



OREGON PARKS AND RECREATION COMMISSION

November 14th & 15th, 2017
 Cascade Locks Columbia River Inn
 735 WaNaPa St
 Cascade Locks, OR 97014

DRAFT MINUTES

Tuesday, November 14, 2017

Location: Cascade Locks Pavilion

TOUR: 8:00am

WORK-SESSION / TRAINING: 1:00pm

- Commission Best Practices

Wednesday, November 15, 2017

Location: Columbia River Inn

EXECUTIVE SESSION: 8:15am

The Commission met in Executive Session to discuss acquisition priorities and opportunities, and potential litigation. The Executive Session will be held pursuant to ORS 192.660(2) (e) and (h), and is closed to the public.

BUSINESS MEETING: 9:15am

• Cal Mukumoto, Commission Chair	• Kammie Bunes, OPRD
• Jennifer H. Allen, Commission Vice-Chair	• Chris Havel, OPRD
• Lisa Dawson, Commissioner	• Ian Johnson, OPRD
• Jonathan Blasher, Commissioner	• Scott Nebeker, OPRD
• Steven Grasty, Commissioner	• Tracy Loudon, OPRD
• Victoria Berger, Commissioner	• Katie Gauthier, OPRD
• Doug Deur, Commissioner	• Craig Leech, OPRD
• Steve Shipsey, Commission Counsel DOJ	
• Lisa Sumption, OPRD Director	
• MG Devereux, OPRD Deputy Director	
• Denise Warburton, OPRD	

1. Commission Business:

- Welcome and introductions (Information)
- Approval of September 2017 Minutes (**Action**)

ACTION: Commissioner Grasty moved to approve the September 2017 minutes. Commissioner Blasher seconded the motion. The motion passed, 7-0. (Topic starts at 00:04:40 and ends at 00:04:49).

- Approval of the November Agenda (**Action**)

ACTION: Commissioner Allen moved to approve the November Agenda. Commissioner Grasty seconded. The motion passed, 7-0. (Topic starts at 00:05:00 and ends at 00:05:16).

2. Public Comment: This is the time for the public to address the Commission.

If you wish to make public comment on an agenda item you can choose to make your comment either when the item is heard, or during this allotted time. Although written testimony is not required, it is suggested that 15 copies be provided to the Commission Assistant prior to the meeting. Speaking time is limited to 3 minutes.

3. Director's Update

- a) Office of Outdoor Recreation Advisory Subcommittee (**Action**)

ACTION: Commissioner Berger moved to open rulemaking Division 100 to set goals for Office of Outdoor Recreation and to form an advisory Group. Commissioner Deur seconded. The motion passed, 7-0. (Topic starts at 00:12:06 and ends at 00:21:49).

- b) Best Practices (**Action**)

ACTION: Commissioner Blasher moved to look more closely at the demographics, hold the Commission accountable, provide direction to the Director, and to explore this subject deeper at the February work session. Commissioner Allen seconded. The motion passed, 7-0. (Topic starts at 00:21:58 and ends at 00:25:28).

4. Delegated Authority Report Acceptance

- a) Submission of Delegated Authority and Acceptance (**Action**)

ACTION: Commissioner Grasty moved to approve the Delegated Authority with changes. Change item 11 placing a period in the middle of the sentence, add the date on Attachment B, items that have historically been on the consent calendar will now be in reports or if it requires an approval will be a separate item on the agenda. Item 7a changing the wording from accept and approve to accept. Commissioner Dawson seconded. The motion passed, 7-0. (Topic starts at 00:26:09 and ends at 00:35:47) Commissioner Grasty added for the record there is nothing in this that will restrict the Director from bringing anything she wants forward or the Commission from asking her to bring items forward.

5. Budget

- a) Budget Update (00:35:59) (Information)

6. Property

- a) Devil's Punchbowl - Miller Property Donation (**Action**)

ACTION: Commissioner Deur moved to accept the donation of the Miller Property/Devil's Punchbowl as outlined. Commissioner Berger seconded. The motion passed, 7-0. (Topic starts at 00:39:13 and ends at 00:46:05)

- b) Washburne Wayside - Property Disposal (**Action**)

ACTION: Commissioner Berger moved to approve the sale and accept the highest bidder on this property contingent on the approval of DAS if it is needed. Counsel Steven Shipsey will verify if approval from DAS is necessary. Commissioner Grasty seconded. The motion passed, 6-1 (Topic starts at 00:46:05 and ends at 01:05:27)

7. Community Engagement

- a) Cottonwood Canyon Experience Center Contract Award (**Action**)

ACTION: Prior to the action the amount of the Foundations contribution was amended from \$400,000. to 600,000. Commissioner Grasty moved to award the bid to the lowest bidder. Commissioner Deur seconded. The motion passed, 7-0. (Topic starts at 01:05:30 and ends at 01:15:49) Commissioner Berger thanked the Foundation for their contribution.

- b) RTP Grants 2017 Funding Recommendations (**Action**)

ACTION: Commissioner Deur moved to accept the Recreational Trails Plan. Commissioner Grasty seconded. The motion passed, 6-0-1 with Commissioner Blasher abstaining as he is employed by Metro. (Topic starts at 01:16:40 and ends at 01:25:01)

8. Heritage

- a) Heritage Division Update 01:25:19 (Information)

9. Stewardship

- a) Overview Stub Stewart Forest Harvest 01:37:34 (Information)

10. Rulemaking

- a) Request to open Rulemaking – Cemetery (**Action**)

ACTION: Commissioner Grasty moved to open rulemaking for the Cemetery Permit Process. Commissioner Dawson seconded. Motion passed, 7-0. (Topic Starts at 02:01:53 and ends at 02:12:17)

- b) Request to Adopt – Criminal Background Check (**Action**)

ACTION: Commissioner Berger moved to adopt the Criminal Background Check. Commissioner Allen seconded. The motion passed, 7-0. (Topic starts at 02:12:29 and ends at 02:13:43)

11. Reports

- a) Procurement Report (02:15:12) (Information)

12. Commission Planning Calendar

- a) OPRD Commission 2018 Calendar (02:15:03) (Information)

The services, programs and activities of the Oregon Parks and Recreation Department are covered by the Americans with Disabilities Act (ADA). If you need special accommodations to participate in this meeting, please contact the commission assistant Jen Busey at (503) 986-0719 or (503)779-9729 at least 72 hours prior to the start of the meeting.

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item:	3a	Information
Topic:	Office of Outdoor Recreation	
Presented by:	Chris Havel	

The legislature passed House Bill 3350 in 2017, creating an Office of Outdoor Recreation within the Oregon Parks and Recreation Department. The legislation creates a new position at OPRD, and existing staff working policy, research, and grants will support it. The new position reports to the Oregon Parks and Recreation Department Director.

After a nationwide recruitment, a half dozen or so candidates will be interviewed February 7, which means it won't have taken place at the time this brief is being written, but it will have occurred by the time the Commission meets.

Whether the recruitment is successful or not, staff will update the Commission on next steps at the Commission meeting. The position and office will be dedicated to advancing policies and strategies organized around four central themes:

- 1. Access:** People need to be able reach outdoor recreation resources.
- 2. Participation:** All communities, whether defined by geography or personal characteristics, should feel welcome to engage in outdoor recreation.
- 3. Stewardship:** The resource has to be healthy, rich, and able to sustain recreational pursuits.
- 4. Continuity:** Long-term support and funding is necessary for outdoor recreation to thrive.

In preparation for launching the office and empaneling an advisory group, Oregon Parks and Recreation Department staff have been engaging other government agencies and nongovernment organizations in preliminary discussions.

Prior Action by Commission: None

Action Requested: None.

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 3b Information
Topic: Non-Recreational Camping
Presented by: Chas Van Genderen, Director of Program Development

In late December, Commissioner Berger requested a briefing on homeless people camping at Champoege State Park. That request prompted the agency to further evaluate non-recreational camping in state parks both at Champoege and at other state parks throughout the system. The agency may refer to homeless people who are using the park as their base camp as “Non-Recreational Campers.”

The agency allows camping in 52 parks statewide providing over 5,500 campsites. OPRD actively supports use from all visitors regardless of their socio-economic status. Generally, the agency has few problems with visitor behavior specifically from that general use group. That acknowledged, some parks are reporting an increase in challenges over recent years due to the volume. Management challenges include a wide array of use and behavioral issues that staff are actively working to manage as part of providing great experiences in special places over the long term. Examples of those challenges include:

- Values conflicts - some visitors judge other park visitors based on the age, condition, quantity and quality of each other’s property which may, for example, affect perceptions of safety.
- Regulatory and policy violations – a variety of park rules or policies are affected by non-recreational campers or non-recreational users including stay limits, site capacity, facilities use, etc.
- Criminal behavior – staff may see an increase in crime associated with poverty and other social challenges.
- Communication and collaboration with other agencies and social service providers - some aid organizations may look at state parks as a low priced lodging alternative.

Next Steps

- Communicating to all visitors and neighbors the role and purpose of state parks including our need to serve all populations in an inclusive manner.
- Managing and discussing the topic statewide while working with specific parks as part of bringing forth best practices and consistent management approaches.
- Evaluating policy challenges that are commonplace with consideration for changes as appropriate.
- Collaborating with public safety and other partners to reinforce safety as core agency value
- Continued monitoring and engagement.

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 3c Information
Topic: Flexible Fee Update
Presented by: Katie Gauthier, Legislative & Policy Coordinator

HB 2318 passed in 2017 providing OPRD the flexibility to vary campsite fees. Under the legislation, that went into effect January 1, 2018 with the approval of the Commission, the Director may set, adjust and assess fees within a range up to four times per year. Prior to implementation, the range must be put into administrative rule.

Since August, OPRD staff have been working to determine how to best utilize this new tool. A new marketing research analyst joined the department in October and has helped analyze the impact of raising or lowering fees on specific campgrounds based on historic trends.

We had hoped to start a small pilot project to test the impact and logistical implications in select parks over a portion of the summer season. In January, the department initiated rulemaking to implement the following ranges:

- Tent sites- reduce fees by up to \$2
- RV sites- reduce fees by up to \$5; increase fees by up to \$3
- Cabins and Yurts- increase fees by up to \$5

However, the Legislative Fiscal Office determined the passage of HB 2318 provided the department the authority to vary fees within a range, but the range still must be approved by the Legislature. This sets back the timeline of our implementation and rulemaking. Instead of putting specific site-type ranges into our budget, we have requested legislative approval on an overall range of up to \$10. While we would not raise all site types by this amount it will provide the flexibility initially sought with the legislation.

Currently, we are still anticipating proposing raising fees by up to two dollars (\$2) for some hiker/biker and tent sites at popular parks and up to five dollars (\$5) for some recreational vehicle sites; a slightly higher amount could be added for some Cabin and Yurt sites.

Next Steps

- We are pursuing legislative approval on adding a \$10 range to our budget.
- Over the summer, the Department anticipates starting with fee reductions in limited circumstances given the OPRD Director already has the ability to discount fees.
- If the Department receives legislative approval of the range, we would reopen rulemaking on a new range in March and bring it to you for consideration at the April meeting.

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item:	3d	Information
Topic:	2018 Legislative Session Update	
Presented by:	Katie Gauthier, Legislative & Policy Coordinator	

The 2018 legislative session convenes on February 5, 2018. This is a short legislative session that is constitutionally required to be completed by March 11th.

Short sessions move at a more rapid pace with earlier deadlines for legislation to move through each chamber. By February 22nd, a bill will have had to move through the first chamber and have a work session scheduled in the second chamber to be considered still “alive”.

Agencies do not have the opportunity to put forward legislation during the short session. Legislators are limited in the number of bills they can introduce, but there are still plenty of bills and amendments that may impact OPRD throughout the session.

OPRD has two pro-active priorities during the short session. First, in the 2017 legislative session HB 2017 included a requirement for OPRD to reimburse ODOT up to \$4 million for bicycle and pedestrian trail grants from our lottery funding. We are seeking clarification on the process and language of this requirement to ensure it meets the constitutional requirements of this dedicated funding source and requesting a sunset of January 1, 2023. Our local government stakeholders have been supportive of requesting a sunset to ensure a second look at whether continued carve out of bike and pedestrian trail funding is the highest need for these grant funds.

The second pro-active item on our legislative agenda is adding a flexible fee range to our budget. Passage of HB 2318 in the 2017 legislative session gave OPRD the flexibility to set fees within a range, but the Legislative Fiscal Office determined that a range still had to be approved by the Legislature. The agency has requested a range of up to \$10 be added to our budget. The Director already has the authority to reduce fees. If approved, this range would provide the ability to raise fees a maximum of \$10 above the base rate in administrative rule. If approved by the Legislature, OPRD would need to go through rulemaking to add the range to our administrative rules before rates could change.

Oregon Parks and Recreation Commission

February 21, 2018

Agenda Item: 3e Information
Topic: Cottonwood Canyon Experience Center - Awarded Contract
Presented by: Clifton J Serres. Engineering Manager

Title: Experience Center Development Awarded Contract & Bid Results

Location: Cottonwood Canyon State Park

Description: The project will provide for the Construction of the Experience Center Improvements at Cottonwood Canyon S.P. including the following: 1) Site Utilities; 2) Hardscape, Landscape, and Sitework Improvements; 3) Experience Center Building Construction; 4) Restroom/Shower Building Construction. Other amenities include a RV host site, connecting pathways and preparation for the installation of rustic cabins, covered exterior dish washing and drinking fountain/water bottle filling areas.

One item of significance is the partnership with the Oregon State Parks Foundation which is contributing \$420,000 to the Experience Center with a total of \$600,000 dedicated to the overall project budget.

Bid Results:

Tapani, Inc. Battle Ground, WA - **\$1,744,098.00 Awarded Contract**
Wellens Farwell, Inc. Enterprise, OR - \$1,815,138.00
2KG Contractor, Inc. Portland, OR - \$1,826,709.50

Prior Action by Commission: November 15, 2017 – Conditional Contract Award Approval

Action Requested: None

Attachments: None

Prepared by: Clifton J. Serres

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 4a

Information

Topic: 2017-19 Budget Update

Presented by: Tanya Crane, Budget Manager

The November 2017 Lottery forecast was released November 29, 2017. It reflects an increase in Lottery Fund revenue for the Department of \$811,425. Since the close of session (June 2017), the Lottery Fund revenue forecast has increased by \$8,382,500. The Department’s budget was built on a Lottery Fund revenue forecast of \$93.5 million and the November 2017 forecast is \$101.5 million. The table below reflects the change in the Lottery revenue forecast for the 2017-19 biennium and beyond.

Lottery Forecast History (2017-23 Biennium): OPRD's Share of PNRF						
	2017-19		2019-21		2021-23	
Forecast Date	Forecast	Change from Prior Forecast	Forecast	Change from Prior Forecast	Forecast	Change from Prior Forecast
May 2017 Forecast (released 5-16-17)	\$93,463,000		\$101,234,604		\$109,725,747	
September 2017 Forecast (released 8-23-2017)	\$101,034,075	\$7,571,075	\$104,590,505	\$3,355,901	\$113,468,086	\$3,742,339
November 2017 Forecast (released 11-29-2017)	\$101,845,500	\$811,425	\$104,934,000	\$343,495	\$113,983,000	\$514,914
Total Cumulative Change		\$8,382,500		\$3,699,396		\$4,257,253

January 2018 Interim Committee on Ways and Means: The Department requested and was granted limitation to expend funds on Sudden Oak Death eradication based on direction from the Department of Forestry. \$200,000 Other Funds

Prior Action by Commission: The Legislatively Adopted Budget was presented at the September 2017 meeting. An update was presented at the November 2017 meeting.

Action Requested: None.

Attachments: None.

Prepared by: Tanya Crane

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 4b

Information

Topic: 2019-21 Budget Update

Presented by: Tanya Crane, Budget Manager

The Department has started development of the 2019-21 biennium budget. It will be necessary to review and forecast a number of items:

- Revenues
- Expenditures
- Beginning and Ending Balances
- Cash flow needs
- Policy Packages
- Management Ratio
- Projected Deferred Maintenance Targets (SB 1067 2017)

In addition, the Department will need to review:

- Key Performance Measures (KPM)
- Budget and Accounting Structures

While official due dates have not yet been published, traditional budget development timeframes are listed below.

- Enter and Balance 2015-17 Actual revenues and expenditures –February 2018
- Review methodologies and create preliminary revenue forecast – December 2017 to March 2018
- Review phase in and phase out needs – February 2018
- Changes to KPMs – March 2018
- Exception request due to DAS – March 2018
- Create and initially price policy package wishes – January to April 2018
- Legislative Concepts – March/April 2018
- Project Expenditures:
 - PICS Freeze – early to mid April 2018
 - Allowable inflation – April 2018
- Review and Revise cash flow needs – March to May 2018
- Preliminary discussions with Commission – April 2018
- Final Commission Approval – June 2018

At the April 2018 Commission meeting, the Department will present its final draft revenue projections and initial draft expenditure projections, any proposed changes to rates and fees,

potential policy packages and initial ending balances including reserves. Input will be sought in order to bring a finalized budget to the Commission in June 2018.

There are deadlines that are known:

- Input Current Service Level (CSL) budget to ORBITS – June 30, 2018
- Input of position adjustments into PICS – June 30, 2018
- Input of Policy Packages to ORBITS – July 31, 2018
- Agency Request Budget binder with audited ORBITS and PICS reports to DAS – September 1, 2018

Future budget timeframes;

- Governor's Budget – completed by December 1, 2018 or February 1, 2019. Agency will need to support development usually in October and November.
- Legislatively Adopted Budget – completed during the 2019 session. Hearings usually start in March with follow up hearings and action in May.

Prior Action by Commission: A budget workshop on the process was provided at the September 2017 meeting.

Action Requested: None.

Attachments: None.

Prepared by: Tanya Crane

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item:	5a	Information
Topic:	Deschutes River Trail Easement to OPRD	
Presented by:	Kammie Bunes, Right of Way Agent	

Tumalo State Park lies along the spectacular Deschutes River, just five miles northwest of the City of Bend. The park was established with a gift of 115 acres from Deschutes County in 1954, and another gift of 190 acres in 1972. Additional land was acquired through purchase or exchange, for a park now totaling 330 acres. The park offers picnicking, fishing, yurts, camping, and hiking. The location also provides easy access to many other recreational opportunities in the area.

The park includes two miles of the 12-mile Deschutes River Trail. The Tumalo segment offers a riverside hike among poplar, juniper, willow, and occasional ponderosa pine. The trail route will eventually connect Tumalo State Park to the City of Bend across public lands and trail easements. The Department recently completed trail improvements along approximately one-and-a-half miles of trail, linking the state park to land owned by the Bend Park and Recreation District (“BPRD” or “District”), part of BPRD’s Riley Ranch Nature Reserve. This stretch of trail includes easements across two private ownerships. One of those easements is held by the state, the other by BPRD.

The District negotiated acquisition of a trail easement from a private landowner as part of their Riley Ranch park acquisition in 2010. The easement provides connectivity between two state park parcels. Easement language allows for BPRD to assign their interest in the easement to the Oregon Parks and Recreation Department (OPRD). The exact location of the ten-foot-wide easement was not identified in 2010, but was recently negotiated, surveyed and amended into the easement document. The length is approximately 1187 feet and 6,094 square feet. Trail construction across the easement area has been completed.

District and OPRD staff agree this is a good time for BPRD to exercise the assignment clause of the easement. Staff will seek Oregon Parks and Recreation Commission approval to accept the easement at the April 2018 meeting.

Prior Action by Commission: None

Action Requested: None

Attachments: Map

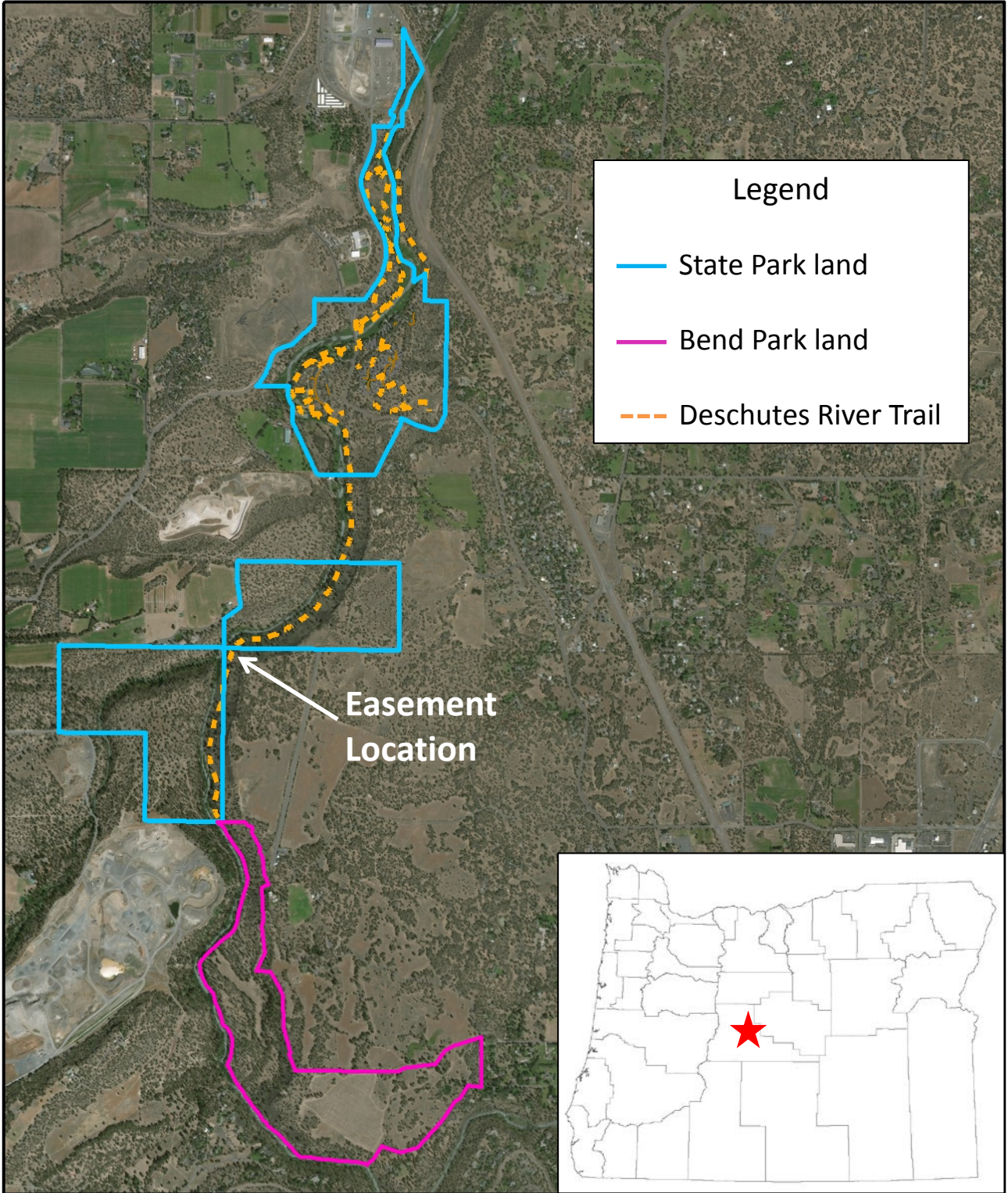
Prepared by: Kammie Bunes

Tumalo State Park Bend Parks Trail Easement

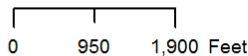
Oregon Parks and Recreation Dept.
725 Summer St. NE, Suite C
Salem OR, 97301



Attachment to OPRC agenda Item 5a; February 22, 2018



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E: 1/19/2018
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Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 6a **Action**

Topic: County Opportunity Grant Program (funded by RV Licensing Fees)
2018 Annual Grant Awards

Presented by: Jan Hunt, Grants and Community Programs Manager

Background:

The County Opportunity Grant Program (COGP) is funded by a portion of Recreational Vehicle Licensing Fees as prescribed in Oregon Administrative Rules – Division 7: 736-007-0000 through 736-007-0040.

The County Parks Assistance Advisory Committee reviews applications and recommends funding priorities. For the 2017-18 County Opportunity Grant cycle, \$971,079 is available for grants. The sources of these funds are:

Carry-over from FY2017 grant cycle (funds not awarded)	\$ 199,710
COGP funding projection from ODOT for FY2018 (RV Fees)	\$ 748,615
De-obligated funds from closed projects (funds not needed)	\$ 2,754
Total funding available for FY2018 awards:	\$ 951,079

Four County Opportunity Grant applications were submitted to OPRD totaling \$325,530 in funding requests. After scoring project applications against established criteria, all four projects are recommended by the County Parks Assistance Advisory Committee for funding for a total of **\$325,530**.

Prior Action by Commission: County Opportunity Grant Program requests have been approved in prior years.

Action Requested: Staff seeks Commission approval to award County Opportunity Grant Program Requests as detailed on the attached spreadsheet in the amount of **\$325,530**.

Attachment: Exhibit A – County Opportunity Grant Request Recommendations

Prepared by: Mark Cowan

Exhibit A - County Opportunity Grant Program

County Opportunity Grant Program County Parks Assistance Advisory Committee

November 17, 2017

Funding Available: \$951,079

Rank	Applicant	Project Name	Brief Project Description	Total Cost	Grant Funds Requested
1	Linn County	Waterloo County Park Water System Project	The project will replace the failing water distribution system, construct a reservoir and drill a new potable water well at Waterloo County Park in Linn County, Oregon.	\$ 98,500	\$ 49,250
2	Douglas County Parks Department	Windy Cove - Loop B RV Sites Rehabilitation	The project will rehabilitate 38 RV sites by increasing electrical power to 50 amps with new integrated water and electrical pedestals, add new sewer vents, add privacy landscaping and irrigation, and enlarge and pave current parking pads at Windy Cove Campground in Douglas County, Oregon.	\$ 208,300	\$ 103,500
3	Lincoln County Parks	Brown Memorial Park Camp Ground Phase #1	The project will clear trees and brush, construct access roads, layout and construct 19 RV campsites at the new Brown Memorial Park Campground in Lincoln County, Oregon.	\$ 277,250	\$ 138,625
4	Lake County	Egan Park Camp Sites	The project will level and pave three RV camp sites, install new fencing, install a watering system, and add tent sites in the day use lawn area at Egan Park in Lake County, Oregon.	\$ 46,005	\$ 34,155
Total Recommended for Funding (All Projects)				\$ 630,055	\$ 325,530

COGP Funding Summary	
Total COGP Funding Available in 2018 Cycle	\$ 951,079
Total COGP Amount Recommended for Awards in 2018 Cycle	\$ 325,530
Total COGP Funds to be Carried Over to 2019 Cycle	\$ 625,549

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 6b **Action**
Topic: Crooked River Canyon Proposed Scenic Bikeways Designation Vote
Presented by: Alexandra Phillips, Bikeways and Waterways Coordinator

Background:

The State Scenic Bikeway Program was developed in 2009 after the adoption of OAR 736-009-0030 which enabled the creation of the Bikeway Committee. As per the OAR, the committee and OPRD staff developed an application process and rating system to evaluate the best of the best road bicycle riding.

Oregon's Bikeway Program is the first, and so far, only State designated program in the country. Other states are currently researching Oregon's program in an effort to create similar programs.

There have been four application windows since the inception of the program (2010, 2011, 2013 and 2015). The committee accepted 16 out of 34 routes submitted. During the 2015 application window eight proposals were received. The Committee decided to conduct field evaluations for Sherar's Falls and Crooked River Canyon. Both were rated quite highly. The Sherar's Falls proponents completed the bikeway plan last winter and the OPRD Commission designated the route in June 2017.

The Crooked River Canyon Bikeway proponent group includes the Prineville Crook County Chamber of Commerce Executive Director, Crook County Judge, a BLM Staffer and a local business owner.

Based on the field rating and the strength of the proponent group, the Bikeway Committee recommended the Crooked River Canyon route for designation and asked the proponent group to submit a Bikeway Plan. The Crooked River Canyon proponent group submitted a completed [Bikeway Plan](#) consisting of proposed infrastructure improvements, business outreach and service goals, marketing and communication goals, a Bikeway sign location table, and final letters of support from all the road jurisdictions, which are: City of Prineville, Crook County Commission, BLM, Bureau of Reclamation and ODOT.

