



Oregon Parks and Recreation Commission

May 13, 2007
Approved Minutes

Commissioners Present: Bill Gregory, Chair; Nik Blosser, Vice-Chair; Brad Chalfant, Sharon Rudi; Jim Brown; Sue Musser; and Jim Parr

Staff Present: Tim Wood, Director; Jan Dean, Assistant Director, Administration; Dave Wright, Assistant Director, Operations; Kyleen Stone, Assistant Director, Recreation Programs and Planning; Dave Koellermeier, State Fair Manager; Rocky Houston, Recreation Trails Coordinator; Richard Walkoski, Recreation Programs Manager; Cliff Houck, Manager, Resource Management and Planning; Roger Roper, Assistant Director, Heritage Programs; Kate Schutt, Planning Manager; Laurel Hillman, Coastal Resource Planner; Ron Price, ATV Grants Program Coordinator; Michele Scalise; Grants Program Coordinator; Marilyn Lippincott; Senior Grants Program Coordinator; Connie Bradley, State Fair Partnership Development; Mark Davison, Master Planner; Wayne Rawlins, Grants Division Manager; Ron Price, ATV Grants Coordinator; Jim Myron, Legislative Coordinator; Steve Shipsey, Assistant Attorney General; and Pamela Berger, Commission Assistant

Visitors Present: Karma Krause, Travel Industry Council; Cliff Wooten, Linn County Commissioner; Jim and Jan Wilbur, OPRD park hosts; Ralph Sapenstein, Boise Cascade; Ernie Drapela, Recreation Trails Advisory Council; Bruce Ronning, Bend Metro Parks and Recreation Department; Everett Kaser, Willamette Disc Golf Club and Disc Gold Club of Albany; Ron Cooper, Independence citizen; Andrea Melendy, Independence citizen; Patrick Melendy, Independence citizen; Mancil Russell, Independence citizen; Greg Ellis, City Manager, City of Independence; John Kime, Independence citizen; and Barrett Brown, ATV Oregon Motorcycle Riders Association

The Commission Meeting began at 8:30 A.M.

1. Approval of Agenda

Jim Parr moved the agenda, moving Item 6 to be heard prior to Item 13. Sue Musser seconded. The motion passed unanimously.

Subsequently, Item 13 was moved to follow the public comment period for Item 6.

2. Public Comment

Bowers Rock

Everett Kaser, Willamette Disc Golf Club and Disc Gold Club of Albany, told of his support in the acquisition of Bowers Rock and hopes that OPRD will consider including an 18-hole, 27-hole, or 36-hole course in the development plans for the park.

Kate Schutt, OPRD Planning Manager, noted that the agency's Master Plan for Bowers Rock has been updated to include disc golf and other recreational needs that have emerged as the population has grown.

Ash Creek Trail

Patrick Melendy, Independence citizen, expressed his concerns regarding the proposed Ash Creek Trail (one of the Recreation Trail Program Grants under consideration at today's commission meeting) and the private property rights of citizens who own homes and property in the proposed path of the trail. He noted that property owners are not

willing to give up their property rights, privacy or security for the development of this trail and that they were not consulted by the City of Independence when the plans were developed. Phase II of the plan shows the trail running up against the backyards of many homeowners. He asked the commissioners to consider the negative impact the trail will have.

John Kime, Independence citizen, talked about the potential of increased crime with the inception of Ash Creek Trail. The cities of Independence and Monmouth approach to addressing the new security issues include 1) ask private property owners along the creek to provide 24-hour surveillance, and 2) place lighting throughout the corridor; and design the trail so that police vehicles can access the entire corridor. He asked that on behalf the citizens of Independence and Monmouth to decline or suspend the grant to prevent this project from becoming a roadway for criminals and police cars.

Ron Cooper, Independence citizen and owner of property on Ash Creek, expressed his concern about the perpetual flooding that occurs on Ash Creek, typically between November – February. Much of the proposed trail will be underwater or close to being flooded during high water events. He questions the City's assertion that the trail will become a "safe route to school children". He requested the commissioners to delay or decline approval of the grant funds.

