

EUGENE WATER & ELECTRIC BOARD
SPECIAL BOARD MEETING
EWEB BOARD ROOM
FEBRUARY 25, 2008
6:30 P.M.

Commissioners present: John Simpson, Ron Farmer, Patrick Lanning, John Brown, and Mel Menegat.

Others present: Randy Berggren, Jim Wiley, Tom Buckhouse, Marty Douglass, Dick Helgeson, Jim Origliosso, Debra Smith, Marc Anderson, Suzanne Pearce, and Krista Hince of the EWEB staff; Gary Rayor and Fred Willer, OBEC Consulting Engineers; Ruth Atcherson, City of Eugene minutes recorder; Faye Stewart, Lane County Commissioner, guest; and members of the public.

President Simpson convened the Special Meeting of the Eugene Water & Electric Board (EWEB) at 6:30 p.m.

AGENDA CHECK

President Simpson amended the agenda to extend the public input portion of the meeting until all speakers who had signed up were able to provide testimony.

BOAT LANDING SCHEDULE PRESENTATION

Senior Mechanical Engineer Marc Anderson reviewed the information provided in the memorandum entitled *Boat Landing Sites* dated *February 20, 2008*. He noted that the 60-day option on the Goodpasture Road site would expire in April. He introduced Gary Rayor, engineer for OBEC. He explained that OBEC had worked on over 150 projects for the Oregon Department of Transportation (ODOT) including the flyover bridge that was part of improvements to the Interstate 5/Beltline Highway interchange.

Vice President Farmer asked for an explanation of the primary difference between the conclusions drawn by OBEC and Access Engineering. Mr. Anderson asked Fred Willer, a representative of OBEC to respond. Mr. Willer stated that from their point of view all of the assessment should be conducted based on a design speed, a fairly defined quantity. He said the Access Engineering study was based more on the ultimate potential for conflict drivers might have.

In response to a follow-up question from Vice President Farmer, Mr. Willer confirmed that any road design that is done now would be based on a design speed, which was a defined quantity based on criteria. He said in both of the reports the criteria had been different, in that one had used a rolling terrain and the other had used a flat terrain.

Vice President Farmer asked what the determining factor was. Mr. Willer said he looked at what the road was designed for and in this situation there was a curve designed for traffic traveling at 60 miles per hour.

Vice President Farmer asked if there was any likelihood that a different standard would be used. Mr. Willer responded that it would not be likely. He doubted that a highway designed for a greater speed could be built in that particular area.

Vice President Farmer remarked that he did not have any interest in trying to force the property owners to connect the Leaburg Dam Road to Goodpasture Road. He asked if EWEB had eminent domain rights to undertake such an action. General Manager Randy Berggren replied that while the utility had eminent domain rights he was unclear as to whether they could be exercised in this situation.

Vice President Farmer observed that the report indicated that the number of trees that would need to be removed was not as great as had been originally projected and asked for more information. Mr. Anderson responded that he had gone to the property and walked down the driveway and he observed that it went down to the water. He said ODOT would require the driveway to make a 90 degree turn from the highway and this would cause some trees to be removed.

In response to another question from Vice President Farmer, Mr. Anderson explained that the language from the Federal Energy Regulation Commission (FERC) regarding expansion of an existing boat landing had to do with the original proposal to expand Ike's Landing.

Commissioner Brown asked why staff had recommended that EWEB not purchase the seven-acre property it had been offered that contained a house and an existing boat landing on the other side of Goodpasture Bridge. Mr. Anderson replied that the price had been \$1.3 million and the bank to the river was "quite steep," so that it did not lend itself to being able to get to the water and turn around and get back without destroying some of the riparian area.

Commissioner Menegat asked what was meant by "very nearly" as in the Goodpasture site was very nearly on Leaburg Lake. Mr. Anderson replied that the site was past the last riffle. He felt it was a matter of personal opinion as to where the lake ended and the river began.

Commissioner Menegat asked what the elevation of the lake was at the dam when the lake had been raised six inches. Mr. Anderson responded that he recalled that it was up six inches now and there was still a current there.

