

**MONDAY AUGUST 2, 2021
CITY COUNCIL WORK SESSION, 6:00 PM
COUNCIL CHAMBERS
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056**

JOINT WORK SESSION – COLUMBIA COUNTY BOARD OF COMMISSIONERS

Mayor Burge called the work session to order at 6:00pm.

Present: Mayor Scott Burge; Council President Megan Greisen; Councilor Joel Haugen; Councilor Brandon Lesowske; Councilor Pete McHugh; Councilor Tyler Miller; Interim City Manager Alexandra Rains; Chief Norm Miller; City Recorder Susan Reeves; City Engineer Chris Negelspach; City Planner Laurie Oliver Joseph; Legal Counsel Peter Watts; Columbia County Commissioners Margaret Magruder and Casey Garrett.

Remote: Councilor Josh Poling; Chase Christensen; Gary Wheeler; Geoff Wenker; James Heyen; Jeff Condit; Karen Kessi; Matt Laird; Mike Russell; Robyn McIntyre; Betsy Johnson; Tate Justensen; and three unidentified callers.

Presentation by SDIC and WEST Consultants, Inc. on the work completed to date on the proposed LOMR (Letter of Map Revision) which will update the floodplain mapping on the east side of the City. This is the last step in the recertification of the levee. Presenters: Geoff Wenker – SDIC (Scappoose Drainage Improvement Company) and James Heyen, P.E. – WEST Consultants, Inc.

Interim City Manager Rains thanked the Commissioners for being here this evening. She explained we are going to start with the presentation on the status of the interior drainage analysis being completed by the Drainage District.

Geoff Wenker, Scappoose Drainage District, gave a brief history. He explained after Katrina, in 2005, the requirements to be accredited went up significantly and the Corp came down in 2007 and introduced their updated process and they started on that in 2009. He stated it was a long progression and studies by the Corp and about three different private engineering firms were involved. He explained in December of 2019 the Corps issued a letter and studies, called certification by the Corp, and that is basically saying the levee is sound and should hold up to a 100-year event. He explained there has been three of those since the levee was built in the 20's. He said that is the main thing for certification but with that is a projection of flooding that would occur during a 100-year event, but that has to include two different things, which is a 100-year level in the river and then the flooding, in our case, is driven mostly by rainfall. He explained, the City's storm system generally looks at and designs around 25-year storm events but the accreditation calls, by FEMA and the Corp, is built around a 100-year event. He stated, which in rough numbers, is nine inches of rain in seventy-two hours. He gave an overview of the

meeting with the City, FEMA, State National Flood Insurance flood map coordinator, Scappoose Drainage District and Columbia County. He explained the part that was most concerning was the proposed flood map, which is built around the interior drainage analysis and takes into account all water coming out of the sky landing in the watershed of Jackson Creek or landing on top of the district and it flows over ground into ditches to our pumps. He stated think of it as all a moving thing and the goal is to capture the peak - how much land is flooded with at least a foot of water at the peak of the 100-year event. He explained, the existing flood maps are dated November 16, 2010, but they are built on the same 2010 lidar. He stated that the City, from a due diligence point of view, decided to do more lidar and that took several months and so did the mapping process. He explained at the beginning of 2020 they waited for Multnomah County to sort out the details of the technical aspects of how to do the maps with FEMA. He explained the City also had FEMA do a preliminary review of the certification documents from the Corp, which was a good thing to do, and there was some debate on the key factors. The City went ahead and had West do a sensitivity analysis on a couple of those factors, it didn't turn out to have much of an effect. He explained the lidar was completed in the winter. He explained West issued draft maps in October of 2020, the lidar got done after that and then in July they issued draft maps based on the updated lidar.

City Planner Laurie Oliver Joseph explained based on the updated lidar that was incorporated, and that is what you are seeing in the draft maps before you, it did remove the proposed 100-year floodplain throughout some of the urban areas in the City, which is what we were hoping to see. She explained we knew for a fact that certain areas definitely had been developed and filled over the years and we are seeing that reflected here.

