

Zoar Levee & Diversion Dam, Dam Safety Modification Study
Community Advisory Committee Meeting Minutes
December 8, 2011,
Zoar Community Association Room,
Zoar Village Town Hall

1. There were nine members of the Community Advisory Committee present at the meeting. Those members included Mayor Larry Bell (Zoar), Scott Gordon (Zoar), Hans Fischer (Zoar), Holley Thouvenin (Zoar), and Ellen Seabrook (Zoar), Rodney Cremeans (USACE), Gary Walker (USACE), Nadine Plumley (USACE) and Gus Drum (USACE).
2. Mayor Bell had three questions for the Corps to start the meeting. The first question concerned the current date of the completion of the draft project report being November 2013 (previously identified as September 2012).

Rodney explained that the full requirements of the project documentation required by the new Engineer Regulation (ER 1110-2-1156) for Dam Safety Modification Studies hadn't been approved when the original schedule was created. The newly approved requirements for reviews and other analyses in the ER resulted in the extension to the schedule.

The second question concerned whether the Corps was aware of any other situation where the Corps had constructed a local protection project (levee or floodwall) to protect a community solely based upon its historic significance.

Corps personnel were unaware of any other local protection project that protected a historic community except for St. Genevieve on the Mississippi River and no situation where an appurtenance to a flood control structure was built to protect a historic community. The Corps indicated that we would check on the unique character of the Zoar levee in the Corps' nationwide inventory of infrastructure.

Since the meeting, this question has been posed to all USACE Districts in the U.S.A. The replies will be summarized at the next meeting.

The third question involved the boundary line shown on the newest Corps maps outlining the historic district. The Mayor's home that had been originally included within the boundary as being part of the historic district was excluded from the boundary shown on the Corps map. The Corps indicated that the map boundary would be checked for accuracy.

The Corps has since received data from the Ohio Historic Preservation Office indicating that the National Register historic district boundaries need further analysis. This will be discussed at the next meeting.

3. Rodney asked about the best date for the first meeting of the Advisory Committee in 2012.

After some discussion, the 9th of February was selected for the meeting date at 7:00pm and probably at the Schoolhouse if it is available.

4. Rodney also inquired whether the Committee should continue to meet monthly or go to a bi-monthly schedule.

The Mayor suggested that the meetings remain monthly to maintain the continuity of the committee and not lose the momentum built up by the group to this point.

Rodney indicated that the beginning of the formulation of alternatives in 2012 would heighten the interest of the committee members and increase participation and based upon the Mayor's recommendation, monthly meetings would continue as before.

5. Han Fischer asked when the anticipated drilling would occur.

Rodney wasn't sure about the exact date, but agreed to check with Adam Kays on the start date and report back.

Currently, drilling is slated to begin in January.

6. Rodney gave an update on the newest developments at the diversion dam and the pump station. He indicated that the station circuitry for the three pumps had been rewired to provide delays in the pump restarts when excess water in the outflow pipes refilled the pump wells. This time delay would avoid the pumps restarting while the impellers were spinning backwards from the backflow. The new system had been tested and worked perfectly.
7. Rodney also explained the Corps' current study regarding the installation of a data logger at the Diversion Dam. The data logger is anticipated to be located on the existing concrete pad where the water intake for the garden was constructed. He also explained that the purpose of the logger is to automatically document and store data regarding filling and emptying of the dam and to alert Corps personnel that water is being stored behind the diversion dam.
8. Holly asked whether any alternatives had been developed yet.

Rodney indicated that no formal alternatives formulation would begin until the RMC had provided the baseline failure modes for the project. Although there are known structural and nonstructural measures that could address the levee performance issues, without the information from the RMC on the levee failure modes any formulation would be premature at this time. Some discussion may start in early 2012 on the types of measures that could be used though brainstorming sessions.

9. There was concern expressed about the length of the study schedule, but Rodney explained the time required to fully develop the array of alternatives so that lesser alternatives could be screened out and the best alternative could be selected. He further explained the need for agency reviews to assure quality products and time needed to coordinate the array of alternatives with other Federal and state agencies.
10. Holley suggested that future emails, letters and such communications include the idea that the discussion of measures and brainstorming will begin in early 2012.
11. Gary Walker and Nadine Plumley then explained the Real Estate study process.

Gary indicated that although the government already owns a lot of real estate in the community associated with the levee, pump station and diversion dam, there may be other real estate needs depending upon the selected alternative and the plans supplied to real estate by planning and engineering. Those plans would be reviewed in the field (and talking with landowners) to determine what would be the smallest construction footprint that could be feasible and that would result in the least impacts to private property.

Gary also indicated that Real Estate would be checking ownership records, taking pictures and developing a baseline cost estimate for real estate needs for each alternative. That cost estimate (known as the gross estimate) would include land acquisition costs, relocations costs (if needed), easements, and administrative costs. Much of this work would begin when the contractor work limits are established for each alternative.

Gary also indicated that an inventory of all of the utilities and public buildings would be developed including their types, locations, ownership, and current functions. Impacts on each of these would be determined based upon the plans developed by planning and engineering. Gary also indicated that the survey of the utilities and public buildings would be starting very soon.

12. Holley asked whether a private property owner could refuse to sell a piece of property that was required for the project.

Gary indicated that we would try to work those issues out with the landowner by adjusting the project boundary line if possible, but that the government could use eminent domain to condemn the property if absolutely necessary to build the approved alternative.

13. Hans asked whether people would be compensated for easements.

Gary indicated that they would be compensated for easements and that compensation would be based upon fair market value of the property determined by local appraisers and the Corps would review the appraisals.

14. Holley inquired about who owned the property between the levee and the river.

Gary indicated that we didn't know who owned the property at this time.

15. Gary further indicated that once the combined formulation plan and Environmental Impact Statement was completed and the recommended plan was approved and the construction funds allocated, the Corps real estate office would hold a landowners meeting in Zoar to fully explain the acquisition process and benefits available to landowners.

16. Rodney then relayed the highlights of the Section 106 Consulting Party meeting that took place the previous day at the Corps Dover Dam construction field office. Participants in this meeting included Corps personnel, the Village Mayor, President of the ZCA, Ohio Historical Society, Ohio Historic Preservation Office, Advisory Council on Historic Preservation, Heritage Ohio, Ohio Archaeological Council, National Park Service, Ohio & Erie Canalway Coalition, and National Trust for Historic Preservation. The purpose of this meeting was to begin to consider how the District will resolve its obligations to consider effects to historic properties during the study.

17. Rodney asked whether there were any questions and Holley asked how the Corps' Workshop meeting on November 15th went. We indicated that it was well attended and that Gus would send her a few pictures of the workshop for local web sites to use.

18. Another question concerned persistent flooding in town from groundwater seepage into basements. Although the flood insurance that the village residents were required to purchase doesn't specifically cover that situation.

Gus indicated that the Corps would communicate these concerns to FEMA through the Silver Jackets program in Ohio.

19. There being no further questions, the meeting was convened at 8:30pm.

R. Gus Drum
Community Planner
Zoar PDT