



State of Utah

SPENCER J. COX  
Governor

DEIDRE M. HENDERSON  
Lieutenant Governor

## Department of Government Operations Division of Facilities Construction and Management

JENNEY REES  
Executive Director

JAMES R. RUSSELL  
Division Director

To: Division of State Parks  
From: Jim Russell, DFCM Director  
Date: March 21, 2023  
Subject: **Echo State Park Maintenance Building, Non-State Funded Project Authorization**  
Requester: Tiffany Swaner, Financial Manager

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### **Authorization**

DFCM has approved the New Echo State Park Maintenance Building for the Utah Division of State Parks, a non-state funded project to proceed as authorized by UCA 63A-5b-404 and as detailed in this document.

### **Background**

The Division of State Parks would like to construct a 40 x 60 foot maintenance building at Echo State Park. The total construction budget for this project is \$750,000 which will be funded from the State Parks restricted account.

State Parks has indicated that they have ongoing funding to provide for all operation and maintenance and capital improvements for this building from their restricted account and have confirmed that they will not seek additional funds from the Legislature for this project, nor will they seek to increase their state funding for operational and maintenance costs or capital improvements. Consequently, all future operational and maintenance costs, as well as any improvements, associated with this project will be assumed by the Division of State Parks.

### **DFCM Authority**

**63A-5b-404. Exceptions to requirement of legislative approval for capital development projects.**

- (1) (a) Except as provided in this section, a capital development project may not be constructed on state property without legislative approval.
- (b) The division may authorize a capital development project on state property without legislative approval only as provided in this section.
- (2) (a) Legislative approval is not required for a capital development project that consists

of the design or construction of a new facility if:

- (i) the division determines that the requesting agency has provided adequate assurance that state funds will not be used for the design or construction of the facility;
  - (ii) the agency provides to the division a written document, signed by the head of the agency:
    - (A) stating that funding or a revenue stream is in place, or will be in place before the project is completed, to ensure that increased state funding will not be required to cover the cost of operations and maintenance for the resulting facility or for immediate or future capital improvements; and
    - (B) detailing the source of the funding that will be used for the cost of operations and maintenance and for immediate and future capital improvements to the resulting facility; and
  - (iii) the division determines that the use of the state property:
    - (A) is appropriate and consistent with the master plan for the property; and
    - (B) will not create an adverse impact on the state.
- (b) For a facility constructed without legislative approval under Subsection (2)(a), an agency may not request:
- (i) increased state funds for operations and maintenance; or
  - (ii) increased state capital improvement funding.

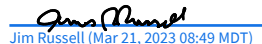
**R23-24-4. Policy**

Utah Administrative Code R23-24-4 applies, provided that references therein to the Utah State Building Board shall mean DFCM.

DFCM is confident that the Division of State Parks has met the requirements as indicated above and can move forward with this non-state funded project.

Please let me know if you have any additional questions.

Sincerely,

  
Jim Russell (Mar 21, 2023 08:49 MDT)

James R. Russell, Director  
Division of Facilities Construction and Management

jr:cn



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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

JOEL FERRY  
Executive Director

### Division of State Parks

JEFF RASMUSSEN  
Division Director

March 20, 2023

Mr. Jim Russell  
Division of Facilities Construction and Management  
43154 South 2700 West, Floor 3  
Taylorsville, UT 84129

Dear Jim,

RE: Echo State Park Maintenance Building

The Division of State Parks would like to request that DFCM proceed with setting up a project for Echo State Park maintenance building and take initial steps to issue a design/build RFP for the project.

The funding source for Echo maintenance building is from State Parks restricted account. The size of the building will be 40x60. The Division of State Parks has the ongoing funding to provide the O&M & CI for this building from State Parks restricted account. The funding commitment for this building is \$750,000. The Division of State Parks will not request any O&M funding or capital improvement funding for this building in the future

We appreciate your support with this project.

Respectfully,

Tiffany Swaner

CC: Matt Boyer, DFCM  
Darrell Hunting, DFCM  
Chase Prince, State Parks

