

Skagit Flood Risk Management Working Group July 18, 2000

Facilitation Meeting Notes

The first meeting of the Skagit Flood Risk Management Working Group was held on Tuesday, July 18, 2000 from 9:00 AM to 4:00PM at the Farmhouse Inn located on Highway 20 between Burlington and La Conner. A copy of the agenda is included in Attachment 1. The meeting began at 9:15 after the attendees had an opportunity to sign in, acknowledge others, and take their seats.

◆◆ Introductions ◆◆

Sky Miller introduced himself and thanked everyone for attending. Sky is a civil engineer and has over 10 years of practical experience in river modeling, flood plain management, and flood fighting. He is currently the Surface Water Division manager in the Public Works Department for Skagit County (County). The Surface Water Division is responsible for surface water issues such as drainage and storm water management, flood fighting, water quality, fish passage projects, and salmon habitat restoration.

Valerie Lee, the Lead Facilitator, introduced herself. She is the president of Environment International, Ltd., and has over 10 years of facilitation experience. She has facilitated a number of consensus-building processes involving issues such as those facing Skagit County. She has facilitated processes involving a number of agencies including the U.S. Army Corps of Engineers (Corps), Portland District Office. She asked if everyone had received their packets that contained an explanation of the working group and a list of the participants. No one responded to indicate that they had not received the packet. All in attendance were requested to introduce themselves and identify whom they represented. The attendance list for the meeting is attached (Attachment 2). Dave Hedlin and Gus Teersdma were in attendance for half of the meeting. Dave Hedlin was present in the morning and Gus Teersdma was in attendance in the afternoon.

◆◆ Briefing on the Flood Risk Management Project and Feasibility Study ◆◆

Sky Miller described some of the aspects of flooding and its impacts on the lives of Skagit County citizens. He showed a number of slides that portrayed flood fight efforts and devastation caused by flooding. He described the County's program for flood preparedness. There are over 50 public works staff members who make up the County's flood fight team. The flood fight team members are assigned to sectors and go on 'round the clock' monitoring during a flood. In addition, the County has access to about 250,000 sandbags locally and millions of sandbags provided by the Corps under emergency situations. There is an annual training for the flood fight team, dike district commissioners, fire districts, and other emergency response organizations that is coordinated with the Corps. The Public Works Flood Fight Coordinator works in coordination with the dike district commissioners by providing them materials and vital

information on changing conditions. The public works sector personnel are a critical link in the communication between the county and the dike protection efforts. Their primary responsibility is to keep information flowing among the Emergency Operations Center, the Corps, and the dike district commissioners by reporting conditions and requesting supplies.

Sky indicated that he had spent a lot of time pondering the situations on a number of rivers and, as of late, the Skagit River. He posed a question to the group as to how the valley had gotten itself into the current situation? He speculated that it started with the agricultural community building dikes to protect their crops. As more people moved into the area, the transportation systems in the form of highways and railroads were developed. This encouraged more people to move here. Bridges and cities sprang up and development continued. Dike building continued to the point that we are very reliant on them. Unfortunately, the dikes have a capacity that we know can be exceeded. The dikes of Skagit County can hold the water from a 25 or 35 year flood. Elsewhere, other cities have 500 year flood protection. Sky referred to this phenomenon as “flood hazard creep.”

Jackie Vander Veen introduced herself. She has a formal education in geological engineering and has had diverse experience in her career including rocket science and nuclear contamination monitoring. Her expertise also includes project management, which is her current focus at the County. She has been coordinating the efforts between the County and the Corps’ Seattle District in support of the Skagit River flood feasibility study. A major focus of her efforts in the last year was to assemble the Working Group. This task was challenging because there were so many stakeholders to include. Such a large group would be unwieldy for making progress. Therefore, Jackie enlisted the support of a professional facilitator, Valerie Lee, who helped define the working group process and provided guidance in selecting members.

Jackie went on to provide some history of the flood study. In the late 1970’s, the Corps completed a similar study and proposed to build the dikes to 100-year flood protection for the cities and 50-year protection for rural locations. In order to build the proposed project, the county needed to generate its share of funding. Bonds to generate these funds were defeated by Skagit County voters at the polls and the project was not constructed. The county started re-addressing the need for better flood protection again in the late 1980’s and after the 1990 floods, the County authorized a reconnaissance study by the Corps. The Corps determined that although the benefit/cost ratio was a bit low, they acknowledged the risk on the Skagit River and suggested that a feasibility study be pursued. An agreement was signed in 1997 between Skagit County and Corps whereby they would partner and share the costs of a \$3.9 million study.

Jackie outlined the aspects of the study that have been completed to date:

- Project Study Plan – Outlines the work activities, schedule, and costs
- Fly-Over Survey – Elevation data was collected and photographs were taken for the flood plain from Sedro-Woolley to the bay.

