



# Oregon Parks and Recreation Commission

November 15-16, 2011

Hood River

## 11/16/2011 Meeting Minutes

Those attending all or part of the meeting included:

### **Commissioners Present:**

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

### **Staff:**

Tim Wood, Director  
Steve Shipsey, Assistant Attorney General  
Vanessa DeMoe, Commission Assistant  
Chad Montoya, Executive Assistant  
John Potter, Assistant Director, Operations  
Roger Roper, Assistant Director, Heritage & Community Programs  
Lisa Van Laanen, Assistant Director Administration  
Chris Havel, Associate Director, Communications & Research  
Cliff Houck, Real Property Manager  
Darin Wilson, Technical Services Manager  
Richard Walkoski, Communications & Research  
Kathy Schutt, Integrated Services Manager  
Jenn Cairo, Valleys Region Manager  
Mark Davison, Planning Team Leader  
Ron Campbell, Planning Specialist  
Claudia Ciobanu, Senior Policy and Rules Advisor  
Tanya Crane, Budget Manager  
Bevin Clapper, Quality Assurance Coordinator

### **Visitors:**

Rachel Nolan, Salem Resident  
Chuck Barnes, Oregon State Parks Trust

**Tuesday, November 15<sup>th</sup>**

**Workshops: 2:00 p.m. – 5:00 p.m. – The Columbia Gorge Hotel**

1. State Budget Process - 10 year Plan for Oregon  
Tanya Crane, Budget Manager

Ms. Crane provided the Commission with current information regarding possible impacts to the Department's budget for the current biennium and possible impacts on the budget process for the 2013-15 biennium. She shared that while the available information continues to evolve and processes will continue to be refined, the information shared is to keep the Commission aware of what the Department currently knows and understands; updates will be provided as further information becomes available.

2. Park System Plan  
John Potter, Assistant Director of Operations

Mr. Potter provided the Commission with an update on the Park System Plan. He discussed several topics with the Commission, including:

- Identifying Park System Business Lines
- Calculating Profitability
- Measuring Relative Impact
- Plotting Results - Matrix Map
- Development of an Initial Strategy

**Wednesday, November 16<sup>th</sup>**

**Executive Session: 8:30 a.m. The Columbia Gorge Hotel**

The Commission met in Executive Session to discuss acquisition priorities and opportunities. The Executive Session was held pursuant to ORS 192.660(2)(e). The Executive Session was closed to the public.

**Business Meeting: 10:15 a.m. The Columbia Gorge Hotel**

1. **Commission Business (Action)**
  - a) Approval of Agenda

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

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

Rachel Nolan, Salem resident

Ms. Nolan spoke regarding the Occupy Salem permit. She and the Commission discussed the parameters of the event agreement (permit) and the results of the decision not to extend the permit. Ms. Nolan also asked the Commission to reconsider the rules for events like Occupy Salem for the future.

3. **Approval of Commission Meeting Minutes (Action)**
  - a) September 2011

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

#### **4. Director's Update**

Tim Wood, Director

##### Blue Heron Property

Director Wood discussed the acquisition of the Blue Heron property in Oregon City. He said that the bid deadline has been extended. Director Wood shared that Metro is working on a bid for the Blue Heron property and explained that the agency is involved because the Governor had provided a letter stating that the State is interested in being involved as a partner and listed OPRD as one of those agencies. Director Wood said that a group of Commissioners and staff joined a tour of the site with Metro to get a better understanding of the property. He said that the status of Metro's bid is not known, however if they were to be successful they would acquire the property at their cost and then look for partners to help with the necessary assessments. Director Wood stated that additional details on this property and the agency's role will be shared as they become available.

##### Cottonwood Canyon

Director Wood shared that the Governor approved the Oregon Solutions Project to pull together a group to develop an education and interpretive center at Cottonwood Canyon State Park. He said that the approval of this project helps to recognize that Cottonwood Canyon is important to the community and the park system and will help bring partners to the table.

#### a) 2012 Commission Meeting Schedule (Action)

The following schedule for 2012 was before the Commission for approval:

- January 24-25           Portland
- April 3-4                Medford
- June 19-20             Prineville
- August 28-29          Salem
- November 6-7         La Grande/Pendleton

**Commissioner Graves moved to approve the 2012 Commission meeting schedule. Commissioner Risley seconded. The motion passed unanimously, 7-0.**

#### b) Audit Committee Report (Information)

Director Wood gave his general assessment of the workings of the Audit Committee from the last year. He stated that, from the Director's standpoint, the audit committee is providing very good oversight and guidance to the business activities in the department and has added value to what OPRD does. Director Wood said that the report shows that the agency has made progress in several areas, including the Small Purchase Order Transaction System (SPOTS) process and the activities at the Oregon Exposition Center and State Fair. He shared that he felt good about the progress that has been made. Both the Director and the Commission complimented the staff, specifically Bevin Clapper and Claudia Ciobanu, for their work.