Travel Oregon, a program partner, and OPRD held a workshop in Prineville on February 7th, 2017 to build awareness of bicycle tourism and the Bikeway Program. Approximately 36 people attended.

OPRD held a public meeting and hearing in Prineville on September 19th, 2017. Approximately 20 people attended. Most attendees spoke in strong support of the Bikeway designation. A representative from Parr Lumber spoke in support and reported that while the company occasionally has deliveries on the bikeway route they have not encountered any problems with cyclists and find there is minimal traffic on the route. The mayor of Prineville also voiced support.

One person did speak in opposition sighting safety concerns and felt that state dollars should go to other projects. One written comment in opposition was received due to safety concerns.

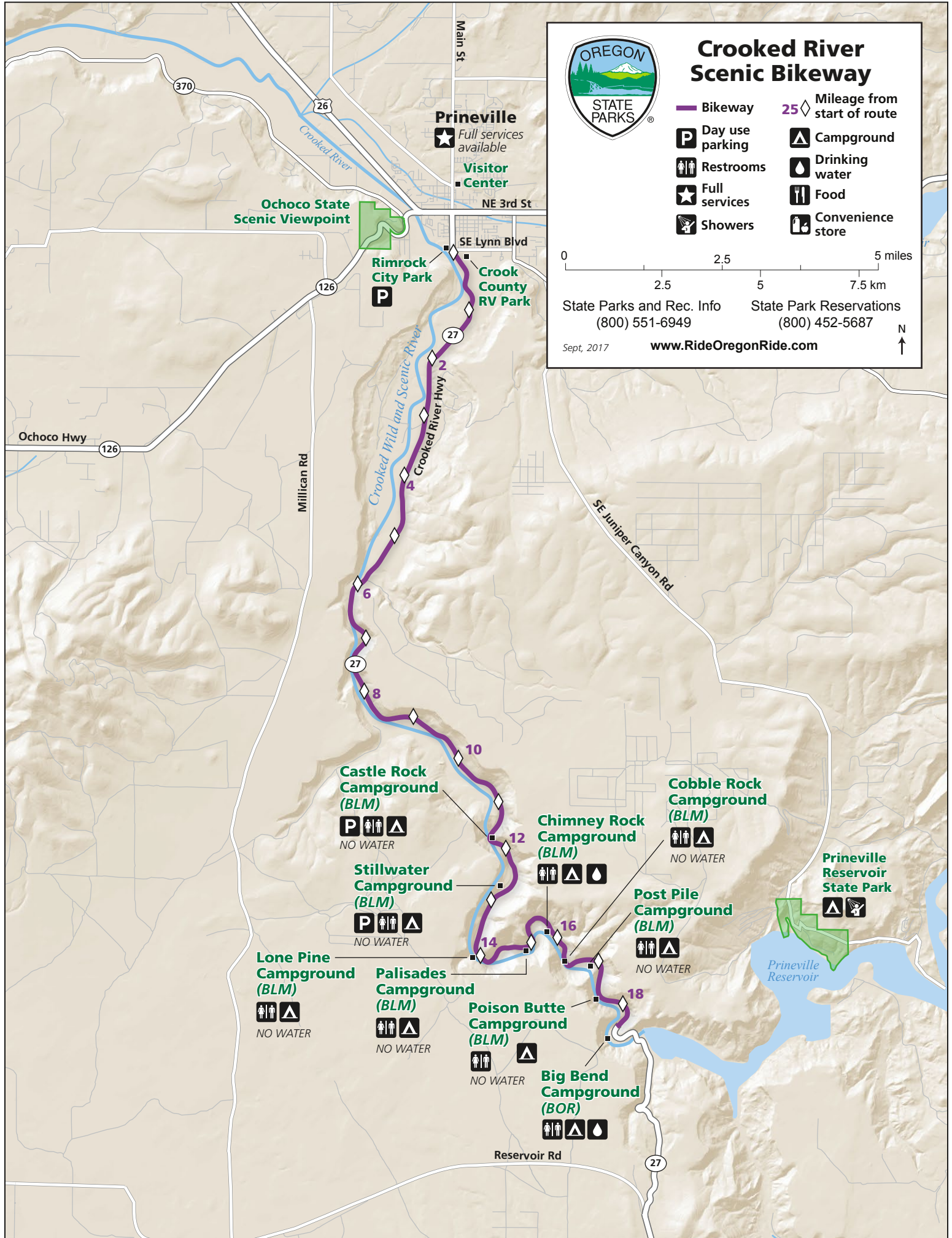
As per OAR 736-009-0030, The Oregon Recreation Trails Advisory Council was consulted at their July 21st, 2017 public meeting. The Council concurred with the recommendation for designation.

Prior Action by Commission: The Commission has previously approved 15 Oregon Scenic Bikeways, the most recent approval was given on June 14, 2017, for the Sherar's Falls Scenic Bikeway. The Willamette Valley Scenic Bikeway was developed before the designation process was established.

Action Requested: The Director and staff requests commission approval of the Crooked River Canyon Scenic Bikeway

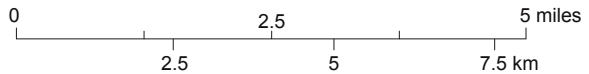
Attachments: Bikeway designation process, route evaluation criteria, Crooked River Canyon bikeway plan and map

Prepared by: Alexandra Phillips



Crooked River Scenic Bikeway

- Bikeway
- Day use parking
- Restrooms
- Full services
- Showers
- Mileage from start of route
- Campground
- Drinking water
- Food
- Convenience store



State Parks and Rec. Info (800) 551-6949
 State Park Reservations (800) 452-5687

Sept, 2017 www.RideOregonRide.com



Castle Rock Campground (BLM)

- -
 -
- NO WATER

Stillwater Campground (BLM)

- -
 -
- NO WATER

Lone Pine Campground (BLM)

- -
- NO WATER

Palisades Campground (BLM)

- -
- NO WATER

Poison Butte Campground (BLM)

- -
- NO WATER

Big Bend Campground (BOR)

-
-
-

Chimney Rock Campground (BLM)

-
-
-

Cobble Rock Campground (BLM)

- -
- NO WATER

Post Pile Campground (BLM)

- -
- NO WATER

Prineville Reservoir State Park

-
-

Oregon Scenic Bikeway Plan



Crooked River Canyon State Scenic Bikeway

October, 2017

Bikeway Proponent Group Information

Lead Proponent

<i>Name:</i> Casey Kaiser	<i>Phone:</i> 541-447-6304
<i>Title:</i> Executive Director, Prineville Crook County Chamber of Commerce	<i>Email:</i> casey@prinevillechamber.com
<i>Organizational Affiliation:</i> Prineville Crook County Chamber of Commerce/Visitor Center	

Other Proponent Group Members

Name	Organizational Affiliation/ Title	Email/ Phone
Casey Kaiser	Prineville Crook County Chamber of Commerce Executive Director	casey@prinevillechamber.com 541-447-6304
James Good	Good Bike Company, Owner	jgood@goodbikeco.com 541-903-0386
Seth Crawford	Crook County Judge	seth.crawford@co.crook.or.us 541-447-6555
Gordon Gillespie	Bowman Museum Executive Director	gordon.gillespie@co.crook.or.us 541-447-3715
Duane Garner	Crook County Parks and Recreation District	duane@ccprd.org 541-447-1209
Travis Garner	Parr Lumber	travisg@parr.com
Gregory Currie	Bureau of Land Management, Landscape Architect	gcurrie@blm.gov 541-416-6711
David Amiton	Oregon Department of Transportation, Active Transportation Liaison	David.Amiton@odot.state.or.us 541-388-6111

Key Proponent Responsibilities

Proponent Member Name*	Task/Responsibility
Casey Kaiser, Prineville Crook County Chamber of Commerce	Convener. Periodically convene key volunteers and supporting organizations to coordinate promotion and improvement of the bikeway.
Greg Currie	Signs Coordinator. Monitor bikeway directional signs and report missing or down signs to the appropriate road jurisdiction. Work with the OPRD Bicycle Coordinator as necessary to obtain replacement signs.
James Good	Social Media Coordinator. Post information and updates about the bikeway to the RideOregonRide website. Advise the State Parks and Recreation Department Bicycle Coordinator of route closures and other significant events affecting use of the bikeway.
James Good	Bicycle Friendly Business Recruiter. Coordinate identification of members of the local business community who can provide services to bikeway users and assist them in improving and expanding their services.
Casey Kaiser	Local Government Liaison. Maintain contact with each affected road jurisdiction to ensure their continued support of the Scenic Bikeway.

* Contact information for proponent group members listed here is provided above.

Bikeway Description

300 words or less

The Crooked River Canyon Scenic Bikeway is a hidden gem in Central Oregon. This approximately 37 mile out and back ride takes visitors from the community of Prineville, across the farm and ranch fields of the Crooked River Valley, then through the deeply incised and dramatic Crooked River Canyon. Riders pass by pastures of cows and llama grazing, and under dramatic basalt cliffs and pillars, while following the route of the Crooked River.

The route passes in and out of ranchlands in the river valley, before passing under high basalt cliffs and climbing the gentle grade up the canyon along the Crooked Wild and Scenic River. Riders will pass by many BLM managed recreation sites along the river. Most of these sites have restrooms, and two of them (Chimney Rock and Big Bend) have water. Several day-use picnic sites are located along the route.

The road curves and climbs to a false summit near Palisades Campground, then descends to Chimney Rock Recreation Site before continuing upstream. Deer, golden eagles and the occasional bald eagle are seen along this route. Anglers fly-fishing the Crooked River are also common sights along the way.

The canyon deepens at the upper end of the bikeway, which ends at Big Bend Campground. This site has parking, restrooms, water and power. A full time campground host typically staffs this site during the summer.

The bikeway climbs 1,455 feet over its length. Some riders may choose to start at Castle Rock Recreation Site, which provides for an approximately 25 mile out and back option.

Photos

- Photos of the route, along with Release forms signed by the photographer, have been sent to OPRD's Bicycle Recreation Specialist directly via email, through Drop box, Flickr or an FTP site.*

Map Information

To be filled out AFTER receiving first draft of map from OPRD. The campgrounds, parks, public restrooms, public water stops and other publicly available amenities to be shown on the Scenic Bikeway map are listed below:

Amenity	Mile Marker from OPRD Map	Management Agency

Bikeway Goals

Infrastructure Improvement

The proponents intend to pursue the following activities to enhance the experience of riding bikeway by improving riding conditions and providing amenities and information for bicyclists:

Infrastructure Improvement Goal: Coordinate with ODOT/Crook County re. weed control on Hwy shoulder to improve cycling conditions		
Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Set up meeting between BLM botanist, Crook County Weedmaster and ODOT to review current practices. 2. Develop options for more effective weed control on road edge. 	Seth Crawford	<ol style="list-style-type: none"> 1. Spring 2018 2. Summer/Fall 2018

Infrastructure Improvement Goal: Coordinate with ODOT, BLM and BOR to explore options for paving campground entrance aprons to reduce gravel on highway pavement and remove potholes in road edge while improving recreation site access to cyclists		
Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Meet with ODOT and provide them with photos of each intersection 2. Identify Right of Way (ROW) width and which sites have greatest need for paving 3. Site survey work at selected sites 4. Coordination mtg with ODOT 5. develop plans and cost estimates 6. identify funding sources 7. Develop FLAP/FLTP or other grant for implementation as needed. 8. Project implementation 	Greg Currie	<ol style="list-style-type: none"> 1. Done 2. Done 3. 2017/2018 4. 2018 5. 2018 6/7. 2018 8. 2021 - 2022

Infrastructure Improvement Goal: Short term and long term improvements to Rimrock Park Site to provide better anchor point facilities. Provide site identification sign, improved water facility, restrooms, information kiosk, possible bike maintenance station, etc. Consider long term design for park to accommodate cyclists and other users, including restroom buildings, hiker/biker camping, etc.

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Design and purchase Site Identification Sign 2. Extend potable water line and install water fountain. 3. Install short-term portable toilets 4. Install bike racks and possibly bike maintenance station. 5. Design information kiosk and maps, purchase and install 6. Develop long-term site plan for parking, restroom, and other long term site amenities as part of larger park design work. 	Duane Garner	<ol style="list-style-type: none"> 1. Fall 2017 2. 2018/2019 3. Done, installed annually for summer season 4. 2018/2019 5. Spring 2018 6. 2019 and ongoing

Infrastructure Improvement Goal: Install new signs at State Hwy 126/State Hwy 27 (3rd and Main) that better indicate direction/turn to head toward Crooked River/Crooked River Canyon

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Take photographs of existing signage. Distribute to proponent team 2. Coordinate with ODOT and City of Prineville for replacement signs. 3. Seek funding for replacement signs and install 	Seth Crawford/Greg Currie	<ol style="list-style-type: none"> 1. Done 2. Winter 2017 3. 2018

Infrastructure Improvement Goal: Design and install interpretive signs at key locations (Rimrock park, Quail Valley Ranch, Pine Tree pullout, Stearns Dam, WSR entrance, Chimney Rock site, and other locations) along corridor, working with BLM, High Desert Museum, Bowman Museum, Oregon Dept. of Fish and Wildlife and others.

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Identify locations for interpretive signs and coordinate with ODOT and BLM or other land managers as appropriate for approval and maintenance. 2. Design signs/kiosks/mounting posts/boards 3. Write grant proposal for funding for purchase 4. Use community groups to install, including Central Oregon Fly Fishers, other ODOT adopt a hwy groups, local schools, etc. 	Greg Currie/Gordon Gillespie	<ol style="list-style-type: none"> 1. 2018 2. 2018 3. 2018 4. 2019

Infrastructure Improvement Goal: Consider options for safety signage on corridor, including at both ends of the corridor (bikes on roadway sign).

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Determine if these signs are warranted, begin coordination to select sign locations. 2. If signs are warranted/authorized, purchase signs and install. 	David Amiton	<ol style="list-style-type: none"> 1. Winter 2017 2. 2018

Infrastructure Improvement Goal: Install bike parking at Chimney Rock Recreation Site and Big Bend Recreation Site.

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
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Action Items/First Steps	Proponent Member Contact/Lead	Timeline
1. Research and select parking rack style, and identify locations with input/collaboration from Crook County Parks, BLM, and BOR 2. Write grant proposal for purchase and installation. 3. Installation	Greg Currie/James Good	1. Winter 2017/Spring 2018 2. 2018 3. 2018 ongoing

Infrastructure Improvement Goal: Install sign at Chimney Rock Recreation Site identifying potable water location. Current location is at downstream end of campground (44.137050°, -120.815583°).

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
1. decide on sign locations and design signs 2. Purchase signs and install	Greg Currie	1. Winter 2017 2. Spring 2018

Business Outreach and Services

The proponents intend to pursue the following activities to increase the number and quality of bicycle friendly businesses and build awareness of the Bikeway and its economic benefits.

Business Outreach and Services Goal: Provide Cycling Business and Service Information, Camping information and Road Condition or Event updates at Chamber of Commerce Website		
Action Items/First Steps	Proponent Member Contact/Lead	Timeline

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
1. Create bikeway page and begin providing updates	Casey Kaiser	1. ongoing

Business Outreach and Services Goal: Identify three multi-day ride or activity itineraries to promote through the Chamber of Commerce website or other avenues. Potential ideas include: Ride the river, fly-fishing, farm to table rides/tours, road ride plus mountain bike rides, road ride plus water trail (paddleboard or kayak), and history rides around town. Also identify and similarly market 3 different multi-activity single day packages that include a ride on the bikeway and other attractions for single day outings.

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
1. Identify potential activity packages with partners 2. Promote these online, and through other partners such as Travel Oregon and COVA. 3. Update existing one-page handout “Scenic Crooked River Highway” that is available at Prineville-Crook County Chamber of Commerce to include bikeway info and other activity info.	James Good/Casey Kaiser	1. Winter 2017 2. Winter/Spring 2017/201 3. Nov 2017

Marketing and Communications

The proponents will pursue the following activities to promote the Bikeway, provide opportunities for bicyclists to participate in group rides of the route, ribbon cutting/media events and to provide timely information to the Parks and Recreation Department and Travel Oregon (via RideOregonRide.com) and to assist the local Destination Marketing Organization in marketing the Scenic Bikeway:

Marketing and Communications Goal: Promote Adopt a Hwy partnerships for the bikeway. Coordinate with existing adopt a hwy groups to do clean-up events that promote bikeway.		
Action Items/First Steps	Proponent Member Contact/Lead	Timeline

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Contact ODOT for info on what groups currently adopt the road, what gaps in adoption occur. 2. Contact existing adopt a hwy groups (Band of Brothers and Central Oregon Fly Fishers) and update them on bikeway plan. 3. Create map of un-adopted portions of bikeway and seek out new groups to support bikeway by adopting remaining sections. Facilitate these groups signing up with ODOT. 4. Organize a clean-up event to promote bikeway with existing Adopt a Hwy groups and cycling groups. 	Greg Currie/Casey Kaiser	<ol style="list-style-type: none"> 1. Done – collaboration with Diana Ridenour) 2/3. Winter 2017/Spring 2018 4. 2018/2019

Marketing and Communications Goal: Update or creating new Chamber of Commerce/Crook County brochure on bikeway/back country byway

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Take existing BLM Wild and Scenic River brochure, previous Chamber of Commerce Crooked River Brochure, and existing Bureau of Reclamation brochure and develop a bikeway specific brochure draft. 2. Utilize map produced by State Parks/Travel Oregon 3. Final brochure design 4. Seek grant funds for printing 5. Purchase brochure and distribute. 	Casey Kaiser	<ol style="list-style-type: none"> 1. Winter 2017 2. Winter/Spring2018 3. Early Spring 2018 4. Fall 2017 5. Spring 2018

Marketing and Communications Goal: Seek funding for development of professional video of river corridor/City of Prineville and bicycling to use on Chamber Website, for Travel Oregon and other venues such as Statewide Cycling blogs.

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Work with Travel Oregon to Identify and select videographer 2. Shooting video 3. Final editing and production 	Casey Kaiser/James Good	<ol style="list-style-type: none"> 1. Fall 2017 2. Spring 2018 3. Summer 2018

Marketing and Communications Goal: First ride event or ribbon cutting ceremony. Possible first ride event for new Scenic Bikeway. Involve managing agencies including BLM/BOR/State Parks, etc. Potentially include Bike Park and Lower 66 Trail activities.

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Coordinate with Alex Philips and stakeholders to identify date 2. Publicize and promote the event 3. Conduct ribbon cutting, fun ride event, & bbq. 	Casey Kaiser/James Good/Seth Crawford	<ol style="list-style-type: none"> 1. Fall 2017 2. Winter 2017/2018 3. Spring 2018

Marketing and Communications Goal: Social Media Campaign.

Action Items/First Steps	Proponent Member Contact/Lead	Timeline
<ol style="list-style-type: none"> 1. Provide page or link to Scenic Bikeway info on Visitor Center website and BLM website. Provide maps and/or brochures at Visitor Center, BLM and USFS offices. 2. Post information on Central Oregon Visitors Association platform as well as Ride Oregon Ride, Oregonscenicbikeways.org, and other forms of social media such as Facebook and Instagram (Statewide and regional Cycling Blogs). 	Casey Kaiser	<ol style="list-style-type: none"> 1. Fall 2017 2. Fall 2017

Record of Community Outreach & Public Meetings

During development of the Bikeway Plan, the proponents provided the following opportunities for members of the community to learn about and provide input into plans for the proposed Scenic Bikeway:

Description of Outreach or Opportunity for Public Input	Date
Meeting with Crook County Parks and Recreation District	January 13, 2015
City Council Presentation	January 27, 2015
Chamber of Commerce Prineville Perk Public Meeting Presentation	February 11, 2015
Quail Valley Ranch Manager Meeting	Spring 2015
State Park Bikeway Public Meeting	July 7, 2015
State Park Field Review/Ride	July 8, 2015
Chamber of Commerce Tourism Committee Meeting	December 8, 2015
Chamber of Commerce Tourism Committee Meeting	January 12, 2016
State Parks Bikeway Webinar and Team Meeting	February 10, 2016
Chamber of Commerce Tourism Committee Meeting	March 8, 2016
Team meeting with Alex Phillips at Crook County Parks Office	March 28, 2016
Chamber of Commerce Tourism Committee Meeting	May 10, 2016
Meeting with BOR, State Parks and Ochoco Irrigation District	June 29, 2016
Chamber of Commerce Tourism Committee Meeting	July 12, 2016
Field Tour of bikeway and proponent meeting	Sept 13, 2016
Bicycle Tourism Partnership Meeting, Bend	October 28, 2016
Oregon Bicycle Tourism Studio, Prineville	February 7, 2017
Crook County Parks and Recreation District Board Meeting, Prineville	June 28, 2017
OPRD Public Meeting	Sept. 19 th , 2017

- Check when copies of news articles, calendar events, minutes from meetings, sign in sheets and other announcements are attached or sent in a separate file.*

Bikeway Signs Location Tables

Sign Location Table (direction A upstream/south)

Signs are installed on the right side of the road where cyclists look for and expect signs and approximately 25 feet before an intersection to give the cyclist time to anticipate the turn.

Note: Site Identification Sign for Rimrock Park would be located on west side of State Highway 27, at north side of entry drive into parking area (approximately 44.293408, -120.846504).

Road Name	Intersection With	Arrow Direction	Sign Size	Road Jurisdiction (contact info follows)
State Hwy 27	Rim Rock Park exit (approx. 44.293198, - 120.846299)	Right	18" x 24"	ODOT, District 10
State Hwy 27	None (reassurance marker sign) (44.185301, - 120.862287)	Straight	18" x 24"	ODOT, District 10
State Hwy 27	None (reassurance marker sign) (44.136446, - 120.814631)	Straight	18" x 24"	ODOT, District 10
State Hwy 27	Big Bend Campground Entrance – (approx. 250 ft north of entrance (44.114434, - 121.791481)	Right	18" x 24"	ODOT, District 10

Sign Location Table
(direction B downstream/north)

For Bikeways signed in both directions

Road Name	Intersection With	Arrow Direction	Sign Size	Road Jurisdiction (contact info follows)
State Hwy 27	Big Bend Campground Entrance, 70 ft north of entrance (approx. 44.114051, -121.791849)	Straight	18" x 24"	ODOT, District 10
State Hwy 27	None (reassurance marker sign) (approx. 44.136478, -120.814530)	Straight	18" x 24"	ODOT, District 10
State Hwy 27	None (reassurance marker sign) (approx. 44.185416, -120.862315)	Straight	18" x 24"	ODOT, District 10
State Hwy 27	Rim Rock Park entrance, sign located immediately north of north entry to RV park (approx. 44.2933443, -121.846214)	left	18" x 24"	ODOT, District 10

Check when responsible road jurisdictions have reviewed and approved the above Bikeway sign locations.

Sign Contact Information

Contact Name	Road Jurisdiction	Phone Number
Joel McCarroll, PE	ODOT, Region 4 Traffic Manager	541-388-6189
Tod LaFrance	ODOT District 10 Sign Crew Coordinator	541-388-6152

Final Bikeway Letters of Support

Final letters of support for each of the following agencies and road jurisdictions were obtained within 6 months prior to submittal of the plan:

Agency/Jurisdiction Name	Date of Letter(s)
ODOT Area/District(s): Region 4 District 10	Completed 5/2017
County(s) Commission: Crook County	Completed 5/2017
City Council: Prineville	
BLM District Manager: Prineville District BLM	Completed 5/2017
State Park Manager(s): Prineville Reservoir State Park	Completed 5/2017
Bureau of Reclamation: Field Office Manager	Completed 5/2017
Crook County Parks and Recreation District	

Check when final letters of support from each of the agencies and road jurisdictions are attached.



Bicycle Racers at Crook County Fairgrounds Track, Prineville, Oregon – 1910 (courtesy Bowman Museum)



Oregon

Kate Brown, Governor

Parks and Recreation Department

Prineville Reservoir State Park

19020 SE Parkland Dr

Prineville, OR 97754-8611

May 17, 2017

Alexandra Philliph
Scenic Bikeways Program Director
Oregon Parks and Recreation Department
725 Summer Street
Salem, Oregon 97301-3871

RE: Crook County State Scenic Bikeway Application

Dear Oregon State Scenic Bikeway Committee,

The Prineville Reservoir Management Unit with the Oregon Parks and Recreation Department (OPRD) supports the application for the Crooked River Scenic Bikeway. The Proposed route includes Big Bend campground on the Crooked River below Bowman Dam. The Big Bend campground would make a good anchor point for this route because it provides overnight camping with restroom facilities and drinking water. Big Bend is co-managed by OPRD, the Bureau of Reclamation, and The Bureau of Land Management. Each agency is in support of Big Bend being included as an anchor point along the bike route.

A bike tour route linking the local communities to Prineville Reservoir and the Crooked River would expose visitors to the outstanding scenic beauty and recreational opportunities we have to offer. We are dedicated to working with other agencies to provide access to new recreational opportunities throughout the State.

If you have any questions regarding Prineville Reservoir feel free to contact me at (541) 416 - 0645.

Sincerely,

Michael Simonsen
Park Manager
Prineville Reservoir Management Unit





Oregon

Kate Brown, Governor

Department of Transportation

District 10

63055 N Hwy 97, Bldg K

Bend, OR 97703

Phone: (541) 388-6169

Fax: (541) 388-6022

May 15, 2017

Alex Phillips
Bicycle Recreation Coordinator
Oregon Parks and Recreation Department
725 Summer St. NE, Suite C
Salem, OR 97301

RE: Support for Scenic Bikeway

Ms. Phillips,

On behalf of the Oregon Department of Transportation, Region 4 in Central Oregon, I wish to express support for establishing a scenic bikeway from Prineville to the Bowman Dam. The proposed route is on the Crooked River State Highway #27, which follows the course of the Crooked River for nearly its entire length, much of it within a few dozen yards of the river. The highway is lightly traveled by motor vehicles with the vast majority of users being recreationists. This is a desirable route for road cyclists due to its natural beauty and peaceful surroundings.

Not only is the route used for recreational bicycling, ODOT also permits its use for several bike events, bike races and foot races each year. ODOT supports designation of this route as a Scenic Bikeway.

Our support is based on the understanding that the designation would in no way restrict the normal maintenance and operations activities along this highway, including development and use of mineral resource sites and stockpile sites used in support of such activities.

Should you have any questions for ODOT, please feel free to contact me at 541-388-6169.

Sincerely,

Pat Creedican
District 10 Manager
541-388-6169



Crook County

300 NE 3rd Street • Prineville, Oregon 97754
Phone (541) 416-6555 • FAX (541) 416-3891

June 21, 2017

Ms. Alex Phillips, Bicycle Recreation Specialist
Oregon Parks and Recreation Department
725 Summer Street NE
Salem OR 97301

Re: *Support for Crooked River Canyon Scenic Bikeway Application*
Our File No.: Ct Misc B

Dear Ms. Phillips:

The Crook County Court (County Commission) is pleased to provide its support for the Crooked River Canyon Scenic Bikeway Application.

The proposed bikeway is approximately 19.8 miles in length beginning at the Crooked River Park in Prineville, Oregon, and continuing south on State Route 27 to Big Bend Campground. The route includes dramatic and outstanding scenery, including views of the Crooked River, canyon cliffs, ranch lands, and remote backcountry.

As a county impacted by timber loss, the tourism revenue positively impacts our economy. We feel the designation would be an effective method of informing travelers of a truly significant opportunity and benefits Crook County, our local businesses, and our tourism industry.

On behalf of the Crook County Court, we strongly support and urge your designation of the Crooked River Canyon Scenic Bikeway application.

Sincerely,

CROOK COUNTY COURT

Seth Crawford
County Judge

Jerry Brummer
County Commissioner

Brian Barney
County Commissioner



United States Department of the Interior

BUREAU OF RECLAMATION
1375 SE Wilson Avenue, Suite 100
Bend, Oregon 97702-2607

IN REPLY REFER TO:

BFO-3000

LND-1.00

Alexandra Phillips, Bicycle Recreation Coordinator
Oregon Parks and Recreation Department
725 Summer Street NE, Suite C
Salem, OR 97301

Subject: Letter of Support Crooked River Canyon State Scenic Bikeway

Dear Oregon State Scenic Bikeway Committee:

The U.S. Bureau of Reclamation Bend Field Office is providing this letter of support for the proposed Crooked River Canyon State Scenic Bikeway application and designation in Oregon. I understand the designated bikeway route will start at Prineville, Oregon and end at Big Bend Recreation Area. Big Bend is owned by the Bureau of Reclamation.

