



## HISTORY OF COUNTYWIDE FLOOD CONTROL DISTRICTS IN SKAGIT COUNTY

DATE	ARTICLE	COMMENTS
<a href="#">6/8/35</a> <a href="#">MVDH</a>	<p><b>FLOOD DISTRICT HEARING TO BE HELD IN JULY – SISSON ARRANGED FOR OFFICIAL HEARING HERE; REPORT OF ENGINEER SHOWS NEED OF IMMEDIATE CONTROL MEASURES</b></p> <p>A public hearing on the formation of a flood control district in Skagit county will be held in Mount Vernon either July 1 or 2. Grant Sisson, a member of the state’s flood control commission for Skagit, disclosed today. . . . The proposed district will embrace all of the county east of Swinomish channel. . . . Formation of the county’s first step in compliance with rules laid down to obtain federal aid for flood control. . . .</p> <p><b>Engineer’s Report Given</b> B. H. Allen, flood control engineer of the state department of conservation and development, recently made a survey in this county and a copy of his report to E. F. Banker, state director of the department, has been sent to Mr. Sisson, Allen had the following to say: “About ten days was taken covering the area west of Sedro-Woolley in county district Nos. 1 and 2. A flat bottom boat was used on the South and North forks of the Skagit river and every dike and drainage district covered. There are now organized 11 drainage districts and 15 dike districts, having a combined area of 39,222 acres. Outside of these organized districts there are privately operated districts kept up by the farmers of an estimated 15,000 acres, making a grand total of 54,222 acres. The population of all this area is 25,000 (estimated). During the past 10 years there was levied upon these organized dike and drainage district the sum of \$36,319 per annum, for damages arising from floods. <b>\$75,431 in 1934</b> “The past year, 1934, this assessment amounted to \$75,431.65. The average levy for 1934 for dike and drainage districts was about 43 mills. This does not take into consideration the money spent unorganized districts by private owners. . . . <b>What Should Be Done</b> 1. Dredging of lower channels of river. A dredge operating in lower channels would deepen same, thereby releasing pressure upon dikes and supply the necessary material for broadening and strengthening dikes. Sloughs at the western ends of the North and South forks of the Skagit river should be cleaned out to allow free passage of water. This work should be carried out to deep water. 2. Bank Projection. Bank protection should be started as soon as possible to save existing banks and the erosion of acres of valuable bottom land now in danger of being carried away at the next stage of high water. . . . 3. Cooperation of</p>	<p><b>Another Flood Control District Proposed</b></p> <p>District needed in order to obtain federal aid.</p> <p>54,222 acres covered by dike and drainage districts containing 25,000 people.</p> <p>Average sum levied was \$36,319 per year.</p> <p>In 1934 that soared to \$75,431.</p> <p>Report recommended dredging lower channels of river (north and south forks), erosion control bank protection; Shannon and Diablo dams should be used for flood control; and use storage in the Nookachamps.</p>



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	<p>Shannon and Diablo dams at peak of floods: This is shown by the graph compiled by the U.S.G.S. of the high water of 1932 in the flood of February 27, when the peak of 182,000 cubic second feet, a control of 61,500 cubic second feet. . . . Nookachamps creek, running from Big Lake to the Skagit river, offers another possible storage reservoir. . . ."</p>	
<p><a href="#">10/2/35</a> <a href="#">MVDH</a></p>	<p><b>FLOOD CONTROL DISTRICT O.K'D BY PLAN COUNCIL</b> Organization of a flood control district in Skagit county, embracing all the territory east of Swinomish channel, has the backing of the Skagit county planning council. The group, meeting in the office of Welts &amp; Welts here last night, approved unanimously a motion to recommend the formation of a legally organized district. Senator W. J. Knutzen moved for approval and was seconded by Harold McFarlane.</p>	<p style="text-align: center;"><b>Countywide Flood Control District</b></p> <p>See 6/8/35 MVDH article.</p>
<p><a href="#">10/3/35</a> <a href="#">Argus</a></p>	<p><b>FLOOD DISTRICT IS APPROVED AT PUBLIC MEETING HERE TODAY</b></p> <p><b>Election Date Will Be Set As Soon As Necessary Field Work Is Completed, E.F. Banker Tells Group—All Of Skagit Except Islands Included</b></p> <p>E.F. Banker, state director of conservation and development, told a gathering of about 150, mostly farmers, that as soon as the date of the election has been fixed all the data relating to Skagit river flood control will be turned over to the county commissioners, who will have complete charge of all future steps. His department will after that have no more authority in the matter. The district will comprise all Skagit County except the islands. All the land within this area, both bottom and high land, would be levied upon to finance such a flood control project, as may be adopted. A.G. Moser of Sedro-Woolley was the only objector. He thought the drainage area in the district should include only the Skagit and Samish rivers that the Nooksack and Stillaguamish, which are separate projects and outside, ought to be eliminated.</p> <p>Senator W. J. Knutzen . . . suggested Skagit County Flood Control district as the official title, and so it was written in the minutes. . . . E.R. Pierce, representing Blodell-Donovan timber interest, asked permission to enter a protest against the</p>	<p style="text-align: center;"><b>FLOOD CONTROL DISTRICT</b></p> <p>Why would District include Snohomish and Whatcom county? Nooksack and Stillaguamish don't flow into Skagit.</p>