## **5. Consent Calendar (Action)**

- a) Approval of Delegated Authority Report
  1. Contracts (Action)
  2. Natural Resources (Action)
- b) Graphic Design Price Agreement (Action)

**Commissioner Chalfant moved to approve the consent calendar. Commissioner Brown seconded. The motion passed unanimously, 7-0.**

## **6. Budget**

- a) Budget Update (Information)  
Tanya Crane, Budget Manager

Ms. Crane stated that the September 2011 Lottery forecast was released August 25, 2011. She explained that each time a forecast is released it is compared to close of session, which is what the agency budget is built on in the legislative process. Ms. Crane shared that the forecast reflected a decrease in Lottery Fund revenue for the Department of \$493,259. Since the close of session, the Lottery Fund revenue forecast has decreased by \$493,259. The Department's budget was built on a Lottery Fund revenue forecast of \$84.6 million and the September 2011 forecast is \$84.1 million. Ms. Crane discussed the approved and audited budget for the 2011-13 biennium with the Commission. Ms. Crane covered the following topics:

- Projections and various sources of revenues
- Approved policy packages
- Expenditure limitation
- Ending balance – empty limitation
- Unscheduled limitation

- b) Legislative Update (Information)  
Tanya Crane, Budget Manager

Ms. Crane and Director Wood explained that the February 2012 Session of the Oregon Legislature will be an opportunity for the Department to request adjustments to the 2011-13 biennium budget. Director Wood said the Department is currently gathering possible limitation increase requests. Director Wood shared that if the agency is permitted to go back and ask for additional limitation, a priority would be to reinvest in projects for maintenance and repair from the original FIP program. Director Wood asked the Commission for consensus on the direction the agency was taking; the Commission agreed.

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

Darin Wilson, Technical Services Manager

- a) Cove Palisades E-loop Campground Restroom (Action)

Mr. Wilson said that this request is for approval to award the contract to Kirby Nagelhout Construction in the amount of \$782,124.00 for the construction of the Cove Palisades E-Loop restrooms. He stated that this project will be constructed in parallel with the site work improvements that the Commission approved at the September 2011 meeting.

**Commissioner Chalfant moved to approve the Cove Palisades E-loop Campground Restroom. Commissioner Risley seconded. The motion passed unanimously, 7-0.**

b) Latourell Falls/Mitchell Point (Information)

Mr. Wilson said that this update provides the Commission a brief review of projects likely to have design, construction, or equipment contracts presented for action at an upcoming Commission meeting, or that may otherwise be of interest. He added that Technical Services staff has been reviewing the plans with park staff and came to the conclusion that it would be better to request Commission approval at its April 2012 meeting. Mr. Wilson explained that this will ensure that we have coordinated well with the impact to the visitors and have confirmed all the proper details for the bid and construction process.

c) Cottonwood Canyon Development (Information)

Mr. Wilson stated this update provided the Commission with a brief review of the initial development plans for Cottonwood Canyon State Park. Development is proceeding toward the goal of opening the park to the general public in September of 2013. He stated that the initial site plan for the park shows potential construction of a roadway through the park to a trailhead. He said staff is also focusing on the operations and day use areas which would allow development to move more easily into the reach projects including a basic campground or possibly cabins.

Commissioner Chalfant asked about the timing for land use approval for the county. Ms. Schutt said that the department has submitted land use approval applications to both counties and are currently working through the 90-day process. She said that Mr. Wilson would like to begin early construction in April 2012. She said the plan is to be prepared for the conditional uses with both counties.

## **8. Planning and Land Use**

a) Cape Lookout State Park Comprehensive Plan Update (Action)  
Kathy Schutt, Integrated Services Manager  
Ron Campbell, Planning Specialist

Mr. Campbell stated that at the September 2011 Commission meeting Ms. Schutt gave an update on the two draft design concepts for the core area of Cape Lookout State Park. He said that those concepts are in the draft master plan that was provided to the Commission for review. He said that the master plan has also been subject to public review and introduced to the Tillamook County Commission.

Mr. Campbell said that the purpose for this discussion was to hear the Commission's comments on the draft and ask for concurrence on the content. He explained that this will enable staff to move forward to the next steps in the process; this includes adoption of the master plan in state rule and to make sure that the plan is compatible with the local comprehensive plan.

