

**MINUTES OF THE
NAPA COUNTY TECHNICAL ADVISORY PANEL
REGULAR MEETING**



Wednesday, August 28, 2013
5:30 p.m.

I. Call to Order; Roll Call.

The Napa County Technical Advisory Panel met during regular session on Wednesday, August 28, 2013 at 5:30 p.m. with the following members present: Chairperson Dennis Rinehart; Barbara Stafford; Chris Craiker; Tony Norris; Bill Bennett; Bob Zlomke; and Vice-Chairperson Rolf Ohlemutz. Chip Bouril and Dennis Scherzinger were excused.

II. Public Comment.
None.

III. Approve Minutes of the June 26, 2013 Regular Meeting.
Minutes approved.

BB	CB	CC	TN	RO	DR	DS	BS	BZ
	X					X		

IV. Status Update on the Following Subjects:

1) Black Elk Mixed-Use Building Project.

Andrew Butler, Associate Civil Engineer, distributed copies of the first page of the tentative map/design review plans and a letter sent to Scott Klingbeil, Community Development Department, City of Napa, that outlined property conveyances between the City and District that are required prior to the District's approval, as well as conditions required as part of the approval. Mr. Butler stated the most significant impact to the Flood Project is the proposal to relocate an access easement slightly to the east at the north end of the property that leads to a permanent flood protection levee easement and a temporary work area easement where part of the future bypass will be located. There is also a proposal to rebuild a retaining wall that was built as part of the Bypass Rail Bridge Relocation Project that is on land that the District currently owns but is being conveyed to the City. The development will have a much larger, three-story building on the property with underground parking located across the railroad tracks east of the District's office. The developer has initial approval from the City to move forward, and an update will be provided to the Panel in the future.

2) Napa River Dry Bypass Construction Contract.

Mr. Butler reported the U.S. Army Corps of Engineers has put out a Request for Proposals with a submittal due date of September 23. A pre-bid walk-through for prospective contractors will be held on September 9. The Corps has indicated the contract will be awarded sometime in October.

3) Completion of the Napa River/Napa Creek Flood Protection Project.

Phil Miller, District Engineer, reported the District and Corps are engaged in several discussions about the elements that will be in the bypass – who pays for what – and the Corps' intention for completing the Flood Project. On the Corps' website there is an article titled, "Napa Bypass – Final Phase of the Napa

Item IV – 3)...Continued

River Project.” The Corps has said they think they will be done working on the Flood Project after the bypass has been completed and there is no additional funding available. The District has discussed this with Congressman Mike Thompson, who has a different understanding of Flood Project funding and believes there is additional funding available in the upcoming federal Fiscal year 2014. The differing opinions affect what will get built in the bypass. If the Flood Project isn’t completed as intended, the floodwalls in the bypass wouldn’t function as designed, as the water wouldn’t get high enough until the other floodwalls within the Flood Project and pump stations are built to get water into the Napa River and bypass channel. However, the Corps has indicated they will put in writing that the floodwalls will not be included in the bypass contract. The District requested to keep them in as options so they could choose to build them if they wanted, but the Corps declined. Mr. Miller; Jill Techel, Flood Board Chairperson; Bill Dodd, Flood Board Vice-Chairperson; and vintner Michael Mondavi will be traveling to Washington, D.C. in mid-September to meet with Congressman Thompson, staff from Senators Boxer and Feinstein’s offices and staff from the Office of Management and Budget to discuss having the Flood Project and bypass finished in their entirety and have the money authorized by Congress for the bypass be spent on the bypass. As far as the long-term approach is concerned, the District has known for some time that the benefit-cost ratio for the remaining work after the bypass is completed isn’t good due to the pump stations and their large cost (to be conservative) being added at the last minute to the Flood Project before it was authorized. The District has asked the Corps to have the benefit-cost ratio reevaluated. The Corps suggested having a study done that is referred to as a post-authorization report, which would cost about \$2 million, but they will not do it. The District proposed if they had the report prepared with the assumption it would be of the quality the Corps would expect, would the Corps accept it, and they said yes, as long as it met the Corps’ criteria. Another issue with the benefit-cost ratio is the Flood Project’s environmental benefits weren’t considered because this wasn’t previously required by the Corps, but guidelines have been recently circulated for the current administration that now require consideration of environmental benefits. The District conveyed to the Corps that this would apply to the Flood Project, but the Corps responded that it did not because the Flood Project’s authorization was too old. The District will stress to those in Washington, D.C. that because it wasn’t previously required to include environmental benefits in the benefit-cost ratio, it is unfair to rate it as poor and it should be measured by the new standards. The Corps has also told the District they believe the local share should be approximately \$3.5 million for some of the bypass elements, such as the concrete under bridges, trails, kayak access to the ramp and river access at the downstream edge. After further discussion, the District was able to get the amount reduced to \$1.3 million, most of which is for the relocation of McKinstry Street. Other issues if the bypass floodwalls are not built would be the lack of a way to mount the lighting in the bypass or connect the floodgates at McKinstry Street.

