

Meeting #10 – September 18, 2009
Port of Tacoma Business Center, Fabulich Building

Task Force Members

Organization	Representatives in Attendance	Unable to Attend
Pierce County Executive Office	Randy Harrison, Pierce County Executive's Office	Pat McCarthy, Pierce County Executive
Pierce County Council	Joyce McDonald, Councilmember	
Pierce County Chamber of Commerce	David Graybill, CEO	
Puyallup Tribe of Indians	Sylvia Miller, Councilmember Bill Sullivan, Director of Natural Resources Lisa Brautigam, Attorney Rory LaDucer, Director of Public Safety	
City of Tacoma		Mike Lonergan, Councilmember
City of Fife	Carl Durham, Community Development Director Richard Godwin, Councilmember	Barry Johnson, Mayor Steve Worthington, City Manager
City of Puyallup	Gary McLean, City Manager	Don Malloy, Mayor
City of Orting	Ken Wolfe, Building Official	
City of Buckley	Pat Johnson, Mayor	
City of Sumner	Dave Enslow, Mayor Bill Pugh, Director of Public Works	
Port of Tacoma	Ted Bottiger, Port Commissioner	
Washington State Department of Transportation (WSDOT)	JoAnn Schueler, Project Development Engineer	
Washington State Department of Ecology (Ecology)		Dan Sokol, Floodplain Manager
Washington State Department of Natural Resources (WSDNR)	Derrick Toba, South Puget Sound Shoreline District	
US Army Corps of Engineers (Corps)		Amy Gibbons, Project Manager Kristen Kerns, Project Manager

Other Attendees:

Tom Young, Office of Rep. Dave Reichert
 Matt Perry, Office of Rep. Adam Smith
 LaTasha Wortham, Office of Rep. Norm Dicks
 Lorin Reinelt, Pierce County Surface Water Management
 Harold Smelt, Pierce County Public Works and Utilities

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Jody Woodcock, Pierce County Emergency Management
George Walk, Pierce County Government Relations
Brynn Brady, Pierce County Government Relations
Dick Ford, City of Orting, Councilmember
Mark Palmer, City of Puyallup, Engineer
Sean Eagan, Port of Tacoma, Governmental Affairs Manager
Elaine Kraft, Cascade Water Alliance, Communications Director
Matt Richardson, Pierce County River Revitalization Task Force
Shelly Butterfield, Pierce County River Revitalization Task Force
Gil Hulsmann, Abbey Road Group
Steve Helvey, GeoEngineers
Dave Seabrook, Puyallup River Watershed Council
Sally Bailey, member of the public
Pat Tea, member of the public
Penny Mabie, facilitator
Rachel Patterson, note taker

Meeting Purpose and Overview

Pierce County convened the tenth meeting of the Lower Puyallup River Executive Task Force (ETF) in Tacoma, Washington on Sept. 18, 2009. This meeting included finalizing a recommendation to Pierce County regarding partnering with the Army Corps of Engineers (Corps), discussing short-term cost sharing, following up on federal actions, and hearing findings and recommendations from the Pierce County River Revitalization Task Force. Approximately 38 people attended the meeting, held at the Fabulich Building in the Port of Tacoma Business Center.

Meeting Summary

Welcome

The meeting started at 9:05 a.m. with Penny Mabie, meeting facilitator, welcoming the group.

Brief introductions

Penny Mabie asked Executive Task Force members to introduce themselves. She reminded participants that there would be a period for public comment at the conclusion of the meeting.

Review meeting agenda and ground rules

Penny Mabie reviewed agenda items and the role of the task force and its pathway toward finding a solution as well as the pathway toward funding.

Penny Mabie reviewed the ETF ground rules established at the first meeting, which are as follows:

- Start / end on time
- Silence cell phones
- Come prepared
- Listen respectfully

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- Speak from interests, not positions
- Participate in the process

Review August 31, 2009 meeting notes

Penny asked the group if they had an opportunity to review the draft notes from the previous meeting, and the notes were approved.

