

WILLAMETTE FALLS LOCKS COMMISSION

Report to the Co-Chairs and Members of the Joint Way and Means Committee of the Oregon State Legislature

Pursuant to Budget Note in HB 5024 (2019 Session)
December 19, 2019

Introduction

This report from the Willamette Falls Locks Commission responds to the Budget Note included in HB 5024 (2019 Session). The Budget note reads as follows:

Willamette Falls Locks Commission

The Joint Committee on Ways and Means requests that the Willamette Falls Locks Commission resubmit its proposal for lottery revenue bond authorization to repair and reopen the Willamette Falls navigation canal and locks in the February 2020 legislative session. The request for state funding should include details on:

- *planned ownership of the Locks,*
- *actions required to transfer ownership,*
- *contributions toward renovations from the US Army Corps of Engineers,*
- *availability of other funds to support project costs, and*
- *a long-term sustainable business plan for continued operation and maintenance.*

The Willamette Falls Lock Commission (WFLC or the Commission) was created by SB 256 (2017 Session). The Commission was established to accomplish the following tasks:

- *Negotiate agreement with the U.S. Army Corps of Engineers to allow transfer of the Willamette Falls Locks (Locks) to a willing public or private recipient (or in the alternative allow Corps to permanently close the Locks with a concrete bulkhead);*
- *Develop agreement on a transferee and governance model for owning and operating the Locks; and*
- *Develop agreement on a fiscal structure and funding to allow for (1) repair and restoration, and (2) ongoing maintenance and operation of the Locks.*

Supporting Materials:

- Links:
 - [SB 256 \(2017 Session\) \(establishing the Willamette Falls Locks Commission\)](#)
- Attached:
 - Attachment A—Willamette Falls Locks Commission Roster (as of December 11, 2019)

This Report

In the 2019 Oregon Legislative Session, the Commission sought Lottery Bond Funding for capital repairs and restoration of the Willamette Falls Locks (Locks) in the amount of approximately \$14 million. There was and is substantial support for restoring and reopening the Locks among local communities, businesses and the legislature. Before providing the capital funds, the Joint Ways and Means Committee asked for some additional information as

outlined in the Budget Note. This report responds to that request. The Report is organized as follows (consistent with the budget note above):

- I. Request for State Funding
- II. Planned Ownership of the Locks
- III. Actions Required to Transfer Ownership
- IV. Contributions Toward Renovations from the US Army Corps of Engineers
- V. Availability of Other Funds to Support Project Costs
- VI. Long-Term Sustainable Business Plan for Continued Operation and Maintenance
- VII. Supplemental Information

I. Request for State Funding

The Willamette Falls Locks Commission voted to recommend \$14,043,375 in lottery bonding for capital repairs and restoration of the Locks to a safe and readily operable condition. The recommendation was based on strong stakeholder support and projected economic development return on investment from the reopening of the Locks.

The scope of work includes the repair of the fundamental life/safety defects, fire protection and safety improvements, repair of operational mechanical and electrical equipment, lighting, seismic repairs on gates 1-5 (beyond that to be undertaken by the Corps on gates 6 and 7), upgraded hydraulic power units and modernized control systems. The work is assumed to be scheduled across two years (2021 and 2022), after the lottery bonds are issued, incorporating two years of escalation at 5% per year. There are no maintenance costs or sinking fund contributions for future repairs included in the capital funding request.

Supporting Materials:

- Attached:
 - Attachment B—Summary: Planned Locks Repair Cost Over Time (Full Rehab)
- Links:
 - [Economic Benefits of Reopening the Willamette Falls Locks \(January 2018\) \(prepared by ECONorthwest\)](#)
 - [Willamette Falls Canal and Locks - Independent Condition Assessment and Recommendations for Recommissioning \(October 2018\) \(prepared by KPFF Consulting Engineers\)](#)

II. Planned Ownership of the Locks

Public Corporation. Pursuant to a vote of the Commission, a legislative concept to establish a public corporation, the Willamette Falls Locks Authority, to serve as the owner, operator, manager and regulator of the Willamette Falls Locks and Canal has been filed by Representative Meek for the 2020 legislative session.

The new public corporation is modeled after the successful examples of the Oregon Health & Science University (OHSU) and the State Fair Board. It provides the public accountability provisions of a public entity using publicly provided funds and the entrepreneurial ability to function like a business.

The new public corporation would be responsible for negotiating the transfer from the Corps, establishing bylaws governing the operation of the organization, contracting for repairs and upgrades and providing for operations through either staff, contractors or certified private operators.

Supporting Materials:

- Attached:
 - Attachment C—Draft Legislative Concept for Public Corporation (as submitted to Legislative Counsel)

III. Actions Required to Transfer Ownership

Disposition Study and Director's Report. The US Army Corps of Engineers (USACE) has completed a Disposition Study with an integrated environmental document calling for transfer to a non-federal entity due to lack of federally significant economic benefit. The direction on the course of action to be undertaken by the Corps has been approved by the Assistant Secretary of the Army for Civil Works, the highest civilian position in the Department of Defense. The Final Disposition Study included an integrated Final Environmental Assessment (EA) and Finding of No Significant Impact (FONSI).

Federal Deauthorization and Transfer. Congress will need to deauthorize the Locks as a federal facility and authorize transfer of the Locks to a new entity. In this case, our hope is that the Oregon Legislature will approve Public Corporation legislation establishing the Willamette Falls Locks Authority. Congress will set the terms of the transfer. Discussions are underway regarding how to best coordinate the repair work of the Corps and that of the new entity.

Deauthorization and transfer will take place as part of the Water Resource Development Act (WRDA). The U.S. Senate has started its work on WRDA. Our congressional delegation is very supportive and working closely with the Corps. Sen. Merkley sits on the key Senate committee and with support from Sen. Wyden has written a provision to transfer the Locks, but the Senate Committee has taken no formal action yet. In the House, Rep. DeFazio chairs the Committee that will need to take action and he and his staff are already coordinating with Rep. Schrader and the Senate.

Supporting Materials:

- Links:
 - [USACE Director's Report](#)
 - [USACE Final Disposition Study with Integrated Environmental Assessment](#)

IV. Contributions Toward Renovations from the US Army Corps of Engineers

Seismic and Safety Upgrades by the Corps. Prior to transfer, the Corps has committed to seismically retrofit the upper two gates (6 and 7) which function as part of the FERC licensed dam which encompasses Willamette Falls. The dam serves to maintain the depth of the pool that extends upstream to Newberg and to maximize water intake into the PGE hydroelectric plant. The seismic upgrades are intended to protect the federal interest in salmon habitat restoration upriver throughout the Willamette Valley. Lacking these seismic upgrades, these upper gates could fail in a seismic event, resulting in a domino effect causing the downstream gates to fail and producing a bypass of the Falls and the hydroelectric water intake. This bypass would jeopardize salmon restoration and undermine the millions of dollars being spent by the Corps towards this purpose. The initial \$500,000 of a \$2.7 million seismic retrofit has been provided and the Portland office of the Corps is working to complete the project design, plans, specifications and estimates and prepare bid documents for the actual repair.

V. Availability of Other Funds to Support Project Costs

Other funding possibilities to support capital improvements include the Travel Oregon capital grant program and the Metro Open Spaces Bond Measure. These sources will be subject to a competitive application process which will be established at a future date. While timing and uncertainty make these potential funding sources challenging to apply to the repairs to the Locks, grants from these funding sources could be used subsequently to improve the real property and buildings adjacent to the Locks which will be included in the transfer from the Corps. Specifically, improving access to the historic museum on the site and access to the Locks (which is not included in the \$14 million requested solely for repair and renovation of the Locks themselves) might be the subject of potential requests for grant funding from these sources.

VI. Long-Term Sustainable Business Plan for Continued Operation and Maintenance

The Commission voted to recommend a business plan for the Willamette Falls Locks public corporation (the proposed Willamette Falls Locks Authority). Key provisions of the business plan include the following:

Transition and Repair Phase.

The first period of the business and operations plan is the transition period for transfer of the locks and for contracting for the repairs to the locks. The funding to establish and support the work of the Willamette Falls Locks Authority will be provided through contributions from public and private entities interested in seeing the Locks repaired and reopened to the public. Major contributors are expected to include local and regional government agencies and the marine and tourism industries. This model was successfully employed during the past two-year period to support the due-diligence work of the Willamette Falls Locks Commission created by SB 256 by the 2017 Legislature. Attached is a document showing local contributions for the locks over the past 7 years. Local governments, businesses and organizations have advocated for the repair and reopening of locks and supported the advocacy with direct contributions of over \$978,000 as well as substantial in-kind contributions of staff time. Also attached are copies of letters of financial commitment from local governments, organizations and businesses that have stepped up to fiscally support this transition and repair phase of the Authority's operations. (See list below.) This is only a preliminary list and more commitments are being considered and in the process of approval.

Upon passage of the public corporation legislation, the sole function of the Willamette Falls Locks Commission will be to support the public corporation (the Willamette Falls Locks Authority). Consequently, the funds remaining in the Oregon Solutions budget at Portland State would be used to support the establishment of the Willamette Falls Locks Authority, prior to the proposed sunset date of the Commission on June 30, 2021, and subject to state budgeting requirements.

Operations Phase.

