

Chair Representative Brad Witt
House Natural Resources Committee
900 Court Street NE
Salem, OR 97301

February 4, 2020

Subject: HB 4119 shifts tsunami mitigation from land-use planning to engineering.

Dear Chairman Witt and Vice Chairs Gorsek and Sprenger,

I am opposed to HB4119 for several technical reasons, and for the general approach to the problem of public safety and tsunami mitigation:

- 1) The broad approach: The gist of this bill is to put the tsunami issue in terms of engineering solutions. It puts Risk Class 3 and 4 buildings (Critical Facilities) into a group requiring ASCE-7-16 engineered construction for tsunami impact. This alone sounds fine, but shifts the burden of responsibility for public safety away from sensible land-use planning toward an engineering-based solution. This is not what Japan does, and not what any other country does to my knowledge.
- 2) Making this shift in approach means that as long as you build your critical facilities to the ASCE code, you can then develop undeveloped areas in tsunami zones and support them with police, fire and medical services, as long as they meet the code.
- 3) Given 1 and 2 above, once critical facilities are constructed, there is no guarantee that they will survive a tsunami in any functional sense, it means that the steel skeleton will still be standing, that's it. Anything more than that would be an option exercised by the builder to make the critical facility operable during and after the tsunami. That would be so expensive that it's an unlikely option. Newly developed areas will then be legal, but not protected by critical services in the event of a tsunami.
- 4) As for the other administrative issues, DOGAMI is not a regulatory agency, nor do they want to be one. DLCD is better equipped for that, but DOGAMI does have the technical expertise to advise and to establish the tsunami lines, which they have done and should continue to do. Creating a hybrid committee with OSSPAC, which is made up of political appointees, is ill advised and subjects the objective science agency to the opinions of these appointees.
- 6) This legislation hard codes the ASCE 7-16 building code revision into law; codes that change every few years, and so this would be obsoleted in the near term. It also usurps the authority of Building Codes and their expertise, an organization that must remain free of politics for obvious reasons.

In my opinion, this bill is so fundamentally flawed I don't think it can be fixed by amendment.

Respectfully,

Dr. Chris Goldfinger

Oregon resident, Earthquake Geologist, Cascadia earthquake and tsunami specialist

This opinion does not reflect any official position of Oregon State University, or the U.S. Geological Survey.