Informational briefing

Penny Mabie introduced Matt Richardson, chair of the Pierce County River Revitalization Task Force (PCRRTF), to provide an informational briefing on the PCRRTF's findings. Matt Richardson noted the PCRRTF held three summer summits. The PCRRTF's main goal was to determine what short-term flood protection actions jurisdictions can take to complement other government actions. Matt Richardson read a letter addressed to the Pierce County Executive's office outlining a potential resolution for city councils' consideration containing a series of proposed initiatives. He noted that a final report from the PCRRTF, to be publicized on September 25, will contain a full digest of the happenings at the summits. Minutes of the summits will also be made available.

Matt Richardson went over the main points of the proposed resolution:

- Debris removal on private property.
- Co-application for removing sediment in and around critically populated and facility sensitive areas.
- Creation of a combined city-county flood control district (FCD).
- Reform of appraisal process on red-tagged flood damaged properties.
- Reform of assessment and taxation of red-tagged properties.
- Joint city / county planning of future sewage treatment plants.
- Flood wall funding and construction from the new FCD.
- Updating the county emergency plan for flood evacuation.
- Audit and revision of city and county surface water management funding sources.
- City initiatives designed to protect city sewage treatment plant(s).
- PCRRTF endorses the unanimous channel migration zone (CMZ) recommendations and encourages the Puyallup River ETF and Pierce County Council to study their report.
- Flood-related documents and news be maintained on a county Web site.

Matt Richardson emphasized the difficulty in identifying new funding sources for proposed solutions and the need for a flood control district. He welcomed questions and comments from ETF members and members of the public. The following questions and comments were heard from ETF members:

- Ken Wolfe, City of Orting, pointed out that the City of Orting had not sandbagged the wastewater treatment plant.
- Harold Smelt, Pierce County Department of Public Works, confirmed that a link to the PCRRTF report could be provided on the Puyallup River ETF Web site.

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Corps partnering check-in

Penny Mabie asked ETF members to finalize their recommendations to Pierce County regarding partnering with the Corps to pursue a General Investigation (GI) study.

Penny Mabie shared a letter from Mike Lonergan, City of Tacoma, stating Tacoma is in the process of drafting a letter of support for the Corps investigation. Mike provided a well-received update to other Tacoma City Council members since the last ETF meeting. Mike has asked City Manager Eric Anderson to contact Pierce County officials with specific questions so he can prepare and submit Tacoma's letter of support to the County Executive soon.

Mike Lonergan's letter mentioned Tacoma understands its financial commitment over six years would need to be at or below the range discussed at the Aug. 31 meeting of the ETF, and may include some in-kind work by city staff. Tacoma would like to see this commitment reduced by substantial participation from the Port of Tacoma, WSDOT, the Puyallup Tribe, and other jurisdictions and agencies. Tacoma is interested in short- and mid-range flood mitigation, while working with the Corps on the long-range solution. Mike also encouraged the ETF to act on Rep. Smith's offer to advocate for assistance on moving ahead with setback levees and assistance for protection of valuable public and private assets on the tideflats, including a floodwall at the new \$100 million Tacoma wastewater treatment facility.

Ted Bottiger, Port of Tacoma, reported that the port officially endorses the partnership with the Corps, but has not yet determined a dollar amount for level of support.

Harold Smelt announced that the City of Orting has endorsed partnering with the Corps and has submitted a letter of intent. He pointed out that there appeared to be unanimous support for partnering with the Corps among ETF members.

Gary McLean, City of Puyallup, noted that it would be important to initiate a conversation with the Corps about the scope of the project to avoid potential penalties for moving forward on other short-term projects. He reiterated support for working with Rep. Smith and pointed out it might be worth engaging Sen. Patty Murray's office as well.

Harold Smelt confirmed there is a need for further dialogue with the Corps on project scope and in-kind match. Penny Mabie asked for further comments from the group. No further comments were heard. The group reached a consensus in favor of partnering with the Corps, with the caveat that further discussion on funding and scope would be necessary.

Harold Smelt requested organizations submit letters of support to Pierce County to demonstrate strong regional consensus and support for the partnership. Penny Mabie noted that several organizations already have letters of support underway.

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Short-term cost sharing

Penny Mabie initiated a conversation on short-term funding and cost sharing. She distributed a draft road map illustrating the path forward for short-, mid-, and long-term funding for Corps sponsored work. She pointed out that no revenue source was available for short-term funding, prior to the establishment of a funding mechanism such as a flood control zone district (FCZD). She reiterated that it would take a considerable amount of time to institute a revenue mechanism.