James Heyen, West Consultants, gave an overview of the study in which the mapping was ultimately based, giving some insight as to how that was developed and the process they went through for creating those maps. He explained the initial task of the study was to conduct what's called an interior drainage analysis, which is a required analysis done for FEMA certification of your levee system. What that is attempting to do is to try and quantify the flooding that could be expected during a base flood event, a 100-year event, on the interior side of a certified levee. He stated since this is a modern approach they are not capable from a modeling perspective to look more detailed at rainfall that actually falls on the interior of the district and that in many cases because these levee protected areas are kind of like a big bathtub in a sense with various inputs and one output - that being the pump systems. Often, the precipitation is as much a driving factor as any of the contributing streams that might happen to come in and provide water to the district. They did hydraulic modeling beginning in 2016. He explained the process they completed which gave them a gridded output of water surface elevations in a certain area and that output were the results that came out of the initial study. Then feedback came from FEMA that they wanted them to modify the official FEMA flood hazard mapping for the area and that then kicked off the next phase which took place over the last year and a half or so of developing revised flood hazard mapping through the LOMR process. He gave an overview of the process. He gave an overview of the maps.

Mayor Burge asked about the letter that was received. He stated one of the points that they are making on the mapping is first, there are reasons why the maps are questionable from a methodology standard, such as the maps failure to account for existing public drainage systems. He stated he recalled this property when it was being proposed to sell to PCC who ultimately chose to build on the other side of the airport and they built the entire drain field in the other side of the road to account for this property and he was wondering does this take that into account or what is being taken in or what are they missing?

James Heyen replied when they are considering the type of modeling and the type of events that are incorporated into flood hazard mapping, they are looking at what's called the "one percent annual chance" exceedance event, it's normally referred to as the 100-year flood event, in the sense that it has the recurrence interval on average once every 100 years. He explained what typically happens in those events, since the type of piping that's usually involved for these drains are on average maybe two foot in diameter or smaller, dynamically what tends to happen in these events is that a lot of those systems become clogged, or they become overwhelmed because it is a much larger amount of water than what they are designed to handle. He stated the standard approach is that FEMA has said you just disregard them, you don't consider storm drain systems when you're looking at a 100 -year flow event.



August 2, 2021

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VIA E-MAIL

Hon. Scott Burge, Mayor
City of Scappoose
33568 E. Columbia Avenue
Scappoose, OR

RE: Joint Work Session on FEMA Letter of Map Revision (LOMR) for east
Scappoose

Dear Mayor Burge and City Councilors:

This office represents Airpark Development, LLC ("Airpark") which owns the majority of the land zoned for "East Airport Employment." The Airport Employment land is located to the east and south of the Scappoose Industrial Airport. While Airpark supports re-certification of Scappoose Drainage Improvement Company's levy system as a general matter, the maps currently proposed by SDIC would substantially reduce Airpark's ability to develop the Airport Employment area. We bring this issue to the Council's attention not only because of Airpark's interest as a landowner, but also because this land is a key—indeed, perhaps the key—element to the City's economic development strategy.