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- River Channel Survey – Elevation data from over 60 river cross sections were collected.
- Computer Model – All of the survey data and hydrologic information were assembled into a computer model to simulate the Skagit River.
- Public Involvement – Four public meetings were held in 1997 and 1998. The Working Group is the next step in the process for achieving broad public support.
- Flood Control Committee – The FCC has been actively following the results of the Corps study and is instrumental in providing information.
- Economic Evaluation – The Corps is computing the value of the existing development in the flood plain to determine the dollar amount of the damage if a flood of a prescribed magnitude were to occur today.

Jackie explained that in developing a recommendation for flood control, several aspects need to be considered. First, there needs to be some consideration given to the construction and maintenance costs for a particular design. We might be able to design a panacea for the situation but it might be cost prohibitive. Second, there are environmental impacts to consider. With the listing of salmon as a threatened species, there are now opportunities for habitat restoration that will also help the flooding situation. The design should build on restoration opportunities that can also help manage the risk of floods. Third, Jackie explained that the County will need to be creative in locating funding sources. The County will not be able to solely bear the financial responsibility for cost sharing a project that reduces flooding and improves habitat. Other agencies will need to assume some responsibility if they are to receive benefits from the project. Additionally, the recommendation will need to be publicly acceptable and the recommended solutions may have to be prioritized. To accomplish all of this will require commitment from the group. Jackie expressed confidence that the right people have been assembled for success.

Jackie explained that to fund the current study, the county had to look for alternative resources. The Washington State Department of Ecology (Ecology) has a program through which the County could qualify for funds – the Flood Control Assistance Account Program. Through this program, the County is required to prepare a Comprehensive Flood Hazard Management Plan. The Corps study will provide the information that is needed in order to prepare the plan. To receive funding assistance from Ecology for the Feasibility Study, the County agreed to use the information from the study to prepare a floodplain management plan for Ecology.

Jackie then introduced Dave Burdick of Ecology’s Shorelands and Environmental Assistance Program.

Dave Burdick stated that the Skagit River area has the highest potential for loss due to flooding in the state. Dave then provided the history of the Flood Control Assistance Account Program. Ecology realized that it would be more beneficial to set up a program that prevented flood damages than to continue to allow development and river manipulation in the flood plain. Ecology recognized that they would get a bigger bang

for their buck if they addressed the whole river system and developed a permanent solution. Realizing that the counties would not have the resources to accomplish the planning tasks and implementation, Ecology established funds to support the efforts.

Dave emphasized that Ecology felt strongly that the Skagit River was a high priority for addressing flood plain issues. They also recognized that the Corps study would provide 80 – 90 % of the information needed to prepare a Comprehensive Flood Hazard Management Plan. Ecology supported the Corps study and has provided grant funds to assist the County in meeting their cost share obligations. The County, in turn, is responsible for preparing a Comprehensive Flood Hazard Management Plan. Dave expects that the plan will also be able to provide the County with other elements such as where development should be allowed. Dave's hope is that through this process we will succeed in coming up with a workable solution for flood management in the valley.

Stephen Pierce of the Corps, Seattle District introduced himself. He is the project manager for the Skagit River Flood Feasibility Study. He has had over 20 years of experience with the Corps. He has recently taken over the project management responsibilities for the Skagit River project and is excited for the opportunity. Steve outlined the steps in a Corps project from beginning to end.

Steve explained that the first step in the Corps's process is the reconnaissance study. Steve explained that this step has already been completed in Skagit County. In 1993 the Corps conducted a reconnaissance study for Skagit County that examined the flood risk management issue and the County's level of interest in further addressing the problem. After a reconnaissance study, if a sponsor has interest in the Corps further considering the problem, the next step is to conduct a Feasibility Study (FS) and an Environmental Impact Statement (EIS). The Corps is currently conducting the FS for Skagit County. FSs usually take three years to complete. Steve explained that the Corps had not yet begun the analysis for an environmental impact statement for Skagit County. He noted that environmental impact statements usually take two years to complete.

Steve described the Skagit Flood Risk Management FS in greater detail. He said the FS has been segregated into two phases. Phase One includes development and application of a very detailed hydraulic model that simulates the existing conditions of the river, flood plain, and flood control structures. Using predictions from the hydraulic model, economists estimate the damages that would result from various flood events. This establishes the dollar value that is at risk. The Corps is just starting the economic analysis. Included in Phase I is an examination of flood mitigation alternatives. A number of alternatives will be evaluated to determine a preferred alternative that will be examined closely under Phase II.

In Phase II, the preferred alternative will be evaluated thoroughly by the Corps. The foot print of the project will be assessed for land value, toxic wastes, and environmental impacts. In addition, geotechnical analyses will be conducted, and an engineering and cost estimate will be performed. The alternative will be evaluated for the economic value of the avoided damage versus the construction cost to determine a benefit/cost

ratio. The Corps take into account the benefit/cost ratio and other information to determine whether or not it will go forward with a project.

