

**Chehalis River Basin Flood Authority
Lewis County Courthouse
351 NW North St.
Chehalis, WA 98532**

**October 15, 2009
Meeting Notes**

Members Present: Ron Averill, Lewis County; Dolores Lee, Town of Pe Ell; Karen Valenzuela, Thurston County; Terry Willis, Grays Harbor County; Ron Schillinger, City of Aberdeen; Dan Thompson, City of Oakville; Bill Bates, City of Centralia; Aurora Lopez, Town of Bucoda; Mark White, Chehalis Tribe

Members Absent: Jim Cook, City of Aberdeen; Chad Taylor, City of Chehalis

Others Present: Please see sign-in sheets

Handouts/Materials Used:

- Agenda
- Meeting Notes from Work Session and Business Meeting of September 17, 2009
- EES Consulting Status Report
- EES Consulting Progress Payment No 15
- Ripe and Ready Studies and Projects Update
- Work Plan from West Consultants, Inc.
- Memo from ESA Adolfson: Supplemental Budget Request
- Financial Report for October, 2009

1. Call to Order

Chairman Averill called the meeting to order at 1:37 P.M.

2. Introductions

Self introductions were made by the Flood Authority members and all attending.

3. Approval of Agenda

Chairman Averill stated there were no changes to the agenda and without objection the agenda was approved.

4. Approval of Meeting Notes from September 17, 2009

The Chair stated member packets contained meeting notes from both the work session and the business meeting on September 17, 2009. One correction was requested on page 5 of the business meeting notes, paragraph 3: the word "geologists" should read "biologists". Without objection the meeting notes were approved with the correction.

5. Public Comment

There were no public comments.

6. Reports

a. Chairman's Report

Chairman Averill stated open houses were held in Montesano and Centralia since the last meeting. These will be a topic for discussion later in the agenda. Comments from the public were collected by the

Corps of Engineers and it is proposed that the Corps prepare a response to those comments and provide that to the Flood Authority. The public desired responses to those comments.

The Flood Authority approved awarding the RFQ to West Consultants and Lewis County, as lead agent, approved it with Resolution 09-318.

Later today the Flood Authority will be hearing from the PUD and the Authority may soon need to look at whether to proceed with Part B of its plan. The committee to study this, Commissioner Schulte, Commissioner Willis and Mark White, will meet on November 12 at ESA Adolfson's office to determine if the Authority should continue with the next step.

Chairman Averill stated we are still proceeding with the GI study. A meeting was held on October 9 with Congressman Baird and Colonel Wright of the USACE. As a result of that meeting, there are areas we can work on as we build the Project Management Plan for the GI study. Ms. Napier is taking the lead on the Plan and the Corps has written a partial first draft.

Regarding the Flood Control District, the Lewis County engineer has been looking at the upper basin in terms of the three County Commissions, to determine a proposed boundary for a flood control district. The Lewis County Commissioners have the first draft proposal from their engineer and he is providing his proposal and methodology to the Thurston and Grays Harbor County engineers. Once that is done we will likely call a joint meeting of the three Commissions.

Chairman Averill spoke of the meeting with Congressman Baird and Colonel Wright, which was very informative regarding where the Corps is able to put the existing project approved and appropriated by Congress and looking at alterations to that project and the difficulties that may create. A briefing on the PUD project was also given. It was the intention to take the Congressman and the Colonel up in the air to view the proposed dam sites but the ceiling was too low and the flight did not take place until later in the afternoon after the Colonel had gone. It is hoped another flight can be scheduled for the Colonel. Notes from that meeting were sent out via e-mail.

b. Member Reports

Mr. Schillinger commented very favorably on the Flood Authority Update notes that had been provided by Chairman Averill for the meeting with the Congressman and the Colonel. It is important that people know what the Flood Authority is doing.

The City of Montesano began a \$300,000 contract for flood relief in town. The project will collect drainage water from housing areas within the east side of the city that have been consistently flooded and puts it into a draw. The project should be completed by the end of November.