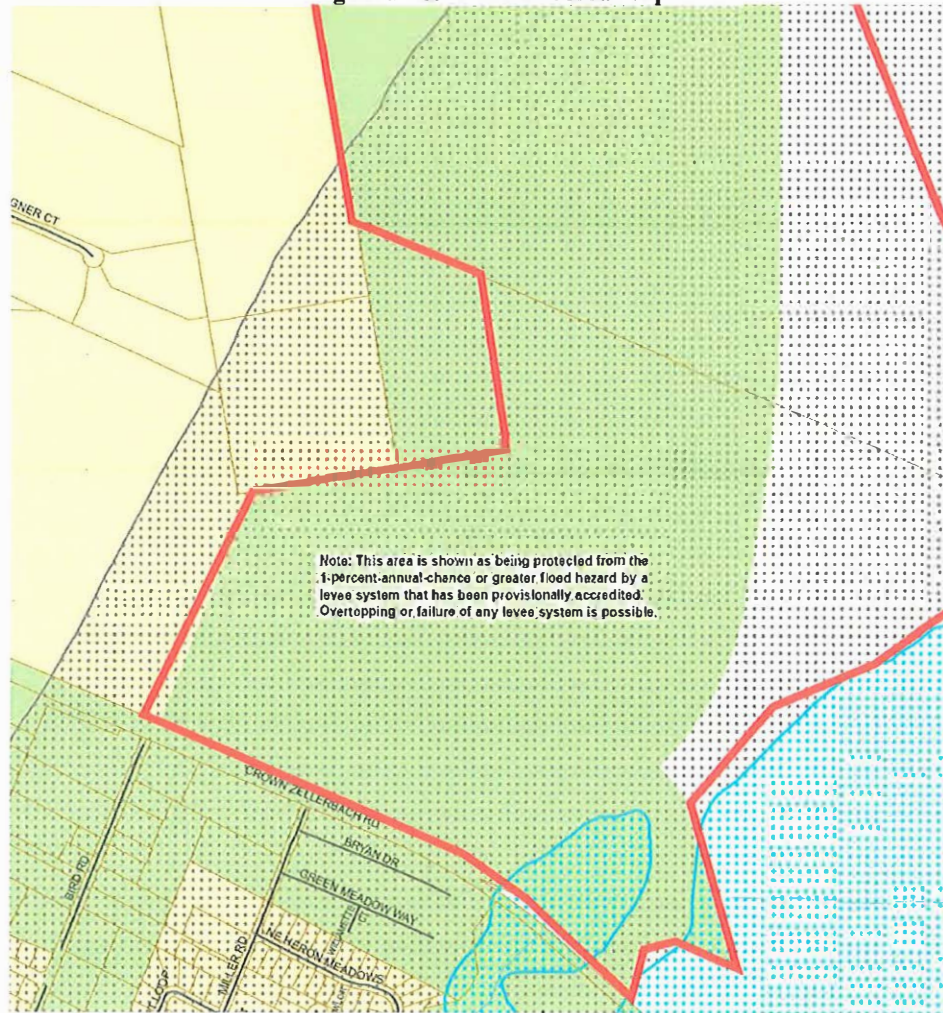
Airpark's property constitutes the majority of land within the 343-acre Airport Employment urban growth boundary (UGB) expansion area. The City decided to bring Airpark's land into the UGB in 2011. This was in response to an economic opportunities analysis which demonstrated that this area provided the best opportunity for economic growth in Scappoose because of the cluster of aviation industries surrounding the airport and the suitability of this land for development. After a number of unsuccessful appeals, the City's decision became effective in 2015. Now, the Airport Employment area provides the bulk of the City's available large-plot employment and industrial land.

When it was brought into the UGB, little to none of the Airport Employment area was within a 100-year FEMA flood plain because it was protected by SDIC's levy system. In fact, the City's 2011 UGB amendment findings specifically cited the lack of flood hazards in the Airport Employment area as a basis of its inclusion in the UGB. See Ord. 816, City Council Findings at 43. The 2010 FEMA maps in effect at the time are still the ones used by the City when making land use decisions and issuing permits.

Unfortunately, SDIC's proposed flood maps (which reverse the suitability assumptions for the Airport Employment area) and will have the effect of making development of this area far more difficult, if not impossible. This can be seen when comparing the following maps:

