

Chehalis River Basin Flood Authority **Business Meeting 1:30 P.M.**

Lewis County Fire District #5
102 2nd NE, Napavine

April 19, 2012 - Meeting Notes

Board Members Present: Jim Cook, City of Aberdeen; Alan Carr, Town of Bucoda; Lionel Pinn, City of Napavine; Ken Estes, City of Montesano; Vickie Raines, City of Cosmopolis; Merlin MacReynold, City of Chehalis; Ron Averill, Lewis County Commissioner; Dan Thompson, City of Oakville; Edna Fund, City of Centralia; Terry Willis, Grays Harbor County Commissioner; Karen Valenzuela, Thurston County Commissioner

Board Members Absent: Dolores Lee, Town of Pe Ell

Others Present: Please see sign in sheet

Handouts/Materials Used:

- Agenda
- Meeting notes from March 15, 2012
- Memo from Jim Kramer: Process for OFM Alternatives Report
- ESB 5127, 2012 Jobs Now Act, Section 313
- Presentation by Lara Fowler "Flood Authority Overview", April 19, 2012

1. Call to Order/Introductions

Chairman Raines called the meeting to order at 1:30 p.m. Self-introductions were made by all attending.

2. Approval of Agenda

Ms. Fowler asked to make a couple of additions to the agenda: 6 (f) Update on Interlocal Agreement; and 7 (a) Legislative Updates; 7 (b) Discussion of Membership Committees.

Commissioner Averill made a motion to approve the revised agenda. Ms. Fund seconded. There were no objections.

3. Approval of Meeting Notes from March 15, 2012

Commissioner Averill made a motion to approve the meeting notes from both the work session and the business meeting of March 15, 2012. Mr. Estes seconded. There were no objections.

4. Public Comment

Mr. Panesko stated the first road in Lewis County started in Toledo. The pioneers put the road on a high route where there was no flooding. In 1950 when I-5 was built, the original diagram showed it going east into the hills of Chehalis and coming out at Nisqually. He stated the economic leaders at the time wanted I-5 to go through Chehalis and Centralia and virtually asked for the flooding problems.

Mr. Gordon spoke to the money in the budget jobs bill. He stated there have been discussions in the lower end of the valley to open up the floodway and move up the valley and look at each barrier. He stated there needs to be community discussion about using the money and suggested putting the communities into that process.

Mr. Thompson stated he has seen the plans for the Sickman Ford Bridge and it calls for returning it to the status in 1971 before Grays Harbor County filled it in and built the causeway.

Mr. Johnson congratulated Ms. Balmelli-Powe on her new position with Congresswoman Herrera-Beutler and wished her well.

Mr. Gordon stated he did not know how far the early warning system would go. In 2007 the farms in the upper valley did not get a lot of warning and he hoped that would be considered.

5. Reports

a. Chair's Report

b. Correspondence

Chairman Raines stated she had received correspondence from Jim Wilcox. She met with him, Bruce Treichler, Commissioner Valenzuela, and Ms. Fowler, and looks forward to meeting again in the near future.

c. Member Reports/Updates on Recent Activities

Aberdeen: Mayor Estes stated he was glad to be on board and that he would do a good job.

Napavine: Nothing to report

Thurston County: Nothing to report

Aberdeen: Mr. Cook thanked Ms. Balmelli-Powe for her contributions to the Flood Authority.

Chehalis: Mr. MacReynold stated the Chehalis City Council recognizes the great job Ms. Powe has done for the City. The City has done some work on raising the airport levee, such as hydrology and design. The City shared this information with WSDOT for the Mellen Interchange/Airport Road project and will continue to look at options.

Lewis County: Commissioner Averill stated Lewis County is the fiscal agent for the Flood Authority and it approved the contract with OFM to add the \$40,000 for the fish study.

Oakville: Mr. Thompson stated last year design work was done by the Chehalis reservation for the Harris Creek project. Work could not be done last year but construction will start next month.

Centralia: Ms. Fund stated 75 years ago the Chronicle announced that the Corps would be invited to the courthouse to talk about preventing flooding. She also stated that Centralia has received money for rain gardens, which is a way to treat storm water run-off.

Grays Harbor County: Commissioner Willis stated the Watershed Cooperative will meet next week and it is open to the public. It will be looking at flood activities and projects to alleviate flooding. The group will be drafting bylaws and operating procedures. The Tribe has been talking to Grays Harbor County about the Sickman Ford Bridge.

