Chehalis Basin Flood Authority Work Session
Veterans Memorial Museum
100 SW Veterans Way
Chehalis, WA

March 18, 2010 - 9:00 A.M
Meeting Notes

Board Members Present: Brandon Atoch, City of Oakville; Glen Connelly, Chehalis Tribe; Andrea Fowler, Town of Bucoda; Karen Valenzuela, Thurston County; Terry Willis, Grays Harbor County; Ron Averill, Lewis County; Jim Cook, City of Aberdeen; Merlin MacReynold, City of Chehalis; Ron Schillinger, City of Montesano
Others Present: Please see sign in sheet

1. Convene Work Session
Chairman Willis called the meeting to order at 9:08 AM.

2. Introductions
Introductions were made.

3. Memo from the City of Chehalis
Chairman Willis stated the memo had been discussed at the previous meeting and a motion had been made to support consideration of the projects. The motion was tabled at the February 18 meeting as a consensus could not be reached and Chairman Willis recommended it come back to this work session for more discussion. The Chair asked Mr. MacReynold to explain the purpose of the memo and allow supporters and opponents of the motion to give their points of view.

Mr. MacReynold explained why the memo was brought forward. He stated the information the City of Chehalis had gotten from a reliable source was that the City's request had gone to the Corps in 2008 and to different representatives at the State asking for consideration of these other elements in the project. Initially Centralia and Chehalis were opposed to the Corps project and that instigated the letter to the Corps. After the 2007 flood, the two cities had a joint resolution which supported the Corps project but stated the Corps must consider the items on the current list. Our source of information stated the cities needed to update that and run it through the Flood Authority, and therefore the request to the Flood Authority.

Commissioner Averill stated one of the areas of concern in 2006 was whether we wanted levees to go away or did they provide some protection. This was before the 2007 flood and up to that time we had gone 12 years without a major flood in the corridor. The interest was more toward getting the freeway fixed for economic purposes rather than protection. A $124 million project was waiting to be funded to fix the freeway. We cannot fix the freeway without fixing the flooding; unfortunately the money for the freeway and flooding come from different pots and they needed to be put together. As a result, the cities and county withdrew the letter of withdrawal. The 2007 flood hit about the time the WRDA bill was passed. The 2007 flood was a different flood for us because we had never had the flooding in the upper basin like the 2007 flood. There was a huge amount of damage in Centralia and Chehalis also. The purposes changed. We looked at the 35% design of the project and it was not the intention to build a wall around the cities; it was to divert water. We are now waiting for the Corps to tell us if it will work.

There are issues that were not in the project, such as China Creek. China Creek does not meet the criteria to make the Corps list. It is still there even if it doesn't make the list and it is a primary flooder of the City.

Chairman Willis asked if the items on the list are not included in the Corps project.

Commissioner Averill stated some are and some are not. We are not asking the Corps to correct these; we are asking what is going to happen to these projects. If nothing happens to them through the Corps they become a local or state issue.

Chairman Willis stated the language originally said the Flood Authority is to support inclusion of these projects within the Twin Cities project. If we plug them in at this time the GI for the Twin Cities project would need to start from scratch again which would set it back considerably. We can change the language to support consideration of these projects. We also need to know if there is anything that will be done to fix these.

Mr. MacReynold stated Chehalis has been in communication with the Corps and and they are explaining what their positions are with these issues. Support from the Flood Authority is helpful with the new language that the Corps would consider these projects.

Chairman Willis stated the language would not harm the project or PMP.

Commissioner Valenzuela asked how the language would not harm the project.

Chairman Willis stated when the Flood Authority talked with the Colonel she tried to crowd the dam project into the GI and she wanted to know why we could not add a few more things. He was adamant and explained how the GI works. When a PMP is put together and it is authorized, to go back and change it would void the project and it would need to start over again. If Chehalis tries to do the same thing and uses the language that the Flood Authority insists the projects be included it would back up the project and require another GI.

The Chair stated she has heard about umbrella language in PMPs and sometimes a project could be included because the umbrella of the PMP is wide enough that it could qualify. Are any of these projects doable under the existing PMP and that we are agreeing to consider these projects.

Mr. Carter stated that sounds appropriate. We do not want to draw a line in the sand and say it is all or nothing at all. If it is a consideration, that is good.

Commissioner Averill stated China Creek will not be part of that project but that fact needs to be stated. The City of Centralia or some other entity needs to take on that project.

Mr. MacReynold stated if the Corps project goes forward without these other projects then we must be able to explain to our constituents why they are not being considered.

Mr. Kayle Jennings stated as far as China Creek is concerned there are two issues: 1) there is flooding on that creek and 2) there is nowhere for the water to go. It is directly related to the flooding of the Chehalis River.

Bill Goss suggested it would be appropriate to go through each issue and he could comment on them.

Primary and secondary access to the hospital: Mr. Goss stated raising Airport Rd. is part of the Twin Cities project.

Commissioner Averill stated Mellen Street is going to go in before the construction of the levees. There will be access to the hospital but there may be a problem if Scheuber Road is not accessible.

Mr. Goss stated the hydraulic model looks at the access being open to the hospital.

Mr. MacReynolds stated the situation at Salzer Creek and Dillenbaugh is the same as China creek.

China Creek flood control: Under the Twin Cities project the Corps is looking at the affects of a levee going in and additional issues that a levee may cause. Under the project we have a cutoff as far as tributaries are concerned (800cfs or under can be addressed). We have federal projects regarding tributaries that are covered under other programs. John Donahue stated that any adverse impacts need to be considered under the Twin Cities project but the flooding of China Creek would be covered under other projects.

Levee location: The Corps is going to look at the levee system near Newaukum River and meet with Chehalis Public Works and the State to look at the location of the levee and another location where a levee is crossing a wetland. Tweaks need to be made; maintenance responsibilities will be turned over to a non-federal entity after it is built. Once levees are built the Corps still conducts levee inspections to make sure they are as planned. If they are damaged under that program the Corps will repair them.

Flood Control/levee protection at the airport: The Corps project will provide additional protection.

Dillenbaugh Creek improvements: This is similar to China Creek. We will look at the effects of our project to Dillenbaugh Creek and other federal projects to address these.

Coal Creek Improvements: Mr. Goss was not sure if the Corps can look at other programs to address this issue. A flap gauge or pump station may be needed to get the water through.

Kresky Avenue Improvements: The Corps looked at a levee layout that may be an improvement and Mr. Donahue was going to look at flood proofing issues. Dave Andersen, Department of Commerce, stated they are looking at USDA or some other option for flood proofing commercial projects. Mr. Donahue stated there is more to come on that at a later date.

Upstream Mitigation on Chehalis River: The authorized project will only go as far as it goes currently on the south end. The Corps can look at Adna.

Chairman Willis stated that for many of the things that do not fit under the Twin Cities project there are other avenues under other programs. Mr. Goss stated the Corps is pursuing other avenues.

Chairman Willis asked if we send a letter to the Corps asking for consideration, will that harm the project at all? Mr. Goss stated that will not harm it and it will show that we are doing something.

Commissioner Valenzuela suggested the upstream mitigation should not be on the list because it cannot be fixed. The list seems arbitrary because there could be many more items on the list.

Mr. Goss stated the upstream mitigation could be looked at under the Partnership.

Chairman Willis asked the Board if it should send a support letter along with Chehalis' request. She takes Commissioner Valenzuela's comment seriously; not everything is listed and our letter might want to make the statement that the list includes other projects.

Mr. MacReynold stated Chehalis did not plan for this to be a comprehensive list. The initial resolution was prompted because the city had a major concern that these issues needed to be considered. The only viable project was the Corp project and that was before the Flood Authority came into being. These items were things that we knew had to be considered and were items that made our city not support the Corps project initially.

Chairman Willis stated the question is if they should be included or should the city look for additional funding.

Ms. Julie Powe asked if the Newaukum River falls into the consideration. Mr. Goss stated that is south of the project and is not included.

Mr. Cook considered this from a basin wide point of view and with only levees. This will have a direct affect on his constituents. Does the Corps anticipate possible conditions downstream if these other projects are fixed?

Mr. Goss stated the hydraulic model shows what will happen downstream. The intent is to have no or minimal impacts as a result of the levees.

Commission Willis stated this issue will be voted on at the afternoon session.

4. Break

5. Flood Plan and Public Meetings

Ms. Root stated the draft Flood Plan and is available on the website. There are no hard copies until the draft is finalized. General updates have been done; Chapter 2 is more user friendly and was made more consistent; the chapter on flood projects was revised and simplified; Chapter 8 was added which is the funding and governance chapter. The draft is now ready to go out to public meetings. Based on the meeting last month, the memo in the member packet explains the meeting schedule.

The format will be the same at all three locations. There will be a general introduction by the Flood Authority representative followed by a presentation on the Flood Plan focusing on projects that have been identified. Following that there will be an open comment period. In order to narrow things down we will split into groups, or listening posts, which will be manned by Flood Authority and BAC members to write down suggestions. Written comment forms will also be available.

An advertising campaign has begun for the meetings and a press release will be sent out, an ad will be run in the Chronicle and the Aberdeen paper. It will be on the County website and we will ask jurisdictions to put information on their websites.

Commissioner Averill stated when the Flood Authority started in May of 2008 the first issue looked at was a Flood Hazard Management Plan (FHMP). All jurisdictions must have one, and they do, but they are all different. Some were inconsistent and we worked on developing a model plan for the whole basin. This represents two years of work and this body has had the opportunity to comment on the various chapters. Now we are taking it to the public and asking for their opinion. It will still be a model plan when it is finished unless each jurisdiction adopts it. If it has public acceptance, hopefully each jurisdiction adopts it so there is consistency up and down the basin.

Ms. Root stated the revised document will be brought to the May meeting and the Board will be asked to adopt it as a group and pass a resolution requesting that local jurisdictions adopt it or incorporate it into their existing plans.

Chairman Willis wants to make sure the public and jurisdictions understand that there is room to change this Plan. This is not a finished product yet and that should be noted in the ads.

Commissioner Valenzuela suggested the Flood Authority presenters mention this at the meetings.

Ms. Root would like to know in advance who is going to attend which meeting.

6. Interlocal Agreement between Flood Authority and Partnership

Mr. Mackey set up a diagram on the whiteboard so the group would understand the process we are going through.

There is currently a GI study for basin-wide solutions and we have been working with the Corps on the PMP. The contract is between the Corps and Grays Harbor County (GHC) because the Corps needs a local sponsor. The contract will be signed with a PMP and a Feasibility Cost Share Analysis (FCSA) and that is the contract to get that work done. We are in the process of building that contract and it is specific; it obligates the Corps and it obligates GHC. There are interests in the Chehalis Basin Partnership and the Flood Authority and several jurisdictions and they all want to have some influence. All of these entities have the potential of proposing projects and doing work that will count as match to the project. It must all go through GHC since they are the lead. The Flood Authority needs to determine what will go into the MOU and how you will work with GHC to put this together and how to establish this relationship and operate as a team.

Mr. Mackey has put together some beginning materials for this contract.

Mr. MacReynold stated Chehalis has taken a public position on the Flood Authority and that is: water retention is the highest priority and levees are secondary. The Flood Authority was to be a temporary organization while forming a permanent district. It appears to Mr. MacReynold that we are creating a situation where the Flood Authority is moving forward and it seems like it should be narrowing its focus. He questioned whether Chehalis should support this because the councils' position is very clear.

Mr. Mackey stated currently the interest in the basin wide solution is represented in these groups through the basin wide GI. These interests are currently expressed by both entities but hopefully this would morph into an agreement with a flood district. This is a multi-year program and should be on-going. The goal of the Flood Authority, which is in the interlocal agreement, is to form a permanent governance. Whatever we do here could be handled by a flood district.

Commissioner Averill stated current legislation being looked at has July 2011 as a deadline date to form a district. If that makes it through, and it has not been challenged yet, one of our objectives is to get that district formed so we can make our legislative mandate.

Mr. Mackey stated even with just the three counties and the Tribe you still need a basis to form that.

Commissioner Averill stated with that in mind, a problem with the PMP is that it addresses the Partnership and Flood Authority and identifies Lewis and GHC but the executive committee leaves out Thurston County and the Tribe. If we are cooperating with the Tribe in this body the executive committee should be those four entities.

Mr. Mackey stated that is something that he has considered and there are place holders for the Tribe and Thurston County.

Ms. Lee Napier has been working on a different contract which we will discuss later. When you have a study, they will have a contract to do this work directly with GHC but it will be done under the guidance and direction you give here. That is no different than a Ripe and Ready project which you take to Lewis County.

Chairman Willis stated we are the sponsor at this point because GHC was the fiscal agent for the Partnership and we are piggybacking on their GI Study so we could move forward.

Mr. Mackey handed out a draft that recognizes that the Flood Authority is dealing with the PMP in the GI. He called attention to the last page "Therefore; be it resolved. . . . .entering into an agreement with GHC". He asked what the group wants to address; what kind of conduct it wants; what type of ecosystem solutions. An Executive Committee will be formed to represent the Authority and Partnership. He would like to know who you want on that membership and what their duties will be.

Commissioner Averill stated we are putting GHC in an awkward position because the differences in terms in sponsorship that we use in interlocal agreements resulted in saying GHC will do things that they are not legally able to do. This agreement must stipulate that the entity cannot do something on its own; it needs approval by both the Partnership and the Authority. Chairman Willis stated that as a fiscal agent you are carrying out the wishes of the Board.

Mr. Mackey stated you could say that the projects and funding decisions that GHC undertakes would come from the executive committee. Commissioner Averill stated since you are dealing with the Partnership and Flood Authority it would be the consent of those two umbrella organizations.

Mr. Mackey stated there could be an executive committee that represents these people and it makes the final decisions and recommendations.

Mr. MacReynold stated he believes those decisions would be better coming from the full group. We have great respect for our BOCC but having it come from the full board is better because of our interests.

Ron Schillinger asked why create another layer or entity when it will include all the same people. He doesn't want Ms. Napier going to another meeting, etc. He's comfortable with the same people; we are all together in the decisions.

Chairman Willis stated both entities are so complex in where they live and work would any of them feel comfortable having another group of people making decisions for them?

Mr. Cook stated when the Flood Authority was created there was some urgency. There was another jurisdiction that petitioned to join and there are other jurisdictions on the river. There is a possibility that beyond 2011 the Flood Authority will be non-existent. Would we get input from other jurisdictions?

Mr. Schillinger stated the Partnership has been in existence for a long time and has welcomed anybody to have input. There is a public process and just because they don't have a seat at the table doesn't mean we don't listen to them.

Mr. Mackey stated for now we expect the Partnership and the Flood Authority would agree to projects and if a flood district is formed, you could have elected representatives and they in turn would keep in touch with you.

Mr. Mackey asked if there are issues that really need attention.

Commissioner Averill stated from the Corps' perspective, you need to go one more step. We are representing our jurisdictions. If you read the PMP it talks about buying rights of way and buying property which are jurisdiction specific. Somehow we need to address how that gets done. GHC is not going to go into Aberdeen and condemn property, much less into Lewis County.

Mr. Goss stated the PMP is in the feasibility stage; constructing projects is down the road and out of the feasibility study. There will be a project partnership agreement that covers the actual construction. The financial agreement between the feds and non feds is going beyond the 35% design, which is another phase. We are trying to address the feasibility in the PMP; we are not acquiring real estate.

Mr. Mackey stated once we get through that, it talks about local non-federal sponsors and asked how that works in multiple counties.

Mr. Goss explained that once we get to the construction phase we can look at multiple non-federal sponsors. That can be done and would be addressed in the project partnership agreement. As a result of this state of feasibility, we will come with a proposed project that will give measures and alternatives and will go forward with authorization. After authorization there will be a financial agreement to cover that.

Commissioner Averill stated the Chehalis Basin Partnership will not go away but when we talk about flood mitigation the eventual district would replace the Flood Authority. The District will not replace the Partnership. Ms. Root stated that is already stated in the plan.

Commissioner Valenzuela asked for consistency in language. "Fiscal agent" should be used instead of "lead agency". Ms. Root said she would correct that.

Chairman Willis stated when the Flood Authority changes to a district this document will stay in place and just change the names. There will need to be a re-negotiation with the Partnership if they want an MOU in place at that time.

Mr. Mackey stated this document will go through June, 2011 and will be re-negotiated after the district is formed.

Mr. MacReynold asked if we are being premature knowing that different people may be at the table and they may have a different mindset than we do. Should we postpone action on that until the future date when there is a district?

Mr. Mackey stated the Flood Authority will not be spending a lot of money; the PMP is going to be signed in May and this relationship is then established. If you want to go to the next step of planning, you need to have something in place that shows that someone wants to be at the table and you will need to revisit it when you form a district.

Commissioner Valenzuela asked if there is any reason other than that the interlocal will cover roles and responsibilities. That sounds like sufficient rationale for the need for this between now and July 2011.

Mr. Carter stated since we put together a flood plan we hope there will not be too many changes. We do not think there would be any radical difference and we would not like to wait in case there is a potential for differences in opinion.

Mr. Mackey asked the Corps: assuming the PMP is signed in May, what kinds of things will you undertake in the next year and what kind of interaction will you expect?

Mr. Goss stated the Corps is working on project conditions and identifying the problem areas based on hydraulic modeling and reports that are currently under way, and it is looking at economics.

Mr. Mackey stated this is a communication type of tool. This interim agreement will define what the basin looks like, the conditions and start modeling. All of that information needs to be brought back to both groups. Mr. Goss stated there will be a lot of discussion with groups doing the technical and scientific reports.

Mr. Mackey stated the agreement could be (simply) that when those discussions are required by contract with the local sponsor, that sponsor has the discussion with these two groups and has feedback responding to the Corps.

Mr. MacReynold asked, regarding the GI, if the Phase II study comes in for retention how is that incorporated into the GI.

Mr. Mackey stated both flood retention and ecosystem restoration are already mentioned; any of those would be for consideration for this project. Mr. Goss added that any studies done already will be looked at.

Mr. Mackey stated Grays Harbor works with the Corps and Grays Harbor County agrees to discuss the issues and decisions they need to make with the Flood Authority and Partnership before responding to the Corps. That will get us to July 2011. We are pushing the governor's budget, but the feedback from the House and Senate has been that the Flood Authority was to be an interim entity and to get on with it and therefore the deadline date. Let's go on that assumption. The special session is over in two weeks and until the budget is signed we don't know what is in there.

Mr. Carter stated when we complete the PMP we will have this conversation again about work projects and binding contracts.

Commissioner Averill stated the PMP's initial phase is mapping out the tasks in the basin and what types of things deserve a greater look. Initially it does not come up with projects at all but somewhere in the look, just as in the GI study, we will be driving a much broader look into the WRDA.

Mr. Mackey wants to get feedback from everyone. Commissioner Averill stated we need to know if this works for the Corps, too. Mr. Goss stated he sees no problem but the Corps' legal counsel will need to look at it.

Mr. Mackey stated the Corps doesn't have much say in it. The Corps has a relationship with GHC, but what actions they take is up to them. Mr. Goss stated the Corps has no input into the interlocal agreement.

Commissioner Averill stated we all have several projects we want looked at and will those that the Flood Authority has paid for be part of the study. Your legal counsel has not answered.

Mr. Goss stated the answer was no: things that are ongoing and have not been identified in the PMP and feasibility cost share cannot be credited as match in kind.

Commissioner Averill stated there are studies on the books and the Corps won't look at those.

Mr. Goss stated the Corps looks at data but it cannot use it as in kind. There is language to cover flood risk reduction and ecosystem restoration in the PMP, and cost share, and we look at that on a case-by case basis.

Mr. Mackey stated that since the PMP will be signed in May, perhaps a decision can be made in April and brought back in May.

7. Flood Maps

Mr. Dave Carlton stated FEMA shared maps with Lewis County and he is willing to answer questions about those maps. They are draft working maps which is what the engineers work from. They take topographic data and transfer model information to the maps. He has heard there have been a lot of changes but mostly in the periphery. Mostly we were not surprised about floodplain but we were

surprised about the flood way, which is very large. What they call the preliminary flood rate maps are to come out in August.

The feds got tired of coming into an area after a disaster and trying to fix things. Insurance was not offered early on and in 1968 they created the National Flood Insurance Program. Individuals can buy flood insurance if the community participates in the NFIP. For the feds to offer insurance they need to know who to offer it to and how much to charge. That is now in the Flood Insurance rate maps and they use a 100 year standard. Anyone within that area should have that insurance. If you are in a special flood hazard area, your lender is to require you to have insurance. Only about 30% of the people in those areas have insurance. This was not enforced until the 1990's.

In return for offering insurance, communities must adopt certain standards regarding flooding. That is why the floodway issue is so contentious. In some areas people should be able to build and other areas need to be preserved and allow the water to go downstream, which creates the floodway. You can build in a floodway but you have to jump through a bunch of hoops. There are structures in the floodways that were grandfathered in. If a structure is in a floodway and is substantially damaged it must comply with the ordinance which might become difficult. However, the footprint was already there and you may not increase flood elevations and you may have to build higher.

Flood maps go east of the freeway and any new construction in that area is going to be difficult.

Commissioner Averill stated the floodway is so wide because the levees are not considered in the maps. They are not 100 year levees but they have some impact on where the water goes.

Mr. Carlton stated in the 1980's FEMA was concerned about levees created by property owners and new standards were required from a 100 year event. Better mapping was started 6 years ago using GIS digital maps. It coincided with a mapping project in Lewis County going on about 8 years. There is potential damage when levees fail and some levees are no longer accredited. The standard said there must be 3' above freeboard. They must meet Corps design standards as to how they are constructed and the Corps must certify that they meet the standards, which are not easy to meet. Many engineers will not certify a levee.

Mr. Cook stated a levee near his home did not meet criteria and he was required to carry the insurance. The levee was raised and steel devices were used and now it meets the standard and he is not required to buy insurance. This was on the Chehalis River. Certification can happen.

Mr. Carlton stated FEMA does not recognize the levees; what is on the map is the worst combination of scenarios. Water stays between the levees so the flood elevation would be at the top of the levee; or at what elevation would the water be contained and there is not enough freeboard. Another scenario: a levee fails so how deep can the water be on the left side. Now we have all different levees and different potential failure scenarios and he does not know how they came up with the numbers.

Mr. Dave Muller asked if the floodway changes the design requirements for levees in a floodway or floodplain.

Mr. Carlton said yes. In the floodway there is a maximum amount to raise the elevation. To build anything in the floodway you either need to show you are not causing any increase at all in flood elevation and if you are you have to mitigate it or go through a public process.

Mr. Goss stated the Corps would go forward with the design, get FEMA's model and insert projects and look at any adverse affects. When we submit a proposal on a 100-year project, 50% is complete federal funding and it can be remapped at that time.

Commissioner Averill stated one of our mapping problems is that the Newaukum River has a huge impact on the flooding. It was left out because they had done the mapping on this river in 2006 but it still has an impact on the Chehalis because it dumps into the Chehalis.

