

Santa Ana River Flood Protection Agency

Executive Director

Penny K. Lew

SARFPA EXECUTIVE COMMITTEE MEETING

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Costa Mesa Sanitary District
OC Sanitation District
OC Flood Control District
OC Water District

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Website

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March 26, 2026, Executive Committee Meeting Minutes

Attendance/Attendees:

Pat Burns, SARFPA Chairman, Director, Orange County Sanitation District, City of Huntington Beach
Cathy Green, SARFPA Vice Chairman, Director, Orange County Water District
Ariana Arestegui, City of Garden Grove
Eric Weigand, Director, Orange County Water District, City of Newport Beach
Gary Taylor, City of Stanton
James Tyler, Engineering Manager, Orange County Public Works, Alternate to Supervisor Foley
Jim Cunneen, City of Fountain Valley
Penny Lew, Executive Director, Santa Ana River Flood Protection Agency
McMillen: Jun Wang, Monica Eichler, Wendy Katagi, and Marissa Emmons

1. Call to Order – Chairman Pat Burns

Chairman Pat Burns, Director, Orange County Sanitation District, called the meeting to order at 4:00 pm.

2. Pledge of Allegiance –Chairman Pat Burns

Jim Cunneen led the Pledge of Allegiance

3. Approve Minutes of January 22, 2026 – Chairman Pat Burns

The Minutes were unanimously approved on Motion by Pat Burns, and Second by Jim Cunneen.

4. Santa Ana River Mainstem Project Status - James Tyler

- a. James provided some background and updates for the Santa Ana River (SAR) Mainstem Project. The cooperative project between US Army Corps of Engineers (Corps), San Bernardino Flood Control, Riverside County Flood Control and Orange County Flood Control (OCFCD) districts is estimated at \$3B. Elements OCFCD have been involved in are: Seven Oaks Dam (completed) owned and operated by the 3 counties, Prado Dam where most of the current activity is occurring, lower SAR, Santiago Creek and the Marsh. The overall schedule showed project progress and where it is headed.
- b. On 3/23/26, the Corps awarded the Spillway Project. Under the Bipartisan Budget Act (of 2018) (BBA) funds allowed 100% of the LERRDs (Lands, Easements, Rights-of-way, Relocations, and Disposal) expenses. However, two weeks ago USACE Southwest Division notified OCFCD that BBA funding was no longer available. Nationwide, estimates for remaining costs needed for completion of various projects were provided to the Corps. Unfortunately, some were underestimated resulting in an overdraw on the funds County was under budget, so Corps said they had to shut down all BBA funded positions. However, the Spillway contract was awarded because it is under a different funding source (primarily dam safety) although some of the funding was through BBA. County did not get funds for the LERDS but signed an agreement with the Corps saying that if the BBA funding becomes available, County will receive it but if not, County will still fulfill its obligations. County has other funding sources such

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as State Subvention Funds (SSF), which is 70% reimbursement, that historically has been requested and received. County is meeting with the State in a couple of weeks and has given them news that County has approximately \$70M in outstanding claims with the feds and approximately another \$100M to complete the project that County needs to make up. Hopefully, County will get needed funds - 70% from the State. After looking at the County's budget, it was determined there is enough funds to cover continuation of the project although there could be impacts on other projects in the future.

