

Sayers, Margery

From: Sigaty, Mary Kay
Sent: Tuesday, October 02, 2018 10:56 AM
To: Sayers, Margery
Subject: FW: Ellicott City Flood plan

-----Original Message-----

From: William Hettchen <willhettchen@me.com>
Sent: Monday, October 01, 2018 9:34 PM
To: Sigaty, Mary Kay <mksigaty@howardcountymd.gov>
Subject: Ellicott City Flood plan

I'm a life-long resident of 21043. I'm writing to encourage you to vote for the plan to demolish the buildings. Not because I want old Ellicott City turned into a strip mall. But because we can't allow another Howard County resident to die in a flood. Any other plan will require time and money. Every day that goes by without measures in place to prevent another flash flood down the middle of Main Street is a day that risks lives. We need to act now.

William Hettchen
8417 Elko Drive

From: Shari Zaret <sharizaret4kc@gmail.com>
Sent: Monday, October 01, 2018 6:20 PM
To: CouncilMail
Subject: Vote YES on CB 70

Members of the Howard County Council:

I am writing to ask that you vote YES on Council Bill CB-70 2018.

As a member of the Kings Contrivance Village Board for many years, I often attended Planning Board meetings. Although I am currently serving as Representative to the Columbia Council (CA Board of Directors) for the village of Kings Contrivance, I am writing to express my own opinion.

For those residents unfamiliar with land use issues, but who want to voice their concerns about a proposed local project, it can be a confusing and daunting process. Trying to understand the sequence of planning documents (Concept Plan, FDP, STP, etc), keep track of when they are presented and when they are recommended, when they voted on, and by whom, and what the final site plan will ultimately look like, is overwhelming.

The General Plan for Downtown Columbia is even more overwhelming in its complexity. The requirements that are built into the plan, with the intent of phasing in development over time based on feedback from community stakeholders and flexibility on the part of developers, are not always clear. When changes to the agreed upon Plan are asked for by the developer, community stakeholders also need a way to evaluate the possible effects of deviating from the original intent embedded in the agreement.

It would be useful to all concerned to have Zoning Counsel present at the Planning Board hearings, to address, if necessary, the detailed requirements, standards and stipulations of the General Plan. After so many years of work, on the part of the Council, community members, village boards, county officials, and developers, we need to come back together under the neutral guidance of the Zoning Counsel, who can clarify both the broad intent and the legal details of the original authorizing legislation for the Downtown Plan.

This is a common-sense bill, which is both appropriate and useful as the General Plan goes forward.

Sincerely,

Shari Zaret,

Kings Contrivance Village Representative

Sayers, Margery

From: Brendan Nass <b.t.nass@gmail.com>
Sent: Monday, October 01, 2018 5:36 PM
To: CouncilMail
Subject: Amendment 4

I strongly support amendment 4. Please don't be the county council that destroys Main Street as we know it. You have one chance to get this right.

Thanks,
Brendan Nass
Resident: 8061 Main Street

Hello,

My name is Joy Gaither-Wineke I have been a resident of Howard County for over 40 years and have worked in and around Ellicott City Main Street for the better part of 20 years. Let me start out by saying I love my town and I want my town to stay but most of all I want my town to be safe. I want my heart and mind not to go into panic mode every time it rains. I believe the people who have died in the floods should not die in vain. We need to do something now to mitigate the water going down Main St.

My first memories from Main Street are when I was about 5 my mother and I would go antique shopping and I would pick out trinkets to go in my shadow box which was an old printer letter box. We would get penny candy and stop to see our neighbor Mr. Deeds at his book store. As I got older I had many friends that worked in Ellicott City including Talbots Lumber and the many restaurants and stores. I myself worked at Stillridge Herb Farm, The Trolley Stop, and The Judges Bench.

Today I am testifying for myself and Ooh La Lal Salon on Old Columbia Pike. I am a Part –Time manager and have supported the salon in my home when the Salon was not able to open due to the Ellicott City Floods. Although the salon did have about 4 Stylist that decided not to return to work in Ellicott City in 2016 the loss of that income hurt the salon. In 2018 the salon was almost back to “normal” when the flood hit in 2018. This completely decimated our business again trying to find a space where all of our stylist could work together and not be broken up again. We were blessed to find salon who took us in but our hours were cut and a lot of clients couldn’t find us.

The emotional part of having to be rescued out of the salon seeing the building be ruined by rising water coming in and a land slide in the parking lot was almost too much to bare for Sheela. Is the business worth putting your employees in danger by going, being at or leaving work? The salon that has always been Sheelas dream to be in the heart of Main St and she put her heart and soul into making her dream come to. Only to have it knock down once but twice then the added guilt of your building not being as

damaged as others building so you should feel lucky but still not being able to pay your employees, your rent and your mortgage. Not knowing if you will be able to continue your business and provide for yourself. These are all the thoughts in your mind while trying to save what you can out of the business until or if you will reopen. Contacting your clients and hoping they will wait for you while you scramble to figure out when you will be able get them an appointment.

Flash forward and the salon was able to reopen after new floors, lots of cleaning and landscaping. After all this work a few Stylist and some customers decided not to return to the salon. Now that we are open and still struggling to stay open every time it rains customers call and cancel their appointments and I can't blame them. Nothing has changed since 2016 this is not a 1 in 1000 year flood. Our town doesn't have the luxury of time. Two times in less than 2 years and 3 lives is too much to shove under the rug.

In 2011 our floors were damaged at the salon and my friend's home was destroyed and it almost took their lives as well. In 2011 the basement in my house was flooding while I was helping my friend try to salvage her home. This was the first time my basement had flooded the only thing that had changed was a new house was built next to us. After 2011 my husband built a French Drain to avoid water getting into the basement. In 2016 our basement got about a foot of water in my basement. My husband once again dug a deeper gully and a concrete lip at the top of our basement steps. In 2018 my basement got about 4 inches in it so we will again try some things to keep water out of our basement. The rain is not going to stop it will always make me uneasy when it falls. If we mitigate the damage that the rain can do to our town we owe it to ourselves to make it safer. The thought of having to take down the buildings breaks my heart. So many memories that I have in those buildings I would love for them to stay but it has become clear that the water wants to go that way and if we can save lives by taking them down then and saving the rest of the town then that's what I am fighting for.

Sayers, Margery

From: joy gaither-wineke <jgwink@hotmail.com>
Sent: Monday, October 01, 2018 5:33 PM
To: CouncilMail
Subject: Testimony for Main st
Attachments: testimony 2018.docx

Hello,
Attached is my testimony for Ellicott City Historic District. I urge you to start as soon as possible.

Thank you,
Joy Gaither-Wineke
3079 Chestnut Hill DR
21043

Sayers, Margery

From: Tracey Callender <Tracey.Callender@kci.com>
Sent: Monday, October 01, 2018 5:02 PM
To: CouncilMail
Subject: CB-61 2018 and TA01-FY2019
Attachments: Ellicott City Flood Mitigation Plan.pdf

Members of the Howard County Council,

Attached please find a letter regarding the legislation under consideration on the Ellicott City Flood Mitigation Plan.

Please let me know if you have any questions or concerns.

Best,

Tracey I. Callender

Executive Assistant

KCI TECHNOLOGIES INC.

936 Ridgebrook Road, Sparks, MD, 21152

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tracey.callender@kci.com



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October 1, 2018

Howard County Council
George Howard Building
3430 Court House Drive
Ellicott City, MD 21043

Re: CB 61-2018
TA01 – FY 2019

Dear Council Members:

As the Chief Executive Officer of KCI Technologies, Inc. (KCI) an engineering firm headquartered in Maryland with a branch office in Howard County, MD, and as a registered professional engineer whose focus has been storm water management I have been following with great interest the flood mitigation plans in Ellicott City, MD. KCI employs over four hundred people in our Maryland offices and many of them call Howard County and specifically Ellicott City their home.

As you may not know, KCI has been providing design services for flood control improvements at the west end of Ellicott City for the Storm Water Management Division of the Howard County Department of Public Works. After the last flood in May of 2018 I gathered a group of engineers at our office to take a deeper dive into the specific issues leading to the flooding in Ellicott City. This work was done at our own expense in hopes of deriving some potential solutions to the persistent flooding problems that have plagued the area for many years. KCI has performed numerous projects in Ellicott City over the years including a full 3D laser scan of the main street corridor prior to the 2016 flood. We also had several other sources of information available to us including plans posted on the internet by the County as part of the public awareness process for the Ellicott City Mitigation Plan. After review of topographic mapping for the watershed along with soils and geological reports it was apparent to the group that this a very unique situation that will require a unique solution. Although there are always numerous potential solutions to a problem with public safety as the leading concern it was our belief that anything that could be done to open the channel and remove obstructions from the waterway would provide the most expedient and cost effective means of addressing the issue. Realizing there may be various methods to accomplish an unobstructed open channel, and only speaking from engineering view point, the current proposal will accomplish this goal.



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As with any project of this magnitude cost is a significant factor however not the sole factor. Many alternatives discussed involve substantial excavation in granite as well as crossing the CSX railroad right of way. Though both these things could be accomplished they will add substantial costs and more importantly take a significant amount of time to achieve. This could potentially add years to the project and increase the risk of additional loss of life. In no circumstance should additional loss of life ever be an acceptable solution.

We appreciate the efforts being made by the Council to listen to concerned citizens and greatly appreciate the opportunity to contribute to this discourse. If we can be of any additional assistance in this regard please feel free to reach out at your earliest opportunity. At KCI we greatly value the long term relationship we have had with Howard County and look forward to continuing that relationship for many years to come.

Respectfully,

Nathan J. Beil, PE
Chief Executive Officer

Direct Dial Number: 410-316-7937

Fax Number: 410-316-7853

Sayers, Margery

From: Sharon Harman <sharon.harman104@gmail.com>
Sent: Monday, October 01, 2018 4:40 PM
To: CouncilMail
Subject: Historic Ellicott City proposals

Dear Council Members,

I am a resident of Historic Ellicott City and have been following the developments regarding how to move forward with Ellicott City and flood mitigation. I strongly request other options be considered rather than the demolition of 19 buildings. I understand there is an urgency to develop and implement a plan, however, it is my opinion that acting too quickly without thorough consideration of alternative solutions is a mistake as it was following the 2016 flood. Following the 2016, the urgency was to get Main Street open as quickly as possible and get the businesses up and running again. I feel the speed of those decisions and actions contributed to the flood of 2018. Let's not move so quickly that viable alternative options get ignored. The demolition of 19 buildings in a historic district is significant and if there are other options that involve less destruction while still addressing and eliminating flooding (which the demolition plan does NOT), the time needs to be taken to evaluate those plans.

Thank you,
Sharon Harman

Sayers, Margery

From: Tony McGuffin <tonymcguffin@gmail.com>
Sent: Monday, October 01, 2018 4:35 PM
To: CouncilMail
Subject: TAO1 and amendments.

Howard County Council Members,

There are so many reasons to scrap TAO1 as a potentially catastrophic danger, but the Amendments, especially # 4, bring it into the realm of reasonable compromise.

Please note: while proponents insist these mitigation plans have been in the process of study and vetting for years, that is true for eighteen mitigation efforts to the west of town, and even the drilling of tunnels as part of the Storm Water Management, but is NOT true of the plans to demolish buildings on Lower Main Street. Jon Weinstein has asserted over and over that that part of the plan came up after the May 27th, 2018 flood, so just four months ago, without comparable study or vetting, when he was approached by building owners seeking financial relief - quite a gigantic conflict of interest there, on a normal day!

This plan works backwards from most with an untested proposal to work up toward the flow, rather than mitigating the flow. It creates an unknown, unstudied, likely catastrophic situation during the period between demolition and project completion, and still, in the end, is less safe, even leaving more flood water on the street than the mitigation projects without the demolition would result in. And no one knows what will occur if we have a situation with the River coming in at a high level, as in 1972, where this channel would likely back up, and if we've not done sufficient mitigation from the west, what disaster would we have created? Not studied, not vetted. The current bill also ignores, and proponents have tried to manipulate facts relating to, the tunnel borings. The amendments fix these problems without delaying any productive action.

Also, please note: A great majority of your constituents favor the safer choices, not the risky, precipitous rush to enact the untested, unvetted, plagued by conflicts of interest, dangerous, plan, which will leave us with floods. 75% disapproval for the plan was indicated by the recent Preservation Maryland poll, and at least 70% of your own written testimony supports that opinion gap.

Pass the amendments to pass this bill. Without them, the bill is atrocious, and untenable.

Thank you,

Tony McGuffin

Dear Council Members,

I am writing this letter to voice my support for Amendment .4 to TAO1-2019. The proposed plan, which includes demolishing Ellicott City historic buildings does not sufficiently reduce flooding. If the plan was the best option it would be one thing, but it is only a Band-Aid. If this Council approves the plan without this amendment Historic Ellicott city loses out, and so do the citizens.

The priority for all stakeholders is the safety and piece of mind of Historic Ellicott City residents, and business owners along with their employees. Since everyone is on the same page about this, I urge the Council to amend the current proposed plan, in order to address the public safety first.

This will allow for the time needed to amend this plan in a way that life and history may be preserved. In allowing the demolition of the Historic Ellicott City buildings, this Council will be changing the character of this town. The draw for visitors and residents alike is that historic area.

You must make this decision based off of what makes sense. This plan does not adequately address the issues that it is meant to resolve and needs some reworking. It would be more reasonable to take measures now in order to keep people safe and allow for the newly elected Council to decide what should happen as far as the rest of the plan.

The sudden announcement of this plan, in it's final form was a shock to many people. This town is divided and that is unfortunate, approving this proposed amendment would be a step in the right direction. I hope that during the final days as Council members you not only consider why this plan will not work, but also think about how you leave your constituents. You have the opportunity to help people start to mend these fences. If you ask me, mediation would do quite a bit of good.

Best of luck on your future endeavors, and thank you for your service!

Kathy Howell

208 403 8970

8726 Ruppert Court

Ellicott City, MD

2104

From: TANYA RAPACZ <t.rapacz@comcast.net>
Sent: Monday, October 01, 2018 4:10 PM
To: CouncilMail
Subject: tonight's meeting

I support those who live and work in Ellicott City. I strongly support finding and funding the engineering and emergency preparedness solutions that will make this special place safe. I strongly support preserving the iconic, centuries-old streetscape of #oldEllicottCity in accordance with governing law, and until all possible alternatives to demolition have been exhausted. And so I strongly support Amendment No. 4 to currently-pending legislation TAO1-2019, which would allow building purchases and upstream flood mitigation infrastructure projects to begin right away, while more promising—safer—alternatives to tearing down lower Main can be engineered.

Thank you

Tanya Rapacz

From: joel hurewitz <joelhurewitz@gmail.com>
Sent: Monday, October 01, 2018 4:09 PM
To: CouncilMail
Subject: Protecting the B&O and Flood Levels on Main Street Due to the Tiber Channel Wall and the Patapsco Bridge

Dear Councilmembers,

I recently saw the photo below of the 2018 flood which raised the following issues and the shows the difficulties on engineering for flooding:

1. The extent to which wall of the Tiber channel at the railroad bridge is keeping the water on Main Street.
2. The relative level of water in the Tiber compared to the level on Main Street.
3. What the level of water on Main Street would be if the Tiber wall was opened up?
4. Options for redesign of the Tiber wall to lower the water level on Main Street.
5. How the slope of the Patapsco bridge is keeping the water on Main Street?
6. What the level of water on Main Street would be if the water did not collect on the Patapsco bridge?
7. How the jersey wall on the Patapsco bridge is keeping the water on Main Street?
8. What the level of water on Main Street would be if the jersey wall was removed?
9. Options for removal of the jersey wall on the Patapsco bridge.
10. Options for changing the design of the Patapsco bridge including removing a portion of the decking and replacing with a steel grate.
11. Generally how the options and water levels on Main Street in the Five-Year Plan accounted for the Tiber channel wall at the railroad, the slope of the Patapsco bridge, and/or the jersey wall on the Patapsco bridge.

In particular, because the replacement Tiber wall has the unintended consequence of keeping the water on Main Street, I wonder how removal of the buildings, especially the Phoenix will not lead to damage to the B&O. Mark DeLuca admitted that the engineering has not been done and that any planning is for optimal conditions, but then admitted that cars and trees could probably block a channel when things do not go as planned. The engineers of the rebuilt Caplan's believed that their design would work, yet it proved to be a spectacular failure.

Removal of the buildings and the bridges without structures to protect Maryland Ave and the B&O from flood water and debris is a serious mistake and must not be done.

Sincerely,

Joel Hurewitz



Sayers, Margery

From: milton myers <mysterusa@yahoo.com>
Sent: Monday, October 01, 2018 3:37 PM
To: CouncilMail
Subject: Fw: The Future of Historic Ellicott City

On Monday, October 1, 2018 3:32 PM, milton myers <mysterusa@yahoo.com> wrote:

Dear Councilwomen and Councilmen,

I am writing to urge you not to pass the part of the legislation which calls for the demolition of buildings in Historic Ellicott City tonight. I am all for doing everything that can be done to ameliorate the flooding risk and save lives, but rushing to demolish buildings is not going to help. Funding and putting in place other measures, such as storm retention ponds, studying the tunnels that will divert water away from Main Street, and implementing better warning and evacuation plans will do more to promote public safety than prematurely demolishing buildings. The current plan also does not work to divert water from the New Cut, which contributed about 40% of the water on lower Main Street, during the 2018 flood. The plan is hasty and does not consider all the options and variables involved.

Of course the owners and businesses that were affected should be compensated. I have no problem with the County acquiring these properties at a fair price, and holding them while a more comprehensive plan is developed. One that would NOT allow four to six feet of rapid flood waters to flow down Main Street. Flood waters at this height are very dangerous, the town won't be safe, and lives will still be at great risk.

Historic Ellicott City is a treasure which belongs not only to Howard County, but also Maryland and the entire United States. The county can apply for funding from state and federal agencies to help fund the improvements that will alleviate the flood risks. To destroy an historical jewel in a vain attempt to increase safety is a serious dereliction of duty, and irreversible.

So, please do not vote to demolish buildings prematurely, vote to fund and begin the other projects, so work can begin on them immediately. Don't be on the wrong side of history and be forever known as the Howard County Council that destroyed one quarter of Main Street, but didn't actually improve the safety there in flood conditions!!

Mary Nell E. Romanik Myers
Life Long Howard County Resident

Sayers, Margery

From: Veronica McGinley <vmcginley@gmail.com>
Sent: Monday, October 01, 2018 12:19 PM
To: CouncilMail
Subject: Tonight's vote

Dear Council Members:

After the 2016 flood, there was a rush to rebuild, ill-advised as it turned out. We listened to the same people who told us that it was fine and we had years to consider other options reassure the community that also heard the more dire warnings of climatologists. Now, we are seeing another rush, the same people assuring us this is fine, and many experts telling us that it will not alleviate the flood waters to safe levels.

So, I hope you will understand why I hope the council will not approve the plan as it is. We all want a safe and thriving Main Street in Ellicott City and I hope we can start to mend the very divided community by beginning at that point and take time to listen without accusations or blatant dismissals like I recently saw on the official county page. That was disturbing, to say the least. There is a way to move ahead without further dividing the community, which I would hope would be the Council's goal. I support Amendment No. 4 to currently-pending legislation 019, which would allow building purchases and upstream flood mitigation infrastructure projects to begin right away, while more promising—safer—alternatives to tearing down lower Main can be engineered.

If we lose such a significant part of Main Street, we simply can't be sure the town will continue to attract people. Charm and ambiance are difficult things to understand and almost impossible to create. They are characteristics that develop and evolve. If this demolition destroys those characteristics, and I suspect it will, we won't be able to recreate the very things that brings people to Ellicott City. And we must be honest, it is not enough land for a park and a culvert. It will simply be a bare area with a creek that is barely a trickle most days. That won't add any ambiance and will not significantly mitigate the water levels without all the other project. So do them first.

Before we destroy history, let's be absolutely certain we had to.

Thank you for your consideration,

Veronica McGinley

Sayers, Margery

From: Race Alexander <racealexander@gmail.com>
Sent: Monday, October 01, 2018 12:01 PM
To: CouncilMail
Subject: Downtown proposal

To Whom it May Concern,

I would like to voice my great concern with the proposal to demolish a core part of the historic part of Ellicott City's downtown fabric. I am a practicing architect who has spent years studying traditional architecture and urbanism, and I state without equivocation that the removal of these buildings will damage a key part of your city forever.

The solution to the flooding problems must come with more thought, study, and respect for the historic core that establishes the identity of your town. The city council should not be forced into making a quick decision because of external pressures. These buildings are irreplaceable.

Please consider how much these buildings mean to both current and future residents.

Thank you.

Sincerely,
Race Alexander

Sayers, Margery

From: Sigaty, Mary Kay
Sent: Monday, October 01, 2018 11:55 AM
To: Sayers, Margery
Subject: Fw: Ellicott City Plan

From: Winnie Carpenter <winnie.carpenter@hotmail.com>
Sent: Monday, October 1, 2018 9:06 AM
To: Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg
Subject: Ellicott City Plan

Good morning,

On 9/8/1900 a hurricane hit Galveston Island. It was the deadliest natural disaster in the United States. Between 6,000 and 8,000 people died. 3,600 homes were destroyed. 30,000 people were left homeless. The monetary loss was \$36M.

The next day the mayor took the bold move to start the recovery process. The Galveston City government was reorganized and two engineers were hired.

A 3 1/2 mile concrete seawall was built, 17' high. 16 million cubic yards of sand were moved. The entire city was raised up to 16'. All sewer, water and gas lines were relocated. 2,100 buildings, 500 city blocks, were raised with jacks, including the 3,000 ton St. Patrick Church.

The people altered their own fate and have preserved their city with that bold move one hundred and eighteen years ago. Will you help preserve Ellicott City for future generations?

Thank you.

Winnie Carpenter
713 Pleasant Hill Road
Ellicott City, MD 21043
410-461-4434

Sent from my iPad

Sayers, Margery

From: Julianne Danna <juliannedanna@gmail.com>
Sent: Monday, October 01, 2018 11:17 AM
To: CouncilMail
Subject: Petition to delay demolition on Main Street

Dear council members,

I have written before to encourage you to not proceed immediately with the demolition of lower Main Street Ellicott City. As an archaeologist, a former NPS park ranger, an educator, and a county resident, I know there are better options than immediately removing those buildings. As the wife of a National Guardsman, life is important above all. However, I strongly believe that other measures can be immediately enacted to preserve life in the threat of danger on Main Street without demolition including a warning system, and major upstream management.

Preservation Maryland has dutifully put forward many strong proposals and I back them 100%.

As a student, I learned about sense of place and how it affects people. It is a sense of place that often drives us subconsciously. Would Antietam Battlefield be the same if there was a shopping mall on it? Why do we visit an empty field? Would Fells Point be the same if there was a highway running through it? Why does Fells Point succeed when Harborplace is failing to keep tenants? Ellicott City will not be the same without those buildings.

Though many current business owners state their support for demolition, they are but current caretakers of Main Street. In the life of those buildings, the current individuals are just a chapter in their stories. We must continue to persevere and protect those walls that cared for so many lives before the current owners so that new lives can be touched and influenced by those structures.

I truly hope those buildings are still there when my children bring their children to visit Main Street. I know there are other ways besides demolition to protect the lives, businesses, and character of Main Street and I hope that you and the County seek them through knowledge, patience, and an open mind.

Respectfully,

Julianne Danna

8114 Brightlink Court

Ellicott City, MD

Sayers, Margery

From: Sigaty, Mary Kay
Sent: Monday, October 01, 2018 11:10 AM
To: Sayers, Margery
Subject: Fw: Favored Ellicott City Mitigation Plan

From: Sigaty, Mary Kay
Sent: Monday, October 1, 2018 11:09 AM
To: Buzz Spencer
Subject: Re: Favored Ellicott City Mitigation Plan

Good morning Mr. Spencer,

Thank you for sharing your comments with me regarding the Flood Mitigation Plan for the Historic District. I will consider your views as I deliberate this legislation.

Sincerely,

Mary Kay Sigaty
Howard County Council
District 4
410-313-2001

From: Buzz Spencer <buzzspencer@gmail.com>
Sent: Friday, September 28, 2018 1:51:23 PM
To: Sigaty, Mary Kay
Cc: Clay, Mary; Singleton, Julia
Subject: Favored Ellicott City Mitigation Plan

Greetings: My name is George Spencer. I have been a Howard County taxpaying and voter resident for 40+ years.

My concern/opinion regards the incomplete packaging of favored Ellicott City Mitigation Plan.

It is a "good" plan, but appears incomplete relative to specifically addressing the water flow at the sources that accumulate on its path developing a water wall of as it reaches the ravine of down town.

MS Sigaty, as a person on the council trained in Best Practices, I urge you not to approve the plan as is, but only table it until the sources of run-off water flow that accumulate on its path has a Best Practices mitigation plan.

Reducing/managing the initial sources/causes of run-off water will likewise reduce the accumulation affect whether there buildings or not.

Hope you will consider my thoughts to develop a complete "Best Practices" plan before moving forth with a tear down plan.

Again, please use a best practices approach derived from centuries of global mitigation experiences of others.

Reiterate – vote to table the favored mitigation plan until it is complete by spelling out mitigation/management of runoff waters at its various sources as it flows a path to accumulate and schedule a plan revisit.

In mean time continue with maintenance work under way, including promulgating a defined “weekly” scheduled inspection and water way debris clearing and removal of potential trees falling into water ways. Have driven and walked waterways and there are obvious potential debris objects that need to be addressed and removed.

Respectfully submitted.

George Spencer

Sayers, Margery

From: Robert Anson <ranson1@alumni.jh.edu>
Sent: Monday, October 01, 2018 10:55 AM
To: CouncilMail
Subject: Safety first.

While the proposed amendment to force the hand of the Historic Commission when public safety is involved seems both valuable and harmless on its face, it is clearly an effort to undermine their authority and to promote the foolish and life-threatening "Master Plan."

NOTE HOWEVER: provisions for determining what constitutes a threat are not included. Since our group believes firmly that the current "Master Plan" for OEC *itself* constitutes a threat to lives and safety, if any of you even mildly entertain the same doubts that we have (and you should!) please act to prevent this arrogance from causing deaths and wasting money that could be used to save both lives and history.

R. Michael Anson, Ph.D.

Associate Professor

The Community College of Baltimore County | School of Mathematics and Science

Associate Editor

The Journals of Gerontology | Biological Sciences

(Published by the Gerontological Society of America)

Editorial Board Member

GeroScience (formerly "The Journal of the American Aging Association")

Association Fellow, Board Member (elected for 2018-2021), and Trainee Advocate

The American Aging Association

Primary Email: ranson1@alumni.jh.edu

From: Katie Munn <katiewolfmunnn@gmail.com>
Sent: Monday, October 01, 2018 10:41 AM
To: CouncilMail

I strongly support those who live and work in this old milltown of ours. I strongly support finding and funding the engineering and emergency preparedness solutions that will make this special place safe. I strongly support preserving the iconic, centuries-old streetscape of #oldEllicottCity in accordance with governing law, and until all possible alternatives to demolition have been exhausted.

And so I strongly support Amendment No. 4 to currently-pending legislation TAO1-2019, which would allow building purchases and upstream flood mitigation infrastructure projects to begin right away, while more promising—safer—alternatives to tearing down lower Main can be engineered.

Thank you Cathryn and James Munn

4102 Red Bandana Way

Ellicott City

Sayers, Margery

From: Pamela Williams <pwiliamssrq@gmail.com>
Sent: Monday, October 01, 2018 10:31 AM
To: CouncilMail
Subject: SAVE OLD EC!!!

As a former long-time resident of Ellicott City:

I strongly support those who live and work in this old milltown of ours. I strongly support finding and funding the engineering and emergency preparedness solutions that will make this special place safe. I strongly support preserving the iconic, centuries-old streetscape of Ellicott City in accordance with governing law, and until all possible alternatives to demolition have been exhausted.

And so I strongly support Amendment No. 4 to currently-pending legislation TAO1-2019, which would allow building purchases and upstream flood mitigation infrastructure projects to begin right away, while more promising—safer—alternatives to tearing down lower Main can be engineered.

SAVE ELLICOTT CITY!!!

Pamela Williams, Realtor®
Fine Properties
2716 Fruitville Rd
Sarasota, FL 34237
Cell: [941.315.5826](tel:941.315.5826)
SRQFriendlyAgent.com

Sayers, Margery

From: B Illum <buffy.illum@gmail.com>
Sent: Monday, October 01, 2018 10:22 AM
To: CouncilMail
Subject: No to demolition on Main St

Dear County Council,

I urge you to vote no on demolition tonight. It looks like there are better plans that can save Historic Main Street. I am also concerned that Howard County will lose the ability to get federal funding to rebuild because of section 106. We need that tax money for schools and infrastructure. Let's make sure the county meets federal funding requirements. Please slow down and do this process correctly. Main Street Ellicott City is a national treasure.

Thanks for your help!
Buffy Illum
4606 Smokey Wreath Way

From: Tracy Soltesz <kesrya@gmail.com>
Sent: Monday, October 01, 2018 10:12 AM
To: CouncilMail; Ball, Calvin B; Terrasa, Jen; Sigaty, Mary Kay; Fox, Greg
Subject: Flood Mitigation that Preserves the Historic Buildings
Attachments: 23435273_10214598970829656_1988343284492349143_n.jpg; 23517697_10214598970309643_5870321537839815674_n.jpg; 12189320_10208022817389930_3572095976464767600_o.jpg; 20141031_173404.jpg; 20141031_163752.jpg

Dear Honorable Members of the Howard County Council,

Tonight you will vote on the flood mitigation plan proposed by County Executive Kittleman for Historic Ellicott City. You have heard the voices of countless local citizens urge you to opt for a plan that works to increase safety and preserve the 10 buildings that would be demolished under this plan.

Please add my family's voice to theirs. I urge you to vote to begin upstream mitigation efforts now, and to support any of the amendments that support alternative flood mitigation plans such as a tunnel bore that could improve safety and preserve the heart of Historic Ellicott City's storefronts.

My family lives just three miles up Frederick Road / Main Street from Historic Ellicott City. Though we are in Baltimore County, this town is just as much "our town" as it is those who presently work, live or own property on Main Street.

My husband and I both graduated from Catonsville High School and UMBC, as did my father. My children represent the 4th generation of our family to grow up on Frederick Road an easy biking distance from Main Street. Though I can literally walk to the many shops and restaurants on Frederick Road in Catonsville, until recently, our family has always opted to spend our dollars in OEC. I have celebrated milestone birthdays at the restaurants in OEC, I got married with 200 guests in OEC, and six years ago, I hosted my father's wake in OEC. My children have spent every Halloween trick or treating on Main Street.

