

**TRANSCRIPT OF SELECTED SEGMENTS OF 23 APRIL 2008 CHAL MARTIN
PRESENTATION TO MOUNT VERNON CITY COUNCIL**

[All times minutes, seconds until the 1-hour mark, then 1:(minutes):(seconds) and based on the Vimeo at <http://vimeo.com/991891>]

3:06, Mount Vernon Mayor Bud Norris (Mayor Norris): Chal, may I preface what you’re about to say by um, drawing folks’ attention to the fact that this isn’t an issue that only affects the City of Mount Vernon but the City of Burlington. Our two jurisdictions probably have the greatest risk of any jurisdictions in the county. However, Dike Districts 12, Dike Districts 17, Dike Districts 1, 3 and 22 – all these dike districts who have been providing flood protection for us for many, many decades; are extremely interested in this.

I hope people are in tune to what’s happening here. The background that you’re going to give them and that you’ve given us before and the update that you’re going to give us is extremely important and I don’t know where they would get people in the general public would get a better insight into this issue than listening to what you have to say. Chal. @ 4:11

...

48:27, Chal Martin, P.E., Burlington Public Works Director

(Chal Martin): “I would like to make a pitch for you all and I know its difficult to pushback on this issue because it’s hard and I don’t know when this comes up, how it comes up, probably a thousand different ways but often times, you know, the issue will come up and you’ll hear something like well, the Corps has had 17 independent technical reviews on its work and I know its hard for you to respond to that. But I would hope that you would say something like, ‘NO WAY’ or something like that because, you know, there needs to be some pushback on this. I’ve been around this issue for quite a long time and since I’ve left the County, I’ve studied it even more out of necessity for trying to protect the interests of the City of Burlington.

You know, folks, we’re getting hosed on this deal. You know, we need to stand up for this data that we’ve got. It’s a substantial body of work that we have. It’s compelling, it’s well done, it has withstood the test of time, and it’s solid work.

Next Steps

- Moving forward, this issue needs political push-back and leadership.
- There is no “constituency” for maintaining and growing the tax base, BUT IT IS ESSENTIAL TO OUR KIDS AND GRANDKIDS.
- On the technical arguments: trust what you have seen here, and your own common sense.

Not Discussed Tonight

- Likely new base flood elevations, and impacts
- Flood Insurance
- Baker Project flood storage
- Corps of Engineers General Investigation Study
- FEMA and COE process to certify / accredit levees
- Strategies for project development and funding
- Impacts of accredited levees outside of the protected areas, especially if hydrology is not corrected

1 You've heard me talk about the tax base issue and how, you
2 know, we're not here tonight to talk about the long term
3 ramifications of these higher base flood elevations, **but I'm**
4 **dismayed by the effect that it is going to have on our tax**
5 **base.** You know, there's no constituency for maintaining
6 and growing the tax base. I don't think you've run on that
7 platform to get elected, but you know its one of those
8 wonkish things that we all know is incredibly important to
9 our kids and our grandkids to maintain the vitality of our
10 economic basis.

11
12 So, trust what you've seen here, and trust your own common sense. You know, you've seen a lot of this
13 stuff time and time again. Trust what your common sense is telling you about this flood issue.

14
15 There were a few issues we didn't discuss tonight:

- Likely new base flood elevations, and impacts
- Flood Insurance
- Baker Project flood storage
- The Corps of Engineers' GI Study
- FEMA and COE process to certify and accredit levees

22
23 We didn't talk about strategies for project development and funding and we didn't talk about the impacts
24 of accredited levees outside of the protected areas, especially if the hydrology is not corrected. Be thinking
25 about *that*. **Be thinking about what'll happen when Dike 12 certifies its levees and keeps all that water in**
26 **the river channel. Be thinking about *that*. What impact that'll have downstream? So, these are issues for**
27 **the future and they're tough issues.**

28
29 But we're better off already than almost every community
30 across the whole country. You all have been probably
31 reading a lot of the e-mails and following the traffic on other
32 communities' trying to implement their new base flood
33 elevations. It just so happens we have this tremendous body
34 of technical work that just needs a bit more tweaking and we
35 can put it forward and bring forward our appeal.

