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BEFORE THE

U. S. ARMY CORPS OF ENGINEERS

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In the Matter of PUBLIC HEARING -

IMPROVEMENT DOWNSTREAM LEVEES
AND ADDING FISHERIES AND
RECREATION TO AVON BYPASS.

Place Mount Vernon, Washington
Date January 10, 1964

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U. S. ARMY CORPS OF ENGINEERS

In the Matter of:

IMPROVEMENT DOWNSTREAM LEVEES AND ADDING FISHERIES AND RECREATION TO AVON BYPASS.

Elks Lodge
Mount Vernon, Washington
10 January 1964

Pursuant to notice, the above-entitled matter came on for hearing at 1:30 p.m.

BEFORE:

COLONEL ERNEST L. PERRY, District Engineer, U. S. Army Engineer District, Seattle, Washington

APPEARANCES:

GREGORY HASTINGS, Supervisor of Flood Control, Department of Conservation appearing on behalf of the Governor of the State of Washington

SCOTT RICHARDS, Chairman of the Board of County Commissioners, Skagit County, Washington appearing on behalf of the Board of County Commissioners

LLOYD JOHNSON, Skagit County Engineer appearing on behalf of Skagit County, Washington

PAUL J. MCKAY, District Engineer appearing on behalf of the Washington State Highway Department

GWYNNE D. LeGRO, City Engineer appearing on behalf of the City of Mount Vernon, Washington

GEORGE KIMBLE, Route 3, Mount Vernon, Washington appearing on his own behalf

CHARLES SIMMONS appearing on behalf of the U. S. Fish and Wildlife Service
and the Bureau of Sport Fisheries and Wildlife

ROLF LARSEN
appearing on behalf of the Washington State Department
of Game and John A. Biggs, Director

RICHARD BEEBE
appearing on behalf of Robert E. Rose, Director,
Department of Commerce and Economic Development

VICTOR CRISSEY, Burlington, Washington
appearing on his own behalf

GRANT C. NELSON, Route 3, Box 382, Mount Vernon,
Washington
appearing on behalf of Skagit County Dike District
No. 2 and on his own behalf

GEORGE M. DYNES, Commissioner, Skagit County Dike
District #20 and Drainage District #20
appearing on behalf of Dike District #20 and Drainage
District #20 and on behalf of the Inland Empire
Waterways Association

LAWRENCE BOETTCHER, Burlington, Washington
appearing on his own behalf

EARL DANIELSON
appearing on behalf of Jack Alawine, Master, Skagit
County Pomona Grange No. 10

EARL HANSON
appearing on behalf of Dike District 17 and as president
of the Skagit County Flood Control Council

DANIEL SUNDQUIST, Commissioner, Skagit County Dike
District #3
appearing on behalf of Skagit County Dike District #3

WALTER GERLINE, Attorney at Law
appearing on behalf of Skagit County Dike District #12

FRED R. LUBBE, Attorney at Law, 404 Fairhaven Avenue,
Burlington, Washington
appearing on behalf of a citizens' group objecting to
the Avon Bypass Project and on behalf of Skagit County
Fire Protection District No. 6

MARION NEWKIRK, Special Research Deputy
appearing on behalf of the Washington State Grange

EDNA BREAZEALE
appearing on behalf of the Bay View - Padilla Civic
Association
COLONEL PERRY: May I have your attention, please, Ladies and Gentlemen. We will call our meeting to order. I am Colonel Perry, the District Engineer for the U. S. Army Engineer District in Seattle. We're here for a public hearing which we will go into in a little more detail later. Quite frankly, I'm just amazed at the size of the turnout here today. I am very pleased all of you have taken your time to come here and pass on to me your viewpoints and your ideas.

I'm going to be a little bit more formal to start off with than I usually am because I have material I want to be sure gets into the record. If you will bear with me for about ten minutes, I will give you a brief rundown on the status of our planning and how we propose to conduct our hearing.

The members of my staff with me here today are: immediately on my right, Mr. Bob Gedney, who is Chief of the Basin Planning Branch of our Engineering Division; and on his right is Mr. Ray Skrinde, who heads the Puget Sound Planning Section.

By Resolution of the Public Works Committee of the United States Senate adopted on 4 January 1960, and the Public Works Committee of the House of Representatives adopted on 9 June 1960, the United States Corps of Engineers
has been directed to study and report to Congress on the advisability of Federal projects that will provide flood control protection and allied improvements in the Skagit River Basin. The resolution states, "Resolved by the Committee on Public Works of the United States Senate" this is the Senate version, and by the House of Representatives in the House version," that the Board of Engineers for Rivers and Harbors be and is hereby requested to review the reports from Skagit River, Washington, published as House and Senate documents Nos. 187, 73rd Congress Second Session and other reports with a view of determining whether any modification of the recommendations contained therein is desirable at the present time, with particular reference to providing flood control and allied improvements in the basin." This basic study was assigned the Seattle District for accomplishment.

The purpose of this hearing today is to hear your views on the plans for levees and channel improvements downstream from Mt. Vernon, and for adding fishery and recreation as purposes of the authorized Avon Bypass. We're to consider whether or not these additions should be recommended to Congress.

These proposed plans have been outlined in the "Information Bulletin" that we sent out some time ago. I believe that we had a fairly wide distribution of the
Bulletin. I don't propose to take your time today in reviewing the Bulletin. You'll probably get a pretty good picture of this as we go through the hearing. There is one correction I would like to make. At the time the Bulletin was issued we had estimated the cost of local cooperation for the downstream levee and channel improvements as about $370,000. Now after a more detailed review of estimates for land, utilities and relocation costs, we believe that we were high and that this cost from a local cooperation standpoint would amount to about $220,000. This might be reduced still further as we get into planning and construction.

At this time I would like to summarize rather quickly just what our studies have entailed in the Skagit River Basin. The studies started in about 1961 and to date have shown that flood control is the most urgent water resource requirement in the lower Skagit River, or in fact, in the basin today. Our studies have progressed far enough to show us that there are certain flood control projects that can be initiated almost immediately which will fit into an integral plan for basin development.

Now, one of the plans that we're discussing today is the flood control project for the **Avon Bypass**. This project was **authorized by the Flood Control Act of 1936** and the purpose of the plan was to divert a portion of the flood
waters from the Skagit River into Padilla Bay. In other words, reduce the total amount of water which would flow through the lower Skagit River in the delta area.

Now, because this project is already authorized and is not a formal part of today's hearing, which is to discuss the new plans, we're not really concerned with this project in the hearing today. However, I'll appreciate any of the comments that you have to make concerning the Avon Bypass as a separate project.

Levee and channel improvements downstream from the Bypass in our opinion, have not much hope of being recommended for construction without the Avon Bypass. Levee and channel improvements would increase flood protection that you now have in the lower valley from the three to ten year frequency, to a minimum frequency of once in seven years. With the criteria under which the Corps of Engineers is required to operate, flood control projects with less than a protection frequency of once in twenty to twenty-five years is not acceptable for recommendation to Congress. This is a criteria that we are faced with in all of our planning. So, raising the levees, or increasing the protection through levees to about seven year frequency doesn't have much hope of authorization.

Now, the levees together with the Avon Bypass would increase the flood protection to approximately a thirty
year frequency; in other words, protect the area from floods that would occur, once in thirty years. With the Avon Bypass, we have a lake approximately eight miles long and three hundred forty to three hundred sixty feet wide. What we are after today, is to find out what local interests have in the way of a desire to develop recreational benefits of the Avon Bypass. If this desire is strong enough, we can recommend to Congress that recreation facilities be put in as an added item.

Now, some of the things that I know are going through the minds of all of you who live in the valley, are solutions to the problems of eliminating the flooding that occurs periodically in your area. One of the theories that has been advanced to me is raising the height of the levees. This is something that should be done, but only to a certain level. The levees should be raised to a level where you would get approximately 120,000 cubic feet per second flow, but if you go much above that height in order to protect -- say, against a flood once in every thirty years, you are going to have to raise the levees somewhere on the order of six to eight feet.

Now, to do this, from an engineering standpoint, we create a problem of differential head that would increase the height of water in the channel by another six to eight feet. This would create problems of the water seeping out.
underneath the levees and backing onto the land.

Now, the levees here are built on a silt and very fine granular sand base. Prior experience in this type of construction in other parts of the country shows problems that you create when you have a situation with the high head of water and the low land behind it, sand boils, water seeping under the levee, and sometimes levee failures result. Quite frequently the water will go completely under the levee, leave the levee standing and flood the area behind it as though there was no levee there. You then have the increased problem of getting the water off of the land. We have discounted this as a plan because we can't get the levees high enough as a practical matter.

The other theory that I hear quite frequently is the dredging of the channel. The idea is that dredging will provide additional capacity in the river. Now, in theory, this is correct. In practice, dredging would undercut the base of the levees from the toe and, in all probability, would cause the levee to fail by undercutting from the river side.

Now, the other problem with respect to dredging is the fact that the Skagit, in the lower area, carries something on the order of five hundred thousand cubic yards of bed load material on an annual basis. This material is carried down from upstream, arriving in the delta area where the stream
velocity drops and, since the velocity drops, this
deposits the bed load. We would be faced with the problem
of something on the order of five hundred thousand cubic
yards of dredging annually in the lower basin and we can't
afford this from a practical standpoint.

The third thing that I hear as a theory, and it's a
practical one, is upstream storage. First, let's look at
what we have. There is some upstream storage right now in
Ross Dam. I believe the area that Ross Dam affects amounts
to about nine hundred square miles. There is a total of
about three thousand one hundred forty square miles of basin
area that drains into the Skagit. So Ross takes care of
about thirty per cent of the upstream runoff. Now, this
leaves the other two-thirds of the basin uncontrolled.
There doesn't seem to be any practical place on the main
stem of the Skagit River to put a reservoir, so this
eliminates the main stem of the Skagit.

Now, on the Sauk River there does appear to be a fairly
practical site that would provide quite a bit of highly
desirable storage. It is not economically justifiable to
build anything on the Sauk for flood control alone. Now,
if the Sauk were built for flood control, hydroelectric
power, water supply to the area when it is needed in the
future, possibly some irrigation in the basin, recreation
and the other features that go into a multi-purpose project,
it then has good prospects for justification, but it isn't with us right now. So, we're faced with the problem of trying to arrive at a plan that gives us something in the order of immediate benefits.

I realize, when we say immediate benefits that the way the Federal Government operates, "immediate" may be five or six years away and still be "immediate" in our terminology. What we are trying to do is to come up with flood control plans that will fit as integral parts of an over-all basin project and that will at the same time provide immediate benefits to the valley.

In our opinion, the Avon Bypass plus the improvements of the downstream levee system and some channel improvement are the first step of a basin development plan.

Now, I want to emphasize that what I am saying here about planning is very much in a preliminary stage. Alinements of such things as the Avon Bypass, areas of channel improvements in the lower river and improvement of levees that now look like they need strengthening or improving, are all very preliminary. Until we have design money and are actually in the design phase, none of us are in a position to tell you that this is an alinement that the river would take, or this is the alinement that the Avon Bypass would have.

We are going to be pretty informal today as far as
the hearing goes. I would appreciate very much an open
discussion of your views, either pro or con, and as
complete a statement as you desire to make. When this
information is assembled in our final hearing record, it
will be given every consideration.

