

November 14, 2014



29799 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 682-1011  
(503) 682-1015 Fax Administration  
(503) 682-7025 Fax Community Development

Jose L. Aguilar  
Colonel, US Army Corps of Engineers  
District Commander  
PO Box 2946  
Portland, OR 97208

**RE: City of Wilsonville Resolution Supporting Reopening of the Willamette Falls Locks**

Dear Commander Aguilar:

I am writing to relay the City of Wilsonville's appreciation to the US Army Corps of Engineers for your work on behalf of our community and the State of Oregon. I am also writing to convey to you the urgent request of the City of Wilsonville that the Corps repair and re-open the historic Willamette Falls Locks. On November 3, the Wilsonville City Council unanimously adopted Resolution No. 2496, supporting reopening of the Willamette Falls Locks, and I am attaching copy of the resolution to this letter.

The Locks are a key, historical transportation linchpin for use of the Willamette River for recreational, industrial and cultural activities. The closure of the Locks has rendered the upper Willamette river non-navigable and impacted jobs and recreational and tourism opportunities for my community. We urge the Corps to expedite the needed repairs and craft a plan for sustainable operations of the Locks.

We do appreciate your agency's work to mitigate the adverse effects of the closure, and the re-opening of the Locks would accomplish that mitigation. I also want to express our appreciation to Louis Landre, Project Manager for the Willamette Falls Locks, who has worked professionally and tirelessly on behalf of the Corps with all the various stakeholders on this multi-jurisdictional, public-private partnership.

Thank you for your consideration of the request of my City to re-open the Locks and develop a sustainable plan for its continued operation.

Sincerely,

Tim Knapp, Mayor  
City of Wilsonville

TK/mo

Enclosures: City of Wilsonville Resolution No. 2496

cc: Members of the Oregon Congressional Delegation  
Members of the Clackamas County Board of County Commissioners  
Members of the Metro Council  
Members of the Tribal Council, Confederated Tribes of Grand Ronde  
Mayor Doug Neeley, City of Oregon City  
Senators Larry George and Alan Olsen; Senator-elect Kim Thatcher  
Representatives John Davis and Bill Kennemer  
Peggy Sigler, Oregon Field Officer, National Trust for Historic Preservation  
Sandy Carter, Facilitator, One Willamette River Coalition  
Darlene Hooley and Lisa Naito, Principals, Hooley and Naito, LLC  
David Bernert, PE, CEO, Wilsonville Concrete, Inc., and Marine Industrial, LLC



## RESOLUTION NO. 2496

### A RESOLUTION OF THE CITY OF WILSONVILLE SUPPORTING THE REOPENING OF THE WILLAMETTE FALLS LOCKS

WHEREAS, On January 1, 1873, the Willamette Falls Locks opened to allow passage around the waterfall at Oregon City thereby providing access to a one river system; and

WHEREAS, in 1915, the U.S. Army Corps of Engineers purchased the Locks from the private operator thereby ensuring free public passage through the Locks; and

WHEREAS, in 1974, the Willamette Falls Locks were listed on the National Register of Historic Places; it was the first significant facility built to improve navigation on the Columbia-Snake River Inland Waterway system and through 1939, the most important; and

WHEREAS, in 1991, the Willamette Falls Locks was designated as a State Historic Civil Engineering Landmark by the American Society of Civil Engineers; and

WHEREAS, in 2006, Governor Kulongoski designated the Willamette Falls Locks as an Oregon Solutions project and formed the Willamette Falls Locks Oregon Solutions Task Force, which continues today as the One Willamette River Coalition coordinated by the Willamette Falls Heritage Foundation, to preserve the Locks and support its continued operation; and

WHEREAS, on October 23, 2008, the Center for Economic Development Education and Research released a report under contract to the Willamette Falls Heritage Foundation, entitled *The Willamette Falls Locks: A Case Study Analysis of Potential Transfer Issues*; and

WHEREAS, from 2006 through 2010, funding provided to the Corps from the Oregon Department of Transportation, Clackamas County and the U.S. Congress allowed for seasonal operations and selected structural upgrades, including \$2.2 million in funds from the American Recovery and Reinvestment Act of 2009 (PL 111-5); and

WHEREAS, in November, 2011, the Willamette Falls Locks were placed into “non-operational” status and on short notice were closed to vessel passage based upon an engineering assessment that identified safety concerns of potential failure; and

WHEREAS, closure has placed a severe hardship on commercial, recreational and tribal river users, including Wilsonville-based recreationalists and businesses such as Wilsonville

