



Oregon Parks and Recreation Commission

November 18, 2010

Troutdale, Oregon

11/18/2010 Meeting Minutes

Those attending all or part of the meeting included:

Commissioners Present:

Davis Moriuchi, Chair

Jay Graves, Vice-chair

Robin Risley

Brad Chalfant

Jim Brown

Sharon Rudi

Staff:

John Potter, Assistant Director, Operations

Steve Shipsey, Assistant Attorney General

Vanessa DeMoe, Commission Assistant

Roger Roper, Assistant Director, Heritage Programs

Brian Silcott, Assistant Director, Exposition Center and Fairgrounds

Kyleen Stone, Assistant Director, Recreation Programs and Planning

Cliff Houck, Real Property Manager

Jim Morgan, Natural Resources Manager

Darin Wilson, Engineering Manager

MG Devereux, Cottonwood Canyon Project Manager

Wayne Rawlins, Grants Program Manager

Richard Walkoski, Recreation Programs Manager

Kathy Schutt, Planning Manager

Jenn Cairo, Valleys Region Manager

Chris Havel, Associate Director

Visitors Present:

John Radford

Gary Blackmer

Kristin Stallman, ODOT Region 1

Audit Committee Update

Commissioner Graves gave an update from the last Audit Committee meeting. He explained that the committee spent time discussing the Oregon State Fair, risk assessment, the audit plan and risk based audits.

Commissioner Brown gave feedback from the Internal Auditor Training he attended. He provided a handout to the Commission from the training and stated that the training provided questions that should be asked during the audit process. Commissioner Brown said that it would be good to discuss how the Audit Committee and the Commission might be more helpful to the agency; help to identify risks at the strategic and operation level. He stated that the agency's long term financial revenue stream and expenditures and how they are prioritized is a key conversation the Commission should have.

Commissioner Chalfant commented that it would be an appropriate time to do a reassessment of the Commission's role. He said that the agency went through a shift with passage of Measure 66, rebuilding the park system, now with Measure 76 there is yet another turning point; providing an opportunity to step back and evaluate the role of the Commission to bring more value to the department. Commissioner Chalfant suggested a facilitated retreat to help the Commission rethink how they position themselves and what is asked of staff.

Commissioner Graves asked how long it had been since the previous Audit Committee met and asked for a brief history of the committee.

Ms. Van Laanen stated that the agency has had an audit committee for three years but not an internal auditor as we have now. She explained that there has not been any internal audit work done other than the charter work done with the Audit Committee by Jon Hart. Mr. Hart is no longer with the agency and Bevin Clapper is now on staff as the Internal Auditor and is re-engaging the committee. Ms. Van Laanen said that the committee has committed to revisit the charter and meet every other month in conjunction with the Commission meetings. She said that updates will be brought to the Commission as to what the status is and to re-emphasize the role of the internal audit function. She explained that there are statutory requirements for an annual risk assessment, annual audit plan and an annual risk based audit. Ms. Van Laanen said that Ms. Clapper will work with the Audit committee to meet the minimum requirement and will also be working on quality assurance; looking at efficiencies and performance management.

Business Meeting, 10:15 a.m.

1. Commission Business (Action)

a) Approval of Agenda

The Commission adjusted the agenda, as follows, to accommodate travel needs of Commissioners due to inclement weather.

- 1.** Approval of Agenda
- 2.** Public Comment
- 3.** Approval of September 2010 Commission Meeting Minutes
- 4.** Consent Calendar
- 5.** Real Property
- 6.** Natural Resource Management
- 7.** Grants Program
- 8.** Operations procurement and FIP
- 9.** Rulemaking

10. Planning and Land Use
11. Heritage Programs
12. Oregon Exposition Center and State Fair
13. Budget and Legislative
14. Reports
15. Commission Planning Calendar

Commissioner Graves moved to approve the November 2010 Commission meeting agenda as revised. Commissioner Risley seconded. The motion passed unanimously, 6-0.

2. **Public Comment:** *This time was for the public to address matters **not** included in the agenda.*
No public comment was given.

3. **Approval of Commission Meeting Minutes (Action)**
a) September 2010

Ms. DeMoe stated that errors regarding Commissioner Risley's attendance and the motion count based the attendance had been corrected and will be in the final version.

Commissioner Graves asked what happened with the solar city agreement.
Mr. Silcott replied that the current status is that Solar City did apply for Business Energy Tax Credit. They have stated that their ability to execute the contract depends on that funding. He also stated that a couple of buildings that they intended to use will not support the weight.
Mr. Silcott said that further decisions wait until the funding has been secured.

