

# Columbia River Levee Repair and Accreditation Project

## Oregon Solutions Meeting Notes

(Online at <http://orsolutions.org/osproject/MCDD>)

July 1, 2014 – Smith Memorial Student Union  
Portland State University

Oregon Solutions Project Team members in attendance:

Participant	Organization
Dean Marriott	Portland Department of Environmental Services
Karen Kane	Bridgeton Neighborhood Association
Dave Ratte	Federal Emergency Management Agency
Melinda Butterfield	Oregon Department of State Lands
Tim Warren	Multnomah County Drainage District Board
Reed Wagner	Multnomah County Drainage District
Mark Wigginton	Peninsula Drainage District #1 Board
Dick Shafer	Peninsula Drainage District #2 Board
Phil Ralston	Port of Portland
Jackie Dingfelder	Office of Portland Mayor Charlie Hales
Kimberly Tallant	Portland Bureau of Development Services
Mike Abbate	Portland Bureau of Parks and Recreation
Jane Van Dyke	Columbia Slough Watershed Council
Scott Robinson	Metro Regional Government
Christine Svetkovich	Oregon Department of Environmental Quality
Christine Shirley	State of Oregon – NFIP Coordinator
Bobby Lee	Oregon Governor’s Office
Kevin Brice	U.S. Army Corps of Engineers – Portland District
John Tydlaska	Multnomah County Economic Development
Corky Collier	Columbia Corridor Association
Bob Sallinger	Audubon Society of Portland

Interested parties from governmental, commercial, environmental and neighborhood organizations also attended the meeting. Those attendees included:

Attendee	Organization
John Donovan	Metropolitan Group
Kelly Sherbo	Multnomah County Drainage District
Sharon Matlock	Pacific Power
Scott Van Hoff	FEMA
Nils Tillstrom	Portland Office of Government Relations
Joe McCray	Sauvie Island Drainage Improvement District
Ryan Kilgen	Tetra Tech
Janet Hillock	Business OR Infrastructure Finance Authority
Jonas Biery	City of Portland
Ashley Stapleton	Metropolitan Group
Christine Lewis	Office of Multnomah County Commissioner Bailey
Mindy Brooks	Portland Bureau of Development Services
Hillary Barbour	Office of U.S. Representative Blumenauer
Andee Short	Office of Oregon Representative Kotek
Casey Short	Multnomah County Drainage District
Mark Landauer	Multnomah County Drainage District
Sunny Simpkins	Multnomah County Drainage District
Hong Huynh	Miller Nash Attorneys
Nancy Hendrickson	Portland Bureau of Environmental Services
Karen Stewart	CenturyLink
Sallie Edmunds	City of Portland
Kelly Hossaini	Miller Nash Attorneys
Tim Couch	Sauvie Island Drainage Improvement District
Marc Siegel	Office of U.S. Senator Jeff Merkley
Dick Springer	West Mult. Soil & Water Conservation District
Julia Babcock	Oregon Solutions
Angela Carkner	Multnomah County Drainage District
Kayla Mullis	Multnomah County Drainage District
Ron Delp	Oregon Solutions
Eric (Rick) Mogren	PSU - Center for Public Service
Steve Greenwood	Oregon Solutions
Shane Cline	HDR Engine
Walter Valenta	Bridgeton Neighborhood Association
Byron Waltersdorf	Multnomah County Drainage District
Jason McBain	U.S> Army Corps of Engineers
David Peters	Portland Water Bureau
Mike Meyer	Cornforth Consultants
Allison Boyd	Multnomah County
Casey Filice	Multnomah County
Sara Morrissey	Multnomah County Drainage District
Steve Fancher	City of Gresham
Tanja Miljevic	TMT Development
Skip Klarquist	Sauvie Island Drainage Improvement District

## **Welcome & Summary of Last Meeting**

Portland Mayor Charlie Hales opened the meeting with an announcement that MCDD project manager Kayla Mullis would be leaving to go to graduate school at the University of Texas and thanked her for all of her work on this project. The new MCDD Project Manager, Sara Morrissey, was welcomed as her replacement.

Mayor Hales asked for reflections on the May panel discussion. It was announced that the City of Reedsport provided a viewing of the panel discussion during a recent planning commission meeting (see full video on Oregon Solutions website).

MCDD Director Reed Wagner reported that the federal Water Resources Development Act (WRDA) passed into law on June 10<sup>th</sup> (Public Law 113-121) and that the District is anticipating clarification on how the law impacts FEMA and U.S. Army Corps of Engineers programs.

