

Willamette Falls Locks State Task Force

May 9, 2016

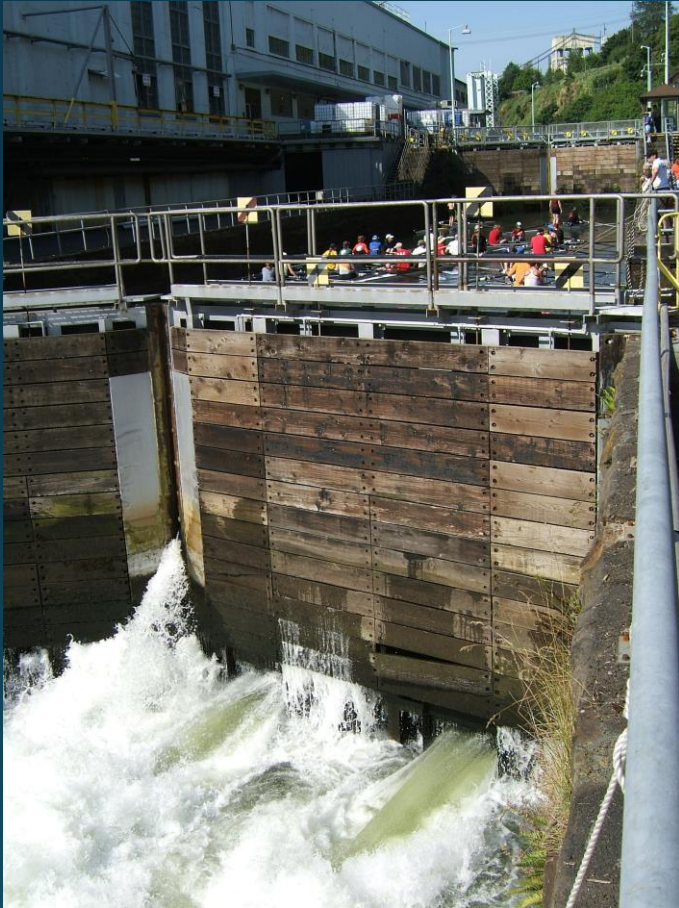
# Locks Ownership, Operation and Financing Options

# Goal

Why are we discussing this:

- SB 131 says
  - Compile information relating to Willamette Falls Locks;
  - Consider means of facilitating repair and reopening;
  - Develop a plan for sustained operation of the Locks;
  - **Consider governance models for the lease or transfer of the Locks.**
- What are we aiming to accomplish
  - Establish the range of possible models for ownership, operations and/or financing
  - Assess the state's interest in taking on the Locks or recommend it remain in Corps ownership.

# Perspective



- Many options:
  - Retain Corps ownership with no funding contribution;
  - Funding contribution only;
  - New owner/transferee, removed from the Corps.
- While the recommendation ultimately belongs to the Task Force, staff believes a balanced approach has the highest chance of success, i.e. meet the Corps half way.

# If the Corps retains ownership...

- Corps has the capability but not the funds to repair and operate.

But,

- Without a funding contribution: Locks will not compete for capital and operating funds.  
Result: **No change.**
- With a contribution toward capital improvements: Locks will not compete for operating funds.  
Result: **Repair but no change in operation.**
- With a contribution toward capital and operating costs: Corps contribution will be subject to annual Congressional appropriation.  
Result: **Repair but unreliable operation.**

# If the Locks are transferred...

Requires:

- Designating a lead agency
- Identifying funds
- Negotiation of a transfer agreement with the Corps
- Completion of Corps "Final Disposition Study"
- Congressional authorization of divestiture, and
- Congressional appropriation of Corps funding share.

Result: **Repair and reliable operation;**  
**Control over level of service.**

# USACE Final Disposition Study

- **Define alternatives** including status quo, decommissioning and removal, cost sharing agreement, lease, transfer, redesignation to a different purpose.
- **Engineering and cost** evaluation.
- Determination of the need for **dredging**.
- Evaluation of the rate of deterioration and **risks and liabilities**.
- **Economic benefits** and impacts assessment.
- **Toxic materials** assessment and cost for remediation.
- Investigation of **environmental and regulatory requirements**.
- Preparation of environmental document in compliance with **NEPA**.
- Evaluation of real estate **title** and boundary issues.