In the interest of conserving time, which I haven't
done, I would appreciate it, if you have long statements
that are already prepared, that you paraphrase them and
then give me the statement so it can be introduced into the
record verbatim. We have received several letters that
have expressed interest both pro and con and if these are
not covered by somebody here, as part of the hearing, I will
then paraphrase these a little later on.

I would like to have a complete attendance record, if
possible. If you have not prepared a card, I would
appreciate it if you would do so before you leave and then
leave the card with us.

As I was asked to announce earlier, the manager of the
Elks Club has asked that we have no smoking in this room
today.

Now, I have not made any attempt to segregate the
cards that have been submitted to me, with a couple of
exceptions. Mr. Greg Hastings has been designated by
Governor Rosellini as his representative here today to
make a statement, so I will call on him first.
I believe Mayor Hanson is here, but I understand that he has designated his City Engineer, Mr. LeGro, to speak for him today.

I will call some of the state and county representatives whom I know to be present and after I have gotten through those few, then we'll just take the cards in order.

When you make your statement, I would appreciate it if you would come forward. You can use the microphone and the lectern. Please tell the recorder your name and either your occupation or whom you are representing so that this can be made a part of our permanent record.

Before we close the meeting, I will ask for anyone from the floor who desires to make a statement. Whether or not you have submitted a card is immaterial. If you will hold up your hand, you will be called upon to give whatever statement you desire.

I have one other little item here. There was a question that was written out. It is unsigned. It says:

"Dear Sir: I would like to know about 1,000 acres of land in drainage district 19, north of Avon cutoff. Will it be drained after the new channel is put in?" I assume that this question is concerned with interior drainage and the answer is yes, we will make provisions for interior drainage, so that flood flows or water that falls on the area outside of the channel can be drained into the Bypass.
or into the river. Did that answer the question of whoever put this question forward? If not, you will have to ask me separately and I will try my best to answer it.

I'd like to call on Mr. Greg Hastings, representing Governor Rosellini. Greg Hastings is with the Department of Conservation in the State of Washington.

GREGORY HASTINGS

appearing on behalf of the Governor of the State of Washington, made the following statement:

I am Gregory Hastings, Supervisor of Flood Control, Department of Conservation, headed by Earl Cole, Director.

I am going to be informal, Colonel Perry. This is an opportunity that I have looked forward to for approximately twelve and a half years now.

The magic number of twelve and a half is simply that in April, 1951, you remember a young, wide-eyed, eager, curly-headed fellow that followed a little Norwegian around in the mud. Lars is dead, but I'm sure his vision, his -- I don't quite know how to say it -- I don't know many Norwegians, but I'm sure they must all be like him. I have met no one since who so deeply in his heart and with his waking moments and with the disposal and dispatch of every technical knowledge that had come his way as a young man did he lend himself to the problem of flood control. The cohabitation of that enemy with us people and our lands
because he acknowledged then and we do now and we always will acknowledge, we must live together. Nothing was impossible for Lars -- that simply was a little more difficult to perform than the things that were hard to do, or that were tasks tough to perform.

I don't match Lars' shoes in stature of the servant, but it surely is a -- it's an emotional thing, in a way, with me. I'm looking at the nicest crowd, the biggest crowd of you dike men and district commissioners that I've ever had the privilege of addressing.

Individually, over these 12-1/2 or 13 years I have been with one and all of you at one or more times in different places -- from being in a boat to being knee-deep, to your home, at our public meetings that we have, at our office in Olympia, at Colonel Perry's office. We've met on many places, under many circumstances, for the same purpose. We meet again today, in my mind, the place of which the climax of this affair since you started some 70 years ago may be accomplished.

I do not bring any particular word from Governor Rosellini and this may be a good thing in that he, as leader of our political state and leader of all our people as an administrative officer, has not directed in an arbitrary way at any time the work of his various codepartments.

Sometimes as I was growing up in my work, I found fault with
him for that. Now the combination of probably being a little smarter and a little older and having my head more open to the air makes me think better. It probably is well and right that he does not and did not, from time to time, take a position of state attitude and otherwise dispose of the tremendously complicated problem of water planning, development and disposition.

He has left it with his departments to cooperate with each other and out of the problem of water and the absolute necessity of getting along with it on our lands at the same time and in the same place. We departments have gotten together and it pleases me to tell you, or report to you, that this cooperation now shared and enjoyed by the departments has also reached an apex in our affairs with one another relating to the years gone by.

Different things have caused this, yes -- the Corps of Engineers renewed activity at the direction of Congress, backed up with funds from Congress, backed up with higher quality men on the staff. In these years of mine, which are young compared to the course and to the men I usually work with, I have seen an upgrading in the quality of their men -- technically, emotionally, influentially. They have some fine thinking men working in that department of government, the Engineering Department of Army. If anybody's doubting what I'm doing right now, it is a basket of roses I have in
mind, and with him sitting right here in front of us, it's a good chance to hand it to him. So I thank them on behalf of us in this beginning today at our meeting for helping and having walked beside us to this point in our stewardship of our soil, our homes, our families, and the future that dad leaves son, who leaves to his son to go on.

On November the 14th, at the request of Colonel Perry and with the complete agreement of Governor Rosellini, we codepartments, having some interest in some way with water, met in private session with the Colonel and his men in Olympia and privately had a preview of this report that we are now discussing, as has been opened for the public inspection.

At that time frank and open discussion was had by the Departments of Highway, Game, Fisheries, Commerce and Economic Development, Parks, Pollution and Conservation. All those departments have something to do with water, and I doubt if all of you in the room knew that number existed. You knew that some of them were involved, but I don't think you knew they all were involved.

This in itself is complicated because in that involvement there are separate, distinct and often uncorrelated laws covering the administration of that feature, that physical asset that I like to talk about as our really general high thing we must live with and get
along with.

Water is our greatest asset. In that same form, and in the twinkling of an eye, it becomes our greatest enemy.

Ability to live with it, I think, has been confused and clouded by our inability to recognize that it exists in the same form all the time. Knowing that animal, or that beast, or that thing is the first key to whipping it and subjecting it to our will and to our use. It is controlable.

Our departments met on November the 14th, reviewed the report and generally without, I believe, sacrificial compromise in the area of these departments' responsibility, agreed that the basic plan involved was a good one; that it did not basically interfere, nor would it likely conflict with the furtherance of those departments' individual beliefs, nor was there any real reason why the eight of us could not cooperate and further the state's full interest here, by cooperating and coordinating the affairs of the Corps, you local people, and our duties; that your legislators, for you and at your insistence have set up laws.

We don't make laws; we only carry out the ones that as a result of that action in Olympia every two years, your extended officers, by their elected positions, direct we hired servants to carry on your wishes.

Before the afternoon is through, I trust that the various departments will step forward and summarize briefly
their view as a result of our preliminary meeting.

I cannot tell you, nor will I try now to tell you about the area, the river and its land that you know so well because you live here. I consider myself a junior to you and I always will be.

Even though we argue about the technique, or the theory, or the plan that each district may have as to its working program, we'll still make out. I want you to argue with me and I think that you do not mind my arguing with you. This is good.

I see so many faces in the room that I have argued with, and they sit here smiling at me; I don't think we're mad at each other -- it's not that type of a thing. We must disagree because, out of disagreement, the man that has an idea of the right attack must impress this point in a debating situation. He wins his argument because of its factual representation and its truth over an opinion that may have come from not having the right facts.

I think I would like to remind you, then, of only a few things, and I will do as Colonel Perry suggested.

You know what this plan proposes; you know what its benefits likely will be. The State's interest as, or by virtue of our department's duties and responsibilities to you, specifically in the line of flood control, maintenance, betterment, and improvement program, cooperating with the
districts, other municipalities and the State of Washington, with the Corps of Engineers standing on the side of both of us as our helping technical partner and financial agent in pursuing a program.

Since 1943 -- well, let me go back one more point. From an unknown period, likely at the turn of the century, when diking was first commenced for the private landowners' immediate benefit to a group enterprise, up to 1947, the districts and/or their individual landowners and farmers, cooperating together, spent approximately two million three hundred fifty, sixty thousand dollars on the dikes.

In 1943 the State Legislature authorized and provided funds for the Department of Conservation to financially assist you in furthering your protective program for your land and industry on that land.

Since 1943 the State, helping Skagit County and these some odd sixteen diking districts and some twenty-five or so drainage districts, we together have spent a million three hundred thousand dollars, making approximately a total of three million six hundred sixty thousand dollars together during this century on these levees from approximately Sterling Bend at Burlington to the mouth of both forks.

Yet, as Colonel Perry explained to you in his opening remarks, that expenditure and those dikes have rebeded river
banks and removed bars and debris dams cleared, have still
given us only approximately a nine year level of protection,
and for only ten per cent of the time are we protected
against floods. We may expect ninety per cent of the time
to have those floods exceed the capacity of those dikes.
Yet, with the Corps plan, presented here in their
preliminary report, at no cash on our part -- county and
state and local people -- with only the obligation of
modifying and relocating broken utilities, they find
justified to come in, raise, widen, and strengthen the
existing dike system to a uniform grade and cross section
and to clear the channel of certain restricting elements
in cross section and triple that level of protection. That's
a pretty good deal.

Now there may be a great deal of disagreement now on
that, please do not form an opinion, Ladies and Gentlemen,
this afternoon if you can, but just listen to what is to
be said -- I don't mean don't express your opinion -- but
let's not form an opinion today without giving this thing
the thought it merits.

They are prepared to spend considerable federal funds
to do design planning for us. It will be then, I think,
too late if we commit them to that planning and then say
when it's done, "We're sorry, we've changed our minds, we'd
rather not have this." I can't believe that out of
intelligent, factual discussion, thinking and resolution
of the problem.

Bernard Baruch, of whom I am not particularly a great
lover of his writings, but he has said one thing that I
believe in deeply: "Every man is entitled to his own
opinion, but he is not entitled to form it on the basis of
wrong acts."

That's all I want to say -- so, for a cost of maybe
four hundred thousand dollars on the outside -- let's talk
rough figures -- to do modification of the utilities to
provide the required rights of way to hold the government
free and clear from damages and to assure them that we,
together, will maintain the work they leave us and no real
cash contribution to them for the support of the project.
Our present level of protection has cost us three and six
tenths million, giving us a nine year level of protection;
and all I have to offer that on behalf of my director, or
boss, Earl Cole, and the program which he and the Governor
do support in the lines of water resource management and
development, we continue our support to you in that program
and, particularly, in this program. This is what we have
wanted, but we have together, the districts and the state,
have not had the means, financially and technically, to do
this type of analysis and search into the facts and the
problem to come up with the resolution and conclusion they
Lloyd and I have talked about this a great deal. Mr. Gedney, Joel Walburg -- these are friends of yours that have served you over the years. I have served all three of them. This is what we have all talked about without deviation, but we did not have the means of bringing the facts before you folks that now are possible.

Please simply study those and digest them. Carry them around with you, talk about them on the street corner and at your small meetings; and while you're doing this, remember that the support the state has been able to give you thus far. I am privileged to hereby assure its continuance and possibly because of this comprehensive program proposed now, for the first time in the history of the valley there is no reason to believe that the economic benefit derived herein locally and to the state totally, does not justify some increase, maybe, in the state's share in the picture.

