

**IMPACT STATEMENT**

**Legislation title:** \*Authorize Directors of the Bureau of Environmental Services and Bureau of Development Services to apply to the Federal Emergency Management Agency for floodway and floodplain map revisions on behalf of the City (Ordinance)

**Contact name:** Kaitlin Lovell (BES) or Jason Butler-Brown (BDS)

**Contact phone:** 3-7032 or 3-4936

**Presenter name:** Kaitlin Lovell

**Purpose of proposed legislation and background information:**

- The Federal Emergency Management Agency revoked an important policy that had the effect of incentivizing and streamlining habitat restoration projects by eliminating the need to undergo costly flood modeling and mapping requirements. The City had relied on this policy to minimize permitting time and expense for a number of habitat restoration projects and other infrastructure projects that required habitat enhancement through the use of fish enhancement structures.
- The effect of revoking this policy means that City bureaus will be required to undertake rigorous modeling, and expensive and time intensive mapping revisions which must be approved by the Federal Emergency Management Agency prior to construction of a project.
- In order to minimize the delays and expense of this process, Council is being asked to delegate authority to Directors of Bureau of Environmental Services and Bureau of Development Services to submit these applications to FEMA on behalf of City Council which is the political subdivision that has the authority to adopt and enforce flood plain management regulations for the areas within its jurisdictions. This delegation will eliminate approximately 4 months from the process needed to comply with the appropriate federal codes.
- This ordinance also requests the Directors to request FEMA reconsider withdrawal of its policy.

**Financial and budgetary impacts:**

- There are substantial time and cost impacts from FEMA's withdrawal of its policy. In some cases, BES estimates it will add up to \$100,000 and an additional year to the permitting requirements associated with some river restoration projects.
- This Ordinance will reduce the time required to comply but will not significantly reduce the costs of federal code compliance.

**Community impacts and community involvement:**

The specific action in this ordinance has not been subject to community involvement. However, the impact of the City's restoration projects and habitat enhancement efforts are subject to extensive public involvement. Notably, the cumulative effects of these projects have substantially reduced flood risk on public and private property in many areas of Johnson Creek such as the Lents and Sellwood neighborhoods, in some cases eliminated the need for flood insurance. These projects have resulted in salmon and steelhead returning to urban streams, giving rise to a Salmon in the City celebration led by the Native American community. Many of these projects have prepared the streams and the city infrastructure crossing and abutting the streams for greater resilience in the face of flooding which is expected to increase with climate change.

The revocation of FEMA's policy has a chilling effect on these kinds of projects and the actions intended by this Ordinance are aimed at continuing these types of projects that benefit communities across Portland.

100% Renewable Goal:

- N/A. This ordinance has no effect on the city’s carbon emissions goals but does positively respond to the city’s goals for climate preparation and resilience.

Budgetary Impact Worksheet

Does this action change appropriations?

- ☐ YES: Please complete the information below.
- ☒ NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount