



Oregon Parks and Recreation Commission
Meeting Minutes - Approved
January 11, 2007
Silver Falls State Park

Commissioners Present: Bill Gregory, Chair; Brad Chalfant; Sharon Rudi; Jim Brown; 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; Cliff Houck, Manager, Resource Management and Planning; Roger Roper, Assistant Director, Heritage Programs; Jan Houck, Water Recreation Program Coordinator; Kate Schutt, Planning Manager; Chris Havel, Communications Coordinator; Wayne Rawlins, Grants Division Manager; Ron Price, ATV Grants Coordinator; Jim Myron, Legislative Coordinator; Marilyn Lippincott, Senior Grants Program Coordinator; Steve Shipsey, Assistant Attorney General; Ken Goforth, Financial Services Manager; Tanya Crane Budget and Payroll Manager; Mark Davison, Master Planner, Recreation Programs & Planning, Jack Wiles, Region 2 Manager; Kevin Strandberg, Silver Falls Park Manager; Steve Janiszewski, Cascade District Manager; Karla Rocco, Assistant for Administration; and Pamela Berger, Commission Assistant

Visitors Present: Randy Rasmussen, Natural Trails & Water Coalition; David Lexow, Motorcycle Riders Association, Tom Harris, Oregon Recreation Coalition; Pat Harris, ATV Committee Member; Tyrrell Hart, ATV-AAC; Lance Colburn, Blue Mt. Back Country Riders; Judge Terry Tallman, Morrow County; Burke O'Brien, Morrow County; Travis Williams, Willamette Riverkeeper; Elizabeth de Wilde, Luckiamute area resident; Jeroldine Mulkey, Luckiamute area resident; Bart Barlow, Mt. Emily Recreation Coalition; and Hanley Jenkins, Union County

The Commission Workshop began at 9:20 AM

Commission members and staff met at the Upper Smith Creek Hall to hold a workshop to discuss legislative issues, the Silver Falls cultural landscape, and Silver Falls facility investment projects.

Jim Myron, Legislative Coordinator, reviewed issues for the current 2007 legislative session including budget review, status of the All Terrain Vehicle (ATV) bill package, legislative action plan review, legislative process and timelines, and commission involvement. Members agreed that Director Wood and Jim Myron should be the main OPRD contact with legislators. Legislative objective and strategies include passing the program option packages in the Governor's Recommended Budget, work with legislators to pass the ATV safety related bills, obtain approval to revise the budget structure for allocating funds to approved agency programs, review new programs and proposed initiatives for consistency with the department's mission and commission goals, develop a "parks and recreation caucus", improve legislative support for agency programs, and support legislative initiatives promoting healthy kids, outdoor recreation, and livable communities.

Mark Davison, Master Planner, Recreation Programs & Planning, gave a presentation on the "golden-era in park master planning," showcasing Silver Falls as one of the most complete and

extant examples of rustic style master planning in the United States. One of most noteworthy discoveries has been that rather than the single, 9000-acre Park we think of today, historically, Silver Falls is best understood as two separate parks. With Highway 214 dividing the two parks, “Silver Creek Falls State Park”, was located on the northwestern, Canyon Trail side and the much larger “Silver Creek Recreational Demonstration Area (RDA)” was located on the southeastern, Campground side. It is these two parks, Silver Creek Falls State Park and Silver Creek RDA that tie today’s Silver Falls State Park together

The historic planning of the parks and the preservation of the landscapes date back to the era of the Great Depression and Franklin D. Roosevelt’s New Deal. In the early 1930s, the landscape, roads, trails and buildings of the two parks were master planned by the National Park Service (NPS) in a style known as “Rustic.” The Rustic style sought to create harmony between man-made structures and their natural environment. In 1935, as part of Roosevelt’s New Deal program and through the work of the CCC, the area to the southeast of Highway 214 was designated a Recreational Demonstration Area (RDA) by the NPS. The RDA at Silver Falls was created with main two goals in mind: to restore marginal agricultural and timber lands to their original state, and to provide recreational opportunities to local families and deprived youth through the creation of three group camps in the new park. The bounds of forest as there are today at Silver Falls are second growth from the more than one million trees replanted by the CCC in restoration efforts during the 1930s and early 1940s.

