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 BOARD POLICY INFO ONLY, NO ACTION REQUIRED

AGENDA ITEM
Idaho Park and Recreation Quarterly Meeting
December 1, 2021
IDPR Headquarters
5657 Warm Springs Ave.
Boise, ID 83716

AGENDA ITEM: Policy Amendments

ACTION REQUIRED: Amend IDPR Policy 8010
Process for New State Park Acquisition

PRESENTER: Adam R. Zaragoza
Management Services Administrator

PRESENTATION

BACKGROUND INFORMATION:

In August 2021, the IDPR Board amended policy 1010.4.2 (Timely Reviews) which allowed greater flexibility for staff to review, and, propose amendments to any policy for the Board's consideration. Idaho Codes 67-4219 and 67-4224 generally outlines the duties of the IDPR Board and its duty to acquire, develop and maintain land.

IDPR Policy 8010 outlines a very detailed, and in-depth procedure of how staff and the Board should consider a possible new state park. The current policy, as written, puts all potential parcels into a lengthy, procedural process and eliminates the latest methods for parcel acquisition. Each potential parcel of land is unique and comes with differing challenges. A parcel of land in rural Idaho is much different than in urban Idaho. This amendment will remove the specific procedures and allow staff to use the latest methods of parcel evaluation.

STAFF RECOMMENDATIONS:

Staff recommends amending Policy 8010 as written and attached.

Attachments:
Amended Policy 8010
Idaho Code 67-4219, Informational only
Idaho Code 67-4224, Informational only



Process for New State Park Acquisition

Effective date: 11/2/2017

Policy #: 8010

1. Purpose:

The Idaho Park and Recreation Board has explicit legislative authority regarding the acquisition of new park properties as set forth in Idaho Code §67-4224. Furthermore, Idaho Code §67-4240 states (in part), "...it is necessary for lands of outstanding park and recreation potential to be acquired and incorporated into the state park system in the most economical manner possible."

The purpose of this policy is to 1) outline a general process for evaluating property considered for addition to the Idaho state park system and 2) provide the Board with the necessary tools to make a decision on whether or not to add properties to the state park system.

2. Scope:

This policy applies to Board activities and decisions relative to acquiring new state park properties. This is not to determine an exact way to evaluate potential State Park property as each property is unique and provides various qualities.

3. Responsibility:

The Management Services Administrator is the owner of this policy, and, is responsible for reviewing and updating the policy to reflect current laws, needs, and strategic initiatives of the Department. The Board must approve any amendments to this policy.

4. Standards and Procedures:

4.1. Definitions

Board: *The Park and Recreation Board.*

Department: *The Idaho Department of Parks and Recreation.*

Director: *The Idaho Department of Parks and Recreation Director or designee.*

Employee: *A person employed by the Department.*

Governor: *The Governor of the State of Idaho*

Legislature: *The Idaho Legislature*

4.2. Objectives

The duty of the Board is to acquire, develop, and maintain land by gift, devise, purchase, agreement or otherwise to be used for park purposes.

4.3. Evaluation of Potential Acquisitions

The Department may evaluate a subject property using the most relevant, real-time criteria, and professional judgment for acquisition. At any time, the Department may be notified, contacted or solicit opportunities to enhance the State Park system.

If an opportunity becomes available, the department staff shall notify the Management Services Administrator for determination if it meets Idaho Code 67-4219. If deemed it the subject property generally meets Idaho Code, staff shall provide an initial assessment to the Director. If the Director concurs with the initial assessment and would like to proceed forward for any step in the process, the Director will set a meeting with the Board for discussion and/or potential action pursuant to Title 74, Chapter 2. The Director retains discretion to not perform any due diligence beyond the initial assessment.

4.4. Decision of the Board

The Director, or designated staff, may present the subject property to the Board for consideration. The Board may consider the property at a noticed public hearing and take the desired action as the Board sees fit. If the decision is to acquire the property, the discretion will be to the Director and the Board and shall follow Idaho Code §67-4240 and Title 74, Chapter 2.

5. Revision History:

1. Supersedes Board policy *DEV, 2:75 Acquisition of State Park Lands* and “*Procedure to Identify and Evaluate Areas of Outstanding Natural, Scientific, Cultural, Historic or Recreational Value in Idaho*”.
2. Written by ABC on 9/28/2015. Moved to new format, substantially edited to provide details on making acquisition decisions.
3. Approved by Board on 11/02/2017

6. References:

1. [Idaho Code §67-4219](#)
2. [Idaho Code §67-4224](#)
3. [Idaho Code §67-4240](#)
4. [Idaho Code §67-4242](#)
5. [Idaho Title 74, Chapter 2](#)

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Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 42
STATE PARKS

67-4219. INTENT OF LEGISLATURE. It is the intent of the legislature that the department of parks and recreation shall formulate and put into execution a long range, comprehensive plan and program for the acquisition or leasing, planning, protection, operation, maintenance, development and wise use of areas of scenic beauty, recreational utility, historic, archaeological or scientific interest, to the end that the health, happiness, recreational opportunities and wholesome enjoyment of life of the people may be further encouraged. The department may fulfill this mission by operating a statewide system of parks and recreation programs or by entering into agreements with cities, counties, recreation districts or other political subdivisions or agencies of the state, the federal government, tribal governments, private landowners or nonprofit organizations, that further expand the public park and recreation opportunities available to the public. The legislature finds that the state of Idaho and its subdivisions should enjoy the benefits of federal lands and assistance programs for the planning and development of the outdoor recreational resources of the state, including the acquisition or leasing of lands and waters and interests therein in accordance with all other applicable laws, including applicable provisions of titles 42 and 43, Idaho Code. It is the purpose of this act to provide authority to enable the state of Idaho and its subdivisions to participate in the benefits of such lands and programs.

History:

[67-4219, added 1965, ch. 85, sec. 2, p. 139; am. 1972, ch. 65, sec. 3, p. 108; am. 2002, ch. 225, sec. 1, p. 648.]

How current is this law?

Search the Idaho Statutes and Constitution



Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 42
STATE PARKS

67-4224. DUTY OF BOARD TO ACQUIRE, DEVELOP, AND MAINTAIN LAND – TRANSFER OF JURISDICTION. It shall be the duty of the board to acquire in the name of the state of Idaho by gift, devise, purchase, agreement, or otherwise, such land as in its judgment may be necessary, suitable and proper for roadside picnic, recreational or park purposes and to control, develop and maintain such land and all existing state parks, state monuments and state recreational areas heretofore established, acquired or designated to be used for such purposes, except state historical monuments. Administrative jurisdiction over all parks, park areas and recreational sites and areas, except wildlife access sites operated by the department of fish and game and roadside picnic areas under the jurisdiction of the department of highways is hereby specifically transferred to the department of parks and recreation.

History:

[67-4224, added 1965, ch. 85, sec. 7, p. 139; am. 1972, ch. 65, sec. 7, p. 108.]

How current is this law?

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