

MINUTES – OREGON SOLUTIONS – FLOOD REDUCTION PROJECT TEAM

Wednesday, June 25, 2007

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CO-CONVENERS:

Mark Labhart
Senator Betsy Johnson

PROJECT TEAM PRESENT: Laren Woolley, Mark Gervasi, Don Hurd, Bub Boquist, Art Riedel, Joy Friebaum, Tom Manning, Wayne Auble, Paul Levesque, Steve Wille, Ken Bierly, Dale Buck, Rudy Fenk, Jon Carnahan, Dick Townsend, Doug Clarke, Mark Trenholm, Kevin Moynahan, Mark Ellsworth, Vickie Goodman, Larry McKinley, Geoff Roach, Bruce Apple, Bob McPheeters, Judy Mammano, Chad Allen and Rick Klumph.

PROJECT TEAM ABSENT: Robert Anderson, Deborah Boone, Wendell Hesseltine, Shawn Reiersgaard, Cathy Tortorici and Rob Rees.

GUESTS: Richard Kirkava, Wendy Yorkshire, Frank Didier, Gus Meyer, Tilda Jones, Carolyn Decker, Tom Jayred, Rick Kneeland, Tracy Johnson, Fritz Graham, Greg Beaman and Joe Happ.

ITEM NO. 1: WELCOME AND INTRODUCTIONS: Convener Labhart called the meeting to order at 1:36 p.m. Everyone around the room introduced themselves.

Convener Labhart said he was pleased to have Senator Johnson here. Convener Johnson apologized that she was not here last time but the Senate President said there was "no way" could she leave.

ITEM NO. 2: MINUTES OF JUNE 27, 2007: The Minutes were not ready for review and signing due to the workload in the Commissioners office. They will be available at the next meeting.

ITEM NO. 3: WRAP-UP DISCUSSION OF GOAL LANGUAGE AND PROJECT EVALUATION: Convener Labhart read the goal and the purpose of Oregon Solutions as well as the footnotes. (See attached) Unless there is some disagreement, he offered that the Project Team should adopt these. Convener Johnson says she likes this one too. There was a question of health and safety. Should social be first? Convener Labhart said they are not in priority order. The Goal Statement was adopted.

ITEM NO. 4: CRITERIA: Convener Labhart read the evaluation criteria. The criteria is to assist the Project Team and work groups in fleshing out various projects. He asked if there were any concerns about the Criteria. There were no objections. The Criteria was adopted as is.

ITEM NO. 5: WORK GROUP REPORTS: Convener Johnson said she sat in on a few of the sub-group meetings to engage in the discussions. She said she was impressed.

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a) IN-STREAM: Rick Klumph reported that projects been taken further conceptually. The group came up with ideas, used the Criteria and spent more time going over ideas. They grouped projects into short and long term.

Short term are ones that seemed fairly straight forward, not much permitting or mitigation issues. Trask Channel hook at the Tillamook River near KTIL, dumps into the Trask. They have suggested putting in a culvert to make a straight shoot. Also putting in a gated spillway at end of Tone Road and an additional gate on the Wilson/Trask spillway down where the ten (10) tidegates are. Dougherty Slough has a permanent structure there currently. There is a Corps designed log jam deteriorating near the Neataka property which should be replaced with a more permanent structure to regulate flows during flood conditions.

Long term projects were the Upper Basin storage; creating reservoirs in the Upper Basins to fill during flood and then emptied later; The Old Trask channel; Wilson River, McKinster levy setback; and Thompson levy connection.

Three (3) projects still pending for discussion by the In-Stream work group are: The Mediated Gravel Agreement – Stream Corridor Management Plan; gravel extraction proposal; and a proposal for ongoing maintenance of various flood management projects.

Convener Johnson thanked Doug Clarke and asked for sketches or drawings to look at. Mr. Klumph said he did not have any at this point. Art Riedel asked what does he mean by long term maintenance? Mr. Klumph said any in-stream work affected by future flooding should have some form of maintenance to deal with it. Convener Johnson talked about how to proceed later, perhaps a repository for proposals in the sub-committees.

b) LAND USE: Dr. Carnahan said at the last meeting his group framed questions to be explored such as: reviewing City and County flood mitigation plans; FEMA to review and strengthen practices for elevation or relocation; what to do from the State's perspective for matching dollars; engage in a community conversation on current and future land use plans; and working with ODOT for long term strategies. The next step would be how to move forward relating to the Cities Flood Mitigation Plan for short and long term solutions. Some may make the list and some may not. There was consensus to work towards increasing the Community Rating System for the County and City, which would decrease flood insurance premiums.

