

Santa Ana River Flood Protection Agency

Executive Director

Herbert I. Nakasone

SARFPA EXECUTIVE COMMITTEE MEETING MINUTES

Members

City of Anaheim
City of Buena Park
City of Cypress
City of Fountain Valley
City of Fullerton
City of Garden Grove
City of Huntington Beach
City of Irvine
City of Newport Beach
City of Orange
City of Placentia
City of Santa Ana
City of Seal Beach
City of Stanton
City of Tustin
City of Westminster
City of Yorba Linda
County of Orange
Costa Mesa Sanitary District
O C Sanitation District
O C Flood Control District
O C Water District

September 24, 2020 at 4:00 p.m.

Zoom Meeting

Attendance/Attendees:

Barbara Delgleize, SARFPA Chairwoman, Councilmember, City of Huntington Beach
Stacy Berry, SARFPA Vice-Chairwoman, Councilmember, City of Cypress
George Brietigam, Councilmember, City of Garden Grove
Don Chaffee, Supervisor, County of Orange, 4th Supervisorial District
Steve Faessel, Mayor Pro Tem, City of Anaheim
Jim Ferryman, Director, Orange County Sanitation District
Cathy Green, Director, Orange County Water District
Patrick Harper, Councilmember, City of Fountain Valley
Art Perry, Director, Costa Mesa Sanitary District
Nabil Saba, Public Works Director, City of Santa Ana
James Tyler, Engineering Manager, OCPW, Alternate for Supervisor Donald Wagner
Marwan Youssef, Public Works Director, City of Westminster
Rick Yee, City of Yorba Linda
James McConnell, SARFPA's Washington DC Advocate
Denis Biladeau, Director, Orange County Water District
Rudy Emami, Public Works Director, City of Anaheim
Jordan Brandman, Director, Orange County Water District
Kelly Rowe, Director, Orange County Water District
Michael Markus, General Manager, Orange County Water District
Francisco Barajas, OCPW Legislative Coordinator
Pamela Galer, Planner, City of Anaheim
Pipit Widjaja, Assistant to SARFPA Executive Director
Herb Nakasone, SARFP Executive Director

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Location

601 N. Ross Street
Santa Ana CA 92701

Website

www.ocflood.com/sarp/sarfpa

1. Call to Order

Meeting Called to Order at 4:00 p.m. by Executive Director Herb Nakasone.

2. Pledge of Allegiance

In the absence of Chairwoman Barbara Delgleize, Pledge of Allegiance led by Vice Chairwoman Stacy Berry.

3. Approval of June 25, 2020 Semi-Annual Agency Meeting Minutes

Vice-Chairwoman Stacy Berry led the meeting in the absence of Chairwoman Barbara Delgleize and call for a Motion to approve the Minutes of the June 25, 2020 Semi-Annual Agency Meeting. On Motion by Cathy Green, Director, Orange County Water District and Second by Art Perry, Director Costa Mesa Sanitary District, the Motion was unanimously approved.

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4. Report from Washington D.C., Advocate Jim McConnell

Vice-Chairwoman Stacy Berry called on Jim McConnell to deliver his report. Jim McConnell provided the following verbal report which has been summarized by the Executive Director as follows:

- a. Jim reports Washington DC is certainly not operating in a normal fashion due to the pandemic but is expected to pass a Continuing Resolution for funding the government for the new fiscal year beginning October 1, 2020 until December 11, 2020 after which Congress is expected to adopt 12 new Appropriation Bills to fund the government for Fiscal year 2021-22.
- b. In regards the Westminster East Garden Grove Wintersburg Project (Westminster Project), the House passed its version of the Water Resources Development Act (WRDA) on July 29, 2020 which included the Westminster Project as prepared by the U.S. Army Corps of Engineers (USACE). The Senate is expected to take up its version of WRDA after the Election and is also expected to include the Westminster Project as prepared by the USACE.
- c. In response to questions from Patrick Harper, Council Member, City of Fountain Valley and City of Westminster Director of Public Works Marwan Youssef regarding funding on the Westminster Project and USACE involvement on the Westminster Project, Jim responded as follows:
 - Assuming the Westminster Project is approved by the House and Senate in WRDA, the Project is authorized but does not include funding authorization. The Project then needs to be included as a “new start” by the Office of Management and Budget for the \$1.2 billion project with an initial funding authorization included in an Appropriation Bill.
 - The Los Angeles District Army Corps of Engineers will be more than helpful in supporting the County of Orange in seeking the funding for the construction of the Westminster Project but is not allowed to official lobby Congress for funding on the project. The lobbying effort on the Office of Management and Budget for Construction Authorization of the Westminster Project by the County of Orange and the cities affected by the project will be an important next step.

5. Report from O.C. Public Works on Santa Ana River Mainstem and Westminster Project:

James Tyler, Engineering Manager, OC Public Works provided a Power Point presentation covering the Santa Ana River Mainstem Project status and an update on the Westminster Study as follows:

Santa Ana River Mainstem Project

- a. The remaining features of the SARP currently underway includes bank protection construction downstream of Prado Dam, Prado Basin features of Norco Bluffs Bank Protection, River Road Dike, Alcoa Dike along with the Prado Dam Spillway. These features have recently been reported to be funded with \$592 million including the reimbursement for right of way acquisitions of property behind Prado Dam. As part of funding agreement,

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the Santiago Creek feature is being identified for constructed by the Local Sponsor.

- b. The bank protection features underway on the Santa Ana River downstream of Prado Dam identified as Reach 9 included completion or anticipated to be completed of the following:
 - Improvements to the Burlington Northern Santa Fe (BNSF) Railroad bridge piers expected to be completed by the end of 2020.
 - Soil cement embankment in Reach 9 Phase 4 on the Southerly side of the Santa Ana River adjacent the 91 freeway and upstream of Featherily Park recently completed and awaiting acceptance by the OC Public Works.
 - Recent completion of Rock Riprap embankment on the Northerly side of the Santa Ana River identified as Reach 9 Phase 5A in the City of Yorba Linda. The embankment protection project identified as Reach 9 Phase 5B required the U.S. Army Corp of Engineers (USACE) to terminate the contractor due to non- performance. A new contractor was recently awarded a contract on September 2020 to complete the embankment protection.
 - The USACE reported they now believe the lower Santa Ana River is capable of accommodating a 30,000 cubic feet per second release from Prado Dam as it is designed to perform.
- c. The features at Prado Dam remaining to be completed by 2023 and estimated to total \$90 million included the following:
 - Norco Bluffs bank protection
 - River Road Dike
 - Alcoa Dike
 - Prado Dam Spillway
- d. To complete the features at Prado Dam will require the acquisition of private properties and the relocation of utilities. The \$592 million funding for construction of the remaining features at Prado Dam also included funding to acquire the necessary rights-of-way and utility relocations behind the Dam.

SARFPA Chairwoman Barbara Delgleize and Council Member from the City of Huntington Beach noted that it seems the Santa Ana River Project has recently experienced increased active construction and asked for an explanation. James Tyler reported the USACE recently received an appropriation of \$592 million to expedite the completion of the Prado Dam features which also included funds to purchase the necessary private property. This new funding has been a welcomed change and places a large responsibility to complete the construction projects by the USACE and an urgency on the County of Orange to acquire the properties necessary for the construction. James Tyler reported the County of Orange will be required to enter into a revised Project Corporation Agreement to concur in acquiring the necessary right of way and agreeing to construct Santiago Creek improvements.