We support this scenic bikeway route, based on the understanding that it includes and ends at Big Bend Recreation Area. Reclamation does not support inclusion of Arthur R. Bowman Dam and the Powder House Cove Recreation Area, both owned by the Bureau of Reclamation, as part of the designated bikeway route due to dam security and safety concerns. We also understand the bike route does not continue on the county road south of Arthur R. Bowman Dam.

Sincerely,

Gregg Garnett
Bend Field Office Manager



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Prineville District Office

3050 NE 3rd Street

Prineville, Oregon 97754



In Reply Refer To:
8357 (ORP060)

Alexandra Phillips, Bicycle Recreation Coordinator
Oregon Parks and Recreation Department
725 Summer Street NE< Suite C
Salem, OR 97301

Dear Oregon State Scenic Bikeway Committee:

The BLM Prineville District is pleased to provide this letter of support for the Crooked River Canyon State Scenic Bikeway plan and designation. This community effort of the Prineville – Crook County Chamber of Commerce will provide economic benefits through promotion of tourism. We also believe it will provide health and quality of life benefits for the community.

State Highway 27 (Crooked River Highway) provides significant recreation opportunities and outstanding scenery. The bikeway would pass through approximately 8 miles of BLM administered lands within the Crooked Wild and Scenic River (Chimney Rock Segment). This State Scenic Bikeway designation and use of this corridor for bicycling provides an excellent opportunity for visitors to enjoy the federally designated Wild and Scenic River, and visit one of the many BLM managed recreation sites. We believe this corridor provides some of the best scenery found in central Oregon.

We look forward to being part of the community partnership to implement the bikeway plan and create long-term connections between the community and their public lands.

Sincerely,

Jeff Kitchens
Field Manager, Deschutes Field Office



October 4, 2017

Alexandra Phillips
Scenic Bikeways Program Director
Oregon Parks and Recreation Department
725 Summer Street
Salem, OR 97301-3871

Dear Ms. Phillips,

This letter is being written to express strong support from Crook County Parks and Recreation District for the Oregon State Scenic Bikeway designation that is being considered for the Crooked River Canyon corridor between Prineville and Bowman Dam along HWY 27.

The District is in full support of the proposal and is committed to provide Rimrock Park as the official starting point for the Bikeway. Rimrock Park has a paved parking lot, potable water, existing trails and plenty of potential to develop needed amenities.

The District is committed to promoting a healthy lifestyle for its citizens and visitors alike and feels this program will provide an immediate positive impact on the community. The CCPRD Board of Directors fully supports this project and they have allocated funds in the 2017-2018 budget to begin improvements to Rimrock Park that are identified on the Scenic Bikeway Proposal.

Thank you for your time and consideration with this matter. Please feel free to contact me if you have any questions or comments at your convenience.

Best Regards,

Duane Garner
Executive Director
Crook County Parks and Recreation District



Scenic Bikeway Designation Process

Bikeway Committee is an Advisory Committee to OPRD. All committee votes are accepted as advisory

Application Phase

During the application window the Proponent submits application which includes: Proposed route, letters of support from governing bodies of road management agencies and adjacent public landowners and names of proponent group members.

OPRD Bikeways Coordinator reviews the application for completeness. If complete, staff sends completed applications to the Oregon Scenic Bikeway Committee, or sends written feedback to Proponent explaining why it was not advanced.

State Bikeway Committee reviews completed applications, chooses routes to rate using the Bikeway criteria. Routes can be rejected without a field rating based on the committee's knowledge of the route or due to program capacity and if it complements the program as a whole.

Route does not score well. Route can be rejected outright by committee or with suggestion to resubmit after issues are addressed.

If route scores well and is recommended for designation by the Bikeway Committee, staff consults with Oregon Recreation Trails Advisory Council. Bikeway item must be during a public meeting as per OAR.

Recommendations are forwarded to OPRD director or OPRD manager for preliminary OPRD approval. The committee can choose to not forward a well scoring route to the director based on other factors, such as Committee and staff capacity and if it complements the Bikeway Program as a whole.

Writing Bikeway Plan Phase

Proponent holds public meetings and OPRD staff holds public meeting and hearing. Purpose of public meetings is to inform communities of possible designation and gather comments on concerns, opposition and support. Staff asks Proponent to start developing a Scenic Bikeway Plan. Proponent submits draft of Bikeway Plan for feedback from staff and State Bikeway Committee. Bikeway Committee votes to approve final Bikeway Plan. (Steps in this box may overlap, but generally flow in the order presented here.)

Committee recommendations and a summary of public comments are forwarded to the Director for approval to bring the Commission. Commission holds official designation vote during a public meeting

Implementation and Bikeway Management Phase

Proponent implements Bikeway Plan. Proponents complete annual reviews. Staff performs five-year review with committee input. Bikeway Committee votes to accept of five year review .

Route Evaluation Form

Route Characteristics				
Best: 5 Points	4 points	Moderate: 3 Points	2 Points	Minimal: 1 Point
Natural Qualities				
The route offers multiple opportunities for viewing natural qualities with a high degree of variation, strong contrast, unique shapes, dramatic settings and unusual combinations of interesting landforms, color, vegetation, wildlife, bodies of water, etc.		The route offers moderate opportunities for viewing natural qualities with some degree of variation, strong contrast, unique shapes, dramatic settings and unusual combinations of interesting landforms, color, vegetation, wildlife, bodies of water, etc.		The route offers minimal opportunities for viewing natural qualities with little degree of variation, strong contrast, unique shapes, dramatic settings and unusual combinations of interesting landforms, color, vegetation, wildlife, bodies of water, etc.
Human-made Qualities				
The route offers multiple opportunities to view, visit and/or experience a variety of points of interest such as buildings, structures, objects, sites, heritage sites, whole districts or expansive agricultural landscapes.		The route offers moderate opportunities to view, visit and/or experience human-made qualities of interest. The route may intersect subdivisions or other forms of block and strip development for distances of less than 2 miles.		The route offers minimal opportunities to view, visit and/or experience human-made qualities of interest. The route travels through subdivisions or other forms of block and strip development for distances of 2 miles or greater.
Sensory Qualities				
Most of the route offers an engaging variety of sensory experiences including a mix of pleasant sounds, odors and tactile opportunities.		Some of the route offers a moderate variety of sensory experiences. Some portions of the route may travel through areas that are drab, noisy and smelly.		Large portions of the route travel through areas that are drab, noisy and smelly.
Route Conditions				
Best: 5 Points	4 points	Moderate: 3 Points	2 Points	Minimal: 1 Point
Route Surface				
Smooth surface. Surface regularly maintained clear of debris.		Smooth surface, with some cracking. Surface generally clear of debris.		Rough surface or surface in need of serious repair. Debris frequently encountered.
Traffic Volume				
(Include subjective rating and actual traffic counts where available.) Motor vehicle traffic volume is low with few or no large trucks.		Motor vehicle traffic volume is moderate with some large trucks.		Motor vehicle traffic volume is high consisting of large trucks and cars.
Traffic Speeds (posted & actual)				
The posted and actual speed limit are low; less than 30 mph.		The posted and actual speed limit are moderate; 40- 45 mph		The posted and actual speed limit are above 55- 65 mph.
Route Separation				
Bicycle traffic is separated from vehicle traffic by a separate path, bike lane, or wide shoulder.		Bicycle traffic is separated from vehicle traffic by a moderate shoulder.		There is little separation between bicycle and vehicle traffic.



Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item:	6c	Action
Topic:	ATV Advisory Committee Member Recommendations	
Presented by:	Jan Hunt, Grants and Community Programs Manager Ian Caldwell, ATV Program Lead	

GUIDANCE:

The All-Terrain Vehicle (ATV) Program recommends two (2) new members to the ATV Advisory Committee. OPRD Staff and 2 members of the ATV Advisory Committee conducted interviews of 5 applicants and unanimously agreed.

The ATV Advisory committee is made up of sixteen voting members and one (1) nonvoting member representing various disciplines. There are currently two (2) vacant positions: Representative of a Class II ATV user organization (Jeeps, SUVs, Trucks, Sand Rails) and Representative of a Class III ATV user organization (Off-Road Motorcycle).

The ATV Advisory Committee is tasked with:

- reviewing accidents and fatalities resulting from ATV recreation,
- reviewing changes to statutory vehicle classifications as necessary for safety considerations,
- reviewing safety features of all classes of ATVs, and
- recommending appropriate safety requirements to protect child operators and riders of ATVs.

These two new members will also serve on the ATV Grant Subcommittee (total 7 people) which is responsible for reviewing and recommending funding of grants in support of ATV recreational activities statewide. ATV Grant projects include: operations and maintenance, law enforcement, emergency medical services, land acquisition, and planning and development.

Recommended Representative of a Class II ATV user organization: **Virgle Osborne**

Virgle owns Twin Peaks Off-Road in Roseburg, Oregon and has been an avid 4-wheeler for over 34 years. He has been a member of the Pacific Northwest 4-Wheel Drive Association (PNW4WDA) for 20 years and a chairman for the last 5 years. Virgle started X-treme Offroader's 4x4 Club and is a member in several other 4x4 clubs. He has participated in, and helped to sponsor, several 4x4 off-road events throughout Oregon. Virgle also serves as a 4x4 coordinator for the Douglas County Search and Rescue team. He is committed to responsible trail use and sustainable long term practices doing what is necessary to keep Off-Highway Vehicle (OHV) recreation a viable sport in Oregon.

Recommended Representative of a Class III ATV user organization: **Barrett Brown**

Barrett is a Recreation Land Use Policy Advisor and OHV Community Advocate. He has over 25 years of direct policy involvement and implementation along with 45 years of Off-Road Motorcycle trail advocacy and volunteerism experience. Barrett serves as a long-standing member of the Lobos Motorcycle Club where he has written and managed multiple grant funded projects. He also serves as a member of the Oregon Motorcycle Riders Association where he has worked with legislators and policy makers

representing the ATV Community. Barrett is also a member of the Board of Directors on the National Off-Highway Vehicle Conservation Council (NOHVCC) which is a nationwide ATV organization that strives to create a positive future for ATV recreation.

Prior Action by Commission: None

Action Requested: Approval to move forward with the appointment of recommended ATV Advisory Committee Members

Attachments: None

Prepared by: Ian Caldwell

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item:	7a	Information
Topic:	Heritage Division Update	
Presented by:	Christine Curran, Heritage Division Director, Deputy SHPO	

Grant Applications Now Welcome

The application period for four Heritage Division grants opened in January. Applicants will have two to three months to prepare applications for:

Preserving Oregon – funds work on historic properties listed in the National Register of Historic Places and on archaeological projects. Matching grants up to \$20,000.

Diamonds in the Rough – helps restore or reconstruct building facades that have been heavily altered over time. Matching grants up to \$20,000.

Oregon Museum – supports museums in completing projects related to collections care, heritage tourism, and education. No match, up to \$8,000.

Oregon Historic Cemeteries – funds projects that preserve historic cemeteries. No match, up to \$8,000.

During the open application window, Heritage Division staff offers several free grant-writing workshops and webinars to assist applicants in project planning and grant writing.

Historic Tax Credit Preserved

The federal Historic Rehabilitation Tax Credit (HTC), which was completely eliminated in the House version of the recent tax reform bill, survived in the final bill, which became law. The HTC is administered by the National Park Service in partnership with the State Historic Preservation Office. It provides a 20% tax credit for the rehabilitation of income-producing historic buildings and a 10% tax credit for the rehabilitation of non-historic buildings built before 1936. The tax credit must be claimed within five years of the building being placed in service.

In Oregon, the HTC generated \$228 million in total rehabilitation costs in 2016, creating 3,931 jobs across the state. It is commonly used in conjunction with the SHPO's Special Assessment of Historic Property tax benefit program to make rehabilitation of a historic building more cost effective than demolition.

While the HTC survived the attempt on its life by the House, some of its requirements were changed, specifically the 20% credit is now claimed ratably over a five-year period – meaning that those who qualify for the tax credit will receive 4% per year for five years rather than 20% for one year. In addition, the tax credit for non-historic properties was eliminated.



Heilbronner Block, Hood River – **Before** HTC Project



Heilbronner Block, **After** HTC Project

Oregon Heritage Conference

Join us in Bend for the 2018 Oregon Heritage Conference! This biennial conference brings together people who love and work with Oregon’s heritage. Designed to be interdisciplinary, the conference focuses on all sectors of cultural heritage, such as historic preservation, museums, archives, libraries, historic cemeteries, main street organizations, and local and state government.

This year's theme is "People. Place. Change." The conference home base will be the Deschutes Historical Museum but we will be incorporating conference sessions and events in locations throughout downtown Bend. As always, the program will include the wildly inspiring Oregon Heritage Excellence Awards banquet. The keynote speaker for the conference is Jeannette Pearce, Executive Director of Detroit Experience Factory. She will speak on "Grounding Change, Engaging People."

Welcome Robert Olguin

The Heritage Division is fully staffed with the addition of our new National Register Coordinator. Welcome Robert Olguin, a public historian who comes to the Oregon State Historic Preservation Office from Historic Columbia, a non-profit in Columbia, South Carolina dedicated to preserving South Carolina's historic resources. There, Olguin served in the Cultural Resources department where he managed multiple projects and responsibilities, including a Historic District National Register nomination. Additionally, Olguin interned at the South Carolina State Historic Preservation Office where he learned review and regulatory procedures and helped draft and revise the Statewide Historic Preservation Plan. Olguin holds a BA in History from California State University, Long Beach and an MA in Public History from the University of South Carolina.

Robert joins the State Historic Preservation Office staff and works directly under SHPO Manager Ian Johnson.

Prior Action by Commission: none

Action Requested: none

Attachments: none

Prepared by: Christine Curran

Oregon Parks and Recreation Commission

February 21, 2018

Agenda Item:	8a	Action
Topic:	South Beach & Beverly Beach Management Units Master Plan Approval	
Presented by:	David Stipe, Planning + Design Manager Ian Matthews, Planner	

Background: OPRD creates and updates master plans for state parks in accordance with Oregon Administrative Rules Section 736-018. The South Beach & Beverly Beach Management Units Master Plan was initiated in 2014 in order to update and establish master plans for all parks within the two units, with the exception of Ellmaker State Wayside and Brian Booth State Park (Ellmaker is spatially separated from the other coastal parks and so was not included, and Brian Booth already has an approved master plan from 2014). The Draft Plan was developed during 2015-2017 with public and stakeholder input.

Key components of the Draft Plan and related public comments are summarized in the attached Executive Summary.

If approved by the Commission, the Plan will need to be approved by local governments within the two management units before it can be adopted into state rule.

Prior Action by Commission: No prior action, the Commission was last updated on the planning process in April 2017.

Action Requested: Commission approval is requested for the Final Draft South Beach & Beverly Beach Management Units Master Plan.

Attachments: Final Draft Plan Executive Summary

Prepared by: Ian Matthews

Executive Summary

South Beach and Beverly Beach Management Units Plan



The Draft South Beach and Beverly Beach Management Units Plan puts forth management and development recommendations for 25 ORPD parks and properties along the central coast between Lincoln City and Yachats. The parks include two of the most heavily visited campgrounds in the state (**South Beach** and **Beverly Beach**), popular viewpoints (**Boiler Bay, Cape Foulweather**), tidepooling areas (**Devil's Punch Bowl, Seal Rock**), the **Whale Watch Center at Depoe Bay**, the historic **Yaquina Bay Lighthouse**, and more than a dozen lesser known though still popular beaches and day use areas (including **Fogarty Creek, Agate Beach, Smelt Sands, and Yachats**).

Process and Public Involvement

The planning process began in the summer of 2014 with internal ORPD meetings and park resource assessments. Beginning in February 2015, four sets of public and Advisory Committee meetings were held, gathering input from a range of stakeholders including Lincoln County, the Cities of Newport, Waldport, and Yachats, Surfrider, and many others.

Overall public attendance at meetings was modest. A survey was conducted of OPRD campground users and returned over 3,000 responses. Key issues raised by members of the public included:

- desire to maintain access to beaches (from survey)
- desire to increase and diversify camping opportunities (from survey)
- concern about erosion at Gleneden Beach State Recreation Site
- support for / concern about impacts of a proposed new campground at Fogarty Creek State Recreation Area
- support for / concern about a proposed new disc golf course at South Beach State Park

Issues raised by members of the Advisory Committee, included, among others:

- concern about the impacts of visitation on sensitive marine and tidepool areas
- support for reducing parking capacity and pavement area at underutilized parks
- management of the South Jetty (U.S. Army Corps of Engineers)
- coordination with City plans and objectives (for parks in urban areas)
- opportunities to increase coordination between OPRD and partner organizations providing related recreational and educational services

Management and Development Proposals

The Plan identifies over one hundred management and development projects, ranging widely from interpretive signage to native habitat restoration to new trails and campgrounds.

Major Highlights include:

- Development of a new campground at Fogarty Creek State Recreation Area
- Development of public access (trails, parking) at L. Presley & Vera C. Gill State Natural Area (currently an undeveloped property)
- Parking lot reductions at Gleneden Beach, Fogarty Creek, and Agate Beach
- Changes to the South Beach State Park campground entrance, including relocation of the dump station, group camp, and addition of more yurt sites
- Development of the South Jetty Day Use Area, including a new disc golf course, parking, restrooms, and paved bicycle trails connecting to the City of Newport's bikeway system

- Formal agreement between OPRD and the U.S. Army Corps of Engineers regarding future management of the South Jetty
- A scenic walkway, parking, and trail improvements at Yaquina Bay State Recreation Site
- Targeted ADA improvements in most parks to provide improved access to a wide range of recreation facilities

The total cost of all proposed improvements is estimated to be somewhere between 12 million and 14 million dollars, however, some projects are long-term goals while others are priority projects to be initiated within the next 5-6 years.

Priority Projects for the Beverly Beach Management Unit include:

Gleneden Beach State Recreation Site

- Relocate fencing

Fogarty Creek State Recreation Area

- Redesign day use parking
- Construct new picnic shelter
- New hiker-biker campsites
- Forest thinning south of the day use area

Devil's Punch Bowl State Natural Area

- Improve parking, paths, viewpoints, and restroom to meet accessibility standards

Beverly Beach State Park

- Upgrade pedestrian circulation within the campground
- Relocate amphitheater
- Construct new interpretive shelter

Yaquina Bay State Recreation Site

- Manage vegetation to improve views, visibility, and natural resource value

Priority Projects for the South Beach Management Unit include:

South Beach State Park

- Relocate dump station
- Relocate hiker/biker camp
- Construct a new disc golf course and restore native dune habitat
- Restroom / parking improvements in the South Jetty Day Use Area
- Control populations of purple loosestrife

Lost Creek State Recreation Site

- Relocate beach access trail
- Control populations of yellow flag iris

Driftwood Beach State Recreation Site

- Develop interpretive trail loop
- Manage shore pine forest to encourage transition to Sitka spruce
- Maintain and enhance areas of shore pine-kinnikinnick habitat

L. Presley and Vera C. Gill State Natural Area

- Maintain and enhance areas of shore pine-kinnikinnick habitat

Governor Patterson Memorial State Recreation Site

- Maintain and enhance populations of big-headed sedge

Beachside State Recreation Site

- Redesign day use parking lot
- Relocate park entrance gate

Smelt Sands State Recreation Site

- Pave entrance road and parking lot
- Improve beach access at north end of 804 Trail
- Control populations of English ivy, montbretia, yellow flag iris, old man's beard, Japanese knotweed, and Himalayan blackberry.

Yachats State Recreation Area

- Control populations of English ivy, montbretia, yellow flag iris, old man's beard, Japanese knotweed, and Himalayan blackberry.

Yachats Ocean Road State Natural Site

- Eradicate Japanese knotweed

ADA Assessment Strategy

OPRD staff developed an "ADA Assessment" methodology in order to identify potential accessibility improvements. This methodology will be refined and applied to future master plans statewide to incorporate ADA transition planning into the park master planning process.

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item:	8b	Information
Topic:	Report on newly completed Natural Resource Assessment and Strategic Action Plan for parks in the Willamette Basin	
Presented by:	Trevor Taylor, Stewardship Section Manager	

Project Scope

Oregon Parks and Recreation Department (OPRD) works to manage natural resources to meet its mission of *providing and protecting outstanding natural, scenic, cultural, historic, and recreational sites for the enjoyment and education of present and future generations*. To help achieve this part of the mission, two new tools have been created that will guide the management of natural resources on OPRD properties in the Willamette Basin for the next 10 years (2018-2028): a Natural Resource Function and Value Assessment, and a Natural Resource Strategic Action Plan. OPRD is a major landholder in the Willamette Basin; these tools focus on natural resource management on 134 OPRD properties spanning over 23,700 acres, including properties in the Valley, the Willamette Greenway, the east slope of the Coast Range, and the West Cascades.

Planning Need and Plan Development

Two primary methods used to manage natural resources on OPRD-managed properties are:

Stewardship: frequent, ongoing, small scale actions that address early any problems that might threaten natural resources (an approach similar to preventative maintenance of facilities).

Restoration: repairing damaged ecosystems and habitats by active human intervention to increase biodiversity and ecosystem function, using more expensive and complex methods than stewardship.

The purpose of this planning effort was to gain a clearer understanding of the condition and quality of natural resources on OPRD-managed properties in the Willamette Basin and to define a clear, prioritized and achievable approach for restoration and long-term stewardship of the natural resources and specific plant and wildlife communities contained on these properties.

These tools were developed over the past 18 months through a multi-disciplinary planning effort that involved 39 OPRD staff from all parts of the agency, and 37 external stakeholders representing over 20 organizations. The planning team incorporated relevant information from six OPRD policies, four OARs, five current agency initiatives, seven existing public opinion surveys/studies, 27 Willamette Basin conservation planning documents, and one over-arching conservation plan for the state – The Oregon Conservation Strategy (ODFW 2016).

Natural Resource Function and Value Assessment

The Function and Value Assessment paints a first-ever picture for OPRD of the Willamette Basin park natural resource condition, value and functions, as well as stewardship and restoration needs. The 134 OPRD-managed properties in the Willamette Basin were scored against 19 criteria, using existing information and field visits. The criteria focused on three key areas:

Habitat Value: aspects of a property that are needed to support high biodiversity and rare/declining species.

Water Quality and Floodplain Function: aspects of a property that contribute to improved water quality in the Willamette Basin, including functional floodplains.

Public Use and Enjoyment of Nature: the aspects of a property that promote the ability of people to access the property and enjoy the natural world in a peaceful setting.

Assessment Findings

The average score of all properties (47 out of 100 points possible) is low, below the 50% mark. The total score range is quite wide, with the highest total score at 82 (Silver Falls State Park) down to the lowest total score at 14 (tie - Willamette Stone State Heritage Site and Holman Wayside).

There is room for improvement in all three categories we examined. This is reflected in the average scores by category across all properties:

- Habitat value: average 28.1 out of 62 possible points
- Water Quality/Floodplain Function: average 11.3 out of 20 possible points
- Public use and enjoyment of nature: average 7.6 out of 18 possible points

Some properties stand out for specific values. For example, the highest scoring parks are:

- Habitat Value top scorers:
 1. Wapato Access Willamette River Greenway
 2. Silver Falls State Park
 3. Willamette Mission State Park
- Water Quality and Floodplain Function top scorers:
 1. *(tie)* Elijah Bristow State Park-Dexter State Recreation Site, Willamette Mission State Park, Molalla River State Park, Grand Island Willamette River Greenway
 2. *(tie)* Scappoose Landing Willamette River Greenway, L.L. Stub Stewart State Park
- Public Use and Enjoyment of Nature top scorers:
 1. Silver Falls State Park
 2. L.L. Stub Stewart State Park
 3. *(tie)* Champoeg State Heritage Area, Milo McIver State Park, Elijah Bristow State Park-Dexter State Recreation Site, Willamette Mission State Park

We can compare properties with one another to inform where our limited natural resource staff capacity and funding should be focused. For example, by comparing Natural Resource Function & Value (scores grouped into High, Med, Low) to Ecological Health/Condition (scores grouped into Good, Fair, Poor), we can organize properties into nine classes (refer to table). How do we manage these different types of properties given these differences in inherent function and value, and differences in ecological health? The Strategic Action Plan answers this question by detailing a “**Protect the Best**” strategy wherein stewardship efforts are focused on keeping the healthiest properties in good condition, and relying on a mixed strategy of restoration, partner efforts, and other strategies to improve conditions on the other properties over time.

		Natural Resource Function & Value		
		Low	Medium	High
Ecological Health/Condition	Good	<u>Low</u> F&V <u>Good</u> Condition (4 sites)	<u>Medium</u> F&V <u>Good</u> Condition (14 sites)	<u>High</u> F&V <u>Good</u> Condition (13 sites)
	Fair	<u>Low</u> F&V <u>Fair</u> Condition (27 sites)	<u>Medium</u> F&V <u>Fair</u> Condition (24 sites)	<u>High</u> F&V <u>Fair</u> Condition (18 sites)
	Poor	<u>Low</u> F&V <u>Poor</u> Condition (14 sites)	<u>Medium</u> F&V <u>Poor</u> Condition (9 sites)	<u>High</u> F&V <u>Poor</u> Condition (8 sites)

Natural Resource Strategic Action Plan

The Natural Resource Strategic Action Plan identifies specific strategies and actions to direct how we manage these varied properties, while also improving our natural resource management partnerships, funding, training, and public communication. It is worth noting that the Plan does not address property acquisition, park facility development, rule enforcement, or recreational use of parks.

The Vision and Goals of the Plan are listed below. The final section of the Plan provides workplans for each of the eight OPRD management units in the Willamette Basin detailing specific short term needs for each property. Implementation of the Plan will be dependent upon available funding, emerging threats, and partnership opportunities.

Stewardship Vision: A robust stewardship program ensures that important natural resources are preserved and restoration investments are maintained.

Restoration Vision: An active restoration program built on partnerships facilitates continuous improvement of natural resources.

Public Engagement Vision: People enjoy and appreciate the Willamette Basin’s native species and habitats. Understanding and discovery is fostered through opportunities to become engaged participants in their care and management.

Twelve goals, listed below, outline how to achieve these visions.

1. Stewardship actions are focused on the highest priorities.
2. Natural resource stewardship awareness, tools, and skills are improved.
3. Funding to support stewardship activities is increased and diversified.
4. Human resource capacity to implement stewardship actions is increased and diversified.
5. Major property issues that affect natural resources are resolved.

6. Threats to natural resources are prevented, or rapidly detected and addressed, to prevent major impacts to natural resources.
7. Protecting park resources is a primary consideration in all park operations.
8. Restoration projects include a detailed scoping period and alternatives analysis.
9. Priority natural resources are restored and managed using science-based approaches that incorporate opportunities for learning and adaptive management.
10. Restoration incorporates natural disturbance regimes and natural processes whenever possible.
11. Visitor appreciation and stewardship of natural areas is improved.
12. Diversity and inclusion are integrated into natural resource management activities.

These goals down are supported by 33 objectives and 146 strategies/actions detailed in the Plan. At the conclusion of the 10-year period of implementation for the Natural Resource Strategic Action Plan, the Function and Value Assessment can be repeated to demonstrate improvements made in the 19 criteria, and to identify additional areas needing further work.

Project Outcomes

Many information gaps have been filled for understanding the current condition of OPRD's Willamette Basin properties, and what special natural resources they contain, allowing land management decisions and resource allocations to be made with a comprehensive view and the best available knowledge. Furthermore, ecological priorities that OPRD will focus on for the time horizon of the plan are now consistent with state and regional conservation strategies and endangered species recovery plans and OPRD organizational goals/policies/mission/vision. OPRD created a vision, goals, objectives and actions for restoration and stewardship of Willamette Basin properties, which it did not have prior.

With these new tools, OPRD and our partners are better able to plan further out in time and queue up projects in a prioritized and strategic fashion, forecasting future funding needs and budgeting accordingly over a longer term period than in the past. The tools identify new stewardship initiatives that would address park needs in a more efficient manner than the current biennium-by-biennium approach.

We expect that the stewardship of OPRD properties in the Willamette Basin will improve significantly in terms of both the number of acres under active management, and the quality of active management. OPRD will continue successful existing strategies, why piloting a limited number of new strategies. OPRD will be better poised to meet the public's demand for healthy, protected habitats on public lands in the Willamette Basin, and provide healthy natural areas for recreational enjoyment.