Concrete, Inc., and Marine Industrial Construction, LLC, which have used the Willamette Falls Locks for 127 years for transporting aggregate, logs and other goods and conducting dredging and towing operations and has 15–30 jobs that could be impacted if the Locks are not reopened on a permanent basis; and

WHEREAS, in March 2012, the National Trust for Historic Preservation declared the Willamette Falls Locks as one of the most threatened National Treasures, thereby providing added technical assistance; and

WHEREAS, in 2012, the Historic Preservation League of Oregon (now Restore Oregon) named the Willamette Falls Locks as one of its 10 “Most Endangered Places”; and

WHEREAS, the Locks are a primary historic asset under applications being prepared for designation of the area at the Willamette Falls as State and National Heritage Areas; and

WHEREAS, on September 23, 2013, the Corps of Engineers gave notice of their intent to initiate a public consultation process under Section 106 of the National Historic Preservation Act to determine whether the closure action has an adverse effect on the historic integrity of the Locks based upon the defining qualities and features that made the Locks eligible for listing on the National Register of Historic Places; and

WHEREAS, on May 15, 2014, the Corps of Engineers released their finding of historic adverse effect under Section 106 of the Historic Preservation Act and announced their intent to proceed with development of an agreement to establish how to best “avoid, minimize or mitigate” the identified adverse effect to the historic character of the Locks; and

WHEREAS, on June 17, 2013, the Wilsonville City Council adopted the *Wilsonville Transportation System Plan 2013*, that states in part:

The City’s policy is to “[m]aintain access to the Willamette River so that the river may be used for transportation purposes in the future. Acquire or improve access to Willamette River for public docking purposes and consider the potential development of a new port or ports.” Chapter 2: The Vision, Policy 25, page 2-8.

“[The] Willamette River Port can be considered to support businesses that ship goods using barges on the Willamette River.” Chapter 3: The Standards, Freight Routes, page 3-8.

“The City of Wilsonville...supports efforts by [the] Corps of Engineers to maintain...the Locks at Oregon City.” Chapter 4: The Needs, Water Needs, page 4-16; and

WHEREAS, on January 6, 2014, the Wilsonville City Council approved \$2,500 in funding support to the Willamette Falls Heritage Foundation for an economic analysis of reopening the Willamette Falls Locks; and

WHEREAS, on May 5, 2014, the Wilsonville City Council adopted the *Wilsonville Tourism Development Strategy* that called for the City to improve recreational access and use of the Willamette River to promote tourism; and

WHEREAS, on September 30, 2014, economics consulting firm ECONorthwest, under contract to the Willamette Falls Heritage Foundation, published the *Willamette Locks Economic Potential Report* providing information on potential operating costs and community benefits of reopening the Locks.

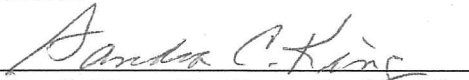
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City of Wilsonville urges the Corps of Engineers to reopen the Willamette Falls Locks to general public commercial, recreational and cultural marine traffic.
2. The City of Wilsonville thanks the Corps of Engineers for working with local stakeholders to assess and mitigate the adverse effects of the closure and urges the Corps of Engineers to expedite the needed repairs and craft a plan for sustainable operations of the Locks.
3. The City of Wilsonville supports recognition of the Willamette Falls Locks in the Regional Transportation Plan and inclusion of the Willamette Falls Locks as a Metro JPACT federal priority.
4. The City of Wilsonville supports creation of a State Task Force to work with the Corps of Engineers to develop a plan for sustainable operations of the Willamette Falls Locks.
5. The City of Wilsonville urges the Oregon Congressional delegation to support the expedited repair and reopening of the Willamette Falls Locks.

ADOPTED by the Wilsonville City Council at a regular meeting on November 3, 2014,  
and filed with the Wilsonville City Recorder this date.