Mr. Carlton stated in order to map the Chehalis River, you must know the flows from the Newaukum River and it was part of the new study. Whether the new river maps are still good he does not know.

Lewis County's new maps come out in August. Thurston and GHC are getting digital update preliminary maps this summer, which is a conversion of what you have now. This summer we will start a coastal study for Pacific and GHC and a separate study will be done on the Chehalis River downstream of Lewis County starting in the near future. Hopefully LiDAR will be able to be used and that is already paid for. The LiDAR mapping will go from Lewis County to Aberdeen. The new levee will be looked at again to see if it is big enough and it is probably 50% higher.

Mr. Cook stated Aberdeen's new levee protects one side of the river but the other side is only protected by a railroad grade which is lower.

Mr. Connelly stated these are predicted maps, estimating where inundation will occur. There is a regulatory side of where you can build things. From the Tribe's perspective we have not been mapped and would like to see what happens near us. We want to see inundation areas so we know who will be at risk so why argue about the maps.

Mr. Carlton stated FEMA will hold meetings with county and city staff and if after looking at the information you want a public meeting they will set one up, although FEMA is not obligated to hold a public meeting. After the public meeting they would publish that there are new BFE and they start a 90-day appeal period. During that time they will take engineering data that might change the maps or the analysis. If errors are found in the model or the topography is basically bad, they are willing to make changes.

Mr. Carter asked if we can get information from FEMA on engineering data before August.

Mr. Carlton stated they would not give you the information prior to their reviewer agreeing that what was done was proper. Once the preliminary map is made the information is available for free.

Commissioner Averill stated that when FEMA came down to Lewis County it was evident that they gave a lot of weight to the 2007 flood which we believe was more than a 100 year flood. They did not say how they treated that flood and we don't anticipate much change in the corridor, but the upper basin is in the floodway now because the Chehalis backed up and caused the south fork of the Chehalis to back up. We are challenging their base data.

Mr. Carlton suggested not challenging the data until you know what they did. Meet with them prior to issuance of the maps and meet with your consultant and FEMA and it can be determined if it is right or wrong.

Regarding changes to the map, Mr. Carlton stated FEMA will listen to hydraulic modelers. FEMA is looking for engineering data to change results.

8. Adjourn

The meeting adjourned at 11:42.

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

March 18, 2010 – 1:30 P.M.
Meeting Notes

Board Members Present: Terry Willis, Grays Harbor County; Bill Bates, City of Centralia; Dolores Lee, Town of Pe Ell; Jim Cook, City of Aberdeen; Karen Valenzuela, Thurston County; Andrea Fowler, Town of Bucoda; Ron Schillinger, City of Montesano; Glen Connelly, Chehalis Tribe; Ron Averill, Lewis County; Brandon Atoch, City of Oakville; Merlin MacReynold, City of Chehalis
Others Present: Please see sign in sheet

Handouts/Materials Used:

- Agenda
- Meeting notes from February 18 Work Session and Business Meeting
- Letter from TransAlta
- Needs Assessments
- Update: Chehalis River Basin GI
- Update: Twin Cities Project
- Ongoing Efforts, Ripe and Ready Studies
- Early Warning System draft recommendation
- Memo from ESA Adolfson re: Flood Plan Public Meetings
- Memo from City of Chehalis
- Memo from ESA Adolfson re: City of Chehalis
- Expenditure Review

1. Call to Order
Chairman Willis called the meeting to order at l:30 P.M.

2. Introductions
Introductions were made by the Board and all attending. Chairman Willis thanked the Elma FFA for attending the meeting. The students are working on a project and the Flood Authority is part of that project.

3. Approval of Agenda
Chairman Willis asked if there were any changes or corrections to the agenda. There were none and without objection the agenda was approved.

4. Approval of Meeting Notes from February 18, 2010
The Chair asked if there were any changes or corrections to the meetings notes. There were none and without objection the meeting notes were approved.

5. Public Comment
There was no public comment.

6. Reports

a. Chairman's Report

Chairman Willis summarized the work session stating that many of the topics for discussion are on the agenda for today's meeting.

This has been a busy week for the legislature and funding for the Flood Authority is part of their work. Many members have contacted their representatives and the Flood Authority has been in close contact with Antonio Ginatta, letters have been sent to discuss our position. That position is that this is a basin-wide project and we are looking for basin-wide solutions.

b. Member Reports

There were no member reports

c. Correspondence

Chairman Willis reported the Washington Council of Trout Unlimited brought a memo to the meeting. It is a list of their positions and priorities on several matters.

A letter was received from the Confederate Tribes of the Chehalis Reservation to Mr. Muller as well as Mr. Muller's response to that letter. The letter is in regard to Mr. Muller's inclusion on the committee for the Coordinated Study. Copies of the letters are available if anyone would like one.

Mr. Mackey stated there was also a response letter from Michael Golden, Lewis County Prosecutor, regarding the Tribe's letter.

d. Facilitator's Report

Mr. Mackey stated most of what he has to cover will be on the agenda under Ongoing Efforts and the Ripe and Ready Update. He pointed out that many people, including Chairman Willis and Commissioner Averill, have done a tremendous job in representing the Flood Authority with the Governor, and Antonio Ginatta has done a tremendous job keeping this on track.

Mr. Ginatta stated the Flood Authority's voice has been helpful to the Senate talking about the last senate proviso. It has also been helpful to have representatives from the community speak out. The House Chair and the Senate Chair have heard from this community and that is important. One message that the Legislature is giving us is that this is the time to start considering where we will be in a year and what governance will look like. The hope of the Legislature on both sides is that we are going to have a self-sustaining basin-wide local governance. The direction to which you are headed is potentially three flood control districts tied together with an interlocal agreement with the Tribe involved in some way. He does not believe we will be able to have this fight next year and therefore we have this year to get it done.

Mr. Ginatta does not know if the House Capital Budget passed out their budget today; things are changing hourly. There will be language that people will not be happy with in both the House and Senate language but it can still be altered in conference.

