

# **Columbia River Levee Repair and Accreditation Project**

## **Oregon Solutions Team Meeting Notes**

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

**Expo Center**

**2060 North Marine Dr. Portland, OR 97217 Room D202-203**

**November 23, 2015**

### **Next Steps**

- The US Army Corps of Engineers (USACE) will present an overview of its feasibility and planning process to the Technical Advisory Subcommittee (TASC) to identify any opportunities in aligning data and information being gathered through the assessments in Phase II with what will be required for a potential USACE Section 216 Report.
- Based on a consensus decision at this meeting, Levee Ready Columbia staff will move forward with developing a risk assessment framework **to apply to and evaluate remediation alternatives in consultation with the TASC.**
- Next meeting date TBD; expected January 2016.

### **Convener Welcome and Announcements**

- Convener, Multnomah County Commissioner Jules Bailey, welcomed everyone to the meeting, stating this was his first meeting back since going on paternity leave. Commissioner Bailey thanked Metro for providing the Expo Center as a free resource for the meeting and encouraged folks to stay after for a tour of the facilities.
- Steve Greenwood, the Oregon Solutions Project Manager/Facilitator announced plans to retire in June 2016. As a result, Dan Vizzini, an experienced facilitator and project manager, will be stepping up to provide process support and eventually be the lead Project Manager/Facilitator for Oregon Solutions over the next few months.
- Jackie Dingfelder announced her acceptance of a Fulbright scholarship in New Zealand, a replacement representative for the City of Portland has not yet been confirmed.

### **Phase II Acknowledgements**

- Commissioner Bailey congratulated the project team on gathering all the signatures for the Declaration of Cooperation as well as finalizing the IGA's and gaining the appropriate board approvals from Metro, the Port of Portland, City of Troutdale and City of Gresham. Multnomah County will present the Intergovernmental Agreements (IGAs) related to Levee Ready Columbia funding for approval at their December 3, 2015 Commission meeting. This marks the last of the parties to approve before the funding tied to the IGA's can be applied to conduct the work identified for Phase II.

### **Levee Ready Columbia Communications Plan**

- Joel Shoening, Community Affairs Manager for Multnomah County Drainage District #1 (MCDD), shared the Levee Ready Columbia website which has officially gone live! The website represents a culmination of work from the Communications Subcommittee to create a Program and Partnership page as well as FAQ's. The website will continue to evolve with

Levee Ready Columbia to be the one-stop shop for our partners and the public to access information, link here: <http://www.leveereadycolumbia.org/>

- Joel also presented an overview of the tabling events and “roadshow” presentations that have occurred over the summer and fall. Mike Pullen, Multnomah County and Joel are available to present to local organizations about Levee Ready Columbia—please contact Joel for more information: [jschoening@mcdd.org](mailto:jschoening@mcdd.org)
- The Communications Subcommittee meets monthly to shape the communications strategy and vet media stories and program materials.

### **Federal Landscape Overview**

- James Bonham (Jim) is the Chair of Federal Government Affairs and Public Policy at Manatt, Phelps, and Phillips, LLP. Jim congratulated the project team for being cooperative and proactive, stating many folks come to D.C. in crises mode looking for solutions from the federal government. The fact that you are all sitting around the same table, problem-solving together and being pro-active is a huge testament to the strengths of this community.
- Julie Minerva, is the Managing Director of Federal Government Affairs and Public Policy at Manatt, Phelps, and Phillips, LLP. She specializes in flood risk projects on behalf of state and local jurisdictions across the country. When messaging in D.C., Levee Ready Columbia has a jumpstart because of the significant partnership through the program partners. Further, it is encouraging to see Federal Emergency Management Agency (FEMA) and USACE representatives in the room who are committed to engagement throughout the process. In addition, this region is well-represented by Congressional leaders who are stable and respected in order to leverage project review and financing solutions as we move forward.
- In order to receive funding from the federal government on the levee system, the USACE has to complete a study to determine whether or not the federal government has a vested interest in the project. This is typically done by a feasibility analysis that results in a cost-benefit determination.
  - The U.S. no longer operates in an earmark environment. Therefore, federal funding through USACE is a critical option for many communities either through the Administration’s Budget or a Customized Work Plan. See overview here: Two Paths to USACE Funding: <http://orsolutions.org/wp-content/uploads/2015/11/Two-Paths-to-Annual-USACE-Funding.pdf>
- The path to pursue federal funding began in November 2014 when the Drainage Districts’ submitted a Section 7001 to the USACE as part of a request from the Water Resources Reform and Development Act (WRRDA). The Section 7001 carried out a new authorization provision that was supposed to include an annual report intended to reflect a broad spectrum of activities for Congress to consider in authorizing future water resources project. However, the majority of the projects were placed in the appendix, including the Drainage Districts’ proposal.
  - Post Section 7001, the Drainage District was instructed to put together a Section 216 Report instead. This is a feasibility (survey) report to Congress recommending changes to a completed project. Decision to undertake feasibility studies and prepare

a report rests with the Corps. Such reports are authorized by Section 216 of the Flood Control Act of 1970.