◆◆ Hydraulic Model and Discussion of Model Runs for Existing Conditions ◆◆

Sky Miller presented information on the hydraulic model that the Corps developed for the Skagit River. He explained that this model is the most sophisticated model of its kind – probably in the world. Sky said that this model shows what we are facing and can be used to see what happens when an alternative is applied. The County and Corps used the model to look at different dike break scenarios. Flood discharge frequencies for the various flood events that have been determined by professional hydrologists using data collected from the Skagit River watershed basin are provided as input for the model. These discharge frequencies include the effects that the dams have on the river. Sky showed the sizes of the various flood events.

<u>Flood Event</u>	<u>Water Flow</u>
500 year	350,000 c.f.s.
100 year	235,000 c.f.s
50 year	205,000 c.f.s

Sky talked about the competing interests of water storage in the dams versus flood control. The electric companies can generate more energy with the dams full and there is more storage capacity to prevent flooding if the dams are empty. The Corps has an agreement with the dam operators to lower dam levels from October through February in order to accommodate potential flooding. In addition, at designated flood flows, the Corps takes over the dam operations.

The model is comprised of two models. One model, the UNET-1, is a one-dimensional model that simulates the river movement within the channel from Concrete to Sedro-Woolley. This model is adequate for the narrow valley that exists above Sedro-Woolley. Below Sedro-Woolley, the one-dimensional model is coupled with a two-dimensional model, FLO-2D, that simulates how the water will flow across the flood plain outside the river channel. These models together provide a description of the flood. In addition to the UNET-1 and the FLO-2D model, another model, HEC-6 will be run for the lower section of Skagit River to determine the sediment load and flow velocities of the water. The HEC-6 model is scheduled to be completed during the fall of 2000.

To determine the dike break locations, the Corps relies on specially trained geotechnical engineers to assess the structural integrity of the dikes and determine the probable breaking points. The breaking point information was added to the model. This information allows one to see where breaks might occur and how they would effect the rest of the river.

Another factor important in predicting how a flood will respond in the Skagit delta is the location of bottlenecks on the river. Bottlenecks are places in the river where the water

has to squeeze through a narrow passage and consequently backs upstream. This may cause flooding or undue pressure on the dikes. Sky has looked closely at the bottlenecks on the river system and has determined some serious constraints that are cause for concern. The first concern as the flood-water comes from Sedro-Woolley into Burlington is the railroad bridge. This location causes water to backup and could cause it to break through the dike and flood about 70,000 to 80,000 c.f.s. through the middle of Burlington. Another bottleneck that Sky considers a concern is the river bend area. Only two thirds of a 100-year flood event can fit through this area. The next bottleneck of concern is the West Mount Vernon bridge. There is not enough room under the bridge span to convey any amount of water greater than what was experienced in 1990.

Sky then presented a diagram depicting the results of a computer simulation of a “50-year” flood (maximum flow = 205,000 c.f.s.). The diagram showed the water depths over the flood plain 48 hours after the first dike break. The dike break sequence started with a break on Fir Island close to the 1990 break. The next break occurred on the south side of the river near the Mount Vernon sewage treatment facility. A dike also broke on the north side of the river just west of the I-5 freeway. Subsequent flooding would occur over the railroad and Highway 20 near District Line Road between Burlington and Sedro-Woolley. Sky noted that the model output does not include results for the river bend area and the Nookachamps area. This is because the scenario for these areas does not change with changing flood events. Sky explained that in all flood events these areas completely fill with water.

Fred Buckenmeyer asked if they had modeled scenarios for which the flood fight does not work. **Sky** replied that they had not. **Fred** noted that this would change the economics of the study greatly if downtown Mount Vernon flooded.

Sky explained that the flooding predicted in the South Mount Vernon area is of concern because it indicates that water levels would inundate the I-5 freeway. At the break near the Mount Vernon sewage treatment facility, the water level is at approximately 28 feet. The land surface elevation below this ranges from 13 feet to about 20 feet at the railroad and about 16 feet at the freeway. The outlet is limited for the water because of the road system that is in place and the freeway interchange at Conway. The water pools very deeply from over 10 feet at the land surface to between four and six feet over I-5.

Sky made a special request that if anyone sees anything that they question to please raise the issue. We want to make sure that the hydraulic model is as close to reality as possible.

Richard Smith remarked that the water went over the railroad tracks south of Mount Vernon during the flood of 1951 and he said it likely would again.

Sky related that the modeler’s job is to try to get the model to reflect as close to reality as possible and that Ron Malmgren, the Corps’ Modeler, is constantly calibrating the model with updated information.

Bob Boudinot asked what the depths were in the 1951 flood event. **Richard Smith** replied that he didn't know the numbers but the water was over highway 99 and was surely over the railroad tracks. Richard indicated that there were a number of dike breaks on Fir Island at the same time.

Sky discussed the ramifications of a 100-year (235,000 c.f.s.) flood event. One of the major concerns is the railroad bridge between Mount Vernon and Burlington. The railroad bridge is lower than the height of the water during a flood of this size. Because of its height the bridge will act as a major bottleneck. Some speculate that the bridge will go out. Sky is of the opinion that the bridge will not wash out. He believes that the construction was such that it would withstand such a flood.