Chairman Willis thanked Mr. Ginatta for his efforts, as well as Commissioner Valenzuela who made several phone calls that were critical to getting access to certain areas.

e. State Team Report

Mr. John Donahue reported WSDOT met with the Corps on January 28 and following that meeting an FAQ was put together and posted on the internet. The website address is www.chehalisbasin.org.

Mr. Donahue also met with Mr. Muller of the PUD earlier this week and talked about elaboration on deliverables at 35% design for the Twin Cities project. It was introduced to Mr. Goss and it will be followed up on to create more detail.

Recently DOE has been participating in the process of evaluating mitigation sites for the Twin Cities project and has influenced the course of that process. A recent contract change with the Corps will incorporate DOE processes. That will help things later on when the project is obtaining permits.

The State was invited to sit in on an introductory session with FEMA about how the Twin Cities project will be processed as part of the map update with FEMA.

The State met with FERC, the regulatory agency for the Skookumchuck Dam, to talk about the two different proposals in the Corps' Twin Cities project for the Skookumchuck Dam. It was decided it would be helpful to move forward with design called NED, or National Economic Development, which is the design that lowers the pool in the reservoir to prepare for flood events. The Corps will be moving ahead on that and Mr. Goss will address it.

There is another proposal in the Twin Cities project called Locally Preferred Plan (LLP), which is where the pool gets raised and holds more water. The Corps refers to that as"betterment." When we met in January, Mr. Donahue spoke of the need to convene some people regarding that particular proposal and how it might be paid for. Betterment, according to the Corps' definition, is entirely the sponsor's responsibility financially. Mr. Donahue is trying to learn more about this proposal; it has a lot more challenges regarding design, etc. He will be meeting with PIE next week to learn more about the design process and expects to convene local people who are interested in that proposal. At the moment there is no funding for it.

Commissioner Averill stated the concept behind the Skookumchuck Dam was protection down river. If the 35% or the next stage of study shows that we need to have more water retained to meet the no impact downstream, would the Corps look again at going from 11,000 acre feet to 20,000 acre feet in the design rather than a local option.

Mr. Donahue stated that would be better addressed by Mr. Goss.

Mr. Donahue stated there was discussion regarding the City of Chehalis resolution and a planner at the Corps has been identified to help on several of the issues and tributary questions in particular. There are tentative meeting dates in April and Mr. MacReynold, Mr. Jennings and Mr. Bates are invited to the site visits. The purpose of that meeting will be to look at the tributaries and determine how they might be evaluated in terms of project improvements under different authorities.

f. Corps of Engineers Report

Chairman Willis thanked Mr. Goss for attending the work session, stating the information he provided was very helpful.

Mr. Goss gave an update on the Twin Cities project and referred to a handout distributed to the members. The project is a result of significant work by State, local, tribal and federal agencies taking

place over several years. It is authorized and funded by Congress for design and if built it will provide significant flood protection to Chehalis and Centralia. It would not protect everyone in the Basin and that is what we want to cover in the basin-wide GI study. A handout for the GI study was also distributed.

Mr. Goss stated the hydraulic model is being refined. A field trip was taken in March to look at potential mitigation sites and to work on the screening process. A teleconference with various agencies was to discuss potential modifications and design work for the Skookumchuck Dam and we are looking at incorporating into our mitigation habitat unit analysis that the DOE uses which is different from the Corps'.

A question that arose on the Skookumchuck Dam was regarding the NED and the 11,000 acre feet. That was looked at and from previous analysis it was believed that it mitigates adverse affects downstream. The LPP for the additional 9,000 was in addition to that. For cost benefit reasons it was put forth as a betterment rather than holding back from the Skookumchuck and preventing additional downstream data based on what we had at the time. At this time the authorized plan has 9,000 additional acre feet as a betterment or Locally Preferred Plan.

Commissioner Averill stated his question is: as you come up with new data and it shows that it won't provide for lower flow downstream, would you then come back and look at that additional 9,000 acre feet as being part of the plan as opposed to betterment.

Mr. Goss stated if the new data shows that we are not addressing that and there are adverse affects downstream that could be prevented we could address that in the PMP report.

i. Twin Cities Project

The Corps is working to identify additional mitigation sites and fine tune the hydraulic model. It will be looking at how it affects water surface elevations. There were some questions about how the FEMA maps will affect the Twin Cities project and we have been coordinating with FEMA on our activities. On other similar projects, when the Corps submits the design for certified levees for 100 year protection, that information is taken in by FEMA and they do an evaluation. Typically it is a letter with back up data if they choose to go through it. Once that project is completed 50% and there is a guarantee of federal funding to complete that project, FEMA can re-do their flood maps.

ii. Basin-Wide General Investigation

The study is looking at many projects to address flooding across the entire basin. The working group and the Corps were finalizing the Project Management Plan. Once that is finalized, a feasibility cost share agreement will be signed with the local sponsor and other entities would participate within their interlocal agreements. Following that we will look at the GI projects.

The PMP is to be completed in May and a meeting is scheduled on March 26th to go over the latest additional information that has been sent out on the PMP which includes schedule, costs and scope of work. The paper that was distributed mentions some of the projects that the Corps will look at.

Mr. Goss referred to the map that was at the public meetings in September. Changes are: a levee that crosses a mitigation wetland that will need to be addressed and on the south end some of the concerns of the City of Chehalis will be considered.

Mr. Connelly stated the web address is misspelled on the handout. Commissioner Averill stated the GI report, second paragraph, should read Farm Bureau, not Farmers Bureau.

g. Lewis County PUD Report

Mr. Muller stated the Flood Authority has authorized the PUD to proceed with Phase IIB on the water retention studies. The interlocal has been approved and EES got the go ahead on the 22nd of February. At this point they have initiated efforts in looking at questions raised by the DOE letter regarding the gauge information, the reservoir requirement, flood volumes and flood flows and the dam height requirements. There was a question on the possible increase of sedimentation and general erosion at the dam sites. They are also researching other water retention studies from the past on the Chehalis River Basin.