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	inclusion of certain timber lands in the district. . . . Mr. Banker interposed with the opinion that to exclude any special areas within the district would cause confusion and would complicate the running of the boundary lines. He said the tax would fall lightly on timber and that there was nothing to fear by timber owners.	
<a href="#">10/23/35</a> <a href="#">MVDH</a>	<b>GO INTO COURT</b> TACOMA, Oct. 23. –(AP)– Canvassing of the returns and certifying of the results of Tuesday’s special election to determine whether or not a flood control district shall be established in the Puyallup valley, apparently overwhelmingly approved by voters of the district, was restrained by Superior Judge Ernest M. Card today on petition of the Weyerhaeuser Timber company, St. Paul & Tacoma Lumber company, Milwaukee Land company and the Northwestern Improvement company. . . . In the meantime the ballots will be impounded by the auditor as they are received from the election boards and held pending the outcome of the injunction proceedings.	<p align="center"><b>Puyallup Valley Flood Control District Challenged in Court</b></p> <p>Weyerhaeuser filed suit to prevent formation of flood control district as they would eventually also do in Skagit County.</p>
<a href="#">10/23/35</a> <a href="#">MVDH</a>	<b>RULING GIVEN</b> Flood control districts, the attorney general's office has decided, may not properly spend money to drain lands, except to make outlets for flood waters. The opinion, written by Assistant Attorney General George C. Hannan, was given to Director E. F. Banker of the department of conservation and development yesterday. The department had asked whether the law was broad enough to include drainage.	<p align="center"><b>Attorney General Rules F/C Districts Cannot Spend Money on Drainage Projects</b></p>
<a href="#">10/24/35</a> <a href="#">Argus</a>	<p align="center"><b>FLOOD CONTROL DISTRICT WILL REST ON VOTERS</b></p> <p align="center"><b>Special Election Will Be Called December 3 to Determine Issue Notices Are Posted Entire Mainland of County Is Included In Proposed District</b></p> <p>Proposals for the organization of a flood control area in Skagit County to be known as the “Skagit County Flood Control District” will be placed before registered voters of the affected localities at a special election which will be held on Tuesday, December 3. . . . The order for the election was made by E. F. Banker, director of Conservation and Development for the state of Washington . . .</p>	<p>District received a lot of hype in local press.</p>



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<a href="#"><u>11/15/35</u></a> <a href="#"><u>B.J.</u></a>	<p><b>FLOOD CONTROL ELECTION DEC. 3 VITAL TO COUNTY</b></p> <p>The future of flood control in Skagit county will be decided at a special election Tuesday, Dec. 3, when voters of the county will indicate their wishes on the proposal of forming a giant, county-wide flood control district as provided by the 1935 legislature.</p> <p>Voters will mark their ballots “For” the proposition or “Against” the proposition, indicating whether or not they wish the special district formed.</p> <p>Territory included in the proposed flood control district, and in which people will vote at this election, is all of Skagit county mainland, Fidalgo Island excepted.</p> <p>The district, if approved by the voters, will not take over the present diking or drainage districts and will not support them, Kloke said. The law does state that if the big district should want the use if present ditches or dikes, paying maintenance costs, etc.</p> <p>The board of county commissioners will become directors of the new district, with the auditor as ex-office clerk. The only money-spending power they would have, would be a maximum levy of two mills on assessed valuation of property within the district. A maximum levy of five mills could be made, but only by majority vote by the people at a special election. No levy would be made, of course, until some flood control plan had been worked out with army engineers, etc., Kloke said.</p>	<p>Future of flood control at stake.</p> <p>All of Skagit County in District.</p> <p>District would not take over dike or drainage districts but also would not support them. Unfortunate the newspaper did not finish the sentence</p>
<a href="#"><u>11/20/35</u></a> <a href="#"><u>MVDH</u></a>	<p><b>FLOOD CONTROL DISTRICT IS DEBATED HERE – PLANNING COUNCIL AND NEWSPAPER MEN CONFER ON PROPOSAL; COUNCIL TO ISSUE STATEMENT</b></p> <p>A speedy publicity campaign to inform the public about the proposed Skagit county flood control district, on which the people of the county will vote next December 3, was agreed upon by the county planning council at a meeting in the office of Attorney R. V. Welts here last night. . . . Carol Brider, farmer member of the council, who resides near Sedro-Woolley, reported that the people are complaining that they don’t know enough about the proposed flood control district, and that those who live on upper land won’t vote for the plan. Mr. Welts president of the planning group, explained that individual groups have been fighting floods in the county for the last fifty years and that a plan is now available where all people in the county living east of Swinomish channel can cooperate in bringing about permanent flood control. He</p>	<p style="text-align: center;"><b>Countywide Flood Control District</b></p> <p>Voters to have say on December 3<sup>rd</sup> on formation of proposed district.</p> <p>2 weeks before election, voters not educated on what district could do.</p> <p>“Floods affect everyone.” Even people who</p>



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	argued that floods affect everyone, whether they live on the flats or on the upper land, since a flood on the flats, causing thousands of dollars in damage, cannot help but injure those living on hill land.	live on the hills.
<a href="#">11/20/35</a> <a href="#">MVDH</a>	<p><b>NEED FOR FLOOD CONTROL – FEDERAL AND STATE AID AT STAKE IN ELECTION PLANNING COUNCIL SAYS</b></p> <p>A statement pointing out the need for organizing a flood control district in Skagit county, upon which the eligible voters residing east of Swinomish channel will make a decision December 3, was issued today by the Skagit county planning council. [Council's statement follows] The Planning Council believes the formation of our flood control district is the most important thing this county has attempted to do. The Skagit and Samish rivers have always presented a serious problem. Through the years, instead of growing better, the dangers have constantly increased. Something must be done or the entire valley faces disaster. In the past we have tried to work single-handed. This has failed. <b>Can't Succeed Alone</b> The land in this valley has been reclaimed from overflow by rivers and salt water at tremendous cost. Fifty years ago the individual tried to dike and drain his land. In a few years he learned that he could not succeed alone. His neighbors joined with him and formed dike and drainage districts designed to protect and reclaim small isolated units. . . . We have recently realized, through the flood of two years ago, when over 20,000 acres were under salt water and through the fact that each winter we now have floods from the Skagit and Samish rivers, that we must have help. <b>Cities Are Menaced</b> As we have been building our dikes, the timber has been logged from our hills. They are now bare. They no longer hold back the rainfall and melting snow. This water comes into the rivers more rapidly than before. At Hamilton, Lyman, Sterling and a hundred other places on both the Skagit and Samish rivers are each year washing away acres upon acres of land. This silt has filled up the mouths of the rivers and the river beds. The dikes cannot hold back the flood waters. Each year the condition is growing worse. . . . At Sterling the Skagit has so changed its course and is so rapidly cutting away the river bank that it will soon force a new channel north of Burlington through the farming country to salt water. . . . Realizing that something must be done, the last legislature passed a series of laws known as the flood control legislation, which permits formation of large flood control districts practically county-</p>	<p style="text-align: center;"><b>Proposed Flood Control District To Include All Of Skagit County Except Fidalgo Island</b></p> <p>Dangers from floods have increased over time. Entire valley faces disaster.</p> <p>1932 and 1933 floods showed locals they needed help from State and Federal governments.</p> <p>Blamed increased flooding threat on logging of the hills, "They are now bare."          Logging caused melting snow and rainfall to enter the river "more rapidly than before".</p> <p>Were afraid of Skagit cutting "new" channel north of Burlington to saltwater. This is where Skagit used to flow several thousand years ago. <i>(Source: Prehistoric Settlement Changes In the Southern Northwest Coast,</i></p>