Cosmopolis: Mayor Raines stated the city is talking to an engineer regarding the Mill Creek Dam, and it is anticipated that the footbridge will be restored by the end of the year.

d. State Team Report

Mr. Nelson stated there will be a meeting on April 26 regarding the technical aspects of the fish study.

6. Staff Updates – Lara Fowler

a. Audit

Ms. Fowler stated the State's audit of the Flood Authority was a good, clean audit. Chairman Raines thanked Donna Olson and Lewis County staff for the work done for the audit.

b. OFM/Flood Authority Contract

Ms. Fowler reviewed the fact that the Flood Authority has a contract with OFM for funding. She noted that OFM has now signed an updated agreement with the Flood Authority adding additional funding for the fish study and the audit. The OFM Agreement includes a work plan that goes through June 30, 2012; this will be discussed later in the agenda.

c. Early Warning System – Status, Next Steps

Ms. Fowler reported on the Early Warning System, stating that there is an effort to get the last gages installed. She will sit down with OFM and the Attorney General's office to ensure those gages get installed. She is waiting for more information from Dr. Curtis regarding the operations and maintenance (O & M) funding. Currently that is being paid through installation and calibration; there is no ongoing O & M and this is something that needs to be discussed. Around \$40,000 is required each year for O & M, plus \$3000 for the website. Dr. Curtis will be providing specific figures.

d. H & H Modeling – Status, Next Steps

A lot of good technical work has been done on the H & H modeling. Mr. Karpack and Mr. Walton will report at the next meeting. They have taken information from WSDOT and WSDOT's contractor (NHC). WSDOT has collected new survey information in the Chehalis and Centralia area and will reincorporate that back into the model. Different modeling scenarios will be presented in May.

e. OFM Report

Mr. Kramer's memo was included in the packet for today's meeting. Modeling and studies are taking some time and must come together at the right time. Mr. Kramer has asked for a one month extension, which was granted. The time frame for the final report is the end of August. There will be a two-day workshop on June 14 and 15. The location has not yet been determined. [Note: the meeting location will be Great Wolf Lodge] The workshop will be open to the public, and the Ruckelshaus Center has the budget for a meeting room and food.

f. Update on Interlocal Agreement

Ms. Fowler stated there are many different types of paperwork from the various jurisdictions on the updated ILA. Some have signed the second amendment, which adds Cosmopolis and Napavine and keeps Bucoda as a member. She will gather all the paperwork and resolutions to build a complete record. The second amended agreement is similar for everyone across the board.

Commissioner Averill stated the amendment had been passed at different times – Lewis County passed theirs before Bucoda withdrew; Grays Harbor County passed theirs in between Bucoda dropping out and coming back in. Whatever is signed should be the same for everyone.

Commissioner Willis stated if Ms. Fowler can get the ILA together then Grays Harbor County's resolution can be amended or do whatever is needed to make it line up with the ILA.

Mr. Cook stated Aberdeen recognized Cosmopolis, Napavine and Bucoda. Ms. Fowler stated there is a new mayor in Montesano so she will follow up with each jurisdiction to collect the paperwork. Everyone will get a complete copy with the signature pages.

7. Discussion of Work Plan, Next Steps, Timeframes

Ms. Fowler distributed an update on the Flood Authority work plan with timelines through June 2012. Included in this timeline are reviews of the Fisheries Impact and Enhancement studies and H & H modeling results, finalizing project information for the OFM report, begin to define scope for jobs projects; identify bridge and mitigation opportunities; approve any contracts; finalize funding for the Early Warning System; finalize the 2012-2013 work plan.

For July 2012 through June 2013 the work plan includes the release of the draft and final OFM report; beginning implementation of potentials projects from the jobs package; work on legislative recommendations for the 2013-2015 biennium; and determine next steps for Flood Authority governance. The jobs package must be complete by June, 2013.

a. Budget and Legislative Updates

Ms. Fowler distributed budget information for the Flood Authority. The total budget for the biennium is \$1,364,000, with the budget broken down by task. Some amounts may be moved between tasks up to 10%; anything over 10% would require permission of both parties.

Monies for Tasks 1,2,3,7 will all be spent. Task 4 has encumbered funds not yet spent. There will be money left in tasks 5 and 8 that hopefully would be re-allocated or could be used (up to 10%) for other tasks. Ms. Fowler noted that all contracts with the Flood Authority expire in June, including staffing. She asked that the Flood Authority look at budget allocations and what contracts might need to be extended.

Ms. Fowler recommended that the Executive Committee work through the budget and come back with concrete recommendations. She understands that the legislation has set out requirements and most have been allocated or spent. She does not know how much flexibility is in the budget that remains.