Near Term. The recommendation for funding near-term operations of a restored and reopened Willamette Falls Locks is to directly charge those vessels passing through the locks as follows:

- A direct per ton charge for barging of commodities such as gravel, pulp and paper; it is estimated at this time a fee would be levied at about 35-cents per ton or \$450 per two-barge lockage.
- A direct per passenger fee for tour boat passengers, and motorized and non-motorized recreational passengers; it is estimated at this time a fee would be levied at about \$5 per passenger. Other examples are the Canby Ferry at \$5 per auto and the OH&SU tram at \$5.15 per passenger.

It is anticipated that operation will include (1) a summer season staffed to provide service to the recreational public and (2) establishment of a commercial operator certification process allowing commercial vessels (barges, tugs and tour boats) to pass through the locks throughout the year using their own "locks-certified" crew. This approach is designed to minimize operating costs while maximizing the benefits to the users.

Long Term. The recommendation for funding the long term and consistent scheduled operations for the reopened locks (which will result in the greatest benefit to economic development) is to implement a small increase to a broad-based fee to support operations of the locks. This would allow for access and use by the general public with staffing provided at the Locks during desired times, such as summer months and weekends. Options include the following:

- A small addition to the motorized and non-motorized boat licensing fee to pay for the lockage of recreational vessels

- It is estimated, for example, that an additional fee of approximately 15 cents per foot to the statewide motorized boat licensing fee (currently being collected at the rate of \$5.95 per foot - as increased from \$4.50 per foot per legislation approved in the 2019 session) would provide adequate funding.
- The Marine Board is expected to ask for legislative approval for an increase in fees in 2025 and this would be the appropriate time to include this small additional fee for operation of the Locks.
- A small addition to the Portland harbor marine fuel tax to pay for the lockage of commercial vessels (barges and tour boats).

Supporting Materials:

- Attached:
 - Attachment D—Willamette Falls Locks Authority Public Corporation Business Plan
 - Attachment E—History of Local Contributions Toward the Willamette Falls Locks Effort
 - Attachment F—Commitments of Financial Support from Local Governments, Organizations, Businesses, received to date, including:
 - Clackamas County: \$40,000/year for 3 years (*letter attached*)
 - West Linn: \$15,000/year for 2 years, minimum of \$10,000/year thereafter (*letter attached*)
 - Oregon City: \$10,000/year for up to 5 years (*letter attached*)
 - Oregon's Mt. Hood Territory (Tourism Development Council): \$150,000 for FY 20/21 (*letter attached*)
 - Confederated Tribes of Grande Ronde: \$10,000/year for up to five years (*letter pending*)
 - Wilsonville: \$7,000/year for up to 5 years (*letter pending*)

VII. Supplemental Information

Economic Development Support for Reopening the Locks and the Proposed Business Plan

There is strong and continued support for repairing and reopening the Willamette Falls Locks from a broad constituency of local and regional communities/government entities as well as private businesses and other entities interested in economic development. A sampling of that support is demonstrated by the correspondence attached.

Supporting Materials:

- Attached:
 - Attachment G—Letters of Support from Local Governments, Organizations, Businesses, and other Entities Demonstrating Economic Development Opportunities:
 - Portland Metropolitan Mayors Consortium (MMC) (*letter attached*)
 - Travel Oregon (*letter attached*)
 - Willamette Falls & Landings Heritage Area Coalition (*letter attached*)
 - City of West Linn (*letter attached*)
 - City of Oregon City (*letter attached*)
 - Jim Mattis, Willamette Falls Heritage Foundation and Willamette Falls & Landings Heritage Area Coalition (*letter attached*)
 - Marine Industrial Construction, LLC (*letter attached*)

Attachment A: Willamette Falls Locks Commission – Appointed Members per SB 256 (as of 12-11-19)

Appointee	Organization / Interest
Commissioner Martha Schrader (<i>co-Vice Chair</i>)	Clackamas County
Commissioner Sam Brentano	Marion County
Commissioner Richard Olson	Yamhill County
Councilor Christine Lewis	Metro
Jack Giffen, Jr., Tribal Council Member	Confederated Tribes of Grand Ronde
<i>Vacant</i>	Columbia River Treaty Tribe
MG Devereux, Deputy Director	Oregon Parks & Recreation Department
Stan Watters, Chief Officer of Project Delivery and Safety	Port of Portland
Paul Scarlett, Region 1 Metro East Area Manager	Oregon Department of Transportation
Karen Homolac, Program Specialist	Oregon Business Development Department
Mayor Dan Holladay	City of Oregon City
Mayor Russ Axelrod (<i>Chair</i>)	City of West Linn
Councilor Joann Linville	City of Wilsonville
Joe Bernert, Wilsonville Concrete and Marine Industrial Construction	Local Business/Economic Development
Danielle Cowan, Executive Director, Clackamas County Tourism and Cultural Affairs	Local Tourism & Recreation
Sandy Carter (<i>co-Vice Chair</i>)	Resident of Clackamas County
Chad O. Brown, President, Soul River, Inc.	Environmental / Ecological non-profit
Sen. Rob Wagner	Senate D *nonvoting advisory only
Sen. Alan Olsen	Senate R *nonvoting advisory only
Rep. Andrea Salinas	House D *nonvoting advisory only
Rep. Mark Meek	House D *nonvoting advisory only
Rep. Christine Drazen	House R *nonvoting advisory only
Rep. Rick Lewis	House R *nonvoting advisory only

Willamette Falls Locks Commission – Invited Ex Officio Participants (all nonvoting/advisory)

Participant	Organization / Interest
Kevin Brice	U.S. Army Corps of Engineers
Bill Ryan	Oregon Department of State Lands
Brooke Berglund	PGE
Rep. Rachel Prusak	District 37 (West Linn) (House D)

Attachment B: Planned Locks Repair Cost over time (Full Rehab)

		Base Cost 2018 \$	2020	2021	2022	2023	2024	Total
1	Repairs and Upgrades Needed							
A.	Control seepage and repair erosion damage	\$2,338,000						
B.	Seismic upgrade	\$2,397,250						
C.	Replace gudgeon anchors	\$1,068,000						
D.	Replace pedestrian draw bridge	\$528,000						
E.	Repair/Replace various walkways	\$761,000						
F.	Repair/Replace valves	\$929,250						
G.	Install Fire Protection System	\$760,000						
H.	Inspect, document, repair electrical system, incl. generator	\$278,500						
I.	Install New Hydraulic Power Units	\$616,000						
J.	Replace/Refurbish Control System	\$1,209,000						
K.	Replace Lighting System	\$782,000						
L.	Miscellaneous	\$816,000						
	Initial Repair Subtotal	\$12,483,000		\$6,241,500	\$6,241,500			\$12,483,000
	Escalation @ 5% per year			\$624,150	\$936,225.00			\$1,560,375
	INITIAL REPAIR GRAND TOTAL			\$6,865,650	\$7,177,725			\$14,043,375
2	Every 5-year Major Repair and Replace of critical components, including hydraulic hoses, dredging, miter gate adjustment and 50% of gate seals	\$544,000					\$544,000	\$544,000
3	Sinking Fund for future Capital to remove and repair gates on a 50-year schedule and repair flood damage on 30-year cycle (@ \$75,000 per year)	\$1,925,000	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000	\$375,000
	Periodic Repair Subtotal		\$75,000	\$75,000	\$75,000	\$75,000	\$619,000	\$919,000
	Escalation @ 5% per year		\$3,750	\$7,500	\$11,250	\$15,000	\$154,750	\$192,250
	PERIODIC REPAIR GRAND TOTAL		\$78,750	\$82,500	\$86,250	\$90,000	\$773,750	\$1,111,250

Note: Costs are for the capital improvements needed to return the Locks to an operating condition and maintain them in good working order into the future. Any costs to support development of a public park, groundside public access and costs associated with related development are not included.

Attachment C: WORK DRAFT

Amendments to statutes and session laws in this draft do not reflect Legislation during the 2019 Legislative Session.

LC 4
Bill
11/7/19 (MAM) Updated November 18
2020 Regular Session

Relating to Willamette Falls Locks Authority; creating new provisions; amending sections 1, 2 and 4, chapter 734, Oregon Laws 2017; and declaring an emergency.

SECTION 1. Definition. As used in sections 1 to 11 of this 2019 Act, <<Willamette Falls Locks project>> means:

(1) The project for navigation, Willamette Falls Locks, Willamette River, Oregon, authorized by the Act of June 25, 1910 (36 Stat. 664, chapter 482);

(2) Any land in which the federal government had a property interest for the project described in subsection (1) of this section as of the effective date of this 2020 Act; and

(3) Any improvements on the land described in subsection (2) of this section.

SECTION 2. Establishment. (1) The Willamette Falls Locks Authority is established as a public corporation and shall exercise and carry out all powers, rights and privileges that are expressly conferred upon the authority, are implied by law or are incident to such powers, rights and privileges. The authority is an independent public corporation with a statewide mission and purposes and without territorial boundaries. The authority is a governmental entity performing governmental functions and exercising governmental powers but, except as otherwise provided by law, is not a unit of local or municipal government or a state agency for purposes of state statutes or constitutional provisions.

(2) Unless otherwise provided by law, the authority is not subject to ORS chapters 182, 183, 238, 238A, 240, 270, 273, 276, 279A, 279B, 279C, 282, 283, 291, 292, 293 and 297 and ORS 35.550 to 35.575, 180.060, 180.210 to 180.235, 183.710 to 183.730, 183.745, 183.750, 190.430, 190.480, 190.490, 192.105, 200.035, 236.605 to 236.640, 243.105 to 243.585, 243.696, 278.011 to 278.120, 279.835 to 279.855, 283.085 to 283.092, 291.050 to 291.060, 357.805 to 357.895 or 656.017 (2).

