# County Opportunity Grant Program

## Application Manual

2026-27

Oregon Parks and Recreation Department
725 Summer St. NE, Suite C
Salem OR 97301-1002
503-986-0707
Website: https://www.oregon.gov/oprd/GRA/Pages/GRA-cogp.aspx

Version 27.1
Revised 7/31/2026

The Oregon Parks and Recreation Department receives Federal funds from the National Park Service, Department of the Interior, under provisions of the Land and Water Conservation Fund Act of 1965 (Public Law 88-578). Accordingly, all of its public programs and activities must be operated free from discrimination, based on race, color, national origin, age or disability. Any person who believes he or she has been discriminated against or who would like further information regarding the prohibition of discrimination should write to:

Director, Equal Opportunity Program
U.S. Department of the Interior
National Park Service
PO Box 37127
Washington D.C. 20013-7127

| Quick Facts | |
|---|---|
| Program Title: | County Opportunity Grant Program (COGP) |
| Program Website: | OPRDGrants.org or https://www.oregon.gov/oprd/GRA/Pages/GRA-cogp.aspx |
| Program Purpose: | To provide grants for the acquisition, development, rehabilitation and planning of county park and recreation areas that provide camping facilities |
| Eligible Projects: | Property Acquisition, Development, Rehabilitation, and Planning |
| Eligible Applicants: | Counties |
| Funding Source: | RV Registration Fees |
| Funding Available: | Approximately $800,000 annually |
| Funding Type: | Reimbursement Grants |
| Matching Requirements: | **25% match** required for counties with a population of 30,000 and under<br><br>**50% match** required for counties with a population over 30,000 |
| **Annual Grant Cycle** | |
| August | Applications available online |
| October | Applications due |
| November | COGP Advisory Committee review |
| February | OPRD Commission review, projects awarded |
| February / March | Project Agreements and Notice to Proceed Letters processed |

## Table of Contents

# Section 1 – The Program

## 1.1 — History

The County Opportunity Grant Program (COGP) is part of a larger program established in 1983 to provide revenue from RV (recreational vehicle) registration fees to counties for park and recreation sites and programs. The grant program provides funding on a project basis for the **acquisition**, **development**, **rehabilitation**, and **planning** of county park and recreation sites that provide camping facilities.

## 1.2 — Eligible Applicants

All counties are eligible to apply for County Opportunity Grants. For any land included in a COGP project, the county must own the land outright or have a long-term lease of not less than **20 years**. In cases involving properties that are owned by the county but operated and maintained by other public entities (i.e. Metro, Crook County Park & Recreation District), there must be an interagency agreement between the county and the other public entity regarding the operation and maintenance of the site or facility.

A. Counties that do <u>not</u> have an established park system, as defined in OAR 736-07-005 (18), <u>and</u> have a population less than 30,000 are eligible to apply for grants to develop or improve campgrounds within or adjacent to fairgrounds.
B. Applicant counties must be in compliance with OPRD grant requirements for all current and past grant-assisted projects. Applicants with active conversions through the County Opportunity Grant Program or Local Government Grant Program must address and submit documentation for review and remediation in order to remain eligible.

## 1.3 — Types of Eligible Projects

### A. Acquisition Projects

Acquisitions of property for public camping facilities include new areas or additions to existing parks. A real estate appraisal will be required and must conform to Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the **Uniform Standards of Professional Appraisal Practice** (USPAP).

**NOTE**: If Federal funding will be involved in the project, either now or in the future, the appraisal should conform to **Uniform Appraisal Standards for Federal Land Acquisitions** (UASFLA / Yellow Book).

Appraisal Review: Once an appraisal is initiated it should be reviewed by a qualified appraisal reviewer. This is generally done as a “desk” review. Arranging the Appraisal and Appraisal Review are the responsibility of the applicant. The Appraiser and Appraisal Reviewer typically work in cooperation so they can confer on methodology and conclusions. The Appraisal fee and Review fee may be included in the project budget as pre-agreement expenses, and can be applied toward the applicant’s Match requirement.

## B. Development Projects

Development projects may be for new campgrounds, additions and improvements to existing campgrounds, or for support facilities such as restrooms, parking lots, landscaping, and sewer/water/electrical systems. The projects may include picnic facilities, playground areas, trails, or other facilities that will enhance the overnight camping experience.

## C. Rehabilitation Projects

Rehabilitation projects are those types that help meet the access requirements of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, help meet the requirements of public health and safety laws, and bring a facility up to standards of quality and attractiveness.

Rehabilitation projects also include the upgrading of existing facilities, such as remodeling of restrooms, shower facilities, and campsites, and replacement of sewer/water/electrical systems in overnight campgrounds.

## D. Planning Projects

These include the development of plans and designs for the future development of county park and recreation areas that provide camping facilities. Feasibility studies and park master plans that evaluate properties for future park and recreation potential are eligible. A grant proposal may be for a park master plan or feasibility study of a single property, or it may include several properties. In all cases, the planning project must relate to the county's provision of overnight camping opportunities.

Planning project applicants must show that:

A. There is a current master plan in effect and that the project is consistent with the local comprehensive land use plan and SCORP;
B. There is not a current master plan in effect, but the project is consistent with the local comprehensive land use plan and SCORP; or
C. The project request is for planning assistance.

<u>Planning projects are not intended to include soil sampling, water testing, hazardous materials testing, or other related ground disturbing activities.</u>

Planning Projects are not intended to fund engineered drawings.

## 1.4 — Ineligible Projects

A. Projects related to facilities in which recreation is a **secondary function** are ineligible. This includes projects related to courthouse grounds, fairgrounds (except as described under section 1.2 A), ports, museum grounds, and other county facilities in which recreation is a secondary function.
B. **Recreation complexes** for organized sports (i.e. baseball, soccer) are ineligible.
C. **Indoor facilities**, cabins, yurts, park manager's residences, maintenance buildings, and equipment are ineligible.
D. **Routine maintenance** projects such as cleanup, painting, and minor repairs of buildings structures, equipment and utilities are ineligible.

## 1.5 — Matching Requirements

A. Grants for counties with a population of **30,000 and under** will require a **25 percent** local match.
B. Grants for counties with a population of **over 30,000** will require a **50 percent** local match.

Matching funds may include local budgeted funds, local agency labor or equipment, federal revenue sharing funds, other grants, donated funds, the value of private donated equipment, labor, materials, or property, the value of land acquired within the past six-year period, pre-development costs within the past two-year period, or any combination of the above.

Force Account staff, equipment and/or materials can only be applied to a project as match and are not reimbursable expenses. Staff time used to prepare a grant application or complete reimbursement requests is not eligible as match or for reimbursement.

Matching funds for specific projects may be reduced or eliminated as determined by the Director, if so recommended by the Advisory Committee.

**Pre-agreement, engineering, and administrative costs cannot exceed 15 percent of the total project costs.** See Section 3 — General Cost Principles for further detail.

**Double Counting of Match is Prohibited** — Project Sponsor match can only be applied to one project budget at a time. For example, if the applicant applies to both the County Opportunity Grant Program (COGP) and the Local Government Grant Program (LGGP) for different elements of the same project, each project application must have its own dedicated Match. If the applicant has $100,000 available to use as Match, the $100,000 must be split between the COGP application and the LGGP application.

## 1.6 — Civil Rights Requirements

County applicants are required to assure that as a condition of receiving County Opportunity Grant Program assistance, it will comply with all local, state and federal laws relating to non-discrimination (See Appendix 9.2).

## 1.7 — Conversions

Property developed with COGP assistance shall be retained and used for public outdoor recreation purposes for a minimum of **25 years**. Property acquired with COGP assistance shall be retained and used for public outdoor recreation purposes **in perpetuity**.

Project Sponsors must ensure that the land within the project boundary will be used only for park and recreational purposes, project sponsor controls or will control the land, and that the project sponsor will not change the use of, sell, or otherwise dispose of land within the project boundary except upon written Department approval.

If the Project Sponsor converts land within the project boundary to a use other than public outdoor recreation purposes or disposes of such land by sale or otherwise, the Project Sponsor must provide replacement property.

The replacement property must be of at least equal fair market value to that of the converted property, as established by an appraisal. The replacement property must also be of reasonably equivalent usefulness and location as the property being converted or lost.

If replacement property cannot be obtained within 24 months, the project sponsor will provide payment of the grant program's prorated share of the current fair market value to the department. The prorated share is that percentage of the original grant (plus any amendments) as compared to the original project cost(s).

## 1.8 — Control and Tenure

A. The county must own, operate, and manage the site; or
B. The county operates and manages the site; and the county possesses the site pursuant to a fixed term lease of not less than **25 years**, with a fixed payment schedule and no profit-sharing between the county and the lessor; or
C. The county owns the site or holds possession pursuant to a long-term lease as described in subsection (b) above; the county leases or subleases it to another public entity whose purposes include the provision of park and recreation opportunities; and the other public entity manages the site in accordance with the county's written policy on parks and recreation; or
D. The county owns the site or holds possession pursuant to a long-term lease as described in subsection (b) above; the county contracts with a concessionaire for the

operation of less than all aspects of the park or campground; the county selects the concessionaire through an open, competitive process; and the county retains control of management and the right to possession of the site.

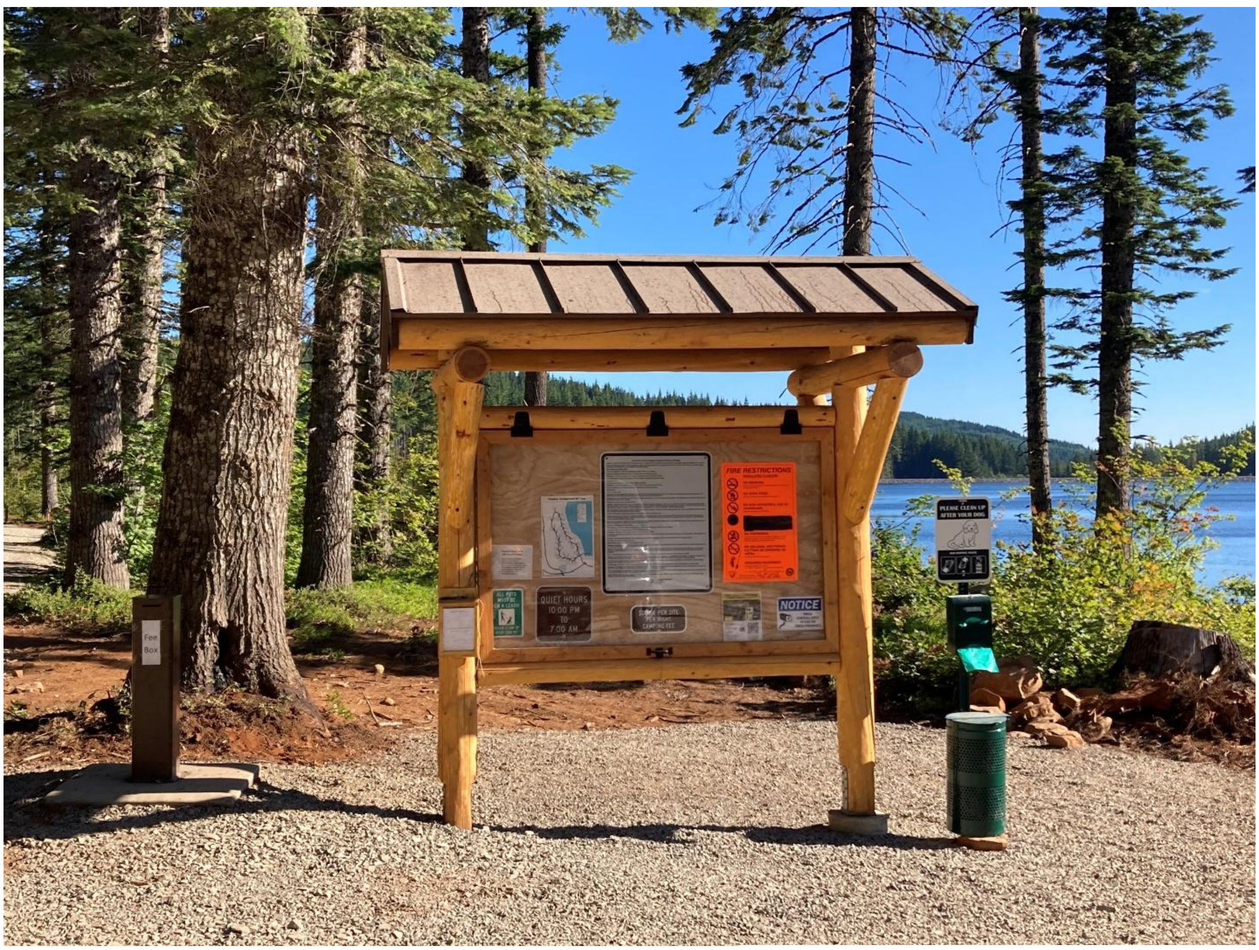


*Photo courtesy Hood River County Forestry Department*

# Section 2 — How to Apply

## 2.1 — Online Grant Application

Applicants apply to the County Opportunity Grant Program by completing an online application and attaching required documents. To access the online application, go to OPRDGrants.org.