There are land use planning and ordinances in place currently. There was a question of gauging community interest and an overview of existing requirements. At the next meeting they will have a workshop with the City, County and ODOT to see what is

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currently in place. They want full disclosure of what is currently being done, long term plans etc. and the impact on Hwy 101 to inform sub-committee groups and then identify projects.

FEMA was another issue discussed. This sub-committee is taking the commitment to make a difference. They can't eliminate flooding but how do they use the land to reduce the impact of flooding. There is an opportunity for the City and County to be involved to make policy recommendations for long term impact of land use in basin area.

Convener Johnson thanked Dr. Carnahan.

Convener Labhart welcomed Larry McKinley from ODOT and Joe Happ from the Headlight Herald.

Mr. McKinley said he needs to be involved to see if he needs resources or other people to bring to the meetings.

c) USACE FEASIBILITY STUDY: Dale Buck said his group didn't get too far. They need the Corps' involvement. The group met the day before yesterday and discussed dredging in the Bay and mouths of the Rivers. They spent a lot of time on this in the Feasibility Study. Fourteen (14) items floated to the top for flood reduction. Mr. Clarke spent time talking about those fourteen (14) items. Two (2) major ones were Hall Slough with setback levees and reconnect to Wilson River, and the Swale - modified wetlands acquisition. They will meet again the first week in August but need more time. The last three (3) take big amounts of land, are expensive and long term. Mr. Clarke wants to bring in another person or two (2) to the next meeting to work more on those. Mr. Hurd and Mr. Trenholm said they need input.

Convener Johnson welcomed Geoff Roach.

Convener asked if there were any questions for Mr. Buck, and there were none. He then asked Mr. McKinley if there were any proposals impacting ODOT bridges? He replied that yes, Hall Slough, so they need to be brought in also. He also said that the Trask hook would also impact ODOT.

Convener Johnson asked if there were any more questions. There were none.

ITEM NO. 6: NEXT ACTION STEPS: Convener Johnson said she was surprised there were not more questions. She wanted to review the process of how it will be determined what projects come forward. How do they come to the Project Team for prioritization? There is a six (6) month schedule to set the projects. She realizes there is some anxiety amongst people when something isn't being done. She said that Mr.

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Townsend will walk through where we are now, what to anticipate next and where people have the most input to affect projects that will come forward for consideration. There are twenty-nine (29) members who will decide which are adopted. We will then sign a Declaration of Cooperation for those projects to pursue, then we take action to get the money to do them. Get the permits and discharge the work.

Mr. Townsend said the work groups are meeting and still working on the priority projects. They will then come forward to the Project Team with the results. He said, then the real work will start. He recalled that the first meeting started fast and the Team went to the board with a couple dozen projects ideas; everyone put their name on what work they wanted to participate in. This was the base to start from and a way to find out who is interested in different projects. It was then narrowed down to three (3) categories: In-stream, Land Use and the Corps Feasibility Study.

Mr. Townsend said that there was a slight problem that he encountered in that everyone put their names down for very specific projects they were interested in but he hopes that over time those people will join one or more of the three (3) workgroups to balance things out. He sent out e-mails asking to please join any workgroups you like. He felt we are getting there but he was concerned about not receiving input from all different sides. Mr. Townsend said if you are interested in joining a group, the time required would be one (1) or two (2) meetings per month.

Mr. Townsend said that this Oregon Solutions project shows that everyone is centered on their own separate interests, but we need to work as a community. Oregon Solutions is about everyone working cooperatively. Sometimes it feels to him like this is a football game where there are two (2) opposing teams. He said this should not be a win and loose process as it relates to various projects. He used the analogy of building a house. When you build, first you want land, then determine what kind of house. This analogy works for each sub- committee. Next you design the house, get permits, get financing and cooperatively put the house together. That is what Oregon Solutions is about. The process involves everyone around table. The community's success will be determined on how well they partner together.

Convener Johnson asked what were the next steps? Mr. Townsend said the next meeting will be the first part of September which allows the work groups to have at least two (2) more meetings. Then the groups will present their ideas, they will be ranked then there will be a short list that will be developed for projects to be worked on. Then we sign the Declaration of Cooperation which defines what houses will get built and what each person will contribute to the chosen projects. That will be around Thanksgiving. Between now and then we will be sorting out the projects and put a work plan together.

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Convener Johnson said there is one big difference, you don't go to TLC and get money. The money for these projects comes from a lot of sources. Convener Johnson said that Vickie Goodman is uniquely talented in putting together big projects, expensive projects. These will be expensive and we need to get financing from a variety of places. Senators Wyden's and Smith's folks are here for that reason. She, the State Senators and the Representatives help to look at potential sources. They have secured some State assistance. It is not enough, but they will use that as seed money to leverage other funding. Projects that are undertaken, the financing and discharge is going to come from this table. The Team will decide what the projects are, the permits needed, assign responsible folks and get the money it will take to pay for it. We all need to hunt for some money. It will take substantial financial requirements to pull this off. If you don't buy the ticket, you won't win the lottery.