# Is transfer the only alternative?

**NO**

- Deauthorization by Congress, decommission, remove gates, dispose as surplus property;
- Transfer to an alternate federal agency with a mission aligned with tourism and recreation;
- Lease;
- Partnership agreement – Corps operates at a level of service funded through a non-federal entity.

# Discussion:

- **What criteria should be used to evaluate alternative governance models?**
- **Pros and Cons?**



# What cost sharing arrangement might there be between the Corps and a Non-federal entity?

Option	Funding Responsibility	Upgrade and Repair	On-Going Maintenance and Rehab.	Operations
<b>1</b>	<b>USACE</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
	Non-federal			
<b>2</b>	USACE			
	<b>Non-federal</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
<b>3</b>	<b>USACE</b>	<b>100%</b>		
	<b>Non-federal</b>			<b>100%</b>
<b>4?</b>	<b>USACE</b>	<b>?</b>	<b>?</b>	<b>?</b>
	<b>Non-federal</b>	<b>?</b>	<b>?</b>	<b>?</b>

# Discussion:

- **Feedback on Federal/Non-Federal negotiations.**

# Should an existing agency take responsibility? Or a partnership between multiple agencies?

Agency	Rationale
<b>Native American Tribes</b>	Recognize traditional cultural significance
<b>ODOT</b>	Develop the freight function of the river; provide seismic redundancy to I-5
<b>Oregon Parks</b>	Recognize the Willamette water trail and the significance of Willamette Falls
<b>Oregon Marine Board</b>	Recognize and develop recreational boating
<b>Department of State Lands</b>	DSL owns the river lands
<b>Ports</b>	Develop the market for moving freight (esp. international trade)
<b>Metro</b>	Recognize the regional significance
<b>Clackamas County</b>	Recognize the focus of historic and cultural tourism
<b>West Linn</b>	Home city for the Locks

# What about a newly formed agency?

- A new Special District could be formed based upon a zone of benefit:

<b>Willamette Valley Special District</b>	<b>Recognize the entire Willamette Valley benefits from access to the full length of the Willamette and Columbia Rivers</b>

