



# City of Oregon City

625 Center Street  
Oregon City, OR 97045  
503-657-0891

## Staff Report

File Number: PC 16-079

**Agenda Date:** 8/3/2016

**Status:** Agenda Ready

**To:** City Commission

**Agenda #:** 7c.

**From:** City Manager Tony Konkol and Community Development

**File Type:** Planning

### **SUBJECT:**

Memorandum of Agreement between the U.S. Army Corps of Engineers, Portland District and The Oregon State Historic Preservation Officer, and the Advisory Council on Historic Preservation for efforts to avoid, minimize or mitigate adverse impact to the Willamette Falls Locks.

**RECOMMENDED ACTION (Motion):** Staff recommends that the City Commission sign the Section 106 Memorandum of Agreement (MOA) for the Willamette Falls Locks as a concurring party.

### **BACKGROUND:**

In December 2011, the U.S. Army Corps of Engineers (USACE) closed the Willamette Falls Locks under its emergency operations authority due to life safety concerns. Because the Locks were registered with the National Register of Historic Places in 1974, closure of the Locks initiated Section 106 of the National Historic Preservation Act (Section 106).

Section 106 requires the USACE to take into account the effects of the closure of the Locks as a historic property and to afford the Advisory Council on Historic Preservation the opportunity to comment. Section 106 reviews are typically done in advance of any actions on historic properties. Because the Locks were closed under emergency operations authority, Section 106 began after the Locks closure. Because closure was indefinite, the Section 106 review was used to find ways to "avoid, minimize, or mitigate any adverse effects" of the Locks.

Efforts to avoid, minimize, or mitigate adverse effects are agreed upon in a memorandum of agreement (MOA). The State Historic Preservations Office (SHPO) and the Advisory Council on Historic Preservation are signatories with USACE, but concurring parties are also invited to participate in the Section 106 process and signing. The same inclusionary efforts have been made for the Willamette Falls Locks.

Section 106 discussions have lasted four years. This most recent draft includes many of the current efforts to meet the Section 106 requirements, including the USACE pursuit of a Final Disposition Study and the formation of a State Task Force (Senate Bill 131) to study the repair and reopening of the Locks. The Section 106 MOA included with this report is the final version.

**BUDGET IMPACT:** N/A  
Amount:

FY(s):

Funding Source: