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191391

Ordinance

Authorize application and accept award funds for a Hazard Mitigation Grant Program grant for the Springwater Wetlands and Floodplain Restoration Project along Johnson Creek in Lents and Powellhurst-Gilbert Neighborhoods not to exceed \$7,100,000

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. In May 2022, the Council authorized the Bureau of Environmental Services (BES) to apply for a Hazard Mitigation Grant Program (HMGP) grant through the Oregon Office of Emergency Management in an amount not to exceed \$5,601,750 for the Springwater Wetlands and Floodplain Restoration Project under Ordinance 190841.
2. The federal cost share for this grant increased from 75% federal-25% local match to a 90% federal-10% local match, increasing the not-to-exceed grant amount from \$5,601,750 to \$7,100,000.
3. Authorized under Section 404 of the Stafford Act and administered by the Federal Emergency Management Agency (FEMA), the HMGP provides grants to states and local governments to implement long-term hazard mitigation projects that reduce the loss of life and property due to natural disasters.
4. Investing in flood prevention facilities protects private property, public land and City-owned infrastructure.
5. Flood risks disproportionately impact low-income and other vulnerable residents and businesses. The Bureau of Planning and Sustainability identified this project area as having a high level of economic vulnerability and a higher-than-average proportion of residents of color.
6. Johnson Creek has flooded more than 40 times within the City of Portland in the last 75 years, damaging roads, homes and businesses; impacting a major transportation route for freight and commuters; and threatening lives.

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Environmental Services](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

July 26, 2023

7. In 2018, the Council, City bureaus, neighborhood groups, State/Federal agencies, and community-based organizations entered into an Oregon Solutions Declaration of Cooperation to reduce flood impacts in the Lents and Powellhurst-Gilbert neighborhoods. Implementation of this Springwater Wetlands and Floodplain Restoration Project is a defined action of this declaration.
8. Funding from the HMGP will support implementation of the City of Portland's Johnson Creek Restoration Plan (JCRP, 2001), which calls for restoring natural resource functions to reduce flood risk, improve water quality and enhance wildlife habitat.
9. If awarded, HMGP funds will be used to restore approximately 35 acres of City-owned property to reduce the frequency of flooding to nearby roads, homes, and businesses.
10. The cost for the design, permitting and construction of the Springwater Wetlands and Floodplain Restoration Project is approximately \$7,469,000. The level of confidence in the estimate is moderate. If awarded to the City, the HMGP grant will pay up to 90% of the project cost.
11. The minimum 10% BES grant match is approximately \$746,900. Funds are available in the Sewer System Operating Fund, FY 2023-2025, Bureau of Environmental Services Capital Improvement Project Budget, WBS Element E07383.

NOW, THEREFORE, the Council directs:

- A. The Mayor is authorized to apply to the Oregon Office of Emergency Management for a HMGP grant and accept an amount up to \$7,100,000.
- B. The Mayor is authorized to provide such information and assurances as are required for the grant period.
- C. The Office of Management & Finance Grants Management Division is authorized to perform all administrative matters in relation to the grant application, grant agreement or amendments, requests for reimbursement from the grantor, and to submit required online grant documents on the Mayor's behalf.
- D. The Director of the Bureau of Environmental Services is authorized to accept on behalf of the City any subsequent modifications by the Oregon Office of Emergency Management and FEMA for the Springwater Wetlands and Floodplain Restoration Project HMGP grant, provided such modifications do not increase the City's financial obligation or risk. Any modifications that increase the City's financial obligation or risk must be authorized by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
July 26, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

If awarded, HMGP funds will be used to restore floodplain and wetlands to mitigate flooding in the Johnson Creek floodplain in the Lents and Powellhurst-Gilbert neighborhoods of City of Portland. Johnson Creek floods from direct surface runoff and groundwater discharge that poses problems in residential, commercial, and public areas. Prior to the City's restoration efforts, Johnson Creek had a history of flooding every two years on average in these neighborhoods, damaging roads, homes, and businesses.

This HMGP grant will allow the City of Portland to restore floodplain and wetlands located within Johnson Creek's 100-year floodplain. The Springwater Wetlands and Floodplain Restoration project will create flood storage to reduce damage to homes, businesses, other structures, and public infrastructure, and threats to public safety in the Lents and Powellhurst-Gilbert neighborhoods.

