

From: Michael.R.Scuder
To: msato@pugetsound.org
Subject: -----Original Message-----
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Mike,

Attached are our responses to your May 3 request. The responses were jointly developed by Skagit County and the Corps, and represent our best understanding of an extremely complex situation. We stand ready to provide any additional clarification to the answers provided, and are also open to any suggestions you might have for improving the process.

Mike Scuderi

P.S. These responses are also being sent to the involved agencies, tribal contacts, the Nature Conservancy, and People for Puget Sound.

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"To serve man"

**Responses to Questions Posed by Mr. Mike Sato on May 2, 2003
Regarding the Status of the Skagit River Flood Damage Reduction
and Ecosystem Feasibility Study**

QUESTION 1 - At the informational meeting in March, the county was going to weigh in on the Baker Dam FERC relicensing process and there were estimates about how much additional storage could be achieved for flood control. What's the latest on that alternative and what are the implications for the scoping studies?

RESPONSE 1 - The COE and the County decided that the County would conduct a preliminary study of the feasibility of providing flood control utilizing additional storage at the Baker River Dam project. A very preliminary assessment was completed in April and has demonstrated that there could be additional flood control benefit that could be provided with additional storage at the Baker River reservoirs. However, the assumptions of the analysis need to be refined, and the proposed modifications better defined before the study proceeds to a full hydraulic and economic benefit analysis as well as undertaking NEPA scoping and environmental evaluation, as well as preparing engineering design modifications and cost estimates.

QUESTION 2 - Also in March, the county was proceeding with seeking funding to re-engineer the three-bridge corridor. There were property acquisition issues associated with setting back the dikes and restoring habitats in the plans. What's the latest on that alternative and how does that affect the scoping studies?

RESPONSE 2 - The County is continuing to pursue funding work on the 3-bridge corridor design. This is not a re-design of this segment of the project, rather the County is working to move the design of this segment from the 10% or conceptual stage to a more detailed design level that will provide conveyance for the predicted flood flow levels and criteria for more detailed infrastructure modifications necessary to faceplate the predicted flood flows such as levee locations and bridge and road modifications. Since these elements were already considered in the SRFC study initial design elements, the need to scope additional studies for this effort relates to the sequencing of this element with other project elements, and how the lag between implementation of elements might create impacts. Based on design refinements, additional studies might be scoped.

QUESTION 3 - How does additional storage at Baker Dam and re-engineering the bridge corridor affect the county's preferred alternative of the Avon diversion channel? What's the status of the studies on effects on the Swinomish Channel and Padilla Bay? What's the status of the restoration aspects of the diversion alternative?

RESPONSE 3 - The studies being completed for the additional Baker River Dam storage and the 3-bridge corridor will provide the information necessary to better determine the current levee and flood control system capacity. This will also provide the information necessary to identify additional system modifications that could improve flood flow conveyance and increase the present system capacity. Until this information is available, the amount of water that needs to be diverted from the system through whatever alternative is unknown at this

time. There fore it is impossible to provide the design of any additional flood control feature and it is impossible to speculate on what the impact of any additional flood control feature would be. The restoration associated with the Swinomish Diversion is also on hold since it is also dependent on currently unavailable information.

The County and the USACE are currently reviewing the Battelle draft report on available estuary information. Once a final report is completed, it will be made available to the public.

QUESTION 4 - Is the issue of diverting year-round flow to the diversion channel from the Skagit settled with Ecology?

RESPONSE 4 - The issue of diverting a year-round flow to the diversion channel is not settled at this time. Like everything else, it is dependent on other information and decisions. The idea of diverting some quantity as large as 200 cfs does not appear to be feasible which was the original question asked of DOE. DOE has indicated that they will consider any withdrawal into the Swinomish bypass to be a consumptive use, which will necessitate applying for a water right.

QUESTION 5 - Lastly, who is overseeing all these various aspects of the flood control project? Originally, I thought it was the Corps since we were going through a NEPA scoping and the various studies were being coordinated that way. Does that still hold true now that the county's pursuing Baker Dam storage and re-engineering the three-bridge corridor? My concern is that the alternatives put forth with the "preferred" alternative of the diversion channel are changed quite a bit and it's hard to figure out how the public can get involved in this changed project.

RESPONSE 5 - The Skagit River Feasibility Study (SRFS) is a joint Skagit County / Corps project. The Baker Dam additional flood control storage issue is presently being analyzed by Skagit County under the guise of the SRFS, with Corps review of both the scope of the hydrology and hydraulic investigation and of the results of this technical evaluation. At some point, Skagit County may withdraw the Baker Dam analysis from the SRFS and pursue additional flood control storage through the FERC relicense process for the Baker River Hydroelectric Project. Eventually FERC will request the Corps to review the analysis for accuracy and operational feasibility. The county has also elected to pursue other funding sources for the bridge widening in the three-bridge corridor. If they are successful, they will be the lead entity for those elements and the Corps will only have involvement through the Corps' Regulatory process. If the county is unsuccessful, the elements might be added back into the SRFC study.

If the county seeks other funding sources the initial environmental documentation will be the responsibility of the county and the other funding entity, not the Corps. It has been suggested that a programmatic EIS be implemented to provide the public with "the big picture" of all possible flood control elements. At a minimum, the overall process should be laid out for public comment (see response 6 below). The analysis of all the cumulative effects of possible flood control measures will remain as part of the environmental documentation of the flood control study. However, where federal funding is involved, the other Federal

entities will also be responsible for providing cumulative impact assessment for their environmental documentation.

COMMENT 6 - Maybe it would be a good thing to have another meeting with interested folks and bring everybody back up to speed. Or you can reply in writing to this and I'll do my best to let folks know. If another meeting is best, let me know as soon as possible and we can work together to get folks together.

RESPONSE 6 - The County has updated the SRFS public outreach plan and will be starting another round of public meetings. The Corps will also be involved in this outreach. We will make sure that you and others are invited. This next round of public meetings was just discussed today and will be developed in the near future.