Commissioner Chalfant moved to approve the September 2010 Commission meeting minutes. Commissioner Rudi seconded. The motion passed unanimously, 6-0.

4. **Consent Calendar**

- a) Approval of Delegated Authority Report (Action)
 1. Contracts
 2. Natural Resources

5 a) 1., Contracts Discussion

Commissioner Graves asked about the intergovernmental agreement regarding probation officers. Mr. Silcott said that he will need to confirm, but he believed it was for Marion County officers used to supervise the crews that work on the grounds.

Commissioner Graves asked about the Ikon Office Solutions contract. He asked if the contract was specifically for the fair or for year around use. Mr. Silcott replied that it was for donation of machines needed during the State Fair only.

Commissioner Graves asked if any commission is made from sponsorships. Mr. Silcott said that there is not any commission paid to employees.

Commissioner Brown moved to approve the consent calendar. Commissioner Chalfant seconded. The motion passed unanimously, 6-0.

5. Real Property

Cliff Houck, Property Resource Management

Banks Vernonia State Trail Easement Request-Western Oregon Electric Cooperative (Action)

Mr. Houck briefly explained the easement WOEC is requesting from OPRD to allow room to place the distribution line conduit (as well for any future maintenance of the lines) and placement of up to two (2) 7'x7' vaults.

Mr. Houck stated that staff was requesting the authority to grant the 10-foot wide easement to Western Oregon Electric Cooperative, Inc for the placement of distribution lines and up to two (2) 7'x7' vaults for the fair market value amount of \$31,600

Commissioner Graves moved to approve the Banks Vernonia State Trail Easement Request. Commissioner Chalfant seconded. The motion passed unanimously, 6-0.

Frenchglen School District Property Sale Proposal (Action)

Mr. Houck shared that this is a sale of a small parcel to the Frenchglen School District. He requested approval to sell and transfer the described property for the appraised value of \$650 to the Frenchglen School District.

Commissioner Graves moved to approve the Frenchglen School District Property Sale Proposal. Commissioner Brown seconded. The motion passed unanimously, 6-0.

Cove Palisades Camp Store Concession RFP (Information)

White River Falls SP hydro proposal (Information)

Mr. Houck asked if there were any questions regarding either the Cove Palisades Camp Store Concession RFP or the proposal by Wasco PUD to construct hydro facility at White River Falls SP (Information).

Commissioner Chalfant commented that the Wasco PUD proposal did not show any obvious value to the park system. He stated that it may be a good proposal but it needs to make a better case. Commissioner Risley agreed.

6. Natural Resource Management

Jim Morgan, Natural Resources Manager

Laurel Hillmann, Coastal Resource Coordinator

a) Climate Change Response Plan (Action)

Mr. Morgan said this is the Commission's second look at the plan. He said there are no significant changes in the plan as it is presented. Mr. Morgan said he wanted to recap on some of the essential recommendations from the plan. Mr. Morgan stated that the purpose of the plan was to identify the assumptions and define potential impacts. He discussed the likely key changes, potential impacts, and recommended actions.

Likely Key Changes:

Temperature change

Precipitation

Sea level rise

Larger and more frequent storms

Potential Impacts:

Increase in fire intensity and frequency

Pest invasion

Floods

Water quality

Shore line alteration application increase

Recommended Actions:

Assess where we can have the bigger impact

Reduce contributions to climate change and adapt

Review Ocean Shore Rules

Ocean Shore rulemaking

Discussion

Commissioner Risley commented that it seems to be very cutting edge and exciting.

Commissioner Graves thanked staff for the detail included in the report. He said he was encouraged that the agency is being proactive. Commissioner Graves asked how frequently the information will be updated. Mr. Morgan replied that there is an existing committee, the Sustainability Committee, and updating the information will be an essential part of their efforts; it will be constantly updated, the climate change models are always changing.

Commissioner Chalfant shared that he appreciated the team that put this together. He asked how the plan will be integrated into planning in terms of Natural Resource management. Mr. Morgan replied that the actions in the plan try to address this. He said that as we are looking at locations and doing planning, the possible climate variability is assessed for the future. Mr. Morgan said you also have to look at practices that are occurring throughout the system and decide which ones will have the most positive impact through changing them.