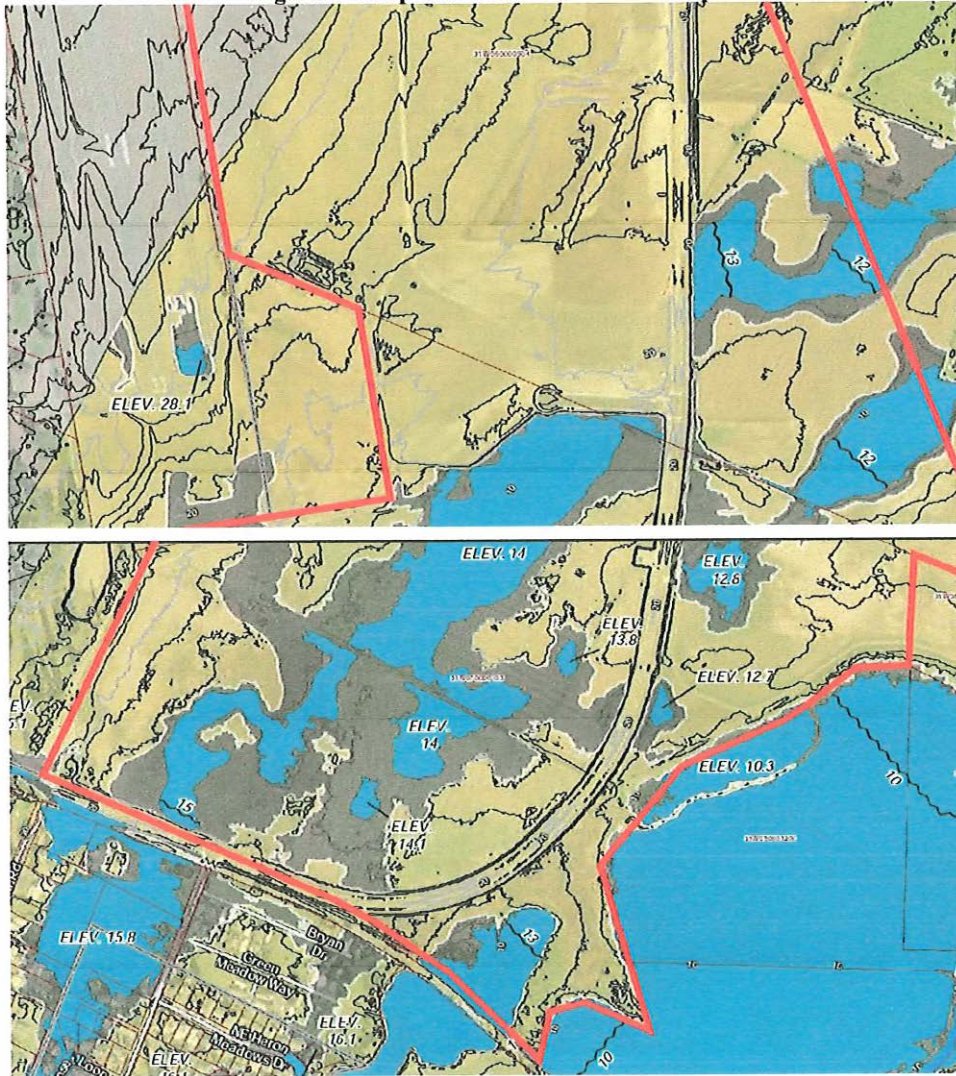


Figure 1 - 2010 FEMA Flood Map



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Figure 2 - Proposed 2021 FEMA Flood Map



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As you can see from the above maps, the proposed FEMA maps would include a substantial amount of new flood plain on the southern extent of the Airport Employment area, affecting roughly 90 acres of land,¹ which was not affected by mapped flood plains when the Airport Employment area was designated for urban development. Airpark has already planned to fill much of this land to accommodate development and has obtained a grading permit for this purpose, but the new mapping would make that difficult or impossible due to the City's code requirements for a cut/fill balance within mapped flood plains. Once Airpark's property is designated as flood plain, the cut/fill balance requirement would likely prevent Airpark from raising the property above the mapped flood elevation.

The bottom line is that, if the new maps go into effect before Airpark can complete its grading and fills, much of the southern portion of the Airport Employment area will be rendered either undevelopable or very difficult and/or expensive to develop. This would have the very real effect of undercutting the City's own economic development goals stated in its 2011 UGB decision and would subvert Airpark's reasonable expectations that were the basis of its acquisition of this land and related development plans.

Accordingly, the City should be cautious in moving forward with this mapping project. First, there are reasons why the maps are questionable from a methodology standpoint (such as the maps' failure to account for existing public drainage systems). Second, as described above, there are reasons why the City should withhold its FEMA concurrence for these maps until Airpark has the opportunity to investigate and mitigate their impact on the Airport Employment area.

We sincerely appreciate the Council's consideration of these comments and hope that we can work cooperatively with the City and SDIC on a solution to this serious potential consequence of the proposed FEMA flood maps.

Best regards,



Garrett H. Stephenson

GST:jmhi

cc: Ms. Alexandra Rains (via email)
Ms. Laurie Oliver Joseph (via email)
Mr. Chris Neglespach (via email)
Mr. Ed Freeman (via email)
Mr. Brien Flanagan (via email)

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¹ This includes land directly mapped with floodplain and surrounding lands that would be constrained for development purposes due to the new floodplains.

