



## E. 40th Water Storage Project Q&A from Board Meeting April 6, 2021

**Commissioner Sonya Carlson:** When Commissioners toured the site in March, we were told that, to prepare the site for the construction, trees would need to be removed for both tanks, even if the second tank is not constructed for several years. Is that still correct?

**Project Manager Laura Farthing:** That is correct. We are going to have to remove approximately 25% of the trees on the site early in the process. The reason is that controlled drilling and blasting has been recommended due to the geology of the site. Due to the proximity of the tanks to one another, it is necessary to blast and clear for construction of both tanks at the same time, regardless of which tank is built first.

**Commissioner Sonya Carlson:** So, to construct the first tank, all the trees within the footprint of both tanks have been removed and trees that are in the areas of blasting are not likely to survive. In determining where the tanks would be sited, can you describe some of the work you did to analyze what kinds of trees to save and why the oaks are deemed to be of higher value?

**Project Manager Laura Farthing:** We worked with a local arborist and we did a survey of the type, health, and size of every tree on the site. We also brought in an ecologist to help evaluate the different habitat sites. These outside experts reinforced some of the information that went into the preliminary siting of the tanks in the northeast corner--that the oak trees are a strategy habitat that are prioritized for preservation by the Oregon Department of Fish and Wildlife. These trees are more likely to survive climate change, they are more drought resistant and fire resistant than fir habitat. All habitat has value, but the fact that the oak woodland on the site is deemed of greater conservation need by the state of Oregon constrains where to construct the tanks. We also looked at how to take out the smaller, unhealthy trees. That is why with Alternative 1, we are actually taking out more trees but that includes the smaller, unhealthy trees that have been shaded by the fir trees.

**Commissioner Sonya Carlson:** You also invited neighbors to provide input to the ecological study, in terms of the kinds of animals in the habitat, which went into part of your siting work. Correct?

**Project Manager Laura Farthing:** Correct.

**Commissioner Sonya Carlson:** Removing rock has an impact on climate and neighborhood as well from having trucks run back and forth. What is the difference in truck loads between constructing both tanks at once vs. constructing them a few years apart?

**Project Manager Laura Farthing:** There is a reduction of about 2,000 truckloads by building both tanks now. If we build only one tank now, we will have to over-excavate and backfill a portion of the second

tank to accommodate future construction. By building both tanks concurrently, we reduce that rework which amounts to about 2,000 truckloads of reduction.

**Commissioner Sonya Carlson:** That is an impact to the environment, the roads, and the community because every single one of those big trucks going through there is another disruption to those neighbors.

Getting more into those social impact, how much of a reduction in construction time if both tanks are done at the same time?

**Project Manager Laura Farthing:** We are estimating that it will save about a year's worth of time on the overall construction by doing both tanks now.

**Commissioner Sonya Carlson:** Can you explain the \$1.4 million cost difference between constructing both tanks at once vs constructing them a few years apart?

**General Manager Frank Lawson:** There are a couple primary differences. First, with a period of time in between construction of the tanks, we would have to mobilize and demobilize and then mobilize again and demobilize again; there are a number of different inefficiencies to that. Some of that is included in this cost. And then also the fact that over time, construction costs are increasing at a greater rate than what is discounted back through inflation.

**Project Manager Laura Farthing:** By having the construction company only come to the site once amounts to about a \$275,000 savings per tank if we build them both now. There's also savings of bringing earthwork equipment in and out.

**Commissioner Sonya Carlson:** I would conclude that staff did a good job, a very good job, of figuring out how to consider the ecological impacts, the social impacts, and the cost impacts to arrive at this and it was not something that they did lightly, that they did heavy due diligence and kept us and the public, apprised, along the entire way. And I just want to thank you very much for all that hard work. I think this is a wonderful plan that is well thought out.

**Commissioner John Barofsky:** As you know, this is in my ward, so I have a due diligence to look into this deeply. I have done as much as I can. I have gone to the site. I think I have done five different visits to the site with staff and with community members. I also attended a Southeast Neighborhood presentation on this topic at their general meeting. So, I am fairly familiar with it.

The problem that I am having is the the switch from one tank to two tanks and the public process that went into that. I was just brought on to the Board early in January, and I did familiarize myself with this project before I was a sworn commissioner, but even in those early months the plan was one tank at E. 40<sup>th</sup>, then College Hill, then Hawkins, then another tank at E. 40<sup>th</sup>. And that is what has been presented to the neighbors; that is where the contention came as to the siting of the tanks. I think if we had gone in with the public process early on and said we are building two tanks here we would have probably gotten different public feedback on this because it would not have been switched from putting in tank one and tank two which we heard for months and months to save the oaks. The two tank option came along fairly quickly in my view. I agree there are many very compelling reasons to move forward in that direction. I am concerned about the process and I'm concerned that this is a process that we need to look at and see going forward if we are going to change. As one of the people said earlier, if we are

going to change horses in mid-stream, we need to look at that, because I do not think that's the proper way to do it.