Commissioner Chalfant asked if you go park by park and evaluate or do you look at new development and make sure the plan is taken into consideration; are we primarily looking at going forward or existing sources. Mr. Morgan replied that current operations are being looked at for choosing the initial parks. He said, in terms of planning, this is foremost in our minds as to where we provide recreational opportunities that make sense and that protect the resource.

Mr. Potter added that one thing Mr. Morgan has suggested is that we reevaluate the way we assign accountability. Through the Sustainability Committee managers can develop performance measures that can be reported back to the Commission.

Chair Moriuchi asked how we determine when enough has been done in relation to ocean shore alterations. Mr. Morgan replied that there will be cases brought before us where a hard decision has to be made. He said that, of course, the rules have to be followed. He explained the current rules and how adjacent land, not covered by the rule, may be affected.

Commissioner Brown moved to approve the adoption of the Climate Change Response Plan. Commissioner Graves seconded. The motion passed unanimously, 6-0.

- b) Management of Common Gorse (*Ulex europaeus*) on State Park Lands (Information)
Jim Morgan, Natural Resource Manager

Mr. Morgan briefly covered some of the gorse control activities occurring on State Parks property. He explained past and current projects occurring in parks. Mr. Morgan shared that the eradication process includes: removal, herbicides and planting of American dune grass and other shrubs such as twin berry and salal. He added that the herbicide used is a very effective, non-systemic product. Mr. Morgan said that future plans are to continue replacing gorse with native vegetation.

Discussion

Commissioner Brown asked what the cost is to eradicate gorse. Mr. Morgan stated that, just to control the gorse, not replanting is approximately \$3000.00 per acre.

Commissioner Chalfant appreciated the information. He asked about the gorse coming over from private property; does OPRD have the authority to work on private lands to control invasion of gorse. Mr. Morgan said that the Forest Service and BLM conduct projects on adjacent lands and they are able to direct funds to private property. He said that an agreement could be worked out with private land owners so that the agency could conduct work on their property, however the demand on State Parks property has not allowed the opportunity.

Commissioner Chalfant asked if there were any statutory limitations that would prevent the agency from addressing the long term issue of gorse control on private lands. Mr. Morgan stated that to work on private lands it would have to be a very compelling reason. He stated that he has worked on projects where infestations are seamless across boundaries; funds are brought in and the project is done through a partnership. Mr. Potter stated that he will confirm if there are any statutory limitations.

7. Grants Program

Wayne Rawlins, Grants Manager

- a) OPRD – Oregon State Police (Fish & Wildlife Division) Interagency Agreement (Action)

Mr. Rawlins stated the request for Commission approval to enter into an interagency agreement with the Oregon State Police for law enforcement services not to exceed \$460,000.

Discussion

Commissioner Graves asked about the trooper hours versus the cost. Mr. Rawlins explained that the cost has more to do with their ability to accurately report the hours. He said that he has met with OSP Captain Samuels and they are working to improve reporting to show a return of our investment with them. He said the reports up to date do not show their hours associated with education, outreach, and citation/violation activity. Commissioner Graves asked Mr. Rawlins if he had an expectation of how many hours the cost represents. Mr. Rawlins replied that the expectation was for the cost of two troopers in the field for a biennium.

Commissioner Brown moved to approve the OPRD – Oregon State Police (Fish & Wildlife Division) Interagency Agreement. Commissioner Chalfant seconded. The motion passed unanimously, 6-0.

8. Operations Procurements and Facilities Investment Program (FIP) Projects

Darin Wilson, Engineering Manager

a) Roads End Restroom Replacement (Action)

Mr. Wilson said that the proposed project is to replace an existing restroom building with a purchased ADA-compliant, pre-fabricated restroom building able to support high visitor usage. He asked for Commission approval for the purchase from CXT Inc. in the amount of \$189,027.08.

Commissioner Graves moved to approve the Roads End Restroom Replacement. Commissioner Brown seconded. The motion passed unanimously, 6-0.

b) Devils Lake B&C Loops Restroom Replacement (Action)

Mr. Wilson said the proposed project was for construction of (2) new 1,340-square foot, masonry and wood framed restroom/shower buildings. He asked for Commission approval for award of a contract to 2KG Contractors Inc. in the amount of \$594,931.00

Commissioner Graves moved to approve the Devils Lake B&C Loops Restroom Replacement. Commissioner Chalfant seconded. The motion passed unanimously, 6-0.

c) La Pine Restroom Replacement (Action)

Mr. Wilson said the proposed project is to replace an existing restroom building with an ADA-compliant, pre-fabricated restroom/shower building able to support high visitor usage. He clarified that the request is for up to \$240,000.00 because staff have requested the use of tile for this project. He asked for Commission approval for the purchase from CXT Inc. in the amount up to \$240,000.00.