  
TIM KNAPP, MAYOR

ATTEST:

  
Sandra C. King, City Recorder, MMC

**SUMMARY OF VOTES:**

Mayor Knapp	Yes
Councilor Goddard	Yes
Councilor Starr	Yes
Councilor Fitzgerald	Yes
Councilor Stevens	Yes

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

A Resolution in the Matter  
of Reopening the Willamette Falls Locks



Resolution No. 2014 - 124  
Page 2 of 3

**WHEREAS**, closure has placed a severe hardship on commercial, recreational, and tribal river users, including businesses which have used the Willamette Falls Locks for 127 years for transporting aggregate, logs, and other goods and conducting dredging and towing operations; and

**WHEREAS**, in March 2012, the National Trust for Historic Preservation declared the Willamette Falls Locks as one of the most threatened National Treasures, thereby providing added technical assistance; and

**WHEREAS**, in 2012, the Historic Preservation League of Oregon (now Restore Oregon) named the Willamette Falls Locks as one of its 10 "Most Endangered Places"; and

**WHEREAS**, the Locks are a primary historic asset under applications being prepared for designation of the area at the Willamette Falls as State and National Heritage Areas; and

**WHEREAS**, on September 23, 2013, the Corps of Engineers gave notice of their intent to initiate a public consultation process under Section 106 of the National Historic Preservation Act to determine whether the closure action had adverse effects on the historic integrity of the Locks based upon the defining qualities and features that made the Locks eligible for listing on the National Register of Historic Places; and

**WHEREAS**, on May 15, 2014, the Corps of Engineers released their finding of historic adverse effects under Section 106 of the Historic Preservation Act and announced their intent to proceed with development of an agreement to establish how to best "avoid, minimize or mitigate" the identified adverse effect to the historic character of the Locks; and

**WHEREAS**, on September 30, 2014, the economics consulting firm ECONorthwest, under contract to the Willamette Falls Heritage Foundation, published the *Willamette Locks Potential Report*, providing information on potential operating costs and community benefits of reopening the Locks; and

**WHEREAS**, Clackamas County has supported funding for the Locks through its federal legislative agenda and has also contributed funding toward the *Willamette Locks Economic Potential Report* conducted by ECONorthwest.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

A Resolution in the Matter  
of Reopening the Willamette Falls Locks



Resolution No. 2014-124  
Page 1 of 3

**WHEREAS**, On January 1, 1873, the Willamette Falls Locks opened to allow passage around the waterfall at Oregon City thereby providing access to a one river system; and

**WHEREAS**, in 1915, the U.S. Army Corps of Engineers purchased the Locks from the private operator thereby ensuring free public passage through the Locks; and

**WHEREAS**, in 1974, the Willamette Falls Locks were listed on the National Register of Historic Places; it was the first significant facility built to improve navigation on the Columbia-Snake River Inland Waterway system, and the most important through 1939; and

**WHEREAS**, in 1991, the Willamette Falls Locks was designated as a State Historic Civil Engineering Landmark by the American Society of Civil Engineers; and

**WHEREAS**, in 2006, Governor Kulongoski designated the Willamette Falls Locks as an Oregon Solutions project and formed the Willamette Falls Locks Oregon Solutions Task Force, which continues today as the One Willamette River Coalition, coordinated by the Willamette Falls Heritage Foundation, to preserve the Locks and support its continued operation; and

**WHEREAS**, Clackamas County is an active member of the One Willamette River Coalition, which represents a partnership of businesses, local governments, and nonprofit organizations working to ensure the Locks remain functional as a connector for the otherwise separate waterways of the Upper and Lower Willamette River; and

**WHEREAS**, on October 23, 2008, the Center for Economic Development Education and Research released a report under contract to the Willamette Falls Heritage Foundation, entitled *The Willamette Falls Locks: A Case Study Analysis of Potential Transfer Issues*; and

**WHEREAS**, from 2006 through 2010, funding provided to the Corps from the Oregon Department of Transportation, Clackamas County, and the U.S. Congress allowed for seasonal operations and selected structural upgrades, including \$2.2 million in funds from the American Recovery and Reinvestment Act of 2009 (PL 111-5); and

**WHEREAS**, in November, 2011, the Willamette Falls Locks were placed into "non-operational" status and on short notice were closed to vessel passage based upon an engineering assessment that identified safety concerns of potential failure; and

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

A Resolution in the Matter  
of Reopening the Willamette Falls Locks



Resolution No. 2014- 124  
Page 3 of 3

**NOW THEREFORE, the Clackamas County Board of County Commissioners do hereby  
resolve as follows:**

1. Clackamas County urges the Corps of Engineers to reopen the Willamette Falls Locks to general public commercial, recreational, and cultural marine traffic.
2. Clackamas County thanks the Corps of Engineers for working with local stakeholders to assess and mitigate the adverse effects of the closure and urges the Corps of Engineers to expedite the needed repairs and craft a plan for sustainable operations of the Locks.
3. Clackamas County supports recognition of the Willamette Falls Locks in the Regional Transportation Plan and inclusion of the Willamette Falls Locks as a Metro Joint Policy Advisory Committee on Transportation (JPACT) federal priority.
4. Clackamas County supports creation of a State Task Force to work with the Corps of Engineers to develop a plan for sustainable operations of the Willamette Falls Locks.
5. Clackamas County urges the Oregon Congressional delegation to support the expedited repair and reopening of the Willamette Falls Locks.