I was an employee for three years during my college and post-graduate studies at the coffee shop that formally occupied the Easton Funeral Home building. I was working in Ellicott City the day of the 4 alarm fire that began just a few buildings away from me. In May, while Ellicott City was being ravaged by floods, I was driving with my family through flash flood waters on Frederick Road in Catonsville. The water was above the axils of my SUV and we could not turn back to return home and had to divert onto side streets hoping that they would not be flooded.

While I have not been present for the flash floods in Ellicott City, I know the fear and terror of being trap in flash flood waters, and I also know the terror and fear of being present during a emergency in Historic Ellicott City.

Historic Ellicott City has been a staple in my family's life for 4 generations. We are just as much a part of the "people" of OEC as anyone else. And yet I am acutely aware that we are all - every single one of us - just a moment in time to OEC. We are guardians of this 250+ year old, unique, irreplaceable history of our state and our country. We owe to every generation of the past and every generation yet to come to implement a flood mitigation plan that saves lives *and* preserves our historic buildings.

Ripping out those buildings - the heart of the commercial district - is a change that I am certain will destroy OEC's vitality. This isn't just "5%" as Executive Kittleman keeps saying. These 10 buildings represent 1/4th of the busiest section of the commercial. I have no doubt that any plan which will destroy the heart of the city while still allowing for up to 6 feet of rushing flood water on lower Main Street will do nothing to bring commerce back to OEC. I would no longer feel safe taking my children to the B&O museum or any of the remaining stores on lower Main if this plan is implemented.

The current plan will put an irrevocable end to this town's beautiful history. Historic Ellicott City deserves better from its guardians.

Please vote to preserve lives and history tonight. Do not approve a plan that demolishes the buildings.

Sincerely,

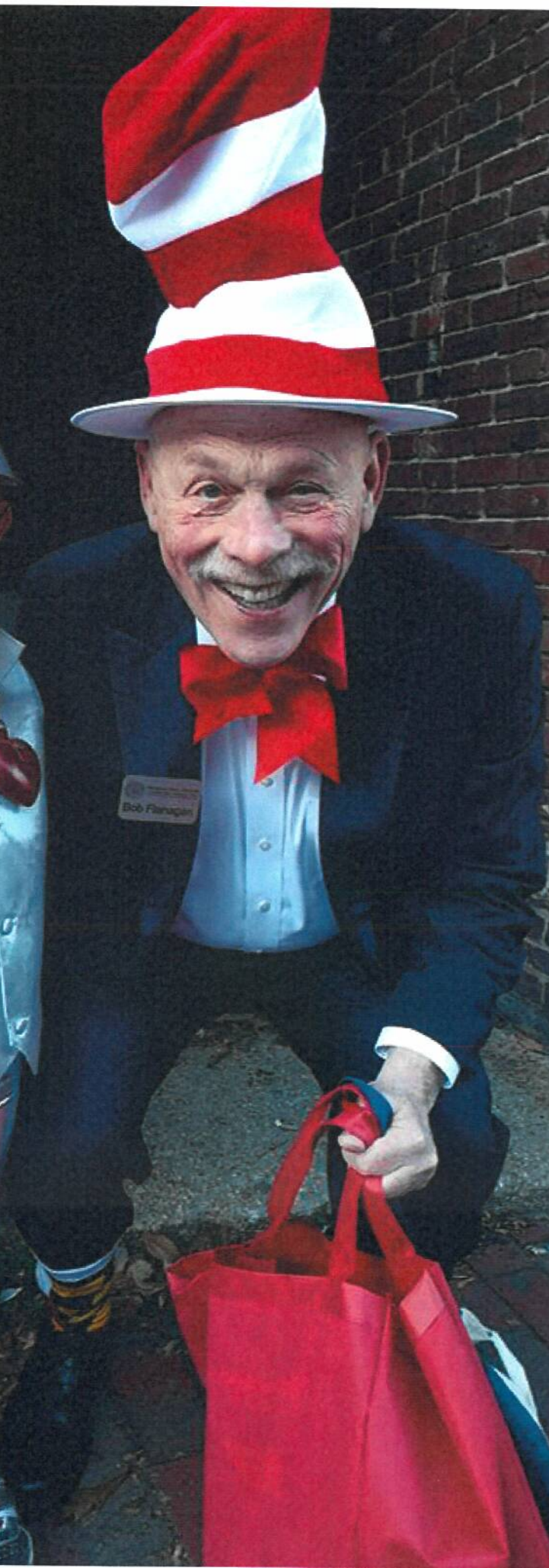
Tracy Soltesz and Eric Silva
1101 Frederick Road
Catonsville, MD 21228

--

Dr. Tracy Soltesz, D.Ac., L.Ac., Dipl.Ac. (NCCAOM), C.ZB.
Vice President External Affairs, Maryland Acupuncture Society

Kunlun Mountain Acupuncture, Inc.
1730 West Street, Suite 107
Annapolis, MD 21401
<https://kunlunmtn.com>
410-224-2328











Sayers, Margery

From: Christopher Schisler <metelmanec@gmail.com>
Sent: Monday, October 01, 2018 9:09 AM
To: CouncilMail; Weinstein, Jon; Ball, Calvin B; Fox, Greg; Terrasa, Jen; Sigaty, Mary Kay
Subject: Please support amendments to TA01-FY2019

Council Member:

Please support the amendments to TA01-FY2019, the county's plan to address flooding on Main Street in Ellicott City. While I'm currently opposed to the idea of demolishing such a significant portion of historic Main Street (I do know it's 5% of the total district, but it represents a much larger percentage of historic Main Street--the very area the Historic District was created to preserve), I think many in opposition could be persuaded after a more thorough review and explanation of alternatives as part of an open and engaging process. These amendments are a good compromise, they allow flood mitigation to continue/begin, while exploring funding sources and demolition alternatives.

Thank you for your consideration.

Christopher Schisler
3819 Mulligans Hill Lane
Ellicott City, MD 21043

Sayers, Margery

From: Kristin L.H. Forbes <kristinlucido@hotmail.com>
Sent: Monday, October 01, 2018 9:06 AM
To: CouncilMail
Subject: Old Ellicott City TAO1-FY2019

Dear Howard County Council Members

In the matter of TAO1-FY2019: Please carefully consider the amendments which would allow acquisition of the 10 buildings under consideration for demolition. I encourage you to begin upstream mitigation immediately. And- in the time (6 months or so) it will get to receive local, state (MDE) and federal (ACOE) permits to demolish buildings over the channel- I would ask that the county do a thorough review and assessment of tunnels to divert water away from Main Street- the towns best hope for a safe and bright economic future. I would also ask that you present their results to the public before proceeding.

Old Ellicott City means so much to this County. It deserves a thorough review

Kristin Forbes

Sent from my iPhone

HOWARD COUNTY COUNCIL
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2018 OCT -1 AM 11: 50

October 01, 2018

To the Howard County Council and who it may concern.

I applaud Howard County's efforts to find a solution for flooding in the Tiber Hudson Watershed, but all four solutions proposed including #4 do not remove all flood water from Main Street and this is what the community is asking for. If there is still a potential for flooding on Main Street there is still a threat. Even in solution #4 flood water will remain and thus the fear will remain. Funding for redevelopment and the emotional stamina to rebuild will dry up as will the tourism. The "threat" for Ellicott City's sustainability is fear of flooding, not flooding. The solution is to remove all flooding on Main Street, solution #4 is not the answer.

There was discussion of tunneling and removing all flood water from Main Street, but this was not pursued further. I suggest tunneling be further explored because this is the only answer to Ellicott City's flooding.

At one of the public hearings it was mentioned that Ellicott City is being watched by multiple surrounding jurisdiction, in a three state area, because we have the most challenging geographical and environmental setting. If we do not get this right what kind of message will we be sending to municipalities with similar challenges? Solutions that are narrow in focus, short on product, and do not address long term impact will doom the community. This is going to be our legacy to the next generation. Everyone is watching.

Gary Maule
3431 Church Road
Ellicott City Md. 21043

Statement of Tim Lattimer
Howard County Council Bills TAO-1, CB-61, and CB-62
September 27, 2018

Thank you for this opportunity to comment on these bills for the proposed “Ellicott City Flood Mitigation Plan.” I offer these comments strictly in my personal capacity.

My heart goes out to those who live and work in OEC and who have suffered enormous hardships resulting from the flash floods of 2016 and 2018. As a former environmental planner and environmental diplomat, I know what a wickedly tough challenge this community faces. I also recognize the need carry out cost-effective solutions quickly, fairly, and transparently.

Regrettably, I believe the proposal fails to measure up to those criteria. I urge the County Council to reject or defer bills TAO-1, CB-61, and CB-62 for several reasons:

- 1. This proposal is a piecemeal solution that is not grounded in a forward-looking countywide action plan for dealing with the real and significant risks posed by climate change;**
- 2. This proposal did not emerge from a transparent process offering stakeholders a coherent look at alternatives and their respective costs vs. benefits; and,**
- 3. This proposal is a “rush job” that effectively stampedes us into a decision with minimal discussion, despite complex, far-reaching, and long-term implications.**

First, on climate change. Unless the County makes climate action a clear priority and a central organizing principle for the County’s development planning, engineering, and emergency preparedness, the proposed OEC Flood Plan will be little more than a patchwork solution to the broader climate risks facing Howard County.

Make no mistake: climate change is real, it’s happening now, and it poses a significant threat to our community’s security and prosperity. Regrettably, the County’s current leadership has been largely dismissive about climate change, ducking the issue with glib rhetoric instead of meeting the challenge head-on with realistic and responsible action. This is a failure of leadership that keeps us from dealing honestly with climate risks and that may well impose much greater costs on Howard County.

I have raised concerns about climate change directly with the County Executive on multiple occasions over the past couple of years. Yet he simply referred me to the County’s so-called “Climate Action Plan” begun under the prior administration and completed in 2015. I say “so-called” because, while that plan talks about reducing greenhouse gas emissions, it does not include any provisions to adapt to our changing climate and/or to make our communities more resilient to unavoidable impacts of climate change. None.

Likewise, I have read and re-read the Administration's August 23 proposal for OEC and its PowerPoint presentation of the same. Remarkably, both documents fail to acknowledge explicitly that climate change is a primary driver of increased risks to our community's safety and well-being. It's very telling that neither document makes a single mention of the phrase "climate change" or even the word "climate." Not once.

This is much more than an issue of semantics. It suggests a profound lack of understanding and foresight to decide on an expensive long-term proposal without fully integrating consideration of future climate risks.

Moreover, failing to make climate action a clear and explicit priority could well impose greater financial burdens on Howard County taxpayers, residents, and businesses. For example, CB-62 would have the County issue nearly \$15.8 million worth of bonds, thus going into debt to finance this effort.

Bond ratings agencies like **Moody's and Standard & Poor's** have warned states and cities that **they may suffer a downgrade in their bond ratings if they fail to put formal climate action plans in place.** Last November, **Moody's Investors Service** urged local communities to invest in climate adaptation and mitigation, advising that they will evaluate municipal bonds partly on how cities and counties prepare for both short-term climate "shocks" and longer-term trends associated with climate change. Likewise, **Standard & Poor's Global** has said that its analysis of municipal bond issuers will consider the quality of that community's climate risk assessments and the priority that managers give to climate action.

Business leaders increasingly recognize the risks posed by climate change. Last January, the **World Economic Forum** published its annual "**Global Risks Report**," which reflects the outlook of more than 1,000 business leaders and decision-makers around the world regarding the likelihood and impact of some 30 global risks over the next decade.

Of the five risks they expect to have the greatest potential impact over the next ten years, four of them have direct or indirect links to climate change: **extreme weather events, natural disasters, failure of climate change mitigation and adaptation, and water crises.** (Weapons of mass destruction remains the top threat.) Likewise, **of the five risks deemed most likely to happen over the next decade, three of them are climate-related:** extreme weather events, natural disasters, and failure of climate change mitigation and adaptation.

In sum, **failing to make climate change an explicit and high priority can mean much greater financial costs to Howard County** in the form of more expensive public financing and/or more costly insurance coverage – to the extent that insurers remain willing to incur risks in OEC.

Second, the lack of transparency or a coherent presentation of alternatives is troubling. In putting this proposed plan forward as a fait accompli in late August, the plan's proponents alluded to an analysis of various scenarios. Without disclosing those scenarios at the time this

plan was released, the proponents asserted that this proposal is the “most effective” and that it “produces the largest benefit per dollar.”

As my grade school math teachers always stressed, **“Show your work.”** I urge the County to show its work. We are otherwise expected to trust that the County did its homework to land on the right answer. Maybe it did, but without an adequate opportunity to check the County’s assumptions or its math on various alternatives, we are left to wonder whether the August 23 proposal is indeed the optimal solution.

We still have not seen **a clear, coherent presentation that would allow stakeholders to do a side-by-side comparison of alternatives and relative costs vs. benefits.** During last year’s debate on the Adequate Public Facilities Ordinance (APFO) issue, **I urged the County to adopt comprehensive environmental impact assessment requirements for all types of development projects.** I reiterate that call. As practiced in many other parts of the U.S. for decades, this type of process enables a holistic evaluation of the range of environmental and economic consequences of a proposed project, as well as **a transparent platform for the public and policymakers to consider the relative pros and cons of a reasonable range of alternatives.**

Without such a systematic review process, we are left only to trust the assertions put forward by the OEC plan’s proponents and we can only hope that, this time, they got it right.

Finally, a rushed plan is most likely a flawed plan. We’re told this is an “emergency” proposal that simply HAS to be approved now, now, now. As if to underscore a sense of urgency, the phrase “life safety” was sprinkled liberally throughout the proposal.

Of course, life safety considerations are absolutely paramount. But alarm bells go off whenever I see an effort to stampede people into a rushed decision, particularly for such a complex and costly endeavor.

Speaking of alarms – **does OEC already have an effective early warning system installed? If “life safety” is indeed the top priority here, such a system should already be in place.** It shouldn’t require tens of millions of dollars, many years of complex engineering and construction efforts, or irreversible changes to the community’s character to put one in. The same goes for other measures to minimize safety risks, like, for example, the imposition of parking restrictions along Main Street.

Earlier this month, **this Council ditched a proposal to give modest tax relief to some of Howard County’s working poor** by not enacting a proposed repeal of the County’s Mobile Home Site Rental Tax. This could have given important help to more than 1,000 families living in mobile homes. **In so doing, some suggested a need for “more homework” and that the issue “needed to be reviewed more comprehensively.”**

If it is too complicated to consider granting mobile home residents in tax relief at a cost to the County of about \$600,000, I don’t understand how it is less complicated to act on a hastily

conceived 5-year, \$50 million proposal representing a taxpayer financed down-payment on a much larger effort involving tens of millions of additional dollars over many years and which has huge long-term implications for the community's safety, prosperity, livability, and historical character.

So, one of the nation's wealthiest counties may choose not to help the working poor, even as it might rush to have taxpayers fork over tens of millions of dollars to subsidize the risks incurred by a handful of landowners. Does this Council want that as its legacy?

Just because a decision-making body CAN push through a fast decision, it doesn't mean that it SHOULD. We've already seen far too much of that coming out of Washington. If last May's flash flood has taught us anything, it's that hasty decision-making can have serious and costly consequences.

Please, don't stick the next County Council and next Administration with a highly consequential decision on a rushed proposal. Your successors will be accountable for any such plan's implementation. Please give them – and all stakeholders – the opportunity to make a sober, fully-informed decision grounded in a coherent climate action plan and a fully transparent consideration of alternatives.

Thank you.

Tim Lattimer
Resident of District 2
Columbia, MD 21145

Joseph Blanchfield
3962 New Cut Road
Ellicott City, MD 21043
443-474-1107

My name is Joseph Blanchfield, I with my wife reside at 3962 New Cut Road and also own 3940 New Cut. Both of our properties have sustained hundreds of thousands of dollars in damage in the 2016 and 2018 floods, as well as regular thunderstorms anymore.

I've come to speak tonight not as an engineer or any other type of professional in this field, but as a resident who sees and feels firsthand the damage and destruction that is happening to my home and my neighbors' homes on New Cut as well as main street and other parts of our community. All I have to go with is what I've been told and some common sense. From what I've seen of the graphs and charts provided by the county we have 3 tributaries coming together to form at the Tiber river. Of the three the New Cut provides the heaviest volume of water stating at 8 plus feet consistent during the storms of 16 and 18. Why would we wait for the 3 to merge to form this power river when if we start retaining water upstream before it gets to town the damage in far less. I and my neighbor had been approached about this idea several weeks after the last flood as I have 11 ½ acres adjoining 5 acres county property on New Cut as well as my neighbor and the water comes from the top of the hill down to the New Cut as well as the entire run off from both sides of New Cut road which has grown over the past 3 years to unbelievable proportion. I don't understand why we would let the 3 get together.

As far as the plan to tear down buildings and put 10' culvert pipe in, my bridge for my home had 2- 8' culvert pipes and was paved and concreted and it blew out in less that 1 minute only 21 months old. With this plan is the data used include the new development Over Look at Gateway and from what I was told by the county – approximately 200 new single family homes to be constructed on New Cut Road where Sheppard Pratt Hospital is currently located. Does the data provide for run off water of all that impervious surface? When I asked the county official I was speaking to – what am I going to do with all that water – he clearly said I don't know.

We need to do something but if the data provided is incorrect we will destroy and then build something that is obsolete from the beginning, wasting tax dollars and giving false hope to the community. We've heard a lot about lose of life and property damage from our county leaders, and this is very important and I agree 100 percent particularly with the lose of life. My question is shouldn't it be all of us? My neighbors and my family have been told our issues are personal issues and there is no help for us. New Cut road remains indefinitely closed and no one has an answer for us. I thought we were all in this mess together. Isn't that what EC strong is about?

Good evening Council Members. I am Peter Edelen and I live at 8380 Main Street. I have been a resident on or around Main Street for 16 years.

I am here to testify in support of the three bills to enable funding for the 5 year flood mitigation plan. This is an addendum to my previously written testimony submitted to the council on September 3rd that I believe supports the following statements.

My only problem with the 5-year plan is that I was not sitting here two years ago and we would have been almost halfway finished now if it had been proposed then.

We have been waiting 7 years. We have been waiting 2 years. This plan and the watershed master plan need to move forward. There is no more time to wait.

Anyone who says this is not an emergency does not live, work, or own here. Anyone who says this is not an emergency has never experienced what we have with boots on the ground. Anyone who says we are desperate for a solution has never had their livelihood or home ripped away from them.

We cannot afford to let this plan stall while opponents use science fiction to propose alternate solutions that would make Jules Verne proud or use psychology to call us desperate.

I have paid attention to the presentations and read the plan as proposed and it provides much needed alleviation to removing constrictions and improving the flow of water from Route 29 to the Patapsco during extreme rain conditions.

I urge you to approve this funding, so we can move on with living our lives in the town we love and continue to build an already vital strong community.

<time check>

Thank you for your time.

Old Ellicott City needs to evolve and be stronger.

I understand the historical implications of a couple of these buildings and their importance, but people also make the history. We are history too. These buildings will not be forgotten just like we don't forget the people we've lost.

I lived in one of those buildings for 6 years above Bean Hollow and the memories are countless

We are all emotionally attached to these buildings. You will find no one happy to tear them down.

The other parts of the plan are critical as well. The upstream West End work and the Hudson Bend work could save lives in conjunction with the lower Main Street work.

Altogether, I think it is a smart and necessary plan that needs to happen as a whole and quickly. I plan on dying in Old Ellicott City, but it will only be of old age.

Thank you for your time.

From: Peter Edelen peter.edelen@peteredelen.com
Subject: In Support of TAO 1-FY2019 and CB 61-2018 Testimony
Date: September 3, 2018 at 3:31 PM
To: councilmail@howardcountymd.gov
Cc: akittleman@howardcountymd.gov



Please retract previously testimony as it had incorrect name for TAO 1 -FY2019 and another typo. Below is corrected testimony. Thank you.

Dear Council Members,

I am Peter Edelen and live at 8380 Main Street. I am a volunteer for the Ellicott City Partnership but am testifying as a Resident in support of Transfer of Appropriation Ordinance 1-FY2019 and Council Bill 61-2018, i.e. the 5-Year Plan introduced by County Executive Allan Kittleman and Councilperson Jonathan Weinstein.

I have been a Howard County resident for 16 years (except Balt Co March 2005-Dec 2006) after falling in love with this town and have lived on Main Street for a better part of the last 11 years. This is my town and my home. I have been home for 2 of the 3 'major' floods since 2011. In 2011, I was at work in Annapolis and my landlord called me to make sure I was not home because the water running under Tiber Park was hitting the side of my building at 8059 Main Street where Bean Hollow is located. As I recall, he said the building was shaking. I rushed home to find no damage but to find my friends that lived in the basement apartment of the building I live in now at 8372-8380 were homeless. They lost everything. They were not home and their pets survived so they were at least spared that. That night I shoveled out mud and water in the basement of the Ellicott Mills Brewing Company while the media shined bright lights in my face.

Fast forward to 2016 in my new home since 2014, my 3 neighbors and close friends in the same basement apartment in 8372-8380 lost everything. One of them was home and swam out as the water was reaching the ceiling with his cat on his shoulder, his phone in his mouth, and his fiancé's engagement ring on his pinky finger. His fiancé frantically called me to go help him before this. I ran outside, and the water was almost up to the sidewalk on the pathway down to the backyard. I started to run into it but I felt debris when I was waist high in water and backed out. I ran back inside and broke into the dentist office to go down the stairs to the basement in case he tried to come up that way. I kicked open the door and the stairs to the back of basement were submerged in 8+ feet of water. I thought he was dead. When I came back outside, my friends that were at my front door said he swam out. I found him standing in the Wine Bin and had never been so relieved in my life. This is at the top of Main Street. It pales in comparison to the horror at the bottom of the street. I had no idea what had happened at the bottom of the street before we evacuated that night. I watched one video that night and could not watch any more videos for weeks. I went to live with a friend for a month and my dog had to stay with my family 30

miles away.

In 2018 on May 16th, I was sitting in Portalli's on the 1st floor with friends and a thunderstorm rolled in. Buckets of water rained down on Main Street. We had already had flood warnings recently and some businesses were moving inventory upstairs before the weekend. This was 11 days before May 27th. As the rain came down this evening, I went numb and felt claustrophobic and my only thought was "I don't want to die here." It was just pouring rain. This is how we think now. I left abruptly and walked up in the pouring rain and lightning to my home at the top of the street. My dog was in a panic when I got home. Thunder never bothered him before. This was new. I sat down with him on the floor to calm him down. I sat there for 30 minutes and held him and realized he was the one calming me down. The next 11 days were filled with complacency after multiple false alarms.

Eleven days later, my sister is visiting me on May 27th. We had no idea what was coming. Shortly after her arrival, we were sitting in the Judges Bench and the rain started. We hadn't gotten any alerts. I never did that night. It wasn't until I started seeing water on the curbs that I knew something was wrong. I went over in to my backyard across the street and started taking video of the water coming into the backyard from the Lot F culvert and Lot F. I did a couple other stupid things to get more video, but I felt I had to document this. People had to see how dangerous it was at the top of the street. The basement apartment had not been occupied since 2016 but it was newly renovated and listed for rent on Craigslist. It was submerged in 8 feet of water again for the THIRD TIME in 7 years. No one's lives were destroyed this time. My sister's car was parked in Lot F. When all was said and done, her car was in my backyard submerged in mud. Thankfully she was not in it. I lived with my sister for the next month.

Now we live day to day worrying whenever it rains and how unsafe it is from Valley Mede to River Road and beyond. We could abandon our town, but we choose not to. This is our home and our community. A week after the May flood, I was driving from my neighbor's mother's house where she had relocated to a flood benefit at Black Flag in Columbia in pouring rain on I-95. My knuckles were white as I clenched the steering wheel. It was the longest 8 miles of my life as I drove through low visibility downpours. As I was about to turn into the parking lot off Snowden River Parkway, I started thinking about when we breached the berm from Saudi Arabia into Kuwait when I was a Marine in Desert Storm and we had random artillery coming down half a kilometer from us. That is a sound you never want to hear. It shakes you down to your bones. I asked myself which was worse? I realized the floods were and broke down for the first time since the 2016, not 2018, flood. I burst out in tears and sat in my truck for a while. I went inside and was welcomed with hugs. That is our loving community but also the horror we face.

community but also the horror we face.

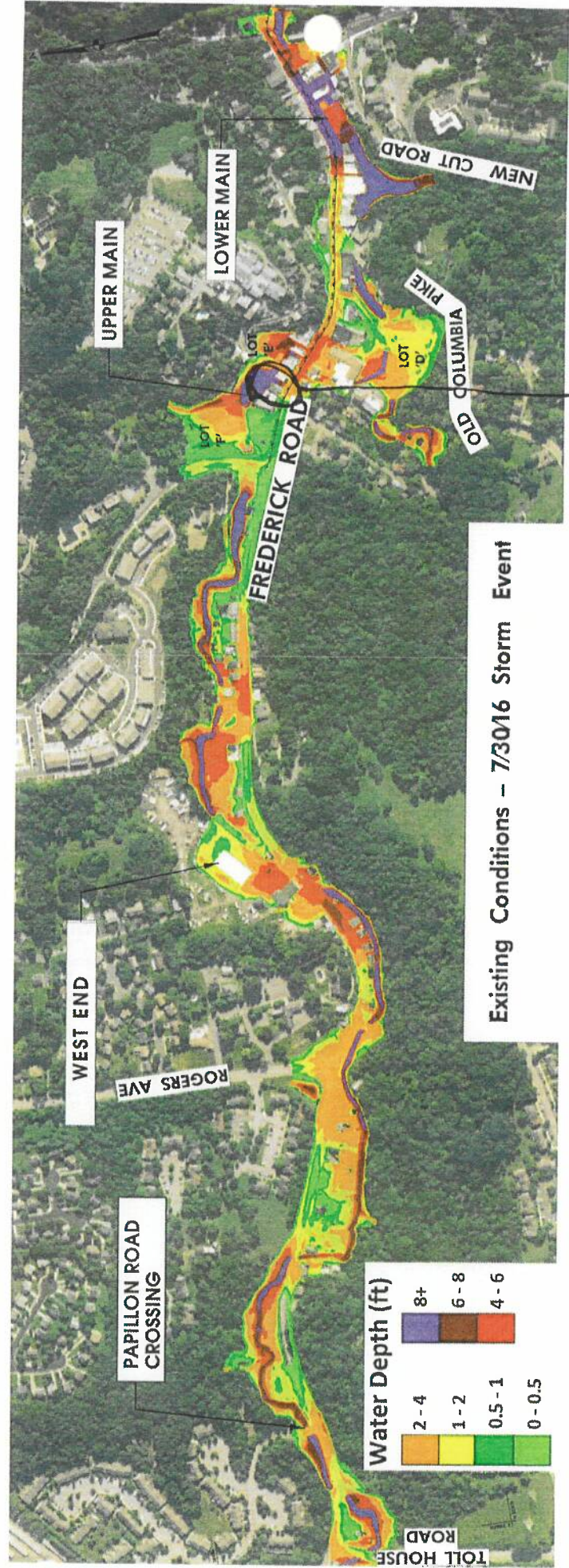
Old Ellicott City needs to evolve and be stronger. Please don't hold this up this plan. I support and understand this plan, all of it, from 29 to the Patapsco. I understand the historical implications and their importance, but people also make the history. We are history too. These buildings will not be forgotten just like we won't forget the people we've lost. I lived in one of those buildings for 6 years above Bean Hollow and the memories are countless, but I don't want people to die down there. We are all emotionally attached to these buildings. You will find no one happy to tear them down but that is just a part of a bigger plan. The other parts are critical as well. The upstream work and the culvert work at Court Ave could potentially save lives if my landlord chooses to renovate and rent that basement again. If the one part of this plan needs to be separated to complete these other parts immediately, please do so. I also want additional mitigation to keep going parallel to and beyond this 5-year plan. It should not just be a check box. There are many other credible ideas from knowledgeable well-informed people and experts out there. It's all in the studies.

Please keep mitigating after this and coming up with new complimentary solutions and stop delaying them with studies and special interests before more people die or livelihoods are destroyed. Don't let the decision about these buildings delay what else needs to be done. Altogether, I think it is a smart and necessary plan that needs to happen as a whole and quickly. I plan on dying in Old Ellicott City but it will be of old age. Thank you for your time in reading this.