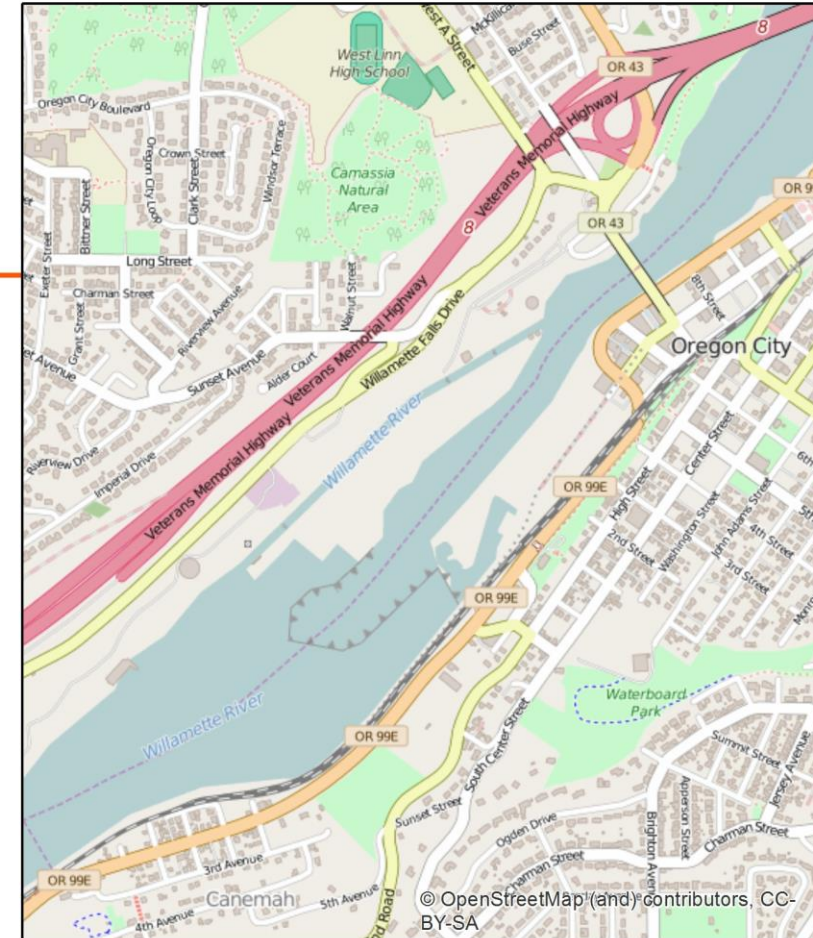


# Potential District Boundary: The Willamette River Valley







Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community


## Detail: The Willamette Falls Locks



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**Legend**

-  Capital
-  County Seat
-  Highways and Freeways
-  Willamette River



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# What about a newly formed agency?

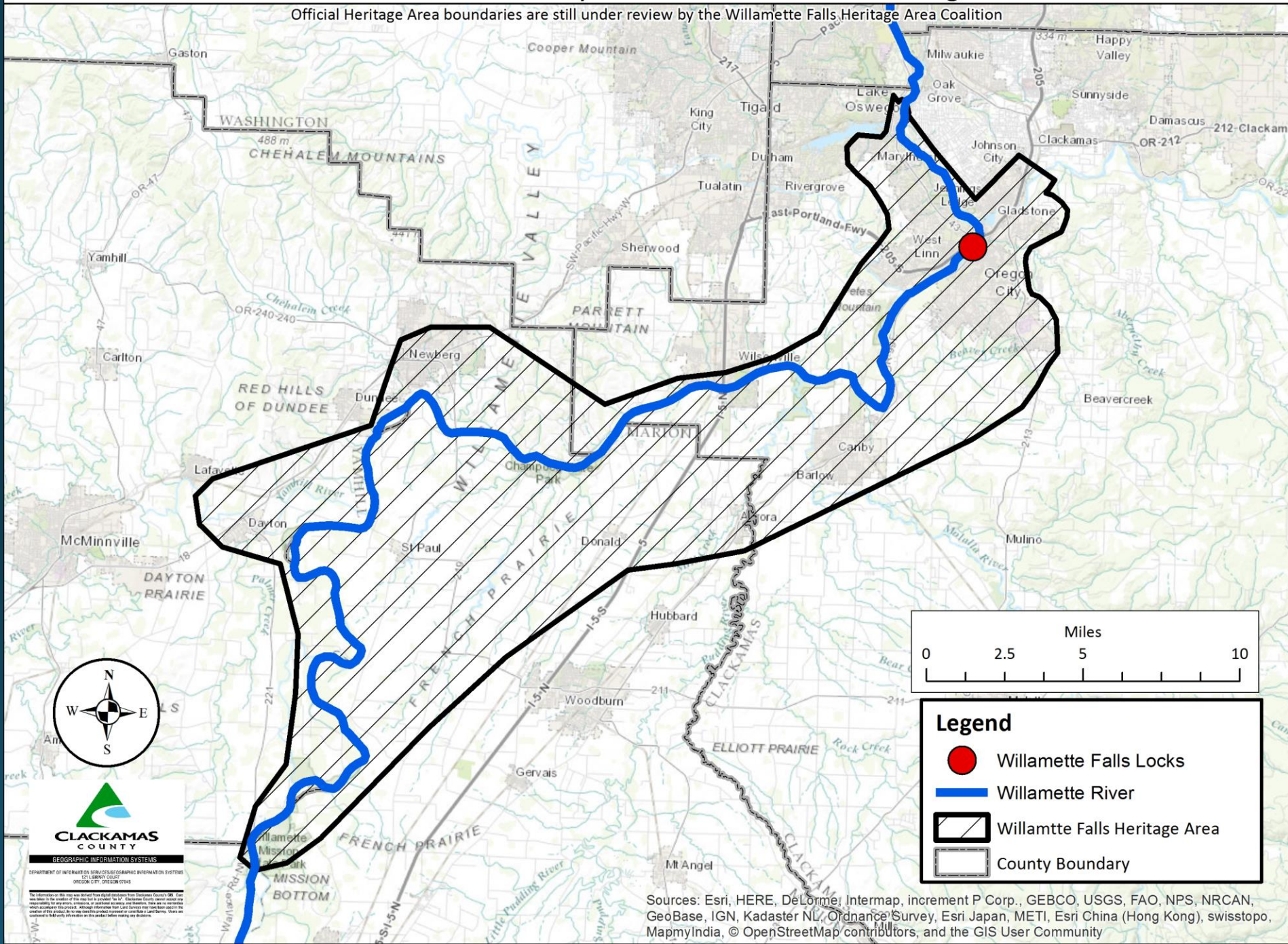
- A new Special District could be formed based upon a zone of benefit:

<b>Willamette Valley Special District</b>	<b>Recognize the entire Willamette Valley benefits from access to the full length of the Willamette and Columbia Rivers</b>
<b>Willamette Falls Heritage Area Special District</b>	<b>Recognize the Heritage Area is the focus of cultural and historic tourism which is enhanced by the repair and reopening of the Locks</b>



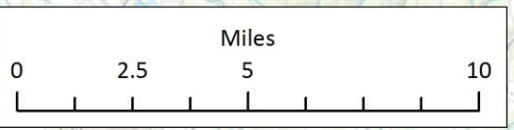
# Potential District Boundary: The Willamette Falls Heritage Area

Official Heritage Area boundaries are still under review by the Willamette Falls Heritage Area Coalition



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**Legend**

- Willamette Falls Locks
- Willamette River
- Willamette Falls Heritage Area
- County Boundary

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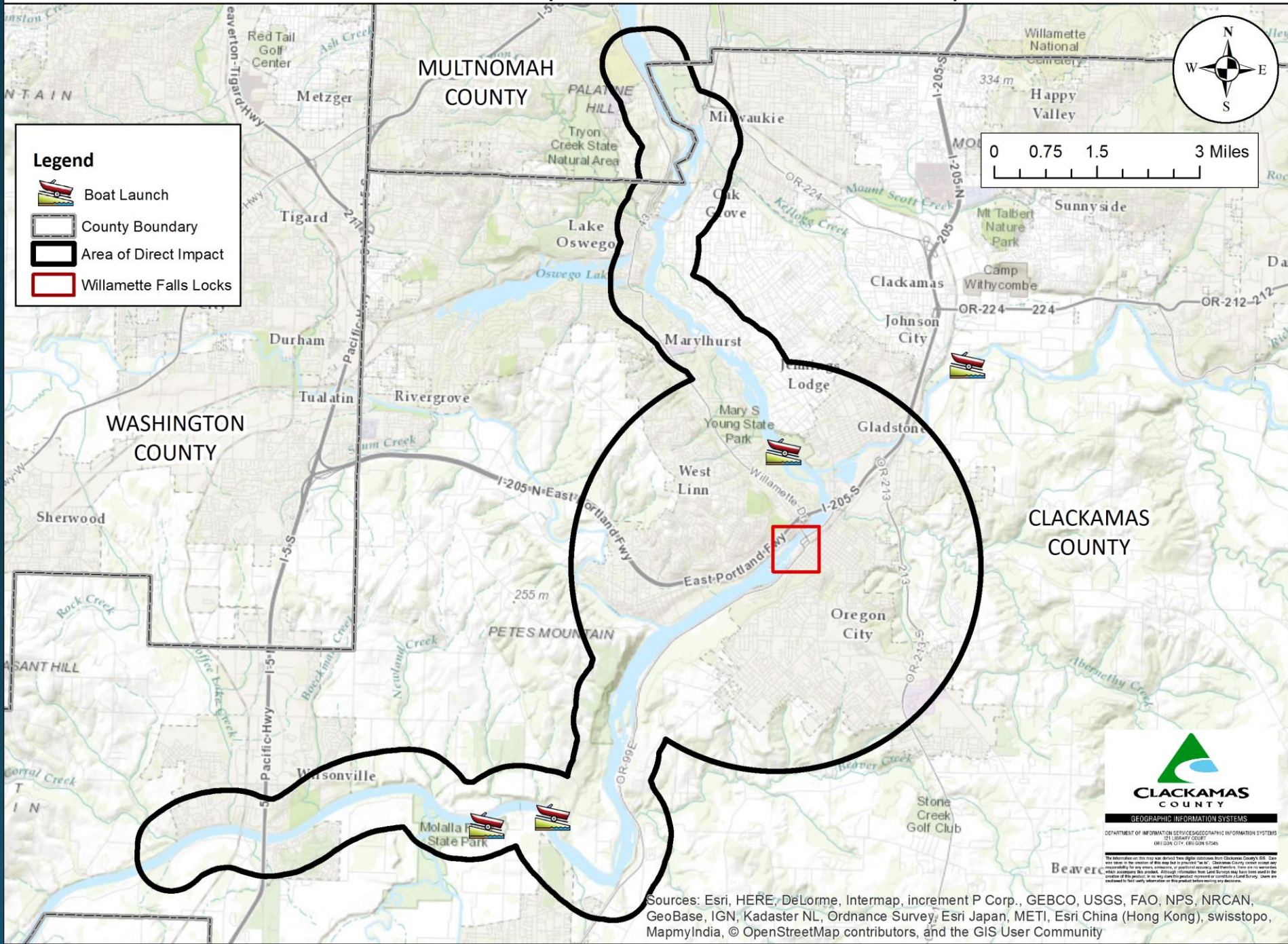
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<b>Willamette Falls Heritage Area Special District</b>	<b>Recognize the Heritage Area is the focus of cultural and historic tourism which is enhanced by the repair and reopening of the Locks</b>
<b>Willamette Falls Impact Area Special District</b>	<b>Recognize the immediate area surrounding the Falls will realize the most direct benefit of increased tourism and spin-off businesses</b>