Andréa Melendy, Independence citizen, noted the effects that the Ash Creek Trail will have on wildlife and the riparian zone. She feels that green spaces for people should be developed in areas already used by people. She also noted her concerns of potential litter.

Mancil Russell, Independence citizen and former Independence Parks and Recreation member, told commissioners that this concept has been on the table since the 1970s. Because of budgetary limitations it never moved forward. Now 20 years later, other massive improvements are needed for the local parks. He does not support the City spending over \$4 million to put a "road" in a land-locked proposed park without demonstrating they can maintain and upgrade existing parks.

Greg Ellis, City of Independence, noted that the city included notices in their utility bills of the proposed trail, acknowledging the word may not have gotten out as well as it should have. He provided the Recreation Trails Grant application that included a site map. He pointed out that trails in Portland and Eugene are clean people take care of them. Also, studies show no crime issues arise from the development of a trail.

13. Recreational Trails Grant Program Grant Approval (Wayne Rawlins)

Wayne Rawlins, Grants Division Manager, noted that the Recreation Trails Advisory Committee met March 14-15, 2007 to evaluate and rank 31 qualified applications seeking funding assistance; 27 for non-motorized and six for motorized projects. The committee heard the presentations and based upon the program's evaluation criteria, scored the projects. The funds available for this round of grants total \$672,808 for non-motorized and \$319,346 for motorized for a total of \$992,154. The commission's approved projects will be submitted to the U.S. Department of Transportation, Federal Highway Administration for review and authorization.

In regards to concerns raised about the Ash Creek Trail, Mr. Rawlins said that public outreach had occurred. The grants committee does not have a policy for lighted trails –

that is up to the grant requestor. In response to Commissioner Musser, he explained that if the Ash Creek grant was held over until the next commission meeting, it would not be eligible until the next grant cycle, which would be around January 2008.

Bruce Ronning, Bend Metro Parks and Recreation Department, noted that urban trail standards are typically 10 foot wide or wider.

Commissioner Rudi acknowledged that similar concerns arose during the planning process for trails in the Baker City area. They found that citizens and friends groups have taken such pride to make sure the areas are clean (e.g. providing litter containers, litter patrols). There has been a great public effort in taking ownership.

Commissioner Blosser said he leans towards approving the Ash Creek grant although the City of Independence needs to do a better job in receiving public input.

Commissioner Chalfant noted that although it is not true in this case, he would like the advisory committee to question future applicants about putting development features in flood plain areas.

Brad Chalfant moved to accept the non-motorized trail grant request at this time, and to have further discussions motorized trails. Nik Blosser seconded. The motion passed unanimously.

Nik Blosser moved that motorized grants not be approved due to ATV safety issues not being adequately addressed and not supported by the legislature. There was no second to the motion. Commissioner Blosser withdrew his motion.

Mr. Rawlins explained there is a federal requirement that recreational trails grant be allocated to both motorized and non-motorized trails.

Bruce Ronning explained that ORTAC discussed areas of concern including the Oregon State Trails plan that gives strong emphasis to local and convenient trails. Secondly we have criteria that address sustainability.

Commissioners discussed the department's authority to require safety standards.

Cliff Wooten, Linn County Commissioner, noted that there is a responsibility to recreate in a safe manner.

Jim Brown moved to approve the ranking of the Recreation Trails Program Grants as given by the Recreation Trails Advisory Committee and award the funds as they are available. Sue Musser seconded. Commissioners Brown, Rudi, Musser, Chalfant, Parr, and Chair Gregory voted aye. Nik Blosser voted nay.

3. Approval of Minutes

Jim Parr moved approval of the March 8, 2007 commission minutes. Jim Brown seconded. The motion passed unanimously.

4. Director's Update

a) **Legislative Update (Jim Myron)**

Jim Myron, Legislative Coordinator, provided an update on the status of the following legislative bills:

- SB 29 - Reallocation of RV Registration Fees
- SB 101 - ATV Safety Training
- SB 416 - Historic Property Assessment Program
- SB 632 - Capitol Mall State Park
- SB 926 - Velodrome Parks
- HB 3224 - Willamette River Enhancement
- HB 3418 - Oregon Main Street Program

He noted that the agency's budget will be heard by the Ways and Means Committee next week and will likely be approved.

