



Amanda Fritz, Commissioner
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IMPACT STATEMENT

189320

Date: November 14, 2018

Council Date: December 12, 2018

Legislation Title: Authorize the Water Bureau to acquire certain permanent and temporary property rights necessary for construction of the Willamette River Crossing Project through the exercise of the City's eminent domain authority as a last resort (Ordinance)

Contact Name: Teresa K. Elliott, P.E., Chief Engineer

Contact Phone: (503) 823-7622

Presenter Name: Teresa K. Elliott, P.E., Chief Engineer

Purpose of proposed legislation and background information:

The purpose of the proposed legislation is to authorize the Water Bureau to acquire certain permanent easements necessary for the construction of the Willamette River Crossing (Project) through the exercise of the City's eminent domain authority. The subject properties are described in Exhibits A-F attached to the Ordinance.

A Cascadia Subduction Zone earthquake (CSZ), which could create a 9.0 magnitude seismic event, would disrupt water supply to the west side of the City of Portland. There are highly liquefiable soils adjacent to Willamette River and within the downtown core area, due to soft river bank deposits and artificial fill placed near riverbanks. All of the current river crossings are buried in these soft river bank deposits and none can withstand the earthquake induced movements without damage. Damage to the existing water main crossings is estimated to cause water outages for 6-12 months.

The Project will install a water main beneath the Willamette River in the central core of Portland that will survive a 9.0 magnitude seismic event. The new water main will be installed through geologically stable materials at depth beneath the river bottom.

The permanent easements will be subsurface and no surface rights will be required. The temporary easements will include surface and subsurface rights and will continue for a term not to exceed three years. Because the water main will be constructed at considerable depth below the subject properties, future access and maintenance of the water main will not occur from the surface.

Financial and budgetary impacts:

The cost to acquire the Project easements will be determined by an appraisal that will comply with the requirements of ORS Chapter 35, Eminent Domain; Public Acquisition of Property.

The estimated total project (W01590) cost is \$88,000,000. Funds of \$5,885,000 are available as part of the revised FY 2018-19 budget. Approximately \$79 million in additional project funds will be requested in in FY 2019-20 through FY 2021-22.

The proposed legislation will not create, eliminate, or re-classify any positions now or in the future.

Community impacts and community involvement:

Public information activities for the project are under way. Team members have attended community meetings, created open houses, performed traffic studies, and distributed flyers to inform the public about the project. Public information activities will continue as the project progresses. Properties subject to permanent easements are some distance from the main project activity areas and impacts will be limited. Properties subject to temporary easements will be near the entry and exit points. Water Bureau staff will work with the owners to limit and mitigate impacts and compensate for any actual damages. In addition to direct construction impacts in the temporary easements, there may be traffic impacts on roads adjacent to construction activities.

The Water Bureau's designated staff will inform impacted owners within the Project area of the proposed legislation to obtain eminent domain authority to acquire the easements on their property. Based on this information, area owners may testify at the City Council meeting. No other individuals are anticipated to testify.

100% Renewable Goal:

This action does not increase or decrease the City's total energy use. This action does not increase or decrease the City's renewable energy use.

Budgetary Impact Worksheet**Does this action change appropriations?**

☐ **YES:** Please complete the information below.

☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount


 Michael Stuhr, P.E., Administrator

11/16/18
 Date