Leonard Halverson volunteered that the engineer's report stated that it would fail during 100-year event. **Sky** replied that he is not convinced. He thinks that the dikes will fail first and relieve the pressure on the bridge.

Chuck Bennett asked if the width of the bridge had been measured. **Sky** explained that the highway 99 bridge between Mount Vernon and Burlington allows for more conveyance than the I-5 bridge.

Will Roozen inquired as to whether the highway 99 bridge would be replaced next year and whether its design had been developed with floods in mind. **Chuck Bennett** replied that there was not enough funding to open the last 150 – 300 feet of conveyance but that it would have fewer piers.

Sky presented the modeling results for the 100-year event. The Fir Island scenario remains the same as in the 50-year event, since the flood water is taken off the upper river before reaching the Island. The South Mount Vernon area water levels are deeper for this event. The model shows the Dike District #12 dikes failing above the railroad bridge due to the pressure from water backing up.

Bob Boudinot requested that the Corps take a closer look at what would happen at the Mount Vernon revetment. Would the lower dike breaks relieve enough pressure to save the Mount Vernon revetment?

Will Roozen added that during the 1990 flood, Dike District #1 was very close to breaking. The bad spot was right across the river from where the dike broke on Fir Island. Will speculates that if it hadn't broken on Fir Island, it would have there.

Sky noted that the model was based on technical data and assumptions. He also explained that the model is sensitive to what can happen where the dike breaks occur, but over time, the locations to where the water flows and pools has little bearing on where the dikes broke.

Lou Ellyn Jones asked how recently the river cross sections were surveyed. **Sky** replied that they were surveyed in 1999.

Will Roozen asked how far up the river that a difference in the water level was noted when the dike broke at Fir Island in 1990. **Chuck Bennett** indicated that they could see a difference as far up as Blade Chevrolet. **Ed Cappaso** added that he noted a slight change in the level when the dike broke a second time at the Anacortes Water Treatment Plant.

Will Roozen was curious to know if the County had information on velocities, including the effects of dredging. **Sky** indicated that the data are available but we haven't evaluated it yet.

Sky talked about the levee design that Dike District #12 is currently implementing. They are broad on top with about a 50-foot width. They have a very long sloping backslope that has about a 1:6 or 1:8 slope. **Sky** indicated that these are the largest dikes he has seen and they are probably the biggest in the state. However, the water will still go over them at knee-deep depths in a 100-year flood event.

Chuck Bennett explained to the group that the City of Burlington was concerned that they would not have enough time to evacuate if a dike was to instantaneously fail. By beefing up the dikes in this manner, they would buy some time to evacuate people.

Sky pointed out that the 100-year flood was widespread and went up to Edison and into the Samish watershed. The flood depths are deeper in the South Mount Vernon area and there appears to be no change on Fir Island. He then showed the group the 500-year flood (350,000 c.f.s.) scenario. In this scenario, the breaks are similar and the Dike District #12 dikes take a lot of pressure. The water is deeper and faster, creating a very dangerous situation. Water goes through Burlington and focuses on Gages Slough. I-5 is also closed north and south of the river.

Chuck Bennett asked what kind of weather conditions would cause a 500-year flood. **Sky** could not say except that it requires all of the right ingredients such as a series of cold fronts dumping heavy snow followed by a warm front with rain and a strong warm wind. **Sky** felt that the bullet was dodged in 1997 when there was a tremendous snowfall and a predicted pineapple express. Fortunately for this area, the warm weather swung north up into Canada.

◆◆ Fifteen-Minute Break ◆◆

The facilitator reassembled the group and asked a series of questions pertaining to facilitated processes. Almost everyone raised their hand to indicate that they had been involved in a facilitated process before. Almost everyone raised their hand to indicate that they thought the process was worthwhile. The facilitator reassured the group that she believes in outcomes and that she had structured the process for outcomes. The uppermost question in her mind was "how do we set up the process for success". The facilitator first wanted to make sure that everyone had a common base of information.

The facilitator went on to describe how she designed the consensus building process. She described the process as having three phases. The first phase was identified as the information phase. It is the part of the process that establishes a common base of knowledge and information. The second phase, the facilitator explained as the “Brainstorming and Modeling” phase. This is where the ideas for what might be the best approach are evaluated in order to come up with a strategy. All of the group members are expected to participate in order to gain insights into varying interests and considerations. The ideas will be tested in the river model to determine whether they will meet the flood control goals and will also be evaluated for environmental and habitat affects. The third phase is the consensus phase. This is the final phase of the process and is where the group comes to agreement on the best recommendation to endorse.

The facilitator said that the ideal process is one that everyone is very happy about all issues and outcomes. The reality is that consensus-building processes are often not the ideal. As a result, realistically, what she is striving for is for a consensus that the Working Group can live with that is capable of implementation. If all Working Group members are enthusiastic about the result that is an ideal result.

The facilitator explained that she and members of the County staff, along with one of the Commissioners, had met with Will Stelle of the National Marine Fisheries Service, Tom Fitzsimmons of the Department of Ecology, and Sid Morrison of the Department of Transportation to discuss the importance of this project. All were interested and have supported the effort with representation at the Working Group. The facilitator again emphasized the importance of the group coming to agreement that is capable of implementation.

