

DEPARTMENT OF ECOLOGY
Northwest Regional Office

October 11, 2007

TO: File

FROM: Charles L. Steele 
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SUBJECT: Skagit River Feasibility Study
Executive Committee Meeting, October 11, 2007, Skagit County

I attended the Executive Committee meeting for the Skagit River General Investigation (GI), also referred to as the Skagit River Feasibility Study. We are a "stakeholder" member of the Committee because of our involvement in funding part of the GI. To date, we have funded this study with \$1,649,500 in FCAAP funds starting with the 1997-1999 Biennium. This includes \$280,000 that was recently awarded for the 2007-2009 Biennium. Full members and Stakeholder Attendees included the following:

- Sharon Dillon, Chair, Skagit County Board of Commissioners
- Colonel Michael McCormick, COE District Engineer
- Ken Dahlstedt, County Commission
- Mona Thomason, Chief of Planning, COE
- Lorna Ellestad, Project Manager, Skagit County
- Linda Smith, Project Manager, COE
- Mike Scuderi, COE Environmental Officer
- Bud Norris, Mayor of Mount Vernon
- Gus Tjeerdsma, Mayor of Burlington
- Dean Maxwell, Mayor of Anacortes
- Eron Berg, City Administrator of Sedro-Woolley
- Ardis Dumont, Senator Murray's Office
- Senator Cantwell's Office (new representative)
- ? Le Mieux, Congressman Larsen's Office (brother of Kristen who resigned)
- Paul Weatherby, PSE
- Stan Walsh, Skagit River Systems Cooperative

The meeting was co-chaired by Commissioner Dillon and Colonel McCormick. There were approximately 20 people in the audience, since this was an open meeting unlike all previous meetings except the last one. Some of those in the audience included Jim Voetberg, Gene Sampley and Ric Boge from County Public Works, Ted Perkins from the Corps, Chal Martin from Burlington, Kevin Rogerson from Mount Vernon and more than one attorney representing the Dike/Drainage Districts. Newspaper reporters were present, and the meeting was telecast on the County's all-access network.

The last meeting of the Executive Committee was on February 27, 2007. The main purpose of the present meeting was to bring the Committee up to date on the development of the new Program Management Plan (PMP) prepared jointly by the Corps and the County. Accompanying this plan is a new FCSA (Feasibility Cost Sharing Agreement) which is the contract between the Corps and the County to proceed with this phase of the work. Some of the major points in the PMP are:

- Costs to complete the study have increased from \$6,852,180 to \$14,465,180, an increase of \$7,613,000. Just 8 months ago at the February 27 meeting, the Corps had stated that it would take \$3-4,000,000 to complete the study. Linda Smith attributed the higher costs to more intensive estimations by the COE team, and to higher-than-expected costs of geomorphic analyses by the Corps.
- The schedule shows that the final feasibility report will be completed by September, 2010. The estimate from the February 27 meeting was 2012. Linda Smith explained that the expedited timeline was due to the fact that Skagit County was taking the lead on measures analysis and doing the work faster than the COE.
- Assumptions are that this schedule can only be met if funds are available to cover the increased costs. This is highly unlikely. It would require about \$2.5 million per year, \$1.25 million each for the Corps and County. Since the project has not been in the President's budget for a couple of years now, and Congressional staff have scurried to dig up between \$300,000 and \$500,000, what are the chances they would be able to come up with \$1.25 million per year for three years. This is a best-case number; costs could increase depending on how the analysis of storage in the Baker dam system develops.
- The major activity for the Corps in the PMP is their analysis of storage in the Baker Dam system. They will evaluate PSE's Probable Maximum Flood, and the operational and structural modifications that might be needed for additional storage. Only the Corps can do this analysis, pursuant to Article 107(b) of the relicensing Settlement Agreement. PSE is scheduled to provide its PMF information to the Corps by December of this year, after FERC approval. Speculation is that it may greatly exceed the spillway capacity of 40,000 cfs.
- The important (to the COE) Feasibility Scoping Meeting (FSM) is scheduled for April 2008; this is where the Corps' vertical team (District, Division, HQ) reviews and approves the evaluation of measures to date. The "without project" report is scheduled to be done by September 30, 2008.

The meeting was surprisingly uneventful. The Corps gave a very brief description of steps they are taking pursuant to the new PMP. Linda Smith stated that they do have enough money to complete the Baker Dam analysis on time, which per the PMP is February 2008. There are many good measures that will be analyzed (dam storage, off-channel storage, numerous levee proposals, bypasses, ring dikes) but there was no detail provided. There are measures that have been eliminated, such as dredging, the Samish bypass and new dams, but they, too, were not detailed at the meeting.

The next agenda item was a discussion of activation of the Flood Control Zone District, which consumed the majority of the time spent at this meeting. Mayors were understandably upset that the FCZD could levy property taxes, possibly without a vote of their constituents. All of the mayors expressed the need for the cities to be represented on the FCZD (it currently reads Board of County Commissioners only), and for there to be a definite mechanism to allow a public vote if taxes are to be raised through this mechanism. It is unclear if such a vote is mandated by state law, or if it is allowed by state law. It is clear that the taxes can be levied without such a vote.

Though the meeting was generally uneventful, there was one exchange that was very eventful. Chal Martin, Burlington's Engineer though not a member of the Committee, rattled off the series of reports to Colonel McCormick explaining why the Corps should not use the hydrology they are using. With an obvious display recognizing the two have discussed this before, the Colonel stopped Mr. Martin several times, and pointedly explained that the Corps would not re-look at the hydrology and hydraulics. The Colonel emphatically stated that this is what had held the Feasibility study up for four years, that the H&H had been reviewed and re-reviewed numerous times, that the Corps' engineer, Ted Perkins, was most capable, and because of this the Colonel stated that "we will not revisit the hydrology and hydraulics." It was a brisk exchange, one seldom seen in these kinds of meetings.

It is true that this is some of the most reviewed data that has ever been seen for these kinds of studies. Many in the audience mixed the use of this data for the GI with use of the same data for the FEMA maps. Ted Perkins correctly stated that these are two different things; FEMA has its own Guidelines and Specifications, and has latitude to interpret the data differently in producing their Flood Insurance Rate Maps. Indeed, that is what they did with the original data in the late-1970s, early 1980s, when they overrode the Corps's original data and produced maps very different than the Corps had originally produced (the Corps was FEMA's Study Contractor for that study also). FEMA elevations were substantially lower than Corps elevations in that effort.

Discussions after the meeting revealed much skepticism that the Corps can meet the deadlines in the PMP and, more importantly, that they can obtain the huge amounts of funding required to meet this schedule. Lower funding levels will certainly drag the GI schedule out significantly further; they may also set the County on its own course after the Baker Dam issues are settled since only the Corps can do that work.

cc: Dan Sokol
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