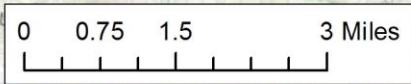


# Potential District Boundary: The Willamette Falls Direct Impact Area



**Legend**

- Boat Launch
- County Boundary
- Area of Direct Impact
- Willamette Falls Locks



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# What cost share arrangement might there be between Non-federal entities?

Option		State Legislative Funding	Willamette Valley Special District	Willamette Falls Heritage Area Special District	Willamette Falls Impact Area Special District
1	State Funding	100%			
2	Willamette Valley Funding		100%		
3	Willamette Falls Heritage Area/Willamette Valley Funding		50%	50%	
4	Willamette Falls Heritage Area/State Funding	50%		50%	
5	Willamette Falls Impact Area/State Funding	67%			33%
6	Willamette Falls Impact Area/Heritage Area/State Funding	33.3%		33.3%	33.3%

# What type of District?

- ORS 190 District
- Parks and Recreation District
- Transportation District
- County Special District
- Heritage District

# Discussion:

- **Feedback on alternatives for Non-Federal entity:**
  - Existing agency
  - New agency



# Other Considerations:

- USACE Regulations never go away
- USACE to train staff on operations
- Owner gets to control level of service
- Immediate partnership with West Linn Paper Company and PGE
- Long-term maintenance responsibility for the facility (150 years old!)
- Decommissioning would benefit internal West Linn Paper Company operations
- Decommissioning would facilitate development of unused West Linn Paper Company space
- Federal ownership provides sovereign immunity

# The end

**Questions of clarification?**

**What information does  
the Task Force need to  
make a decision?**



# Seems big. Can it be done in phases?

## YES

- **Phase 1** – designate the lead agency (existing or new); pool resources to provide seed funding for staff and support services to negotiate with the Corps; fund contributors form a governing board.
- **Phase 2** – Collect non-federal funding for long-term repairs (pass the hat); seek Congressional appropriation for repairs.
- **Phase 3** – Seek a tax base (or on-going commitment) for balance of capital, maintenance and operations; repair and transfer.
- **Phase 4 (Optional)** – Determine whether to pursue other initiatives appropriate to the geography.