

Santa Ana River Flood Protection Agency

Executive Director

Herbert I. Nakasone

SARFPA EXECUTIVE COMMITTEE MEETING MINUTES

Members

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

Mailing Address

P.O. Box 4048
Santa Ana, CA 92702-4048

Email Address:

Herb.Nakasone@ocpw.ocgov.com
hinakasone22@gmail.com

Phone

(714) 647-3938
(949) 922-1852

Location

601 N. Ross Street
Santa Ana CA 92701

Website

www.ocflood.com/sarp/sarfpa

January 28, 2021 at 4:00 p.m.

Zoom Meeting

Attendance/Attendees:

Barbara Delgleize, SARFPA Chairwoman, Councilmember, City of Huntington Beach
Stacy Berry, SARFPA Vice-Chairwoman, Mayor Pro Tem, City of Cypress
Steve Faessel, Mayor Pro Tem, City of Anaheim
Cathy Green, Director, Orange County Water District
Patrick Harper, Mayor Pro Tem, City of Fountain Valley
Art Perry, Director, Costa Mesa Sanitary District
James Tyler, SARFPA Executive Committee, OC Public Works, Alternate to Supervisor Chaffee
William Galvez, City Engineer, City of Santa Ana
Johnathan, Hernandez, Director, Orange County Sanitation District
Austin Lambard, Council Member, City of Tustin
Carlos Manzo, Council Member, City of Westminster
James McConnell, SARFPA's Washington DC Advocate
Kim Nguyen, Mayor Pro Tem, City of Garden Grove
Bob Ooten, Director, Costa Mesa Sanitary District
Connor Traut, Mayor Pro Tem, City of Buena Park
Bruce Withaker, Council Member, City of Fullerton
Jordan Brandon, Director, Orange County Water District
Kevin O'Toole, Guest
Kelly Rowe, Director, Orange County Water District
Marwan Youssef, Public Works Director, City of Westminster
Tara Campbell, Council Member, City of Yorba Linda
Jessica Guerrero, Office of Supervisor Doug Chaffee
Michael Markus, General Manager, Orange County Water District
Francisco Barajas, Public Works Legislative Coordinator
Catherine Lapid, Flood Programs, OC Public Works
Pipit Widjaja, Assistant to SARFPA Executive Director
Herb Nakasone, SARFP Executive Director

1. Call to Order

Meeting Called to Order at 4:05 p.m. by Chairwoman Barbara Delgleize.

2. Pledge of Allegiance

Pledge of Allegiance led by Jordan Brandman, Director, Orange County Water District.

3. Approval of November 19, 2020 Full Agency Meeting Minutes

Santa Ana River Flood Protection Agency

Minutes approved unanimously on Motion by Cathy Green, Director, Orange County Water District and Second by Steven Faessel, Mayor Pro Tem, City of Anaheim.

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

SARFPA's Washington DC Advocate, Jim McConnell, reported the following:

- a. Jim reported the Water Resources Development Act (WRDA) was adopted in late December 2021 by President Trump as part of the 2021 Omnibus Bill that also approved the 12 appropriations bills to fund the government to September 2021.
- b. The inclusion of the Westminster East Garden Grove Wintersburg Project (Westminster Project) in WRDA provides the necessary congressional authorization for Congress to seek appropriations or funding of the Westminster Project.
- c. While the SAR project has sufficient funding to complete the project, the approval of Omnibus Bill or 2021 Budget included the FY 2021 Corps of Engineers Work Plan which included an additional \$9.25 million for the Santa Ana River (SAR) Project to resolve contractor disputes on existing SAR contracts.
- d. The U.S. Army Corps of Engineers (USACE) proposed budget for the upcoming FY, which in this case is the 2022 Fiscal Year Budget, is required to be submitted to Congress on the first Monday in February or February 1, 2021. However, the disruptions resulting from the change in administrations will cause a delay in the submission of the USACE FY 2022 Budget. However, sufficient funding is available to complete the SAR Project.
- e. The recommended next goal of the County of Orange should be to seek a "New Start" approval of the Office of Management and Budget (OMB) for the Westminster Project. This activity will need to include the support of the LA District Army Corps of Engineers (LA Dist. USACE) along with the South Pacific Division of the US Army Corps of Engineers.
- f. Jim indicated the approval from OMB for a "New Start" and initial funding will require a concerted effort by the County of Orange Board of Supervisors along with County's Congressional delegation.
- g. In reply to a question from Patrick Harper, Council Member, City of Fountain Valley regarding seeking support from Congresswoman Steel, Jim indicate the support from both Congresswoman Steel and Congressman Lowenthal would be helpful. Jim also indicated the fact that the County is willing to provide two thirds local funding for the Westminster Project should be helpful in securing the support of OMB.
- h. In reply to a suggestion by Chairwoman Barbara Delgleize to meet with Representatives Lowenthal, Representative Steel, and OC Supervisor Chairman Do, Director Herb Nakasone reported he had a discussion with Francisco Barajas to coordinate and arrange such meetings.