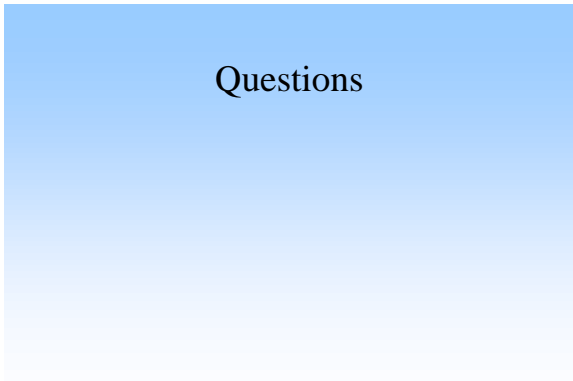
Final Note

- We are already better off than almost every other community, due to the tremendous body of substantive competing technical work we have compiled.
- Getting the technical analysis right is the first of 10,000 steps. The difficulty of this first step is an indication of the challenge ahead.
- But we have made progress

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So again, the technical analysis right. It's the first step of the next ten thousand steps. It's in my view the most critical and important step, it's an indication of the challenge ahead but we have been making progress.

So, if there are any questions, I'd be glad to answer those. @
52:03



Mayor Norris: Chal, um, what are the implications of the GI study? What are the implications for the GI study? How does that play into this whole scenario or set of figures that you've provided here?

Chal Martin: I have been focused more on the short term issues of the FEMA flood maps but you know I am concerned about the future implications of the GI study, where the GI study is taking us. I've been thinking lately that maybe, you know, maybe it's okay that that thing kind of keeps going on and does whatever it does and the meantime, entities like the dike districts, City of Mount Vernon, City of Burlington initiate their own projects that have to be done anyway. Then, maybe, at some future date there will be some federally defined project that would make sense and could be put into place. I'm, you know, I'm just a skeptic of the GI process.

Mayor Norris: Yeah.

Chal Martin: When I was still with the county four years ago, we were thinking about jettisoning the GI Study and there was a lot of talk about it then. But I know that our federal delegation wants us to keep engaged in that, they see it as a funding mechanism and it may be. You know if you have a federal project like this if it's even possible you may as well double the cost. The local community still have to pay thirty five or forty percent of the costs so I'm just not sure that in the long run the GI study does us that much good and it can hurt us because it has been the Corps position that it's not going to change the hydrology that I just showed you.

Mayor Norris: Theoretically, with the GI study in hand, I don't know when that time will come since I... there's a discrepancy on when it actually started but I thought that I heard 1992 referenced several times and here we are sixteen years later and some people say well, its going to be done by 2010 and others by 2015. It's been underfunded to this point, and certainly the amount of money that's being looked at to be

1 included in the budget really doesn't take it very far. You know, the current proposal doesn't take it very
2 far. ...

3
4 Even if you were to follow a line of thinking that that is going to be completed and we could identify
5 where, come to an agreement where that base flood elevation is if it were way up there, there's no money
6 in the coffers as you've mentioned to go after. If there was, we'd be in competition with projects across
7 United States that are a one to three, maybe cost-to-benefit ratio and I think ours has been identified as a
8 one to one point five or something like that or one. Is that correct?

9
10 **Chal Martin:** Sir, I don't know what the current ratio is. Honestly, I just, I guess in my own mind I've just
11 discounted the whole GI study. I'm looking for other ways to just move forward and let that thing do
12 whatever its going to do. In some ways, the FEMA issue is more important to us right now. If we can get
13 the hydrology changed and have FEMA agree to that, then that forms the basis of levee certification and so
14 that would be an important step.

15
16 How the Corps then would later come in with another project based on different hydrology is unclear to
17 me. You remember the last time we met with the Corps in a formal session was well over a year ago and
18 that time the Colonel in charge down there, fellow by the name of McCormick, said that as a matter of
19 policy he was not going to readdress the hydrology for the GI study. Now, as a matter of, as a practical
20 matter, he is readdressing it for the FEMA flood insurance study but he said that as a matter of policy that
21 he wouldn't readdress it for the GI study and so, you know, I mean I see those sorts of attitudes and it just,
22 you know, I don't really want to work with people like that to tell you the truth. I just don't. It should be
23 based on, in my view, should be based on the best information available. I think that he's shown that he
24 doesn't really want to work with us because, you know, reasonable people should be able to sit down and
25 work out these issues. They've been on the table for three years.

26
27 **Mayor Norris:** Well, one of the challenges is that those folks seem to rotate about every two or three years
28 in that position – the Colonel for the district so its highly probable that he will be onto another job soon
29 and you're going to be dealing with another personality in that position.

30
31 **Chal Martin:** That's right and there's a learning curve to go along with that and so, I'm a little pessimistic
32 as you can tell about the GI study.