An application worksheet and detailed instructions are available on the COGP website. If technical assistance is needed, contact the COGP Grant Coordinator.

### Application Types:

There are four online application packets to choose from: **Planning**, **Acquisition**, **Development**, and **Rehabilitation**. To apply, select and complete the appropriate form.

### Application Questions:

1. **County Parks Overview** - Description of County Parks System, including size of system; number of parks; attendance figures if available; predominant uses of county parks system (camping, day use, etc.); and location, size and major uses of the particular park associated with your grant request.

2. **Project Description or Planning Project Description** - Description of all elements of the proposed project and the need for assistance; location of project; the work elements to be done; who will do the work; who will provide supervision; and timeline for development. For acquisition projects – explain any interim uses of the property and the estimated start date of campground development.

3. **Need / Benefits of the Project** – Explanation of the need for and benefits of the project, including what local or regional need it meets and who will benefit; who the primary users of the project will be; any social, economic, or other benefits resulting from the project; and how it meets needs identified in the Statewide Comprehensive Outdoor Recreation Plan (SCORP). Explain how your county has an exceptional need for a grant, such as a limited parks operating budget, the lack of public camping opportunities within the county, or the overall lack of county parks and recreation areas and facilities.

4. **Planning and Public Involvement** - Description of any public involvement efforts that led to the selection of the project, including citizen involvement through public workshops, meetings or hearings; involvement of county parks board or local citizens'

committees; development of a park master plan or other county parks plans; and other public involvement.

5. **Accessibility for People with Disabilities** – Does your agency have an ADA Transition Plan and does your project meet current ADA guidelines? (See 2017 ORS 447.220 – Purpose)

6. **Source of Funding** – Provide additional information about the sources of funding that will be used as the county match, including how firm your county match is – have the funds been committed to this project by your Board of Commissioners or included in an approved parks budget? Describe any in-kind donations (volunteer labor, donated materials, etc.). Discuss your agency's ability to meet long-term maintenance costs for the project.

7. **Sustainability** – Please identify and show efforts to achieve sustainability as part of your proposed project. See Section 7 for a description and examples of sustainability as adopted by the Oregon Parks and Recreation Department. Governor Kulongoski issued Executive Order No. EO 03-03. The Executive Order states, "Establish criteria for the evaluation of grant proposals that include consideration for use of sustainable materials, efficient use of energy, waste and hazardous substance, reduction and impact on ecosystems."

8. **Readiness to Proceed** – Be prepared to submit a signed Land Use Compatibility Statement with this application. Are construction or concept plans available? List required permits and status of permit applications for the project (i.e. Corps of Engineers, Department of State Lands, building permits, etc.). Describe any possible delays or challenges that could occur in receiving permits. If this project is selected for funding, what will be the next step in the process (e.g. pursuing construction drawings, applying for permits, soliciting bids, etc.)? If the state agencies or land use authority responded with comments or requirements, describe any follow-up you've had or plans for next steps.

9. **Diversity, equity, and inclusion** – Organizations are encouraged to address inequity in the communities they serve, ensure diverse representation in the planning and decision-making process, and promote welcoming environments for all visitors, employees, and volunteers. The intent of this criterion is to award points for applicants that demonstrate a strong commitment to diversity, equity, and inclusion in their work.

To what extent does the project demonstrate a strong commitment to diversity, equity, and inclusion? Does the applicant have, or is the applicant working toward, an inclusion strategy? Does that strategy relate to this proposed project?

10. Past Grant Performance - Describe the County's performance and compliance with all active and past OPRD grant awards.

## 2.2 — Attachments

The following Attachments are required for most applications, depending on the project type. Required forms such as the Environmental Checklist and Land Use Compatibility Statement are available both within the application and on the COGP website.

If a project is on federal land, other documentation may be required. Please contact the grant coordinator for more information.

### A. Park Boundary Map

One of the most important attachments to the application is the park boundary map.

- **i.** The map must be to scale and the park boundary shown. The map should be sufficient to clearly show the major features of the park. Include the park name, date, and directional arrows on the map.
- **ii.** The map should show existing facilities, including utilities, all known easements such as sewer, utility, and scenic easements.

### B. Site Map / Site Plan

This map should show proposed facilities that are included in the project application and facilities to be constructed in the future. The future facilities may be shown to scale or by notes indicated general use areas such as "future picnic area" or "future campground area."

### C. Vicinity Map

A vicinity map is an area map that shows the location of the park in proximity to the closest town or within the county. This map will be used to assist staff in locating the project site.

### D. Topography Map

A 7.5 minute USGS topographical map showing Township, Range and Section, or a one-square mile map that includes roads and/or geographic features.

If you don't have access to a USGS topographical map, one can be printed online through USGS's topoBuilder.

## E. Construction Drawings / Concept Plans

Construction drawings, if applicable, should include floor plans, building elevations, landscape design, etc., to show sufficient details of the project. The primary purpose of these drawings is to ensure that the buildings are accessible and to allow committee members and grants staff sufficient detail to review what is being constructed prior to the funding meeting.

(Construction drawings are not necessary for Planning applications).

## F. Project Timeline

A sample timeline template is available on the COGP website for construction-related projects. Applicants may use an alternative format that provides an overview of the project steps involved (design, bidding, permitting, construction, closeout, etc.). A brief statement may be submitted in place of a timeline if appropriate.

## G. Land Use Compatibility Statement (LUCS)

All proposed project applications must include a completed Land Use Compatibility Statement to ensure that proposed grant funded projects are consistent with local land use requirements.

## H. Property Deed / Lease Agreements

If the property is owned by the county, a copy of the deed must be submitted. If the county leases the property, a copy of the lease agreement must be included with the application. If the property will be operated or managed by another public recreation agency (i.e. Metro, Crook County Park & Recreation District), attach a copy of the interagency agreement.

## I. Resolution to Apply for a Grant

Attach a Resolution from the County Board of Commissioners, authorizing application to the COGP to apply for grant funding assistance. The Resolution must include language confirming the County's matching participation and commitment to ongoing project maintenance should a grant be awarded.

## J. Photos

Site photos are recommended for all applications. Photos are required for all Rehabilitation applications.

## K. Environmental Checklist

Self-assessment checklist and comments completed by the applicant for all minor or major environmental impacts.

## L. State Agency Review Comments

Comments that have been received from State Natural Resource Agencies regarding the proposed project should be included with the application.

The Environmental Checklist Packet includes a contact list for State Agencies that may or should be contacted for any projects that include ground disturbing activity. The three State Agencies that applicants are asked to contact for project review are the **Dept. of State Lands**, **Dept. of Environmental Quality** and **Oregon Dept. of Fish and Wildlife**. Other agencies may be contacted if warranted.

You do **not** need to contact the **State Historic Preservation Office** (SHPO) directly. All project applications that are recommended for funding will be forwarded to SHPO by OPRD on behalf of the applicant.

## M. Acquisition Documentation

Acquisition projects will require a copy of the Preliminary Title Report, an Appraisal, an Appraisal Review, and proof of willing seller or donor.

If any required documentation is missing from your application packet, you will receive an alert stating that you must include the document or a place holder page before you can submit the application.

If a required document is not relevant to the project, simply upload a Word document that states "Not Applicable." This will allow you to proceed with submitting the application.

## 2.3 Annual Grant Schedule

Project applications typically open early August and are due early October. To review the grant cycle schedule, go to https://www.oregon.gov/oprd/GRA/Pages/GRA-cogp.aspx.

| Annual Grant Cycle | |
|---|---|
| August | Applications available online |
| October | Applications due |
| November | COGP Advisory Committee review |
| February | OPRD Commission review, projects awarded |
| February / March | Project Agreements and Notice to Proceed Letters processed |

# Section 3 — General Cost Principles

## 3.1 — Allowable Costs

Only expenses that are directly related to the project are eligible for reimbursement or to be counted as match. Indirect expenses or overhead such as rents, utility costs, building upkeep, insurance, and fixed costs associated with a public agency are not eligible project expenses.

The rates, practices, rules and policies of your agency, as consistently applied, shall generally determine the amount of costs of each item charged to a project. In instances where your agency has no such basis, that of the State shall apply. The amount of each item of cost that may be matched shall not exceed the sponsor's actual cash outlay for that item, or the fair market value of the item, whichever is less.

## 3.2 — Non-Allowable Costs

For real property acquisition, legal counsel or attorney fees not ordered or authorized in writing by OPRD are not allowed. Also, real estate, Realtor brokerage, or consultant fees not ordered or authorized in writing from OPRD are not allowed.

## 3.3 — Pre-Agreement Costs

It is recognized that some costs must be incurred before a proposed project application can be submitted to OPRD with the required descriptive and cost data.

For development and rehabilitation projects, the costs of site investigation and selection, site planning, feasibility studies, ADA transition plan or compliance studies or reports, preliminary design, environmental assessment, archaeological survey, preparation of cost estimates, construction drawings and specifications, appraisals, surveys, and similar items necessary for project preparation may be eligible to be used as match, although incurred prior to project approval. In order to be eligible for match, these costs must be included in the project application and identified in the project budget. **Pre-agreement, engineering, and administrative costs are limited to 15% of the total project cost.**

For acquisition projects, appraisal and boundary survey costs to the purchaser may be eligible to be used as match, may be included in the project application, and should be identified in the project budget. Other incidental costs related to an acquisition are not eligible to be used as match.

All such pre-agreement planning costs incurred within **two (2) years** prior to project submission may be allowable. The Project Sponsor must document and justify the amounts of such pre-agreement costs, and indicate the periods during which they were incurred.

Ineligible Pre-Agreement Planning Costs:

A. Legal Counsel or Attorney fees not ordered or authorized in writing by OPRD.
B. Real Estate, Realtor Brokerage, or real property consultant fees not ordered or authorized in writing by OPRD.
C. Costs not directly related to the proposed project.
D. Costs for grant application writing.

## 3.4 — Donations

Donations of cash, land, labor, equipment rental or materials from outside your agency may be used as a portion of your agency's matching share if identified in the project application. The use of donations must be relevant and an integral and necessary part of the proposed project and occur during the project period. All donations must be documented.

In-kind contributions are eligible in a project only to the extent that there is an additional acquisition and/or development cost to be met by the grant funding requested for that project, which must be fully described and explained in the application.

The amount of donation that can be counted as match is the value of the donation or the amount of cash spent by the sponsor for acquisition or development, whichever is less.

When requesting reimbursement for project costs, the value of eligible donations cannot exceed the actual cash expenditures of the project. Being reimbursed for donations in excess of what was actually spent would constitute a profit to the applicant.