No commission action was requested.

b) **Governor's Recommended Budget 07-09 (Tim Wood)**

Director Wood discussed the next revenue projection which is due May 15, 2007 and the proposed agency's budget packages.

No commission action was requested.

5. **Approval of Delegated Authority Report**

a) **Contracts (Jan Dean)**

Jan Dean, Assistant Director, Administration, noted that the current report includes:

- 30 new contracts for a total of \$857,864
- 12 new agreements for a total of \$243,903
- 6 change orders for a total of (\$105,181)
- 15 amendments for a total of \$253,035
- 10 work orders on Agreements to Agree for a total of \$477,410
- 45 fairground event permits and revised permits for a total revenue of \$185,415 for the department
- 1 new contract for revenue generated for a total of \$700,000

Jim Brown moves to approve the contracts. Jim Parr seconded. The motion passed unanimously.

b) **Natural Resources (Cliff Houck)**

Cliff Houck, Manager, Resource Management and Planning, requested approval of actions taken under delegated authority for Natural Resources Management from February 12 - April 17 2007 for Scenic Waterways Notifications And Ocean Shore Alteration Decisions.

Jim Parr moved approval of the delegated authority report. Sharon Rudi seconded. The motion passed unanimously.

6. **Oregon Recreation Trails Advisory Council Update (Kyleen Stone)**

Kyleen Stone, Assistant Director, Recreation Programs and Planning introduced Bruce Ronning and Ernie Drapela, both members of the Oregon Recreation Trails Advisory Council (ORTAC).

Mr. Drapela gave a brief history of the legislatively mandated advisory council that was enacted while the program was under ODOT. At that time, the Governor made appointments to council; now the OPRD commission makes the council appointments. The council is made up of seven members representing a wide range of knowledge and user groups who work with federal state and local communities. He discussed the 2014 plan noting that ORTAC takes those goals very seriously.

Bruce Ronning discussed ORTAC's role in for implementing the 2014 plan, sharing their priority list, which include representation for walking trails, bike pathways, and horse trails. They want to work closely with OPRD staff to develop Master Plans for trails of statewide significance to make sure the vision is met. He distributed and discussed the State Trails plan.

No commission action was requested.

7. Administrative Rule Adoption

a) State Fair Rules (Dave Koellermeier)

Dave Koellermeier, State Fair Manager, introduced Connie Bradley, noting her involvement in the rule process. Mr. Koellermeier explained that as part of the integration of the Oregon State Fair into OPRD the rules for the State Fair need to be updated in order to be consistent with existing rules as well as being integrated into the existing rules for OPRD. The former State Fair rules, Chapter 622, will be repealed and incorporated into OPRD's Administrative Rules, Chapter 736. A Rules Advisory Committee and a public hearing were held to gather input on the proposed rules.

Sue Musser moved adoption of the rules. Sharon Rudi seconded. The motion passed unanimously.

b. General Park Area Rules (Richard Walkowski)

Richard Walkowski, Recreation Programs Manager, noted the proposed rules would:

- Prohibit interfering with a park employee in the performance of their duties;
- Prohibit entering or occupying a closed park facility;
- Prohibit kayaking over water falls when the park manager has determined the activity to be a danger to participants;
- Prohibit diving from rocks into a lake or stream or other body of water when the park manager has determined the activity to be a danger to participants;
- Require park visitors to pay rates established in OAR 736 Division 15 for facilities and services used at a park.

No public comment was received. Comments received from OPRD staff resulted in changes to the language in 736-010-0020 (9) regarding appeals for persons excluded from a park, and 736-010-0025 (5) regarding towing a vehicle that impedes park operations, safety or both. The revisions have been reviewed for legal sufficiency by DOJ legal counsel.