33
34 **Mayor Norris:** Okay. Joe, did you have a question?
35

1 **Mount Vernon Councilman Joe Lindquist (Councilman Lindquist):** You showed that 1921 picture from
2 Burlington? Is there any way to tell what the river level was in that picture on Fairhaven St.?
3

4 **Chal Martin:** Yes. We think we can estimate and we think it was about 15 inches or so, 15 inches deep up
5 on the sidewalks, yeah. We can't relate that to anything. I mean, we don't know what the configuration of
6 the levee system was then.
7

8 **Councilman Lindquist:** That was my next question.
9

10 **Mayor Norris:** I understand that the, we're all aware that the Corps' redoing its maps and you consider the
11 flood maps produced by P-I-E last fall to be accurate or, um, will they also redo their maps?
12

13 **Chal Martin:** I do consider the, their work to be accurate and its unfortunate because it (divides?), even
14 with the lower hydrology that we're trying to achieve the new flood elevation maps are still very difficult
15 for everybody and so, but I do think that they're accurate. In its final run, PI Engineering will be using the
16 same software version that the Corps is using – so we'll be able to mix up apples.
17

18 **Mayor Norris:** Another question. I heard recently something about a probable Baker System **Probable**
19 **Maximum Flood Report** being produced. Do you know anything about that?
20

21 **Chal Martin:** Yes, and the county staff apparently met with Puget Sound Energy last week or the week
22 before and discussed this. There is a study out, it's not clear to me if that study is releasable to the public
23 yet. There's a category of information that the federal government has now called critical energy
24 infrastructure, but I have looked at the report and the report basically says, **it says a lot the same thing that**
25 **Albert Liou of Pacific International Engineering said in his report.** Remember, PI Engineering produced a
26 probable maximum flood report for the dam when we were looking at including that in the GI Study and
27 what that, what Albert's report says is that the dam will be overtopped significantly for a significant period
28 of time. I don't know what FERC is going to do with that, that's the next thing to me and we've got this
29 PMF report, it's similar to what Albert has already put out there in the public domain, Albert is saying that
30 you know, **'You're going to have 110,000 CFS flowing over the top of Lower Baker Dam in a probable**
31 **maximum flood event and that has got to be an issue in my view that FERC needs to address. I just want to**
32 **know how that that's going to be addressed.**
33

1 If you've got a more modern dam, they're designed to be able to discharge the probable maximum flood
2 safely and the max capacity of the spillway of Lower Baker is about 40,000 CFS¹ so when you get up to
3 100,000 CFS, something's got to give. I think it's been the position of FERC and possibly Puget [Sound
4 Energy] in the past that it would just wash the superstructure off of the top of the dam and it would be a
5 mess but it wouldn't be unsafe so we'll see how FERC deals with that.

6
7 **Mayor Norris:** I think I know the answer to this but in your opinion, who's paying for all of it – this
8 research and study that's going in? The ratepayers?

9
10 **Chal Martin:** Well, the county is paying fifty percent of the GI study.

11
12 **Mayor Norris:** I mean the studies that in the, in the Baker system, all of that?

13
14 **Chal Martin:** Well, Puget paid for that as part of its relicensing work. Just many, many, many studies that
15 were done with that. Our own little flood counterargument study is funded from a, we've got a contract
16 for about 140,000 dollars with PI Engineering and that's jointly funded by Cities of Burlington, Mount
17 Vernon, Dike District 1 & 12. @ 1:02:57

18
19 **Mayor Norris:** In your opinion, who has the greatest depth of knowledge and research and who's done the
20 most analysis of this process and study of the flood issue out there?

21
22 **Chal Martin:** Oh, without a doubt right now that's Albert Liou of PI Engineering. There's another fella by
23 the name of Dr. Malcolm Leytham of Northwest Hydraulics who's coming up to speak too on the issue. He
24 works for the, under contract for the county. @ 1:03:30

25
26 **Mayor Norris:** Keeping all of this in mind, how does this relate to the county's flood zone, flood control
27 zone district and their comprehensive management plan?

28
29 **Chal Martin:** I haven't been directly involved in that, in that new process. When I was still with the
30 County as the County Engineer, it was my hope that flood control zone district could provide just one of
31 many funding components that will be necessary to get a flood project on the ground. So it was my
32 thought at the time that if the county commissioners could levy for example a 10 cent per thousand
33 property tax levy which would be similar to the conservation futures levy I think that would produce
34 about a million dollars a year and that revenue stream then could be used for, um, ah you know, to help

¹ Chal Martin was correct – it's 40,000 CFS capacity at normal full pool for Lower Baker Dam.
Transcript of Chal Martin Presentation to Mt. Vernon City Council

1 move things along with getting flood projects on the ground. However, there is currently no funding in
2 place for the flood control zone district and so it's just in sort of an organizational phase.