Mr. Campbell explained that the reason for planning now is to address the threat of ocean hazards and to make the best use of the limited space for redesign and adding new facilities. He stated that the plan also allows for examination of resource management issues park-wide and the ability to address those issues. Mr. Campbell briefly covered the following highlights of the plan:

- Design Concepts
- Preparing for emergencies
- Protecting and maintaining existing facilities where practical
- Creating a new campground:
- Reallocating space in the day use area:
- Creating a new program area and interpretive hub
- Preserving and expanding quality habitats
- Next Steps

**Commissioner Brown moved to approve the Cape Lookout State Park Comprehensive Plan. Commissioner Graves seconded. The motion passed unanimously, 7-0.**

- b) Illinois River Forks State Park (Action)  
Tim Wood, Director

Director Wood stated that the Department has been operating and maintaining 80 acres adjacent to OPRD's ownership at Illinois River Forks State Park without a renewed Recreation & Public Purposes (R&PP) lease from the Bureau of Land Management (BLM) since 2007. He said that the developed facilities of the park are on the 80-acre parcel that OPRD leases from BLM, and includes a parking lot, restroom, and picnic shelter. Director Wood shared that OPRD field managers have been in discussions with the BLM district and Josephine County officials to seek solutions to difficult management issues at this location to retain a management role while meeting the recreation and resource protection needs of the community. Director Wood said that most of the park use that occurs on this parcel is not family-oriented recreation. He said that the park is located a considerable distance from the Valley of the Rogue Management unit preventing full time staff presence. Director Wood said that issues managing the park are primarily around law enforcement. He explained that the agency has tried to negotiate with the BLM, however it has become apparent that neither OPRD nor the BLM has adequate staff or financial resources to fully address the management issues on-site. Director Wood stated that a letter was delivered to Ed Shepard, State Director for the BLM, expressing our interest to permanently drop the renewal effort for the R&PP lease and to request information on vacating the property. Director Wood clarified that he was asking for Commission support for not renewing the lease and concentrating management on the portion of property that we own outright if BLM is unable to come forward with resources to help us manage the area to OPRD standards.

The Commission and staff discussed the management issues at Illinois River State Park and the possible outcomes for the parcel.

**Commissioner Brown moved to approve vacating the Illinois River Forks State Park lease. Commissioner Musser seconded. The motion passed unanimously, 7-0.**

## 9. Real Property

- a) Land Donation – OC&E Trail (Action)  
Cliff Houck, Property Manager

Mr. Houck shared that there have been trail access challenges on the OC&E Trail near Olene. He explained that Mr. Jones has offered to donate a parcel to OPRD for use as a trailhead at a safe access location. Mr. Houck shared that Mr. Jones is also requesting that the trailhead be named the Lowell Jones Trailhead at Olene in honor of his father. Mr. Houck explained that the request to name the trailhead is within the guidelines established in the COM 10-5 policy (Naming of Oregon State Parks and Facilities and other Types of Recognition) for the naming of state park facilities and sites. Mr. Houck said that after expressing OPRD's concerns regarding costs associated with improving the property for use as a trailhead, OM Power #1, LLC has offered to improve the property with a gravel parking area (typical of the area) and restroom facilities, as well as paving the entrance to the property to comply with ODOT requirements.

**Commissioner Chalfant moved to approve the OC&E Trail Land Donation and the naming of the trailhead to Lowell Jones Trailhead at Olene. Commissioner Risley seconded. The motion passed unanimously, 7-0.**

b) Land Acquisition – Kam Wah Chung – Stout property (Information)

Mr. Houck said that the Stout property is the second of the five properties identified in the master plan for acquisition. It includes a bed and breakfast/apartment complex and adjoins both the initial Kam Wah Chung property and the acquired Rawlins property. He shared that an appraisal and due diligence has been completed and that an agreement has not been reached yet with the Stouts for the purchase of the bed and breakfast, but an offer has been made. A possible action item could come before the Commission for the purchase of the Stout property at the next meeting.

The following items were provided to the Commission as information only; there was no discussion or presentation.

- c) Land Acquisition – Minam Store property (Information)
- d) Land Acquisition – Beaver Creek Natural Area –Oaks property (Information)
- e) Land Acquisition – Beaver Creek Natural Area – Tracy property (Information)
- f) Easement Acquisition –Rogue River Greenway Trail –RailAmer Inc. (Information)
- g) CELCP Grant and purchase of Big Creek at Carl G. Washburne Memorial State Park (Information)
- h) Clay Myers State Natural Area/Whalen Island (Information)

## 10. Rulemaking

- a) Update on rulemaking, OAR chapter 736, division 16 (Information)

This item was provided to the Commission as information only; there was no discussion or presentation.

- b) Adopt OAR chapter 736, division 15 – Recreational Immunity (Action)  
Richard Walkoski, Communications & Research

Mr. Walkoski shared that the Commission adopted temporary rules in March of 2010 to implement statutory changes made to the recreational immunity laws in Oregon by the 2010 special session of the legislature. He stated that the Commission also granted

approval to begin permanent rulemaking. Mr. Walkoski said that the Commission authorized one additional change to the reservation rules, changing of the term “Express Check-In” to “Pre-Registration.” He said that the proposed rules were posted for public comment and that no comments were received. The rules have also been reviewed and approved by Steve Shipsey of the DoJ.

