South Gateway
NEIGHBORHOOD ASSOCIATION
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September 21, 2020

Mayor and City Council
City of Salem
555 Liberty Street
Salem OR 97301

Dear Mayor and City Council,

Storm water management and flooding is of particular concern to the South Gateway Neighborhood Association due to the vulnerability of our area. We welcomed the City's update to the existing Storm water Plan, but have serious concerns about the plan being discussed at your September 28 Council meeting.

The Stormwater Master Plan's primary purpose is the provide City leaders and the community with direction on dealing with "Urban Storm Water Run-off". In addition the plan provides direction for current and future storm water projects in the City. This 2020 plan has applied advanced modeling programs, utilizing local Salem data. It is not just based on FEMA flood plan maps, which fail to take into account recent and future changes that affect flooding.

The FEMA flood maps for the Battle Creek Basin were developed from FEMA modeling done in the 1960s. This aged modeling has been used to regulate and approve the stormwater management in the basin for the past 50 years. Based on the 1996 and 2012 storm events SGNA residents have personal experience with how this planning has failed to protect the community.

The proposed Stormwater Master Plan looks at the Battlecreek Basin, for the first time using modern engineering methods, and identifies the issues that residents have stated to the Council and Public Works since 2007.

"The old plan is not working. The creeks are beyond capacity. Turn the water off, please!"

We encourage adoption of this Stormwater Master Plan as it relates to the Battle Creek Basin. The City Code needs to reflect the findings identified, particularly changes related to storm duration. The current Salem Code uses a "24 hour Design Storm" language. The research used to identify stormwater issues in the plan demonstrate the failure of is this metric to reflect the type of impact the two recent storm events had on the community. We strongly recommend the use of a *72 hour* 100 year storm metric with

detention on sight of large projects when the flow rate downstream will be increased greater than 350 cfs beyond current conditions.

Residents in Salem, when we buy property, have an expectation that the city's code and development standards will protect our homes from damage during the normal events. This expectation is not limited to the year of purchase but extends into the life expectancy of the residence. When development upstream occurs and the floodwaters from storm runoff cause existing homes to be damaged residents turn to the city and ask why? The First Street Foundation https://firststreet.org/ has developed and published nationwide flood risk maps that build on the FEMA data, include both current and future modeling that takes into account environmental changes to provide a more accurate estimate of current and future impact to homes. We recommend that the councilors visit this site and see for themselves the impact on Salem.

John Shepard, a SGNA resident and member of the Salem Stormwater Master Plan development committee, was briefed on the modeling data now published in the final draft of the Stormwater Master Plan 2020 (see his memo to SGNA below). The idea of using the new knowledge of flood inundation was rejected by other committee members (which consisted primarily of developers/realtors), because it would be "bad for business", would require some residents to pay higher flood insurance rates, and would include some residents in flood plains that were not in flood plains when they purchased their homes. The publishing of such model data by First Street Foundation and linking their data to Realtor.com where the marketplace can see it, both buyers and sellers, means the errors of the past are now public. It is time that Salem regulations regarding development address the technical information provide in the proposed Stormwater Master Plan and the code modified to reflect the type of storm durations, soil conditions, runoff issues specific to Salem.

We note that the plan includes a list of project recommendations for CIP projects on how stormwater management can be more effective. We favor the projects that have specific reduction or elimination of flooding for residents in the area of 13th street and Greenside Village. We favor specific development standards that promote more retention of stormwater runoff from upstream properties. This is especially important in the Battlecreek Basin since stormwater runoff from the surrounding hills is a chief culprit for downstream flooding. We advocate for a special development zone in the basin to restrict the volume of storm water flowing into the basin instead of merely expanding detention at the bottom of the basin.

In a meeting arranged by Chuck Bennett with Peter Fernandez and Robert Chandler with Lora Meisner and John Shepard the idea of a South Salem Hills Special Development zone was discussed. At the time, Peter and Bob said it would be a *political* decision—mayor and council could decide—in order to have this zone develop which would require more storm water detained on developments that would feed into the Battle Creek Basin. (See attached memo).