I do believe that this does have merit going forward. I am sorry that it was not presented in this way all along for the last year and a half to two years, because I think what that does is it loses trust with the community that I represent.

One thing that I was very encouraged by was that my predecessor, Dick Helgeson, weighed-in in public testimony and gave his evaluation that this was probably the correct way to go and as somebody who has as much experience as he has, that gives me a lot of confidence in moving forward with the way we are going.

I just want to make sure that moving forward, that we do not have this type of last-minute switch again. Because these are very impactful decisions that we are making, and we need to make them carefully. And I think we did, and I think it was well thought out, but I think that we can learn from this going forward.

**General Manager Frank Lawson:** I certainly appreciate the comments that you make, and I think that when all is said and done, I have to take full responsibility for the switch from one tank to two tanks. There were a few things that drove that. And going back to the original outreach and planning process that we started, it was pretty clear early on that there were certain design elements that were going to have to be made by appropriate engineering staff.

This particular change came about in a couple of ways. First of all, after the fire on the McKenzie and the realization and a renewed interest in accelerating the second water treatment plant, having 15 million gallons of capacity at this site would give us more flexibility as to the sequencing of the remaining base level reservoirs. That was not originally part of the approach, but it was an emerging thing.

The two tanks versus one tank originally started about four months ago, when I mentioned it to the board, and it was truly an evaluation at that point. It was not a pre-ordained decision. It was a different way of looking at it. I thought it warranted TBL kind of analysis and that is what staff provided. If it had not have shown the benefit, we would not be doing two tanks concurrently. But it did.

I do agree with Commissioner Barofsky regarding the communications of that and the approach of that, which falls on my shoulders, is something to adjust and learn from going forward.

**Commissioner John Barofsky:** The Board information packet stated that we would need to get authorization from the state to possibly keep College Hill in operation longer than we had anticipated. If that does not happen, if the state says no, I'm sorry, you need to take this off at the time that we told you to, what is our option at that point?

**Water Operations Manager Karen Kelley:** You might remember that I worked for the Oregon Health Authority Drinking Water Services for about 15 years and managed a number of staff across the state in that capacity. So, I'm very familiar with their operations and with their rule set. And what happens in this situation is they would put us under a bilateral compliance agreement, which is a form of enforcement action whereby we then sign on the dotted line that we will create a new action plan with new dates for compliance of taking College Hill offline. So, what that means is we'd need to tell the public we were out of compliance and sign the agreement with them with some new timelines. I do

agree with Frank that I don't think this is a high risk for us. The state is interested in working with us. We'll continue that good relationship with them, and we will come up with a plan if we find ourselves in that situation.

**Commissioner John Brown:** I understand where everybody's coming from on this, but I for one am grateful that the staff gave us the option of considering one tank or two. I think I would be more remiss if we were sitting here only considering one, and then somebody at this meeting said, well what about two, what are the costs, and it then takes a few more months to do that. I'm glad we had the options. The fact that timeframe was rather short doesn't change the engineering, doesn't change the TBL or anything else. It's just a process. I understand John Barofsky, your concerns, and the way we get better is to learn from our past. And thank you for bringing that up. But I'm grateful that we have these options to consider because I can go back over a decade and say, I wish I would have had this option on a couple other projects. But we didn't. We're learning, we're getting better. We're trying to do the best we can for everybody concerned and so unless I hear something to the contrary, I intend on supporting this record of decision.

**Commissioner Matt McRae:** First, on the report that we were provided--this record of decision report has just remarkable detail for anyone seeking to understand the project scope. The options consider the tradeoffs involved and all the variables evaluated by the project team. It is a remarkable amount of work and reflects just an immense amount of work by the project team and for me, it's very, very valuable.

After multiple site visits and this explanation through this report, I'm comfortable with the decision and I'm confident that the staff decision is the right one. It doesn't mean it's not hard and that there aren't some difficulties that come with it, but I think it's the right one. This project is going to have a huge impact and the concerns of neighbors about the impact of construction in their backyards, is warranted. I'm not looking for proposals right now, but I would like to see staff take some creative efforts to reduce and then offset impacts of three years of construction.

I really hope that we'll do everything we can to mitigate the impacts recognizing that were going to be doing the same thing when it comes to College Hill, working in backyards. So, we need to find solutions that are replicable and equitable. But I do hope that we'll really put some thinking into how we might offset some of this difficult neighborhood disruption.