### A. Land

A donation of land may be partial or total and must be handled the same as a total donation. The value of donated real property is determined by an appraisal made by a real estate appraiser in accord with Public Law 91-646. The appraisal and an appraisal review must be submitted to OPRD for approval. Transfer of the property title must not occur prior to the execution of the State / Local Agreement.

### B. Valuation for Volunteer Services, Material, and Equipment

Donations can be included in the project cost. The method and valuation for volunteer services, material, and equipment must be documented and approved by OPRD in order for such contributions to be considered as part of the applicant's matching share. The following is a guide of how to determine the value of donations. You may use the information as a guide in estimating donations for your grant application.

i. Rate for Volunteer Labor — County applicants should consider who is donating the labor, the estimated hours and the rate or rates at which the labor will be credited to the project. There are two basic methods of determining the rates to be used. Rates for volunteers should be consistent with those regular rates paid for similar work in other activities of the county. In cases where the kinds of skills required are not found in other activities of the County, rates should be consistent with those paid for similar work in the labor market in which the county would compete for the kind of services involved. The time of a person donating services will be valued at a rate paid as a general laborer unless the person is professionally skilled in the work being performed on the project. When this is the case, the wage rate this individual is normally paid for performing this service may be charged to the project.

The value of general volunteer labor in Oregon is limited to the hourly rate provided by the Independent Sector.

The rates for volunteer labor should **not** include payroll additives or overhead costs. Use of donated labor must be documented. A Volunteer or Donated Labor Timesheet is available on the COGP website.

Regarding inmate or other prescriptive labor, while their work cannot be considered "volunteer" and used as hourly match, the actual costs of their participation can be used. For example, if a county charges $300 per day for the supervision of prescriptive labor, those costs can be used as match.

ii. **Valuation of Materials** — Prices assessed to donated materials should be reasonable and should not exceed current market prices at the time they are charged to the project. Records of in-kind contributions of material shall indicate the fair market value by listing the comparable prices and vendors. A Donated Materials and Supplies Record Form is available on the COGP website.

iii. **Valuation of Donated Equipment** — The hourly rate for donated equipment used on a project shall not exceed its fair rental value. Records of in-kind contributions of equipment shall include schedules showing the hours and dates of use and the signature of the operator of the equipment. Equipment operator services are valued separately and listed as donated labor. A Donated Equipment Record Form is available on the COGP website.

If you have any questions about the use of donations, please contact the grant coordinator.

## 3.5 — Force Account

Force account refers to the use of your own staff, equipment, and/or materials. All or part of your matching share may be provided through force account. However, such labor must be reasonable and necessary for the proper and efficient completion of the project. Documentation for force account labor must be provided from your payroll or project management records.

**Note:** Force Account staff, equipment and/or materials can only be applied to a project as match and are not reimbursable expenses.

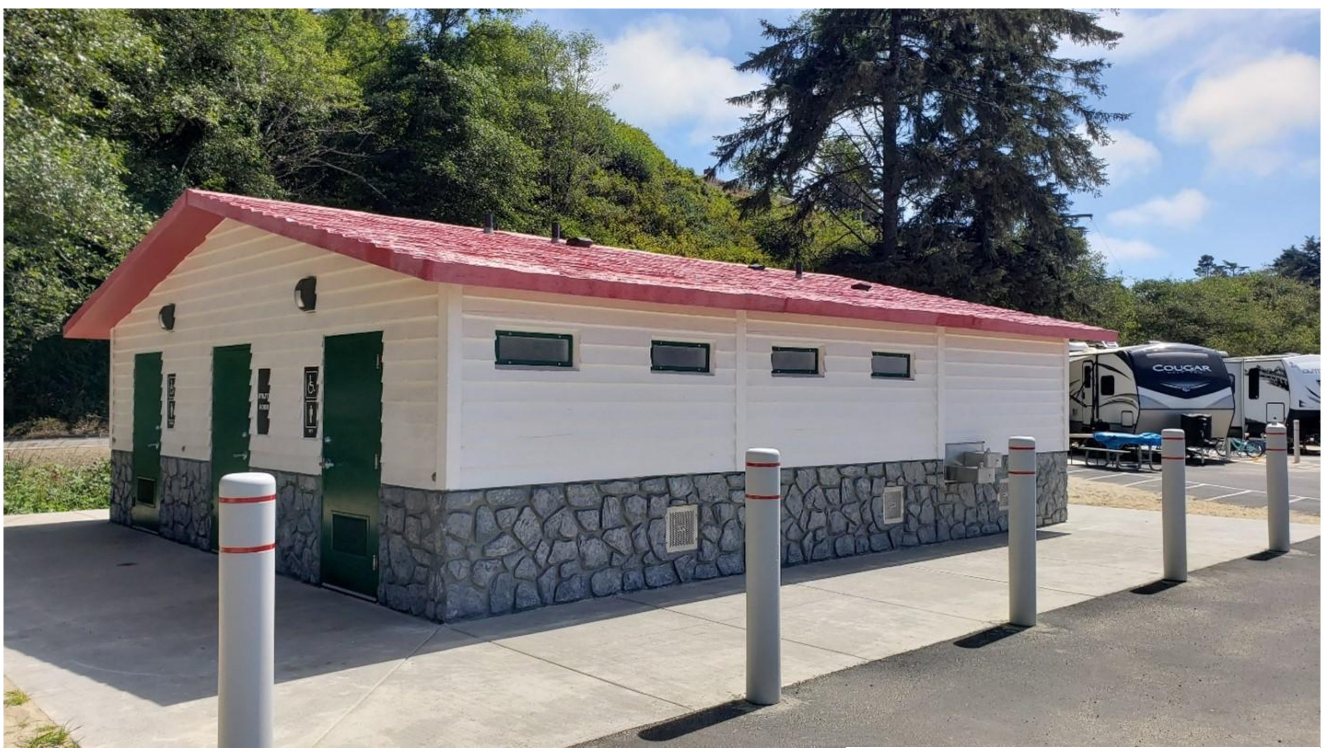


*Photo courtesy Douglas County Parks Department*

# Section 4 — Project Selection

## 4.1 — Technical Review

Department staff will conduct a technical review of all applications. This includes reviewing the application for completeness, ineligible project elements, land ownership/lease documentation, required attachments, and project funding (local match).

Grant Performance and Compliance - A project applicant's past performance in effectively meeting the administrative guidelines of the program is an important factor in evaluating performance and compliance.

A. Is the project applicant **on schedule** with all active OPRD-administered grant projects?

B. Is the project applicant **in compliance** with applicable guidelines at previously grant-assisted project sites (e.g., no unresolved conversions, maintenance issues or public access restrictions)?

OR –

C. The project applicant has **never received** an OPRD-administered grant.

County applicants may be contacted by OPRD staff to review and edit project applications prior to scoring.

Eligible applications will be forwarded to the County Parks Assistance Advisory Committee for review and scoring.

The Department will make every effort to contact grant applicants to inform them of any issues or discrepancies within their application.

## 4.2 — County Parks Assistance Advisory Committee

An advisory committee composed of seven members appointed by the Director reviews all project applications. The committee members serve staggered four-year terms and represent the following interests:

A. Two representatives of recreation vehicle owners;
B. Three county representatives, including one from a county under 20,000 population, and one from a county parks department;
C. One representative for people with disabilities; and
D. One citizen representative.

Generally, project applicants must make a presentation before the County Parks Assistance Advisory Committee in order to be placed on the priority list for funding.

The Advisory Committee reviews, scores and ranks project applications, then recommends a funding award list of projects to the Director. The Director shall review the funding award list of projects, taking into consideration the committee's recommendations and OPRD staff recommendations, and forward those recommendations to the OPRD Commission for review and final approval.

## 4.3 — Scoring Criteria

| Criteria Type | Possible Points |
|---|---|
| Needs / Benefits | 0-10 |
| Exceptional Need | 0-10 |
| Planning and Public Involvement | 0-10 |
| Design and Accessibility | 0-10 |
| Source of Funding | 0-10 |
| Readiness to Proceed | 0-10 |
| Sustainability | 0-5 |
| Diversity, Equity, and Inclusion | 0-5 |
| Committee Member Evaluation | 0-15 |
| **Total Points Possible** | **85** |

The scoring criteria that will be used by the Advisory Committee includes, but is not limited to the following:

### A. NEEDS / BENEFITS (0-10 POINTS)

This criterion considers the extent to which the proposed project improves or increases the outdoor recreation opportunities in the service area. What user need does the project meet? What benefit does it provide to users? Does it address the needs of special or minority populations? To what extent does the project conform with local and state planning guidelines, SCORP, local park master plans, or other locally adopted planning documents? County applicants should clearly relate the project to the overall park and recreation climate in the county.

### B. EXCEPTIONAL NEED (0-10 POINTS)

This criterion evaluates the extent to which the county demonstrates exceptional need for a grant, such as a limited park operating budget, the lack of public overnight camping opportunities within the county, or the overall lack of county parks and recreation areas and facilities.

### C. PLANNING AND PUBLIC INVOLVEMENT (0-10 POINTS)

The committee will consider whether the project is part of a park or system master plan and meets the recreation need in the local comprehensive land use plan. It will also consider the extent of public interest and support for the project. Were there public workshops, meetings or other methods to gain citizen involvement and input on the proposed project?

### D. DESIGN AND ACCESSIBILITY (0-10 POINTS)

The committee will consider the overall plan or design of the project, including the extent to which the design accommodates people with disabilities and special needs. Also, is the project part of the county's transition plan to meet ADA requirements? Is the project innovative, such as promoting energy conservation, or involving use of recycled materials?

### E. SOURCE OF FUNDING (0-10 POINTS)

Under this criterion, applicants will be asked to justify their request for financial assistance. It should include an explanation of the local matching funds that will be used, and evidence that the local match is solid. Applicants should also be prepared to discuss their ability to meet long-term maintenance costs for new projects.

### F. READINESS TO PROCEED (0-10 POINTS)

If selected for award, what steps will be necessary prior to the project's start? Are all permits, land use reviews, and approvals received? Do contracts need to be put out to bid? How long do you anticipate it will take to begin the project? If the state agencies or land use authority responded with comments or requirements, what plans are in place to address them?

### G. SUSTAINABILITY (0-5 POINTS)

Grant applicants will be asked to identify and describe efforts to achieve sustainability (See Section 7 and Section 2.1.7).

### H. DIVERSITY, EQUITY & INCLUSION (0-5 POINTS)

To what extent does the project demonstrate a strong commitment to diversity, equity, and inclusion? Does the applicant have, or is the applicant working toward, an inclusion strategy? Does that strategy relate to this proposed project?

### I. COMMITTEE MEMBER EVALUATION (0-15 POINTS)

The seven-member Advisory Committee represents counties, recreation vehicle owners, people with disabilities and the general public. They also represent various geographic areas of the state. This criterion allows committee members to give an individual score based on a variety of factors, including their own knowledge and expertise.

# Section 5 — Project Administration

## 5.1 — State / Local Agreements

The State / Local Agreement (Grant Agreement) is an agreement between the State and the local applicant that documents project work elements to be completed, funding limits and project period. A State / Local Agreement, signed by the state, constitutes project authorization.

No project may begin without a fully signed Grant Agreement from the Department and a Notice to Proceed letter. All project costs and acquisitions must be incurred during the project period, as identified in the State / Local Agreement.

Project Sponsors have one year from the date of authorization to begin substantial work (i.e., the award of contracts or completion of at least 25 percent of the work, if done by force account). Applicants not conforming to this provision may have their projects cancelled. Funds recovered from cancellations will be reassigned to other projects on the priority list or added to the next grant cycle.

State / Local Agreements are typically drafted with project beginning and end dates that include two out-door work seasons.

