



Declaration of Cooperation

Milton-Freewater Levee Project

July, 2010

Sponsored by:

City of Milton-Freewater

Milton-Freewater Water Control District

Oregon Solutions

Oregon Solutions Process: Oregon Solutions (O/S) is a program of the National Policy Consensus Center at Portland State University. The mission of Oregon Solutions is to develop solutions to community based problems that support sustainable objectives and are built through the collaborative efforts of citizens, businesses, government and non-profit organizations. The O/S approach integrates and makes efficient use of public and private investments, elevates the visibility of the project and engages communities in creating solutions. The process provides a neutral forum – a place where various interests and stakeholders can come together as parties in a “Project Team,” in a manner that is more neutral than a meeting sponsored or hosted by one of the parties at the table.

Purpose of Declaration of Cooperation: Through the Oregon Solutions process described above, collaboration between parties on the Project Team is anticipated to develop and evolve as the process continues, with the intent to foster or facilitate agreements amongst the parties about which potential actions, or suite of potential actions, may be taken to cumulatively lead to successful project outcomes, including preliminarily identifying which party may be appropriate to take specific potential actions, how and when. This collaborative work product is documented at the end of the O/S process in the “Declaration of Cooperation,” which can be understood as a non-binding *implementation plan*. To supplement the Declaration, each party in the Project Team submits separate, additional information, referred to as “stakeholder commitments,” describing their commitment to the process and why they have participated (for example, providing linkages to the project by explaining background, capabilities, and interests of the party’s organization), and how they may contribute to the actions identified as

appropriate by the parties through the O/S process, as documented in the Declaration. The Declaration, including the stakeholder commitments, is considered to be a “living” document that shall continue and may evolve with the opportunities for parties to amend by unanimous consent from time to time, to represent changing situations often found during project development, until project completion or until suspended by mutual agreement.

Preface: On May 1, 2009, the City of Milton-Freewater requested that Oregon Solutions be used to address a community problem. The issue involves weakened and deteriorating levee structures and down-cutting of the channel on the Walla Walla River which runs through the City. Following a project assessment by the Oregon Solutions office, a formal request by local government officials was made to Oregon Solutions Board Chair Governor Kulongoski to have Oregon Solutions undertake this project. On July 17, 2009, Oregon Governor Kulongoski formalized the designation of the Milton-Freewater Levee Project by letter (*see Appendix I.*) Senator David Nelson was designated by the Governor as Convener for a Project Team and a project manager was assigned by the Oregon Solutions office.

Through his O/S designation of this project, the Governor has assured participation of his staff and appropriate state agencies along with public and private partners. A Project Team of interested and affected parties has been assembled in an effort to bring partners to the table. It is expected that the work of this Team will help make efficient use of available resources, search for additional funding opportunities, accelerate the pace of the project, overcome potential impediments early on, and raise awareness of the project at local, regional, state and federal levels. In this fashion, the Project Team will commit resources and time to an integrated action plan focusing on successful and sustainable outcomes.

Background to Project

Inability of Milton-Freewater Water Control District to Keep Up with Maintenance: In the 1940's the U.S Army Corps of Engineers (USACE) constructed levees along the river to protect property from flooding. Through the years, USACE has made emergency repairs to the levee system following flood events, however regular maintenance of the levee has been the responsibility of the Milton-Freewater Water Control District (WCD) since 1964. The District collects approximately \$24,000 in tax revenue annually which has proved inadequate to maintain the levees and related structures. In 2002, USACE (Walla Walla District) informed the M/F WCD that several areas of the river had deficient flood risk reduction structures and needed to be repaired. Over the past several years, the WCD has unsuccessfully held three elections to seek funds to make the needed repairs and fund future maintenance of the flood risk reduction structures. The amount requested for each bond issue was \$1 ½ million.

U.S. Army Corps of Engineers “unacceptable” rating and FEMA Flood Map Amendment:

Unable to fix the cited levee deficiencies, in 2006 the Corps gave the levee structures a condition rating of “unacceptable” primarily due to maintenance deficiencies of the concrete drop structure and rock riprap along the levees. Failure by the project sponsor to correct deficient maintenance resulted in the removal of this project from the Corps’ *Rehabilitation and Inspection program (RIP)*. This program provides for inspection of flood control projects, and the rehabilitation of damaged flood control projects. Should an eligible project require rehabilitation as a result of damage from a significant flood event, project rehabilitation would be accomplished under provisions of PL 84-99.

Subsequent to the Corps action, the Federal Emergency Management Agency (FEMA) was notified of this action. FEMA is currently embarked on a nationwide flood plain mapping program, which includes Umatilla County. A flood plain map, which accompanies FEMA’s Letter of Final Determination, shows a sizable portion of Milton-Freewater to be in a flood plain. [Engineering analysis for the flood plain map was done as if there is no levee along the Walla Walla River, since that structure has been found “unacceptable” by the Corps.]

Several thousand structures will be affected by the FEMA flood plain map. The city currently is engaged in adopting the required Flood Damage Prevention Ordinance and other related materials in order to comply with FEMA’s map adoption process. The deadline for map adoption is September, 2010. Depending on the age of structures, and when flood insurance is secured, it is estimated that insurance costs per structure will be in the thousands of dollars every year. In addition, future construction costs will be higher in the flood zone to comply with new city flood zone regulations.

Additional Corps Levee Inspection in 2010: The Corps completed an additional levee inspection in April, 2010. The report from this inspection noted previous deficiencies including the drop structure and stilling basin, vegetation and numerous culverts. The inspection also noted that 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. The result of this new finding, is that the project now has significantly expanded in scope, time and funding. The Corps has explained that the significant down-cutting problem on this project (Walla Walla River Levee) was analyzed using four “systems”. Each system or section of the levee, by themselves, when repaired could be eligible to re-enter the Corps Rehab and Inspection Program.

Project Team Goal

The Project Team (see Appendix II) has developed the following goal statement:

The purpose of the Milton-Freewater Oregon Solutions Project is to provide dependable and sustainable flood reduction in an environmentally and economically sound manner.

At a December 8, 2009 Project Team meeting, the following consequences of not repairing the deficiencies were discussed: (In essence, if nothing happens how that will affect the community.)

- Increased Cost to Property Owners: Mortgage Flood Insurance
- Economic Decline: Building Restrictions and Insurance Costs
- Continued Levee Deterioration
- Safety: Property and Lives at Stake
- Community/Political Pressures
- State/Federal Oversight Consequences
- Public Investments are at Risk
- Fish & Wildlife Resources will Face Impediments

Project Elements

The first priority objective to address the goal stated above is: To repair the appropriate deficiencies in order to received from the Corps an acceptable rating and then apply to FEMA for a flood plain map modification. The implementation process for this Milton-Freewater Levee Repair project is summarized below. The lead entity charged with follow-through is the Milton-Freewater Water Control District; however, “stakeholder commitments” outlined in this document show numerous partnership arrangements to assist in project implementation.

Tasks to accomplish this objective are:

1. Repair Drop Structure and Stilling Basin (Nursery Dam)
2. Repair Damaged Culverts
3. Removal of Appropriate Vegetation
4. Repair the Levee “System”, which when repaired, will lead to FEMA map modification.
(Eventual repair of all four (4) levee systems will complete the project)
5. Develop a Maintenance Plan for the Levee Project

Nursery Dam Concrete Replacement

The Nursery Dam was constructed in 1966 to stop degradation that occurred within the levee reach of the Walla Walla River after the construction of the levees in 1952. The dam is composed of two concrete sills separated by a 70 foot concrete slab. The larger of the two sills is located upstream and is about 13 feet higher than the top of the concrete slab. A fish ladder sits to the east (built in 1997) and one to the west (built in 1967) of Nursery Dam. There is considerable erosion to the concrete slab for about eight feet downstream from the larger sill. Possible deterioration is also expected on the drop structure.

