



## **News Conference Agenda**

June 1, 2009  
10:00 a.m.  
Dallas City Hall – Flag Room

### **The Path Forward Strengthening the Dallas Floodway & Levee System**

#### **Welcome and Opening Remarks**

Mayor Tom Leppert – 10:00 – 10:10

#### **Introduction Sen. Kay Bailey Hutchison**

Mayor Tom Leppert

#### **Remarks**

Sen. Kay Bailey Hutchison – 10:10 – 10:13

#### **Introduction U.S. Rep. Eddie Bernice Johnson**

Mayor Tom Leppert

#### **Remarks**

U.S. Rep. Eddie Bernice Johnson – 10:13 – 10:16

#### **Remarks**

Councilmember Dave Neumann – 10:16 – 10:18

#### **Closing Remarks**

Mayor Tom Leppert - 10:18 – 10:20

#### **Question & Answers – 10:20 – 10:30**

#### ***City Staff Attendees:***

Mary K. Suhm, City Manager  
Ramon F. Miguez, P.E., Assistant City Manger  
Jill A. Jordan, P.E., Assistant City Manger

#### ***U.S. Army Corps of Engineers Attendee:***

Kevin Craig



City of Dallas

**DRAFT**

**REMARKS: Mayor Tom Leppert**

**June 1, 2009**

Thank you for joining us. **We have good news to share with you today.**

After a lot of hard work by City staff, the Corps of Engineers and all our partners – especially the dedication and commitment of Senator Kay Bailey Hutchinson and Congresswoman Eddie Bernice Johnson – we are here today to announce solutions – the path forward if you will – in light of the findings from the Corps Periodic Inspection Report (9) dealing with the Dallas Floodway & Levee System.

**As we have consistently said, public safety and flood protection for residents and business owners is the highest priority for the City. And that is indeed our focus.**

Our levee system protects major residential communities and investments in the corridor. We realize this represents 7.3 billion dollars of the City's tax base - near the Trinity River Corridor. The safety of citizens and that development must be protected and fixes must - and will - be made to get our levees back to an acceptable rating.

Also, as the fourth largest metropolitan area in the nation, we want to encourage new development and redevelopment along the corridor.

Strengthening the levees is simply that crucial.

Let me set the stage and remind you what we are facing – and then I will share with you our next steps and solutions.

The Dallas Floodway Project has historically received good, very good or excellent ratings in both annual and periodic inspections dating back to the 1980's.

Following the flooding that occurred during Hurricane Katrina in New Orleans, the Army Corps of Engineers changed its approach to its inspections for levees in the United States and added a new rating system.

This new ***National Levee Safety Program*** was implemented which includes new, standardized criteria for inspecting and assessing levee systems.

The Corps inspected the Dallas Floodway Project in December 2007 and subsequently applied the new standards to Periodic Inspection 9.

Using the new criteria, the Corps issued an “Unacceptable” rating to the Dallas Floodway Project on March 31, 2009.

It's important to note that items were rated by the Corps using visual inspection and engineering judgment. The Corps knew that additional analysis would be required to substantiate their findings.

What was observed? Items such as: erosion, vegetation, channel instability and significant encroachments and penetrations that impact integrity and performance of the levees.

Many items have already been fixed. We have some examples and pictures in the Flag Room today so you can see the problems and solutions – again, already addressed. Other items will take time.

**Clearly - what is happening to our levees is not unique.** This is something going across the country in the wake of Hurricane Katrina. Sacramento, the St. Louis area, and King County, WA . . . hundreds of levees are facing major fixes to comply, and more levees will be added to the list over the next few years.

Now, there's a lot of false information out there – so I want to make one point very clear. We are not in this situation because of the Trinity River Corridor Project. That is simply – FALSE.

The project and condition of the levees under the new standards set by the Corps – are separate and apart from each other. If we never had a Trinity River Corridor Project – we'd be in the same situation.

Now here's an important FACT... and it is important to understand and report to our residents that Dallas is in a much better position than many other cities thanks to the Trinity River Corridor Project – the project helps our situation greatly.

Remember, this project began because the city wanted to boost its level of flood protection. The Lower Chain of Wetlands downstream has already reduced water levels, and construction of the Upper Chain of Wetlands will begin later this year. And we had already planned to raise the height of the levees by two feet, so we're well down the road to improving the level of flood protection on our levees, and that will continue.

This project has received the tremendous support of Sen. Kay Bailey Hutchison and Congresswoman Eddie Bernice Johnson, and they will speak to you shortly about their continued commitment. We thank you both for being here today and for sharing the Trinity's vision.