As in all other state expenditures in its various areas of service, the proof of the plea is in justifying why that increase is needed and necessary. And that is, gentlemen, your Legislature is simply going to want to know, is it good business or isn't it good business from an economic standpoint.

We're all businessmen -- you farmers, you men in the stores downtown, motel operators, whoever it may be --
anybody that deals in money and is not actively retired is a businessman.

The worth of this soil, the support it gives the community and is capable of continuing to give the community merits the most serious, thought-provoking affair you've ever run into here. And I challenge you only to make that thought-provoking exercise individually and in your meetings and in your districts before you finally say in a short while, if it is different than you feel now, whether this project should go forward or be stopped, whether you do not want it, or feel it is not justified and cannot be afforded.

We feel that it is necessary and that it can be afforded. For this reason we are at a point of an airplane with so much gasoline, having approached the point of no return. We must soon decide here in the state, and particularly in Skagit County, who is the greatest, the number one user of state funds in flood control.

We are now at a time here when we must decide, do we continue this ineffectual and inefficient method of maintaining a substandard set of works, or stop that type of a program and improve our worth and net assets by doing something that's comprehensive and lasting and not be faced with this annual fear that these substandard dikes are going to be topped, your home lost. And I can't help but
remind you the inexcusable loss of a life, and it’s inexcusable in this respect.

Murray Walker, our Supervisor of Water Resources, has placed a letter from his division in Colonel Perry’s hands generally agreeing with Mr. Cole and myself in the worth of the project but pointing out one area of consideration not officially represented so far by the Corps of Engineers’ work and that is, that by the virtue of the water storage it’s likely possible in the Avon Bypass channel -- he only would like to have you and the Corps study the possibilities and the benefits likely derived from irrigation from that stored water and to dovetail it into the physics of that program.

There is going to be a time soon, even in the Skagit Valley that has God-blessing rains at the right time -- even though they are what cause our problem today -- there will be a time when supplemental irrigation is essential to the horticulture and other husbandry of that soil to its fullest extent.

This is one area in which it is not possible, at least, to consider irrigation and augmenting or improving the existing municipal industrial supplies now being taken from the Skagit River. We know they are turbid and often undesirable for, particularly, chemical industry. That channel might possess a little less turbid water and be
less complicated and costly to use, and so Murray only
wanted me, Colonel Perry, to remind you of that point.

The chance to rise above this yoke of this nine year
level of protection lies before us. Give it the most
serious consideration you gentlemen have ever given
anything we have had to do with each other.

Thank you.

COLONEL PERRY: Thank you, Greg. Mr. Scott Richards,
please.

SCOTT RICHARDS

appearing on behalf of the Board of County Commissioners,
made the following statement:

My name is Scott Richards, Chairman of the Board of
County Commissioners.

Not being capricious, facetious, or loquacious as my
good friend, Greg Hastings, I am not going to attempt to
compete with his oratorical flow of words, so I will be
quite brief.

We received a letter from Colonel Dewey on December
16 -- I am speaking of the Board of County Commissioners --
asking for some affirmation concerning the lower levee
improvements. We felt it would be imperative to have the
voice of the districts involved in this work, so a meeting
was arranged on December 31 and this is the result of that
meeting. This is in a letter to the Corps of Engineers.
"This is in reply to your letter dated December 16, 1963. Your letter requests local cooperation requirements on the levee improvements and recreation additions to the Avon Bypass, which is scheduled for public hearing on January 10, 1964.

A meeting was held on December 31 at 1:30 p.m. with the effected dike district commissioners, who number 18, and of which 16 were in attendance.

An affirmative vote was given by the attending dike district commissioners for the Corps of Engineers' project of improvements. The effected dike district commissioners indicated their willingness to work with the county in providing the necessary rights of way for the proposed project; also, hold the United States free from damages due to construction works and maintain and operate all the works after the completion of construction in accordance with the regulations prescribed by the Secretary of the Army.

Skagit County dike districts have a high record of quality maintenance on their system, so this item is not a problem.

We, the Board of County Commissioners, wish to affirm the intent of the county to provide local cooperation on behalf of the dike districts and the people of Skagit County, as set forth in your request." Signed by the Board
of County Commissioners.

There is one other item I'd like to get into the record for the interest of the people and taxpayers of Skagit County. This has been asked of the Corps, it's been asked of the Board of Commissioners, and many other people.

This project needs a lot of study and consideration on your part; but when the time comes for the raising of money on a local participation, we want to assure you that the people and taxpayers of Skagit County will have the right to vote on this problem, so we urge you to study it very thoroughly and make up your minds and then decide whether you want to approve or reject this project when the time comes.

At this time we would also like to thank the Corps, compliment them on their continued efforts on the flood control problems of Skagit County.

Thank you.

COLONEL PERRY: Thank you. Lloyd Johnson, please.

LLOYD JOHNSON

appearing on behalf of Skagit County, Washington, read the following statement:

(Prepared Statement, Exhibit No. 1, attached hereto, read.)

The flood problems of the Skagit Valley date back to before the arrival of the earliest settler. The original dikes were a private and cooperative venture of these early
settlers. Flood fighting and diking was a very real and constant threat to all the settlers. Moving out and upstairs was an expected procedure with the flooding of the Valley. Supplies of wood, groceries, feed for livestock, etc. were constantly lost which made early life disappointing.

Many settlers gave up and moved to areas less susceptible to flooding. The original farms and homes were built off the ground with some arrangements for flooding. The old Seven Cedars Ballroom, with its high steps was typical of the early buildings built with the anticipation of flooding.

The modern home, the dairy farm of today and the industry of our Valley are now relatively unprepared for flooding and would suffer extensive loss if a major flood should occur at this time. This extensive loss is apparent in the Corps of Engineers' report of expected damages.

We, of Skagit County, are pleased to have reached a point in our development where it is now possible to get cost-benefit-ratios that justify the Corps of Engineers' help with the flood problems of Skagit County.

The Willamette Valley in Oregon suffered great damage until the flood control structures were installed in the Valley. These justified Corps of Engineer projects in Oregon have now enabled Eugene, Oregon and vicinity to
develop without fear of flood, and we hope that Skagit County may now prosper with these anticipated improvements as proposed by the Corps of Engineers.

The proposal of the Corps of Engineers' to build the Bypass with the added recreational facilities presents a new era for the people of Skagit County. The prospect of an unused flood ditch has now been replaced with a recreational area of over 400 acres. The Washington State Association of County Planners at their annual meeting in Wenatchee stated, "obtaining parks and recreation areas is the most difficult of all county problems", and the Bypass would help Skagit County in this respect.

By the Corps of Engineers' project we are indirectly given a playground that will be a very important and progressive step in the future of Skagit County. The tourist attraction of these proposed recreational facilities can well be an item of intense interest to the entire Northwest area of the State of Washington.

Skagit County and the Dike District Commissioners have long known the need of uniform dike protection from flooding for the various areas. The Corps of Engineers' proposal to unify dike protection with their downstream proposal is generally approved by most individuals affected. There is need locally to arrange the local participation on an equitable basis and modify some of the designs with the
cooperation of the Corps of Engineers' so that the projects
do the least damage possible to the local properties.

We would like to congratulate the Corps of Engineers' on
their proposal; we believe it is not only practical but also
very necessary to the future development of Skagit County.

Respectfully submitted,
SKAGIT COUNTY, WASHINGTON
By: /s/ LLOYD H. JOHNSON
Lloyd H. Johnson
Skagit County Engineer

I would now like to take the liberty of reading a letter written by James Hulbert, Sr.

"Colonel E. L. Perry, District Engineer. Dear Sir:
The Corps of Army Engineers' have given considerable study
to the Skagit River and have arrived at the same answer,
which is basically the Avon Bypass. I agree with the
thinking of the Corps of Engineers' and support their
modifications as recommended at this Hearing relative to the
dike improvements and recreational use of this Bypass.

During my life time I have observed flooding of all the
towns of Skagit County, from Edison to Stanwood, and I feel
sure that history will repeat this disaster if steps are
not taken to prevent it.

I further believe it would be foolish to refuse this offer of the Corps of Engineers. We should give very serious
consideration to this project before turning it down.

New developments and the potential increased population
in Skagit County certainly justifies the Bypass with its accompanying improvements. Respectfully submitted, James
Hulbert, Sr., Land Owner and Dike Commissioner of Several
Dike Districts during the last Fifty Years."

COLONEL PERRY: Thank you, Lloyd, Paul McKay.

PAUL J. MCKAY

appearing on behalf of the State Highway Department, made
the following statement:

Paul J. McKay, District Engineer for the Washington
State Highway Department.

The report which I have to offer is very brief. It
indicates the results of our review and investigation after
studying the plans for this proposed improvement; and I do
want to emphasize the fact that the members of the State
Highway Department and the members of the State Highway
Commission fully concur with the report and do not want
to in any way affect the approval of the plan.

However, the Department and Commission does want to
make one point clear at this time as a result of this
investigation. The results of this investigation indicate
that the Department feels that they would not be permitted
to use motor vehicle funds to support the construction
on this improvement.

The reason for that decision is that a review of our
repair work on our highways through this area during the
past years does not disclose that we have had any
appreciable costs in maintenance or repairs.

However, again, I do want to leave this thought: that
the Department and the Commission are favorable to the report and we do want to compliment the Corps of Engineers in the efficient manner in which the study has been made.

(Letters, Exhibit No. 2, attached hereto, submitted and read as follows.)

January 8, 1964, Colonel Ernest L. Perry, District Engineer, Corps of Engineers, 1519 Alaskan Way South, Seattle, Washington. 

Subject: Avon Bypass, Skagit River Flood Control Project. Dear Sir: In compliance with your suggestion we are furnishing the following report on the proposed Avon Bypass of the Skagit River in respect to the anticipated effects on our highway system through the Skagit County area,

As mentioned in our previous correspondence, this Department does not, in any way, oppose the improvement as outlined in your informational bulletin entitled "Plans for Flood Control and Recreation Improvements for the Skagit River". However, from the results of our thorough investigation, the Department does not feel that motor vehicle funds can be properly used for defraying any of the costs of the proposed improvement. This opinion is based on the fact that during the past years, we have experienced a relatively low cost of repairs on our highway system through this area due to flood water conditions. For your convenience, we are enclosing copies of our previous
correspondence dated November 20 and December 31, 1963.

Very truly yours, /s/ P. J. McKay, District Engineer.

(Following are the enclosures above mentioned.)

November 20, 1963, Colonel Ernest L. Perry, District Engineer, U. S. Army Engineer District, Corps of Engineers
1519 Alaskan Way South, Seattle, Washington 98134. P. S. H. No. 1, Skagit River, Avon By-Pass, NPSEN-PP. Dear Colonel Perry: Reference is made to your letter of November 7th in which you advise of the public meeting to be held at 1:30 p.m. on November 22nd at the Elks Lodge in Mt. Vernon. It is our understanding that this public hearing has been scheduled for a discussion of the proposed Avon By-pass of the Skagit River and for an explanation and discussion of the additional proposed dike and levy work.

Please be advised that Mr. P. J. McKay, our District Engineer in Seattle, will attend that hearing and will officially represent the Highway Department. Mr. McKay is authorized to use a copy of this letter as the official position of the Highway Department regarding this proposal, and if requested by you, will present at the hearing the Department's position in this matter.