Camps included Silver Creek Youth Camp, the original boys’ camp in the RDA, which continues to be used today by the YMCA for its original purpose, and Smith Creek (girls’ camp) and the Family Campground, which is somewhat diminished but is still in use. Silver Creek Falls State Park was located to the NW of Highway 214 and was designed by the NPS in cooperation with Oregon State Parks as a state park from its inception in 1931. The park was master planned to provide access to the outstanding waterfalls via the Canyon Trail, which was served by two-day use areas at the south and north falls. The design for this park also followed rustic principles with axe-cut logs and hand-tooled native stones used in the construction of the buildings, the most notable example being the South Falls Lodge. The Canyon Trail was also designed to give visitors the best views of the falls and the CCC used careful craftsmanship to carve out trails in the rock faces behind the falls, South Falls being the most visible example of this technique.

The Cultural Landscape Assessment for Silver Falls State Park will establish a preservation philosophy for the cultural landscape—a set goals and strategies that will guide the preservation of the cultural landscape for the upcoming years. The Cultural Landscape Planning Report, by looking at the two historic areas of the park and evaluating the significance and integrity of what remains today, provides guidelines for managing the park in the future. The findings give Silver Falls an overarching philosophy by which to make decisions on the treatment of everything from its roads, trails, bridges, and buildings, to its views, vegetation, signs, and picnic areas. This information will be used in the ongoing master plan for Silver Plans and can provide guidance on how to develop culturally sensitive areas. There is also a possibility that the findings from the report could lead to a National Historic Landmark District nomination for the park.

Members and staff toured the Silver Falls area to view some the recent Facility Investment Projects.

The Business Meeting began at 1:20 PM

1. Approval of Agenda

Jim Parr moved approval of the agenda. Brad Chalfant seconded. The motion passed unanimously.

2. Public Comment (all written testimony becomes part of the permanent record file)

(Relating to Item 17):

Hanley Jenkins, Union County, presented his support of the grant proposal to receive 100%, instead of 80% funding to purchase lands. He noted the difficulties to collect the 20% matching funds due to competition. If jurisdictions can't come up with the funding, opportunities will be lost.

Bart Barlow, Mt. Emily Recreation Coalition, offered his support of receiving 100%, instead of 80%, funding for ATV Grants to purchase lands. He showed a map of the Mt. Emily area, which is currently for sale. It will be liquidated and subdivided into 240 lots and sold to the highest bidder. We've unsuccessfully worked with the owner to purchase this land as we are competing with large companies for the land. It is almost impossible to come up with a 20% match for a \$9 million piece of property. A 100% match is necessary in order to save the land for recreation purposes. Commissioner Chalfant suggested they sell community enforcement bonds, which are revenue bonds, in order to raise money.

3. Approval of Minutes from the November 9, 2006 Commission meeting

Jim Parr moved approval of minutes. Sharon Rudi seconded. The motion passed unanimously.

4. Director's Update (Information)

- The department has diligently been clearing numerous fallen trees, due to recent windstorms, at the Maude Williamson State Park and the Van Duzer Corridor.
- Staff and myself recently met with Senator Gary George and City of Newberg officials to discuss potential development of a trail-way system that would link Newberg to Champoeg State Park. The City of Newberg recognizes the value of bicycle recreation.

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:

- 33 new contracts for a total of \$741,091
- 7 new agreements for \$326,691
- 6 change orders for a total of \$13,794
- 27 amendments for a total of \$306,031
- 18 work orders on Agreements to Agree for a total of \$23,670
- 2 sponsorship agreements with the fair for \$62,257 revenue to the department
- 8 fairground event permits for a total of \$41,410 revenue to the department
- 2 grant agreement amendments with no fiscal impact to the department
- 2 revenue agreements for a total of \$4,800 revenue to the department

Brad Chalfant moved to approve the contracts. Jim Brown 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 October 18, 2006 through December 14, 2006 for Scenic Waterways Notifications And Ocean Shore Alteration Decisions.