## **Update on IGA for IFA Loan**

Portland City Council unanimously supported an ordinance for the Intergovernmental Agreement for a \$1.4 million Infrastructure Finance Authority loan to complete the engineering evaluation of the flood control systems in PEN 1 and PEN 2. Jonas Biery from the City's Office of Management and Finance and Eric Shaffner of the City Attorney's office were praised for their contribution to a quick turnaround on preparing the ordinance. The Agreement also codifies MCDD management of the project. Oregon Regional Solutions Coordinator Bobby Lee stated that the levee project loan constituted a new use for an IFA loan, and thanked Janet Hillock from IFA for her work to get approval for its use.

## **Report from the Governance Committee – A proposed interim governance structure**

MCDD Program Manager Sunny Simpkins announced agreement had been reached by attorneys for all the major jurisdictions on the general legal framework and context for the levee project. The agreed framework was included in the draft Declaration of Cooperation on interim governance that was sent to all Oregon Solutions team members.

A separate policy-level group has been working to develop the draft Declaration of Cooperation to provide an interim governance structure for implementing project goals over the next eighteen-month period. Oregon Solutions Project Manager Steve Greenwood commented that the Committee has made great progress toward defining issues and making sure the governance structure is both inclusive and workable.

The draft DoC proposes that decisions about the engineering and design alternatives be made by a Management Team made up of representatives from each jurisdiction, to make decisions on based on a consensus of the specific jurisdiction having legal authority or direct financial investment in a particular decision. Management Team decisions are

subject to approval by the specific jurisdiction having authority for financial, planning, or repair decisions.

The DoC puts an emphasis on outreach to business and community stakeholders and utilizing the Oregon Solutions project team as an ongoing vehicle for vetting critical decisions.

The proposed governance structure begins to expand the scope of the process beyond PEN 1 and PEN 2 by bringing in other impacted jurisdictions who may be affected by precedents set in those two districts.

During the discussion a number of suggestions and comments were offered for the committee to consider as it refines the draft Declaration of Cooperation, including:

- a) What is the delegated authority of the representatives on the Management Team; i.e. will they have the authority to make decisions in the group setting on behalf of their jurisdiction?
- b) What happens if there is no consensus within the Management Team, or if the implementing jurisdiction does not follow the consensus?
- c) How do we ensure inclusion of community, business and environmental groups in committees and deliberations?
- d) Should there be a specific look at utilities who face potential encroachment mitigation in order to get levee certification?
- e) Does the Declaration appropriately include consideration of the impacts of climate change?
- f) Shouldn't there be specific recommendation that the Oregon Solutions project team continue as part of the overall governance structure?

The Oregon Solutions project team gave its approval for testing the Management Team approach informally with several decisions that will need to be made prior to the next Oregon Solutions team meeting in September.

### **Update – State Legislative Proposals**

Business Oregon will hold a meeting August 6<sup>th</sup> to address State financial assistance issues around urban vs. rural participation and may provide an opportunity to request additional IFA funding statewide. IFA and Oregon Water Resources Department have been working on a potential Legislative Concept, but there is currently no designated lead at the State level.

FEMA recently announced a pre-disaster grant fund to include levee, dike and dam work with States as the main applicant and local jurisdictions as sub-applicants to a maximum of \$3 million. The grants cover hazard mitigation planning, soil stabilization, and property acquisition and demolition.

Provisions in the recently signed Water Resources Development Act (WRDA) directed the Army Corps of Engineers to reevaluate its vegetation policy to include consideration of natural resources enhancement values. The law also streamlined the Corps' permitting process for environmental review and authorized flood protection projects. WRDA's effects on the Columbia River project remains unclear.

### **Update – Engineering Evaluation**

Mike Meyer of Cornforth Consultants provided an update of the engineering evaluation (see slideshow on Oregon Solutions website). Drilling core samples for PEN 1 and PEN 2 are nearly complete. Access to drilling directly into the railroad roadbeds that make up the western levee for PEN 1 remains an issue. Failure of the BNSF roadbed/levee resulted in the 1948 Vanport flood and the materials used for its repair are of uncertain quality. MCDD contracted with Group Mackenzie to develop an encroachment review to determine how developments in overbuilds compare with the original, as-built levee structures. Some encroachments, such as bike paths and access roads, are often acceptable. Information from the evaluation and review will be shared with the Corps. There was a suggestion that the Technical Advisory Committee include representatives of effected utilities.

### **Next Steps**

As the pace of the project accelerates, Project Team members requested relevant updates for stakeholders before the next scheduled meeting on September 26<sup>th</sup>. Planning is under way for possible on-site visits in conjunction with the engineering evaluation summary report. There will also be an update of proposed legislation for the next legislative session.