The State Highway Department does not, in any way, oppose the improvement as outlined in your informational bulletin entitled "Plans for Flood Control and Recreation Improvements for the Skagit River." The Department does not
feel, however, that motor vehicle funds can be properly used for defraying any of the costs of this proposed improvement because it has not been demonstrated that a direct benefit will be derived by the Highway Department.

We would call your attention to the fact that one of the highway crossings that would be made necessary by the construction of the Avon by-pass would involve Interstate Highway 5, which has been completed through this section to Interstate standards and is presently carrying a large volume of traffic. A suitable detour would be necessary in order to construct structures across this facility.

Very truly yours, C. G. FRAH, Director of Highways, By: W. E. McKibben, Assistant Director.

December 31, 1963, Colonel Ernest L. Perry, District Engineer, Corps of Engineers, 1519 Alaskan Way South, Seattle, Washington 98134. [Subject] Avon Bypass, Skagit River Flood Control Project. Dear Colonel Perry: Reference is made to your letters of December 6th and December 16th regarding the rescheduled public hearing date of January 10th for the proposed Avon Bypass of the Skagit River and other flood control proposals.

We have reviewed the location of the various sections to which reference was made in your previous letters concerning their susceptibility to floods from the Skagit River. In all but one instance, we find that these highways
have either been reconstructed within the last six or seven years or will be reconstructed within the next three or four years. Plans for this reconstruction work provide for elevation of the highways above the 1909 flood elevation.

In reviewing past maintenance records of these highways which have previously been affected by flooding of the Skagit River, we find that the relatively low cost of repairs because of high water damage could not possibly justify the proposed cost of the bridge structures as outlined in your previous report. For this reason, we must reiterate our position as expressed in our letter of November 20th regarding the participation of this department in the proposed flood control improvements.

Please be advised that Mr. P. J. McKay, District Engineer in Seattle, will attend the public hearing on January 10th. Very truly yours, C. G. PRAHL, Director of Highways, By: W. E. McKIBBEN, Assistant Director.

COLONEL PERRY: Thank you, Paul. Mr. Gwynne LeGro, please.

GWYNNE D. LEGRO

appearing on behalf of the City of Mount Vernon, made the following statement:

I am Gwynne LeGro, City Engineer for the City of Mount Vernon.

I would like to make this statement for the City of
Mount Vernon on behalf of the Mayor. He tells me some of these terms are unknown to Mayor's office.

Mount Vernon residents clearly remember the date of Feb. 10, 1951. The record book shows that on this date the Skagit River reached a flood flow peak of 150,000 c.f.s. But to Mount Vernon residents and the City of Mount Vernon's officials, the peak flood flow of 150,000 c.f.s. was of no immediate concern through that long night and the following early morning hours of the next day. What our Mount Vernon officials do remember is that the Skagit River filled their banks completely in Mount Vernon and that the flood crest rose until the water level had completely covered our revetment area and was lapping at the gutter line of Main Street at the Myrtle Street intersection. Another 6 or 9 inches would have required sand-bags to keep the Skagit River from spilling over into our downtown commercial area.

Watching the river crest at flood stage was not all our townspeople had on their minds, however. The City officials had serious problems with their sewer system - as our Park Street sewer main collapsed inside of our protective shut-off gates but outside of the dike and flooded back into the residential area in the Southwest section of our town, lifting manhole covers and flooding.
streets and homes, until the sewer break could be found and the sewer line sealed off by dumping truck loads of sand bags into a manhole to plug the sewer main.

And at our sewage treatment pumping station, City officials found it impossible to pump the resultant sewage and storm waters against the head of the raging Skagit River.

Neither will our store owners soon forget their preparatory efforts as they frantically elevated all of their stock in case the stores and storage rooms should be inundated.

With the memory of this 1951 flood and the 1949 flood of 140,000 c.f.s. fresh in our minds, it is not difficult for the City of Mount Vernon to evaluate its position as regards this hearing.

The City of Mount Vernon lies behind the protective dikes of four separate diking districts: Diking Districts No. 1, 3, 17 and 20. And we are certainly pleased that we can take this opportunity to support the diking district commissioners from these four diking districts in heartily endorsing their majority approval of these recommended flood control plans by the Corps of Engineers.

The City of Mount Vernon, with full knowledge of what a flood flow of 150,000 c.f.s. means to our city, hereby congratulate the Corps of Engineers for their comprehensive
and forward-thinking flood prevention plan.

Assuming that the costs of these levee and channel improvements are economically feasible and that suitable and equitable financial arrangements can be achieved, this overall flood control plan calling for a total flood control capacity of 180,000 c.f.s. seems reasonable and practical.

One of the strong features of this program is to uniform the degree of levee protection along the entire length of the Skagit River. Many of us hope that once this degree of uniformity is achieved, that a centralized or coordinated control group can be set up to ensure that this uniformity does not once again disintegrate through the process of well-meaning but uncoordinated far-flung groups of concern. If this means redistricting at some future date - then we should approach this problem openly and without petty personal malice.

It would further appear that the possible modifications of the Avon Bypass structure to permit the additional purposes of fisheries and recreational facilities, do not endanger the overall comprehensive flood control plan, nor are material sums involved in the costs thereof. The City of Mount Vernon would therefore be favorable to the inclusion of this recommendation also in our approval.

And in conclusion, with the achievement of all the plans
presently under consideration for flood control on the
Skagit River, that the comprehensive development of
upstream storages on the various tributaries of the Skagit
River, can give our fertile valley a virtual freedom from
the danger of floods - and possibly in our lifetime.

We think this plan has merit. We think it is
reasonable. We think the people of Skagit County have the
courage and ability to put it over.

FOR THE CITY OF MOUNT VERNON

/s/ HERMAN I. HANSON
HERMAN I. HANSON, MAYOR

Presented By: /s/ GWYNNE D. LEGRO
GWYNNE D. LEGRO
CITY ENGINEER

COLONEL PERRY: Thank you, Mr. LeGro. Mr. George
Kimble, please.

GEORGE KIMBLE

appearing on his own behalf, read the following statement:

(Prepared Statement, Exhibit No. 4, attached hereto, read)

Dear Sirs: I was to one of the Avon Bypass Protest
meetings. There was a bunch giving their reasons why we
should not have it. I finally could not sit still anymore
and got up and asked them how many of them that were
against it ever went through a flood and not one person
raised their hand or answered me.

I came from the dust bowl and lived in this valley for
15 years and never heard of the river being up.

Then in 1951 we got the report that we were in danger of a flood. I worked for 37 hours without taking my boots off working on the dikes and moving my cattle out to higher ground before the water got so deep we could not get anymore things.

We had from 3 to 4 feet of water on our place and was out for 2 week.

When we came back everything that was loose had washed away. Most of the cedar fence posts lifted right out of the ground. Mud and silt was in all the buildings which had to be cleaned out. Grain in the granery was so wet we lost all it. If my wife had of been two feet closer to the electric stove she would of gotten killed as the wires were wet and shorted out and burnt up part of the stove when it blew up.

When the water is in your house so deep that all you can see is the key board on the piano and all the residue from the septic tank floats back up in your house makes a mess that when you have to clean up once you will never forget.

So you can just figure that almost anyone that is fighting this thing don't know what they are talking about.

Everybody keeps their fire insurance payed up and can have a fire truck there in 10 minutes. But try to get flood...
insurance in this valley.

What entry our taxes will be is not a drop in the bucket compared to the damage a flood will do.

Mother nature is one thing that we cannot tell ahead what it is going to do or fight. Just do the best we can and prepare all we can ahead of time. So let's get this flood control program going just as soon as possible before we have any more floods.

Just let us have one more big flood and have 3 or 4 feet of water in one of these big housing projects like west of Mt. Vernon and the people will be crying so loud for federal help that this will be just a drop in the bucket.

Most men that smoke spend more for smokes than their entry taxes will be.

I am
Geo. C. Kimble
Rt. 3 Mt. Vernon Wash.

COLONEL PERRY: Thank you, Mr. Kimble. Mr. Charles Simmons, please.

CHARLES SIMMONS
appearing on behalf of the Bureau of Sport Fisheries and Wildlife of the U. S. Fish and Wildlife Service, read the following statement:

P 001685 (Prepared Statement, Exhibit No. 5, attached hereto, read.)
My name is Charles Simmons. I represent the Bureau of Sport Fisheries and Wildlife of the U. S. Fish and Wildlife Service.

The preservation, development, and administration of the nation's fish and wildlife resources are responsibilities of the state conservation agencies and the U. S. Fish and Wildlife Service. Through the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the state agencies and the Fish and Wildlife Service have a legal obligation to review proposed water development projects and to ascertain effects such projects would have on fish and wildlife. In meeting this obligation, investigations are made to determine these effects and to recommend measures for protection and improvement of fish and wildlife resources in connection with project development.

Increased leisure time, a high-level economy, and rapidly increasing human population have vastly increased the demand for, and use of, public recreation facilities including those dependent on fish and wildlife for their attractiveness. This demand and use is expected to continue and to increase. Avon Bypass provides an opportunity to greatly increase fish and wildlife and recreation benefits with relatively small increases in project costs.
Washington Departments of Fisheries and Game and the Bureau of Sport Fisheries and Wildlife of the U. S. Fish and Wildlife Service have cooperated in a plan for enhancement of fish and wildlife resources in the bypass area, and for prevention of damages to anadromous fish that would result from construction of the project without regard for these species. This plan is tentative. Many details and problems, particularly in regard to anadromous fish protection, are yet to be resolved.

In our interim report on Skagit Basin, now under review in our Regional Office, we will recommend that enhancement of both fish and wildlife resources become purposes of the project; and that Washington Department of Game in cooperation with other agencies manage Avon Bypass as a public hunting and fishing area, except such portions as may be reserved for other purposes. Washington Department of Fisheries has expressed an interest in a portion of the bypass as a salmon propagating or rearing area. If this proves feasible, we will recommend that part of the west end of the channel be reserved for their use.

To take full advantage of the hunting and fishing enhancement possibilities provided by Avon Bypass, certain features in addition to those provided for operation of the area for flood control will be necessary. These include boat ramps and public parking areas at each end of the bypass.
right-of-way; interior wiers to maintain water levels; fish screens at inlet and outlet works; low-level water controls to permit drainage of the channel for rough-fish control and removal of trapped anadromous species, and to permit introduction of water for freshening and cooling and other management purposes. In addition to these facilities, most of which have been accepted by your agency for inclusion in project plans, the forthcoming report of the Bureau of Sport Fisheries and Wildlife will recommend acquisition of approximately 180 acres of land for public shooting and access to Padilla Bay. Easements on private land along the bypass right-of-way will be required to provide access during the hunting season for retrieving birds killed from the right-of-way. We will also recommend that water rights be acquired for a minimum 100 second-feet to freshen and cool water ponded in the bypass channel.

Skagit River is the most important producer of salmon in the State of Washington outside the Columbia River, and regularly ranks first in number of steelhead trout caught in the state. It is of vital concern to the citizens of Washington, and of the nation, that runs of these anadromous species be maintained. Our interim report on Skagit River Basin will recommend that in connection with channel widening and levee improvement downstream from Mount Vernon, disturbance or muddying of the stream be minimized as much
as possible and restricted to the period between June 1 and August 15 of any year.