Item IV – 3)...Continued

Many of the Panel members had questions and concerns regarding 100-year flood protection and certification of the Flood Project if it isn't completed as it was originally designed. Rick Thomasser, Watershed and Flood Control Operations Manager, stated if the Corps didn't complete the Flood Project, areas that have received flood protection benefits thus far could be remapped, but the full level of flood protection, which is what the majority of local taxpayers voted for, couldn't be provided and the Flood Project couldn't be certified. Mr. Butler added the Corps no longer goes after a certain level of flood protection anymore but rather to see where flood protection benefits are maximized. Mr. Miller reiterated the issues will be further discussed in Washington, D.C. next month.

V. Agenda Items for Future Meetings.

- **Status Updates on the Napa River Dry Bypass Construction Contract and the Completion of the Napa River/Napa Creek Flood Protection Project.**

VI. General Comments from the Panel. (This is an opportunity for Panel members to informally discuss items and ask questions.)

Mr. Miller stated the Corps has been invited to a meeting with the City of Napa on September 12, as well as the Flood Board meeting of September 10 wherein the Board will be asked to approve the \$1.3 cash contribution to the Corps so they will proceed with awarding the bypass contract for construction.

Member Zlomke cited the irony of the Panel having to be thorough with making a finding of consistency with the Community Coalition Plan, which had the implicit of 100-year flood protection and the possibility of that level of protection not being provided in the end.

Member Stafford asked how the Corps can quit before the Flood Project is finished when there is an agreement. Mr. Miller responded the Corps expressed they have expended as much money that is in the federal interest. Mr. Thomasser added the agreement has fine print that states they can only do what they have the funds to do.

Vice-Chair Ohlemutz suggested running the hydraulic model for the Flood Project with incrementally increasing flows up to the 100-year level to see at what level certain properties would be impacted. Mr. Thomasser responded he believed the Corps has done this for the 10-, 25-, 50- and 100-year levels as part of the benefit-cost ratio, but the bottom line is there is no way to get 100-year flood protection without some amount of levees and floodwalls in certain areas. Member Bennett suggested if a model is done that illustrates how much floodwall is needed, it could be determined later how many feet could be removed to save a certain percentage.

Member Stafford asked if the District is keeping up with the hydraulics of the river as the Project goes along.

Item VI...Continued

Vice-Chairperson Ohlemutz stated as far as FEMA is concerned, if there is an existing bank where a floodwall is planned that would provide 3' of freeboard and the floodwall is less than 3' high, then FEMA wouldn't want the freeboard because nothing will be done to the slope; they are looking at actual inundation for a 100-year level. Mr. Thomasser responded that FEMA and the Corps used to look at things differently but are now getting closer in the alignment of their opinions. Mr. Butler added that FEMA is looking at doing freeboard a little differently by performing a risk of uncertainty analysis that has a range of 2.5' to 3.5'.

VII. Confirm Next Meeting Date of September 25, 2013.
Meeting date confirmed.

VIII. Adjourn.
Adjourned to the next Regular Meeting of the Technical Advisory Panel on Wednesday, September 25, 2013, at 5:30 p.m. The meeting will be held at the Flood District Conference Room.

DENNIS RINEHART
Chairperson

ATTEST:

PHIL MILLER
Secretary

By: _____
GREG MORGAN
Supervising Office Assistant

KEY

Vote: BB = Bill Bennett; CB = Chip Bouril; CC = Chris Craiker; TN = Tony Norris; RO = Rolf Ohlemutz;
DR = Dennis Rinehart; DS = Dennis Scherzinger; BS = Barbara Stafford; BZ = Bob Zlomke
Notations under Vote: N = No; X = Excused; A = Abstained