015

Agenda Item: 11c

Information

Topic: State Natural Areas Plan Update

Background: OPRD's State Natural Areas Program is part of an interagency effort to establish private, state and federal natural areas in Oregon. Success of the program is partly dependent on its accessibility, visibility, and outreach. Currently, the program's outreach materials and methods consist of the 2010 State Natural Areas Plan and the State Natural Areas website hosted on a Portland State University supported website. Periodic update of the plan's content is necessary to capture ongoing changes in the State Natural Areas register, registration/dedication priorities, and other related content – as well as to remain current with effective communication tools and technology. Under the Department of State Lands, which managed the program until it was transferred to OPRD in 2012, plan revisions were required by administrative rule every 5 years. While OPRD rules do not specify a schedule for plan revisions, the 5 year timeframe is sufficient to keep the plan substantially up-to-date and viable for use by partners such as other government agencies, non-governmental organizations, private landowners, and scientific researchers. In 2015, five years will have elapsed since the last plan update, and OPRD and ORBIC have prepared an updated 2015 plan. This update will keep revision of the Oregon Natural Areas Plan on the traditional schedule.

The plan is available for review at:

http://orbic.pdx.edu/transfer/2015_NAP_Final_Draft.pdf

Work in Progress: OPRD stewardship and IT staff are working on converting the plan to web format to increase its visibility and interactive abilities for the public and natural area managers. Website completion is projected for early 2016.

Prior Action by the Commission: Periodic registrations of new State Natural Areas; November 2014 review of a proposal to update the plan and translate its content to web-based format.

Action Requested: None

Prepared by: Noel Bacheller

Oregon Parks and Recreation Commission

November 18, 2015

Agenda Item: 11d Information
Topic: Agricultural Land Rental Agreements

Background

The department permits private agricultural use on approximately 2,000 acres of park land, most of that in the Willamette Valley. Parks such as Champoeg and Willamette Mission have a legacy of farm use; continued farming helps connect visitors to the history of these areas. Agricultural agreements are also a useful stewardship tool. Farmers often assist the department on park land outside the permit area by controlling weeds, planting cover crops, and tilling soil in advance of restoration plantings. Habitat and riparian buffers are accommodated where appropriate and farmers may not post “private property” or “no trespassing” signs.

Permit Management

Property and park staff work cooperatively to create agreement terms that result in good stewardship; however, the proportion of staff time to rental income has not been cost effective. The department has recently reconsidered our approach to agricultural land use agreements and initiated a pilot project to improve revenue while retaining a focus on stewardship.

Pilot Project

In July 2015, the Department entered into a consulting services contract to engage a real estate broker to negotiate improved income and permit terms on behalf of OPRD’s agricultural land rental program. The pilot project is going well, with the first set of permits recently completed. A comparison of the former and new rental rates for our agricultural fields at Luckiamute Landing and Sarah Helmick are shown below:

Property	Former Acres	Former annual rent	Present Acres	Present annual rent	Annual increase
Luckiamute Landing	188	\$13,505.00	179.3	\$37,275.00	\$23,770.00
Sarah Helmick	31	\$2,325.00	31	\$5,512.50	\$3,187.50

Highlights:

- These are five year agreements, with an option to renew for an additional five years. The Department has the ability to renegotiate the annual payment in five years.
- Payment is now in advance, rather than arrears.
- The new farmer at Luckiamute Landing will establish organic certification on those fields, increasing property value.
- Compensation to the broker on these transactions was three percent (3%), applied only to the difference between the former and renegotiated rental rate multiplied by the duration of the permit period, a total commission of \$8,275 on agreements that should yield no less than \$260,000 over ten years.

Next Steps

The department is currently working with the broker to improve our rental agreements at other parks. The broker is negotiating with existing farmers as well as reaching out to other farmers to measure interest and hear proposals. He brings a variety of options to the department for discussion. More than just rental rate is taken into account, and ultimately, the department decides which farmer is the best fit for a given site, regardless of the broker's recommendation.

Compensation to the broker will be five percent on locations further from his home base and depending on degree of complication involved. Again, this commission is based only on the increase between current and renegotiated rental rates. In some instances the broker is negotiating for the farmer to take on road and well improvements. These are factors that improve site conditions and values. Though early in the pilot project, results to date have been impressive.

Action Requested: None

Attachments: None

Prepared by: Kammie Bunes

Oregon Parks and Recreation Commission

November 18, 2015

Agenda Item:	11e	Information
Topic:	Cell Tower Leasing	

Background: At the November 2014 Commission Meeting, Oregon Parks and Recreation Department (OPRD) staff presented information regarding cell tower management strategies. After that meeting, OPRD staff continued to research the options available to the department.

Current State: The agency has multiple cell tower leases. The lease terms and lengths are varied. Several times a year OPRD is approached on the possibility of adding a cell tower on one of our properties. There isn't a standard process for handling these inquiries and subsequently negotiating a new lease. Through our research, we determined that there likely isn't large revenue potential from this line of business but there are potential efficiency gains in how we manage the cell tower portfolio.

Potential Solutions:

1. Procure a cell tower leasing expert - there are companies that specialize in cell tower leasing. They would renegotiate lease terms on existing leases and are paid a percent of the increase they negotiate. Negotiating new leases is generally paid for as a service fee whether or not a lease agreement is reached. They would also try to solicit new business if that was part of the contracted services but they all recommended against that approach based on the return on investment.
2. Partner with another state agency – Oregon Department of Forestry (ODF) has staff dedicated to cell tower and radio communication management. OPRD currently procures radio services from ODF. There is a potential for OPRD to develop an agreement with ODF to manage our cell leases in exchange for them keeping part of the revenue and offsetting our radio service costs.

Oregon Department of Transportation (ODOT) also has cell tower and radio communication expertise. They would be another potential partner to manage our cell tower portfolio in exchange for a portion of the revenue.

3. Continue as an OPRD managed service - OPRD could work towards having standardized rates and other lease terms. Over time, we could likely gain more consistency but would likely never have staff resources to maintain expertise in cell tower leasing.

Next Steps: OPRD Executive team will determine the appropriate path to manage this part of our business.

Prepared by: Larry Warren, Internal Services Administrator