Ms. Fowler then turned to the recently passed "Jobs Now Act." An excerpt of this bill addressing the Chehalis River Basin, Section 313, was sent out to the distribution list. Ms. Fowler noted that the money may not be available until June 30, 2012 and must be spent by July 1, 2013.

Commissioner Averill stated there needs to be further discussion on critter pads (included as an item in the legislation and to be examined in the OFM report). He does not know how many critter pads can be done for \$500,000. He recommended interconnectivity with the conservation districts.

Ms. Fowler stated she has been talking with Keith Phillips to learn more from the governor's office perspective about how to get flood relief on the ground without exacerbating flooding with projects. She will follow up with Mr. Phillips to get more details and figure out the review and approval for each project to move forward, and to learn more about Mr. Phillips' communication with the Chehalis Tribe. Ms. Fowler asked for feedback.

Commissioner Willis stated the Sickman Ford Bridge is owned by Grays Harbor County, as is the road. Any modifications would go through the County. She asked who is liable for the work and what would the impact be. Her responsibility is to ensure that the impacts above and below the bridge are negligible. Now we need funding and the Flood Authority can't carry that liability. As soon as this funding became available people did not want the bridge work done because the water would be dumped down below.

Mr. Ogden stated Bob Amrine put together some numbers on the needs for critter pads in Lewis County. He came up with 7 operations that lost animals in 2007 that would be willing to build critter pads or escape routes to minimize loss in the future. The estimates are high based on what we could build the projects for during the time frame. Most include material for fill found on the site. Seven projects would cost about \$865,000. He does not yet have information from Grays Harbor County or Thurston County. The Conservation District is negotiating with NRCS. Critter pads are eligible for EQIP funding but that cycle has ended for next year. To get federal money for this process in this fiscal year they would have to do a special sign-up, which they have done in the past.

Commissioner Valenzuela stated spending \$5 million in 12 months will make us focus. The commissioners should think about some kind of expedited permitting process. She thought the public should be engaged and that takes time. The Flood Authority is already behind in planning for the work plan to get the \$5 million focused on where it will do the most good.

On the previous page of the budget, Commissioner Valenzuela thinks the Executive Committee needs guidance on Task 7. Ms. Fowler will run out of budget and the Flood Authority needs to have a conversation today about what to do about support help for the Authority.

Commissioner Averill referred to Section 313, item 2 on the jobs bill legislation re: levees. The US Army Corps of Engineers has looked at the Willapa Trail impact on Adna to provide relief by repairing the former railway berm drainage. This project qualifies for a Corps 205 project with an 80/20 cost share. Commissioner Averill is thinking of using the jobs bill to leverage federal money. If that project could be funded with the 205 funding it would be a \$7 million project.

Commissioner Willis stated that Grays Harbor County has approved projects that were two years out. Do the different time frames require different pots of money?

Ms. Fowler stated that her understanding of the Jobs Now Act was to get jobs on the ground right away and the funding bill goes through this biennium. She said Mr. Phillips stated the legislature may sort out a new budget in January 2013 and extend things. However, his assumption was that all of this has to be out of this budget.

Mr. Johnson stated it was asked what happens to the money not spent; the money has to be re-appropriated. If the money is encumbered it may be re-appropriated.

Mr. Johnson stated there is \$50,000 for a rain gage. He asked if that should be a river gage. Commissioner Willis stated the Tribe was looking to put a gage on the river right above the reservation. Mr. Johnson wondered if that could be a problem because of the way the legislation is written.

Mr. Vannell asked if any percentage of money in Item 2 could be spent on planning. Bucoda is looking at funds to extend and improve the levee but there is no planning for that project.

Commissioner Averill stated this funding is tied to the jobs bill and they expect it to be spent on building things.

Ms. Fowler will follow up on the conversation, and work to get answers to the questions raised during the meeting. She will report back at the next meeting.

Ms. Fowler then referred to the agenda for additional topics of discussion, including the Early Warning system O & M beyond 2012; workload for the Flood Authority: subcommittees and on-going staffing.

Early Warning System – O & M beyond June 2012

Mr. Thompson asked how much money is required for the O & M. Commissioner Averill stated it will run about \$40-50,000 per year for all of the gages. It was made clear that the installation and calibration is a one-year project and after that year it will be funded differently. The counties have contracts with USGS and the counties pay certain costs. One solution is to pick up these gages. Lewis County would not look kindly at bearing all the costs when the gages are located in other jurisdictions. One gage is in Pacific County and one is in Mason County and neither is on the Flood Authority. One alternative is to take the population in the basin and split up the costs between the jurisdictions. There is going to have to be some mechanism where the cost is either picked up by individual jurisdictions or everyone contributes to a pot and it is picked up by the Flood Authority.