The graphic handout for short-, mid-, and long-term funding includes the following discussion questions:

- Who pays?
- What is the allocation methodology?
- What is the revenue mechanism?

Dave Enslow, City of Sumner, asked whether funding needs would increase in the long-term and how funding long-term projects would be feasible. Penny Mabie confirmed the need to address long-term funding needs. Dave expressed concern that costs could be low initially, with increases later. Harold Smelt pointed out the sooner money is in the bank, the more time it has to increase in value, and that funding would be phased over time, similar to King County's 10-year funding plan. Harold Smelt noted the only potential funding mechanism for short-term funding needs is an inter-local agreement between Pierce County and local jurisdictions. He expressed interest in initiating a conversation on other funding mechanism to cover long-term needs. He requested the group's input on other potential sources of funds to cover short-term costs.

Gary McLean commented that \$3 million seems like a low figure for the General Investigation (GI) study, noting that a current study of a local project benefitting multiple jurisdictions has a price tag of more than \$10 million. He confirmed the City of Puyallup would be willing to provide local match and work with land owners to move forward. He pointed out that solutions could be implemented in many places and the group would need to reach agreement on which sites make the most sense. He suggested putting together a study of specific short-term solutions.

Penny Mabie asked for clarification from Gary McLean about whether he was referring to short-term projects that would qualify for in-kind support from the Corps. Gary McLean acknowledged that the study he was proposing would look at additional short-term actions to complement the long-term Corps work. Penny Mabie suggested that there should be an additional bar on the graphic for funding short-term local actions independent from the GI study.

Ken Wolfe suggested that information from local studies could be given to the Corps to help provide in-kind match. He pointed out that Orting's setback levee project could be one source of data. He noted that partnering with Pierce County and the State of Washington provided the City of Orting with information and funding, including Ecology Flood Control Assistance Program (FCAP), Salmon Recovery Board funds, and technical assistance through USGS Geographic Information Systems analysis. He expressed confidence that working together, jurisdictions and organizations would be able to successfully fund projects.

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Penny Mabie distributed a table of potential in-kind services from the Corps that could be applied to local match and noted that the group would need to carefully coordinate local efforts with the Corps.

Lorin Reinelt, Pierce County Surface Water Management, commented that three of the six Pierce County projects proposed for the current round of Salmon Recovery Board funding are setback levee projects – one project in Sumner, one in Orting, and land acquisition in Orting to be developed into a setback levee.

Penny Mabie distributed an updated version of a draft taxable values table. A column was added depicting taxable values for each jurisdiction in 1 percent flood areas. Randy Harrison, Pierce County Executive's office, asked what the term "1 percent flood areas" means. Harold Smelt clarified this term refers to areas in the 100-year floodplain. 100-year flood means there is a 1 percent chance of that magnitude a flood in any given year.

Randy Harrison noted that prior to discussing cost allocation with jurisdictions, the group needs a clear understanding of what the Corps will count as in-kind match. If regulatory changes are needed, there should be a legislative strategy to encourage clarification from the Corps on how in-kind services can receive credit. Randy asked which project phases would be covered by the potential in-kind services list provided by the Corps. Harold Smelt clarified that the Corps' list of potential in-kind services applies to the six-year feasibility phase, which the project is currently entering. Further discussion with the Corps will be needed regarding which in-kind services would apply in later phases of the project. Randy suggested a proactive approach with Rep. Smith and Rep. Dicks would be necessary to clarify in-kind contributions with the Corps.

Ken Wolfe emphasized the importance of assessing how proposed annual share amounts for each jurisdiction would affect those jurisdictions' budgets for local flood control projects. He stressed the urgent need to protect the community with short-term actions.

Gary McLean asked whether the figures represented in the projected values table would represent a new property tax levy. Harold Smelt affirmed, and clarified that the figures assume those paying would be only those directly affected by flooding. He reiterated the need to determine whether a Flood Control Zone District would be funded by all jurisdictions in Pierce County or only those jurisdictions directly affected by Puyallup River flooding.