Will Roozen asked if there are some things that are incapable of implementation that we should know about right now rather than waste time thinking about them? **The facilitator** responded that she did not have an answer to that question and that she could ask Will the same question. She explained that the participants need to define what their limits are for the Working Group.

Leonard Halverson stated that a dam on the Sauk River is out of the question. **Sky** agreed that was true. **Mike Scuderi** suggested that perhaps we review what was presented in the past public meetings.

The facilitator emphasized the phases of the process to make certain that they were understood:

- Phase I – We have mixed backgrounds; this phase is needed to establish a common base of information.
- Phase II – By examining the alternatives, we can determine what will work and what won’t work.
- Phase III – Is the consensus building phase. Based on the information, hopefully the Working Group can come to consensus.

The facilitator hopes that the group can come to consensus in the April/June timeframe. There may be a requirement for more time – it is up to the group. It will depend on the pace with which the Group will feel comfortable

In addition to being members on the Working Group, the facilitator challenged everyone to provide outreach services as well. She requested that agency representatives brief their management and non-agency representatives brief their constituents. It is important that the information learned during these meetings is disseminated throughout the community and in constituencies.

◆◆ **Ground Rules** ◆◆

The facilitator focused the group on adoption of ground rules. She explained her experience involves facilitated processes where there were ground rules and processes where there weren't ground rules. In her experience, she prefers to have ground rules because it helps the group move forward. The facilitator presented a list of draft ground rules.

- | Draft Ground Rules | |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Participants agree to treat one another with respect. |
| 2. | Only one participant will speak at a time. |
| 3. | Everyone will be given a fair opportunity to share views. |
| 4. | Participants will strive to adhere to the timeframe established by the agenda. |
| 5. | Because consistency is important, members of the working group will make best efforts to attend the meetings. |
| 6. | Representatives will keep their larger groups and decision makers apprised of developments. |
| 7. | [Move Forward?] |
| 8. | Notes that record key issues, points of agreement, and action items will be kept. Draft notes will be distributed to the participants for review and comment. Adoption of draft notes as final will occur at the next meeting. |
| 9. | The facilitators will ensure that ground rules are followed. |

Consensus Point – Draft Ground rules 1 through 6, 8 and 9 were unanimously accepted by the Working Group participants present as governing ground rules. As noted below, Ground Rule 8 was amended by unanimous agreement later in the day.

▼ Shirley Solomon expressed concern about rule 3. She wanted to know what would happen if an individual was frequently sharing the same view to the point that it distracted from the process. **The facilitator** replied that she was empowered by the

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Working Group to make sure that the ground rules are followed and that the process moves ahead.

◆◆ Working Group Decision Making – Ground Rule 7 ◆◆

Ground Rule Number 7, pertaining to how the group would move forward which had been set aside by the facilitator for in depth discussion was discussed at length. The facilitator explained that Ground Rule 7 controls how the Working Group moves forward in the process and makes decisions. For example, how does the group decide which model runs to request or what information is needed? Does the group want total consensus or majority vote? The facilitator suggested that one approach to decision making was to put issues aside when the Working Group is “stuck” and make note and return to the issue at a later time and strive for consensus wherever possible.

Richard Smith stated that a majority vote was not practical because there were representatives present that possess veto power. **Mike Scuderi** added that some of the representatives are bound by laws and cannot approve decisions that violate them. Obviously this was not going to be a perfect world.

Lou Ellyn Jones commented that consensus was defined more precisely in processes that she has been involved in. She explained there was a continuum of “like categories” where someone could live with an agreement but not be enthusiastic about it or be in total agreement and be enthusiastic about it or absolutely couldn’t live with it.

Fred Buckenmeyer suggested that consensus was the only way to move forward. If a range of agreements are considered, only one “can’t live with it” would prohibit forward movement.

Bob La Rock indicated that it was important to note where the Working Group is in the process. Phase III would require a definition for consensus but perhaps the other two phases would not.

The facilitator observed that the Group might be surprised about what might happen during Phases I and II that would require the ground rules to be intact. She also suggested that the Working Group could have two rules; one for the ultimate outcome and one for the process itself.

Larry Wasserman responded that each person can advocate or kill an idea. He suggested that consensus be defined as “everyone can live together” and that the level of happiness was not important. He raised concern with putting issues aside and revisiting them later. He noted that he has had experiences where issues were put aside and never addressed.

The facilitator assured Larry that her style is to make sure that issues are resolved. She noted that focusing too long on an issue can create a wall. With time and a change of

perspective, the Working Group can find a window, through which it can see or move. **Larry Wasserman** is fine with this as long as people feel that their issue is dealt with.

Mike Scuderi asked what the final goal of the process is. **Sky Miller** replied that he would like a document that articulates a long-term strategy and that this group supports it. **Mike Scuderi** preferred a list of alternatives and steps toward implementation. This discussion prompted the facilitator to ask what the various representatives needed.