**DATED** this 18<sup>th</sup> day of December, 2014

**CLACKAMAS COUNTY BOARD OF COMMISSIONERS**

Chair

Recording Secretary



BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF SUPPORTING THE ) RESOLUTION NO. 14-4576  
REOPENING OF THE WILLAMETTE FALLS )  
LOCKS ) Introduced by Chief Operating Officer  
Martha Bennett in concurrence with Council  
President Tom Hughes

WHEREAS, On January 1, 1873, the Willamette Falls Locks opened to allow passage around the waterfall at Oregon City thereby providing access to a one river system; and

WHEREAS, in 1915, the Army Corps of Engineers purchased the Locks from the private operator thereby ensuring free public passage through the Locks; and

WHEREAS, in 1974, the Willamette Falls Locks were listed on the National Register of Historic Places; it was the first significant facility built to improve navigation on the Columbia-Snake River Inland Waterway system and through 1939, the most important; and

WHEREAS, in 1991, the Willamette Falls Locks were designated as a State Historic Civil Engineering Landmark by the American Society of Civil Engineers; and

WHEREAS, in 2006, Governor Kulongoski designated the Willamette Falls Locks as an Oregon Solutions project, and Metro joined in the formation of the Willamette Falls Locks Oregon Solutions Task Force which continues to the present as the One Willamette River Coalition coordinated by the Willamette Falls Heritage Foundation to preserve the Locks and support its continued operation; and

WHEREAS, on October 23, 2008, the Center for Economic Development Education and Research released a report under contract to the Willamette Falls Heritage Foundation, titled "*The Willamette Falls Locks: A Case Study Analysis of Potential Transfer Issues*;" and

WHEREAS, from 2006 through 2010, funding provided to the Army Corps of Engineers from the Oregon Department of Transportation, Clackamas County and the US Congress allowed for seasonal operations and selected structural upgrades, including \$2.2 million in funds from the American Recovery and Reinvestment Act of 2009 (PL 111-5);; and

WHEREAS, in November 2011, the Willamette Falls Locks were placed into "non-operational" status and on short notice were closed to vessel passage based upon an engineering assessment that identified safety concerns of potential failure; and

WHEREAS, closure has placed a severe hardship on commercial, recreational, and tribal river users; and

WHEREAS, in March 2012, the National Trust for Historic Preservation declared the Willamette Falls Locks as one of the most threatened National Treasures, thereby providing added technical assistance; and

WHEREAS, in 2012, the Historic Preservation League of Oregon (now Restore Oregon) named the Willamette Falls Locks as one of its 10 "Most Endangered Places;" and

WHEREAS, an application is being prepared for designation of the area surrounding the Locks as a National Heritage Area by the National Park Service; and

WHEREAS, on September 23, 2013, Metro received notice from the Army Corps of Engineers of their intent to initiate a public consultation process under Section 106 of the National Historic Preservation Act to determine whether the closure action has an adverse effect on the historic integrity of the Locks based upon the defining qualities and features that made the Locks eligible for listing on the National Register of Historic Places; and

WHEREAS, on May 15, 2014, the Army Corps of Engineers released its finding of historic adverse effect under Section 106 of the Historic Preservation Act and announced its intent to develop an agreement to establish how to best “avoid, minimize or mitigate” the identified adverse effect to the historic character of the Locks; and

WHEREAS, in September 2014, ECO Northwest, under contract with the Willamette Falls Heritage Foundation, published the “*Willamette Locks Economic Potential Report*,” providing information on potential operating costs and community benefits of re-opening the Locks; and

The non-operational status of the Locks has rendered the Willamette river non-navigable above Willamette Falls; and

WHEREAS, the Locks are a primary historic asset under applications being prepared for designation of the area at the Willamette Falls as State and National Heritage Areas; now therefore

