

Handout #2

MEETING SUMMARY

**Advisory Committee Meeting #13
Flood Control Zone District
July 20, 2009 2:30 - 5:30 p.m.**

Location:

Skagit County Commissioners' Hearing Room
1800 Continental Place, Mount Vernon, WA

Meeting Purpose:

For the Flood Control Zone District (FCZD) Advisory Committee (AC) members to conduct normal business and:

1. To convene for a joint meeting with the FCZD Board of Supervisors (Skagit County Commissioners or BCC) in order to discuss AC flood planning efforts to-date and future challenges.
2. To provide an opportunity for Puget Sound Energy (PSE) to respond to an invitation to present an overview of the Baker dam(s) flood storage planning efforts.
3. For the AC to consider an approach and timeline for completing the Comprehensive Flood Hazard Management Plan (CFHMP).
4. To determine the next steps and Technical Committee assignments, if any.

Introduction:

Chairman Bob Boudinot opened the meeting by welcoming everyone. He introduced new FCZD AC member Mayor Ed Brunz from the City of Burlington, as well as guest Amy Gibbons, United States Army Corps of Engineers (USACE). All members were in attendance, including the FCZD Board of Supervisors.

Former AC member Mayor Ramon Hayes, Town of LaConner, briefly spoke regarding his appreciation serving on the AC, and his pleasure that the Cities of Mount Vernon and Burlington are now at the table. His time served on the AC was greatly appreciated. Mayor Brunz has taken his place.

Report Outs:

Boudinot explained the AC has nearly completed two documents over the course of its meetings: 1.) criteria for screening the USACE's measures and 2.) its document describing the goals, mission and objectives of the group. The broad spectrum of people in the AC has lent itself to several issues to discuss, which makes him very hopeful for developing the CFHMP.

Daryl Hamburg, Dike and Drainage Districts Technical Committee (DDTC), reported the Committee has sorted through the USACE's measures and fatal flaw errors. The DDTC has also been discussing interior downstream drainage issues that have not yet been addressed. He referenced last year's Samish River flood as a good reason to make this a priority. The DDTC has selected nine measures as a way to move forward with the development of the CFHMP. The AC motioned to focus on eight of the nine, at the last AC meeting, as a viable starting point for the Plan. The Baker was temporarily removed for future discussions.

Stan Walsh, Environmental Technical Committee (ETC), reported the Committee has been discussing the USACE's measures as well, but finds it needs more information in order to offer full support on some items. All in all, restoration is the main focus for environmental improvements.

Margaret Fleek, Land Use Technical Committee (LUTC), reported its approach to its review of the USACE's measures as being practical and reasonable. It supports the DDTC's eight measures, as well as any restoration opportunities.

Gibbons reported a feasibility scoping meeting (FSM) will be held amongst the USACE's Project Development Team (PDT) and representatives from Headquarters regarding its process and compliance with USACE policy. A draft FSM Read-Ahead document is being readied for the FSM and should be completed in August. The PDT will also be revising its management plan and work program for the next two years. The Project Management Plan (PMP) is going to be more focused on deliverables. The baseline conditions report should be wrapped up in the next year, which includes the full measures report with cost estimates and a range of alternatives analysis. Gibbons pointed out that it's been an uphill climb, but that items are getting accomplished.

Dan Berentson, Skagit County Public Works, stated he was glad to see so many people in attendance. He mentioned Dave Sheridan's retirement from the Director's position of Public Works, and thanked him for his years of service. Berentson, Lorna Ellestad of Skagit County Public Works, and Commissioner Sharon Dillon of Skagit County attended a meeting with the State Public Works Board (SPWB) to discuss the Hamilton Public Development Authority. There is no funding to support this effort, but the SPWB suggested working with project owners to evaluate mortgages and compliance with all building ordinances and enforcement. There is quite a bit of work yet to complete. He pointed out it is a non-structural project of the Skagit General Investigation (GI). Berentson then asked Ellestad to comment on the Hydrology & Hydraulics meeting recently held with the USACE and the City of Burlington in preparation for an upcoming meeting with the United States Geology Survey. USACE offered suggestions to better organize the information. The discussion will focus on Steward's high water marks and those collected in 2003-2007 and modeling.

Boudinot opened the floor for questions. He asked Gibbons about USACE's funding, and Jason Easton, FCZD AC member, inquired about 2012 being a realistic end-date for completion of the GI. Gibbons explained the GI was not in the President's budget this year and has not been since 2004. However, the USACE is hopeful to receive \$100,000 in stimulus money to put towards a levee risk and reliability analysis. There may also be some reprogramming opportunities to shift monies around within the budget. In addition, there has been some work done at the congressional level to fund the Skagit GI in FY 2010. Ultimately, the project must be very robust, in order for the process to be most cost-effective, meaning it should initially include the most information possible. If the Skagit GI is not fully funded, the plan is to stick to the schedule but include less detail.

Mayor Bud Norris, FCZD AC member, asked if there was a tie between the completion of the GI and the issuance of the Federal Emergency Management Agency's (FEMA) 100-year flood maps. Gibbons, not being familiar with the policies of FEMA, was unable to speak to this. While the USACE has provided hydrology information to FEMA, she is not aware how the two may or may not affect each other.

Boudinot asked if the USACE was going to come up with a system-wide plan and then reduce the list to the most logical or feasible projects. Gibbons explained that some measures are going to be obviously good and continue to be a piece of the report. Ultimately, the measures will be compiled into alternatives and evaluated for cost and effectiveness. The level of design will be based on the amount of funding available.

Provided there is optimistic funding to complete the plan by 2012, Boudinot also asked how the plan will incorporate projects put forth by other jurisdictions. Gibbons replied projects that are implemented before the GI is complete, will either become part of the "Without Project Condition Report" or reflected as an addendum to the "Without Project Conditions Report".

Larry Kunzler, FCZD AC member, wanted to know if projects completed before the GI is finalized, will have a significant impact on the benefit to cost ratio of the GI. To this, Gibbons said it all comes down to performance; it could improve the benefit to cost ration or it could reduce it depending on the measure.

Chairman Ken Dahlstedt, FCZD Board of Supervisors, asked if the USACE was more geared towards projects that emphasize flood control or environmental protection, and what the criteria may be for selecting projects. Gibbons explained that both are emphasized as important and the focus has not changed either way. The construction projects have an obvious benefit to cost ratio. However, environmental projects do not. There is a small effort to provide economic value to environmental projects. In the meantime, a matrix is used to determine which projects are the best ones to move forward. Recommendations are sent to the district, division, and headquarters. Headquarters will need to approve the final decision.

Easton requested input about GI funding from the congressional representatives of Senators Murray and Cantwell and Representative Larsen. Shawn Bills, representing Senator Murray, said getting funding is very competitive, but the Senate has secured \$500,000 for the USACE. Adam LeMieux, Liaison for Representative Rick Larsen, said the House has been able to secure \$300,000 and would like to try to match the Senate's amount. Sally Hintz, representing Senator Cantwell, iterated they are all working together to keep funding coming.

Larry Wasserman, FCZD AC member, asked if many advocates have sent in requests for more funding for the GI, and if so, to what extent is the effort influential. All congressional representatives agreed support is influential. They have received a large number of letters thus far, and more support is always better. Ellestad added the funding for the GI has solely come from congressional delegates, because it has not been in the President's budget over the past five years. PSE provided a letters of support in the past that have been excellent examples for letters of support.

Baker River Storage Update from PSE:

Ed Shields of PSE was introduced to provide an update on the Baker River Storage. His message was that PSE is fully committed to the Baker River settlement license, and managing the manuals to draw down the dam for flood control. There was a meeting with the County and Swinomish to move forward with this process. PSE pushes for funding to accomplish the GI as well, and continues to send letters of support.

Commissioners Comments:

Commissioner Ken Dahlstedt, FCZD Board Supervisor, commented he appreciates the AC membership shift that took place in order to bring a broader spectrum of people to the group. He envisions and appreciates everyone working together to protect the community and be

fiscally responsible while doing so. Commissioner Dahlstedt spoke to Easton's request for advice for funding. He feels they will have to tap into the three traditional sources for funding: local, state, and federal. However, there is an environmental component that may be tapped as well.

Commissioner Sharon Dillon, FCZD Board Supervisor, commented she is happy to see the group has focused on measures with which to move forward. She thanked the congressional delegates for funding received thus far. In addition, she puts high value in what the AC supports.

Commissioner Ron Wesen, FCZD Board Supervisor, was thankful for the long road everyone has taken to get to this juncture.

David Pflug, FCZD AC member, asked the best way to communicate with the Board. He referenced the AC not being aware of the interlocal signed by several jurisdictions, including the Board, in support of flood storage. Commissioner Dahlstedt felt it was best to funnel communication through Boudinot.