Mr. Thompson stated he spoke to the Oakville City Council and distributed the Flood Authority Update. The Council felt the City of Oakville wants to get the Corps to look again at water retention. The Mayor asked that a letter be drafted to Representative Dicks to see what help or comments he may have. Chairman Averill stated the Flood Authority would like to have a copy of that letter for the record when available.

Commissioner Willis stated Mary's River Lumber has suffered damages in every flood and they are being permitted to move to a high, dry spot to get them out of harm's way. This is a collaborative effort between the City of Montesano, Grays Harbor County, businesses and state agencies.

c. Correspondence

A letter from the City of Chehalis to the Corps of Engineers regarding water retention was distributed to the Flood Authority.

d. Facilitator's Report

Mr. Mackey stated he met with the PUD consultants in Kirkland to review their project. A sub-committee meeting was set up and ESA Adolfson will be attending those meetings. ESA also attended the open houses, the meetings on the GI study, and the meeting with Congressman Baird and Colonel Wright.

e. State Team Report

Mr. Donahue stated he and Mr. Goss, USACE, have discussed the merits of convening the coordination team, which involves the Flood Authority Board and senior state agency staff, in the next month or two to consider progress on the Twin Cities Project. We would provide a report of the recent open houses and strategize about upcoming open houses which would coincide with the Corps' report of design evaluation. The meeting has not been scheduled, but will most likely be in early December.

f. Corps of Engineers Report

i. Twin Cities Project

ii. Basin-Wide General Investigation

Mr. Goss was unable to attend and there was no Corps report.

g. Lewis County PUD Report

Mr. Muller stated the PUD consultants are wrapping up Phase II Part A. EES Consulting fisheries and environmental folks are continuing to gather information to update the fisheries/aquatic scoping document. Shannon Wilson has completed the geotechnical work, looking at photographs from Weyerhaeuser to make comparisons to what they already had, landslide information, and seismic information. That will all be included in a draft report presented to the sub-committee and Flood Authority in November.

Mr. Schillinger asked if there were any big surprises in this information.

Mr. Muller stated there are no fatal flaws; there are some issues with regards to the sites, such as landslide materials, but the consultants felt those were well within the range of any design criteria. Phase II Part B would incorporate the geotechnical information into the type of design.

OLD BUSINESS

7. Ripe and Ready Studies Report

Mr. Mackey referred to the report in the member packet. The projects are still moving forward as they have been.

8. Early Warning Program

The Scope and Work Plan from West Consultants is in the packet. Mr. Mackey stated ESA has worked to get a contract drafted and it is open for approval.

Ms. Willis stated there is a USGS rain gauge on the Humptulips of which Grays Harbor County shares the expense. This gauge has been threatened for removal or shut down due to lack of financing by the County. Ms. Willis does not want to lose any early warning gauges due to financial issues. Can the Flood Authority pay for the up-keep on that gauge through this process.

Mr. Carlton stated about a year ago the Flood Authority funded some improvements to Lewis County gauges. Until this project is complete, we do not want to lose a gauge until it is determined it is not needed because there is a gauge somewhere else.

Ms. Willis stated there is also a water quality gauge within the same vicinity that was put in by the Chehalis Basin Partnership. We are trying to make sure they stay in place.

Ms. Kook, Lewis County Engineer, stated the County's share with the USGS is about \$38,000 for ten gauges for this year. It depends on the level of service. There are five seasonal gauges that run from October through April and she cautioned the Board on the costs compared to the levels of service.

Ms. Willis would like more information on how the other gauges are being paid for.

Chairman Averill stated there were some gauges lost during the 2007 flood and the Flood Authority did help to reestablish some gauges in both Thurston and Lewis County.

Mr. Carlton stated he believes the initial report done on gauges throughout the Basin does identify who the funding cooperators are. The question is: will this be a county-by-county decision or is it something the Flood Authority wants to commit to.

Chairman Averill asked if there is enough flexibility in the [West Consultants] plan to add this as an element to consider.

Mr. Carlton stated that is part of the scope of work.

Chairman Averill asked if there were any questions regarding West Consultants' work plan. There is \$250,000 in the budget for Phase I and the proposed Phase II and III.

There were no questions and without objection the proposed personal services agreement between Lewis County and West Consultants on behalf of the Flood Authority was approved.