Commissioner Rudi moved to approve the La Pine Restroom Replacement. Commissioner Risley seconded. The motion passed unanimously, 6-0.

d) Kam Wah Chung Interpretive Exhibit Project Contract Approval (Action)

Mr. Wilson provided and updated agenda brief to the Commission explaining that staff originally planned that the work would include installation of the exhibits which would require a competitive low bid award process using an Invitation to Bid (ITB) process. He said the majority of the work is for exhibit design and the exhibits will be installed by staff; therefore an evaluative Request for Proposals (RFP) process, which included price consideration, was used to choose the most qualified bidder.

Mr. Wilson asked for the Commissions approval to award a contract to The Alchemy of Design LLC for an amount not to exceed \$183,000.00.

Commissioner Rudi moved to approve the Kam Wah Chung Interpretive Exhibit Project Contract Approval. Commissioner Brown seconded. The motion passed unanimously, 6-0.

e) FIP Update (Information)

Mr. Wilson stated that the FIP Update was provided to give information on projects that may be back in front of the Commission for approval in the future. There were no questions from the Commission.

9. Rulemaking

a) Request to go to rulemaking, OAR chapter 736, division 16; Non traditional Park Activities
Richard Walkoski, Recreation Programs Manager

Mr. Walkoski said that Division 16 addresses how visitors are permitted access to our properties. He explained that there are three different ways that visitors can gain access; through the normal operational rules, formal agreement, anything else falls under Division 16. Mr. Walkoski said permits issued under these rules cover everything from large group events to natural resource project work done by volunteers to filming movies in the parks. He said the permits, currently called miscellaneous use permits, accomplish several functions: they provide a way to control activities that could interfere with other park visitors; they provide a way to recover costs incurred by the department that are outside the normal range of operations; and they mitigate risk to OPRD by requiring that insurance be provided by the applicant. These permits are issued across the state and at headquarters throughout the year. The Commission last reviewed and updated Division 16 rules in July of 1994. Mr. Walkoski shared that an intradepartmental rules advisory team has been formed to review the current language and recommend additions to the rules. He said that the team has met several times and their guidance was used to draft proposed changes to the rules.

Discussion

Commissioner Graves asked about the fee waivers and how they are applied to non-profits and for profit ventures that have a non-profit portion to an event. Mr. Walkoski said this is one of the areas that managers struggle with across the state. Mr. Walkoski suggested the rule should state that if costs are incurred then those costs should be recovered. Mr. Walkoski reiterated that clear guidance for the managers is necessary and will be added to the rule.

Commissioner Graves asked how this would affect Cycle Oregon. Mr. Walkoski replied that Cycle Oregon is one of the groups that do things in partnership with the agency. He said the agency has a MOU with Cycle Oregon for the events and a portion is covered by in-kind services.

Commissioner Brown said he would like to better understand the fees and charges. He asked how numbers for commercial film use and other use fees were decided. Mr. Walkoski said the commercial film use fee is the existing fee, it was not changed. He said that most of the fee gets waived, there was an agreement made between the Governor's Office and the Film Commission that the agency would waive fees for commercial filming because of economic development. Mr. Walkoski said that the other uses fee is based on the day use fee structure.

Commissioner Graves moved to approve the Request to go to rulemaking, OAR chapter 736, division 16; Non traditional Park Activities. Commissioner Chalfant seconded. The motion passed unanimously, 6-0.

- b) Adopt, OAR 736, division 10; State Capitol Recognitions
Jenn Cairo, Valleys Region Manager

Ms. Cairo asked the Commission if there were any questions or clarifications on the proposed rule.

Discussion

Commissioner Brown commented that he does not think there are adequate criteria around which a decision could be made. He commented that it puts the burden on agency staff rather than the applicant for justifying, based on criteria, why it should be approved.

Ms. Cairo stated that the intention is to have a form that the applicant would fill out; it would explain and demonstrate how the criteria are met.

Commissioner Brown stated that that still does not answer the question why it should be allowed. Ms. Cairo replied that the State Capitol State Park Comprehensive Plan does define the vision and purpose of the park, defining what area of the park is appropriate for certain types of uses. She explained that part of the criteria that will be looked at is if the proposal will affect the area and change the use; if the answer is yes it would be deemed inappropriate.

Commissioner Brown said that the rule needs to be more focused; he stated that the criteria around in which you will make a decision is too obtuse.

