

**2016 DISCUSSION FRAMEWORK AGREEMENT AND SCOPE OF WORK
WALLOWA UNION RAIL-WITH-TRAIL TRAIL PILOT PROJECT (June 21, 2016 Update)**

FRAMEWORK AGREEMENT

The framework agreement outlining the principles and policies for developing and managing the 63-mile multi-use recreational Joseph Branch Rail-with-Trail are based on the following principles and policies reflected in the Memorandum of Understanding between the Wallowa Union Railroad Authority (WURA), Joseph Branch Trail Consortium (JBTC), and Eastern Oregon University (EOU):

1. JBTC, Friends of the Joseph Branch (FJB), the Joseph Branch Railriders (JBR), and other parties promoting the development of Joseph Branch Rail-with-Trail accept and support WURA 's (three longstanding policies: a. the railroad will remain "fully functional" in perpetuity as a part of WURA's mandate to enhance economic development in Wallowa and Union Counties; b. no WURA funding or other financial liability will be available to plan, construct, or maintain a trail; and c. WURA, as the landowner, retains final authority to decide whether or not to approve any proposal to use its wholly-owned, debt-free property.
2. All parties agree the Joseph Branch Trail must be developed to reflect the best interests of all parties undertaking the scope of work to develop a trail including adjacent landowners, agencies with responsibility for maintaining natural resources within the railroad corridor, and the communities and their residents it will intimately serve. These principles include: a. supporting the development of a viable fully functional railroad on the entire 63-mile line; b. consulting with individual landowners as each segment of the trail (described in the *Concept Study*) to address their issues and concerns balanced with community interests; c. adhere to standard trail best practices for the development of rail-with-trail projects; and d. provide multiple opportunities for public engagement in the trail planning process through meetings, news articles, a trail-specific webpage, social media and individual consultations.
3. A project calendar and communications protocol will be established and adhered to in order to ensure deadlines are met that maximize opportunities for obtaining maximum public engagement and responding to project financing. Because of financial constraints the majority of communications will be Internet based and make use of local new media.
4. JBTC volunteers will provide staff support for maintaining communications with parties involved or interested in the pilot project and for initiating fundraising efforts. All parties to the Memorandum of Understanding and Framework Agreement will provide information and support for obtaining project funding from sources unique to their organizations. Eastern Oregon University has agreed to provide "backbone" organization support services to the pilot project effort during 2016.

Notes: 1) JBTC may be a placeholder organization charged with initiating the project but succeeded by another organization growing out of the Pilot Project development process. 2) Scope of work activities and dates will be modified as events dictate. The scope of work will be updated on a regular basis to identify problems, issues, and project progress.

PHASE II: PILOT PROJECT SCOPE OF WORK <i>(Various tasks will be pursued concurrently.)</i>				
Task	Description	Lead	Deadline/(Date Completed)	Outcomes
	ORGANIZATIONAL ACTIVITIES			
1.1	<p><u>Project Kick-off Meeting/Work Session</u> - Review project framework (guiding principles) and scope of work:</p> <ul style="list-style-type: none"> a. Review draft Framework Agreement b. Review draft Scope of Work c. Select Pilot Project <p><i>(Documents may be modified throughout the course of 2016 as needed to reflect the implications and applications of various policies and activities on trail development efforts.)</i></p>	WURA JBTC	(January 12, 2016)	JBTC provide draft document for discussion by WURA and other affected parties (Friends of the Joseph Branch, Railriders, adjacent landowners, OPRD, Nez Perce Historic Trail, Confederated Tribes of the Umatilla Indian Reservation, Nez Perce Tribes, and host communities). Outcome: WURA established a Trail Committee to consider JBTC's proposals.
1.2	<p><u>Approval to Move Forward with Pilot Project</u> – WURA Trail Committee report to board with recommendation.</p>	WURA	(February 9, 2016)	Outcome: WURA's Trail Committee (Commissioner Susan Roberts, Commissioner Mark Davidson, and Stephen Adams) recommended going forward with the proposed Joseph to Enterprise pilot project. Unanimous approval by board to move forward. Indicated an MOU will be negotiated. JBTC forwarded draft MOU to WURA, EOU to start discussion.

