

Routing Info: <input checked="" type="checkbox"/> Group Manager <input checked="" type="checkbox"/> CIP Manager (if applicable) <input checked="" type="checkbox"/> Financial Planning <input type="checkbox"/> Facilities Manager (if applicable) <input type="checkbox"/> BES Director	Council Info: Agenda: Regular <input checked="" type="checkbox"/> Consent <input checked="" type="checkbox"/> Requested Council Date <u>November 17, 1999</u> During Council Session Submitter will <input type="checkbox"/> Not Attend <input checked="" type="checkbox"/> Attend <input type="checkbox"/> Give Presentation BES Contact <u>Stephanie Reid</u> Phone # <u>823-7095</u> Group Engineering Services
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November 5, 1999

To: Commissioner Dan Saltzman

Subject JOHNSON CREEK FLOOD INSURANCE STUDY RESOLUTION
Descriptive title using appropriate dates and wording such as resolution, ordinances, etc.

I. RECOMMENDED/ACTION REQUESTED:

We recommend the City of Portland accept the Johnson Creek Flooded Area Update Report dated November 1999, prepared for the City of Portland by the U S Army Corps of Engineers, Portland District

II. BACKGROUND/ANALYSIS

In May 1998, Portland City Council approved changes to the City Code that pertained to land use and development in the Johnson Creek 100-year floodplain. In response to these changes, the community requested that the City perform a FEMA Flood Insurance Study of the current Flood Insurance Rate Maps for Johnson Creek. This would ensure that the floodplain being regulated was accurately defined. The original Flood Insurance Study (FIS) was published in 1978 with updates in 1982 and 1986.

Significant data collection in the Johnson Creek Watershed has occurred since the FIS in 1978. Channel and bridge surveys were completed in April and July 1993. Aerial photography was obtained in September, 1991 and March 1998. High water marks were collected for the February 1994, February 1995, February 1996, and November 1996 floods.

In July 1998, Council approved funds for the U S Army Corps of Engineers to perform the work required to revise the Johnson Creek FEMA Flood Insurance Study. Draft floodplain maps were available for review in February, 1999. The Bureau of Environmental Services, Office of Plan Development and Review, City of Milwaukie and Clackamas County participated in the review of the draft floodplain maps and the *Johnson Creek Flooded Area Update* report. The draft maps were thoroughly examined to ensure that historically flooded areas were included in the defined floodplain or if an area was absent, a reasonable explanation was provided. Final proposed Flood Study maps were shown to the public in October 1999. New data, technical advancements in hydrologic modeling and the correction of an error in peak flow estimation, resulted in a smaller 100-year floodplain than was delineated in 1978.

During the extensive review process there was concern from City of Portland staff that the proposed Flood Study Maps did not take into account future watershed development. The Code of Federal Regulations (CFR Index 44, Part 65.6) does not allow base flood elevations for Flood Insurance Studies to be based on the effects of proposed projects or future conditions. However, FEMA encourages jurisdictions to include a 100-year floodplain based on future land-use conditions with the insurance maps. The future line is for informational purposes and to be used by communities for floodplain management. To estimate the impact of future conditions on the Johnson Creek floodplain, the Metro 2040 plan was used to develop future 100-year floodplain maps.

**BES Supplemental Report
Council Ordinance/Resolution Package**

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III. FINANCIAL IMPACT:

None

IV. LEGAL ISSUES:

The new maps will effect the Office of Planning and Development Review administration of building codes for the 100-year floodplain

V. CONTROVERSIAL ISSUES:

As previously mentioned, the updated maps show a floodplain smaller in size than the current delineation. The floods of 1994 and 1996 created a misperception for some flood insurance policy holders in the Johnson Creek community regarding their risk in a 100-year flood event. These recent floods were in the range of 18-28 year events. Despite information from FEMA and City staff, many homeowners in the floodplain feel that since they did not experience flooding in 1994 or 1996, they do not need flood insurance. A small group of citizens from the Powelhurst-Gilbert Neighborhood Association have hired a private consultant to assist them in an appeal of the map update.