Penny Mabie noted the following clarifications for the taxable values table:

- The column "Amount Generated by 10 cents / \$1,000 value" represents potential revenues from a Flood Control Zone District.
- The last two columns represent two different ways of dividing up responsibility for funding the Corps alternatives study before a funding mechanism, such as the Flood Control Zone District, kicks in. Harold noted that the first of these two columns more accurately reflects jurisdictions' ability to pay.

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Dave Enslow acknowledged that the flood problem needs to be addressed. He noted that Sumner councilmembers would want more details about how the money would be spent before agreeing to help fund the effort.

Ted Bottiger noted the Port of Tacoma has flood subject property along the tide flats; some land is privately owned and some is owned by the port. He asked whether Pierce County could break out the taxable values for these areas to determine property along the flood plain, as this would help justify potential contributions from the port.

- **Action Item:** Pierce County will perform a taxable value analysis for flood zone property in the Port District.

Joyce McDonald, Pierce County Council, asked what the timeline on the Corps feasibility study would be and when jurisdictions would be responsible for providing funds to Pierce County. Harold Smelt suggested that Pierce County has sufficient funds to initiate the process, providing time for partner jurisdictions to provide their share, once the allocation methodology is determined.

Randy Harrison suggested that the Washington State Department of Transportation (WSDOT) and the railroads are missing in the equation of expected contributions. Harold Smelt reiterated that the Puyallup Tribe, the port, WSDOT and the railroads are not currently factored into the taxable values table. Any contributions from these groups would reduce shares paid by other jurisdictions. Determining a fair share for these groups has been a challenge.

JoAnn Schueler, WSDOT, reported that WSDOT has begun an internal process to determine potential agency contribution toward the feasibility study, and has sent information up to WSDOT state headquarters. This information will be sent to the governor's staff and presented during the 2010 budget session.

Gary McLean noted Pierce County may want to consider providing incentives for early contribution, noting that funding the Corps study is a team effort. Those who contribute early could receive credit toward future efforts.

Pat Johnson, City of Buckley, reiterated that City of Buckley is one of the smallest jurisdictions, but is not at risk for flooding. This makes funding a hard sell to the city council. She noted that if funding were collected county-wide, it would be more beneficial to the City of Buckley. Pat Johnson also pointed out South Prairie and Wilkeson cannot even attend ETF meetings due to staff limitations.

Joyce McDonald stressed that flooding is an economic development problem for Pierce County. She said Puyallup River flooding will need to be publicly acknowledged as a county-wide issue, and the County Council will need to be convinced flooding has economic repercussions for the entire county. Harold Smelt commented there would need to be a regional economic study that would help justify the cost, similar to the one completed in King County. Dave Enslow noted the City of Sumner nearly lost the Green Mountain Coffee Company in their community because the

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area was prone to White River flooding. He emphasized the goal to keep jobs local to Pierce County.

Bill Sullivan, Puyallup Tribe, said the Puyallup Tribe delegation is preparing a presentation to the Puyallup Tribal Council, and hopes to make an announcement at the next meeting about partnering to help support the Corps feasibility study.

Penny Mabie asked the group what other information on short-term funding was needed, and how they would suggest Pierce County fund the GI study in the short-term.

Gary McLean suggested a small workgroup of jurisdictional finance experts meet to develop a recommendation for local cost-sharing to present at the next ETF meeting. He commented that City of Puyallup could host the meeting. The group agreed that a meeting of financial staff would be an appropriate strategy.

- **Action item:** City of Puyallup and Pierce County will convene a small workgroup of jurisdictional financial staff to meet before the next ETF meeting.

Richard Godwin, City of Fife, indicated that the \$15,205 prescribed in the taxable values table for the City of Fife has been set aside by the Fife City Council, but that urgent short-term projects also need to happen.

Dave Enslow commented that dredging did not appear to be a practical solution. He commented that an effective study seems like the best path forward for long-term flood protection.

Richard Godwin noted upstream actions impact downstream communities like Fife, citing overdevelopment in areas like Bonney Lake as a key issue.

Harold Smelt commented that legislative groups are also meeting. He said the 2010 Pierce County budget accounts for the full 2010 share of the study cost, anticipating reimbursement from jurisdictions wherever possible. Pierce County would expect a total 2010 contribution of \$250,000 to \$300,000, provided these allocations are approved by the Pierce County Council in November.

