

Testimony of Governor Barbara Roberts

SB 256

June 14, 2017

Ways and Means Subcommittee on Transportation and Economic Development

Good afternoon Co-Chairs Johnson and Gomberg and members of the

SubCommittee.

For the record, I am Governor Barbara Roberts and I was the Convener of the Willamette Falls Locks Task Force established by this body in the 2015 Legislative Session. You charged that Task Force to develop findings and recommendations for the repair and reopening of the Willamette Falls Locks and we did that: which is **why** I am speaking with you today. First, I want to thank the legislators that participated in our work-Senators Devlin and Olsen and Representatives Parrish and Barton. I would also like to thank representatives from Oregon Department of Transportation, Parks, and the Marine Board for their contributions and insights. Thanks are also earned for representatives from local government, the Confederated Tribes of the Grand Ronde, the U.S. Army Corps of Engineers and members of the community. With their input and expertise, we developed the recommendation for legislation that is now Senate Bill 256. Several of you are sponsors of the bill and we appreciate your support.

The principle conclusion of the Task Force embodied in SB 256 and in the Dash 3 amendment is to establish a State Commission with the clear charge to determine

the future for the Locks, with the likely result being a transfer from the US Army Corps of Engineers to a new entity, such as the state or a local government, a special district, or a consortium. I would like to elaborate on the need and importance of following through on this recommendation.

The federal Corps of Engineers has initiated a formal "Disposition Study" wherein they will carry out their due diligence to inform their decision on the future of the Locks. An entity needs to be established with the clear line of authority and communication to interface with the Corps and represent the interests of the people of Oregon. The Task Force concluded this responsibility doesn't fit squarely within the responsibility of any single existing state or local organization and therefore we recommended that a new Commission be formed to represent the interests of local and regional governments, Tribes, businesses and the State. The Dash 3 amendments improve the make-up of the Commission with the inclusion of representation of Clackamas, Marion and Yamhill counties, affected cities, expansion of Tribal representation, recognition of representatives from the business, tourism, cultural and environmental communities plus State agencies.

At the State level, it is envisioned that three state agencies will represent aspects of the Locks that Oregonians care about. Oregonians care about our cultural heritage and history, so State Parks has an interest in preserving the Locks for our citizens and also for the economic potential from cultural tourism. Business Oregon has an interest in the Locks for tourism, as well as movement of commerce on the Willamette and future economic potential from the possibility of inland ports.

ODOT has an interest in the marine transportation of goods and also the potential of using the river as a transportation route in the event of a catastrophic event. Other State agencies also have an interest in the Locks. The Marine Board has an interest for boating and recreational watercraft. Oregon Emergency Management has an interest in the Locks and the Willamette River as a transportation route following a catastrophic event. As Governor, I led these agencies and understand how difficult it can be to bring different departments and agencies together, but how important it is for our State that we facilitate this collaboration for projects that have significance **and** that cross departmental lines.

The window of opportunity is **here** and **now!** The Locks have deteriorated since they were closed in 2011. The Corps of Engineers is bound by federal law to invest in marine navigation facilities that produce economic benefit of national significance. With the shrinkage of the timber industry, there is no longer movement of huge tonnage of logs downriver through the Locks. As a result, it is the intent of the Corps to dispose of the facility, either to a transferee or as surplus property with construction of a concrete bulkhead that would stabilize the water flow but permanently close the Locks. The prospect of construction of a concrete bulkhead raises significant environmental issues.

It is vital for our region that we carry out our own due diligence to inform our decision on the future for the Locks while negotiating with the Corps. We need to understand the engineering issues, the costs, the environmental consequences, the status of the title to the property, options for determining a transferee and securing

a funding source to repair and operate the facility. It is not sufficient to simply wait and have the Corps hand us their conclusion.

Plus we now have supportive federal legislation in place thanks to the hard work of the Oregon Congressional delegation. In the waning hours of the 114th Congress, the "Water Infrastructure Improvements for the Nation Act" (or the WIN Act) was signed into law. Within that legislation is Section 1165 directing the Corps of Engineers in the case of disposition studies to "consider the extent to which the property concerned has economic, cultural, historic or recreational significance or impacts at the national, State, or local level." The key question for the disposition study is the level of funding the Corps will contribute towards repair of a facility they want to transfer. In this new Act, the language directs them to use a new standard. A State Commission should be in place so that our local and state interests are **united** and also that we have the opportunity to pursue and influence this new standard.

The Locks are a 143 year old national treasure. They have value for their place in history and their cultural significance. However, the Locks also present an opportunity for economic development in the region, especially when you consider the combination of the Locks and the Legacy project across the river at the former Blue Heron site. The timing is critical for Oregon. With the repair and reopening of the Locks, the Willamette River will once again be navigable above the Falls. We are

the stewards of this treasure and together, with a Willamette Falls Locks Commission and the passage of this bill, we can move forward.

The design of the Commission with the Dash 3 amendment is solid and inclusive. The time for passage is now! Oregon will not likely get a second chance at this unique opportunity. I recommend your passage of SB 256 with the Dash 3 amendment. Thank you.