President Simpson asked what the legal speed limit was at the Goodpasture site. Mr. Anderson replied that it was set at 55 miles per hour. President Simpson asked if there was signage that suggested lower speeds or a curve ahead, especially from the east. Mr. Anderson responded that east of Goodpasture bridge there was a curve ahead warning, a recommended curve speed sign for 45 mph, a diamond-shaped yellow sign warning truckers that excessive speed could cause trucks to tip over, and a square sign indicating the intersection and that the bridge was narrow.

Commissioner Brown related that County Commissioner Faye Stewart had asked County Public Works Director Ollie Snowden to initiate work on lowering the speed limit on the road. He wanted to know where in that process they were. Mr. Anderson indicated that he had not spoken to Mr. Snowden and did not know.

PUBLIC INPUT

Jeremy Starr, 936 Summit Boulevard, spoke in support of placing the boat landing at the Goodpasture site. He explained that he was a recreational boat user who had used the McKenzie River more than 40 years. He opined that the river was a “jewel” that offered opportunities to spend quality time with one’s family. He related that he had never run the section of the river near the proposed site because it had previously been too difficult to access. He felt this presented an opportunity to open a section of river that got little use and that it would take pressure off the parking at the Helfrich landing.

Aaron Helfrich, 2605 Harvest Lane, Springfield, related that one decade earlier in his capacity as president of the McKenzie River Guides Association he had spent four years working on a free park for all river users in honor of Fred Wessinger. He said at the time the Wessinger Foundation planned to purchase the property, the Oregon State Marine Board planned to develop it with motor use funds, and Lane County Parks would maintain it. He believed the great need for another boat landing was still there. He observed that there were still the same people opposing the development of it, now calling themselves the Friends of Leaburg Lake Association. He thought the Goodpasture site was the best location for a new boat ramp. He said to mitigate land owner concerns that speed limit change could be moved so that it did not change until it was within sight of the OBEC-recommended intersection sight distances. He believed the design could be improved, riparian damage could be kept to a minimum, and all could enjoy a new park. He had tried to meet with the Friends of Leaburg Lake and had come to believe that he could not dissuade them from fundamentally opposing the Goodpasture site.

David Jensen, 47818 McKenzie Highway, stated that he lived four or five miles above the Goodpasture site. He favored the site for two reasons: safety and use. He felt the use at Goodpasture would be far better than either of the two alternatives still on the Board. He underscored the OBEC conclusion that the road was safe. He averred that it got down to where the Board would place its trust and on what it would base its decision. He asked if they would consider the work of the engineers or would they listen to the testimony of the people who had a stake in it. He suggested that the trust of the Board would be best placed in the work of OBEC.

Doug Mozan said he was an avid fisherman. He stated that he worked in law enforcement and was concerned about traffic and speed. He understood from the impacts of the west-bound turn there would be at least 700 feet of clearance between the proposed curb cut for the boat ramp and the curve. He averred that based on his work normally people had to slow down for a turn, but if the speed was posted at 55 miles per hour the safe assumption was that people were actually going to drive 60. He stated that a driver would have almost eight seconds to react to someone coming out of

the boat ramp pulling a drift boat. He believed this was more than enough time for a person to slow down and react. He also felt it was enough time for the person pulling the boat to react to oncoming traffic.

Scott Morgan, Leashore Drive, Vida, provided a video presentation that showed trucks driving by the Goodpasture site. He declared that approximately one truck passed by every one to two minutes. He believed that trucks pulling boat trailers would stack up at the turn to the site. He said a vehicle traveling 60 miles per hour traversed 88 feet in one second. He averred that this put OBEC's design off by one second. He pointed out that it took a loaded semi-truck longer to stop in wet conditions. He asked the Board to consider whether they would want their family members to be sitting in the back seat of a vehicle behind vehicles turning into the proposed site.

Steve Birskovich, Vida, stated that he was president of the Friends of the Leaburg Lake Association. He related that he had been involved in the process of selecting a boat landing site since 2001. He recalled that 13 sites had been considered. He believed that safety was the most important element of a proposed site, both at the landing and on the road. He averred that community acceptance was also part of the ODOT challenge and that community members also expressed concern about the expense. He related that area residents polled indicated opposition to the site for reasons of both safety and expense. He said the estimated cost of the Goodpasture site was \$4 million, but siting the boat landing a Water Board Park or the Old Fish Hatchery sites would save millions of dollars.