The Commission decided to continue the hearing on the adoption of OAR chapter 736, division 10 amendments until the January 2011 Commission meeting.

Commissioner Brown moved to continue the discussion and possible action on OAR chapter 736, division 10; State Capitol Recognitions, until the January 2011 meeting. Commissioner Graves seconded. The motion passed unanimously, 6-0.

10. Planning and Land Use

- a) Lewis and Clark State Recreation Site Comprehensive Park Plan (Information)
Jenn Cairo, Valleys Region Manager
Mark Davison, Master Planning Coordinator

Ms. Cairo explained that this item pertains to the process for creating a site improvement plan for the Lewis and Clark State Park. She said that at this point staff have been working with partners, specifically ODOT, on development constraints and drafting a site plan. Ms. Cairo shared that a major reason for doing the plan is that ODOT is currently doing a bridge replacement that includes a pedestrian path and a tunnel connecting the Forest Service property to the park. She said this is an opportune time to look at what the implications of the new trail connections will be. Ms. Cairo said that this park has very intense visitor volume issues; the parking is not sufficient for the volume of visitors. She said the objectives of the plan will be to better manage by design for visitor volume, including parking, foot traffic, safety of visitors and staff, natural resources and esthetics.

Mr. Davison discussed site orientation, site circulation, parking and natural resource planting schemes for the area. He shared the proposed parking areas and limitations; and improvements such as better green areas, picnicking, native restoration, re-vegetation, boardwalk areas and better access to the beach

The site plan was based on the design program listed below:

1. Address unimproved parking lots (three of them)
2. Improve pedestrian circulation
3. Consider completing trail loops in the park
4. Provide traffic calming measures and pedestrian crossings for Jordan Road
5. Complete a riverside trail that does not impair resources
6. Provide an east side trail connection under the freeway bridge
7. Accommodate a multi-use trail along Jordan Road to the Sandy River Delta USFS site.
8. Develop riparian habitat restoration projects
9. Develop a native plant plan for the day use and parking areas
10. Consider improved day use facilities
11. Consider additional interpretive opportunities
12. Consider how best to provide public access to the river

Discussion

Commissioner Graves asked if the Forest Service parking area impacts the 240 limit for parking at Lewis and Clark. Mr. Davison said that it does not, it is at a distance that it does not impact the limit.

Commissioner Graves asked about the potential to trade Jordan Road for the ODOT parking area. Ms. Cairo said that ODOT is not willing at this time. Mr. Davison added that Kristen Stallman, with ODOT, has been working to get Jordan Road converted to a Forest Service designation. He said that would be positive because it will bring in more grant money and having it in our ownership would ease the parking issues.

Commissioner Graves asked if the pedestrian and bike path are separate. Mr. Davison said that with help from Engineering and Trail staff the plan is to have the bike path as a separate path.

Chair Moriuchi asked if the ODOT parking area will remain in their ownership. Ms. Cairo replied, at present yes, the park manager has been working closely with ODOT staff and discussing the option of that area being treated as a part of the park. She said that ODOT has requested access to an area behind the parking area to have for their business needs. Ms. Cairo said that an agreement has not been made, they are still in discussions with ODOT.

Ms. Cairo explained that the next steps will be to complete draft management zones for the park to better guide park operational efforts and park improvements, including resource restoration and enhancement projects, and will confer with stakeholders and partners, including: Historic Columbia River Highway Advisory Committee, Gorge Commission, City of Troutdale, Metro, USFS, ODOT and others. A final Comprehensive Park Plan document will be formatted and completed for Commission review and approval at their January meeting.

Commissioners Rudi and Chalfant departed the meeting at this point.

- b) Historic Columbia River Highway State Trail Plan: Wyeth to Hood River (Information)
Jenn Cairo, Valleys Region Manager
Kate Schutt, Planning Manager
Kristen Stallman, ODOT Region 1

Ms. Cairo said that over the past several months OPRD staff have been working under Ms. Stallman's initiative to create a comprehensive plan for the park. She stated that this would be a great benefit to the agency because although there are several historic design features and ideas for how this trail should be there is not anything concrete that all of the stakeholders have been able to discuss and put down on paper; such as a specific routes for the trail, design features, parking areas, surfaces and railings. Ms. Cairo reported that to date there have been three public meetings in addition to extensive consultation with the partners.

Commissioner Graves asked how many miles of the trail is open to automobile traffic. Ms. Stallman replied that there are 40 miles of drivable section.