Management of Avon Bypass for public hunting and fishing, as well as for other recreational purposes, with additions to the planned flood control facilities as recommended by Washington Departments of Fisheries and Game and the Bureau of Sport Fisheries and Wildlife, will add substantially to the resource value of the region and will contribute to the economy of the surrounding area.

Thank you.

COLONEL PERRY: Thank you, Mr. Simmons. Mr. Larsen.

ROLF LARSEN

appearing on behalf of the Washington State Department of Game and John A. Biggs, Director, made the following statement:

My name is Rolf Larsen, and I'm here representing the Washington State Department of Game and Mr. John Biggs, the Director.

(Prepared Statement, Exhibit No. 6, attached hereto, read.)

Fishing and hunting in the State of Washington is a one hundred million dollar a year industry and therefore is very vital to our economy. The Department of Game as a conservation and wildlife management agency seeks to preserve this economy by protecting our fish and wildlife
resources. We, therefore, are vitally interested in all river projects that may have either a detrimental or beneficial effect on these resources. If the project is detrimental, we have an obligation to determine the best method to limit the extent of damage and to recommend means to mitigate the losses. If the project is deemed beneficial, we lend our knowledge of the habits of fish and wildlife to the constructing agency to make the benefits as worthwhile as possible at the most reasonable cost. It is with these thoughts in mind that we are here today to comment on the projects proposed by the Corps of Engineers for flood protection in the lower Skagit River.

The Skagit River is the most important producer of winter run steelhead in the State of Washington. It produces an average catch of 15,686 winter steelhead each year with a record catch of 22,488 in the 1955-56 season. The river provides an average of 84,700 man-days of fishing each year during the winter season. The Skagit is also an important producer of sea-run cutthroat, dolly varden, whitefish and resident species of trout.

The fisheries resources of the Skagit River contribute substantially to the economy of Skagit County. In addition to the money spent in the area for lodging, meals, gas, clothing and equipment by fishermen, there are 19 professional guides that operate on the river deriving an
income of nearly $25,000.00 annually. The loss of any of
the fishery resources of the river will affect the economy
of this area, the degree of impact being dependent upon the
degree of damage to the fishery resource itself.

The area at the mouths of the North Fork and South
Fork of the Skagit River is very important as waterfowl
production and hunting lands. The Skagit Game Range, for
example, located between Freshwater and Steamboat Sloughs
provided a kill of 19,184 ducks, geese and pheasants in
1962 and provided 18,631 man-days of hunting. This game
range had a larger kill of waterfowl and provided a greater
number of man-days of waterfowl hunting than any other game
range in the state. We are therefore, vitally concerned
with any project that may affect the waterfowl production
of the lowland areas at the mouth of the Skagit River.

This Department has worked with the Corps of Engineers
in developing plans for safeguarding fish and wildlife in
the projects under discussion here today. We feel that
the proposed levee and channel widening project below
Mount Vernon and the Avon Bypass Project will provide a
great measure of flood protection for the lower Skagit
River area and also will cause minimum problems as far as
fish and wildlife are concerned. The channel widening
phase of the project may require some measures to
safeguard fish, depending upon the type of equipment used
to accomplish the desired results, however, we do not feel
that the required safeguards will materially affect this
project.

The proposed inclusion of fish, wildlife and recreation
purposes to the Avon Bypass adds materially to the benefits
of this project. With proper management and fish stocking,
the Bypass could add materially to the economy of Skagit
County. The proper development of this area, however, will
be dependent upon proper screening of the inlet and outlet,
development of adequate boat launching facilities, parking
areas and an adequate year around water supply. This
Department will sincerely attempt to develop the fishing
potential in the Bypass.

The additional possibilities for developing upland
bird hunting and waterfowl hunting will also add to the
value of the Bypass as a recreational area. We feel,
therefore, that fish and wildlife benefits should be
included as a purpose of the Avon Bypass.

We wish to express our appreciation for the opportunity
to appear at this hearing and express our views relative to
the proposed Skagit River flood protection projects.

COLONEL PERRY: Thank you, Mr. Larsen. Mr. Richard
Beebe, please.

RICHARD BEEBE
appearing on behalf of Robert E. Rose, Director, Department of
Commerce and Economic Development, made the following statement:

I am Dick Beebe. I am appearing today in behalf of Director Rose of the Department of Commerce and Economic Development.

The Department recognizes the benefits of flood control to all land users, be they agricultural, residential, commercial, industrial, or other. I think most of you people also recognize these benefits.

Our Department is concerned with the total economic development of all parts of the state, including recreational and tourism. Mr. Rose has written this statement for Colonel Perry:

(Prepared Statement, Exhibit No. 7, attached hereto, read.)

Dear Col. Perry: The Washington State Department of Commerce and Economic Development supports the proposed flood control project on the lower Skagit River including the proposed Avon Bypass. This project would tend to benefit present and future developments. The economic benefits from the recreational uses would be felt immediately and the scouring out from the Bypass should keep a commercial channel open into Indian Slough.

Thank you for the opportunity to make this statement.

Sincerely, Robert E. Rose, Director.

COLONEL PERRY: Thank you, Mr. Beebe. Mr. Victor Crissey.
appearing on his own behalf, made the following statement:

I want to make a few remarks. I am in favor of them dredging the river and fixing the dikes in the lower part of the river; but up around Burlington where I live I own quite a lot of property and water frontage for a half mile.

When I came here in '89, I ran my boat on the river when the bridges were out. I hauled piling logs down the river.

Before I go any further, I will bring it to you now -- Deception Pass controls the river. It took the river hundreds of years to find her course. She made all that land up around Burlington, and it's very valuable land, that silt.

We have the best kind of crops, the best kind of fruit; and it's just wonderful and I think it's a wonderful proposition for you to fix the river, dredge it; but the bypass -- no.

If they have a petition they want us to sign, no, I will make my mark on that. We don't need the river; we are all setting pretty good up there.

The dike commissioners opened the span through the Great Northern draw bridge where the Baker River could go through it; and I have been around the Baker River a lot before they had the dams in there.
When I came from Pennsylvania in '89, they had just
had the Johnstown Flood -- and you have all heard about
the terrible Johnstown Flood, but that is another
proposition -- you might call it that. There were several
fellows who drowned.

That's all I got to say -- no bypass.

COLONEL PERRY: Thank you, Mr. Crissey. Mr. Grant
Nelson, please.

GRANT C. NELSON

appearing on behalf of Dike District No. 2 and on his own
behalf, made the following statement:

My name is Grant Nelson.

Dike District No. 2 at their annual meeting on
November 27, 1962, went on record with unanimous approval
of the diversion of the flood waters of the Skagit River
through the proposed Avon Bypass Project.

And then for myself: (Prepared Statement, Exhibit
No. 8, attached hereto, read.)

My farm on Fir Island faces the South Fork of the
Skagit River.

The proposals of the Avon Bypass and of the channel
widening and equalizing of the levee system on the Skagit
River would be very beneficial to property owners in that
it would greatly reduce the flood disaster possibility; also
the cost of maintenance would not be as great as
before and property values would increase as a result of the higher degree of protection.

I am in favor of the above mentioned proposals.

Yours very truly

/s/ GRANT C. NELSON
Grant C. Nelson
Route 3, Box 382
Mount Vernon, Washington 98273

COLONEL PERRY: Thank you, Mr. Nelson. Mr. George Dynes.

GEORGE M. DYNES

appearing on behalf of Diking District and Drainage District #20 and the Inland Empire Waterways Association, made the following statement:

My name is George Dynes; I am a farmer. I'm also
Diking Commissioner of Diking and Drainage District #20.

(Prepared Statement, Exhibit No. 9, attached hereto, read.)

Colonel Perry: Pursuant to Notice of Public Hearing on Flood Control and Addition of Recreation and Fisheries as Project Purpose to the Avon ByPass, Skagit River Basin, Washington, the Commissioners of Dyke and Drainage District #20, Skagit County, Washington wishes to make the following statement:

We the Commissioners of Dike District #20 and Drainage District #20 endorse and support the plans as presented in the Bulletin by the Corps of Engineers to widen and strengthen the Dikes on the Skagit River so when the Avon
By-Pass is constructed these dual Projects will give the entire Skagit River Basin at least a 30 year protection from Floods.

We the Commissioners of Dike District #20 have hopes that with these projects completed we can expand our Dike District #20 so that the entire Nookchamp Valley can be Diked to give our farms protection from Floods that cover our farms land on an average of every three years, but realize that as of now we act as a reservoir for flood waters from the Skagit River so the lower parts of the Valley will have additional protection. If our areas were diked at this time it would be impossible for the Skagit River to carry even a normal high water.

Respectfully submitted,
/s/ GEO. M. DYNES
Geo. M. Dynes.
Commissioner Dike District #20

The three commissioners, Virgil Fell, John Petter, and myself, concur in this statement.

I also have another statement, Colonel Perry. I happen to be a Director of the Inland Empire Waterways Association, representing Whatcom, Skagit and Snohomish Counties, and here is a letter signed by Herbert G. West, the Executive Vice President of the Inland Empire Waterways Association, Walla Walla.

(Prepared Statement, Exhibit No. 10, attached hereto, read.)
Dear Colonel Perry,

Pursuant to Notice of Public Hearing on Flood Control and Addition of Recreation and Fisheries as Project Purposes to the Avon Bypass, Skagit River Basin, Washington, the Inland Empire Waterways Association desires to make the following statement:

The Inland Empire Waterways Association passed a Resolution in support of the Avon Bypass at its recent Convention held in Portland, Oregon, on November 5, 1963.

After thorough study of the information bulletin presented by the United States Corps of Army Engineers, Seattle District, entitled "Skagit River, Washington, Plans for Flood Control and Recreation Improvements including Fisheries as added purposes for Avon Bypass", the Inland Empire Waterways Association endorses and supports the plans as presented in said bulletin and concurs in the statement as will be presented by the Avon Bypass Committee.

Respectfully submitted,

/s/ H. G. WEST
HERBERT G. WEST
Executive Vice President

Thank you.

COLONEL PERRY: Thank you, Mr. Dynes, Mr. Lawrence Boettcher, please.

LAWRENCE BOETTCHER

appearing on his own behalf, made the following statement:
Colonel Perry, all the fors and against this program, I think, have a dollar sign before them, so I just want to ask several questions:

(Prepared Statement, Exhibit No. 11, attached hereto, read.)

1. Do you think some way could be found for county and diking district participation in the agricultural conservation program to receive payment for truly soil conservation practices such as revetment work and construction of needed dike facilities?

And then I have another question: Everyone has been speaking of the grand plan, and it seems to me very little attention has been paid to the immediate needs and:

2. Why has not more rock revetment work above Mount Vernon for control of bank erosion and subsequent prevention of channel silting been advocated?

/s/ LAWRENCE BOETTCHER
Burlington

Thank you.

COLONEL PERRY: Thank you, sir. Mr. Earl Danielson.

EARL DANIELSON

appearing on behalf of Jack Alawine, Master, Skagit County Pomona Grange No. 10, made the following statement:

My name is Earl Danielson. I am appearing on behalf of our Skagit County Pomona Master, Jack Alawine.

It was in February that our Skagit Pomona Grange -- that is, '63 -- went on record as being in favor of this Avon
Bypass as it was written up in the Mount Vernon Herald.