Sincerely,
Peter A. Edelen
8380 Main Street
443-605-3119

July 30, 2016 Water Depth Model

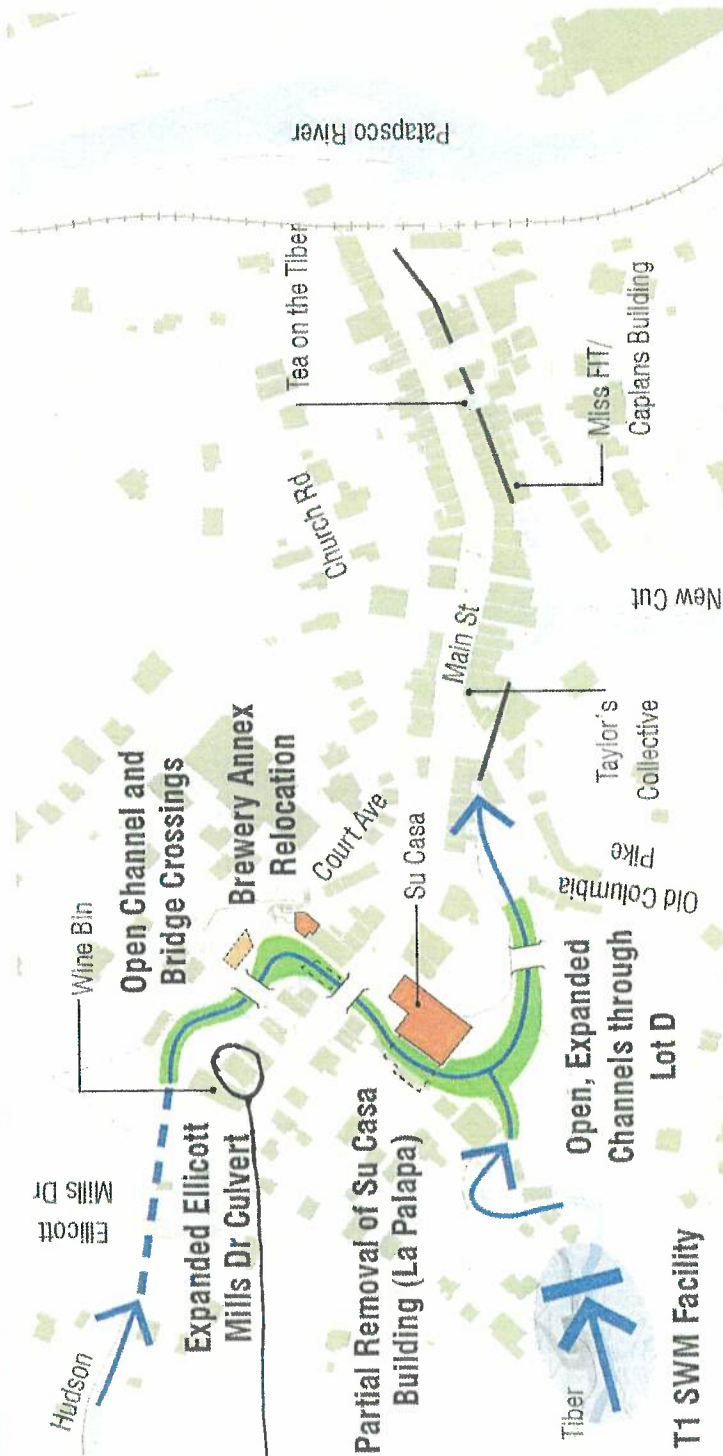
- Purple = 8+ feet (could be higher than 8')
- Yellow = 1-2'; 1' of rushing water can float a small car, 2' can carry away most vehicles
- Darker green = 0.5-1'; 6 inches of rushing water can knock over an adult



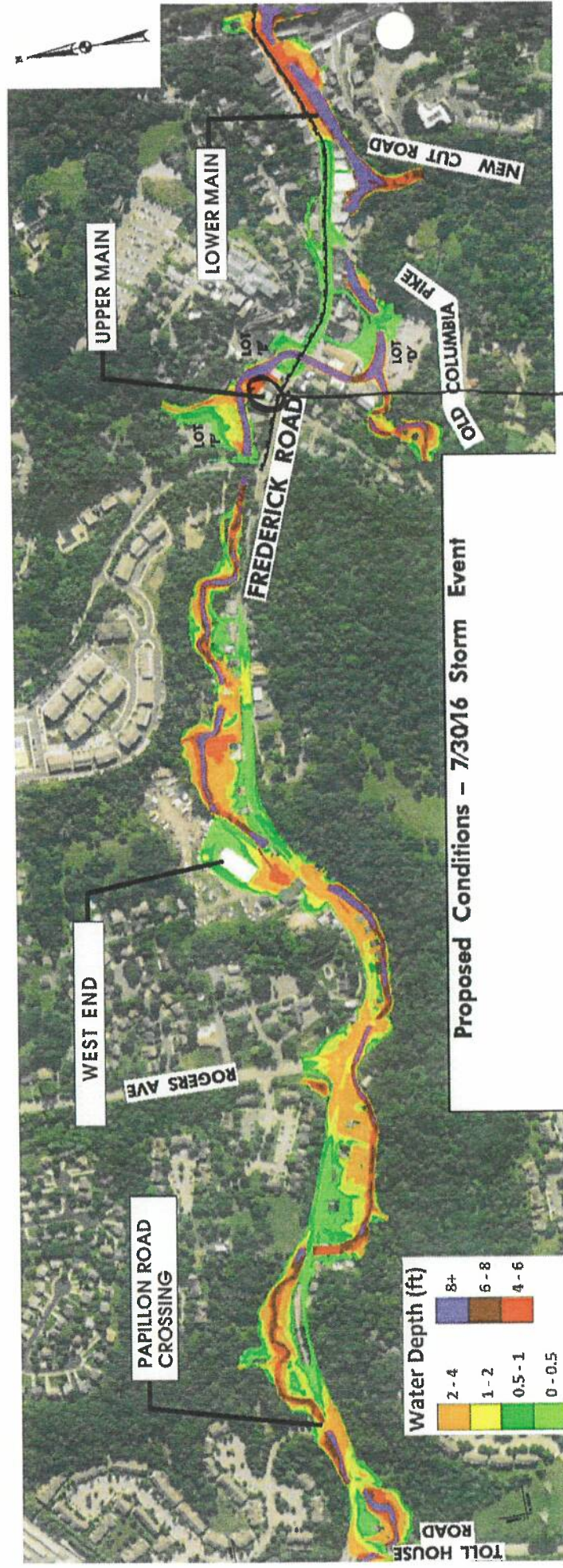
8380

Upper Main Conveyance

The "Hudson Bend" and Open, Expanded Channels through Lot D



Recommended Mitigation Improvements Model



8380

Beth Woodruff, 8611 Main St
Ellicott City, MD 21043

Howard County Council Members-

I am speaking tonight in support of TA01-FY19, CB61-2018, CB62-2018. I am appealing to your good senses and asking you to support these bills in order to protect Ellicott City. Each of you is incredibly well-educated on the floods in Ellicott City. You have all seen the studies, you've heard our stories, you've walked our streets and smelled the clean-up, and you've celebrated with us as we've rebuilt and reopened. Many of you have even walked the stream bed and seen the pinch points that are so frequently discussed. I urge you to use the wisdom you have gathered to make a wise decision on these bills without kicking the can down the road as every council before you has done. Now is the time to prove to all of us that you have what it takes to be a real leader and prove you can make tough choices in difficult circumstances.

My son and I were on vacation for the 2016 flood and came home the next morning to find our community ripped to shreds. In the 2018 flood, things were very different- we were home. We escaped our home with only minutes to spare, and made it to the safety of St. Peter's where we remained trapped in the parking lot for nearly an hour. We watched through our car windows and Ron's camera network as the town was once again demolished and everything we had rebuilt was lost. When the storm slowed we found we couldn't return home and lived with friends for a period of time.

I will never forget that night. I still remember each and every moment and it haunts my dreams and waking thoughts. It will forever be the night son lost his childhood innocence and learned that the adults around him were not invincible. For 22 months I had been able to hold my son and tell him it would be ok. That night, he learned I was lying. He realized that I had only be attempting to comfort him and that me and all of the other adults in the community had failed him.

When we talk about life/safety we aren't talking about strangers, visitors, or tourists, we are talking about my family. Not only when we are shopping or dining, but when we sleeping in our own beds.

We are as prepared as we possibly can be. After the 2016 flood, we bought walkie-talkies, created a go-bag and an evacuation plan, bought a weather radio which is always on and usually wakes us in the night with watches and warnings.

But as we've learned watches and warnings often come too late. Now we sleep with life jackets and bike helmets under our beds, in case our primary evacuation path is impassible and we are forced to jump from our balcony onto the hill behind our house and try to navigate the already steep slope and the inevitable runoff. Imagine for a moment your family, donning life jackets and bike helmets and jumping on to a hillside to seek safety from a violent flood only feet below. Picture kissing your precious child goodnight knowing that tonight might be the night you have to put a life vest and helmet on your them and beg the universe for a chance at survival. That's my everyday situation. That's the weight on my shoulders and a similar weight exists throughout Old Ellicott City.

I love our historic home. I love our historic town. I love this community and I have dedicated the better part of two years trying to save all of it. And still current conditions are not safe.

Let's be clear, I don't think this plan is perfect. It does not please everyone, nor will it completely eliminate flooding in OEC. And while we all share special memories of the buildings we will lose, I think it's important to remember that for those of us that have lived through these floods and see the damage firsthand, those memories are already shattered. They have been replaced with the haunting sounds of our friends' pleas for help on 911 recordings, the smell of who-knows-what in the muck we shoveled for weeks or longer, and the sheer terror we see in the faces around us and in our own mirrors every time it rains.

I know is that this plan is necessary, fiscally responsible, and implementable. I would love to see a plan that takes all the water off of Main St and saves the look and feel of the town as it currently exists. But after the years I've devoted to these issues, I don't think that's possible. I also know it's not going to happen before the next flood.

Please make this difficult decision and prove to us you are leaders we can count on.

RE: TAO1FY19

My name is Steve Miller. I grew up in Ellicott City. This evening I speak to you as a private citizen and my views are that of my own.

Some of you may recognize me from Portalli's, where I was known as the Most Okayest Bartender on Main Street. Some of you also may have been unwittingly serenaded by me on an open mic or karaoke night in one of our Main Street establishments, and for that I am truly sorry.

I offer my testimony this evening in support of the Ellicott City Flood Mitigation plan as proposed by Executive Kittleman and Councilman Weinstein.

I urge this Council to vote unanimously in support of these critically important measures.

Main Street has been a part of my life for over 20 years. I grew up here. I have worked in many of the restaurants, been a patron of many businesses. Some of the most important moments of my life have occurred in the Historic District. I have been and will always remain a stalwart member of the Main Street community.

A series of important and difficult decisions must be made now to not only protect the economic engine that is Ellicott City but also the greater community: residents, visitors, employees, business, and property owners.

After Tropical Storm Lee in 2011, the community asked for solutions. Studies were performed, some small improvements occurred, but the public stayed away out of fear- fear that Ellicott City would flood if it rained and they be caught in it.

As a manager at Portalli's, every time it rained, even if it wasn't hard, business would drop off due to concerns that it was dangerous to be in town. This was replicated all along the Main Street business district, from the Patapsco River to Ellicott Mills Drive.

The businesses are a vital part of the town's existence- they bring visitors to town and help drive the economic machine of Howard County.

More importantly, they serve the very people who reside all throughout the historic district, from the West End to the Patapsco River and all points in between. They are the centers of the community, the places where we gather, shop, and create lasting memories.

Right now, those business owners that have chosen to return are hurting- badly.

Right now, Main Street has more boarded store fronts than not. From a public relations standpoint, it is not a good look. Image is everything.

To that, we cannot blame the property owners for not wanting to rebuild again.

What business would willingly enter into a lease in a building straddling a trickle of a stream that can turn into a 20 foot plus wall of raging water and debris without warning?

What business would open in an area that is endlessly being pummeled by not only water but study after study with no resolution achieved?

Something must be done.

The proposal before you has not been without its critics, some of whom are here this evening. Some have proposed alternatives to this current plan that are economically untenable, physically impossible, logistically unreal or outlandish beyond comprehension.

I would, however, like to commend the opposition for doing something I thought to be totally impossible: uniting the entire street- but not in alignment with them- only against their alternative plans and especially their tactics.

I am not "Pro-demolition." I do not like that these buildings will come down but I recognize and accept that this is the best way forward. The science and data from the H&H studies backs this, the engineering backs this, the experts in flood and storm water management in the watershed back this, and thus do I.

I do not wish to hear of another life lost or another near tragedy because nothing was done and Main Street flooded- again. Safety is paramount, and should always trump historic preservation.

Theodore Roosevelt once said **"In any moment of decision, the best thing you can do is the right thing, the next best thing is the wrong thing and the worst thing you can do is nothing."**

Doing nothing is not an option. I implore you make the right decision, by voting for these measures. Not to preserve structures of Ellicott City, but to PRESERVE THE COMMUNITY of ELLICOTT CITY.

Thank you.

Good evening. My name is Lori Lilly, I live in Woodstock and I am here to testify on behalf of the EC Flood Workgroup (FW).

The FW released a letter to the editor on 9/15/2018 in support of the EC Flood Mitigation Plan. That letter is included as an attachment to this testimony.

Also included with our testimony is a list of 135 community supporters for the plan.

The FW has been working together since 2015 after being appointed by the County Executive through an Executive Order. Our initial focus, which was similar to what I observed through the Community Advisory Group after the 2016 flood, and what I am observing now through the community at large, is an education phase that takes a significant amount of listening, learning and firsthand experience in order to begin to grasp the complexity of the EC flooding issue.

Based on the FW's experience, we would like to draw your attention to the following nine points when considering the proposed Flood Mitigation Plan.

1. There is currently an existing threat with the 10 Lower Main buildings proposed for removal. Some of the buildings have no floors or walls. The roofs could collapse under snow. The structural integrity of the retaining walls is questionable. While the County repaired some walls after the floods, the private walls have not all been addressed and we could have a disaster if one of those buildings should wash into the channel and create a blockage while we debate next steps.
2. Despite what some may say, we do not believe that there is a solution to this problem that will fix everything 100% throughout the historic district and West End. If such a solution does in fact exist, it is not something that can be implemented within the immediate future.
3. We should continue to seek long term solutions and ways to provide additional mitigation beyond this 5-year plan and recognize that any long term plan that is implemented will need to begin with incremental steps to reduce the depth and velocity over time through multiple actions that are structural, behavioral, with monitoring, floodproofing, and early warnings. In addition, a formal adaptive management approach should be included in the process so that we may react to future catastrophic events in a transparent yet still timely manner.
4. The proposed Flood Mitigation Plan reduces average velocities from 11.1 to 4.5 ft/s and depths from over 8' to 2-6'. It is not realistic to expect to get to a zero speed and zero depth as the 2016 McCormick Taylor study clearly tells us ~~this~~.
5. Whatever next step ends up going forward will need to be drastic - removing buildings, tunneling, and high hazard dams are all extreme and costly measures. The problem has been ignored for too long and the storms are coming more often and in such an unpredictable way that we are now left with nothing but extreme options.
6. Floodproofing is needed and we ask that additional funds be added to the 5-year plan so that support can be provided to business owners and residents while the plan is put into place.
7. The proposed plan addresses significant constriction points throughout the system and includes retention in the watershed. Projects from the 2016 McCormick Taylor study and projects

identified from the Master Planning process are included in this plan. The projects and flood mitigation actions have been reviewed at scores of public meetings. While removal of these particular structures had not been specifically identified, removal of structures has been discussed broadly. Removal of these particular structures is a result of the 2018 flood that blew out Ellicott Mills and destroyed "indestructible" buildings on Lower Main that had been re-built at great expense from the 2016 flood. Opportunities to expand the floodplain were recognized after the 2018 flood.

8. Due to the nature of these storms, we need to design a very resilient system. We need to think about how we can save the other 220+ buildings in the Historic District and let these strategic ones go. Immediate action is needed with both short and long term planning. We feel that the proposed Flood Mitigation Plan, while not perfect, puts us on track to addressing immediate concerns while also implementing longer term mitigation.
9. Finally, if the Council votes against the budget amendment to move the plan forward in lieu of looking for other options, we sincerely ask that you put a time limit on how long decisions will be deferred and we recommend that the time limit not exceed 6 weeks.

I would like to add an additional personal testimony, which is to request that the County include a stream restoration project that I have been working on, in coordination with the County, in the 5 year plan. I have nearly 100% construction drawings and permits through 2 grants obtained over the past 2 years. This project is upstream of the EC Colored School, has been identified in both S&S Stream Corridor Assessments and would help to protect historic St Paul's cemetery. I would also encourage the preservation groups to assist with this project and will reach out.

Thank you for your consideration.

Also - SUPPORT BLOCHAR!

<http://www.baltimoresun.com/news/opinion/readersrespond/bs-ed-rr-ellicott-city-future-letter-20180907-story.html>

Ellicott City's flood plan must move forward

As members of the Ellicott City Flood Workgroup, we've been working together to save Ellicott City since 2014. Some of us have very deep roots in town. We are local community leaders who have been studying and working on flood solutions for a long time. We would like to offer the following viewpoints for consideration. Howard County's five-year plan unveiled on August 23rd is sound. We are sad about the proposal to demolish buildings on Lower Main Street, but after spending several hundred of hours of our time assessing, identifying, reviewing and proposing solutions to this problem, we believe that all of the options have been explored ("Ellicott City economy depends on its past — don't destroy it," Aug. 28).

We are aware of other actions that are being supported that have not been written into the plan such as the installation of an extensive stream monitoring system, a new flood-proofing insurance grant program, additional culverts proposed for removal or enlargement and comprehensive storm drain improvements along Church Street. The full picture and context of the five-year plan has not been communicated to the public, and members of the public are misconstruing aspects of the plan. We encourage the county to have a full debrief aired online of the proposal within the context of all of the past studies.

The 2016 hydrologic and hydraulic modeling tells us that Lower Main cannot be saved without considerable expense — to the tune of \$70 million-plus for borings that would tunnel through mountain bedrock to outlet excess water and keep the buildings from flooding. These borings have not been assessed for their actual feasibility nor will implementing them mitigate water on Upper Main and the West End without the additional proposed retention and conveyance improvements. In addition, backwatering of the Patapsco into Lower Main remains a potential concern that no amount of upstream mitigation can address.

There is a significant constriction point under the Ellicott Mills Brewery that we have discussed time and again — the five-year plan proposes to re-route the channel over to Lot D thereby eliminating this very important issue. Daylighting the channel to Lot D will reduce flooding in the Upper Main area tremendously. Meanwhile, the channel between Lot D and the outlet to the Patapsco is extremely challenging. The culvert under the buildings starting at Caplans is only about 10 feet high, and cameras captured footage from 2018 with the water 20 feet deep at Caplans and 18 feet at the alley of EC Pops. The channel must be widened and deepened at this location to accommodate the flow — removal of the structures and floodplain expansion as proposed in the plan is necessary.

The New Cut Branch enters very low in the watershed behind the Caplans building. Of the three sub-watersheds, the New Cut carries the most flow and it is brought in at a very constricted location. With all

proposed mitigation from the 2016 hydrologic and hydraulic model implemented, 2,500 or more cubic feet per second of water is still added from the New Cut Branch. Again, floodplain expansion at that location is necessary to accommodate the water. The channel walls supporting the structures are failing at many points as documented in May of 2016, two ravaging floods ago. The walls await, in jeopardy, with buildings on top them, for the next flood, that we know will come. Imagine the disaster if one of those buildings should wash into the channel and create a blockage while we debate next steps.

The 10 buildings cannot be saved where they stand. Despite what some are saying, including Preservation Maryland, Howard County's five-year plan does include flood mitigation projects identified in McCormick Taylor's 2016 hydrologic and hydraulic modeling studies. Preservation Maryland has offered to assist in further studies and planning efforts to protect the Lower Main structures. While this is generous, the support and advocacy would have been better received several years ago before we got to this point because now is the time for action. The issue has been studied ad nauseam, and we finally have an actionable plan.

We hope that some of the buildings can be restored in another location. We stand with County Executive Allan Kittleman, County Councilman Jon Weinstein and others in Howard County government in support of the proposed five-year plan for Ellicott City. As individuals who have been studying the issue and supporting and advocating for flood mitigation efforts in the community for a long time, we ask that you open your minds and hearts to this new future for Ellicott City because it's time to prepare for tomorrow's flood.

Debra Ann Slack Katz, Ellicott City

The writer is chair of the Flood Workgroup. The letter is also signed by workgroup members Lori Lilly, Ron Peters, Dave Myers, Ken McNaughton, Frank Durantaye and Kevin Bloom.

Howard County's 5-year Ellicott City Flood
Mitigation Plan supporters:

1. Lori Lilly
2. Angie Tersiguel
3. Tammy Galvin Biederman
4. Wendy Pidel
5. Shawn Gladden
6. Melissa Metz
7. Pam Watkins Long
8. Christine Sigrist Rabine
9. Cindi Ryland
10. Ron Peters
11. Kristy Gapen-Hoke
12. Jeni Porter
13. Donna Pidel
14. Lowell Pidel
15. Beth Woodruff
16. Peter Edelen
17. Dianne Paulus
18. Reverend Anjel Ayler Scarborough
19. Julia Sanger
20. Christina Allen Page
21. Jen Vincent Bellomo
22. W. Edward Lilley
23. Stephanie Hopkins
24. Timmy Kendzierski
25. Richard Winter
26. Steve Miller
27. Lisa Markovitz
28. Barrington Sweeney, Sr.
29. Raj Kathuria
30. Dave Callaway
31. Tina Callaway
32. Shelley Sharkey
33. Dave Myers
34. Stacey Ventura
35. Ashley Craft Clark
36. Frank Durantaye
37. Charles Nemphos
38. Kevin Bloom
39. Ken McNaughton
40. Debbie Slack Katz
41. Barry Gibson
42. The People's Voice
43. Sara Wils
44. Charlene Townsend
45. Kat Forder
46. Monica Fabbri
47. Bert Wilson
48. Kennette Mitchell
49. Lisa Schoenbrodt Scott
50. Matthew Myers
51. Amy Myers
52. Cathy Ferguson
53. Sherry Berkowitz
54. Len Berkowitz
55. Vicky Cutroneo
56. John shoemaker
57. Dave Carney
58. Larry Gaetano
59. Mike Johnson
60. Paula Dwyer
61. Simon Cortes
62. Carrie Foley
63. Jamie Voss
64. Dwayne Bouvere
65. Travis Ebb
66. Angela Macenko
67. Nick Ventura
68. Brandon Ruth
69. Una Ruth
70. Eric Hartka
71. Cecilia Lane
72. Matt Milani
73. Lexi Milani
74. Stacy Braidich-Aitken
75. E. Randolph Marinner
76. Amy Arnold
77. Megan Clark
78. Michael Paddy
79. Carol Owen Loveless
80. Brad Loveless
81. Michel Tersiguel
82. Kristian Diana Loveless
83. Bradley Burns Loveless
84. Edward Craig Frase
85. Michael Royal
86. Dan Murphy
87. Josh Kudisch
88. Stacy Kyere
89. Shelia Murphy
90. Brittane Smith
91. Heather Gaetano
92. Brian Sheavely
93. Matthew Fleming
94. Bill Withers
95. Phil Howard
96. Delyza Howard
97. Henry Hoke
98. Lauren Hoke
99. Jon Schultz
100. Dan Metz

101. Phil Hydock
102. Brian Beideman
103. Rachel MacNeill Rawlings
104. Kate St. John
105. Lauren Roussey
106. Nikki Marlatt-Young
107. Lee Young
108. Annie Pearce
109. David Reyes
110. Kara Green
111. Edward Glawe
112. Jason Barnes
113. Randy Lusk
114. Dr. Amanda Lauer
115. Tom McGee
116. Lee Ennis
117. David Ennis
118. Scott Miller

119. Carole Miller
120. Lisa Ennis
121. Melissa Hutchinson
122. Carole Apicella Miller
123. Barb Krupiarz
124. David Sikorski
125. Melissa Hutchinson
126. Susan Umansky Hanscom
127. Ken Hanscom
128. Jason Page
129. Anna Cisternino
130. Brian Sheavly
131. Ahmad Ibrahim
132. Wendy Baird
133. Melanie Durantaye
134. Val Doyle Morra
135. Loretta Moran



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Lori Lilly, have been duly authorized by
(name of individual)

Ellicott City Flood Workgroup to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding TA01-FY2019 CB61-2018 CB62-2018 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Lori Lilly

Signature: [Handwritten Signature]

Date: 9/17/18

Organization: Ellicott City Flood Workgroup

Organization Address: 3430 Courthouse Dr. Ellicott City 21043

Number of Members: 10

Name of Chair/President: Debbie Slack Katz

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.

Re: TAO1-FY19, CB61-2018, CB62-2018

Dear Howard County Council Members:

I started working in Ellicott City when my best friends, Owen Hanratty, asked me to work with him as general manager of Cacao Lane. Three years later I opened my own restaurant in Tiber Alley, right across the street: the Rumor Mill.

Over the next nine years I fulfilled the dream I'd held since before culinary school. I became a true chef owner, even being named Maryland's Restaurateur of the Year in 2012. My wife came on board as our general manager and our staff, many of whom started working with us as teenagers, became family to us.

Conversations I had with Owen, and other restaurant owners, helped inform my ideas about leadership in a historic district. Conversations with our landlord, who has owned property in town for forty-plus years, gave me a true understanding of what can and could happen during a heavy rain storm.

On July 30, 2016, I was in my kitchen. I went outside to check the river and saw the first crest of water hit the top of the bridge. The water was acting in an unusual fashion and I went inside and started to think of what to do. I went to the guests seated downstairs and told them that I was going to move everyone upstairs until the storm passed, I then asked the staff to get a head count and the kitchen to slowly shut everything down. They could hear the rain through the hoods and hear tree branches hitting our building.

I then asked my bartender and manager to set up one ladder to get to the top of our outside walk-in and another to get to the top of the building's roof, I told them to take a bag of towels to make sure we could wipe the steps of the ladders as well. I got the head count, checked the water level and saw it starting to hit the building and pool out front. I addressed our guests and told them what they were seeing and hearing, and that I had a plan. I informed our staff of my intentions to evacuate everyone to the roof and over to St. Paul's behind us. I told the staff that our guests are still our responsibility and that I wouldn't let anyone get hurt or anything bad to happen; of course I had no idea what might happen, but I knew they would listen me. And everyone put their trust and lives in my hands.

Throughout the next 11 minutes which felt like a lifetime, I went into four feet of opaque, glass filled water to turn off our main water and gas lines. All the while I was listening to my other manager Amy count down the number of guests left in the building, listening to the staff tell me to get out of the water and upstairs and watching the water on the other side of the plate glass window rise to above my head, hoping that the guests would get out and my staff would be ok. One of my servers called my wife, who was home with our baby, and I heard later that Lexi just told her "Listen to Matt. He'll know what to do." During all of this, complete trust was given to me and my staff to maintain their lives and safety.

If our building hadn't held, 56 people would have been at immediate life-threatening risk: 47 guests and 9 employees.

We must do everything we can to preserve the safety of people in town and to support our remaining businesses. This plan does that and is backed by years of research and evaluation. Allan Kittleman and Jon Weinstein were voted into their positions in part because of their leadership of this particular community. They helped us dig out, literally, and have taken a difficult position in an election year to continue to do what is right. I ask you to vote for the bills before you tonight. Thank you.

Matthew Milani
107 Bloomsbury Ave.
Catonsville, MD 21228

**Statement of Matthew H. Fleming (Ellicott City Partnership)
to the Howard County Council, Legislative Public Hearing, 17 September 2018
in support of TAO1-FY2019, CB61-2018, and CB62-2018**

Members of the County Council, thank you for the privilege of coming before you to speak in support of TAO1-FY2019, CB61-2018, and CB62-2018. My name is Matthew Fleming. I'm the president of the Board of Directors of the Ellicott City Partnership (ECP; I'm here representing the ECP, but am also a resident). The ECP is a 501(c)(3) not-for-profit organization that serves Ellicott City's historic district, Old Ellicott City. The ECP works to preserve the heritage and vitality of Old Ellicott City while creating and enhancing economic growth. The ECP seeks a vibrant, economically sustainable, historic community. The ECP's constituents comprise businesses, property owners, residents, and visitors to Old Ellicott City.

The board of directors of the ECP voted unanimously on 5 September 2018 to support both the five-year flood mitigation plan as presented by the county on 23 August 2018, and the funding bills currently before the County Council that will support that effort.

Why does the ECP support this plan? This plan is the culmination of years of analysis. The county has been studying the issue since 2011, with intensified focus—and considerable public input—via its Flood Work Group since 2015 and Master Plan process since 2016. The plan comprises an analysis-based package of measures that seeks to minimize flood risk in the West End and on Main Street. The plan reduces floodwater depth on lower Main, for example, by nearly 50 percent, and, more importantly, velocity by nearly 60 percent (quality, in terms of debris, is also improved with multiple measures). These parameters, particularly reduced velocity, significantly increase resilience. In so doing, the plan reduces the costs of future flood events, not least lives lost, fire and police response-and-recovery support, property and business repairs, and lost revenue.

The plan minimizes flood risk subject to a very real set of constraints, including: engineering feasibility; cost (including ongoing operations and maintenance); time-to-risk-reduction impact; resilience to failure (and diversification of risk); and long-term viability of the town. Might a different plan have a greater impact on flood risk? Perhaps, but analysis suggests that a different plan might also require significantly greater funding and/or additional years of construction because of nontrivial engineering challenges.

Why the urgency? Calls for immediate action are made after each flood event, quite reasonably. The urgency is felt more deeply at present, however, given: statements made to the county by the National Weather Service regarding data that suggest increased likelihood of extreme rain events; concern that damaged buildings, stream walls, and associated support structures cannot withstand further damage without potentially catastrophic failure; and statements made by existing businesses that they cannot survive extended periods of business disruption.

How can the ECP support the county's plan? Our mission calls on us to preserve the heritage of Old Ellicott City. But preserving should not imply maintaining status quo at any cost. Any visitor to any historic city or town in the world is aware that cities and towns change over time. Cities and towns are living things. They evolve, shaped by events such as floods and fires and wars. Ellicott City is no different.

Moreover, our mission calls on us to preserve vitality while creating economic growth. There is neither vitality nor economic growth in a town that is, or is perceived to be, closed. There is neither vitality nor economic growth in a town that is, or is perceived to be, unsafe to owners, employees, residents, and visitors.

We, like all who love Ellicott City, wish that circumstances were different. But they are not. Property owners support the plan; businesses—including those who will be displaced—support the plan; storm-water experts support the plan. And, for the long-term survivability of Ellicott City, the ECP supports the plan and this legislation.



**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Dr. Matthew H. Fleming, have been duly authorized by
(name of individual)

The Ellicott City Historic District Partnership, Inc. to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

TAO1-FY19, CB61-2018, CB62-2018
County Council regarding _____ to express the organization's
(bill or resolution number)

support for ~~opposition to~~ / request to amend this legislation.
(Please circle one.)

Printed Name: Matthew Hitchcock Fleming

Signature: _____

Date: September, 5th 2018

Organization: The Ellicott City Historic District Partnership, Inc (Ellicott City Partnership)

Organization Address: 8321 Main St. Ellicott City, MD 21043

8321 Main St. Ellicott City, MD 21043

Number of Members: 19 Members of the Board of Directors (15 voting members)

Name of Chair/President: Matthew H. Fleming

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.

ROBERT L. FLANAGAN
Legislative District 9B
Howard County

Environment and Transportation
Committee



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

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Ellicott City, Maryland 21042
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September 17, 2018

Chairperson Sigaty and Members of the Howard County Council
3430 Court House Drive
Ellicott City MD, 21043

Re: TAO1-FY19, CB61-2018, CB62-2018- Support

Dear Madame Chair and Members of the Council,

Please accept the attached testimony in support of TAO1-FY19, CB61-2018, CB62-2018.

As always, thank you for your dedicated service to Howard County.

Sincerely,

A handwritten signature in black ink that reads "Robert L. Flanagan".

Robert L. Flanagan

State Delegate – District 9B

Members of the Howard County Council,

I am fortunate to live less than a half mile from Historic Ellicott City and care deeply for this town and everyone in this wonderful community. Tonight, I wanted to share why I support the recent mitigation plan put forth by the County.

In 2014, I was given a tour of the Hudson Branch of the Tiber River up close. West End resident and Main Street business owner Frank Durantaye took me along the path of the stream in the West End community and into the underground culvert that begins near Ellicott Mills Brewing Company and ends outside of La Palapa Grill and Cantina in parking lot D.