- Drainage District staff assembled a Section 216 and submitted it to the USACE Portland District in spring 2015. The Portland District reviewed the Section 216 and moved it forward to the NW Division. The NW Division selected it to move forward as a project and it is now at the USACE Headquarters and it is unknown if it will be selected to move forward in FY16.
- Once Congress finalizes the FY16 omnibus bill, USACE will have direction to move forward with their FY16 work plan. At this time, the omnibus bill has not yet been finalized. Once it is final, the 'ask' from the Levee Ready Columbia partners will be for our Section 216 to be selected as a new starts feasibility study. Only a handful of projects are provided with this designation in a given year so the Levee Ready Columbia partners will be asked to provide their support in this process. Sara Morrissey will be coordinating this support effort alongside Julie Minerva.
- If selected, the Section 216 will follow the USACE SMART Planning Process. This has a 3X3X3 schedule which means the feasibility study should take no more than three years, cost no more than three million dollars and require no more than three levels of review. See process overview here: <http://orsolutions.org/wp-content/uploads/2015/11/Smart-Feasibility-Study.pdf>
  - Additionally, data that is being collected currently, through Levee Ready Columbia, may be used in the feasibility study and further reduce both the Section 216's total cost and timeline. Levee Ready Columbia partners will maintain a high level of coordination with the USACE Portland District on the project to ensure there are efficiencies where possible with the information being gathered to apply it to the Section 216 in the future.

### **Risk Assessment Framework**

- Sara Morrissey, Program Manager for Levee Ready Columbia, noted that at the previous LRC meeting many of the members asked how the project partners were going to evaluate and compare the findings of the various assessments being conducted in Phase II. Ms. Morrissey has spoken to other cities and districts that are going through similar process and would like to recommend using a risk assessment framework to weigh and evaluate remediation alternatives. Based on a presentation that Ms. Morrissey saw at the October US Society of Dams, Ms. Morrissey asked Larry Roth, with Arcadis, to present a risk assessment framework that has been utilized in other flood management decision making scenarios. She asked Mr. Roth to present the risk assessment framework to the LRC group, answer questions, and help us take a step forward in that direction if we so choose as a group.
- Larry Roth presented the Risk Assessment Framework showing how the current guidance for 1% annual chance may not be the only level of protection that a community should consider as it focuses on the hazard and not the level of safety that is tolerable to a variety of stakeholders. A copy of his presentation is available here: <http://orsolutions.org/wp-content/uploads/2015/12/Risk-Assessment-Framework-Presentation.pdf>
- Following the presentation, Ms. Morrissey asked whether folks were ready to move forward with this framework and after some discussion. There was a **consensus-based decision**

from the Oregon Solutions team to move forward with the risk assessment framework. The process team will work with the TASC to determine what the application means. In addition, there was a request to ensure we broaden the values that are considered to include environmental and community benefits (E.g. salmon-safe designs and recreational access).

#### **Columbia Corridor Drainage Districts Joint Contracting Authority**

- 4MAT, the body made up of representatives from the four Drainage Districts (MCDD, Peninsula Drainage District No. 1 (PEN 1), Peninsula Drainage District No. 2 (PEN 2) and Sandy Drainage Improvement Company (SDIC)) approved the establishment of a Joint Contracting Authority to more efficiently execute contracts through one entity. The CCDDJCA will be the main entity through which funding from the project partners will be managed in order to execute contracts with various consultants conducting assessments for Levee Ready Columbia moving forward.

