Columbia River Levee Repair and Accreditation Project

**Oregon Solutions Team Technical Advisory Committee**

**(OST-TAC)**

Purpose, Protocols, and Structure

1. **Background**

The U.S. Army Corps of Engineers (Corps) certification of the levees in Multnomah County Drainage Districts (MCDD) Peninsula #1 and Peninsula #2 expired in August 2013.  The loss of the Corps certification risks the loss of levee accreditation under the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program.  The MCDD estimates the potential cost of repairs to meet current standards at between $100 million and $200 million.

The Oregon Solutions Team (OST) was established in December 2013 to address these levee certification and accreditation issues. The OST consists of stakeholders affected by the potential loss of FEMA accreditation. Co-chaired by Portland Mayor Charlie Hales and Multnomah County Commissioner Jules Bailey, the OST meets to identify collaborative solutions for property owners and interested parties within the affected drainage districts. The OST’s objectives are to:

* Identify, fund, and implement necessary improvements to the Peninsula 1 and Peninsula 2 levees to meet Corps certification and FEMA accreditation standards.
* Achieve FEMA accreditation on a timeline and in a manner that will prevent the area from being designated on the City’s FEMA Flood Insurance Rate Map as a “Significant Flood Hazard Area.”
* Create transparency in the process so that residents and property owners are kept informed and are provided with opportunities for input and involvement.
* Meet US Army Corps of Engineers standards to stay in the Corps’ Rehabilitation and Inspection Program (RIP).

The OST will soon be faced with decisions regarding appropriate courses of action to take and how costs for those actions should be allocated. The OST established the Technical Advisory Committee (TAC) to provide technical assessments and recommendations in support of OST decision making.

1. **Purpose**

The purpose of the Technical Advisory Committee is to provide technical analysis and recommendations to the OST. It is not the role of the TAC to make decisions. Technical Advisory Committee assists the OST by performing the following functions:

* Review and assess technical documents
* Evaluate cost assessments
* Evaluate alternative courses of action as identified by the OST
* Provide technical recommendations to the OST
* Share information
* Vet technical information within each members’ parent organization
* Educate stakeholders

1. **Operating Protocols**

The members of the Technical Advisory Committee agree to abide by the following protocols:

* 1. Consensus. We recognize that our role is to provide technical analysis and recommendations to support OST decision making. We will strive to present consensus recommendations.
     1. By “consensus,” we mean affirmative agreement or no objections by members whose organizations are affected by the issue at hand. Where consensus cannot be reached, we will present recommendations on a majority report / minority report basis.
     2. By “affected,” we mean an organization that has statutory or contractual jurisdiction or is expected to be a financial contributor to the action under consideration.
  2. Presumption of good faith. We recognize that many of the issues the TAC will be asked to address will impact a variety of parties and will be controversial. Despite the best efforts of the OST and TAC to the contrary, misinformation and misunderstandings will likely occur. When presented with such circumstances within our organizations or by outside parties, we will assume our fellow TAC members are operating in good faith and will work constructively to resolve.
  3. Transparency. We understand the high degree of interest by local residents, business owners, and government and non-government organizations in the work being done by the TAC and OST.
     1. We therefore agree that meetings of the TAC be open to interested parties, and that meeting agendas, notes, and other materials will be posted to the OST website.
     2. The TAC will consider private-sector and neighborhood perspectives in developing its recommendations.
  4. Respect for jurisdictional prerogatives. We recognize that some issues will reside within the jurisdictional authority of a government agency, and that our recommendations cannot supersede those authorities. In these cases, we will work with the agency and seek to develop recommendations consistent with those authorities and acceptable to the agency.
     1. Because actions related to this project are likely to have precedent-setting impacts on other nearby jurisdictions (outside the Pen 1 and Pen 2 Districts), those other jurisdictions will be invited to participate in TAC discussions.
  5. OST criteria for selection of remediation alternatives. The TAC agrees to be guided by criteria adopted by the OST for the evaluation of alternatives and development of recommendations unless sound technical reasons exist to do otherwise. The OST decision criteria are stated as follows:[[1]](#footnote-1)

“We will attempt to balance the varied community goals including flood protection, ecosystem values, recreation, and economic stability. We will also take into consideration impacts from variables such as climate change and the Columbia River Treaty. Decisions regarding the preferred remediation alternatives will be based upon the following criteria:

* + 1. Ability to protect against a 1% flood (i.e. a one-in-100-year flood). Design and cost to protect against a .5% flood (i.e. one-in-200-years) shall also be evaluated.
    2. Cost effectiveness
    3. Impacts to surrounding property owners
    4. Support of environmental/wildlife values
    5. Potential for broader community benefits such as recreation, transportation”
  1. Meeting attendance. We agree to attend or have a designated alternate attend all meetings where our organizational interests are affected by the topics to be discussed.
  2. Staffing of subcommittees. We agree to provide personnel with the requisite experience and expertise to those subcommittees addressing issues of interest to our parent organizations for the duration of the subcommittees work.

1. **Structure**
   1. Leadership. Interim TAC leadership shall be provided by steering committee consisting of four TAC members.
      1. The steering committee will serve on an interim basis until the TAC decides on a permanent leadership structure.
      2. The role of the steering committee is to develop TAC meeting agendas, recommend priorities for the accomplishment of TAC work, and serve as a liaison with the OST.
   2. Facilitation and staff support. The TAC and steering committee will be supported by a facilitation team provided by the Center for Public Service and Oregon Solutions. The facilitation team will provide facilitation and staff support services to the steering committee, TAC, and designated subcommittees as needed.
   3. TAC membership. TAC members and alternates will be formally designated by the participating organizations. TAC members shall either possess the technical expertise or have access within their organizations to individuals with the expertise needed to conduct the work of the TAC.
   4. The TAC will seek input from and report back to the Oregon Solutions Project Team on a regular basis.
   5. The TAC may establish subcommittees as needed to carry out the work of the committee. Subcommittee members shall be selected based on technical competence in the issue for which the subcommittee was formed. The TAC may invite non-TAC parties that have an interest in the work of the subcommittee or who possess needed expertise not otherwise available to the TAC.
   6. To assist in meeting the OST objective of public transparency, TAC meeting agendas, notes, and other materials shall be posted on the Oregon Solutions website at <http://orsolutions.org/osproject/MCDD>.

1. As stated in the *Columbia River Levee Repair and Accreditation Interim Guidance: Declaration of Cooperation* dated June 25, 2014. See paragraph II.d. [↑](#footnote-ref-1)