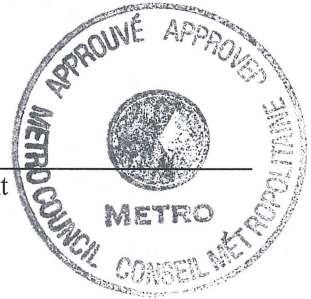
BE IT RESOLVED

1. The Metro Council urges the Corps of Engineers to expedite the needed rehabilitation of the Willamette Falls Locks and re-open the Locks to general public commercial, recreational and cultural marine traffic.
2. The Metro Council thanks the Corps of Engineers for working with local stakeholders to assess and determine how to mitigate the adverse effects of the closure and urges the Corps of Engineers to craft a plan for sustainable operations of the Locks.
3. The Metro Council supports recognition of the Willamette Falls Locks rehabilitation and re-opening in the Regional Transportation Plan and inclusion of the Willamette Falls Locks project as a Metro/JPACT priority for federal funding.
4. The Metro Council supports creation of a State Task Force to work with the Corps of Engineers to develop a plan for sustainable operations of the Willamette Falls Locks.
5. The Metro Council urges the Oregon Congressional delegation to support the expedited repair and reopening of the Willamette Falls Locks.
6. The Metro Council may support the formation of an intergovernmental workgroup to identify federal and other sources of funding for the repair, reopening and operation of the Locks, develop a plan for the sustainable operation of the Locks, and recommend governance models for the transfer, lease, partnership or management of the Locks to a local, regional, state or other entity.
7. The Metro Council may make recommendations to the United States Army Corps of Engineers relating to its responsibilities under the National Historic Preservation Act of 1966, including the Section 106 process, assessment under the National Environmental Policy Act of 1969, the Corps DSAC-1 expedited investigation and other applicable studies.

8. The Metro Council supports the rehabilitation of the Locks as an integral part of the State and National Heritage Area at Willamette Falls.

ADOPTED by the Metro Council this 11<sup>th</sup> day of December 2014.

  
\_\_\_\_\_  
Tom Hughes, Council President



Approved as to Form:

  
\_\_\_\_\_  
Alison R. Kean, Metro Attorney

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 14- 4576, FOR THE PURPOSE OF SUPPORTING THE REOPENING OF THE WILLAMETTE FALLS LOCKS

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Date: October 13, 2014

Prepared by: Andy Cotugno, xt. 1763

### BACKGROUND

Metro has been a member of the One Willamette River Coalition (the Coalition) since 2006, which was formed to advocate for the continued operation of the Willamette Falls Locks. The Locks were opened in 1873 and for the next 65 years operated as the most significant navigational facility on the entire Columbia-Snake River Inland Waterway System. In more recent decades, the traffic through the Locks (agriculture products, timber floats, paper, gravel, marine construction equipment, ferries, etc.) has dropped dramatically while the construction of the dams on the Columbia and Snake Rivers has resulted in river traffic through those Locks increasing dramatically. Under Congressional directive, the U.S. Army Corps of Engineers (the Corps) is obligated to prioritize its resources toward the highest tonnage facilities, resulting in considerable disinvestment and deterioration of the Willamette Falls Locks. As a result, there have been periodic closures or limited operation since 2002 and permanent closure due to safety concerns in December 2011. The shift of the Locks to non-operational status in 2011 was carried out by the Corps through a "Dam Safety Action Class - 1" (DSAC-1) designation. This is the Corps' most serious safety designation based upon the facility being near failure with high risk of life or economic consequences. Under this designation, the Corps is required to take immediate action to avoid failure, implement interim measures to reduce risk (including closure) and expedite investigations to support justification for remediation using all resources and funding necessary. In addition, the Corps is not allowed to transfer out of their ownership facilities with a DSAC-1 designation.

For a period after its formation in 2006, the One Willamette River Coalition was quite successful in securing funds to rehabilitate certain components of the Locks system and provide for periods of limited operation, including \$2.2 million in funding from the American Recovery and Reinvestment Act of 2009 (commonly referred to as the Stimulus Bill). However, in more recent years, with the loss of Congressional earmarks, special funding toward the Locks has dried up.

Following the closure of the Locks in 2011, the National Trust for Historic Preservation declared the Locks one of their most threatened National Treasures; bringing substantial technical and legal assistance to the Coalition. At the urging of the Coalition and the National Trust, the Corps concluded that its emergency closure for safety reasons should be evaluated for its adverse effect on this facility under Section 106 of the National Historic Preservation Act. Under that process, the Corps has determined that the continued closure and disinvestment is having an adverse effect based upon three criteria set out in the Act:

1. Elimination of the navigational function of the Locks and the isolated nature of the Locks location results in a loss of public awareness and understanding of their significance;
2. Continued disinvestment and degradation will negatively impact the historic architectural and engineering qualities of the Locks and undermines the Corps obligation under the Historic Preservation Act to "preserve" the facility;
3. Closure has resulted in an impact on the traditional culture and education practices of Native Americans by limiting their ability to use a canoe journey.