## 5.2 — Amendments to Project Agreements

Amendments may be made to the project agreement to delete work items that may decrease grant funds. Amendments that increase the grant amount will generally not be allowed.

Project amendments for time extensions will be reviewed on a case-by-case basis. Requests must be made in writing (email) and submitted to OPRD prior to the expiration of the project agreement.

## 5.3 — Progress Reports

Project Sponsors are required to submit quarterly Progress Reports to OPRD. Progress Reports can be submitted using OPRD's online grant management system, available at OPRDGrants.org. Refer to the Online Grant Reimbursement and Reporting Instructions guide for details on how to complete and submit the online reports.

The progress report summarizes the work accomplished to date, any issues that may be arising with the project, any potential changes to the scope or design as submitted on the application, an estimated percentage of project completion, and an estimate of funds to be expended over the next quarter. Photos or other documents are not required until the final report, but are recommended to assist in communicating the status of your project.

Once a Notice to Proceed letter has been issued, Project Sponsors must submit reports on a quarterly basis as follows:

- Period beginning January 1, ending March 31: report is due April 30.
- Period beginning April 1, ending June 30: report is due July 31.
- Period beginning July 1, ending September 30: report is due October 31.
- Period beginning October 1, ending December 31: report is due January 31.

## 5.4 — Inspections

Pre-award and/or periodic on-site inspections may be made by grant staff to assure that the project is underway and on schedule. A final on-site inspection may be made to ensure that the project has been completed successfully.

## 5.5 — Signage

Prior to final reimbursement, Project Sponsors must post an acknowledgement sign recognizing OPRD's grant funding and the State's participation in the project. OPRD will provide acknowledgement signs as needed.

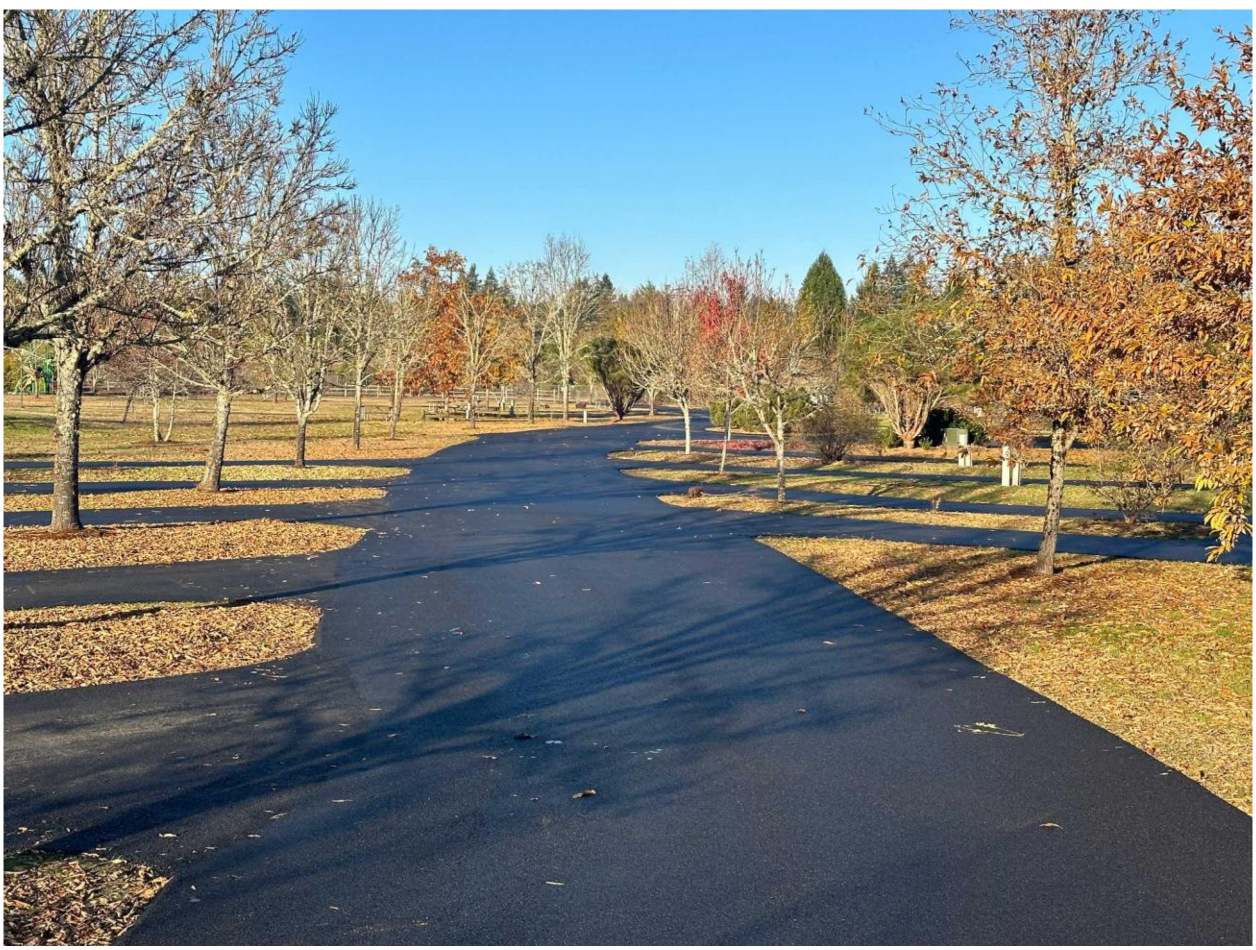

*Photo courtesy Clackamas County*

# Section 6 — Reimbursement Requests

## 6.1 — General

Requests for Reimbursement must be submitted using OPRDGrants.org, the same online system used to submit a grant application. An account with OPRDgrants.org is required to utilize the system.

For detailed instruction on how to submit Progress Reports and Reimbursement Requests, see the Online Grant Reimbursement and Reporting Instructions. A video guide is also available here.

In any program where reimbursement is requested for a portion of the project costs, adequate documentation and records are essential. There should be definite supporting documentation for each item of cost claimed. The State can and may audit any of OPRD's grant files as well as the grantee's files. It is extremely important that reimbursement requests clearly reflect project work and the associated costs, and include proof of payments and all supporting documentation.

IMPORTANT: Project costs initiated or completed prior to receiving a Grant Agreement and Notice to Proceed cannot be reimbursed without prior approval. For acquisition projects, do not take title to proposed acquisitions until the project has been approved by the State.

A. MID-PROJECT REIMBURSEMENT - A partial (mid-project) request for reimbursement may be submitted at any time after a significant portion of work has been completed on the project. To request reimbursement, first complete and submit an online **Progress Report**, then the **Request for Reimbursement Form**. The state may reimburse up to 90% of the grant amount prior to project completion. The remaining 10% will be **held in retention** and then reimbursed once the project is completed. Full grant payments for 100% acquisition projects may be allowed if grant funds are disbursed directly into Escrow.

   **Progress Reports** should be submitted, at a minimum, every three months, and with each Request for Reimbursement.

B. FISCAL YEAR-END REIMBURSEMENT – All grantees are required to submit a Fiscal Year-End Request for Reimbursement for all project costs incurred up to June 30 of each fiscal year. The Fiscal Year-End Request must be submitted by July 31 of each year. A Fiscal Year-End Request for Reimbursement does not need to be submitted if no project costs have been incurred by June 30.

C. FINAL REIMBURSEMENT - Complete and submit a **Final Progress Report** describing the work completed, five – ten photos of the completed project site, and the online **Request for Reimbursement Form** including all supporting documentation. For acquisitions, a copy of the final **Settlement Statement** and the **Deed** must be attached. A final inspection may be made by OPRD grants staff to assure that the project has been completed successfully.

## 6.2 — How to Prepare Reimbursement Requests

A separate **project account** should be established for each approved project so that all project costs can be tracked according to the categories on the Request for Reimbursement form.

SALARIES AND WAGES — Show on the reimbursement form any salaries or wages incurred during the period, and project costs to date. For audit purposes you must retain payroll records. Under salaries and wages, include labor costs for the use of any equipment, except for donated labor, which should be included under donations.

CONTRACT PAYMENTS — Show on the reimbursement form costs incurred by contracts. For audit purposes, payments made by your agency should be supported by a statement or invoice from the contractor or the project architect or engineer, plus documentation confirming payment. You should also retain documentation of the bidding procedure and a copy of the final contract.

EQUIPMENT, MATERIALS AND SUPPLIES — Equipment rental costs for owned equipment should be supported by your agency's schedule of hourly rates. Rented equipment payments made by your agency must be supported by a statement or invoice showing costs and the time period the equipment was rented.

PROGRAM ADMINISTRATION, DESIGN AND ENGINEERING — Costs for program administration, design and engineering plans, and land use and building permits from another agency, shall not exceed 15% of the total project costs.

VALUE OF DONATIONS — See Section 3.

# Section 7 — Sustainability

Sustainability means using, developing, and protecting resources in a manner that enables people to meet current needs and provides that future generations can also meet future needs from the joint perspective of environmental, economic and community objectives. Applicants should provide descriptions of intent, strategies, documentation of results, and long-term management plans. Some examples of sustainability are given below:

## Recycling

- Increase the use of recycled projects for trail coverings
- Increase recycling products for park infrastructure
- Deconstruction of facilities versus demolition (reuse existing materials
- Increase recycling of materials back to manufacturer
- Extend life cycle of building materials
- Provide recycle collection stations (glass, metal, paper, cardboard, plastic, organic materials
- Project design indicating sustainability products for procurement

## Water Quality/Conservation

- Increase water quality
- Diversion of rainwater from storm water infrastructure
- Improve quality of watersheds
- Efficiency in use of water for landscaped needs (reduce or eliminate)
- Increase building water use efficiency (improved/innovative fixtures)
- Increase stream quality for habitat and complexity
- Erosion and sediment controls

## Plant Conservation

- Decrease invasive plants
- Protection, restoration and maintenance of native plants
- Provision of maintenance contract or schedule of plantings
- Increase streamside native vegetation

## Wildlife Conservation

- Protection, restoration, and maintenance of native wildlife
- Use of Salmon Trout Enhancement Program (STEP) services

## Energy Conservation

- Minimize electrical, gas, oil, and propane energy use in facilities
- Increase electrical, gas, oil, and propane energy efficiency
- Increase use of photovoltaic panels, high temperature solar and/or geothermal, wind, biomass, and biogas energy sources
- Purchase green power from energy providers

## Pollution Control

- Decrease amount of carbon dioxide emissions
- Eliminate use of Halon and CFC-based refrigerants from HVAC systems

## General Environmental Protection/Restoration

- Placement of project within degraded or damaged areas
- Placement of project away from sensitive site elements
- Reduce site disturbance
- In-place sustainability management plans
- Utilization of professional ecologists in plan/project design/maintenance plans
- Purchase materials locally to reduce environmental impact of transportation
- Use of innovative waste water treatment to reduce burden on water system
- Integration of facilities into landscape
- Reduce thermal gradient differences between developed and underdeveloped areas to minimize impact on microclimates and habitat
- Use of certified wood

# Section 8 — Glossary

ADA - Americans with Disabilities Act of 1990 prohibits discrimination based on disability -- both in the private and public sector.

ADAAG - Americans with Disabilities Act Accessibility Guidelines.

AMENDMENT - A change to the cost, or work items included in the State / Local Agreement.

APPLICATION - A complete application packet with all questions answered, forms filled out, and attachments required for project review and approval.

BIENNIUM - The 24-month period beginning July 1 of each odd-numbered year and ending June 30 of the next odd-numbered year.

COUNTY OPPORTUNITY GRANT PROGRAM (COGP) - A program funded by county RV registration fee revenues to provide grants on a project basis for the acquisition, development, rehabilitation and planning of county park and recreation areas that provide camping facilities.