Commissioner Graves said that the bike industry has heard over and over how important it is to have safe places to ride bikes. He said that he would hope that at some point automobile routes could be closed one day a year to nothing but bikes and pedestrians. Ms. Stallman said that she is currently working on that idea. She added that she is working with the City of Cascade Locks as well on a ride they would like to have in the Gorge.

Ms. Schutt clarified that ODOT and OPRD will bring the final State Trail Plan, Wyeth to Hood River back to the Commission at their January meeting for final approval.

Ms. Stallman said that the goal is to start construction next fall with the main construction in the spring of 2012, and ribbon cutting in September of 2012.

- c) Cottonwood Canyon Project Update (Information)
MG Devereux, Cottonwood Canyon Project Manager
Mark Davison, Master Planning Coordinator

Mr. Devereux said that he and Mr. Davison had just finished two very productive meetings in Gilliam and Sherman Counties as well as Portland. He shared the recent developments and progress as well as the concepts that had been presented to the public.

Overview:

Mr. Devereux stated that staff anticipate Cottonwood Canyon will be a unique property in the OPRD portfolio, consisting of 8,114 acres, based on the acquisition strategy, with linkages to over 10,000 acres to other public lands. Mr. Devereux stated that the opening is still scheduled for June 2013 and will be OPRD's 10th Park of the Year.

Review of Planning Timeline:

- February 2010 - started the public process and resource inventory work
 - Internal agency staff provided a detailed look at the cultural, natural, and recreational resources; looking at ways to engage the community to determine what their capacity for engagement in the parks is
- August 2010 - first round of public meetings to discuss the park goals and values and get feedback on direction of the property
- Oct-Dec 2010 - developed management zones and conceptual recreation facilities
- February 2011 – draft of comprehensive plan completed for internal review
- March 2011 – plan out the public for comment
- Summer 2011 - bring the plan to the Commission for approval

Guiding Principles:

- Limited development
- Limited capacity
- Rugged resource, careful treatment of the landscape
- Restoration opportunities
- Ensure recreational opportunities developed through the landscape are done through a manner that preserves and enhances the landscape; and is done with purpose and vision
- Recognize other plans in the area, John Day River Management Plan
- Protect and restore the resources of the Lower John Day River
- Provides a gateway to the John Day River
- Understand local perspective

Discussion

Commissioner Brown said that two concerns he has heard is the impact on traditional local services and the potential impact on public services. Mr. Devereux replied that these questions do come up. He said that a list was developed of frequently asked questions and has been posted to the State Park site dedicated to the project. He said that a section in the presentation was also added about the emergency services and how to incorporate the local needs into the landscape.

Mr. Davison shared that in August 2010 the community was asked what they valued about the landscape, when they responded they stated their value was the canyon, the rugged landscape, how it will be protected and what the local community access will be. Mr. Davison said another thing that came up frequently was if the red barn will be protected and used. He explained that their response to that was in agreement that it should be protected and used.

Mr. Davison discussed the latest natural resource work. He shared that the Natural Resource staff had completed a survey of the landscape; they documented, inventoried and assessed 18,000 acres. Mr. Davison described results of the survey. He said that based on the recreational needs, the goals and values expressed by staff and public, cultural resource opportunities and constraints and the habitat, the department created an opportunities map showing the park laid out in individual opportunity areas. Mr. Davison explained the different opportunity areas.

Discussion

Discussion

Commissioner Brown commented that ingress and egress will be allowed at Hay Creek Canyon Road. Mr. Davison confirmed that it will be allowed, it is likely that the type of road will be maintained by the County, possible through a Joint Agreement with OPRD

Commissioner Brown addressed the long standing interest in the public having road access upstream of the Cottonwood Canyon Bridge (on 206). He requested that this use be adequately considered during the planning process.

Mr. Davison replied that there had been discussion at public meetings, asking if access can be limited. Commissioner Brown stated that he sees it as cutting off a major opportunity for families to use the river.

Commissioner Graves asked about where services are being placed and how that compares to the flood plain. Mr. Davison replied that they have taken the 1960's flood and the 1990's flood plain line and have run contour lines on the property telling us where flooding had occurred in the past. He explained that the plan has all services above that flood line.

