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# SKAGIT COUNTY

BOARD OF COMMISSIONERS  
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December 10, 2001

Colonel Ralph H. Graves, District Engineer  
Corps of Engineers, Seattle District  
P. O. Box 3755  
Seattle, WA 98124-2255

RE: Skagit River Feasibility Study

Dear Colonel Graves:

This letter serves as a general response to the United States Fish and Wildlife Service and the National Marine Fisheries Service letters of October 9, 10, and 30, 2001 regarding the Skagit River Feasibility Study.

Skagit County appreciates the level of effort the United States Fish and Wildlife Service and the National Marine Fisheries Service have put into this project to date. This commitment is demonstrated not only by attendance at numerous staff level meetings concerning the Skagit River Flood Reduction/Salmon Restoration project, but also by numerous written comments. We know there are many demands on the time of these Agencies, and this level of effort on this project demonstrates their understanding of the importance of the project to the region.

Skagit County is pleased to see this involvement at the front end of this project and is committed to addressing the issues raised in these documents; however, there are several issues raised by the federal resource agencies that cause us deep concern and disappointment. These include:

1. Flood Control Alternatives - Set-back Levees and Overtopping Levees
2. Executive Order 11988
3. Mitigation vs. Restoration
4. Recognition of Baseline Conditions
5. Impact upon future restoration work in the Skagit Basin

We will summarize our concerns below. We welcome further discussion with the Agencies and the Corps to work out any misunderstandings or differences, but we need to be clear: unless a "course change" is made now, this project will collapse under the

weight of "nice to have" environmental studies which are only peripherally related to the project and will be seen as excessive by our citizens.

Flood Control Alternatives: The Board of Skagit County Commissioners has officially adopted the Bypass Alternative as the preferred alternative and will focus all available resources toward this effort. The Bypass Alternative favored by the County is estimated by the Corps to cost approximately \$221 million and would displace less than 150 families with a local cost share of approximately \$79 million. The Levee Setback Alternative preferred by the federal agencies has a price tag of \$290 million and would displace more than 450 families with a local cost share of approximately \$98 million. The increased real estate costs are a 100% obligation of the local sponsor. This is a significant increase in both the number of local families displaced and the amount of local cost share for a rural county of our size. The Levee Setback Alternative will be analyzed during the Environmental Impact Statement; however, unless other financial partners present themselves, this option is not affordable to Skagit County. The Overtopping Levee Alternative fails to meet the objectives set forth in the project management plan identified at the onset of this project. This alternative does not meet our primary project goals of keeping major transportation corridors open and providing 100-year flood protection to the agricultural community and our rural residents. Furthermore, this Board is responsible for the lives and property of our constituents, and will not approve this alternative.

Executive Order 11988: We would like to meet with the Agencies to discuss this issue specifically so we fully understand their concerns. A simple exchange of information may be all that is needed prior to issuing a formal response. In general, Skagit County feels that it can work with the Army Corps of Engineers to meet the conditions of this Executive Order. There seems to be a misconception that floodplain status is the only thing that precludes development of agricultural land in Skagit County. This is clearly not the case. Commercial, industrial, and residential construction is taking place within the floodplain in urban and designated urban growth areas as we draft this letter. What is preventing uncontrolled growth in more rural areas are zoning laws, the Growth Management Act of the State of Washington, and the community desire to preserve farmland as attested to by the vigorous activity of various farm preservation groups and the County's own Farmland Legacy Program.

Mitigation vs. Restoration: Skagit County is committed along with the Army Corps of Engineers to investigate the impacts and benefits of this project as required by Federal project planning requirements. However, the lengthy list of studies provided in "the Agency" letters seems to extend well beyond the limits of this project. For example, the agencies request to inventory tide gates and pump houses has evolved into a scope of

work as presented at the November 27<sup>th</sup> Executive Committee meeting that would require a site assessment of every tide gate in Skagit County to determine the possibility of fish passage. Skagit County cannot endorse this study task as it will potentially lead to the loss of drainage and flood control for our agricultural community as well as loss of community support for the project. Further, recently adopted local ordinances as required by the State Growth Management Act may inhibit fish habitat restoration in drainages controlled by tide gates.

It is important to reiterate that Skagit County will only financially participate in those activities deemed necessary to mitigate the impacts of this project unless other financial partners step forward or additional funds are secured during the Congressional appropriation process. The long list of mitigation and restoration suggested by the Agencies at this early stage indicates their unwillingness to look at this as a realistic project with budget and schedule constraints. We view the list as a mild form of extortion required to get agency endorsement of the project. Skagit County is very disappointed at the tone of these discussions and will guard itself against being part of any unwarranted study or restoration/mitigation features unrelated to the impacts of this project.

Baseline Conditions: During our review of the Federal Resource Agency letters, we were deeply disappointed to see the apparent disregard of the high level of flood risk associated with the Skagit River and a lack of recognition of the impacts to the ecosystem should a major flood occur. Without the benefit of a flood bypass project, the current levees provide, at best, protection for a 35-year event. In 1990 and 1995, the Skagit River nearly breached the levees in Burlington and Mount Vernon three times with events of approximately 35-year magnitude. As it happened, the levees failed in the Fir Island area and took some of the pressure off upriver. Had the river been six inches higher, not even a breach downriver would have prevented a major levee failure in the Burlington/Mount Vernon area. Since then, Skagit County has developed an emergency response plan to breach the levee near Avon should a major flood event occur. This site was selected because it was the historic location of several tributaries to the Swinomish Channel and Padilla Bay (Yates: 2001) and will result in lower flood levels for Burlington and Mount Vernon.

The Federal Resource Agencies and the Army Corps of Engineers should recognize that the "baseline or do-nothing" alternative will result in several catastrophic levee failures which will send pollutant-laden sediment into Padilla and Skagit Bays. This is the existing condition that must form the basis of comparison for the Bypass Alternative. Further delay of this project will place Skagit County and the region's economy and environment at tremendous risk. This Board has identified this Flood/Salmon Protection project as its top priority and will use all existing power, authority and resources to

position it for Congressional authorization for Water Resources Development Act (WRDA) 2004.

Future Restoration Work: Lastly, we would like to highlight that if this project fails to move forward in a timely fashion (WRDA 2004) and remain cost effective, the joint Flood Reduction/Salmon Restoration Project will fail. If this joint Flood Reduction/Salmon Restoration Project fails, we all will have missed a tremendous opportunity to be part of a large multi-purpose project that includes significant direct and indirect benefits toward salmon recovery. We hope the federal resource agencies recognize that should this flood control project fail, it is unlikely any significant attempt to construct a flood control project will occur within the Skagit River system for at least another generation. Furthermore, this will limit not only the smaller restoration efforts currently underway but also require that flood protection be included as part of any future salmon restoration project proposed within the main stem corridor.

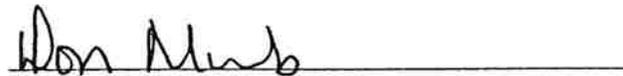
We hope that the Army Corps of Engineers and federal resource agencies will look at this multi-benefit project as an opportunity to build cooperative relationships that will lead toward many successful future endeavors. We stand ready to discuss these concerns with you and the representatives of the resource agencies.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

  
TED W. ANDERSON, Chairman

  
KENNETH A. DAHLSTEDT, Commissioner

  
DON MUNKS, Commissioner

BCC/jjg