The Corps replied that they need a focus from a wide list of options to a narrow list to where they can focus their efforts in order to complete the feasibility study/environmental impact statement.

The County would like a flood risk management plan that has a broad base of support across agencies, governments, and constituencies including funding sources.

The Federal Emergency Management Agency would like to reduce economic loss due to flooding and use the Corps model to make new maps that accurately reflect the flood risks.

Skagit System Cooperative would like to find an agreement that provides the appropriate level of flood protection and mitigates for salmon habitat.

Larry Wasserman expressed surprise that the Corps was asking for assistance. He noted that he believes that the Working Group should be striving for agreement. He suggested that individuals in the Working Group could send the Corps information and that what the Working Group really needed to be concentrating on in the Working Group setting is getting agreement.

Lou Ellyn Jones indicated that the Corps' authority may be focused differently than she would like. She expressed concern that the Corps focus was on structural solutions and not the protection of resources. **Chuck Bennett**, recognizing that Lou Ellyn's concern was that there may be too narrow of a focus on the part of the Corps, clarified that the preferred alternative might be a combination of several alternatives. **Larry Wasserman** suggested that we consider a "suite of things" as to how we approach flood risk management.

Shirley Solomon stated that to say someone "could live with" an alternative had some negative connotation for her. She noted that we have to acknowledge that we are community members that need to come to agreement on flood protection and be considerate of salmon at the same time. There is plenty of opportunity for retrofitting the two together. She felt that the option of "living with it" was not using the process to the best advantage.

The facilitator asked Shirley if she had a problem with the outcome of the group being a preferred alternative that is a suite of actions. **Shirley** replied that she did not have a problem with it.

Richard Smith asked what the flood event target is. Are we looking at the 50-year event or the 100-year event? Are we seeking 100-year protection of the urban areas and 50-year protection for the rural areas? **Sky** replied that he did not know. He stated that we need the results of the economic study before we are able to determine the answers to those questions. Sky further noted that we will probably examine the river reach by reach to determine the level of protection. He also stated that the Working Group's chore is to figure out the level of protection with which they can live.

Bob LaRock expressed his fear that the Working Group's efforts will be solely flood focused and that we would build dikes to the point of freezing the river and never allow it to function naturally. Bob would like to see the Working Group focus on a larger vision that allows for complete flood protection with a less managed river system. He stated that he would like a broad vision for the outcome instead of flood protection with a little fish habitat.

Lou Ellyn Jones suggested that what we might want is to decrease the flood risk and improve conditions for fish. There are a variety of measures that can be implemented that are consistent with a restoration plan that does not preclude future restoration activities.

The facilitator asked if there were any other outcomes that the group would like to have.

Chuck Bennett stated that it would be beneficial for the county to have better flood maps.

Bob Boudinot suggested that an outcome of the process should be to save human lives. There is an extreme risk in the way the flood plain has been occupied.

Leonard Halverson would like to see some non-structural protection for the upriver areas and possibly some ring dikes in areas like Clear Lake.

◆◆ Lunch Break ◆◆

After lunch, the facilitator proposed a draft ground rule regarding decision making for the group to edit. The proposal was as follows:

- A. The group will strive for consensus among all participants on key issues.
- B. Notes will record items/issues on/for which all participants agree
- C. Participants agree to disagree and approach things from a different perspective where the facilitator declares an impasse.

- D. Outstanding issues and alternative viewpoints will be noted in the meeting summary.

Shirley Solomon stated that she did not see the link between agree, disagree, and looking at the discussion from a different perspective. **The facilitator** explained that allows for flexibility in the process. **Shirley Solomon** asked for the ground rule to be framed as agreeing to a creative process and to look at things from a different perspective.

Rule C was changed to:

Participants agree to a creative process whereby the group would look at things from a different perspective when the facilitator declares an impasse. Outstanding issues and alternative view points will be noted in the meeting summary.

Dan Tonnes of the National Marine Fisheries Service was concerned with his responsibility for implementing the legal obligations of the Service. The facilitator assured Dan that the Working Group would be focused on efforts that fall within legal constraints and boundaries.

The facilitator asked the Working Group if anyone had additional comments. **Larry Wasserman** raised a concern regarding what constituted consensus? Does it mean that all of the participants are in agreement? In the event that consensus is not achieved, will there be a preferred alternative anyway? He wanted to know what the product of the Working Group would be if consensus was not achieved.

The facilitator clarified that the rule deals with all decisions that lead to the ultimate decision and not necessarily how the Working Group would report what the results of its work are. **Larry Wasserman** stated that to move forward the Working Group would have to come to a consensus instead of just noting it in the notes.

Part A was changed to:

The group will operate by consensus among all participants.

Part C of the definition was further refined to say:

In the event that consensus isn't reached on an issue, participants agree to engage in a creative process whereby the group approaches things from different perspective.