Regarding economics, EES will be looking at the Corps of Engineers economic model to determine what identifying data is needed to comply with that and what information exists already. There have been discussions with Northwest Hydraulics on the hydraulic model and to compare that with the flood depths throughout the Basin and then compare those with land, home and commercial building elevations to get an analysis of the impacts of the different flood levels.

Chairman Willis stated the Tribe had brought up the fisheries issue and it was to be included in this phase and asked if that had been started yet.

Mr. Muller stated when we looked at Phase IIB there was not enough money to do the fisheries and environmental work. It was at the suggestion of Mark White that we not do that in this Phase until there is sufficient money to do it right.

OLD BUSINESS

7. Ongoing Efforts/Ripe and Ready Projects Update

Mr. Mackey was pleased that nearly the entire Board was at the work session. It helps discussions and it helps Mr. Mackey summarize what transpired.

Mr. Mackey quickly went through the items not covered on the agenda. It is not known what will come out of the supplemental budget, which is a re-appropriation for the fiscal year July 1, 2009 through July 1, 2011. When they give us that money we must account for what has already been spent by both the Flood Authority and the State on the Twin Cities project and whatever additional money is left can be spent for the rest of the biennium. As Mr. Ginatta pointed out, there are several different options being put forward and finalized language will not be determined until the Legislature is out of conference and the governor signs. With that in mind, Mr. Mackey will hedge on some of the items in his report.

On the Coordinated Study we have put out a Request for Proposals (RFP) for this study and we are not going to review those proposals that have come in until we know we can go forward with this.

We did receive a response for the RFQ for the Flood District formation. The BAC will meet Friday to interview that group and will bring a recommendation to the next meeting. We are proceeding with that because every version of the supplemental budget we have seen has been adamant about the Flood Authority moving forward with a permanent form of governance as soon as possible and there are funds included for that.

There is a letter in the member packets from TransAlta regarding the Skookumchuck Dam. Separate from the Corps efforts, the Flood Authority asked if the large pipe at the bottom of the dam could be used as a drain to pull water down more quickly to allow more capacity in the event of a potential flood. TransAlta discovered that would not be feasible and they are not anticipating using the funds that were put aside for that purpose, which was $25,000.

Mr. Mackey is still waiting for a copy of Earth Economics draft report. Earth Economics is hosting a workshop on March 30 from 1-5 PM at the Chehalis Timberland Library.

The lower basin hydraulic model is still pending. FEMA has talked about doing that and it is unknown if it is needed in the Coordinated Study. If it is we need to wait to see what happens in the budget.

Because of the budget, LiDAR has been put on hold as well.

Mr. Mackey stated a discussion on the General Investigation was about the type of agreement that Grays Harbor County has with the Chehalis Basin Partnership and the Flood Authority. After some discussion it was decided there is a need for a simple agreement that states that Grays Harbor will listen to and get input from both of these entities prior to moving ahead with planning issues with the Corps. A feasibility study will be needed and it is to look at current circumstances and the kind of opportunities that are out there. It does not need to deal with funding and jurisdictions. If a flood district is formed by July 1, 2011 then there will be a different relationship with Grays Harbor County in terms of the Flood Authority but there will still be a relationship with the Partnership. A draft MOU will be available at the next meeting for action by the Flood Authority.

Mr. Bates asked if the flood zone research is part of the ripe and ready study also.

Mr. Mackey stated no, that there is a contract out now to look at the formation of some type of flood district. Assuming that money comes in the budget that process will begin.

Mr. Cook spoke of the Skookumchuck Dam and asked if the project for the drain had been abandoned entirely. He asked if we are only going to look at additional water retention or is there another viable plan to draw down the dam quickly.

Mr. Tony Briggs stated TransAlta has exhausted the non-invasive solutions at this time and rather than hold the money it will continue to support the efforts of the Flood Authority and Corps as they go along.

8. Interlocal Agreement
Mr. Mackey covered this item in his update.

9. Early Warning System
Mr. Ray Walton, West Consultants, introduced his colleague, Greg Dutson with Engineered Monitoring Solutions.

Mr. Walton presented a PowerPoint of Phase I, the elements of Phase I leading to conceptual design, what we need to do to wrap up Phase I and what the next steps are in the project.

Step one in Phase I is to identify the needs and there are a number of jurisdictions to be considered; we need to see what elements are on the ground, what elements are thought to be needed, and then come up with a conceptual design.

Once we have what has been identified, we go to Phase II, a detailed design which is a specific set of programs in terms of technology and notification.

Phase III will be the implementation. This can be done as a series of steps or in groups depending on the funding. We envision setting this up as a set of parallel paths that can be followed depending on the funding.

In the needs assessment of the Phase, we met with all the jurisdictions within the Authority. We also met with state and federal agencies that play an important role in flood warning in the basin, particularly the National Weather Service, to understand the perceived needs from the jurisdictions as well as some of the constraints that some of the agencies might have.

Chairman Willis asked what was being considered regarding the flood siren.

Mr. Walton stated they are looking at warning an area where something is happening more quickly, perhaps not from the Chehalis River itself but from one of the tributaries or upstream where the lead time to get out is an issue.

Commissioner Averill stated Pe Ell requested a siren. They were concerned because if it is a quick storm they need to get adequate warning because they are at the top where we start looking at monitoring. Bucoda also asked for a siren.

Mr. Walton stated sirens are not to be located throughout the basin, just in particular locations, and that is the same for road signage. Those elements will be incorporated into the design at certain key locations.

The Planning Level Cost Estimate came to approximately $500,000 which included RFLOWS implementation, precipitation gage improvements, stream stage monitoring improvements, snow pack monitoring improvements and flood notification improvements. There will be an annual operating cost on top of that which would be approximately 10-25%. The lower number reflects a flood control district doing this as opposed to having outside groups maintaining the systems for you.