9. LiDAR

Mr. Johnson stated LiDAR is one of the Ripe and Ready Projects and there was a discussion regarding an inter-governmental agreement with the State of Oregon to do the flight. A number of concerns were raised regarding bid laws and how they relate to Oregon bid laws and whether or not we could come to an agreement to complete the LiDAR flight by the end of this year. He introduced Mr. Matt Hyatt, Lewis County GIS department, to explain.

Mr. Hyatt stated there is an interlocal purchase agreement with Kitsap County who acts as the administrator for the Puget Sound LiDAR Consortium and Lewis County has been using that for many years. The deliverable in acquiring the data through the Consortium rather than through the State of Oregon would be the same. The specifications are the same; the only difference is the data would be housed at the Puget Sound LiDAR Consortium servers rather than at the State of Oregon. The price is

only about \$1000 higher and the last total estimate given was \$156,000. There are flights being flown now in Grays Harbor by FEMA and we can adjust our area of interest to avoid duplication which will allow us to expand and adjust the old area of interest to make it more efficient for the contractor.

Mr. Johnson stated with the Flood Authority's approval, Public Works will amend the contract to include this scope of work that will authorize the flight and then the Flood Authority will be billed through the contract it has with OFM. There is no need for a contract, resolution or bid process which makes the process quicker and we can get the LiDAR this year and use it for updating the models and studies.

Chairman Averill asked if this is in the Flood Authority's budget.

Mr. Johnson stated this estimate is well within the original estimate.

Mr. Bates asked for LiDAR to be defined.

Mr. Hyatt stated it stands for Light Detection and Ranging. It is acquired by flying an airplane and shooting a laser which bounces off the earth and is picked up by a sensor. Elevations are determined by that process to within a 2 foot contour survey.

Mr. Johnson stated the LiDAR does not create maps; it creates data points that must be read and made into maps. This is a time-consuming process and that is why it is important to fly the LiDAR as soon as possible.

Chairman Averill stated the Grand Mound area up has not been included in the LiDAR area because we have good LiDAR on that already. Below Grand Mound to the mouth of the river does not have good data and we are taking advantage of a project already in progress on which we can piggyback to get the data we need.

Mr. Hyatt stated the data that will be available has been processed by the contractor and should be available as text files as well as elevation models that are usable in GIS systems. The data flown in Lewis, Thurston and Grays Harbor Counties will be available on the Puget Sound LiDAR Consortium website.

Commissioner Willis asked why the study did not go up the Satsop River and how it was determined where the study went and where it stopped.

Mr. Carlton stated he understood that the primary focus was on the Chehalis River Basin and the flood plain. We could go anywhere as long as it was within the budget. The reason it stopped at the Wynoochee is because FEMA picks up everything downstream of the Wynoochee and that is being flown by the State of Oregon. One purpose of getting the LiDAR is to update the hydraulic model of the Chehalis River so we have a better idea of what flood elevations are at different frequencies and during different flood flows. For that reason we did not feel we needed to go very far up the tributaries.

Commissioner Willis asked if we are buying the information from around the Willapa Harbor.

Mr. Carlton stated we are not buying it because FEMA is paying for it and the data becomes public information.

Mr. White asked if the LiDAR will go up to the base of the Skookumchuck Dam.

Mr. Hyatt stated it will go that far.

Mr. Johnson stated we will be able to get other agencies' data because it is public data and added to ours it should give us the coverage we need within the entire flood plain.

Chairman Averill stated action needs to be taken on allowing Lewis County to contract with Puget Sound LiDAR Consortium. There was no objection and the request was approved.

10. Supplemental Budget Request

Mr. Mackey stated the member packets include a memorandum from the Board Advisory Committee and ESA Adolphson on the supplemental budget. There is also a draft budget which has been discussed with Mr. Keith Phillips of the Governor's office and the work to be completed under that budget.

The end of this fiscal year is June 2010 and most of the Flood Authority's funds are encumbered and there would be very little left in the budget. It was decided that the Flood Authority would spend conservatively and request a supplemental budget from the Governor. The budget looks at helping the Flood Authority move forward with the projects it has under way. Administration and facilitation would continue for another year, as well as working with the General Investigation, working on implementing a flood plan, public involvement and continuing the Ripe and Ready Projects.