A full copy of the report can be found online at:

<https://www.google.com/search?q=opr+natural+resource+function+and+values&ie=utf-8&oe=utf-8>

Prior Action by Commission: none

Action Requested: none

Attachments: none

Prepared by: Andrea Berkley, Trevor Taylor

Oregon Parks and Recreation Commission

February 21st, 2018

Agenda Item: 8c Information
Topic: 2015-17 Park Development Division Accomplishments
Presented by: Cliff

Stewardship Section Overview

The Stewardship Section is responsible for a wide variety of natural and cultural resource projects within the state park system and beyond, including the ocean shore state recreation area and the state scenic waterway program. This section also issues permits to allow investigators to access state parks to conduct scientific research projects.

Natural Resources

The Natural Resources team is comprised of four field-based Natural Resource Specialists with broad responsibilities in their respective park management regions as well as statewide specialists in botany (1), wildlife biology (1), and forestry (2). This team implements natural resource-focused projects, acquires grants, manages forest health and conducts resource inventories and assessments.

Cultural Resources

The Cultural Resources team is made up of three regional state park archaeologists and one historian that focus on above and below ground historic and cultural resources. Work includes coordination with federal and state agencies on projects and programs that protect and enhance cultural resources on OPRD property including review of state park projects to avoid impacts to above and below ground cultural resources. Additionally staff serves as tribal liaisons for the agency and maintains government to government consultation with all nine federally recognized Oregon Tribes.

Scenic Waterways

Stewardship natural resource staff works to manage the waterways designated under the direction of the State Scenic Waterways Act of 1970. OPRD administers the program which currently includes approximately 1,200 miles on [22 waterways](#). Work includes review of notices of proposed actions that may impact the scenic, natural and recreation values of the designated waterways as well as participation in studies to review rivers for potential future inclusion in the program.

Ocean Shores

Oregon's 362 mile-long coastline has free and uninterrupted public use of the beaches. The ocean shore is administered as a state recreation area by OPRD, the agency charged with the protection and preservation of the recreation, scenic, cultural and natural resource values found there. This work includes Stewardship staff reviewing and processing permits for proposals that may impact the ocean shore (e.g., riprap, beach accesses, dune grading) and participating in internal and external development and review of plans, policies and rules that may impact the beach. Staff also works closely with field staff to respond to shipwrecks, stranded marine mammals, hazardous materials, marine debris removal and manages the Habitat Conservation Plan for the Endangered Species Act listed western snowy plover.

Planning+ Design Section Overview

Planning + Design is responsible for developing new park master plans and updating existing plans. The P+D team also administers three other design programs focused on park and trail enhancements along with signage and small structure design. The Planning + Design section is also responsible for the development of the State Outdoor Recreation Comprehensive Plan (SCORP), the Oregon State Trails Plan and the ongoing survey of park visitors.

Planning Services

Park Planning is an important part of the development of new parks and facilities. Park plans provide a guide for field managers in the development of new facilities within a park or management unit. Park plans also ensure that our recreation facilities are aligned with the current recreation trends that are outlined in the SCORP

Design Services

Design Services is a small project fund for park enhancements within existing parks specifically focused on improving a visitor's experience. The 15-17 Design Services budget was \$360,000.

Sign Services

Sign Services is a program that supports the field staff in the replacement, renovation and design of new signs including park monuments signs and highway advanced signage. The Sign Coordinator also works with field staff and other P+D team members to develop plans for small structures like information kiosks and covered fee booths that are constructed by the Department of Corrections Fabrication Shop. The 15-17 Sign Services budget was \$132,000.

Trail Services

The Trail Services program is funded with Facility Investment Program funds and is focused on renovation and enhancements of existing park trails throughout the state. The 15-17 Trail Services budget was \$900,000.

Engineering Section Overview

The Engineering Section is responsible for the delivery of the Facility Investment Program (FIP), the long term maintenance of OPRD assets, and assisting Park Management with complying with the regulatory requirements associated with operating our assets. Additionally the Surveying group provides professional guidance on property boundaries and the information needed to develop successful construction projects.

Major Maintenance Program

The focus of this program is the remodeling, refurbishment, replacement, and updating of structures, bridges, water systems, wastewater systems, drainage systems, power/communication systems, recreation systems, and pedestrian infrastructure.

Pavement Maintenance Program

The focus of this program is the restoration, reconstruction and replacement, of Park entry roadways, parking lots, camping loops, day use area paving, maintenance roads, and all other transportation surfaces. Included in this program are traffic safety signage, directional signage, roadway markings, and striping.

Marine Maintenance Program

The focus of this program is the restoration, reconstruction and replacement, of boat ramps, boat docks, fishing docks, boat area parking lots, swim docks, boar moorage, floating restrooms, fish cleaning stations, and other amenities related to aquatic activities along the coast, on rivers, and in lakes throughout the Park system.

Historic Facilities Maintenance Program

The focus of this program is the restoration, reconstruction, access to, and preservation of significant historic facilities, structures, and properties entrusted to OPRD by the citizens of Oregon.

Property Unit Overview

The Property Unit is responsible for real property transactions related to parkland acquisition, management, and disposal.

Property Acquisition

Perform due diligence related to acquisitions, which includes analysis of property title and encumbrances, procuring appraisals, and negotiating with landowners. Present information and recommendations to managers and the Commission, and implement Commission decisions regarding acquisitions. Oversee escrow on behalf of department.

Property Management

Park Housing Program: Assist park managers regarding rental rates, policy interpretation and recordkeeping related to park housing, which is primarily occupied by park staff, but occasionally by private tenant.

Land Use Agreements: Draft/negotiate agreements between the department and others concerning uses of state park property, such as road use, utility permits, agricultural agreements, and Interagency agreements.

Leases: Draft/negotiate leases to others, such as when the department leases space for cell towers. Staff also work with those we lease property from, such as the federal government.

Property Disposal

Coordinate evaluation of properties no longer needed for state park purposes. Follow statute and rules related to property disposal, which may include transfer to other agencies for public purposes, property exchange, or outright sale. Present information and recommendations to managers and the Commission, and implement Commission decisions regarding disposals.

Prior Action by Commission: NA

Action Requested: Information only

Attachments: Park Development Division FY 15-17 Accomplishments

Prepared by: Clifton J Serres, Engineering Manager

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item:	9a	Action
Topic:	Request to approve Rulemaking - Division 2, Criminal Background Checks	
Presented by:	Katie Gauthier, Legislative and Policy Coordinator	

Background:

In November, the Commission approved changes to the criminal background check rules. The final rules approved had changed from those filed when rulemaking was initially opened. For some of the rules the agency had to go back and offer a chance for additional public comment because we ended up amending the rule instead of repealing it, as initially filed.

We received no public comment on the additional changes. The rules we are asking you to adopt are the same as the rules you approved in November 2017.

As you recall, OPRD received notification from the Department of Administrative Services (DAS) that our criminal records check rules (736-002-0020 to 736-002-0160) are out of compliance with the statewide criminal records administrative rules. With the assistance of DOJ, we have updated the rules to more closely align them to DAS rules where applicable and simplify the language in rule.

Prior Action by Commission: Adopted rules in November 2017.

Action Requested: Staff requests approval to amend OAR 736-002-0042, 736-002-0052, 736-002-0058, 736-002-0070, 736-002-0102, and 736-002-0150

Attachments: Attachment A : Criminal Background Checks –clean copy
Attachment B: Criminal Background Check- Mark Up Copy

Prepared by: Katie Gauthier, Legislative and Policy Coordinator

Attachment A: Clean Copy

736-002-0042

Criminal Records Check Process

(1) Disclosure of Information by Subject Individual.

(a) Preliminary to a criminal records check, a subject individual shall complete and sign the OPRD Criminal Records Request and, if requested by the Department, a fingerprint card. The Criminal Records Request form shall require the information provided in OAR 125-007-0220(1), any other information deemed necessary by the authorized designee, and details concerning any circumstance listed in OAR 125-007-0270.

(b) A subject individual shall complete and submit the OPRD Criminal Records Request, and, if requested, a fingerprint card within five business days of receiving the request. An authorized designee may extend the deadline for good cause.

(c) The Department may not request a fingerprint card from a subject individual under the age of 18 years except as provided in OAR 125-007-0220(3).

(d) Within a reasonable period of time, as established by an authorized designee, a subject individual shall disclose additional information as requested by the Department in order to resolve any issue hindering the completion of a criminal records check.

(2) When A Criminal Records Check Is Conducted. An authorized designee may conduct or request the Oregon Department of State Police to conduct a criminal records check when:

(a) An individual meets the definition of "subject individual"; or

(b) Required by federal law or regulation, by state law or administrative rule, by contract or written agreement with the Department, or by Department policy.

(3) The Type of Criminal Records Check to Conduct. When an authorized designee determines under section (2) that a criminal records check is needed, the authorized designee shall proceed as follows:

(a) LEDS Criminal Records Check. The authorized designee may conduct a LEDS criminal records check as part of any fitness determination conducted in regard to a subject individual.

(b) Oregon Criminal Records Check. The authorized designee may request the Oregon Department of State Police to conduct an Oregon criminal records check (fingerprints required) when:

(A) The authorized designee determines that an Oregon criminal records check is warranted after review of the information provided by the subject individual, the results of a LEDS criminal records check, or other criminal records information; or

(B) The subject individual's job duties require a fingerprint criminal records check.

(c) Nationwide Criminal Records Check. The authorized designee may request the Oregon Department of State Police to conduct a nationwide criminal records check when:

(A) A subject individual has lived outside Oregon for 60 or more consecutive days during the previous three (3) years;

(B) Information provided by the subject individual or the results of a LEADS or Oregon criminal records check provide reason to believe, as determined by an authorized designee, that the subject individual has a criminal history outside of Oregon;

(C) As determined by an authorized designee, there is reason to question the identity of or information provided by a subject individual. Reasonable grounds to question the information provided by a subject individual include, but are not limited to: the subject individual discloses a Social Security Number that appears to be invalid; or the subject individual does not have an Oregon driver's license or identification card;

(D) A check is required by federal law or regulation, by state law or administrative rule, or by contract or written agreement with the Department;

(E) An Executive Service or Management Service employee seeks to serve as an authorized designee; or

(F) A subject individual is an employee working in, moving to, or applying for a position designated under OAR 736-002-0038(1)(a).

(4) Contracted services. The department may contract with a private vendor to provide confidential criminal record check services on its behalf.

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, 390.200

Stats. Implemented: ORS 181A.195, 390.300

736-002-0052

Hiring or Appointing on a Preliminary Basis

(1) The Department may hire or appoint a subject individual on a preliminary basis if an authorized designee has approved the subject individual on the basis of a preliminary fitness determination under OAR 736-002-0050 and 125-007-0250.

(2) A subject individual hired or appointed on a preliminary basis is deemed to be on trial service and, if terminated prior to completion of a final fitness determination under OAR 736-002-0058, may not appeal the termination under the process provided under OAR 736-002-0102.

(3) If a subject individual hired or appointed on a preliminary basis is determined to be not fit upon completion of a final fitness determination, as provided under OAR 125-007-0260(2)(c), then the Department shall immediately terminate the subject individual's employment or appointment.

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, , 390.200
Stats. Implemented: ORS 181A.195

736-002-0058

Final Fitness Determination

(1) If the Department elects to conduct a criminal records check, an authorized designee shall make a final fitness determination about a subject individual based on information provided by the subject individual under OAR 736-002-0042(1), the criminal records check(s) conducted, if any, and any false statements made by the subject individual.

(2) In making a final fitness determination about a subject individual, an authorized designee shall consider the factors in ORS 181A.195(10)(d) in relation to information provided by the subject individual under OAR 736-002-0042(1), including any criminal offender information, as defined in OAR 125-007-0210, obtained through a criminal records check and other information known by the Department.

(3) Possible outcomes of a final fitness determination are provided in OAR 125-007-0260(2).

(a) Approval. An authorized designee shall approve a subject individual if the information reviewed as described in sections (1) and (2) shows none of the following:

(A) Evidence that the subject individual has been convicted of, or found guilty of a crime as provided in OAR 125-007-0270;

(B) Evidence that the subject individual has a pending indictment for a crime as provided in OAR 125-007-0260(2);

(C) Evidence that the subject individual has been arrested for any crime as provided in OAR 125-007-0260(2);

(D) Evidence of the subject individual having made a false statement; or

(E) Any discrepancies between the criminal offender information and information obtained from the subject individual.

(b) Restricted or Conditional Approval as provided in OAR 125-007-0260(2)(b)(A) and (B).

(c) Denial as provided in OAR 125-007-0260(2)(c)(A) and (B).(d) Incomplete Fitness Determination as provided in OAR 125-007-0260(2)(d)(A) through (D).

(4) Final Fitness Determination. A final fitness determination becomes final unless the affected subject individual appeals by requesting either a contested case hearing or an alternative appeals process as described in OAR 736-002-0102 and OAR 125-007-0300.

(5) Reapplication. A new application received from a subject individual, who has received a final fitness determination and been determined to be unfit for an OPRD position or appointment, will not be

considered during the same open recruitment period for the same position or volunteer appointment. The final fitness determination will stand pending the outcome of any appeal. No other recourse is available to the subject individual.

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, 390.200

Stats. Implemented: ORS181A.195, 390.200

736-002-0070

Crimes Considered

The Department will consider a conviction of any crimes or offenses as provided in OAR 125-007-0270.

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, 390.200

Stats. Implemented: ORS 181A.195, 390.200**736-002-0102**

Appealing a Fitness Determination

(1) A subject individual may contest a final fitness determination made under OAR 736-002-0058 that he or she is not fit to hold a position with or provide services to the Department as an employee, contractor, licensee, or volunteer in a contested case hearing before the Office of Administrative Hearings.

(2) Process.

(a) A subject individual may appeal a final fitness determination by submitting a written request for a contested case hearing to the address specified in the notice provided under OAR 125-007-0260(2) within 14 calendar days of the date appearing on the notice. The Department shall address a request received after expiration of the deadline as provided under OAR 137-003-0528.

(b) When the Department receives a timely request under subsection (a), an administrative law judge assigned by the Office of Administrative Hearings shall conduct a contested case hearing pursuant to OAR 137-003-0501 to 137-003-0700, as supplemented by the provisions of this rule.

(3) Discovery. The Department or an administrative law judge may protect information made confidential by ORS 181A.195(11).

(4) No Public Attendance. Contested case hearings on fitness determinations are closed to non-participants as provided in OAR 125-007-0300.

(5) Proposed and Final Order:

(a) Proposed Order. After a hearing, the administrative law judge shall issue a proposed order as provided in OAR 137-003-0645.

(b) Exceptions. The subject individual or the subject individual's legal counsel or the Department's representative may file written exceptions with the Department within 14 calendar days after service of the proposed order. Exceptions will be considered as set forth in OAR 137-003-0650 and 137-003-0655.

(c) Default. A final fitness determination made under OAR 736-002-0058 becomes final:

(A) Unless the subject individual makes a timely request for a hearing; or

(B) When a party withdraws a hearing request, notifies the department or the administrative law judge that the party will not appear, or fails to appear at the hearing.

(6) Alternative Process. A subject individual currently employed by the Department may choose to appeal a fitness determination as provided in OAR 125-007-0300.

(7) Remedy. The only remedy that may be awarded is a determination that the subject individual is fit, or not fit pursuant to OAR 125-007-0300(8).

(8) A subject individual may only challenge Criminal Offender Information as provided in OAR 125-007-0300(7).

(9) No Delay in Hiring. As provided in OAR 125-007-0300, an appeal of a fitness determination may not delay or postpone the Department's hiring process or employment decisions except when the authorized designee, in consultation with the Human Resources Division, decides that a delay or postponement should occur.

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, 390.200

Stats. Implemented: ORS 181A.195

736-002-0150

Recordkeeping, Confidentiality, and Retention

(1) Recordkeeping:

(a) An authorized designee shall document a preliminary or final fitness determination, or the closing of a fitness determination file in writing.

(b) Written documentation of preliminary or final fitness determination and closing of a fitness determination file shall be retained in the subject individual file for two years after the date of notice.

(2) Confidentiality: The Department will keep information obtained in a criminal records check confidential and disseminate only as provided in OAR 125-007-0310 and ORS 181A.195(11).

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, 390.200

Stats. Implemented: ORS 181A.195

Attachment B: Marked Copy

736-002-0042

Criminal Records Check Process

(1) Disclosure of Information by Subject Individual.

(a) Preliminary to a criminal records check, a subject individual shall complete and sign the OPRD Criminal Records Request (~~form 63400-2053HR~~), and, if requested by the Department, a fingerprint card. The Criminal Records Request form shall require the ~~following~~ information provided in OAR 125-007-0220(1): name, birth date, Social Security number, driver's license or identification card number, current address, prior residences in other states, and, any other information deemed necessary by the authorized designee. ~~The OPRD Criminal Records Request form may also require, and~~ details concerning any circumstance listed in OAR ~~736-002-0050(3)(a)-(h)~~125-007-0270.

(b) A subject individual shall complete and submit ~~to the Department~~ the OPRD Criminal Records Request (~~form #63400-2053HR~~), and, if requested, a fingerprint card within three five business days of receiving the formsrequest. An authorized designee may extend the deadline for good cause.

(c) The Department may not request a fingerprint card from a subject individual under the age of 18 years ~~unless the Department also requests the written consent of a parent or legal guardian~~except as provided in OAR 125-007-0220(3).

(d) Within a reasonable period of time, as established by an authorized designee, a subject individual shall disclose additional information as requested by the Department in order to resolve any issue hindering the completion of a criminal records check.

(2) When A Criminal Records Check Is Conducted. An authorized designee may conduct or request the Oregon Department of State Police to conduct a criminal records check when:

(a) An individual meets the definition of "subject individual"; or

(b) Required by federal law or regulation, by state law or administrative rule, by contract or written agreement with the Department, or by Department policy.

(3) The Type of Criminal Records Check to Conduct. When an authorized designee determines under section (2) of this rule that a criminal records check is needed, the authorized designee shall proceed as follows:

(a) LEDS Criminal Records Check. The authorized designee may conduct a LEDS criminal records check as part of any fitness determination conducted in regard to a subject individual.

(b) Oregon Criminal Records Check. The authorized designee may request the Oregon Department of State Police to conduct an Oregon criminal records check (fingerprints required) when:

(A) The authorized designee determines that an Oregon criminal records check is warranted after review of the information provided by the subject individual, the results of a LEDS criminal records check, or other criminal records information; or

(B) The subject individual's job duties require a fingerprint criminal records check.

(c) Nationwide Criminal Records Check. The authorized designee may request the Oregon Department of State Police to conduct a nationwide criminal records check when:

(A) A subject individual has lived outside Oregon for 60 or more consecutive days during the previous three (3) years;

(B) Information provided by the subject individual or the results of a LEDS or Oregon criminal records check provide reason to believe, as determined by an authorized designee, that the subject individual has a criminal history outside of Oregon;

(C) As determined by an authorized designee, there is reason to question the identity of or information provided by a subject individual. Reasonable grounds to question the information provided by a subject individual include, but are not limited to: the subject individual discloses a Social Security Number that appears to be invalid; or the subject individual does not have an Oregon driver's license or identification card;

(D) A check is required by federal law or regulation, by state law or administrative rule, or by contract or written agreement with the Department;

(E) An Executive Service or Management Service employee seeks to serve as an authorized designee; or

(F) A subject individual is an ~~OPRD~~ employee working in, moving to, or applying for a position designated ~~by the Department Director or the Director's designee as including the responsibilities of an authorized designee or contact person~~ under OAR 736-002-0038(1)(a).

(4) Contracted services. The department may contract with a private vendor to provide confidential criminal record check services on its behalf.

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, ~~390.200~~181.534, ~~HB 2157 (2005 Legislative Session)~~

Stats. Implemented: ORS ~~181.534~~181A.195, 390.300

736-002-0052

Hiring or Appointing on a Preliminary Basis

(1) The Department may hire or appoint a subject individual on a preliminary basis if an authorized designee has approved the subject individual on the basis of a preliminary fitness determination under OAR 736-002-0050 and 125-007-0250.

~~(2) A subject individual hired or appointed on a preliminary basis under this rule may participate in training, orientation, or work activities as assigned by the Department.~~

~~(3) A subject individual hired or appointed on a preliminary basis is deemed to be on trial service and, if terminated prior to completion of a final fitness determination under OAR 736-002-0058, may not appeal the termination under the process provided under OAR 736-002-0102.~~

~~(4) If a subject individual hired or appointed on a preliminary basis is determined to be un not fit upon completion of a final fitness determination, as provided under OAR 125-007-0260(2)(c) ~~OAR 736-002-0058(3)(c)~~, then the Department shall immediately terminate the subject individual's employment or appointment.~~

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, ~~181.534~~, ~~HB 2157 (2005 Legislative Session)~~ 390.200

Stats. Implemented: ORS 181A.534-195

736-002-0058

Final Fitness Determination

(1) If the Department elects to conduct a criminal records check, an authorized designee shall make a final fitness determination about a subject individual based on information provided by the subject individual under OAR 736-002-0042(1), the criminal records check(s) conducted, if any, and any false statements made by the subject individual.

(2) In making a final fitness determination about a subject individual, an authorized designee shall consider the factors in ~~paragraphs a-f of this section (2)~~ ORS 181A.195(10)(d) -in relation to information provided by the subject individual under OAR 736-002-0042(1), including any criminal offender information, as defined in OAR 125-007-0210, obtained through a criminal records check and other information known by the Department. ~~any LEDS report or criminal offender information obtained through a criminal records check, and any false statement made by the subject individual. To assist in considering these factors, the authorized designee may obtain any other information deemed relevant from the subject individual or any other source, including law enforcement and criminal justice agencies or courts within or outside of Oregon. To acquire other relevant information from the subject individual, an authorized designee may request to meet with the subject individual, to receive written materials from him or her, or both. The authorized designee will use all collected information in considering:~~

~~(a) Whether the subject individual has been arrested, pled nolo contendere (or no contest to), convicted of, found guilty of, or has a pending indictment for a crime listed in OAR 736-002-0070;~~

~~(b) The nature of any crime conviction identified under paragraph a of this section (2);~~

~~(c) The facts that support the arrest, conviction, finding of guilty, or pending indictment;~~

~~(d) The facts that indicate the subject individual made a false statement;~~

~~(e) The relevance, if any, of a crime identified under paragraph a of this section (2) or of a false statement made by the subject individual to the specific requirements of the subject individual's present or proposed position, services or employment; and~~

~~(f) The following intervening circumstances, to the extent that they are relevant to the responsibilities and circumstances of the services or employment for which the final fitness determination is being made, including, but not limited to:~~

~~(A) The passage of time since the commission or alleged commission of a crime identified under paragraph a of this section (2);~~

~~(B) The age of the subject individual at the time of the commission or alleged commission of a crime identified under paragraph a of this section (2);~~

~~(C) The likelihood of a repetition of offenses or of the commission of another crime;~~

~~(D) The subsequent commission of another crime identified under OAR 736-002-0070;~~

~~(E) Whether a conviction identified under paragraph a has been set aside or pardoned, and the legal effect of setting aside the conviction or of a pardon;~~

~~(F) A recommendation of a current or recent employer;~~

(3) Possible outcomes of a final fitness determination are provided in OAR 125-007-0260(2).

(a) ~~Automatic~~ Approval. An authorized designee shall approve a subject individual if the information reviewed as described in paragraphs sections (1) and (2) of this rule shows none of the following:

(A) Evidence that the subject individual has been convicted of, or found guilty of a crime listed as provided in OAR 736-002-0070~~125-007-0270~~;

(B) Evidence that the subject individual has a pending indictment for a crime listed as provided in OAR 125-007-0260(2)~~736-002-0070~~;

(C) Evidence that the subject individual has been arrested for any crime listed as provided in OAR 125-007-0260(2)~~736-002-0070~~;

(D) Evidence of the subject individual having made a false statement; ~~and or~~

(E) Any discrepancies between the criminal offender information and information obtained from the subject individual.

(b) Restricted or Conditional Approval as provided in OAR 125-007-0260(2)(b)(A) and (B).

~~(A) If an authorized designee approves a subject individual under paragraph 3,b of this rule, the authorized designee may restrict the approval to specific activities or locations.~~

~~(B) An authorized designee shall complete a new criminal records check and fitness determination on the subject individual prior to removing a restriction.~~

~~(c) Denial as provided in OAR 125-007-0260(2)(c)(A) and (B). Unfit for Employment/Appointment.~~

~~(A) If a final fitness determination under this rule shows credible evidence of any of the factors identified in paragraphs (3)(a)(A)–(E), of this rule and, after evaluating the information described in paragraphs (1) and (2) of this rule, an authorized designee concludes that the subject individual acting in the position for which the fitness determination is being conducted would pose a risk of harm to the Department, its client entities, the State, or members of the public, the authorized designee shall determine the subject individual to be unfit for the position.~~

~~(B) If a subject individual is determined to be unfit, then the subject individual may not be employed by or provide services as a contractor, licensee, or volunteer to the Department in a position covered by OAR 736-002-0032.~~

~~(C) Under no circumstances shall a subject individual be determined to be unfit under these rules on the basis of the existence or contents of a juvenile record that has been expunged pursuant to ORS 419A.260 and 419A.262.~~

(d) Incomplete Fitness Determination as provided in OAR 125-007-0260(2)(d)(A) through (D).

~~Refusal to Consent: If a subject individual refuses to submit or consent to a criminal records check including fingerprint identification, the authorized designee shall close the fitness determination file in accordance with OAR 736-002-0082 without further assessment under the fitness determination process.~~

(4) Final Fitness Determination. A final fitness determination becomes final unless the affected subject individual appeals by requesting either a contested case hearing or an alternative appeals process as described in OAR 736-002-0102 and OAR 125-007-0300.

(5) Reapplication. A new application received from a subject individual, who has received a final fitness determination and been determined to be unfit for an OPRD position or appointment, will not be considered during the same open recruitment period for the same position or volunteer appointment. The final fitness determination will stand pending the outcome of any appeal. No other recourse is available to the subject individual.

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, 390.200

~~181.534, HB 2157 (2005 Legislative Session)~~

Stats. Implemented: ORS ~~181.534~~ 181A.195, 390.200

736-002-0070

Crimes ~~to be~~ Considered

The Department will consider a conviction of any crimes or offenses as provided in OAR 125-007-0270.

~~(1) Evaluation Based on Oregon Laws. An authorized designee shall evaluate a crime on the basis of Oregon laws and, if applicable, federal laws or the laws of any other jurisdiction in which a criminal records check indicates a subject individual may have committed a crime, as those laws are in effect at the time of the fitness determination.~~

~~(2) Crimes Relevant to A Fitness Determination~~

~~(a) All felonies;~~

~~(b) All misdemeanors.~~

~~(c) Any federal crime;~~

~~(d) Any United States Military crime or international crime;~~

~~(e) Any crime of attempt, solicitation, or conspiracy to commit any crime listed in this rule pursuant to ORS 161.405, 161.435, or 161.450.~~

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, 390.200

~~181.534, HB 2157 (2005 Legislative Session)~~

Stats. Implemented: ORS 181A.195, 390.200.534

736-002-0102

Appealing a Fitness Determination

(1) ~~Purpose. This rule sets forth a contested case hearing process by which a~~ subject individual may ~~appeal~~ contest a final fitness determination made under OAR 736-002-0058 that he or she is not fit to hold a position with or provide services to the Department as an employee, contractor, licensee, or volunteer in a contested case hearing before the Office of Administrative Hearings.

-

(2) Process.

(a) A subject individual may appeal a final fitness determination by submitting a written request for a contested case hearing ~~on OPRD Hearing Request (form 63400-2057HR)~~ to the address specified in the notice provided under OAR ~~736-002-0092(2)(b)~~ 125-007-0260(2) within 14 calendar days of the date

appearing on the notice. The Department shall address a request received after expiration of the deadline as provided under OAR 137-003-0528.

(b) When the Department receives a timely request ~~is received by the Department~~ under ~~paragraph 2, subsection (a) of this rule,~~ an administrative law judge assigned by the Office of Administrative Hearings shall conduct a contested case hearing ~~shall be conducted by an administrative law judge assigned by the Office of Administrative Hearings,~~ pursuant to the Attorney General's Uniform and Model Rules, "Procedural Rules, Office of Administrative Hearings," OAR 137-003-0501 to 137-003-0700, as supplemented by the provisions of this rule.