Federal actions follow-up

Harold Smelt and Randy Harrison provided an update on federal actions since the previous ETF meeting. Harold distributed a packet of information containing the following materials:

- Letters from the Pierce County Executive's office to Councilmembers Shawn Bunney and Joyce McDonald addressing their concerns about timing of the Corps process.
- Letter from the executive's office to Rep. Smith laying out a strategy for recommended short-term flood protection actions, in particular the 32 setback levee sites.
- Details on the prioritized setback levee projects.

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Matt Perry, Office of Rep. Adam Smith, commented that Rep. Smith had requested a tangible list of prioritized projects, and the County had delivered this information. He noted that Rep. Smith's office will begin looking at funding options for these projects. Rep. Smith's office has received additional input from local stakeholders, which is appreciated.

Randy Harrison expressed appreciation toward Rep. Smith for attending the last ETF meeting and for his proactive approach toward utilizing available stimulus funding.

Ken Wolfe asked whether the ETF could develop a letter of support to the Washington delegation for the proposed Pierce County setback levee projects. ETF members approved this idea.

Gary McLean asked the engineers in attendance to clarify the term "setback levee." Harold Smelt responded that a setback levee is designed to provide 100-year flood protection. He said that levees can serve varying functions, depending on how they are funded; for example, Pierce County received Salmon Recovery Board funds for the Soldiers Home Setback Levee, which is built to provide improved habitat.

Gary McLean asked whether areas where setback levees were implemented could be used for parks and other recreational purposes. Bill Sullivan clarified the Soldiers Home project was funded largely by the Natural Resource Trustees and there is a restriction about what activities can occur in the area. Bill recommended against large capital investments inside setback levee areas, since these levees serve as a last line of defense against flooding of surrounding areas. Bill Pugh, City of Sumner, pointed out that capital investments inside levee setback areas run counter to the basic purpose of setback levees – to provide extra space for flooding.

Gary McLean commented there are community members interested in locating lumber mills and gravel removal operations adjacent to setback levee areas. He pointed out the need to be clear about how setback levees can and cannot be used, to avoid confusion of the general public. Harold Smelt added that setback levees are generally considered floodway and shoreline area. Setback levees create open space areas that can be enhanced for habitat or low-impact recreational use such as a trail. Dave Enslow asked whether a baseball diamond would make sense, as gravel removal would likely be required. Harold Smelt noted that setback levees create space for "passive recreation" such as trails or benches, as opposed to "active recreation" space such as ball fields. Lorin Reinelt pointed out setback levees are built to check the boundaries of a river. Over time, the river will move up against the new boundary created by the setback levee.

JoAnn Schueler emphasized the importance of reaching accord with the Corps about in-kind services and the scope of the feasibility study. Penny Mabie reiterated the Corps stance that early projects could not be counted as in-kind contributions. Bill Pugh asked whether early projects could be detrimental to the benefit-cost ratio of the Corps' work and pointed out the group would need to work with the Corps to avoid disincentives. Penny commented that potential impacts of short-term local work on the benefit-cost ratio should be mentioned in the letter to the Washington delegation. Harold Smelt suggested pursuing an agreement allowing for benefit accrual from the date of contract initiation with the Corps.

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Lisa Brautigam, Puyallup Tribe, asked whether a study component could be added to any of the proposed short-term projects. These projects could potentially qualify for in-kind support from the Corps by serving as pilot projects providing data for the GI process. Harold Smelt noted Pierce County is approaching current applications for gravel removal in a similar manner.

- **Action item:** Randy Harrison, Harold Smelt, and Ken Wolfe will identify which levee setback projects might serve as pilot studies and draft a letter to the Washington delegation to be distributed prior to the next meeting. The letter will also discuss policy issues such as disincentives for undertaking early actions. Bill Sullivan will provide advice to the drafters.

Local flood protection actions (short-term)

Penny Mabie distributed a list of local short-term actions discussed at the August 31 ETF meeting. She asked ETF members to review and add any additional local actions.