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

6. Director’s 2006 Expenses (Jan Dean)

Jan Dean, Assistant Director, Administration, noted that the Oregon Accounting Manual requires annual Commission review of specific financial transactions of the agency director. The review must be documented in the meeting minutes. The financial transactions include travel, exceptional performance leave, and vacation payoff. She provided a summary of Director Wood’s travel expenses. Travel reimbursement requests for all Department staff (including the director) are reviewed prior to payment by Financial Services Division staff to ensure compliance with state employee travel rules. Director Wood had no exceptional performance leave or vacation payoff to report. She noted that expenses might have been incurred during December 2006 that did not show up on this report.

Jim Brown moved to accept the Director’s Expense Report for 2006. Sharon Rudi seconded. The motion passed unanimously.

7. Governor’s 2007-09 Recommended Budget (Jan Dean)

Jan Dean explained that the Department’s budget includes all of the policy packages approved by the Commission for inclusion in the 2007-09 Agency Request Budget. Furthermore, several new packages were added to the budget plus additions were made to some of the Commission approved packages. Package adjustments include:

New Packages:

- State funding for the Oregon Historical Society \$2.82 million Lottery
- Willamette River Legacy \$2.00 million Lottery
- Downtown Heritage \$0.75 million Lottery

Adjusted Packages:

- Additional increase in Acquisitions \$1.00 million Lottery
- Additional increase in Preservation Grants \$0.30 million Lottery
- Additional increase in development investments \$3.00 million Lottery
- Net DAS Price List Adjustments \$0.11 million

No commission action was requested.

8. Procurement Administrative Rule Adoption (Jan Dean)

Jan Dean noted that at the August 17, 2006 meeting, the Commission authorized staff to go to rulemaking on proposed rules to carry out procurement authority granted in ORS 279.050(6)(c) to procure “all goods, services, public improvements and personal services related to state parks”. Staff convened a Rulemaking Advisory Committee including the Department of Administrative Services and Department of Justice to draft, review and revise the rules. Additionally, the department held a rulemaking hearing on October 23, 2006 in which there were no attendees. The rules were modified to incorporate appropriate changes, as requested by the Department of Administrative Services. The proposed rules were reviewed and approved for filing by OPRD’s Assistant Attorney General. The rule will become effective upon filing. The Commission will continue to approve all contractual agreements greater than \$150,000, except for State Fair contracts.

Brad Chalfant moved approval for the rules to be filed. Jim Brown seconded. The motion passed unanimously.

9. State Scenic Waterways Program (Jan Houck)

Jan Houck, Water Recreation Program Coordinator; gave a PowerPoint presentation on the State Scenic Waterways Program describing designation areas, location of current scenic waterways, necessary quantities for recreation, fish, and wildlife uses, the Diack decision (requiring minimum flows), prohibitions (dams, reservoirs, impoundments, placer mining), land use review and approval processes, and classifications (natural, scenic, recreational, scenic view, accessible areas, and river community areas). She described the review process that landowners must notify OPRD if they propose, among other things, roads, dwellings, timber harvest, mining, commercial buildings, communication towers, wind turbines. The Scenic Waterways Program processes 25-50 notifications each year. The most common proposals are for dwellings, structures, and timber harvests. Our goal is to have structures blend into the landscape. If the department has concerns about the proposal's effects, it has one year in which to negotiate acceptable conditions or revisions to the proposal. If negotiations fail, the state must buy the property or allow the project to proceed.

10. Real Estate (Cliff Houck)

a) Clarno Exchange

Cliff Houck, Manager, Property and Resource Management, noted the Clarno exchange is a proposed exchange of 134 acres acquired by OPRD in 1972 as a scenic river acquisition to prevent a proposed development. This property has been leased to the adjoining property owner for a number of years. Mr. Houck also shared that due to a potential conflict of interest, Dave Wright negotiated this exchange.

The adjoining property owner proposes a trade of 160.9 acres fronting the John Day River and bisected by Highway 218 running between Highway 97 and Fossil Oregon. The site is in grazing and hay production and has been improved with a residential building, bunkhouse, garage, pump house, and pole barn. The old Clarno School building also sets on the site and some interpretive and cultural values do exist. There are 34.2 acres of water rights that would be transferred to OPRD with this exchange. The exchange property was appraised at \$322,300. The agreement is to make the property exchange with OPRD making payment of \$80,750 as per the appraised values.