Task	Description	Lead	Deadline/(Date Completed)	Outcomes
1.3	<u>MOU, Joseph Branch Trail Framework Agreement, and Scope of Work</u> —Parties to the MOU and agreement review, edit documents, reach concur with intent, and confirmation of intent to participate in the pilot project effort. When MOU approved approach potential pilot project partners with scope of work. FJB, JBRR, Host Cities.	WURA JBTC EOU	March/April 2016	WURA, EOU, and JBTC signed MOU in May 2016.
1.4	<u>Obtain Adjacent Landowner Contact Information, Property Maps</u> —Establish database keyed to property maps and prepare report for March 15 WURA meeting. Definition of adjacent landowners used is having property that touches on the rail line right of way.	JBTC	February 29, 2016	Landowner lists and maps received from Wallowa County Assessor’s Office (Randy Wortman). 104 properties identified with 85 ownerships. Landowner workshop held 5/19/19 in Joseph.
1.5	<u>Initiate Land Use Plan, Transportation Plan, and Bike/Pedestrian Plan Amendment Process</u> —Review plan documents, survey trail head end and access opportunities, begin . 1) JBTC members do an on-the-ground review of possible access points as background so we understand opportunities, possibilities, and constraints; 2. Review access points within the framework of existing county and city plans so we understand community intentions and possibilities; and 3. Meet with representatives from Joseph (Dennis Sands), Enterprise (Michele Young), and Wallowa County (Harold Black) to confirm their processes for making any amendments necessary to existing plans, required documentation, and to discuss their preferences for trail heads (end points) and trail access points.	JBTC	March 8 meeting to review Marr property possibilities with ODFW, survey other possibilities to start process	Ralph Swinehart, JBTC Board Member, and Sara Miller, NEOEDD have agreed to undertake the Goal 12 and the bike/pedestrian amendment processes. Two potential trailheads have been identified: 1) terminus of the WURA rails near the Joseph Rodeo grounds and Marr Pond owned by ODFW. Discussions with Harold Black and Grant Young are being held to clarify transportation corridor standing.

Task	Description	Lead	Deadline/(Date Completed)	Outcomes
1.6	<u>Pilot Project Website</u> –Provide a public-facing website to provide a schedule of planning process, access to reports, provide committee and public meeting notices, agendas and minutes, and to solicit citizen comments regarding the pilot project being developed. Link website to project partners websites.	WURA JBTC EOU	April 29, 2016	josephbranchtrail.org “Project” files established where documents will be available for public comment.
1.7	<u>Organization Capacity</u> —Expand the JBTC board to include elected officials or appointed representatives from trail host communities, Union and Wallowa counties, and representatives of other rail corridor user organizations. JBTC will review and modify its bylaws to reflect and expanded membership and the formation of an executive and operating committees.	JBTC	March 17, 2016	JBTC board members adopt bylaw changes, work with project partners to recruit board members to represent various groups engaged in trail development efforts. (Proposed bylaw amendments 1/19/16, discussed 2/10/16, vote 3/17/16)
1.8	<u>Expand Joseph Branch Trail Consortium Membership Committee</u> —Charge with a task of recruiting new members who have a general interest in the trail and individuals who have specific skills and interests (public relations, event management, grant writing, database management, volunteer management, trail construction and maintenance, etc.)	JBTC	January 12, 2016 and Ongoing	Forming membership committee with vice chairs from Union and Wallowa counties—update 4/20/16 meeting
1.9	<u>Establish and Maintain a Web-based Project Calendar, Communications Protocols</u> —Within the framework of the Scope of Work, establish a project calendar that identifies project benchmark deadlines, all pilot project related meetings, grant deadline dates, and other events related to trail development. Establish communications protocols for a regular review of project progress and supporting documents.	WURA JBTC EOU	April 29, 2016	Summary Calendar prepared (will be placed on web when adopted by JBTC and WURA boards)