Based upon this finding of adverse effect, the Corps is now in the process of consulting with the community on methods to “avoid, minimize or mitigate” the adverse effects. This process will result in a Memorandum of Understanding on actions necessary to comply with and complete the Section 106 proceedings. The preferred method of mitigation to the One Willamette River Coalition is the rehabilitation of the Locks to allow them to reopen for continued operations for freight/commercial and personal movement around the Willamette Falls. While negotiations with the Corps are on-going, discussions to date suggest that the best path is to seek federal funds for the rehabilitation and seek a local party to transfer the Locks to and take over operations. While the rehabilitation may mitigate the historic impact by stopping continued deterioration, it will not alter the Corps fundamental directive from Congress to prioritize the Corps’ funds consistent with tonnage, leaving the prospect of continued operations by the Corps unlikely. In addition to this transfer option, consideration is also being given to the option of leasing the facility and partnering with the Corps under their ownership and operation.

As part of this negotiation process, the One Willamette River Coalition commissioned the attached economic potential report by ECO Northwest (Attachment 1). It provides economic benefit information about the potential users of a re-opened Locks system and a range of operating costs to consider as part of determining who the local operator should be and how the operating costs are to be funded. Attachment 2 is an interactive operating cost calculator allowing the user to determine the annual operating cost taking into consideration assumptions relating to duration of service (from 3-12 months of the year), the amount to budget for deferred maintenance and future capital improvements (up to \$250,000/year and \$150,000/year respectively), and the level of contingency for which to budget (from 5-30%). The potential range of annual operating cost is from \$215,000/year (for 3 months of service and minimal reserves and contingency) up to \$1.2 million/year (with 12 months of service and healthy contingencies and reserves).

This resolution of support is important as a demonstration to the Corps of widespread community interest in the rehabilitation and re-opening of the Locks.

#### **ANALYSIS/INFORMATION**

- 1. Known Opposition:** None
- 2. Legal Antecedents:** The Locks is owned and operated by the US Army Corps of Engineers and must comply with Corps policies. The historic adverse affect of closure is being evaluated by the Corps of Engineers under Section 106 of the Historic Preservation Act. Designation of the Willamette Falls National Heritage Area requires an authorizing act of Congress and would be administered under the National Park Service, providing access to technical and financial assistance.
- 3. Anticipated Effects:** Continued negotiations with the Corps; continued evaluation of options for rehabilitation, re-opening or local transfer and operations.
- 4. Budget Impacts:** Metro has continued to maintain a membership in the One Willamette River Coalition at a cost of \$1,500 per year. Metro made a one-time contribution toward the economic potential study of \$8,000.

#### **RECOMMENDED ACTION**

Adoption of Resolution No. 14-4576

## RESOLUTION NO. 14-33

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### A RESOLUTION SUPPORTING THE RE-OPENING OF THE WILLAMETTE FALLS LOCKS

**WHEREAS**, On January 1, 1873, the Willamette Falls Locks opened to allow passage around the waterfall at Oregon City thereby providing access to a one river system; and

**WHEREAS**, in 1915, the Army Corps of Engineers purchased the Locks from the private operator thereby ensuring free public passage through the Locks; and

**WHEREAS**, in 1974, the Willamette Falls Locks were listed on the National Register of Historic Places; it was the first significant facility built to improve navigation on the Columbia-Snake River Inland Waterway system and through 1939, the most important facility; and

**WHEREAS**, in 1991, the Willamette Falls Locks was designated as a State Historic Civil Engineering Landmark by the American Society of Civil Engineers; and

**WHEREAS**, in 2006, Governor Kulongoski designated the Willamette Falls Locks as an Oregon Solutions project and formed the Willamette Falls Locks Oregon Solutions Task Force which continues today as the One Willamette River Coalition hosted by the Willamette Falls Heritage Foundation to preserve the Locks and support its continued operation; and

**WHEREAS**, on October 23, 2008, the Center for Economic Development Education and Research released a report under contract to the Willamette Falls Heritage Foundation, titled "THE WILLAMETTE FALLS LOCKS: A CASE STUDY ANALYSIS OF POTENTIAL TRANSFER ISSUES;" and

**WHEREAS**, from 2006 through 2010, funding provided to the Corps from ODOT, Clackamas County and the US Congress allowed for seasonal operations and selected structural upgrades including \$2.2 million in ARRA funds; and