Commissioners discussed the agency's role and authority to prohibiting kayaking over water falls. Brad Chalfant expressed his concern about the implication that the department would be getting in the business of "rating" a falls or ensuring the safety of waterfalls. He does not think this is the right approach. Mr. Walkoski said that without this rule there is no way a ranger could tell someone not to jump off rocks, etc. TORT

claims and recreational immunity issues were discussed. Brad Chalfant suggested that a notice at trailhead be posted reminding folks of danger. Kyleen Stone said that this rule was at the request of local county government because of EMT rescue costs. Director Wood explained enforcement would occur by having a park manager post warning signs, then counsel the person by encouraging voluntary compliance, and lastly issue a citation for violating a park rule, which is not a civil penalty.

Sharon Rudi moved the adoption of the rule. Jim Parr seconded. Commissions Parr, Blosser, Brown, Rudi, and Chair Gregory voted aye. Brad Chalfant voted nay.

8. Real Estate (Cliff Houck)

a Susan Creek – Douglas County Release

Cliff Houck, Resource Management Manager, explained that in 1955 Douglas County transferred a parcel of land along the North Umpqua River to the department with a deed restriction requiring development of a public park and campground. OPRD did not develop the property and at the request of Douglas County, transferred the site back to the county in 1994 with the same deed restriction.

Douglas County is now pursuing a potential land exchange with Bureau of Land Management (BLM). The acquisition of this parcel by BLM is a prerequisite for a bridge for the North Umpqua Trail with partnerships between Umpqua National Forest, BLM, and Douglas County Parks Department. BLM has requested that this deed restriction be removed to hold the property as a natural area with only trail development. The department is seeking approval to provide a release document for deed restrictions from the 1994 OPRD deed to Douglas County.

Jim Brown moved to release the document for deed restrictions. Sharon Rudi seconded. The motion passed unanimously.

b. Driftwood Beach – Sherwood School District

Mr. Houck noted that Driftwood Beach State Recreation Area is a 7.7-acre upland parcel north of Waldport. The property is improved with a parking lot, restrooms and trail access to the beach. OPRD also owns the Gill Wayside that is managed as a natural area and wetland with no access to the highway.

OPRD has been actively working with two adjacent owners on the purchase of their properties. The Sherwood School District owns 20.93 to the south of Driftwood Beach and Lowell Patton owns 23.49 acres directly north of Gill Wayside and has agreed to allow us to appraise his property. These properties are identified in the Acquisition Priorities Plan and the 07-13 Acquisition Plan, and identified within the Ocean Shore Management Plan for protection. OPRD would have no development plans for this location other than low impact trail development for additional beach access. The department requests approval to acquire the Sherwood School District Property at the appraised value of \$1,665,000.

Nik Blosser moved to purchase the property. Brad Chalfant seconded. The motion passed unanimously.

c) Minto-Brown Island – Boise Cascade Property

Mr. Houck said that a 310-acre parcel on the north end of Minto-Brown Island within the city limits of Salem has come on the market after years of ownership by Oregon Pulp and Paper Company (Boise Cascade). OPRD has started discussion with the City of Salem and Boise Cascade regarding the possible acquisition and management of this property. Boise is awaiting a letter of “no further action” from the Oregon Department of

Environmental Quality (DEQ) regarding environmental conditions and work that has been on going at the site. Minto-Brown Island has over 898 acres of parkland today with natural areas, hiking, jogging, and bicycle trails. This city park is primarily nature-oriented with only four parking lots, two chemical toilets, one set of playground equipment, and one picnic shelter. Public ownership of the Boise site would complement the city park as well as provide additional recreational opportunities along the Willamette River. Boise donated 22 acres of the northern tip of Minto-Brown Island to The Nature Conservancy because of a Great Blue Heron rookery. The Salem chapter of the Audubon Society manages the site for the Conservancy. In 1989, the company planted about 47 acres of trees on the Island.

Master plans by the City of Salem would connect the Boise property by bridge to the Riverfront Park (22 acres) with a renovation of the RR Bridge across the Willamette that would connect Wallace Marine Park (114 acres) to the Riverfront Park. The property would provide an excellent connection to other Willamette Greenway properties and additional opportunities for the Willamette River Water Trail.