(3) Discovery. The Department or an administrative law judge may protect information made confidential by ORS 181A.195(11).

~~181.534(15) or other applicable law as provided in OAR 137-003-0570(7) or (8).~~

(4) No Public Attendance. Contested case hearings on fitness determinations are closed to non-participants as provided in OAR 125-007-0300.-

(5) Proposed and Final Order:

(a) Proposed Order. After a hearing, the administrative law judge shall issue a proposed order as provided in OAR 137-003-0645.

(b) Exceptions. The subject individual or the subject individual's legal counsel or the Department's representative may file written exceptions with the Department within 14 calendar days after service of the proposed order. Exceptions will be considered as set forth in OAR 137-003-0650 and 137-003-0655.

(c) Default. A final fitness determination made under OAR 736-002-0058 becomes final:

(A) Unless the subject individual makes a timely request for a hearing; or

(B) When a party withdraws a hearing request, notifies the department or the administrative law judge that the party will not appear, or fails to appear at the hearing.

(6) Alternative Process. A subject individual currently employed by ~~OPRD~~ the Department may choose to appeal a fitness determination as provided in OAR 125-007-0300.

~~either under the process made available by this rule or through the process made available by applicable human resource rules, policies and collective bargaining provisions. A subject individual's decision to appeal a final fitness determination through applicable human resource rules, policies, and collective bargaining provisions is an election of remedies as to the rights of the individual with respect to the fitness determination and is a waiver of the contested case process made available by this rule.~~

(7) Remedy. The only remedy that may be awarded is a determination that the subject individual is fit, or not fit with restrictions pursuant to OAR ~~736-002-0058~~ 125-007-0300(8).

(8) A subject individual may only challenge Criminal Offender Information as provided in OAR 125-007-0300(7).

~~(a) A subject individual may not use the appeals process established by this rule to challenge the accuracy or completeness of information provided by the Oregon Department of State Police, the Federal Bureau of Investigation, or agencies reporting information to the Oregon Department of State Police or the Federal Bureau of Investigation.~~

~~(b) To challenge information as identified in this section 8, a subject individual may use any process made available by the providing agency.~~

(9) No Delay in Hiring Not Postponed or Delayed. As provided in OAR 125-007-0300, an appealing of a fitness determination under section 2 or section 6 of this rule, challenging criminal offender information with the agency that provided the information, or requesting a new criminal records check and re-evaluation of the original fitness determination under section 8 of this rule, will may not delay or postpone the Department's hiring process or employment decisions except when the authorized designee, in consultation with the Human Resources Division, decides that a delay or postponement should occur.

Stat. Auth.: ORS 181A.195, 390.124, 390.131, 390.140, 181.534, HB 2157 (2005 Legislative Session)390.200

Stats. Implemented: ORS 181A.534-195

736-002-0150

Recordkeeping, Confidentiality, and Retention

(1) Recordkeeping:

(a) An authorized designee shall document a preliminary or final fitness determination, or the closing of a fitness determination file in writing ~~(OPRD form 63400-2055HR)~~.

(b) Written documentation of preliminary or final fitness determination and closing of a fitness determination file ~~(OPRD form 63400-2055HR)~~ shall be retained in the applicant subject individual file for two years after the date of notice.

(2) Confidentiality: The Department will keep information obtained in a criminal records check confidential and disseminate only as provided in OAR 125-007-0310 and ORS 181A.195(11).

~~(a) Records Received from Oregon Department of State Police:~~

~~(A) Records the Department receives from the Oregon Department of State Police resulting from a criminal records check, including but not limited to LEADS reports and state or federal criminal offender information originating with the Oregon Department of State Police or the Federal Bureau of Investigation, are confidential pursuant to ORS 181.534(15) and federal laws and regulations.~~

~~(B) Within the Department, only authorized designees and contact persons shall have access to records the Department receives from the Oregon Department of State Police resulting from a criminal records check.~~

~~(C) An authorized designee or contact person shall have access to records received from the Oregon Department of State Police in response to a criminal records check only if there is a demonstrated and legitimate need to know the information contained in the records.~~

~~(D) Authorized designees and contact persons shall maintain and disclose records received from the Oregon Department of State Police resulting from a criminal records check in accordance with applicable requirements and restrictions in ORS chapter 181 and other applicable federal and state laws, rules adopted by the Oregon Department of State Police pursuant thereto (see OAR chapter 257, division 15), these rules, and any written agreement between the Department and the Oregon Department of State Police.~~

~~(E) Only if a fingerprint-based criminal records check was conducted with regard to a subject individual, and only upon receiving a signed written request/authorization to review from the subject individual, shall the Department permit that subject individual to inspect his or her own state and federal criminal offender information, unless prohibited by federal law.~~

~~(F) If a subject individual, with a right to inspect criminal offender information under paragraph (2)(a)(E) of this rule, requests a copy of the individual's own state and federal criminal offender information, the Department, only upon receiving from the subject individual a signed written request and authorization to release the subject individual's criminal records, shall provide the subject individual with a copy, unless prohibited by federal law. The Department shall require sufficient identification from the subject individual to determine his or her identity before providing the criminal offender information to him or her.~~

~~(b) Other Records:~~

~~(A) The Department shall treat all records received or created under these rules that concern the criminal history of a subject individual, including OPRD Criminal Record Disclosure & Request Authorization (form 63400-2053HR) and fingerprint cards, as confidential pursuant to ORS 181.534(15).~~

~~(B) Within the Department, only authorized designees and contact persons may have access to the records identified under paragraph 2, a, if this rule.~~

~~(C) An authorized designee and/or contact person shall have access to records identified under paragraph 2, a, of this rule only if they have a demonstrated and legitimate need to know the information contained in the records.~~

~~(D) A subject individual shall have access to records identified under section 2 of this rule pursuant to and only to the extent required by the terms of the Public Records Law.~~

~~(3) Retention: Criminal records check records may exist in a variety of forms and shall be retained in accordance with the Secretary of State, Archives Division, OAR 166-300-0040.~~

Stat. Auth.: ORS [181A.195](#), 390.124, 390.131, 390.140, [181.534](#), [HB 2157 \(2005 Legislative Session\)](#)[390.200](#)

Stats. Implemented: ORS [181A.534](#)[195](#)

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 9b

Action

Topic: Request to adopt 736-040-0070- Allowing WAG bags on Deschutes Scenic Waterway

Presented by: Jerry Winegar

Background:

Current rules require overnight boaters in the Deschutes River Scenic Waterway to use an approved portable toilet or an agency provided toilet facility for all solid human waste. The proposed amendment would allow use of Human Waste Bags as an approved portable toilet.

This technology is now very commonplace on rivers in the U.S. They are allowed, by rule, in Oregon on the Owyhee Scenic Waterway (736-040-0055) and John Day River Scenic Waterway (736-040-0065).

The Lower Deschutes River Interagency Implementation Team and Lower Deschutes River Managers include representatives from the BLM, Oregon Parks and Recreation Department (OPRD), Confederated Tribes of The Warm Springs Reservation (CTWS), Oregon Department of Fish and Wildlife, Oregon State Marine Board (OSMB), Oregon State Police (OSP), Sherman, Wasco and Jefferson counties, as well as the City of Maupin. This proposed rule change is based on consensus support from the managing agency groups.

The public comment period was open from November 1 through December 15, 2017. Rulemaking notices were posted on our website, shared with interested parties, and posted on the Oregon Secretary of State's Bulletin, as well. In addition, a public news release inviting public comment was sent to statewide media outlets. Six comments were received in support of the rule change, including from Wasco County and the Prineville District Bureau of Land Management office. One comment in opposition was also received from a visitor concerned about the potential for additional litter.

Prior Action by Commission: The Commission opened rulemaking in September 2017.

Action Requested:

Staff requests adoption of amendments to 736-040-0070- to allow addition of human waste bags option to the overnight boater portable toilet requirement. These revisions have been reviewed and approved by Assistant Attorney General Steve Shipsey.

Prepared by: Katie Gauthier

Attachments: Attachment A – clean copy
Attachment B- marked copy
Attachment C- comments and letters received.

9b- Attachment A

736-040-0070

Deschutes River Scenic Waterway

(h) Litter and Personal Sanitation:

(A) Persons using the Deschutes River Scenic Waterway for recreational purposes shall place refuse, scrap, trash and garbage in proper receptacles provided for that purpose at maintained recreation sites or litter collection stations. No such refuse, litter, garbage or similar materials shall be buried, abandoned or burned and buried or abandoned. When no approved receptacle or container is available, the material shall be taken out of the scenic waterway area for disposal. Plan at page 62.

(B) All persons using the Deschutes River Scenic Waterway for recreational purposes shall use the developed toilet facilities provided at public recreation sites. An approved portable toilet shall be carried and used by overnight boating groups (1 to 16 persons in segments 1, 3 and 4; 1 to 24 persons in segment 2) that remain, intend to remain, or display intent to remain overnight within the Deschutes River Scenic Waterway. While present within the Deschutes River Scenic Waterway on an overnight boating basis, all persons shall, whenever practical, use either an approved portable toilet, which includes the use of human waste bags, or an agency provided toilet facility for all solid human waste. All persons who remain, intend to remain, or display intent to remain overnight in an undeveloped camp site shall set up an approved portable toilet, ready for use, as soon as practical upon landing at the camping site to be occupied. No person shall leave, deposit, or scatter human waste, toilet paper, or items used as toilet paper, on the ground within the Deschutes River Scenic Waterway. While within the Deschutes River Scenic Waterway, portable toilets shall only be dumped at facilities developed and identified especially for that purpose. Plan at page 62. For purposes of this paragraph, the following definitions shall apply:

(i) "Approved portable toilet" is any non-biodegradable, rigid, durable, container designed to receive and hold human waste, in any container position, without leaking, and equipped with a dumping system that allows the container to be emptied and rinsed into a standard receiving or dump system designed for that purpose, such as a SCAT machine or recreational vehicle dump station, in a sanitary manner, without spills, seepage or human exposure to human waste, or human waste bags. Used human waste bags must be carried in a leak-proof container and disposed of in a trash receptacle according to manufacturer instructions.

(ii) "Human Waste Bag" means a commercially available sanitary bag designed to securely contain human waste and odor. The bag contains enzymes to break down waste into a deodorized gel and is approved by the Department of Environmental Quality for deposit into a landfill.

(iii) “Remain overnight” means human presence in the Deschutes River Scenic Waterway on a boat-in basis for any period of time from one hour after legal sunset to one hour before legal sunrise.

(iv) “Display intent to remain overnight” while within the Deschutes River Scenic Waterway on a boat-in basis includes, but is not limited to, any off-loading onto the river bank, or preparing for use, common overnight camping equipment such as tents, sleeping bags or bedding, food, cooking or dining equipment, or lighting equipment, or to prepare common camping equipment for use in or on any boat.

(v) “Developed camp site” means a motor vehicle accessible, fee site.

9b- Attachment B

736-040-0070

Deschutes River Scenic Waterway

(h) Litter and Personal Sanitation:

(A) Persons using the Deschutes River Scenic Waterway for recreational purposes shall place refuse, scrap, trash and garbage in proper receptacles provided for that purpose at maintained recreation sites or litter collection stations. No such refuse, litter, garbage or similar materials shall be buried, abandoned or burned and buried or abandoned. When no approved receptacle or container is available, the material shall be taken out of the scenic waterway area for disposal. Plan at page 62.

(B) All persons using the Deschutes River Scenic Waterway for recreational purposes shall use the developed toilet facilities provided at public recreation sites. An approved portable toilet shall be carried and used by overnight boating groups (1 to 16 persons in segments 1, 3 and 4; 1 to 24 persons in segment 2) that remain, intend to remain, or display intent to remain overnight within the Deschutes River Scenic Waterway, ~~except that this requirement shall not apply to overnight kayak trips that are entirely self-contained and not supported by other craft-carrying gear.~~ While present within the Deschutes River Scenic Waterway on an overnight boating basis, all persons shall, whenever practical, use either an approved portable toilet, which includes the use of human waste bags, or an agency provided toilet facility for all solid human waste. All persons who remain, intend to remain, or display intent to remain overnight in an undeveloped camp site shall set up an approved portable toilet, ready for use, as soon as practical upon landing at the camping site to be occupied. No person shall leave, deposit, or scatter human waste, toilet paper, or items used as toilet paper, on the ground within the Deschutes River Scenic Waterway. While within the Deschutes River Scenic Waterway, portable toilets shall only be dumped at facilities developed and identified especially for that purpose. Plan at page 62. ~~Where toilets are not provided, and the situation makes it impractical to use a portable toilet, persons shall bury all human waste and toilet paper, or material used as toilet paper, at least six inches below the surface of the ground in natural soil and at least 50 feet from the edge of the river or any other water source.~~ For purposes of this paragraph, the following definitions shall apply:

(i) "Approved portable toilet" is any non-biodegradable, rigid, durable, container designed to receive and hold human waste, in any container position, without leaking, and equipped with a dumping system that allows the container to be emptied and rinsed into a standard receiving or dump system designed for that purpose, such as a SCAT machine or recreational vehicle dump station, in a sanitary manner, without spills, seepage or human exposure to human waste, or human waste bags. Used human waste bags must be carried in a leak-proof container and disposed of in a trash receptacle according to manufacturer instructions.

(ii) “Human Waste Bag” means a commercially available sanitary bag designed to securely contain human waste and odor. The bag contains enzymes to break down waste into a deodorized gel and is approved by the Department of Environmental Quality for deposit into a landfill.

(iii) “Remain overnight” means human presence in the Deschutes River Scenic Waterway on a boat-in basis for any period of time from one hour after legal sunset to one hour before legal sunrise.

(iv) “Display intent to remain overnight” while within the Deschutes River Scenic Waterway on a boat-in basis includes, but is not limited to, any off-loading onto the river bank, or preparing for use, common overnight camping equipment such as tents, sleeping bags or bedding, food, cooking or dining equipment, or lighting equipment, or to prepare common camping equipment for use in or on any boat.

(v) “Developed camp site” means a motor vehicle accessible, fee site.

9b. Attachment C: WAG Bag Comments

Name/Email	Comment
<p>Jim Mueller j-j-mueller@hotmail.com</p>	<p>I support the rule change but would like to see wording requiring a rigid durable leak-proof container. As worded, a person could argue that a plastic bag is leak-proof. My concern is that if a boat capsizes, plastic bags full of poo will be floating down the river, smashing into rocks and spilling it's contents. Boaters would be required to carry used human waste bags in a leak-proof container and dispose them in a trash receptacle according to manufacturer instructions. Thanks</p>
<p>Cyndi Karp cyndikarp@peak.org</p>	<p>I Support use of WAG Bags, if the following list is incorporated into Rules and Regulations.</p> <p>If, Human Waste WAG Bags have Mandatory Removal with Penalties for leaving. If, WAG Bags are always removed from Scenic Waterway Ecosystem. If, left behind, there needs to be program to remove left behind WAG Bags. If, left behind, Human Waste WAG Bag are a danger Contamination to Oregon Waterways.</p> <p>There should be stronger penalties for leaving WAG Bags in any area in Oregon. Finding WAG Bags is not going to make Recreational users experiences very pleasant. Location of Disposal Sites in the Oregon Trails system to encourage proper disposal. Is that a need to have separate waste disposal containers for WAG Bags and normal trash.</p> <p>Oregon Public Recreation Areas including, but not limited to Scenic Rivers, State Parks, Hiking Trails, Climbing locations, and Wilderness areas must use proper disposal rules. Work with Federal Partner's to adopt the same rules for all Oregon for Federal and State. Pack it In. Pack it Out. Rules and Regulations with strong penalties to Outfitters and Public for violations. Outfitting Contractors must inventory WAG Bags, both handed out and turned back in for disposal. Outfitters and Public must provide a secure location that prevents loss of WAG Bags in the Waterways. Oregon can track Cannabis plants seed or clones to sale. Oregon should be able to track WAG Bag sales. Oregon should be able to track WAG Bags. So, when improper disposal has occurred, ID is possible. WAG Bags Must have ID numbers with tracking numbers printed maybe inside WAG Bags. WAG Bags Sales to be Tracked to aid in the identification of illegally left behind WAG Bags. WAG Bags Manufactures need to work on designs for Bio-Degradable WAG Bags, once disposed. WAG Bags Designs from Biodegradable Disposal Diaper Technology might help solve the challenges.</p> <p>Dog and Animal Waste Removal should also be address in Oregon critical areas, hiking, & biking trails. Horse manure catch bags may need to be regulated with rules for heavy traveled trails or sensitive areas. Human Waste WAG Bags may not be able to sit in the hot sun for a week, before being removed. Special waste disposal containers will be needed to prevent the nasty smell of week old WAG Bags. Having separate waste disposal containers for WAG Bags, could delay the need to pickup remote low use areas.</p>

	<p>Thank you for bringing the subject of WAG Bags to the attention of Oregonians.</p> <p>Sincerely,</p> <p>Cyndi Karp POB 506 Waldport, OR 97394 541-272-2412</p>
<p>Rand & Marcia Rietmann rrietmann@aol.com</p>	<p>Finally some CONSISTENCY on Oregon rivers in how we go about our river "business"! Get rid of those useless scat machines that either aren't working or never get all the waste cleaned out of my containers! And, how about that HOT water and SOAP that should be available to users after using SCAT machines ?? (Heritage Landing!) YES ON THE WAG BAGS!!</p> <p>Rand Rand & Marcia Rietmann rrietmann@aol.com 541.548.2136</p>
<p>David Moskowitz moskosalmo@gmail.com</p>	<p>Dear Parks: I support the rule change that would allow the use of Human Waste Bags (WAG Bags) on the Deschutes. I am a frequent use boater on the Deschutes. I see more and more signs of users leaving human waste in inappropriate sites or using inappropriate disposal techniques. Far more likely is that after arriving at a river take out, with a full pottie bucket, we find the SCAT machines for our potties are locked up and inaccessible, requiring manual emptying and cleaning, which discourages use. While WAG Bag waste in the dumpsters may be unsanitary, at least that occurs in areas where the waste can be collected, sanitized and bins can be mechanically cleaned. The same cannot be said for high-use camp sites where there is no outhouse or Phoenix 200. I have used the WAG Bag system and find it easy, clean and unobtrusive while out on the river - which all encourages more frequent use of a portable collection system for boaters. On a similar note, I am concerned about the lack of rules for waste disposal for Deschutes River bikers, hikers and equestrians. I can attest to the increase in use along the Deschutes River trail on the east side of the lower 14 miles, and there is only an outhouse at Bed Springs (about a mile upstream of Freebridge) and Fall Canyon (lower Harris Island). The rules should apply to these user groups as well whether they are day-use or overnight visitors. Again, I support this rule change allowing the use of WAG Bags on the Deschutes. Thank you for the opportunity to comment on this important rule change. David Moskowitz</p>
<p>Sue Comer suec@selmetinc.com</p>	<p>My vote is no. I feel people will abuse this and leave the bags along the river or in the river.</p>



BOARD OF COUNTY COMMISSIONERS

511 Washington St, Ste. 101 • The Dalles, OR 97058
p: [541] 506-2520 • f: [541] 506-2551 • www.co.wasco.or.us

Pioneering pathways to prosperity.

Friday, December 15, 2017

Oregon Parks and Recreation Department
Attn.: Katie Gauthier
725 Summer St NE, Suite C
Salem OR 97301

RE: Amendment to Oregon Administrative Rule 736-040-0070

Dear Oregon Parks and Recreation Department:

The Wasco County Board of Commissioners supports the proposed changes to Oregon Administrative Rule 736-040-0070. These changes should help improve the human waste situation on the Deschutes River Scenic Waterway.

As you know, Human Waste Bags, often referred to as WAG bags, are common on rivers in the U.S. and are allowed, by administrative rule, in Oregon on the Owyhee Scenic Waterway and John Day River Scenic Waterway. WAG bags meet environmental requirements and would likely make river conditions on the Deschutes more sanitary because they are so convenient.

We support the proposed amendment to allow use of Human Waste Bags as an approved portable toilet system in the Deschutes River Scenic Waterway. We appreciate your consideration of this change and ask that you join us to support it.

Thank you for your consideration,

Wasco County
Board of Commissioners


Rod L. Runyon, Chair



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Prineville District Office

3050 NE 3rd Street

Prineville, Oregon 97754



DEC 12 2017

In Reply Refer To:
6400 (ORP060)

Oregon Parks and Recreation Department Commission
c/o Katie Gauthier
725 Summer Street NE, Suite C
Salem, OR 97301

Dear Oregon Parks and Recreation Department Commissioners:

The purpose of this letter is to convey the full support of the Bureau of Land Management (BLM) for the proposed amendment to Oregon Administrative Rule 736-040-0070, to allow the use of Human Waste Bags as an approved portable toilet on the Deschutes River Scenic Waterway.

The Prineville District BLM is one of the interagency partners responsible for jointly managing the Deschutes River Scenic Waterway and the overlapping federally designated Deschutes Wild and Scenic River.

The BLM is in support of this proposed rule change as it would provide a convenient option for boaters to comply with the requirement to use an approved portable toilet or an agency provided toilet facility on overnight boating trips. Human waste bags are environmentally safe, easy to use, and are already allowed on several other rivers in the state. The BLM permits the use of this carry-out system on the John Day, as well as other rivers, nationally.

The BLM anticipates this rule change will improve compliance with the portable toilet rule on the Deschutes River, resulting in a healthier river environment.

Sincerely,

Jeff Kitchens,
Field Manager, Deschutes Field Office

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 9c

Action

Topic: Request to adopt 736-018-0045 Adding master plans for Tryon Creek and Columbia Gorge

Presented by: Ian Matthews and Katie Gauthier

Background:

Adding master plans to administrative rule is the final step in a long public process that has included numerous public meetings, planning groups and a land use review by city and county officials.

The plans detail current natural and cultural resource conditions, outdoor recreation trends and how to balance recreation and resource protection. They set priorities for the next two decades, such as adding or improving trails, parking, facilities and signs.

Tryon Creek

Tryon Creek State Natural Area, a 650-acre day-use park with more than 14 miles of trails, is situated in both southeast Portland and Lake Oswego. As part of the process of drafting the plan, OPRD planners considered comments gathered from an advisory committee, park neighbors and the general public during meetings and written comment periods held between February and July 2013. The Oregon State Parks Commission approved the content of the draft plan in July 2013. Officials from both Portland and Lake Oswego reviewed the draft for compatibility with zoning codes, a four-year process. OPRD planners made minor changes as a result.

Columbia Gorge

The draft master plan for the Columbia Gorge Management Unit covers 15 parks, six natural areas, three scenic viewpoints, six scenic corridors, and 47 trailheads connecting visitors with more than 150 miles of spectacular trails located in Hood River, Multnomah and Wasco Counties. The document replaces the previous plan, adopted in 1994.

Planners gathered comments from an advisory committee, park neighbors and the general public during meetings and written comment periods held between August 2013 and October 2014. The Oregon State Parks Commission approved the content of the Columbia Gorge Management Unit Master Plan at their meeting on February 11, 2015. The draft plan was then reviewed by Hood River, Multnomah and Wasco counties for compatibility with their comprehensive plans and zoning codes.

Public comments were open from November 1 through Dec. 29, 2017. We did not receive any public comments.

Prior Action by Commission: For Tryon Creek, the Commission approved the draft plan and opening rulemaking in July 2013. For the Columbia Gorge, the Commission approved the draft plan and opening rulemaking in February 2015.

Action Requested: Staff requests adoption of amendment to 736-018-0045 to add Tryon Creek State Natural Area Master Plan and replace the Columbia Gorge Management Unit Master Plan. A copy of the proposed rule is included in Attachment A. These revisions have been reviewed and approved by Assistant Attorney General Steve Shipsey.

Prepared by: Katie Gauthier

Attachments: Attachment A – marked copy
Attachment B – clean copy

9c: Attachment A: Clean Copy

736-018-0045

(1) The following state park master plan documents have been adopted and incorporated by reference into this division:

- (a) Fort Stevens State Park Master Plan, as amended in 2001;
- (b) Cape Lookout State Park, amended in 2012 as Cape Lookout State Park Comprehensive Plan;
- (c) Cape Kiwanda State Park, renamed as Cape Kiwanda State Natural Area;
- (d) Nestucca Spit State Park, renamed as Robert Straub State Park;
- (e) Jessie M. Honeyman Memorial State Park as amended in 2009;
- (f) Columbia River Gorge Management Units Plan, including: Lewis and Clark State Recreation Site, Dabney State Recreation Area, Portland Womens' Forum State Scenic Viewpoint, Crown Point State Scenic Corridor, Guy W. Talbot State Park, George W. Joseph State Natural Area, Rooster Rock State Park, Shepperd's Dell State Natural Area, Bridal Veil Falls State Scenic Viewpoint, Dalton Point State Recreation Site, Benson State Recreation Area, Ainsworth State Park, McLoughlin State Natural Area, John B. Yeon State Scenic Corridor, Bonneville State Scenic Corridor, Sheridan State Scenic Corridor, Historic Columbia River Highway State Trail Bridge of the Gods Trailhead, Lang Forest State Scenic Corridor, Wyeth State Recreation Area, Lindsey Creek State Scenic Corridor, Starvation Creek State Park, Viento State Park, Wygant State Natural Area, Vinzenz Lausman Memorial State Natural Area, Seneca Fouts Memorial State Natural Area, Historic Columbia River Highway State Trail Hatfield West Trailhead, Koberg Beach State Recreation Site, Historic Columbia River Highway State Trail Hatfield East Trailhead, Memaloose State Park, and Mayer State Park **as amended in 2015**;
- (g) Molalla River State Park;
- (h) Champoeg State Park;
- (i) Willamette Mission State Park;
- (j) Cascadia State Park;
- (k) Willamette River Middle Fork State Parks Master Plan, 2006, including: Elijah Bristow State Park; Jasper State Recreation Site; Pengra Access; Dexter State Recreation Site; Lowell State Recreation Site; and the parks that comprise the Fall Creek State Recreation Area, including Winberry Park, North Shore Park, Sky Camp, Cascara Campground, Fisherman's Point Group Camp, Free Meadow, Lakeside 1 and Lakeside 2;
- (l) Cove Palisades State Park Master Plan, as amended in 2002;
- (m) Silver Falls State Park Master Plan, as amended in 2009;
- (n) Curry County State Parks Master Plan, including: Floras Lake State Park, renamed as Floras Lake State Natural Area; Cape Blanco State Park; Paradise Point Ocean Wayside, renamed as Paradise Point State Recreation Site; Port Orford Heads Wayside, renamed as Port Orford Heads State Park; Humbug Mountain State Park; Otter Point Wayside, renamed as Otter Point State Recreation Site; Cape Sebastian State Park, renamed as Cape Sebastian State Scenic Corridor; Otter Point Wayside; Port Orford Cedar Forest Wayside, renamed as Port Orford Cedar Forest State Scenic Corridor; and Buena Vista Ocean Wayside; Pistol River State Scenic Viewpoint; Samuel H. Boardman State Scenic Corridor; Harris Beach State Recreation Area; McVay State Recreation Site; Winchuck State Recreation Site; Crissey Field State Recreation Site; Alfred A. Loeb State Park;
- (o) Hat Rock State Park Master Plan, renamed as Hat Rock State Recreation Area;
- (p) Deschutes County State Parks, including: La Pine and Tumalo State Parks; Cline Falls, renamed as Cline Falls State Scenic Viewpoint; and Pilot Butte, renamed as Pilot Butte State Scenic Viewpoint;

- (q) Sunset Bay District Parks, including: Umpqua Lighthouse State Park (this chapter was replaced by the Umpqua Lighthouse State Park Master Plan, 2004); William M. Tugman State Park; Yoakam Point State Park, renamed as Yoakum Point State Natural Site; Sunset Bay State Park; Shore Acres State Park; and Cape Arago State Park;
- (r) Bullards Beach District Parks, including: Seven Devils State Wayside, renamed as Seven Devils State Recreation Site; Bullards Beach State Park; Bandon Ocean Wayside, renamed as Face Rock State Scenic Viewpoint; and Bandon State Park, renamed as Bandon State Natural Area;
- (s) Tillamook County Coastal State Parks, including: Oswald West State Park; Nehalem Bay State Park (this chapter was replaced by the Nehalem Bay State Park Master Plan, 2009); Cape Meares State Park, renamed as Cape Meares State Scenic Viewpoint; Neahkanie-Manzanita State Wayside, renamed as Neahkanie-Manzanita State Recreation Site; Manhattan Beach State Wayside, renamed as Manhattan Beach State Recreation Site; Rockaway Beach State Wayside, renamed as Rockaway Beach State Recreation Site; Twin Rocks State Wayside, renamed as Twin Rocks State Natural Site; Oceanside Beach State Wayside, renamed as Oceanside Beach State Recreation Site; and Neskowin Beach State Wayside, renamed as Neskowin Beach State Recreation Site;
- (t) Beverly Beach District Parks South, including: Boiler Bay State Park, renamed as Boiler Bay State Scenic Viewpoint; Rocky Creek State Wayside, renamed as Rocky Creek State Scenic Viewpoint; Otter Crest State Wayside, renamed as Otter Crest State Scenic Viewpoint; Devil's Punchbowl State Park, renamed as Devil's Punchbowl State Natural Area; Beverly Beach State Park; Agate Beach State Wayside, renamed as Agate Beach State Recreation Site; and Ellmaker State Park, renamed as Ellmaker State Wayside;
- (u) Smith Rock State Park;
- (v) Collier District Parks, including: Booth State Wayside, renamed as Booth State Scenic Corridor; Chandler State Wayside; Collier Memorial State Park; Goose Lake State Recreation Area; Jackson F. Kimball State Park, renamed as Jackson F. Kimball State Recreation Site; and Klamath Falls-Lakeview Forest Wayside, renamed as Klamath Falls-Lakeview Forest State Scenic Corridor;
- (w) Banks-Vernonia State Park, renamed as Banks-Vernonia State Trail;
- (x) Sumpter Valley Dredge State Park, renamed as Sumpter Valley Dredge State Heritage Area;
- (y) Illinois River Forks State Park;
- (z) Willamette County State Parks Master Plan, 2000;
- (aa) L.L. "Stub" Stewart Memorial State Park Master Plan, 2005;
- (bb) Master Plan for Clay Myers State Natural Area at Whalen Island, 2003;
- (cc) South Beach State Park Master Plan, 2003;
- (dd) Prineville Reservoir Resource Management Plan/Master Plan, 2003;
- (ee) Detroit Lake State Park Master Plan, 2002;
- (ff) Umpqua Lighthouse State Park Master Plan, 2004;
- (gg) Fort Yamhill State Heritage Area Master Plan, 2004;
- (hh) Thompson's Mills State Heritage Site Master Plan, 2006;
- (ii) Luckiamute State Natural Area Master Plan, 2009;
- (jj) Iwetemlaykin State Heritage Site Master Plan, 2009;
- (kk) Kam Wah Chung State Heritage Site Master Plan, 2009;
- (ll) Nehalem Bay State Park Master Plan, 2009;
- (mm) Bates State Park Master Plan, 2010;
- (nn) Cottonwood Canyon State Park Comprehensive Plan, 2012;
- (oo) Milo McIver State Park Comprehensive Plan, 2014.
- (pp) Sitka Sedge State Natural Area Master Plan, 2016

(qq) Tryon Creek State Natural Area Comprehensive Plan, 2013.