(3) The mission of the authority is to establish ownership, oversight and management of the Willamette Falls Locks project, for the purposes of:

(a) Enhancing the economic vitality of Oregon through facilitating the resiliency and navigability of the Willamette River; and

(b) Repairing, maintaining, upgrading and operating the Willamette Falls Locks project and associated properties and facilities for commercial, transportation, recreational, cultural, historic, heritage and tourism purposes.

(4) The authority shall carry out the purposes described in this section and the duties of the authority under sections 1 to 11 of this 2020 Act in the manner that, in the determination of the

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1 authority, best promotes and implements the mission of the authority. Subject to any limitations
2 established under this chapter, the authority may take any necessary or expedient actions to:

3 (a) Enter into any agreements as necessary or expedient to perform any authorized function of
4 the authority, including but not limited to any agreements with the Assistant Secretary of the Army
5 (Civil Works) for the United States Army Corps of Engineers or other public or private entities as
6 necessary to:

7 (A) Establish ownership by the authority of the Willamette Falls Locks project;

8 (B) Repair, maintain, upgrade and operate the Willamette Falls Locks project and associated
9 property and facilities; and

10 (C) Provide for the training of personnel in operation of the navigation channel and locks;

11 (b) Ensure the financial viability of the authority;

12 (c) Promote the Willamette Falls Locks project to industries related to or interested in the
13 authority's business operations, properties or facilities; and

14 (d) Undertake improvements and maintenance activities, including dredging and
15 channelization activities, , operated or under the jurisdiction of the authority, as the authority
16 determines are necessary or expedient to ensure the continued operation and utility of the
17 Willamette Falls Locks project as a navigation facility.

18 **SECTION 3. Authority members.** (1) The Willamette Falls Locks Authority shall consist of no
19 fewer than seven and no more than eleven individuals appointed by the Governor. An authority
20 member holds office for a term of four years but may be removed at any time at the pleasure of the
21 Governor. Members are eligible for reappointment. Prior to the expiration of the term of a member,
22 the Governor shall appoint a successor. If a member position becomes vacant for any reason, the
23 Governor shall appoint a successor to fill the unexpired term.

24 (2) A member of the authority must be a citizen of the United States and may not be an
25 employee of the authority. In appointing members to the authority, the Governor shall consult with
26 the employees of the authority, if any, and shall endeavor to appoint members with experience or
27 expertise in a variety of subjects related to the mission and purposes of the authority or with other
28 experiences or expertise that are important to the success of the authority. The Governor shall
29 consider for appointment, but need not be limited to appointing, representatives of:

30 (a) Federally recognized Oregon Indian Tribes with treaty interests in the Willamette Falls
31 area;

32 (b) Regional or municipal governments;

33 (c) The marine industry;

34 (d) The tourism industry;

35 (e) Persons with experience in finance, marketing, or economic development; or

36 (f) Adjacent property owners.

37 (3) The authority shall elect one member as a chairperson and one member as vice

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chairperson, with terms, duties and powers as determined by the authority. The authority shall adopt bylaws establishing the required frequency of meetings and quorum requirements.

(4) A member of the authority is not entitled to compensation, but may be reimbursed as provided by the policies and procedures of the authority for any actual and necessary travel and other expenses incurred by the member in the performance of the member's official duties.

(5) Four members of the Legislative Assembly shall act as nonvoting observers and advisors to the authority and shall be appointed as follows:

(a) One shall be appointed by the President of the Senate from among members of the Senate;

(b) One shall be appointed by the Senate Minority Leader from among members of the Senate;

(c) One shall be appointed by the Speaker of the House of Representatives from among members of the House of Representatives; and

(d) One shall be appointed by the House Minority Leader from among members of the House of Representatives.

(6) The members of the Legislative Assembly selected under subsection (5) of this section may not exercise any power, right or privilege of a member of the authority.

SECTION 4. Initial membership. (1) The Governor shall appoint the initial members of the Willamette Falls Locks Authority no later than 180 days after the effective date of this 2020 Act.

(2) Notwithstanding the term of office specified in section 3 of this 2020 Act, of the members first appointed by the Governor to the authority:

(a) Two shall serve for a term ending one year after the date of appointment;

(b) Two shall serve for a term ending two years after the date of appointment; and

(c) Two shall serve for a term ending three years after the date of appointment.

SECTION 5. Locks authority director; status of locks authority director and employees. (1) The Willamette Falls Locks Authority shall appoint an executive director. The executive director is the executive officer of the authority responsible for day-to-day operations. Subject to the supervision of the authority, the executive director is authorized to direct the affairs of the authority. The executive director serves at the discretion of the authority and shall perform such duties as the authority prescribes.

(2) The executive director may employ subordinate employees as the executive director deems reasonable for carrying out business operations and the operation of the properties and facilities of the authority, including but not limited to the operation and maintenance of the Willamette Falls Locks project. The executive director may delegate any duty, function or power of the executive director to a subordinate employee except as otherwise proscribed by the authority.

(3) The members of the authority, the executive director and the employees of the authority are not state employees and are not eligible for participation in state employee health benefit plans, state employee deferred compensation plans or the Public Employees Retirement System. The authority shall determine the compensation and benefit package for the executive director and other

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employees of the authority. For purposes of any laws applicable to the authority as a public corporation, including but not limited to ORS 30.260 to 30.300, the members of the authority, the executive director and the employees of the authority are officers and employees of a public body.

(4) The authority and a state agency may enter into agreements for the state agency to provide support services to the authority. If a state agency provides support services to the authority, the state agency must provide the support services at the rate that the state agency would charge to other state agencies for the services.

(5) The authority may invest in the investment pool described in ORS 294.805. For purposes of ORS 294.805 to 594.895, the executive director is a local government official.

(6) The authority may retain private legal counsel or, notwithstanding ORS 180.060, may contract for representation by the Attorney General. If the authority contracts for representation by the Attorney General, the Attorney General shall charge the authority for services at the rate charged state agencies for similar services.

SECTION 6. Powers and duties of authority. Except as may otherwise be provided by law, the Willamette Falls Locks Authority may, within or outside the state:

(1) Adopt, alter, amend or repeal policies, procedures or bylaws for the organization, administration, development and management of the authority.

(2) Enter into contracts and agreements involving property, goods or services with any public or private entity as the authority deems reasonable to carry out the mission and purposes of the authority or to execute any duties, functions or powers of the authority, including but not limited to:

(a) Contracts and agreements related to the operation of the Willamette Falls Locks project and associated properties and facilities;

(b) The carrying out of the business operations of the authority;

(c) The construction, repair, maintenance, seismic stabilization, rehabilitation, upgrade or insurance of authority properties and facilities; or

(d) To coordinate activities as needed with a dam and power plant owner licensed by the Federal Energy Regulatory Commission.

(3) Establish advisory or technical committees and otherwise consult, cooperate or coordinate with any public or private entity as the authority deems necessary or expedient to broaden opportunities for public input on or to carry out the mission and purposes or duties of the authority.

(4) Acquire, purchase, receive, hold, control, convey, sell, manage, operate, lease, license, lend, invest, improve, develop, use, dispose of and hold title in the name of the authority to property constituting the Willamette Falls Locks project and associated lands, buildings, easements and museum facilities, and any other real or personal property of any nature.

(5) Obtain any permits, approvals, or permissions needed in connection with the activities of the authority.

(6) Exercise the power of eminent domain under ORS chapter 35 to acquire any right or

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1 interest in real property as necessary or expedient to ensure the repair, upgrade, operation,
2 maintenance or access to the Willamette Falls Locks project and any associated properties and
3 facilities.

4 (7) Sue and be sued in its own name.

5 (8) Encourage and accept grants, gifts and donations for the benefit of the authority, and
6 subject to the terms of the gift, retain, invest and use such gifts as deemed appropriate by the
7 authority.

8 (9) Acquire, receive, hold, keep, pledge, control, convey, manage, use, lend, expend and invest
9 funds, appropriations, grants, gifts, bequests, stock and revenue from any source.

10 (10) Borrow money for the needs of the authority, in such amounts and for such time and upon
11 such terms as may be determined by the authority or the board.

12 (11) Purchase any and all insurance, operate a self-insurance program or otherwise arrange
13 for the equivalent of insurance coverage of any nature and for the indemnity and defense of the
14 members of the authority or any officers, agents, employees or other persons designated by the
15 authority to carry out or to further the mission and purposes of the authority.

16 (12) Establish charges and fees, including but not limited to charges and fees for services by the
17 authority and for the use, lease or rental of authority properties and facilities.

18 (13) Contract for law enforcement or security services for authority properties and facilities.

19 (14) Establish and exercise broad operational authority over the Willamette Falls Locks project
20 and associated properties and facilities, including but not limited to establishing days and times of
21 service and a certification program to enable self-operation of the navigation canal and locks by
22 certain users.

23 (15) Establish an operations training program that provides education for all operators of the
24 Willamette Falls locks system, including but not limited to employees and volunteers of the authority,
25 contractors, or commercial operators, to operate the locks in conformance with all safety and
26 operational requirements.

27 (16) Perform any other acts that in the judgment of the authority are necessary or expedient in
28 accomplishing the public mission and purposes described in section 2 of this 2020 Act or carrying out
29 the powers granted by sections 1 to 11 of this 2020 Act.

30 (2) The Willamette Falls Locks Authority shall at all times cooperate with owners of real property
31 that adjoins the locks, particularly the owners of the dam and power plant as licensed by the Federal
32 Energy Regulatory Commission. The authority shall make all reasonable efforts to operate the locks
33 in a manner that does not unreasonably interfere or disturb the rights of owners of real property that
34 adjoins the Locks.