11. Heritage Programs

Roger Roper, Assistant Director of Heritage Programs

Heritage Programs Report

Arch Cape Cannon Update

Mr. Roper reported that conservation work continues on the two cannon found near Nehalem Bay State Park in February 2008, and as the 150-years-worth of concretions are removed we're discovering that the cannon are remarkably well preserved. OPRD contracted with the Conservation Research Lab at Texas A & M University to perform the conservation work. The contract amount was \$45,000 over a four-year period. Mr. Roper said that the story of the cannons is getting more complex as the conservation continues. He said that the next step is to come up with a suitable facility for the cannons.

Native American Artifacts at Collier Memorial State Park

Mr. Roper said that OPRD hired a museum specialist in July 2010 to inventory all of the Native American items stored at Collier Memorial State Park. He said that the Native American Graves Protection and Repatriation Act (NAGPRA) requires that any museum or agency that receives federal funding is required to provide a summary of all Native American items and/or human remains to the National Park Service and the consulting tribes by 1995, so tribes can make a claim for repatriation. Mr. Roper said that these efforts at Collier are a piece of our responsibility to comply with NAGPRA (albeit 15 years late). He said it has been estimated that there are over 2,000 Native American artifacts stored at Collier; approximately 400 artifacts have been inventoried in Past Perfect (museum software), properly crated, and stored in a temporary storage unit at the park. Most of the artifacts are "ground-stone" items—mortars, pestles, grinding slabs, etc.—fashioned from volcanic stones. Many of them apparently came from sites in California, which means we will be consulting with California tribes as part of the repatriation process. He said that in the midst of the work being done at Collier the agency has heard from OSU, which is one of the repositories for the artifacts, that they have some items that were excavated from State Parks land in the 1970's including human remains. Mr. Roper shared that Nancy Nelson, State Parks Archeologist, is working on these issues and will be able to steer the agency well. She has good relations with the tribes and has received training to handle these issues.

"Section 106" Review: SHPO's Regulatory Role

The State Historic Preservation Office is charged with carrying out certain provisions of the National Historic Preservation Act of 1966 (NHPA), and it receives funding to help perform those duties (\$857,174 in federal FY 2010). Many of federal preservation programs are non-regulatory: National Register of Historic Places, rehabilitation tax incentives, public education, local government partnerships, and inventories of historic and archaeological sites, to name a few.

One program, however, is regulatory: the Review and Compliance duties as stipulated under Section 106 of the NHPA. This requires that federal agencies try to avoid or minimize impacts to historic properties during the course of federally funded or federally licensed projects (usually construction projects). SHPO plays something of a referee's role in this process, commenting on decisions made by the agencies. By avoiding cultural resource

impacts, agencies can proceed more expeditiously with their projects. When impacts cannot be avoided, they must be mitigated. SHPO helps negotiate appropriate mitigation and signs off on its completion.

A major Section 106 case at this time involves the **Ruby Pipeline**, a 670-mile long natural gas line that extends from Wyoming to Oregon, approximately 90 miles of which are in southern Oregon near the California border. The vast scope of the project and the concentration of archaeological resources in Oregon and the other three states has made this a very complicated and time-consuming project. Significant tribal concerns are also part of the equation. In order to expedite SHPO reviews on this large project, Ruby is paying for an additional staff person at SHPO to handle their workload. (SHPO has a similar long-term arrangement with ODOT, which has worked very well over the past several years.)

Crook County Measure

Mr. Roper discussed a recent tax measure to support a local history museum that passed in Crook County with 81% approval. He said that part of the reason for the approval was that the museum had demonstrated their relevance to the community over a period of years. He said it is a real lesson to heritage organizations to make what we do relevant, and if we do, the public will support it

Heritage Vitality Report

Mr. Roper said that this report, which is a project of the Oregon Heritage Commission, is coming together and should come out early next year. Mr. Roper explained that it compiles the results of a survey conducted earlier this year about what the heritage needs and solutions are, and the economic and quality-of-life benefits. He explained that it will also include case studies of heritage groups in Oregon that have found a way to build support and funding for their organization and programs.

Oregon Commission on Historic Cemeteries

Mr. Roper announced that the existing grant program for preserving historic cemeteries received a substantial boost by a recent bequest from a Wisconsin man (Mr. Medack) who was formerly from Oregon. His will included a directive to provide financial assistance to cemeteries in Oregon. The executor of Mr. Medack's estate determined that the best way to fulfill that stipulation would be to contribute funds to our successful grant program. The annual amount will be approximately \$25,000 per year, which will almost double the current grant pool. This "vote of confidence" in our grant program was gratifying, and the additional funds will benefit historic cemeteries throughout the state for many years to come.