(2) The master plan documents which have been incorporated by reference into this division are available from the State Parks and Recreation Department, 725 Summer Street NE, Suite C, Salem OR 97301.

[Publications: Publications referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 390.180(1)(c)

STATUTES/OTHER IMPLEMENTED: ORS 390.180(1)(c)

9c: Attachment B: Marked Copy

736-018-0045

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STATUTORY/OTHER AUTHORITY: ORS 390.180(1)(c)

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Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 9d

Action

Topic: Adopt 736-017-0005, 736-017-0020 –Veterans and War Memorial Grants

Presented by: Chrissy Curran

Background: The 2017 legislative session created legislation (HB 2405) tribal governments in Oregon to apply for the grant program. This rule making will incorporate that change into the rule.

Public comment was open from November 1 thru December 15, 2017. Rulemaking notices were posted on our website, shared with interested parties, and posted on the Oregon Secretary of State's Bulletin, as well. In addition, a public news release inviting public comment was sent to statewide media outlets. In addition, a public hearing was held in Salem on November 28 to provide an opportunity for in person comment.

We had inquiries from a couple of Oregon tribes about the proposed rule. They had questions about which grant programs tribes are currently eligible to apply for and expressed interest in expanding access to additional grant programs. No one expressed opposition to this rule change.

Two official comments were received:

Lee Mans: I Agree adding tribal governments as an entity eligible to apply for funding under the Veterans' and War Memorial Grant Program is long over due, I support the rule revisions.

Jonetta Everano: All Tribal Governments should be eligible for this Grant Program as they were forced by the government back in the late 1800s and early 1900s to fight in their wars and now as the original and only indigenous people in North America they choose to continue to join the military and fight for our freedom as a country. They should be the first on the list to be able to apply for this grant.

Prior Action by Commission: In September 2017, the Commission approved opening rulemaking

Action Requested: Staff requests adoption of 736-017-0005 and 736-017-0020 to make tribes eligible for the Veterans and War Memorial grant program. A copy of the proposed revisions is included in Attachment A.

Prepared by: Katie Gauthier

Attachments: Attachment A – Clean Copy of Rule
Attachment B – Marked Copy of Rule

9d Attachment A: Clean Copy

DIVISION 17 VETERANS AND WAR MEMORIAL GRANTS

736-017-0000

Purpose

The purpose of this division is to establish the procedures and criteria that the Oregon Parks and Recreation Department (OPRD) will use in recommending Veterans and War Memorial Grants for funding to the commission pursuant to ORS 390.180(1)(d).

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0005

Definitions

As used in this division, unless the context requires otherwise, the following definitions apply:

- (1) "Agreement" means the formal contract between OPRD and the Project Sponsor describing the terms and conditions associated with any granting of funds. Also called "Grant Agreement."
- (2) "Commission" means the Oregon Parks and Recreation Commission.
- (3) "Committee" means the Veterans and War Memorial Grant Review Committee described in OAR 736-017-0010.
- (4) "Department" means the Oregon Parks and Recreation Department (OPRD).
- (5) "Construction" means the creation of a new memorial on public property.
- (6) "Director" means the director of the Oregon Parks and Recreation Department.
- (7) "Eligible Project" means a construction or restoration undertaking which satisfies the requirements of the Veterans and War Memorial Grant Program.
- (8) "Governmental Entity" means a body of government, whether district, local, regional, state, federal or tribal.
- (9) "Grant" means an award from the Veterans and War Memorial Grant Program.
- (10) "Grant Application" means the form and its format as developed by the OPRD that an applicant uses to request a grant.
- (11) "Match" means project sponsor's budgeted funds, donated funds, value of equipment, materials, labor, planning, or any combination thereof.
- (12) "Maintenance" means the continuation or preservation of a memorial. It includes the routine maintenance of or around a memorial such as landscaping, power washing, general cleaning, dusting, or removal of trash.
- (13) "Memorial" means a monument or place designed to commemorate or preserve the memory of wars involving the United States of America or to honor veterans of the Armed Forces of the United States of America.
- (14) "Nonprofit Veterans' Organization" means a group that:
 - (a) Is a nonprofit group that represents veterans of the Armed Forces of the United States, or is established for the purpose of supporting or recognizing such veterans;

- (b) Has an established membership, that includes officers, and bylaws; and
- (c) Is physically located in Oregon or has a chapter that is physically located in Oregon.
- (d) Is also called a "Veterans' Nonprofit Organization".
- (e) Is recognized as an existing non-profit status by the Internal Revenue Service.

(15) "OPRD" means the Oregon Parks and Recreation Department.

(16) "Planning" means the research, design, engineering, environmental, and site survey of any Memorial construction or restoration project.

(17) "Project Completion" means satisfaction of all requirements of a grant agreement as determined after review or inspection by OPRD.

(18) "Project Authorization" means the Agreement that authorizes the project as signed by the director and the Project Sponsor.

(19) "Project Sponsor" means the recipient of the grant funds and the responsible party for implementation of the project. A Project Sponsor must be a local, regional, or tribal government.

(20) "Public Property" means public lands, premises and buildings, including but not limited to any building used in connection with the transaction of public business or any lands, premises or buildings owned or leased by a government entity.

(21) "Restoration" means the improvement, rehabilitation, repair, or reconstruction of an existing memorial. It does not include routine maintenance.

(22) "Veterans and War Memorial Grant Instruction Manual" means a manual prepared by the OPRD containing state policies, procedures, instructions and grant criteria to assist applicants and Project Sponsors wishing to participate in the Veterans and War Memorial Grant Program.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12; PRD 2-2015, f. & cert. ef. 10-1-15

736-017-0010

Veterans and War Memorial Grant Review Committee

(1) The Veterans and War Memorial Grant Review Committee shall be composed of five members selected by the department for their interest or expertise in veteran or military issues, at least two of which represent either a veterans organization or a governmental agency responsible for the administration of law relating to veterans or for their knowledge of memorial construction or preservation.

(2) The Veterans and War Memorial Grant Review Committee shall follow grant application review procedures as provided in this division.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12; PRD 2-2015, f. & cert. ef. 10-1-15

736-017-0015

Director Authority

- (1) In addition to those considered by the committee, the director may recommend eligible projects to the commission for grant funding. The director may recommend grants for construction and restoration.
- (2) The director may recommend funding eligible projects either in whole or in part.
- (3) The director may establish minimum or maximum grant award amounts each funding cycle.
- (4) The director may establish funding priorities or other criteria for each funding cycle.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0020

Eligibility

- (1) The applicant and project sponsor must be either a local, regional, or tribal government.
- (2) Site. To be eligible for a grant, a memorial must be placed on public property. If the property is not owned or controlled by the project sponsor, there must be an agreement in place between the project sponsor and the public property owner stating that the memorial will remain in place for at least 25 years.
- (3) The project sponsor must agree in writing to keep in place and maintain the memorial for at least 25 years from completion of the project. If the property is not owned or controlled by the project sponsor, there must be an agreement in place between the project sponsor and the public property owner stating that the memorial will remain in place for at least 25 years.
- (4) Matching Requirements. The Veterans and War Memorial Grant program provides, subject to the availability of funds, for up to 80 percent funding assistance with a minimum of 10 percent cash match. The project sponsor shall provide a minimum 10 percent cash match. The project sponsor may provide the remaining match by planning, construction, or restoration work performed following project authorization.
- (5) Ineligible costs for grant:
 - (a) Overhead — The regular operating expenses of either the applicant or the governmental entity receiving the memorial such as rent, building upkeep, utilities, and all fixed costs associated with the daily operations of a business, agency or group;
 - (b) Overtime;
 - (c) Expenses for equipment or materials used outside the scope of this project.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12; PRD 2-2015, f. & cert. ef. 10-1-15

736-017-0025

Application Process

- (1) When the commission has Veterans and War Memorial Grant Program funds to award, the director will announce through a variety of media the availability of, application procedures for, deadlines and other information for applying for a grant, including whether the director has established funding priorities for that funding cycle.

(2) Applicants must submit a grant application to the department. Applicants may use the "*Veterans and War Memorial Grant Instruction Manual*" for guidance in preparing and submitting a grant application to the department.

(3) A grant application that contains multiple work items must be structured so that the commission may award partial funding to a specific work item proposed in the grant application.

[ED. NOTE: Forms referenced are available from the agency.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0030

Evaluation of Applications

(1) The department will review eligible applications that the department receives by the announced deadline for completeness. The department will provide all complete, eligible applications to the committee.

(2) The committee will rank applications based on the following criteria:

(a) Whether the application meets the director's funding priorities for that funding cycle;

(b) Whether the application has demonstrated the need for the project;

(c) Whether the applicant has demonstrated that adequate budget and financial controls are in place to properly administer the grant; and

(d) Any other criteria determined by the director prior to the announcement of the availability of grant funding, and which are contained in that announcement.

(3) The committee recommends funding grants up to the amount of funds that may be available in the program that biennium. The committee may also rank several alternates in priority order that may be funded if any of the recommended grants are not awarded.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0035

Award of Grants

(1) Grants will be subject to binding grant agreements between the OPRD and the Project Sponsor. The grant agreement will specify the terms and conditions of the grant, generally including:

(a) The total project costs, the match to be provided by the Project Sponsor, and the amount of the grant;

(b) A statement of the work to be accomplished;

(c) When the grant-assisted project may begin and a schedule for accomplishing work, reporting on progress, delivering products, and project completion.

(2) If grant funds remain or become unobligated, the department may reallocate such funds to other department grant programs.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12

736-017-0040

Disbursement of Grant Funds

(1) All grant funds shall be disbursed to project sponsors on a reimbursable basis after submission of billings on approved schedules specified in grant agreements. Project sponsor shall supply information substantiating billings if requested by the department.

(2) Under certain conditions such as reduction or increase of these funds an emergency procedure for awarding or canceling grants may be initiated at the discretion of the director.

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

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0050

Recovery of Grant Funds

(1) Project sponsors that fail to complete approved projects to the department's satisfaction shall return all unexpended grant funds.

(2) Project sponsors shall maintain records adequate for audit purposes for a period of not less than five years after project completion and shall reimburse the department for any costs questioned in audit findings.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

9d Attachment B: Marked Copy

DIVISION 17 VETERANS AND WAR MEMORIAL GRANTS

736-017-0000

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Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0005

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Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12; PRD 2-2015, f. & cert. ef. 10-1-15

736-017-0010

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736-017-0015

Director Authority

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Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0020

Eligibility

- (1) The applicant and project sponsor must be either a local, ~~or~~ regional, or tribal government.
- (2) Site. To be eligible for a grant, a memorial must be placed on public property. If the property is not owned or controlled by the project sponsor, there must be an agreement in place between the project sponsor and the public property owner stating that the memorial will remain in place for at least 25 years.
- (3) The project sponsor must agree in writing to keep in place and maintain the memorial for at least 25 years from completion of the project. If the property is not owned or controlled by the project sponsor, there must be an agreement in place between the project sponsor and the public property owner stating that the memorial will remain in place for at least 25 years.
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 - (a) Overhead — The regular operating expenses of either the applicant or the governmental entity receiving the memorial such as rent, building upkeep, utilities, and all fixed costs associated with the daily operations of a business, agency or group;
 - (b) Overtime;
 - (c) Expenses for equipment or materials used outside the scope of this project.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12; PRD 2-2015, f. & cert. ef. 10-1-15

736-017-0025

Application Process

- (1) When the commission has Veterans and War Memorial Grant Program funds to award, the director will announce through a variety of media the availability of, application procedures for, deadlines and other information for applying for a grant, including whether the director has established funding priorities for that funding cycle.

(2) Applicants must submit a grant application to the department. Applicants may use the "*Veterans and War Memorial Grant Instruction Manual*" for guidance in preparing and submitting a grant application to the department.

(3) A grant application that contains multiple work items must be structured so that the commission may award partial funding to a specific work item proposed in the grant application.

[ED. NOTE: Forms referenced are available from the agency.]

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0030

Evaluation of Applications

(1) The department will review eligible applications that the department receives by the announced deadline for completeness. The department will provide all complete, eligible applications to the committee.

(2) The committee will rank applications based on the following criteria:

(a) Whether the application meets the director's funding priorities for that funding cycle;

(b) Whether the application has demonstrated the need for the project;

(c) Whether the applicant has demonstrated that adequate budget and financial controls are in place to properly administer the grant; and

(d) Any other criteria determined by the director prior to the announcement of the availability of grant funding, and which are contained in that announcement.

(3) The committee recommends funding grants up to the amount of funds that may be available in the program that biennium. The committee may also rank several alternates in priority order that may be funded if any of the recommended grants are not awarded.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0035

Award of Grants

(1) Grants will be subject to binding grant agreements between the OPRD and the Project Sponsor. The grant agreement will specify the terms and conditions of the grant, generally including:

(a) The total project costs, the match to be provided by the Project Sponsor, and the amount of the grant;

(b) A statement of the work to be accomplished;

(c) When the grant-assisted project may begin and a schedule for accomplishing work, reporting on progress, delivering products, and project completion.

(2) If grant funds remain or become unobligated, the department may reallocate such funds to other department grant programs.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06; PRD 4-2012, f. & cert. ef. 5-11-12

736-017-0040

Disbursement of Grant Funds

(1) All grant funds shall be disbursed to project sponsors on a reimbursable basis after submission of billings on approved schedules specified in grant agreements. Project sponsor shall supply information substantiating billings if requested by the department.

(2) Under certain conditions such as reduction or increase of these funds an emergency procedure for awarding or canceling grants may be initiated at the discretion of the director.

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

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

736-017-0050

Recovery of Grant Funds

(1) Project sponsors that fail to complete approved projects to the department's satisfaction shall return all unexpended grant funds.

(2) Project sponsors shall maintain records adequate for audit purposes for a period of not less than five years after project completion and shall reimburse the department for any costs questioned in audit findings.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.180(1)(d)

Hist.: PRD 6-2006, f. & cert. ef. 12-15-06

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 9e

Action

Topic: Request to go to Rulemaking – adding Tribes to ATV Grant Programs

Presented by: Katie Gauthier

Background:

Native American Tribes in Oregon have requested access to all grant programs within OPRD. Tribes are eligible to apply for many grants, but program rules have restricted eligibility in certain circumstances. For some of the grant programs, those rules are set federally or in the Oregon constitution and OPRD has little ability to adjust eligibility criteria.

The ATV grant program eligibility criteria are in administrative rule. Therefore, based on stakeholder requests, we are proposing, opening rulemaking to add tribal governments as eligible entities to apply for ATV grants. As is the case with all ATV grantees, if a tribe were to receive an ATV grant, the land would need to be open for public ATV access.

In addition to the tribal access, we are proposing a couple of minor changes to the ATV grant program to clean up the OARs and add 2 members to the ATV advisory committee based on a statutory change passed by the Legislature in 2015.

Below is a summary of the proposed changes:

736-004-0015- Definitions. Corrects statutory references and changes membership of the All-Terrain Vehicle Advisory Committee from 15 members to 17. The additional two members were added by the Legislature in 2015.

736-004-0025- ATV Grant Program- Adds tribes to the list of public agencies that can apply for grants under the ATV grant program for ATV services on lands in Oregon.

736-004-0085- ATV Safety Education Card- Removes a date of “Effective January 1, 2012”.

Prior Action by Commission: In January 2012, the Commission approved rule changes to the ATV program adding new positions to the ATV advisory committee and making changes to the safety education program.

Action Requested:

Staff requests approval to open rulemaking to add tribes to eligible entities to apply for ATV grants and increase number of ATV advisory committee members. A copy of the proposed rule is included in Attachment A.

Prepared by: Katie Gauthier

Attachments:

Attachment A – proposed rule

Attachment B- outline of tribal eligibility in OPRD grants

9e Attachment A: Marked Copy

Chapter 736

Division 4

DISTRIBUTION OF ALL-TERRAIN VEHICLE FUNDS TO PUBLIC AND PRIVATELY OWNED LAND MANAGERS, ATV CLUBS AND ORGANIZATIONS

736-004-0015

Definitions

For purposes of this division, the following definitions shall apply:

- (1) "Acquisition" means the gaining of real property rights for public use by donation or purchase including, but not limited to, fee title or easements.
- (2) "Approved Course Provider" is any individual or organization who instructs or provides an OPRD-approved Class I, III or IV ATV safety course.
- (3) "ATV" or "All-Terrain Vehicle" means:
 - (a) Class I ATV, as defined in ORS 801.190: a motorized, off-highway recreational vehicle that:
 - (A) Is 50 inches or less in width;
 - (B) Has a dry weight of 1,200 pounds or less;
 - (C) Travels on three or more pneumatic tires that are six inches or more in width and designed for use on wheels with a rim diameter of 14 inches or less;
 - (D) Uses handlebars for steering;
 - (E) Has a seat designed to be straddled for the operator; and
 - (F) Is designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain.
 - (G) Class I ATV's can also be known as quads, three-wheelers, or four wheelers.
 - (b) Class II ATV, as defined in ORS 801.193: any motor vehicle that:
 - (A) Weighs more than or is wider than a Class I all-terrain vehicle;
 - (B) Is designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain;
 - (C) Is actually being operated off a highway or is being operated on a highway for agricultural purposes under ORS 821.191 and;
 - (D) Is not a Class IV all-terrain vehicle.
 - (E) Class II ATV's include, but are no limited to vehicles that can also be known as four-by-fours, pickups, jeep, sand rails, dune buggies, and SUV's.
 - (c) Class III ATV, as defined in ORS 801.194: a motorcycle that travels on two tires and that is actually being operated off highway. Also known as dual sport bikes, enduro, dirt bikes.
 - (d) Class IV ATV, as defined in ORS 801.~~xxx~~194 means any motorized vehicle that:
 - (A) Travels on four or more pneumatic tires that are six inches or more in width and that are designed for use on wheels with a rim diameter of 14 inches or less;
 - (B) Is designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain;
 - (C) Has nonstraddle seating;
 - (D) Has a steering wheel for steering controls;
 - (E) Has a dry weight of 1,800 pounds or less; and
 - (F) Is 65 inches wide or less at its widest point.
 - (G) Class IV may also be known as side-by-sides, recreational off-highway vehicle (ROHV), utility vehicle (UTV).
 - (e) May also be referred to as an OHV or Off-Highway Vehicle.

- (4) "ATV-AC" means the ~~fifteen-seventeen~~-member All-Terrain Vehicle Advisory Committee established by ORS 390.565 and appointed by the commission.
- (5) "ATV Account" means those moneys described in ORS 390.555 and deposited in a separate account in the State Parks and Recreation Department Fund. Moneys in the ATV Account may also be called "ATV grant funds."
- (6) "ATV Grant Instruction Manual" means a manual prepared by OPRD containing state and federal policies, procedures, guidelines, and instructions to assist current and potential project sponsors.
- (7) "ATV Grant Subcommittee" means the seven-member subcommittee established by ORS 390.565(5)(a).
- (8) "ATV Operating Permit" means a permit (decal) issued through OPRD and which is permanently affixed to the vehicle. The permit authorizes the use of ATV's on trails and within designated areas authorized by the appropriate authorities.
- (9) "ATV Operating Permit Agent" means a person, business or government agency to whom OPRD consigns ATV operating permits and decals for sale as a service to the general public.
- (10) "ATV Operator Permit" means the ATV Safety Education Card issued upon completion of an OPRD-approved ATV Safety Education course and passage of the minimum standards test of ATV Safety Education competency as established by OPRD.
- (11) "ATV Safety Checklist" is a document provided to a dealer, guide service, rental, or livery agent by OPRD that consists of selected facts about Oregon ATV laws.
- (12) "ATV Safety Course" is any OPRD-approved course of instruction that is offered by an approved course provider and concludes with an examination.
- (13) "ATV Safety Education" means those grant projects that include but are not limited to training programs, media with information for the public, safe riding practices, environmental ethics, or any combination thereof.
- (14) "All-Terrain Vehicle Safety Education Card" is the ATV Operator's Permit required by ORS 390.570, 390.575, and ~~xxx.xxx~~ 390.577.
- (15) "Certificate of Completion" is a certificate generated by OPRD indicating completion of the internet ATV Safety Course.
- (16) "Commission" means the State Parks and Recreation Commission.
- (17) "Conversion" means any real property acquisition or development that is later wholly or in part converted to another use other than its intended and stated use as described in the grant application and the grant agreement.
- (18) "Correspondence Course and Self-Test" means a Class I, III or IV ATV safety course and examination provided by the OPRD that is taken at home without a proctor. This correspondence course and self-test will satisfy minimum standard of ATV safety education competency only for those individuals who have qualified for hardship status.
- (19) "Dealer" means any person or business duly certified under ORS 822.020 and 822.040 to sell Class I, III, or IV ATVs.
- (20) "Development" means the planning, design, construction and improvement of ATV recreational facilities, trails, and riding areas.
- (21) "Director" means the director of the Oregon Parks and Recreation Department.
- (22) "Dry Weight" means the unloaded weight, absent of all fluids, passengers, and any materials such as ice, snow or mud.
- (23) "Emergency Medical Services" means medical services performed by certified personnel and the necessary items to perform their duties.
- (24) "Endorsement Code" means an identifying color, text or mark on the ATV Safety Education Card that indicates the operator meets or exceeds OPRD's minimum standards in an approved hands-on ATV evaluation program.

- (25) "Equivalency Exam" means a comprehensive written examination created by OPRD to provide either Class I or Class III operators, who are at least 16 years of age and have five or more years operating a Class I or a Class III vehicle, the opportunity to meet the minimum standard of ATV safety education competency.
- (26) "Evaluation Course" means a course that measures the ATV operator's ability to demonstrate control of an ATV.
- (27) "Grant Agreement" means an agreement between OPRD and a project sponsor describing the terms and conditions of a project and its associated grant of funds.
- (28) "Grant Application" means the form and its format as developed by OPRD that the project sponsor uses to request ATV grant funds.
- (29) "Hands-on Training" means any OPRD-approved evaluation course offered by an OPRD-approved course provider.
- (30) "Hardship Status" means a situation or condition that prevents an individual from taking the ATV safety internet course. A hardship situation may allow an individual to use a correspondence course and self-test provided by OPRD. An individual must submit a written request for hardship status. The OPRD Director or designee has the authority to grant or deny hardship status.
- (31) "Instruction Permit" is a provisional permit issued by OPRD to youth under the age of 16 upon successful completion of the OPRD internet course.
- (32) "Internet Course" means an OPRD-approved course of instruction that is offered through the internet.
- (33) "Law Enforcement Services" means law enforcement services performed by certified personnel and the necessary items to perform their duties.
- (34) "Minimum Standards of ATV Safety Education Competency" means a standard of proficiency established by OPRD that determines whether an applicant for a Class I, III, or IV ATV Safety Education Card has met or exceeded the requirements of an ATV safety course.
- (35) "Notice to Proceed" means the notification from OPRD that the Director or designee and the project sponsor have signed the grant agreement authorizing the project.
- (36) "OHV" means Off Highway Vehicle, also called ATV.
- (37) "Operations and Maintenance" means the preservation, rehabilitation, restoration, operation and upkeep of the facilities, riding areas, and equipment, including the purchase of equipment necessary to perform these functions.
- (38) "OPRD" means the Oregon Parks and Recreation Department.
- (39) "Personal Property" means tangible property other than land: movable property including but not limited to items such as an ATV, trail repair equipment, or other movable property purchased through the ATV Grant Program.
- (40) "Planning" means the research, design, engineering, environmental, and site survey of ATV recreation areas, trails, or facilities.
- (41) "Project Sponsor" means the recipient of the grant funds and the responsible party for implementation of the project.
- (42) "Public Lands" includes publicly and privately-owned land that is open to the general public for the use of all-terrain vehicles.
- (43) "Real Property" means immovable property: land together with all the property on it that cannot be moved, together with any attached rights.
- (44) "Rider Fit" means the minimum physical size requirements that a Class I ATV operator under 16 years of age must meet in relationship to the vehicle to be operated as established by OPRD and described in OAR 736-004-0115.
- (45) "Successor" means a governmental entity that has agreed to accept the terms and conditions of the project sponsor's responsibilities as contained in the project sponsor's grant agreement and grant

application should the project sponsor cease to exist; for example, if a club or non-profit organization should dissolve or disband. The successor shall agree to operate the project continuously for the public benefit and recreational purposes identified in the grant agreement and the grant application. If OPRD is a successor under OAR 736-004-0025(1)(c), OPRD may operate, sell, or qualify another successor to the project.

(46) "Sustainability" means using, developing, protecting, and managing the resource in a manner that enables people to meet current and future generation needs from the multiple perspective of environmental, economic, and community objectives.

(47) "Temporary ATV Safety Education Card" is a document issued by OPRD or an approved course provider allowing the bearer to operate a Class I, III, or IV ATV in Oregon for a period of time not to exceed 30 days.

