

# Washington D.C. Summary

## *Multnomah County Drainage District No. 1*

**April 22<sup>nd</sup> - 24<sup>th</sup>, 2015**

### Wednesday, April 22<sup>nd</sup>

- 10:00 am      **Hearing: Review of the President’s Fiscal Year 2016 Budget Request for the United States Army Corps of Engineers and Tennessee Valley Authority**  
House Transportation & Infrastructure Committee  
Subcommittee on Water Resources and Environment  
Speaker: Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works)  
2167 Rayburn House Office Building  
*Hearing Highlights:*
- *Congress is frustrated by the USACE at this time – they do not feel like they are correctly implementing WRRDA. This frustration was evident at the hearing, especially by Congressman DeFazio. Many members of Congress also asked the USACE for updates on projects within their districts.*
  - *Congress is frustrated that the budget request is \$750 million less than last year’s request.*
  - *The budget provides \$44 million for a comprehensive levee safety initiative that will help ensure all Federal levees are safe and in line with FEMA standards – it is unclear what this budget item means for MCDD.*
- 1:00 pm      Travel from Hearing to Capitol for Pre-Meet with Manatt
- 1:45 pm      **Carolyn Scully, Legislative Fellow**  
**Congressman Earl Blumenauer (D-OR-3)**  
1111 Longworth House Office Building 202-225-4811  
*Meeting Highlights:*
- *Met Carolyn and briefly described the Drainage Districts portfolio and upcoming challenges;*
  - *Interested to know if FEMA’s new Federal Flood Risk Management Standard (FFRMS) would impact the project; Blumenauer supports the new standard.*
  - *Congressman sits on the Ways & Means Committee.*
  - *The Districts’ federal advocate is following up with Blumenauer’s Legislative Director, David Skillman, and MCDD staff are following up with Tara Sultzen, the Oregon infrastructure field representative.*
- 3:00 pm      **Russ Kelley, Legislative Director and Counsel**  
**Office of Congresswoman Suzanne Bonamici (D-OR-1)**  
439 Cannon House Office Building, 202-225-0855  
*Meeting Highlights:*

- *Familiar with levee certification / accreditation issues within the Congresswoman's District including: Warrenton, Scappoose, Sauvie Island, and Rainier.*
- *Pleased to hear that the Drainage Districts' are sharing project information with other Oregon communities on levee issues.*
- *Mr. Kelley offered the office's assistance and support moving forward.*

6:30 pm

**Dinner with Tab Brown, Chief of Planning & Policy  
USACE Headquarters**

*Dinner Highlights:*

- *Mr. Brown encouraged staff to work closely with the USACE Portland District when putting together the New Start Feasibility Study proposal. He encouraged staff to use a descriptive narrative that includes quantifiable and qualitative elements to describe the project. Additionally, he encouraged staff to ensure this narrative element is included in the submittal's budget justification sheets.*
- *Mr. Brown provided USACE NW Division staff contacts that should be briefed on the proposed feasibility study and meet MCDD staff.*

**Thursday, April 23rd**

9:00 am

**Good Morning Oregon – Coffee with Senator Merkley**

313 Hart Senate Office Building 202-224-3753

*Reception Highlights:*

- *Met Senator Merkley and briefly described the Drainage Districts' portfolio and upcoming challenges.*
- *Senator Merkley sits on the Committee on Environment and Public Works and has a direct tie to the issue.*

10:00 am

**Sharon Haggett (Majority) and Mark Mendenhall (Minority), Professional Staff  
Senate Energy & Water Appropriations Subcommittee**

125 Hart Senate Office Building, 202-224-7260

*Meeting Highlights:*

- *Both Ms. Haggett and Mr. Mendenhall are new to the committee and both are on loan from the USACE.*
- *Mr. Mendenhall had visited Portland and was familiar with the USACE NW Division.*
- *Ms. Haggett shared insight into the process for appropriations and challenges in the midst of shrinking federal budgets, and suggested that working within an available and existing USACE authorization is the ideal way to proceed. She was glad to hear MCDD had the appropriate authorization to initiate the Section 216.*
- *Ms. Haggett shared that she believed the project would be classified as a New Start Feasibility Study as well as New Start Construction project because it would be a new investment in the system and much has changed within the Drainage Districts since the flood control system was built in the 1930s - 1950s.*

- *Ms. Haggett suggested MCDD start conversations with the USACE Portland District regarding funding needs for FY17. She recommended working closely with the District to develop strong language for the project narrative as well as the budget justification sheets.*

10:30 am Travel from Hart Senate Office Building to Rayburn House Office Building