Mr. Trenholm said one of the challenges he sees is looking at a bunch of houses and then to select one (1), two (2) or three. There needs to be a cost benefit approach, weigh projects for their perceived benefit and arrive at a quantifiable benefit to flood impacts. We need to feed the houses into a model and spit out results. We need to find out how much each project mitigates flooding.

Convener Johnson said that the sub-committees need to do a lot of heavy lifting without knowing whether or not their project will be selected. They need to prioritize the projects into short and long term. Convener Labhart said that they need to run alternatives through a computer model to have some idea of how much flood benefit there is relative to the cost of the project. Perhaps half a dozen will be run through that scenario.

Convener Labhart said it is important to him and Convener Johnson that the Project Team have ownership in the projects that end up being in the Oregon Solutions Declaration of Cooperation. The driving force is the sub-committees. They need to present the projects with solid backup information, then the Team will collectively select the projects that will be worked on.

Mr. Townsend said that there are many issues that the Project team will have to grapple with, including set backs, riparian plantings and modeling. The later raises the question during permit applications of showing a "no rise" in flood water, and that it does not adversely affect property. Questions before the Team include: Do you have to do modeling, enter data in computer and spit out a yes or no answer? And as we get further down the line, how do we do the modeling to see that it is not detrimental?

Mr. Manning said that modeling is great. He took information from the last flood which needs to be processed. The Corps is doing some of this. A zero rise certificate can't be calibrated; there is no way to figure out how much velocity etc. there was. They need to

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certify that there is a zero rise. Flexibility in the law allows engineering analysis to have as much value as a model. Engineers can't certify because there no gauges on Tillamook River but they did what they could.

Mr. Clarke and the Department of State Lands will be informing us about permits. Mr. Clark said he is not aware of any updating. He will verify two (2) points, a no rise certificate and what it will cost to do an assessment. What is the level of flood reduction? Does it need to be modeled or was there enough done in the Feasibility Study? It is expensive to run and we will need, at some point, to assess whether funding is required to run these tests before proceeding or can they rely on modeling from the Feasibility Study? His guess is they will need to be run before a final decision is made. It boils down to an engineering judgment; past modeling or new modeling.

Mr. McKinley said that prioritization is beneficial in that process. The work groups need to prioritize because they know their projects better.

Convener Johnson asked if anyone objected to a prioritized list. No one objected.

Mr. Klumph said it would be beneficial to have a short and long term list priority. Convener Labhart said that short term is ten (10) years or less.

Mr. Levesque said there is a debate whether the current model needs to be updated because of floods since it was done. He said the Commissioners have asked to send out a surveyor to do river cross sections with that model because of changes that have occurred. Mr. Clarke raised the question of whether FEMA was updating the model. He will be contacting FEMA to see if they are updating. Convener Johnson asked if FEMA does update would that negate all previous modeling? Mr. Clarke said this is where engineering judgments come in. It becomes complex, there is not a simple solution. He will ask folks to do an assessment and get back to him but his gut feeling is that no, it will not negate. There may need to be some updating in a small area. Mr. Levesque said FEMA owns and operates its own model and uses zero rise certificates to confirm through separate model. Our model is from the Corps of Engineers. Would the FEMA model become available for our use? Convener Johnson said she doesn't want to get into modeling hell. She doesn't want fights between models and who trumps who. Tilda Jones said that it was brought up that FEMA was updating the Corp model and that West Consulting would help. Doug Rosenberg will follow up with Joe Webber.

Mr. Townsend asked who owns the HEC RAZ model? Mr. Clarke said that the Corps and Tillamook County shared the costs of the model and therefore either party had the computer model available to them. It is a numerical representation of the topography of a river where you input different flows and it will analyze to show what the impacts are.

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Mr. Townsend asked if there was a list of experts that know how to run this system. Mr. Clarke replied affirmatively. Convener Johnson said we could pay West Engineering or use grad students for free.

Convener Johnson asked by what criteria would we review projects? Cost benefit is not the only criteria loaded in the context of Corps. Do we want to limit ourselves to cost benefit or put together funding. OWEB has both money and portals of entry into money. The Trust for Public Lands has certain criteria. We should have the Project Team discuss the overall list to see what survives to go to completion. Mr. Bierly said the Criteria already shows how to uniformly evaluate. Compare apples to apples and oranges to oranges.