35
36 SECTION 7. Creation of tax-exempt entity by authority. (1) Pursuant to section 6 of this 2020
37 Act, the Willamette Falls Locks Authority may create and maintain an entity that is exempt from

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1 federal income tax under section 501(c)(3) of the Internal Revenue Code, as amended, for the purpose
2 of advancing the mission of the authority.

3 (2) Any entity created by the authority under subsection (1) of this section shall be considered:

4 (a) A unit of local government for purposes of ORS 190.003 to 190.130;

5 (b) A public body for purposes of ORS 30.260 to 30.300 and 307.112;

6 (c) A public agency for purposes of ORS 200.090; and

7 (d) A public corporation for purposes of ORS 307.090.

8 **SECTION 8. Revenue bonds.** (1) The Willamette Falls Locks Authority may from time to time
9 issue and sell revenue bonds in accordance with ORS Chapter 287A, except that ORS 287A.150 (2) to
10 (6) do not apply to revenue bonds issued by the authority. Revenue bonds issued by the authority are
11 not to any extent a general obligation of the authority nor a charge upon any revenues or property of
12 the authority not specifically pledged as security for the revenue bonds. An obligation described in
13 this section is not an indebtedness of the State of Oregon.

14 (2) Revenue bonds issued by the authority pursuant to ORS chapter 287A shall be considered
15 to be bonds of a political subdivision of the State of Oregon for the purposes of all laws of the state.

16 (3) The authority may, pursuant to ORS 287A.360 to 287A.380, issue refunding bonds of the
17 same character and tenor as the revenue bonds replaced by the refunding bonds.

18 **SECTION 9. Financing agreements.** (1) As used in this section:

19 (a) <<Credit enhancement agreement>> means any agreement or contractual relationship
20 between the Willamette Falls Locks Authority and any bank, trust company, insurance company,
21 surety bonding company, pension fund or other financial institution providing additional credit on or
22 security for a financing agreement or certificates of participation.

23 (b) <<Financing agreement>> means a lease-purchase agreement, an installment sale
24 agreement, a loan agreement, note agreement, short-term promissory notes, commercial papers,
25 lines of credit or similar obligations or any other agreement to finance real or personal property that
26 is or will be owned and operated by the authority, or to refinance previously executed financing
27 agreements.

28 (c) <<Personal property>> means tangible personal property, software and fixtures.

29 (d) <<Property rights>> means, with respect to personal property, the rights of a secured party
30 under ORS chapter 79, and, with respect to real property, the rights of a trustee or lender.

31 (e) <<Software>> means software and training and maintenance contracts related to the
32 operation of computing equipment.

33 (2) The Willamette Falls Locks Authority may enter into financing agreements in accordance
34 with this section, upon such terms as the authority determines to be necessary or desirable. Amounts
35 payable by the authority under a financing agreement are limited to funds specifically pledged,
36 budgeted for or otherwise made available by the authority. If there are insufficient available funds to
37 pay amounts due under a financing agreement, the lender may exercise any property rights that the

WORK DRAFT

Amendments to statutes and session laws in this draft do not reflect Legislation during the 2019 Legislative Session.

authority has granted to the lender in the financing agreement against the property that was purchased with the proceeds of the financing agreement, and may apply the amounts so received toward payments scheduled to be made by the authority under the financing agreement.

(3) The authority may:

(a) Enter into agreements with third parties to hold financing agreement proceeds, payments and reserves as security for lenders, and to issue certificates of participation in the right to receive payments due from the authority under a financing agreement. Amounts held pursuant to this paragraph shall be invested at the direction of the authority. Interest earned on any investments held as security for a financing agreement may, at the option of the authority, be credited to the accounts held by the third party and applied in payment of sums due under a financing agreement.

(b) Enter into credit enhancement agreements for financing agreements or certificates of participation, provided that the credit enhancement agreements must be payable solely from funds specifically pledged, budgeted for or otherwise made available by the authority and amounts received from the exercise of property rights granted under the financing agreements.

(c) Use financing agreements to finance the costs of acquiring or refinancing real or personal property, plus the costs of reserves, credit enhancements and costs associated with obtaining the financing.

(d) Grant leases of real property with a trustee or lender.

(e) Grant security interests in personal property to trustees or lenders.

(f) Make pledges for the benefit of trustees and lenders.

(g) Purchase fire, liability, flood and extended insurance coverage or other casualty insurance for property that is acquired, transferred or refinanced with proceeds of a financing agreement, assign the proceeds thereof to a lender or trustee to the extent of their interest, and covenant to maintain the insurance while the financing agreement is unpaid, so long as available funds are sufficient to purchase such insurance.

(4) A lease or financing agreement under this section does not cause otherwise exempt property to be subject to property taxation. A lease or financing agreement is disregarded in determining whether property is exempt from taxation under ORS chapter 307.

SECTION 10. Audits; report to Legislative Assembly. (1) The Willamette Falls Locks Authority shall submit to periodic audits by the Secretary of State. The authority shall, no less than annually, retain a public accounting firm to examine and attest to the financial operations of the authority. The authority shall include the results of any public accounting in the annual report submitted to the Legislative Assembly under subsection (2) of this section.

(2) The authority shall, not later than April 15 of each even numbered year, file an annual report with the Governor and a committee or interim committee of the Legislative Assembly related to economic development. The report shall describe the activities and operations of the authority during the preceding calendar year.

WORK DRAFT

Amendments to statutes and session laws in this draft do not reflect Legislation during the 2019 Legislative Session.

SECTION 11. Unauthorized use of facilities; penalty. A person who gains or attempts to gain unauthorized access to or use of the properties or facilities of the Willamette Falls Locks Authority in violation of any use restriction or conditions imposed by the authority, including payment of fees, commits a Class D violation. In addition to any enforcement officers specifically identified in ORS 153.005, the executive director of the Willamette Falls Locks Authority and other employees of the Willamette Falls Locks Authority may issue citations for violations of this section.

SECTION 12. Section 1, chapter 734, Oregon Laws 2017, is amended to read:

Sec. 1. (1) There is established the Willamette Falls Locks Commission for the purposes described in section 2 of this 2017 Act, consisting of 23 members appointed as follows:

(a) The Governor shall appoint:

(A) One member who is the chair or a member of the Clackamas County Board of County Commissioners, pursuant to a recommendation of the board;

(B) One member who is the chair or a member of the Marion County Board of County Commissioners, pursuant to a recommendation of the board;

(C) One member who is the chair or a member of the Yamhill County Board of County Commissioners, pursuant to a recommendation of the board;

(D) One member who is the president or a member of the governing body of the metropolitan service district for the Portland metropolitan area, pursuant to a recommendation from the governing body;

(E) One member who is a representative of the Confederated Tribes of the Grand Ronde Community of Oregon, pursuant to a recommendation of the tribal council;

(F) One member who is a representative of a Columbia River tribe that is a party to the terms of a treaty of 1855 between the tribe and the United States of America;

(G) One member who is a representative of the State Parks and Recreation Department;

(H) One member who is a representative of the Port of Portland;

(I) One member who is a representative of the Department of Transportation;

(J) One member who is a representative of the Oregon Business Development Department;

(K) Pursuant to a recommendation by that city's governing body, one member who is the mayor or a member of the governing body of each of the following cities, to represent the cities' interests in the Willamette Falls navigation canal and locks:

(i) The City of Oregon City;

(ii) The City of West Linn; and

(iii) The City of Wilsonville;

(L) One member to represent the collective interests of local businesses and economic development in Clackamas County, pursuant to a recommendation of the Clackamas County Board of County Commissioners;

(M) One member to represent the collective interests of the tourism and recreation industries in Clackamas County, pursuant to a recommendation by the Clackamas County Board of County Commissioners;

(N) One member to represent the residents of Clackamas County, pursuant to a recommendation by

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the Clackamas County Board of County Commissions; and

(O) One member to represent an environmental or ecological nonprofit organization.

(b) The President of the Senate shall appoint one member from among the members of the Senate.

(c) The Senate Minority Leader shall appoint one member from among the members of the Senate.

(d) The Speaker of the House of Representatives shall appoint two members from among the members of the House of Representatives.

(e) The House Minority Leader shall appoint two members from among the members of the House of Representatives.

(2) The term of office of each member of the commission appointed by the Governor is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor whose term begins on January 1 of the following year. A member is eligible for reappointment.

(3) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective for the unexpired term.

(4) Members of the commission are not entitled to compensation and may not be reimbursed for travel or other expenses incurred by them in the performance of their official duties.

(5) Members of the Legislative Assembly appointed to the commission are nonvoting members of the commission and act in an advisory capacity only.

(6) The commission shall select one of its members as chairperson and another as vice chairperson, for terms and with duties and powers necessary for the performance of the functions of the offices as the commission determines.

(7) The commission may elect an executive committee to consist of three or more members. The executive committee has and may exercise all authority of the commission.

(8) Official action by the commission requires the approval of a majority of the voting members of the commission.

(9)(a) The commission shall meet ~~[no less than six times per year]~~ at times and places specified by the call of the chairperson or of a majority of the voting members of the commission. ~~[The commission shall include an opportunity for public comment as an item on the agenda of at least two meetings per year.]~~

(b) The commission shall notify federally recognized Indian tribes and known interested parties of the dates and times of commission meetings.

(10) ORS 192.311 to 192.478 and 192.610 to 192.690 apply to the records and meetings of the commission. [2017 c.734 :S.1]

SECTION 13. Section 2, chapter 734, Oregon Laws 2017, is amended to read:

Sec. 2. (1) As used in this section, <<Willamette Falls Locks project>> has the meaning given that term in section 1 of this 2020 Act.

~~[(1)]~~ **(2)** The Willamette Falls Locks Commission shall:

~~[(a) Serve as a body to advise state, local and regional government agencies on the development and~~

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~~implementation of state policies relating to the repair, reopening, operation and maintenance of the Willamette Falls navigation canal and locks;]~~

~~[(b) Address issues relating to the transfer of ownership, operation and financing of the navigation canal and locks from a state, local and regional perspective;]~~

~~[(c) Make recommendations for, and assist in coordination of, funding responsibilities, including possible recommendations for the formation of an intergovernmental agreement between state, local, regional and federal agencies for the repair, reopening, operation and maintenance of the navigation canal and locks;]~~

~~[(d) Investigate a framework for the ownership, operations and management of the navigation canal and locks;]~~

~~[(e) Negotiate ownership, operation and management of the navigation canal and locks with the United States Army Corps of Engineers;]~~

~~[(f) Communicate state policies relating to the repair, reopening, operation and maintenance of the navigation canal and locks to the Oregon Congressional Delegation; and]~~

(a) Serve as a body to advise the Governor in appointment of the initial members of the Willamette Falls Locks Authority pursuant to section 3 of this 2020 Act;

(b) Provide advice and assistance to the Governor or the Willamette Falls Locks Authority established under section 2 of this 2020 Act, as requested by the Governor or the board, on any matters relating to the Willamette Falls Locks project and as necessary to facilitate an orderly transition from the commission to the authority of responsibilities for the development and implementation of state policies relating to the Willamette Falls Locks project; and

~~[(g)]~~ **(c) Consider any other matters the commission considers necessary with respect to advising the Willamette Falls Locks Authority on the ownership and operation of the [navigation canal and locks] Willamette Falls Locks project.**

(2) The commission may establish advisory or technical committees as the commission considers necessary to aid and advise the commission in the performance of its functions. The committees may be continuing or temporary committees. The commission shall determine the representation, membership, terms and organization of the committees and shall appoint the members of the committees.

(3) Oregon Solutions at Portland State University shall provide staffing and other resources as required by the commission to carry out the duties of the commission. [2017 c.734 :s.2]

SECTION 14. Section 4, chapter 734, Oregon Laws 2017, is amended to read:

Sec. 4. Sections 1 and 2 of this 2017 Act are repealed on ~~[December 31, 2023]~~ **June 30, 2021.** [2017 c.734 :S.4]

SECTION 15. This 2020 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Attachment D: Willamette Falls Locks Public Corporation Business Plan

Approved by Willamette Falls Locks Commission – December 15, 2019

SUMMARY OF PC ACTIVITIES AND OPERATIONS DURING PHASES I (BEFORE & DURING REPAIR) & II (POST-REPAIR)

PHASE I: Years 2020 – 2024 (from end of Commission to opening of repaired locks)

Primary Activities: Launch the Public Corporation; negotiate and oversee transfer of the Locks; negotiate contracts and oversee capital improvements, administration and funding; negotiate operating agreements; marketing of the Locks to potential commercial/tourism users; and set the stage for the opening of the Locks.

PC Annual Expenses: \$350,000

PC Annual Revenues: \$350,000 (covered through shared allocations from multiple sources)

PHASE II: Years 2025 and Beyond (post-repair and ongoing)

Primary Activities: Continued oversight of programming, contracts and administration, Locks operation directly or indirectly, ongoing fundraising and marketing.

PC Expenses: \$610,500

PC Revenues: \$610,500 (covered through a mix of user fees, direct and indirect).

WFL Public Corporation Business Plan

PHASE I: 2020 – 2024 (I.E. FROM END OF COMMISSION TO OPENING OF REPAIRED LOCKS)

ASSUMPTIONS:

- Legislature (in 2020 Short Session) authorizes the formation of a Public Corporation to serve as the owner of the Locks, and have authority over its repair, upgrade and operations
- Legislature (also in 2020 Short Session) authorizes sufficient bond-backed funds to proceed with the repair of the Locks, including design, entitlements, and repair work
- Seed funding for this initial Phase I secured through IGAs with participating local and regional governments, as well as some mix of private funds and tourism grant funding and/or Marine Board grant funding

Expected Activities (also see detailed list of tasks for Phase I in Appendix A)

ADMINISTRATION

- Negotiate and oversee transfer of the Locks from the US Army Corps of Engineers to the PC
- Oversee the formation of the PC – incorporation, appointment of Board, adoption of bylaws, Board hires Executive Director or General Manager
- Establish and maintain the ongoing administration of the Locks
- Secure and oversee IGAs with entities providing funding during this Phase I; extend IGAs as necessary (i.e. some IGAs will be for a period of three years and may not fully cover the entire Phase I, which is projected to last four years)
- Oversee the negotiation of an IGA or contract with an operating entity in anticipation of an opening in 2024, unless the PC itself is the operator
- Secure capital funding – per terms of legislative allocation; potential Metro OS bond funds, potential tourism grants, Army Corps of Engineers funds, private/foundation support, etc.
- Secure Phase II permanent operational funding – negotiations with funders, legislation as necessary, etc.
- Obtain liability insurance for the PC, and assure that prior to opening of the Locks, any contracted/certified operators likewise obtain insurance (note that insurance needs will be very modest prior to re-opening of the Locks)
- Oversee environmental conditions (assessment and mitigation) as part of due diligence, including obtaining Prospective Purchaser Agreement if necessary
- In preparation for opening, seek a tourism grant to develop and implement a marketing and promotion campaign including target markets, advertising and subsidized operating support in the early years.
- Initiate private fund-raising campaign (i.e. charitable, tax-deductible private donations) for both operational and capital funds

CAPITAL REPAIRS

- Secure approval of permits for repair
- Negotiate repair work plan with affected parties – Corps, etc.
- Bid out repair project; select bidder; negotiate contracts
- Oversee the repair project (construction management) (the project repair budget includes a 30% contingency line item plus 20% for engineering and permitting)

WILLAMETTE FALLS LOCKS: PHASE I EXPENSES & REVENUE/FUNDING

Phase I: March 2020-2024 (Pre-opening, operating costs)	PC Operations Before & During Capital Improvements	
	Annual Expenses	<p>\$135,000 PC Staffing (Director/Project Manager) 1.0 FTE or contracted position to oversee transition.</p> <p>\$165,000 Average/year in legal and consulting fees Depending on the expertise of PC Staff, will need Technical assistance, legal, lobbying, preparation of bid documents, construction management, office and administration.</p> <p>\$ 5,000 Insurance</p> <p>\$ 45,000 Contingency</p> <p>\$350,000 Total Expenses</p>
	Annual Revenue/Funding	<p>\$ 125,000 Annual industry funding (Tourism and Marine grants)</p> <p>\$150,000 Annual allocation from Metro, Port, Clackamas County</p> <p>\$75,000 Other annual contributions (Cities of West Linn, Oregon City, Wilsonville, Lake Oswego, Gladstone, Milwaukie, Newberg, Portland, Canby; Marion and Yamhill counties; Tribes and others)*</p> <p><u>\$TBD</u> Private fund-raising Efforts</p> <p>\$350,000 Total Revenue/Funding**</p>
	Balance	<p>\$0 Total Balance</p>

* Other potential sources include federal funds, tribal contributions, and PGE

** Does not include in-kind contributions that may be made available to the PC – office space, etc. Note also that some funding sources may not initially commit to the entire Phase I period, and may therefore require renewal based on satisfactory performance.

PHASE II: 2025 AND BEYOND (POST-REPAIR & ONGOING OPERATION)

Expected Activities

OPERATIONS

- Continue to administer the PC – oversee adherence to any requirements of funding entities; maintain insurance; administer operator certification program
- Operate the Locks, either directly or through IGA/contract with separate public or private entity
 - Certification program required for non-PC staff operation (commercial operators, State/local government staff)
- Fund raise/marketing
- Secure long-term operating funding as set forth in Table below – some combination of user fees paid by commercial entities (e.g. barge operations), tourism operators (tour boats to the wine country, etc.), and private recreational users.in the scenarios.
- Promote commercial use of the Locks through collaboration with Economic Development entities, tourism entities, private industry
- Ongoing maintenance directly or through contractors; major maintenance as needed.

