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REPORTER'S TRANSCRIPT OF PROCEEDINGS  
SKAGIT COUNTY FLOOD STUDY MEETING

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DATE TAKEN: AUGUST 10, 2011

PLACE: MOUNT VERNON, WASHINGTON

TIME: 6:31 P.M.

REPORTED BY: EMILY K. NILES, RMR, CRR  
WA CCR #2794, NV CCR #782

1 WEDNESDAY, AUGUST 10, 2011; 6:31 P.M.

2 MOUNT VERNON, WASHINGTON

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4 MR. LEWIS: We're ready to begin the public  
5 hearing portion of the meeting. My name's Evan Lewis. I'm  
6 the supervisor of the part of the Seattle district  
7 responsible for overseeing preparation of environmental  
8 documentations, like environmental impact statements. And  
9 it just so happens that this meeting is to seek comments on  
10 the scope of the Environmental Impact Statement for the  
11 Skagit River General Investigation Study.

12 Right now we've issued a notice of intent to  
13 prepare an Environmental Impact Statement on the project and  
14 a key part of that Environmental Impact Statement  
15 preparation is defining the scope of our evaluation. I'm  
16 going to leave it to the people following me to provide more  
17 information about the project and the purpose of the  
18 meeting, but I want to start with some information on ground  
19 rules before I introduce Colonel Estok. So here are the  
20 basic ground rules.

21 This meeting is to solicit input from you. So  
22 we're going to get input on the scope of the EIS, and we'll  
23 consider those scoping comments as we formulate the draft  
24 EIS. We're not going to respond to questions or comments in  
25 this part of the meeting. It's really to get input from you

1 verbally or via the comment cards. Your comments will  
2 become part of the public record and will be recorded by the  
3 public -- or the court reporter here. After the scoping  
4 comment period is over, we'll prepare a scoping summary  
5 report that summarizes the comments that were received today  
6 or sent to us during the comment period, which ends on  
7 August 29th, and that report will be posted online on the  
8 Corps' Web site and possibly also on the County's Web site  
9 as well.

10           If you'd like to give a verbal comment, I know --  
11 I see we already have some people who have signed up. We'll  
12 go through that list. You'll have roughly six minutes to  
13 speak. Kara here will be giving you warnings when you reach  
14 a minute for that time and then concluding your time as  
15 well. Please be respectful of the time to afford everybody  
16 the chance to speak. When we get through speakers, if we  
17 have additional time and you decide that you have something  
18 that you'd like to say and you did not sign up, we may have  
19 additional time for it at that time to have additional  
20 speakers.

21           So those are the ground rules, and, with that, I'm  
22 pleased to introduce Colonel Bruce Estok. Colonel Estok  
23 assumed command of the Seattle district on July 29th, 2011,  
24 and he's really hit the ground running. He's spent the last  
25 year as a National Security Fellow at Harvard University's

1 Kennedy School of Government. Recent prior assignments  
2 include Engineer Plans and Operations Chief at U.S. Army  
3 Pacific in Hawaii. He was the commander of Albuquerque  
4 District with the Corps of Engineers. And he has deployed  
5 for operations Iraqi Freedom, Desert Storm, and  
6 Desert Shield. He's got a slew of awards and decorations  
7 that I won't go into now, but you can look at his uniform.  
8 And he holds degrees in aeronautical and civil engineering.

9 So, with that, I'll turn the meeting over to  
10 Colonel Estok.

11 MR. ESTOK: Okay. And, now, Kara, you got to cut  
12 me off too. You know, you can give me the time expired.

13 Hey, I'm Colonel Bruce Estok as Evan said, and I'm  
14 the commander of the Seattle District Corps of Engineers. I  
15 want to welcome you all to tonight's public meeting on the  
16 Skagit River General Investigation.

17 I want to thank Betsy Robblee of Representative  
18 Larsen's office who's here with us, as well as the county  
19 commissioner's, county, city, tribal officials that are here  
20 in attendance tonight, and all the members of the public  
21 that have taken the time to participate.

22 As we pulled into the parking lot tonight, you  
23 know, we kind of came -- we kind of took the long way  
24 around, but eventually we made it to the right place.  
25 Pulled in here. We were like, There are a lot of people

1 here for this. And, you know, what that tells me, you know,  
2 based on the number of people that are here, as well as --  
3 you know, I was briefed on a bit of the history of this  
4 study and your -- you know, your commitment to it over time.  
5 This is very important to the community here. You know,  
6 beyond that, you know, I recognize that flooding is a  
7 significant issue for Skagit County and the community here.

8           And, you know, what I want to let you know is that  
9 it is important to the Corps of Engineers, and it's  
10 important to me personally. Our team here, you know, I  
11 think I'll thank them up front. They've done a, you know,  
12 lot of good work to get to this point. You know, still  
13 plenty to do. But I do want you to know that I've just been  
14 in this job for, you know, a short period of time. This is,  
15 in fact, you know, the first sort of public engagement I've  
16 had. And it's because, you know, kind of from day one, I've  
17 heard about Skagit Valley, you know, both this study as well  
18 as, you know, some of the flooding you had in the last few  
19 years and the levy rehabs we're doing. So I recognize that  
20 this is a big issue up here, and we want to, you know, work  
21 with you on that.

22           Beyond it being important, I got to tell you, I  
23 appreciate the chance to get out of the office. You know,  
24 like I said, I've been on the job seven days, and it's been  
25 kind of briefing after briefing after briefing, hearing

1 about all the things that the folks at the district do. But  
2 the chance to really get out on the ground -- you know, got  
3 kind of a windshield tour on the way in, you know,  
4 relatively quickly, you know, briefing on the way up and  
5 then, you know, some time before this meeting here to talk  
6 to, you know, quite a few of you and understand a little bit  
7 about who you are and your interest in the project. And  
8 that's -- you know, for me, that's invaluable, because  
9 ultimately as this -- you know, as this moves forward, the  
10 position I'm in, you know, I've got to understand, you know,  
11 kind of all the factors at play with it.

12 As Evan mentioned, our purpose tonight is to give  
13 you a brief update on the project and then talk to you a  
14 little bit about the NEPA, or National Environmental, you  
15 know, Policy Act process. But really the most important  
16 reason why we're here tonight is to have an opportunity to  
17 listen to you, okay? To understand your -- you know, your  
18 concerns, you know, the con -- firsthand what you think  
19 about the conditions on the ground here, what problems you  
20 face, and what opportunities we have in the basin to try to,  
21 you know, take care of the flooding problem, you know,  
22 through this study.

23 You know, this'll -- I think we'll have a good  
24 amount of time here tonight to accomplish that once I get  
25 done. You can flash the thing here. I'm getting close.

1 And then beyond tonight's, you know, activities here, I  
2 certainly look forward to in my time in the Seattle district  
3 working closely with all of you on other opportunities to  
4 get up here, and spend a little bit more time on the ground  
5 understanding firsthand, you know, what the situation is.

6 So thank you very much for having me. Appreciate  
7 it.

8 MR. BERENTSON: Good evening.

9 My name is Dan Berentson. I'm division manager  
10 for Natural Resources, Skagit County Public Works.

11 As you know, Skagit Valley is a local sponsor of  
12 the General Investigation, and we've been working with the  
13 Corps of Engineer for some time. We'd really like to show  
14 our appreciation for our local partners from our cities,  
15 towns, tribes, dike districts, and interested parties. Have  
16 been so loyal to paying attention to this important issue.

17 And just real quickly, I'd like to introduce some  
18 of our county staff and then introduce our county  
19 commissioners.

20 Here today we have Henry Hash, our public works  
21 director. Henry Hash.

22 Lorna Ellestad, GI project manager. She's in the  
23 back.

24 Kara Symonds, who's holding up the your-time-is-up  
25 card. She's our watershed planner.

1 Jan Flagan, our water -- or surface water section  
2 manager.

3 Meghan MacMullen, administrative assistant.

4 And I believe Nikki Davis, our engineering tech,  
5 is here.

6 Also, our Skagit River Flood Control Zone District  
7 Advisory Committee. We have a couple members. Leonard  
8 Halverson, I believe, is here. Daryl Hamburg, and I'm sure  
9 there's -- might be a few others.

10 But, anyway, we welcome you all here. We  
11 appreciate the support.

12 At this time, I would like to introduce our  
13 commissioner Ron Wesen as the chair, and he'll introduce our  
14 other two commissioners.

15 I believe Ken Dahlstedt had to leave a little bit  
16 earlier, but he was here a few minutes earlier.

17 Mr. Wesen?

18 MR. WESEN: Thank you, Dan.

19 I'd like to welcome everybody here. I really do  
20 appreciate it.

21 And thank you, Colonel, for coming up here. I  
22 know I met you last week down in the Ecosystem board  
23 meeting, and he was looking forward to coming up to  
24 Skagit County. We had a beautiful day today. So thank you  
25 very much.



1 I know this has been going on for quite a few  
2 years. We need to look forward and make sure we come to a  
3 resolution of this problem on the Skagit River, and I think  
4 we can get there. And we are -- need to all work together.  
5 So I just thank you all for being here and being a part of  
6 this public comment.

7 Commissioner Dillon is here, and she has been on  
8 the county commission for four and a half years now?

9 MS. DILLON: Yes.

10 MR. WESEN: And Commissioner Dahlstedt has been  
11 eight and a half or twelve?

12 MR. DAHLSTEDT: Eleven.

13 MR. WESEN: Eleven.

14 So he's the one who's been here the longest, and  
15 he's the one who's dealt with the Skagit River study the  
16 longest. So he's the one of the three of us that lead --  
17 put in the lead on this Skagit River. So -- he had a  
18 personal issue that came up today. So that's why he's not  
19 able to stay any longer. He was here for about an hour or  
20 so earlier.

21 So once again, thank you for being here. Please  
22 have some good comments, and we do appreciate everyone  
23 working on this problem.

24 Thank you.

25 MR. JOHNSON: And I'm Dan Johnson. I'm the

1 project manager for the Skagit River GI for the Corps of  
2 Engineers. Talk a little bit about where we are today,  
3 where we came from, where we're headed to next.

4 I started this job about a year ago, and almost  
5 immediately was assigned to the Skagit GI. And I'm here to  
6 tell you, it's a pretty amazing place. Actually took a  
7 little bit of vacation time with my wife this summer, and of  
8 all the places we could go, we came up here for our  
9 vacation. But I laid low and didn't let you know I was in  
10 town, so....

11 Skagit River is very complex. You know, between  
12 dams and levies and mountains and floodplains and dumping  
13 off into the Sound, we have a lot of things we've got to  
14 figure out. And we've been at it kind of a long time. I  
15 think some folks would agree. But at the moment we're  
16 making some pretty good progress. And one of the -- there  
17 are a couple of things that have helped a lot with that.

18 One was, this year we got assigned to something  
19 called reset. The term kind of maybe confuses people  
20 sometimes. It sounds like we're starting over again, and  
21 that's not quite the case. But really it's a -- more of an  
22 opportunity for us to get some good attention from the folks  
23 that we work for. So above the district level we have a  
24 division in Portland, and we have our headquarters back in  
25 Washington, D.C., and they've taken a real strong interest

1 in how this project is going.

2 We met with them a couple times this year. Sort  
3 of looked at the scope of the project, looked at where --  
4 what things we had done in the past, the things we were  
5 trying to accomplish right now, and maybe some of the things  
6 in the future that we were a little overplanned for. And we  
7 identified a few things that we could probably streamline  
8 the process, save ourselves some time, save ourselves some  
9 money, which is money for both us and for the counties since  
10 there is a cost share, and we both pay for part of this  
11 process. And the good thing is, is I think we're on the  
12 right track. I think we're going to be headed in the right  
13 direction.

14 The thing we're wrapping up right now -- what  
15 we're working on right now, this month, the next couple  
16 months, is to complete our report for our baseline  
17 condition. That's what we refer to as our fu -- existing  
18 and future with our project conditions. So that's: What's  
19 it like today? What's it likely to be like in the next 50  
20 years? And how is that going to work for both flooding, for  
21 the environment, for future development in and around the  
22 basin. I know there's a big issue right now about stuff  
23 that's going up -- on up north where you may have big coal  
24 cars traveling down the rails every day. And that's the  
25 kind of stuff we have to take into account; what -- if that

1 was to come into play, how does that affect our project? So  
2 we're wrapping that up, and that's going to go off to our  
3 headquarters at the end of this fiscal year. Our fiscal  
4 year ends in September, and the new one starts in October.

5           So I also get to bring you some of the -- maybe  
6 not necessarily bad news, but I think at first blush it  
7 seems like bad news, which is every one of us knows what the  
8 congressional climate is right now. A lot of debt. A lot  
9 of folks that are trying to figure out how we properly spend  
10 our money and where we need to make cuts. In the past, this  
11 project has gotten its money from the legislature. And  
12 we've got some great legislatures that have helped us.  
13 Between Representative Larsen and Senator Murray, we had a  
14 great push this last year to get some good funding for this  
15 project and move it forward in sort of leaps and bounds from  
16 where it's been in the past.

17           What happened instead was, you know, there was  
18 kind of a change of climate. And, you know, what they call  
19 earmarks or what we refer to as congressional adds are  
20 something that we've been told are going to go away. And  
21 that's where our money has come for the last six or seven  
22 years, have been through those adds, which gives a very  
23 uncertain future right now for where our money's going to  
24 come from.

25           And I really can't give you an answer. That's the

1 thing about it, I guess. So it's more uncertain news than  
2 bad news necessarily, but at the moment we're not in what's  
3 called a president's budget. We are part of the executive  
4 branch. And first and foremost, that's where our money  
5 comes from. And up at that level, at the Office of  
6 Management and Budget, with the executive office of the  
7 president, they decide how that budget is going to be spent.  
8 And at the moment we're not in that budget for next year,  
9 for fiscal year '12.

10 So at the moment, we're looking at the chance that  
11 we may have to stop work. But that's the future, and I  
12 can't predict it. And in the past, they've found ways to  
13 get us money. So I'm hopefully optimistic that we'll still  
14 be making progress when the new year starts in October, but  
15 I have no way to promise anything one way or the other.

16 And that's probably where I need to close. The  
17 reason we're here, again, is to take your comments. And our  
18 Environmental Services coordinator, Hannah Hadley, is going  
19 to come up and discuss a little bit more about the details  
20 of what NEPA is and why we're issuing this notice of intent  
21 right now.

22 MS. HADLEY: Hi. So I'm Hannah Hadley, the  
23 environmental coordinator for the Skagit GI.

24 And I'm here to kind of go over NEPA pretty  
25 briefly. So NEPA is the National Environmental Policy Act,

1 which was signed into law in 1969. And NEPA is triggered by  
2 major federal action; in this case, the Skagit GI. And it  
3 requires -- so NEPA requires all federal agencies to  
4 evaluate potential environmental effects of a proposed major  
5 federal action and possible mitigation measures.

6 And for the Corps, we look to the Army  
7 Regulation 200-2 for guidance on how to conduct NEPA. And I  
8 think it was alluded to earlier, the Corps is the lead  
9 agency, lead federal agency in this case, and Skagit County  
10 is our local sponsor.

11 And now to talk a little bit about the NEPA  
12 process. So we develop a range -- a range of alternatives  
13 are developed and are evaluated. And we present the  
14 analysis of the potential effects of those range of  
15 alternatives in addition to the preferred alternative in  
16 what is called, for this project, the Draft Environmental  
17 Impact Statement.

18 And through -- and throughout -- one -- another  
19 aspect of NEPA is -- it's a way to reach out to the public  
20 and get public involvement and public outreach and public --  
21 just public comments. What -- it's an opportunity to  
22 comment on the project.

23 And there's different oppor -- there's different  
24 stages, or steps, in NEPA, as my poster back there alluded  
25 to, where we -- where the public can comment. And right now

1 where we are is we issued a notice of intent, and it --  
2 which started up the NEPA scoping comment period. And we  
3 will -- we're asking -- we're gathering your comments, and  
4 then we will take those comments and consider them when we  
5 write the draft EIS.

6 And then at the draft EIS, when it is released for  
7 public review, again, we'll do a series of public meetings  
8 and have -- there will be a public comment period at which  
9 time, once again, we'll ask you all to comment on the  
10 document. And then in the final EIS, we write -- we respond  
11 to those comments that are -- that we're given during the  
12 draft EIS. There is also a short comment period associated  
13 with the final EIS for those who did submit comments. And  
14 then from there, we hopefully get a record of decision and  
15 then we have a project.

16 So NEPA really does encourage citizen  
17 participation via public hearings, scoping meetings, these  
18 comment periods where you can send in your written comments.  
19 Public involvement is a very important aspect of the NEPA  
20 process. It's an opportunity for the public to participate  
21 in a federal decision-making process and direct an agency's  
22 attention to the community's concerns.

23 So, different ways that you can comment. Either  
24 speak tonight. I notice a few of you have signed up. Also  
25 doing written comments. We have some comment forms that

1 have my e-mail address, and -- address, and you can either  
2 send me an e-mail with your comments or write them on the  
3 form and give them -- send them in. And that  
4 information's -- my e-mail and address are on the  
5 informational sheet that we have handed out and on the  
6 comment form and on the NEPA brochure that we've handed out.  
7 And the NEPA brochure also kind of goes over what is NEPA,  
8 what is the scoping process.

9 And I think that's all I kind of had to say about  
10 this NEPA process. So now we'll turn the meeting over to  
11 you guys, and so if -- we would ask if you could please  
12 state your name, if -- when you give a comment, and also  
13 any -- if you're affiliated with any organizations.

14 And, once again, Kara will let you know. She's  
15 our time -- vicious timekeeper. And she'll let you know  
16 when you have one minute and when you're done.

17 And I think -- so without further ado, it's  
18 Kathy -- and we'll ask as people just kind of -- whoever's  
19 speaking, just come up here, and then that way our court  
20 reporter can record your comment.

21 So if Kathy Mitchell would like to come up?

22 MS. MITCHELL: My name's Kathy Mitchell  
23 [unintelligible], from Bow County. Excuse me. It's in the  
24 town of Bow.

25 I'm a little curious. When I see the maps -- I



1 saw the announcement just a couple days ago. And very new  
2 to this process, but when I see the maps and the large area  
3 covered for the project, my comments really go back more to  
4 questions for where we're going to ask where we can get more  
5 information for the average citizen. When I look at  
6 something from this -- from my trainings from a geological  
7 perspective, when I look at something of the size of this,  
8 it's huge, absolutely enormous, and quite a big undertaking.  
9 And if you look at the time frame that's already been  
10 spent -- I've been told today it was at least ten years. I  
11 can understand why it's taking so long to get things  
12 rolling.

13           You've got so many different areas within this  
14 basin that are very, very different from each other. How  
15 can something this large be addressed, and what kind of time  
16 are we looking at really to make some differences? What  
17 kind of impacts are you expecting to make that really are  
18 going to be effective?

19           When you look at some people that are along the  
20 hillsides versus people that are right in the middle of the  
21 floodplain, huge, huge differences. And further up the  
22 river versus down river, out towards -- towards where the  
23 main body of water is, it's just huge differences. So  
24 really what this comes back down to, my main question leads:  
25 Why are we looking at such a huge scope on something, and

1 really how effective can we be? It's just astronomical to  
2 my mind at this point, and I hope somebody can address those  
3 questions for us.

4 Thank you.

5 MR. LEWIS: Okay. Carol Ehlers is next.

6 MS. EHLERS: I'm Carol Ehlers. I live on the west  
7 side of Fidalgo Island.

8 And I've watched the flood process for 23 years,  
9 but I know it's gone on at least since 1921. Nothing in  
10 this county is done quickly. So those of you who expect  
11 something to be done in the next year or two are bound to be  
12 disappointed, and that is not only because it's bureaucracy,  
13 it's because it is complex. And for all that I'm the  
14 accumulator of a lot of information, there's basic  
15 information I don't see.

16 For example, there's a map over there which shows  
17 the relationship of the entire drainage basin to the much  
18 larger scope of the Fraser River Valley and also to the  
19 counties to the south of it. But it fails in one basic  
20 aspect, which the County's Envision 2060 does not fail in,  
21 which is the same geographical area, but the County's  
22 planning department map has on it the elevation which shows  
23 the snow line.

24 And since precipitation is very different above  
25 the snow line and below in terms of its direct effect, such

1 as in November and December, this map begins to show someone  
2 like me, who's not an official participant, doesn't have all  
3 the information, how you can look at the entire basin and  
4 begin to see that when rain comes -- when rain clouds come  
5 in, as most of them do, from the southwest to northwest --  
6 I've never heard of them coming from the east. Wind does,  
7 but I don't think rain does. It comes in. When it hits a  
8 hill, the cloud rises, and as it rises it drops water. And  
9 that's the basis of meteorology. This map will help you  
10 understand it. So I give it to whoever collects materials  
11 here.

12 The second thing. One of the things -- one of the  
13 measures, as you call it, that has been proposed since 1921,  
14 is the Avon Bypass, which you have now rebaptized the  
15 Swinomish Bypass so that no one can find the two together  
16 electronically. May I request that you return it to its  
17 original name so that people can see how -- the context of  
18 what changes and what doesn't.

19 I've been complaining about that Avon Bypass ever  
20 since I heard about it, because of the oil petroleum  
21 pipelines. And I have now found from the fire  
22 departments -- the County didn't have a copy. Apparently no  
23 city government was given this by the utilities commission.  
24 But this is a Washington state pipe land -- pipeline atlas,  
25 and it has all of the major pipelines; that is, the ones

1 that 250 PSIG and above. And the 250 is because, above  
2 that, it's likely to explode. Below that, it'll leak.

3 Both of these are environmentally significant.

4 And since no one had a copy of it, I have brought a couple  
5 of first pages so that you folks can find it. I have the  
6 cover, I have the page that tells you how you call these  
7 people, and I have maps which show that when you get to this  
8 choke point -- the Avon Bypass starts up here in  
9 Mount Vernon -- that's too small for you to see. Think in  
10 your mind. In your mind's atlas.

11 It starts on the river bend just below Burlington.

12 Oh, dear, I only have a minute.

13 It follows State Route 20 all the way to the  
14 Swinomish slough. When it comes out of the river, it will  
15 make a turn to the left of its own accord. This water will.  
16 It will go down parallel to 20. When it gets to the  
17 Swinomish slough, it will be 5,000 feet wide, and it will  
18 turn right of its own accord down through the Swinomish  
19 slough, across four petroleum pipelines. One huge water  
20 pipeline serving Oak Harbor, the Navy base, the refineries,  
21 Anacortes, and La Conner. It will go across all the  
22 utilities.

23 It will put into question the south part of the  
24 Barrenson [phonetic] Bridge, which was likely to fall when  
25 it was first installed in 1971. They put dirt around it to

1 support it. The dirt might go, you see? And then it'll go  
2 past the railway, which is going to have 100-car oil train  
3 coming over it. And it will go, since it's still in the  
4 floodplain, through the Swinomish gas station/casino and new  
5 hotel.

6 That is the kind of environmental discussion that  
7 your maps really need to look at for not just that area.  
8 That's the one I'm illustrating. But other people can  
9 illustrate other places where it's equally important. And  
10 if you don't do it, then you have an environmental problem  
11 and a financial problem. Because on the other side of that  
12 slough is between 80 and 100,000 people now. You've got  
13 Oak Harbor, the Navy base, Anacortes. You've got San Juan  
14 County. You've got the ferries coming from Port Angeles.  
15 You've got the ferry coming from Canada. You've got every  
16 kind of thing. And people here in the central valley forget  
17 it, just as we tend to forget Mount Vernon. So....

18 UNIDENTIFIED SPEAKER: She's right.

19 MS. EHLERS: I could say other things --

20 UNIDENTIFIED SPEAKER: But your time is up.

21 MS. EHLERS: -- but my time is up.

22 MR. LEWIS: Okay. Next we have Bill McCord.

23 MR. McCORD: Good evening, everybody.

24 Again, my name is Bill McCord. I'm a Mount Vernon  
25 resident. Been living in Western Washington for the past

1 40 -- yeah, 40-some years.

2 A couple of observations. I'll try to follow up  
3 in writing some of these observations. And that is, it's --  
4 really striking to me is we're making the river fit our  
5 demands instead of our -- adjusting our lives, our  
6 communities, and our lifestyles around the river. And  
7 obviously it hasn't worked in the Great Plains and Midwest  
8 where there have been some severe flooding. And with all of  
9 the Corps' great efforts that have been made there, the  
10 rivers still come up over the banks and flood the  
11 communities and cause incredible damage. And people go back  
12 and build right in the same floodplains. So I would  
13 encourage the Corps to look more carefully at making some  
14 suggestions about adjusting our communities around the  
15 river.

