

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 – to address levee concerns AND the path forward to bring the Trinity Corridor project to fruition – in light of the findings from the Corps Periodic Inspection Report (9) dealing with the Dallas Floodway & Levee System.

As we have consistently said, and I will stress again, 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.

And, as we look to the future, we want to encourage new development and redevelopment along the corridor and strengthening the levees is crucial to that.

I also want to stress that everyone involved has reaffirmed their commitment to develop a system that will produce a completed project with all of the elements of what is known as the Balanced Vision Plan. As I have often said, nobody is saying it is easy but we all believe that we can make this happen for the benefit of our citizens today and tomorrow.

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 will assist the City with:

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.

The City money will come from previously approved flood control monies from the last two bond programs in 2003 and 2006. To be clear, this will not impact the current or next year's City budget. We will, however, have to deal with the increased maintenance and operations from this point forward.

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.

I assure you that no one wants to move this forward rapidly more than I do. However, the periodic report was a surprise to us all and the work that is required to address and fix the current levees and incorporate those levee changes into the overall plan will push out our ability to complete the other elements of the project.

In any effort with the scale and implications of this project, there will be unexpected issues to deal with – some are positive and in some we need to find solutions as we are doing here. They have implications on factors like timing but they do not impact the underlying rationale for proceeding forward.

I would urge everyone to keep in mind the end goal and what it does for our City – the critical nature of flood control in our City, the value of the recreational components, the importance of the transportation components in light of the projected population growth, and the promise of economic development in total and for key, past underserved areas. This project will set the stage for this City for the next century. While none of us are happy about a delay, none of us are losing sight of where we are ultimately going.

And, again, we – all of us – believe, even in the face of the unexpected periodic report – that all the elements of this project are doable and are committed to working together to make it happen.

I also want everyone to know that we are continuing to work on key elements of the project. For instance, the Margaret Hunt Hill bridge is under construction and TXDOT is continuing to move forward on that.

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.

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.