I saw first hand many choke points and instances of long-neglected infrastructure. A few months later, during a stream clean led by the READY group, I witnessed large amounts of debris in the streambed that clearly had accumulated for years.

The flooding event that occurred in the West End and on parts of Main Street in 2011 should have been a warning and led to swift action, but these clear infrastructure problems remained.

Within months of County Executive Kittleman's coming into office, he worked with Councilman Weinstein and members of the community to form the Historic Ellicott City Flood Workgroup. After the 2016 flood, the County mapped the entire watershed to identify where more could be done to slow the flow of increased runoff in a time of climate change.

An intense review of the potential infrastructure improvements then took place. Funding was provided in each of the County's budgets to ensure that these badly needed projects were completed. Many of these projects were already in progress, and some had been completed, by May of this year.

The Memorial Day flood of 2018 was a shocking and tragic game changer. It became abundantly clear that time was of the essence and immediate action was called for. The subject matter experts that have worked with the County have indicated that the proposal announced on August 23rd is both the most effective and the most cost-effective option that we have.

More importantly, this is a situation where lives are imperiled. The video detailing Joan Eve and Gary's harrowing escape from their store, the hours of video captured by Ron Peters, and the survival story told by the owner of A Divaz Boutique, all clearly illustrate that waiting is not an option.

The reality of two catastrophic and lethal floods in less than two years makes it imperative that we move forward as expeditiously as possible.

Sincerely,
Bob Flanagan

Testimony on **TAO1-FY2019**

September 17, 2018

George Howard Building, Ellicott City, MD

Shelley Davies Wygant

3920 College Avenue

Ellicott City, MD 21043

My name is Shelley Wygant

I am an Ellicott City resident and business owner. My husband and I have lived on College Avenue in Ellicott City for over 21 years-- in a house built by William Rinaldo Dorsey for his bride Rebecca Owen in 1899.

I have no financial interest in the issue before the council.

Although I do not speak for these organizations, I have been a nearly 20-year board member and a past president of The Howard County Historical Society and am a member of the board of directors of Historic Ellicott City, Inc.

In addition to my volunteer contributions to the Ellicott City community, I am also the author of two books *Haunted Ellicott City* and *Images of America: Howard County* that detail the history of our little town.

If there's one thing I've learned in over 2 decades of delving into the history of Ellicott City is that nobody owns it.

You may have a recorded deed a paid in full mortgage on a building in the historic district – but you are only a temporary custodian of a built-history heritage that goes back nearly 250 years. These buildings stand as a testament to the dedicated caretaking of the individuals who built, lived, and worked in them as well as the greater community who fought to preserve them in the face of forces that have repeatedly wanted to tear them down.

But as important as Ellicott City's built history is to Howard County and the nation, there is one thing that is even more important.

Human life.

The justification Mr. Kittleman and Mr. Weinstein have given for demolishing 24% of historic Ellicott City's lower Main Street is that it will save human lives.

It will not.

Significant flood mitigation efforts will not begin until 2021-2022 leaving Ellicott City vulnerable to the exact same danger of the flood waters that destroyed it for the second time on May 27, 2018

The Howard County Historic Preservation Commission unanimously rejected demolition as an option, citing the lack of evidence that it was an emergency or that it would make the town safer.

And they are right.

The plan that Mr. Kittleman and Mr. Weinstein would like to rush through as an emergency measure, leaves the town vulnerable to the EXACT same deadly levels of flash flooding that destroyed the town on July 30, 2016 and May 27th 2018 for the next two years until significant mitigation efforts begin in 2021-2022.

And even after mitigation efforts are complete, the plan still predicts and allows for 4-6 feet of lethal flash flood water traveling at swift water speeds of ~~6.7~~ ^{4.5} feet per second on Lower Main Street.

This plan offers Ellicott City the WORST of both worlds – the continued threat of deadly flash flooding and the loss of a significant chunk of our built heritage on lower Main Street.

As a resident, business owner, and passionate supporter of Ellicott City, I agree that something needs to be done NOW –

But that something ISN'T tearing out the heart of our historic town 2 years before beginning serious flood mitigation efforts.

I urge you to hit pause on this plan as an emergency measure and investigate much more effective alternate solutions to our town's flooding issue.

Let's Work to Save Historic Ellicott City



Shelley

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people opposed.... See More



Tammy Bean Fultz, Marlena Jareaux and 11 others

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RECENT ACTIVITY



Shelley Davies Wygant

Admin · 4 hrs

OPPOSED TO THE COUNTY FLOOD/DEMOLITION PLAN?

But can't make the meeting to testify? You can still do something BIG to help.

The pro-demolition folks are going to be presenting a list of the names of people people who support the plan -- we would like to do the same for people opposed.... See More



Tammy Bean Fultz, Marlena Jareaux and 11 others

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Deebea Jafri Opposed. Deebea Jafri Elkridge MD. Appalled at nonchalant way history is being handled.

Like · Reply · 4h

2



Shelley Davies Wygant OPPOSED -- Ellicott City MD --- needlessly demolishes 24% of lower main street and doesn't prevent deadly flash floods.

Like · Reply · 4h

3

Nanette Muzlera-Mooney Opposed. Glen Burnie MD. Prior

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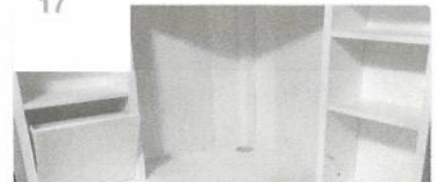
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**Joanne Wuwer-Saukas** Opposed. Columbia, md resident for 31 years

Like · Reply · 4h

3

**Wiley Purkey** OPPOSED Wiley Purkey Sykesville. Opposed and DISGUSTED with the plan to destroy of 24% of the most historic part of Howard County.

Like · Reply · 4h

2

**Pam Whelan** I am opposed to the demolition. Say you demolish the buildings and there is another flood and more people die, then you demolished history for nothing and it can't come back. There is a better way! Let's work to find it. Ellicott City, MD.

Like · Reply · 4h

4

**Kate Moore** Opposed. Catonsville, MD. Absolutely appalled that they're looking for a quick-fix solution, rather than something that will save both lives and the town.

Like · Reply · 4h

3

**Lisa Orenstein** OPPOSED. Lisa Orenstein and Rebecca Lyter. Ellicott City, MD 21043. Lacking confidence in the plan and now also in our elected officials with the way they have handled this.

Like · Reply · 4h

3

**Tracey Davidson** Opposed. Tracey Davidson, West Friendship, MD. We should not be rushing to destroy history. Appalled that this decision could be made lightly and behind closed doors. I was a 9 year resident of Ellicott City, and have been a frequent patron of the shops and restaurants for the past 22 years.

Like · Reply · 3h · Edited

4

**Vick Dias** If you are opposed could you also please

State your stake in and or connection to Historic Ellicott City ... See more

Like · Reply · 4h · Edited

1

**Pam Whelan** Say it is demolished and another flood comes and more people die? The plan didn't work and history is destroyed, then what?

Like · Reply · 4h

3

**Shelley Davies Wygant** You do know that this plan's flood mitigation efforts will not even begin until 2021-2022 -- leaving EC vulnerable to the exact same level of lethal flood threat for the next two years. I respect everyone's decision but it should be an informed one.

Like · Reply · 4h

4

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Write a reply...

**Maryse Maillochon Petasis** Opposed. Maryse Maillochon Petasis Ellicott City MD.

Like · Reply · 3h

2

**Mark Lee** OPPOSED. West Towson resident. Used to live on Church Road, enjoy mountain biking at nearby Patapsco State Park and went to UMBC and love the history of Ellicott City. These old buildings should NOT be removed in order to correct county and developer shortsightedness.

Like · Reply · 3h · Edited

5

**Scott Schools** Opposed! I'm a Catonsville resident & spend a lot of time & \$ in OEC. I'm still not buying that this will make a meaningful

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Lynne Gaither I'm OPPOSED to demolition of ANY HISTORIC BUILDINGS, especially 24% & because new construction was done without the thought of historic/Old Ellicott City! My family has been in Howard County since before it was a county, 1653. They lived in Ellicott C... See More

Like · Reply · 3h · Edited

3



Misty Ann OPPOSED. I grew up in Ellicott City and lived there for 15 years as a child and teenager and on and off throughout the following two decades. My grandfather, Earl Harsher and my father, Fred Smith, owned the laundromat in the sixties on Main Street Ell... See More

Like · Reply · 3h

3



Nicoline Smits When we first moved to EC over 20 years ago, the devastation caused by Hurricane Agnes was one of the first things we learned about our new home town. I oppose the way flood mitigation is being handled. This concerns all of us, so this process should take place in the open, with input from the community, and preferably without destroying half of Main Street.

Like · Reply · 3h · Edited

8



Betty Adams I oppose the process, the lack of transparency, and want muc more information on how the properties are being valued, i.e. the methodology. Glenwood and non-OEC Ellicott City property owner/taxpayer.

Like · Reply · 3h

4



Marlana Jareaux Betty Adams Several people were just discussing how you cannot find any info to confirm the exact list of ALL the properties, much less the valuation, etc. besides the Sun article referencing Joe Rutter (former DPZ Director and current business partner... See More

Like · Reply · 2h

1



Marlana Jareaux Shelley Davies Wygant If you need me to pull my comment above out onto the main section so that it will print, just say the word. ☺

Like · Reply · 2h

1

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Write a reply...



Mary Charlene Knode Opposed. I signed the petition. They need to cancel all upstream construction (ie Taylor Manor property, New Cut Road development and upstream from the Valley Mede development). Building more hard surfaces upstream is crazy and must be stopped to prevent even more down stream events. I also STRONGLY opposed cutting through the B & O property!!!!

Like · Reply · 3h

7



Tammy Bean Fultz OPPOSED! Disgusted by this plan that will not prevent flooding on Main ... as it's being presented is a lie. As the last of the longest living residents on Main Street we oppose this!

The acquisition policy is probably the most "cost-effective" flood prevention measure. That is, it would prevent future flooding/ even by the largest storm on record, at a cost to county taxpayers considerably less than that of engineering works providing comparable flood prevention effectiveness. On the other hand, it is clear that the objective of flood prevention cannot be pursued in isolation from all other values: e.g. the historic value of a mill town established on the banks of the Patapsco before the American Revolution, whose present physical fabric reflects its evolution over two centuries; the value of the cultural and leisure opportunities of the old mill community for residents of an expanding metropolitan region; the town's value as an environment for special commercial residential and educational activities which could not be duplicated elsewhere;

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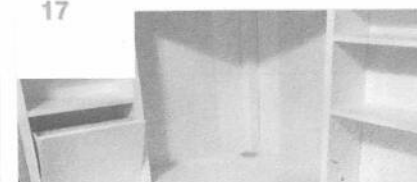
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implementation of the most "cost-effective" means of flood prevention. The town cannot be removed from the historic setting that shaped it, just to meet flood prevention objectives.

Like · Reply · 3h

6

Jeanne Brown Galla Opposed. Ellicott City resident for 20 years, Catonsville before that. This plan does not address the flooding. A six foot flood is not acceptable. Do it right.

Like · Reply · 3h

4

Melinda O'Donnell Opposed 3

Like · Reply · 3h

Dan Finkelstein Opposed! Spend the money and fix it right the first time so we don't need to worry during future flood events. Proposed plan is crap and destroys irreplaceable historic structures in the process. EC resident.

Like · Reply · 2h · Edited

4

Marlena Jareaux Opposed. Columbia, MD. The continued lack of transparency for how these elements of the plan were selected in relation to all of the available remedies is troubling. This decision and alleged "emergency" plan will remove needed infrastructure (route 1 ... See More

Like · Reply · 2h

4

Lyn Raabe Opposed. Current California resident. Previously lived in Ellicott City area for 40+ years. OEC is a treasure. My gut says the current plan is not a good idea.

Like · Reply · 2h

5

Robert Brennan Opposed to demolition as first step. Catonsville and Oella.

Like · Reply · 2h

3

Michael D Ferguson Opposed. 35 year resident of Main St. Retired mail carrier in Ellicott City. I have witnessed first hand the out of control building that occurred over my 30 1/2 year career. Tearing down these buildings only to save approximately 2 feet of flood water while still leaving 4-6 feet of runoff flood waters is not the answer.

Like · Reply · 2h

6

Karen Gonya Nickles Mikel You have no idea how much your Valley Mede route customers miss you!

Like · Reply · 56m

1

Michael D Ferguson Karen Gonya Nickles Thanks Karen. Every time I meet one of my customers when out and about I get an earful of how bad the carriers have been delivering their mail and how much they miss me!

Like · Reply · 42m

1

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Write a reply...

Don Fath Opposed, Baltimore, Maryland. Spent a lot of time in Ellicott City when I was in college, beautiful town, lots of history. Deserves to be preserved

Like · Reply · 2h

3

Kathy Howell Opposed, and I should be able to attend the meeting. Resident who chose to come and live here.

Like · Reply · 2h

3

Shelley Davies Wygant If you haven't already sign up to give testimony online or when you get to the meeting - thanks!!

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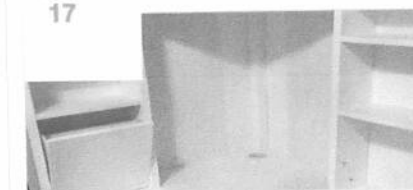
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Marlena Jareaux Betty Adams Several people were just discussing how you cannot find any info to confirm the exact list of ALL the properties, much less the valuation, etc. besides the Sun article referencing Joe Rutter (former DPZ Director and current business partne... See More

Like · Reply · 1h · Edited

2



Michael D Ferguson Did you find the article worded very carefully? It says that Joe Rutter is "a former county worker" rather than Director of Planning and Zoning and his "business partner" who they left unnamed but is a well known developer/landlord. Shelley Davies Wygant This is the article that I was referring to.

Like · Reply · 1h

1



Betty Adams Michael D Ferguson I chuckled

Like · Reply · 57m

1

Write a reply...



Linda Barrett opposed

2

Like · Reply · 1h



Abby Bardi Opposed

2

Like · Reply · 1h



James Eddie Long Jr OPPOSED. Ellicott City by Waverly elementary school. Commute and involved in E.C. Know many who live in West End and use West End International and know flooding has been a issue for years in West End and county has little to address this issue which led to E.C issue.

Like · Reply · 1h

5



Hannah Gillin I am opposed. I'm from Manchester, MD

Like · Reply · 1h

3



Colleen Foley Opposed to demolition. Born and raised in Ellicott City, MD

Like · Reply · 58m

3



Chase Healy Opposed to demolition . Born and raised in Ellicott City, MD

2

Like · Reply · 50m



Bobby LaLuna Absolutely Opposed: Longtime Howard County resident, who enjoys the sights, sounds, and feel of a town founded in 1772..... There aren't many little towns left that hold the stories that old Ellicott City holds.... Take more time, and seek alternative methods please.....

Like · Reply · 47m

3



Bonnie Good Winstead Absolutely Opposed. Love the little town. Know a lot of people there

Like · Reply · 38m

2



Gill Gawthrop Opposed

2

Like · Reply · 32m



Alex Kotlas Opposed. Moved to Ellicott City at 16 years old

Like · Reply · 26m

2



Patricia Ferran Opposed. Live in Oella

2

Like · Reply · 23m

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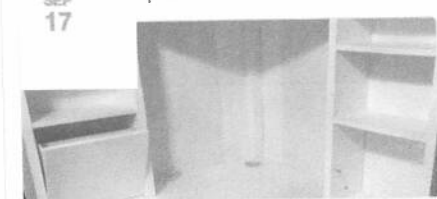
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Em Gee Opposed to demolition. Silver Spring, MD.

Like · Reply · 11m



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Michael D Ferguson shared a link.

Founding Member · 36 mins



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Michael D Ferguson shared a link.

Founding Member · 57 mins



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Lisa Orenstein shared a link.

4 hrs

This is an essential read!

Is Lisa Markovitz, the author, still a member of this group? I have things to say to her and I also want to share on this page my perspective on what she wrote (and then see what you think!).

Thank you to her! The format of this was amazing. It so clearly defines/highlights key issues and community concerns, and then works them through. It gave voice and legitimacy to the good faith and reasonable concerns of so many of us, who unfortunately have b...

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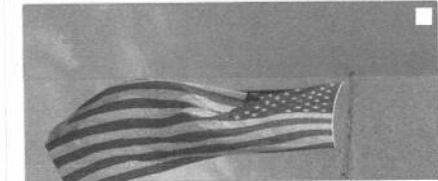
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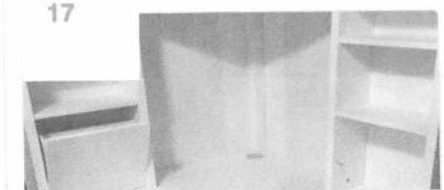
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**Ann H. Jones
2921 Greenway Drive
Ellicott City, MD 21042**

Testimony Re: Council bill – TA01-FY2019 and 61-2018

September 17, 2018

Support – Elements of the Plan

Do Not Support – Demolition of Structures on Lower Main Street

It is difficult to say that you are against all elements of the proposed Flood Mitigation Plan. Clearly increasing the size of culverts, reducing the flood damage in the West End and adding more substantial storage facilities are important elements whether you are dealing with a 5-year storm, 10-year storm, 25-year storm or probably a 50-year storm. However, you have to acknowledge that there will always be storms that will simply overwhelm any engineered solution that you can construct.

I well remember Agnes and Eloise that came a mere 3 years later. At that time there was significant doubt that Ellicott City would ever recover, but there were no demolition plans. I oppose the demolition of significant portions of historic Ellicott City to achieve marginal additional flood control.

The most important concern of any plan must be the protection of lives. Looking back at the history of major floods of Ellicott City the flood of 1868 killed 42 people. 7 people lost their lives in Hurricane Agnes. The most recent flood took the life of one hero. All deaths are tragic, and I by no means intend to discount the importance of any life. If we want to save lives we must determine what is the effective means of saving lives.

What changed between the Flood of 1868 and today? Clearly it was not an engineered change, a decrease in impervious surface, or the result of an improving climate. Rather it was a change in the notice people receive of impending flood events and the training and equipping of first responders to deal with flood emergencies. Those factors have been proven to save lives, and yet the Ellicott City Flood Mitigation Plan before you tonight references up to 18 large infrastructure projects. None of these infrastructure projects address warnings, planning and equipment for first responders or requirements for flood escape routes.

The more I think about flood control in Ellicott City the more I liken it to fire protection and fire escape plans. The building we are in tonight is not 100% fire proof. Rather it is constructed with fire alarms and clearly delineated emergency escape routes.

The heart rendering video of the Joan Eve survival story is perhaps the best example of why this is necessary. In the video they state that at one point a door was bolted so they could not escape, and there was no clear route. We all know that doors are required to be equipped to be opened in a fire emergency. Those same types of emergency doors could and should be installed for flood emergencies.

One of my favorite places in Ellicott City was the Coco Lane Rooftop Deck. What if the rebuilding of Ellicott City included a series of walkways and decks that formed a connected path to safety leading to the Courthouse on the North side of the street and to St Pauls Church on the South Side. Might this become an additional tourist attraction for the town, and a way to tie the existing old town Ellicott city to the Courthouse redevelopment.

Combining a clear escape route with an advanced warning system through alarms, sirens and cell phone notifications is the type of system that has been proven over and over to save lives. It is the basic of all fire protection strategies.

Please do not demolish significant portions of historic Ellicott City until you have examined all the options to save lives. There can always be a storm that will overwhelm the best engineering plans. This plan should concentrate on saving lives when that storm happens.

Nicholas Drummond & Julie Berbakov-Rossi
9695 Maryland Ave,
Laurel, MD 20723
09/17/2018

Opposition to TAO1-FY2019 and Council Bills 61-2018 and 62-2018

Howard County Council
3430 Courthouse Dr.
Ellicott City, MD 21043

Hello,

My name is Nick Drummond. I am a junior architect that currently lives in Baltimore City. I grew up in Howard County with my mother Julie, who still lives there and is here tonight. Growing up, my first visit to Ellicott City had a huge impact on me. It sparked my interest in architecture and historic preservation, something that very much defines my life today. It was a special place to visit throughout my childhood and young adult life. Ellicott City is special. It has remained remarkably intact, with an incredible history, strong community, and fascinating natural and architectural landscape.

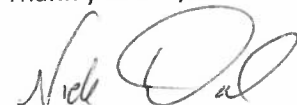
Recently it experienced horrific flooding that has devastated residents, businesses, and the fabric of the town itself. From my own personal experience living through a flash flood and losing everything, I can say it is not something I would wish it upon anyone, in any community.

That's why we have to get this right. This proposed plan is rushed. It is drastic. And it is irreversible. Furthermore, after removing an iconic stretch of buildings along southern Main Street, it still leaves lethal levels of flooding that can sweep away cars and people. It may even put other buildings such as the landmark B&O railroad museum at risk. Upstream mitigation absolutely has to happen, and maybe even a county buy-out, but I do not think it should all be grouped together with demolition in a proposed "bottom up" strategy. There are too many questions.

Ultimately, demolition of these buildings is not the only option on the table, and I do not think it drastically improves life safety as claimed. Water depth and velocity might be reduced, but it is still lethal when it gets to lower Main. There are other plans that need to be evaluated in greater detail before we resort to this. We need to fully investigate the recent options by Preservation MD and explore solutions proposed in past studies first, in greater detail. I want to hear more about full implementation of the 2016 McCormick Taylor Hydraulic Study. I want to hear more about options that include partial demolition and retaining façades. I want to hear more about tunnel bores. I want to hear why, if federal funds are ultimately being used, this mitigation plan seems to be evading the required Section 106 federal review.

This is a time for drastic and creative measures, and I do not think anything should be discounted at face value. This is something bigger than just Ellicott City- it is part of our heritage, and something we all have a say in. It is worth it to get this right.

Thank you for your time.


Nicholas Drummond



PRESERVATION MARYLAND

Testimony of Elly Colmers Cowan
Director of Advocacy, Preservation Maryland

Before the
Howard County Council
September 17, 2018

Pertaining To: TA01 – FY19
Oppose

As Director of Advocacy for Preservation Maryland and on behalf of our organization's Board of Directors and thousands of statewide supporters, I would like to express our serious concern about Howard County's current flood mitigation plan that includes the demolition of a large portion of the historic structures in the Ellicott City Historic District.

Ellicott City is one of the most historic and unique places in Maryland. The character of the historic district has been maintained thanks to the hard work of the historic preservation commission, the county government, and citizens who understand the value of historic structures to this community. It is important to remember that it is that historic character and charm that continues to bring the many visitors who walk the historic street and to those who live here.

I feel it is important to stress that Preservation Maryland *fully supports* efforts to protect the lives of those who live and visit Ellicott City. That is what I am here advocating for. We believe that there are feasible alternatives that provide better flood mediation than demolition. Proven stormwater management tools and scientifically driven hydrologic retention efforts should be employed to reverse the damaging impacts now causing these events.

Demolition of historic buildings is not a proven strategy, nor has it been adequately studied in Ellicott City to understand its hydrological impact. What is most concerning about this current proposal is that it does not appear to substantively mitigate or resolve flood risks. At the same time, by removing large portions of the built environment, new flood patterns could arise and potentially cause damage to the National Historic Landmark B&O railroad station as well as other historic structures on lower Main Street. Allowing for this demolition could also set a dangerous precedent for additional demolition within the historic district in the future.

Preservation Maryland believes that there is a better path forward; one that does not include broad and sweeping demolition. Existing studies have provided valuable insight into the work necessary to mitigate the direst impacts of flooding - but more work is needed to understand the demolition of these

historic structures. The economics, historic, and hydrologic impact must be fully understood before an irreversible demolition process begins. It behooves us to make sure that all viable alternatives are studied because there is no going back once the buildings come down.

We stand ready to assist Howard County Government and other stakeholders with the process of reaching the best possible outcome for historic Ellicott City.

What we do here will resonate for generations to come – and could, if done correctly set a standard to which the rest of the nation strives to meet. Preservation Maryland believes – I believe – that we must rise to meet this challenge.

Thank you for your time and your commitment to a transparent process.

SPECIAL REPORT

HISTORIC ELLICOTT CITY

Contact: Nicholas A. Redding, Executive Director
Preservation Maryland
410-685-2886
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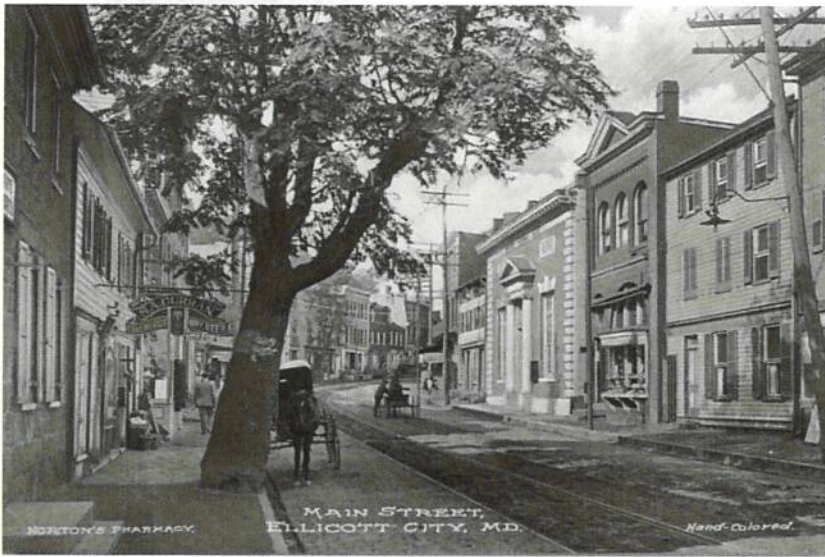
A Place for the Past: Preserving Ellicott City's Heritage and Securing Its Future

In the wake of two devastating flash floods, the future of Ellicott City's historic district and flood prone buildings has been widely and openly debated. Following the most recent flood, on August 23, 2018, Howard County, Maryland officials announced a five-year, \$50 million plan to address flooding that includes a large-scale demolition within the historic district.

There can be no question whatsoever that life safety is of the highest importance. Preservation Maryland fully supports efforts to protect the lives of those who live in and visit Ellicott City. Proven stormwater management tools and scientifically based hydrologic retention efforts should be employed to reverse the damaging manmade impacts now causing these events. The most recent study that Howard County has used to support the current proposal does not, however, eliminate or even significantly reduce floodwaters on lower Main Street. By the study's own admission, floodwaters in this portion of the town may only be reduced from 6'-8' to 4'-6'. As a result, demolition of nationally significant historic structures may result in some limited reduction of property damage, but the demolition could come at an extremely significant cost to the economic well-being of the district and potentially result in the de-listing of Ellicott City from the National Register of Historic Places.

Curiously, the 2016 McCormick Taylor Hydrology/Hydraulic study did not propose or address demolition (the word demolition is not found anywhere in the document) – but the report did identify scientifically proven strategies to mitigate flood impacts in the town. Preservation Maryland and others in the community seek to understand why this study has been disregarded and supplanted by a new plan.

Fortunately, there are many examples of historic communities and places similar to Ellicott City where innovation and creativity have balanced life safety and historic preservation. There are legitimate and prudent alternatives to demolition which must be fully considered and studied before the bulldozer's blade is leveled at some of Maryland's most significant heritage.



Historic image of Main Street in Ellicott City, view North, ca. 1890. Photo from the Library of Congress.

Authenticity Is Ellicott City's Key Asset

Historic places have power because they're real – they're authentic. Ellicott City is an example of a place that exudes authenticity. It is real and unadulterated. It has been traipsed over by Civil War soldiers, saturated by muddy floodwaters, and stained with the sooty coal smoke of locomotives. The result is a place that beckons visitors because it is unlike any other place. Here, the sameness of the interstate is replaced by the uniqueness of granite outcroppings and stone buildings built to last.

Authenticity is critical to tourism and the economic viability of places like Ellicott City. Studies conducted by the University of Florida's Center for Tourism Research & Development and many others have consistently found that tourists crave real, authentic place-based experiences. The University of Florida study, in particular, found that more than 95 percent of tourists felt it was "somewhat" to "very important" to experience authentic elements on their trip.

Additionally, a study recently conducted by the U.S. Travel Association found that Heritage Tourists – the type that is drawn to authentic, historic places like Ellicott City – typically stay 53 percent longer and spend 36 percent more than any other type of tourist. Heritage tourism pays – and pays more than any other category of tourism.

As a result, demolition of character defining, authentic, and historic features may eliminate flood prone structures – but those same demolitions may also result in the reduction of the heritage tourists critical to the town's economy and future vibrancy.

Viable Alternatives to Demolition

Fortunately for Ellicott City, there are many viable alternatives to consider.

Preservation Option A: Full Implementation of 2016 McCormick Taylor Hydrology/Hydraulic Study

The 2016 Ellicott City Hydrology/Hydraulic Study and Concept Mitigation Analysis was a comprehensive, thoroughly studied, and professionally reviewed plan aimed at significant reduction of flood impacts throughout the historic community. Before any alternatives or demolition plans are pursued, the public must understand why this plan has been disregarded – and the public should be given the opportunity to voice their opinion on implementation of this plan.

This study provided viable, scientifically proven alternatives to demolition of character-defining resources and concluded by noting:

The results of this study demonstrate that construction of stormwater storage facilities throughout the watershed, combined with stormwater conveyance infrastructure improvements, can make an appreciable difference . . .

From a financial, historical, and cultural perspective, it is both necessary and prudent to seriously reconsider adoption and implementation of this plan.

Preservation Option B: Public Acquisition of Flood-Prone Historic Buildings and Wetproof Stabilization

In this scenario, Howard County acquires the most flood-prone historic buildings and begins a long-term campaign of internal structural stabilization and “wetproofing” of the structures. This could include the introduction of structural steel skeletons used to protect the buildings from collapse in the event of a flood as well as the removal of internal first-floor features prone to expensive flood damage (dry wall, electric wiring, plumbing, mechanicals, etc.).

The “wetproofing” would allow floodwaters to pass through the structure and to recede naturally without causing dangerous levels of hydrostatic pressure. Under this scenario, according to the most recent study referenced by Howard County, this “Open First Floor Model” would, in fact, also reduce flood impacts in the lower town. The resulting outcome would essentially be a historic “shell” of a building that would be designed to accept floodwaters with reduced recovery expenses.

This scenario accomplishes the following:

- Removes business and life safety concerns within the structure,
- Retains the exterior historic appearance,
- Preserves an unbroken historic streetscape,
- Protects the structure from future catastrophic collapse, and
- Potentially provides open usable interior space for special events.

