

NEWPORT

169 SW COAST HWY
NEWPORT, OREGON 97365

COAST GUARD CITY, USA



www.newportoregon.gov

MOMBETSU, JAPAN, SISTER CITY

April 5, 2021

Co-Chair Dan Rayfield
Co-Chair Betsy Johnson, Co-Chair Elizabeth Steiner Hayward
Joint Committee on Ways and Means
900 Court Street
Salem, OR 97301

RE: American Rescue Plan fund request

Dear Co-Chairs Rayfield, Johnson and Steiner Hayward,

The City of Newport respectfully requests your consideration for the Big Creek Dams Replacement Project for funding through the American Rescue Plan (ARP).

In 2011, the City of Newport was made aware of the seismic vulnerabilities of its aging Big Creek Dams, which hold the City's sole source of drinking water. Since learning of this threat, the City has earnestly pursued all opportunities to mitigate the risk to residents and the local economy. To date, the City of Newport has invested nearly \$6 million of its own funds and applied for state and federal grants to advance feasibility studies, pre-design, and environmental studies. However, there are very few resources available to fund dam rehabilitation and replacement, particularly for municipally owned dams. The City does not have the financial capacity to fund the remaining design and environmental permitting of the project at the pace necessary to mitigate the imminent safety risk to our residents and secure our only drinking water source.

The Oregon Legislature authorized \$4 million in lottery bond proceeds in 2019 for the City of Newport for the design and the environmental permitting for the Big Creek Dams Replacement Project. However, as with other lottery bond authorizations, the \$4 million lottery bond sale authorized for the Big Creek Dams project was canceled due to insufficient lottery revenues as a result of the COVID-19 pandemic. For the City of Newport, this means that dam design is progressing very slowly due to insufficient funding.

This project cannot wait. Last year, the Oregon Water Resources Department inspected the Upper and Lower Big Creek Dams and confirmed that the threat of dam failure is no longer only tied to a seismic event of 3.5 M or greater. The Upper Big Creek Dam, which holds three quarters of stored water for the City of Newport, is seeping and at risk of catastrophic failure due

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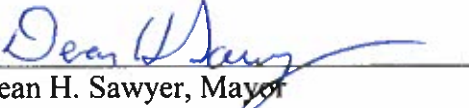
to structural issues. Newport has been directed by the state's dam safety office to submit plans to address and mitigate the risk of catastrophic failure of the Upper Dam by December 1, 2021. The City has no choice but to advance the design of the dam immediately and work with the state to mitigate this new threat for the safety of Newport's citizens that live within the inundation zone of the two dams, as well as the drinking water supply for the City.


The ARP has provided Oregon with a unique opportunity to make investments in resiliency and economic recovery. Advancement of the Big Creek Dams Replacement Project will have a big impact on the safety of our residents and the resiliency of the City of Newport and the Central Coast Region.

The City of Newport respectfully requests the Committee allocate \$4 million in ARP funds to advance dam design and environmental permitting for the Big Creek Dams Replacement Project. This funding, along with the City's own contribution, would be put to use immediately to meet state mitigation requirements and to be prepared to pursue federal funds with a shovel-ready project.

Thank you for your consideration of this request.

Respectfully submitted,


Dean H. Sawyer, Mayor


Spencer R. Nebel, City Manager

Enclosures: Big Creek Dam Inspection and Notice, 2021-2023 Capital Funding Request



Oregon
Kate Brown, Governor

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(503) 986-0900
Fax (503) 986-0904

January 22, 2021

Chris Janigo, Interim City Engineer
City of Newport
169 SW Coast Highway
Newport, OR 97365

Re: Notification of Unsafe/Potentially Unsafe Dam

Based on an inspection and analysis, the Oregon Water Resources Department (the Department) has identified an Unsafe condition and a Potentially Unsafe condition at Big Creek Dam #2 (upper dam) and a Potentially Unsafe condition at Big Creek Dam #1 (lower dam). As required by Oregon Revised Statute (ORS) 540.458(1) and further described in Oregon Administrative Rule (OAR) 690-020-0340 this letter serves as written notification that Unsafe/Potentially Unsafe conditions exist with the Big Creek Dams and corrective actions are needed. Information regarding identification of the Unsafe/Potentially Unsafe conditions and details regarding the corrective actions needed to address the conditions are contained below in this letter. Also contained in this letter are your options and responsibilities as the dam owner in responding to this notification and addressing the Unsafe/Potentially Unsafe conditions with the Big Creek dams.