- c. SAR Levee Height Correction – Along part of SAR Reach 5 and downstream of Prado Dam, the project is to correct the deficient levee height between I-5 Fwy and SR-22 found during the levee re-certification process. Originally, the project was to raise levee a couple of feet, but design changes were made due to strong opposition from OC Sheriffs (Theo Lacy Correctional Facility) along the segment. The concern over the higher levee was that others would be able to see into their compound possibly throwing contraband onto the facility. A new design for a floodwall alternative was developed for the entire reach so there would not be the issue adjacent to the correctional facility. During this time, County coordinated with the Corps to set the releases from behind the dam at a lower elevation so the deficient levee reach can accommodate flows from the dam. James presented the Construction schedule and noted hoping to start construction in July '26 now that floodwall design will be this month with an estimated construction cost of \$8.4M.
- d. Prado Dam is the major element remaining. The height of the dam was increased so spillway needs to be raised and therefore increases the flooding behind the dam where the floodplain expanded. For the expanded floodway, the local sponsor needs to acquire rights for these areas with either fee or flowage easement over the properties. County has been working on the acquisitions for many years. When the BBA 2018 came out, County signed the agreement in 2020, allowing it to accelerate their acquisition program so County was able to put a lot of funds toward this effort. Beginning with original 236 properties (at elevation 566), County was able to reduce number to 112 and then acquire the rights to all critical properties. County has right of possession and several are in litigation having large costs and need to be completed and certified. Still working on obtaining certification from the Corps. Certified right-of-way for construction last July with Corps and waiting to hear if all is good. Awarding construction contract. Cathy Green asked if we've acquired all the properties (needed). James explains County has all 112 properties - the right of possession that gives right to flood property but no recorded deed because price needs to be determined with litigation through eminent domain. County makes deposits on all the properties and withdraw deposits based on fair market value as they go through the process. Able to negotiate settlements on most of the properties but some will go to trial. Cathy Green asks if the Corps would reimburse County, but the agreement says only if funding was available through BBA. Since there is no BBA funding available now, County must go back to original agreement that says County is responsible for cost of LERRDS. County is hoping to get at least 70% back from the State, then County would pay 30%.
- e. Utility Relocations – Presenting the related Summary Table, James noted they worked with eight utility companies and completed utility certification in December 2025. Seven of the eight relocations have been completed. SCE was

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given notice of construction (County has prior rights) last year so SCE must make corrections. County is awaiting SCE response accepting conditions.

- f. For certain areas where County was not able to obtain rights, such as fee or flowage easement, dikes had to be created to protect various facilities in the Prado basin from flooding such as the women's prison. The last 3 projects were the Norco Bluffs, Alcoa Dikes Phase 1 (completed in 2020), and Phase 2 completed in 2024 that were all BBA funded. Expecting dikes to be turned over to the County for O&M in 2026. Norco Bluffs Bank Stabilization Project revetment was completed and the turnover to County is upcoming.
- g. There was an early award for Prado Dam Spillway in April 2025. The spillway construction was awarded this year ahead of schedule because Corps had the money and needed to award within 90 days. Jim Cunneen asked if spillway project is design-bid-build. James responded that project delivery method is a bit like CMAR where there's review for any flaws in the design and to also limit change orders. The PS&E is done so if funding is delayed, only minor changes might be needed. Since project is awarded with a cost of over \$1B for the contract and County has much of the required money through a separate funding source, the BBA funding that may need to be backfilled through appropriations is a few hundred million. Since construction doesn't happen all at once, County can keep appropriations within the next 5 to 6 years, then finalize construction with the funds. Contractor is Barnard.

5. Westminster East Garden Grove (WEGG) Project Status - James Tyler

- a. James began providing background on the Westminster East Garden Grove Project (WEGG) as having the second largest watershed in Orange County and that County is looking to enter into a cooperative agreement with the Corps. Since the project is all within Orange County, County would be the Local Sponsor. The Study began in 2003 and was completed with a Chief's Report signed in 2020. Water Resources & Development Act (WRDA) 2020 authorized the project. James also noted the related watershed, potential cost savings for flood insurance premiums following improvements of the respective flood channels, cities involved, and related congressional districts within the project. Flood Insurance data as of May '25 was presented since current data is not available due to newer privacy concerns. Also mentioned were the number of flood policies within the cities, dollars per year spent on insurance policies and the existing (pre-project) FEMA flood areas.
- b. Channel reaches that need to be constructed with their estimated costs from the Corps study were provided. Current efforts with Corps include obtaining some funding so County can get a bit of the project going. Although we have an approved study and project, County still needs to have a cooperative agreement with Corps. That can be achieved if the Corps constructs a portion of the project and we have federal appropriations to do so. The project would begin downstream at Reach 1 where the tidegates need to be removed and replaced, then further reaches will be constructed upstream so flooding does not occur where flooding has not been. The Corps does design and construction and the local sponsor pays the cost share as well as the LERRDS. The Corps requested a few million dollars for seed money to start design that's been awarded so County has the design agreement for this first reach. County will lobby for

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congressional appropriations for construction where it will enter into the Project Partnership Agreement (PPA) and begin project.