Westminster Watershed Study:

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James Tyler used a Power Point presentation to report on the status of the Westminster Study as follows:

- a. James Tyler used a Power Point presentation to identify the Westminster Project (Project) recently completed by the USACE, along with the watershed and the impact of the Project on the cities of Huntington Beach, Fountain Valley, Westminster, Garden Grove and Santa Ana.
- b. James indicated the goal of the Project is to remove FEMA designated floodplains cause by deficient drainage facilities in the watershed.
- c. The joint Project Report prepared by the USACE identified two projects. The first was the National Economic Development (NED) Plan which has the higher Benefit Cost Ratio but did not remove the floodplains in the affected cities. The second plan identified as the Locally Preferred Plan (LPP) at a cost of \$1.2 billion desired by the Orange County Board of Supervisors and would provide the 100 year level of protection and remove the FEMA floodplains in the affected cities.
- d. USACE directives from Congress specify the Federal Government is allowed to contribute 65 percent of NED Plan and should a Local Sponsor, such as the Orange County Flood Control District desire to have the USACE participate in a LPP, its funding contribution would be limited to 65 percent of the NED Plan or \$315,000.00.
- e. The Project Report, which is also called the Chief's Report, completed by the USACE on July 9, 2020 with the recommendation to implement the LPP. James reported the LPP Plan must now be include in the Water Resources Development Act (WRDA) approved by Congress. Per Jim McConnell, the U.S. House of Representatives has completed its version of WRDA 2020 and it must now be vetted with the U.S. Senate's version of WRDA. According to Jim McConnell, it is anticipated the House and Senate will be planning a conference in early December 2020 to formulate a final WRDA 2020.
- f. In response to a question from Barbara Delgleize, Chairwoman and City of Huntington Beach Council Member regarding the time period to accomplish the Project should Congress fund the Project, James Tyler responded by indicating it would depend on the amount of funding authorized on the Project by Congress each fiscal year. James indicated using the Santa Ana River as an example of the funding by Congress, the Project could take 10 to 15 years.
- g. Jim also indicated it is the County intent to proceed with construction on portions of the Westminster Project ahead of Federal funding authorization from local funding with the expectation that a portion of the FEMA floodplain below the 405 freeway could be removed prior to completion of the entire Westminster Project.
- h. Jim Tyler indicated funding for the Westminster Project would be based on its property tax revenue and State Subvention funding on 70% of its expenditures on a Federal project such as the Westminster Project. In response to a question from Patrick Harper regarding the State Subvention Program, SARFPA Executive Director Herb Nakasone explained that the Subvention Program was establish by the State Legislature to assist local Flood Control Districts, mostly located in Southern California, which do not receive direct State funding on Federal projects as do the State Department of Water Resources on Federal Projects in Northern California.

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- i. Francisco Barajas, OCPW Legislative Manager, update the members on the efforts by the County working with its Washington DC lobbyist to develop the language for including the Westminster LPP in the House WRDA bill. It is now working to the Senate staff to include the Westminster Project in the final WRDA bill negotiated by the Senate and House staffs which is expected to occur in early December.
- j. Francisco also indicated SARFPA would be an excellent advocacy group to assist the County in meeting with our Local Congressional members and the White House Budget staff when it became time to seek a “new start” funding on the Westminster Project. Barbara Delgleize, SARFPA Chairwoman and City of Huntington Beach Council Member concurred in SARFPA acting as an advocacy group on the Project and working with County staff in pursuing funding for the Project.

6. Report from Executive Director

- a. Executive Director Herb Nakasone indicated the SARFPA Meeting Notices and Meeting Minutes were emailed to addresses provided by the members and asked if the information was not received to notify Herb.
- b. Herb Nakasone reminded members the next SARFPA meeting is scheduled for 4 PM on November 19, 2020. The Meeting is scheduled to be via Zoom.

7. Public and Representative comments

Past SARFPA Chairman Jim Ferryman reported that John Collins, Past SARFPA Chairman and City of Fountain Valley Council Member had recently passed away and requested the SARFPA Meeting be adjourned in his memory.

8. Adjournment

Chairwoman Barbara Delgleize and City of Huntington Beach Council Member adjourned the Zoom Meeting at 5:20 in Memory of John Collins, Past Chairman and prior City of Fountain Valley Council Member.

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