The department conducted a routine dam inspection on October 15th, 2018 during which we observed corrosion of, and leakage through, the corrugated metal pipe (CMP) portion of the overflow spillway for Big Creek Dam #2. The leakage occurs at locations throughout the length of the CMP portion of the spillway. The spillway CMP is a route for any internal erosion, and flow of the spillway can carry away eroded material despite the attempts being made to monitor this situation. Internal erosion can increase over time and can result in catastrophic failure of a dam with little warning. Subsequent OWRD inspections of this dam on May 29th, 2019 and on August 4th, 2020, indicated that the corrosion of the CMP portion of the overflow spillway continues to worsen with time.

This is an Unsafe condition because the holes through which the water is leaking are a potential route for embankment materials displaced by internal erosion. Additional investigation of the extent of the internal erosion is needed. This should be by direct observation unless the City can propose a more reliable means of determining internal erosion. If internal erosion is confirmed, changes to operations of the reservoir will likely be needed until such time as control of internal erosion is achieved. Necessary planning steps are provided later in this letter.

Prior to the aforementioned internal erosion situation, a seismic stability analysis of both Big Creek dams was performed by consulting engineers working for the City. This analysis indicated that both dams will deform significantly during a Cascadia Subduction Zone (CSZ) earthquake. For both dams, the deformation could cause the dam crest to drop below the water line which could lead to overtopping of the dam crest and subsequent catastrophic failure of the dam. Based on these seismic deformation analyses, the department has determined that both Big Creek Dams, are in a Potentially Unsafe condition. To date we have been informed as to general plans to address the potentially unsafe conditions of the dams but have no timeframes for any of this work. More specific plans and timeframes are needed.

Corrective Actions will be necessary to address the Unsafe/Potentially Unsafe conditions with the Big Creek dams. At this time OWRD dam safety will continue working with the City in a cooperative manner as described and allowed in ORS 540.461. The next steps in these cooperative actions will be development of plan(s) and time frame(s) that lead to corrective actions. As described in OAR 690-020-0340(3)(a)(C), you have the opportunity to, and I encourage City staff and your engineer to meet remotely with me to discuss this Notification and plans that lead to Corrective actions. Please let me know, in writing, that City staff and your consulting engineer(s) can meet to discuss development of plans and to schedule a time for this meeting after you have discussed this Notification and have specific elements to propose in the plan(s).

At the present time it appears four plans may be needed, with the first three plans are based upon findings from implementation of the earlier plans. The description of plans and anticipated timeframes are as follow (this is for the submittal of the plan, not completion of the work, the timeframes for completion will be included in your plans):

1. Investigation of the extent of internal erosion below the spillway conduit, submit plan by **3-1-21**
2. Interim measure to reduce internal erosion and restore spillway function, submit plan by **7-1-21**
3. Plan of operations to reduce potential for winter flow over the spillway, submit plan by **9-1-21**
4. Plan for removal of both dams and construction of the replacement dam, submit plan by **12-1-21**

As described in OAR 690-020-0340(3)(a)(D), you have the opportunity to provide information to explain why you, as the dam owner, disagree with the matters asserted in this notification alleging Big Creek Dam #2 is Unsafe and that both Big Creek Dam #1 and #2 are Potentially Unsafe. If you have such information, we can discuss this during our remote meeting. The efforts made by the City thus far to address the Unsafe and Potentially Unsafe conditions are greatly appreciated. Thank you for your continued cooperation and we look forward to working with you in the near future.

Sincerely,



Keith Mills, P.E., State Engineer
Cell (541) 706-0849

C: Tony Janicek Ph.D., P.E., Dam Safety Program Coordinator
Tom Paul, Special Assistant to the Director
Dam Safety File B-28a & 28b