#### **Levee Engineering Assessments**

- At the October 2, 2015 LRC meeting the partners discussed the potential options for conducting the levee engineering assessments for MCDD and SDIC. Based on feedback, discussions with USACE and the fact that Cornforth is the engineer of record for PEN 1 and PEN 2 and would allow the four Drainage Districts to be certified as a full system—the recommendation is to move forward with Cornforth Consultants as the engineer of record for SDIC and MCDD.
- On Wednesday, November 18, 2015 the CCDDJCA adopted Resolution 15112, approving direct negotiations of a contract pursuant to ORS 279C.115 with Cornforth Consultants, Inc. ("Cornforth") for Levee Certification Assessments for Multnomah County Drainage District #1 (MCDD) and Sandy Drainage Improvement Company (SDIC). The Contract is for research, data collection, and engineering analyses of that portion of the Columbia River levee system located in the MCDD and SDIC boundaries, including compilation of a final certification package for all four Districts to submit to the Federal Emergency Management Agency ("FEMA") for accreditation. The estimated cost of the work is \$3 million.
- The CCDDJCA gave notice of this resolution and contracting decision on both ORPIN and the DJC, providing consultants with 7 days to file a protest of this decision.
- After this was shared, it was opened up for discussion and there were no concerns raised regarding this contracting decision or process.

#### **Technical Advisory Subcommittee**

- The Levee Environmental Conditions Assessment (LECA) will create an inventory of natural resource values through a synthesis of existing information (EIS, Maps, Reports, etc.) within the four drainage districts. The TASC created an Environmental Subcommittee to develop a scope of work (SOW) for the environmental assessment which was then reviewed by the TASC and approved by the Administrative Subcommittee.
  - LECA will go through a full Request for Proposal process through the CCDDJCA. The RFP is scheduled to be released on Wednesday December 16, 2015.

- The SOW for climate change has been approved by the LRC TASC and the work will be conducted by USACE and USGS. The team is ready to start on the modeling once the final IGA's are signed and a SOW is signed by the CCDDJCA.
- The TASC spent two meetings discussing existing studies and an approach to seismic modeling. Based on those discussions, there will be an interim evaluation of existing information to see what information is available and if there are data gaps.
- Economic Inventory- The economic inventory will be conducted by NERC (Northwest Economic Research Center) and Metro to assess the value of existing resources protected by the levee system.
- Encroachment Evaluation- Limited to evaluating structural encroachments within PEN 1 and PEN 2. So far there have not been any encroachments identified that create a high risk level. A detailed report of findings is on schedule to be shared at the January LRC meeting.

#### **Attendance**

Oregon Solutions Levee Ready Columbia Team Members:

Commissioner Jules Bailey	Multnomah County
Christine Lewis	Multnomah County
Christine Shirley	DLCD
Corky Collier	Columbia Corridor Association
Craig Ward	City of Troutdale
David Fortney	Metro
David Peters	Portland Water Bureau
David Ratte	FEMA
Doug Morgan	Bureau of Development Services
Jackie Dingfelder	City of Portland
Janet Hillock	Business Oregon
Jane Van Dyke	Columbia Slough Watershed Council
Kevin Brice	USACE
Lance Helwig	USACE
Maryhelen Kincaid	East Columbia N.A
Mark Wiggington	PEN 1 Board
Mike Abbate	City of Portland-PP&R
Nancy Hendrickson	City of Portland BES
Phil Ralston	Port of Portland
Reed Wagner	MCDD

Sara Morrissey	MCDD / Levee Ready Columbia
Skip Klarquist	Sauvie Island Drainage Improvement Co.
Stephen Lucker	DLCD

Attendees:

Angela Carkner	MCDD
Bill Hall	Parametrix
Bob Wiley	W. Mult. Soil & Water Conservation Dist.
Brad Hermanson	GEI Consultants
Colin Rowan	MCDD
Dick Springer	W. Mult. Soil & Water Conservation Dist.
Joel Schoening	MCDD / Levee Ready Columbia
Julie Minerva	Manatt, Phelps and Phillips
Karen Myers	East Columbia N.A.
Kelly Sherbo	MCDD
Kim Tallant	City of Portland
Kyle Kearns	RARE/Business Oregon
Larry Roth	Arcadis Consulting
Mandy O'Hara	MCDD
Melanie Olson	Business Oregon
Peter Stroud	Tetra Tech
Renee Miller	Port of Portland
Susan Hayden	Port of Portland
Tim Mackaness	Sauvie Island Drainage Improvement Co.
Travis Rubal	City of Portland
Val Humble	Pen 2 Board

Process Staff:

Dan Vizzini	Oregon Solutions
Julia Babcock	Oregon Solutions
Rick Mogren	Center for Public Service
Steve Greenwood	Oregon Solutions