5. Report from O.C. Public Works on Santa Ana River Mainstem Project Construction and property acquisition Status and Westminster Watershed Project Status

Santa Ana River Flood Protection Agency

- a. James Tyler, OC Public Works Engineering Manager and member of the SARFPA Executive Committee, provided the following report using a power point presentation.
- b. James reported the County recently signed an amendment to the Local Cooperative Agreement (LCA) and the Project Cooperative Agreement (PCA) to identify the remaining SAR projects to be funded by the \$500 million Bipartisan Budget Act, including the scheduled for their implementation and the responsibilities of each party.
- c. James explained the SAR Project is a joint project between the USACE and the three flood control districts representing the Counties of Orange, Riverside and San Bernardino. The Orange County Flood Control District (OCFCD) represents Orange County and is jointly responsible with the USACE for the construction and maintenance of Seven Oaks Dam, Prado Dam and the Lower Santa Ana River (SAR).
- d. The Seven Oaks Dam is completed and is currently being maintain by the OCFCD.
- e. Construction features on the Lower SAR between Weir Canyon Road and Prado Dam, identified as Reach 9, are under construction. The remaining features under construction include the Atchenson Topeka and Santa Fe (AT&SF) railroad bridge pier modifications and bank protection construction at Reach 9 Phase 4 and Reach 9 Phase 5A and Phase 5B.
- f. The construction features remaining to be completed at Prado Dam include the Alcoa Dike, the Norco Bluff Bank Protection and modifications to the Prado Dam Spillway. All of these remaining features on the SAR are schedule for completion by FY 2023.
- g. James reported the \$135 million Santiago Feature of the SAR has been removed as part of the original SAR Project and will be separately funded. A separate \$2.5 million Design Document Report is being prepared by the USACE to review the original General Design Memorandum to determine if any updates on the flood protection are needed.
- h. In response to Kelly Rowe's inquiry on the Santiago Creek feature and the scope of work in regard to the Orange County Water District's (OCWD) water recharge basin, James Tyler indicated the original Design Memorandum on Santiago Creek addressed the scope of work on Santiago Creek and the interface with the recharge basin. Herb Nakasone added his recollection of the Santiago Creek Design Memorandum identified the limits of the proposed activity at the OCWD recharge basin extended downstream from Katella Avenue to a proposed outlet facility downstream of the recharge basin and did not extend upstream of Katella Avenue.
- i. James reported the work on the Prado Dam Spillway required the acquisition of properties behind Prado dam and is the responsibility of the Orange County Flood Control District (OCFCD). Since the work on the spillway is scheduled to be completed by FY 2023 there is an urgency by the OCFCD to acquire the necessary 45 remaining properties currently underway. As part of the agreement with the Los Angeles District USACE 132 small parcels identified for flood easement acquisitions have been deleted due to the minor nature of the flooding within the back yards of single-family dwellings.

Santa Ana River Flood Protection Agency

- j. Kelly Rowe asked if the OCWD had approached the OCFCD regarding the possibility of using properties behind Prado Dam for building retention basins to capture flood flows for release into the OCWD recharge basins downstream from Prado Dam. James Tyler indicated he was not aware of such discussions and indicated these types of proposal would need to also include the LA District USACE.

Westminster/East Garden Grove Wintersburg (WEGG) Project

- a. James Tyler reported the Westminster Watershed Project (Project) has been included in the 2020 Water Resources Development Act (WRDA) allowing for the proposed \$1.3 million construction project to be considered for Congressional Appropriations(funding) which is the next step in the process needed for federal funding. The purpose of the Project is to provide flood protection to resident and businesses in the last major floodplain in Orange County and remove these residents and businesses from paying mandatory flood insurance.
- b. The \$1.3 million Locally Prepared Project (LPP) construction Project is a joint USACE and OCFCD project with the OCFCD paying \$910 million and the federal government contributing \$310 million. The OCFCD is paying the larger share of the project cost because the County of Orange opted to select a LPP construction project which will provided a 100 year level of protection while the federal government's National Economical Development(NED) Plan only provides a 25 year level of flood protection which does not meet the County and cities desire to remove the 100 year floodplain designation on the National Insurance Rate Maps.
- c. Per James, County staff is preparing a Memorandum of Agreement (MOU) with the LA District USACE to allow the OCFCD to proceed with construction on segments of the LPP proposed project and received financial credit for its share of the project cost. By initiating early construction on segments of the project, Orange County residents will receive flood protection sooner and allow County staff to seek Letters of Map Revision(LOMR) from FEMA and relieve residents from paying mandatory flood insurance for those segments of completed flood channel improvements which reduces the 100 year floodplain footprint. The County is also proceeding with the preparation of an Environmental Impact Report (EIR) to allow for the early construction.
- d. Per James, the County staff is also seeking State Subvention reimbursement to the OCFCD for 70 % of its expenditures and limited by the federal share of the project cost. The State Subvention program limits it reimbursement to 70% of OCFCD cost towards the federal share of the project cost.
- e. Francisco Barajas, OC Public Works Legislative Coordinator reported the County is seeking State legislation to allow for the reimbursement of State Subvention funding. Francisco also reported he is working to prepare an Advocacy Plan for approaching the USACE and the Office of Management and Budget(OMB) and will share the plan with SARFPA when finalized. Francisco also reported he is planning to have a State Legislator to sponsor legislation for the OCFCD subvention request and will provide SARFPA with the information once the sponsor is identified.

Santa Ana River Flood Protection Agency

6. Report from Executive Director Herb Nakasone:

- a. Executive Director Herb Nakasone shared SARFPA's meeting schedule for calendar year 2021.
- b. Herb also reported he would be working with Francisco Barajas on coordinating schedules for meetings with Board of Supervisors Chairman Do and perhaps one or two of Orange County's U.S. Representatives regarding SARFPA's interest in the funding of the Westminster Project.

7. Public and Representative Comments:

- a. Kelly Rowe suggested a presentation be made regarding FEMA's Community Rating System to SARFPA members to assist Cities on securing ratings to lower NFIP Insurance Rates.
- b. Bob Ooten requested information on the Santa Ana River and Westminster Projects which James Tyler agreed to provide through Executive Director Herb Nakasone.

8. Adjournment

Meeting was adjourned by Chairwoman Barbara Delgleize at 5:08 PM.