It will be necessary to dewater the facility and complete a thorough inspection for all damaged areas. The eroded concrete slab and any other deteriorated concrete sections, including damaged portions of the upper sill will need to be repaired or replaced. Steel will need to be installed and new concrete poured per engineered design.

A preliminary engineering study by Anderson/Perry Assoc. Dated March 2007 estimates the total cost of engineering design and construction to be approximately \$162,000. The Milton-Freewater Water Control District, upon a successful bond election in November of 2010 will provide the necessary funding for the Nursery Dam engineering and construction. Other partners in the Oregon Solutions process may assess the potential for providing funding assistance.

A two year time line is anticipated for Nursery Dam repairs. Following a successful election in November 2010, engineering design and permit applications can begin. Construction would occur in the summer of 2011.

Damaged Culverts

Approximately twenty culverts were observed to be damaged or inoperable. Some were plugged and several did not have gates attached. Until repairs are made, these breeches could cause water to flow to areas outside the levee during high water events. The Milton-Freewater Water Control District schedule repairs to culverts from the proceeds of a successful bond issue.

Vegetation removal

An important facet of this project will be balancing environmental laws and concerns with existing Corps policies and regulations on vegetation in the levee area.

The Army Corps of Engineers has restrictions on vegetation along flood control levees. These regulations are in place to ensure that proper levee inspections can take place, allow for efficient flow of water during high water events, and to limit levee damage during flooding. Even if flood risk reduction structures are repaired, it is likely that the Corps will not find the levees to be “acceptable” until vegetation and other woody debris obstructions are removed from the dike areas.

In the conduct of this Oregon Solutions project, some environmental interests have cited various studies in other parts of the nation that demonstrate the need for vegetation along the Walla Walla River to improve fish habitat and improve water quality. A sub-group of interested parties has been meeting to discuss the alternatives available to the Water Control District. This committee is lead by John Stephenson (US Fish). In June, 2010 this group met with the District to survey the vegetation and come to a short term compromise on what vegetation can be removed. The use of goats to reduce some vegetation within the levee area is being explored by US Fish & Wildlife and the Walla Walla Basin Watershed Council. As longer term construction projects are undertaken, project review including permits will address vegetation more substantially. In addition, with the assistance of an EPA 319 grant (see Longer Range Solutions) a vegetation variance application may be forwarded to the Army Corps for their consideration.

Major Repairs to One or More Levee Systems

The 2010 Inspection report describes the levee project as having four “system.” Each system describes a separate reach of the river. The systems are considered separate and independent of the others for flood reduction purposes and each may be repaired separately, and subsequently be considered for re-entry into the Corps Rehab and Inspection Program. (see page 3) The Corps has referenced other projects where a “system” has been repaired and is sufficient justification to apply to FEMA for a map modification.

It will be the responsibility of the M-F WCD’s engineer to ascertain which system, or systems, should first be repaired in order to alleviate flood water in Milton-Freewater, and therefore justify an application to FEMA for a map modification.

Maintenance Plan for Levee Project

In order to get accreditation from FEMA of one or more levee systems, it will be necessary for the District to comply with all criteria listed in Section 65.10 of the NFIP regulations. One of the requirements listed is under these regulations is that the levee system must be maintained in accordance with an officially, adopted maintenance plan. Future maintenance funding may come in part from a bond issue, if bond counsel agrees that future “capital maintenance” is an allowable use of bond proceeds. Other maintenance funding would come from the District’s on-going levy authority, or perhaps from a local option levy.

Funding Considerations – Bond Issue

The Milton-Freewater Water Control District expects to put a bond measure before the voters in November, 2010. Filing for the measure, and voter pamphlet language, are required to be submitted to Umatilla County in early September. The M-F WCD engineer will assist the District is calculating the bond amount needed for design and construction of improvements, and any allowable maintenance for items listed above. Project elements listed on page 4 would be accomplished from the bond proceeds.

Additional Related Projects

Grade Control Structure: Down-cutting of the river bed below Nursery Bride undermines the stability of the levee and also limits the ability of ESA listed steelhead and bull trout to migrate at lower flows to their spawning areas in the upper Walla Walla Basin. This is particularly significant for fish trying to enter the fish ladder located just up stream from the toe erosion location, where the erosion has caused a “jump” at one of the entrances.

Recognizing this issue, the US Army Corps of Engineers (USACE) has assessed and designed a grade control fix for the site that will improve fish passage and stabilize the river bed down cutting. As the Milton-Freewater Water Control District (M-F WCD) had to decline sponsorship, the Army Corps is working with the Hudson Bay District Improvement Company (HBDIC) as the “sponsor” for the project. Once the project is completed, HBDIC will be responsible for maintenance of the improvements. Funding to HBDIC for maintenance of the grade control structure may be provided through an agreement with CTUIR and BPA using BPA dollars.

The estimated cost for engineering and construction of the Grade Control Structure is \$750,000. The CTUIR Fisheries program is willing to commit a portion of their BPA funds to provide matching funds in the amount of \$250,000 for final design and construction of a grade control/fish passage project. The USACE “design team” will review the grade control project this fall and final engineering will be completed. Construction of the grade control structure and the toe erosion area is slated to take place in 2011 during the summer construction window to avoid impacts to ESA listed fish.

Couse Creek: The Walla Walla Basin Watershed Council (WWBWC) and Confederated Tribes of the Umatilla Indian Reservation (CTUIR) Fisheries program are providing funds to assess and design site improvements at the mouth of Couse Creek as it enters the Walla Walla River. The purpose of this project is to improve fish passage into Couse Creek, improve in-stream habitat, and possibly stabilize the river bed down-cutting at that location. The WWBWC has written a grant proposal through DEQ/EPA’s Section 319 program (*referenced in the Longer Range Solutions section of this document*) for an assessment of the levee stretch of the river to identify engineered solutions for this site, and see if other locations need similar repairs that can mutually benefit levee function, stream form, and native fish. Funding for the construction is unclear at this time, however it is probable that BPA funding through CTUIR will be used. A two year timeline is anticipated for the Couse Creek project. Engineering assessment and design will be done in late 2010 and early 2011. Construction of Couse Creek improvements and any levee stabilization repairs deemed appropriate will be accomplished during the summer of 2011.

Longer Range Solutions

Walla Walla Basin Watershed Council EPA 319 grant: An EPA 319 grant was awarded to the WWBWC in June, 2010. The grant amount is \$106,000. An additional \$40,000 in grant funds can be applied for in the next year. Some of that resource could be used to gather information that might assist with submittal of a vegetation variance application to the Army Corps of Engineers. Several in-kind and cash match arrangements are anticipated, including: \$25,000 in-kind from WWBWC; \$53,000 cash match from OWEB funds; \$25,000 cash match from CTUIR; and in-kind match from O/S Project Team involvement.

The purpose of the grant is to develop a long term sustainable solution to the Milton-Freewater flood control levee that maintains the levee’s initial purpose of flood control but also incorporates the environmental benefits of shade, channel shape, and valley form to assist in

attaining Temperature TMDL goals, fish passage at high and low flows, and improved fish habitat. This grant could significantly assist the M-F WCD in their analysis of the project “systems” as outlined by the Corps to assist in determining which improvements are most beneficial.

A modified levee and river channel can provide aesthetic and recreation enhancement for the community. Many communities around the northwest have transformed their levees and urban reaches of rivers into linear parks, enhancing the community’s quality of life and property values. Rivers, when not hidden behind inaccessible levees, are treated as an asset and can attract a community desire to pursue additional restoration opportunities. Natural solutions, such as setbacks and a natural channel and floodplain, are likely to be the best ecological solutions for river function, but can also be the most sustainable and least costly remedy for maintaining the levee itself over the long haul.

