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June 28, 1979

Forrest Brooks, Study Manager
U. S. Army Corps of Engineers, Seattle District
P. O. Box C-3755
Seattle, WA 98124

Dear Mr. Brooks:

The purpose of this letter is to provide the Corps of Engineers with written comments in response to its proposed plan for levy and channel improvements in the Skagit River system. This letter is written on behalf of numerous residents in the Nookachamps area, all of whom will be significantly affected by the Corps' present proposal as embodied in Alternative 3E and described in the public brochure prepared for the June 19, 1979 meeting on Draft #2 of the Environmental Impact Statement.

Both in the public brochure prepared for the meeting and at the meeting itself, the Corps publicly stated that Alternative 3-E will have a significant environmental impact on the Nookachamps area in that it will cause induced flood damage to the area. The residents of the Nookachamps area are rightfully concerned about the damages that they will suffer personally and in their businesses as a result of the induced flooding.

The June 19, 1979 meeting was well attended by many of the residents of the area. Near the end of the meeting, the Nookachamps residents were encouraged by Colonel Poteats' statements that his staff will be specifically directed to meet with each and every landowner in areas where induced flood damage would occur. The residents were further encouraged by his statements that no work of any kind would be begun on the project without first identifying specifically each and every damage that would occur and therefore preventing the damage through structural and/or non-structural measures.

In order that the final environmental impact statement will adequately reflect the concerns of these residents, we would request that the Corps fully consider all of the questions below prior to submitting the general design memorandum and prior to the introduction of any legislation in Congress:

1. Will Corps of Engineers staff meet with each and every landowner in the Nookachamps area to determine what specific damage would occur as a result of induced flooding?

2. After having met with Nookachamps residents to determine consequential damages, will the Corps outline in detail what structural and non-structural steps it will take to prevent economic loss as a result of induced flooding? Will these structural and non-structural steps included in the general design memorandum be included in the legislative authorization bill?

3. To the extent that structural measures to prevent induced flooding are not feasible, will the Corps compensate each and every landowner fully for each and every economic loss that will arise out of induced flooding?

4. Has the Corps taken the 1974 Public Works Act into consideration in formulating its plan to prevent induced flooding and, in the alternative, in formulating its plan to compensate affected landowners.

5. After meeting with residents who will be affected by induced flooding, does the Corps still take the position that the average annual induced damages as a result of proceeding with Alternative 3E will be only $25,000? At the June 19, 1979 meeting, Corps staff stated that non-structural measures will be paid for with 20% local monies and 80% federal monies. Regardless of the source of the monies, does the Corps guarantee that all losses suffered by affected owners will be paid for in their entirety prior to beginning the project?

6. Does the Corps have exact figures on what will be the increased water levels in the Nookachamps area at a 10-year event, a 25-year event, a 50-year event, and a 100-year event? What are those increased water levels in the Nookachamps area as a whole? What are those levels with regard to each individual landowner in the Nookachamps area?

7. Does alternative 3E contemplate Congressional funding to compensate for damage that will occur to farm improvement such as livestock, barns, roads, homes, milking operations, and electricity?

8. Does Alternative 3E contemplate the payment of flowage easements to any of the residents of the Nookachamps area? If so, on what basis will these flowage easements be computed and when will they be paid?

9. Has the Corps of Engineers considered what affect the construction of a highway between Sedro Woolley and Mount Vernon on the dike would have in terms of increased water flows to

the Nookachamps area? If so, what are the increased water flows which would be caused by the construction of this highway and who would pay for the increased damages?

10. In past floods in other areas similar to the Nookachamps area, farmers have lost their whole livestock operations within minutes as a result of the drowning of the livestock. What attention has the Corps given to this possibility in the Nookachamps area? What steps, if any, does the Corps anticipate taking to prevent this possibility from happening? Has the Corps considered the possibility of insuring the farmers against catastrophic damage that might occur as a result of flooding in the Nookachamps area?

11. Prior to submission of legislation, will the Corps do a complete economic analysis of the farming operations in the Nookachamps area so that they will have an adequate base upon which to compensate farmers for damages that cannot be prevented by structural measures.

12. What procedures, if any, must individual landowners in the Nookachamps area follow in order to notify the Corps of specific damages they will suffer as a result of the induced flooding that will occur?

13. After the December 20, 1978 Workshop, the Skagit County Commissioners requested the Corps to study in more detail the flooding problems of the Nookachamps. In response to the Commissioners' request, what further studies did the Corps undertake and what did those studies reveal?

14. Corps Manager Vernon Cook has stated, "No matter which alternative the County Commissioners decided to pursue, the Nookachamps will get more water." Would the Nookachamps get more water under the Sauk containment alternative?

15. If it were not for the existence of the Wild and Scenic Rivers Act, would the Corps have recommended the Sauk Containment Alternative? Please explain.

16. What factors have led the Corps to conclude that flood prevention in the Nookachamps area is not cost effective? Please outline in detail all factors considered.

17. According to Colonel Poteats' statements at the June 19, 1979 meeting, Alternative 3E has been modified to include structural and non-structural measures to alleviate the induced flooding and, where possible, provide for flood damage reduction measures for improvements on the land in the Nookachamps Valley. Please outline in detail the total cost the Corps anticipates in providing these structural and non-structural measures.

Finally, please outline in detail how these costs will be allocated.

Having in good faith attempted to apprise the Corps about their concerns about the damage they will apparently suffer if the Corps proceeds with Alternative 3E, the residents in the Nookachamps area now submit this letter in the hopes that the Corps will do everything in its power to prevent flood damage where at all possible and to fully compensate each and every landowner for the risks they will take to benefit all of the residents of Skagit County.

Sincerely,

Michael D. Walker

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Skagit Valley Herald
Sedro Woolley Courier-Times
Congressman Al Swift
Senator Henry Jackson
Senator Warren Magnuson
Bud Norris, Chairman
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