11:30 am **Zach Stokes, Legislative Assistant**  
**Office of Rep. Kurt Schrader (D-OR-05)**  
 2431 Rayburn House Office Building, 202-225-5711

*Meeting Highlights:*

- *Briefed Mr. Stokes on Drainage District portfolio and current governance, regulatory challenges.*
- *Congressman Schrader sits on the Committee on Energy and Commerce that has a broad jurisdiction.*
- *The Congressman has cities / counties in his District that are dealing with certification / accreditation issues including Tillamook County.*
- *Mr. Stokes wants to connect MCDD with the new Oregon field representative who is handling infrastructure issues. MCDD's federal advocate is following up on this request.*

11:30 am Travel from Rayburn House Office Building to Hart Senate Office Building

1:00 pm **BJ Westlund, Legislative Correspondent**  
**Office of Senator Jeff Merkley (D-OR)**  
 313 Hart Senate Office Building, 202-224-3753

*Meeting Highlights:*

- *Briefed Mr. Westlund on the Drainage Districts' portfolio and current governance, regulatory challenges.*
- *Mr. Westlund was very enthusiastic about infrastructure and will be a good partner to work with for appropriations (Energy & Water subcommittee) as well as authorizations (EPW).*
- *Mr. Westlund works very closely with Kevin Brice at the Corps and Kevin raised this project during a February meeting with Mr. Westlund.*
- *Mr. Westlund offered the office's assistance and support moving forward. This is very good as Senator Merkley is well positioned to move USACE requests forward.*

1:30 pm Travel from Hart Senate Office Building to Ford House Office Building

2:00 pm **Ryan Seiger, Staff Director**  
**House Transportation & Infrastructure Committee**  
**Water Resources and Environment Subcommittee**  
 508 Ford House Office Building, 202-225-4360

*Meeting Highlights:*

- *Mr. Seiger staffs the Committee that Congressman DeFazio sits on and is very interested in the project.*
- *Mr. Seiger is familiar with the project and request. He requested to stay informed about the Drainage Districts' process with acquiring a New Start Feasibility study.*
- *He provided insight on the current appropriations climate for flood control infrastructure projects and how USACE studies are initiated and authorized.*
- *He also requested that MCDD flag any issue that may result from being in the appendix of the Section 7001 report as Congress was not pleased with the USACE's performance on assembling this report.*
- *Mr. Seiger also suggested that MCDD consider exploring Section 203 to receive credit to advance the feasibility study in a timeline that would allow it to be included in the next WRRDA. Coos Bay may engage in a Section 203 for a dredging project – keep an eye on their process.*
- *He agreed to stay engaged with the Drainage Districts' as discussions on the need for federal appropriations progress.*

2:30 pm Travel from Ford House Office Building to Corps of Engineers (USACE)

3:15 pm **Steven Kopecky, Civil Deputy Northwestern Division Regional Integration Team (NWD RIT)**  
**Mark Kramer, NWD RIT, Planner**  
**US Army Corps of Engineers**  
 441 G Street, NW  
*Meeting Highlights:*

- *Described the Drainage Districts' regulatory challenges and positive working relationship with USACE Portland District.*
- *Section 216 – Mr. Kopecky was glad to hear we already had the authorization for a Section 216 and they encouraged MCDD staff to work with Portland District staff in developing the narrative for the Section 216.*
- *New Start Feasibility Study – conveyed that while these are not impossible, they are hard to acquire in the current political climate. Staff said that we were doing a good job doing our due diligence and meeting with our congressional delegation ahead of time because New Starts can be added to workplans but this needs a lot of coordination with congressional staff.*
- *PEN 1 Railroad Embankment – the situation regarding the railroad embankment in PEN 1 was shared with staff. Mr. Kramer shared that this had happened in other Districts around the U.S. and offered to provide additional information of where this has occurred. Sometimes the solution is to abandon the embankment and build a parallel flood control structure near the existing embankment while other times political pressure is successful in having the railroads to sign easements and operation and maintenance agreements. Both are long processes.*
- *Columbia River Treaty – Mr. Kopecky did not have any updates regarding the treaty. They felt this would be more of a discussion of funding contracts*

*between the US and Canada than a large variation of river levels. A flood risk study associated with the CRT would require a local sponsor but no one has yet stepped up to lead this sponsorship.*

- *408 Permitting – Mr. Kopecky felt like there was enough guidance to lead the Portland District in developing an implementation process. Smaller projects would be reviewed within the Portland District (i.e. flashing beacon installation) while larger projects (condo development within the levee prism) would be reviewed at Headquarters. He suggested assembling a packet of 408 requests and hosting a conference call between MCDD, Portland District, NW Division, and Headquarters to walk through the 408 proposals to develop a path forward for these projects.*
- *Guardrails – MCDD asked if USACE could provide examples of levee areas that had recently installed guardrails within the levee prism. Mr. Shapiro said that Sacramento had recently gone through this process and suggested that staff visit Sacramento to see how the city had succeeded in this installation.*