**Commissioner Rudy moved to adopt OAR chapter 736, division 15 – Recreational Immunity. Commissioner Chalfant seconded. The motion passed unanimously, 7-0.**

- c) OAR chapter 736, division 21 – Ocean Shores (Action)  
Richard Walkoski, Communications & Research

Mr. Walkoski said that the Oregon Administrative Rules pertaining to the Ocean Shores have been unchanged since 1996. Ongoing evolution of ocean shore uses and demands and new laws and rules as applied to ocean shore management have heightened the need for a rules review and update. The department conducted a gap analysis to identify rules requiring clarification, modification, or additions. This information was presented to the Commission at the September 22, 2010 meeting in anticipation of requesting approval to go to rulemaking for OAR chapter 736, divisions 20-28, 30 and 80 Ocean Shore Rules.

Given the complexity and potential impact of changing multiple OARs simultaneously, the gap analysis identified making changes to division 21 as the most urgent and the likely basis for which other related rules may be modified. OAR chapter 736, division 21 General Ocean Shore State Recreation Area Rules governs the use of all ocean shore areas. Staff has developed draft changes through an internal agency advisory committee. Staff intends to solicit comments from a stakeholders’ advisory committee and at public hearings. Final draft rules will be presented to the Commission at an upcoming meeting for consideration for adoption.

**Commissioner Brown moved to approve commencing rulemaking for OAR chapter 736, division 21 – Ocean Shores. Commissioner Musser seconded. The motion passed unanimously, 7-0.**

- d) OAR chapter 736, division 45 – Natural Areas Program (Information)

This item was provided to the Commission as information only; there was no discussion or presentation.

## **11. Grants**

- a) Historic Cemeteries and Preserving Oregon Grants (Information)

This item was provided to the Commission as information only; there was no discussion or presentation.

## **12. Heritage Programs**

- a) WW II Memorial (Action)  
Roger Roper, Heritage & Community Programs

Mr. Roper shared the proposed footprint, location, and other details relating to the proposed memorial. He said that on November 4, 2011, OPRD convened a public meeting in Salem to review the basic design of the World War II Memorial proposed for installation in Wilson Park. Assisting with the review were members of a design review committee assembled by OPRD in accordance with the administrative rule relating to “Recognitions and Honorary Features” at the State Capitol State Park.

In general, the design of the proposed memorial has changed little from the version presented to the Commission at its meeting in September in John Day. This is the version that has been previously approved by both the Salem Historic Landmarks Committee and the Capitol Planning Commission.

The design review committee reviewed the proposed site, listened to the project proponent explain the memorial’s features, and discussed the project in depth. They voted on three action items:

1. Approval of design concept: Passed. 6 - 0.
2. Approval of site: The proposed site is acceptable, though committee had concerns that the site was too noisy for a contemplative experience. Committee recommends the final site design plan make every effort to improve this aspect of the memorial. Passed. 5 - 1.
3. Recommendation for “OREGON” topiary (must be removed to install the memorial): The committee recommends OPRD recreate the OREGON topiary in another location in the park. Passed 6-0.

These three decisions represent the Director’s proposal to the Commission with a request for approval.

**Commissioner Brown moved to approve the WW II Memorial proposal. Commissioner Chalfant seconded. The motion passed unanimously, 7-0.**

b) Heritage Programs Report (Information)

This item was provided to the Commission as information only; there was no discussion or presentation.

**13. Natural Resource Management**

a) Oregon Consensus process for Sebastian Shores (Information)

This item was provided to the Commission as information only; there was no discussion or presentation.

**14. Reports (Information)**

The following items were provided to the Commission as information only; there was no discussion or presentation.

- a) Willowa Lake Moraines Coalition Update
- b) Cottonwood Canyon Acquisition Status
- c) Tryon Creek Management Unit Comprehensive Plan
- d) Western Snowy Plover Management Plan for Bandon State Natural Area

- e) BPA Willamette Wildlife Mitigation program
- f) 2011 State Fair
- g) Mountain Biking Pilot Projects
- h) Rulemaking Status

**15. Commission Planning Calendar (Information)**

January 24-25

Portland - Tryon Creek State Park, Nature Center

Tuesday 1/24 – site visits & workshop sessions

Wednesday 1/25 – Executive Session & Business Meeting

**Commissioner Brown moved to adjourn the November 16, 2011 meeting of the Oregon Parks and Recreation Commission, Commissioner Musser seconded. The meeting was adjourned at 1:30 p.m.**