

AGENDA ITEM FOR ADMINISTRATIVE MEETING () Discussion only
(X) Action

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Corps Easement

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| <p>Background:</p> <p>The County has been seeking consent since early 2022 from the US Army Corps of Engineer for an easement for placement of a pump station at the existing river intake for the Central Pipeline project. The Corps has incurred additional cost for the application, which has resulted in additional administrative fees for the easement. Additional issues have also arisen that require specialized legal services, and outside counsel is sought for assistance in obtaining the easement. Further surveys have also been required. The additional costs are before the Board for approval.</p> | <p>Requested Action:</p> <p>Authorize payment of administrative fee of \$32,500 to US Army Corps of Engineers, and costs for legal services and surveys</p> |
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ATTACHMENTS: Proposed Order

*****For Internal Use Only*****

Checkoffs:

- () Dept. Heard (copy)
- () Human Resources (copy)
- () Fiscal
- (X) Legal (copy)
- () (Other - List:)

To be notified of Meeting:

Needed at Meeting:

Scheduled for meeting on: January 3, 2024

Action taken:

Follow-up:



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT
PO BOX 2946
PORTLAND, OR 97208-2946

December 6, 2023

Real Estate Division

John Shafer
Commissioner
Umatilla County
216 SE 4th Street
Pendleton, Oregon 97801

Dear Mr. Shafer,

The U.S. Army Corps of Engineers (USACE) has identified additional expenses that will be incurred based on recently discovered facts and circumstances. These expenses are integral to the review and processing of the Umatilla County's Easement request to construct, operate, and maintain a water pump, with an appurtenant pipeline for water supply at the John Day Lock and Dam Project, Umatilla County, Oregon.

USACE completed a scope of work, for these additional items, and has estimated the costs to be **\$32,500.00**. We request payment based on Title 10, U.S. Code § 2695, which authorizes the collection of administrative fees for processing requests to use Government-controlled property. The party who benefits from the transaction shall pay for the associated administrative costs. These costs include, but are not limited to, review and preparation of products such as environmental, cultural and historical assessments, mapping, contract preparation, and compliance.

Enclosed you will find the Administrative Cost and Fee Agreement. Please sign, date and return the agreement to the U.S. Army Corps of Engineers, Portland District, ATTN: Amy Redmond Real Estate Division, P.O. Box 2946, Portland, Oregon 97208 or you may digitally fill out, sign, and return to the email address listed below. Upon receipt of the agreement and payment **made payable to "Finance and Accounting Officer, Portland District"**, we will initiate our review. In the event the transaction cannot be executed, the remaining funds will be refunded. Please note, if the actual administrative costs are greater than the estimate (above), you will be notified in writing and required to pay the additional amount prior to us continuing.

If you have any questions, please contact Amy Redmond, Realty Specialist, at 503-808-4406, or by email Amy.C.Redmond@usace.army.mil.

Sincerely,

Oliver W. King
Chief, Realty Services Branch
Real Estate Contracting Officer

Enclosures