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	<p>wide. . . . The federal government has recognized the fact that the problem of controlling rivers is too large even for the community or the state to handle and is entering this field and lending federal help. . . . The federal government does not recognize and will not recognize an application of an individual for flood control aid. The existing dike and drainage units are so small and so scattered that neither the state nor the federal government will recognize them as agencies through which to work in attacking a problem involving a whole valley or a whole river. . . . The proposed district upon which you will vote December 3, embraces all of Skagit county except Fidalgo island. To avoid the cost of setting up new machinery and a completely new set of officers, the law makes the three men elected as county commissioners, by vote of that election, the directors of the district. The law specifically limits the power of the district, when formed, to tax any land. This act leads: "Any flood control district may raise revenue by the levy of an annual tax on all taxable property within such district, . . . Such levy not to exceed 2 mills on the dollar in any one year." . . . How long would it take you to lose \$2 if Burlington, Sedro-Woolley, Hamilton, Lyman, Mount-Vernon were flooded by the Skagit river? . . . In 1909, the flood in this valley did approximately \$1,000,000 of damage. In 1917, the damage was at least \$300,000. . . . In 1917, the county, because of flood, spent over \$100,000 in repairing bridges and highways. . . . There has never been a flood in this valley that has not cost the county itself, for the road and bridge and highway repair, at least \$25,000. . . . No tax levy beyond 2 mills can be made by the directors under law, without submitting the matter to a vote of the district so formed. . . . <b>Levy Is Explained</b> The fact that the directors have power to levy 2 mills does not mean that they must levy that much. That is the most they can levy in any one year. . . .</p>	<p>A functional Approach, Gail Thompson, 1978)</p> <p>District would have had County Commissioners as officers. Could only levy "2 mills" maximum in any given year (\$2 per 1,000 of evaluation).</p> <p>(See 11/27/24 Argus article re damage figures.)</p>
<p><a href="#"><u>11/29/35</u></a> <a href="#"><u>B.J.</u></a></p>	<p><b>FLOOD CONTROL ELECTION DEC. 3 VITAL TO COUNTY; SKAGIT VOTERS HAVE FIRST CHANCE TO BEGIN PERMANENT RIVER CONTROL PLAN; WILL SAVE MILLIONS</b></p> <p>Most far-reaching, most important of all action ever taken toward permanent flood control in the Skagit and Samish valleys is next Tuesday's special election at which Skagit county will decide whether or not it wishes to join hands in one organization that will be able to obtain sensible, permanent control of flood waters in the future.</p>	<p>FLOOD CONTROL ELECTION</p> <p>Most far-reaching action ever taken.</p>



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	<p>Voters will vote for or against the formation of a “Flood Control District” comprising all of Skagit County except the islands, as specified in flood control laws passed by the last legislature. This district would be able to “talk business” for state and federal aid, where small districts and communities are not recognized.</p> <p>Advocates of the measure point to the following reasons:</p> <ol style="list-style-type: none"> <li>1. This is the first opportunity Skagit County has had to start a comprehensive flood control plan that will eliminate the hit and miss expensive methods now being employed by individuals and small groups.</li> <li>2. Other counties of the state have already adopted such measures overwhelmingly and Skagit County with the worst flood problem of all should do something likewise.</li> <li>3. While a new organization is set up, no new officials or overhead is allowed under this plan. The county commissioners will become directors of the flood control district, at no extra pay.</li> <li>4. Only money-spending powers of the flood district will be in the district, which could amount to only \$30,000 in the whole district if a plan is found which such money could be used.</li> <li>5. Local dike districts have had to dig up far more than \$30,000 to pay for damages from one flood, and then had nothing but repaired dikes for their money.</li> <li>6. Lower district assessments will result as soon as the rivers are put under permanent control as local districts would have no more expenses.</li> <li>7. If nothing is done to control the Skagit, that stream will change its course and destroy millions of dollars in property in cities and farms.</li> </ol>	<p>Formation of Flood Control District.</p> <p>First opportunity for Comprehensive Flood Control Plan. In 2004 we now have a draft of a Comprehensive F/C Plan.</p> <p>County Commissioners to control District.</p>
<p><a href="#">12/2/35</a> <a href="#">MVDH</a></p>	<p><b>VOTERS WILL DECIDE ISSUE ON TUESDAY – SAFETY AND PROSPERITY OF COUNTY DEPENDS ON SOLUTION OF FLOOD PROBLEM, COUNCIL SAYS IN STATEMENT</b></p> <p>Declaring that the safety, the prosperity and the future development of the entire valley depends upon the solution of the flood control problem, the Skagit County Planning Council today issued a final appeal for approval of the proposed flood district in a special election to be held Tuesday of this week. “We must recognize it</p>	<p>Countywide Flood Control District</p> <p>Endorsed by Skagit Planning Council.</p> <p>Expected a “big vote”.</p>