WILLAMETTE FALLS LOCKS: PHASE II EXPENSES & REVENUE/FUNDING

Phase II: 2024 and beyond – post-reopening operating plan)		Preferred Alternative - (Commercial & Recreational Use)	
	Annual Expenses	\$ 135,000	PC Staffing (Director/Project Manager) 1.0 FTE or contracted position responsible for oversight of certification program, contracts and maintenance as well as marketing
		\$ 45,500	Recreational boating hours (May-Oct., 26 weeks, at 35 hours/week). Assume a \$50/hour fee to operate during hours of operation.
		\$270,000	Annual Maintenance
	Annual Revenue/Funding	\$110,000	5-Year Maintenance Fund
		\$ 0	Sinking Fund*
		\$ 50,000	Insurance
		\$610,500	Total Expense
	Annual Revenue/Funding	\$203,500	1. Barged commodities (incl. aggregate and paper) @ approx. 35-cents/ton**
		\$203,500	2. Recreational boats (all motorized boats, and non-motorized craft over 10') Recommended funding: Boat licensing fee addition*** Transition funding (i.e. until the creation of a boat license fee addition): Passenger fee @ approximately \$5 per passenger****
		\$203,500	3. Tour boats Initial funding: Passenger fee @ approximately \$5 per passenger, until Tourism marketing grants or Marine fuel Tax increase Transition funding (until Marine fuel tax increase): Tourism marketing grants Long-term: Marine fuel tax increase
		\$610,500	Total Revenue/Funding
	Balance	\$0	Total Balance

* Defer sinking fund to future grants for major rehab of gates and/or flood repair

** Based upon 2-barge lockage @ 700 tons per barge

*** Recreational boat Options:

- 15-cent/foot increase to statewide boat licensing fee
- 86-cent/foot increase to North Willamette Valley (8 county) boat licensing fee (Multnomah, Washington, Clackamas, Marion, Yamhill, Polk, Benton, Linn counties)

**** Strategic Plan for Water-based Tourism in Clackamas County, 2018 – identifies the potential for 15,000 recreational boat lockages. At 2.7 persons per boat and \$5 per person, potential revenue = \$202,500. This would start out lower and grow to the target over time.

Other Notes:

1. A reopened Locks will result in an estimated reduction of 1% of statewide greenhouse gas emissions due to an elimination of certain trucking routes related to aggregate transportation. As such, the project could potentially generate carbon credits should the State establish legislation creating a cap-and-trade program. These credits could serve as an additional revenue source.

Revenue potential from moorage fees (associated new up-river moorages) are not estimated in the above scenarios. Under this scenario, a reopened Locks will increase contributions to the Common School Fund as a portion of revenues from moorage fees collected by DSL goes into the Fund.

Appendix A

Detailed Willamette Falls Locks Pre-Opening Tasks

Administrative

- Governor appoints Board of Directors (per legislation); renew/replace appointees as terms expire
- Board to appoint executive director
- Administrative transition from SB 256 State Commission to HB ____ Public Corporation (includes discernment of legal funding from SB 256 administration)
- Form Finance and Human Resource policies for pre- and post-operation scenarios
- Contract with Army Corps of Engineers for transfer of ownership
- Contract (or work with Army Corps) for capital construction
- Finalize IGAs with local stakeholders for seed funding
- Work with USACE on training for Locks operations / Agency knowledge of facility
- Establish training plan for onboarding operations staff or minimal use business plan
- Establish preferred use of existing USACE barracks
- Adoption of bylaws for public corporation
- Obtain insurance and liability coverage
- Obtain permits for repairs
- Oversee environmental conditions, including Prospective Purchaser Agreement (if necessary)
- (optional) Hire or contract administrative support

Business

- Work with stakeholders and partners on boat licensing rate
- Establish other funding strategies, as determined by Board
- Establish visitor and operation scenarios for Locks Museum
- Develop operations plan for level of desired service for Locks
- Develop maintenance strategy for Locks
- Decide on in-house vs contract operations
- Develop agreements on intent to use Locks (river users)
- Marketing responsibilities
 - Develop communication strategies for opening day, hours of operation, and predictability for interested users (recreation and commercial)
 - Discern new business opportunities and research potential markets
- Establish funding strategies
 - User fees for recreation vs boat license increase (recommendation for one or other, but not both)
 - Establish rates for “touring” vessels
 - Establish commercial rates for freight traffic
 - Establish “Friends” agency for 501(c)(3) donations

Advocacy and Partnership

- Join Pacific Northwest Waterways Association
- Regularly inform state and regional stakeholders on status of “project”
- Ensure state and regional stakeholders are jointly supporting state and federal efforts to “repair and reopen” Locks
- Participate in Willamette Falls Legacy Project and Willamette Falls and Landings Heritage Area Coalitions
- Maintain working partnership with PGE, Willamette Falls Paper Company, and City of West Linn

Attachment E: History of Local Contributions Toward Reopening the Willamette Falls Locks *

2012-2014 State and Federal Advocacy and Support to Clackamas County Locks Working Group

Public, private, not-for-profit entities funded various engineering and economic studies including a report by ECONorthwest, and other work to support reopening of the Locks.

Subtotal:	<u>\$209,000</u>
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2015-17 State and Federal Advocacy and Support to Locks Task Force

Public (County, City, Metro, other):	\$271,250
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Industry:	<u>\$16,000</u>
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Subtotal:	\$287,250
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2018-19 Due Diligence and Support to Locks Commission

Public (County, City, Metro, other):	\$322,500
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Marine industry:	\$60,000
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Tourism industry:	<u>\$100,000</u>
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Subtotal:	\$482,500
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GRAND TOTAL*	<u>\$978,750</u>
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*Does not include significant staff time expended

Attachment F: Commitments of Financial Support from Local Governments, Organizations, and Businesses Received to Date.



BOARD OF COUNTY COMMISSIONERS

PUBLIC SERVICES BUILDING

2051 KAEN ROAD | OREGON CITY, OR 97045

December 10, 2019

Willamette Falls Locks Commission
c/o Turner Odell, Oregon Solutions
National Policy Consensus Center (NPCC)
Portland State University
PO Box 751
Portland, OR 97207-0751

Dear Chair Axelrod and Willamette Falls Locks Commission,

I am writing to express Clackamas County's support for the continued effort to repair and reopen the Willamette Falls Locks. We are prepared to commit an annual contribution of \$40,000 for three years to a newly formed Willamette Falls Locks Authority, pending the passage of state legislation to create a new Locks authority that will be able to receive ownership of the Locks from the Army Corps of Engineers and repair the facility to long term operating status.

Clackamas County passed a resolution in 2014 supporting the repair and reopening of Willamette Falls Locks because we see incredible potential to increase tourism around Willamette Falls, to improve local economic redevelopment along the Willamette River, and to return the river to one navigable waterway. The work of Clackamas County includes building strong infrastructure, growing a vibrant economy, and investing in our natural resources. We also strive to build public trust through good government, and believe this effort achieves that end by establishing a public corporation to receive ownership of the Locks and reimagine the business of the Locks to meet the needs of the Willamette Valley.

In addition, though the Willamette Falls Locks are located in Clackamas County, they will support communities and economies beyond our borders. For this reason, we are a proud partner of the Willamette Falls Locks State Commission and a proud financial supporter of the work that is required to repair and reopen them.

We look forward to continued partnership with the broader coalition to achieve the important goal of keeping the Willamette River as one river.

Sincerely,

Jim Bernard, Chair
On behalf of the Clackamas County Board of Commissioners



CITY OF
West Linn

Willamette Falls Locks Commission
c/o Turner Odell, Oregon Solutions
National Policy Consensus Center (NPCC)
Portland State University
PO Box 751
Portland, OR 97207-0751

December 9, 2019

Dear Vice Chairs Schrader and Carter and members of the Commission,

On behalf of the West Linn City Council, I am writing to express the City of West Linn's strong support for the continued effort to repair and reopen the Willamette Falls Locks during the interim (Phase 1) development of the Locks Authority. The Locks will benefit our city and the broader region in a wide variety of ways including economic development, greenhouse gas reductions, seismic resiliency, historic and cultural preservation, and more.

For all of these reasons, we support the Commission's work in the 2020 Oregon Legislative Session to create a new Willamette Falls Locks Authority and to secure capital funding for the urgently needed repairs to the Locks. If these efforts are successful, we intend to support the Locks Authority's Phase 1 work with financial contributions beginning in July 2020 and lasting a maximum of five years. We have already budgeted \$15,000 per year over the next two years, and while we cannot commit future Councils, we are confident that West Linn will continue to support this work with at least \$10,000 per year after that until the mission is completed. Note that our financial commitment is conditional on the successful passage of the needed legislation, and on the commitments of other organizations as described in the Willamette Falls Locks Business Plan, without which the effort will not be successful.

We look forward to continued partnership with the broader coalition to achieve the important goal of keeping the Willamette River as one river.

Sincerely,

Russell B. Axelrod
Mayor, City of West Linn
Willamette Falls Locks Commission Chair



OREGON CITY

City Commission

625 Center Street | Oregon City OR 97045
(503) 657-0891

Willamette Falls Locks Commission
c/o Turner Odell, Oregon Solutions
National Policy Consensus Center (NPCC)
Portland State University
PO Box 751, Portland, OR 97207-0751

December 18, 2019

Dear Chair Axelrod and Willamette Falls Locks Commission,

I am writing to express the City of Oregon City's support for the continued effort to repair and reopen the Willamette Falls Locks during the interim, Phase 1, development of the Locks Authority. The City of Oregon City believes the Locks should be repaired and reopened, allowing the Willamette River to be navigable from the headwaters south of Eugene to its mouth in Portland.

The river is a critical part of our community's identity and offers a wide variety of economic and cultural benefits for our community as well as the entire State of Oregon. The reopening of the Locks supports our reliance on the river for recreation, tourism, heritage, business, reduces roadway congestion, and increases our region's resiliency to future disasters. Economic prosperity impacts associated with reopening the Locks include increased visitors to Oregon City's Great American Main Street which will create jobs, advance redevelopment in our Regional Center, and increase tax revenue. Reopening this resource has the opportunity to encourage more industry in Oregon City, complementing our lands available for jobs and housing.

Reopening the Locks complements the Willamette Falls Legacy Project as well as the work on the West Linn waterfront, and the Willamette Falls and Landings Heritage Area. Together, the four projects could result in a nationally significant iconic destination.

