

Audubon Society of Portland
Bridgeton Neighborhood Assn.
City of Fairview
City of Gresham
City of Portland
Bureau of Environmental Services
Bureau of Transportation
Portland Parks & Recreation
Portland Water Bureau
City of Troutdale
Columbia Corridor Association
Columbia Slough Watershed Council
East Columbia Neighborhood Assn.
Federal Emergency Management Agency
Jubitz Corporation
Metro
Multnomah County
Multnomah County Drainage District
Peninsula Drainage District #1
Peninsula Drainage District #2
Port of Portland
State of Oregon
Dept. of Environmental Quality
Dept. of Land Conservation & Development
Governor's Regional Solutions Team
US Army Corps of Engineers

April 4, 2019

Senate Committee on Environment & Natural Resources
Oregon State Legislature
900 Court Street NE
Salem, OR 97301

Re: Senate Bill 431-2

Chair Dembrow and Members of the Committee,

The 27-mile levee system running from N. Portland through Gresham, Fairview, and Troutdale reduces the risk of flooding for thousands of people, while also protecting the Portland International Airport, over 59,000 jobs, critical infrastructure, greenspaces, and habitat.

Although the infrastructure is old and in need of major repairs, the drainage districts responsible for maintaining the system have only been able to fund basic operations and maintenance with limited capital improvements for many years. As a result, the system is out of compliance with new federal standards set by the US Army Corps of Engineers (USACE) and Federal Emergency Management Agency (FEMA). FEMA certification of the levee system has expired, which means that FEMA could revoke accreditation and remap the area as floodplain any time.

Losing FEMA accreditation of the levee system would mean that landowners behind the levees would no longer be eligible for affordable flood insurance through the National Flood Insurance Program (NFIP); mortgage holders would be required to purchase flood insurance at higher rates; the cities and county would have to implement new zoning and building codes to elevate buildings above flood levels; and the region would lose access to a significant portion of the undeveloped industrial land.

A new governance structure is needed to ensure flood safety and meet the needs of the system now and in the future.

During the initial public hearing held on Senate Bill 431 on February 19th, several stakeholders raised concerns that we have worked hard to address over the last month and a half. The amendments in SB 431-2 reflect the consensus of our partnership as we worked to:

- Refine the definition of the "works" to adequately reflect the purpose of the district (Section 2(10))
- Clarify the purpose of the district, including incorporating an ongoing commitment to social justice and to preparing for the impacts of climate change (Section 3)

- Adjust the composition of the boards of directors to ensure a variety of voices are represented at the decision-making table (Section 5)
- Specify the reasons the board of directors can update the boundaries of the managed floodplain (Section 7(10))
- Provide the board with the flexibility needed to establish multiple advisory committees with various charges (Section 8)
- Address concerns regarding the extent of the district's condemnation authority while maintaining the level of authority required by the US Army Corps of Engineers to serve as the local sponsor of a federally-authorized levee system (Sections 9(4) and 10(3))
- Provide the necessary enforcement authorities for the district to be able to carry out its purpose (Section 9(11), Sections 25, and Section 26)
- Ensure the district coordinates with other jurisdictions working in the Columbia Slough Watershed and that planning efforts around water quality and watershed health are fully aligned with the purpose of the district (Section 12)
- Address concerns that if the district was to issue general obligation bonds that tax compression under Oregon's Measure 5 and Measure 50 would result in property owners in east Multnomah County paying more than those in the city of Portland by including the appropriate provisions for bonds to be exempted (Section 20(1)(b))
- Ensuring the district will be required to comply with federal, state, and local regulations without any loopholes or carve outs.

Establishing the Urban Flood Safety & Water Quality District is needed to reduce the risk of flooding in an area critical to the region's future and to help improve the environment and recreational value of the managed floodplain. Although there is always some risk with change, doing nothing presents a far greater risk to the state, the region, and all the people who rely on the levee system to protect their lives and livelihoods.

The passage of Senate Bill 431-2 during the 2019 legislative session will allow us to continue to build momentum and make progress on recertifying the Columbia River levee system and establishing a more efficient, equitable, and modern governance structure to support this critical infrastructure going forward. Please stand with Levee Ready Columbia and all the people who rely on the Columbia River levee system by passing this legislation.

Sincerely,

The Levee Ready Columbia partnership