COUNTY PARK AND RECREATION AREA - An area designated as a county park and recreational area in which the primary function is to provide recreational opportunities for the public such as overnight camp facilities, day use parks, community open spaces, and park waysides. Areas under county management in which recreation is a secondary function such as Courthouse grounds, fairgrounds, ports, and museum grounds, are excluded unless the county has a population of 30,000 or less, and the county does not have an "established park system as defined in the rules".

COUNTY PARKS ASSISTANCE ADVISORY COMMITTEE OR ADVISORY COMMITTEE – The committee, appointed by the Director, that reviews and prioritizes grant proposals for funding under the County Opportunity Grant Program.

COUNTY APPLICANT - The ultimate recipient of the grant funds and the agency responsible for implementation of the project.

DEPARTMENT - The Oregon Parks and Recreation Department

DIRECTOR - The Director of the Oregon Parks and Recreation Department.

DONATION - Receipt of land, labor, materials, or use of equipment without payment for it by the county applicant.

FISCAL YEAR (State) - The 12-month period beginning July 1 of any year and ending June 30 of the next year.

STATE COMPREHENSIVE OUTDOOR RECREATION PLAN OR SCORP - The document used to identify and assess Oregon's outdoor recreation needs.

STATE / LOCAL AGREEMENT - A document between the State and the county applicants that documents project elements to be completed and limits of reimbursement for the project.

SUSTAINABILITY – Means using, developing, and protecting resources in a manner that enables people to meet current needs and provides that future generations can also meet future needs from the joint perspective of environmental, economic, and community objectives.

# Section 9 — Appendices

9.1 Standard COGP Agreement Terms and Conditions

9.2 Civil Rights Requirements

9.3 Oregon Administrative Rules

# 9.1 — Standard COGP Agreement Terms and Conditions

Oregon Parks and Recreation Department

**County Opportunity Grant Program Agreement**

---

THIS AGREEMENT ("Agreement") is made and entered into, by and between, the State of Oregon, acting by and through its Oregon Parks and Recreation Department, hereinafter referred to as "OPRD" or the "State" and **GRANTEE NAME**, hereinafter referred to as the "Grantee".

| | |
|---|---|
| **OPRD Grant Number:** | **COGXX-XXX** |
| **Project Title:** | **PROJECT TITLE** |
| **Project Type (purpose):** | **PROJECT TYPE** |
| **Project Description:** | [Brief Project Description]. The Project is further described in Attachment A - Project Description and Budget. |
| **Grant Funds / Maximum Reimbursement:** | **$XXX (XX%)** |
| **Grantee Match Participation:** | **$XXX (XX%)** |
| **Total Project Cost:** | **$XXX** |

**Grant Payments / Reimbursements:** Grant funds are awarded by the State and paid on a reimbursement basis, and only for the project described in the Agreement, and the Project Description and Budget included as Attachment A (the "Project"). To request reimbursement, Grantee shall use OPRD's online grant management system accessible at oprdgrants.org. The request for reimbursement shall include documentation of all project expenses plus documentation confirming Project invoices have been paid. Grantee may request reimbursement as often as quarterly for costs accrued to date.

**Fiscal Year-End Request for Reimbursement:** Grantee must submit a Progress Report and a Reimbursement Request to OPRD for all Project expenses, if any, accrued up to **June 30**, of each fiscal year. The Fiscal Year-End Reimbursement Request must be submitted to OPRD by **July 31**.

**Reimbursement Terms**: Based on the estimated Project Cost of **$XXX**, and the Grantee's Match participation rate of **XX%**, **the reimbursement rate will be XX%**. Upon successful completion of the Project and receipt of the final reimbursement request, the State will pay Grantee the remaining Grant Funds balance, or **XX%** of the total cost of the Project, whichever is less.

**Matching Funds:** The Grantee shall contribute matching funds or the equivalent in labor, materials, or services, which are shown as eligible match in the rules, policies and guidelines for the County Opportunity Grant Program. Volunteer labor used as a match requires a log with the name of volunteer, dates volunteered, hours worked, work location and the rate used for match, to be eligible.

**Progress Reports**: Grantee shall submit Progress Reports with each reimbursement request or, at a minimum, at **three month intervals**, starting from the effective date of the Agreement. Progress Reports shall be submitted using OPRD's online grant management system accessible at oprdgrants.org.

**Agreement Period**: The effective date of this Agreement is the date on which it is fully executed by both parties. Unless otherwise terminated or extended, the Project shall be completed by **[DATE].** If the Project is completed before the designated completion date, this Agreement shall expire on the date final reimbursement payment is made by OPRD to Grantee.

**Retention:** OPRD shall disburse up to 90 percent of the Grant Funds to Grantee on a cost reimbursement basis upon approval of invoices submitted to OPRD. OPRD will disburse the final 10 percent of the Grant Funds upon approval by OPRD of the completed Project, the Final Progress Report and the submission of five to ten digital pictures of the completed Project site.

**Final Request for Reimbursement:** Grantee must submit a Final Progress Report, a Final Reimbursement Request and five to ten digital pictures of the completed Project site to OPRD within 45 days of the Project completion date.

**Project Sign**: When the Project is completed, Grantee shall post an acknowledgement sign of their own design, or one supplied by the State, in a conspicuous location at the Project site, consistent with the Grantee's requirements, acknowledging grant funding and the State's participation in the Project.

**Agreement Documents:** Included as part of this Agreement are:

Attachment A: Project Description and Budget
Attachment B: Standard Terms and Conditions
Attachment C: Inadvertent Discovery Plan

In the event of a conflict between two or more of the documents comprising this Agreement, the language in the document with the highest precedence shall control. The precedence of each of the documents is as follows, listed from highest precedence to lowest precedence: this Agreement without Attachments; Attachment B; Attachment A; Attachment C.

**Contact Information:** A change in the contact information for either party is effective upon providing notice to the other party:

| Grantee Administrator | Grantee Billing Contact | OPRD Contact |
|---|---|---|
| **Name** | **Name** | Julian Fedorchuk, Coordinator |
| **Agency** | **Agency** | Oregon Parks & Rec Dept. |
| **Address** | **Address** | 725 Summer ST NE STE C |
| **City, State, Zip** | **City, State, Zip** | Salem, OR 97301 |
| **Phone** | **Phone** | 503-689-3009 |
| **Email** | **Email** | julian.fedorchuk@oprd.oregon.gov |

**Signatures**: In witness thereof: the parties hereto have caused this Agreement to be properly executed by their authorized representatives as of the last date hereinafter written.

**GRANTEE**

By: ______________________________________
Signature

______________________________________
Printed Name

______________________________________
Title

______________________________________
Date

**Oregon Department of Justice (ODOJ)** approved for legal sufficiency for grants exceeding $250,000:
By:______________________________________
ODOJ Signature or Authorization

______________________________________
Printed Name/Title

______________________________________
Date

**STATE OF OREGON**
**Acting By and Through Its**
**OREGON PARKS AND RECREATION DEPT.**

By: ______________________________________
Matt Rippee, Deputy Director of Field & Community Services

______________________________________
Date

**Approval Recommended:**

By: ______________________________________
Michele Scalise, Grants Section Manager

______________________________________
Date

By: ______________________________________
Julian Fedorchuk, Grant Program Coordinator

______________________________________
Date

## Attachment A: Project Description and Project Budget

**OPRD Grant Number:** **COGXX-XXX**
**Project Title:** **PROJECT TITLE**
**Grantee Agency:** **PROJECT SPONSOR**

**Project Description:**
Brief Project Description.

**Project Budget**

| Expense Item | Cost or Valuation |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |
| **Total Project Cost** | **$ XXX** |

**Match Funding**

| Source of match | Amount |
|---|---|
| | |
| **Total Match from Grantee** | **$ XXX** |

**Summary**

| | |
|---|---|
| Total Project Cost | $ XXX |
| Total Match from Grantee | $ XXX |
| **Grant Funds Requested** | **$ XXX** |

# Attachment B – Standard Terms and Conditions

## Oregon Parks and Recreation Department
## County Opportunity Grant Program Agreement

1. **Compliance with Law:** Grantee shall comply with all federal, state and local laws, regulations, executive orders and ordinances applicable to the Agreement or to implementation of the Project, including without limitation, OAR 736-007-0030 - County Opportunity Grant Program administrative rules. The grant program provides funding on a competitive project basis for the acquisition, development, rehabilitation, and planning of county park and recreation sites that provide camping facilities.

2. **Compliance with Workers Compensation Laws:** All employers, including Grantee, that employ subject workers who provide services in the State of Oregon shall comply with ORS.656.017 and provide the required Worker's Compensation coverage, unless such employers are exempt under ORS 656.126. Employer's liability insurance with coverage limits of not less than $500,000 must be included.

3. **Compliance with Prevailing Wage:**

   a) Grantee shall comply with state prevailing wage law as set forth in ORS 279C.800 through 279C.870, and the administrative rules promulgated thereunder (OAR Chapter 839, Division 25) (collectively, state "PWR"). This includes but is not limited to imposing an obligation that when PWR applies to the Project, contractors and subcontractors on the Project must pay the prevailing rate of wage for workers in each trade or occupation in each locality as determined by the Commissioner of the Bureau of Labor and Industries ("BOLI") under ORS 279C.815.
   b) When the federal Davis-Bacon Act applies to the Project, contractors and subcontractors on the Project must pay the prevailing rate of wage as determined by the United States Secretary of Labor under the Davis-Bacon Act (40 U.S.C. 3141 et seq.).
   c) Notwithstanding (a) and (b) above, when both PWR and the federal Davis-Bacon Act apply to the Project, contractors and subcontractors on the Project must pay a rate of wage that meets or exceeds the greater of the rate provided in (3)(a) or (3)(b) above.
   d) When PWR applies, Grantee and its contractors and subcontractors shall not contract with any contractor on BOLI's current List of Contractors Ineligible to Receive Public Works Contracts.
   e) When PWR applies, Grantee shall be responsible for both providing the notice to the BOLI Commissioner required by ORS 279C.835 and the payment of any prevailing wage fee(s) required under ORS 279C.825 and BOLI's rules, including OAR 839-025-0200 to OAR 839-025-0230. For avoidance of any doubt, Grantee contractually agrees to pay applicable prevailing wage fees for the Project rather than OPRD, the public agency providing Financing Proceeds under this Contract.
   f) When PWR applies, and before starting work, Contractor shall file with the Construction Contractors Board, and maintain in full force and effect, the separate public works bond required by ORS 279C.836 and OAR 839-025-0015, unless otherwise exempt under those provisions. The Contractor shall also include in every subcontract a provision requiring any subcontractor to have a public works bond filed with the Construction Contractors Board before starting Work, unless otherwise

exempt, and shall verify that the subcontractor has filed a public works bond before permitting the subcontractor to start Work.

g) Pursuant to ORS 279C.817, Grantee and any contractors or subcontractors may request that the BOLI Commissioner make a determination about whether the Project is a public works on which payment of the prevailing rate of wage is required under ORS 279C.840 (i.e. whether PWR applies).

4. **Amendments:** This Agreement may be amended only by a written amendment to the Agreement, executed by the parties.

5. **Expenditure Records:** Grantee shall document, maintain and submit records to OPRD for all Project expenses in accordance with generally accepted accounting principles, and in sufficient detail to permit OPRD to verify how Grant Funds were expended. These records shall be retained by the Grantee for at least six years after the Agreement terminates. The Grantee agrees to allow Oregon Secretary of State auditors, and State agency staff, access to all records related to this Agreement, for audit and inspection, and monitoring of services. Such access will be during normal business hours, or by appointment. Grantee shall ensure that each of its subgrantees and subcontractors complies with these requirements.

6. **Equipment:** Equipment purchased with County Opportunity Grant Program funds must be used as described in the Project Agreement and the Grantee's Project application (the "Application") throughout the equipment's useful life. The Grantee will notify the State prior to the disposal of equipment and will coordinate with the State on the disposal to maximize the equipment's ongoing use for the benefit of the County Opportunity Grant Program.