The estimated cost associated with this model is expected to be similar or less than the cost associated with the proposed demolition plan. A full cost analysis could be prepared and would be supported with matching funds by Preservation Maryland should Howard County decide to move forward with consideration of this option.



After the 2016 flood, preservation engineers stabilized the interiors of 8111-8113 Main Street. Photo from Patapsco State Heritage Area.

Preservation Option C: Public Acquisition of Flood-Prone Historic Buildings and First Floor Wetproofing with Second Floor Reuse

In this scenario, Howard County acquires the most flood-prone historic buildings and follows a similar plan to Option B, but instead of removing all tenancy, the county creates living and office spaces on the second floors of the structures (where applicable and appropriate) to retain some functionality and human presence in the lower town. Structural steel would still be deployed to prevent collapse, and first floor spaces would be cleared of internal features prone to expensive flood damage.

Second floor tenancy could also provide a small income stream to support the overall campaign and operating costs, and it would provide opportunities for workforce housing and artist residences to support an Arts & Entertainment district, as well as office space for startups and entrepreneurs – creating a new vibrancy for the district. Additional opportunities for second-floor reuse could include short-term vacation rentals built on the successful model of the C&O Canal Trust's *Canal Quarters* Program, which is managed entirely within the floodplain of the Potomac River.

The estimated cost associated with this model is expected to be similar or less than the cost associated with the proposed demolition plan. A full cost analysis could be prepared and would be supported with matching funds by Preservation Maryland should Howard County decide to move forward with consideration of this option.

Preservation Option D: Acquisition of Flood-Prone Historic Buildings for Establishment of Ellicott City State Historic Site Park

In this scenario, state funds from Program Open Space would be utilized for the acquisition of flood-prone historic buildings with a similar long-term treatment plan to Preservation Option B, but rather than Howard County maintaining ownership, the State of Maryland retains ownership for the establishment of a new state park unit, administratively managed by nearby Patapsco State Park.

Similar to Harpers Ferry National Historical Park, the newly formed *Ellicott City State Historic Site* would manage this portion of the historic town for tourists and interpret the story of the town from establishment through the devastating floods of 2016 and 2018. Similar to Harpers Ferry, buildings could be cleared of internal features prone to flood damage, and flood resistant exhibits or panels could be installed to create a compelling tourism asset and education experience to market.

This scenario would require significant planning and political support, but it could be a game-changing opportunity for the overall historic district – and by extension Howard County – and an opportunity to establish a dynamic state park unit. The creation of this new unit of the state park system could also address the growing need for new park spaces – a need documented in a recent *Baltimore Sun* article which uncovered a 40 percent increase in park use since 2009 alone. The potential establishment of this unit also comes as Program Open Space enjoys a record appropriation – including a \$67 million increase in FY19 – which provides a unique opportunity for acquisition funds.

Case Study: Harpers Ferry National Historic Site

Settled in 1733, approximately 30 years prior to Ellicott City, Harpers Ferry is a unique, pre-Civil War era industrial town with striking similarities to Ellicott City.

The similarities include:

- Located in a riverine floodplain at the bottom of a hill,
- Industrial history with major influence of the B&O Railroad,
- Critical strategic location during the American Civil War,
- A long history of flooding,
- Major tourist destination for both natural and historic tourism, and
- Similar building stock and styles – predominance of stone architecture.

Largely as a result of these similarities, staff of Harpers Ferry National Historic Site has long grappled with the challenges of maintaining the historic community in the face of challenging natural forces – namely floods. Beginning in the 1970s and continuing today, the National Park Service has worked to protect historic structures while balancing life safety and limiting extensive property damage.

The Restoration Museum, located on Shenandoah Street, is a prime example of this balance. The building, which has been prone to consistent flooding, was strengthened with a skeleton of structural steel and left in a raw state. As a result, the building can be flooded with little real concern and provides a unique platform to interpret and explore the history of construction and architecture in the historic town. Metal walkways within the building and interpretive signage provide visitors a passive experience that requires no permanent staffing.



Stabilization and passive interpretation at the Restoration Museum at Harpers Ferry. Photo from TripAdvisor.

The Restoration Museum is a vivid example of converting a liability into an asset – while avoiding unnecessary and costly demolition. This model of stabilization and interpretation provides an ideal prototype for Ellicott City as the community grapples with the challenges of flooding, history and preservation.

Case Study: Historic Structures of the Chesapeake and Ohio Canal National Historic Site

The entirety of the C&O Canal lies within the alluvial floodplain of the Potomac River – a reality that ultimately led to the commercial demise of the east-west canal corridor. As a result, when the National Park Service assumed responsibility and control of the 184.5 mile canal, flooding presented a real danger to the hundreds of historic structures located along the manmade waterway.

In the ensuing 47 years since the official establishment of the National Park unit, preservationists and historians have largely accepted the inevitability of flooding and have “wetproofed” historic structures to allow floodwaters to naturally flow through historic buildings and recede with limited property damage. The exterior of most prominent historic buildings located along the canal are maintained to provide an appropriate and authentic historic experience while many interiors are devoid of any finishes and can be flooded with little impact. Vents and louvers prevent the structures from trapping humidity and also avoid damage from hydrostatic pressure during flood events.

Concurrent to these efforts, the C&O Canal Trust, the non-profit charitable partner of the Park, has worked to rehabilitate structures along the canal suitable for rehabilitation and re-use as short-term, overnight rental locations. Known as *Canal Quarters*, the program has rehabilitated six historic lockhouses with a seventh underway. The latest project at Swains Lockhouse in Montgomery County has been purposefully designed to withstand flooding.

First floor construction at Swains incorporated many flood resistant materials including:

- Click-together vinyl flooring which appears historic but can be removed,
- Closed-cell foam insulation at interior walls,
- Removable wood wainscoting,
- Screened, cellular PVC crawlspace venting, and
- Pressure-treated wood framing members and sheathing.

Additionally, electrical outlets and switches on the first floor have been installed above the flood zone, which is up to three feet above the interior finished floor, and mini split HVAC units were installed high on the exterior walls. Outside of the lockhouse, special care was taken to create positive drainage, which will divert water from the foundation as high water recedes.

This work was done under the careful review and administration of the National Park Service, which maintains the highest standards for historic preservation.

Path Forward

The work ahead will not be easy. Preservation Maryland fully recognizes the complexity and the challenges of this moment in Ellicott City's history. We appreciate the hard work the staff and elected officials of Howard County have put into planning for the future of this community.

Preservation Maryland does, however, believe that there is a better path forward that does not include broad and sweeping demolition. Existing studies have provided valuable insight into the work necessary to mitigate the most dire impacts of flooding – but more work is needed to understand the impact of the demolition of historic structures. The economic, historic, and hydrologic impact must be fully understood before an irreversible demolition process begins.

Preservation Maryland stands prepared to assist in that study effort. The organization is willing to pledge funds to support this effort – and the potential planning necessary to support the options proposed in this report. The organization will also continue to provide broad-based public outreach and legislative advocacy to assist the county in building the necessary political will to protect this historic resource.

Ellicott City is one of the State of Maryland's crown jewels. What we do here today will resonate for generations to come – and could, if done correctly, set a standard to which the rest of the nation strives to meet. The choice is ours, and Preservation Maryland firmly believes we must rise to meet this challenge. The future of Ellicott City depends on it.



Contemporary black and white photograph of Main Street in Ellicott City at night. Photo by Geoffrey Baker.



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION

I, Elly Cowan, have been duly authorized by
(name of individual)

Preservation Maryland to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding TA01-FY19 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Elly Cowan

Signature: Elly Cowan

Date: 9/17/18

Organization: Preservation Maryland

Organization Address: 3600 Clipper Mill Rd. Ste. 248
Baltimore, MD 21211

Number of Members: 7,000

Name of Chair/President: Anthony Azola

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.



**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Lisa Markovitch, have been duly authorized by
(name of individual)

The People's Voice to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding TA-01-fy2019 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Lisa Markovitch

Signature: [Handwritten Signature]

Date: 9/11/18

Organization: The People's Voice

Organization Address: 3209 B Corporate Ct

Ellicott City MD 21042

Number of Members: 2314

Name of Chair/President: Lisa Markovitch

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.

Good evening. My name is Julia Sanger. I'm an Ellicott City resident and a business and property owner at 8080 Main Street. My mother and I own Park Ridge Trading Company. I'm here tonight to express my support for the Ellicott City Five-Year Flood Mitigation Plan. I'd like to note that although I am here testifying on behalf of myself, I have also emailed a separate, written statement of collective support on behalf of 36 Main Street business and property owners.

July 30, 2016 changed my universe dramatically. Like many, I was speechless during my first gator ride down Main Street. I will never forget sitting on the wooden frame of what used to be our store window and allowing my shock to turn to pure grief. However, like many others, we quickly turned that grief into action. Despite being called foolish and selfish...rebuilding was never in doubt. We mucked out and started over.

I always knew that it wasn't a matter of "if", but a matter of "when" another flood would happen. My mother and I used to joke that she'd be long gone before ever having to muck out again and that I would have that distinct pleasure all to myself. So, we set rules for ourselves and our staff when it came to "when to get out". The rule was, if the water hits the curb, it's time to go. On May 30th, the water hit the curb and before keys could even be grabbed, it was pouring into the store. There was no time to get out.

The May 30th flood is a loud, blaring siren that the status quo will no longer cut it. Drastic and dramatic action must be taken, and it must be taken now. Our building sits on the north side of Lower Main street. We are at an extreme disadvantage when it comes to location. Not only have we experienced some of the highest water levels of both floods, but we are one of the direct targets of the debris that explodes out of the buildings across from us when the water backs up behind them. When first seeing the damage from May 30th, I realized that the floor of MissFit was wrapped around the telephone pole in front of our store. People say, "Why don't you just flood proof your building?" Then I tell them about that flooring.

The opposition to this plan says that it's not okay to remove those 10 buildings because of their historical significance. That it's not okay to act boldly and immediately because we need more time. That it's not okay to alter the appearance of Main Street because it's such a beautiful streetscape. I will tell you what's not okay to me. It's not okay that businesses are now struggling because people are afraid to shop or dine on Main Street. It's not okay that I can't bring myself to rebuild my store in our space because I can't bear the thought of losing it a third time. It's not okay that I almost lost my brother and many of my friends this time around. It's not okay that my 18-year-old employee had to be rescued from a small window in the loft because the water had reached the second floor. And it's not okay that I had to go to her house the next day, look her parents in the eye, and apologize to them for putting their daughter in harm's way. Inaction and more time are luxuries none of us can afford.

Thank you very much for your time.



**Historic
Ellicott
Properties,
Inc.**

8 Park Center Court
Suite 200
Owings Mills, MD
21117-5616

Bruce T. Taylor, MD
President

Direct Number
410/465-3674

Ross I. Taylor
Secretary

btaylor@taylorservice.com

410/465-3500

Fax: 410/461-7074

September 17, 2018

Testimony in support of TAO1-FY2019 and CB61-2018 *4 CB62-2018*
Letter in support of Howard County's Ellicott City Flood Mitigation Plan of August 23, 2018

Please accept this as written testimony in favor of TAO1-FY2019 and CB61-2018 addition to our letter of 9/6/18.

Most people are united in wanting Ellicott City to be safer after the horrible flooding in the past two years. There is some concern that the current flood mitigation plan may have a negative impact on the town. We support the current plan to purchase and remove 10 buildings along with deepening and widening the river channel to create a flood plain. This is clearly, based upon the engineering studies, the most effective and quickest way to achieve the best result. We all wish there would be a better solution, and we recognize that this is not the total solution, that additional projects for warning systems and mitigation must continue to be funded.

We want to be clear, especially to those who might oppose the removal of some of the town's history, that we will not be rebuilding our two properties on lower Main Street, namely, Caplan's at 8125 and the Rosenstock or Shoemaker building at 8095 Main Street. Despite the key role these large structures have played and our family heritage of over 100 years of ownership of the Caplan's property, we will not rebuild these structures, as we feel it would be irresponsible to ask a tenant to locate there; it does not appear that the area can be made safe from flooding in any reasonable period of time given the changes we are now seeing in the intensity and frequency of storms. If the county were not to proceed with the current plan, these structures and likely most of the neighboring structures owned by others, would remain boarded up, a blight on the town. To us, leaving most or all of these 10 buildings boarded up on lower Main Street is going to be worse than removing them and replacing them with an attractive riverside park setting.

To the extent that the County or other approved historic groups wishes to salvage some of the historic facades or artifacts from our buildings or others in this group, we are willing to work out the details of providing space along New Cut Road or on the West end of Main Street for the storage and or reconstruction of some or all of these structures.

We are willing to work with historic preservationists and have already been working on several ideas to help keep this part of Ellicott City's history alive while making the town safer for everyone.

I believe most people agree that the town needs to be safer and economically viable. Toward this goal, I have attached to Council's copy of my testimony several ideas which I have mentioned in the past. These include additional ways to divert over 40% of the water that reaches Main Street from the New Cut Branch before it reaches the Tiber as well as areas where new structures with an historic exterior can be added to the town to add vibrancy, replacing some of the areas lost on lower Main Street and providing free public parking and additional storm water management as well.

We look forward to continuing our heritage of revitalizing Ellicott City as we have for the past 48 years. We look forward to contributing to the solutions for a better and safer Ellicott City and encourage all members of Council to support the current legislation to help accomplish these goals.

Thank you.

Sincerely,

Bruce T. Taylor, M.D.
Bruce T. Taylor, M.D.

Ross I. Taylor
Ross I. Taylor



CONCEPT PLAN

① Aerial of Lower Main From East

Possible new structures are light gray; existing are dark gray.
Light green shows structures removed.

Alexander Design Studio

8212 Main Street, Ellicott City, Maryland 21043 | 410.465.8207



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September 6, 2018

Letter in support of Howard County's Ellicott City Flood Mitigation Plan of August 23, 2018
Before the Historic Preservation Commission And Testimony for TAO1-FY2019

Dear County Executive Kittleman, County Council Members, Members of the Historic Preservation Commission and staff,

The Caplan/Taylor family has played a role in Ellicott City since the 1890's, starting with my great grandparents and Caplan's store. With my son Ross now involved in the business, we have had five generations working to improve Ellicott City.

It is with sadness but also a sense of great hopefulness that we endorse and support the plan to remove ten buildings from Caplan's to the Phoenix, as these structures restrict the flow of water in the Tiber River, contributing significantly to the flooding and tragic loss of life in the last two years. We have presented a similar concept plan to re-vitalize the city, including the opening up, widening and dredging of the Tiber to allow it to convey more water without overflowing its banks.

As many of you know, we own 8125 Main Street (Caplan's, with others) and 8095 Main Street (Shoemaker's), yet we support this visionary plan because it is the best solution to achieve the most result in the shortest time to make Ellicott City safer for us all. It is a sacrifice to be sure, and it is not the complete solution to the problem, but it is an excellent start. These two buildings have been rebuilt after each of the prior floods. The structure at 8095 was engineered in its 1999 rebuild to withstand four feet of water in the street, yet it's first floor is damaged beyond use this time due to the intense upward forces of water from underneath the building many times exceeding the design characteristics. Sadly, we have been forced to decide not to rebuild these buildings as to do so would be economically and emotionally unsound. We must face the unfortunate fact that in just the past 46 years we have seen three major flood events, in 1972, 2016 and again this year. To rebuild again now, thinking that we will not flood again soon, would deny the reality of being destroyed yet again as a result of increasingly harsh and severe weather patterns due to climate change.


We are grateful for the hydrology studies by McCormick Taylor commissioned by the County which point out that development, especially substantial development in the watershed without modern stormwater management, has contributed only 20% to the flooding, as indicated by the model showing that if the entire watershed were forested, we would still have had 80% of the water on Main Street that we experienced in these last two devastating floods. The 2016-2017 study went on to note that even if the entire remaining properties of the watershed were developed, it would not make matters significantly worse. What the study did not point out, is that modern development with flood management retaining 8.5 inches of water in 24 hours on site, is part of the solution to reducing water flows to Ellicott City. Thus, private development and re-development particularly of sites without water retention currently, can play an important part in helping to prevent flooding in Ellicott City.

We all need to work together to return Ellicott City to being a safe and secure place where residents, businesses, visitors and workers can thrive, enjoy and build on the history and strong sense of community which we have built over the years. Removing these 10 buildings that are all severely damaged, and which otherwise would be boarded up for the foreseeable future, will help to create a vibrant parklike setting for lower Main Street to help the town to move forward safely.

As building owners, we will be pleased to cooperate with the County and preservation groups to document the history and artifacts of the properties and to assist in any way we reasonably can with the salvaging or even relocation of some or all of the significant history of these sites.

We urge you to approve the acquisition, salvaging what can be saved, and demolition of these ten structures, along with the subsequent widening and deepening of the Tiber channel, to improve the flood mitigation and safety of Ellicott City along with other warning measures and infrastructure improvements.

Sincerely,


Bruce T. Taylor, M.D.


Ross I. Taylor

An insider's view of rebuilding Old Ellicott City

By: Commentary: Bruce T. Taylor July 12, 2018

The two recent floods of Old Ellicott City (OEC) have caused significant damage, business and financial losses, disruptions and tragic deaths. Careful analysis indicates that to prevent or reduce future problems we cannot simply keep putting the town back together the way it was and expect a different result the next time; after all, it is in a flood zone, collecting water from over 2,000 acres. Flooding will happen again, most likely sooner than later due to more dramatic weather events brought on by climate change.

Is development the problem? Surprisingly, not much: engineers hired by Howard County found that, had the same rains occurred before the development in the OEC watershed, the resulting floods would have been only about 20 percent less and that completing the development of the watershed will also make little difference. So stopping development is not the answer based on scientific data.



Bruce T. Taylor

In fact, stopping development projects will make things worse for OEC. New communities and redevelopment of old sites under our current regulations will improve the situation by providing quality, quantity and 100-year flood controls to reduce runoff to OEC from places where there is little-to-no stormwater control now. To help reduce flooding in OEC, these new projects need to be fast-tracked, not slowed down. These projects alone will help, but not stop the flooding. To mitigate the flooding, we need to make infrastructure changes above and in OEC, as recommended by the county-hired engineers, and changes to Main Street itself.

A concept to revitalize OEC and significantly reduce flooding for lower Main Street has been put forward privately by an architectural and planning team from OEC experienced in flood measures for historic structures in the similarly flood prone Jones Falls Valley. The concept plan should provide significant flood relief for lower Main Street while also improving vehicular and pedestrian flow. Further study and development of this plan along with the implementation of the flood warning system and suggestions from the McCormick Taylor study should make a significant difference.

In summary, this plan would divert most or all of the water from the New Cut streams that normally flow into the Tiber River midway down Main Street. A diversion structure with a new road on top would send the water under Saint Paul Street to carry it safely to the Patapsco without impacting Main Street. This would prevent perhaps as much as 41 percent of the water during a flood event from reaching Main Street.

Embracing heritage

As proposed in previous concepts, this plan would remove the buildings which bridge and constrict the Tiber at the bottom of Main Street, allowing the Tiber to be daylighted and appropriately dredged, giving its channel greater carrying capacity. A park setting will be created that makes the river an attractive asset to OEC instead of being its enemy. After all, it is because of the confluence of rivers here that the town was built in the first place. To preserve most of the town, we need to sacrifice a few of its buildings, or at least the parts that restrict flow and access to the river.

In addition, the plan would connect Saint Paul Street to Old Columbia Pike by creating a new link, connecting across the diversion structure to Saint Paul Street. Some of the buildings proposed to be removed are owned by my family and associates. With fair compensation to owners, this plan can be a key part of the solution. This concept has the added benefit of allowing Main Street to be one way going west to Old Columbia with the St. Paul extension going

one way east, creating a giant traffic circle. The traffic lights at Maryland Avenue and Old Columbia could be removed, the sidewalks widened and angle parking instituted. Re-zoning parts of OEC will provide an opportunity for new businesses and buildings on higher ground to maintain a critical mass of shops and restaurants, reinforcing the vibrancy of lower Main Street.

Additional projects which would help prevent flooding damages include: substantial steel fences around the parking lots and dumpster enclosures to prevent clogging the rivers; stabilizing and cleaning stream embankments; rebuilding our sidewalks out of concrete to protect infrastructure and foundations; and creating public private partnerships to build new retail, offices and apartments with stormwater management and structured, free public parking.

Contact your elected officials and let them know a revitalized Ellicott City that embraces its river heritage is possible now, that new development with modern stormwater management must be permitted to proceed to help protect OEC and that the projects recommended by these studies should be funded as soon as possible to preserve the history, charm and beauty of OEC.

Bruce T. Taylor, M.D., is a psychiatrist and developer who owns property both in Old Ellicott City and above the city. He is not related to the firm McCormick Taylor. He can be reached at btaylor@taylorservice.com.

Tagged with: [ELLCOTT CITY](#) [FLOODING](#) [REDEVELOPMENT](#)

This is an example of a "donut" building with an interior garage which could be built in Ellicott City.

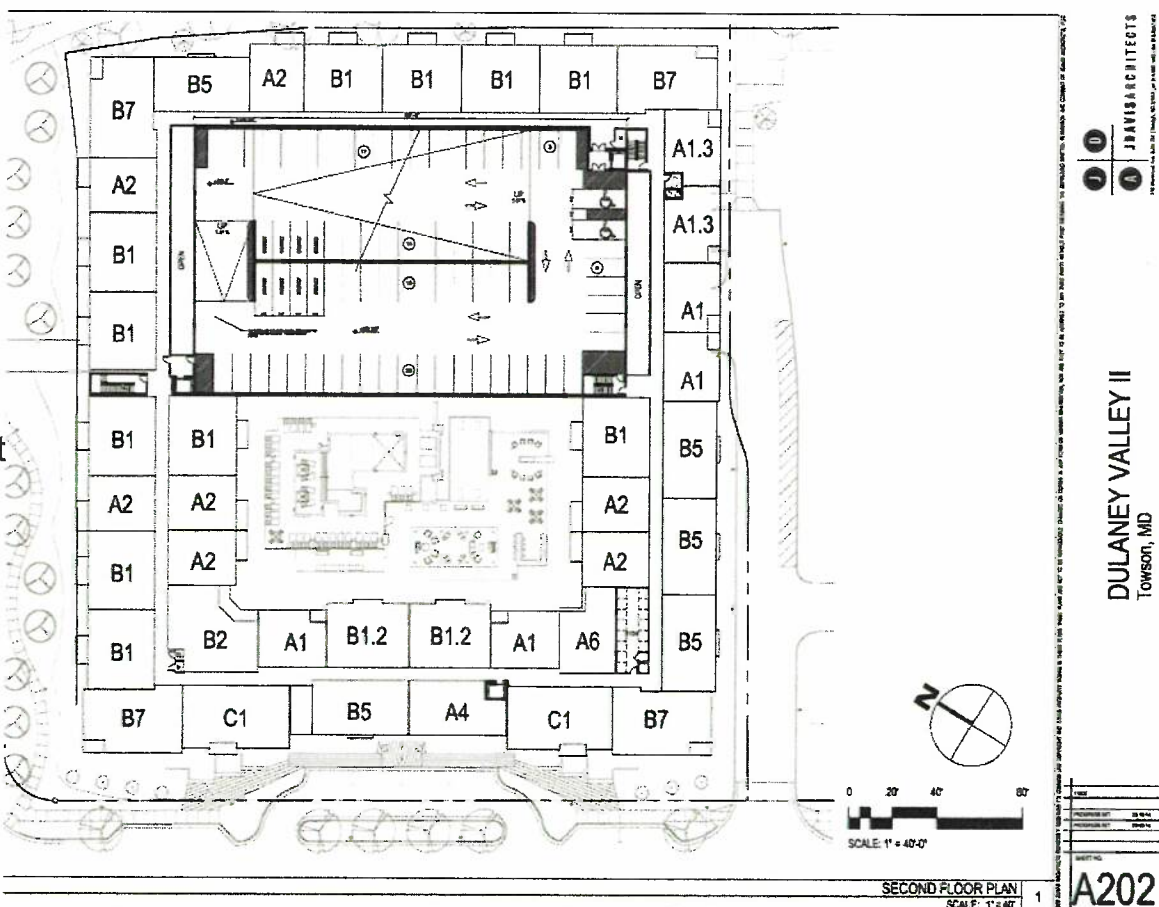
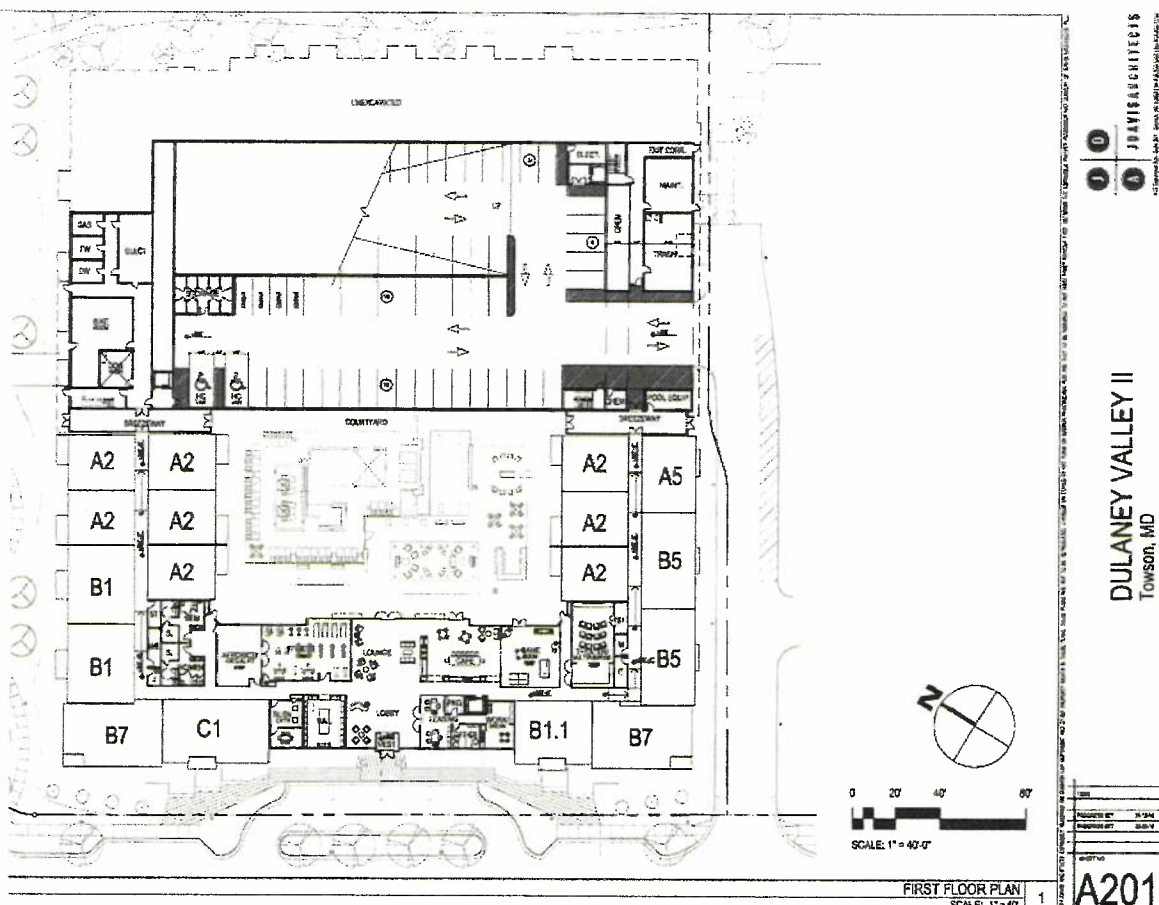
First floor for OEC should be open or parking only.
Second floor could be retail and restaurants.

Third floor could be offices.

Fourth and fifth floors would be apartments.

In a public, private partnership the county would provide the land to a group of investors who would build and own the project, with a permanent easement to the county for 100+ free public parking spaces to be maintained by the project.

This project is The Southerly Apartments, Towson, MD.

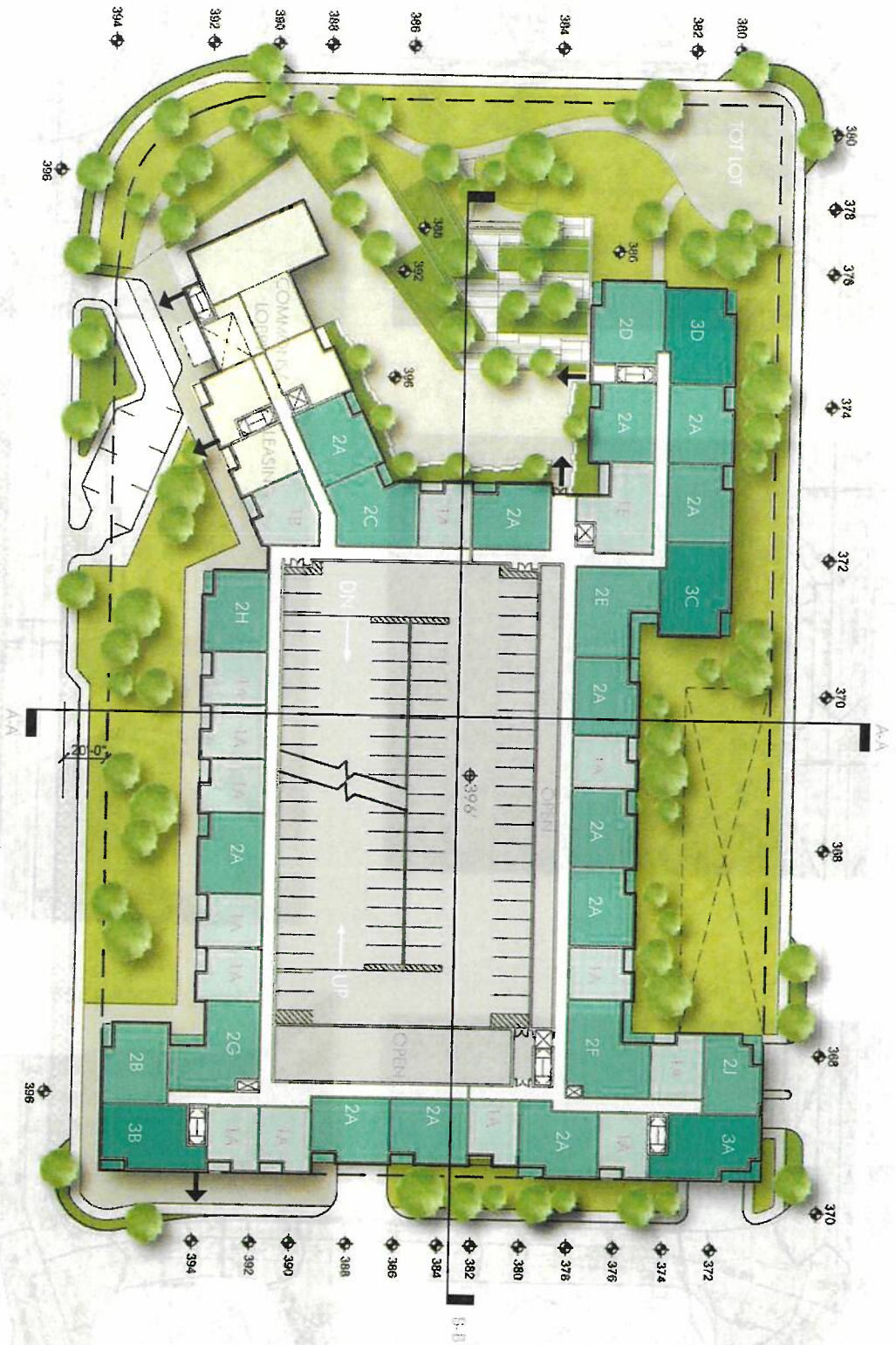




This is an example of a "donut" building with an interior garage which could be built in Ellicott City as a Public, Private, Private Partnership. For additional images see www.TheSouthlery.com. The exterior in OEC would have an historic look, not modern as here.