The goal of this project is to develop and implement a plan that will look at opportunities to modify the existing levee in ways that will better allow flood events to move safely past the Milton-Freewater area while providing improved grade control for levee stability, fish passage, reduced sediment movement, and a healthier river geometry that will reduce thermal exposure and improve habitat for aquatic species. In addition, the solution will include a goal to allow much of the existing riparian vegetation to remain where it can assist with moderating river temperatures, provide cover, biomass, and other ecological functions for aquatic life, including ESA listed bull trout and Steelhead, and recently reintroduced Chinook salmon.

The grant proposal calls for the following assessment objectives:

- Validate the HEC RAS model
- Analyze HECRAS model, channel elevation survey data, and LiDAR data
- Evaluate opportunities for levee setback
- Identify possible levee setback sites
- Evaluate vegetation options
- Identify and evaluate critical grade control sites and options to address them
- Develop design for Couse Creek Confluence and Zell Diversion grade control

Options to be evaluated for this assessment include upstream off channel floodwater catchment basins, levee setbacks where landowners are willing, grade control structures, levee parkway enhancements, and other considerations the engineering team and the Oregon Solutions Team agree is worthy of evaluation. It is anticipated that initial engineering would focus on the Couse Creek area to focus on both enhancement of the creek for fish passage and channel stabilization.

Down-cutting of River Channel Referenced in 2010 Levee Inspection (also see pages 3 & 6):

The M-F WCD is currently assessing how repairs and improvements to alleviate the channel down-cutting can take place. *The District's most immediate objective is to affect repairs that will be most beneficial and lead toward a FEMA map modification.* One option is for the District to fund these improvements through bond proceeds.

To engineer and construct the levee system to adequately address all down-cutting issues, significant funding will have to be secured. One avenue for such funding is Section 216 of the Flood Control Act which provides general authority for the Corps to review operations and complete projects, when found advisable due to changing physical, economic or environmental conditions. There are several steps in receiving assistance under this program. The Corps will conduct an "Appraisal Assessment" using operations and maintenance funding. This study would be conducted after a "letter of request" from the M-F WCD has been received by the Corps.

If based on the appraisal, a detailed study is warranted, the Corps will request funding to conduct a General Investigation (GI) study. The GI study is conducted in two phases: Reconnaissance and Feasibility. The Reconnaissance study develops a scope and cost for the feasibility study. The Feasibility Study identifies potential feasibility solutions and determines whether the Federal Government and the non-Federal sponsor should construct the project. Fifty percent (50%) of the cost of the feasibility study is paid by the non-Federal sponsor in the form of cash and in-kind services. The feasibility study is submitted to Congress for construction authorization. The non-Federal share of construction costs is thirty-five percent (35%). Operation and Maintenance costs thereafter are 100% non-Federal.

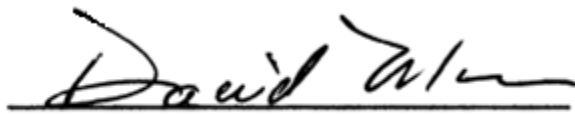
Oregon Solutions Milton-Freewater Levee Project Agreements

All parties acknowledge that the best solutions to the Milton-Freewater Levee Project depend upon collaboration of all parties at the table. Accordingly, they recognize that each party has a unique perspective and potential contributions to make, both at the table and on the ground, and legitimate interests that need to be taken into account to achieve the overall success of this project. The following sections provide the “stakeholder commitments” described above in the “Purpose of the Declaration of Cooperation.”

State Legislative Representative

Legislative representation is critical to the success of the Oregon Solutions Milton-Freewater levee project. Serving as Convener for the Project Team is Senator David Nelson. Through his long standing service to Eastern Oregon, Senator Nelson has wide knowledge of economic and social needs for the Milton-Freewater area. Senator Nelson remains committed to assist this project with the development and implementation of a work plan to address Walla Walla River flood control structure needs. Senator Nelson has expressed interest in doing the following:

- Senator Nelson will continue to offer his time as Convener for this project and attend work group meetings as time permits.
- Continue to provide leadership for the project and encourage all parties to work in a collaborative effort toward sustainable efforts on Walla Walla levee issues.
- Speak in the region on the importance of the short and long-range flood control efforts that are being discussed for accomplishment in the Walla Walla Basin.
- Sponsor or support legislation favorable to this project, including sensible statutory changes that address local government relationships with state and federal agencies.
- Support efforts to enhance the success of this project including work with USACE on vegetation removal issues and with FEMA on levee accreditation issues.
- Endorse Congressional funding requests for the project and offer lobbying assistance for them.
- Senator Nelson will convene the Project Team at least quarterly following the signing of the Declaration of Cooperation, in order for the process to continue to its successful conclusion.



Senator David Nelson, District 29



Date

Bonneville Power Administration

The Bonneville Power Administration (BPA) is a federal power marketing agency within the U.S. Department of Energy. BPA serves the Pacific Northwest through operating an extensive electricity transmission system and marketing wholesale electrical power at cost from 31 federal dams, one nonfederal nuclear plant at Hanford, Washington, and some nonfederal power generators such as wind projects. BPA also implements a large fish and wildlife program, with hundreds of fish and wildlife projects identified through the Northwest Power and Conservation Council's fish and wildlife program. BPA works diligently to protect, mitigate, and enhance fish, and wildlife populations and their habitats affected by the construction and operation of the federal Columbia River dams from which the BPA markets power. BPA works with numerous entities in the Walla Walla Basin on fish and wildlife mitigation projects. Key amongst the partners are the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), the Walla Walla Basin Watershed Council, and the state and federal fish & wildlife agencies. As explained by the context provided in the "Purpose of Declaration of Cooperation" section, nothing in this "stakeholder commitment" to collaborate and identify potential contributions shall be construed to commit BPA to fund actions in the Walla Walla Basin.

As a party to the Oregon Solutions Milton-Freewater Levee project process, and part of the Project Team, BPA may potentially contribute to the actions identified by the parties in the Declaration in the following manner:

- Sarah Branum of BPA will continue to serve on the Oregon Solutions Project Team. As time is available, she will also participate in work groups that study issues and propose solutions to the Project Team.
- In working on solutions to repair Walla Walla River flood control structures, BPA will continue to provide process expertise as it may relate to enhancement of the environment and fish habitat
- BPA will work with its partners to assess the potential for providing funds to other Project Team partners, or funding projects that might collaterally support the Project Team's purpose, as they relate to maintenance and enhancement of watershed health. Individual projects being discussed are:

- a. Encouraging the sponsorship and cost sharing of a grade control structure project downstream of the Nursery Bridge fish ladder with the U.S. Army Corps of Engineers, by facilitating an agreement between BPA partners on funding and maintenance responsibilities.
- b. Working with CTUIR on Couse Creek to enhance fish passage, if deemed appropriate by CTUIR and BPA.
- c. Carefully monitoring the condition of the stilling basin at Nursery Bridge and participating in discussions for repair in order to protect BPA's investment in the fish ladder that is supported by the stilling basin.


Bonneville Power Administration

August 12, 2010
Date

Business Community

The Milton-Freewater area is represented by numerous people who desire to enhance the livability of their community. The Oregon Solutions Project Team is fortunate to have two community representatives serving on.

- Ron Brown is an orchardist and owns the Blue Mountain Cider Company & Watermill Winery. He also serves on the School District Budget Committee and is active in numerous community activities.
- Mike Garton is a Doctor of Optometry serving the Milton-Freewater community. He is also active in the Rotary Club and Chamber of Commerce.

These persons offer to assist this Oregon Solutions project by:

- Continuing to serve on the Project Team
- Serving in a community leadership capacity to encourage partnerships to enhance the success of the project.
- Participate in public information effort in order to give the community the best information available to judge the benefits of passing a bond measure to repair flood control structures.
- Offer suggestions for project implementation and encourage others to become engaged in forming a strategic plan which will strengthen the local economy.



Ron Brown



Date



Mike Garton



Date

City of Milton-Freewater

The City of Milton-Freewater is represented on the Project Team by Mayor Lewis Key and City Manager Linda Hall. The City contributed \$10,000 for project administration expenses for the Oregon Solutions process. [An additional \$10,000 was provided for O/S expenses by the Milton-Freewater Water Control District prior to the Board's resignation] Following the Army Corps designation of "unacceptable" for the Walla Walla River levee system, FEMA issued a preliminary floodplain map showing most of the city to be in a flood zone. City residents are now extremely concerned with the new requirement for mortgage flood insurance. Although all of the levee sections deemed deficient by the Corps are outside the City's corporate limits, the City of Milton-Freewater has assumed the leadership in finding solutions to repair and maintain the levee structure.

- The City will continue to be represented by Mayor Key and City Manager Linda Hall on the Project Team. They will provide municipal leadership in the Project Team's efforts to repair and maintain the levee structure.
- Milton-Freewater will work with responsible parties to adopt a realistic FEMA Floodplain Rate Map during the interim repair phase, and thereafter, to amend the map through FEMA's accreditation process.
- Milton-Freewater will work in partnership with DLCD to provide the Milton-Freewater community information on flood insurance for mortgage holders.
- ***Milton-Freewater will work with Umatilla County to find an alternative for the in-active Milton-Freewater Water Control District which will then lead to levee repairs and a bond election.***
- Milton-Freewater will provide leadership in the Oregon Solutions process and keep all parties informed of activities related to flood control efforts. The City will champion efforts of the Project Team and be an informational conduit to community groups and the news media.







Mayor Lewis Key



Date

Council Members:

Edwin E. Chesnut

Jeff Anliker-absent

Confederated Tribes of the Umatilla Indian Reservation

The Cayuse, Umatilla and the Walla Walla people make up the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). Our three bands were brought together through an 1855 Treaty and became a single government in 1949 when our leaders adopted a Constitution and By-laws. Our Board of Trustees exerts the Tribes sovereign authority to protect the rights reserved by the Treaty of 1855 and to promote the interests of the members and residents of the Umatilla Indian Reservation. We currently have over 2,800 tribal members.

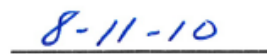
Our organization chart shows numerous Departments each having unique administrative responsibilities. One of these is the Department of Natural Resources, under which are program activities including Fisheries, Water Resources and Environmental Planning and Rights Protection. The Confederated Tribes are not strangers to environmental issues in the Walla Walla River Basin as evidenced by the ongoing Walla Walla River Basin Feasibility Study. This project partners CTUIR with the Army Corps of Engineers and focuses on the restoration and management of a viable ecosystem within the Basin. Another example of active participation on environmental issues is seen in the Oregon Solutions Milton-Freewater Walla Walla River levee project.

As a partner in the Oregon Solutions process, CTUIR will assist with the following:

- Eric Quaempts, Director of the Department of Natural Resources, serves on the Oregon Solutions Project Team. He is often represented by Fish Biologist Jed Volkman, who also serves on two work groups.
- CTUIR will provide technical support on work groups and in Project Team discussions as they relate to salmonid fish, and river form and function.
- CTUIR will consider partnering with the Bonneville Power Administration and the Walla Walla Basin Watershed Council (WWBWC) on projects having a nexus between levee repairs and enhancement of watershed health on the Walla Walla River. These projects may include: the Couse Creek area; the grade control structure down-stream of the drop structure, and the drop structure and stilling basin area.
- CTUIR and the WWBWC will partner on longer range sustainable solutions for the Walla Walla River which enhance flood control as well as environmental benefits to improve fish habitat.



Elwood H. Patawa, Chairman
Board of Trustees



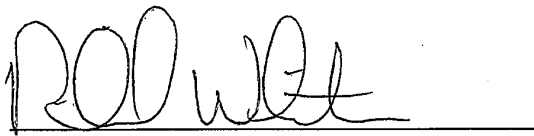
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Department of Land Conservation and Development (DLCD)

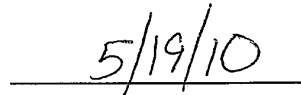
DLCD is charged with facilitating well prepared and coordinated comprehensive plans for cities and counties to assure the highest possible level of livability. Our mission statement indicates we support our partners in creating and implementing comprehensive plans that reflect and balance the statewide planning goals, the vision of citizens, and the interests of local, state, federal and tribal governments.

Our role in the Milton-Freewater Levee Oregon Solutions project will be to provide technical assistance to the Project Team partners and the City of Milton-Freewater as they develop strategies to repair, maintain, or reconfigure the flood control structures important to the area's economic vitality and community livability. Following are key department concepts related to this Oregon Solutions effort:

- DLCD's NFIP Coordinator will continue to participate on the Project Team, and as time permits, be assisted by DLCD's NFIP Mapping Specialist. Through participation in the Oregon Solutions process DLCD will help to find and support solutions that have broad based support and provide sustainable flood hazard reductions.
- DLCD will offer information and assistance related to accreditation of the levee by the Federal Emergency Management Agency.
- DLCD will assist Milton-Freewater with creation and implementation of a sound flood hazard program that complies with the National Flood Insurance program and State of Oregon planning Goal 7.
- DLCD will assist with public outreach needed to launch Milton-Freewater's new flood hazard program, including planning and attending events, providing sample press releases, obtaining and producing literature, and organizing or providing training to insurance agents, real estate agents, surveyors, building inspectors, and others who together implement the National Flood Insurance Program.
- DLCD will communicate activities of the Oregon Solutions team with other state agencies that have flood hazard identification and mitigation duties such as the Department of Geology and Mineral Industries and Oregon Office of Emergency Management.



Richard Whitman
Director
Department of Land Conservation and Development



Date

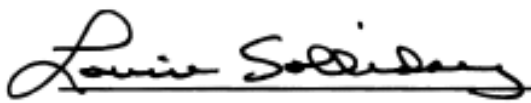
Department of State Lands

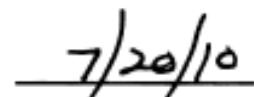
The mission of the Department of State Lands (DSL) is to ensure a legacy for Oregonians and their public schools through sound stewardship of lands, wetlands, waterways, unclaimed property, estates and the Common School Fund. In accordance with this mission, DSL protects and conserves waterways and wetlands through administration of Oregon's Removal-Fill Law, enacted in 1967, as well as certain other statutes relating to activities involving removal-fill in waters of the state.

Under the Removal-Fill Law, the Department seeks to protect, conserve and ensure the best use of waters of the state, while protecting public navigation, fishery and recreational uses. Authorization is needed from DSL for most activities involving removal or filling of greater than 50 cubic yards of material in waters of the state. Waters of the state include rivers, intermittent and perennial streams, lakes, ponds, and wetlands. The volume threshold for 50 cubic yards does not apply in designated Essential Indigenous Anadromous Salmonid Habitat Areas (ESH) or in state scenic waterways. ESH streams contain fish species that have been listed as sensitive, threatened or endangered by a state or federal agency.

As part of the Oregon Solutions process, certain projects on the Walla Walla River have been identified that will help repair levee and other flood control structures, while incorporating environmental and economic values. DSL staff can contribute knowledge and expertise to assist in the design and permitting phases of this project. The Resource Coordinator for the Northeast Region will serve on the Project Team, and the Northern Region Wetlands/ Waterways Operation Manger will also be involved in the process as well.