Lou Bentsen, 2675 Country Lane, said he had worked as a river guide, though he no longer did so. He thought the Goodpasture site was the best of the three options. He had used the river for 30 years and intended to continue to do so. He related that he had helped the Lane County Search and Rescue Team in searches and he had helped the McKenzie River Guides clean up the river. He thanked the Commissioners for listening to testimony.

Frank Armendariz, 1302 Piper Lane, offered to provide members of the Friends of Leaburg Lake Association information regarding safety issues at some of the other access points on the McKenzie River. He opined that it was unfortunate that the discussion had become a dispute between "well-meaning" guides and residents, who were trying to preserve their lifestyles and property rights. He averred that the Board had an opportunity to do "something right." He felt the health of the McKenzie River was a passion among a lot of Eugeniens. He believed the Goodpasture site to be the best quality site, given use patterns on the McKenzie River and how an appropriately sited boat landing would enhance those patterns. He predicted it would take some of the boat-pulling traffic off the road sooner and would increase opportunities for river users to access the river. He said it would spread the use out. He felt the Goodpasture site presented the opportunity to enhance the habitat and "do the right thing."

Ken Helfrisch, 42091 McKenzie Highway, appreciated the time and effort EWEB put into this issue. He averred that there was no other good site to place a boat landing on the McKenzie River than the Goodpasture site. He stated that more people were using the river than before. He was concerned about safety but he believed that the sight distances at the Goodpasture site were better than some of the other sites, such as Rennie, Silver Creek, and Finn Rock. He felt that member of the Friends of Leaburg Lake had directed some insulting comments at the EWEB Board and some of the guides. He wished to point out that the concern of that group was largely in regard to having a boat landing be close to where they live and in sight of some of the residences. He recalled the association's proposal to build a boat landing at the Old Fish Hatchery site. He believed there were a number of reasons this would not be a good place, such as that it was at the "wrong end" of the lake and that it was not a good idea to have vehicles parked out over the lake.

Art Newcombe, 45114 McKenzie Highway, stated that his residence was 500 feet from the proposed new entry to the Goodpasture site. He provided data from ODOT that indicated that ten accidents had occurred in the one-fifth of a mile of road adjacent to the property. He showed a picture of one of the accidents. He opined that it was already an unsafe place and there was no need to make it worse. He did not believe ODOT would consider a plan that did not include a full left-turn lane. He related that the children of a neighbor who had a driveway directly across from the proposed site were required to walk 200 feet up the road to catch a school bus because the school district had deemed it too dangerous to stop in front of the residence. He suggested that the Board consider what would happen if a flagger had stopped traffic in that area because of utility work and traffic backed up even more. He felt that the sight distance would be shortened so that it was not safe.

Gloria Gardner predicted that the cost for the Goodpasture site would be over \$6 million. Her concern lay in the expense.

Steve Schaefers, 47685 McKenzie Highway, spoke on behalf of the McKenzie River Guide Association. He said the association represented 109 members, 44 of which were licensed guides. He conveyed the association's majority support for the Goodpasture site. He underscored the growing need for a new boat landing. He felt the site offered a high degree of traffic safety with low potential for environmental harm. He related that recreational boating and rafting had experienced a huge increase in numbers over the past few decades. During this time, there had been few increases in boating amenities. He noted that the Forest Service had been discussing limited entry for use above the site. He felt the federal, state, and county government should plan ahead for the increase in use this would cause, adding that EWEB was doing its part. He underscored that the guides' position that the Goodpasture site would provide the safest place to put a boat in. He noted that most boat landings lacked turn lanes for access. He said the proximity to the 40 miles per hour speed limit made the potential mitigation of sight distances simple by presenting the possibility of extending it. He also wished to point out that the site was west of a "natural roundabout."

Linda Ablett, Vida, asked if the letters could be read into the record.

President Simpson responded that over 16 written submissions of written testimony had been received and it would be onerous to read them all out loud. He assured her that they were included into the record.