We support the Commission's work in the 2020 Oregon Legislative Session to create a new Willamette Falls Locks Authority and to secure capital funding for the urgently needed repairs to the Locks. If these efforts are successful, we are prepared to support the Locks Authority's Phase 1 work with a contribution of \$10,000 per year beginning in July 2020 and lasting a maximum of five years. This commitment is conditional on the successful passage of the needed legislation, and on the commitments of other organizations as described in the Willamette Falls Locks Business Plan, without which the effort will not be successful.

We look forward to continued partnership with the broader coalition to achieve the important goal of keeping the Willamette River as one river.

Sincerely,

Mayor Dan Holladay on behalf of the City of Oregon City, City Commission
PO Box 3040, Oregon City, Oregon 97045



December 18, 2019

Willamette Falls Locks Commission
c/o Turner Odell, Oregon Solution
Portland State University
PO Box 751
Portland, OR 97207

Dear Chair Axelrod and Willamette Falls Locks Commissioners:

Oregon's Mt. Hood Territory (OMHT) wishes to express its support of efforts to repair and reopen the Willamette Falls Locks. We feel this project is one of regional and statewide significance because of the potential benefits it offers in the areas of recreation, tourism, and economic development for communities up and down the Willamette River. This, by way of reestablishing the Willamette as "one river".

At its December meeting, our Tourism Development Council approved a onetime contribution of \$150,000 to be used for interim Phase 1 work. We are prepared to release these funds in FY 20/21, contingent upon passage of legislation in the 2020 Oregon Legislative Session authorizing the creation of a public corporation capable of receiving the Locks from the U.S. Army Corp of Engineers; formation of that entity; securing State funds to repair the Locks, and upon the materialization of commitments of other organizations as described in the Willamette Falls Locks Business Plan.

In addition to this funding commitment, OMHT will join the efforts during the 2020 Session to advocate for passage of the public corporation legislation and approval of capital funding needed to facilitate repairs to the Locks.

We look forward to continuing to work with the broader coalition to achieve the important goal of reestablishing the Willamette River as one river.

Sincerely,

A handwritten signature in blue ink that reads "Samara Phelps". The signature is fluid and cursive, with the first name "Samara" and the last name "Phelps" clearly distinguishable.

Samara Phelps, Executive Director
Oregon's Mt. Hood Territory

Attachment G: Letters of Support from Local Governments, Organizations, Businesses, and Other Entities Demonstrating Economic Development Opportunities.

MMC

Metropolitan Mayors' Consortium

Mayor Denny Doyle
City of Beaverton

Mayor Brian Hodson
City of Canby

Mayor Jeffrey Dalin
City of Cornelius

Mayor Gery Schirado
City of Durham

Mayor Brian Cooper
City of Fairview

Mayor Peter Truax
City of Forest Grove

Mayor Tammy Stempel
City of Gladstone

Mayor Shane Bemis
City of Gresham

Mayor Tom Ellis
City of Happy Valley

Mayor Steve Callaway
City of Hillsboro

Mayor Ken Gibson
City of King City

Mayor Kent Studebaker
City of Lake Oswego

Mayor Mark Hardie
City of Maywood Park

Mayor Mark Gamba
City of Milwaukie

Mayor Teri Lenahan
City of North Plains

Mayor Dan Holladay
City of Oregon City

Mayor Ted Wheeler
City of Portland

Mayor Walt Williams
City of Rivergrove

Mayor Keith Mays
City of Sherwood

Mayor Jason Snider
City of Tigard

Mayor Casey Ryan
City of Troutdale

Mayor Frank Bubenik
City of Tualatin

Mayor Anne McEnery-Ogle
City of Vancouver (ex officio)

Mayor Russ Axelrod
City of West Linn

Mayor Tim Knapp
City of Wilsonville

Mayor Scott Harden
City of Wood Village

December 11, 2019

To: Joint Committee on Ways and Means Co-Chairs Senator Johnson,
Senator Steiner Hayward, Representative Rayfield, and Members

Re: Support for Willamette Falls Locks legislation and Lottery Bond
funding for capital repairs

On behalf of the Portland Metropolitan Mayors Consortium (MMC) of the lower Willamette River region, we are writing to express support for the creation of a Willamette Falls Locks Authority Public Corporation and for Lottery Bond funding of urgently needed capital repairs to the Locks.

MMC is composed of the elected mayors of 25 Portland metropolitan-area cities, representing a constituency of 1.24 million residents. The Willamette River forms a strong part of our identity in this region, and for 144 years navigation between the upper and lower sections of the river has been part of that identity. The river offers a wide variety of economic, environmental, recreational, and cultural benefits for our communities and the entire state of Oregon, and could also serve as a life-saving emergency transportation and operations route in the event of a severe Cascadia earthquake. Therefore, ensuring the Willamette remains one river from its headwaters south of Eugene to its mouth in Portland is critical to our cities individually and collectively.

The plan to repair and reopen the Locks was prioritized by the Oregon Legislature and Governor following the Willamette Falls Locks Task Force findings in 2016 which resulted in SB 256 in 2017. SB 256 established a State Commission to oversee and coordinate the repair and future management and operations of the Locks. This work has been underway involving a broad coalition of partners, and a number of our cities have funded the work directly.

The Locks Commission is close to fulfilling its mission, having achieved consensus recommendations on the future governance, capital repairs, and business plan for the Locks. **The MMC fully supports these recommendations and urges passage of legislation to create the Willamette Falls Locks Authority and fund the \$14 Million in capital repairs needed to make the Locks operational.**

Thank you for your time and effort on this important issue.

December 13, 2019

Oregon Legislature
Joint Committee on Ways and Means
900 Court St., NE
Salem, OR 97301

Re: Support for Willamette Falls Locks Commission's Repair and Modernization Project

Co-Chairs Senator Johnson, Senator Steiner Hayward, Representative Rayfield and Members,

I am writing to express Travel Oregon's support for the Willamette Falls Locks Commission's (WFLC) Repair and Modernization project. As the agency responsible for optimizing the state's tourism industry, Travel Oregon is strongly supportive of projects that will allow increased multi-modal access to Oregon's outdoor recreation resources, including the Willamette River Trail. It's no surprise that outdoor recreation in Oregon has been a key component in driving the economic impact of our state's \$12.3 billion tourism industry that employs more than 115,400 Oregonians.

A recent study by the Outdoor Industry Association found that the state's outdoor recreation industry (including manufacturing and retail sales) generates \$16.4 billion in consumer spending annually, employs 172,000 Oregonians and generates \$749 million in state and local tax revenue. For cities along the Willamette River, including Oregon City, Polk, and Corvallis, investment in the Willamette Falls Locks will provide a connected corridor that powers a large economic engine for local communities through outdoor recreation. The WFLC's 2018 economic impact study showed that recreation and tourism activities associated with the locks, including guided overnight cruises, personal watercrafts (motorboats, kayaks, etc.) could generate between \$12 to \$50 million over 30 years.

As Oregonians, we are fortunate to live in one of the most naturally stunning places on earth. Our outdoors rank among the top aspects Oregonians value about living in the state. In 2014, more than 90% of residents reported participating in some form of outdoor recreation each year. It is crucial we provide access to our natural treasures for our visitors and residents. Additionally, recent stakeholder outreach efforts identified a need to develop legacy world-class tourism-related development projects, such as the Willamette Falls Locks project.

Based on this stakeholder feedback, Travel Oregon's 2019-2021 strategic plan has outlined a need to invest in "gap areas" and "hot spots." Gap areas refer to places we can develop tourism product, such as outdoor recreation facilities, in areas across the state that lack robust visitor attractions – many of these locations are within or near rural communities. Hot spots are high use destinations, or areas challenged with managing visitation during peak seasons; developing tourism related facilities in areas nearby can relieve pressure on highly-visited areas. The WFLC Repair and Modernization project provides a new tourism product that not only connects rural communities along the Willamette River to Portland's robust tourism market, but also provides additional access to the river corridor which will help disperse visitation in high-use areas. This project ties well with Travel Oregon's Willamette River Trail tourism studio project, as it increases river connectivity and will allow for an enhanced and expanded visitor experience for outdoor recreation user groups.

Travel Oregon supports the WFLC's Repair and Modernization project to connect and increase access along the Willamette River corridor – a project that will result in the creation of additional visitor experiences and economic opportunities for communities south of the Portland metro area. This project serves long-term goals of economic development, historical tourism opportunities, and arts and cultural investments. It will increase access to the

Willamette River corridor to provide guests and residents with the opportunity to experience the awe-inspiring sights of our natural lands for generations to come.

Sincerely,



Todd Davidson
CEO, Travel Oregon



December 11, 2019

Joint Committee on Ways and Means Co-Chairs Senator Johnson, Senator Steiner Hayward, Representative Rayfield and Members of the Committee:

On behalf of the Willamette Falls & Landings Heritage Area Coalition, we enthusiastically support the repair and reopening of the Willamette Falls and Navigational Canal (Locks) to the public. Accordingly, we endorse the recommendations of the Willamette Falls Locks Commission. The Heritage Area Coalition came together ten years ago to interpret and promote the historical significance of the 56 Willamette River miles above and below the Falls.

The Locks at the Great Falls of the Willamette are themselves historically significant. Opened in 1873 and built with a grant from the Oregon Legislature, the Locks served the Willamette Valley by facilitating the shipment of timber and agricultural products all over the nation and globe. At 100 years old, the Locks and Canal were listed on the National Register of Historic Places. In 1991 the Locks were designated as a State Historic Civil Engineering Landmark by the American Society of Civil Engineers. In 2012, the Locks were selected as a National Treasure by the National Trust for Historic Preservation but alas, in that same year, the Locks were listed on the "Most Endangered List" by the Historic Preservation League of Oregon (now Restore Oregon). Now is the time to facilitate a transfer from the US Army Corps of Engineers and provide the funds needed for repairs. With this action, the Locks will provide service to the public for many future generations.

