

Headlight-Herald

SERVING TILLAMOOK COUNTY, OREGON

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County appeals FEMA's ruling on levee

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TILLAMOOK — County officials last week filed a formal appeal of the Federal Emergency Management Agency's denial of financial aid to help pay for repairs to a Wilson River levee that failed during last November's flood.

In February, FEMA officials in Salem denied the county's request to be reimbursed for part of what it spent to fix a 500-foot section of levee located in a pasture on the dairy farm owned by Don Josi. FEMA officials said the county did not prove it had the legal responsibility to do the work.

"The denial misconstrues applica-

ble rules," county officials said in their appeal. "Emergency protective measures to save lives, to protect public health and safety and to protect improved property are eligible for assistance."

The county argued that, to be eligible for assistance, "emergency protective measures must either eliminate or lessen immediate threats to

life, public health or safety or eliminate or lessen immediate threats of significant additional damage to improved public or private property through measures which are cost effective. In the present case," the appeal continued, "both of the required elements for relief were

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present."

The appeal described damage done by November's record-level flooding along the Wilson River following the levee's failure.

"The flood resulted in the closure of both Wilson River Loop and Highway 101. Flood elevations on Highway 101 were up to eight feet deep, resulting in millions of dollars in damages for just that area. When flood waters receded some three days later, the area was covered in over a foot of silt and debris."

In addition, officials maintained that the simultaneous closings of both 101 and Wilson River Loop cut off all possible routes for emergency ambulance transports from North County to Tillamook County General Hospital.

The county commissioners met Dec. 11 and were told by various local experts, including County Emergency Management Director Tom Manning that, with the levee not repaired, even a nuisance flood of the type that occurs several times each winter would cause more significant damage.

The next day, the National Weather Service issued a severe weather warning for the North Oregon Coast, predicting more heavy rains, seas up to 35 feet and 100-mph winds.

"It was with a sense of urgency, then, that the board of commissioners convened again on Dec. 13 to consider a board order declaring emergency circumstances requiring the prompt execution of a public contract for the emergency repair work," the appeal said.

The appeal, citing minutes of the Dec. 13 meeting, quoted County Commissioner Mark Labhart as saying, "It should be clearly understood (that) the county is leading this effort in order to protect public resources at high risk, not to repair a pri-

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County FEMA appeal

vate property levee."

According to the appeal narrative, at 3:38 p.m. that day, the National Weather Service issued a flood watch for Northwest Oregon. That became a flood warning for the Wilson River by the following afternoon.

"It is clear from the photographs taken during the course of construction that the emergency work barely kept ahead of the rising flood waters," the appeal continued. "At one point, there was less than one foot of freeboard between the water surface elevation and the top of the repair work."

The county hopes to recover 75 percent of the cost of the repair work from FEMA. Initial estimates ranged from \$125,000 to \$250,000, depending on whether suitable material for the repair could be salvaged at the site and other factors, such as the cost of additional material and whether an access road to

the levee could be maintained for hauling heavy loads. However, the work was completed at a cost of \$87,772.72.

"Were it not for this emergency repair," the appeal stated, "public and private damages would likely have been many times greater than that amount."

The county has also requested financial help for the levee repairs from the City of Tillamook. City Council has deferred action on that request, however, preferring to wait and see what the county recovers from FEMA.

Glen R. Sachtleben, FEMA's Salem-based coordinating officer for recovery operations in the area, said in March that the county has two appeal possibilities. The first is to FEMA District 10 officials in Seattle. If that fails, he said, another appeal can be bumped up to officials in Washington, D.C.