PLANS

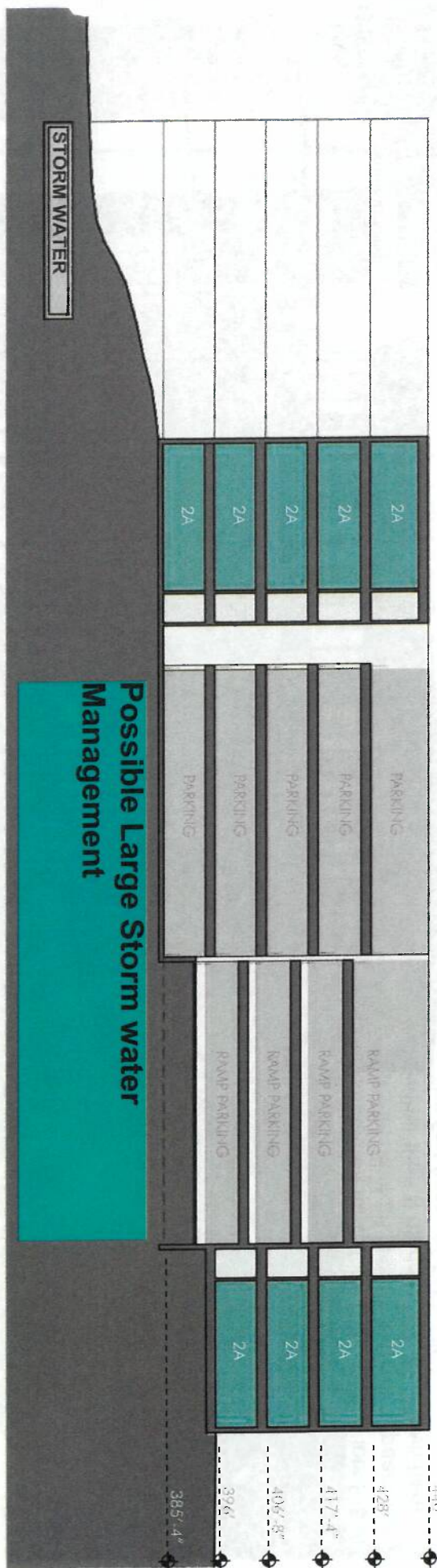
1st Floor Plan - 1001 1011

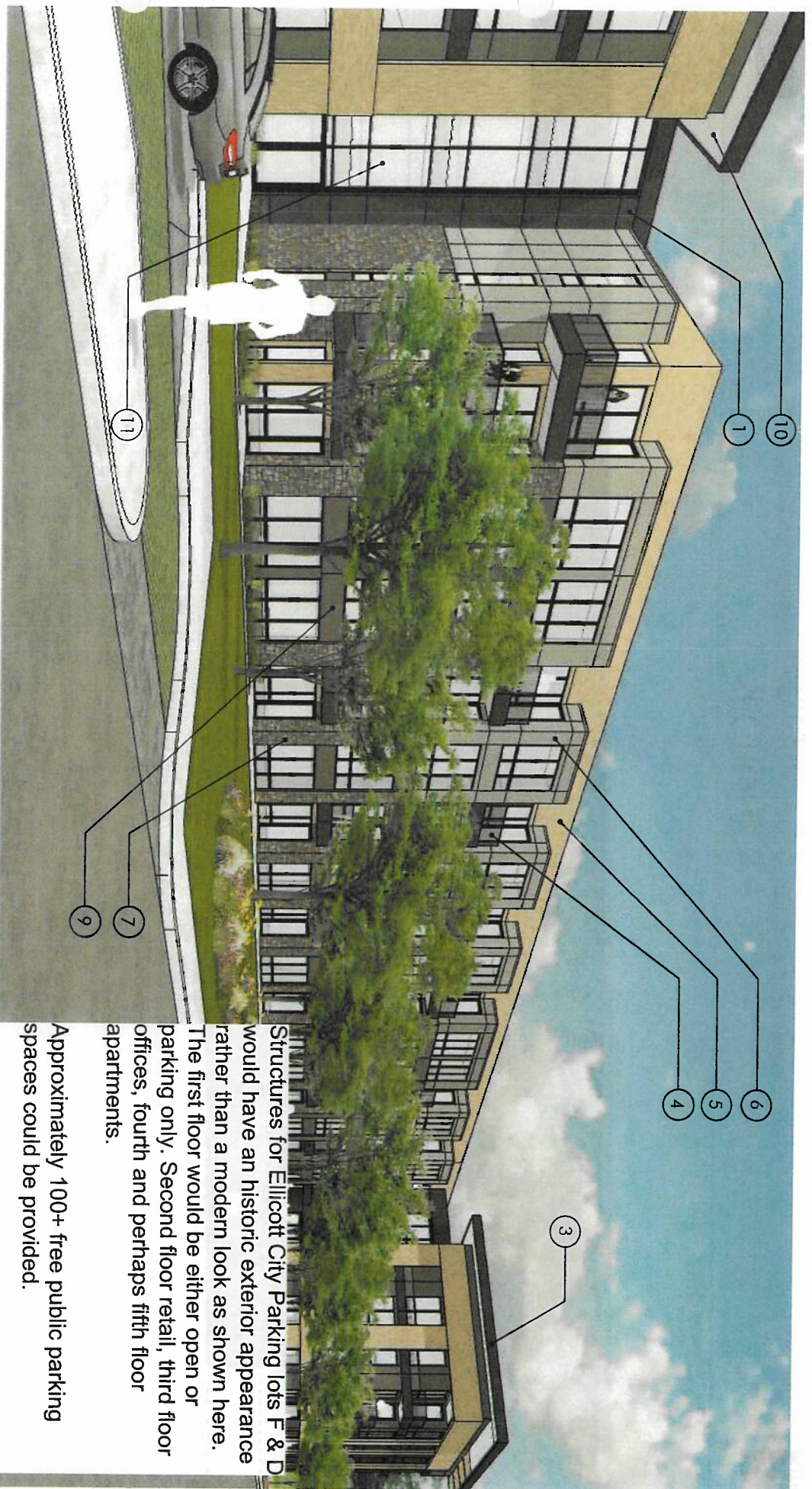


This is one example of a layout of a "donut" building with a totally interior parking garage which could provide new vitality to Ellicott City

SECTIONS

SECTION A-A





VIEW LOOKING NORTHEAST

EXTERIOR VIEWS

CRESTED VIEW APARTMENTS | 900+ VARS

Structures for Elliecott City Parking lots F & D would have an historic exterior appearance rather than a modern look as shown here. The first floor would be either open or parking only. Second floor retail, third floor offices, fourth and perhaps fifth floor apartments.

Approximately 100+ free public parking spaces could be provided.

More storm water management than is required could also be provided.

My Name is Ed Lilley, my address is 4805 Wilkens Avenue, Catonsville, MD

My family arrived in the Patapsco River Valley in 1859. My great, great grandfather, great grandfather and great uncle all served in the Patapsco Guard, an independent Volunteer Infantry unit formed in Ellicott's Mills during the Civil War.

I have owned two businesses on Main Street, The Lilley Insurance Agency from 1969 to 1987 and The Christmas Company from 1987 to 2001.

The B & O Railroad Ellicott City Station Museum has been a place of employment for me 3 separate times and I spent 10 years working for Howard County Tourism & Promotion at the Howard County Welcome Center on Main Street.

Most of my adult life I have worked to protect and promote the Ellicott City Historic District. I am a member of Historic Ellicott City, Inc., the Howard County Historical Society, the Ellicott City Partnership, Preservation Howard County, Preservation Maryland and the National Trust for Historic Preservation.

I have proudly served on the boards of Historic Ellicott City Inc., the Howard County Historical Society, The Ellicott City Business Association, The Ellicott City Restoration Foundation, and the Ellicott City Partnership and I am a founding member of the Patapsco Heritage Greenway.

I am speaking in support of TAO1- FY19, CB61 -2018 and CB 62- 2018

This was not an easy decision!

Something needs to be done and it needs to be done now!

The National Park Service in talking of the new reality of climate change says: "What are the implications if climate change makes it impossible to protect the physical fabric of historic resources and landscapes?" They go on to say that the National Park Service must "*Recognize Loss* and insure that our management options recognize the potential for loss. Funding temporary repairs for resources that cannot, because of their location or fragility, be saved for the long term,

demands careful thought. Managers should consider choices such as documenting some resources and allowing them to fall into ruin rather than rebuilding after major storms.”

I believe this is where Ellicott City is now.

We have the option to memorialize what is lost in bold, exciting new forms that can serve as a model for others facing the same hard decisions. What we create can, in itself, draw people to our town to experience our history in a whole new way.

If sacrificing some to ultimately protect and save others is the solution, and I believe it is – it must be done! I believe this is the best way to secure the future of our town both historically and commercially.

Moving forward with these proposed changes does not mean our story ends. It does not mean our story goes away. Ken Burns has said that “the word History is mainly made up of the word story”! The way we tell our story changes but our story will always be here.

Thank You

Hi,

My name is Frank Durantaye, my family and I have been living in OEC for 30 years now, and we support the 5 year flood mitigation plan.

Since 2011, we have cleaned up floods a total of 6 times. 3 at my home on West End and 3 at my business on Main Street. We've lost driveways, bridges, bearing walls, land. We've lost a total of 6 cars, 4 of our own and 2 of our employees.

I saw my son Daniel lose everything in the basement of our home down to his last socks in 2011, and my other son Jean-luc lose everything he owned as well, in a townhouse 5 doors down from us in 2018.

Old EC was not always like that, when the kids were young, my wife Melanie threw the best birthday parties. First I would take the kids in the creek and catch crayfish, there were a lot of them then. We would cook and eat them, the kids with lemonade and us with whiskey.

Afterwards, my wife would walk all the kids downtown while I prepared a campfire, marshmallows and all. The kids never wanted to go home when their parents picked them up. We didn't need Chuck E Cheese in this town, we had a beautiful Old Ellicott City.

But now, things have changed. There hasn't been crayfish in the creek for a long time, there are giant holes everywhere, buildings are boarded up, there is no more land at my home to build a campfire anymore, it has all washed away. The only thing left is the whiskey.

EC always had some sort of floods, most serious from the river up, but now they're coming from the top down. Flash Floods. Destructive Flash Floods.

We live in fear all the time, with sandbags piled high, barricaded doors and windows, ready at a moments notice to hop in our cars in our pajamas to head to higher ground. Perhaps a way of life in a third world country with limited resources, but in Howard County? No way.

After the 2011 flood, a few West End community folks and I started a group called "EC Flood Solutions". Most of West End had been hit by this 50 year event, Tropical Storm Lee, but only a few businesses had been flooded. Unfortunately, we did not receive much support from the County with our mitigation endeavours.

We met multiple times with the Ulman administration, but even after strong recommendations from McCormick-Taylor to build a big retention pond on 29/40, they decided we were not worth it. They gave us the old cost/benefit story.

I believe this was the biggest mistake made to date, These ponds would have reduced significantly the impacts of '16 and '18.

But we did not stop there and decided to invite the upcoming politicians to walk the creek and watershed with us, most did. Alan, Jon, Bob, and others. They saw first-hand what was going on and immediately did something about it after their election.

Dollars were put aside to mitigate and the flood workgroup was formed.

In this Flood group we spent hundreds of volunteer hours working with Public Works, emergency management, and county officials. We heard from multiple experts, guest speakers, walked the watershed to find other potential retention areas, identified choke points, installed cameras, fought new developments, advocated for open space, made multiple recommendations, all these meetings were open to the public.

The flood workgroup unanimously supports this 5 year mitigation plan, fix and enlarge the channel, deal with the dangerous choke points and- yes, that means buildings too - build as many retention ponds as we can in this overdeveloped watershed and also stop any major new development.

I had the opportunity to meet briefly in front of my house with a FEMA engineer walking around after the last flood. I asked him if he thought development had something to do with this.

He answered immediately, "Of course, My job is to go to all the flooded areas in the country, I just came back from Houston. It is so overbuilt, there is no place for the any water to go. We can defeat this, but only if we make wise decisions.

I love Old EC and all these buildings just as much as anybody. As a matter of fact, I put my money where my mouth is and bought my house and business building here. It is not just a recreational place for my family. However, I believe human lives and the safety of the residents, business owners, customers, visitors, and rescue workers is a lot more important.

Executive Kittleman, Jon Weinstein- thank you for taking the bull by the horns and presenting this plan. Although my family and I might not be around in 5 years to enjoy Old Ellicott City like we did, we believe that when this place is safe again, a new wave of families, businesses and visitors will have an opportunity to be here and enjoy one of the best places to live on earth.

I would like to end with the words of a song from Bob Dylan that I just found new meaning from:

Come gather people,
Wherever you roam.
And admit that the waters
Around you have grown.
And accept that it soon
You'll be drenched to the bone.
If your time to you
Is worth saving,
Then you better start swimming
Or you'll sink like a stone.

For the times they are a'changing.

County councilmembers, throw us a rope please. We're tired of swimming!
After this plan is implemented and you sit comfortably in your living room
during a hard rain you will have the comfort that your fellow residents in Old
Ellicott City are safer and we did not make the next biggest mistake.

Frank Durantaye

STATEMENT OF SUPPORT by Heather Gaetano
Howard County Council Legislative Public Hearing September 17, 2018

Good evening Councilpersons Sigaty, Terrasa, Fox, Ball and Weinstein. My name is Heather Gaetano. I am a 21 year resident of a neighborhood just outside Ellicott City's historic district. I come to you in strong support of the three matters before you (TAO1-FY2019, CB61-2018, and CB62-2018).

My husband and I chose this wonderful area to raise our son because it allowed us to walk to Main Street for coffee, visit with the Bubble Man, enjoy outdoor movies and music festivals, and see Santa the first Friday every December. I love this town and every brick, stone, church bell and railroad track that make it.

One thing everyone in this room agrees on is that our town is a treasure. Those that truly appreciate Old Ellicott City, know that it is more than historic buildings perched on a hill. It is the unique, quirky, artistic energy and heart of the people that fill those buildings that are the real reasons we love it here.

To those in opposition, I ask you to put yourself in the shoes of those people. While you go home to your safe dry homes and your stable ways of making a living, these wonderful people live in fear each time there is rain in the forecast. Will visitors come to town? Will the waters rise and rage again? Am I, my employees and my customers in harm's way? Will my business survive?

This summer this horrific fear cycle has replayed itself on almost a daily basis. You cannot love this town without loving its people, you cannot love its people and ask them to continue one more rainy day without doing everything in our power to mitigate this problem as quickly and efficiently as humanly possible.

I have sat through many hours of master plan, hydraulic and hydrology studies. The county has done its homework. Public input has been invited throughout the process. This plan has been many thoughtful years in the making, not rushed through as some have suggested. It addresses most of the challenges and reduces our flood risk in all areas of the historic district.

I do not look forward to the months and years of construction that moving this forward will create. I will mourn the loss of each beloved building that is tapped to come down. But I welcome the promise of a stronger, smarter, safer Main Street. Although none of us asked for it, dramatic change is our new friend.

This is not about historic buildings; it is about the people that own, work and live in them. I ask you to rule in their favor and approve these critical bills. **WE CAN'T WAIT.**

Testimony by Ned Tillman on TAO CB61 and CB62 – 9/17/18

My name is Ned Tillman. I live at 9467 Hickory Limb

I'm here speaking against funding these two bills (TAO CB 61 and 62) as currently constructed. This plan is being touted as a multi-faceted approach to flooding in old Ellicott City. However, it is missing the most important facet. We need a more comprehensive plan that decreases the risks of flooding all across the county. One that helps us reduce our carbon emissions. If we aren't serious about this then we put the proposed solutions in these bills, and the people of EC at risk.

I strongly recommend that if you proceed with these engineering steps, that Howard County also move forward aggressively on steps to prevent bigger storms in the future and not just a plan that focuses on the symptoms. Prevention is the key.

- Some say that it will take years to slow down the warming of the climate. That is true. It is also true this engineering plan is only the first band-aid in what will be a never-ending series of major expenditures that will be required if we don't slow down the warming of our atmosphere.
- Some say this should be the responsibility of the Federal Government. I agree. But the current president is pushing the responsibility back down to the states and local jurisdictions. So it's up to us. Let's invest our funds wisely today. If we wait to act – future responses will be much more draconian and expensive.
- Some say that we should not act because we are only a small part of a global problem. But we caused the problems and it will take all of us to fix them. I see businesses and governments all across the nation when faced with these same questions, are taking actions. HoCo needs to catch up, become a leader, develop the strategies, the businesses, the jobs here.

We want our elected officials to take a stand and help lead us out of this mess by encouraging and incentivizing businesses and citizens to take action. We need to look at everything we do today, especially these bills, through a climate lens. We need to be climate informed.

Toward that goal, I'm submitting a list of Ten Actions for a Cooler Climate – things we can do. The people of Howard County want to know what they can do to save old Ellicott City, and to reduce the flooding in Valley Meade, Allview, Jessup and all the other places that are at risk from mega-storms.

So I encourage you to expand the scope of this plan and let's all move forward together. Designate a significant part of this funding to help Howard County catch up and maybe even become a model for other counties. If we adopt this strategy, we all will be safer and benefit from the investment. If we don't, I'm afraid the taxpayer funds you spend today will be in vain and there will be more lives and homes lost all across the county.

Ten Actions for a Cooler Climate

- 1. Reduce energy usage: insulate, drive less, use hybrids & electric vehicles, unplug all devices*
- 2. Switch electricity supplier to 100% solar or wind*
- 3. Buy only sustainable products – to incentivize and reward businesses to make more of them*
- 4. Plant native trees and shrubs to clean our air & water, and cool things down*
- 5. Support local and national non-profits*
- 6. Reduce meat consumption and food waste*

Encourage local, state, and federal reps to:

- 7. Incentivize solar and wind energy*
- 8. Incentivize energy efficiency upgrades in all buildings and vehicles*
- 9. Create interconnected green buffers and infrastructure networks everywhere*
- 10. Implement a 'carbon cap and dividend' policy or a 'carbon tax' to pay the real costs to society of using dirty fuels and fund transition to clean energy.*

Ned Tillman or www.savingtheplaces.com or 443-472-3681

9-17-2018

To: Howard County Council

From: Barry D. Gibson

Property Owner 8044 and 8048 Main Street, Ellicott City, Md. 21043

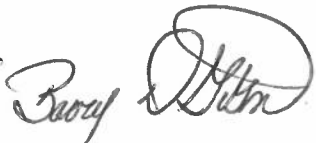
Business Owner and Resident

Re: Bill TAO1-FY 2019 and Council Bill 61-2018

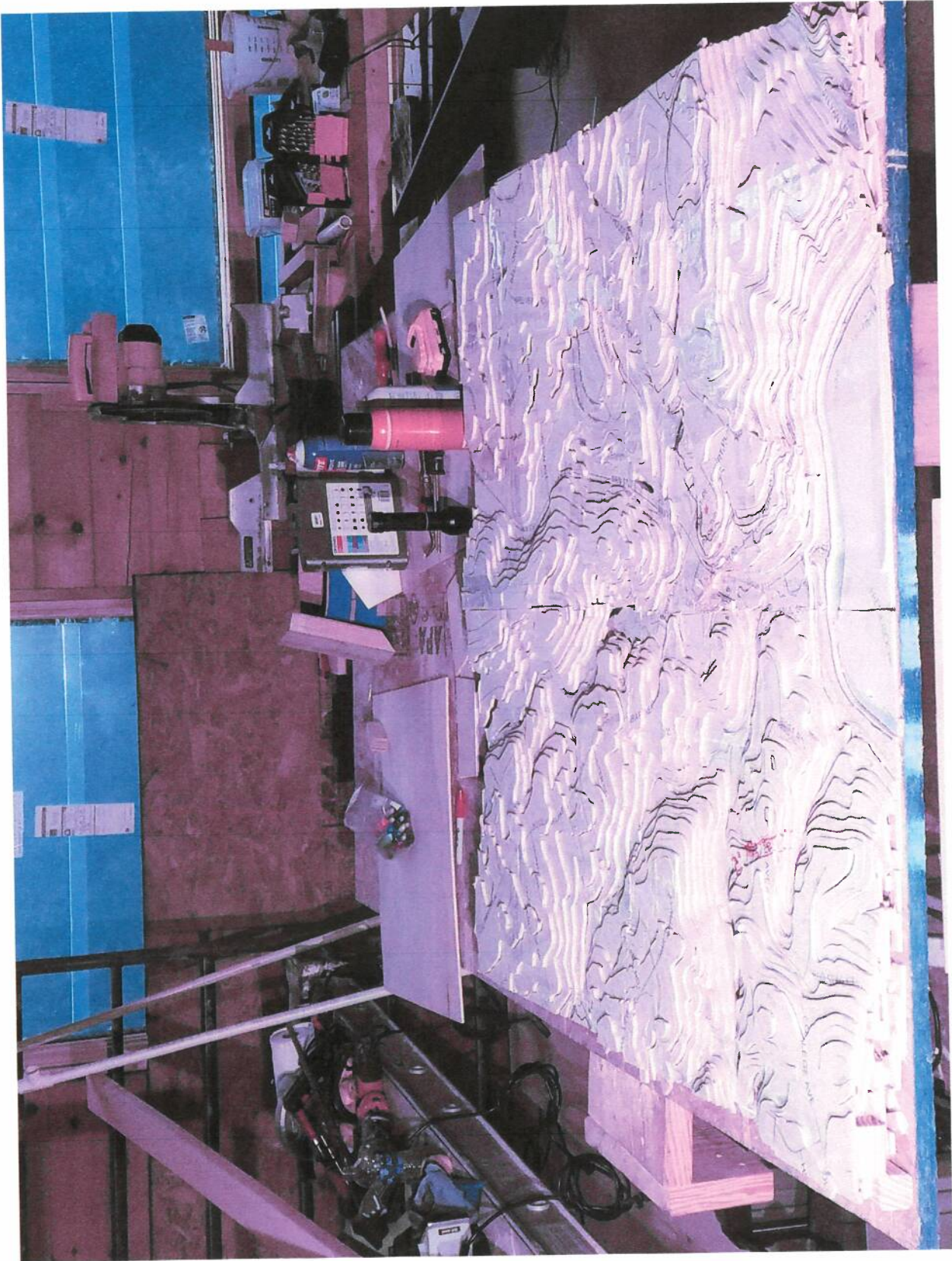
I am Barry Gibson, owner of 2 properties at 8044 and 8048 Main Street, Historic Ellicott City, Md. I have been in Ellicott City since 1983 as a business owner, property owner and resident. During these 37 years I have been active in the community: served on the Ellicott City Business Association board for 20 years (4 terms as President) and the Restoration Foundation board. I presently serve on the Ellicott City Partnership Board. My commitment to Ellicott City has always been to preserve and protect this exquisite historic town. I have witnessed the escalation of storm runoff since 2011. This has become a very serious problem that we can not run from any more.

To prevent any more loss of lives we need to be proactive and begin immediately with the 5-year plan that addresses flood mitigation in the Historic district. It's time for a little less conversation and lot more action : there is no more time for more studies. This plan will allow the community to survive and make it possible to be restored to a safe and sustainable environment, where people will visit, work and live and feel safe. This should be our main mission.

Sincerely,

A handwritten signature in dark ink, appearing to read "Barry D. Gibson". The signature is fluid and cursive, with a large, stylized "B" and "G".

Barry D. Gibson



Testimony from Russell Roder

I support the Act. In particular, I support the allocation of money to Valley Mede and Chatham. Unfortunately, the money would go solely towards acquiring homes. If that's the long-term solution, you're doing it wrong. As the Council knows, several roads in Valley Mede and Chatham flood during large storms. Buying houses won't stop that. Even if properties are turned into holding ponds, you're not solving the problem. Ponds that small won't make a difference. And good luck getting permits from the Water Management Administration.

During storms, the roads in Valley Mede and Chatham are a major safety hazard. The Centers for Disease Control and Prevention report that over half of all flood-related drownings occur when someone drives a vehicle into flood waters. That's why the National Weather Service reminds us to "turn around, don't drown" every time they issue a flood warning. We came very close to having two people die on N. Chatham during this year's flood. Fortunately, residents rescued them. Buying my house won't make that road any safer during the next storm.

What should we do with the money? Use \$200,000 for grants to flood-proof houses – put in sump pumps, build small retaining walls, install better doors and windows. We flood-proofed our house after 2016 and it more than paid for itself during this year's flood. \$5,000 to \$10,000 per home would help dozens of families greatly reduce repair and clean-up costs from the next flood. And everything can be put in place by next spring.

Use the remaining money to refine the Valley Mede Drainage Study. Start the clock ticking on a long-term solution that would eliminate flooded roads and protect homes by shrinking the floodplain. Using the unsteady model, determine the minimum size at which holding ponds along the Plumtree Branch are stiff effective. This will make them less expensive, more palatable to residents and permittable. Examine combinations of mitigations for Chatham that weren't analyzed before. Look for alternatives that provide the same performance as a parkway on N. Chatham, at a reduced cost.

The County met with the State Highway Administration in June, to discuss the possibility of a project where SHA would replace the culvert under Route 40 and the County would replace the other culverts on the Plumtree Branch – Option B from the Study. According to SHA's Deputy Director of the Office of Structures, it was the County that wasn't interested in pursuing the project. I asked Mr. Agostino what would happen if the County was interested. He said that SHA would not be the hold-up. That came as a surprise, but I'm happy to take "yes" for an answer. SHA is on board. Why isn't the County?

I should mention that I still don't actually know the full extent of what the County has planned for us. My neighbors and I have been pleading for months to find out. I'm told that we'll finally hear from the County in October. But what are we going to hear? Given the results of the June meeting with SHA, I'm not optimistic about a long-term solution that eliminates flooded roads and protects homes. My expectation is that the County plans to buy a couple houses per year and hope that they'll all be purchased before the next flood. If that is the plan, please do me a favor. Stop saying that priority number one is safety, safety, safety. If the Council has decided that the County won't spend the money to address the whole problem, the Council has decided that the safety of the people in downtown Ellicott City is more valuable than the safety of the people in Valley Mede and Chatham.

County Council Testimony 9.17.18

My name is Mike Smith. My wife and I have lived at 3877 College Avenue in Ellicott City's historic district for almost 23 years. We are Bronze level members of the Howard County Historical Society and have long been advocates for preserving our historic district.

I am here this evening to testify in opposition to funding the demolition of roughly 20% of the historic buildings on Lower Main Street. These buildings represent an irreplaceable part of our community's heritage.

Before you agree to fund plans that would irreversibly demolish a prominent row of buildings in the historic district, the Council needs to be sure that every storm water management alternative to demolition of these buildings has been thoroughly analyzed.

Some key questions that the County's proposal does not address include:

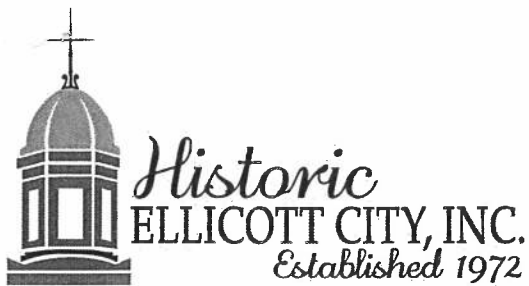
1. If removal of these buildings still results in life threatening levels of water flowing down Main Street, what alternatives could be pursued that permanently and safely removes water from downtown and do not require much if any demolition of historic buildings?
2. Is it more effective to divert much of the storm water that challenges downtown Ellicott City to the south side of Frederick Road/Main Street in a large tunnel that runs as straight as possible to the Patapsco River south of the train station and would not require demolition of this historic row of contributing structures?

A South Tunnel, coupled with ancillary water capacity improvements along its alignment and to the north, would intersect with the Tiber and New Cut watersheds and channel all of this water and its highly destructive energy safely away from Main Street porting directly into the Patapsco River below downtown Ellicott City.

3. How many more historic buildings will have to be removed under the County's plan in downtown Ellicott City on the north and south sides of Main Street to decrease the debris clogging almost 90-degree inlet and outlet connection angles to the County's so-called Hudson Bend? Will the Brewery Building have to go as well as the structures around La Palapa? You need to understand the full implications of the County's plan before you vote to approve funding.
4. What impact will a drainage swale of unknown design have on Lower Main Street? What efforts will be made to address how this swale will look during the usually dry drought-stricken months of late Spring until early Fall which typically are the peak tourist and shopping season?

5. What impact would this drainage swale have on the economic vitality of the buildings that will align its edge to the north, south and west sides of this trench? One of the cardinal rules developers use in creating and sustaining Main Street retail environments is that retail facades on either side of a street are no more than 80 linear feet away from each other, preferably 70 feet. If this drainage swale is built, building facades will be hundreds of feet away from each other, severely challenging the economic vitality and tenancies of the buildings that remain.
6. How will our precious historic train station, the crown jewel of downtown, and its artifacts be affected if the train station becomes an island at the end of a drainage channel that is overwhelmed with water and debris? Shouldn't we try to create a plan that avoids this fate and leaves the historic fabric of the buildings that surround the train station intact?