7. **Use of Project Property:** Grantee warrants that the land within the Project boundary described in the Application shall be dedicated and used for a period of no less than **20 years** from the completion of the Project. Grantee agrees to not change the use of, sell, or otherwise dispose of the land within the Project boundary, except upon written approval by OPRD. If the Project is located on land leased from the federal government, the lease shall run for a period of at least 20 years after the date the Project is completed. If the Project is located on land leased from a private or public entity, other than the federal government, the lease shall run for a period of at least 20 years after the date the Project is completed, unless the lessor under the lease agrees that, in the event the lease is terminated for any reason, the land shall continue to be dedicated and used as described in the Project Application for a period of at least 20 years after the date the Project is completed.

   Land acquired using County Opportunity Grant funds shall be dedicated, by an instrument recorded in the county records, for recreational use in perpetuity, unless OPRD or a successor agency consents to removal of the dedication.

8. **Conversion of Property:** Grantee further warrants that if the Grantee converts lands within the Project boundary to a use other than as described in the Application or disposes of such land by sale or any other means ("Converted Land"), the Grantee must provide replacement land acceptable to OPRD within 24 months of the date of the conversion or disposal or, if the conversion or disposal is not discovered by OPRD until a later date, within 24 months after the discovery of the conversion or disposal. The replacement land must be equal to the current fair market value of the Converted Land, as determined by an appraisal. The recreation utility of the replacement land must also be equal to that of the Converted Land, as determined by OPRD.

If replacement land cannot be obtained within the 24 month period, the Grantee will provide payment of the grant program's prorated share of the current fair market value of the Converted Land to the State. The prorated share is measured by that percentage of the original grant (plus any amendments) as compared to the original Project cost(s).

If conversion occurs through processes outside of the Grantee's control such as condemnation or road replacement or realignment, the Grantee must pay to the State a prorated share of the consideration paid to the Grantee by the entity that caused the conversion. The State's prorated share is measured by the percentage of the original grant (plus any amendments) as compared to the original Project cost(s).

The warranties set forth in Section 7 and this Section 8 of this Agreement are in addition to, and not in lieu of, any other warranties set forth in this Agreement or implied by law.

9. **Contribution:** If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against a party (the "Notified Party") with respect to which the other party ("Other Party") may have liability, the Notified Party must promptly notify the Other Party in writing of the Third Party Claim and deliver to the Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Either party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by the Other Party of the notice and copies required in this paragraph and meaningful opportunity for the Other Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to the Other Party's liability with respect to the Third Party Claim.

   With respect to a Third Party Claim for which the State is jointly liable with the Grantee (or would be if joined in the Third Party Claim), the State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the Grantee in such proportion as is appropriate to reflect the relative fault of the State on the one hand and of the Grantee on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the State on the one hand and of the Grantee on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if the State had sole liability in the proceeding.

   With respect to a Third Party Claim for which the Grantee is jointly liable with the State (or would be if joined in the Third Party Claim), the Grantee shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the State in such proportion as is appropriate to reflect the relative fault of the Grantee on the one hand and of the State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the Grantee on the one hand and of the State on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The Grantee's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if it had sole liability in the proceeding.

Grantee shall take all reasonable steps to cause its contractor(s) that are not units of local government as defined in ORS 190.003, if any, to indemnify, defend, save and hold harmless the State of Oregon and its officers, employees and agents (“Indemnitee”) from and against any and all claims, actions, liabilities, damages, losses, or expenses (including attorneys’ fees) arising from a tort (as now or hereafter defined in ORS 30.260) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Grantee’s contractor or any of the officers, agents, employees or subcontractors of the contractor (“Claims”). It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by the contractor from and against any and all Claims.

10. **Inspection of Equipment and Project Property:** Grantee shall permit authorized representatives of State, the Oregon Secretary of State, or their designees to perform site reviews of the Project, and to inspect all Equipment, real property, facilities, and other property purchased by Grantee as part of the Project.

11. **Public Access:** The Grantee shall allow open and unencumbered public access to the completed Project to all guests who have paid any required fee, without regard to race, color, religious or political beliefs, sex, national origin or place of primary residence.

12. **Condition for Disbursement:** Disbursement of grant funds by OPRD is contingent upon OPRD having received sufficient funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow OPRD, in the exercise of its reasonable administrative discretion, to make the disbursement and upon Grantee’s compliance with the terms of this Agreement.

13. **Assignment of Agreement, Successors in Interest:** Grantee shall not assign or transfer any interest in this Agreement without the prior written approval of OPRD. Any such assignment or transfer, if approved, is subject to such conditions and provisions, as OPRD may deem necessary, including without limitation that OPRD shall have reasonable access to the facilities of the assignee or transferee to the same extent as to the facilities of Grantee as provided in this Agreement. No approval by OPRD of any assignment or transfer shall be deemed to create any obligation of OPRD in addition to those set forth in this Agreement nor will OPRD’s approval of an assignment or transfer relieve Grantee of any of its duties or obligations under this Agreement.

14. **No Third Party Beneficiaries.** OPRD and Grantee are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly or indirectly, to a third person unless such a third person is individually identified by name herein and expressly described as intended beneficiary of the terms of this Agreement.

15. **Repayment:** In the event that the Grantee spends Grant Funds in any way prohibited by state or federal law, or for any purpose other than the completion of the Project, the Grantee shall reimburse the State for all such unlawfully or improperly expended funds. Such payment shall be made within 15 days of demand by the State.

16. **Termination for Convenience:** This Agreement may be terminated by mutual consent of both parties, or by either party upon a 30-day notice in writing, delivered by certified mail or in person to the other party’s contact identified in the Agreement. On termination of this Agreement, all accounts and payments will be processed according to the financial

arrangements set forth herein for Project costs incurred prior to date of termination. Full credit shall be allowed for reimbursable expenses and the non-cancelable obligations properly incurred up to the effective date of the termination.

17. **Termination for Cause:** OPRD may terminate this Agreement at any time upon 30-days prior written notice if the Grantee commits any material breach or default of any covenant, warranty, obligation, certification or agreement under this Agreement, fails to perform the Project consistent with the terms of this Agreement or within the time specified herein or any extension thereof, or the Project does not meets its proposed objectives or methodology, and the Grantee fails to cure the material breach or default within 14 days of receipt of notice. Upon receiving a notice of termination under this Section 17, Grantee shall immediately cease all activities under this Agreement, unless OPRD expressly directs otherwise in its notice of termination. Within 30 days of termination under this Section 17, Grantee shall reimburse by check payable to OPRD all payments to the Grantee by OPRD under this Agreement.

18. **Governing Law:** The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement. Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County. Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum. In no event shall this section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, from any claim or from the jurisdiction of any court.

19. **Entire Agreement:** This Agreement constitutes the entire Agreement between the parties. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, Agreements, or representations, oral or written, not specified herein regarding this Agreement. The Grantee, by signature of its authorized representative on the Agreement, acknowledges that the Grantee has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

20. **Notices:** Except as otherwise expressly provided in this Agreement, any communications between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile, email, or mailing the same, postage prepaid, to Grantee contact or State contact at the address or number set forth in this Agreement, or to such other addresses or numbers as either party may hereinafter indicate. Any communication or notice delivered by facsimile shall be deemed to be given when receipt of the transmission is generated by the transmitting machine, and to be effective against State, such facsimile transmission must be confirmed by telephone notice to State contact. Any communication by email shall be deemed to be given when the recipient of the email acknowledges receipt of the email. Any communication or notice mailed shall be deemed to be given when received, or five days after mailing.

21. **Counterparts:** This agreement may be executed in two or more counterparts (by facsimile or otherwise), each of which is an original and all of which together are deemed one agreement binding on all parties, notwithstanding that all parties are not signatories to the

same counterpart.

22. **Severability:** If any term or provision of this agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular term or provision held to be invalid.

23. **Survival:** All provisions of this Agreement which by their nature are intended to survive the termination or expiration of this Agreement (including, but not limited to, remedies and record-keeping) shall survive.

# Attachment C

# Archaeological Inadvertent Discovery Plan (IDP)

Archaeological materials are the physical remains of the activities of people in the past. This IDP should be followed should any archaeological sites, objects, or human remains be found. Archaeological materials are protected under Federal and State laws and their disturbance can result in criminal penalties.

This document pertains to the work of the Contractor, including any and all individuals, organizations, or companies associated with the project.

## ***<u>What may be encountered</u>***

Archaeological material may be found during any ground-disturbing activity. If encountered, all excavation and work in the area MUST STOP. Archaeological objects vary and can include evidence or remnants of historic-era and pre-contact activities by humans. Archaeological objects can include but are not limited to:

- **Stone flakes**, **arrowheads**, **stone tools**, **bone or wooden tools**, **baskets**, **beads**.
- Historic building materials such as **nails**, **glass**, **metal** such as cans, barrel rings, farm implements, **ceramics**, **bottles**, **marbles**, **beads**.
- Layers of **discolored earth** resulting from hearth fire
- Structural remains such as **foundations**
- **Shell** Middens (mounds)
- **Human skeletal remains** and/or **bone fragments** which may be whole or fragmented.

**If in doubt call it in.**

## ***<u>Discovery Procedures: What to do if you find something</u>***

1. Stop ALL work in the vicinity of the find
2. Secure and protect area of inadvertent discovery with 30 meter/100 foot buffer—work may continue outside of this buffer
3. Notify Project Manager and Agency Official
4. Project Manager will need to contact a professional archaeologist to assess the find.
5. If archaeologist determines the find is an archaeological site or object, contact SHPO. If it is determined to *not* be archaeological, you may continue work.

## ***<u>Human Remains Procedures</u>***

1. If it is believed the find may be human remains, stop ALL work.
2. Secure and protect area of inadvertent discovery with 30 meter/100 foot buffer, then work may continue outside of this buffer with caution.
3. Cover remains from view and protect them from damage or exposure, restrict access, and leave in place until directed otherwise. **Do not take photographs. Do not speak to the media**.

4. Notify:
    - Project Manager
    - Agency Official
    - Contracted Archaeologist (if applicable)
    - Oregon State Police - **DO NOT CALL 911 .................................**503-378-3720
    - SHPO (State Historic Preservation Office)..................................503-986-0690
    - LCIS (Legislative Commission on Indian Services) . . . . . . . . . . 503-986-1067
    - Appropriate Native American Tribes (as provided by LCIS)
5. If the site is determined not to be a crime scene by the Oregon State Police, do not move anything! The remains should continue to be *secured in place* along with any associated funerary objects, and protected from weather, water runoff, and shielded from view.
6. Do not resume any work in the buffered area until a plan is developed and carried out between the State Police, SHPO, LCIS, and appropriate Native American Tribes, and you are directed that work may proceed.

### ***Confidentiality***

The Agency and employees shall make their best efforts, in accordance with federal and state law, to ensure that its personnel and contractors keep the discovery confidential. The media, or any third-party member or members of the public are not to be contacted or have information regarding the discovery, and any public or media inquiry is to be reported to the Agency. Prior to any release, the responsible agencies and Tribes shall concur on the amount of information, if any, to be released to the public.

*To protect fragile, vulnerable, or threatened sites, the National Historic Preservation Act, as amended (Section 304 [16 U.S.C. 470s-3]), and Oregon State law (ORS 192.501(11)) establishes that the location of archaeological sites, both on land and underwater, shall be confidential.*

## 9.2 — Civil Rights Requirements

1. Age Discrimination Act of 1975 prohibits discrimination based on age.

2. Americans with Disabilities Act of 1990 (ADA provides for a clear and comprehensive prohibition of discrimination on the basis of disability in employment, state and local services--including transportation, public accommodations and services--including transportation and telecommunications.

