

Commissioners, I see at least 10 things that must change before a code change like this passes.

I have long experience with flooding in Austin. The first time I saw Shoal Creek flood was September 1961. Twenty years later, I was on the Allandale Neighborhood Board for the 1981 Memorial Day flood, when we got the label "Flood Alley". Two friends had houses wrecked in that flood, and my dissertation Professor's son died when he was washed off the Hancock bridge over the creek. His body recovered from trees along Great Oaks.

In 1981, the City had no instrumentation on the creek. Allandale had personal rain gages, flood elevation from debris lines, times of events. After the City's failed attempt to solve the flooding by Channelizing Shoal Creek, three friends, engineers in Allandale, led the effort to control flooding by controlling and slowing drainage into the creek – ponds, trees, grassy cover, . . .

So, I'll try to explain the problems I see.

1] There is no list of issues/conditions/impacted property, etc that Director must evaluate before approving. The scope of the finding is not set. The only basis for approval is the Director's opinion: "No Adverse Flooding Impact"

So, what is missing?

2] There is nothing about safety and how 'Safe' would be evaluated Flooding Risk is implied in the language, but it seems to be only risk to the building requesting re-build; neighbors and others affected have no place in the considerations.

The 'Safe Access' rule can be waived for flood depth up to 2ft. There is no consideration of Flow Rate at the building site, or further along the Escape Route; no consideration of turbulent flow sweeping things or people into the main channel – only 2-ft water depth on site.

The revision requires that the re-built structure be elevated 2-ft above the floodplain. There is No Justification for the 2-ft Freeboard given the dramatic adjustment in flood elevation with the map substitution at Atlas-14. We've been told, "It's twice as big". Wouldn't something proportional to the historic increase in Flood Level, applied over the expected life of the building, be justified?

3] The determination doesn't require Measurement; there's No Quantitative Consideration. How 'bad' was the flood, how high above Flood Plain? How deadly? Where along the channel is the property? What are immediate local conditions? What was the stream flow rate at the site? Conditions and danger can change

dramatically in a few 100ft along the stream. Is the requested re-build near where a branch joins the main channel? Up or down stream? Is the build-site geology stable?

In discussion with staff, the Re-Building Applicant is assumed to run some flood modeling hydrodynamic computer models to assess the impact of rebuilding. [There is a customary program.] The applicant has the incentive to choose the cases with the least effects. Then, we were told, the Director would decide if they agree with the applicant's work. No description of how an evaluation would occur. The staff has experience finding parameter sets for the computer models that show the least effects. They don't have a track record of identifying trouble. There was no discussion of Staff qualifying the Applicant's work, by for instance looking at parameters that set immediate local conditions, or conditions likely if the channel bank collapsed, etc. No assessment of dynamics during the flood.

4] There is No Specified In-Office Process How can multiple cases be done fairly without a defined process? When/How is any data collected? Are Data Sources Qualified? How is data handled? If staff chooses to run their own computer evaluation of the project, are computer program parameter sets, and any changes, logged by who/when the change is made? Is the objective of the change logged? Is data formatted and logged for publication to interested/concerned parties?

The work seems similar to what happens at "Site Plan Evaluation". The applicant is expected to submit modeling to show safety, but no qualification is specified for the thoroughness and accuracy of the calculations. There is no process set for how this will be evaluated. "Looks good to me" seems the level of evaluation.

5] There is No Public Forum for affected neighbors or up/down stream property to comment, etc With the Site Plan process "there is a telephone number". The Applicant Property has a forum, but close affected properties have no voice, just informal contact with staff. Or, there are the courts.

The list of affected parties is only approximate. Effects are not limited to the Build-Site. Parked cars wash downstream and damage other places. Is that the car owner's problem, or the building owner. Stream flow is redirected by buildings and causes damage. If two adjacent buildings are rebuilt, how is liability assigned. With no defined in-office process; will the Director flip a coin? See the findings of the Citizen's Flood Taskforce.

6] There are No Documentation Requirements or items list. No data management process specified. No retention requirements. No

7] There is no 'schedule' for requesting rebuild. How long can an owner wait to request re-building? Eight years? Until a new more 'friendly' Director holds the job?

8] There is no consideration of the City's 'standing' to permit the rebuild. There are two Federal entities with interest, FEMA and Army Corps of Engineers, and the State of Texas has laws.

Staff assures that this change will not affect Flood Insurance, but without any documentation or evidence of approval process. FEMA has worked this issue for many years - There is a video on topic from KLRU [Public Broadcasting] about repeated re-buildings after multiple San Marcos floods.

9] Finally, this is a proposal to permit Rebuilding Without Council Oversight, really? Even with oversight, and based on staff recommendation, whole subdivisions have been demolished after flooding. Seems like more, not less, oversight is needed.

10] If a change to the Code is to be made, First act on the recommendations of the Citizen's Flood Taskforce. First define and document processes. First . . .