There are two difficult issues. One is: what would it take to put together a Flood Control District and what types of actions would it take to put it into place. Mr. Mackey is doing research on that and it is a very complicated project and he was advised to put in \$1million as a place holder.

The other piece is whether or not to put funding in the supplemental budget for projects. Some money was put in there for the current ripe and ready projects but there are two projects that could be a potential for funding in the future: the early warning system and the water retention studies. Work for Phase II Part B is funded but work beyond that is outside the current budget and could be included in a supplemental budget.

What is proposed is, if the Flood Authority wishes Mr. Mackey to move forward with recommended changes, that the Flood Authority asks him to continue the coordination with the Governor's office and finalize a budget request.

Chairman Averill asked for questions.

Commissioner Willis asked about the \$1million for the flood district formation. The Flood Authority is going to go out into the counties to work on this and could part of this money be used to pay for those efforts. Is any of the money legally available for that?

Chairman Averill stated what it is not legally available for is to campaign for or publicize the issue.

Commissioner Willis was asking about county personnel who are working on the flood district boundaries; they are driving to meetings, etc.

Mr. Mackey stated that would be allowed.

Mr. Johnson stated legal counsel had a comment on the \$1.5 million budget: as you consider formation of a tri-county flood district there is a requirement that before you go to the voters you need to have a project identified and ready to go. That is the impetus for setting up the district, which means \$1million may not be enough. If you are talking about formation of the district there is no buffer for the formulation and preparation of a project that would drive the formation of a district. That may be the PUD project, an Adna levee, or something else, but unless you have a buffer for developing the project, \$1million may not be enough. Counsel suggested adding another \$1million.

Mr. Mackey stated he has done quite a bit of research on forming a flood district and is aware of what Mr. Johnson pointed out. He is also looking at how a flood control district differs from a flood control zone district. He suggested putting this issue on the November work session agenda and he could be better prepared at that time with more substantial information. In the meantime, Mr. Mackey has two meetings scheduled with experts who have put together the flood zone districts in Seattle and other places which will provide information.

The pressure was to meet with Mr. Phillips and the timing for the Governor's budget but he does not believe that is as big an issue right now. Mr. Mackey met with Mr. Phillips, who was very pleased with the background information, accomplishments of the Authority so far and where it wants to go. He stated if the Authority comes forward with a sound proposal Mr. Phillips will take that forward as an amendment, which means it does not need to go through the legislative process. Mr. Mackey believes postponing this issue would be beneficial.

Chairman Averill asked as part of that postponement, would Mr. Mackey still have authority to continue negotiations with the Governor's office.

Mr. Mackey believes he has already done that.

Commissioner Willis asked that before the next work session that the attorneys have ironed out the legal issues: if we ask for another \$1million, are we actually putting in a project that we can do for \$1million or are we proposing the planning for that money.

Mr. Mackey stated the way the current flood control districts work now is to have a project that you have identified; and, having the engineering done as well as the cost benefit of that project so that people know what they are voting for when they vote on a flood control district. Zones need to be set up to include the fees that are going to be charged and show who is going to benefit.

Another option is a flood control zone district that appears to have a lot of promise in terms of being more straight-forward and less costly to put together. However, he wants to bring the two alternatives to the table to see how those conclusions are reached.

Chairman Averill stated the proposal before the Flood Authority is to table the issue on the supplemental budget request, specifically the flood district formation, to the November meeting and providing the authority to the consultants to continue to work with the governor's office. There was no objection and the motion was tabled.

11. General Investigation Work Group

Ms. Lee Napier stated last month she briefed the Flood Authority on the GI study for the basin-wide work and a week later she briefed the Chehalis Basin Partnership. Both groups agreed there should be a

sub committee formed; individuals were assigned to this committee and they met on October 1 and talked about their respective assignments. Questions were forwarded to the Corps and on November 16 the group will be meeting with the Corps representative, Becky Johns. Ms. Johns will address the questions and the table of contents for the PMP will be reviewed.