- DSL will continue to provide representation on the Project Team and will provide assistance to various work groups as staff time permits.
- DSL will continue to provide guidance during the permitting phases of projects proposed as part of the Oregon Solutions process.
- DSL will continue to cooperate and engage in discussions with other state, federal and local agencies concerning the permit process and any future implementation of projects that are identified by this Oregon Solutions process.
- DSL will be guided in its participation throughout the Oregon Solutions process and any permitting decisions by applicable statutory and regulatory process.


Louise Solliday, Director, DSL


Date

Governor's Economic Revitalization Team (ERT)

Under the direction of the Governor, the Economic Revitalization Team focuses the work of state agencies together with local interests to increase the level of success in resolving difficult community problems. In designating this Milton-Freewater Oregon Solutions project, Governor Kulongoski has indicated his strong support to bring state resources and attention to a collaborative approach to help solve long standing flood control issues. The Governor has further directed that agencies treat projects arising from the Project Team as high priorities within each agency.

Economic Revitalization Team efforts bring a special significance to the Milton-Freewater Levee project. Four state agencies sit on the Project Team and are involved in one or more aspects of this project. ERT involvement will also allow greater local access to state resources and assistance.

Through ERT actions, the public/private involvement in this project will significantly enhance flood reduction efforts in the following ways:

- Scott Fairley, Eastern Oregon ERT Coordinator will continue to serve as the ERT representative on the Milton-Freewater Oregon Solutions Project Team
- Scott Fairly will also serve on one or more project work groups, as time permits
- The ERT will identify early on the need for and requirements of state-issued permits for projects under consideration by the Project Team
- The ERT will provide coordination, as needed, with DLCD as that Department assists with the flood plain map adoption process and insurance issues
- The ERT will help coordinate , as needed, programs and processes that may be offered by the Oregon Department of Water Resources
- The ERT will provide, as needed, coordination assistance with the Governor's Natural Resource Office on projects as may be needed
- The ERT will coordinate efforts, as needed, with the Department of State Lands in the review and approval of permits



Ray Naff, Director



Date

Intergovernmental Relations & Economic Revitalization Team for Governor Ted Kulongoski

Hudson Bay District Improvement Company (HBDIC)

The Hudson Bay District Improvement Company was initially formed in 1903 and then organized as a Water Improvement District under ORS Chapter 554. It has a five (5) member board. Water rights are held by the District and it diverts water as requested for irrigation purposes. Diversion dams, canals, pipes and some creeks are used for these irrigation purposes. The HBDIC has a contract with BPA to maintain the facilities at the Nursery Bridge and Little Walla Walla River diversion. As a continuing partner in this Oregon Solutions process, HBDIC will:

- Be represented by John Zerba on the Project Team. John will offer his knowledge and perspectives on short and long range proposals under discussion.
- Encourage the Tribes and BPA to continue their partnerships for funding of maintenance and improvements to improve the Walla Walla River channel and levee system
- Encourage the community to be engaged in fund raising to assist in this project. To assist in the passage of a November bond measure, the District will be a cheerleader in the community to help citizens stay focused on the need to fix flood control levee deficiencies.



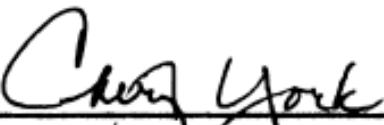
Tim DeRuwe, Chairman, HBDIC

18 Aug 2010
Date

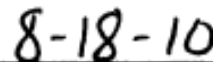
Milton-Freewater Chamber of Commerce

The Milton-Freewater Chamber of Commerce is an organization of professional and business members who together in a planned manner promote commerce, agriculture, community spirit and the quality of life in the Milton-Freewater area. The Chamber provides a full service information center. The Chamber also hosts the Muddy Frogwater County Classic Festival in August, the Annual Awards Banquet in February and is a major sponsor for the Cinco de Mayo celebration held in May. Through its activities and diverse membership, the Chamber of Commerce actively supports business retention and development in the community. The networking of Chamber members is invaluable as it relates to this project. The adoption of a flood map which is reasonable and based on accurate information is paramount for the economic health of the community. To that end the Chamber will:

- Be represented by Cheryl York, Director of the Chamber of Commerce, on the Oregon Solutions Project Team
- Provide information to their members as it relates to this project.
- Encourage the community to be engaged in fund raising to assist in this project.
- Provide factual information on any election measure when put before the voters.
- Be a cheerleader for the community to help citizens stay focused as flood control deficiencies are addressed and specific levee structures are repaired.



Milton-Freewater Chamber of Commerce
Board Chair



Date

Milton-Freewater Water Control District

The organization and powers of the Milton-Freewater Water Control District (M-F WCD) are outlined in ORS Chapter 553. As a special district, the authorities of this District may include:

“ . . . acquiring, purchasing, constructing, improving, operating and maintaining drainage, irrigation, and flood and surface water control works in order to prevent damage and destruction of life and property by floods, to improve agriculture and other uses of lands . . . A water control district . . . may also . . . maintain works and facilities for the secondary purposes of . . . recreation, wildlife, fish life and water quality enhancement.” (ORS 553.020)

Maintenance of the Walla Walla River levee and associated structures, which were constructed by the U. S. Army Corps of Engineers (USACE), is the responsibility of the District. The M-F WCD has a continuing annual property tax levy of .0737 per \$1,000 of assessed value which provides approximately \$25,000 annually for operations. Over the years, this amount of funding has been insufficient to maintain the flood control structures, as well as repair them after high water events. In 2006, the Corps of Engineers first notified the District that the levee would be given a rating of “unacceptable” unless deficiencies were corrected. The M-F WCD placed three bond measures before the voters, however none successfully passed.

Due to cancellation of liability insurance in response to the “unacceptable” rating given by USACE, at the end of December 2009 all M-WCD board members resigned. Also as a consequence of the Corps’ rating, the Federal Emergency Management Agency (FEMA) has published a flood map which places the City of Milton-Freewater in a flood zone. This action will require Umatilla County and Milton-Freewater to adopt flood zone implementing regulations, and mortgage holders will have to secure flood insurance.

In February, 2010 the Umatilla County Commission appointed new members to the Milton-Freewater Control District Board and the Special Districts Association of Oregon provided a limited liability policy for the District and its board members.

As the primary local government in charge of levee maintenance, the Milton-Freewater Water Control District has the responsibility to:

- a. Secure funding to repair deficiencies within the levee structure
- b. Secure on-going funding for maintenance of flood control structures
- c. Contract with an engineering firm to design levee repairs and improvements
- d. Work with the U.S. Army Corps of Engineers during inspection, design and repair of levee deficiencies, and thereafter, apply to the Corps to re-enter the Rehab and Inspection Program
- e. In partnership with the City of Milton-Freewater and Umatilla County, apply to FEMA for a flood zone map modification once the levee has been satisfactorily repaired.
- f. Be the primary entity to address vegetation management along the levee system with USACE.

As parties to the Declaration of Cooperation the Milton-Freewater Water Control District will:

- Serve on the Oregon Solutions Project Team and actively engage in their deliberations.
- Proceed to put a bond issue before the voters in November, 2010. This will necessitate actions in September 2010 to provide ballot measure language to Umatilla County, and provide a narrative in the voter's pamphlet.
- In its leadership role, and in partnership with other entities on the Oregon Solutions Project Team, proceed to carry out the responsibilities outlined in (a) through (f) above.

Milton-Freewater Water Control District Board Members


Manford Anliker, President


Date


Vern Rodighiero


Date



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Headquarters

811 SW Sixth Avenue
Portland, OR 97204-1390
(503) 229-5696
FAX (503) 229-6124
OTRS 1-800-735-2900

Oregon Department of Environmental Quality (DEQ)

DEQ's mission is to be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and waters. The Department will be involved with the Oregon Solutions Milton-Freewater project. Within the constraints of DEQ resources, the agency will do its best to coordinate and communicate DEQ's requirements, timelines and processes with other project participants.