12. Oregon Exposition Center and State Fair

Brian Silcott, Assistant Director of the Oregon Exposition Center

Business Plan Report (Information)

Mr. Silcott briefly explained the current status of the business plan, including an outline of the "key bets" requested by Commissioner Brown at the November 2010 meeting.

Mr. Silcott discussed the following key bets:

- Through the RFP process OEC will find and contract with a qualified Facilities Management company to take over day to day management of the Pavilion and LB Day Amphitheatre and provide services in support of OEC and the State Fair

- Availability of Lottery Funds to help support the State Fair and OEC budget
- Support from OPRD headquarters to continue and provide valuable and much needed administrative and operational support, and staff training
- That there will not be statutory changes that further restrict our ability to operate as a business within a government agency

Mr. Silcott reported on the recent resignation of the State Fair Manager. He said he would like to first state that there was misunderstandings in the separation. He stated there is no question that the OEC gets a tremendous amount of support from HQ, the Commission and the entire department. He commented that support may be confused with getting to do what you want and the support may not actually allow you to do those things, but it does not mean that the support is not there. Mr. Silcott said that the OEC and HQ staff are working on that relationship. He said he has made the decision not to fill the manager position at this time. He stated that there are several reasons not to fill the position; budgetary reasons, to maintain the current direction of the fair as an event, and to decrease the importance of the State Fair Manager and empower staff to develop Fair programming from the bottom up rather than from the top down. Mr. Silcott said that hiring of a new manager will happen just prior to the 2011 State Fair, this will allow them to be an observer at the Fair and take over after the event.

Commissioner Graves said that through audit committee work it became evident that State Fair staff need more guidance about what is legal and what is the proper way of doing business. He asked how this is being addressed. Mr. Silcott replied that the biggest way is through the monthly meetings that include Administration staff and State Fair/OEC staff. He said the meetings look at policy, procedures and individual roles and relationships; the purpose is to improve relationships so that the correct messages will be received in a better way and to make clear what policy and procedures are out there. Mr. Silcott said that the OEC and State Fair are operating on 4 core principles, serve stakeholders, recognize the responsibility as a state agency, goal of operating on a balanced budget, and put on a great event. He shared that they have intentionally listed putting on a great event as the last item, not that it is not of high importance, but to recognize that you have to be mindful of the other principles at all times.

Commissioner Graves asked about the culture change at the State Fair, he asked if Mr. Silcott had a sense for how many people would have to be replaced in this process. Mr. Silcott said that the reaction from staff has been very positive. He said they are recognizing that agency administration is helping, not being an adversary.

Chair Moriuchi stated that the goals are ambitious, he asked Mr. Silcott how he planned to meet them. Mr. Silcott replied that the one that is the most difficult is getting everything in compliance. He said the financial piece has been made to appear more difficult than it is. He added that all staff at the State Fair are looking at their sections to see how they can break even. He shared that everyone that works at the State Fair loves this event and recognizes that this is the survival of the event.

13. Budget & Legislative

a) Budget Update (Information)

Lisa Van Laanen, Assistant Director of Operations

Ms. Van Laanen stated that the December forecast for the 2009-11 biennium would be released the following day; as soon as the information is released it will be reported to the Commission. Between now and the end of the biennium there will be two more forecasts, March and June.

Ms. Van Laanen said that the adjusted revenue forecast will be brought to the Commission in January. She shared that the department is not seeing the interest revenue that was anticipated.

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Ms. Van Laanen said that the agency has submitted the Agency Request Budget. She said that they had an opportunity to go through the budget with Budget and Management and they suggested confidential adjustments to the budget before it went to the Governor's Recommended Budget; there were no concerns with the recommendations and it was determined there would be no appeal to proposed adjustments.

Commissioner Brown asked to receive budget revenue projections for the 2011-13 and 2013-15 biennium.

14. Reports (Information)

a) Price Agreement for uniforms

b) O C & E Trail Update

14. b) Discussion

Commissioner Graves asked if we were tracking use of the trail in more remote sections and whether there is adequate use to justify investing money into the trail further away from the population base.

Mr. Potter said that we do some traffic counts on outer segments, and that as the quality of the trail improves, it is expected to attract additional use and provide a great experience to people and benefits to the community. He also noted that we have been relatively successful at securing outside grant funding to support this project.

15. Commission Planning Calendar (Information)

January Meeting in Salem/OEC

Chair Moriuchi will not attend in person, he will be on conference call.

Discussion

Chair Moriuchi discussed the idea of a retreat to evaluate the focus of the Commission.

Adjourned: 1:25 p.m.