- Bill Pugh mentioned the 24th Street setback levee project in Sumner, which is receiving Salmon Recovery Board and Pierce County funding.
- Ken Wolfe mentioned that Orting is in a top funding position for \$540,000 for design study for the Calistoga setback levee project. Lorin Reinelt can provide more information on this project and funding.
- Gary McLean noted Pierce County flood protection actions are missing.
- Gary McLean pointed out the WSU grant to City of Puyallup was for \$1 million and included a partnership.
- **Action item:** Pierce County will add additional local actions and Pierce County actions to the list.

Penny Mabie commented that short-term local flood protection actions will be a standard item on the agenda and to come prepared with updates at future meetings. Gary McLean requested that the local actions table be circulated electronically to the group for review and comment.

- **Action item:** Pierce County will distribute the updated local actions list to ETF members electronically.

Work plan updates

Penny distributed a revised draft work plan for the ETF, noting that the current work plan is out of date. She pointed out the need to identify ETF work topics for the next year, which could include:

- Review Corps GI study scope
- Funding sources and allocation, including Flood Control Zone Districts
- Non-structural solutions
- Regional education

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The group will review possible ETF agenda topics at the next meeting, and update the work plan to reflect the group's work moving forward. JoAnn Schueler asked if the revised work plan could be posted to the ETF Web site.

- **Action Item:** Pierce County will post the revised work plan to the ETF Web site.

Ted Bottiger commented that over the last month there has been tremendous publicity about the Howard Hansen Dam in King County. He noted that people in Pierce County have been asking whether they should purchase flood insurance. He asked if the public is being made aware of the ETF's efforts and suggested that an effort be made to inform the public of current flood protection efforts so that they are aware when the issue comes up for funding. Harold Smelt noted current publicity efforts by the Pierce County Department of Emergency Management, acknowledging that further efforts to educate the public could be helpful when a county-wide funding discussion ensues.

Gary McLean mentioned the need for further discussion on land use reform, not only within the flood hazard area but upstream. He suggested providing opportunities for further education on best management practices.

Joyce McDonald reiterated Steve Bailey's remarks on the need for zoning updates and improved emergency management. She suggested that Steve Bailey provide some information to the group on these issues.

Agenda topics for next meeting

- Funding work group report back
- Political strategies / letter to Washington delegation
- Short-term actions update
- Work plan updates

Agenda topics for future meetings

- Non-structural / land use issues, upstream as well as within flood hazard area
- Zoning / emergency management

Summary of action items

- Pierce County will perform a taxable value analysis for flood zone property in the Port District.
- City of Puyallup and Pierce County will convene a small workgroup of jurisdictional financial staff to meet before the next ETF meeting.
- Randy Harrison, Harold Smelt, and Ken Wolfe will identify which levee setback projects might serve as pilot studies and draft a letter to the Washington delegation to be distributed prior to the next meeting. Bill Sullivan will advise the process.
- Pierce County will add additional local actions and Pierce County actions to the list.

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- Pierce County will distribute the updated local actions list to ETF members electronically.
- Pierce County will post the revised work plan to the ETF Web site.

Next meeting

The group will schedule another meeting pending work by the short-term funding workgroup. Rachel Patterson will circulate a Doodle poll to determine the next meeting date.

Public comment

Members of the public were encouraged to share their comments with the Task Force and were asked to keep their comments to 2 – 3 minutes.

- Gil Hulsmann, Abbey Road Group – I represent 400 acres for property owners, including setback levee sites 4, 5, 23, and 24. I would like to follow up on my presentation at the past meeting. One of my recommendations is to get the endorsement of property owners so that when you discuss land acquisition, property owners are aware. As you look at zoning codes, it might be useful to look at where privately owned land could be given up to jurisdictions for flood plain. One of the biggest property owner concerns is that when the setback levee is moved back, the shoreline management code moves back as well. Commercial developable land then has 200 to 300 feet with new restrictions and cannot be developed. The Knutson Farm, for example, will end up with 1.05 million square feet that cannot be developed. Who owns a property once a levee is complete and how does ownership affect in-kind contributions? We would like to work with jurisdictions to help provide gifts in-kind. Property owners must do expensive wetland analyses and apply for shoreline permits multiple times. Perhaps this information could be used to help offset your costs. It would be useful to consider ponds, conveyance systems, and other possible storage systems in addition to setback levees as potential sites.

Adjourn

The meeting was adjourned at 11:25 a.m.