Convener Labhart reiterated that the sub-committees would meet two (2) more times before the next meeting, then come back to the Project Team prepared to discuss a prioritized list of projects, short and/or long term. The Project Team will evaluate the projects, ask questions for clarification and then the Project Team will prioritize the list. That priority list will then go back to the sub-committees to deal with the highest priorities and they will then put "more meat on the bone" such as whether to model or not, permits, timeframes, etc. The sub-committees will then come back in October and the Team will pick which projects to implement. At the November meeting the Team will sign the Declaration and move ahead.

Mr. Klumph said that when the sub-committees go back to put "more meat on the bone" so to speak, they will then have the ability to pull expertise from the Project Team and then that Team member can bring in more of their people if needed.

Mr. Hurd said he has a criticism of the Feasibility Study in that it is levered to ecosystem issues. Now they are looking at issues with greatest flood reduction. How do we add in that other factor? Convener Labhart said the Criteria then applies. Mr. Hurd said the Goal Statement says "while incorporating environmental ...". Where do we target the money to come from? Ms. Goodman said it is very important to remember how projects were earlier evaluated in the Feasibility Study. The evaluation was towards a particular source of funding which is limited by the Criteria to meet both environmental and flood reduction. If it didn't fall into both then it would probably fall off the list. The Project Team now has the ability to look at any project on a broader base of funding and evaluate the Criteria towards that.

Mr. Wooley asked how the presentations are to be made. Convener Johnson said in the same manner and format as you ask the questions in the Criteria. Mr. Levesque said they should look at things outside the Feasibility Study and put it through different

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criteria. Convener Labhart said that when people get into public service they put on different hats and you have the opportunity to do that here. We have certified smart people and a wide variety of people in this group. You should stick to the Criteria as it was developed.

Convener Johnson said that time is short and everyone needs to get their suggestions into the sub-committees if they want them considered as a project.

Mr. Roach wants to point out that the work gets done at the sub-committee level for short or long term projects, including costs and available funding sources. Once there is commitment, he suggested that we keep the cohesion and advocacy of the group.

Convener Johnson said the Project Team will cast votes; they own and put together the permitting and financing prices. Mr. Fenk asked when we get the money, who does the maintenance? Who is going to be responsible? Convener Johnson said that came up in a sub-committee and became part of Criteria #11, permitting. Make sure it is maintained. There may be other ways to maintain as in a form of tax credit or something like that but don't build and then just walk away, that is irresponsible.

Mr. Beaman asked what "sustainable" means in #11. Convener Johnson said it was part and parcel with what she said to Mr. Fenk. There needs to be some durability, ability to maintain. She said there was an economic cost to maintenance and it needs to be identified where it comes from, who is responsible for it. State government is a prime example of no long term durable funding sources.

Convener invited comments from the public.

Tracy Johnson asked what happens after the Memorandum of Cooperation is done? Modeling does not happen quickly. Mr. Townsend said this is an Oregon Solutions project designated by the Governor and it will remain so as long as he is Governor. The Declaration of Cooperation will be a roadmap of how you get to accomplish your projects. The Declaration gets you to first base then there is more work to be done. The Project Team will continue to meet until the projects are completed. That is the Governor's desire. The process does not stop in November. Once the Memorandum is signed, Mr. Townsend's job is done; however, the Governor wants to make sure that the project is staffed in some way for the duration of the big project. That is also essential for funding sources.

Convener Johnson said this is a unique group and there won't be unanimous thinking around some projects. We will not fix the problem forever, but this will be a good start to some of the flooding issues.

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Mr. Roach said there is lots of good information and action around this table. Everyone has made a long term commitment, front and center and the Declaration will keep the momentum.

ITEM NO. 7: SET FUTURE MEETING DATE(S): The next meeting will be September 12th at 1:30 p.m. at the Library.

Mr. Townsend said that at the September meeting they will begin drafting paragraphs for each person on the Project Team. It will be a description of the agency or entity that the person is representing and what they may be able to offer to the process. It will be the first draft and it will be worked on more in October.

Convener Labhart thanked the City of Tillamook, the hospital, TBHEID, TCCA and the Estuary Partnership for providing funding. They now have Thirty-Five Thousand (\$35,000) Dollars and also thanks to the County. He also thanked Mr. Graham and Mr. Kirkava for being here to day. He said that it is his best hope that we will be at a point in the County where, in many years of working on flood reduction, that we make significant progress to reduce unacceptable flooding and encourage all to stay committed, focused and work on the Project Team to implement these projects.

Convener Johnson said she had nothing to add and adjourned the meeting at 3:15 p.m.

RESPECTFULLY SUBMITTED this ____ day of _____, 2007.

APPROVED BY:

Senator Betsy Johnson

Mark Labhart