So, how do we move forward and get to the finish line? And how do we do it in a fashion which first and foremost – strengthens the levees – while at the same time – leveraging the Trinity River Corridor Project into the solution. It took a lot of hard work and long hours over many days to hammer out – but we now have a map to progress.

After many face to face meetings, the City and the Corps have categorized the “minimally acceptable” and “acceptable” items into two main categories – that appropriately define the types of work needed to complete the fixes.

**Category “A” is Operations and Maintenance.** The repairs and funding for these items are the responsibility of the City. Some items can be fixed with existing resources, some require additional resources, and some require consulting or construction contracts.

**Category “B” is a System Study** which means additional study and analysis is required. The Corps has determined that a thorough and comprehensive engineering analysis of the levee system must be performed in order to determine if our levee system is still capable of safely passing floods.

The System Study will address concerns related to the structural integrity of the original design and construction of the levees. It will include, for example, Geotechnical analysis of the entire floodway system, hydraulic modeling to determine water carrying capacity and environmental impact analysis.

What does that actually mean in “non engineering speak” – let me paint the picture at the significant scope of work that is going to be done.

Experts will take about 1,500 boring samples – along the entire 23 miles of the levee system. Each boring sample costs about \$8,600. So you can begin to see just how meticulous the process will be.

The System Study will also identify any necessary remediation efforts for the 100 year and 800 year flood events. Funding will be identified and responsibility assigned to the City or combination of Corps and the City.

The Corps has determined they share responsibility with the City for:

1. Pre-existing conditions and / or infrastructure in place in 1959 and the completion of the Corps' upgrade to the levees.
2. Changed conditions beyond the City's control. Such as the increased flows due to upstream development.

Because of this, the Corps can assist with the System Study. So together – the City and the Corps – will take the next steps.

**The bottom line and the news today is that we have solutions and a way to move forward.** Clearly there are costs and impacts to the project associated with the solutions.

**First, let me address the cost:** Pending the approval by City Council on June 10, the **City will invest approximately 29 million dollars to determine the items** that need to be addressed – and what's needed to fix those items.

At least half of this amount will be applied/credited by the Corps to the City's match for additional required work in the floodway. Without our Corp partnership the City would be responsible for the entire \$29M.

**Second, let me be clear about the impacts to the project's timeline:** Our goal is to complete all study work by Spring 2012 which will allow for construction activities to begin. Meeting this goal means that the construction for the **Dallas Floodway would be delayed by about 10 months** while the **Trinity Parkway Construction would be delayed by 20 months**. This is an extremely aggressive schedule and it will take all the agencies working closely together and hitting all the intermediate deadlines to make.

Why is the parkway schedule changing? The answer is two fold: 1) We have to determine through engineering analysis the correct fixes for the levees. 2) Then the parkway design must continue in harmony with those fixes.

As all of this is happening and being addressed – the City encourages residents and business owners along the floodway to be prudent and purchase flood insurance now at reduced rates. The FEMA de-accreditation process began in April 2009 and FEMA estimates the time required to revise the levee floodplain map is 18 – 24 months.

So let me reiterate the important points today: We indeed have a path forward and have identified the work needed to be done to get us to the goal line. In addition, we have agreement among all of the partners to a time line – a schedule – that will lead us to success.

All of the partners in this solution - are working together to create a system wide approach to make all of the components of the Trinity River Corridor Project work within the main goal of strengthening the levees to make them meet the new standards.

Again, without the Trinity River Corridor Project, the City would not have a federally authorized Corps of Engineers project that provides the mechanism for the City and Corps to cost share in these activities. Every public works project big and small – and this one is enormous – faces obstacles and challenges. The City and all of our partners have the talent and dedication of many people who continue to overcome obstacles and meet every challenge.

I am so thankful for the hard work of City staff: City Manager Mary Suhm, Assistant City Manager Ramon Miguez and Assistant City Manager Jill Jordan. I am also thankful to our partners in the Corps starting with Kevin Craig and his team and all of our partners in this project including NTTA, FHWA and TX DOT.

One of our greatest champions of the Trinity River Corridor Project has been – and continues to be – Senator Kay Bailey Hutchison.

(\*\*Mayor introduces Sen. Hutchison speaks\*\*)

(\*\*Sen. Hutchison speaks\*\*)

(\*\*Mayor introduces Rep. Eddie Bernice Johnson\*\*)

(\*\*Rep. Eddie Bernice Johnson speaks\*\*)

(\*\*Mayor introduces Dave Neumann\*\*)

(\*\*Dave Neumann Speaks\*\*)

(\*\*Questions & Answers\*\*)

## Periodic Inspection Report 9 Update

The Corps performed Periodic Inspection 9 and rated the system Unacceptable.