4:00 pm Travel from Corps of Engineers to Dirksen Senate Office Building

4:30 pm **Jeff Michels, Chief of Staff; Erin Fauerbach, Legislative Assistant; and Malcolm McGeary, Legislative Correspondent**  
**Office of Sen. Ron Wyden (D-OR)**

221 Dirksen Senate Office Building, 202-224-5244

*Meeting Highlights:*

- *Staff were provided with a project debrief and were very engaged and interested in the project.*
- *Senator Wyden sits on the Committee on Energy and Natural Resources as well as the Senate Finance Committee.*
- *Ms. Fauerbach will serve as the project lead within the office.*
- *Mr. Michels asked for numbers regarding potential project costs in addressing deficiencies and was provided a figure of around \$10 million / mile which he was not worried about.*
- *Staff were glad that the project team was being proactive in addressing this issue.*
- *Mr. Michels will be in Oregon for Wyden's June Democratic fundraiser and is interested in taking a boat tour of the levee system. Ms. Fauerbach is also interested in visiting Oregon and making a project site visit.*

### **Friday, April 25th**

9:00 am **Rachel Sears, Senior Policy Advisor – Federal Insurance and Mitigation Administration**  
**Bob Nadeau, Deputy Director – Office of External Affairs / Intergovernmental Affairs**  
**3 Additional FEMA Staff & Dave Ratte from Region 10**  
**Federal Emergency Management Agency (FEMA)**

1800 S. Bell Street, Arlington, VA, 4th Floor

*Meeting Highlights:*

- *Briefed FEMA on Levee Improvement Program and current certification and regulatory challenges.*
- *Discussion of FFRMS process and how it should be applied in a leveed system.*
- *The need for flexibility with NOAA guidance on stormwater management.*
- *MCDD staff will be keeping an eye out for a technical mapping advisory council report due to FEMA in October.*
- *Expressed appreciation that the Drainage Districts' were engaging early, and suggested the idea of using the Drainage Districts' current efforts as a pilot for community education (i.e. National Day of Action April 30th/"Preparathon" and National Preparedness Month in September).*
- *Ms. Sears expressed interest in visiting Portland and attending a future Oregon Solutions meeting.*

10:00 am Travel from FEMA to CEQ

9:00 am **Sam Medlock, Deputy Associate Director for Climate Preparedness**  
**Dr. Jae Chung, Deputy Associate Director for Climate Preparedness**  
**Mark Antoniewicz, Deputy Associate Director for Public Engagement**  
**White House Council on Environmental Quality**  
 730 Jackson Place, NW, 202-395-5750

*Meeting Highlights:*

- *Encouraged MCDD to submit formal comments regarding FFRMS before May 6<sup>th</sup>.*
- *Inquired about how the Levee Improvement Program had affected future development and planning land use efforts within the Drainage Districts'.*
- *Encouraged MCDD staff to continue communicating the residual risk of developing behind a levee system and to work with jurisdictions to develop levee zones to inform building development as well as development review.*

11:30 am Travel from CEQ to Hart Senate Office Building

12:00 pm **Tyler Rushforth, Democratic Counsel, Senate Committee on Environment and Public Works**  
 508 Hart Senate Office Building, 202-224-8056

*Meeting Highlights:*

- *Briefed Mr. Rushforth on the Drainage Districts' portfolio and current governance, regulatory challenges.*
- *Senator Merkley is a member of the committee and Mr. Rushforth appreciated being briefed on projects within committee member's districts.*
- *Mr. Rushforth shared insight into the future of WRRDA and challenges going forward, especially if the committee decides to instead focus on the surface transportation bill.*

2:00 pm Travel to debrief Lunch to Dulles International Airport

**General Themes:**

- Everyone who MCDD met with expressed that they are glad we are being proactive and collaborating with local jurisdictions as well as other communities statewide;
- Many expressed interest in seeing and touring the Drainage Districts' facilities when they visit the Northwest;
- Staff learned about the process that authorizes federal funding for flood control projects and this begins with a Section 216, which the Drainage Districts' are authorized to begin. This Section 216 enables the Drainage Districts' to begin a New Start Feasibility Study and it is important to have congressional support to successfully go through this process;
- Federal agencies appreciate the collaborative and proactive approach to this project and want to provide resources to enable its success;
- Staff also learned about the appropriations process, and the politics involved in both congressional and agency engagement in D.C.