The property to be acquired by OPRD in this exchange is at the SW corner of the Clarno Bridge crossing the John Day River. OPRD owns a boat ramp and river access on the NE corner of the Clarno Bridge that is now maintained by the Bureau of Land Management. The proposal would be to develop this into a full service park including, among other things, a 30 unit camp loop, rustic cabins, and trail development. Future improvements costs are estimated at \$3.65 million and are expected to occur during the 2009-11 biennium.

Jim Brown moved to approve the property exchange agreement. Jim Parr seconded. The motion passed unanimously.

b) Delaura Beach Acquisition

Mr. Houck explained that Delaura Beach is 440 acres of unimproved beach frontage adjoining the south end of Fort Stevens State Park that is owned by Clatsop County. The county is looking to OPRD as an owner that will provide public access and site management. The total appraised value is \$1,320,000. The department received approval to receive a grant from the Coastal and Estuarine Land Conservation Program that would fund 50% of this acquisition. It is awaiting federal authorization.

This property was identified within the 07-13 Acquisition Plan and identified within the Investment Strategy as an area with the most severe over capacity problems for OPRD. At this time, staff envisions improved beach access, a parking lot, restrooms, and trail development, estimated at \$180,000.

Jim Brown moved approval to purchase the property. Brad Chalfant seconded. The motion passed unanimously.

c) Silver Falls Concession Contract

Mr. Houck told commissioners the Silver Falls Conference Center (SFCC) was developed 26 years ago. Since the inception, the DeShaw House Company has operated the facility. More recently, OPRD created a management team to prepare a new contract combining both the SFCC operation and South Falls Lodge Food Concession with reservations now through the department's Reservation Northwest (RNW) system. The new contract was limited to five years, instead of the previous ten-year contract, with an option to extend it another five years based upon the amount of capital reinvestment proposed by the contractor.

A Request for Proposal was issued to prospective bidders on August 16, 2006. DeShaw submitted the only proposal. They accepted all the terms and conditions including the minimum net annual revenue requirement of \$140,000, new marketing strategies, allowing the contractor to serve alcohol in the dining hall and sell locally produced wines in the gift shop, establishing three 1-800 phone numbers (completed), and provide increased gourmet menu items.

Jim Brown moved approval of granting the contract to DeShaw House Company. Jim Parr seconded. The motion passed unanimously.

d) Cougar Valley

Cliff Houck noted that the Nehalem River property, which is now beginning the master planning process, has not officially been named. OPRD policy COM 10-5 gives the department authority to name an Oregon State Park. Staff has referred to the property as "Cougar Valley" based on folklore of its past owners, Sadie and Cougar Bill, who were long-term owners and inhabitants of the property. Cougar Bill had a reputation of being fearless like a Cougar, thus leaving a long lasting impression in the area. The Siletz Confederated Tribes do not object to have OPRD name the property.

Jim Parr moved to name the property "Cougar Valley State Park". Sharon Rudi seconded. The motion passed unanimously.

11. Heritage Excellence Awards (Roger Roper)

Roger Roper, Assistant Director, Heritage Programs, told commissioners that both the Oregon Heritage Commission's Heritage Plan and the State Historic Preservation Office's Preservation Plan include the goal of establishing awards programs. Currently, there are no statewide heritage organizations that give annual awards for heritage work in Oregon, although the American Association for State and Local History and the National Trust for Historic Preservation have given awards to individuals and organizations in the state as part of their national awards program. A historic preservation awards program by SHPO has been dormant for more than four years. Heritage Commissioners recently voted to establish the Oregon Heritage Excellence Awards to recognize individuals, organizations and projects, and will present the awards at their annual Heritage Conference.

No commission action was requested.

12. State Fair Site Planning Update (Kate Schutt)

Kate Schutt, Planning Manager, noted that due to a lack of maintenance and a piecemeal approach, the fairgrounds site and buildings have degraded. The result of several incomplete plans

has resulted in a design that lacks character. The department is now overseeing site planning. Through the Quick Response Program, managed by the Department of Land Conservation and Development, we are contracting with architects and designers at little or no cost to OPRD who will recommend aesthetic improvements and identify redevelopment options for underutilized property.