No commission action was requested.

9. Contract Approval (Cliff Houck)

Contract Approval Silver Falls Forest Health Improvement Project

Cliff Houck noted the department has received competitive bids for a commercial thinning operation in Silver Falls State Park to remove approximately 903,000 board feet of Douglas-fir. The project area, located in the northeast corner of the park, is approximately 77 acres in size. The master plan for the park identifies the project area as young, coniferous forest exhibiting dense tree spacing, high, shallow tree canopies and few openings in the stand. Thinning objectives were designed to meet the master plan guidelines of accelerating mature stand characteristics and improving connectivity between forest stands for wildlife movement.

Jim Brown moved to award the contract to Frank Lumber in the amount of 461.70/mbf. Nik Blosser seconded. The motion passed unanimously.

10. Certified Local Government (historic preservation) Grant Approval (Roger Roper)

Roger Roper, Assistant Director for Heritage Programs submitted a list of recommended CLG grant applications noting that all that applied were recommended for funding, although not at the level requested. . The grants range from \$3,000 to \$11,800 and are awarded on a non-competitive basis. Projects include:

- Surveying and documenting historic buildings and archaeological sites
- Listing properties in the National Register
- Conducting condition assessments and feasibility studies
- Public education activities (walking tour booklets, websites, school programs)
- Brick-and-mortar rehab work on historic buildings and structures
- Training for preservation staff, landmark commission members, and the public
- Implementing design review at the local level for building permit applications

Nik Blosser moved to approve the recommended grants. Jim Brown seconded. The motion passed unanimously.

Jim Parr read a letter from First Lady Mary Oberst acknowledging Roger's diligent work in preserving historical properties in the state of Oregon.

11. Veterans' and War Memorial Grant Approval (Wayne Rawlins)

Wayne Rawlins, Grants Division Manager, told commissioners that the Local Government Advisory Committee met on April 3, 2007 to review eight grant applications totaling \$201,663. Of the \$50,000 that was available for grants this year, the committee recommended funding two projects which total \$41,460. The committee recommended using the remaining balance of \$8,540 in the next grant cycle. Project applications were prioritized according to established scoring criteria, which included needs and planning, partnerships, public support, timeliness, source of funding, sustainability, and committee member evaluation.

Nik Blosser moved approval of advisory committee's recommendations. Jim Parr seconded. The motion passed unanimously.

12. ATV Grant Program Grant Approval (Wayne Rawlins)

Wayne Rawlins, Grants Program Manager, said that the All-Terrain Vehicle (ATV) Account Allocation Committee met April 6, 2007 to review 27 grant applications totaling \$1,508,81 for the time period from July 1, 2007, through June 30, 2008.

Barrett Brown, ATV Oregon Motorcycle Riders Association, told of his forestry and ATV background. He reminded commissioners that his affiliates supported the ATV helmet bill and that other issues factored into the legislative rejection of OPRD's other safety bills.

Jim Brown moved approval recommendations from the ATV Account Allocation Committee. Sue Musser seconded. The motion passed unanimously.

14. Planning for the Centennial Horizon (Mark Davison)

Mark Davison, Master Planner, quoted Sam Boardman that "land will never be cheaper than it is now" noting that Mr. Boardman was able to look over 100 years ahead. Today the commission is poised to begin thinking about OPRD's future beyond 2014 and even beyond the centennial marker. To assist commissioners in this forward-looking exercise, OPRD staff is proposing the following three-step planning process.

- Step 1: OPRD staff will compile research, data and background reports that have been completed in recent years. In addition, staff and commissioners will develop and document the process for this project.
- Step 2: Commissioners will work with staff to create a strategic framework for planning based on information compiled in Step 1.
- Step 3: Commissioners will use this framework as support to create a strategic vision for OPRD's future.

Nik Blosser moved approval to begin the planning process. Jim Parr seconded. The motion passed unanimously.

15. Silver Falls Master Plan Update (Kate Schutt)

At the January 11, 2007 meeting of the Oregon Parks and Recreation Commission, staff provided preliminary information that would be used to guide a master planning process for historic properties and recent, adjoining acquisitions at Silver Falls State Park. Staff will present an update of the master planning process currently underway. She reviewed the planning schedules.