Statutory/Other Authority: ORS 390.180 & 390.585

Statutes/Other Implemented: ORS 390.180

History:

PRD 1-2012, f. & cert. ef. 2-15-12

PRD 20-2009, f. & cert. ef. 12-8-09

PRD 8-2008, f. & cert. ef. 10-15-08

PRD 6-2007, f. & cert. ef. 7-31-07

PRD 4-2007, f. & cert. ef. 4-13-07

PRD 5-2000, f. 5-3-00, cert. ef. 5-5-00

736-004-0025

Grant Application Eligibility and Requirements

(1) Eligibility for funding assistance:

(a) Public agencies: Federal land managers, state agencies, **Tribes** and local governments that have the responsibility, or are capable of, providing a service to ATV users **on lands in Oregon**;

(b) Private land owners or managers: Private land owners or managers who offer public OHV recreation opportunities **in Oregon** and will provide open public ATV recreation for a minimum prescribed period of daily or seasonal time and who will maintain the opportunity for a prescribed period of time as determined by OPRD;

(c) Clubs and non-profit organizations: ATV clubs and non-profit organizations registered with the State of Oregon for a minimum of three consecutive years;

(A) Clubs and non-profit organizations shall have in place, prior to receipt of any funding, a written agreement with a successor in which the successor agrees to operate the facility as described in the grant agreement and the grant application should the club or non-profit organization cease to exist, for example, due to disbanding or dissolution; or

(B) OPRD shall be listed on the title as successor to the property:

(i) OPRD may sell the property and shall deposit the net revenue from the sale into the ATV Account;

(ii) OPRD may operate the project; or

(iii) OPRD may qualify and assign another successor to the project.

(2) ATV projects or components not eligible for funding:

(a) Overtime is generally not eligible for funding except for an identified emergency situation;

(b) Overhead items such as office or building rent, insurance, depreciation and other fixed costs associated with the normal everyday operation of a business, agency or group;

(c) ATV projects that have no way to measure completion or specific intent are not eligible;

(d) Portions of projects completed prior to an ATV agreement or after the expiration of an ATV agreement;

(e) ATV projects that do not meet the goals of the ATV Grant Program, OAR 736-004-0020 to 736-004-0030, or are not in the best interest of ATV recreation;

(f) Vehicle or other personal property usage unrelated to the scope of the ATV project.

(3) Requirements for Match:

(a) The minimum match required for eligible ATV projects is 20 percent of the total project cost except for land acquisitions;

(b) For land acquisitions and when unusual circumstances exist, public agencies may request a partial or full waiver of the 20 percent match requirement. Consideration for the waiver will be based upon the following criteria:

(A) The public agency is able to demonstrate due diligence was exercised in obtaining other funds and that the following limitations, among others, are present:

(i) Budget authority does not exist;

(ii) Budget appropriations cannot be obtained in a reasonable time yet public support does exist; and

(iii) No saleable assets, such as conservation easements, exist from which to generate the full cash match requirement.

(B) The public agency is able to demonstrate their ability to operate and maintain the project property for ATV recreational purposes:

(i) By having budgeted funds in place; or

(ii) Having identified other resources such as volunteers or contracted services.

(C) The public agency is able to demonstrate that time is of the essence:

(i) The seller of the real property has placed time limits in which the public agency can affect a purchase, such as the expiration of an Option to Purchase or a First Right of Refusal; or

(ii) The public agency can identify the possible loss of other existing matching funds such as grants from other entities that may have an expiration date.

(D) If a waiver to the required partial or full match is approved, the public agency shall be limited in all future grant requests to receiving ATV grant funds in an amount of 50 percent or less of the total costs for any development projects located on the acquired property.

(c) Match may include, but is not limited to, cash funds, labor, either force account or volunteer, materials, and equipment;

(d) Grants from other sources may be used as match provided the sponsor can certify the funds will be available within 120 days from the beginning date of the grant agreement;

(e) Eligible volunteer labor will require a log that includes the volunteer's name, date volunteer performed work, location volunteer performed work, the hours worked, and the hourly rate of compensation used for their contribution of labor.

(4) Conversions:

(a) It is the intent of the ATV Grant Program that all real property acquisitions or easements shall be retained and used for the project's intended and stated use as described in both the grant application and the grant agreement;

(b) The director has authority to disapprove conversion requests, reject proposed substitutions, or both;

(c) The project sponsor shall submit requests for conversions to OPRD in writing. OPRD may consider the request if the following prerequisites are met:

(A) All practical alternatives to a conversion have been evaluated and rejected on a sound basis;

(B) The project sponsor has established the fair market value of the property to be converted and the property proposed for substitution is of at least equal fair market value as established by a state-approved appraisal (prepared in accordance with uniform Federal appraisal standards) excluding the value of structures or facilities that will not directly enhance its ATV recreation utility;

(C) The project sponsor proposes a replacement property that is of reasonably equivalent usefulness and location as that being converted.

(d) If the project sponsor is unable to provide replacement property within 24 months of either the approved request for conversion or after the fact of conversion, the project sponsor shall pay OPRD a current amount equal to OPRD's original percentage of contribution to the project. As an example, if the OPRD provided an original grant of 80 percent for the project's acquisition costs, the project sponsor shall reimburse OPRD 80 percent of the real property's value at the time of conversion or discovery of conversion, whichever is later;

(e) In the case of development, rehabilitation, and equipment purchases, the project sponsor shall operate the improvements or equipment for its established useful life. Guidelines established by the IRS will be used by the project sponsor to define useful life per each item. If the facility is closed, service is terminated and the facility or equipment has not reached its useful life, it will be made available to other agencies or organizations. If a facility is closed, service is terminated, or land is closed, or the facility or equipment has not reached its useful life, the project sponsor will return a percentage of the allocated funds to OPRD equal to the percentage of useful life remaining in the funded facility or equipment.

Statutory/Other Authority: ORS 390.180 & 390.585

Statutes/Other Implemented: ORS 390.180

History:

PRD 1-2012, f. & cert. ef. 2-15-12

PRD 20-2009, f. & cert. ef. 12-8-09

PRD 8-2008, f. & cert. ef. 10-15-08

PRD 6-2007, f. & cert. ef. 7-31-07

PRD 4-2007, f. & cert. ef. 4-13-07

PRD 5-2000, f. 5-3-00, cert. ef. 5-5-00

736-004-0085

ATV Safety Education Card (ATV Operator Permits)

(1) To operate a Class I or Class III ATV on public lands in Oregon, a person must obtain an ATV Safety Education Card (ATV operator permit).

(2) To operate a Class IV ATV on public lands in Oregon, a person under 16 years of age must obtain an ATV Safety Education Card (ATV operator permit).

(3) The criteria for obtaining an ATV Safety Education Card are:

(a) Attain a test score of at least 80 percent on an OPRD-approved internet safety course;

(b) Attain a test score of at least 80 percent on a correspondence course and self-test provided by OPRD;
or

(c) Be at least 16 years of age and have five or more years of experience operating a Class I or Class III all-terrain vehicle and successfully pass an equivalency examination with a score of at least 80 percent.

(d) ~~Effective January 1, 2012, operators~~ under 16 years of age must:

(A) Successfully demonstrate ATV proficiency, and

(B) Pass either an OPRD-approved:

(i) Hands-on training course, or

(ii) Evaluation course.

(e) ~~Effective January 1, 2012, a~~ A person under 16 years of age will receive a Certificate of Completion upon passing the ATV internet safety course. The certificate of completion will also be an Instruction Permit which shall be valid for 180 days.

(4) To obtain an ATV Safety Education Card, the applicant must provide to the OPRD a completed application on a form provided by the OPRD with the following information: the applicant's name, address, date of birth, hair color, eye color, and gender. The applicant must also sign a statement declaring that the information is true and correct.

(5) ATV Safety Education Cards are not transferable.

(6) ATV Safety Education Cards shall contain a unique number and endorsement code that corresponds to the individual named on the permit.

(7) A person is considered in violation of the provisions of ORS 821.170, 821.172, and 821.176 and subject to penalties prescribed by law when they:

(a) Provide a false statement or information or assist another person in giving a false statement or information on any application, affidavit, document or statement used to obtain an ATV Safety Education Card or replacement ATV Safety Education Card;

(b) Exhibit to a law enforcement officer an altered Oregon ATV Safety Education Card or any ATV Safety Education Card other than the one issued to them;

(c) Alter an ATV Safety Education Card or replacement card issued by the OPRD or its authorized agent;

(d) Produce or possess an unauthorized replica of an ATV Safety Education Card or replacement card;

(e) Operate a Class I or Class III ATV on public lands without a valid ATV Safety Education Card in their possession; or

(f) If under the age of 16, operate a Class IV ATV on public lands without a valid ATV Safety Education Card in their possession.

(8) In addition to any penalties that may result from a violation of ORS 821.170, 821.172, and 821.176, the ATV Safety Education Card is null and void for any person who provides a false statement or information or obtains a permit to which the person is not entitled.

(9) In accordance with ORS 821.174, when a person's driving privileges are suspended or revoked, the person may not operate a Class I, III, or IV all-terrain vehicle.

Statutory/Other Authority: ORS 390.570 & 390.575

Statutes/Other Implemented: ORS 390.570, 390.575 & 821.174

History:

PRD 1-2012, f. & cert. ef. 2-15-12

PRD 20-2009, f. & cert. ef. 12-8-09

PRD 8-2008, f. & cert. ef. 10-15-08

PRD 4-2007, f. & cert. ef. 4-13-07

PRD 2-2001, f. & cert. ef. 2-23-01



Oregon Parks and Recreation Department Grant Programs- Eligibility Guidelines

Recreation Grant Programs

Grant Name	Tribes Eligible to Apply	If no, where is eligibility defined.	Recipients	Match Required	Eligible Projects	Statutes and Rules	Website
Local Government Grant Program	No	Oregon Constitution Article XV, Section 4a defines eligibility.	Cities Counties Parks & Recreation Dist. Metro Port Districts	A. At least 50 percent match-cities and districts over 25,000; counties over 50,000 B. At least 40 percent match-cities and districts between 5,000 and 25,000; counties between 30,000 and 50,000 C. At least 20 percent match-cities and districts under 5,000; counties under 30,000	Acquisitions, Development, Rehabilitation, Planning for outdoor recreation facilities	ORS 390.180; OAR 736-006-0100	oregon.gov/oprd/grants
Land & Water Conservation Fund	Yes		Cities Counties Parks & Recreation Dist. Metro Port Districts Some state agencies i.e. OPRD, ODFW, ODF& DSL	Minimum 50% local match required	Acquisitions, Development, Rehabilitation, (Planning for SCORP only) for outdoor recreation facilities	ORS 390.180; OAR 736-008-0005	oregon.gov/oprd/grants
County Opportunity Grant Program	No	ORS 390.134 defines eligibility requirements	Counties	Counties < 30,000 population require a 25% local match. Counties > 30,000 require 50% local match.	Acquisitions, Development, Rehabilitation, Planning	ORS 390.134; OAR 736-007-0000	oregon.gov/oprd/grants
All-Terrain Vehicle Grant Program	No	OAR 736-004-0025(1) defines eligibility.	Municipal agencies (cities, towns, counties, etc.); State agencies (OPRD, Oregon Dept of Fish and Wildlife, Oregon Dept of Forestry); Federal government	Minimum 20% local match required	Acquisition, Development, Planning, First Aid & Law Enforcement, Operations & Maintenance,	ORS 390.180 ORS 390.550 ORS 802.125 OAR 736-004-0005	oregon.gov/oprd/atv

Grant Name	Tribes Eligible to Apply	If no, where is eligibility defined.	Recipients	Match Required	Eligible Projects	Statutes and Rules	Website
			agencies (BLM, USFS, National Park Service (NPS), etc.; Other government entities, regional governments, port districts); Private Land Managers: Registered OHV Clubs and non-profit organizations		Safety Education		
Recreational Trails Program	Yes		Non-profit organizations; municipal agencies (cities, towns, counties, school districts, etc.); state agencies (State Parks, Fish and Wildlife, Forestry); Federal government agencies (Bureau of Land Management, Forest Service, National Park Service, etc.); Other government entities, regional governments, port districts) tribal governments	Minimum 20% local match required	Development and Rehabilitation of trails and trailhead facilities; Heavy Restoration of existing trails; Water Trails, Signage along trails; purchase and lease of trail construction and maintenance equipment; acquisition of easements and fee simple title to property; educational programs to promote safety and environmental protection.	Federal Program	oregon.gov/oprd/grants

Heritage Grant Programs

Grant Name	Tribes Eligible to Apply	If no, where is eligibility defined.	Recipients	Match Required	Eligible Projects	Statutes and Rules	Website
Certified Local Government Grant	No	Federal Grant Program, National Park Service rules define eligibility	Certified Local Governments, approved by the National Park Service through an application process with specific requirements.	Minimum 1:1 match required	Preservation projects including survey, designation, rehabilitation, public education, training, etc. as defined in the HPF manual	Federal Program	oregon.gov/oprd/HCD
Oregon Heritage Grant	Yes		Local Governments, Federally Recognized Tribes in Oregon, 501(c)3 nonprofits incorporated in the state of Oregon, universities	Minimum 1:1 match required, at least 50% of the match is required to be cash.	Monument repair, fencing, tree trimming, interpretation, records management, for historic cemeteries in Oregon.	ORS 358.585; OAR 736-053-0200	oregon.gov/oprd/HCD
Oregon Museum Grant	Yes		Museums – as defined in rule and statute, including Tribal museums if they meet the definition.	No match required	Projects related to collections management, interpretation/education, and heritage tourism.	ORS 390.124 ORS 358.585	oregon.gov/oprd/HCD
Oregon Historic Cemetery Grant	Yes		Any organization or individual, for projects on cemeteries that meet the state definition of a historic cemetery and are listed with the commission.	No match required	Monument repair, fencing, tree trimming, interpretation, records management, for historic cemeteries.	ORS 390.124(1) & 390.131 ORS 97.780, OAR 736-054-0000	oregon.gov/oprd/HCD

Grant Name	Tribes Eligible to Apply	If no, where is eligibility defined.	Recipients	Match Required	Eligible Projects	Statutes and Rules	Website
Oregon Main Street Revitalization Grant	Yes		Organizations participating in the Oregon Main Street Network.	30% match is required.	Acquisition, rehabilitation, or construction of properties within a main street district and spur economic benefits.	ORS 390.067 Note Sec. 34 ORS 390.262, OAR 736-056-0000	oregon.gov/oprd/HCD
Preserving Oregon Grant	Yes		Any organization or individual.	Minimum 1:1 match required	Projects that preserve properties listed on the National Register of Historic Places or for archaeology projects.	None	oregon.gov/oprd/HCD
Diamonds in the Rough Grant	Yes		Any organization or individual.	Minimum 1:1 match required	Projects that restore the façade of a historic building back to its historic character.	None	oregon.gov/oprd/hcd
Veterans and War Memorials Grant	Yes, pending rule change		Cities Counties Parks & Recreation Dist. Metro Port Districts Tribes	20% match is required	Projects that construct or repair veterans and war memorials on public land.	ORS 390.124; OAR 736-017-0000	oregon.gov/oprd/HCD

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item: 9f

Action

Topic: Request to go to Rulemaking – Correcting monetary amounts to match statutory requirements in lost and found rules

Presented by: Tracy Louden

Background:

OPRD updated our lost and found policy and learned the dollar amount statutorily required to be turned over to park staff had increased from \$100 to \$250. This rule amends the dollar amount to align with the statutory requirements. Under statute, any person who finds money or goods valued at more than \$250 is required to turn it over to park staff. A person who finds something valued at less than \$250 has the option of submitting it to park staff, as well.

Prior Action by Commission: None.

Action Requested:

Staff requests approval to open rulemaking to correct monetary amounts to match statutory requirements in lost and found rules. A copy of the proposed rule is included in Attachment A.

Prepared by: Katie Gauthier

Attachments: Attachment A – proposed rule

9f: Attachment A: Marked Copy

Chapter 736
Division 10
GENERAL PARK AREA RULES

736-010-0040
Visitor Conduct

(1) A person shall cause, build, maintain, or accelerate a fire at a park property only in:

- (a) Park camp stoves or fireplaces provided for such purpose;
- (b) Portions of beach areas designated as permissible for campfires; or
- (c) Portable stoves used at established campsites, picnic areas, or beach areas where fires are designated as permissible.

(2) A person who has caused, built, or maintained an allowed fire shall:

- (a) Burn only paper products and untreated natural wood free of attached metal, nails, glass or plastic objects;
- (b) Burn wood no longer than 24 inches in length;
- (c) Attend the fire at all times, breaking it apart and extinguishing it completely with water before leaving the immediate area;
- (d) Use no gasoline, diesel or any other petroleum-based products to start or maintain a fire; and
- (e) Ensure that any fire that they set does not cause personal injury or damage to private property or park resources.

(3) The park manager may temporarily restrict or prohibit fires in otherwise allowed situations due to high fire hazard conditions, and all persons shall observe such restrictions.

(4) A person may not injure, mutilate, deface, damage, harass, or remove any park resource, property, structure or facility of any kind at a park property, except as provided in OAR 736-010-0055.

(5) A person shall in no manner cause any rubbish, garbage, refuse, organic or inorganic waste, diseased or dead animals, or other offensive matter or any abandoned property or material to be placed or left at a park property, except for:

- (a) Recreational vehicle sewage and gray water holding tank contents that are disposed of in designated dump stations;
- (b) Garbage, trash, and recyclables generated while using a park property and disposed of in the designated containers provided.

(6) A person may not remove items from containers designated for recyclables, garbage, sewage or waste without authorization of the park manager.

(7) A person may not leave personal property or possessions overnight in a day use area without written permission from the park manager or designated park staff.

(8) While many activities are allowed on park property, the following activities are specifically prohibited at park properties, and a person may not engage in:

(a) Using or operating any noise producing machine, vehicle, device or instrument in a manner that disturbs or may disturb other park visitors except as allowed in section 10 below;

(b) Using a public address system or similar device without written permission of the park manager;

(c) Possessing, discharging, or causing to be discharged, any firecracker, explosives, torpedoes, rockets, fireworks or other similar materials or substances without the written permission of the park manager or designated park employee;

(d) Using a metal detector or similar device without written permission of the park manager or designated employee at any park property or portion of a park property not listed on the "Detecting Allowed" list, published on the state park website;

(e) Obstructing, harassing or interfering with a park employee or peace officer in the performance of their duties;

(f) Entering or occupying any building, facility or portion of a park property that has been closed to public access; punishable as a Class C misdemeanor pursuant to ORS 164.245;

(g) Blocking, obstructing or interfering with vehicular or pedestrian traffic on any road, parking area, trail, walkway, pathway or common area; punishable as a Class C misdemeanor pursuant to ORS 164.245;

(h) Occupying or interfering with access to any structure, office, lavatory or other facility in a manner which interferes with the intended use of such a structure or facility; punishable as a Class C misdemeanor pursuant to ORS 164.245;

(i) Fighting; or promoting, instigating or encouraging fighting or similar violent conduct which would threaten the physical well-being of any person at the park property;

(j) Smoking tobacco products except:

(A) In vehicles and personal camping units in accordance with all applicable laws governing smoking in vehicles;

(B) In designated campsites in developed overnight camping areas, unless temporarily suspended by the park manager due to high fire hazard conditions;

(C) In day use areas managed as Safety Rest Areas through agreements with the Oregon Department of Transportation; and

(D) Where allowed by the park manager for personal use by a member of a federally recognized Oregon tribe as part of their traditional religious, medicinal, or other customary cultural heritage practices;

(k) Activities or conduct which constitutes a public nuisance or hazard;

(l) Public indecency as defined in ORS 163.465;

(m) Base-jumping, hang gliding, paragliding or similar activities without written permission from the park manager except that the use of hang gliders is allowed at Cape Kiwanda State Natural Area;

(n) Discharging any firearm, bow and arrow, slingshot, pellet gun, or other weapon capable of injuring humans or wildlife or damaging property, except at those park property locations and for those purposes specified in OAR 736-010-0055(7);

(o) Placing a sign, marker or inscription of any kind, except in designated areas within a park property, without written permission from the park manager;

(9) A person may only distribute circulars, notices, leaflets, pamphlets or written or printed information of any kind within a park property after they have first obtained permission from the park manager and reported their name, address and number of leaflets to be distributed.

(10) A person must obtain a special use permit from the department for any activity or use as described in OAR 736-016-0005(1), including but not limited to an activity or use within a park property that:

(a) Is an organized group activity or event attended by over 50 people;

(b) Uses a portion of a park property to the exclusion of other persons or the department;

(c) Modifies or embellishes the park property, or places structures, such as tents, chairs, arches, and similar structures on the park property in a manner outside of normal recreational use, as determined by the park manager or enforcement officer;

(d) Uses public-address, amplification or lighting systems, other than those designed for personal use;

(e) Charges money for participation or admission;

(f) Involves the sale of products or services;

(g) Could disturb the natural, cultural, scenic and recreational resources in the park property or adjacent areas;

(h) Could pose a safety or access concern for other park users or for those involved in the event or activity.

(11) A person who obtains a special use permit under OAR chapter 736, division 16 must comply with all the provisions of division 16, special use permit conditions, and with instructions from the department.

(12) All money or goods, having a value of ~~\$100-\$250~~ or more and found by the public at park properties, must be turned over to the park manager or a park employee. All found money or goods will be disposed of according to department policy adopted in accordance with ORS 98.005.

(13) The director or designee may close rock formations and cliffs within a park property to descending, scaling or technical rock climbing. A person that engages in such activities at such locations commits a Class C misdemeanor as provided in section (8)(f).

(14) The director or designee may close park access to lakes, streams or waterfalls for kayaking, boating, diving, swimming, or other water recreation activities when the park manager has determined the activity to be a danger to participants. Persons accessing through closed areas to engage in such activities commit a Class C misdemeanor as provided in section (8)(f).

(15) A person using a park property shall pay rates and comply with procedures and restrictions as established in OAR chapter 736, division 15 for use of designated facilities or the purchase of services or products.

Statutory/Other Authority: OAR 390.124

Statutes/Other Implemented: ORS 390.111, 163.465, 433.835 - 433.875 & 498.006

History:

PRD 1-2014, f. & cert. ef. 3-6-14

1 OTC 17, f. 12-20-73; 1 OTC 23, f. 2-19-74; 1 OTC 56 (Temp), f. & ef. 4-4-75; 1 OTC 59, f. 8-1-75, ef. 8-25-75; 1 OTC 74, f. & ef. 4-30-76; 1 OTC 22-1979 (Temp), f. & ef. 9-24-79; 1 OTC 2-1980, f. & ef. 1-4-80; PR 9-1981, f. & ef. 4-6-81; PR 5-1983, f. & ef. 3-30-83; PR 3-1984, f. & ef. 3-5-84; PR 1-1990, f. & cert. ef. 5-14-90; PR 4-1991, f. 4-30-91, cert. ef. 5-13-91; PR 8-1993, f. & cert. ef. 5-11-93; PR 13-1993, f. 7-12-93, cert. ef. 8-2-93; PR 7-1996, f. 8-14-96, cert. ef. 8-15-96; PRD 4-2000, f. & cert. ef. 4-5-00; Renumbered from 736-010-0045, 736-010-0070, 736-010-0125, 736-015-0045 & 736-015-0067, PRD 4-2005, f. & cert. ef. 5-5-05; PRD 8-2007, f. & cert. ef. 8-28-07; PRD 11-2008, f. & cert. ef. 12-15-08; PRD 11-2009, f. & cert. ef. 6-18-09; PRD 2-2013, f. & cert. ef. 7-19-13

Division 21

GENERAL OCEAN SHORE STATE RECREATION AREA RULES

736-021-0150

Lost Articles

(1) Under ORS 164.065 and 98.005, a person who finds money or goods with a perceived value of ~~\$100~~ ~~\$250~~ or more at the ocean shore state recreation area must try to find the property's rightful owner in one of the following ways:

(a) By directly following the provisions established in ORS 98.005; or

(b) By giving the found property to the department within 10 days of finding it, along with the details of the time and place the property was found.

(2) A person who finds money or goods valued at less than ~~\$100~~\$250 in the ocean shore recreation may give the property to the department.

(3) Sections (1) and (2) apply to items found by using metal detectors but not to minerals discovered through recreational prospecting.

(4) The department may dispose of unclaimed items in the department's custody in as early as 90 days.

(5) The department must have and follow a property disposition process that complies with applicable state laws and ethics standards.

Statutory/Other Authority: ORS 390.660

Statutes/Other Implemented: ORS 390.124, 390.635 & 390.660

History:

PRD 1-2013, f. 1-15-13, cert. ef. 2-1-13

PR 9-1994, f. 11-29-94, cert. ef. 12-1-94

Oregon Parks and Recreation Commission
February 21, 2018

Agenda Item: 10a (1)

Information

Topic: Procurement Report

Presented by: Tracy Loudon, Administrator Business and Technology Solutions

The attached report includes:

- 7 New agreements for a total of \$4,806,706
- 19 New contracts for total of \$928,055
- 29 Amendments for a total of \$1,765,534

Action Requested: None.