We expect to produce some specific designs by opening of the 2007 State Fair.

Among other things, the site plan will:

- Guide visitors to the fairgrounds
- Provide a park like setting
- Offer new, improved and varied venues (e.g. Sports/Health/ Recreation, Oregon Food and Beverage, Special Events)
- Protect, historic areas
- Replace obsolete buildings
- Make parking convenient
- Offer alternative transportation

No commission action was requested.

Public Comment (Relating to Item 13)

Jeroldine Mulkey, Luckiamute area resident, said that property ownership is one of our country's most treasured rights. Our property is adjacent to the bed of the non-navigable Luckiamute River where we have irrigation rights. We are opposed to any paddlers or boat access areas, and any parking areas with vault toilets that would encourage activity. OPRD already had a plan in place before notifying adjacent landowners. Notification is part of the planning process. When the few neighborhood meetings occurred, we expected an opportunity to comment of OPRD's plan. There was not agreement between OPRD and landowners. We demand that you not approved the December 2006 Master Plan as written until there is removal of paddlers and boat access, parking area and vault toilets is removed.

Elizabeth de Wilde spoke on behalf of Dr. Melvin Johnson and herself, as landowners who have farms adjacent to the Luckiamute Park. They request that the proposed paddlers / boat access on the Luckiamute River and parking lot be removed from the Master Plan. There are private lands both upstream and downstream from the proposed access that includes active irrigation diversions. They wish to keep agricultural lands in the Luckiamute Landing State Park area. They are also concerned about liability issues on their land as well as on the river. She discussed previously introduced legislation then read from an April 1, 2005 Attorney General's Opinion, which addressed public use rights. She submitted signatures of Luckiamute area residents opposing the Master Plan, as written. (Modified June 2, 2007)

Steve Shipsey, AAG, said that "a landowner in Oregon that makes their land open to recreational access has statutory immunity for injury." However, question was raised about the liability that landowners have when they have not specifically opened their property for recreational access. In this case, the landowners place irrigation equipment into the Luckiamute River and recreationalists could be exposed to hidden dangers by virtue of the increased access into the river afforded through the State Park. Landowners want assurances that they do not have liability if, for example, if recreationalist tangles with underwater irrigation hazards. Commissioners directed staff to continue working with neighboring landowners to ensure that no undue liability exists for private landowners as a result of proposed park improvements. Director Wood noted that today's action is to adopt a concept for development of the plan and management of the approved development and activities after affected counties adopt the master plan.

Travis Williams, Willamette River Keepers, told commissioners they are in full support of the Luckiamute Master Plan, as written. They feel that OPRD has bent over backwards to incorporate

the landowners' concerns. They support how the Master Plan takes into consideration restoration efforts that benefit wildlife, fish, mammals, and birds while providing paddlers access; and campsites along the river.

13. Luckiamute State Natural Area Master Plan Adoption (Kate Schutt)

Kate Schutt explained that OPRD is proposing a park on the Willamette River at its confluence with the Luckiamute River of 919-acres on two separate tracts that include the Willamette Greenway (Luckiamute Landing) and neighboring properties acquired in recent years. Staff is seeking the Commission's approval to proceed to adopt the plan in rule and seek land use approvals from Polk and Benton counties.

She described the lengthy public process that involved a growing number of Willamette River access owners to reach agreement on language for the Master Plan. Opposition includes:

- the conversion of agricultural land to native habitat and park uses.
- the development of paddlers' access on the Luckiamute River
- concerns that the Luckiamute had not been evaluated for navigability
- to the park in general, paddlers' access, and administrative facilities

OPRD staff and area neighbors negotiated on several issues and reached agreement to relocate the south trailhead having a host site nearby, enhance security by having park staff live in one of the houses in the area, manage paddlers' access in order to discourage trespass, to integrate agriculture into habitat management projects, and lastly, establish a "good neighbor agreement" to provide on-going communication with neighbors.

Brad Chalfant moved to approve the proposed Master Plan with the addendum of having staff work with landowners to address their liability and other concerns and re-examine if the proposed construction would be problematic. There was no second to the motion. Commissioner Parr felt the motion was too subjective.

Commissioner Parr moved to clarify the existing rules on navigable access then present those to the Luckiamute neighbors in understandable terms. There was no second to the motion.