DEQ will:

- Continue to cooperate and engage in discussions with other state, federal and local agencies on projects identified through the Oregon Solutions Milton-Freewater process.
- Be represented on the Project Team by the Economic Revitalization Team member from the Pendleton office, Pat Vernon.
- Be guided in this participation throughout the Oregon Solutions process by applicable statutory and regulatory process.



Dick Pedersen, Director, DEQ

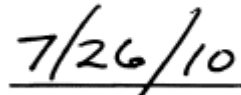
Date

Oregon Department of Fish and Wildlife (ODF&W)

The Mission of the Oregon Department of Fish and Wildlife is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations. The Agencies responsibilities include advising on habitat protection for fish and wildlife populations and educating the public on natural resources. Projects developed along the Walla Walla River to provide dependable and sustainable flood reduction will require consideration for the potential effects on fish and wildlife and their habitats.

- As part of the Milton-Freewater Oregon Solutions Project Team, ODF&W will provide resource information and leadership for the Oregon Solutions process. Through participation in the Oregon Solutions process, the Department will attempt to find solutions that have multiple values and broad based support to help craft levee projects and move them forward.
- Bill Duke, ODF&W District Fish Biologist will continue to serve on the Project Team and as time permits also participate on one or more work groups, such as the Vegetation Work-Group.
- ODF&W will provide expertise in, and advice on, the permitting process and will share knowledge concerning fish and wildlife populations and habitats, as it relates to design considerations for deteriorated sections of the levee.
- The Department will offer suggestions for funding opportunities for projects that nurture fish and wildlife protection.


Deputy Director, ODF&W


Date

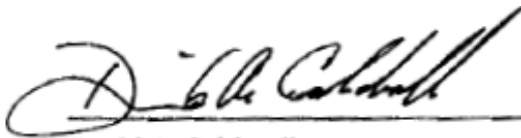
United States Army Corps of Engineers (USACE)

The mission of the U. S. Army Corps of Engineers ("USACE") is to provide quality, responsive engineering services to the nation including:

- Planning, designing, building, and operating water resources and other civil works projects.
- Designing and managing the construction of military facilities for the Army and Air Force.
- Providing design and construction management support for other defense and Federal agencies.

The Walla Walla District of USACE agreed to provide a liaison to the Oregon Solutions (O/S) Project Team for the Milton-Freewater levee project whose goal is to provide dependable and sustainable flood reduction on the Walla Walla River. The Walla Walla District Office will support the Project Team by supplying information and expertise in Corps' levee operations, maintenance, regulatory process, planning authorities, hydraulic modeling and emergency response. Subject to the availability of funding and authority, USACE-Walla Walla District will:

- Provide a designated representative as point of contact on the O/S Project Team.
- Send representatives to participate in meetings and on work groups to develop strategy to present to the Project Team.
- Assist the O/S Project Team by providing input and knowledge on project and program opportunities.
- Review levee repair designs and provide technical advice regarding adequacy for regulations or permits.
- Following sponsor repairs or construction, provide technical advice and guidance on the eligibility for the USACE Rehabilitation and Inspection Program.
- Provide existing project data upon request for FEMA analysis and process



David A. Caldwell
Lieutenant Colonel, Corps of Engineers
District Commander

29 Jul 10
Date

U.S. Fish and Wildlife Service

The U.S. Fish and Wildlife Service (Service) is a bureau within the Department of the Interior. Our mission is to work with others to conserve, protect and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service supports a wide range of important conservation initiatives, including assisting landowners who volunteer to manage their property for the benefit of fish and wildlife. To accomplish our mission, we work cooperatively with individuals, conservation partners, Tribal governments, and all levels of state and local government. Fish & Wildlife biologist John Stephenson from the La Grande Field Office currently serves on the Oregon Solutions Milton-Freewater Project Team.

- The Service will continue to be represented on the Project Team by John Stephenson.
- As time permits, John Stephenson, will serve on work groups and provide a lead role on the issues of vegetation removal.
- The Service will offer advice and recommendations to the Project Team as flood mitigation proposals are discussed to ensure an environmental balance is maintained and regulatory requirements are satisfied.
- The Service will provide technical assistance and review to the Project Team based on ecological principles, scientific knowledge, and a sense of moral responsibility to achieve the designated levee repair goals.
- The Service will provide written support to projects forwarded by the Project Team that satisfy all regulatory requirements and aid in the recovery of listed species.
- The Service will assist by offering knowledge of available funding opportunities targeted to levee rehabilitation projects under consideration.


Field Supervisor


Date

Umatilla County

The Umatilla County Commission is one of three parties to request the Governor's designation of this Oregon Solutions project. Commissioner Givens serves on the Project Team. Also assisting on this project are Director of the County Department of Land Use Planning Tamra Mabbott and County Public Works Director Tom Fellows. The three levee areas identified by the Army Corps of Engineers in need of repair are in unincorporated areas, and thus the County is in a key role to help facilitate the land use management and permit processes to achieve desired repair projects.

The County also has a primary role in helping determine what the best course of action is in light of the Milton-Freewater Water Control District Board having resigned.

As one of the lead public entities on this levee project, Umatilla County will:

- Have Commissioner Larry Givens continue to serve on the Project Team
- Will continue to offer the services of Tamra Mabbott and Tom Fellows, as they have the time to assist in this project. In particular, the County Planning Department has access to mapping, land use and tax lot information of interest to this project. The County will also be doing a parallel FEMA map adoption process and as requested will provide assistance to the City of Milton-Freewater during this process.
- Provide leadership through its Board by encouraging fund raising efforts from the private, state and federal sectors for the repair and maintenance of the Walla Walla River levee structure.
- Give priority, within county, state and federal laws and guidelines, to the issuance of permit applications.
- Will provide a leadership role along with the City of Milton-Freewater to continue the Oregon Solutions Project Team activities until all issues have been resolved.
- Accept the responsibility of keeping the community, Project Team, news media, along with other key parties informed on progress of this Oregon Solutions project.
- Will work with the Oregon Solutions Project Team on congressional funding requests for this Oregon Solutions project.


Dennis D. Doherty, Chair
Umatilla County Board of Commissioners

7-14-10
Date



Walla Walla Basin Watershed Council (WWBWC)

The Walla Walla Basin Watershed Council (WWBWC) was recognized by Umatilla County in 1994. The Council's activities include assessment of watershed conditions, planning and implementation of specific stewardship projects and programs aimed at improving the watershed, and education and outreach to citizens within and outside of the watershed. The WWBWC is governed by a 13 person Board of Directors and operates in partnership with other organizations which share the same interests. Such cooperation and education leads to efforts that improve and maintain a healthy watershed for fish, invertebrates, plants and people.

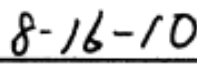
Brian Wolcott serves on the Oregon Solutions Project Team and also chairs a Work Group charged with exploring issues and problems that solve levee deficiencies and developing work tasks to address those deficiencies. The WWBWC has been instrumental in looking at repair projects and exploring how watershed enhancement can be incorporated in them. In those efforts, they work effectively with the Bonneville Power Administration and the Confederated Tribes of the Umatilla Indian Reservation.