BES received grant funding in 1996 and 2006 to purchase flood-prone properties and implement floodplain restoration in the Johnson Creek Watershed.

Funding from the HMGP will directly support implementation of the City's Johnson Creek Restoration Plan (JCRP, 2001), which calls for restoring natural resource functions to reduce frequent flooding, improve water quality, and improve habitat.

Financial and Budgetary Impacts

This Council action does not amend the City budget. In addition, this action does not change appropriations, see Budgetary Impact Worksheet below.

If this grant application is successful, BES will amend the project budget to include grant funding through a fall budget adjustment. If awarded, up to \$7,100,000 in grant funds will be used to design, permit, and construct the Springwater Wetlands and Floodplain Restoration Project. Grant funds will be used to leverage the City's capital investment in this project, construction and management fees are estimated at a total cost of \$7,469,000.

If awarded, this grant will require a minimum 10% cost share of local match estimated at about \$746,900. Matching funds are budgeted in the Bureau

of Environmental Services Project E07383.

Community Impacts and Community Involvement

The City of Portland has ongoing and planned outreach with the community. Some community project elements include:

- Lents Stabilization and Job Creation Collaborative Oregon Solutions Project Declaration of Cooperation: Oregon Solutions engaged City of Portland bureaus, neighborhood groups, Metro, state and federal agencies, academic institutions, and community-based nonprofits to identify actions that would lessen the impacts of flooding and flood insurance costs on the physically, economically and socially vulnerable neighborhoods of Lents and Powellhurst Gilbert.
- Newsletter to floodplain property owners, including the owners of the properties impacted by the Springwater Wetlands and Floodplain Restoration Project: The newsletter includes information about flood safety, floodplain development regulations, BES' efforts to address flood impacts from Johnson Creek.
- Neighborhood outreach: Lents Neighborhood Association, Lents Livability Association Meeting, Powellhurst Gilbert Neighborhood Association presentations; Native American Community Advisory Council site tours (Fall 2019/Winter 2020). Large community events were delayed due to public health and safety concerns associated with the COVID-19 pandemic.
- Community-based organization partnerships: For over 20 years the City of Portland has actively partnered with organizations like Johnson Creek Watershed Council and Zenger Farms to promote environmental stewardship and education for students and adults about the ecological values of Johnson Creek and its wetlands. Zenger Farms is a working urban farm that models, promotes and educates about sustainable food systems, environmental stewardship, community development and access to good food for all. Many students who participate in these programs come from David Douglas School District, where 63 native languages are spoken and 24% of students are English-language learners. The experiential and science-based programs teach kids of all backgrounds about food, farming, wetland conservation, and environmental stewardship. The Springwater Project will build upon and further enhance nearby natural area access, education, outreach, and stewardship activities.
- Foster Lents Integration Partnership, a multi-agency effort led by the Portland Development Commission (now Prosper Portland) with community engagement developed an action plan to support a healthier, more prosperous future for the Foster Corridor. This area is part of the Lents Urban Renewal District and includes substantially decreasing flood risks in the Lents and Powellhurst Gilbert neighborhoods.

100% Renewable Goal

This action may not directly impact the City's total energy use. However, wetlands provide critical ecosystem services that mitigate and adapt to climate change. The Springwater Wetlands and Floodplain Restoration Project provides natural protection and climate adaptation benefits to the surrounding Portland neighborhoods by holding more stormwater on City property during flood events, recharging groundwater to protect against drought, storing carbon, expanding riparian forest areas, and enhancing wetland habitat for stressed native plant and animal species.

Budget Office Financial Impact Analysis

This ordinance authorizes Council to increase the HMGP grant request from \$5.6 to \$7.1 million due to the federal cost share for the grant increasing from 75% federal-25% local match to 90% federal-10% local match. If the grant is awarded, these resources will be used to design, permit, and construct the Springwater Wetlands and Floodplain Restoration Project.

Agenda Items

610 Regular Agenda in [July 19, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/7/19)
(<https://www.portland.gov/council/agenda/2023/7/19>)

Passed to second reading

Passed to second reading July 26, 2023 at 9:30 a.m.

632 Regular Agenda in [July 26, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/7/26)
(<https://www.portland.gov/council/agenda/2023/7/26>)

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Dan Ryan Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Absent