16 Number two. In that regard, I want to encourage  
17 innovation, and that is something simple, like floatable  
18 structures. They do exist in the Netherlands, and it would  
19 be wise to have some of the people involved there, and --  
20 the microphone's trying to tell me something.

21 MR. LEWIS: Do you want to try to turn the volume  
22 down on the right -- left-hand knob there?

23 MR. McCORD: So in addition to the idea of  
24 float -- there are existing technologies working today in  
25 the Netherlands for floatable structures. And I'm sure

1 there might be some kind of a guest exchange program where  
2 we could -- you could get engineers and technicians to come  
3 and confer with the Corps and the County people to  
4 investigate as a possibility.

5 The other thing -- there's an old-time farming  
6 technique, and that is you build your house on a high place.  
7 And if you don't have a high place on your site, you mound  
8 up the earth so that your house is not going to be  
9 inundated. We have a few, you know, good examples right  
10 here in Skagit Valley.

11 And, lastly, I want to encourage the Corps to look  
12 more carefully at all the evacuation plans and emergency  
13 permits in terms of, when there is a flood, that there's  
14 good communication. Right now it seems to be very scattered  
15 and disorganized. And people were completely confused a  
16 couple of years ago about where to go and how to get there  
17 and how to communicate in that process.

18 So those are just a few things I want to mention.  
19 I'll submit some written comments later.

20 Thank you.

21 That wasn't too bad.

22 MR. LEWIS: Okay. Leonard Halverson is next.

23 MR. HALVERSON: Leonard Halverson, 11558 Sterling  
24 Road.

25 I guess I must be the senior member of this flood

1 committee thing. Been at this since 1975. And things have  
2 gotten continually worse instead of better.

3 A good example of that tonight is, on the way here  
4 they were still dumping riprap in the river. Tightening it  
5 up just below my house. Next time it floods, I get more  
6 water. We're in a reservoir in Sterling in Nookachamps. We  
7 need mitigation for it. We need more water taken down the  
8 river, not stacked up on us again.

9 Thank you.

10 MR. LEWIS: Okay. John Shultz.

11 MR. SCHULTZ: Good evening.

12 My name is John Shultz, and I'm a -- been the  
13 attorney for Dike 1 and Dike 12, and along with the  
14 Skagit County Dike District Partnership for about 25 years.  
15 So I've got a long history in dealing with the dike  
16 districts and flood control.

17 I'd like to first thank Colonel Estok for coming.  
18 I talked to you down in Edmonds, and we had a good  
19 discussion, and really looking forward to working with you.  
20 And it says a lot that you come up and talk to us, because  
21 that doesn't happen too often. So we do appreciate that.

22 Also like to thank Dan Berentson and Lorna  
23 Ellestad for essentially triggering this meeting, for the  
24 reset. The GI study has had problems. It's been going on  
25 for about 13 years. A reset's necessary, and you guys have



1 taken the lead to get that done, and that's one of the  
2 reasons we're here tonight.

3 Just went back to Washington, D.C., with these  
4 guys about three weeks ago -- or about three months ago.  
5 And I remember sitting in meetings for three days straight  
6 in headquarters with these two guys, Lorna and Dan, beating  
7 on them and telling them we need money and we need to have  
8 flood control in Skagit County. So, you know, I'm a real  
9 cheerleader for these guys.

10 Last thing I'd like to say is that the Corps has  
11 been the dike districts' best friends. I mean, you know,  
12 I've been dealing with the dike districts for 25 years.  
13 Every time there's a flood, these guys are here. They jump  
14 in their cars and they come up and help us. They, you know,  
15 sandbag. They pay for repairs. They pay for emergency  
16 repairs afterwards. So we've been great friends for many  
17 years, and I -- and it's a new day because we got a new  
18 colonel. I'm really looking forward to, you know, working  
19 with the Corps, and along with the County, because we're  
20 finally a real partnership here, the County, the cities, and  
21 the Dike Districts. So it's a new day, and I'm really  
22 looking forward to this.

23 The GI study has had some problems, and the  
24 problems, as far as I'm concerned, are past. I think we're  
25 moving forward here. And so I wanted to talk not about

1 individual projects. I'll be submitting written comments,  
2 and I think it would belabor it too much to talk about  
3 individual projects, and we don't have, you know, big charts  
4 and whatnot to look at those. So I want to talk about  
5 policy and process.

6           And the first thing I want to say is that even in  
7 the notice to the -- you know, to this meeting tonight, it  
8 says -- and I'll quote -- The purpose of the GI is to  
9 identify problems and opportunities that exist to relieve  
10 flooding, to reduce risks, and to develop a flood risk  
11 management plan. This is about flooding. This is about  
12 protection of communities from flooding.

13           The second prong, of course, of the GI study is to  
14 enhance habitat, and we've been working on that considerably  
15 with the district. We've got probably -- if you drive along  
16 the river you'll see 5 miles of projects now that we're  
17 doing right now.

18           And so I asked one of my commissioners -- I said,  
19 you know, I'm going to speak at this thing tonight. What  
20 should I say? And he says, You tell them that all the money  
21 they've spent the last 13 years, if they would have given  
22 that to me, we'd have new levies along the entire river. So  
23 that's -- we're not going to do that. That's not going to  
24 work because we have process to go through. But the point  
25 is, we feel that the dike district commissioners and the

1 dike districts should be more involved in this process.  
2 They've been marginalized in the past. They haven't been  
3 consulted.

4           They're the guys that know what's going on here.  
5 I mean, Daryl Hamburg's here. He's a good friend. And, you  
6 know, he's been a dike commissioner for -- what? --  
7 15 years. His dad was for about 20 years before that. So  
8 we have history. These guys know what to do. And when a  
9 flood comes, they don't call Washington, D.C. You know,  
10 they call the Corps in Seattle. They come up, and we do our  
11 thing, declare an emergency, and we save the County, which  
12 is promptly forgotten after the flood. We've saved the  
13 County many times, in 2003 and 2006.

14           So I think that for this partnership, the County,  
15 the cities, you'll find the dike districts can be your very  
16 best partners, and they need to be consulted more. Their  
17 expertise and their technical knowledge need to be relied  
18 upon more. And it would be real valuable to keep this  
19 process moving forward.

20           I want to talk briefly on the benefits of the GI  
21 and the problems with the GI, because a lot of times people  
22 won't talk about this. The benefits are that it's a study  
23 that quantifies flood risk. It gets all parties together to  
24 make decisions to analyze flood risk, including tribes,  
25 environmental groups, everybody involved in the profession.

1 It's a planning tool for flood control. It cannot end  
2 because it's now institutionalized.

3 For example, the PSE litigation. I was involved  
4 in that. We have a settlement agreement for storage. Part  
5 of that is completion of the GI study. And that's part of  
6 what we have to do to implement flood control. FEMA and the  
7 BiOp, that's a big thing now. And part of that is doing  
8 what the GI study would do, analyze flood risks, analyze  
9 habitat, analyze a lot of these other issues. So it's  
10 become institutionalized. I would hate to see the GI study  
11 go away. It's time for a reset, and I think the reset is  
12 great.

13 But the last thing is that the process provides  
14 for federal funding. We go to D.C. and we see the  
15 legislators there. We have a problem with funding now,  
16 granted, because of the times, but in the past when we're a  
17 united front and we pursue the GI, we'll get some funding.  
18 It's the vehicle from which we will get federal funding,  
19 when the economy improves.

20 Problems with the GI study. And I consider these  
21 past problems. I consider it a new day. That we're going  
22 to go forward. This reset's a great thing because we can  
23 reset it, decide what we're going to do. Hopefully have  
24 dike districts in the consultation. Get leaner, meaner,  
25 know what we did wrong, and then -- and move forward.

1           The problem, of course, is funding. We're not in  
2 the 2012 budget or the 2013 budget. We may get money in  
3 2014. But that's a problem. Lorna and Dan, we went to D.C.  
4 They were working on that money, and we got some residual --  
5 or some -- I can't remember the name, but some residual  
6 funding after the prior funding. So there is a little bit  
7 of money.

8           The other problem is it's been inefficient. We've  
9 gone on for 13 years. It's cost about \$15 million. It's  
10 one of the longest studies in the United States, and I think  
11 that was a good reason we got a reset. It's been  
12 fragmented. There are a number of meetings where --  
13 meetings in Seattle, but they don't come up here. You know,  
14 some technicians in Seattle. They don't see what's on the  
15 river, what the on-the-ground conditions are. So if we  
16 could have more dialogue and coordination, that would be  
17 very -- very helpful.

18           So the results are -- the GI study, 13 years  
19 later, we've gone through five colonels. I mean, I think  
20 you're a breath of fresh air, but we've had four other ones  
21 that -- they tried their darndest, but it didn't work. No  
22 funding from Congress. No conclusions of the study. No  
23 specific projects approved. And so after 13 years, a reset  
24 is necessary.

25           I think, though, the community can ask the

1 legitimate questions. How is it that the dike districts can  
2 be doing repairs right now? The dike districts have  
3 negotiated with the Corps for three and a half years. We  
4 got the money. We identified the projects. We consulted  
5 with the tribes and the environmental agencies. We got our  
6 certifications. We complied with DSA, and the BiOp.

7 One more minute? Okay.

8 We complied with the BiOp, and we're doing  
9 projects. So, again, I think the dike districts can be good  
10 partners in this process. They know how to get things done,  
11 and it didn't take them 13 years to do it. So I'm looking  
12 for moving forward, having a new day on this, and having a  
13 real partnership with the Corps. So I think this is a good  
14 meeting.

15 Glad you're up here. I appreciate it. Thank you  
16 for your service.

17 MR. LEWIS: Okay. Conrad is next.

18 MR. QUIP: Conrad Quip [phonetic], Fidalgo Island.  
19 Not prepared to speak, but he wants to say  
20 something anyhow.

21 I was -- I'm 40 years in the county. This process  
22 goes on before that and will be going on in the future. I  
23 was involved heavily for 20 years, and I wonder with this  
24 personnel change -- I haven't seen any of the old timers  
25 here. They must be still existing. How we can keep what's

1 going on for so long. Which was all good stuff so far, but  
2 it didn't lead to anything. Like it disturbs me that we  
3 have to put a new baseline in, because that means everything  
4 what happened is down the river, gone. Maybe that's good.  
5 I don't think so.

6 Then the dike districts, they bother me. They're  
7 building the dikes and the bigger picture is not taken care  
8 of. Every dike district has a certain area they want to  
9 keep up, and the dikes get higher and the river is going to  
10 say I'm not going to stay within these limits.

11 That's what I really liked about Bill McCord's  
12 comment. We need to adapt our lives to the river, not the  
13 river to our lives. It's not going to work.

14 And -- yeah. The -- I was after this real estate  
15 lady a moment ago, and, excuse me, but it really bothers me  
16 that we are still building in the floodplain and that  
17 there's still insurance available for those people. I mean,  
18 it's known for a long time that you will be flooded out  
19 eventually. It's not a question if; it's just when. And  
20 houses still go up.

21 The scope of the project cannot be big enough.  
22 Some lady had problems there because it's a big thing. And  
23 the big rivers give problems. We will not avoid flooding.  
24 Europe is way ahead of us in -- with their big rivers, and  
25 every so often you'll read about the big floods there. We

1 will not control the floods. So we can see that we survive  
2 the floods; that's all. And I hope the new faces get  
3 something accomplished soon.

4 Thank you.

5 MR. LEWIS: Okay. I have one more speaker,  
6 Gary Jones. And so if you're getting up the courage after  
7 Gary, you've got some more time. So we can open it up for  
8 other folks if they're interested after Gary.

9 MR. JONES: Thank you.

10 Good evening. My name is Gary Jones. I'm an  
11 attorney in Mount Vernon.

12 I just came from the Fir Island dike district  
13 meeting. They had their annual meeting this evening, and  
14 had a number of issues on their agenda.

15 The thing that I wanted to say, that they endorsed  
16 at that meeting was the idea that any General Investigation  
17 Study and any solution for property owners in the Skagit  
18 must include resiliency. It must include the ability to get  
19 water off the floodplain. The -- any assumption that a  
20 project will avoid all flooding is really futile. I mean,  
21 whatever you do, there's always going to be a risk of  
22 failure, and if it's a failure of a dike or a failure  
23 because there's overtopping or a failure because of some  
24 unusual circumstance, it still floods people and it still  
25 does a lot of damage.