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	<p>(flood control) as a county-wide problem and organize ourselves into a legal unit large enough to be effective and large enough to be recognized by the state and federal government," the council's statement said. . . . Indications point to a big vote due to intense interest taken during the last few days in the proposal to form a district. A committee of the Skagit Taxpayers association openly opposed the plan on their belief it would give the commissioners too much taxing power. . . . "Every possible safeguard was written into the statute to limit the taxing power of the commissioners of such a district. The statute forbids the directors to levy a tax beyond 2 mills on the dollar in any year. That means the board has no power to assess in any one year more than the \$2.00 on farm or other property having a valuation of \$1,000. It is true that the timber interests have been outspoken in their opposition to the formation of a district. They feel that if the district is formed they will be called upon to help pay the bill which the farmers are paying today. The planning council adopting this matter of flood control as its major objective. It did so because it felt that the solution of the flood problem was the most important thing confronting this valley. It felt that we have tried for 50 years to let the farmer solve this problem alone. He has failed. He will continue to fail, because it is too big. The safety, the prosperity and the future development of the entire valley depends upon its solution. . . . The opponents of flood control offer nothing constructive, but merely wish to leave the situation as it is. Something must be done. Do you realize that the taxpayers, instead of paying 2 mills a year on the dollar, in various localities are paying as high as 280 mills on the dollar for flood protection? Following is a list of the levies in the 20 dike districts of the county for 1935:</p> <p>Dike District Levies</p> <p>Mills</p> <p><b>No. 1 15.00</b>  <b>No. 2 60.00</b>  <b>No. 3 24.90</b>  <b>No. 3 9.80</b>  <b>No. 5 30.10</b>  <b>No. 8 103.00</b>  <b>No. 12 19.83</b></p>	<p>Timber interest outspoken in opposition to formation of District.</p> <p>Farmers tried for 50 years to solve problem but failed because problem too big.</p> <p>Some dike districts paying 280 mills per year.</p> <p>A mill is one dollar per 1,000 dollars of assessed valuation.</p>



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<a href="#"><u>12/3/35</u></a> <a href="#"><u>MVDH</u></a>	<b>FEW VOTES ARE BEING CAST ON FLOOD CONTROL</b> Lack of interest in today's election to determine whether most of Skagit county shall organize itself into a flood control district was indicated this afternoon. A check of the Mount Vernon precincts showed that only 73 had turned out to make their choice up until after 1 o'clock this afternoon.	<b>Few Voters To The Polls For Flood Control</b>  Lack of interest in flood control district.
<a href="#"><u>12/4/35</u></a> <a href="#"><u>MVDH</u></a>	<b>FLOOD CONTROL DISTRICT CARRIES – TIMBER COMPANIES ATTACK DISTRICT IN COURT – DISTRICT WINS BY MARGIN OF 1,134 VOTES – RESIDENTS OF DISTRICT VOTE 1,901 TO 767 IN FAVOR OF UNITED FLOOD CONTROL PROGRAM</b> By a vote of nearly three to one, Skagit county residents residing east of Swinomish channel yesterday decided to carry out an organized effort to control flood waters in this section, which in recent years have caused damages running into the thousands of dollars. . . . Only 2,688 voters out of the 12,754 citizens registered in the district, marked ballots in yesterday's election. Points west of Swinomish channel, including Anacortes, the county's largest city, are not included in the district, and as a result did not vote. . . . Of the three cities, Burlington made the best showing, 300 residents of that city voting favorably, and only 42 against. In Mount Vernon, 290 voted for the district and 91 against, while at Sedro-Woolley, 170 favored the issue and 84 opposed it. . . . La Conner, Hamilton, and Concrete backed the district by substantial margins.	<b>Countywide Flood Control District Passes by 3 to 1 Margin, However:</b>  Only 2,688 voters out of 12, 754 took the time to vote. 1,901 in favor, 767 against.  All cities voted in favor of District except Anacortes which was not included in District boundaries.
<a href="#"><u>12/4/35</u></a> <a href="#"><u>MVDH</u></a>	<b>FLOOD CONTROL DISTRICT CARRIES – TIMBER COMPANIES ATTACK DISTRICT IN COURT – TWO COMPANIES SAY ELECTION IS NULL AND VOID – SOUND TIMBER AND WEYERHAEUSER CLAIM BANKER WAS WITHOUT AUTHORITY; DISTRICT NOT ECONOMICALLY SOUND, CLAIMED</b> Alleging that yesterday's flood control district election was null and void, the Sound Timber company started an action in superior court here today in an attempt to prevent final organization of the district. . . . The action in court here was directed at E. F. Banker, head of the state department of conservation and development, and head of the state flood control boundary commission, and Auditor C. P. Kloke, Commissioner Hugo Bauman, and Prosecutor Richard Welts, members of the county election board. . . . The lengthy complaint filed in court here sets forth that Banker did not find that the proposed plan was economically feasible, nor adopt a comprehensive plan. It goes on to claim that "Banker acted in excess of his authority	<b>Timber Companies Immediately Sue To Stop Formation Of District</b>  Allegations against state agency was that they failed to adopt a comprehensive plan, failed to ensure that the district was economically feasible, and that agency acted in excess of his authority.  Timber companies showed that only \$508,000 could be raised by District where



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	<p>and jurisdiction in recommending that the said district be created for the stated purpose of creating an agency that may enter into contracts with the state and federal governments for funds, if available, to carry out a complete plan of development of control works for flood water protection." Continuing their complaint, the two timber companies assert that the state flood control boundary commission found that \$508,000 could be raised by assessment, whereas the cost of the proposed work would be \$2,426,852. The theory was used that the state would contribute 25 per cent of the cost of the improvement and the federal government 50 per cent, the companies maintain.</p>	<p>the cost of the proposed work was \$2,426,852. Even with the state contributing 25% and the federal government 50%, the assessment would not be enough.</p> <p>So no one made the suggestion to cut back the size of the project?</p>
<p><a href="#">12/5/35 Argus</a></p>	<p><b>COURT ACTION HALTS FLOOD CONTROL WORK Timber Companies Restrain Election Board From Certifying Returns to State Voters Want District Flood Control Plans Carry, 1891 to 767 at Tuesdays Election</b></p> <p>Final organization of the flood control district was abruptly stopped Wednesday morning shortly after announcements had been made of the district victory when the Sound Timber company and the Weyerhaeuser Timber company took legal action in the superior court here. . . . The complaint holds the election null and void on the alleged grounds that E. F. Banker, director of state conservation and development, had acted in excess of his authority in recommending that a district be created. The two companies further claim that the district is not economically feasible since the federal PWA refused to make any contribution for flood control work and that no such funds will be available.</p> <p>The cost of the improvement is estimated at \$2,426,852, of which \$508,000 may be raised by assessment, complainants say. The remainder would have to come from state and federal sources. The complaint also asserts that the district gives the commissioners power to subject the property of the two companies to double taxation in contravention to the fourteenth amendment to the U.S. constitution</p>	<p>No article at least through 1937 was identified which reported the outcome of this legal dispute, however, since the District was never formed and it was never mentioned again in any article, it must be assumed that the timber companies prevailed.</p>
<p><a href="#">12/5/35 C.H.</a></p>	<p><b>FLOOD CONTROL CARRIED BY BIG MAJORITY HERE</b> Election day, Tuesday, was very uneventful in Concrete, the only important question</p>	<p><b>Voters Approve Flood Control District</b></p>