**WHEREAS**, in November 2011, the Willamette Falls Locks were placed into "non-operational" status and on short notice were closed to vessel passage based upon an engineering assessment that identified safety concerns of potential failure; and

**WHEREAS**, closure has placed a severe hardship on commercial, recreational, and tribal river users; and

**WHEREAS**, in March 2012, the National Trust for Historic Preservation declared the Willamette Falls Locks as one of the most threatened National Treasures, thereby providing added technical assistance; and

**WHEREAS**, in 2012, the Historic Preservation League of Oregon (now Restore Oregon) named the Willamette Falls Locks as one of its 10 "Most Endangered Places;" and

**WHEREAS**, the Locks are a primary historic asset under applications being prepared for designation of the area at the Falls as State and National Heritage Areas; and

**WHEREAS**, on September 23, 2013, the Corps of Engineers gave notice of their intent to initiate a public consultation process under Section 106 of the National Historic Preservation

Act to determine whether the closure action has an adverse effect on the historic integrity of the Locks based upon the defining qualities and features that made the Locks eligible for listing on the National Register of Historic Places; and

**WHEREAS**, on May 15, 2014, the Corps of Engineers released their finding of historic adverse effect under Section 106 of the Historic Preservation Act and announced their intent to proceed with development of an agreement to establish how to best “avoid, minimize or mitigate” the identified adverse effect to the historic character of the Locks; and

**WHEREAS**, in August 2014, ECO Northwest, under contract to the Willamette Falls Heritage Foundation published the “Willamette Locks Economic Potential Report” providing information on potential operating costs and community benefits.

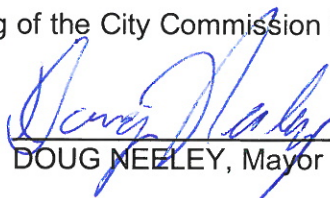
**WHEREAS**, the City of Oregon City regards Willamette Falls Locks as an important part of its history and the history of the development of commerce between the upper and lower Willamette Valley, and the Locks can still play an important role in that commerce; and

**WHEREAS**, the City of Oregon City views Willamette Falls Locks as an important feature to attract tourism and recreation in conjunction with our Willamette Falls Legacy project.

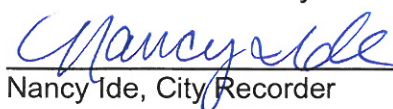
**NOW, THEREFORE, OREGON CITY RESOLVES:**

1. That Oregon City urges the Corps of Engineers to re-open the Willamette Falls Locks to general public commercial, recreational and cultural marine traffic.
2. That Oregon City thanks the Corps of Engineers for working with local stakeholders to assess and mitigate the adverse effects of the closure and urges the Corps of Engineers to expedite the needed repairs and craft a plan for sustainable operations of the Locks.
3. That Oregon City supports recognition of the Willamette Falls Locks in the Regional Transportation Plan and inclusion of the Willamette Falls Locks as a JPACT federal priority.
4. That Oregon City supports creation of a State Task Force to work with the Corps of Engineers to develop a plan for sustainable operations of the Willamette Falls Locks.
5. That Oregon City urges our Oregon Congressional delegation to support the expedited repair and re-opening of the Willamette Falls Locks.


Approved and adopted at a regular meeting of the City Commission held on the 19<sup>th</sup> day of November 2014.

  
\_\_\_\_\_  
DOUG NEELEY, Mayor

Attested to this 19<sup>th</sup> day of November 2014:

  
\_\_\_\_\_  
Nancy Ide, City Recorder

Approved as to legal sufficiency:

  
\_\_\_\_\_  
City Attorney

## RESOLUTION NO. 2014-19

### A RESOLUTION OF THE CITY OF WEST LINN SUPPORTING THE REOPENING OF THE WILLAMETTE FALLS LOCKS

**WHEREAS**, on January 1, 1873, the Willamette Falls Locks and Navigation Canal (Locks), a private local enterprise that would have been impossible without State bonds, opened to allow passage around the great falls of the Willamette, thereby providing access to a one river system; and

**WHEREAS**, in 1915, the U.S. Army Corps of Engineers (Corps) purchased the Locks from the private operator to ensure free public passage through the Locks; and

**WHEREAS**, in 1974, the Locks were listed on the National Register of Historic Places; it was the first significant navigational improvement on the Columbia-Snake River Inland Waterway system and, through 1939, the most important; and