3. Architectural Barriers Act of 1968 (P.L. 90-480) All facilities must be accessible to the physically handicapped. A copy of the Uniform Federal Accessibility Standards is available from the Oregon State Parks and Recreation Department. Any project application submitted which does not conform to these specifications will be returned for modifications.

   Includes structural accessibility of buildings and facilities newly constructed, added to, or altered. Provides for standards in effect at design stage.

4. Section 504, the Rehabilitation Act of 1973 (P.L. 93-112), as amended in 1978, prohibits discrimination on the basis of handicap in program participation, services, and activities provided by federal financial assistance or by any federal agency. The law requires that programs and facilities be, to the highest degree feasible, readily accessible to and usable by all persons who have a disability, including mobility, visual, hearing, or mental impairments.

5. Executive Order 11246, Equal Employment Opportunity and Title VI of the Civil Rights Act of 1964 (P.L. 88-352, 42 U.S.C. Sects. 2000d to 2000d-4) Title VI prohibits discrimination based on race, color or national origin in program participation and employment, where (1) the primary purpose of the grant is to provide employment, or (2) discriminatory employment practices will result in unequal treatment of person, who are or should be benefiting from the grant. The provisions of Title VI of the Civil Rights Act of 1964 and Executive Order 11246 implementing the Act must be followed.

For More Information regarding ADA requirements contact:

Regional Disability and Business Technical Assistance Centers - Region 10 includes Oregon, Washington, Idaho and Alaska. ADA information, assistance and copies of ADA documents supplied by the EEO Commission and the Department of Justice are available by calling 1-800-949-4232.

Website: https://adata.org/

# 9.3 — Oregon Administrative Rules

Parks and Recreation Department
Chapter 736, Division 7
DISTRIBUTION OF RECREATION VEHICLE LICENSE FEE REVENUES TO COUNTIES

736-007-0000
Purpose of Program and Rule

(1) The purpose of the distribution of recreation vehicle license fee revenues to counties is to increase the resources available for acquiring, developing, maintaining, rehabilitating and operating county parks and recreation sites and programs. New revenues available to county governing bodies under this program should, to the extent possible, be used to supplement, rather than supplant, moneys currently appropriated for county parks and recreation purposes.

(2) These rules establish the procedures and requirements used by the Oregon Parks and Recreation Department when distributing recreation vehicle license fee revenues to counties, and the process for establishing priority order in which county grant projects shall be funded.

**Statutory/Other Authority:** ORS 390.117, ORS 390.124 & ORS 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PRD 5-2026, amend filed 06/18/2026, effective 06/18/2026
PR 3-1994, f. & cert. ef. 4-22-94

736-007-0005
Definitions

As used in this division, the definitions in ORS 390.134(1) and the following definitions apply unless context requires otherwise:

(1) “Acquisition” means the gaining of property rights, including, but not limited to fee title or easements, for public use by donation or purchase.

(2) “Advisory Committee” or “County Parks Assistance Advisory Committee” means the committee appointed by the director that reviews and prioritizes grant proposals for funding under the County Opportunity Grant Program.

(3) “Biennium” means the 24-month period beginning July 1 of each odd-numbered year and ending June 30 of the next odd-numbered year.

(4) “Campsite” means a site within a designated county park and recreation area that is specifically designed for overnight occupancy, is open to the public a minimum of five months per year, and that contains a designated parking spur, picnic table, fireplace or stove, and access to potable water and sanitary facilities.

(5) “Certified County Park Assistance Allocation” or “certified allocation” means that portion of the county park assistance allocation certified for use by the counties during a given fiscal year.

(6) "Commission" means the Oregon Parks and Recreation Commission.

(7) "Committee" means the "advisory committee."

(8) "Conversion" means the act of utilizing property acquired or developed using department grant funds for purposes other than public outdoor recreation uses.

(9) "County Opportunity Grant Funds" or "grant funds" means that portion of county RV registration fee revenues available for the County Opportunity Grant Program.

(10) "County Opportunity Grant Program" or "grant program" means a program funded by county RV registration fee revenues to provide grants on a project basis for the acquisition, development, rehabilitation, and planning of county park and recreation areas that provide camping facilities.

(11) "County Opportunity Grant Program Policies and Procedures Manual" means a manual prepared by the department containing state and federal policies, procedures, and instructions to assist local government agencies wishing to participate in the County Opportunity Grant Program.

(12) "County Park and Recreation Area" means an area designated by the governing body under ORS 275.320 as a county park or recreational area in which the primary function is to provide recreational opportunities for the public such as overnight camp facilities, day use parks, community open spaces, and park waysides. Areas under county management in which recreation is a secondary function, such as courthouse grounds, fairgrounds, ports, and museum grounds, are excluded unless the following criteria are met:

(a) The county has a population of 30,000 or less; and

(b) The county does not have an "established park system" as defined in section (18).

(13) "County Park Assistance Allocation" or "county allocation" means that portion of estimated county RV registration fee revenues available for distribution to the counties under the County Park Assistance Program.

(14) "County Park Assistance Program" or "assistance program" means the program funded by county RV registration fee revenues to provide regular allocation of moneys to the counties for the acquisition, development, maintenance, care, and use of the county park and recreation areas.

(15) "County RV registration fee revenues" or "revenues" means that portion of the total revenues from the registration and licensing of recreational vehicles that is set aside in a sub-account of the department's account within the State Treasury for the acquisition, development, maintenance, care and use of county park and recreation areas in accordance with ORS 366.512.

(16) "Department" means the Oregon Parks and Recreation Department.

(17) "Director" means the Director of the Oregon Parks and Recreation Department or their designate.

(18) “Established park system” means a county shall be considered as having an established park system if it has at least one park designated under ORS 275.320, and has allocated a budget for parks.

(19) “Fiscal year” means the 12-month period beginning July 1 of any year and ending June 30 of the next year.

(20) “Force account” means the governmental entity's own workforce performing project work rather than contracting out for the services.

(21) “Population” means the latest annual estimate of population of Oregon cities and counties as compiled by Portland State University’s Population Research Center or the United States Census Bureau.

(22) “Project boundary” means the area encompassing a project’s scope of work, as identified on maps provided by the project sponsor and agreed upon by the department.

(23) “Project sponsor” means the recipient of grant funds and the agency responsible for implementation of the project and the maintenance and operation of the site.

(24) “RV” or “recreation vehicle” means travel trailers, campers, and motorhomes.

(25) “RV registrations” means the total number of travel trailers, campers and motor homes registered at the time the distribution formula is computed, as detailed in the most current “Oregon Motor Vehicles Registration by Counties” compiled by Oregon Department of Transportation’s Driver and Motor Vehicle Services Division.

(26) “State Comprehensive Outdoor Recreation Plan” or “SCORP” means the document used to identify and assess Oregon’s outdoor recreation needs.

(27) “State/Local Agreement” means the signed agreement between the department and the project sponsor, which authorizes the project to begin.

(28) “Waiver of Retroactivity” means an exception by the department that allows the project sponsor to use grant funds for costs incurred prior to formal project approval.

**Statutory/Other Authority:** ORS 390.117, ORS 390.124 & ORS 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PRD 5-2026, amend filed 06/18/2026, effective 06/18/2026
PR 5-1995, f. & cert. ef. 7-2-96
PR 3-1994, f. & cert. ef. 4-22-94
PR 2-1984, f. & ef. 1-20-84

## 736-007-0010
**Eligibility**

All counties are eligible to receive county RV registration fee revenues; however, use of these moneys is restricted to the acquisition, development, rehabilitation, maintenance, care and use of county park and recreation areas. At areas in which recreation is a secondary function, the funds shall be used only for parks and recreational facility purposes.

**Statutory/Other Authority:** ORS 390.117, ORS 390.124 & ORS 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PRD 5-2026, amend filed 06/18/2026, effective 06/18/2026
PR 5-1995, f. & cert. ef. 7-2-96
PR 3-1994, f. & cert. ef. 4-22-94
PR 2-1984, f. & ef. 1-20-84

## 736-007-0015
## Distribution Formula

The following distribution formula shall be used for the distribution of revenues in accordance with the provisions of these rules:

(1) County Park Assistance Program — Ninety percent of the estimated revenues to be received during each fiscal year shall be allocated to the counties in accordance with the following formula:

(a) Fifty percent based on the proportion of the number of campsites each county provides to the total number of such campsites provided by all the counties;

(b) Twenty percent based on the proportion of the number of RV registrations in each county to the state total of RV registrations;

(c) Thirty percent based on the proportion of each county's population to the total state population;

(d) For the purposes of implementing this section the effective date shall be November 4, 1993.

(2) County Opportunity Grant Program — Ten percent of the estimated revenues to be received during each fiscal year shall be distributed through the Grant Program.

**Statutory/Other Authority:** ORS 390.117, 390.124 & 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PR 3-1994, f. & cert. ef. 4-22-94
PR 2-1984, f. & ef. 1-20-84

## 736-007-0020
## Campsite Survey

(1) The Department shall ask each county to submit an inventory of its park and recreation areas containing campsites every two years to determine the number of campsites provided by each county.

(2) For purposes of the inventory described in subsection (1) of this rule, a campsite is "provided by" a county if:

(a) The county owns, operates and manages the site; or

(b) The county operates and manages the site; and the county possesses the site pursuant to a fixed term lease of not less than 20 years, with a fixed payment schedule and no profit-sharing between the county and the lessor; or

(c) The county owns the site or holds possession pursuant to a long-term lease as described in subsection (b) of this section; the county leases or subleases it to another public entity whose purposes include the provision of park and recreation opportunities; and the other public entity manages the site in accordance with the county's written policy on parks and recreation; or

(d) The county owns the site or holds possession pursuant to a long-term lease as described in subsection (b) of this section; the county contracts with a concessionaire for the operation of less than all aspects of the park or campground; the county selects the concessionaire through an open, competitive process; and the county retains control of management and the right to possession of the site.

(3) Group campsites that do not meet the definition of a campsite shall not be included in the inventory.

(4) Campsites which have not been eligible for inclusion in the inventory prior to January 1, 1996, shall not be considered eligible to be added unless they meet building code standards for recreational parks per ORS 446 and OAR 918-650.

**Statutory/Other Authority:** ORS 390.117, 390.124 & 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PR 5-1995, f. & cert. ef. 7-2-96
PR 3-1994, f. & cert. ef. 4-22-94
PR 2-1984, f. & ef. 1-20-84



### 736-007-0025
### Distribution of Moneys — County Park Assistance Program

(1) Each year the Department will estimate the total revenues available for use in the County Park Assistance Program for the next fiscal year. The department will use the distribution formula provided in OAR 736-007-0015 to estimate each county's allocation, and will notify each county of the estimate.

(2) By July 15 of each year, each county governing body shall certify to the department, on forms or a format designated by the department, that it will comply with the administrative rules governing the County Park Assistance Program. The certification shall include a statement of the county's intended use of the revenues:

(a) The county has budgeted its allocation for expenditure in the next fiscal year; or

(b) The county will place its allocation in a dedicated parks and recreation fund for future expenditure; or

(c) A combination of subsections (a) and (b); or

(d) The county waives the use of its allocated revenues;

(e) A county may elect to receive less than its allocated revenues in any given fiscal year.

(3) The department will deem any county that does not certify by July 15 to have

certified in accordance with subsection (2)(d).

(4) The department will calculate the proportion of total certified allocations to total estimated revenues. The department will use this proportion in determining the amount of actual revenues to distribute to counties each month during the fiscal year.

(5) The department will distribute within 45 days after the end of each month to the counties that certified acceptance of revenues. The department will determine the amount as follows:

(a) Total actual revenues for month x

(b) Total Certified Allocations

(c) Total Estimated Revenues x

(d) County Certified Allocation

(e) Total Certified Allocations = Distribution

(f) However, the amount distributed each month to Gilliam, Harney, Jefferson, Lake, Sherman, and Wallowa Counties shall be at least $834. The effective date for implementing this rule is to July 1, 1994.