- c. There is a cost difference for the project [alternative] that County wants which is the Locally Preferred Plan (LPP) for the entire system, where improvements are for 100-year flood protection and costing more than \$1B and the National Economic Development (NED) plan the Corps came up with that provides less than 100-yr flood protection. When County got project approved through the Chief's Report, County pushed for the LPP because they wanted 100-yr protection so flood insurance could be eliminated. However, Corps does not want to financially obligate for the larger cost so there is fed cost share of \$325M and local share of \$940M which is atypical for this type of project. County is working on WRDA language to get a better (lower) local cost share. WEGG was another project County was trying to get BBA funding but since it was not yet identified as a project, it could not. County worked with the State for State Subvention Funds (SSF) and got authorized to have project added to the list, but reimbursements can be received only after construction of the first reach and signing of PPA. In the meantime, Corps is working on construction of the project but would like to get things done by the Corps; however, County must keep things moving forward regardless.
- d. James showed slide for current and future activities and summarizes that for Reach 1, the intent is to complete improvements up to I-405 Fwy then apply for a Letter of Map Revision (LOMR) to remove properties from the floodplain. County is working on a WRDA proposal for cost share.

Penny Lew asks if the lack of BBA funding for Prado will now impact other projects, such as the CIP that the County is working on. James responded that when they budgeted for SAR, they assumed the 70% SSF reimbursement so they have a big reserve, around \$100M in that fund already so looked at the \$70M spent that Corps has not paid County and they have another \$100M in the bank to complete project so there should be enough money in the funds to pay off County's obligations, but not necessarily effect the CIP. In the past, County had transferred monies from other funds to help fund the SAR projects. Therefore, the money for the CIP is based on funds County has and not what they hope to get. The spillway funding is covered.

It was pointed out that Slide 3 Congressional districts map needs to be updated by the end of the year to reflect the mid-decade redrawing of the lines. (December '26 or Jan '27).

6. Executive Director's Report – Penny Lew

Penny reported the following:

- a. Met with OC Legislative office for a meet-and-greet that included Herb Nakasone, James Tyler and Penny Lew on 1/23/26. James provided background and current activities for SARM and WEGG projects to County of Orange Legislative - Charles Dulac and staff, who were encouraged to attend future SARFPA meetings to learn more about the projects.

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- b. Audit- draft report is out for review by OC Public Works auditors. A letter notification was emailed to SARFPA members as an FYI. The draft is going through the review process between County auditors and its consultant.
- c. May Meeting – The draft '26 -'27 Budget will be ready for committee to review before the May meeting. Nothing new is expected and there may be some minor adjustments. Penny works with accountants to provide draft budget to Executive Committee for review, comment and approval before budget goes to all Members at the June meeting for all to approve.
- d. June Meeting – possibly electing new Executive Committee members. If current chairman chooses to relinquish position to vice chair, then would need new vice chair. It's something to consider prior to next meeting.
- e. Email addresses in the County are officially changing on March 29th due to AB 1637.
- f. Website – The first group of changes have been made. More changes might come if we receive letters regarding changes in membership from cities due to new assignments to committees.
- g. Prado Tour – OCPW staff received an update from Corps that elevator is being repaired. Within Prado Dam there's an intake structure that's 10 stories high. The tour group can go down to the bottom, but Corps wants to wait until elevator is repaired before a tour. Tour would be similar to last year's tour.

7. Public and Representative Comments: McMillan representatives (Jun Wang and Wendy Katagi) mentioned projects the firm has been involved in with City of Los Angeles and USACE including Sepulveda Basin for water storage. Their office is in Newport Beach, and the firm has experience with groundwater replenishment; habitat and natural resources; funding; State and federal agencies; OCFCD and OC Watersheds group for IRWM and SAWPA. McMillan expressed interest in Laguna Cyn Channel restoration.

8. Adjournment: Chairman Pat Burns adjourned the Meeting at 4:48 pm.

Prepared by Penny Lew, Executive Director, Santa Ana River Flood Protection Agency

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