We need to fundamentally change the role of storm water runoff in our downtown forever, move those storm surges away from downtown and rebuild these highly contributing historic buildings with confidence that upland caused flooding will no longer imperil them. These buildings are a virtual living time capsule of Ellicott City. Let's keep our heritage as intact as possible and make downtown EC greater and safer than it has ever been. Let's pursue a more thorough analysis of the alternatives before it is too late. Let's defer this funding request and take the time it takes to find a better way.



September 17, 2018

Chairman Sigaty and Members of the County Council:

Good Evening, My name is Joan Becker and I am testifying on behalf of Historic Ellicott City, Inc. Our organization is a non-profit that was formed over 46 years ago in 1972 in the aftermath and devastation of Hurricane Agnes. In 1972 after Agnes, just like today, there was a question of whether Ellicott City should be rebuilt and whether the City ever would be able to make a comeback, financially and physically.

In 1972, some forward thinking people believed preserving historical structures for future generations was a worthy endeavor. With private funds and business partnerships our organization has been responsible for restoring and operating the B&O Railroad Museum which our organization ran for decades before it has been turned over to the County, the Thomas Isaac Log Cabin which was recently moved to higher ground, restoration and moving the George Ellicott House to higher ground after Agnes, and restoring the County's first Courthouse which was recently swept away during the May flood.

On August 23, 2018, the County introduced The Ellicott City Flood Mitigation Plan that you are now being asked to fund as emergency legislation. In addition to large infrastructure projects which could mitigate the impact of flooding part of the plan involves the County acquiring and demolishing at least 10 buildings in lower main street and approximately 9 in the upper and west end.

There is probably no one in this room who does not believe that safety for Ellicott City residents, business owners, and patrons is paramount to any plan implemented in the Historic District. There is no doubt that this town and its residents and businesses have suffered more than their fair share of tragedies from floods and fires in its almost 250 year history. There is no doubt that no one would blame an owner or business for not wanting to rebuild their business a second time in less than 2 years after suffering catastrophic floods in 2016 and 2018. There is no doubt that some of the buildings on lower Main Street may not be salvageable given their location. There is no doubt that the County acquiring some of the buildings is a viable option. There is no doubt that people want a solution to this problem NOW rather than later.

But there is doubt that the Ellicott City 5 year flood mitigation plan will successfully reduce the flooding in the lower portion of Main Street to levels that do not risk the safety of residents and patrons. There is doubt this option requires the demolition of 10 buildings on the lower portion of Main and 9 buildings in the upper and west end. There is doubt about the viability of businesses that will remain during this five year construction period. There is doubt that there is clear and convincing evidence that this emergency legislation must be passed in order to save the lives. And there is significant doubt that the County will preserve any of the historical structures which have attracted visitors and tourists to this little town for many years.

Mail: PO Box 244, Ellicott City, MD 21041 • *Office:* 3691 Sarahs Lane, Ellicott City, MD 21043

historicec.com • 410-461-6908 • info@historicec.com




Historic
ELLICOTT CITY, INC.
Established 1972

Just recently a reporter asked me why our organization cares about restoring and preserving historical buildings. Historical preservation is not always easy, very expensive, not always convenient, not amazing, but it is our history, it is who we, what and where we came from and once it is gone and demolished, it is gone forever, erased without a trace.

I have seen the historical significance of structures such as Linwood next to the District Court and Wood Lawn next to the County owned Bendix Building diminished because of poor zoning decisions made. Don't repeat these mistakes in the Historic District by passing legislation in haste under the guise of emergency legislation without fully exploring all viable alternatives. Preservation Maryland has put forth at least four options for the County to consider with the intent of preserving Ellicott City's heritage and securing its future. These options deserve your attention.

Thank you for your consideration and opportunity to speak this evening.

Sincerely,



Joan M. Becker
President

Mail: PO Box 244, Ellicott City, MD 21041 • *Office:* 3691 Sarahs Lane, Ellicott City, MD 21043

historicec.com • 410-461-6908 • info@historicec.com



**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Joan M. Becker, have been duly authorized by
(name of individual)

Histoic Ellicott City, Inc. to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CB 61-2018, CB 62-2018 to express the organization's
(bill or resolution number)

support for /opposition to/ request to amend this legislation.
(Please circle one.)

Printed Name: Peggy Maxson

Vice President Historic Ellicott City, Inc.

Signature: Peggy Maxson

Date: September 5, 2018

Organization: Historic Ellicott City, Inc.

Organization Address: 3691 Sarah's Lane, Ellicott City, Maryland 21043

3691 Sarah's Lane, Ellicott City, Maryland 21043

Number of Members: 100 members

Name of Chair/President: Joan M. Becker, President

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.

As a professional with a long career in analysis of complex problem domains, including those involving life safety, as a former firefighter and EMT, as a participant in the National Fire Protection Association's code development process, and as an interested citizen, I am here to make three points:

First, this plan does not deserve emergency consideration. The plan you are being asked to approve provides immediate relief to the owners of 10 impaired properties on Lower Main Street. But that's followed by two years of design—the plan does nothing at all to improve life safety on Lower Main St. until Fiscal Year 2021. Do the studies first. Then decide. Find another way to help the owners.

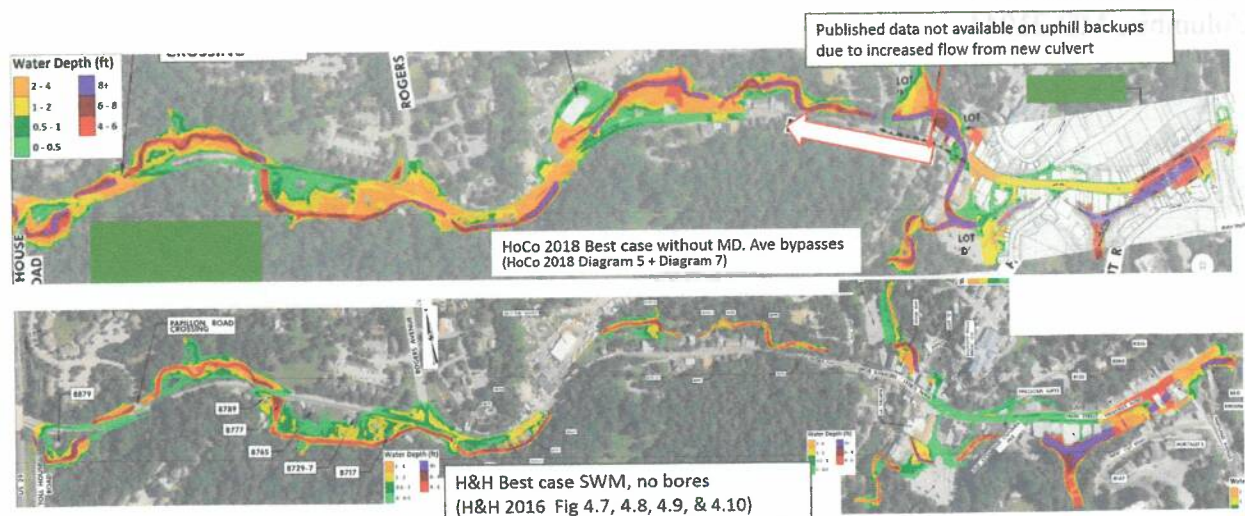
Second, the plan is not effective, and the required excavations may not even be feasible. Even if it can be fully implemented, as planned, by mid-2022, it will not improve life safety. It will not eliminate, on Lower Main Street nor on Old Frederick Road, the deep, swift water conditions that led to previous fatalities.

If you set us on this course, the south side of Lower Main Street will be forever graced by the long, deep, wide, and empty concrete trench this plan requires to convey the storm water being funneled away from Lot D, and Main Street will still turn into a drowning pool in torrential rains. That will be your legacy.

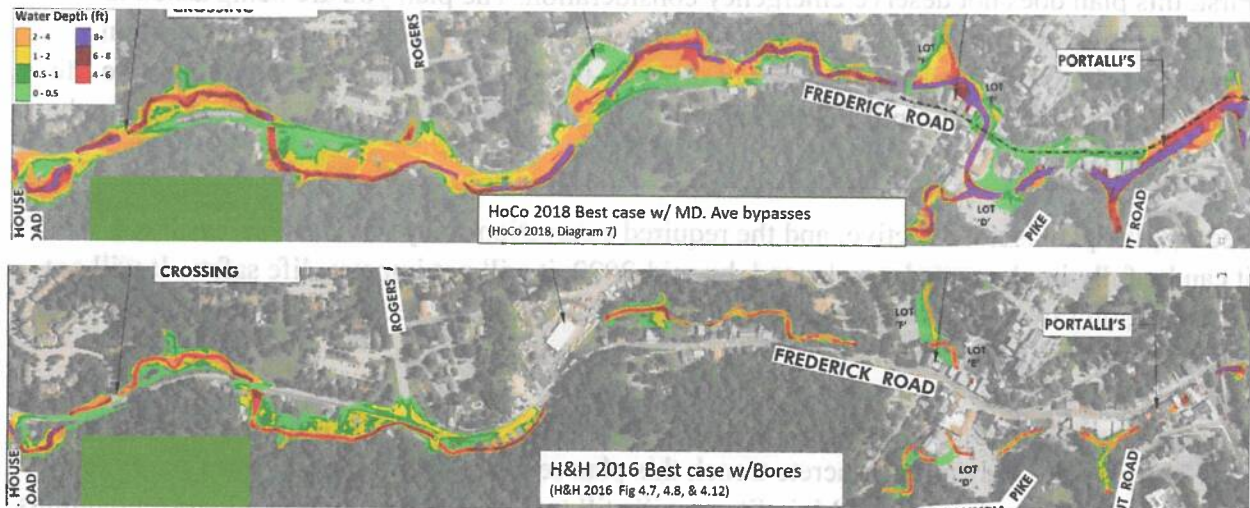
Third, while you've been told that we've studied long enough, that we need to move forward, to act now, there are in fact more thoroughly studied alternatives that are far more effective.

For example, in 2017 the county initiated the largest storm water retention projects, Tiber and New Cut, as recommended by the comprehensive H&H study. But they're not in this plan: The county merely promises to "evaluate the potential" of those projects. Storm water retention reduces flooding and enables earlier flood warnings. It is critical to life safety. If you want to move forward quickly, move forward much more aggressively on the H&H projects.

Yes, excavations for bypasses or bores are a challenge—for both H&H and the county's plan. But *even if they can't be constructed*, the H&H study presented a solution that, using the county's own data, is much better than the five year plan.



And if bores *are* feasible, the county's plan, with its tunnels, still predicts life-threatening conditions all along Main Street and Frederick Road, while the H&H concepts almost completely remove flood waters from the length of Main Street.



The better options have apparently been dismissed out of hand by the county as taking too long, or being too costly, but there's been no apparent effort to formally assess this. We shouldn't be guessing; we need real data. This is not a time for half-measures. This problem demands effective leadership, a sense of urgency, and a willingness to confront the need for a systematic solution head on.

Don't adopt this hurried plan that buys and demolishes buildings and then waits two years to figure out what to do next.

Please give this plan the "incomplete" it deserves, and vote against it.

Edward L. Cochran, Ph.D.

5178 Downwest Ride

Columbia, MD 21044

My name is Wendy Pidel and I live at 8532 Main Street in the William Moore house.

Our home was built in 1808, and the original owner's son married Andrew Ellicott's granddaughter. Sadly, it sat vacant for 25 years until we bought and restored it in 2014. We love our home, and have filled it with wonderful memories and friends....on sunny days.

However, on rainy days, it is very different. The Hudson Branch runs parallel to our home, through a narrow tunnel that is five feet from our front porch. We flood easily, and fast, and have about 14 minutes from when our tunnel is full until swiftwater climbs the 5 feet in land elevation and is half way up our car tires. That is just the beginning. That is when we stop salvaging outside belongings and go inside. We usually end up with 2-3 feet of swiftwater running along the front and upstream side of our home, and are prone to large, dangerous sinkholes that mask themselves as regular puddles when the water recedes. We tell our 9 and 10 year old boys that they are safe inside and upstairs, and that our house is 210 years old for a reason.....it is strong and thick, and made of granite. However, we can't say that anymore. Our home is strong and thick and made of granite, just like the original courthouse was. We have the tunnel that overflows fast, running right along the front, just like the courthouse did in the back. We fear with floods getting worse and more frequent, we could have the same fate. However, with all this, we are NOT leaving. We are pushing for the Flood Mitigation Plan funding to get approved and started—preferably YESTERDAY.

My husband and I have many personal reasons why we want this approval—first and foremost, the fear of the next flood happening when our boys are old enough to be home alone, or in a store somewhere down the street. Next, we worry about our locals—neighbors, friends and business owners who are like extended family--losing their lives if this plan does not get started soon. True, there were no deaths IN the buildings with the last three floods, but there were way too many close calls in buildings that rapidly filled with water. When you hear some of the stories, you wonder HOW in the world they got out alive. The deaths that did occur will be prevented in the future if this plan goes into effect. The third reason adds a little complexity to my position. I am a Master Firefighter/Paramedic with Howard County, and happened to have been off duty during the last three floods. I feel like our B shift has a black cloud over themselves—they've been on all three. When we flood, all stations respond and get dumped onto Main Street. Neighboring counties fill in our firehouses and run our normal calls that, believe it or not, still happen during the catastrophic events. This last flood, we had a near miss with a police officer and one of my Battalion Chiefs. The thought of having to be on the next call for swiftwater rescues, and having a grave incident happening to myself, a coworker or a local friend during an attempted rescue is something I can't handle.

Ellicott City is known to be smart, resilient, trusting and pragmatic when it comes to any disaster we have faced. The proposed Flood Mitigation Plan will eliminate the dangerous pinch points (including our own) up and down Main Street. By widening the streams, increasing retention ponds, existing culverts and adding new ones, water will behave like it's supposed to. By sadly having 5% of the structures from Rogers to the train bridge demolished, this will stop impeding natural water flow, and stop the risk of collapse on a "good day", let alone during the next flood, which will send huge debris downstream to wipe out any anything in it's path, including Elkridge. We will be losing dear neighbors, and meaningful structures with this, but those occupants and us have come to grips with it. This budget approval will be the thing that saves us all, including our town. In the future, when it rains, we want the only thing for locals and visitors to worry about is if they forgot their umbrella in a restaurant. The research has been done exhaustively, and it is time to move forward. Thank you.

I am speaking for myself, as one of your neighbors. My wife and I have no financial interest in this issue.

My wife and I spend as much time as possible in Ellicott City, and our wedding anniversary is at the end of July. We were on our way to Portalli's on July 30, 2016, when my wife's mother called and invited us to dinner instead. That's how close we came to joining our Howard County friends in one of the worst nights of their lives.

I've joined a group that now has over 1440 members. Many or most of us oppose this plan, and our motives are often misunderstood. I want to clarify my own position. In order, my priorities are:

1) Make the city safe, quickly. Lives matter most.

2) Provide indemnification and recompense to the owners of businesses and properties that wish to have the county buy them. Historic Main Streets are an ever-dwindling national treasure, and the burden should not rest on the shoulders of a few individuals. The government could buy the buildings --- but should not destroy them. There are Historic Trusts in our nation that would be happy to buy them, and there has even been discussion of creating a new historic trust just for this city. That would take time, though. We need to slow the destruction and focus on the many immediate safety measures that are available. (At the least, we should have flow meters above and to the west, connected to sirens and traffic signals to empty the town in emergencies, and mandatory two-door egress in all buildings.) These almost trivial measures have not been implemented. Repeating for emphasis: safety, indemnification, and destruction are SEPARATE issues.

3) Preserve the street. A historic Main Street is far more than a collection of historic buildings. They interact to form a town, and it is the town itself that is historic. The loss of one side of a street threatens the town's viability as a historic street, as a business center, as a tourist attraction and as a community.

Many or most of those in the group I joined do not believe that the current plan adequately provides for the first and most important priority: safety. Indeed, we believe it to be woefully inadequate. Even after losing the heart of Ellicott City's historic street, under the proposed plan, people will drown and people will die. EC, we must find a better way.

Dr. R. Michael Anson, Ph.D.
ranson1@alumni.jh.edu

September 17, 2018

Testimony on TA01-FY2019, Council Bill 61-2018, Council Bill 62-2018

Philip E. Stackhouse, 10228 Cabery Road, Ellicott City, MD 21042

Position - Against

My name is Philip Stackhouse and I am a lifelong resident of Howard County and descendant of six generations here in Howard County. I am a veteran of the US Army.

I speak to you this evening ashamed that we could ever have come to the place where it is even conceivable to tear out a major part of the historic fabric of Ellicott City. In 1968 and again in 1974 the county and its government promised to protect that area called the Historic District of Ellicott City. In the ensuing years little has been done to protect Main Street from flood waters from surrounding areas. Quite the contrary the County has allowed development to occur at unprecedented levels and it certainly is no coincidence that all of the surrounding development has exacerbated the stormwater run off.

There have been dozens of missed opportunities to protect Main Street. We could have formed a Historic District Flood Protection Zone surrounding Ellicott City with substantially different development regulations. We could have created retention facilities to prevent run off from the courthouse parking lot. We could have built retention facilities to capture the water at the far western end of the Tiber that flows from Route 29 as it has expanded from four lanes to 9. There are dozens of other small-scale projects that could have been done over the years but nothing was done.

I have read many of the studies and reports that have been generated to analyze this problem and consider solutions. These studies have been going on for a number of years and none have ever suggested demolition within the historic district. Now suddenly this Council in the final months of its term with all lame duck members proposes the unthinkable.

Minds far better and more knowledgeable than mine have laid many different options on the table that would not involve destruction of 20% of the historic part of Main Street. I implore you to defeat or table any action that involves acquisition or demolition of Main Street properties to allow a newly elected council with no vested interest to consider the options in a more methodical way in the open light of day with new voices.

I urge you also listen to the Historic District Commission's advisory comments that the County has not even come close to meeting the standard required to demolish properties in the Historic District. I plead with the the Council to listen to the Historic District Commission's closing summary:

Why are we ripping out the heart when all the patient needs is a bypass?

Thank you for your consideration

TAO1-FY19, CB61-2018, CB62-2018	Flood Mitigation Legislation
Tara Simpson 3934 College Avenue Ellicott City Md. 21043	OPPOSED

My name is Tara Simpson and I am a historic Ellicott City resident. I have had my home flooded twice in the last 2 floods, I have seen my Main Street friends and neighbors personally endangered, as well as witnessed my town (and our community) severely impacted. So I understand the immense need for safety, the overdue need for an essential plan for flood mitigation, the overwhelming feelings of grief of what's been lost- personally and locally, while at the same time having to hold an intense appreciation for the historical significance of what is being considered with this proposed plan. It is difficult to unwind all of these issues from each other but we must.

Never in a million years did I think I would be sitting at this table considered "in opposition" of a flood plan. I very much want (and have wanted) a fast AND effective solution. This doesn't meet the criteria for both of those components- it's urgent but it isn't effective.

You see- I am not ^{anti} demolition. I am very much pro "effective flood mitigation." If you had presented this plan without proposing to acquire and demo 10 buildings on Main Street, I still wouldn't have liked this plan. We all have a battle cry for safety-everyone in this room Safety- in its simplest terms, is defined as the condition of being protected from or unlikely to cause danger, risk, or injury. But the definition of safety has become distorted in your plan.

There needs to be an immediate action to protect the town and the residents (including me) but to start with the demo of 10 buildings in a plan that essentially does not significantly mitigate the levels of water to ensure safety OR further destruction EVEN after it is implemented is one that fails us all.

The water has done enough damage to the town and now there is this plan. This plan that has split sides and managed to someone draw the town further apart from each other- more than any flood has yet to do.

If this truly was the only option I would have been sad but supportive. I have wanted nothing else for my town, my community, and my friends/neighbors than for them to be safe and dry. I realize that eventually some of these buildings will be taken down or altered- but let's do so with care. The town needs immediate help but rushing to knock down these buildings is a cheap, inefficient, and quick way. Please start with the water mitigation plans- now. But the removal of buildings first needs to be thought through more. This needs more time- I ask the council to investigate several of the options that were not pursued (and there are some that were not pursued) and then let the council (whoever they may be) present it and move forward with it swiftly and effectively.

Thanks you for your time.

Tara Simpson, Ellicott City Resident.



HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION


I, Anjel Scarborough, have been duly authorized by
(name of individual)

St. Peter's Episcopal Church to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding TAO1-FY2019, CB61-2018, CB62-2018 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Anjel Scarborough

Signature: 

Date: September 17, 2018

Organization: St. Peter's Episcopal Church

Organization Address: 3695 Rogers Ave, Ellicott City MD 21043

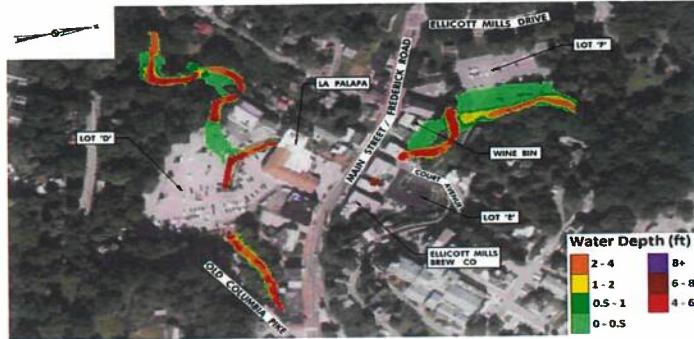
3695 Rogers Ave, Ellicott City MD 21043

Number of Members: 140

Name of Chair/President: Anjel Scarborough, Priest in Charge

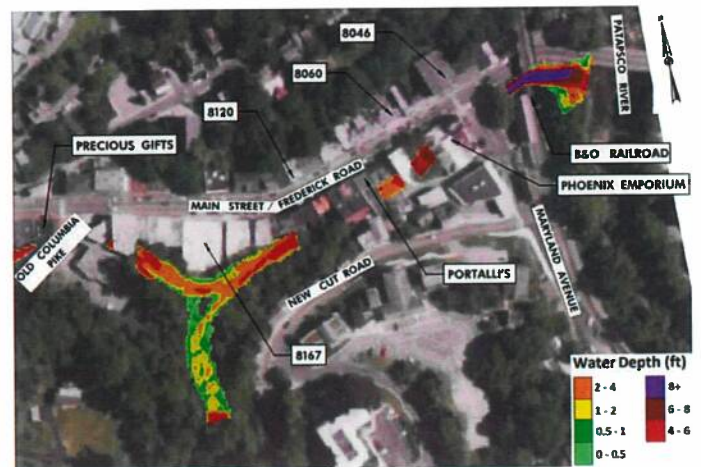
This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.

Figure 4.12: Flood Area Maps of Area 3 (below) and 4 (next page) w/ Tunnel Bores



McCORMICK
TAYLOR

Page 40



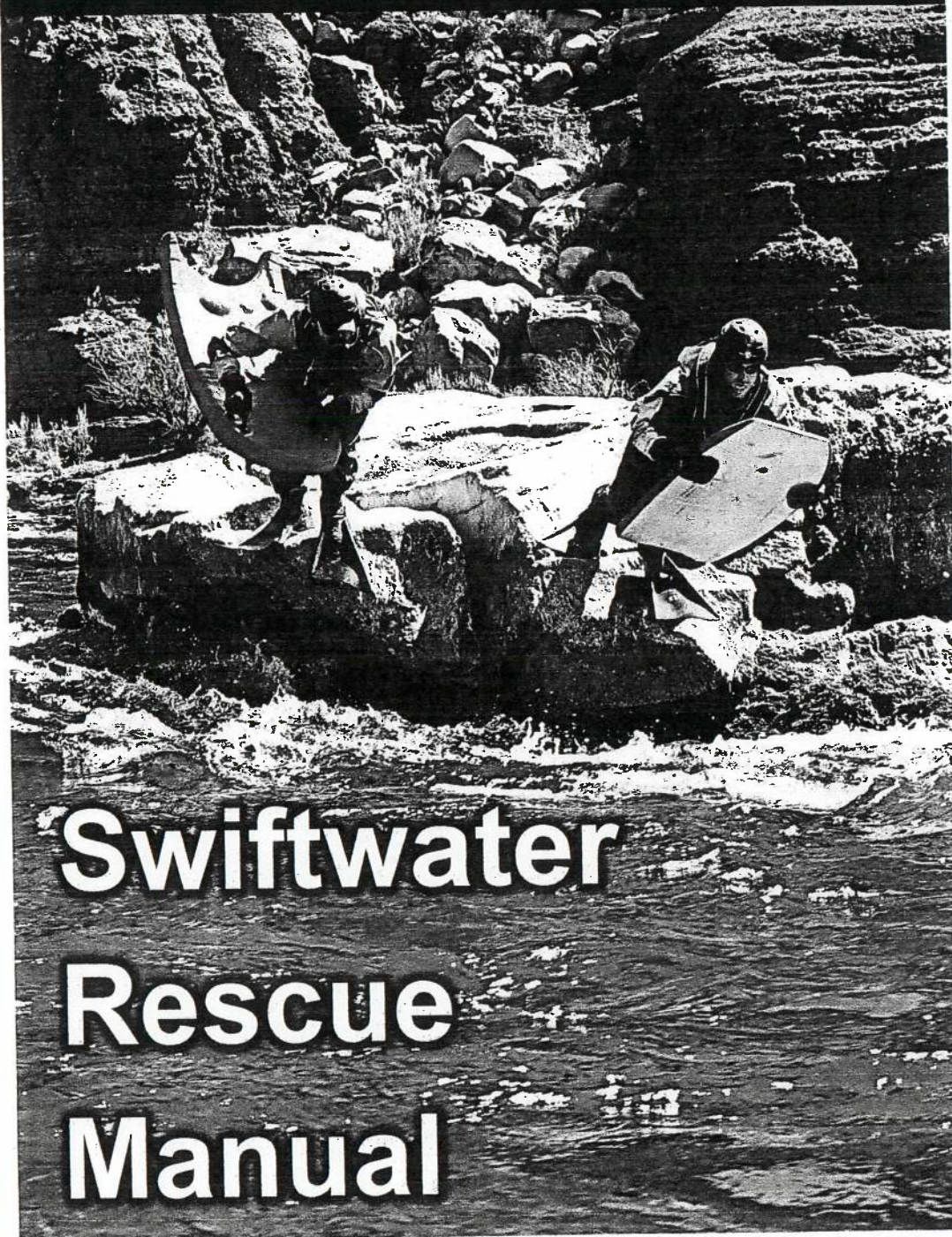
Southern single bore tunnel with pick ups at Lot D and at New Cut.



Department of Interior
National Park Service



Emergency Services



Swiftwater Rescue Manual

Introduction

This manual has been developed for use in conjunction with practical field exercises as part of a swiftwater training program. Becoming a trained swiftwater rescue technician involves developing formal knowledge in this discipline as well as an understanding of your personal physical limitations.

A swiftwater rescue training program teaches tactile skills, but more importantly the exposure to the swiftwater environment develops confidence and knowledge to permit effective decision-making when the time comes. Rescuers have died attempting poorly conceived rescues. Success requires disciplined teamwork and knowing when a situation is beyond your abilities.

Prevention

Numerous swiftwater rescue situations could be prevented by the parties involved through effective decision-making and appropriate equipment selection. Formal public education efforts, which target preventative search and rescue (PSAR) opportunities can reduce the need to have rescue personnel exposed to hazards because of unwarranted situations. PSAR efforts can include signage, printed messages, public education campaigns and targeted patrols at locations with histories of water-related accidents.



FIGURE 1. Park visitors are seen ignoring the safety barriers and at the brink of Vernal Falls, Yosemite NP.

Swiftwater Rescue

Swiftwater rescue is a specialized rescue discipline, which has principles and techniques that are employed in moving water. Although some personnel may refer to it as "whitewater rescue," swiftwater is a more comprehensive term. There is not a single standardized definition of "swiftwater" within the rescue industry, however it is informally understood to refer to water over two feet deep that is flowing at a minimum of one knot (1.15 mph) and occurring in a natural watercourse, flood control channel, or a flood-related environment.

