

Memorandum



CITY OF DALLAS

DATE April 1, 2010

TO Trinity River Corridor Project Committee Members:

David A. Neumann (Chairman)

Vonciel Jones Hill

Steve Salazar (Vice-Chair)

Delia Jasso

Deputy Mayor Pro Tem Pauline Medrano

Linda Koop

Carolyn R. Davis

Ann Margolin

SUBJECT **MDCP Update and Public Law 84-99 Update**

In early March 2011, the City submitted to the U.S. Corps of Engineers (Corps) a request for a temporary extension of Public Law (PL) 84-99 to remain eligible for rehabilitation assistance from the USACE while the City of Dallas (City) continue to implement improvements to the levees in the Trinity River Corridor.

Under PL 84-99, the Corps, acting for the Secretary of the Army, is authorized to undertake activities including emergency operations (flood response and post flood response) and rehabilitation of flood control works, such as levees and pump stations, threatened or destroyed by flood. The flood system if it is a federal flood system would be restored to its pre-disaster status at no cost to the Federal system owner.

The City's request for the extension of PL 84-99 follows months of systematic approach and coordination with the Corps to address Operation & Maintenance (O&M) deficiencies and design-related deficiencies observed and/or otherwise noted by the Corps along the four levee systems (East, West, Rochester and Central Wastewater Treatment Plant levees) in the Dallas Floodway System. Periodic Inspection Report No. 9 observed and/or made reference to 230 deficiencies, of which 198 were to be addressed by the City. The 198 related O&M items are included in the Maintenance Deficiency Correction Period (MDCP) plan. As of February 2011, 193 of the 198 MDCP items have been addressed by the City.

The remaining 5 MDCP items to be addressed are as follows:

- 1 item related to a plan to systematically inspect pipes, culverts or conduits in the levees - the plan has been submitted to the Corps and will be removed from this list upon Corps' approval of the plan
- 1 item related to encroachment in the flood plain due to construction equipment for the Margaret Hunt Hill Bridge – this item will be addressed upon completion of the bridge construction

- 2 items related to locating or obtaining permits for multiple utility crossings at the Central Wastewater Treatment Plant Levee – the plans to address the multiple utility crossings have been submitted to the Corps and discussions on the resolution of the utility crossings are underway
- 1 item related to erosion will be addressed by the completion of the Margaret Hunt Hill Bridge

The other deficiencies not included in the MDCP are items to be addressed in the Feasibility Study the Corps is undertaking at this time.

The Corps has informed the City their Headquarters is reviewing the City's request for a one-year extension of the PL 84-99. Additional time has been requested for review because the Corps' Headquarters is now considering extending it beyond one year through the completion of the Feasibility Study in May 2014. While this is being done, the Corps assured the City that it is covered under PL 84-99. It is anticipated the review to be completed in the next two weeks.

If you have additional questions, please let me know.



Jill A. Jordan, P.E.
Assistant City Manager



THE TRINITY
DALLAS

Cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Ryan S. Evans, First Assistant City Manager
A. C. Gonzalez, Assistant City Manager
Forest E. Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Deborah A. Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge C. Victor Lander
Helena Stevens-Thompson, Assistant to the City Manager
Frank Libro, Director, Public Information Office
Kelly High, Director, Trinity Watershed Management
Rebecca Rasor, P.E., Managing Director, Trinity River Corridor Project