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	<p>being the approval of the flood control district plan which carried by a majority of 68 to 31. In East Concrete the vote was 30 for to 8 against, while in West Concrete 38 voted for and 23 against. Unofficial returns from the entire county showed 1,901 voters in favor of the plan and only 767 against. Only 2,663 of the 12,754 registered citizens took the trouble to vote.</p> <p><b>To Be Contested</b></p> <p>Immediately after the voting, the Sound Timber Company began an action in the superior court to have the election declared null and void, asking that the election board be prevented from canvassing the returns. Judge Joiner set Dec. 28 as the date of the hearing.</p>	<p>12,754 voters in Skagit County. Only 2,663 of them voted in this election with 1,901 in favor and 767 against.</p> <p>Timber companies immediately filed suit to block formation of the district.</p>
<p><a href="#"><u>12/5/35</u></a> <a href="#"><u>CT</u></a></p>	<p><b>FLOOD CONTROL DISTRICT WINS COUNTY’S VOTE – ENTIRE ELECTION IS NOW BEING CONTESTED BY TIMBERMAN</b></p> <p>Local citizens showed their approval of flood control work in this district by a vote of 170 for the proposal and 84 against, when they visited the polls Tuesday. The vote was light throughout the county, unofficial results showing 2,669 ballots cast out of a possible 12,754. Because of court action being taken by the Sound Timber company and the Weyerhaeuser Timber company alleging that the election was null and void, the election board is temporarily prevented from canvassing the vote and certifying the returns to state officials. . . . Both companies own large tracts of timber in Skagit county which they claim are “far above a possible overflow,” yet were “arbitrarily, capriciously and fraudulently included” in the district.</p>	<p align="center"><b>Flood Control District Vote</b></p> <p>There were 12,754 registered voters in Skagit County in 1935. Only 2,669 of them voted in this election.</p> <p>Weyerhaeuser and Sound Timber fled suit to invalidate the election and were ultimately successful in defeating the formation of the district.</p>
<p><a href="#"><u>12/6/35</u></a> <a href="#"><u>B.J.</u></a></p>	<p><b>FLOOD CONTROL WINS, THEN BLOCKED BY INJUNCTION TIMBER COMPANIES ALLEGE PLAN WOULD TAX UNFAIRLY</b></p> <p>By a vote of nearly three to one, Skagit County voters said “yes” to the proposition of forming a giant flood control district for permanent work on rivers and salt water problems in Skagit county. County totals were 1,901 approving and 767 against the district, giving a margin of 1,134 votes.</p> <p>Even while ballots were being counted, however, flood control organization</p>	<p><b>VOTERS SAY YES TO FLOOD CONTROL DISTRICT</b></p> <p>Only 2,500 people voted but approval rating was 3 to 1.</p>



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	<p>struck a legal snag. Early Wednesday morning two timber companies obtained a temporary restraining order against county and state officials completing the organization.</p> <p>Judge Geo. A. Joiner granted the injunction until Dec. 28, when County Auditor C. P. Kloke, Prosecutor Richard Welts, Commissioner Hugo Bauman and E. F. Banker, state director of conservation and development, must appear to show cause why the injunction should not be made permanent.</p> <p>The timber companies maintain that the proposed flood control district is discriminatory against them, because of their large holdings on the hills in the upper valley, where flood control "could not possibly benefit them, directly or indirectly." The complaint said the district would result in unfair taxation.</p>	<p>TIMBER COMPANIES FILE TEMPORARY RESTRAINING ORDER. COURT INJUNCTION GRANTED UNTIL DECEMBER 28<sup>TH</sup>.</p> <p>Judge Joiner was a Skagit County Superior Court Judge.</p> <p>Need to get January 3, 1936 article to find out what happened.</p> <p>Flood Control would not benefit timber companies.</p>
<p><a href="#">12/6/35</a> <a href="#">B.J.</a></p>	<p><b>UP TO COMMISSIONERS NOW</b></p> <p>Voters of Skagit County acted wisely in their behalf in Tuesday's flood control election. Now, if the law and election are upheld in court, the machinery has been set up whereby Skagit County can take advantage of any opportunity for permanent constructive flood control.</p> <p>The county commissioners will do well by themselves and the public by not abusing the confidence placed in them as directors of the flood control district. The law says taxes up to two mills MAY (not must) be levied. The commissioners should not grasp this merely as another way to raise money, but instead make no flood control levy until there is a prospect of a definite flood plan where Skagit's money will do the most good.</p> <p>As an election sidelight, Burlington voters showed they know which side of their bread is buttered. The Skagit River is Burlington's most serious problem of the future. One guess is as good as another as to what would happen if the river is not controlled.</p>	<p>Flood Control District voted on and approved by voters.</p>
<p><a href="#">1/22/36</a> <a href="#">MVDH</a></p>	<p><b>FLOOD CONTROL TAX PLAN IS HIT BY DECISION</b></p> <p>Superior Judge H. G. Sutton of Kitsap county established a precedent for the state's lower courts here yesterday when he ruled lands to be taxed under flood control districts must receive benefit before they can be legally assessed. Judge Sutton</p>	<p><b>Timber Companies Win Court Ruling</b></p> <p>Flood Control Districts must provide benefit to those being taxed. This was the</p>