Commissioner Brown moved adoption of the Luckiamute Master Plan in rule and seek land use approvals from Polk and Benton Counties and to:

- 1. Have the Attorney General clarify the landowners' liability issues (e.g. boats hitting irrigation equipment).***
- 2. Have OPRD staff work with Luckiamute River area landowners to address and resolve their issues of concern.***
- 3. Delay the access opening date until amendments 1 and 2 have been adequately addressed.***

Sharon Rudi seconded. The motion passed unanimously. (Motion amended to reflect changes adopted at March 8, 2007 meeting)

14. Snowy Plover Environmental Impact Statement (EIS) (Kate Schutt)

Kate Schutt told the commission that OPRD has contracted out for Environmental Impact Statement (EIS) for our Habitat Conservation Plan (HCP) for Western Snowy Plover. The HCP (and related EIS) must be approved by the U.S. Fish and Wildlife Service (USFWS) to ensure that both recreation and recovery can proceed in an agreed upon manner, without the risk of enforcement by the USFWS for take of this federally-threatened species. The HCP will also fulfill our requirement for the protection of the plover as a state-listed, threatened species. OPRD intends to support the recovery of the western snowy plover on the Oregon coast by implementing recovery sites within undeveloped areas of certain coastal state parks. The team has identified areas in need of additional work including:

- Add a third plover management
- Reformat the current draft HCP
- Extend the project timeline into the next biennium
- Budget \$125,000 in 2007-09 for this additional work.

A USFWS decision on our HCP and related EIS is expected in December 2007.

No commission action was requested.

15. Contracts (Dave Wright)

a) Nehalem Bay Paving Project

Dave Wright, Assistant Director, Operations, said the project is to construct 2" asphalt overlay of all campsites and roads in A, B, C, and D loops.

Jim Brown moved to award the contract to Bayview Transit in the amount of \$246,375.00.

Sharon Rudi seconded. The motion passed unanimously.

b) Champoeg Paving Project

Dave Wright noted that this project is to remove the existing island, reconfigure parking lot layout, overlay the existing parking lot and install new extruded concrete curbing.

Brad Chalfant moved to award the contract to Baker Rock in the amount of \$172,239.00.

Jim Brown seconded. The motion passed unanimously.

c) Garrison Lake Outlet

Dave Wright explained that the Garrison Lake Outlet contract is needed in order to install a concrete box culvert under the existing parking area with an open channel to the south in order to provide a drainage system for Garrison Lake. In addition, wing walls and a headwall will be constructed and the drainage channel slopes will be stabilized.

Jim Brown moved to award the contract to Laskey-Clifton in the amount of \$1,174,313.39.

Brad Chalfant seconded. The motion passed unanimously.

d) Fundraising Services for Champeog State Heritage Area (Kyleen Stone)

Kyleen Stone, Assistant Director, Recreation and Planning, noted this request if for one full-service entity to provide fundraising services that meet or exceed the fundraising goal of \$350,000 for the Champeog interpretive project. The schedule has been developed to ensure installation of the interpretive displays at Champeog in time for the National Association of Interpreters conference in Portland in November, 2008 and in advance of the Oregon Sesquicentennial in 2009. New exhibits for the Champeog Visitor Center have been designed and are ready to be fabricated and installed in the 1,500 square-foot exhibit area. The exhibits were last updated in 1988. The Oregon State Parks Trust was the sole bidder and is qualified to do the work. They will assess a 25% administrative fee on all funds secured.

Brad Chalfant moved to award the contract the Oregon State Parks Trust. Jim Parr seconded. The motion passed unanimously.

16. County Opportunity Grants - Program Grants Request (Wayne Rawlins)

Wayne Rawlins, Grants Division Manager, told commissioners that the County Opportunity Grant Program is part of a larger program that provides revenue from RV registration fees. The program provides funding on a project basis for acquisition, development, rehabilitation, and planning of county park and recreation sites that provide camping facilities. Counties with a population over 30,000 are required to provide a 50% match; counties less than 30,000 population must provide 25% match. The County Parks Assistance Advisory Committee reviewed 11 grant applications to distribute \$660,749 and recommended all but one for funding.