Public Comments and/or Questions:

After the break, the AC reconvened and Boudinot opened the floor for public comments and/or questions.

Chal Martin, City of Burlington, asked for the cost estimate of finishing the Skagit GI. He also inquired if the GI would be an approved Chief's report. Gibbons stated the GI was estimated to cost \$4 million to finish, which means the report will finally be at the engineering phase; it will be Chief approved.

Mayor Norris asked for explanations of "robust" and "non-robust". Gibbons explained the level of detail provided in the report is the major difference. A robust report has a tremendous amount of detail in it. A non-robust report would have less detail, for example, it would not have environmental impact analysis. It is better to have a robust report, because it eliminates any potential problems with regulatory agencies in the future. More information is better.

Bob Helton, Skagit County citizen, inquired about the completion of the public's comments to the measures and USACE's response. Gibbons informed him they are complete now.

Dan O'Donnell, Skagit County citizen, wanted to know why the lower Baker study was not mentioned in the USACE's response. Gibbons assured him that all comments regarding the measures, whether supported or opposed, were and are taken into consideration for the report.

Summary Acceptance:

Boudinot requested input for and possible acceptance of the AC meeting summary from June 15, 2009.

Todd Carlson, FCZD AC member, pointed out dropped language in the "Land Use Technical Committee" paragraph. The sentence should either be finished or deleted.

Kunzler noted his Nookachamps submittal from April 20, 2009 had not yet been documented. Through correspondence with Tom Karsh, Skagit County Public Works, the summary will reflect this (see attached).

Hamburg requested the "short list", or eight measures, passed by motion should be emphasized as a tentative or draft list. They are not isolated. They are selected as a step towards recognizing the need to focus on more intense measures upstream and downstream of Mount Vernon and Burlington.

Motion: Carlson motioned to accept the meeting summary with the requested edits. Easton seconded the motion. The motion passed by 14 votes with Norris abstaining (14-0-1).

"Support Measures" Motion:

Boudinot asked the AC to discuss, and possibly vote a second time, on the motion supporting the "short list" of measures presented by the DDTC on June 15, 2009.

Discussion ensued. Wasserman felt more information should be provided in order for the AC to endorse the list. He wanted more clarification as to what extent "supporting" the list truly means. Though he greatly appreciated Hamburg's efforts, he does not want the measures to be mistakenly viewed as a separate item from the CFHMP. Bob Carey, FCZD AC member, was uneasy about the contradicting interpretations of the motion itself. The "short list" needs more explicit focus and analysis.

Hamburg reiterated the "short list", which is not in particular order, as being a step towards creating the plan. There are still many other measures to review or include. Stan Nelson, FCZD AC member, agreed that it's progress. Carlson appreciated Hamburg's list after expressing his frustration in a previous AC meeting. This is a good sign to congressional delegates. It's a place to start looking at projects that will be beneficial to fish, agriculture, and infrastructure. Norris expressed the measures should be most beneficial to human life and property. Kunzler pointed out Wasserman's concern for needing more information, but ultimately felt the "short list" is a place to start. Mayor Brunz stated it was time to vote on something, whether for or against.

Gibbons noted the USACE is not going to focus solely on these eight measures. However, they will take the valuable feedback into consideration for the report. Carlson made sure to emphasize Governor Gregoire does not want the CFHMP and USACE to get out of sync with each other.

Conversation turned towards FEMA flood maps. Mayor Mike Anderson, FCZD AC member, has concerns. Based on the results of the maps, his city (Sedro-Woolley) may need a ring dike on the south end. This would need to be included in the CFHMP. Boudinot asked Gibbons if she was familiar with FEMA's delay. He wanted to know if there is a funding or staffing issue. Gibbons is not familiar with their funding or mapping process. Mayor Norris commented it is about hydrology; they cannot decide upon the levels. His city (Mount Vernon) went with the worst-case-scenario numbers in order to its develop projects.

It was finally decided the language of the motion should be amended. Pflug offered the following language: "Motion to adopt this short list, to be included in a first draft, of a future CFHMP list of projects." This reflects the "short list" as a tentative list, not an end-all list. This was agreed upon and the group voted.