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Legal Counsel Peter Watts explained part of the reason this particular area come into the Urban Growth Boundary in 2011 was that at least for this area in Columbia County it was relatively dry or didn't have very many floodplain issues compared to other places. He explained that Airpark knew that there would need to be a certain amount of fill to occur on this property in order to get it graded and ready for development and under the former mapping, that was pretty

feasible and pretty cut and dry. He explained under the proposed but not yet adopted mapping, if that is put into place because of State laws and because of our own code, then it will be very difficult to do that. He stated, the impact if this map is adopted, on our urban growth expansion area is very significant. It would likely require a major change, which means they could take what they have but they have to go through the Planning Commission process because it represents more than a 10% change, which is our threshold. As far as what could be built, how could it be built, it is really negatively impacted. He stated what we were hoping to do is to flag this issue for you, the Council, as well as the County Commissioners, because you are taking an area that appeared to be developable, and you have made it into an area where a lot of it's not developable and then you have issues with contiguous parcels. He stated they don't know how this could work.

Mayor Burge asked what if Airpark goes out before these maps are approved and cut and fills to the current maps/code and then these maps are put into place?

Legal Counsel Peter Watts replied he thinks the most important things is that they are accurate maps. He stated if Airpark gets out there and does cut and fill under the current maps, he thinks that they would ask that this be remapped based on that. He feels the implication of this mapping goes far beyond Airpark. He stated this is going to have huge impacts on our buildable lands inventory to our housing needs analysis and future economic development. He stated that is why we, as the staff, wanted to flag this issue and get it in front of everyone. He stated we just want to make sure that everyone is working off the best data, and to the extent that we can, we understand all the impacts that this will have. We want to make sure that a map doesn't get adopted if we don't have an understanding of all the impacts on the community.

Columbia County Commissioner Margaret Magruder asked if there are additional studies that could be done that would provide more accurate data?

Legal Counsel Peter Watts replied the additional study that was mentioned was looking at the non-ditch piping. He explained their thought was they needed to get in this on everyone's radar as soon as possible and then he thinks those are all conversations we can have.

Columbia County Commissioner Margaret Magruder stated she would certainly encourage all of us to discuss this and learn a little bit more before we leave some developable property out of the possibility of developing. She stated we need that developable land.

Columbia County Commissioner Casey Garrett replied yes.

EJ Smith Road Bridge

Mike Russell, Columbia County Public Works Director, explained he is not familiar with the issue. He stated it is not a structural issue, it is a flooding issue, correct?

Mayor Burge replied correct.

Mike Russell explained at this point there are no plans to raise the bridge, but it is something they can continue to look at. He stated that would be a million-dollar project and the road fund just doesn't have those funds at this time. He is happy to look further into it and get it into the work plan.

Senator Betsy Johnson stated she thinks it would be exceptionally prudent for the County and the City to work together to try to get the specs and the ramifications and a basic price to do this work. She stated there is still some ARPA money to the Legislature, there was a high premium placed on infrastructure, particularly water and sewer projects and with Ms. Rains substantial help you know that the City, as she spoke at the last Council meeting, did very, very well. If you have this project described and priced, it doesn't have to be engineered, but there's a possibility that we could go to the short session in February and see about the possibility about getting additional money. She stated if there is a fighting chance to get this paid for with any of the residual ARPA money, having a written narrative and a ballpark price would be extremely helpful. She will commit to both the City and the County to try to carry this forward to the Legislature to see if there might be any funds that could be available to do this project.

Mayor Burge thanked Senator Johnson.

Mike Russell replied that he will commit to helping and working with the City to develop that scope of work and we will see what we can get, that is great!

Senator Betsy Johnson replied he should work directly with Ms. Rains. She stated with Ms. Rains substantial help we were able to bring home nearly 14 million dollars to Scappoose and that was because of her very nimble staff and her willingness to work with her to try to get the projects sufficiently described so that she could make the case in Salem. She stated it will be more difficult given that we are looking at a short session rather than a long budget session.

Mayor Burge thanked Senator Johnson.

Adjournment

Mayor Burge adjourned the work session at 7:04pm



Mayor Scott Burge

Attest:



City Recorder Susan M. Reeves. MMC