As a partner in this Oregon Solutions project WWBWC will:

- Continue to be represented by Brian Wolcott on the Project Team and the Work Group
- Assist other interested parties in reviewing how levee repair projects can be incorporated into other projects that will enhance fish habitat and the watershed environment
- Continue to explore and implement longer range projects to enhance watershed health in this immediate Walla Walla River reach. This includes assistance with analysis on acceptable removal, or retention, of vegetation along the river.
- As resources allow, provide the use of the Watershed Council office facilities for meetings
- As may be available, provide data, materials and other forms of technical assistance to the project to enhance the likelihood of project success



Board Chair, WWBWC



Date

Appendices

Appendix I Governor Kulongoski's Oregon Solutions Letter of Designation

Appendix II Project Team Membership

Appendix III Congressional Support, US Representative Greg Walden

Appendix IV Letters of Support

- i. Environmental Protection Agency
- ii. National Marine Fisheries Service

Appendix V List of Project Team and Work Group Meetings

Appendix VI FEMA Flood Map for Milton-Freewater

Appendix VII Map Showing Location of Walla Walla River Structures

Appendix VIII Participating Entity Logos

APPENDIX I



THEODORE R. KULONGOSKI
Governor

July 17, 2009

Linda Hall
City Manager
City of Milton-Freewater
722 S Main Street
Milton-Freewater, OR 97862

George Gillette
Chair, Milton-Freewater Water Control Board
15 SW 10th
Milton-Freewater, OR 97862

Larry Givens
County Commission Chair
Umatilla County Courthouse
216 SE Fourth Street
Pendleton, OR 97801

Dear Ms. Hall, Mr. Gillette, and Mr. Givens:

I have received your letter requesting the Milton-Freewater Levee Repair project be designated as an Oregon Solutions project. After reviewing your letter and the assessment conducted by Oregon Solutions staff, I feel this project supports Oregon's Sustainable Community Objectives, encompassing environmental, economic, and community objectives. By this letter, I am designating this as an Oregon Solutions project and appointing Senator David Nelson as the convener.

The Oregon Solutions approach will help bring together the potential partners in a neutral and collaborative way to address issues and opportunities. By integrating and leveraging investments, this project has the potential to strengthen the ties between the public, private and civic sectors in your community.

I am pleased to see the Milton-Freewater community taking a collaborative approach toward finding a solution for the levee issue and look forward to hearing about your progress as an Oregon Solutions project team is assembled. Please keep me updated on this effort and thank you for your work and enthusiasm thus far.

Sincerely,

A handwritten signature in black ink that reads "Theodore R. Kulongoski".
THEODORE R. KULONGOSKI
Governor

TRK:m:lj

STATE CAPITOL, 800 COURT STREET NE, SALEM OR 97301-4047 (503) 378-3111 FAX (503) 378-6627
WWW.GOVERNOR.OREGON.GOV

APPENDIX II

Milton-Freewater Oregon Solutions Project Team

Convener: Senator David Nelson, District 29

Herb Bessey, Levee Safety Program Manager, USACE

Sarah Branum, F&W Project Manager, BPA

Diane Driscoll, NOAA Fisheries Biologist

Ron Brown, Milton-Freewater Orchardist/Businessman

Bill Duke, District Fish Biologist, ODF&W

Scott Fairley, Regional Coordinator, ERT

Tom Fellows, Umatilla County Road Master

Mike Garton, Milton-Freewater Physician/Community Leader

Larry Givens, Chair, Umatilla County Commission

Linda Hall, City Manager, Milton-Freewater

Christine Kelly, U.S. EPA, Region 10

Sarah Kelly, Resource Coordinator, DSL

Lewis Key, Mayor, Milton-Freewater

Tamra Mabbott, Director Umatilla Department of Land Use Planning

Milton-Freewater Water Control District Board Members: Manford Anliker, President;

Sam Hopkin-Hubbard, Vice-President; Brad Humbert; Roger Cosner; Vern Rodighiero

Eric J. Quaempts, Director, Dept. of Natural Resources, CTUIR (Represented by Jed Volkman)

John Stephenson, Fish & Wildlife Biologist, USF&W

Chris Shirley, NFIP Coordinator, DLCD

Pat Vernon, Water Quality Manager, DEQ

Brian Wolcott, Executive Director, Walla Walla Basin Watershed Council

Cheryl York, Director Milton-Freewater Chamber of Commerce

John Zerba, Secretary/Treasurer, Hudson Bay Irrigation Improvement District

Congressional Representation: Participating to provide resource and liaison with federal agencies:

Kathleen Cathey, Senator Wyden's Office

Elizabeth Scheeler, Senator Merkley's Office

Wade Foster, Congressman Walden's Office

Project Manager: Dick Townsend, Salem, OR

APPENDIX III

GREG WALDEN
SECOND DISTRICT, OREGON
DEPUTY WHIP
ENERGY AND COMMERCE
SUBCOMMITTEES:
OVERSIGHT AND INVESTIGATIONS
RANKING MEMBER
ENERGY AND ENVIRONMENT
COMMUNICATIONS, TECHNOLOGY,
AND THE INTERNET
E-MAIL VIA WEBSITE:
<http://walden.house.gov>



Congress of the United States House of Representatives

August 18, 2010

WASHINGTON, DC OFFICE:
2352 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3702
TELEPHONE: (202) 225-6730

DISTRICT OFFICES:
843 EAST MAIN STREET, SUITE 400
MEDFORD, OR 97504
TELEPHONE: (541) 776-4646
TOLL FREE: (800) 533-3303

1051 NW BOND STREET, SUITE 400
BEND, OR 97701
TELEPHONE: (541) 389-4408

1211 WASHINGTON AVENUE
LA GRANDE, OR 97850
TELEPHONE: (541) 624-2400

To Whom It May Concern:

The strong cooperative efforts that exist between various local, state and federal entities to improve the Milton-Freewater community through this Oregon Solutions project are truly commendable. Recognizing and creatively addressing the need to improve existing levee conditions are key to the economic and environmental vitality of the Milton-Freewater area. I offer my assistance to this effort as deemed appropriate and recognize and appreciate the community spirit embodied in this project.


Greg Walden
Member of Congress

APPENDIX IV

Letters of Support



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

SEP 24 2013

Dick Townsend
Oregon Solutions
Portland State University
NPCC - 720 URBN
Post Office Box 751
Portland, OR 97207-0751

Dear Mr. Townsend:

We are writing you, the Milton-Freewater Levee Project Manager, to express our support for and participation in this cooperative process.

At your suggestion, we are submitting this letter of support and participation in lieu of the proposed formal signatory page appended to the Declaration of Cooperation. As presently written, the Declaration of Cooperation would require several marked revisions for EPA to sign onto the document itself, so we are expressing our support this way instead.

The mission of the Environmental Protection Agency (EPA) Region 10 (covering Alaska, Idaho, Oregon, Washington and the approximately two hundred seventy Tribal governments in the Pacific Northwest and Alaska) is to protect and restore the environment of the Pacific Northwest and Alaska for present and future generations. Within this mission we are committed to using science to make sound decisions to: protect and restore ecosystems and ensure healthy air sheds and watersheds; prevent pollution through source reduction; reduce the generation of land, air, and water pollutants; cleanup contaminated sites; enforce federal environmental laws; and conserve our valuable resources. EPA Region 10 supports cooperative and collaborative processes that endeavor to protect, restore, and maintain a healthy and sustainable environment for all.

Our understanding is that the Oregon Solutions Milton-Freewater Levee Project is committed to providing sustainable flood damage reduction in an environmentally sound manner and is seeking assistance to meet this goal. In the near-term, this project is focused on fixing existing levee deficiencies in a manner that minimizes impacts to water quality, aquatic habitat, and other natural resources, including retention of at least some woody vegetation on the levees.

In the long-term, this project envisions solutions that are more ecologically sustainable than what the present levee system can provide and that are aimed toward attaining water quality and aquatic habitat needs while still providing dependable flood damage reduction. The latter actions could include solutions that are more natural than the present levee system, such as levee setbacks and a natural river channel and floodplain, at least in portions of the existing levee reach.