Ms. Ablett alleged that there was a conflict of interest with respect to Commissioner Brown's service on the Board and his relationship with the property that should be addressed prior to taking a vote.

Bob Grafton continued the loud video of traffic traveling by the Goodpasture site. He declared that the margin of safety OBEC had provided for a truck to come to a stop was equivalent to approximately 55 feet. He felt it would jeopardize the safety of a car or truck pulling a trailer that was turning into the site. He averred that other factors would contribute to driver safety such as wet conditions or tired drivers. He noted that Commissioner Brown had indicated that safety was a high priority. He urged all of the Board members to amend the motion to include a left-turn lane or to recommend a different site.

Jim A. Rodman spoke in favor of the boat landing at the Goodpasture site. He said he was an avid fisherman who had fished the McKenzie River for years. He opined that the boat landing should have been built at the site years earlier. He noted that some of the other sites had greater traffic safety issues, underscoring that to turn onto the one-way bridge across the dam was a challenge.

Chris Daughters, member of the McKenzie River Guides and owner of a "fly shop," also favored the Goodpasture site. He said adding access to the river would increase the opportunities the river offered to boat, to wade-fish, and to engage in family activities. He believed that EWEB and the community should take advantage of this opportunity.

Dana Burwell, 44387 McKenzie Highway, said he had lived on the highway for over 50 years and was a member of the McKenzie River Guides. He had also served on the fire department for 30 years. He had helped Mr. Anderson gather data about the highway. He had pulled data to 2000 and had discovered that there had been "19 runs" in the past seven years, 13 of which had been around the Goodpasture interchange. He said in responding to that area out of the four sites that were being considered the Goodpasture site had the best and safest access. He recommended looking at data around Ike's Landing which had half of the sight distance available at the Goodpasture Road site. He did not believe the amount of accidents around the Goodpasture Road turnoff should have bearing on consideration of the boat landing site in question.

Kurt Cox, 45181 McKenzie Highway, noted that he lived across the street from the proposed landing at the Goodpasture site. He said he also used the river recreationally, usually accessing it from the Helfrich landing. He related that he and his family had lived at this location for 20 years and had enjoyed the riparian zones. He believed that the proposed boat landing would take one of those riparian areas away. He stated that he taught middle schoolers and instructed his classes that

garbage in the McKenzie River affected the drinking water in Eugene. He added that he had been told that the laurel hedge on his property needed to come down. He disagreed; as he thought the hedge did not impact the visibility so much as a rock wall located there impacted it. He recalled that ODOT had indicated that the rock wall should come down. He opposed the Goodpasture site because it was a “bad move” ecologically and would be financially detrimental to him as some of his property could become subject to eminent domain.

Roy Pruitt, 45684 Goodpasture Road, supported installing a westbound left-turn lane to Goodpasture Road. He said OBEC engineers had submitted a reasonable expectation of speed through the existing area but Access Engineering, hired by the Leashore Drive Club, had reviewed that finding and determined it to be inadequate based on the high speeds of vehicles traveling the road. He thought it would be reasonable to reduce the allowable speed and to install flashing yellow lights. He felt that had the boat landing been built years ago it would not have stopped anyone from buying or developing property there. He averred that there was nothing “unsightly about boats or fishermen.” He suggested that the river guides and the Leashore Drive residents, should the proposal for the boat landing at the Goodpasture site go forward, join together to come up with suggested design plan.

Jim Goodpasture, 45311 Goodpasture Road, called attention to the written material he had provided. He said his position had not changed. He still felt that the Goodpasture site was the best site. He had heard the safety concerns regarding traffic safety. He challenged the Friends of Leaburg Lake to get together and do something about traffic safety if they feel it is a problem. He suggested that they could get together to support lowering the speed limit. He averred that if they were not willing to do so it was clear to him that the only reason they were concerned about safety was to stop the site from being used for a boat ramp. He said everyone knew that there were traffic safety issues from the end of the 40 mile per hour zone coming out of Vida to Leaburg Lake. He thought it would be a good idea to reduce the speed limit to 40 miles per hour up to the lake.

