

John Sandell, Port Commissioner
Port of Skagit County
1329 Peterson Road
Burlington, Washington 99233

Dear Mr. Sandell:

Thank you for your November 2 letter regarding land use in the vicinity of a Burlington sewer project near Gages Slough. Your letter has triggered an investigation into the City's intended method of satisfying floodproofing requirements for its new utility.

Our Flood Hazard Boundary Map for the City shows that the area between the Skagit River and Burlington Hill along Highway 99 is subject to flooding. Burlington is participating in the Emergency Phase of the National Flood Insurance Program (NFIP) on the basis of that map and an ordinance that adopts the Flood Insurance Program regulations by reference. Section 60.3(a)(6) of the program regulations requires "...within flood-prone areas...new and replacement sanitary sewer systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters..." That requirement is binding on the City in our opinion. We have requested that the City certify to us by letter what measures it has incorporated into the sewer design to satisfy the referenced provision of its ordinance.

We have started a coordination process with the City of Burlington that will provide a scientifically formulated study of flooding problems within the City. At the conclusion of the due process procedures, the City's participation in the NFIP will depend on its willingness to adopt and administer further, more specific, flood plain management measures. Section 60.3(c)(10) of the program regulations describes one of the additional requirements that will become very significant to the use of your industrially zoned land and any flood-prone land that the Port might acquire in the future.

For the sake of brevity, the above referenced regulation is paraphrased as follows: Until a regulatory floodway is established, the City may not allow any development in the flood plain unless it has been demonstrated that the cumulative effect of all existing and future development will not raise the level of flooding from the base (100 year) flood more than one foot at any point within the City.



I hope this information provides an answer to questions raised in your November 2 letter.

Sincerely,

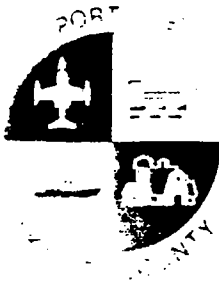
Wm. H. Mayer
WILLIAM H. MAYER

Wm. H. Mayer
Regional Director

cc: *ME* OF/IM MR DRF

CONCUR: *Chas. Steele by ME*
Steele

IM/Edens/ts/11/17/81



PORT of SKAGIT COUNTY

Regional Airport, Bayview
2 Peterson Road, Burlington, WA 98235
Phone: (206) 757-0013

November 2, 1981

Mr. Bill Mayer
Regional Director
F.E.M.A.
Bothell, WA 98011

Re: Federal Register Nos. 60.386 & 60.3C10

Dear Bill,

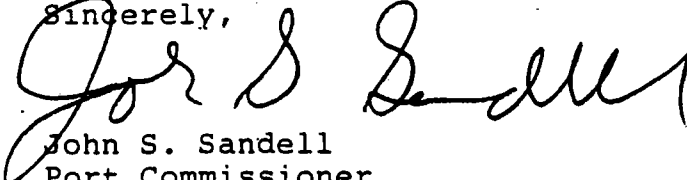
I would like to know what participation your agency takes or may be already taking in the Burlington sewer extension.

The City of Burlington is running a sewer line south to Gages Slough through flood prone property. My concerns are: 1) Is this line flood proof? 2) Does it meet your requirements?

Being a Port Commissioner I am naturally concerned because this Port has industrially-zoned land close to this sewer extension on the Pease Road. Also, we could possibly be acquiring or trading land in this general area in the future.

Should you have any available information that would be of help to me in administering my duties as Port Commissioner and that addresses the flood problems of the County, I would appreciate your forwarding same to me at the above address.

Sincerely,


John S. Sandell
Port Commissioner

JSS:plo