Task	Description	Lead	Deadline/(Date Completed)	Outcomes
1.10	<u>Public Awareness Meetings</u> —Conduct two public meetings (one in Union County and the Other in Wallowa County) to review Organizational Activities, pilot project decision, scope of work, and public participation process.	WURA JBTC	May 3-4, 2016	Program to be reviewed with WURA board on 12 April. Community workshop scheduled 23 June, Cloverleaf Hall, Enterprise.
1.11	<u>Adjacent Property Owner Meeting(s)</u> —Project staff will identify and notify all adjacent landowners in the pilot project area of the Pilot Project initiative by mail, invite them to both the public meetings and separate adjacent landowner meeting(s). (Landowner information from current tax rolls.) Each property owner will be asked to identify issues and concerns that trail construction, operations, and maintenance might impact their property and identify potential mitigation strategies that might be a practical means of making the trail a positive contribution to their property and to future trail users.	WURA JBTC	May 24, 2016	An adjacent landowners was held 5/19/16. A draft policy packet was distributed to elicit comments. Approximately 52 landowners participated. A few have returned information packets and requested individual appointments to discuss concerns. Initiate contacts mid-July through September, 2016.
1.12	<u>Community Meeting(s)</u> —Periodic meetings to involve interested members of the public in planning activities and to collect information regarding trail development plans. Progress will be reported monthly to the WURA board of directors referring to an updated Scope of Work on the josephbranchtrail.org website. Recruit Wallowa County residents to serve on committees.	WURA JBTC	Monthly Report to WURA and JBTC Boards	Progress reported in the “Outcomes” section on the Scope of Work document.

PILOT PROJECT TRAIL FINANCE AND TRAIL MANAGEMENT PLAN DEVELOPMENT				
Task	Description	Lead	Deadline/(Date Completed)	Outcomes
	READINESS EFFORTS			
2.1	<u>Consult with Anderson Perry Engineers</u> —for pre-engineering assistance required to complete the OPRD Recreational Trails Grant Program application (refining project costs, expanding on trail development recommendations for pilot project.	JBTC	January 13, 2016	Anderson Perry provided an estimate based on <i>Concept Plan</i> review for fundraising purposes on 2/5/16. Document incorporated in Fundraising Plan. NEOEDD was able to obtain permission to use EPA funds to conduct a scoping of the trail to develop a trail placement recommendation, identify environmental issues, and possible cultural heritage sites. Expect work to be completed in June or early July. Result will be a better cost estimate of trail segment.
2.2	<u>Obtain Legal Counsel</u> —select an attorney to prepare the necessary agreements.	WURA JBTC		May not be necessary at this time as WURA has agreed to be trail owner and manager. May require a trail management contract be developed in the future.

Task	Description	Lead	Deadline/(Date Completed)	Outcomes
2.3	<u>Public Relations Campaign</u> —Disseminate news and story releases about efforts to reach agreements required to develop a pilot project to test various aspects of trail finance, planning, and development with emphasis on public engagement, communications strategies, sources of information, plans to meet with landowners and general public. Report progress to press following each meeting. Insure press is notified of meetings in advance.	WURA JBTC	Following approval of MOU and Scope of Work and prior to June 23 community workshop	Meeting advertisements placed in the Chieftain and Observer. Application to Intel for volunteer will be submitted.
2.4	<u>Design and Implement a Joseph Branch Trail Pilot Project Fundraising Plan</u> —Develop a short-term pilot project fundraising plan to raise an estimated \$2,000,000 during 2016 (<i>Concept Plan</i> estimate) to pay for construction of the Joseph to Enterprise segment of the Joseph Branch Trail. The short-term plan will be the test bed for other trail segments.	JBTC	March17,2016	Draft plan prepared and submitted to JBTC board. Additional materials being collected. Will continue as an ongoing work in progress
2.4.1	<u>Federal Access to Public Lands Application</u> —Develop application for submission to Federal Highway Administration for construction funds. WURA will be the applicant. (WURA board approved Option D, 10’ wide path in communities and 5” wide path in county trail sections with compacted gravel surface.)	WURA JBTC AP	July 1, 2016	USFS and BLM have agreed to be sponsoring agencies. Both preparing project maps. Letters of support forthcoming from Congressional delegation, other agencies and organizations. Draft proposal submitted FHA for review 6/20/16 with final submission 6/28/16 in advance of deadline
2.4.2	<u>EDA Technical Assistance Grant</u> —Oregon EDA representative has agreed to accept a proposal for survey, environmental permitting, and design engineering work.	WURA JBTC NEOE DD	June/early July (no agency deadline)	Need to raise 50% matching funds, complete case studies for application