EPA is well-positioned to assist in these endeavors by emphasizing potential environmental effects and solutions. To this end:

- EPA intends to actively participate as part of the Milton-Freewater Oregon Solutions Project Team, and intends to provide technical resource information and leadership for the Oregon Solutions process. Through participation in the Oregon Solutions process, EPA will assist with trying to find solutions that have multiple values and broad based support toward protecting water quality and other natural resources while reducing potential flood impacts to the local community.
- Christine Kelly, EPA Environmental Scientist, is assigned to serve on the Project Team and as time permits also participate on one or more work groups, such as the Vegetation Removal Work-Group for up to one year, and extendable beyond that based upon supervisory approval and regional needs.
- EPA intends to provide expertise in, and advice on, watershed enhancement and environmental concerns relating to the near-term action of the Milton-Freewater Water Control District design parameters that address levee deficiencies.
- EPA intends to provide expertise in, and advice on, watershed enhancement needs and environmental concerns for the long-term goal of improving water quality, aquatic habitat, and ecological functions in the existing Milton-Freewater levee reach of the Walla Walla River Basin.
- EPA intends to provide information on various EPA programs that may have implications for the project.

While EPA supports this process and intends to participate toward its success, we also need to remind participants of the following EPA constraints:

- EPA's support of and participation in this project does not prevent EPA from taking any action, or refrain from taking any action, pursuant to its existing statutory or regulatory authorities.

- EPA's support of and participation in this project does not obligate EPA to expend appropriations or to enter into any financial obligation that would be inconsistent with Agency budget priorities. EPA's participation in this project does not exempt any participant from EPA policies governing competition for assistance agreements.

We thank you for inviting EPA Region 10 to participate in this important effort, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Wenona Wilson", with a long horizontal flourish extending to the right.

Wenona Wilson
Manager
Ecosystems and Community Health Unit



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, Washington 98115

September 1, 2010

Oregon Solutions – Attn: Lauren Beeney
P.O. Box 751
Portland, Oregon 97207

Re: National Marine Fisheries Service support for and participation in the Oregon
Solutions Milton-Freewater, Oregon, Levee Project

Dear Mr. Townsend:

The National Marine Fisheries Service (NMFS) is a Federal agency, within the Department of Commerce' National Oceanographic and Atmospheric Administration, responsible for the stewardship of living marine resources and their habitat. The agency works to promote sustainable fisheries and to prevent lost economic potential associated with over fishing, declining species, and degraded habitat. As a continuing partner in this Oregon Solutions process NMFS will:

- Continue to participate in meetings of the Project Team and the subgroup Levee Vegetation Team, as time permits.
- Review proposals and provide technical advice based on established ecological principles and the best science available to develop both short and long-range plans that will provide flood risk reduction for the community and ecosystem enhancement measures that benefit NMFS Trust Resources.
- Assist the Project Team with understanding and navigating through the Endangered Species Act regulatory processes and consultation procedures on various infrastructure projects to give Project Team proposals the best chance of success.

NMFS looks forward to working with the Project Team to achieve the designated goals of providing dependable and sustainable flood reduction in an environmentally sound manner.

Sincerely,

Diane Driscoll
NMFS Fishery Biologist

APPENDIX V

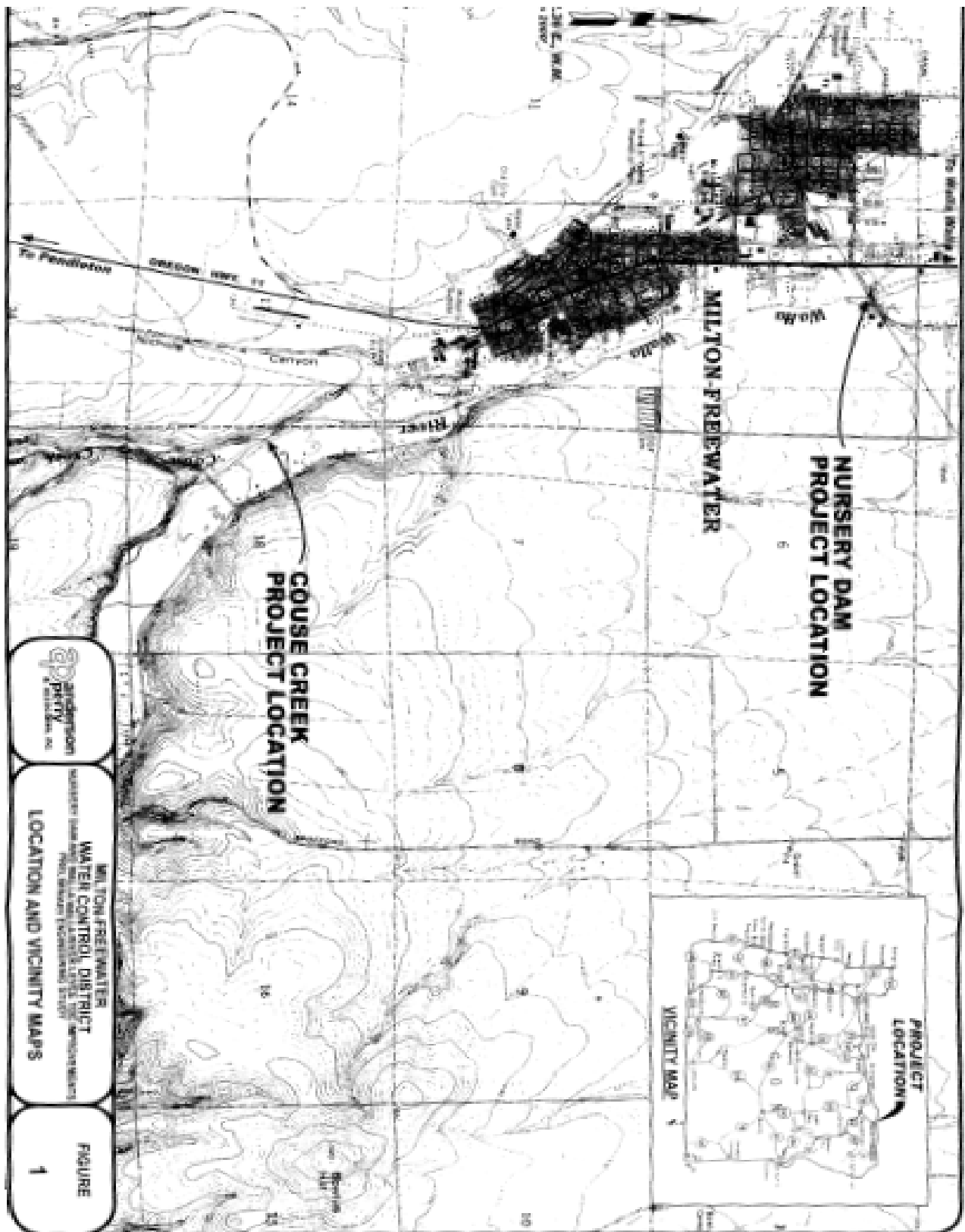
Project Team Meetings

Oregon Solutions Project Team and Work Group meetings were held on the following dates. Project Team minutes are available through the City of Milton-Freewater. Appreciation is extended to Leanne Steadman, City Recorder, Milton-Freewater for compilation of these documents.

- September 14, 2009
- October 20, 2009
- December 8, 2009
- January 26, 2010
- March 30, 2010
- May 18, 2010
- June 30, 2010
- August 18, 2010

[illegible]

APPENDIX VII



APPENDIX VIII



Hudson Bay Irrigation
Improvement District



Oregon Department of Land
Conservation and Development



Milton-Freewater Water
Control District



US Army Corps
of Engineers
Walla Walla District

