

SKAGIT RIVER IMPACT PARTNERSHIP – EXECUTIVE COMMITTEE MINUTES

January 12, 2006

Present: Bud Norris, Charles Bennett, Daryl Hamburg, Jon Aarstad, Gus Teerdsma, Chal Martin, Jana Hanson, David Brookings, and Harry Hosey,

Call to order

Mayor Bud Norris called the meeting to order at 8:00 am.

1. **Hanson** provided an update on the membership of the Partnership. The Town of LaConner has signed the agreement, the Sedro Woolley City Council will discuss the Partnership at a council committee meeting on February 7th; the City of Anacortes will attend a few of the Steering Committee meetings before committing to the Partnership. The City of Anacortes is interested in seeing what benefit the Partnership will provide to the City before signing the agreement. Dike District 20 has received the agreement but has not signed nor has Drainage & Irrigation District No. 17 signed.
2. **Norris** briefed the Committee on his meeting with Col. Debra Lewis and the COE's position to support the USGS data. **Martin** explained that the COE is charged with reviewing the entire record of data, not just the data provided by one entity such as USGS.

There was general discussion regarding the dilemma of having the COE pursue the GI Study. **Martin** explained his concern that the GI Study (now expected to run through 2012) if allowed to be completed will effectively preclude additional flood storage in the Baker system. The BOC was briefed two weeks ago on the hydrology and the coincidental flow argument. The consideration of Baker Dam for flood storage will be a continuing political challenge.

Hosey explained the difference between the Corps and FEMA programs. The end product of a Corps GI Study is a report from the Chief of Engineers detailing a specific project that is necessary for the Communities to apply to Congress for funding to build that project. The Corps' role is essentially to perform due diligence for the federal bank just like getting a construction loan from a bank for building. The Corps GI study program and FEMA's FIS program are not related. FEMA's role is to provide regulations to guide federal government's insurance rates and determination of insurable properties. Sometimes, however, FEMA may hire the Corps to perform studies to identify flood flows and inundation areas but these studies are not part of a GI study the Corps may be otherwise performing.

Hosey stated that all of the hydrology data prepared for the County has been submitted to FEMA. The Corps and USGS have also given FEMA any technical

work they have performed over the years. **Brookings** stated that Albert Liou with PI will be meeting with Michael Baker Jr. on 1/17 to discuss how PI Engineering performed the hydrologic analysis and the PIE modeling methodology. The County will be meeting with FEMA officials including Carl Cooke with FEMA on 2/24 and Members from the Partnership are encouraged to attend.

Norris discussed the past FEMA mapping process. **Martin** indicated that he believes that flood elevations will increase through this FEMA process and that until flood prevention measures are put into place, we can expect flood elevations to rise. **Brookings** stated that Ted Perkins with the COE has said that his directive is to get a draft working map out this February based on old Corps hydrology & hydraulic evaluations. When FEMA gets this they will hand it over to Michael Baker Jr. and the local communities for review and comment. **Hosey** continued that at this point the communities have an opportunity to weigh in. The County will prepare a map that illustrates existing flood elevations and those proposed under the COE scenario. **Hamburg** stated that Bankers, contractors, builders will also benefit from this visual and then discussed the example of Food Pavilion and the finished floor elevation which is higher than regulation, but significantly lower than what would be required if FEMA uses the COE data. **Norris** discussed the insurance implications and how refinancing actions will trigger review under new regulations and cause rates to increase. **Martin** stated he would ask his staff to further research the flood insurance implications and relate this information to a business owner or private homeowner in the flood plain.

3. **Hosey** explained the amendments to the Resolution which reflects the Partnership's position to support an unregulated peak flood flow of 239,100 cfs at the Concrete Gage based on the H & H Report prepared by PIE, however the Partnership unanimously agreed to approve the hydrologic evaluation associated with identifying an unregulated 100-yr peak flood flow at the USGS gage near Concrete of 246,300 cfs.

Motion to approve Resolution made by Aarstad, seconded by Bennett. Motion carried.

4. Discussion regarding meeting with the Mount Vernon Chamber of Commerce on February 22nd to brief the Chamber on the Flood Issues. The members requested that the invitation be extended to the other chambers throughout the County and to EDASC. **Hanson** agreed to pass this request on to the MV Chamber and to confirm the date and time of the meeting.

Martin spoke about the inference that the County is requesting to artificially lower the flood elevations for the purpose of economic development as opposed to protecting property and lives. This is not the case. **Martin** discussed the hardship that will be experienced by existing home and business owners who will lose the value they've invested in their property as a result of flood elevations that render their properties non-conforming.

There was general discussion regarding the history of flooding in Mount Vernon, specifically the downtown area. **Hamburg** indicated that there was a breach in the levee system in the 1930's and **Aarstad** stated that the County has maps that show the location of failures and the year the failures occurred. **Hamburg** stated that DD # 17's levees can hold 37-40 feet of water. **Bennett** discussed the amount of work that has gone into improving the dikes over the years, approximately \$14.5 million dollars worth of work at a cost of only \$450,000 due to the local efforts. **Brookings** explained how the County has worked with the dike districts, contributing money and resources when bonds failed. This partnership has proven successful and will become more important as the COE involvement falls back. **Teersdsma** brought up the past flood fights and the new technology that has been applied to dike construction since the 1990's to prevent seepage.

5. **Hosey** discussed the FEMA process for review of the H & H report. We hope to hear something back from FEMA by the end of February. If the feedback is contrary to our position and recommendation then we may have to take the issue to an additional technical review, National Academy of Science and possibly to court. If FEMA accepts our H & H then FEMA will direct the work to remap to be redone. The COE currently has a contract with FEMA to do this work. This arrangement may prove to be challenging since their hydrologic data would have been rejected. The County may have an opportunity to request to FEMA that they act as the CTP contractor and remove the COE from the process. Under Col. Graves the staff at the COE accepted the technical analysis provided by PIE and admitted that their work was off by about 30% but since Col. Lewis the COE has maintained a hard-line position is that all their previous H & H analysis is accurate and they will not revisit it. **Hosey** noted that the Corps Hydraulic models also have some problems that have been pointed out by not resolved.

Martin said that any decision to move forward on the GI Study beyond the current Project Management Plan, which will be completed in mid – 2006, will require another 6 years and several million dollars of additional County investment. An alternative might be to do a GI Study on just a component of the Skagit River Basin. Already environmental, geologic and other studies have been completed several years ago by the COE. **Brookings** stated that this effort was support for a seven option flood project which did not include additional upstream flood storage. At one point the County tried to have Baker Dam included in the COE GI process thinking it would be useful in the FERC process. However it soon became apparent that the Corps would require extensive and expensive modifications to Lower Baker dam to meet Corps standards, thereby lowering the cost/benefit ratio to the point that this flood storage could be decoupled from the GI process. The Corps response was that it could not be decoupled due to the language in the FERC settlement agreement and the position of the settlement parties, including the Corps, that the additional flood control included in the settlement agreement must be analyzed within the context of the GI study, since that study is ongoing. Ironically, if no GI study was ongoing, then this catch-22 would not exist.

Brookings closed the discussion on the GI Study by sharing that he has requested a timeline and cost from the COE to complete the GI study and will use this information to share with Congressman Larsen and the BOCC. **Martin** shared that the resource agencies have requested that the COE include the Baker Dam storage in their study. This is unreasonable due to the time it will take to study and the final outcome which will likely be against any storage due to the cost of upgrading the dam to COE standards.

6. General discussion regarding the SOQ for professional services. **Hanson** stated that it is important to start the process which takes a few months to complete in order to come up with a list of qualified professionals if the Partnership decides to contract with PI or any other consultant to continue the studies and support of our flood control efforts. The City of Mount Vernon will take the lead on behalf of the Partnership. **Hosey** explained how the state and feds can provide funding that will go towards the cost of consultant services if we can demonstrate the protection of state and federal infrastructure through our efforts. It was unanimously agreed that the Executive Committee would support Harry's efforts to work with Senators Haugen and Spanel and the Transportation Committee to request funds for the Partnership in 2006.
7. **Martin** asked the committee to consider the trip back to DC in March and indicated that we should include an attorney from the dike district and two dike district commissioners.

The meeting was adjourned at 10:00.

Next meeting: February 9, 2006 from 12:00 – 2:00. Lunches will be provided.