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	<p>commented that “neither the legislature nor any municipal corporation created by it has the power to tax property for the purpose of specially benefiting and improving other private property without some degree of benefit accruing to the property taxed. . . . The decision is in the case of the Simpson Logging company vs. E. F. Banker, director of the department of conservation and development. It overrules the defendant’s demurrer to the complaint and continues a temporary injunction granted by Superior Judge D. F. Wright of Mason county against inclusion of certain of the company lands either heavily wooded or lying on steep hillsides arbitrarily included in the boundaries of the taxing district. The decision is directly opposite to a similar court decision in Pierce county, he said, and his department will ask the supreme court to decide the issue. . . . No official canvass of the Skagit vote on flood control has yet been made, and none is scheduled until after the supreme court rulings are handed down. Skagit voters approved a county flood control district by a vote of 1,891 to 767.</p>	<p>beginning of the end for the Countywide Skagit Flood Control District.</p>
<p><a href="#">3/9/36</a> <a href="#">MVDH</a></p>	<p><b>FLOOD CONTROL LAW AT STAKE</b> The constitutionality of the state’s flood control program was at stake in a suit being heard by the state supreme court today. The case is on appeal from Pierce county, where the Weyerhaeuser Timber company, St. Paul and Tacoma Lumber company, Milwaukee Land company and Northwestern Improvement company brought a restraining action to prevent canvass of the vote to determine whether the Puyallup valley flood district should be formed. . . . The case hinges on whether a district can tax property bordering land affected directly by floods for the purpose of specially benefiting and improving other property, without some degree of benefit accruing to the property taxed. . . . A precedent was established on January 22 in Shelton, when Superior Judge H. G. Sutton of Kitsap county, ruled that lands “must receive benefit from the flood control before they can be legally assessed.” The decision of the supreme court in the present case probably will rule in similar suits now in lower courts against . . . The Stillaguamish and south Snohomish districts in Snohomish county, and the Skagit county district.</p>	<p><b>Washington Supreme Court Hears Flood District Case</b></p> <p>Because the residents derived no benefit, it was error to include their lands. <a href="#">Weyerhaeuser Timber Co. v. Banker, 186 Wash. 332 (Wash., 1936)</a> By the terms "benefits" and "to be benefited," it is meant that the landowner has received, or will receive, by reason of the improvement, an increase in the market value of his property. <a href="#">Union Trust Co. v. Carnhope Irr. Dist., 132 Wash. 538, 232 P. 341, 234 P. 277; Butte v. School Dist. No. 1, 29 Mont. 336, 74 P. 869.</a></p>



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<a href="#"><u>2/12/37</u></a> <a href="#"><u>MVDH</u></a>	<b>BILLS FILED IN STATE HOUSE PASS 500 MARK – CREATION OF FLOOD CONTROL DISTRICTS AUTHORIZED UNDER NEW BILL FILED IN HOUSE</b> <p>. . . Chief among proposals offered in 30 bills, two memorials and one resolution were: 1– Creating of flood control districts . . . The committee on flood control introduced the bill authorizing the creation and maintenance of flood control districts. The measure would permit the director of conservation and development to call a special election on petition of 50 per cent of the landowners in a district, and if approved by 60 per cent of the majority of votes cast, he would appoint a commission of three to supervise flood control. The commission would have the power to set boundaries, fix a levy of assessments, issue bonds and enter into contracts with the United States government for flood control money.</p>	<b>New Flood Control District Legislation</b>  50% of landowners within proposed district had to petition state agency and 60% of the majority of votes cast required for district approval.
<a href="#"><u>1/26/39</u></a> <a href="#"><u>CT</u></a>	<b>PLAN BIG DISTRICT TO CONTROL RIVER – UTOPIA FARMERS START MOVE TO FINANCE MAINTENANCE OF RIVER REVETMENT WORK; COUNTY BOARD WILL THEN START \$420,000 WPA JOB</b> <p>A big flood control district may be formed from Burlington to Marblemount, to raise funds for maintaining the revetment work done by the WPA project on Skagit river banks. . . . All three commissioners explained that under the 40 mill limit the county had no funds for maintenance. Goodyear said that if the river broke through and went into Minkler lake that it would cut across the valley to the north and cut a new channel to salt water. The board said the new project would start at this danger spot. . . . The big damage done at Utopia would never have resulted had the commissioners repaired the break when first reported. The commissioners have agreed to install a log boom along the entire revetment work on the river to try to protect it from the log tows, which have damaged it in many places, according to farmers who have seen many cables in the revetment broken.</p>	<b>Maintenance District Proposed</b>  The eastern boundary was Hamilton not Marblemount ( <u>See 2/16/39 CT article.</u> )  40 mill limit kept County form using general funds for maintenance.  Damage to revetments being caused by “log tows.”
<a href="#"><u>2/2/39</u></a> <a href="#"><u>MVDH</u></a>	<b>EAST SKAGIT RIVER DISTRICT TO BE TALKED</b> <p>SEDRO-WOOLLEY, Feb. 2 – (Special) – A mass meeting of Skagit county farmers will be held this Saturday at 2 p.m. in the Sedro-Woolley city hall auditorium to discuss plans with state and federal officials for forming a river bank maintenance district. The river is at present threatening destruction of hundreds of acres of valuable farmlands and the authorized expenditure of acres of valuable farmlands</p>	<b>Riverbank Maintenance District</b>  District needed to stop erosion and perform maintenance of government projects.