SGNA requests that the City implement plans that will take into account the mission of the city to protect residents. Incorporate the need to have a 72 hour storm….. City Council needs to direct the public works staff to design parameters for the special development zone.

Sincerely,
Glenn Baly

Chair, South Gateway Neighborhood Association

Included—Memo from John Shepard:

Glenn, SGNA Board

I have been thinking about how to address the issue. I am more of a historian than an engineer or a writer of policy about the subject of flooding in the Battle Creek Basin.

I was participant in the work concerning the Future use of Battle Creek Golf course. The property owner one day in 2007 announced his intent to develop the property into a 55-plus housing project on the 85 acers. The property was zoned "Public Amusement". The Comprehensive Plan would require a change. We argued that the property served a public purpose in detaining flood storm water. During the process I learned from Public Works staff that the city had no knowledge of the stream capacities. A Zoning and Development standard from the 70's required connection of all storm water to the streams. The 1996 flood demonstrated that the stream capacities were beyond the FEMA Flood Plain mapping (models developed in the late 50 early 60's for the area. Building was dependent on the FEMA maps. The city prepared an assessment plan with a budget to address the stream flow conflicts at culverts. The culvert at 13th street as an example was changed from three 24inch pipes to a large box culvert the width of the stream bed and the height of the roadway. This increased the capacity of water to flow under 13th street more than 10-fold. The city did very little more regarding the engineer recommendations for 13 million in improvements. The city did not change their Zoning and Development standards. Storm water was directed to be added to the streams and with each new development the volume of storm water in the creeks increased.

Summary:

In 2017/2018 I participated as a member of the Storm water Master Plan committee to revise the long over update. During our discussions the Public Works dept. informed the committee that they had a new modeling method developed to identify the level of flood water inundation. We were told the modeling was state of the art. It showed that the stream capacities were indeed exceeded by the present level of storm water being emptied into the creeks. New and greater damage would be occurring during 25 plus year storm events.

When the question was asked "Should we include this new data into our practice for accessing the risk to property from flood damage?" the development community was against the idea. It would devastate property values. Validation of the model was not clear. Residents would lose

their life savings in their homes as flood at risk homes would kill the real estate market. Insurance costs would be enormous. The flood insurance rates, which the City had been championing, would be lost.

I argued you cannot keep this information from the public. The city must be transparent. You know that some homes will be flooded now. The individuals who purchased these homes had reason to believe the city when they asked if these homes are safe. To be told, FEMA mapping shows these are outside of the flood zone, yet the city model shows that they are now in a flood risk zone was wrong. We need to consider zone and development standards that protect the residents. If you buy a home in the hills your home and development cannot flood out the older homes downstream. When the committee voted the decision was to not do anything about this information. It would be up to the Public Works department to decide to use or not use the information.

In this day and age, you cannot keep secrets for long. August 26th, Realtor.com announced a new feature on their website. Flood Risk data now available for home shoppers.

There is a new feature provided by the nonprofit First Street Foundation. The flood data includes an estimate of a home's FEMA flood zone as well as FLOOD FACTOR™, comprehensive flood risk data displayed on the property level in the form of a risk score, ranging from 1 (minimal risk) to 10 (extreme risk). The Realtor.com site displays the current risk of flooding for a home; weather the risk is increasing or decreasing, or constant; and the likely hood of that property experiencing a flood event over the next 30 years.

Research identified in the Wall Street Journal indicate, Homes outside the high-risk flood zone appreciate faster than homes inside those zones between 2012 and 2017.

SGNA's position on the Storm water Master Plan may reflect concern for the lack of transparency by Public Works in the preparation of the plan. The Salem Council can have an impact on the issue by considering where in Salem are the risks and having zoning and development standards that reflect the need to reduce the risk to all Salem residents.

Here is a link to the area around Battle Creek and 13th. Many of these homes are showing 10 risk assessments yet they are outside the FEMA flood plain. This can only happen if the volume of water in the creeks is greater than the FEMA models (and standards for development decisions) consider

https://floodfactor.com/county/marion-county/41047_fsid#score_map

Perhaps the Storm water Master plan should consider a modification to require onsite storm water detention for all storms.

John Shepard

Information provided has been resourced and supporting documents are available upon request.