3
4 It does bring up the question, the long term question, if there is a flood project mechanism put in into
5 place, the governance issue, you know. Who is going to decide on the money and how it's used? And so,
6 you know, it's an important issue I think for the cities to think about.

7
8 **Mayor Norris:** Sure. Any other questions? I think that's extremely important because first blush was that
9 was still just going to be vested in the three County Commissioners. The two jurisdictions, I'll repeat, that
10 are most drastically affected by a flood, where you have the greatest assessed value are in Burlington and
11 Mount Vernon. So, I think it's gotta be recognized and composition of the decision making body which
12 can be structured to allow those two entities to have a place at the table.

13
14 Yes, Dale.

15
16 **Mount Vernon Councilman Dale Ragan (Councilman Ragan):** Chal, there's a lot of current discussion
17 about the potential sale of PSE coupled up with some concern by folks in the area and the possibility of
18 becoming a public utility. **Would there be any complication in this whole consideration if it was owned by**
19 **a, owned by the conglomerate that's looking to buy it or we'd potentially be better off if we had a publicly**
20 **owned utility for our region?**

21
22 **Chal Martin:** I just don't think I'm qualified to answer that. I would point out something though – the PMF
23 study showing that, you know, **you've got this issue with the Probable Maximum Flood in Lower Baker as**
24 **well as Upper Baker. I don't know what FERC is going to require, you know, you could be buying an Edsel.**
25 [Audience chuckling] That dam was built, Lower Baker was built in 1923 and it was constructed more
26 quickly than any other dam or something like that. I'm sure it was well built.

27
28 **Councilman Ragan:** But if we as electrical ratepayers and users, would we be able to have any additional
29 muscle or leverage, possibly in the say of some things that go on with the dams and the water that comes
30 down?

31
32 **Chal Martin:** Well, I think that, well I think that's the thought. Certainly the concept is very intriguing. I
33 think that's the thought.

34
35 **Councilman Ragan:** It is to me.

36

1 **Mayor Norris:** Okay. Any other questions of Chal?

2

3 **Mount Vernon Councilman Bob Fiedler (Councilman Fiedler):** Just a comment, you know. Going back to
4 your common sense argument. **Does the Corps look at any of these other, like looking at the houses and**
5 **looking at the flood lines and looking at the common sense?** I mean, you look at that one house that was
6 built in '21, I guess, yeah, '12, 1912 and if there was a flood three years earlier you know they wouldn't
7 have built the house only just four feet or so but I mean they would have built it like you'd see in some of
8 the flatlands in the county – they build 'em higher because of the flood. That's just common sense stuff.

9

10 **Chal Martin:** Yes.

11

12 **Councilman Fiedler:** Does the Corps use that kind of data or they just use the numbers?

13

14 **Chal Martin:** Well, we're hoping that they will use it for the Crofoot's Addition to Concrete because we're
15 going to extend the hydraulic model from The Dalles. We brought up that point in Hamilton and the out
16 that the agencies got was, 'Well the channel capacity could have been much bigger and you can't really
17 prove that it wasn't.'

18

19 **Councilman Fiedler:** In three years.

20

21 **Chal Martin:** I know. And so when we extend the hydraulic model up from, from The Dalles to Concrete,
22 we should be able to really add some impact to that statement. We can say this time that, 'hey, wait a
23 second, you know, we've extended the hydraulic model that clearly shows that at this discharge the flood
24 elevation in the Crofoot's Addition would have been several feet above the first floor levels.

25

26 **Councilman Fiedler:** Um, hum. It just seems too common sense.

27

28 **Mayor Norris:** Another consideration is that they use the river at that time for transportation of millions of
29 board feet of timber. You know, it's highly probable that there was a lot of timber, you know, in the river
30 at the time a flood could have taken place. With one example, with the logjam at The Dalles, it would lead
31 you to think that it could have affected it there and it could have affected in other locations as well at
32 narrow points.

33

34 **Chal Martin:** Yes.

35

1 **Mayor Norris:** Okay. Thank you very much, Chal. I would like to recognize that we have Dike Districts 1
2 and 17 represented here and maybe 12 as well. So I'd like to give you folks an opportunity if you had
3 something to say to, come forward to the podium at this time if you wanted to comment or ask Chal a
4 question.

5
6 Please come forward if you have a comment.

7
8 John, step on up there.

