

MILTON-FREEWATER LEVEE PROJECT TEAM MINUTES

May 18, 2010

The Milton-Freewater Levee Project Team met Tuesday, May 18, 2010 at 1:00 p.m. in the Albee Room of the Milton-Freewater Library.

The following project team members were present: Senator David Nelson, Project Manager Dick Townsend(Oregon Solutions), Larry Givens(Umatilla County Commissioner), Lewis Key(Mayor, City of Milton-Freewater), Linda Hall(City Manager, City of Milton-Freewater), Cheryl York(M-F Chamber of Commerce), Bill Duke(ODFW), Herb Bessey(U.S. Army Corps of Engineers), Mike Garton(M-F Community Member), Jed Volkman(Umatilla Confederated Tribes), Sarah Branum(BPA), Christine Shirley(DLCD), Stan Heller(U.S. Army Corps of Engineers), John Stephenson(U.S. Fish & Wildlife Service), Brian Wolcott(WWBWC), Vern Rodighiero(MF Water Control District), Manford Anliker(MF Water Control District), and Sam Hopkins-Hubbard(MF Water Control District).

Others in attendance were: Kathleen Cathey(Senator Wyden's Field Rep.), Ed Chesnut(Councilor, City of Milton-Freewater), Greg Graham(U.S. Army Corps of Engineers), Steven Patten(WWBWC), Tracy Schwarz(U.S. Army Corps of Engineers), Jonathan Thompson(Umatilla Confederated Tribes), Jon Brough(Hudson Bay Irrigation District), Melanie Hall(Valley Herald Newspaper), Samantha Tipler(East Oregonian Newspaper), Grant Young(DLCD), Wade Foster(Congressman Walden's Field Rep.), Elizabeth Scheeler(Senator Merkley's Field Rep.), Vicki Lee(MF Water Control District), and Leanne Steadman(City of Milton-Freewater).

Senator David Nelson called the meeting to order at 1:00 p.m. He welcomed everyone to the Milton-Freewater Levee Project Team meeting. Those present introduced themselves. He asked if anyone had any changes to the March 30, 2010 meeting minutes. There were no comments therefore the minutes were approved as submitted.

Senator Nelson turned the meeting over to Herb Bessey who gave a brief presentation on preliminary findings from the inspection of the levee completed by Anderson Perry on March 30th and 31st, 2010.

Herb reviewed the history of the unacceptable rating for the levee. The levee had received an unacceptable rating December, 4, 2006 and a one year extension was granted May 11, 2007. Progress to repair the project was deemed unacceptable by the Corps February 22, 2008. The most recent levee inspection was performed by Anderson Perry on March 30th and 31st and funded under the stimulus act. The Corps of Engineers has received the draft inspection report and public copies would be available following their internal review. Herb explained that following the inspection maintenance of the levee was still deemed unacceptable. The levee has been separated into four hydro- logically separate "systems". Each system was identified by a description of the location of where it began and ended on the levee. The preliminary project deficiencies were listed as: vegetation rated unacceptable; culverts are plugged and/or inoperable; Nursery Bridge drop structure is damaged with signs of a hole in the concrete stilling

basin floor; riprap and backfill is gone below end sill; channel down cutting below Nursery Bridge; channel down cutting near Couse Creek Bridge; overall riprap toe depths less than 3 feet; and there is missing riprap along Marie Dorian Park retaining wall. The presentation was concluded with some current pictures of the levee.

There was discussion on what the procedure would be for considering this project under federal emergency guidelines. Linda Hall and Larry Givens explained their respective entities Emergency Action Plans to the group.

Linda Hall inquired about the levee deficiencies being separated into separate “systems” and if this had been done in other cities or counties. Herb said “systems” have been evaluated separately on other projects. He felt FEMA would agree to separate the project into systems that could be repaired and accredited in phases.