Commissioner Averill noticed that the $500,000 includes purchase and maintenance of gauges. Some already exist in the system and those are the responsibility of the counties in which they are located. When the Flood District is formed we would like to transfer those costs but until that happens perhaps they should not be included in the cost of this project. Commissioner Averill brought this up because both the House and Senate budget set aside $200,000 for this project and we may be looking at the best way to spend that money if we get it.

Chairman Willis stated it was used as a line item and specifically drawn out for early warning. We appreciate that allotment going into the budget but it is not adequate to cover the needs of a basin that is as large as the Chehalis Basin.

Mr. Walton touched on funding sources stating there are a number of federal agencies that can provide support depending on its ability to do so. There are also state funding agencies that could be tapped into.

Mr. Walton met with the BAC two weeks ago to discuss what has been done and is moving to finalize the report. We are beginning to cost out what to do in Phase II. One idea is to have a series of design workshops where we might take elements of this plan and look at the information and technology platforms and go through what everyone would like to see to try to get consensus. The reason for doing that is Phase II is the detail design. As part of the detail design we would propose that type of approach plus look at how implementation could be staged. Even if all the elements of the program are not in place, i.e. gauges, it is still possible to build the information platform and bring in the data that is available. We believe that is doable by the next flood season.

The final phase is the implementation phase and using all the funds that remain available.

Commissioner Averill thanked Mr. Walton for providing the documentation ahead of time. It was impressive in terms of areas looked at and it was interesting to note the different responses from different communities.

Commissioner Averill's concern is he did not see where the Newaukum River had been addressed as a contribution to the flooding issues at that end of the basin. The Newaukum is a river that normally crests before the main stem of the Chehalis River crests but in 2009 they crested at the same time and that caused the freeway closure. We do have gauges on that river but the river needs to be included in the system.

Mr. Walton stated he believes that is consistent with what has been done. It is gauged and it is part of the NWS prediction points. He asked Mr. Dutson to elaborate.

Mr. Dutson stated a precipitation gauge improvement on the upper Newaukum was included and that is in addition to the existing USGS gauging stations. If there is additional need for stream gauging there it would be good to know now.

Commissioner Averill suggested talking to the City of Napavine and perhaps to people in Onalaska as to their concerns, just as has been done in other communities. If the County should have addressed that and did not, Commissioner Averill will speak to them.

10. Public Meetings

Ms. Ann Root stated the Flood Plan has been updated since last June and since it is a draft it is available only on the website rather than providing printed copies. The revisions included a general update; a couple of chapters were revised; the funding and governance chapter was included, as well as the regulatory recommendations.

The public meetings will be held in early April: April 5 at Swede Hall in Rochester, April 6 at City Hall in Montesano, and April 7 at the Veterans Museum in Chehalis. All times are from 6:00 to 8:00 P.M. We request the Board Members attend as many of those meetings as they can.

A meeting format has been set up to provide for a variety of opportunities for public comment. An introduction will be made by a representative of the area and then a public presentation will be made

on the Flood Plan and how it relates to what the Flood Authority has been doing in the past year or so. We will focus on the flood problems and flood projects that are identified in the Plan and the presentation will follow up with a public comment and question period. In order to focus on the problem identification we will break out into smaller listening points which will be manned by the consultant team, the BAC, and by the members who care to attend. There will also be written comment forms available.

We are beginning an advertising campaign which includes newspapers, radio, flyers, websites, etc. You will get an e-mail with a flyer attached to it that can be distributed as you see fit. Following the meetings we will update the Plan again with public comments and a revised Plan will be brought to the Flood Authority at the May meeting. We will request that the Flood Authority adopt the Plan as the Basin-wide Flood Hazard Management Plan and that you pass a resolution recommending the member jurisdictions to adopt that Plan or amend their own plan to include the basin-wide Plan as an attachment.

Chairman Willis stated this forum will be the public's opportunity to have their comments put into the Plan. It is important to incorporate the public's thoughts into the final draft.

The Chair asked that the members who are going to attend please notify Mr. Mackey or Ms. Root so the proper accommodations can be made at the meetings.

11. Memo from the City of Chehalis

This discussion was tabled at a previous meeting. Chairman Willis asked Mr. MacReynold to brief the group on the issue.

Commissioner Averill made a motion to put this item back on the table; motion seconded and carried.

Mr. MacReynold stated the City of Chehalis requested the Corps to consider certain flood reduction projects that severely impact the city. The City approached the Flood Authority to support those projects, not to include them in the project, but to ask the Corps to consider the request.

Chairman Willis stated the discussion hinged on the original language that the projects are included in the Twin Cities project and there was a proposal to change the language to read that the "projects be considered."

Mr. Schillinger made a motion to include the memo. The motion was seconded. There were no objections and the motion passed.

NEW BUSINESS

12. Expenditure Review

Mr. Bob Johnson stated there were two reports in the member packets. One shows expenditures for this period, which is February 12 through March 12, 2010. The unencumbered fund balance is $141,887.53. The other shows detailed expenses from the Flood Authority's inception through March 12, 2010. There is a discrepancy by budget line items and specific to certain expenditures within those line items. Mr. Johnson will look into the differences.

Commissioner Averill suggested breaking down the detailed expenditures into fiscal components.

Mr. Johnson stated there was some discrepancy between the County's fiscal office and OFM. Salary and benefits were included in the report but had not yet been reimbursed through the County. It is a complex and time-consuming reporting system and some items may lag.

Chairman Willis requested that the column that shows total expenses not be lost and add another column that shows the expenses for the biennium.

13. Confirm Next Meeting and Board-Requested Topics

The next meeting will be on Thursday, April 15, 2010 at 1:30 at the Lewis County Courthouse. A work session will be held in the morning beginning at 9:00 at the Veterans Memorial Museum.

14. Adjourn

There was no other business before the Flood Authority and the meeting adjourned at 3:00.