Jim Brown moves approval to fund the grants. Jim Parr seconded. The motion passed unanimously.

17. ATV Administrative Rule Request to go to Rulemaking (Wayne Rawlins)

Wayne Rawlins gave background on the rule request noting that (2005) SB 68 gave the department authority to issue permits for Class 1 ATVs to traverse on Oregon's ocean shore, under certain conditions. Additionally, added was a recommendation from the ATV Account Allocation Committee (ATV-ACC) to allow the commission to waive some or all of the match requirements for ATV grants for property acquisition, subject to predetermined criteria.

Burke O'Brien, Morrow County, told of his support of 100% funding for property acquisition. He told of several fundraising efforts including poker rides, BBQs, and other events they put on to raise funds local projects. He noted of their EMT program, two part-time law enforcement agents, and a helicopter pad, which are all utilized by ATV riders.

Judge Terry Tallman, Morrow County, noted his support for 100% funding for ATV Grants to purchase land noting that the money received from OPRD has been well spent and the county has accomplished our goal of managing an ATV park. He discussed the positive impact on small businesses, such as mom and pop stores, of having ATV trails. Morrow County's budget is small, a good portion coming from grants and other areas, outside of taxpayer money. In order to fund projects, we need help from outside sources. We ask you to consider our track record, commitment, and successes

Tyrell Hart, ATV Account Allocation Committee, Vice-Chair, gave his support to allow the waiver of match when it applies to acquisition of real property. When land becomes available, often a purchase needs to be made quickly. He gave examples of the Applegate Roughriders and the Motorcycle Riders clubs wanting to purchase land for public recreation but were unable to come up with the required match. Most counties do not have the budgets to take advantage of a good deal. Nor is it politically viable to spend money for recreational purchases when counties are facing cuts in areas such as libraries and law enforcement.

Pat Harris, ATV Account Allocation Committee, Chair, gave her support to allow the wavier of match when it applies to acquisition of real property. Quite often acquisition opportunities arise that need to be acted on quickly. She gave examples of activities that can be provided such as a place for our children to be trained and the advantages of a managed trail system.

Tom Harris, Oregon Recreation Coalition, spoke on the need for zero match acquisition grants. He noted that state gasoline taxes have come a long ways but when one financial door opens it seems like another one closes. We are grateful for any funding we get. Efforts to field acquisitions grants for the private sector. Need to do our homework fundraising efforts. Good recreational opportunities create a healthy community. We're not asking for a total gift but the initial leverage to help you help us.

David Lexow, Motorcycle Riders Association, President, Not acquiring property would be devastating to our effort to provide for motorized family recreation in Oregon. 100% funding would allow us (MRA) to purchase property and to continue our efforts to provide for motorized recreation in southern Oregon.

Randy Rasmussen, Natural Trails & Waters Coalition, noted their opposition to rule changes to include a provision allowing the ATV Grant Program to provide grants of up to 100% of the value of real property acquisition for the purpose of creating ATV riding areas. They feel the scope of the proposal is unprecedented amongst similar program and its purpose has not been adequately justified. The current grant program criteria allows for great flexibility for applicants to obtain 20% matching funds.

Commissioners directed staff to work with interested parties to re-examine the proposed match requirements for ATV grants for property acquisitions.

Jim Parr moved approval to adopt the revised proposed administrative rules, without the language to waive some or all of the match requirements for ATV grants for property acquisitions. Brad Chalfant seconded. The motion passed unanimously.

Executive Session (canceled)

The commission had scheduled an executive session to discuss negotiations regarding a real property transaction and consult with legal counsel concerning current litigation. However, due to time constraints, it was determined not to have the Executive Session at this time.

18. Commission Planning Calendar (Tim Wood)

Director Wood noted the March 8, 2007 meeting is scheduled to be held in Salem. Green Fire Productions has requested to show *Common Ground: Oregon's Ocean*, a 30-minute documentary about the future of Oregon's marine environment. Commission members agreed to have that presentation immediately following the March 8, 2007 business meeting.

No commission action was requested.

19. Commission Discussion

There was no commission discussion.

The meeting adjourned at 5:30 PM

Respectfully submitted,

Pamela Berger
Commission Assistant