Tracy Schwarz announced this had been done in Region X, under whose jurisdiction this project was. Those locations included Pocatello, Idaho, Jefferson County, Whitman County and on the Palouse River.

Stan Heller felt if one of the systems were to get reaccredited and placed back into the Corps rehabilitation program that would help satisfy FEMA’s requirements.

Greg Graham, Civil Engineer and Chief of the Planning Branch of the Corps of Engineers offered some of the rehabilitation options from their perspective. He felt the levee problems have changed from a year ago. The preliminary inspection results indicate there has been significant degradation of the channel and the resulting down-cutting of the channel bottom is not the result of maintenance deficiencies alone. He mentioned computer modeling as one possible avenue to understanding the cause and effect of what was happening in the channel. Mr. Graham explained the Corps was in the process of completing a fish passage project at the Nursery Street drop structure, under the Section 1135 program (Project Modifications for Improvement of the Environment). There is a finite amount of funds available for the 1135 projects. He reported the last remaining feature of the project was to construct a series of in-stream grade control structures along approximately 1,000 feet of the channel below the drop structure. He cautioned the group that the current design may not compliment a long term fix to the downcutting. The Corps of Engineers has received a letter from the Hudson Bay Irrigation District stating their willingness to become the new sponsor of the grade control structure below the Nursery Street Bridge. Once an agreement between the Corps and the District has been reached, then the construction of the grade control can be initiated, which was projected to be completed in the fall of 2011. The primary objective of this project is to provide effective fish passage.

Manford Anliker voiced his concern that the short term and long term fixes needed to work together so as to not duplicate some of the short term fixes that had already been done.

Senator Nelson inquired where the 1135 funding came from. Greg Graham replied 75% was federal and 25% was non-federal.

Stan Heller announced that Bonneville Power Administration and the Umatilla Confederated Tribes were working towards an agreement to provide the cost share of the 25% of non-federal funding.

Chris Shirley felt it was imperative for the WCB to familiarize themselves with CFR 65.10, which lays out the requirements to obtain FEMA accreditation of the levee.

Brian Wolcott expressed his concern with the concrete structure and felt that it should be fixed and repaired as part of the 1135 project. There was a point of clarification, the concrete drop structure was originally built by the Corp of Engineers.

Jed Volkman stated in light of the recent inspection, the Tribes would be proceeding with caution. He felt the project needed to have another look and be given serious consideration on whether the Tribes would be involved with any of the funding.

Greg Graham said it was perfectly clear to him that there needs to be continued discussion regarding this project and he would continue to work together with other agencies to come to a resolution.

Kathleen Cathey asked if the inspection report would include all the deficiencies along with the agency that is responsible for each one. Herb Bessey explained the report was not laid out that way.

Greg Graham explained the Corps long-term assistance option. This would be authorized under Section 216 of the Flood Control Act. It provides the Corps with authority to review the operations of completed projects, when the project was found advisable due to changed physical, economic, or environmental conditions. He explained the process began with a letter of request from a local agency (the Corps of Engineers offered to help draft the letter). Once a letter was received, the Corps would conduct an appraisal assessment using Operation and Maintenance funding to conduct a General Investigation study. The General Investigation study is conducted in two phases: Reconnaissance and Feasibility. He then listed what each study would entail along with how they would be funded and what the cost share percentage was for each one.

The Water Control Board and Corps of Engineers agreed to work together to form a letter of request to start the process of the 216 study with the Corps.

Mike Garton asked if the inspection report would include the cost for repairs, which could help determine the amount for a bond measure. Greg Graham confirmed there would be no costs included in the report but felt he could give a close estimate of the design costs, but not the construction cost.

Larry Givens inquired if the Water Resource Development Act (WRDA) could help with some of the cost share funding required with regard to the Reconnaissance and Feasibility study.

Greg Graham explained that the Corps also offered interim assistance under Public Law 84-99 Advance Measures. This was described as emergency assistance to protect against loss of life and damages to urban and/or public facilities prior to an imminent threat. The Corps would also

provide flood fighting assistance under a declared emergency after County and State resources have been exhausted.

