

Pacific City/Woods Citizen Advisory Committee (PC/W CAC)

Minutes of the PC/W CAC Meeting on June 21, 2014, 10:30 am
Central Building (next to the Post Office), 33570 Brooten Road
Pacific City, Oregon

FINAL VERSION -- 7-21-14

The meeting was called to order at 10:30 am.

1. **Self-introductions – Sean Carlton – Chair-Elect** - Everyone at the meeting introduced themselves. There were 40 people present, including: Sean Carlton – Chair-Elect; David Yamamoto – Past-Chair; Roy Hansen - Treasurer; and Bud Miller – Secretary. Following the introductions, Sean announced that we would not cover the regular topics today and turned the meeting over to Bryan Pohl and Christine Shirley.
2. **Update on Status of Flood Maps to Address the Moratorium of Building Permits within the Nestucca River Flood Plain – Bryan Pohl, Director of the Tillamook County Department of Community Development (DCD) and Christine Shirley, National Flood Insurance Plan Coordinator, State of Oregon** – Mr. Pohl (email: bpohl@co.tillamook.or.us, phone: 503-842-3408; and Ms. Shirley (email: christine.shirley@state.or.us, phone: 503-373-0050, ext. 250) presented information on the status of the new Flood Maps and then answered questions. A poster size version of the updated map based on the findings of the consultant, West Consultants, Inc., was displayed and copies of this map and of the West report were made available. This map did not include information on the location of roads and structures. However, on July 2 we received a copy of a new DRAFT map from Bryan Pohl which shows the floodway and 100 year flood zones as well as the outline of lots within the affected areas. An Acrobat file illustrating this latest DRAFT Map is attached – [“FEMA-7.14 100 floodmaps.pdf.”](#) The “Floodway” designation is narrower than that on the 1978 map by as much as 1000 feet, and some 300 feet less through much of the downtown Pacific City and Woods areas. This decrease in land within the Floodway is of significance in that Flood Insurance rates and related requirements because rates are lower outside the Floodway zone. Base Flood Elevation (BFE) were determined at some 22 locations, and according to Bryan the largest change was an increase was about 0.2 feet (later revised to about 0.3 feet at the Woods Bridge by Mr. Pohl). The revised map resetting the floodway and floodplain boundaries, and the BFE’s was a result of an audit by FEMA in 2013-14, which found that the incorrect map had been used for issuing permits. This area of the Nestucca River as well as parts of the Nehalem River are currently under a building permit moratorium, based on ORDER #14-030 by the Tillamook County Board of Commissioners signed on May 14, 2014, and stating it “...shall be in effect for not more than 120 days....” Most of the meeting was spent in a question and answer format, with Bryan Pohl and Christine Shirley responding to queries from the audience, and adding additional information to clarify the situation. Following is a summary of the items that were addressed during this part of the meeting.

- Will all affected land owners be informed? Yes.
- How many homes are affected by the change in Floodway and Flood plain boundaries? They are not sure yet and are working on a process to determine this, which may take several years.
- Is the Moratorium still in effect? Yes.
- Will the Moratorium continue until full FEMA approval is received? No, the County will submit the DRAFT map and report to FEMA soon and expect it to approve them within 30 days. When this occurs the Moratorium will be lifted. There are other steps that FEMA must take to finalize acceptance, which may take nine months or more. If the map is not accepted by FEMA before September 12, the ORDER will have to be extended.
- Will the Moratorium be over by 2015? Absolutely, if FEMA cooperates. The ultimate outcome depends on how fast FEMA publishes the map. There is no statutory requirement for this, but the County has been assured they will give this a priority.
- What will the County do to prevent such a mistake in the future? All of the DCD staff including planners and inspectors have already received additional training in this important area of their responsibilities. Bryan commented that he could not guarantee there would never be any mistakes, but there is a much stronger emphasis on code enforcement, training, and oversight to prevent this.
- How was the study paid for? The cost of \$56,000 (including both rivers) was paid with County funds.
- What about the on-going process to complete the new State of Oregon Department of Geology and Mineral Industries (DOGAMI) maps for the entire County? These new BFE maps will replace those as appropriate. They were prepared using DOGAMI LiDAR (Light Detection and Ranging) data.
- How long will the replacement maps be good for? FEMA's goal is for an update every five years, but this is not happening because of a lack of funds.
- If construction occurred or is allowed in the floodway, then will FEMA compliance be required? Except for violations identified by FEMA in their recent audit, requirements for structures existing prior to this time will be determined on the basis of the 1978 map. New construction and/or improvements will be looked at using the new map and subject to the then existing requirements.
- Can FEMA require changes for past construction? Not if the work was permitted by the County. But they can insist on correction of work completed without a permit.
- What about the effect of possible implementation of new FEMA rules concerning the meeting of the conditions of the Endangered Species Act? This is an on-going and not yet settled process. It may be years before any new requirements are finalized. Under discussion with National Marine Fisheries, FEMA is considering adding a requirement for a special study (cost approximately \$6,000) to ensure there are no negative impacts of any construction within the Floodway, or perhaps even within an area 170 feet 'above the bank' or edge of the Floodway. That is why the much reduced width of the Floodway is such an important outcome of the recent study and new map. If such a new condition is added it will not apply to existing improvements, or to those that were built before the species of concern was listed as threatened or endangered.
- Is the possible setback of 170 measured horizontally or on the surface? Do not know.

- Will both river maps have to be approved together? No. There are actually three maps (two on the Nehalem), and they will be considered separately. There was even less change on the Nehalem. But keep in mind that FEMA will look at all of this very closely.
- Will there be changes in flood insurance ratings because of the new map? Cannot say for certain. But remember there are changes occurring in the legislative process which will affect rates.
- What affect will FEMA findings of being out of compliance on individual properties have on this process? Addressing these items is on-going, and the County expects there may be litigation required in some cases. This should not delay FEMA approval of the new maps, but will delay reinstatement of the 20% reduction of full-time occupied residences previously granted under the Community Rating System.

Announcements –

- The next meeting of the Pacific City-Woods Community Advisory Committee will be on July 21, 2014. It will be held at the Kiawanda Community Center 34600 Cape Kiwanda Drive, Pacific City, Oregon, beginning at 6:30 pm.
- The South Tillamook County Volunteer Emergency Corps will have a booth at Dory Days on July 19, 2014. It will be next to the fire truck and manned by volunteers from the local area and those on the Emergency Volunteer Corps group from North County. Please come by to become better informed about emergency preparedness for yourself and your neighborhood.

The meeting was adjourned at 11:45 by CAC Chair-Elect Sean Carlton

Please see our website at www.pacificcitywoodscpac.org for additional information.

The PC/W CAC meetings provide citizens an opportunity to interact with all community members on issues important to our area. These are public meetings and everyone attending is encouraged to participate.

*For further information contact Ielean Rouse – CAC Chair
Phone (503) 965-3600. E-Mail address ieleanrouse@gmail.com*