No commission action was requested.

16. Marine Park Concepts (Kate Schutt)

Kate Schutt, Planning Manager and Laurel Hillman, Coastal Resource Planner, updated the commission on a “Marine Park” concept for Oregon. Following interest expressed by the non-profit group, Oregon Ocean and the Governor’s Natural Resource Office, OPRD has begun to investigate what we could do to create a Marine Park in the waters adjacent to existing state parks in Oregon. The objective of a Marine Park would be to promote public education and awareness; support marine recreational opportunities; and increase knowledge about marine ecosystems and the resources contained within the waters adjacent to coastal state parks. No new regulations are anticipated. However, increased on-site presence and interpretive staffing may lead to increased compliance with current rules. Interpretive signage and supportive media would tell natural resource stories as well as promote marine recreational opportunities. A web page would be developed to spread the story and promote Marine Parks on the agency web site. Seasonal interpretive naturalists could be able to provide on-site programs. Proposed work-scope:

Phase 1 – Site identification and initial planning

Phase 2 – Interpretive & Recreation Plans

Phase 3 – On-the ground implementation

No commission action was requested

17. Climate Change Recommendations and Updates (Kate Schutt)

Kate Schutt, Planning Manager and Laurel Hillman, Coastal Resource Planner updated the commission on potential impacts of climate change on Oregon’s state parks and management responsibilities along the coast: The impacts of both sea level rise and the other potential impacts of climate change are expected to vary a great deal both regionally and locally.

In the last decade sea level has risen approximately 1.22 inches. Reports describe various scenarios for potential sea level rise up to 1.94 feet in the next 100 years. Other estimates are for 1.64 to 4.6 feet higher. These estimates do not factor in melting glaciers, which could cause a rise in approximately 23-48 feet. With this anticipated occurrence, potential impacts to coastal state park properties, coastal permitting, and management responsibilities could include significant the loss of recreational facilities and popular use areas such as the beaches due to sea level rise, especially at low lying coastal parks on the north and central coast.

The Governor’s Climate Change Integration Group (CCIG) has prepared an interim report that proposes initial actions aimed at helping the state prepare for climate change. Proposals include establishing a climate change research center and to continue greenhouse gas tracking and reporting system for state agencies.

In addition to these efforts, OPRD continues to coordinate with the coastal program of the Department of Land Conservation and Development and the coastal staff of the Department of Geology and Mineral Industries on coastal hazard issues.

No commission action was requested.

18. 2007 State Fair and Fairgrounds Planning Update (Dave Koellermeier)

Dave Koellermeier, State Fair Manager, updated the commissioners on concert and other activities planned for the 2007 State Fair. He noted that at the request of the Governor's Office, a meeting was held with the Oregon Office of Energy, OPRD, State Fair and Governor's office representation to discuss the concept if the State Fairgrounds could serve as a site for an Energy Park. The meeting participants thought the concept warranted an industry-wide discussion. Both public and private sector met and committed to support the next steps. This concept fits our approved Business Plan and the concept can be incorporated into the State Fair Master Plan.

No commission action was requested.

19. Capital Assets Annual Report

Due to time constraints, this informational agenda item was not discussed at the meeting; however it was previously reviewed by commissioners.

20. Agency Risk Assessment

Due to time constraints, this informational agenda item was not discussed at the meeting; however it was previously reviewed by commissioners.

21. Commission Planning Calendar

Director Wood noted the July 12, 2007 is scheduled at Honeyman State Park in Florence. On the afternoon of July 11, 2007 the commission tour will include ocean shore permit areas.

No commission action was requested.

22. Commission Discussion

Commission members agreed to have a full day tour on September 19, prior to the September 20, 2007 commission meeting in Bend.

Commissioners acknowledged Commissioner Blosser's last meeting with a photograph of Erratic Rock.

The commission adjourned at 12:30 P.M.

Respectfully submitted,

Pamela Berger
Commission Assistant