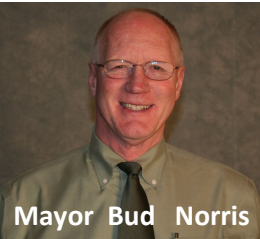


REPORT FROM THE MAYOR

October 2009



Mayor Bud Norris



Mayor's "Voices of the Valley" Article

Adequate flood control for the Skagit River is an issue discussed more than any other over the past 50 years. Citizens and property owners of Mount Vernon should have an accurate description of the City's current effort to provide protection for downtown Mount Vernon from a 100-year flood.

The City's elected officials and staff feel an urgent sense of responsibility to our community to reduce flood risk using every means at our disposal. This Project should not be delayed. Without a viable permanent flood project, Downtown Mount Vernon continues to face severe flooding during every major flood event.

For the past four years, Mount Vernon has undergone a lengthy public process, incorporating citizen input, to evaluate the environmental and flood-related impacts of the Project. The Project is a stand-alone project that does not depend on anticipated upstream or downstream improvements. The area of protection includes the City Hall, County Courthouse complex, U.S. Post Office, County Jail, SR 536, portions of I-5, the City's Wastewater Plant, and many private businesses, including a company employing over 100 people. It is designed to the worst case scenario using the most conservative assumptions identified by the United States Army Corps of Engineers (Corps) for the 100 year flood and is one potential measure listed in their General Investigation (GI) Study for the lower Skagit Valley.

Starting in 1997, the GI Study has never been adequately funded, its completion date at this time remains uncertain, and funding for any proposed regional flood project that may follow from the Study is speculative – at best. The Corps Project Design Team for the GI study has stated that local jurisdictions, like Mount Vernon, should not wait for the GI study to move forward. Given the paramount importance to protect Downtown Mount Vernon, the City agrees with the Corps.

As part of the City process, Mount Vernon requested that Federal Emergency Management Agency (FEMA) review the Project and issue a conditional letter of map revision (CLOMR). A CLOMR is not mandated. However, the City cannot invest millions of dollars in the Project without some confidence that a Letter of Map Revision (LOMR) would be issued after the Project is constructed. A LOMR is essential to remove businesses and property in our downtown from the 100 year FEMA flood map. This mapping will relieve them of the increased construction costs to flood proof each development and the requirement of costly flood insurance for the financing of buildings or businesses. Federal regulations specifically provide for FEMA's review of the Project and an objective opinion of whether the Project satisfies FEMA's adopted standards.

The City's CLOMR application and submissions addressed every concern raised by federal agencies –including FEMA. The City followed the rules.

Unfortunately the City did not receive the technical review it requested. Instead, without prior warning or notice, the City received a FEMA letter on June 23, 2009 announcing indefinite suspension of the CLOMR process. There had been no comment on the technical merits of the Project.

Mount Vernon officials met with congressional representatives on July 16, 2009 and emphasized the City's willingness to sit down with FEMA and answer any questions that will help them reach the technical review. Mount Vernon requested that FEMA reconsider, explaining in great detail why FEMA's position was improper.

Having had no response from FEMA, and exercising an abundance of caution to avoid any risk of loss of the City's right to appeal FEMA's action, the City proceeded to file a federal court action. At the outset, congressional representatives were informed this may occur.

Since filing the action, Mount Vernon quickly engaged in continuous communication with FEMA through the agency's attorneys - discussing the City's position and willingness to withdraw the action. The City only sought FEMA's review of the CLOMR request. **The City, with the necessary assurances that FEMA will continue to process the CLOMR request, voluntarily withdrew its federal court action on August 17, 2009.**

Mayor's "Voices of the Valley" Article, cont.

It has been a great encouragement to us that so many of our neighboring cities and other public entities have supported our flood control project. We are very appreciative to Skagit County, the Cities of Burlington and Sedro-Woolley, the Mount Vernon Downtown Business Association and Chamber of Commerce, EDASC, Dike Districts 1, 3, 12 and 17, Skagit Council of Governments, Port of Skagit County, and all other entities and individuals who have demonstrated their support.

This is an issue I am passionate about and I intend to exert whatever amount of effort necessary to protect our citizens and their property. Any suggestion that Mount Vernon sit back, and fail to aggressively pursue or preserve its legal rights, or acquiesce to a federal agency's failure to act consistent with its own rules is irresponsible and unacceptable.

The City has in the past and will continue to work cooperatively with FEMA. The CLOMR review and the Downtown Flood Control Project should not be a political decision, but one based on the Project's technical merits. Our community deserves no less.

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