VI. LINK TO CURRENT CITY POLICIES:

This project is consistent with the goals of the City of Portland's Floodplain code for Johnson Creek Plan district, to protect life and property from the effects of flooding.

VII. CITIZEN PARTICIPATION:

Two watershed wide public meetings about the remapping have been held. Updates were also given to the Sellwood Moreland Improvement League (SMILE) and the Foster/82nd Ave Business Association.

Citizens from the Powelhurst-Gilbert Neighborhood Association may testify against the finding of the study.

VIII. OTHER GOVERNMENT PARTICIPATION:

The Office of Planning and Development Review, the City of Milwaukie and Clackamas County participated in the review of the study.

I have reviewed this Council package for accuracy. By signing this document I agree that this package is ready for Council's review.

Originator

Stephanie Reid

Accept the *Johnson Creek Flooded Area Update Report* dated *November 1999*, prepared for the City of Portland by the US Army Corps of Engineers, Portland District (Resolution)

WHEREAS, in May 1998 the Council directed the Bureau of Environmental Services to reassess the Johnson Creek floodplain; and

WHEREAS, the Bureau of Environmental Services authorized the US Army Corps of Engineers to perform a study for the purposes of updating the estimated 100- and 500-year flooded areas and the floodway of Johnson Creek extending from the confluence of Johnson Creek with the Willamette River to the Gresham City Limits (River Mile 12.5); and

WHEREAS, the results of the study produced a new delineation of the 100- and 500-year floodplain; and

WHEREAS, FEMA will review the study to produce a revised Flood Insurance Rate Map; and

WHEREAS, over 150 citizens attended a public meeting to view the revised delineation of the Johnson Creek Flooded Area; and

WHEREAS, the majority of public testimony was concerning the high cost of flood insurance; and

WHEREAS, the City of Portland can participate in FEMA's Community Rating System, resulting in up to a 45% decrease to individual flood insurance premiums; and

WHEREAS, participating in FEMA's Cooperating Technical Community can result in advancing floodplain initiatives and positions the City of Portland to receive funding for future remapping efforts; and

NOW THEREFORE, BE IT RESOLVED, that the City of Portland accepts the Johnson Creek Flooded Area Update Report and submits the report and application to Federal Emergency Management Agency (FEMA) to update the existing Flood Insurance Rate Map.

FURTHER RESOLVED that the City of Portland will investigate the feasibility of participation in FEMA's Community Rating System.

FURTHER RESOLVED that the City of Portland will investigate the feasibility of participation in FEMA's Cooperating Technical Community Program.

Passed by the Council, **NOV 17 1999**
Commissioner Dan Saltzman

Gary Blackmer
Auditor of the City of Portland
By *Bette Olson*
Deputy

1588

Agenda No

RESOLUTION NO. 35841

Title

Accept the Johnson Creek Flooded Area Update Report dated November 1999, prepared for the City of Portland by the U.S. Army Corps of Engineers, Portland District. (Resolution)

INTRODUCED BY	DATE FILED	NOV 12 1999
Dan Saltzman, Commissioner of Public Affairs		Gary Blackmer Auditor of the City of Portland
NOTED BY COMMISSIONER	By	<u>Cay Kershner</u> Deputy
Affairs <i>Don Saltzman</i>	For Meeting of	
Safety	ACTION TAKEN:	
Utilities		
Works		
BUREAU APPROVAL		
Bureau		
Environmental Services		
Prepared by	Date	
Budget Impact Review		
Completed <i>WJ</i>	Not Required	
Bureau Head <i>Don Saltzman</i>	Dean D. Harriott, Director	

AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS		
				YEAS	NAYS
Consent	Regular	Francesconi	Francesconi		
NOTED BY		Hales	Hales	✓	
City Attorney		Saltzman	Saltzman	✓	
City Auditor		Sten	Sten	✓	
City Engineer		Katz	Katz	✓	