**President Mindy Schlossberg:** I would just like to add that I am incredibly empathetic to the neighbors that live around there. I know that it's going to be a huge disruption. I know it's probably a hard thing to anticipate what that will look like and on behalf of the entire EWEB customer base I am really empathetic to that and also to the fact that the project did change going from one tank to two. But I also think that sometimes that's what happens in the planning of a project is that some new ideas might come up and I think that this alternative is much better than stretching out the project to be much longer than it actually needs to be. I think that finding efficiencies, while as difficult as it will be, might in the long run just be a better way to go. So, I do feel for the neighbors, but I also support this record of decision and going forward.

**General Manager Frank Lawson:** There's a couple of other things just to mention really quickly. So first of all, I agree with Commissioner McRae's request to really look at the impacts of construction. This is incredibly difficult and challenging, and annoying to neighbors to have a neighborhood for an extended

period of time like this, turned into a construction zone, and we want to be as empathetic and understanding and flexible as we can in that process.

The other thing I would point out which came up in public testimony is we have worked with finance staff on the long-term financial plan and the capital improvement plan that this is definitely something that is within the scope and the affordability of those plans and so, there's no concern from finance staff on the rearranging of tanks and moving some projects around. So, I just wanted to mention that since it came up earlier.

**Commissioner John Barofsky:** I just want to reiterate again that I think our board and, and EWEB in general, takes all of these considerations to heart. As somebody who lives and has a business right near a major construction project (I own a business that was almost adjacent to the new Hayward Field and saw how that impacted myself and my business and my neighbors and I live in the neighborhood), it was something to deal with. And we got through it. We've got a new beautiful stadium and I think that once this is done, the majority of the acreage is going to be available for open space and recreation and we're going to put it back as nice as we can.

The other thing that we also need to consider as a board and as an organization is that the city of Eugene values these types of properties. Anything that's above 600 feet is in the South Hills Study and there's a refinement plan that deals with that. Now we didn't have to deal exactly with all of those things, but as a city we know that these are valuable sites throughout the whole community and need to be treated that way. And I believe that EWEB is doing everything they can to maintain this site in accordance with the South Hills Study and with what the community as a whole feels is appropriate for this type of space.

So, I want to give kudos to staff for doing that and think the plan and what will happen when it's all said and done will be an attribute to the community as far as the drinking resiliency and as far as the amenities that it will provide to the neighbors after it's done. So, I want to say thank you very much to the staff for doing everything they can to know that this is a valuable resource to not only just the community that is adjacent to it but everybody that will benefit from the use of the water throughout the community.

**Commissioner Sonya Carlson:** I just want to reiterate again that I am very, very, sympathetic to the neighbors and what this is going to mean for them. Part of the reason that I want to support this is that I think it will mean a lower impact over the long term for less time and that's really critical too. There's no getting around it--this is going to be a significant impact, and I'm sorry you know for those that live around there.

The other side of it too, is that I think EWEB long term, will be a very good neighbor and that space will remain primarily trees. The rest of that property will be protected, and it won't be developed. That really could be all mowed down and put in with high value housing if we weren't there. And I do again recognize that this is going to be a process, and this is not the last time that we're going to hear from those neighbors. I want to be apprised when things aren't going well there or the impacts you're having, and if you have thoughts on how we could potentially, minimize those impacts.

We talked a little bit about the blasting earlier. That is one thing that we absolutely need to make sure is communicated to the public and how that process will happen, when it will happen so neighbors who

have animals, potentially other conditions, like PTSD. I hope that we're going to be working very closely with that community to make sure that those impacts are known well in advance so that people can plan for them.

People are working at home right now and being home when there's blasting happening in the background will be challenging. So, I don't know when that portion of it starts and I'd like to know more about that. Hopefully, we'll be more out of this situation as that develops. But I know that there's other work to make sure that properties are surveyed before that happens. For those who are still listening that are neighbors impacted in the area, this is not the end of the conversation. This is an ongoing conversation. Please continue to work with us on this. We want to be good neighbors for you, and again staff thank you for the due diligence here.

**General Manager Frank Lawson:** Recognizing there's more decisions and more interaction and more status updates to come, what we're asking for is an endorsement on these particular items, the siting and the sequencing so that we can move forward prudently. So, if you wanted to ask the board to endorse it, via a show of hands and probably a voice as well, just for people who are not visually watching, that would probably be the easiest thing.

**President Mindy Schlossberg:** Okay. So, I'm going to call for an endorsement with the siting and design of the project, but also knowing that this an ongoing conversation that we have more work to do with neighbors in terms of how to mitigate some of the impacts. So, if you support that endorsement, raise your hand and say yes.

**General Manager Frank Lawson:** Just for the record I saw all five hand go up. So, it's on the audio record as well. Thank you, Commissioners. And thanks to staff and thanks to the neighbors as well.

**Commissioner Sonya Carlson:** And I look forward to hearing more updates and we go forward with this project.