Shortly after that they adopted a resolution. If I
may read this resolution:

Whereas, Skagit County has suffered untold damage to
its farms from floods, or fast run off of snow caused by
Chinook winds, and,

Whereas, Baker, Upper Baker Ross and Diablo Dams offer
some protection from floods, there is still need of a by-
pass to carry flood waters to the bay, and,

Whereas the Army Engineers in cooperation with Skagit
County engineers have submitted a plan for a by-pass eight
miles long by 500 feet wide to empty into Padilla Bay at
a cost of 19 million dollars, 15 million dollars from
federal financing, four million dollars from County
financing, and

Whereas, without the by-pass, flood damage would amount
to an estimated million dollars a year.

Therefore be it resolved that Skagit County Pomona
Grange number 10 go on record as favoring the present
flood control program and that a copy of this resolution
be sent to the Dairy Federation, Farm Bureau, Burlington,
Sedro Woolley and Mount Vernon Chamber of Commerce, and to
the Washington State Grange.

The above resolution passed by Skagit County Pomona
Grange number 10 at its regular meeting held at Samish Valley Grange on February 6, 1963.

/s/ JACK ALAWINE
MASTER SKAGIT COUNTY POMONA GRANGE NO. 10

/s/ JEWELL FORTIN
SECRETARY SKAGIT COUNTY POMONA GRANGE NO. 10

The above resolution was passed by Skagit County Pomona and from there it went on over to Port Angeles at their State Convention in June and it was sent to the Conservation and Game Committee over there; and there were men who are living in the eastern part of the state who didn’t understand our problems or conditions here.

We are quite in favor of it because it is a quite necessary program.

Due to the fact that this was made before these later plans were made to improve the dikes on the lower Skagit, we wish to add this. This is from our Pomona Master.

Gentlemen:

The Skagit County Pomona Grange is already in favor of the Flood Control Program. Also it has standing committees in the Game and Fisheries.

As Pomona Master I hereby go on record as favoring the program concerning the recreational facilities in conjunction with the Avon By Pass.
Signed,

/s/ JACK ALAWINE
Pomona Master (Skagit County)

Thank you.

COLONEL PERRY: Thank you, Mr. Daniel. Mr. Earl Hanson, please.

EARL HANSON

appearing on behalf of Dike District 17 and as president of the Skagit County Flood Control Council, made the following statement:

I am Earl Hanson. I am a member of Dike District 17 which this building is in.

Some forty years ago, why, we had a flood December 13 -- forty-two years ago in 1921. The water, I would say, was about this deep (indicating) in points; but I might also add that while our dike in District 17 is probably one of the better ones in the county, we still believe that there is room for improvement in the downstream area because any bank pressure from the river will make a marked improvement in the upper reaches. So, anything we can do to the lower reaches is certainly going to stand in our state up here.

Now, as president of the Skagit County Flood Control Council, I have a statement to read:

(Prepared Statement, Exhibit No. 13, attached hereto, read.)

A good majority of the Skagit County Dike Commissioners are in favor of the Skagit River Avon Bypass and it's added
features.

The downstream improvements are wished by most all Dike District Commissioners with some minor modifications so as to do the least possible damage to the existing improvements.

An invitational meeting was held February 4, 1963 at Max Dales. In attendance were Dike District Commissioners, Representatives of the local Chamber of Commerce, Radio Reporters, Newspaper Publishers, and other responsible people of the area. Great favor was expressed by a majority of the people in attendance for flood relief by the Avon Bypass.

A meeting of the Washington State Flood Control Council was held December 26, 1962 at Bellevue, Washington, where the following Resolution was passed:

WASHINGTON STATE FLOOD CONTROL COUNCIL
ADOPTED RESOLUTION

The resolution presented by Skagit County, wherein the Washington State Flood Control Council approves and supports Skagit County's request for aid from the State Legislature and State Highway Department in connection with the construction of a structure to divert flood waters of the Skagit River to Padilla Bay, to be known as the Avon Bypass.

Respectfully Submitted,

Earl Hanson, President
Skagit County Flood Control Council
COLONEL PERRY: Thank you, Mr. Hanson. Mr. Daniel Sundquist, please.

DANIEL SUNDQUIST

appearing on behalf of Dike District #3, Skagit County, made the following statement:

I am presenting this letter on behalf of the Dike District #3. I am Daniel Sundquist and the other commissioners are Owen Tronsdal and Magnus Johnson.

(Prepared Statement, Exhibit No. 14, attached hereto, read.)

We, the undersigned Commissioners of Dike District #3 of Skagit County, approve the proposed Avon by-pass project for flood control and the proposed project for channel improvement and levee improvement.

We would like to call to your attention a partial rock dam that exists at approximately the head of Freshwater Slough. We feel it is a restriction to the flow of water and should be removed.

We also request that consideration should be given to channel improvement in Tom Moore Slough.

Respectfully submitted,

DIKE DISTRICT #3, SKAGIT COUNTY

/s/ DANIEL SUNDQUIST

/s/ OWEN TRONSDAL

/s/ MAGNUS JOHNSON

Thank you.

COLONEL PERRY: Thank you, Mr. Sundquist. Mr. James
appearing on behalf of Skagit County Dike District No. 12, made the following statement:

To shorten this meeting up, I would like to call on our attorney, Mr. Walter Gerline, Jr., to speak on behalf of Dike District No. 12.

WALTER GERLINE, JR., appearing on behalf of Skagit County Dike District No. 12, made the following statement:

At the request of the Commissioners of Dike District No. 12, I have prepared their statement which I have presented in writing to Colonel Perry, as follows:

(Prepared Statement, Exhibit No. 15, attached hereto, read.)

U. S. Army Engineer-Seattle District
1519 Alaskan Way South
Seattle, Washington

Re: Plans for flood control & recreation improvements, including fisheries as added purposes for Avon By-pass.

Gentlemen:

The undersigned, Commissioners of Skagit County Dike District No. 12, do wish to file this written Memorandum of their recommendations concerning the proposed plan.

REGARDING LOWER SKAGIT RIVER PLAN

The undersigned do in general, approve and commend the Corp of Engineers for the plan to improve the levee and
channel of the Skagit River from Mount Vernon to its mouth. The undersigned feel very strongly that levee and channel improvement is a proper method of flood control.

The undersigned feel that this plan does not go far enough. They feel that there should be some extension of the channel into salt water.

The undersigned violently object and oppose any attempt to fasten this project with the Avon By-Pass and make it an integral part of the Avon By-Pass, feeling that the two are not necessarily related or correlated.

REGARDING THE AVON BY-PASS

The undersigned object to the present plan concerning the Avon By-Pass feeling that the total expenditure for the project is too great to be borne by the area affected and that this burden would be oppressive.

The undersigned object to the Avon-By-Pass Project for the reason that it would not materially decrease the present expenditure for flood control and dike and drainage maintenance presently budgeted.

The undersigned object to the Avon By-Pass for the added reason that it increases the flood exposure, particularly in the area served by Dike District No. 12. All that area adjacent to the By-Pass will necessarily have to be protected against major flood danger.

The undersigned object to the attempt by the Engineers
to link the flood control aspects of the Avon By-Pass to
recreation improvement feeling that such a plan is so
vague and general as not to be worth consideration. No
definite plans are made nor any assurances given that this
project will lend itself to fish and game preserves. Nor
is there any showing that the necessary financing is
available for this purpose.

The undersigned further object to the attempt to
link flood control with recreation improvements because
there is no attempt to deal with the problems of sanitation,
maintenance of the preserve or orderly development. The
idea is simply thrown out as an attraction to gain the
support of the people in the area.

The undersigned would like these remarks incorporated
into the records of this Hearing.

These expressions are the considered opinions of the
undersigned and their experience in dealing with flood
control and Dike District problems and after having discussed
the program with a vast number of the people in the district.

Yours truly,

/s/ JAMES MAPES

/s/ BERT BEEKS

/s/ PETE WALKER, JR.

Briefly, with respect to the widening and diking along
the lower Skagit River, Dike District 12 is in favor of the
study and the proposals set out in that plan.
With respect to the Avon Bypass, however, which runs directly through Dike District No. 12, the Commissioners are not in favor of the plan as proposed, recognizing, of course, that the same has been authorized previously, they would like to go on record simply as stating that the studies as they relate to fish and wildlife and game might best be summarized or contained in further development of the natural conditions as they now exist along the Skagit River, without respect to the Avon Bypass.

They are not in favor of Avon Bypass.

COLONEL PERRY: Thank you, Mr. Gerline. Mr. Fred Lubbe, please.

FRED R. LUBBE

appearing on behalf of a citizens' group objecting to the Avon Bypass Project and on behalf of Skagit County Fire Protection District No. 6, made the following statement:

I am Fred Lubbe, an attorney from Burlington, and I represent a number of people in the Burlington area who object to the Avon Bypass but are very interested that other river flood control work be done.

These people are, of course, not engineers and cannot be called experts and they leave it to the dike commissioners to present that side of the problem. However, they are very interested that the other work on the river will not be too much tied in with the Avon Bypass for several reasons.
First, because of the quite-strenuous opposition to the Bypass, at least in the Burlington area, where the people are probably most directly affected by it. They feel that it will be very difficult to obtain the money necessary for local participation in the project, and for that reason, aside from others, the project is quite unlikely to ever come into being; and if other work on the river is done in reliance on this Bypass, that all of the flood control work on the river is threatened to a large extent.

Some of the reasons that the people in this area object to this Bypass are these:

One, they feel -- and I think they are supported, at least, by dike commissioners and, I think, ditch commissioners in the Burlington area -- that other flood control work, which would be much less expensive than the Avon Bypass, will do as much or more to prevent flood control, widening dikes and things like this; and that the great expense of this Avon Bypass is not justified.

Two, they feel that the Bypass will cut the county in two and, of course, it definitely cuts the dike districts in the Burlington area in two; it makes that much more dike control, or that much more water frontage that can be a danger to the Burlington area.

We feel that the project, to a certain extent, has been
sold on the basis of the recreational facilities offered and the people in the Burlington area that I represent do not feel that the recreational facilities that will be placed there can compare with natural facilities in the Skagit County area.

There are many natural facilities in the Skagit County area, the northwest Washington area, for that matter, which are not developed for the reason that there are just not that many people in the area, there are not enough people to use those facilities we have; and we do not feel that the facilities can be used even to the extent that they will be maintained.

We see pictures in the pamphlet that is presented of fishing areas, nice park-like areas. Actually, most of the Skagit River is lined with brush, black berries, alder, things like this; and we feel that there will be more of a maintenance problem just to keep the area looking somewhat presentable.

I won't go into all of the letter that I have presented because of the time involved. I would like to point out that another, from the point of view of recreation, that the State Parks Department apparently feels that this is not a project of state-wide interest as far as the State Parks Department is concerned, and I think that they are right. That there are so many natural lakes, natural
facilities in the state of Washington, especially Western Washington, that people from great distances will not come to use this sort of thing; it will be only a matter of local interest.

One other thing, I also represent the Skagit County Fire Protection District No. 6, which is the fire protection district in the Burlington area, and they have asked me to notify you that:

(Prepared Statement, Exhibit No. 16, attached hereto, read.)