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	<p>and the authorized expenditure of \$420,000 for further river bank revetments is delayed until maintenance can be financed. . . . Fink and Lars Langlow, engineer in charge of the flood control of the state, told the committee that many acres of lower Skagit County farm land are in danger, with the river at a higher level than the surrounding land, because of the hundreds of acres of farmlands being washed down each year and deposited in the lower river.</p>	
<p><a href="#"><u>2/2/39</u></a> <a href="#"><u>Argus</u></a></p>	<p><b>FLOOD CONTROL MEETING WILL BE HELD FEB. 4</b></p> <p>Mass Meeting of Farmers Will Be Held At Sedro-Woolley To Discuss River Bank Maintenance</p> <p>A mass meeting of Skagit County farmers will be held this Saturday at 2 p.m. in the Sedro-Woolley city hall auditorium to discuss plans with state and federal officials for forming a river bank maintenance district. The river is at present threatening destruction of hundreds of acres of valuable farmlands and the authorized expenditure of \$420,000 for further river bank revetments is delayed until maintenance can be financed. . . .</p> <p>Fink and Lars Langlow, engineer in charge of the flood control of the state, told the committee that the lower Skagit farm land will be threatened since the river is at a higher level than the surrounding land, because of the hundreds of acres of farmlands being washed down each year and deposited in the lower river. These officials said that the entire county was threatened with flood and destruction unless immediate action is taken to complete the revetment work as authorized by the WPA, and to provide funds for maintenance. They recommended that all farmers throughout the county should be included in a maintenance district.</p>	<p align="center">WPA</p> <p>Meeting to discuss formation of "River Bank Maintenance District."</p> <p>State officials warned "river at higher levels than surrounding land". Query: Is this erosion taking place today? If not why did it stop? How much was contributed to log rafts towed down the Skagit?</p> <p>All farmers in county to be included in district.</p>
<p><a href="#"><u>2/2/39</u></a> <a href="#"><u>CT</u></a></p>	<p><b>FLOOD CONTROL PLANS WILL BE MADE SATURDAY – MASS MEETING OF FARM OWNERS AT CITY HALL HERE</b></p> <p>A mass meeting of Skagit county farmers will be held this Saturday at 2 p.m. in the Sedro-Woolley city hall auditorium to discuss plans with state and federal officials for forming a river bank maintenance district. . . . Fink and Lars Langlow, engineer in</p>	<p align="center"><b>Mount Vernon A "Deathtrap"</b></p> <p>It appears that State government was trying to scare local residents into forming the maintenance district. River is only at a</p>



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	charge of the flood control of the state, told the committee that Mount Vernon was a death trap, with the river at a higher level than the surrounding land, because of the river at a higher level than the surrounding land, because of the hundreds of acres of farmlands being washed down each year and deposited in the lower river.	higher level then surrounding lands during flood events which is attributable to levees and tides and not siltation.
<a href="#"><u>2/2/39</u></a> <a href="#"><u>CT</u></a>	<b>FARMERS' MASS MEETING (EDITORIAL)</b> . . . Government engineers have pointed out the dangers to the entire county if farmland keeps washing down the Skagit river, and action by the farmers to form a district for raising a small tax for maintenance of the WPA revetment work will mean the immediate expenditure of \$425,000 on new bank protection work on every danger point on the river. . . . Plans for protecting the river banks from damage by log tows are being worked out, as the county has offered to put in log booms.	<b>Maintenance District Formation Urged</b>  Maintenance needed to due damage by log tows.
<a href="#"><u>2/3/39</u></a> <a href="#"><u>B.J.</u></a>	<b>FARMERS WILL DISCUSS RIVER—MASS MEETING SATURDAY AT SEDRO-WOOLLEY FOR FORMING NEW DISTRICT</b> Burlington farmers are especially invited to attend a mass meeting of Skagit county farmers this Saturday at two p.m. in the Sedro-Woolley city hall auditorium to discuss plans with state and federal officials for forming a river bank maintenance district. The river is at present threatening destruction of hundreds of acres of valuable farmlands and the authorized expenditure of \$420,000 for further river bank revetments is delayed until maintenance can be financed. . . . These officials said that the entire county was threatened, with flood and destruction unless immediate action is taken to complete the revetment work as authorized by the WPA, and to provide funds for maintenance. They recommended that all farmers throughout the county should be included in a maintenance district.	New Flood Control District Proposed
<a href="#"><u>2/16/39</u></a> <a href="#"><u>CT</u></a>	<b>PETITIONS FOR FLOOD CONTROL DISTRICT READY – BOARD WILL BE ASKED TO START NEW PROJECT ON RIVER</b> Petitions for the formation of a Skagit river bank revetment maintenance district, were circulated this week . . . As prepared by Attorney A.H. Ward . . . limits the amount of money which can be assessed at 2 mils, except for a special vote of the district voters, and even then it cannot exceed 5 mills. . . . The proposed district has its east boundary, the east city limits of Hamilton, and extends west through Burlington to the Pacific highway (Burlington Blvd.) Skagit River is south boundary.	<b>Petitions for Revetment Maintenance District</b> Would have cost farmers 10 cents per acre.  Would have raised \$10,000 a year for maintenance of revetments.  Fears were that Skagit would return to old



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	<p>Foot of the hills to the north is northern boundary. . . . The Utopia farmers whose land is being threatened, believe that if some immediate action is not taken, at Utopia and east of there, that there is danger the river will go into Minkler lake, from which it might go through Sedro-Woolley and Burlington, or in a new channel next to the hills to the north. <b>State engineers have said that the river formerly flowed in the Samish river channel, after running along the foot of Dukes Hill.</b></p>	<p>channel and flow towards the Samish. Strong evidence that is where it used to flow. (<i>Source:</i> Prehistoric Settlement Changes In the Southern Northwest Coast, A functional Approach, Gail Thompson, 1978)</p>
<p><a href="#">2/17/39</a> <a href="#">MVDH</a></p>	<p><b>PETITIONS ARE CIRCULATED FOR RIVER DISTRICT</b> SEDRO-WOOLLEY, Feb. 17 – Petitions for the formation of a Skagit river bank revetment maintenance district were circulated this week and sent to state authorities at Olympia for final approval before calling for an election to vote on the matter. . . . It is estimated that the average farm will be taxed less than 10 cents per acre. As petitioned for, the proposed district has at its east boundary the east city limits of Hamilton and extends west through Burlington to the Pacific highway. . . . Meanwhile, Skagit County commissioners will be asked on Monday to keep their word in regard to the purchase of the new dragline as required by U.S. engineers in charge of the revetment project. If this is done, work will proceed to protect remaining danger spots along the entire river.</p>	<p style="text-align: center;"><b>Riverbank Maintenance District</b></p> <p>Proposal called for taxing acreage at 10 cents per acre. District included river from Burlington through Hamilton.</p> <p>County Commissioners asked to provide new dragline.</p>
<p><a href="#">2/23/39</a> <a href="#">Argus</a></p>	<p><b>SEEK TO FORM RIVER DISTRICT</b></p> <p>Petitions Sent to Olympia For Final Approval Before Calling Election</p> <p>Petitions for the formation of a Skagit river bank revetment maintenance district were circulated this week and sent to state authorities at Olympia for final approval before calling for an election to vote on the matter. . . . It is estimated that the average farm will be taxed less than 10 cents per acre. As petitioned for, the proposed district has as its east boundary the east city limits of Hamilton, and extends west through Burlington to the Pacific Highway. The Skagit River is the south boundary and the north line extends along the foot of the hills on the north side of the Skagit River. Burlington, Sedro-Woolley, Lyman and Hamilton are included in the proposed district. . . . Meanwhile, Skagit county commissioners will be asked on Monday to keep their</p>	<p>Petition prepared by local attorney A.H. Ward who later became a judge and settled in the Nookachamps.</p> <p>Taxed 10 cents per acre.</p> <p>District was never formed.</p>