1           And the way that I would suggest should be  
2 thoroughly investigated and added to the agenda of the  
3 people investigating in this round in the Environmental  
4 Impact Statement is looking carefully at the saltwater dikes  
5 and at I-5. Because I see I-5 as one of the big barriers to  
6 accommodating a flood. And look for ways to get water off  
7 the floodplain that will be stopped at the saltwater dikes  
8 and stopped at Interstate 5. I think if that problem alone,  
9 if either or both of those problems were resolved as a  
10 result of careful environmental impact assessment and  
11 planning that took account of the need to get the water off  
12 the floodplain, we'd be ahead of where we have been in the  
13 past, and I would urge that as a priority.

14           MR. LEWIS: So do we have any other speakers?

15           Okay.

16           MR. O'DONNELL: I'm Ol' Dan from La Conner, and  
17 I'd like to talk -- Dan O'Donnell. I'd like to talk about  
18 two things.

19           The first one is, God has granted me the serenity  
20 to accept the fact that we cannot change the hydrology.  
21 That hydrology is dictated by a lady who works in Tacoma.  
22 She's a Ph.D. Her name is Cynthia Barton. You will not  
23 change her mind, and I don't care what FEMA says, we're  
24 going to have to live with that hydrology.

25           So what I'd like to say is please look at storage.

1 Please look at the Water Control Manual from 1977. The  
2 Corps uses that as a copout, but we know from experience in  
3 2003 and 2006 that Lower Baker Dam saved us. It's 29,000  
4 acre-feet available at that dam, and by the end of 2012,  
5 those old wooden gates on top are going to be replaced and  
6 they're going to be automated. So please consider in your  
7 EIS the environmental impact on human beings from water that  
8 could be saved and stored in advance of a flood.

9 Now, Chal Martin will speak about his plan to  
10 contest the report that the PSE folks just put out. So I  
11 won't steal his thunder. But, clearly, that should be  
12 addressed in this EIS.

13 And, finally, as a La Conner resident, I object to  
14 being called a conveyance area. Honestly, when you look at  
15 La Conner, on the south side of La Conner and on the east  
16 side, there are old agricultural sea dikes. We can't  
17 convey. We're a pond. So please support Measure No. 9 on  
18 the nine measures approved by the advisory committee, which  
19 is to close the old ring dike along the drainage ditch.

20 I thank you.

21 MR. LEWIS: Okay. Do we have any other speakers?

22 MR. MARTIN: I'm Chal Martin, public works  
23 director for the City of Burlington.

24 The City will be submitting comments. So I'll  
25 submit written material too, but I wanted to talk about

1 three things tonight just real briefly.

2 But I'd also like to mention that Council Member  
3 Tonya Bieche is here tonight.

4 Tonya, if you could raise your hand so we can see  
5 it.

6 Burlington's had a long interest, of course, in  
7 flood control in the valley. There is -- the GI to this  
8 point, you know, it has generated a lot of good information,  
9 and it continues to generate good information. And we use  
10 that information.

11 In fact, just recently some new hydraulic analysis  
12 was done, and I'd like to point out three things that that  
13 hydraulic analysis is inputting into the process.

14 The first thing, and probably most important  
15 thing, is that from the perspective of Burlington and also  
16 from my perspective having worked on this issue for years  
17 and years, the upstream storage in the system is absolutely  
18 critical, and we can make more storage available. There's  
19 ways to do that in addition to the hard storage that's  
20 already authorized, and I really would encourage the GI  
21 study process to get creative in looking at ways to put that  
22 storage in use only when it's needed. We don't need it all  
23 the time. Only need it when it's flooding. And so there  
24 are ways to achieve that that I think ought to be pursued.  
25 And the City will be submitting additional information about

1 that.

2           There's an issue at Sterling. The hydraulic  
3 modeling that was recently completed, assuming that the  
4 levies don't fail -- and, in fact, I think it's likely that  
5 even in a large flood the levies would hold for quite a  
6 while -- there's going to be a big problem at Sterling. In  
7 a Skagit 100-year event, the hydraulic modeling indicates at  
8 about 50,000 cubic feet per second -- those of you who are  
9 familiar with the Skagit flow know that when it's running at  
10 50,000, it's more than bank full -- it's -- you know, it's  
11 approaching flood stage probably 26 feet or so. That's  
12 about -- that's a bunch of water, folks, and it's going to  
13 be going north across Highway 20 at Sterling. There is  
14 nothing we can do to stop that.

15           We have a -- kind of a handshake agreement among  
16 folks -- Leonard, you know, you've lived out in that area  
17 for years and years -- to sandbag along the railroad grate  
18 there in Sterling. And the idea was -- the concept was that  
19 the sandbag top would go no higher than -- than the high  
20 point, which is along one of those roads there. At least  
21 that's the theory. I'm not sure Leonard agrees with it.

22           But the point is, the hydraulic modeling shows  
23 that the water levels at 49 feet NAVD and the sandbag level  
24 is 45 feet. So that ain't going to work. So that water's  
25 going to go. There's nothing we can do about it to -- under

1 the current conditions. And it's a real issue for the  
2 project. You know, that's upstream in the system, and it's  
3 going to have to be addressed somehow in the GI. Do you try  
4 to keep all that water in the system and send it to -- on  
5 downstream to the storage area in La Conner --

6 UNIDENTIFIED SPEAKER: Thank you.

7 MR. MARTIN: -- or do you try to take it out of  
8 the river as quickly as you can upstream?

9 And the last thing is the BNSF Skagit River  
10 bridge. That bridge was constructed in 1916.

11 And after the 1921 flood event, the engineer  
12 indicated that, oops, we may have made a mistake with that  
13 bridge. So the problem there is that the 100-year water  
14 surface level is 47.4 feet. The mid-channel bottom chord  
15 elevation is 46.4 feet. That's a foot lower. And the over  
16 bank bottom chord elevation is 42.8 feet. So the water  
17 stacks up on the bridge. In addition to the debris, it  
18 creates a condition that hydraulic engineers call pressure  
19 flow, which is very bad for bridges, which are supposed to  
20 support a vertical load and they're trying to support a  
21 horizontal load. It doesn't work very well.