Mr. MacReynold stated those who benefit should pay for the gages. Mr. Cook agreed, stating the gages are part of the Early Warning System and everyone benefits so each jurisdiction should help pay for them.

Mr. Swartout stated the Flood Authority asked Defense Emergency Management (DEM) to carry the contract and he understood that WEST was under contract to them. What is being done in Chehalis is a pilot project which could go statewide.

Commissioner Averill stated he is a member of the State Emergency Management Council and the WEST project was a one-year project paid for by 2009 legislation. The survey they did for us was done statewide. He pointed out that we did have a pilot project in the basin and he thought WEST might want to brief the state commission because it has merit elsewhere. Unfortunately, they operate only on federal dollars and they are allotted \$850,000, but they want to spend \$1.2 million. He thought it unlikely they will pick up this project.

Work Load for Flood Authority

a. Subcommittees

There was a discussion about the new board members who were not yet on subcommittees. The result was:

Alan Carr – Projects and Education/Outreach committees
Chad Taylor – Project Committee
Lionel Pinn – Executive Committee
Ken Estes – Education/Outreach Committee
Edna Fund – Executive Committee

b. Ongoing staffing

Ms. Fowler stated the contracts for staff end on June 30. The Executive Committee will look at this issue. Commissioner Valenzuela stated there would be no budget left for Ms. Fowler in 4-6 weeks and asked where the money would come from.

Commissioner Averill stated there is \$115,000 in unencumbered funds. If more than 10% needs to be moved, permission needs to be granted.

Mr. Johnson stated the bridge funding and staff funding still have money left. He asked about SBGH's contract.

Ms. Fowler stated SBGH's contract is included as part of the OFM contract under Item 7, facilitation services.

Commissioner Averill stated Ms. Fowler has been doing a lot of work outside her budget. He asked what would be equitable for one more year. He also stated that in the current budget with OFM there is \$111,000 unencumbered.

Mr. Johnson stated the contracts with OFM and the facilitators have clauses that can be modified with the approval of the person with whom the contract is written. There is no need to go through a huge negotiation process. For Lewis County to initiate that it needs to have a quick resolution of what the Authority is going to ask for and then talk to Keith Phillips about addressing the OFM/Flood Authority contract.

Ms. Fowler stated the existing contract with OFM is through 2013 and included a plan through 2012. The Flood Authority is required to provide an updated work plan through June of 2013, including how much money we will have going into the next year and what it will be spent on. That will be a discussion with OFM and it will take some time to get things put into place so there is no break in funding. Regarding Commissioner Valenzuela's comment, Ms. Fowler asked if there was direction to the Executive Committee to look at the existing budget for June.

Mr. Thompson suggested expediting an Executive Committee meeting in early May to look at the budget and give Mr. Johnson what he needs.

There was no objection.

Ms. Fowler stated that there needs to be an extension of the work plan Mr. Karpack is working under to allow him to more fully engage with the OFM process. Ms. Fowler will work with him to do so; there was no change to the budget.

Next Steps

Commissioner Averill asked if Mr. Kramer had talked to Ms. Fowler about governance in the legislation. Ms. Fowler stated that is an OFM requirement for next steps and she will follow up on that.

Commissioner Willis asked what is being done about the projects themselves, about expediting them. She asked how the Flood Authority was going to work on a project and when.

Ms. Fowler stated her recommendation is to take them to the Project Committee; they have been drilling them down.

Ms. Fund asked about the levees in Item 2 of Section 313 jobs bill. Should folks be bringing those forward? The Project Committee is working on the Wishkah, the Satsop and the Sickman Ford Bridge. They are already on the project list and most were identified as to the cost because there was previous work done on them.

Mr. Nelson stated if there is any in water work, the permits should be started now. WDFW can help out with fish windows and can consider the type of work being done to work on fish windows. If the County was going to take the lead status for SEPA review then in water work is an immediate need.

Chairman Raines asked Mr. Donahue if he had anything to add to the state team report. Mr. Donahue stated there will be a technical staff meeting next week and he is working with Mr. Kramer on his report.

8. Expenditure Review

The expenditure review was discussed earlier. The itemized spending report was in the members' packets.

9. Confirm Next Meeting

Chairman Raines stated the next meeting will be on May 17 in Thurston County, the location to be determined.

10. Adjourn

The Flood Authority's business concluded and adjournment was at 3:20 p.m.