Motion: Easton moved to accept the abovementioned amended language. Carlson seconded the motion. The motion passed by 13 votes with Wasserman and Carey against. No one abstained. (13-2-0)

Second Vote Upon Motion: The amended motion passed by 13 votes with Wasserman and Carey against. No one abstained. (13-2-0)

CFHMP - Plan Outline, Schedule and Approach:

Ellestad continued the meeting by presenting a flowchart showing the steps in completing a CFHMP. The flowchart is comprised of three sections. The first section is comprised of existing conditions, preliminary measures, and list of federal, state and local regulations pertinent to flood reduction projects. It will contain information already existing in earlier and related plans and needs only to be collected and edited. A draft of the first section of the CFHMP will be produced by staff by November 1, 2009. The second section (identifying final solutions, designs, and defining costs) is where funding will impact the level of detail and project timing. Subject to adequate funding section two is anticipated to be completed by the end of 2010. Section three is where final projects/measures are prioritized, a financing scheme is developed to go forward with final design, permitting, and construction of preferred projects. Boudinot pointed out this is a very long process that will require everyone's time.

Remaining Regular Report Outs:

Kunzler presented a map of the USACE's original design of the Avon By-Pass from 1936. He shared a number of letters between the USACE and BCC regarding flood control management in Skagit County as well. The correspondence was from the mid 1970s and showed the USACE's concern about the public being apathetic towards the subject, and urged for flood protection in Burlington because of development. By the end of the decade, the public's lack of support appeared to hinder the process. These documents will be on his website in the future.

Suggested Next Steps and Meeting:

Leonard Halverson, FCZD AC member, requested the ETC and LUTC provide their own "short list" of measures. Kunzler would like the LUTC to produce a list of the permits required for each measure. Hamburg feels it is important to also discuss the non-structural measures, specifically evacuation plans. Halverson would like focus on house raising and cattle mounds. Easton asked that Kunzler's request of the LUTC be reviewed by Skagit County staff and relayed to the Chair of the LUTC. Boudinot thinks it is important to finish up the screening criteria because the USACE is moving forward with its process.

Adjourn:

The meeting adjourned at 5:30 p.m.

PRESENT AT FCZD ADVISORY COMMITTEE MEETING ON 07/20/09:

| ADVISORY COMMITTEE | | | | | | |
|---------------------------|---------------------|------------------------------|----------------|---------------|--------------|------------------------|
| Name | Representing | Affiliation | Present | Absent | Proxy | Position Vacant |
| Anderson, Mayor Mike | Cities and Towns | City of Sedro-Woolley | X | | | |
| Boudinot, Bob | ETC | Skagit Land Trust | X | | | |
| Brunz, Mayor Ed | Cities and Towns | City of Burlington | X | | | |
| Carey, Bob | ETC | The Nature Conservancy | X | | | |
| Carlson, Todd | LUTC | WA Dept. of Transportation | X | | | |
| Easton, Jason | LUTC | Washington Realtors | X | | | |
| Flaig, Dean | DDTC | Drainage District #21 | X | | | |
| Halverson, Leonard | At-Large | Sterling Area | X | | | |
| Hamburg, Daryl | DDTC | Dike District #17 | X | | | |
| Hughes, Robert | LUTC | Ag. Adv. Committee | X | | | |
| Kunzler, Larry | At-Large | Skagit River Flood Historian | X | | | |
| Nelson, Stanley | DDTC | Dike District #22 | X | | | |
| Norris, Mayor Bud | Cities and Towns | City of Mount Vernon | X | | | |
| Pflug, Dave | ETC | Seattle City Light | X | | | |
| Wasserman, Larry | ETC | Swinomish Indian Tribe | X | | | |

OTHERS PRESENT AT FCZD ADVISORY COMMITTEE MEETING ON 07/20/09:

| STAFF | |
|-------------------|---|
| Name | Affiliation |
| Berentson, Dan | Skagit County Public Works |
| Dahlstedt, Ken | Board of Skagit County Commissioners, Chair |
| Dillon, Sharon | Board of Skagit County Commissioners |
| Ellestad, Lorna | Skagit County Public Works |
| MacMullen, Meghan | Skagit County Public Works |
| Wesen, Ron | Board of Skagit County Commissioners |