Larry Wasserman asked for further clarification on the final work product and purpose of the group. He asked what would happen if there was no closure on an issue. **The facilitator** explained thinking is naturally non-linear in that we think along one line and then take another approach. She suggested that the Working Group use nonlinear thinking to the Working Group's advantage. She suggested that it is helpful to explore many different ways to look at an issue. She noted that the Corps could provide help to the Working Group in their analysis.

Larry Wasserman asked if the Working Group was making a recommendation to the Corps. **Sky Miller** replied that the group is developing an option for the Corps to

consider and they in turn will give us advice. Sky noted that this was project is ultimately the County's decision and not the Corps's.

Curt Wylie asked if the project would go to the vote of the people. **Sky Miller** did not know. There are a number of ways to approach funding a project, one of which is to post a bond to raise money. Other ways are to stretch the project out over time or to get relief funding from other agencies.

Bob Boudinot asked if the group's recommendation was going to go to the County Commissioners. **Sky Miller** replied that it will go through the County Commissioners, then Ecology and then to the Corps because of the funding mechanism.

Leonard Halverson asked if the report was going to go through the Flood Control Committee. His understanding was that the Working Group was a subgroup of the Flood Control Committee and that the committee would have authorization.

The facilitator clarified the relationship between the Flood Control Committee and the Working Group. She talked about her presentations to the Flood Control Committee. She noted that in these prior presentations she had underscored the skills and knowledge of the Flood Control Committee members. She observed that the Flood Control Committee did not have the breadth of representation that is optimal for achieving a flood risk management plan with a broad base of support in the community. The facilitator noted that the process has been designed so that the Flood Control Committee will provide advice and information to the Working Group through the Flood Control Committee members that sit on the Working Group. This role is extremely important. The Flood Control Committee also will be kept up to date on developments in the Working Group. She clarified that her prior presentations to the Flood Control Committee described a design for the consensus building process that maintained an important role for the Flood Control Committee. However, under this design the Working Group was not a subgroup of the Flood Control Committee.

Pat Massey suggested that the Working Group defines with specificity a particular objective for the Working Group at the outset and this would help the Working Group define consensus. The facilitator suggested that a ground rule on decision making is important because a group can be incapacitated unless it has an agreed upon rule for moving forward.

The facilitator then asked Larry Wasserman what he needed to satisfy his concerns. **Larry** replied that he was unsure. He explained that he views the outcome as a report and recommendations that would not go forward without a consensus. **Sky Miller** commented that we may not agree with individual aspects of a plan but as a whole, with everything included, we could agree. As for the Commissioners, it is unknown how they will respond to the Working Group's recommendation. However, if a recommendation comes forward that has the endorsement of the representatives in this group, it will definitely carry a lot of weight.

Bob LaRock suggested that we entertain the idea of two reports to the Commissioners. One report would be the majority report and another a minority report. He indicated that he had seen conflicts resolved using this method before.

Larry Wasserman told the Working Group that his reason for coming is to arrive at a recommendation and move forward. His worry is that the process will get sabotaged when the process is 80% complete and an alternative would be recommended anyway. The tribes would be described as having agreed to this recommendation when in fact the tribes did not agree to it. He stated that if there is no consensus, there should be no report.

Shirley Solomon asked the group to step back and look at the flood risk management issue as one on which the community has been working a long time. She explained that flood risk management is a timebomb. The group was given the charge to come together and try to sort out some things and arrive at a solution to the flood risk management problem with a number of elements. This requires that the group takes in a lot of complex information and come to understand complex issues, choices, and tradeoffs. She stated that the facilitator was trying to help the group examine the process, but that the Working Group must also look back from the end product.

The facilitator clarified that Larry Wasserman and Shirley Solomon did not want to sign a blank check, that is agree to a rule on decision making without knowing clearly what the outcome of the Working Group would be.

The group discussed what would happen if they could not come to consensus. Many expressed doubt that they would be able to achieve consensus.

Sky reiterated that the participants on this Working Group will carry a lot of weight in any decisions made. He explained that consensus is extremely important for funding and that a majority and minority opinion is a last resort.

Ed Capasso requested that we look at the goals and issues and then address concerns. Again, the facilitator resisted this request. She strongly felt that the group could not move forward without a rule regarding decision making.

Curt Wylie volunteered that the method that the Dike Districts use in dealing with the Fisheries is to provide mitigation. Perhaps that is a way to obtain consensus.

Pat Massey viewed that Corps as the lynchpin in the process because they determine whether a project is feasible or not.

The facilitator conceded that perhaps the Working Group could look at objectives for the Working Group process as a way to open the door to defining consensus. She asked Sky Miller to define what he needs for the Comprehensive Flood Hazard Management Plan. **Sky** replied by stating that we have defined our current situation and what might happen if we were to experience a large flood. We need to recommend ways to reduce

the threat to lives and property and, if we're clever, enhance the resources. We need to provide a road map to achieving this and identify funding sources. Engineering and the feasibility study will be relied on for decision points and contingencies.

The discussion that followed centered on the group's desire to focus on the outcomes and Working Group deliverables as a means to help the Working Group create a rule to define how the Working Group will move forward.