(6) Revenues allocated for the assistance program, but not distributed by this section, are available to the grant program.

(7) By September 1 of each year, the department may ask each county to provide a report on the uses of the RV revenue for the prior fiscal year. The department will provide the report form, along with an explanation of the need for the report.

**Statutory/Other Authority:** ORS 390.117, ORS 390.124 & ORS 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PRD 5-2026, amend filed 06/18/2026, effective 06/18/2026
PR 4-1995, f. & cert. ef. 5-3-95
PR 3-1994, f. & cert. ef. 4-22-94
PR 2-1984, f. & ef. 1-20-84

### 736-007-0030
### County Opportunity Grant Program

The department will administer the County Opportunity Grant Program as follows:

(1) Eligible projects — Acquisition, development, rehabilitation, and planning of county park and recreation areas that provide camping facilities.

(2) Matching requirements:

(a) Counties with a population of 30,000 and under must provide a local match of at least 25 percent of total project costs.

(b) Counties with a population greater than 30,000 must provide a local match of at least 50 percent of total project costs.

(c) The director may reduce or eliminate matching funds for specific projects, based on:

(A) Demonstrated need for the project,

(B) Lack of local funding, and

(C) Upon recommendation by the advisory committee.

(d) The eligible match by the project sponsor may include:

(A) Local budgeted funds,

(B) Local agency labor or equipment,

(C) Federal revenue sharing funds,

(D) Other grants,

(E) Donated funds,

(F) The value of private donated equipment, labor, materials, or property,

(G) The value of land acquired within the past six-year period,

(H) Pre-development costs within the past two-year period, or

(I) Any combination of paragraphs (A) through (H).

(e) Engineering and administrative costs and costs incurred prior to the State/Local Agreement cannot exceed 15 percent of the total project costs.

(3) Planning Requirements — Project sponsors participating in the County Opportunity Grant Program must show that:

(a) There is a current master plan in effect and that the project is consistent with the local comprehensive land use plan and SCORP;

(b) There is not a current master plan in effect, but the project is consistent with the local comprehensive land use plan and SCORP; or

(c) The project request is for planning assistance.

(4) Application procedure:

(a) All applications for funding assistance for outdoor park and recreation program projects must be submitted in a format prescribed by the department. All applications must be consistent with the County Opportunity Grant Program Policies and Procedures Manual, and, at a minimum, each application must contain the following information:

(A) Project narrative, including all information necessary to determine the criteria under section (5) or other items as the department requires under paragraph (K);

(B) Maps:

(i) Project boundary map;

(ii) Site development plan;

(iii) Vicinity map.

(C) Environmental review form;

(D) State agency review;

(E) Land Use Compatibility Statement completed by the appropriate planning department;

(F) Estimate of project costs;

(G) Preliminary plans and specifications for construction projects;

(H) Project timeline;

(I) Copy of property deed, lease, formal and binding control and tenure agreement, or letter of intent to renew lease agreement, showing cooperation with the landowner to ensure long-term use, generally not less than 25 years, of facilities for public recreation;

(J) Certification by applicant of available match; and

(K) Other documentation that may be required by the department.

(b) Additional requirements for acquisition projects:

(A) Appraisal. Appraisals must conform to the Uniform Standards of Professional Appraisal Practice (USPAP) or Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA);

(B) Appraisal review;

(C) Preliminary title report; and

(D) Proof of willing seller or donor.

(5) Application Review Process:

(a) The department will perform a technical review of all applications and forward eligible applications to the advisory committee. The department will not consider ineligible or incomplete applications.

(b) Applicants may be expected to provide a presentation to the committee under a procedure established by the department.

(c) The committee will review all applications using project selection criteria, including, but not limited to, the following:

(A) Extent the project demonstrates conformance with local and state planning guidelines, the SCORP, local park master plans, or other locally adopted planning documents;

(B) Extent to which the project demonstrates user benefit, public interest and support;

(C) Extent to which the project increases outdoor recreation opportunity in the service area;

(D) Financial considerations, including cost/benefit ratio;

(E) Extent to which the project's design accommodates people with disabilities;

(F) Extent the county demonstrates exceptional need, such as a limited parks operating budget, the lack of public overnight camping opportunities within the county, or the overall lack of county parks and recreation areas and facilities; and

(G) Analysis of applicant's past performance in completing and billing projects and maintaining existing facilities.

(d) The committee will meet to evaluate the applications and recommend funding priorities to the director for commission approval.

(6) Project Administration:

(a) Following commission approval of a project, the Department and project sponsor shall make reasonable efforts to execute the State/Local Agreement without undue delay to facilitate timely project authorization.

(b) A signed State/Local Agreement shall constitute project authorization. No project shall begin without a signed State/Local Agreement from the Department unless a waiver of retroactivity has been issued by the Department.

(c) A project sponsor has one year from the date of authorization to begin substantial work (*e.g.*, the award of contracts or completion of at least 25 percent of the work, if done by force account). The department may cancel grant funds for projects not conforming to this provision unless the project sponsor provides substantial justification to warrant an extension.

(d) Project sponsors shall complete and bill all projects by the dates specified in the grant agreement. The department or its designate may inspect, audit, or both a project prior to final grant payment. A project sponsor may bill partial payments up to 90 percent of the grant amount during the project for work completed.

(e) The department may grant time extension amendments on a case-by-case basis. A project sponsor may submit a written time extension request prior to expiration of the approved project as set forth in the grant agreement. The department may, at its discretion, consider and approve requests submitted after the expiration date when appropriate.

(f) Project amendments that increase the project cost will generally not be allowed. The department will review project amendment requests based on extraordinary circumstances on a case-by-case basis.

(g) The project sponsor shall install and maintain throughout the life of the agreement appropriate signage for each project indicating the department's Grant Program's assistance and shall certify that signage is in place when requesting final payment.

(h) The department may inspect all grant-assisted projects.

**Statutory/Other Authority:** ORS 390.117, ORS 390.124 & ORS 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PRD 5-2026, amend filed 06/18/2026, effective 06/18/2026
PR 5-1995, f. & cert. ef. 7-2-96
PR 3-1994, f. & cert. ef. 4-22-94
PR 2-1984, f. & ef. 1-20-84

### 736-007-0035
### County Parks Assistance Advisory Committee

(1) The advisory committee is composed of seven members appointed by the director. The committee membership, to serve nonconcurrent four-year terms, shall represent the following interests:

(a) Two representatives of recreational vehicle owners;

(b) Three county representatives, including one from a county under 20,000 population, and one from a county parks department;

(c) One representative for people with disabilities;

(d) One citizen representative.

(2) The committee shall nominate and select a chair.

(3) The director may select committee for each position utilizing the following:

(a) Each counties Board of Commissioners may be solicited to supply a list of interested parties for county representation candidate;

(b) The department may identify a recreational vehicle owner representation candidate list through solicitation from recreation vehicle clubs, associations, or other sources;

(c) The Oregon Disabilities Commission or other sources identified by the department may supply a people with disabilities representation candidate list;

(d) The Oregon Recreation and Park Association, county parks and recreation officials, or other sources identified by the department may supply a citizen representation candidate list;

(e) The department may directly solicit county parks departments or consult with other appropriate organizations not listed in sections (a) to (d) for committee membership candidates.

(4) The advisory committee shall meet upon the call of the director. The advisory committee shall establish a priority order of eligible projects for the grants program, and shall review the biennial campsite survey and the assistance program distribution.

(5) The travel, meals and lodging expenses of all members of the committee will be reimbursed by the department according to rates established by the Department of Administrative Services and approved by the director.

**Statutory/Other Authority:** ORS 390.117, ORS 390.124 & ORS 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PRD 5-2026, amend filed 06/18/2026, effective 06/18/2026
PR 3-1994, f. & cert. ef. 4-22-94
PR 2-1984, f. & ef. 1-20-84

### 736-007-0040
### Assessment for Services

(1) The department will incur costs in the financial and programmatic administration and operation of the assistance program, grant program, and the advisory committee. Reimbursement of the department's actual direct and identifiable costs shall be made from the county RV registration fee revenues in the sub-account of the Parks and Recreation Department's account in the State Treasury. Such moneys shall be

transferred to the department account at the end of each month.

(2) At no time shall the amount transferred exceed the actual and identifiable costs.

**Statutory/Other Authority:** ORS 390.117, ORS 390.124 & ORS 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PRD 5-2026, amend filed 06/18/2026, effective 06/18/2026
PR 3-1994, f. & cert. ef. 4-22-94
PR 2-1984, f. & ef. 1-20-84

### 736-007-0045
### Conversion Requirements

The purpose of this rule is to provide requirements that County Opportunity Grant Fund recipients must meet for maintaining grant program-assisted sites and facilities in public outdoor recreation use.

(1) Property developed with County Opportunity Grant Program assistance shall be retained and used for public outdoor recreation for a minimum of 25 years.

(a) Property acquired with County Opportunity Grant Program assistance shall be retained and used for public outdoor recreation in perpetuity.

(b) Leases for projects on federally owned property must be at least 25 years. If the current lease is within 5 years of termination, the department will require the project sponsor to provide a letter of intent to renew the lease from the federal agency.

(2) Project sponsors must ensure that the land within the project boundary will be used only for park and recreational purposes, project sponsor controls or will control the land, and that the project sponsor will not change the use of, sell, or otherwise dispose of land within the project boundary as required in section (1), except upon written department approval.

(3) If the project sponsor converts land within the project boundary to a use other than public outdoor park and recreation purposes or disposes of such land by sale or otherwise, project sponsor must provide replacement property within 24 months of either the conversion or the department or project sponsor's discovery of the conversion. Replacement property must meet the following requirements:

(a) The fair market value of the replacement property is of at least equal fair market value to that of the converted property, as established by an appraisal prepared in accordance with OAR 736-007-0030(4)(b); and

(b) Replacement property is of reasonably equivalent usefulness and location as the property being converted or lost.

(4) If replacement property cannot be obtained within 24 months, the project sponsor will provide payment of the grant program's prorated share of the current fair market value to the department. The prorated share is that percentage of the

original grant (plus any amendments) as compared to the original project cost(s).

(5) If conversion should occur through processes outside of the project sponsor's control, such as condemnation or road placement or realignment, the department will require the project sponsor to pass the prorated share of whatever consideration is provided to the project sponsor by the entity that caused the conversion through to the department. The monetary value of whatever consideration provided by the taking entity will normally consist of the fair market value of the property established by an appraisal.

(6) Project Sponsors that have not addressed or submitted documentation to the department for review and remediation of an active conversion through the Local Government Grant Program or the County Opportunity Grant Program are not eligible to apply for County Opportunity Grant Program assistance.

(7) Project sponsors who have addressed a conversion at the local level and have submitted documentation to the department, NPS, or both for review and approval of the conversion through the department’s recreation grants programs may apply for funding assistance.

**Statutory/Other Authority:** ORS 390.117, ORS 390.124 & ORS 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PRD 5-2026, adopt filed 06/18/2026, effective 06/18/2026

**736-007-0050**
**Emergency Procedure**

(1) Under certain conditions such as, but not limited to, reduction or increase of these funds, an emergency procedure for awarding or canceling grants may be initiated at the discretion of the director.

(2) In implementing the emergency procedure, the director shall consider the availability of funds; the scope and need of projects available for funding; the urgency and statewide importance of prospective projects; and the need to expend additional funds that may become available in a timely manner. The director may propose projects to the commission for funding under this section and the commission may waive other requirements of this rule for the purpose of obligating funds in a timely manner.

**Statutory/Other Authority:** ORS 390.117, ORS 390.124 & ORS 390.134
**Statutes/Other Implemented:** ORS 390.134
**History:**
PRD 5-2026, adopt filed 06/18/2026, effective 06/18/2026