9
10 **John Schultz, Attorney for Dike District 12:** Thank you. I didn't want to be out of order earlier. I just had
11 a couple of comments. We, actually Dike 12, we met with Army Corps of Engineers...

12
13 **Mayor Norris:** Could we have your name for the record?

14
15 **John Schultz:** John Schultz, I'm the Attorney for Skagit County Dike District 12 and 1.

16
17 **Mayor Norris:** Okay, thanks.

18
19 **John Schultz:** Chal was talking about the GI process and we are going to have a new Colonel. There was a
20 discussion about the current Colonel. **As of June, as of June 1, we're going to have a new Colonel.²** The
21 current Colonel is apparently going down to Florida to man the hurricane center. So we'll have a new
22 person. Speculation was it may be somebody from the Portland area and we found those Army Corps
23 officials somewhat more favorable for issues of flood control. So, that may be a good thing.

24
25 But **in terms of the GI process, we don't, at least the dike districts still don't put a whole lot of stock in that.**
26 We don't know if it's ever going to produce anything. It has to be funded every year. We understand it's
27 not even being funded right now. So **there are some serious problems with the GI process.**

28
29 **Mayor Norris:** I think there is a level of funding there John that's drastically insufficient.

30
31 **John Schultz:** So whether it ever produces a project. That's, you know, that's something we're not sure of.
32
33 The other comment I wanted to make was on the Flood Control Zone District. We, I don't know if I see
34 Dike 1 people here. I see Daryl for Dike 17 but we have Dike District Commissioners on the technical

² Actually, Colonel Wright will take over on July 24th.
Transcript of Chal Martin Presentation to Mt. Vernon City Council

1 committee and the advisory committee which is a good thing. But recently, there have been a lot of other
2 special interest groups – tribes, the agencies, and there are a lot more of them than there are, you know,
3 the people who put in projects for flood control and dike districts. So, you know, we're not sure how
4 optimistic we are of the flood control zone district in this county.

5
6 There've been problems in Whatcom County. They haven't really gotten any projects underway in
7 Whatcom County. They've had a history of collecting about \$50 million dollars and there hasn't been a
8 single project for sixteen years. *They study things endlessly.* We're hoping that the current, that the Skagit
9 County Flood Control Zone District doesn't go that route. But we're, you know, not real optimistic.

10
11 Um, the other thing too is that the zone district is not funded at this time. They're still seeking a
12 mechanism for funding that. But even in one of the initial presentations, the first \$14 million dollars is
13 going to be designated for studies in any event. So, again, you know, the success of that is to be, remains to
14 be seen. So just some comments.

15
16 **Mayor Norris:** Okay, thank you John. Sorry I had to hold you back a little bit earlier there.

17
18 **John Schultz:** No problem.

19
20 **Mayor Norris:** Daryl, come on up.

21
22 **Dike District 17 Commissioner Daryl Hamburg:** Daryl Hamburg, Dike District 17. I just wanted to
23 reiterate some of the stuff that John was talking about as far as the flood control zone district. We had a
24 meeting today with the county and with, we're interviewing engineering consultants to look over potential
25 projects through this, though the, you know... Had to say they always tend to the cart ahead of horse.
26 We're looking at engineering firms to work on design of projects that we don't have funding for. So, I
27 mean, that's kind of one of the things that I see that's going on with the flood control zone district.

28
29 Another thing is, is that and I think it's important for the Cities of Burlington, Mount Vernon and all the
30 dike districts to stand up and make sure that the flood control zone district has one priority and one
31 priority only: That's flood control! It's, we're not there for mitigation of fish, we're not there for walking
32 trails or habitat. The concept and the plan for that money should be flood control and it can get diluted
33 real fast if we don't stand as one on that, on that particular item.

1 So I urge the cities, the dike districts, the people of Mount Vernon, the people of Skagit County, um, to
2 make sure they make their voice heard that this funding however it comes to be put together is for flood
3 control. So I just wanted to bring that out for you guys.

4

5 **Mayor Norris:** Thank you Daryl. Anyone else who represents the Dike District? Okay, thanks again Chal.

6

7 I would encourage the people out there in the public to please pay close attention to this issue. I hope that
8 they'll have an opportunity to watch this on Channel 10. If they have questions they can contact us or
9 they can contact Chal at the City of Burlington and appreciate again you taking the time to come and help
10 us out.

11

12 **Chal Martin:** Thanks very much. It's a privilege.

13

14 **Mayor Norris:** That concludes our scheduled agenda items.

15

16

FIN.