◆◆ Fifteen-Minute Break ◆◆

When the group reconvened **the facilitator** refocused the group on the issues of a ground rule for decision making. She presented the following draft rule:

- The group will operate by consensus among all participants.
- Notes will record items/issues on which all parties can agree.
- In the event that consensus is not reached on an issue, participants agree to engage in a creative process whereby the group approaches things from a different perspective.
- Outcomes will be portrayed accurately in terms of support/level of agreement.

Lou Ellyn Jones asked for an example of a creative process. **The facilitator** gave the previous discussion of the group as an example.

Will Roozen asked if issues on which the group did not agree would be recorded. **The facilitator** replied that the notes will reflect points of both agreement and disagreement. Ground rule number 8 was changed and adopted to state:

Final Ground Rule Number 8

Notes that record key issues, points of agreement and disagreement, and action items will be kept. Draft notes will be distributed to the participants for review and comment. Adoption of draft notes as final will occur at the next meeting.

Mike Scuderi asked for clarification on the term "consensus." He asked if it should reflect the level of support.

Chuck Bennett asked if it would reflect the percentage of the group that agreed to it, i.e. 80, 90, or 100%.

Shirley Solomon stated that if the group is expected to act as ambassadors for the consensus then the level of agreement would have to be more than "I can swallow it, but under duress."

The facilitator suggested that the rule be changed from "consensus" to "agreement." Agreement is defined as "can support." She then went around the room and asked if the participants agreed to Ground Rule number 7 as:

Final Ground Rule Number 7

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- The group will operate by consensus among all participants.
- Notes will record items/issues on which all parties can agree.
- In the event that consensus is not reached on an issue, participants agree to engage in a creative process whereby the group approaches things from a different perspective.
- Outcomes will be portrayed accurately in terms of support/level of agreement.

- Jackie Vander Veen** – yes
- Steve Pierce** – yes
- Mike Scuderi** – yes
- Bob LaRock** – yes
- Rich Johnson** – yes
- Pat Massey** – yes
- Gus Teersdma** – yes
- Larry Wasserman** – yes
- Shirley Solomon** – yes
- Richard Smith** – yes
- Will Roozen** – yes
- Leonard Halverson** – yes
- Sky Miller** – yes
- Corey Schmidt** – yes
- Curt Wylie** – yes
- Chuck Bennett** – yes
- Ed Capasso** – yes
- Fred Buckenmeyer** – yes
- Bob Boudinot** – yes
- Dan Tonnes** – yes
- Lou Ellyn Jones** – yes

Next, the subject of subsequent meetings was discussed. The Working Group selected the second Thursday of the month as the day for future Working Group meetings. The next meeting was scheduled for September 14. It was anticipated that Working Group meetings would be held at least every other month.

At the request of the facilitator, the Working Group turned to a discussion of information that would be helpful. The group began discussing alternatives that had been considered in the past and issues that had been raised before in connection with public meetings and the earlier FS. The facilitator observed that it would be helpful to provide the Working Group with information that is relevant during Phase I of the Working Group process so that all members of the Working Group options and issues and can make informed

decisions. The group then brainstormed and came up with the following list of options and topics for which they would like to receive more information.

- Dams
- Dredging
- Higher/Stronger Dikes
- Do nothing
- Bypass
- Set back levees
- Sea dike outlets
- Overtopping levees
- Non-structural options
- Flood Storage
- Larger flood plain
- Reductions in bank protection (i.e., rip rap)
- Open up disconnected channels
- Bank softening
- Move the river
- Ring dikes
- Improve vegetation
- Re-establish estuarine environment
- More wood
- Land use control
- 4 (d) rule/state shorelines
- Buy outs/flood proofing

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The County, the Corps, and the Skagit System Cooperative agreed to work together in putting together descriptions for each of these options and topics for the next meeting. Skagit System Cooperative agreed to focus on salmon issues. Lou Ellyn Jones also agreed help. The facilitator explained that this will not be an exhaustive presentation of all information on resource and flood issues, but a first step in understanding the complex issues. She underscored that more information can and would be presented to the Working Group as the process unfolds.

With the agreement of the participants, the facilitator adjourned the meeting.

Final Ground Rules Adopted by Unanimous Agreement of the Working Group

1. Participants agree to treat one another with respect.
2. Only one participant will speak at a time.
3. Everyone will be given a fair opportunity to share views.
4. Participants will strive to adhere to the timeframe established by the agenda.
5. Because consistency is important, members of the working group will make best efforts to attend the meetings.
6. Representatives will keep their larger groups and decision makers apprised of developments.
7.
 - The group will operate by consensus among all participants.
 - Notes will record items/issues on which all parties can agree.
 - In the event that consensus is not reached on an issue, participants agree to engage in a creative process whereby the group approaches things from a different perspective.
 - Outcomes will be portrayed accurately in terms of support/level of agreement.
8. Notes that record key issues, points of agreement and disagreement, and action items will be kept. Draft notes will be distributed to the participants for review and comment. Adoption of draft notes as final will occur at the next meeting.
9. The facilitators will ensure that ground rules are followed.