

Maynock cites 'ambiguous' maps

Federal agency to review local permit practices

by John Draper

MOUNT VERNON — The Argus has learned that the city of Mount Vernon has come under investigation by the Federal Emergency Management Agency (FEMA), which suspects the city has not been enforcing FEMA floodplain building regulations.

After a two-hour meeting two weeks ago with city Building Official Ron Maynock, Mayor Ruth Gidlund and private land surveyor Gwynne LeGro, FEMA official Chuck Steele told them the agency would be sending two FEMA staffers to go over building permits issued since the city joined FEMA's flood insurance program.

What the FEMA officials will be looking for, according to Steele, is whether the city has a pattern of not requiring elevation of new buildings above the 100-year flood level, which averages around four feet.

Mount Vernon is under federal flood insurance, and to receive that insurance the city must enforce these elevation regulations.

One FEMA official described the investigation by saying the agency suspects "city policy is not consistent with city obligations."

If the officials find such a pattern and if the city refuses to change, Mount Vernon will be taken off the federal flood insurance program, Steele said. There are 374 federal flood insurance policies in Mount Vernon.

If Mount Vernon is suspended from the insurance program these 374 people will no longer receive benefits after flood damage.

For the average homeowner, farmer and small businessman, FEMA insurance is the only insurance available, Steele said.

Also, prospective homeowners will no longer be able to get financing from

federally financed institutions. Such institutions cannot issue loans in flood hazard areas unless the prospective owner has flood insurance.

"They can make the decision if they want to carry the mortgage themselves," Steele said. "It's very difficult to carry a mortgage on the secondary market."

Maynock said he is not worried about any repercussions from the FEMA investigation.

"We've been doing what we're supposed to be doing," he said, adding there "are no flagrant violations that will cause ramifications."

Maynock admitted there may be one or two slight violations, but he blamed these on the ambiguity of federal flood insurance rate maps, which outline the flood hazard areas in which buildings must be elevated above the 100-year flood level.

Maynock said the lines on these maps separating flood hazard areas from non-flood hazard areas can get confusing.

For example, Maynock issued a building permit for a house on Hoag Road next to the railroad tracks and 400 feet from the dike without requiring 100-year elevation because he was unsure whether or not it was in the flood hazard area. The lines on the map separating the two areas run close to the railroad tracks.

FEMA officials know about this house. The Argus learned two FEMA officials came out to Mount Vernon recently and took photos of the residence.

Despite this, Maynock said the city "has nothing to hide." He said he will take the FEMA officials on a complete tour of the city.

"We will mutually work toward a resolution of the problem," he said.

He questioned whether FEMA even had the right to investigate Mount Vernon. City officials never formally adopted an ordinance outlining the FEMA

building regulations, he explained. A resolution passed in 1975 is all that holds the city to the FEMA regulations.

Steele explained that in 1976 FEMA notified many of the localities under the insurance program that they should upgrade their similar resolutions into ordinances.

In the summer of 1980, he continued, FEMA sent a similar request to the localities that still only had resolutions. Mount Vernon, however, never received any letter, he said. FEMA felt

the city and the county were far enough along in the process of upgrading its program that they didn't need to be bothered.

What this all boils down to, he said, is that only having a resolution is no excuse for not enforcing FEMA regulations.

"The important thing is getting it (enforcement of floodplain building regulations) done. Whether your have an ordinance or not is not important," he said. "They are liable regardless of how they get it done."

Maynock said it makes little difference whether or not the city has a FEMA-type ordinance because the city follows state floodplain building regulations, which he claimed are stricter than FEMA regulations.

He admitted, though, that he will not force people to conform to the state regulations if they don't want to. He said if a big project comes up he would call up the state Department of Ecology (DOE) and notify them of it.

Small projects, however, would not get

such treatment from him, he said. He said he would make the DOE seek out violators in Mount Vernon themselves. "I'm not going to spend local tax dollars to enforce a state law," he explained.

When Steele came out to meet with city officials he also went to the county and met with Otto Walberg, assistant director of the county Planning Department. Walberg said he and Steele did not talk about county violations of FEMA regulations.