A schedule has been decided: the groups will meet on the first Thursday of every month and the BAC has a meeting date on the third Friday of each month. The main focus will be the Project Management Plan and if there is a need to continue to meet, we will ask for resources to continue to do that.

Ms. Napier stated Mr. Mackey has been helping to facilitate between the BAC work and the requests of the Flood Authority and part of the supplemental budget will include time for Mr. Mackey to continue to do this work. Ms. Napier stated his work has been very helpful and it will require a big time commitment.

Mr. Mackey stated part of the budget discussion just heard was about next year. The budget discussion now is about continuing and finishing this year and what you want your consultant to do in terms of the basin-wide GI. ESA Adolfson is already committed, has gone to several meetings and has tried to be flexible to meet the needs of the Flood Authority and do things that are not necessarily in its scope. There is no more budget for ESA Adolfson to be flexible and deliver on the things that it has contracted to do. The GI was not in anybody's scope and had not been planned for when ESA Adolfson negotiated with the Flood Authority a year ago. To do that work and finish through the fiscal year is probably going to be in the \$80-90,000 range. Mr. Mackey suggested, if the Flood Authority is interested in doing so, that the Flood Authority direct ESA to develop a scope and budget for consideration at your next meeting.

Chairman Averill stated the Flood Authority needs to know what the scope of work is and what the cost will be.

NEW BUSINESS

12. Expenditure Review

Mr. Johnson stated the table in the report shows how much money in each category has been used versus what was originally included in the supplemental budget and the contract with OFM. There is a little money that has not been expended or encumbered, about \$135,347 in this current budget that is flexible money. There may be additional money because we do not know how much the early warning system Phase I and II will cost.

Mr. Schillinger asked if the salaries, wages and employee benefits is for the lead agency, or is it for staff from any of the counties that participate.

Mr. Johnson stated it is for the three members of the BAC plus Pat Anderson and Donna Olson. The goods and services line item covers everyone else that submits bills. Included in that is the travel for the Flood Authority members.

13. Flood Program Update

Mr. Mackey stated the open houses went extremely well. John Donahue did an excellent job in setting up and having the right kinds of people there, the federal agencies, the Twin Cities, the Flood Authority

and the Chehalis Basin Partnership, USGS, weather. People were interested in what is going on and the literature prepared by the groups helped answer questions.

Chairman Averill attended the Thurston County and Lewis County open houses. He asked for feedback on the Grays Harbor County open house.

Commissioner Willis stated the meeting in Montesano was not as well attended but positive comments were heard about the information that was given. Centralia was very well attended.

Mr. Schillinger stated Mr. Donahue did a great job in providing information and getting the Corps to come to Montesano.

Chairman Averill asked if any written questions were left at the Montesano or Rochester open houses.

Mr. Donahue stated there was one from Montesano and seven from Rochester. There will be a formal response to everyone.

Mr. Bates asked if there will be future open houses and asked what will be done with the responses, particularly from Centralia.

Chairman Averill stated there will be more open houses as part of the Twin Cities Project, and going to all three counties has been very effective. Regarding responses, Mr. Donahue has collected those and the Corps is going to prepare a response back and the Flood Authority will determine if they are adequate or if we need to provide additional information. If it is acceptable to the Flood Authority, he suggested giving Commissioner Willis and himself permission to work with the base document and bring it back to the group.

14. Confirm Next Meeting and Board-Related Topics

The next meeting of the Flood Authority is scheduled for November 19. There will be a morning work session on that day beginning at 9:00 a.m., the location to be determined.

Before the meeting adjourned, Mr. Hyatt requested the Authority expand the LiDAR budget up to \$180,000 should some other jurisdiction come in and request an addition to the existing LiDAR project, or if there are additional areas that need to be flown. Mr. Johnson stated the original budget was \$180,000.

Chairman Averill stated that jurisdiction would need to be a member of the Authority and the work would need to be relative to the Flood Authority goals. There was no objection and the proposal was approved.

15. Adjourn

The business before the Flood Authority concluded and the meeting adjourned at 3:02 P.M.