- Ratings were based on visual inspection and engineering judgment.

The Periodic Inspection can be broken into two categories of findings:

- A. Operations and Maintenance Needs (O&M)
- B. Additional Study and Further Analysis (System Study)

### A. O&M

- These are the responsibility of the City and must be repaired by April 1, 2010 to remain in compliance with Public Law 84-99 which provides assistance with rehabilitation in the event of a catastrophic disaster related to the levees.
- These have been divided into three types of work:
  1. Existing O&M (current resources)
    - Current budget is \$7.3M
  2. Enhanced O&M (additional resources)
    - Estimates include an additional \$8.5M for FY 10 which includes \$3.95M one time expenditures
  3. Major Maintenance (consultant and contracting work)

### B. System Study

- Examines Corps' preliminary findings and identifies any issues with seepage, stability and/or penetrations and recommends solutions for any issues associated with the 100 Year and 800 Year flood events.
- The scope of work for System Study will include items such as:
  - Geotechnical Analysis of the entire floodway system (City)
  - Hydraulic modeling to determine water carrying capacity (City/Corps)
  - Development of a Levee Remediation Plan (City)
  - Investigation of a variety of seepage and stability solutions such as diaphragm vs. slurry walls or 4:1 vs. 5:1 side slopes (Corps)
  - Environmental impact analysis (City/Corps)

- The Levee Remediation Plan will be complete in February 2010.

## **FEMA**

As a result of the levee rating in Periodic Inspection Report 9, the Corps has rescinded a previous letter that was used to support FEMA levee accreditation.

FEMA began de-accreditation process in April 2009.

- De-accreditation process will likely take 18-24 months.
- The City will have to prove levees protect from the 100 Year flood event.
- The System Study will determine if levees can hold a 100 Year flood event and if not, what remediation has to occur to retain current flood maps.
  - If the study can prove this, then the FEMA process stops.
  - If the study cannot prove this and does not make the repairs before January 2011, then the flood maps will be revised to show no flood protection.

## **Opportunities Unique to Dallas**

The City has been and will continue engaging federal, state and local partners with respect to the Dallas Floodway.

These relationships have resulted in the development of an aggressive schedule to address immediate and future flood control needs.

Other Levee Systems across the Country that have received Unacceptable ratings have been required to complete all necessary studies and remediation at the sole expense of the Local Sponsor (City or flood control district).

Dallas is uniquely positioned to share in costs of studies and remediation efforts with Corps.

Without the Trinity River Corridor Project, the City would not have a federally authorized Corps project that provides the mechanism for the City and Corps to cost share in these activities.

- This will require entering into a contract with the Corps.
- The City believes over half our costs for this study will count towards our cost share with Corps.
  
- It is the goal to complete System Study by spring 2012 which would result in:
  - Construction for Dallas Floodway delayed 10 months.
  - Trinity Parkway construction delayed 20 months.
- This aggressive schedule can only be met if federal, state and local agencies work closely and diligently to meet all anticipated deadlines for their respective tasks.

### **Next Steps**

To ascertain the condition of levees and complete System Study which will address both the 100 Year and 800 Year flood events, staff is recommending \$29M in contracts that will assist with completing this work as expeditiously as possible.

These contracts include:

- \$25.5M supplemental agreement with HNTB includes:
  - Soil borings and analysis (\$14.6M)\*
  - Engineering support for major maintenance items and remediation that results from the 100 Year flood event analysis (\$6.3M)
  - FEMA levee accreditation assistance (\$400K)
  - Participation with Maintenance Deficiency Correction Plan (MDCP), Levee Remediation Plan, Corps' policy integration and miscellaneous engineering support (\$2.8M)\*
  - Review of the Dallas Floodway and further examination of items in Periodic Inspection 9 that were not inspected (\$550K)
- \$600K supplemental agreement with CH2MHILL to complete:
  - Additional hydraulic modeling for Dallas Floodway\*
  - Environmental and Archeological Testing\*
- \$1.8M modification to Corps' contract with the North Central Texas Council of Governments to resume work on Dallas Floodway.

- This is an interim step until the City and Corps can execute a contract in late Summer/ early Fall for entire study and costs associated to complete environmental work on Dallas Floodway.
  - \$1.3M supplemental agreement with NTTA to complete:
    - Additional work and public input to incorporate findings of Periodic Inspection 9 and associated impacts to environmental process.
- \*Will apply towards cost share requirements of Dallas Floodway Project with Corps.