22 And, finally, there was some mention made -- this  
23 really is not Burlington's issue, but it certainly is a  
24 regional issue -- of how that water is going to go out into  
25 the floodplain. This is a very important issue. And if you

1 look at the configuration of the dike districts, you know,  
2 really Dike 22 can't take any water. I mean, if they take  
3 any water, they're -- they fill up like a bathtub. Dike 17  
4 is the same way, and to a lesser extent, so is Dike 3. And  
5 so really it's up to Dike 12 and 1, as well as the drainage  
6 districts that serve those areas, to handle the water that's  
7 going to flow out of the channel and onto the floodplain  
8 towards La Conner. It actually -- it goes to the north too  
9 of Bayview Ridge.

10 Thank you very much.

11 MR. LEWIS: Okay. Another speaker.

12 MR. HILTON: Bob Hilton, 21032 Little Mountain  
13 Road.

14 That address is at 309-foot altitude because as a  
15 lad at age twelve, I went over the I-5 bridge and saw all  
16 the housing in Vanport flooding and floating around like  
17 apples. And that was the second largest city in Portland at  
18 the time.

19 Now, in addition to adverse flooding and what  
20 you've heard here tonight, I have an additional comment  
21 which further compliments -- or complicates other people's  
22 concerns. And that is, about two years ago the Army Corps  
23 of Engineers finally put out a report on sea level rise  
24 problems. And these problems are not disappearing. In  
25 fact, we can expect by all scientific guesstimation at this

1 point in time that by the year 2100 sea level rise out here  
2 backing up all the flowing Skagit will be at least 1 meter  
3 higher. And there's quite a bit of evidence that will come  
4 out in the IPCC report here in another two years.

5 And so in the Environmental Impact Statement, this  
6 is going to be the biggest environmental change that this  
7 county will see, and so I hope that there is a good section  
8 in here on how this is going to foul everything up, and  
9 everybody's opinions know that can't possibly happen.

10 Thank you.

11 MR. LEWIS: Any other speakers?

12 MR. AXELSON: My name is Maynard Axelson. I live  
13 on Fir Island right down by the mouth of the river where the  
14 river meets the bay. I'm a third generation farmer there.  
15 My grandpa came from Sweden in 1896, and so he homesteaded  
16 there.

17 And over the years I've heard a lot of stories  
18 about the flooding, and there's a lot of old photos of the  
19 ladies out there with wheelbarrows and the guys with the --  
20 with horses and mules and all kinds of things trying to  
21 mound up some dirt. And the first dikes they built were  
22 just little tiny things about this high.

23 And so for years and years and years I've wondered  
24 what was the difference then. Why didn't we need, you know,  
25 10-foot tall dikes or whatever? And it seemed like

1 everybody agreed that the -- when it rained heavy the river  
2 didn't rise near as fast, and so I don't know if that's  
3 because the hills were covered with old growth trees or just  
4 what the difference was.

5 But when we're down there on Fir Island, we feel  
6 like we're the mice kind of skirting back and forth between  
7 the feet of the elephant. And, you know, what happens  
8 upstream, we have to pay for down there. And so we feel  
9 like, you know, maybe over the years there's a lot of these  
10 hills have been logged off a little harder than they should  
11 have and, you know, now the river rises real quickly. And  
12 maybe it's because there's different weather patterns.  
13 Maybe it's warmer now that the snow isn't packing as well.  
14 Maybe there's other things. But we're really, really  
15 concerned because we live down at the bottom and we have to  
16 pay for a lot of these things that happen upstream.

17 So I agree with the other people that pointed out  
18 that the storage behind the dams is absolutely critical.  
19 Just a little thing like that can save a lot, a lot of  
20 people and damages down here or down in the bottom.

21 And then I also agree very strongly with what Gary  
22 said about -- I went through the flood in 1990 down there,  
23 and we left our house right near dark and it was 2 or 3 feet  
24 outside and, you know, we -- it was livable. It wasn't in  
25 the house. We could navigate. We could do things, but we



1 came back the next morning and it was over our heads deep.  
2 And it was knee deep in our living rooms, and it just  
3 absolutely ruined the insides of our houses. Did a lot of  
4 damage. Took us months and months and months to recover.  
5 So getting the -- rid of the water once it breaks and comes  
6 into our Fir Island area, we're just like a bathtub there.  
7 We've got -- our own dikes around us that were supposed to  
8 be protecting as are now almost killing us. So it's kind of  
9 like being trapped in your own house in a fire kind of  
10 thing.

11 So I really, really want to add to the importance  
12 of those points, and I just also want to say that, you know,  
13 the flood isn't going to wait for any budget things to get  
14 better or worse, and so I would really, really encourage you  
15 to keep plodding along and keep progressing at this if you  
16 can any way possible, and I appreciate it and I appreciate  
17 Dan's efforts.

18 Thank you.

19 MR. LEWIS: Anybody else? We have roughly  
20 25 minutes. So we have time. Anyone else care to provide a  
21 comment verbally? Once. Twice. Okay.

22 With that, I guess, well, thank you for coming.  
23 We've got a lot of great input that we'll take. I'm sure  
24 we'll get more good input through -- the comment period ends  
25 August 29th. So get your comments in to Hannah. Hannah's

1 also available through that same -- those same avenues. If  
2 you have questions or anything like that, certainly we can  
3 field those and try to answer those as well.

4 So we'll be picking up here as we exit the room.  
5 So if you have any last question, we could probably also be  
6 available for that as well. So thanks for coming.

7 (Whereupon, the proceeding  
8 concluded at 7:33 p.m.)

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## 1 CERTIFICATE OF REPORTER

2 STATE OF WASHINGTON )  
3 COUNTY OF KING ) ss.

4 I, Emily K. Niles, Certified Court Reporter, do  
5 hereby certify:

6 That I reported in shorthand (Stenotype) the  
7 proceedings had in the above-entitled matter at the place  
8 and date indicated.

9 That I thereafter transcribed my said shorthand  
10 notes into typewriting, and that the typewritten transcript  
11 is a complete, true and accurate transcription of my said  
12 shorthand notes to the best of my ability.

13 IN WITNESS WHEREOF, I have set my hand in my  
14 office in the County of King, State of Washington, this 21st  
15 day of August, 2011.

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EMILY K. NILES, CCR #2794

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