Gentlemen:

The Fire Commissioners of Fire District Six of Skagit County, at their regular meeting January 6, 1964 voted to go on record as opposing the Avon By-Pass Project for the reason that it would divide the fire district and make it more difficult to give adequate fire protection to the people south of the By-Pass,

Very truly yours,

/s/ FRED R. LUBBE
Fred R. Lubbe
Secretary

(Prepared Statement, Exhibit No. 17, attached hereto, reads as follows.)

Gentlemen:

I represent a group of citizens who have organized informally to object to the proposed Avon By-Pass Project. The group which I represent has circulated a petition, a
copy of which is attached to this letter. We feel that
the petition should be given great weight because it was
originated in the Burlington area, an area most directly
affected by the By-Pass project, and flood danger.

The group I represent objects to the By-Pass partly
for the reason that they feel the project will do no more
to protect the area from flood than a much smaller sum
spent in continuation of the flood control projects done
by the various dike districts, but they, of course, are not
experts in flood control and will leave it to the dike
commissioners to make a presentation of this factor. The
group, in summary, objects to the By-Pass for the following
reasons:

1. The cost of the By-Pass is out of portion to
the cost of other flood control methods which the group
feels would be more satisfactory.

2. Flood control of the river has been improved
since the time of the most serious floods through dams
built on the upper river and improved methods of dike
construction.

3. All floods in recent years have resulted from some
dike fault. It is believed that these faults have been
corrected to a large extent and through the expenditure
of much less than the Avon By-Pass can be eliminated. As
an example in the 1951 flood in Burlington was caused by
water working through the sand and undermining the dike but
the dike district has since corrected this situation in
its dikes.

4. The group feels that the original purpose of the
project (flood control) has been forgotten to some extent
by many proponents (sic) interested in recreational
facilities, however, it is believed that the proposed
facilities would not be developed or used to the extent
that they would be maintained because the Skagit Valley
area has many potential recreational facilities which are
not developed or used for the reason that the population
is not great enough to utilize the present facilities. Also
the State Park's Commission has not shown wide interest in
the project feeling that it lacks state wide interest and
importance. This project would not be near as attractive
as other natural lakes in the area and because of the
abundance of natural facilities in the state can not itself
be hoped to attract people from substantial distances.

5. According to the engineer's own statement the
By-Pass would not give protection against a major flood
such as the 1921 flood, as the expenditure of nineteen
million dollars would not be sufficient to control the flow
of 210 cubic feet of water per second which caused the
1921 flood.

6. The By-Pass would divide the county and would
cause various transportation and communication problems; such as the taking of farm crops to market and individuals to commercial areas.

The primary concern of the group at the present time is that the Avon by-pass project be separated from other flood control projects on the river. The petition attached hereto supports the group's feeling that the people in the county would never vote the necessary funds for local participation and for that reason alone, the Avon By-Pass is extremely unlikely to come into being, and to do other flood control work in reliance on it threatens all flood control work on the river. Further they feel that work on the river as proposed here and by the dike commissioners should be done as soon as possible, since the river is continuing to silt at all times, and the flood danger will increase through neglect.

The group I represent can not claim to be experts in flood control but they are familiar with the Skagit County area and have obtained information from dike commissioners and other and feel that a better, less expensive and more feasible method of control would be the proposal of the engineers for improvement to the lower river along with the extending of existing dikes and leves and a deepening of the channel at the mouth of the river and for some distance into Skagit Bay. Also it is felt that a
cleaning of the channel of some debris will improve the situation.

Very truly yours,

Fred R. Lubbe
Attorney at Law

COLONEL PERRY: Would everyone like to stand up and take a stretch at this point?

(Short recess.)

COLONEL PERRY: May we continue with the hearing, please. Is Mr. Newkirk here, please?

MARION NEWKIRK

appearing on behalf of the Washington State Grange, read the following statement:

I am Marion Newkirk, Special Research Deputy for the Washington State Grange. Our State Master, Mr. A. Lars Nelson, is unable to be present today and has asked me to present this statement in favor of the proposed Avon By-pass.

At the 1963 Annual Session of the Washington State Grange, held at Port Angeles, Washington, June 10-14, the delegates passed the following resolution:

No. 3 - Skagit River By-Pass

Whereas, Skagit County has suffered untold damage to its farms from floods or fast run-off of snow caused by

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Chinook winds; and

Whereas, Baker, Upper Baker, Ross and Diablo Dams offer some protection from floods; and

Whereas, there is still need of a by-pass to carry flood waters to the bay; and

Whereas, the army engineers in cooperation with Skagit County Engineers have submitted a plan for a by-pass eight miles in length by five hundred feet in which to empty into Padilla Bay at a cost of nineteen million dollars; and

Whereas, the cost is to be paid fifteen million dollars from federal financing and four million dollars from County financing; and

Whereas, without the by-pass, flood damage would amount to an estimated million dollars a year; therefore be it

Resolved, (1) that the Washington State Grange favor the present flood control program for the construction of this by-pass; and

(2) that a copy of this resolution be sent to the Corps of Engineers, Governor Rosellini and to our Congressional Delegation,


The Washington State Grange has traditionally favored conservation policies which prevent or attempt to prevent the damage or destruction of our resources by the elements and has always supported comprehensive flood control
programs. In our estimation, the proposed Lower Skagit Flood Control Program, including the Avon By-pass, is essential to the future development and protection.

While we are primarily interested in the flood control aspects of this program, we are also cognizant of the pressing need for more and more recreation facilities for our growing population. We have always favored multi-purpose use of our natural resources wholeheartedly and support the recreation and fish propagation aspects of the proposed plan.

We believe that the Army Engineers, working with the local agencies, have developed a very comprehensive plan for the protection of the Lower Skagit delta area and that the proposed Avon By-pass is a very necessary part of this plan. It seems quite feasible from an engineering standpoint and we urge the adoption and completion of this project.

COLONEL PERRY: Thank you, Mr. Newkirk. Edna Breazeale -- did I pronounce that correctly?

EDNA BREAZEALE appearing on behalf of the Bay View- Padilla Civic Association, made the following statement:

Colonel Perry, friends of Skaget County, I represent the Bay View - Padilla Civic Association, and you may wonder why a woman is here among all these men expressing a point of view. But I think that we people over there have a
very honest point of view concerning one aspect of this
proposition, and that is concerning the addition of
recreation and fisheries as project purposes to the

(Prepared Statement, Exhibit No. 19, attached hereto, read.)

In compliance with the request for arguments to be
submitted in writing for the public hearing 22 November
1963, Mount Vernon, Washington, we herewith present our
points of view and pose a number of questions which we
would like to have answered. As a preface to our remarks
we wish to state that we are not opposed to flood control;
our primary purpose relates to the modification of "structures
in the Avon Bypass to permit the addition of recreation and
fisheries as additional purposes of the Bypass."

1. We question the need for additional recreational
resources in Skagit County of this particular type and
at this time. Skagit County has within a short distance of
metropolitan centers an outstanding array of lakes, rivers,
creeks, and bays to provide ample recreation and fishing
facilities. The existing county, state, and national
resources are in need of development. Reports state that
county fresh water lake resorts have not had sufficient
patronage in 1963.

2. We would ask who are the initiators of the
recreation and fishing plan since we note on Page 12 of
the Information Bulletin for Public Hearing, Nov. 22, 1963, that the plans set forth in this bulletin do "not constitute either a concurrence or non-concurrence" on the part of the organizations there set forth. Recently the Parks and Recreation Commission has been quoted in the Skagit Valley Herald as saying that they do not consider that the project has a statewide appeal. (Tuesday, November 19, 1963.)

3. No estimated cost is given for the recreation and fisheries aspects of the Bypass. In comparison to the cost of development of already existing recreational areas, we would question the cost of the proposed additions. Even though recreational facilities are provided by private enterprise, the taxpayers would be capitalizing the initial venture. Recently the Board of County Commissioners of Skagit County ordered the sale of County owned tidelands already providing hunting, crabbing, and tons of herring. Since the Board considered it necessary for financial reasons to allow the public auction of these lands at an initial bid of a mere $7,000, and they sold that for a mere pittance of $7,100.00 because, said several of the commissioners, "We needed the money." It would seem that it is, indeed, to quote the old saying "penny wise and pound foolish" to expend tens of thousands, or perhaps hundreds of thousands, and in the last analysis millions of dollars to provide a recreational area which we do not know
about while they are practically giving away an established area. Skagit County cannot afford this kind of financing.

4. On Page 10 of the Information Bulletin the following statement is made: "Project plans include boat access to Padilla Bay, which could give the public further access to waterfowl hunting." We would inquire by what means access is to be made in winter when the Avon Bypass would be needed for drainage and high water control and the tide is in on the Bay almost all day. We are not engineers, but we have no doubt that hydraulic lifts or bypass chutes of some sort could be provided, at what cost we can only conjecture. And one would also inquire of what value it would be to have access to the Bay if it is all silted up.

5. If this plan is followed, does the Corps of Engineers contemplate the dredging of Indian Slough to a depth of 60 feet out to the Swinomish Channel as has been rumored? If so, how is the dredged earth to be disposed of? What would be the additional cost to the taxpayers, or would the Corps of Engineers be paid by private individuals? If so, by whom?

6. Is the ultimate plan then to make the southern portion of Padilla Bay as far north as the Bay View State Park a settling basin for the Bypass? It could not then provide the recreational opportunities which it presently provides. We would be changing the expansive area of
Padilla Bay for 340 acres or thereabouts -- I've heard the number 400 mentioned this afternoon of honky-tonk possibilities. We would cite the tens of thousands of persons who use Bay View State Park every year, the numerous hunting clubs on the Bay, the public access to bathing, boating, and water-skiing, the fact that at little cost to taxpayers the County could provide boat-launching ramps at the road ends fronting the Bay. We would also point out the crab-spawning areas in the south end of Padilla Bay.

7. Is the conclusion of such a project then to be, in addition to the upkeep of the Avon Bypass itself, another Swinomish Channel with yearly dredging at constant expense to the County, the Federal Government, and naturally to the individuals?

Summing up our points of view, we would state that the recreational and fishing aspects are not needed; that they would prove costly, and that the Avon Bypass itself may prove detrimental to the best recreational interests of the County.

Respectfully yours,
/s/ Edna Breazeale

Miss Edna Breazeale
Bay View- Padilla Civic Association
R. F. D. 2, Box 123
Mount Vernon, Washington.

I thank you very much.

COLONEL PERRY: Thank you, Miss Breazeale. Albert
Goodrich, please.

AUDIENCE: He had to go home.

COLONEL PERRY: Mr. John Slater.

MR. SLATER: Well, I relinquish my time. Edna
Breazeale here expressed my opinion very much to the point.

COLONEL PERRY: Thank you, sir.

I have a card from Mr. Harwood Bannister; he presented
a written statement then departed.

Mr. Bannister, in his written statement, was concerned
with the interests of the Indians and wanted to question
the Corps in the event any dredging was done in the river
or any changes of channel, that we might be in violation
of the treaty with the Swinomish Indians. That is a
generalization of the statement.

HARWOOD BANNISTER

appearing on behalf of the Swinomish Indian Tribal
Community, left the following statement with Colonel Perry.

(Prepared Statement, Exhibit No. 20, attached hereto,
reads as follows.)