There was discussion of what constituted an imminent threat.

Sarah Branum asked if the inspection report would be prioritized by project of what needed to be addressed first. Greg Graham said part of the problem was that not all the levee could be inspected due to visibility problems.

Brian Wolcott suggested coming up with a comparison of what it would cost to complete the Corps 216 process, along with the matching funds requirement for the design and construction, verses the District doing the work themselves. For a bond measure, the WCD Board will have to hire an engineer to develop these cost estimates.

A discussion then ensued regarding having the deficiencies broken out into separate systems and having a cost of repair for each one. Concern was expressed about the importance of coming up with an exact cost of the project for a bond measure to go before the votes in November 2010.

The WCB will move forward with contracting with Anderson Perry to get cost figures once the inspection report has been received from the Corp of Engineers.

Linda Hall announced that the WCB applied for and received a \$5,000 grant from the Water Resource Department.

Kathleen Cathey and Elizabeth Scheeler reported they were exploring the opportunity of funding through the Water Resource Development Act 2010. Linda Hall completed the application that had a deadline of May 7, 2010.

Wade Foster gave a brief overview of some current bills in congress right now. The proposed bills would delay the flood insurance rate for either 3, 5, or 7 years along with another proposed bill delaying the adoption of the floodplain map. He will keep the project team updated as information unfolds.

Linda Hall expressed her gratitude for Wade Foster's help with FEMA.

John Stephenson will organize a meeting with interested agencies to discuss acceptable vegetation removal on the levee.

Herb Bessey announced there would be an "out brief" meeting with the Corps, Anderson Perry and WCB before the inspection report was released.

Chris Shirley suggested getting the EPA involved up front so they are familiar with the project as it progresses.

Manford Anliker representing the WCB reported they were still working on removal of vegetation. They will proceed with contracting with Anderson Perry, who is their engineer of record, and get actual costs of repairs for a bond measure. The flap grates will be addressed once the water level lowers in the river. As mentioned earlier, the WCB will work with John Stephenson on the amount of vegetation that can be removed on the levee.

Linda Hall reported on FEMA's letter to the City of Milton-Freewater of the final determination that stated that Milton-Freewater did not submit an appeal. September 3, 2010 is the date that the City must have a floodplain ordinance adopted in order to participate in the National Flood Insurance Program. The City of Milton-Freewater is working hard trying to inform all citizens about the flood insurance and preferred rate program. On May 13th the city set up a training session for local bankers, realtors and insurance agents. There will also be training on July 15, 16 and 17th for citizens to find out about insurance and get insurance quotes. The training will be held at the Community Building.

Sarah Branum inquired why the city had to adopt the floodplain maps. Linda Hall reviewed all the ramifications of what would happen if the floodplain ordinance was not adopted which included that all Federal funding, grant funding, new home loans and new construction would cease.

Chris Shirley reported the city can work with Steve Lucker of DLCD regarding map modifications. The risk map can show better terrain data and includes Lidar.

Larry Givens is the chairman for DOGAMI and said he would be willing to entertain partners to help fund for Columbia Basin flights and then entities can purchase the maps.

Dick Townsend reminded the project team to fill out the "in-kind" contribution forms and turn them into Brian Wolcott. He asked if the mission statement for the project team was still accurate. The team agreed it was and will remain: "To provide dependable and sustainable flood reduction in an environmentally and economically sound manner".

Senator Nelson felt there was very good progress with the project and announced the next Oregon Solutions meeting has been scheduled for Wednesday, June 30, 2010 at 1:00 p.m. in the Albee Room of the Milton-Freewater Library.

There being no other business, Senator Nelson adjourned the meeting at 4:05 p.m.

Previous team meeting dates;
September 14, 2009
October 20, 2009
December 8, 2009
January 26, 2010
March 30, 2010