Swiftwater involves water over two feet deep that is flowing at a rate greater than one knot (1.15 mph) and occurring in a natural water course, flood control channel, or a flood-related environment.

$$\begin{aligned} 1.15 \text{ mph} &= 1.68 \text{ FPS} \\ 1.69 \times 2.5 &= 4.23 \text{ FPS} \end{aligned}$$

Flood Control District of Marion County

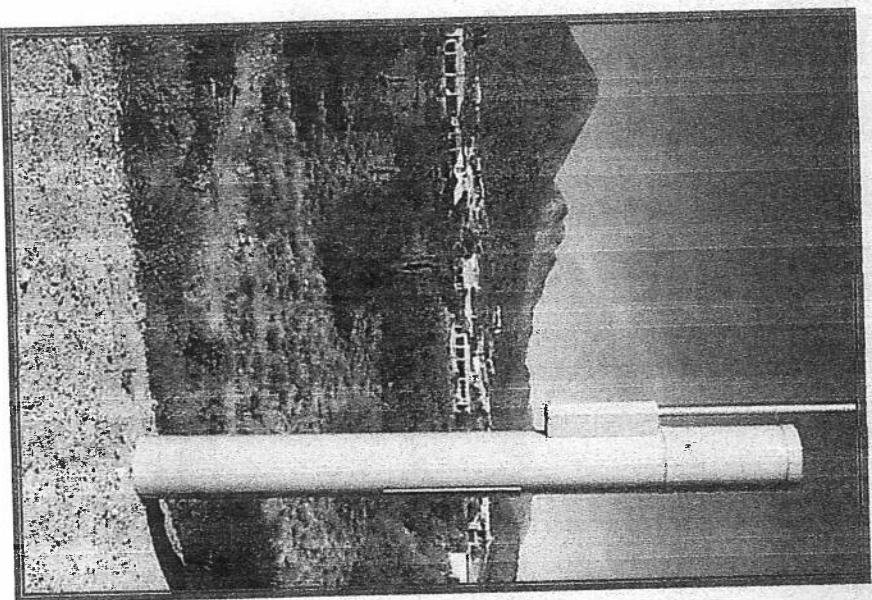
FLOOD PHYSICS

Steve Waters

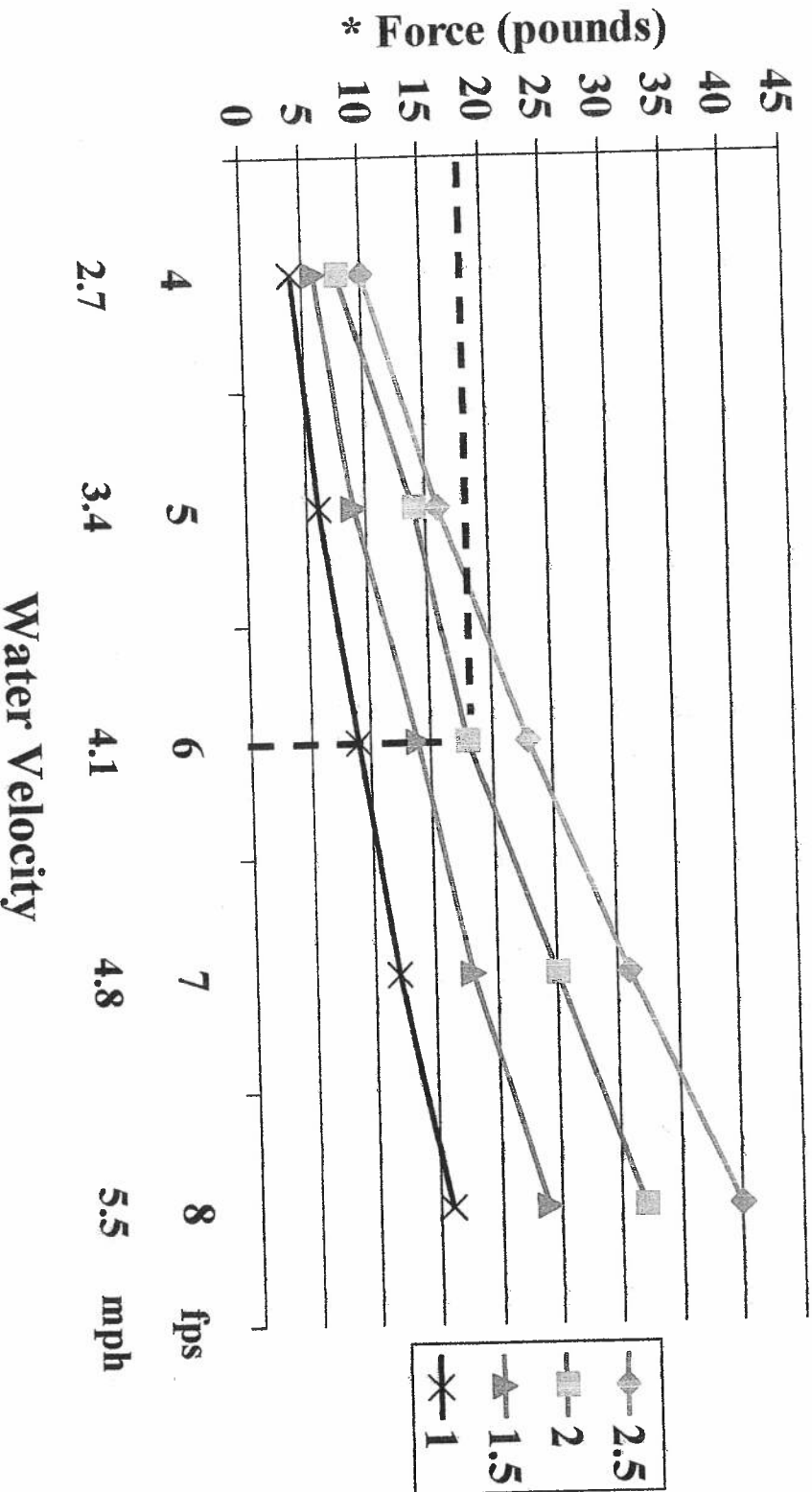
Senior Hydrologist

Flood Warning / Water Quality Branch

Engineering Division



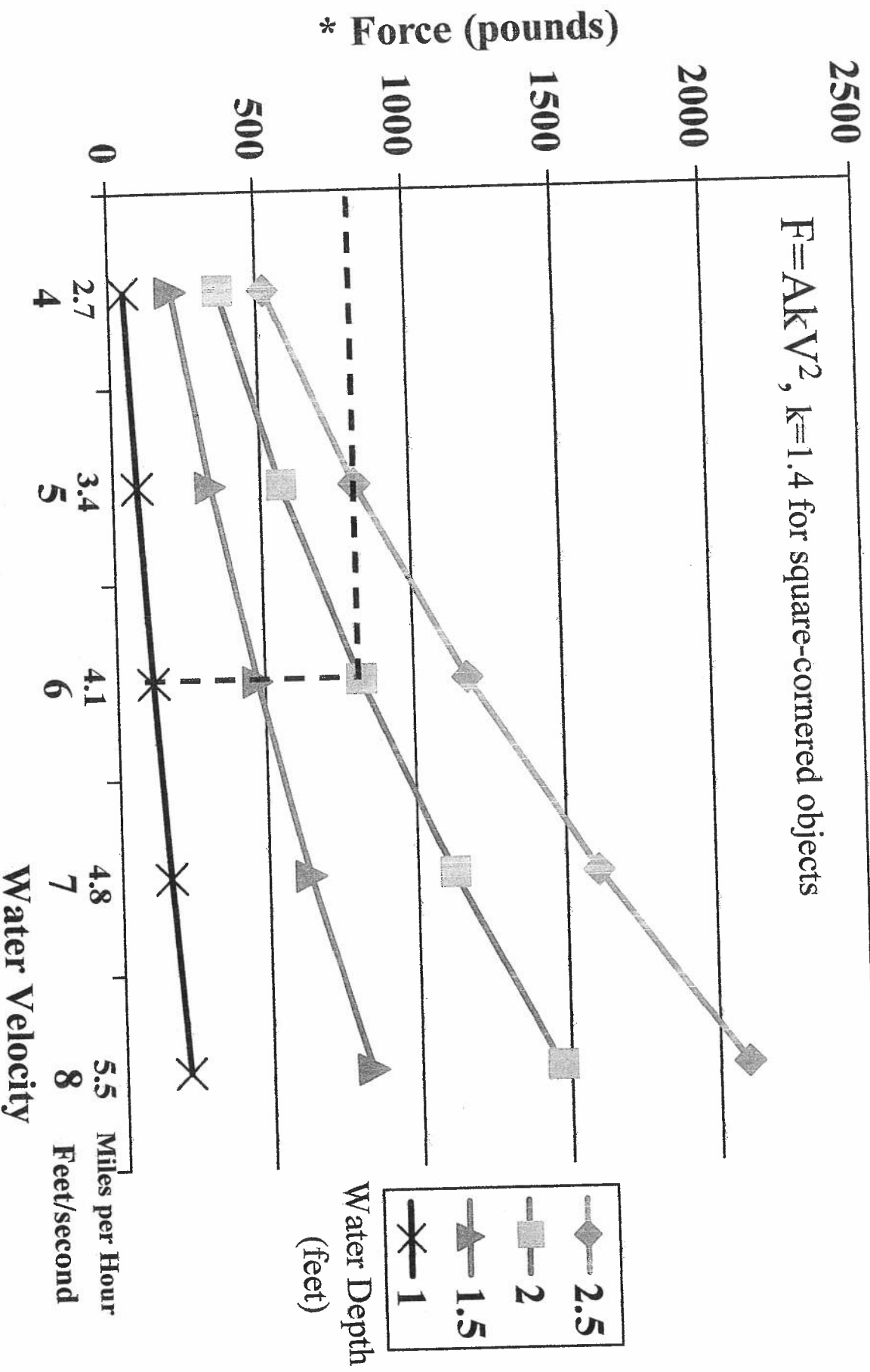
Stream Forces on Humans



* Force on each leg

Stream Forces on Vehicles

$$F = AkV^2, k = 1.4 \text{ for square-cornered objects}$$



* 14' vehicle length and 10" clearance

A COMPARATIVE LOOK AT PUBLIC LIABILITY FOR FLOOD HAZARD MITIGATION

By
Dr. Jon A. Kusler, Esq.
Prepared for the

**Association of State Floodplain Managers
Foundation**

TORT LIABILITY FOR FAILING TO ADEQUATELY REGULATE FLOOD PRONE AREAS

Landowners damaged by natural hazards caused by the failure of governmental units to adequately administer or enforce regulations sometimes sue governmental units for such inadequacies. Most but not all of these suits have failed.

Failing to Regulate

In general, governmental units have no duty to adopt regulations (absence a legislative mandate requiring adoption) and no liability results from failure to adopt a regulation. See, for example, *Hinnigan v. Town of Jewett*¹³¹ in which a New York court held that State of New York was not liable for failing to assure the participation of towns in the National Flood Insurance Program and, similarly, that the town of Jewett was not liable for failing to meet the minimum federal standards of the NFIP thereby making flood insurance available in the town. The Court held that "no special relationship" existed between the state and landowner who had initiated the suit and that "...failure of the town to comply with Federal regulations was a mere withholding of a benefit."¹³²

See also *Carpenter v. Scherer-Mountain Ins. Agency*¹³³ in which the court held that Lawrence County was entitled to a sovereign immunity defense in a suit by a landowner who had suffered flood damage and sued the country for negligence in failing to devise, implement, and enforce floodplain regulations programs in conformance with the National Flood Insurance Program (NFIP). The landowner argued that once the County agreed to join the National Flood Insurance Program it had a duty to implement that decision in a nonnegligent manner. Specifically, the landowner argued that county had failed to carry out two "mandatory" NFIP requirements: hiring a floodplain administrator and implementing a permit program to scrutinize development in the floodplain. But the court rejected these arguments and held that the sovereign immunity defense applied because the County's actions were "governmental" in nature.

On the other hand, a Georgia Court in *Columbus, Ga. v. Smith*,¹³⁴ held that the Columbus was liable for failing to put limits on the increased amount of water which developers were allowed to run off into Bull Creek after complaints from landowners about periodic flooding and erosion of their properties. In addition, in another Georgia case, *City of Columbus, Ga. v. Myszka*¹³⁵ the court held the city of Columbus was liable for allowing uphill development approved and accepted by the city to increase the volume of water flowing through a stream and ditch with resulting flooding. This water included sewage. The court allowed punitive damages.

¹³¹ 94 A.D.2d 830 (N.Y., 1983).

¹³² *Id.* at 831.

¹³³ 733 N.E.2d 1196 (Ohio, 1999). See also *Central Nat. Ins. Co. v. City of Kansas City, Mo.*, 546 F. Supp. 1237 (Mo., 1982) (Court that the city had no liability for failing to regulate development which may have exacerbated flooding because regulation is a government function.).

¹³⁴ 316 S.E.2d 761 (Ga., 1984).

¹³⁵ 272 S.E.2d 302 (Ga., 1980).

The legislatures in some states like Minnesota have adopted statutes requiring local governments to adopt floodplain regulations.¹³⁶ These statutes create a duty to adopt regulations and might serve as the basis for suit if regulations were not then adopted and damages resulted. In *NRCD v. NYSDEC*¹³⁷ a federal district court held the state of New York was liable for failing to adopt air pollution regulations as required by federal statute. However, the National Flood Insurance statute does not mandate community or state adoption of floodplain regulations and states or communities who enter the National Flood Insurance Program may drop out at any time.¹³⁸

Failing to Adequately Consider Natural Hazards in Permitting

Many courts have held governmental units liable under negligence, trespass, water law theories for issuing permits or approving subdivisions where such approval results in substantial physical flood, erosion, or landslide hazard damage to other lands. The decisions turn upon a number of considerations: the water law rules in the state (e.g., common enemy, "reasonable use"), the degree of government involvement and control, and who owns the lands at the time of suit (e.g., government versus private). The decisions also turn upon statutory or regulatory provisions which may (or may not) create a regulatory duty to consider natural hazards in permitting and the precise language of the state tort claim act.

In *Hurst v. U.S.*,¹³⁹ a federal district court held the Corps of Engineers liable for issuing a Section 404 permit for construction of jetties in the White River. The jetties were not constructed as called for in the permit and blocked flows in the river. As a result, a landowner was seriously flooded. The Corps knew that Hurst was violating the permit issued to him and the Corps violated its own regulations by failing to issue an order prohibiting any further work by Hurst on the project despite many requests by the landowner who was damaged. The district court initially held that the landowner could not sue the Corps pursuant to the Federal Tort Claims Act. On appeal the Eighth Circuit reversed the dismissal and remanded the case for findings on the claim that the Corps caused Hurst's damages by negligently failing to issue a prohibitory order.¹⁴⁰ On remand to the district court, the district court observed that "the Corps' regulations governing issuance of permits for projects in navigable waterways also indicates that the Corps should be concerned with minimizing the risks of flooding on surrounding property."¹⁴¹ The court found that:¹⁴²

Because the Hursts were included in the class of persons meant to be offered some protection from flooding under the federal regulations governing the Corps,

¹³⁶ See, e.g., *County of Ramsey v. Stevens*, 283 N.W. 2d 918 (Minn., 1979).

¹³⁷ 668 F. Supp. 848 (D. N.Y., 1987).

¹³⁸ See *United States v. St. Bernard Parish*, 756 F.2d 1116 (5th Cir., 1985).

¹³⁹ 739 F. Supp. 1377 (D., 1990).

¹⁴⁰ See *Hurst v. United States*, 882 F.2d 306 (8th Cir., 1989).

¹⁴¹ 739 at 1380.

¹⁴² *Id.* at 1381, 1382).

the Corps' failure to enforce its own regulations amounts to negligence per se under South Dakota law.

Courts in many other cases have held governmental units liable or potentially liable for issuing permits or approving subdivisions:¹⁴³

On the other hand, a comparable number of courts have held that governments not liable for flooding or other natural hazard damages caused by issuance or denial of building permits or subdivision approval because issuance is a discretionary or governmental function or because "permitting" was expressly exempted from liability by a state tort claim act.¹⁴⁴

¹⁴³ See, e.g., *Eschete v. City of New Orleans*, 245 So.2d 383 (La., 1971) (Court held that city could be held liable for approving subdivision which overtaxed drainage system and caused flooding.); *Pennebaker v. Parish of Jefferson*, 383 So.2d 484 (La., 1980) (Court held that parish could be held liable for increased flooding by allowing street improvements, building construction and street drainage without taking steps to prevent flooding.); *Sheffet v. County of Los Angeles*, 84 Cal. Rptr. 11 (Cal., 1970) (Court held that county was liable when it approved subdivision and accepted dedication of road facilities which resulted in flood and erosion damages.); *Frustuck v. City of Fairfax*, 28 Cal. Rptr. 357 (Cal., 1963) (Court held that city was liable in inverse condemnation for having approved subdivisions and accepted drainage easements and having diverted increased waters onto private property.); *Yue v. City of Auburn*, 4 Cal. Rpts.2d 653 (Cal., 1992) (Court held that city was potentially liable for approving subdivision which increased impervious surfaces without upgrading downstream stormwater facilities to convey increased flows.); *City of Keller v. Wilson*, 86 S.W.3d 693 (Tex., 2002) (City was liable for approving subdivisions based upon city's drainage plan but then failing to acquire 2.8 acres to implement the plan. This was partially reversed by *City of Keller*, 168 S.W.3d 802 (Tex., 2005); *City Keller v. Wilson*, 2-00-183-CV (Tex., App. 2007); *Harris Cty. F. Con. V. Adam*, 56 S.W.3d 665 (Tex., 2001) (Court held that Harris County Flood Control District was potentially liable for approval of a highway project (Beltway 8) which flooded private property.); *Kite v. City of Westworth Village*, 853 S.W.2d 200 (Tex., 1993) (Court held that a "taking" without payment of just compensation potentially occurred where city approved a plat resulting in a diversion of water from its natural course and resulting damage.); *County of Clark v. Powers*, 611 P.2d 1072 (Nev., 1980); (Court applied a "reasonable use" rule for surface waters and held city liable for increased flooding due to urbanization and city's flood control activities); *Columbus Ga. V. Smith*, 316 S.E.2d 761 (Ga., 1984) (Court held the city liable for approving construction projects and other actions resulting in flooding of private property.); *Pickle v. Board of County Comm'r of County of Platte*, 764 P.2d 262 (Wyo., 1988) (Court held that county had duty to exercise reasonable care in reviewing subdivision plan and was potentially liable in negligence for flooding and problems with waste disposal because of a failure to use such care.); *Peterson v. Oxford*, 459 A.2d 100 (Conn., 1983) (Court held town liable for having accepted roads and drainage system including drainage easement in subdivision with resulting flooding.); *Wilson v. Ramacher*, 352 N.W.2d 389 (Minn. 1984) (Court held city potentially liable for inverse condemnation for increasing flooding by approval and acceptance of subdivision plats with associated drainage facilities although the city was not liable for permitting fill and approving and accepting plats as of plats under a negligence theory of action or pursuant to a "reasonable use" surface water law rule in Minnesota.); *Myotte v. Mayfield*, 375 N.E.2d 816 (Oh., 1977) (Court held city liable for flooding when it approved plans for storm sewers for an industrial park which increased the amount and acceleration of stormwater in a natural watercourse.); *Docheff v. Broomfield*, 632 P.2d 69 (Colo., 1980) (Court held city liable for flooding due to accepting streets and storm drains and approving subdivision and drainage plans. Court issued an injunction.); *Hutcheson v. City of Keizer*, 8 P.3d 1010 (Ore., 2000) (Court held that city could be held liable for city engineer's and public works director's inadequate review of drainage basin analysis and design plans for subdivision for conditions of subdivision approval and subsequent flooding and that such review was not discretionary.)

¹⁴⁴ See Annot., "Liability of Governmental Entity for Issuance of Permit for Construction Which Caused or Accelerated Flooding", 62 A.L.R.3d 514 (1975). This is no longer the majority rule but has been applied by courts in a fair number of cases. See *Wilcox Associates v. Fairbanks North Star Borough*, 603 P.2d 903

Sayers, Margery

From: Paula Seabright <psrh1995@gmail.com>
Sent: Monday, September 17, 2018 8:13 AM
To: CouncilMail
Subject: EC

Hello,
Please, I implore you, do not rush to a decision on the demolition of the buildings in Old EC. I agree with all 5 of our Howard County historic preservation commissioners who spoke strongly against this plan and the lack of data and/or engineering to support it.

Please pause on these plans, evaluate the other options. Demolition cannot be undone.

I thank you for your consideration of the citizens of the county.

Paula Seabright
Columbia, MD

Sayers, Margery

From: Weinstein, Jon
Sent: Monday, September 17, 2018 7:46 AM
To: CouncilMail
Subject: Fwd: My "YES" for plan

From: Joan Shea <joaneve1@icloud.com>
Sent: Sunday, September 16, 2018 7:13 PM
To: Weinstein, Jon
Subject: My "YES" for plan

Dear Jon,

Having lost my entire store in the 2016 flood and another store 11 months later in the May 27, 2018 flood, (and this time nearly losing my life), I am definitely saying YES to the 5 year plan to change Historic Ellicott City's existing structures for the safety of the lives of residents, business owners, visitors and customers to our Historic Town of Ellicott City.

With these changes we will again be able to feel confident that our Historic Gem will flourish in the future.

Sincerely,

Joan Eve Shea-Cohen

Business owner since 1996

P.S. It's not just the buildings that

make the town....it's the

People!

Sent from my iPhone

Sayers, Margery

From: Abby Bardi <abbybardi@gmail.com>
Sent: Monday, September 17, 2018 7:03 AM
To: CouncilMail
Subject: Ellicott City Demolition Bill (61-2018 et al.)
Attachments: IMG_4205.mp4

Dear County Council,

I am writing to voice my strong opposition to tearing down buildings in Ellicott City. Here are my problems with the proposal:

1. Having reviewed all the materials, I fail to see why demolition would be tried before the many other options proposed by the various studies. (Demolition does not appear to have been proposed by the main study.) Some of those options would mitigate flooding uphill, in EC's West End. I live at the corner of Main Street and Rogers, and I witnessed the powerful velocity of the water there. It seems obvious that the velocity uphill caused much of the destruction downhill in lower Main. I am attaching a video of the view from my porch. Clearly uphill solutions are critical, and uphill solutions should be tried before such radical ideas as demolition of a scenic historic area.
2. The proposal was rolled out with such an appalling lack of transparency that one must wonder why. It seems that perhaps it was because Mr. Kittleman and Mr. Weinstein knew perfectly well that there would be massive opposition to the plan, and they hoped to forestall it. This is not the way a democracy should operate, and it also leads one to wonder why they are so wedded to this plan.
3. The demolition plan would create redeveloped areas in the historic district, such as in Lot D, that local developers have wanted for decades. One developer, for example, let some of his rental properties in the West End literally rot, so now the only option is to tear them down. Clearly, a historic district is protected in ways that impede development (and overdevelopment arguably is part of what got us into this mess in the first place), and now that protection is proposed to be waived. The elected officials who propose it have received campaign contributions from developers. This looks to me like a conflict of interest at best.
4. It's true that many of the property-owners on Main Street are in favor of the demolition plan, though many are not. It is understandable that people who want to sell their buildings and cannot want to be bought out. I would suggest that the demolition and the concept of a buyout be separated: the owners could be bought out by a consortium and the buildings held (empty) until other solutions are found. Two business owners have said on Facebook that their buildings are structurally sound. Demolition should be a last resort in a historic district.
5. The most important thing in flood mitigation is to save lives. However, there is nothing about this plan that suggests it would save lives, since after the demolition, there would still be four feet of water in the town and white-water rapids in the West End. The people who died in the 2016 and 2018 floods were not in buildings: they were in the street, which would still be dangerous (it doesn't require much flood water to drown).

The sloppy, stealthy rollout of this destructive plan has torn apart a community that had bonded during both floods. Neighbors are not speaking to neighbors; vicious arguments are taking place on Facebook. The poor handling of the plan speaks for itself: this was not a well thought-out, reasonable solution; it is not data-driven; it does not respect the historicity of Ellicott City; and there is no reason to suppose it would save lives, since it still allows for flood waters to rise to four feet in the town. What it appears to be is a gift to the developers who have shown absolutely no regard for EC (e.g., by building thousands of homes on a designated scenic road) and a divisive political stunt right before an election.

Please do not allow Historic Ellicott City to be destroyed.

Sincerely,

Dr. Abby Bardi
8672 Frederick Road
Ellicott City, MD 21043

From: listan 1 <listan1@msn.com>
Sent: Sunday, September 16, 2018 11:53 PM
To: CouncilMail
Subject: Written Testimony for Bill # 61-2018

Dear Council:

Please accept the following as my written testimony in connection with with Bill # 61-2018, and any other related bill. As a resident of Ellicott City, I'd like to implore the County Executive and County Council to pause their plan to demolish significant portions of Main Street, most particularly the buildings at the bottom of the street from Caplan's down to The Phoenix. I am seeking this action because I have grave concerns about the plan and its impact on Old Ellicott City. Indeed, I have a complete lack of confidence in the plan and find myself questioning (for the first time) the officials who are pushing it. It cannot move forward with the community so unsure, so suspect, and so distressed.

Why is the community so unsure, suspect, and distressed? In part because the demolition is planned for the set of buildings which most visitors view as the best and most familiar part of Main Street, but also because of the process used to get to that plan and the methods used to push the plan through to approval. And, importantly, despite the aggressive fear- and emotion-based tactics employed to sell the plan, many people are left thinking: "This just does not make any sense." Or thinking: "If this was really a sensible plan, why would they resort to these tactics?"

The plan is being sold as necessary to save lives. They've said: "We can't wait. The time for studies is over. We can't have another death." However, it feels like a ploy. What did these same officials do since 2016 to protect lives if that was such a top priority? What studies have been done to determine the measures that would be most effective in saving lives? Is it this plan or is it required 2nd floor egress availability or emergency safety plans or flood alerts or town closures? I fear this plan is not really calculated to save lives. It may save them. Or it may not. We have no idea. People are living, working, and visiting Main Street every single day right now. If this continues after approval and even implementation of the plan, how confident are we that no one else will die on Main Street from a flood? Should another flood occur, considering the 4-6' of flood waters accepted by the plan, other people could very well die. Other properties and merchants could be devastated. If that happens, or even comes close to happening, I believe that will result in a slow or fast roll to the end of Old Ellicott City. People will throw up their hands and completely give up on the town. It will be a ghost town.

With no guarantees or even likelihood of safety post-plan, we find ourselves saying: "We are going to kill a quarter out of the town for this?" Historic Main Street is a national gem. It certainly is one of the things we here in Ellicott City are most proud of and most enjoy. Many moved here because of it. As a county/community, we are stewards of it. As those have done for 200+ years before us, it is our responsibility to preserve all of the town for generations to come. If we are to destroy any significant part of it, it should be the absolute last resort. We are nowhere near there. I fear that in 50 years, the demolition of these buildings will be seen as a crime, just like the overdevelopment in the Tiber Watershed is today, but yet all of our current officials will be long gone, just as those responsible for the overdevelopment are. How confident are our officials about the repercussions of the demolition on the long-term viability of Main Street? They have no idea.

I have heard that current Main Street merchants want this plan. Their livelihood may depend on it. But that should not drive the plan. We should aid them outside of, not through the plan. I understand that one or more local developers are the brainchild behind or at least eager advocates for the demolition aspect of this plan. But they should not drive the plan. We should remove them from consideration and eliminate their influence, entirely.

I understand that we have to act. I understand that the flooding itself is a dire threat to Old Ellicott City. I understand that we don't want anyone else to die. But we need to shed the improper influences and really consider what plan (even if it is ultimately the one proposed or close) it is that will preserve Old Ellicott City and the people who are in and about it. Let's find another way; make sure there is not another way. Once these treasured buildings are destroyed, we cannot unring that bell. We have to get this right. It is our important responsibility.

Thank you for your time.

Lisa Orenstein
Ellicott City, MD 21043

Sayers, Margery

From: Tansgold1 <tansgold1@yahoo.co.nz>
Sent: Sunday, September 16, 2018 11:08 PM
To: CouncilMail
Subject: "No to the demolition."

"No to the demolition."

Sayers, Margery

From: Wes Becky <wesandbecky17@gmail.com>
Sent: Sunday, September 16, 2018 9:49 PM
To: CouncilMail
Subject: Save Old Ellicott City

Dear Howard County Council:

Historic Ellicott City deserves a better plan to protect its citizens, visitors and businesses. Push pause on the portion of the plan that seeks to demolish buildings years before real flood mitigation is undertaken. As someone who cares deeply about saving lives and preserving the historic integrity and economic viability of Ellicott City, I urge you to fully investigate proposals that stand to take lethal waters off of lower Main Street and truly make the town as safe as it can be.

*Sincerely,
Rebecca Davis*

Statement Regarding the Proposed Flood Mitigation Plan in Howard County

Greetings and salutations from a collective of business owners on Main Street in Ellicott City. We thought it appropriate that we share our thoughts with you, given the contentious and extremely divisive environment we find ourselves faced with at this monumental point in the history of our little town. We want to begin by expressing our love and eternal gratitude to those who have survived with us, mucked out with us, struggled to rebuild with us, and supported us. Those who have put their bodies where their mouths are, will be forever in our debt. Those who have lost their lives in this town, will forever be in our hearts.

Two shocking, catastrophic, and deadly floods in the space of 22 months. That's what we've been up against. Events that, alone, we wouldn't wish upon our worst enemies. Events that have destroyed everything we know and love. We need you to please take a moment and let that sink in. Digest the idea of losing everything you have, everything you have built, and potentially everything and everyone you love, in a matter of minutes. Set a timer for four minutes. What can you do in that time? Do you think you could gather all of your crucial belongings? Do you think you could organize a bunch of employees? Do you think you could find your keys and get to your car? Because on May 27, 2018, all it took was four minutes to go from cars and people on the street like any given Sunday, to utter destruction. We no longer have the luxury of time. We can no longer wait. There is no choice.

To be a part of the unique community that comprises Main Street is to be bestowed one of the great honors in life. And we don't take that honor lightly. We carry on our backs the history of those who came before us, and we strive to continue that legacy. We love this town. We love the community. We love all that it represents. But in order to continue to thrive, to continue all that we want to be a part of, there must be a change. That change must be drastic. And that change must happen now. There is no more time for studying. There is no more time for debate. Yes, our hearts break with yours at the idea of removing part of the history that comprises our town, but we also recognize that without this change, there will be no future. Without the current plan, there will be no Main Street to protect. Without the current plan, businesses will fail. Without the plan, more lives will be lost. We will not, and can not, allow that to happen. Ellicott City, and all that it encompasses, means too much.

There is a time to build up, and a time to break down. A time to gain, a time to lose. Let us act now, before it is too late. Thank you.

Sincerely,

Julia and Donna Sanger, Park Ridge Trading Company
Pam Long, Pam Long Photography
Stacey and Nick Ventura, be blends
Kelli Fitzsimmons-Myers, Junk Girl/Journey From Junk
Rachel MacNeill Rawlings, Salon Marielle
Tammy Beideman, Sweet Elizabeth Jane
Joan Eve Shea-Cohen, Joan Eve Antiques and Collectibles
Shelley Sharkey, MissFIT
Angie and Michel Tersiguel, Tersiguel's
Jason Barnes, All Time Toys
Megan Clark, Curious Minds Toys
Kate Bowman, Clipper's Canine Cafe
Len and Sherry Fackler-Berkowitz, Great Panes
Jeni Porter, Little Market Cafe
Wendy Baird, insight180 Branding & Design
Cindi Ryland, Retropolitan and Taylor's Collective: Antiques, Art, Artisans
The Marriner Family, Manor Hill Tavern
Christa Mastrogianis, Wind River

Jon and Kay Sandler, Lawyers Advantage Title Group, Inc
Hatsumi Watanabe-Smith, Matcha Time Cafe
David Ennis, Connie Ennis, and Lee Ennis, Envy Salon
Timothy Kendzierski and Richard Winter, Talbot House LLC and Ellicott Mills Brewing LLC
Deanne Lenehan, Lenehan Studios
Paula Dwyer, Georgia Grace Cafe
Charlene Townsend, Maxine's Antiques
Kelly Secret, Made on Main
Amie and Chris McCaslin, A La Mode Boutique
Mi Schill Kim, Oriental Art Collection
The Koplow Family, The ClayGround Studio & Gallery
Simon Cortes, LaPalapa Grill & Cantina
Linda Jones, Tea on the Tiber
David Carney, The Wine Bin
Donna Pidel, Ballet Conservatoire XIV
Jenn Skarda, Sayre's Eden
Susan Whary, Sweet Cascades
Melissa Hutchison, Gloss Hair Studio

Sayers, Margery

From: Julia Sanger <sangerj22@gmail.com>
Sent: Sunday, September 16, 2018 9:17 PM
To: CouncilMail
Subject: Written Submission for TAO1-FY2019
Attachments: EC Business Owner Statement.docx

Good evening,

I am submitting the attached as support for TAO1-FY2019. It is a collective statement, signed by 36 business owners located on Main Street in Ellicott City.

Thank you for your time and consideration.

Sincerely,

--

Julia Sanger
Co-Owner
Park Ridge Trading Company
Main Street, Ellicott City, MD