| OTHER INTERESTED PARTIES | |
|---------------------------------|--|
| Name | Affiliation |
| Bell, Esco | City of Mount Vernon |
| Bills, Shawn | Rep. for Senator Patty Murray |
| Borman, Neil | Environmental Technical Committee |
| Buckenmeyer, Fred | City of Anacortes |
| Chesterfield, Blaine | City of Mount Vernon |
| Decker, Miriam | Puget Sound Energy |
| Ehlers, Carol | Citizen |
| Ertel, Cory | SICBA |
| Fischer, Polly | Skagit Marine Resources Committee |
| Fleek, Margaret | City of Burlington |
| Gibbons, Amy | USACE |
| Hanson, Jana | City of Mount Vernon |
| Helton, Bob | Citizen |
| Hintz, Sally | Rep. for Senator Maria Cantwell |
| Jones, Gary | Dike District #3 |
| Lagerlund, Nels | Agricultural Advisory Committee |
| LeMieux, Adam | Rep. for Representative Rick Larsen |
| Martin, Chal | City of Burlington |
| Miller, Curt | Miller Consulting |
| O'Donnell, Dan | Town of LaConner Council |
| Olson, Dave | Dike District #3 |
| Ragan, Dale | Mount Vernon City Council |
| Raicho, Carly | Skagit County Planning & Dev. Services |
| Schild, Ed | Puget Sound Energy |
| Shultz, John | Dike Districts #1 and #12 |
| Walsh, Stan | Skagit River System Cooperative |
| Wilson, Elliott | Skagit Valley Herald |
| Wortham, Ron | NPSAR |

MEASURES 4 & 5

NOOKACHAMP AND HART SLOUGH STORAGE

ISSUE PAPER PRESENTED TO ADVISORY COMMITTEE

By: Larry Kunzler, At Large Committee Member
April 20, 2009

REASONS TO GO FORWARD WITH MEASURES

- Project will induce more severe flooding depths into the artificial storage basin thereby lowering flood levels downstream. (*Source: Page 23 Skagit River Flood Reduction Feasibility Study, PIE April 2006*)

REASONS TO ABANDON THESE MEASURES

- Corps of Engineers has been telling us since 1897 to get our levees off the edge of the river. What do these projects do.....they put new levees on the edge of the river.
- There is a 12 foot drop in ground elevation between the Highway 9 Bridge and the Mt. Vernon gage. By taking 8,000 acres out of the floodplain for "minor" flooding events (i.e. narrowing the channel), you increase the velocity of the river in the channel.
- By narrowing the channel you increase the frequency and intensity of "minor" flooding events, (i.e. you would have 1975 to 1990 flood events, depending on the height of the levees on a more frequent basis).
- Between Highway 9 and Strawberry Bar the area is used by Pink (Humpy) and Chum (Dog) Salmon as a spawning area. By increasing the velocity and frequency of the flooding events the redds in those areas will be destroyed.

- Since these will be “new” levees the question has never been addressed as to who will own these levees. Who will maintain them? DD 12? DD 17? All the taxpayers in Skagit County? Perhaps the City of Burlington since they seem to be the only major proponent of the project? This despite the fact that allegedly all they want to do is certify their levees to the 100 year flood level.

- Project is cost prohibitive. Estimated to cost between \$116 million and \$135 million and that’s just the construction cost. Estimate does not include the cost for the real estate, flowage easements, environmental enhancement, or operation and maintenance cost. *(Source: Skagit River Flood Reduction Feasibility Study, PIE April 2006)*

- Project does not meet Corps of Engineers standards; therefore, no money from the Corps will be forthcoming. *(Source: Corps of Engineers Preliminary Measures Presentation August 18, 2008)*

- Project was looked at by Corps of Engineers in 1966 and again in 2001. Rejected both times, for many of the reasons stated herein but primarily because the project doesn’t work. You cannot drain the water fast enough out of the storage area in order to prepare for the second and in some cases multiple flood events that have historically been more severe then the first flood. Why, because the overbank storage is not available. Based on experience in the 1975 (130,000 cfs), 1979 (112,000 cfs), and 1980 (113,000 cfs) flood events, once Francis Road went underwater, it took 4 days to be able to use the road again. A week or more for the water to leave the fields. You really think you can levee the “induced flooding storage area” and drain it more rapidly then it does under natural conditions? The project will have a severe impact to interior drainage.

- I take great issue with the following verbiage that I am assuming was handed out at the Dike and Drainage Sub-committee: *“The Nookachamps floodplain historically has provided various levels of natural storage, depending on the magnitude of the flood peak and*

shape of the hydrograph, to significantly reduce flood peaks.”
(Source: *Skagit River Flood Reduction Feasibility Study, PIE April 2006*) The truth of the matter is that there is very little that is “natural” about the storage in the Nookachamps as is demonstrated by the following hydrology graphic:



➤ In short the project violates all of the three E's.

- Environment - Detrimental to fish habitat.
- Economics - Cost prohibitive.
- Engineering - Doesn't work.