Mike Fox believed that the Goodpasture site would be safer than the Ike’s Landing site ever could be. He had not personally seen traffic issues when he pulled out at night. He urged the commissioners to move forward with the site. He commented that he lived on the banks of the Willamette River across from the Valley River Center. He had also been affected by development but he recognized that it was for the benefit of all of the citizens.

Sandra Bishop thought the boat ramp presented an incredible opportunity for the Board. She hoped that the Board would listen to the people who spend the most time getting in and out of the water. She averred that those people had been speaking to the Board for ten years. She believed that opportunities to improve safety were plentiful. She urged the Board to approve the Goodpasture site for a new boat landing.

President Simpson closed the public input session.

Commissioner Menegat noted that the Board had received a packet of written testimony. He asked how it would become part of the record. He also asked how the Board should consider that

information in the decision-making process.

Mr. Berggren stated that the testimony had been delivered to the Board in public session and was therefore part of the public record.

President Simpson noted that written testimony had been received from Gary Hatfield, Jim Goodpasture, Tony Helfrich, Mike Smith, Aaron Helfrich, Bill Laing, Mike Gehrman, Louis Bentsen, Chris Daughters, Patrick Macy, Christian Olsen, Jon Payne, Cherie Evans, and Linda Alexander.

Commissioner Menegat said in reviewing the letters of testimony he had determined that they largely were in support of a certain location. He requested a five-minute recess in order to determine whether there was information contained in the written testimony that he had not heard.

Vice President Farmer, seconded by Commissioner Lanning, moved to accept the written testimony as part of the record. The motion passed unanimously, 5:0.

Commissioner Lanning concurred with Commissioner Menegat's request for a five-minute recess.

President Simpson called for a 10-minute recess.

GENERAL BOARD OF COMMISSIONERS' DISCUSSION

President Simpson asked for a motion to take the tabled motion off the table for discussion.

Vice President Farmer, seconded by Commissioner Lanning, moved to take the motion off the table. The motion passed unanimously, 5:0.

Commissioner Menegat moved to amend the motion to set a maximum budget amount of \$1.5 million for the boat landing project. The motion died for lack of a second.

Commissioner Menegat said EWEB was approximately one year behind in the Roosevelt Boulevard project because it had not set a budget. He thought setting a budget was the responsible thing to do. He stated that among criteria they were addressing were the economic viability, the technical feasibility, the environmental compatibility, and the public acceptance. He noted that OBEC indicated that it would cost \$1.5 million to build the boat landing at the Goodpasture site, but this did not include a turn lane on the highway.

Vice President Farmer did not see any information of what the design would cost. He felt that it was too soon to define the budget, though he agreed that there should be a budget process.

Commissioner Menegat recalled a motion to set a \$1 million budget. President Simpson responded that there was not a motion specific to that amount of record.

Commissioner Menegat expressed appreciation for Mr. Fox's comments regarding his property on the Willamette River. He said he was not a boater, he was a ratepayer. He did not share the expertise that many brought before the Board. He underscored that the Board had been looking at development of another boat landing because the lake had been proposed to be raised by 18 inches. It had only been raised by 6 inches and there had not been a major impact on existing landings. He reiterated that EWEB had suggested to FERC that it forego building the new boat ramp but FERC had refused to accept this change in plans. He remarked that it seemed FERC had changed the rules on EWEB and would now only accept a new boat landing along Leaburg Lake. He observed that the Board had not heard from very many of the boaters that use the lake.

Commissioner Menegat also expressed some uncertainty as to whether having a turn-off to a boat ramp on that stretch of road would not compromise traffic safety. He was concerned that development of a boat ramp on the Goodpasture site would increase the number of accidents there. He had heard people discuss how it would impact the neighborhood. He remarked that people had not moved to that location to have a boat ramp placed in their backyard. He understood the argument that sometimes a person sacrificed something for the greater public good as well.

Continuing, Commissioner Menegat stressed that his chief concern lay in the budget. He noted that rough figures indicated that adding a turn lane to the highway would increase the cost to \$4.1 million. He could not support the Goodpasture site. He was concerned that though it was a great location it would present challenges to monitor it. He pointed out that the County would not have the resources to police it and EWEB did not have the jurisdiction. He also pointed out that a zone change would present significant challenges. He said EWEB did not know what ODOT would say; would it ask EWEB to take out a side of the mountain or just a hedge and would it require the installation of a turn lane. There were too many unknowns at this point for him to support it. He added that no other site stood out for him as a better choice as they all had some drawback. He noted that he looked more favorably on the Old Fish Hatchery site because he believed it would be possible to get other partners involved.

Commissioner Brown stressed that he took seriously the elected position of commissioner. He noted that it was a volunteer position. He clarified that his motion was to consider the Goodpasture site and that he had made the motion with the intent of making progress. He also clarified for the record that he had said when considering this site a left turn lane should also be considered. He said the fact that EWEB had to do this on this particular timeline was due to a FERC mandate. He cited testimony from earlier processes that said former County Commissioner Weeldreyer had indicated that ODOT would not consider any boat landing site without inclusion of a left-turn lane. He was not certain this was true. He acknowledged the opposing opinions from different traffic engineering

firms. He said he would rely on the people EWEB retained that work for OBEC. He stressed that ODOT would have the final say. He questioned why the safety issue was coming up in the present discourse. He asked why it had not come up before if the safety issue had been such a great concern.

Commissioner Brown underscored that he did not wish to spend more money than was necessary. He felt the Board needed to listen to the people who used the river. He had tallied the testimony and was ready to make a decision.

Commissioner Lanning recalled the conversation from its beginnings in 2001. He said it had become clear to him that safety would have to be a top priority. He expressed appreciation for the traffic safety data that had been provided to the staff and the Board. He averred that the Board had to think about the whole use of the river. He noted that the McKenzie River Guides had an international reputation for taking care of the river. Their input had a lot of credibility for him. He shared Commissioner Menegat's concern regarding the impact on the citizens residing in the area. He said the Board also had to think about the impact on ratepayers. He stated that the only he would support the Goodpasture site would be if there was a corollary motion to work to reduce the speed limit in that area.

Vice President Farmer was not sure the Board could submit a response to FERC. He said FERC was instructing the Board to declare a site. He was not certain the Board could include a contingency regarding the speed limit in the area. He supported lobbying for a reduction in speed.

Mr. Berggren agreed that FERC would not be interested in considering this as an appropriate criterion for the Board's decision. He thought FERC would view it as interesting and something that EWEB might have to do relative to its own sense of what would be required for the site.

In response to a question from Commissioner Brown, Mr. Berggren clarified that FERC's primary interest did not lay in the conditions EWEB would have to place on the schedule and that FERC would expect that EWEB would do what it necessary to place a boat landing there. He said whether EWEB put a contingency on the site or not, FERC's expectation was that EWEB would make a decision and come up with a work schedule.

Commissioner Lanning recalled that FERC had required EWEB to clearcut an area not far from the boat landing location. He had pledged at the time never to allow a federal government body to put EWEB in a position of having to do something that was not right for the community. He said he would not accept a motion that did not take into consideration the mileage per hour request that area residents had made.

President Simpson said he had first thought the Water Board Park site to be the best option. He no longer felt that site would provide the best possible use of the river. He reiterated that the Board was forced to make this decision and would most likely prefer to gather more information first. While he agreed with much of what Commissioner Menegat said, his first choice would be the Goodpasture site.

President Simpson stated that safety was his first concern, but he also believed in people taking personal responsibility for their actions. He said driving over the speed limit meant someone was committing an infraction.

President Simpson remarked that he would support building at Water Board Park if money were the only concern. He underscored that there were many aspects of the potential boat landing to consider. At this point he was inclined to support the Goodpasture site with a budget.

Vice President Farmer called it an “interesting conundrum” that FERC was requiring EWEB to build a boat landing in when there was not a great desire to do so and that a survey of lake area residents indicated that they mostly did not care where it was placed. He said there were also two major interest groups with strong feelings about the siting of the landing, which meant that someone would be angered by the decision to be made.