OBJECTIONS TO AVON BYPASS PROJECT AND RELATED PHASES THEREOF
BY
SWINOMISH INDIAN TRIBAL COMMUNITY
LaConner, Washington

This statement is submitted on behalf of the Swinomish
Indian Tribal Community and members of the Swinomish
Reservation to the Corps of Army Engineers in connection with
the public hearing held at the Elks Lodge, Mount Vernon, Washington, January 10, 1964, at 1:30 p.m.

It is the position of the Swinomish Indian Tribal Community and the members of the Swinomish Reservation, Skagit County, Washington, that the Avon Bypass Project and other projects related to dredging, widening or changing the natural channels and water flow of the Skagit River may well affect the salmon runs. If such occurs, then the Swinomish Indian Tribal Community and the members of the Swinomish Reservation will consider this as a violation and deprivation of the rights granted under the Treaty of Point Elliott of 1855.

Adequate information is not presently available to determine the effect such projects would have on the salmon population in the Skagit River. Such information will be accumulated and furnished at a later time.

In conclusion, objection is made to these projects insofar as they, or any of them, may interfere with or affect the salmon population. Salmon fishing is the major source of livelihood for the Swinomish Indians, and denial or deprivation thereof would be a violation of the rights of the Swinomish Indians under the Treaty of Point Elliott and would cause great hardship.

SWINOMISH INDIAN TRIBAL COMMUNITY

By BANNISTER, BRUHN & LUVERA
ZELL A. YOUNG
appearing on behalf of a citizens' group petitioning for a flood control program, made the following statement:

My name is Zell Young; I run a welding machine work in West Mount Vernon.

Back in 1960, early Spring, several friends and I passed a petition in this area concerned with flood control work. That was directly following the -- I believe it was November, 1959 -- flood which didn't really amount to very much in this area, but everybody had flood on their mind at that time.

We had no trouble getting signatures -- anybody that we contacted it seemed like signed this petition. Well, years have come and gone and I think things have changed since then, but I would like to present this petition at this present time to the Corps of Engineers.

My final statement is: "Let's have protection now, rather than 'Aid to a Disaster Area' later."

(Prepared Statement, Exhibit No. 21, attached hereto, reads as follows.)

Ernest L. Perry
Colonel, Corps of Engineers
District Engineer

Sir:
I and several friends passed a petition early in the spring of 1960, requesting flood control work in this area. This was following and because of the high water or flood on the Skagit River in November, 1959.

This high water, while nothing major as floods go, was still on the peoples minds and we were wondering why something couldn't be done about the situation.

At that time, we had no trouble getting practically everyone we could contact to sign, since the problem was still fresh in our minds. Conditions may be quite different today, because we tend to forget.

However, I would like to give you at this time this petition with accompanying signatures as evidence of the feelings of the people when confronted with flooding conditions.

Let's have protection now, rather than 'Aid to a Disaster Area' later--

Yours

/s/ ZELL A. YOUNG
Zell A. Young

(Following is the text of the above-mentioned petition.)

Washington State Congressional Delegation

The Skagit River is the largest stream in Western Washington. A major flood in this area would seriously effect the economy of this region, the State, and Nation--
We, the undersigned Property Owners, Business Men, and-or Citizens of Skagit County, Washington, respectfully request that the Army Engineer Corps be directed to start an immediate and continuing program of Skagit Valley Flood Control Work—that the Congress shall pass the necessary Bills and Appropriations to allow the work and that the Washington State Congressional Members shall work for enactment of this program.

Let's have protection now, rather than 'Aid to a Disaster Area' later—

COLONEL PERRY: Thank you, Mr. Young. I have a card from Mable Lilienthal who said, "maybe yes, maybe no." Do you want to make a statement now?

(No response.)

COLONEL PERRY: Mr. Robert Yale.

ROBERT YALE appearing on behalf of Public Utility District No. 1, Skagit County, Washington, made the following statement:

We have presented you with a letter of earlier date and a map, and the Public Utility District does not have any objection whatsoever to the improvements on the river.

Our sole purpose is to make the Corps of Engineers and Skagit County Engineering Department, those who have to figure their estimates of the extent of the Public Utility District water distribution plant. This district is
serving Sedro Woolley, Mount Vernon and Burlington, as well as more than three thousand customers in the rural area between these cities and surrounding them, and our prime concern is, at the moment it would appear that on the Avon Bypass we would have four pipelines that would have to be relocated and resized. There is little question but what there would be four other locations that pipelines are due in the near future. The map we submitted shows where these are likely to be located.

We are concerned with the physical size and condition of these lines because any waterway that we have to cross we have learned from experience on the Skagit River it's a costly procedure and being a utility the size we are, we have got to look at these things first.

It would be well if these pipelines could be installed before the Avon Bypass were constructed.

The scheduling for the construction or turning over would have to be carefully planned because there are times of the year some of these pipelines cannot be shut down since they are essential to transmission of large amounts of water to food processing plants in the valley that are operating twenty-four hours a day, seven days a week.

In addition to the physical problems of construction and the scheduling of the same, the financial costs involved for such a program are sizeable, and due to the growth in
water demands the district has been hard pressed financially
to provide the adequate facilities required in recent years.

There is also an accumulation of replacement needs in
the existing system which presents a very real problem for
the district to meet within the framework of its
capabilities.

If it becomes the decision of the county and the
government to proceed with this project, the district would
do all it can to cooperate with the program in matters of
arranging and scheduling needed construction.

It appears evident, however, that the financial burden
of this would far exceed the ability of the district, the
public utility district, so that funds to cover its cost
would, of necessity, have to be provided as part of the
total project cost.

We sincerely thank you for the opportunity of presenting
this information. We realize that this has nothing to do
with the recreational use, and I don't think the district's
in a position to make too much of a statement one way or
the other on that.

Thank you.

COLONEL PERRY: Thank you, Mr. Yale. Gerald Ward,
please. Is Mr. Ward here from the State Department of
Fisheries?

(No response.)
COLONEL PERRY: Mr. James Bowers, Jr.

(No response.)

COLONEL PERRY: Apparently we lost another one by the wayside.

That concludes the cards I have from people who have indicated they wanted to make a statement. Is there anyone -- well, first, an oversight omission on my part which I would like to apologize for, Mr. Jack Hill was here as representative of Congressman Jack Westland. Mr. Hill, are you still here and do you have anything you would like to say?

MR. HILL: I am here, sir, but I am really listening for Jack today.

COLONEL HILL: My apologies for not recognizing you sooner, sir.

Is there anyone here now who has not submitted a statement that desires to do so?

NORMAN DAHLSTEDT appearing on behalf of a citizens' group, made the following statement:

I am Norman Dahlstedt.

It seems to me considerable time has already been taken up with the various speakers, so I'll make this very brief. I am Norman Dahlstedt, farmer, and I merely wish to read a petition, a photostatic copy of which, with all the
undersigned names, will be forwarded to all parties
concerned and all parties interested. We are not going to
surrender the original petition today, but we will be very
glad to forward photostatic copies.

We would like to ask that the record be held open
until those photostatic copies can be turned in.

May I read the petition:

"We, the undersigned, are opposed to any plans to
modify the structure of the Avon Bypass for any purpose
other than flood control and are, in fact, opposed to the
bypass itself because, as presented to us, it will not
provide protection from major floods.

The cost of construction and maintenance is beyond
Skagit County’s means and the project would endanger a new
area to flood hazard and eventual silting up of shallow
Padilla Bay."

I would like to make one other personal comment with
regard to the various people who have spoke here today, the
various groups. We have people from the Fisheries and
Wildlife Departments, many other departments of government.

No one has any opposition to the project insomuch as
to say that it will not be of any benefit as far as
recreation and so on; it would benefit recreation according
to these people, but none of these people have come forth
with any offers of financial participation.
other proposition and I haven't heard any opposition to improving the outlet of the North Fork or the South Fork and the levees and the turns and the narrow places in the lower river, so I wonder why can't a program along that line be started.

That's all. Thank you.

COLONEL PERRY: Thank you, Mr. Hughes. Is there anyone else?

FANNY SUMMERS appearing on her own behalf, made the following statement:

I am Fanny Summers, a widow and a farmer, and I own the last farm on the south side of the Skagit River, the North Fork of the Skagit River, right at what they say is the mouth of the river, but the mouth of the river is quite a ways below me.

And these designs that they have made up, they will take or cut out about ten acres of my farm. I have lived there since 1906 and have watched the river with great interest and I think the way the cut is to be made, it goes right out against land that is much higher than it is on the farm. It will be just like the river is butting its head up against a wall, and I think it will just silt up more land.

COLONEL PERRY: Thank you, Mrs. Summers. Is there anyone else?
appearing on behalf of the Washington State Sportsmen's Council, made the following statement:

My name is Ferd Nist, Chairman of the Migratory Bird Committee of the Washington State Sports Council.

I see by the drawing here -- I haven't been paying too much interest in this because I wasn't notified of it at all until today, so I came up -- but I see from the plans that you have drawn here, or the outline you've given here of the lower part of the Skagit River that you are going to ruin the best hunting in the state of Washington of the Skagit Flats.

You've got your dikes all around the biggest part of the Skagit Range. Now that has brought into this county, I bet you, four to five hundred thousand dollars every year. I am interested there -- I've been down there now on that lower part next to Milltown for over thirty-five years. I don't look like a very old fellow, but I've passed my seventy-fifth birthday, and I blame that all on to the recreation I have had on the Lower Skagit River; and I would hate to see nothing done to protect that game range on the South Fork of the Skagit of about twelve or thirteen thousand acres.

Thank you.

COLONEL PERRY: Thank you, Mr. Ferd Nist. Is there anyone else?
appearing on his own behalf, made the following statement:

My name is Martin Balm, farmer, Burlington.

Some of my friends encouraged me to come down and ask two questions.

One is that if the present dikes were widened twenty feet on each side and some of the crooks taken out of the river, would it not carry more water than over the Avon Bypass and at much less cost?

The second question I have been asked to ask is do not these Army Engineers get promoted in rank by the amount of money they can spend on a certain project (applause).

COLONEL PERRY: Thank you, sir. Is there anyone else?

Well, I must say that we closed on a pretty good note there.

The following statements were presented at this hearing without oral testimony: (Letter dated 1/10/64 Exhibit No. 22, attached hereto, read.)

In regard to the Avon Bypass for flood control I think that the money that it will cost should be used too dredge the original water course below Mt. Vernon. According to diagram I have seen it would cause quite convenage \(\text{sic}\) to farms that it would cut through. It would spoil three places entirely close to me. Mine included. If for fishing and Boating etc I am opposed to. There would be trespassing. I am opposed to the idea as my farm would be split and damaged bad
U. S. Army
Corps of Engineers
Seattle, Washington

Colonel Perry:

Residents of Diking District One, voted endorsement of levee improvements on the lower Skagit River and recreational additions to the Avon Bypass project, by a show of hands, following explanations by Corps of Engineer speakers at a special district meeting held January 6, 1964.

sincerely

/s/ OSCAR B. HELDE
Oscar Helde
Chairman, Dike Dist. 1

COLONEL PERRY: If there is no one else that desires to make a statement today, I would like to thank each and every one of you for coming in and giving us your frank appraisal of the plan that we have proposed and we appreciate very much your taking this time to inform us.

The meeting is now closed. Thank you.

(Whereupon the hearing in the above-entitled matter was closed.)