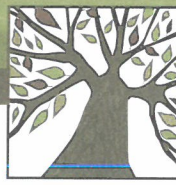
The Locks are not just significant as a 147-year-old facility. They are the key to serving the growing heritage tourism market. With the Locks reconnecting the Lower Willamette with the Upper Willamette, new opportunities will develop. For the sake of preserving Oregon's history and promoting its future prosperity, we urge the Legislature to act now by adopting legislation recommended by the Locks Commission.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Gustafson". The signature is stylized with long, sweeping horizontal strokes and a prominent peak in the middle.

Jon Gustafson, President
Willamette Falls and Landings Heritage Area Coalition

Cc: Willamette Falls Locks Commission



CITY OF West Linn

December 5, 2019

To the Joint Committee on Ways and Means Co-Chairs Senator Johnson, Senator Steiner
Hayward, Representative Rayfield, and Members:

I am writing to express the City of West Linn's strong support for the appropriation of \$14 Million from lottery bonds for the capital repairs and upgrades needed to reopen the Willamette Falls Locks.

Located within the City of West Linn and completed in 1873, the Willamette Falls Locks are an essential part of the history of our city, this region and the entire state. Unfortunately the Locks were placed in caretaker status in 2011 because of structural safety concerns, preventing usage of the facility. However, if repaired and reopened the Locks could once again serve as a resource for local tribes, an economic advantage for businesses up and down the river, and a recreational destination for Oregonians and visitors among other benefits. The 2018 ECONorthwest Economic Benefits report identified between \$24 Million and \$99 Million in direct economic benefits for our region's transportation system and tourism/recreation industry, so the proposed lottery bond funding will bring a strong return on investment.

The City of West Linn is working with our citizens, tribal representatives, Metro, Clackamas County, surrounding cities, businesses and many others to revitalize the Willamette Falls area. We are currently engaged in a master planning process for over two miles of Willamette riverfront, and believe that a functioning Locks is critical to this effort and the future of this region. The Locks will lead to increased redevelopment on surrounding properties in keeping with our job creation goals, and are expected to support industrial operations and job creation at the new Willamette Falls Paper Company, located on the West Linn side of the Falls.

West Linn has directly invested our own funds into this project. We have provided financial support for the past several years of the Willamette Falls Locks Commission and the prior Willamette Falls Working Group, and have provided significant in-kind staff support as well. However, this project is larger than our own city, and the State of Oregon's partnership is critical to the project's long-term success. Therefore, we urge your support for this lottery bond appropriation request.

Thank you for your attention to this issue. We stand ready to answer any questions you may have.

Sincerely,

Russell B. Axelrod
Mayor, City of West Linn



OREGON CITY

City Commission

625 Center Street | Oregon City OR 97045
(503) 657-0891

Oregon State Legislature
Joint Committee on Ways and Means
900 Court St. NE, Room H-178
Salem OR 97301

December 18, 2019

To the Joint Committee on Ways and Means Co-Chairs Senator Johnson, Senator Steiner Hayward, Representative Rayfield, and Members:

I am writing to express the City of Oregon City's support for the appropriation of \$14 Million from lottery bonds for the capital repairs and upgrades to reopen the Willamette Falls Locks. The City of Oregon City believes the Locks should be repaired and reopened, allowing the Willamette River to be navigable from the headwaters south of Eugene to its mouth in Portland.

The river is a critical part of our community's identity and offers a wide variety of economic and cultural benefits for the entire State of Oregon. The reopening of the Locks supports our reliance on the river for recreation, tourism, heritage, business, reduces roadway congestion, and increases our region's resiliency to future disasters. Economic prosperity impacts associated with reopening the Locks include increased visitors to Oregon City's Great American Main Street which will create jobs, advance redevelopment in our Regional Center, and increase tax revenue. Reopening this resource has the opportunity to encourage more industry in Oregon City, complementing our lands available for jobs and housing.

According to a report by ECONorthwest, reopening the Locks could create nearly \$100 million in combined transportation and recreation benefits for Oregonians, return navigational access to the upper and lower-Willamette River, reduce freight traffic from Portland roadways, and increase our region's resiliency to address future disasters such as a Cascadia earthquake. The study found over the next 30 years:

- Transportation benefits of \$12-\$49 million
- Recreation benefits of \$12-\$50 million
- 80,000-220,000 truck trips removed from Portland area roads
- 11,000-15,400 metric tons of nitrogen oxide reduced - which would contribute to cleaner air
- 11,000-32,000 metric tons of CO2 reduced

Reopening the Locks complements the Willamette Falls Legacy Project as well as the work on the West Linn waterfront, and the Willamette Falls and Landings Heritage Area. Together, the four projects could result in a nationally significant iconic destination.

We support the Commission's work in the 2020 Oregon Legislative Session to create a new Willamette Falls Locks Authority and to secure capital funding for the urgently needed repairs to the Locks. We appreciate your time on this important issue and stand ready to answer any questions you may have.

Sincerely,

Mayor Dan Holladay on behalf of the City of Oregon City, City Commission
PO Box 3040, Oregon City, Oregon 97045

November 13, 2019

Dear Chairman Axelrod and Locks Commissioners

Many local and regional government officials, Native Americans, heritage non-profit organization advocates, recreational and tourist enthusiasts among others have labored and dreamed for nearly a decade for travel through the Locks to recommence. Thank you for your diligence in seeking ways and means to have the civil war era Willamette Falls Navigational Canal and Locks reopened. We know the challenges are not small.

Knitting the Willamette River back into one navigable waterway for commercial, recreational and tourism uses is very important for the economic health and development of the communities and businesses bordering the River.

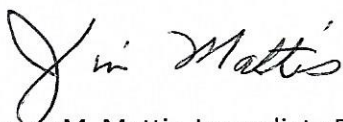
The Locks, along with other sites, hold promise to be part of an area whose sum is greater than its parts. Some of the other parts include:

- Revitalized downtown Oregon City;
- Implementation of a world class designed "River Walk" providing access to the Willamette Falls;
- Redevelopment of the former Blue Heron Paper Mill site now under new and more motivated ownership;
- Newly opened paper mill on Moore's Island innovating making paper out of straw;
- Public, Private and Nonprofit efforts to preserve and interpret early industrial heritage on the south part of Moore's island; and
- Historic West Linn City Hall at the foot of the iconic Arch Bridge turned into a Cultural Center for the region and a gateway to the proposed Willamette Falls & Landings National Heritage Area.

National Heritage Area designation will advance the Willamette Falls & Landings Heritage Area Coalition's vision where natural, cultural and historic resources contained within 56 Willamette River miles are a source of pride and prosperity for all. The Coalition's mission is to knit together the rich stories, sites, and opportunities within the Heritage Area from Philip Foster Farm to Mission Bottom. Among many others, those sites and stories include the first peoples heritage, ice age flood, French Prairie, Champoege, and the places noted above along with the stories and places that celebrate the end of the Oregon Trail that contributed to pushing America's boundary to the Pacific Ocean.

The Falls & Landings Coalition is an umbrella organization that supports historic preservation, natural resource conservation, recreation, heritage tourism and educational projects that together makes the Heritage Area a special place for residents and visitors alike. We eagerly look forward to supporting your recommendations and moving forward with implementation.

Again, thank you for your continued service on the Commission to seek ways to preserve and reopen the historic Locks so they can be a vital part of Oregon's future.



James M. Mattis, Immediate Past President
Willamette Falls & Landings Heritage Area Coalition
Willamette Falls Heritage Foundation



Tom McCauley
Marine Industrial Construction
Post Office Box 624
Wilsonville, OR. 97070



December 13th, 2019

Joint Committee on Ways and Means
Co-Chairs Senator Johnson,
Senator Steiner Hayward,
Representative Rayfield
and Members of the Committee
Oregon State Capitol
900 Court Street NE, Salem, Oregon 97301

Re: Support for Budget Note in HB 5024 – Willamette Falls Lock Repair Funding

Marine Industrial Construction, LLC strongly supports the passage of HB 5024 for the repair and operations of the Willamette Falls Locks. As a marine based construction company, MIC sees the major opportunities for marine construction in the upper Willamette River. This includes numerous public infrastructure such as dam repairs; bridge maintenance, inspections and repairs; revetment and shoreline erosion protection; environmental restoration projects; utilities installation and maintenance (such as sewage line repairs, intakes for industrial facilities, etc.); boat landings; and emergency dredging. These jobs require heavy marine equipment such as derricks, barges and tugboats that can only access the upper Willamette River through the Willamette Falls Locks.

Over the past 10 years, we have performed these activities in the upper Willamette River including recent projects like:

- Repairs for the City of Wilsonville Sewage Lines in Willamette River
- Repairs to Discharge at industrial facilities in West Linn
- Supporting PGE power generation by clearing debris from the dam at Willamette Falls
- Pile driving for numerous clients

The Willamette Falls Locks allows marine based construction companies to provide services to residents, municipalities and others for over 30 miles of river in the Upper Willamette. We look forward to the future operations for the people of the state of Oregon.

Thank You,

A handwritten signature in black ink that reads "Tom McCauley". The signature is written in a cursive, flowing style.

Tom McCauley
Marine Industrial Construction, LLC