Attachments: Procurement Report

Prepared by: Sarah Santos

OREGON PARKS AND RECREATION DEPARTMENT

Procurement Report
October - December 2017

Executed	Contractor	Location	Project	FIP	Original Contract \$	Total Previous Amendments	Current Amendment	Current Contract Value	Comments
GOODS AND/OR SERVICES CONTRACTS									
10/31/17	Southern Oregon Aspire	Valley of the Rogue State Park in Jackson County	Yurt janitorial services		\$14,000			\$14,000	New Contract
10/30/17	Caracal Enterprises LLC dba VenTek International	Statewide	Price agreement for fee collection system equipment, components and services		\$150,000	\$0	\$340,000	\$490,000	Amendment 004 extends price agreement term through 6/30/2019
11/16/17	Gary A. Davies DBA Meier Farms	Nehalem Bay State Park in Tillamook County	Firewood delivery		\$130,000			\$130,000	New Price Agreement
11/28/17	Trout Unlimited	LaPine State Park in Deschutes County	Restore streambank stability and riparian vegetation along the Fall River		\$40,000	\$0	\$30,000	\$70,000	Amendment 001 adds additional work, increases funding and extends term
11/28/17	Oregon Natural Desert Association, Inc.	Cottonwood State Park in Gilliam and Sherman counties	Revegetate 3-mile section of Hay Creek		\$25,000			\$25,000	New Contract
11/06/17	Southern Oregon Aspire	Valley of the Rogue Rest Area in Jackson County	Janitorial Services		\$26,000			\$26,000	New Contract
11/06/17	CDW-G	Salem Headquarters in Marion County	Laptops for replacement inventory		\$27,890			\$27,890	New Contract
11/16/17	Microsoft Corporation	Salem Headquarters in Marion County	Microsoft Premier Consulting Services		\$74,376			\$74,376	New Contract
11/21/17	Ricoh	Salem Headquarters in Marion County	Printer Lease for stewardship		\$1,415			\$1,415	New Contract
11/27/17	SHI	Salem Headquarters in Marion County	Microsoft Azure hosting		\$46,449			\$46,449	New Contract
12/15/17	Central Coast Disposal, Inc.	Jessie M. Honeyman Memorial State Park in Lane County	Waste and recycling disposal		\$30,500	\$50,000	\$65,000	\$145,500	Amendment 003 for price increase, extends term, increases compensation
12/15/17	Galls LLC	Statewide	Uniforms		\$0	\$0	\$0	\$0	Amendment 009 to price agreement
12/19/17	Frontier Unlimited, LLC	Cape Blanco State Park and Humbug Mountain State Park in Curry County	Firewood delivery		\$35,000			\$35,000	New Price Agreement
12/19/17	CDW-G	Salem Headquarters in Marion County	Laptops for IT inventory		\$32,994			\$32,994	New Contract
12/22/17	Creative Protrusions Inc	Champoeg State Heritage Area in Marion County	Ryan Creek Bridge and Boardwalk		\$202,125	\$0	\$5,400	\$207,525	Amendment 001 upgrades railings
12/28/17	CDW-G	North, Central and South Coastal District Offices in Clatsop, Lincoln and Coos Counties	Lenovo Laptops		\$13,624			\$13,624	New Contract
11/08/17	Topper Industries Inc	Bullards Beach State Park in Coos County	14 Aluminum docks		\$243,390	\$4,392	\$15,525	\$263,307	Amendment 003 adds 8 Pile retainer modifications for dock
PERSONAL SERVICES CONTRACTS									
10/24/17	Wallowa Resources, Inc.	OPRD properties in Wallowa County	Noxious weed control		\$12,000	\$38,000	\$14,000	\$52,000	Amendment 005 continues weed control to July 31, 2019
PUBLIC IMPROVEMENTS CONTRACTS									
10/02/17	Chris Dials Contracting, LLC	LL Stub Stewart State Park in Washington County	Road and landing improvements		\$86,557			\$86,557	New Contract
10/02/17	Triple C Contracting, LLC	Tumalo State Park in Deschutes County	Storage building improvements	X	\$79,270		\$15,337	\$94,607	Change Order 001 for additional retaining wall, gate relocation and 3/4- aggregate

OREGON PARKS AND RECREATION DEPARTMENT

Procurement Report
October - December 2017

Executed	Contractor	Location	Project	FIP	Original Contract \$	Total Previous Amendments	Current Amendment	Current Contract Value	Comments
PUBLIC IMPROVEMENTS CONTRACTS (continued)									
10/09/17	Dave Roberts Contracting	Lake Owyhee State Park in Malheur County	Indian Creek campground rustic cabins	X	\$249,044		\$17,599	\$266,643	Change Order 002 for building shift and path alignment, addition footing, retaining wall and extension of completion dates
10/16/17	Stettler Supply Company	Fall Creek State Recreation Area in Lane County	New water pump and controls installation	X	\$24,725			\$24,725	New Contract
10/20/17	R & G Excavation, Inc.	Beverly Beach State Park in Lincoln County	Water Treatment Plant Replacement	X	\$504,590	\$134,501	\$8,200	\$647,292	Change Order 002 for intake pump revisions, increased size of new building and extend completion date
10/24/17	Jessie Rodriguez Construction	Unity Lake State Recreation Site in Baker County	Water System Improvements	X	\$128,770			\$128,770	New Contract
11/02/17	Elk Mountain Construction	Collier Memorial State Park in Klamath County	Water System Improvements	X	\$564,910	\$278,464	\$1,825	\$845,199	Change Order 006 final costs and additional time to prepare punch list
12/21/17	Engineering America, Inc	Carl G Washburne Memorial State Park, Jessie M Honeyman Memorial State Park in Lane County	Water reservoir leak repair project	X	\$192,000			\$192,000	Change Order 002 extends completion date
12/21/17	Jessie Rodriguez Construction	Unity Lake State Recreation Site in Baker County	Water system improvements	X	\$128,770		\$22,256	\$151,026	Change Order 001 for additional piping, alarm, waste drain, tank modifications and extension of completion date
12/27/17	Chris Dials Contracting, LLC	LL Stub Stewart State Park in Washington County	Road and landing improvements		\$86,557		\$8,490	\$95,046	Change Order 001 adjust final quantities
ARCHITECTURAL AND ENGINEERING SERVICES CONTRACTS									
10/23/17	Quincy Engineering	Silver Falls State Park in Marion county	Design and related service for the replacement of two vehicle bridges		\$98,952	\$0	\$0	\$98,952	Amendment 001 extends term of contract
11/02/17	Fredrick L. Walters	Thompson's Mills State Heritage Site in Linn County	Building preservation plan	X	\$40,000	\$0	\$0	\$40,000	Amendment 002 for extending the end date in order to complete the work
11/02/17	Environmental Engineering Services, Inc.	Thompson's Mills State Heritage Site in Linn County	Electrical/water system design	X	\$16,500	\$0	\$3,000	\$19,500	Amendment 001 for additional transformer, new wiring, refeed, and extend single phase
11/13/17	David Evans and Associates, Inc.	OC&E Woods Line Trail in Klamath County	Substructure rehabilitation	X	\$35,937	\$10,948	\$0	\$46,885	Amendment 004 for additional time to complete the work
12/14/17	Miller Consulting Engineers, Inc	Smith Rock State Park in Deschutes County	Pedestrian Bridge evaluation and design	X	\$12,200	\$0	(\$200)	\$12,000	Amendment 001 extends the term date and modifies the statement of work.
12/20/17	OTAK, Inc.	Indian Beach Road - Ecola State Park in Clatsop County	Culvert replacement	X	\$48,754	\$0	\$0	\$48,754	Amendment 001 to extend term of contract
12/20/17	DCI Inc	Thompson's Mills State Heritage Site in Linn County	Silos and head house repair	X	\$37,500			\$37,500	New Contract
12/27/17	Miller Consulting Engineers, Inc	Bank-Vernonia State Trail in Columbia and Washington Counties	Design Buxton trestle repair	X	\$38,200			\$38,200	New Contract
12/28/17	Project Delivery Group, LLC	Bank-Vernonia State Trail in Columbia and Washington Counties	Slide repair	X	\$7,300			\$7,300	New Contract
RELATED SERVICES CONTRACTS									
10/11/17	Historical Research Associates, Inc.	Cape Foulweather to Devil's Punch Bowl in Lincoln County	Archaeological survey for trail		\$13,263			\$13,263	New contract

OREGON PARKS AND RECREATION DEPARTMENT

Procurement Report
October - December 2017

Executed	Contractor	Location	Project	FIP	Original Contract \$	Total Previous Amendments	Current Amendment	Current Contract Value	Comments
RELATED SERVICES CONTRACTS (Continued)									
10/18/17	Pacific Groundwater Group	Sitka Sedge State Nature Area in Tillamook County	Hydrological analysis		\$149,992			\$149,992	New contract
11/27/17	David C. Smith & Associates, Inc	Statewide	Photogrammetric scanning of aerial film		\$45,500	\$0	\$0	\$45,500	Amendment 001 extends term
12/19/17	Curtis Restaurant Equipment, Inc.	Silver Falls State Park in Marion county	North Falls office complex kitchen design	X	\$1,000	\$0	\$0	\$1,000	Amendment 001 extends term
INTERGOVERNMENTAL AGREEMENTS									
10/02/17	Oregon State University	Champoeg State Heritage Area in Marion County	Comprehensive reporting for the unreported archaeological testing conducted		\$71,740	\$0	\$0	\$71,740	Amendment 002 extends the term date to allow continuation of the project.
10/18/17	Moro Rural Fire Protection District	Cottonwood Canyon State Park in Gilliam County	Fire protection services		\$15,000			\$15,000	New contract
10/19/17	Oregon Department of Environmental Quality	Statewide	Identification and disposal of hazardous wastes		\$0			\$0	New contract
10/30/17	Confederated Tribes of the Umatilla Indian Reservation	Pendleton	Regional heritage technical assistance program		\$20,000	\$0	\$0	\$20,000	Amendment 001 changes authorize representative
11/03/17	Jefferson County Sheriff	Warm Springs State Recreation Site in Jefferson County	Law enforcement services		\$135,000			\$135,000	New contract
11/08/17	Confederated Tribes of the Umatilla Indian Reservation	Pendleton	Regional heritage technical assistance program		\$20,000	\$0	\$0	\$20,000	Amendment 002 shortens term of contract
11/16/17	Portland State University	Statewide	Support natural areas and Section 6 Invertebrate Grant Programs		\$22,000			\$22,000	New contract
11/20/17	Oregon Department of Corrections	Statewide	Inmate work program		\$0	\$0	\$0	\$0	Amendment 002 extends the term date and increases the labor rates
11/28/17	Oregon Department of Transportation	Statewide	Use of State Park Properties as Rest Areas for Motorists		\$2,554,706			\$2,554,706	New contract
12/21/17	Lincoln County	Otter Crest State Scenic Viewpoint in Lincoln County	Construction of asphalt pavement for pedestrian lane road extension	X	\$280,000			\$280,000	New contract
12/21/17	Oregon Water Resources Department	Statewide	Evaluation and maintenance on Oregon Scenic Waterways		\$1,800,000			\$1,800,000	New contract
12/28/17	Oregon State University	Champoeg State Heritage Area in Marion County	Archaeological comprehensive reporting		\$71,740	\$0	\$0	\$71,740	Amendment 003 extends the contract term date to allow completion of services
12/22/17	Oregon Department of Transportation	Statewide	Grounds Keeping and Maintenance		\$609,551	\$609,551	\$609,551	\$1,828,653	Amendment 002 extends the contract term
12/22/17	Oregon Department of Transportation	Statewide	Grounds Keeping and Maintenance		\$609,551	\$1,219,102	\$609,551	\$2,438,204	Amendment 003 extends the contract term

Oregon Parks and Recreation Commission

February 21-22, 2018

Agenda Item:	10a (2)	Informational
Topic:	Report of Scenic Waterway Program Notification Actions and Ocean Shore Permits Issued from October 13, 2017, through January 11, 2018.	
Presented by:	Trevor Taylor, Stewardship Manager	

Pursuant to a duly adopted delegation order, and acting in accordance therewith, the Director, or her designee, has approved the following actions on behalf of the Oregon Parks & Recreation Commission:

SCENIC WATERWAYS NOTIFICATIONS

December 6th, 2017 approved Notification of Intent 16-88-17 from Beverly Johnson to conduct timber harvest operations on twenty acres of land within and adjacent to the Nestucca River State Scenic Waterway. The proposal met all State Scenic Waterway rule requirements including the distance from river, height, screening, and color rules.

December 20th, 2017 approved Notification 2A-228-17 from Ronald Sonnevil to construct a single family residence and detached shop adjacent to the Deschutes River State Scenic Waterway. The proposal met all State Scenic Waterway rule requirements including the exceeding the setback distances from the river, height, screening, and color rules.

October 23, 2017 approved Notification of Intent 22-2-2017 on the Chetco River State Scenic Waterway to harvest salvage timber from recent wildland fire activity. The proposal met all Oregon Forest Practice and state scenic waterway standards with the addition of an increased riparian buffer to reduce sediment flow to the Chetco River.

November 20, 2017 approved Notification of Intent 22-3-2017 on the Chetco River State Scenic Waterway to harvest salvage timber from recent wildland fire activity. The proposal met all Oregon Forest Practice and state scenic waterway standards with the addition of an increased riparian buffer to reduce sediment flow to the Chetco River.

December 12, 2017 approved Notification of Intent 2B-1011-17 from Pahlisch Homes, Inc. to build infrastructure to include paved streets, grading, drainage, and underground sewer, water, & electrical for a 78 unit single family home development on the Upper Deschute River State Scenic Waterway. Proposal met all City of Bend Planning Department ordinances and Oregon State Scenic Waterway standards. Vegetation was to remain intact except for street grading and placement of other planned infrastructure. Construction of homes will require future notification to state parks for scenic waterway review.

OCEAN SHORES ALTERATION DECISIONS

On October 20, 2017, Ocean Shore Permit #2884-17 was approved for Waziyata Partnership #1, to modify a previously approved storm water outfall structure authorized under OPRD Permit #2877-16 on February 9, 2016. The previously-approved project included the placement of at-grade gabion baskets at the outlet of the storm water pipe. The new permit authorizes a modified storm water outfall design which eliminates the gabion baskets and replaces them with a thickened concrete slab of approximately 6' x 10' in size. The project is intended to mitigate hazards to pedestrians negotiating an eroded trail on a public

beach access. The project site is located adjacent to 976 Wazyata Avenue in the City of Waldport, and is identified on Lincoln County Assessor's Map #13-12-24DD as tax lot 1599.

On January 4, 2018, Ocean Shore Permit #2885-17 was approved for Tialen and Ann Kelley, for a sand alteration. The project involves the alteration of approximately 3,600 cubic yards of sand in conjunction with preparation for new home construction on an undeveloped oceanfront lot. Excess sand removed from the lot will be pushed westward and tapered to meet the existing grade of sand on the ocean shore, and then stabilized with vegetative plantings of European beach grass in conformance with the requirements of the Pacific City Dune Management Plan. The project site is located near the south end of the Kiwanda Shores subdivision, approximately 350 feet north of the Pacific Avenue terminus in Pacific City. The property is identified on Tillamook County Assessor's map #4S-10W-24DD as tax lot 9100.

Prior Action by the Commission: None

Action Requested: None

Attachments: None

Prepared by: Stewardship Section Staff

Oregon Parks and Recreation Commission

February 22, 2018

Agenda Item:	10b	Information
Topic:	Territorial Sea Plan, Rocky Shore Management Strategy Update	
Presented by:	Trevor Taylor, Stewardship Section Manager	

Summary

This briefing to the Commission will provide an orientation and status update on the process to amend Part III of the Oregon Territorial Sea Plan (TSP): The Rocky Shores Management Strategy. The TSP uses a multi-jurisdictional framework implemented by the Ocean Policy Advisory Council (OPAC), Oregon's legislatively established stakeholder advisory body, for stewarding the plan. OPAC has initiated the process to amend Part III: Rocky Shore Management Strategy in accordance with the requirements established in the TSP. The OPAC TSP Rocky Shores Working Group has been tasked with leading the review and recommendation process which is envisioned to require two years to complete. The amendment process will result in changes to TSP Part III including new recommendations for state agencies that manage rocky shore areas and resources on Oregon's shoreline. While the Oregon Parks and Recreation Department is a non-voting member of OPAC, staff participates actively as the plan may have impacts on resources under OPRD jurisdiction. The Oregon Land Conservation and Development Commission (LCDC) is the formal policy body responsible for adopting the draft recommended amendments received from OPAC.

As the process will result in recommendations for implementation by OCMP Network Partner agencies (including the Oregon Department of Fish and Wildlife, Oregon Department of State Lands, and the Oregon Parks and Recreation Department), staff involvement during the policy process is essential for the development of management activities or measures that are feasible and implementable.

OPAC asked DLCD staff working on this process to develop a work program and timeline for the amendment process, as required by the TSP. This information, along with general updates on the process is provided in the agenda item attachment.

For further information about this report or the plan update process, please contact Laurel Hillmann, OPRD Ocean Shore Specialist, at 503-986-0700 or at Laurel.Hillmann@oregon.gov.

ATTACHMENT

TSP Rocky Shore Informational Packet (DLCD)

Oregon Territorial Sea Plan Rocky Shores Amendment

Oregon Parks and Recreation Commission
February 2018



Oregon Coastal Management Program
Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



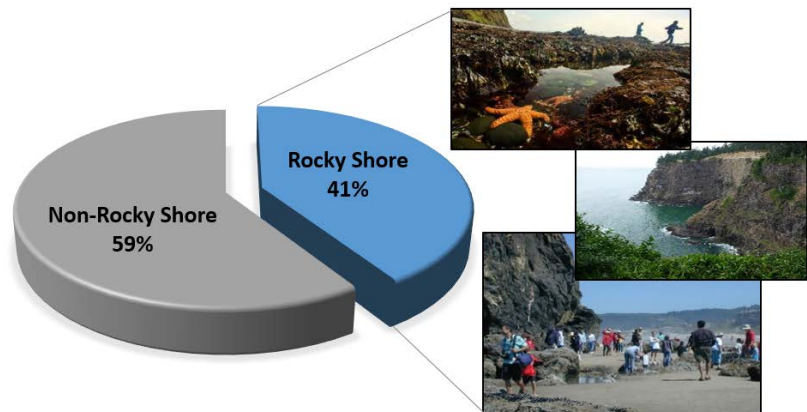
Oregon

Kate Brown, Governor



Oregon Rocky Shores

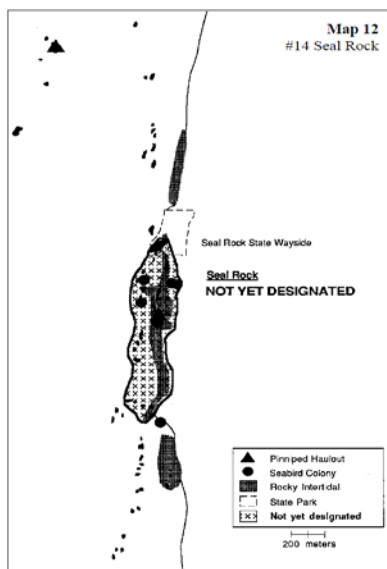
Rocky shores account for approximately 41% of Oregon's 362 mile coastline and include headlands, tide pools, rocky beaches, and cliffs, as well as offshore rocks.¹ These rocky habitats are both biologically rich and culturally important.



Oregonians gain many benefits including economic, recreational, cultural, aesthetic, scientific, and spiritual, as well as the benefits we garner from healthy, functioning rocky shore habitats. In 2016, over 14 million visits² were recorded from people who came to peer in wonder into biologically rich tide pools or explore the monumental headlands shaped by eons of wind and waves.

*The TSP rocky shore designations do not apply to jetties and other rocky man-made features.

What does the Rocky Shores Strategy do?



The Rocky Shores Management Strategy provides an ecosystem-based planning framework for agencies to use in the management of rocky shore sites, uses, and resources, and it is one of several elements of Oregon's ocean-resources management program.

The purpose of the strategy is to facilitate intergovernmental coordination and promote common understanding of ecological goals and appropriate uses of rocky shore areas. The strategy contains a combination of policy intentions (a goal and a set of policies and objectives), supported by scientific background information on rocky shore areas and resources and applied to on-the-ground sites and situations.

Territorial Sea Plan History and Update

¹ Oregon Department of Fish and Wildlife, 1994. Oregon Rocky Shores Inventory

² Visitor count estimated based on 2016 OPRD parking lot count data within designated rocky shore areas.

The TSP was first adopted in 1994 and provides detailed guidance to state and federal agencies to manage uses within the state’s territorial sea, from shore to three nautical miles offshore. State ocean resources are governed by a tapestry of authorities at multiple government scales, and the TSP acts as a coordinating framework from which individual agencies institute regulations and management activities

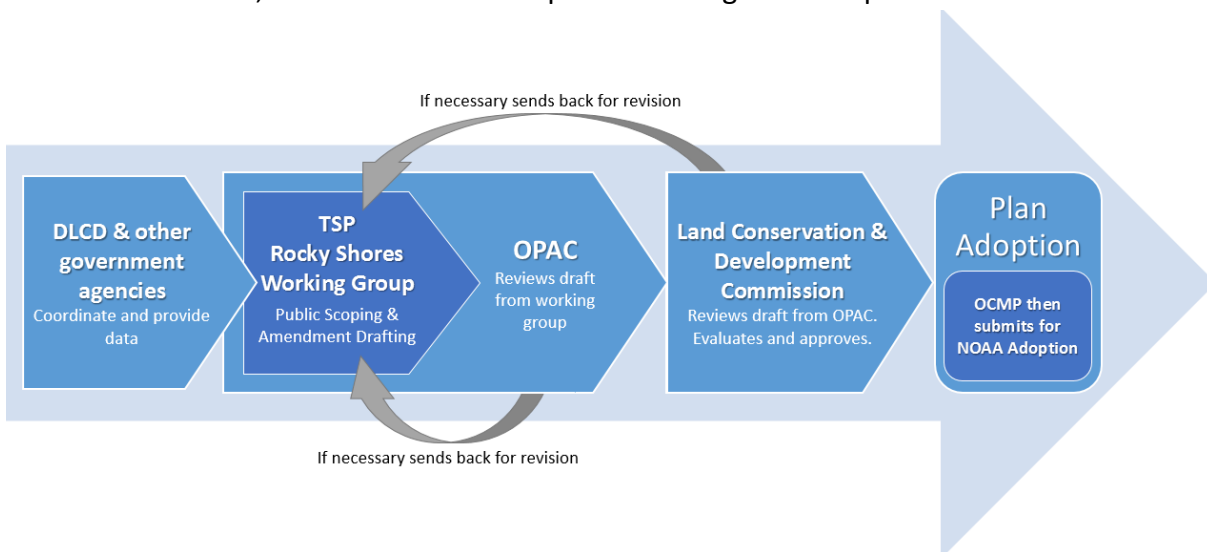


Much has changed on the coast in the 23 years since plan adoption, including population changes in Oregon and along the coast, identification of new rocky shore sites not included in the original plan, new or changing uses of the shoreline, and a growing awareness of the anticipated effects associated with climate change. The OPAC has determined that it is time to assess and amend the Rocky Shores Management Strategy to reflect this new understanding and proactively manage Oregon’s rocky shores for the conditions and needs of today and into the future.

The Amendment Process

Consistent with Statewide Planning Goal 1, citizens are invited to participate during all phases of the amendment process. The diagram below shows how parties will be involved.

The OPAC will use its Territorial Sea Plan Working Group, composed of OPAC members, agency representatives, and others with relevant expertise in rocky shores will evaluate the latest knowledge about the rocky shores system and generate recommendations for the plan amendment. The Oregon Department of Land Conservation and Development (DLCD) is leading and coordinating this effort. The input and assistance from the general public, resource users, coastal communities, and other interested parties is integral to the process.



Role of OPRD in the TSP

The Rocky Shores Management Strategy consists of both management recommendations and enforceable policies. With a large portion of Oregon's rocky habitat residing on state lands, Oregon Parks and Recreation Department has a great deal of involvement in implementing and managing these habitats in accordance with the TSP. As the update process continues, OPRD's representative on the Rocky Shores Working Group will be involved in public scoping, resource inventory synthesis, and plan amendment drafting.

Participate in the Update!

In accordance with Statewide Planning Goal 1: Public Involvement, we encourage any and all to participate by submitting ideas, concerns, and responses about how the plan is being developed.

1. Attend and participate at a public meeting

- Public Meetings will be taking place in February and March of 2018 in coastal and valley communities.
- All meeting information, along with additional updates and process information is available at www.OregonOcean.info

2. Participate in Questionnaires

- Visit <https://www.surveymonkey.com/r/RockyShores> to take the Rocky Shores Needs questionnaire.
- Visit <https://survey123.arcgis.com/share/8e4ed4b895a54e0c8897614ed8537ff7> to submit information on a specific rocky shore location.

3. Contact us directly

- Call DLCD at (503) 934-0072 or email us at alanier@dlcd.state.or.us to ask questions or provide comments.

Oregon Parks and Recreation Commission
Meeting

Agenda Item: 10c Action
Topic: Report: Director's Expenses
Presented by: Tracy Louden

Background:

The Oregon Accounting Manual requires annual Commission review of specific financial transactions of the agency head. The review must be documented in the meeting minutes. Those transactions include travel, exceptional performance leave, and vacation payoff. Attached is a summary of Director Lisa Sumption'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 Sumption had no exceptional performance leave or vacation payout.

Action Requested:

Staff request approval of Director Sumptions's specific financial transactions, per the Oregon Accounting Manual.

Prepared by: Rebecca Jasso

**Oregon Parks and Recreation Department
Report of Director Lisa Sumption Expenses
For the Period January 1, 2017 through December 31, 2017
Expense**

Date	Travel Destination and Purpose	Actual Cost	Reimbursement	Document #	Comments
1/24/2017	Portland/Parking	13.00	13.00	VP046013	DEQ and Cycle Oregon
2/7/2017	Woodburn/RT Mileage	20.33	20.33	VP046013	Commission in Woodburn
2/8/2017	Woodburn/RT Mileage	20.33	20.33	VP046013	Commission in Woodburn
3/9/2017	Silver Falls/RT Mileage	28.89	28.89	VP046013	Leadership Team
5/3/2017	Lake Oswego and PDX/RT Mileage	16.66	16.66	VP046013	Field Visits
05/12/17-05/13/17	Lodging comped by Surf Sand	-	-	VP046013	Beach Bill event
5/12/2017	Cannon Beach/Meals	86.25	86.25	VP046013	Beach Bill event
5/12/2017	Salem to Cannon Beach/Mileage	20.06	20.06	VP046013	Beach Bill event
5/13/2017	Cannon Beach to Salem/Mileage	20.06	20.06	VP046013	Beach Bill event
05/17/17-05/18/17	Leadership Team/Meals	25.50	25.50	VP046013	Leadership Team
5/17/2017	Silver Falls/RT Mileage	28.89	28.89	VP046013	Leadership Team
5/18/2017	Silver Falls/RT Mileage	28.89	28.89	VP046013	Leadership Team
6/13/2017	Salem HQ to Keizer to Buena Vista back to Keizer and returned to Salem HQ/Mileage	36.38	36.38	VP046013	Salmonberry, Buena Vista Commision Tour and Meeting
6/24/2017	Salem HQ to Williamette Mission/Mileage	13.91	13.91	VP046013	Government Campout
08/09/17-08/10/17	Field Visits/Coastal/Meals	88.50	88.50	VP046959	Field Visits due to Fires
08/09/17-08/10/17	Field Visits/Coastal/Lodging	144.69	-	BT019455	Field Visits due to Fires/SPOTS
08/28/17-08/29/17	Field Visits/Newport/Brookings/Meals	88.50	88.50	VP047623	Field Visits due to Fires
08/28/17-08/29/17	Field Visits/Newport/Brookings/Lodging Airline Ticket to Missoula, MT for NASPD	145.81	-	BT019455	Field Visits due to Fires/SPOTS
09/05/17-09/08/17	Annual Conference	766.60	-	VP047584	NASPD Annual Conference
09/05/17-09/08/17	Airport Parking	30.00	30.00	VP047622	NASPD Annual Conference

**Oregon Parks and Recreation Department
Report of Director Lisa Sumption Expenses
For the Period January 1, 2017 through December 31, 2017**

09/05/17-09/08/17	Lodging for NASAPD Annual Conference	414.60	-	BT019632	Lodging-SPOTS
09/18/17-09/20/17	Sept. 2017 Commission Meeting	89.25	89.25	VP047737	Meals
09/18/17-09/20/17	Sept. 2017 Commission Meeting/Geizer Grand Hotel	223.74	-	VP048544	Direct Bill/Geizer Grand/Lodging
10/3/2017	New Directors Forum in Tillamook	34.50	34.50	VP048865	Meals-Taxable/Non-Overnight
10/3/2017	New Directors Forum in Tillamook	80.25	80.25	VP048865	Private Vehicle Mileage
10/05/17-10/06/17	STIA Salmon Berry Board (PDX)	48.00	48.00	VP048865	Overnight-Meals
10/05/17-10/06/17	STIA Salmon Berry Board (PDX) Salem to PDX to Lebanon to Salem	171.80	-	BT019632	Spots - Lodging
10/05/17-10/06/17	Private Vehicle Mileage	89.89	89.89	VP048865	Mileage
10/9/2017	OPRD Coop Conference	32.00	32.00	VP048865	Meals-Taxable/Non-Overnight
10/11/17-10/12/17	Leadership Team/Maclaey Conference Center	17.12	17.12	VP048865	Private Vehicle Mileage
11/01/17-11/02/17	LCIS Fall Gathering	59.00	59.00	VP049068	Overnight-Meals
11/01/17-11/02/17	LCIS Fall Gathering	88.88	-	BT019950	Lodging / Spots
11/01/17-11/02/17	Private Vehicle Mileage	63.13	63.13	VP049068	Mileage Round Trip to LCIS Fall Gathering
11/13/17-11/15/17	Nov Commission Meeting	63.75	63.75	VP049068	Meals
11/13/17-11/15/17	Nov Commission Meeting	223.74	-	VP049719	Direct Bill/Wanapa/Lodging
12/5/2017	All Managers Meeting/Meals	59.00	59.00	VP050015	Meals
12/5/2017	All Managers Meeting/Lodging	128.70	-	VP049751	RB-VRI EUGENE/DIRECT BILL
12/8/2017	Airline Ticket to Houston, TX for out-of-state travel in Feb. 2018	433.60	-	VP049945	Speaker for Texas State Parks Annual Meeting/ Texas is reimbursing for Airfare-haven't receive yet
	Total	3,944.20	1,202.04		

Oregon Parks and Recreation Commission
February 22, 2018

Agenda Item: 11

Information

Topic: Commission Planning Calendar

Presented by: Lisa Sumption

TENTATIVE
2018 COMMISSION MEETING TOPICS, TRAININGS and/or WORK SESSIONS

April 17 & 18, 2018 – Pacific City – (April 16th travel day)

Tentative Business Meeting Topics:

- Acquisitions
- ORTEC Report
- Eugene Ridgeline Regional Trail Designation
- 2017-19 Budget Update
- 2019-21 Budget Update
- 2019-21 KPM approval

Tentative Training/Work-sessions:

- Best Practices – Demographics
- Budget - 2019-21 Budget (preliminary revenues, expenditures, cash flow, policy packages etc)

Tentative Tour

- Cape Kiwanda
- Sitka Sedge

June 12 & 13, 2018 – The Dalles (June 11th travel day)

Tentative Business Meeting Topics:

- 2017-19 Budget Update
- 2019-21 Budget Approval

Tentative Training/Work-sessions:

- 2019-21 Budget (preliminary revenues, expenditures, cash flow, policy packages etc)

Tentative Tour:

- Cottonwood Experience Center

2018 Future dates/Locations:

September - South Beach/Brian Booth

November – Corvallis/Cascadia