Task	Description	Lead	Deadline/(Date Completed)	Outcomes
2.5	<u>Draft Trail Management Plan</u> —Research model rail-with-trail management plans. Adapt model plan elements for a draft trail management plan for consideration by WURA and other organizations conducting business in the railroad corridor, including interested adjacent landowners. Draft plan available on project website for review . Draft plan element reviews by FJB, RR, BLM, OPRD, ODFW, Pilot Project host cities during May and June. Plan elements implications and applications tested with organizations as they are developed.	WURA JBTC	July 29, 2016	Draft table of contents presented WURA board. Presented draft farm/landowner related policies at Individual Landowner workshop.
2.5.1	<u>Management Plan Work Session</u> —Work session(s) to review comments received during the Trail Management Plan review and comment period with FJB, RR, BLM, OPRD, ODFW, Pilot Project host cities and identify necessary plan modifications. Make plan modifications.	WURA JBTC	September 2016	
2.5.2	<u>Trail Management and Fundraising Plans Public Work Shop</u> – Schedule a public work shop in Union County and Wallowa County to review and seek comments on the Trail Management Plan and Pilot Project Fundraising Plan.	WURA JBTC	September, 2016	
2.5.3	<u>Trail Management Review</u> —Revised plan submitted to WURA and other parties (FJB, JBRR, Host Cities, adjacent landowners for review, possibly in public work session(s).	WURA JBTC	October, 2016	
2.6	<u>Trail Head Site Selection</u> —Discussion of trail end points trail head amenities, trail access points, signage recommendations	WURA JBTC Host Cities	July 29,2016	Three trailhead sites identified” the WURA wye at the terminus of the tracks in Joseph, property owned by the City of Joseph, and Marr Pond owned by ODFW.

Task	Description	Lead	Deadline/(Date Completed)	Outcomes
2.7	<u>Wallowa County Transportation Plan Amendment</u> —Start land use approval process (right of way not zoned) with Harold Black, County Planner. Check city land use planning issues.	WURA JBTC	June 30, 2016	See 1.5
PHASE III: PILOT PROJECT CONSTRUCTION				
Task	Description	Lead	Deadline/(Date Completed)	Outcomes
3.1	<u>Control and Tenure Agreement</u> —Reference OPRD’s Recreational Grant Program guideline.	WURA JBTC	July 29, 2016	WURA will be owner and trail operator. May contract for trail management and maintenance.
3.2	<u>Review Fundraising</u> —Determine if elements of trail construction can be initiated.	WURA JBTC FJB RR	July 29, 2016	
3.3	<u>Select Engineering Firm</u> —Obtain services of qualified engineering firm (selection process likely a condition of funding sources) to conduct survey, environmental permitting, and design engineering work.	JBTC WURA	Dependent on Funding	Prepare and submit an application to EDA for
3.4	<u>Trail Design and Engineering</u> —Work with engineering firm, pilot project partners, USFS, BLM, NE Oregon Bicycle Studio workshop team members, general public to develop pilot project trail, trailhead , and support systems (signage, restrooms, amenities) design, specifications, cost estimates, and bid documents necessary to solicit trail construction bids.	WURA JBTC	When funding for project elements available	
3.4.1	<u>Trail Scoping</u> – Anderson Perry & Associates are carrying out scoping activities.	A & P	In progress	NEOEDD has determined that \$28,000 remaining in the Brownfield grant can be used to do

				the initial trail scoping between Joseph and Enterprise between now and 30 June,/early July 2016. Engineering firm’s work plan is in place for activity.
Task	Description	Lead	Deadline/(Date Completed)	Outcomes
3.4.2	<u>Trail Surveying</u> —Engineering Firm		When funding becomes available	
3.4.3	<u>Trail Design</u> —Engineering Firm			
3.4.4	<u>Construction Engineering--Engineering Firm</u>			
3.5	<u>Trail Construction</u> —Select contractor and establish construction dates (Examine possibility of some trail segments being constructed by force accounts by project partners,	WURA JBTC	When funding for project elements available	