**WHEREAS**, in 1991, the Locks were designated as a State Historic Civil Engineering Landmark by the American Society of Civil Engineers; and

**WHEREAS**, in 2006, Oregon's Governor designated the Locks as an Oregon Solutions project and formed the Willamette Falls Locks Oregon Solutions Task Force, which continues today as the One Willamette River Coalition (Coalition) coordinated by the Willamette Falls Heritage Foundation (WFHF), to preserve the Locks and support its continued operation; and

**WHEREAS**, on October 23, 2008, the Center for Economic Development Education and Research released a report under contract to the WFHF, entitled *The Willamette Falls Locks: A Case Study Analysis of Potential Transfer Issues*; and

**WHEREAS**, from 2006 through 2010, funding provided to the Corps from the Oregon Department of Transportation, Clackamas County and the U.S. Congress allowed for seasonal operations and selected structural upgrades, including \$2.2 million in funds from the American Recovery and Reinvestment Act of 2009 (PL 111-5); and

**WHEREAS**, in November 2011, the Locks were placed into "non-operational" status and were closed to vessel passage based upon an engineering assessment that identified safety concerns of potential failure; and

**WHEREAS**, closure has placed a severe hardship on commercial, recreational and tribal river users, including businesses that have used the Locks for 127 years for transporting aggregate, logs and other goods and conducting dredging and towing operations; and



**WHEREAS**, in March 2012, the National Trust for Historic Preservation declared the Locks as one of the most threatened National Treasures, thereby providing added technical and financial assistance to preservation efforts; and

**WHEREAS**, in 2012, the Historic Preservation League of Oregon (now Restore Oregon) named the Locks as one of Oregon’s 10 “Most Endangered Places”; and

**WHEREAS**, the Locks are a primary historic asset under applications being prepared for designation of the Willamette Falls Area as State and National Heritage Areas; and

**WHEREAS**, on September 23, 2013, the Corps gave notice of its intent to initiate a public consultation process under Section 106 of the National Historic Preservation Act to determine whether the closure action had adverse effects on the historic integrity of the Locks based upon the defining qualities and features that made the Locks eligible for listing on the National Register of Historic Places; and

**WHEREAS**, on May 15, 2014, the Corps released its finding of adverse effects under Section 106 of the Historic Preservation Act and announced its intent to proceed with development of an agreement to establish how to best “avoid, minimize or mitigate” the identified adverse effects to the historic character of the Locks; and

**WHEREAS**, on September 30, 2014, economics consulting firm ECONorthwest, under contract to the WFHF, published the *Willamette Locks Economic Potential Report* providing information on user demand, potential operating costs and community benefits of reopening the Locks; and

**WHEREAS**, the Locks closure is an undue hardship to West Linn residents and visitors who desire paddling access between the upper and lower sections of the Willamette River Water Trail that wraps around the City, offering recreational sites above and below the closed bypass canal and Locks; and their closure prevents Native Americans from using the bypass in their traditional canoe trips; and

**WHEREAS**, the 141 year old Locks are West Linn’s preeminent iconic historic site; and the City’s master planning efforts for the Arch Bridge Area have the potential to provide better public views of the River, the Locks and the Falls; and

**WHEREAS**, the City of West Linn has supported an open and vibrant Locks through both joining with others (e.g. the Coalition) to advocate for the Locks and providing substantial financial support to organizations that work for restoration of the Locks and who celebrate its historic role in our community (e.g. the Coalition and the WFHF’s Lock Fest).

**NOW, THEREFORE, THE CITY OF WEST LINN RESOLVES AS FOLLOWS:**

**SECTION 1.** The City urges the Corps to reopen the Locks to the general public, commercial, recreational and cultural marine traffic.

**SECTION 2.** The City thanks the Corps for working with local stakeholders to assess and mitigate the adverse effects of the closure and urges the Corps to expedite the needed repairs and craft a plan for sustainable operations of the Locks.

**SECTION 3.** The City supports recognition of the Locks in the Regional Transportation Plan and inclusion of the Locks as a Metro JPACT federal priority.

**SECTION 4.** The City supports the Legislature's creation of a State Task Force to work with the Corps to develop a plan for sustainable operations of the Locks.

**SECTION 5.** The City urges the Oregon Congressional Delegation to support the expedited repair and reopening of the Locks.

This resolution was PASSED and ADOPTED this 15th day of December, 2014, and takes effect upon passage.

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JOHN KOVASH, MAYOR

ATTEST:

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KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

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CITY ATTORNEY