Vice President Farmer related that he had originally focused on the budgetary aspect of the project but had been moved from that position by Mr. Goodpasture’s testimony at the Special Meeting held earlier in the month. Mr. Goodpasture had underscored that the primary focus should be the use of the river. Vice President Farmer said “at the end of the day” EWEB was constructing a boat landing so people would use it. He had focused on the least intrusive and best use of the facility over the next 30 to 50 years. He had visited several of the sites. Initially he had thought the site in the existing park would be the most optimal site, but he had come to see that traffic issues would be greatly exacerbated by placing it there. While he commended the people who had done the design work on the Old Fish Hatchery site, it would have included a parking lot built out over the river. He felt this would be too intrusive. Originally the cost and previous issues with safety at the Goodpasture site had given him pause. He said when the design had suggested moving the entry back to the edge of the property, he had decided based on the traffic engineers’ report that he could support the site. He stated that he would let the traffic engineers and ODOT decide whether the site presented traffic safety issues. He added that all of the sites presented traffic safety issues to one degree or another.

Regarding the concerns area residents had expressed, Vice President Farmer noted that the University of Oregon was currently building a baseball stadium in “[his] back yard.” He understood what it was to have something impact a neighborhood that one could do nothing about. He

underscored that he could not stop the University because it was not his land. He said the boat landing presented an opportunity to do something for the public good and for the best use of the river. He supported the Goodpasture option, but he agreed that the Board should establish a budget when the information was forthcoming.

Commissioner Brown supported moving forward with the Goodpasture site. He also supported the establishment of a budget when the scope of the project was known. He noted that the extent of the change in land use process was not yet known. He said the work to reduce the speed limit had already been initiated.

Commissioner Lanning understood that EWEB could not change the speed limit on the highway but he felt that a reduction in the limit should still be part of the motion. He said EWEB needed to take care of the river and the community that lived by it.

Vice President Farmer asked Commissioner Lanning if he would not support any site unless there was a change in the speed limit on the state highway. He was concerned that FERC would sanction EWEB if EWEB did not respond with a choice and to respond that the choice included a contingency regarding speed limit, something EWEB could not control, might not meet FERC's charge to EWEB.

Commissioner Brown asked if FERC's ultimate goal was to find a win-win solution. He commented that a mandate from one higher governmental agency to another to make a decision that compromised the integrity of the safety of the community members and the water supply just because the agency could do so did not motivate him to comply. He was willing to take the chance.

Mr. Berggren stressed that FERC dealt with "hundreds and hundreds" of these kinds of issues. He could not say that FERC did not have the best interests of the public at heart in the context of their respective charter. He believed that FERC was simply telling EWEB to build a boat landing and do it safely, within a budget EWEB would establish, and within the time set for it.

Vice President Farmer agreed. He thought FERC was directing EWEB to deal with the options and not to throw them back to FERC. He did not believe that FERC cared how EWEB addressed a traffic safety issue; only that EWEB was taking care of the issue in respect to its charge to build a boat landing.

Commissioner Menegat averred that FERC certainly was not concerned about how much the boat landing would cost. He reiterated his concerns regarding the potential for costs to balloon for the Goodpasture site. He was not willing to commit ratepayers to a boat landing/take-out point for upriver use when EWEB had not been directed to do so and was also not able to tell them the cost.

President Simpson asked Commissioner Brown to repeat the motion on the table from the previous meeting.

Commissioner Brown, seconded by Vice President Farmer, moved to direct the General

Manager to direct staff to bring back to the Board information on the feasibility of development of a boat landing at the Goodpasture site and to notify Federal Energy Regulation Commission that the Goodpasture site was the Eugene Water & Electric Board's preferred site and to give the commission a probable timeline for the land use change decision, the acquisition decisions, and the engineering decisions necessary to accomplish construction of a boat landing at this site.

Commissioner Lanning said he could not support the motion without inclusion of language addressing a proposed reduction in the speed limit on Highway 126 through that area.

The motion passed, 3:2; Commissioners Lanning and Menegat voting in opposition.

Commissioner Brown requested that staff keep the Board abreast of actions being taken at the County and State levels to address the speed limit issue.

Vice President Farmer related that he had been contacted by several parties that believed there was some possibility of raising funds from third parties or non-profits to help with this project. He intended to encourage staff to discuss this possibility.

ADJOURNMENT

President Simpson adjourned the Special Board Meeting at 9:10 p.m.

Assistant Secretary

President