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	word in regard to the purchase of the new dragline as required by U.S. Engineers in charge of the revetment project. If this is done, work will proceed to protect remaining danger spots along the river.	
<a href="#"><u>3/4/39</u></a> <a href="#"><u>MVDH</u></a>	<b>NEW DISTRICT IS OPPOSED</b> SEDRO-WOOLLEY, March 10 – (Special) – A group of farmers, who reside east of this city, will meet in Burlington city hall Wednesday night at 8 o'clock to discuss the proposed river control district, it was announced here. . . . It was said the farmers fear that the district would cost too much money. It has been proposed that the district raise funds by levy each year to maintain the river bank revetment work along the river. . . . It was declared here farmers who are opposing the district feared they could be taxed excessively. It was pointed out that the law provides a maximum 2 mills as the annual levy, with a total of 5 mills, if approved at a special election.	<b>Riverbank Maintenance District</b>  Farmers fear excessive taxes. 2 mills maximum yearly unless approved by public vote then could go to 5 mills (\$5 per 1,000 dollar assessed valuation).
<a href="#"><u>3/10/39</u></a> <a href="#"><u>MVDH</u></a>	<b>DISTRICT PLAN TO GO AHEAD</b> SEDRO-WOOLLEY, March 10 – (Special) – Despite opposition to plans for formation for a maintenance district for the upper Skagit River flood control on the part of a group of farmers who met at Burlington on Wednesday night, Chairman Frank Goodyear of the Utopia farmers' committee plans to go ahead on the project. . . . Some complained that the tax would be too high, others thought that the revetment work already done has not held up well enough and still others held that the federal government should put in more permanent flood protection and attend to its upkeep.	<b>Riverbank Maintenance District</b>  Despite opposition proposed district formation would proceed. Some thought revetment work already done did not hold up.
<a href="#"><u>5/18/39</u></a> <a href="#"><u>CT</u></a>	<b>STATE TURNS DOWN PROPOSAL FOR SKAGIT FLOOD DISTRICT</b> All the fighting between the two groups of farmers in this section over the proposed organizing of a flood control district, at the request of the county commissioners, is now over, as the state attorney general has ruled that such a proposed district cannot be formed. This leaves the Skagit river bank protection project where it was when the argument started. The quarter of a million dollars already spent by the WPA on the river banks in revetment work, will be wasted in many places, as the county commissioners refuse to maintain the work, although the government claims they agreed to do so. As a result, the revetment has been broken down in many places along the river bank, and in most cases, according to the government engineers, the damage has been caused by tows of logs hitting and breaking off the	<b>Attorney General Says No To Formation Of Skagit Flood Control District</b>  \$250,000 already spent was wasted money.  Revetment work destroyed by log rafts towed down the Skagit.  AG says district would have put Skagit taxing authority over the limit.



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	cables. . . . The attorney general ruled that such a district would come under the 40-mill limit law, which makes its formation prohibitive. The proposed district, if organized under the 1937 law, would be approved by the state, but would have no limit to the local improvement tax which would be levied on all property in the district.	Local farmers didn't want alternative district as it would have had unlimited taxing authority.
<a href="#"><u>6/1/39</u></a> <a href="#"><u>CT</u></a>	<p><b>PETITION FOR SKAGIT FLOOD CONTROL DISTRICT REFUSED</b></p> <p>Petition for a flood district in the upper Skagit, to help maintain revetment work, was refused by J. B. Fink, head of the state department of conservation and development, in an opinion given to the petitioners this week. Fink recommended a district be formed under the 1937 state law which provides no limit to the tax which could be levied. The petition asked for a district under the 1935 act, which fixed the limit of the tax at 2 mills. The decision and action taken by a large number of farmers in the district again brings the matter of flood control to a standstill. . . . This petition was thereupon by the director referred to the flood control engineer of his department for preliminary investigation and report. The investigations have now been completed and the report rendered and placed among the records of the department. Said report and other available and pertinent data and information are made the basis for the following: . . . 3. The average annual cost of maintaining the flood control works, while not immediately ascertainable, is estimated to be well within the probable average annual amount of damages sustained by property within the proposed district, and the assumption of such cost by the benefited property would, therefore, be justified. . . . 7. The two mill levy is deemed inadequate for district purposes, especially during the first several years of district operations. A five mill levy is estimated to be adequate, but since it is dependent upon a year-by-year favorable vote, it is not a safe basis for a district's financial program. 8. According to the written opinion of the attorney general, a flood control district, organized under the provisions of Chapter 160, Laws of 1939. On the basis of this ruling such a district may to all intents and purposes be deprived of the taxing privilege purportedly granted by the act under which it is organized, and may, therefore, be impotent. . . . In the opinion of the director, the organization of the district is, therefore, not justified and the petition is hereby dismissed.</p>	<p style="text-align: center;"><b>Flood Control District Rejected</b></p> <p>Flood control efforts brought to a standstill.</p> <p>The law under which it was proposed to organize the district as well as the general taxing laws of the state appeared to preclude the levy of sufficient taxes to enable the district to exercise the functions for which it would have been created.</p>
<a href="#"><u>2/29/68</u></a>	<b>CITY ENDORSES COUNTY FLOOD DISTRICT</b>	Countywide Flood Control Zone District



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<a href="#">Argus</a>	<p>Skagit county commissioners last night received approval of Mount Vernon's city council to proceed with formation of a countywide flood control zone district. . . . The Proposed district, authorized by the last legislature, would enable the county to sponsor flood control projects directly, rather than through smaller, independent districts, LeGro explained. . . . The new district would not necessarily mean elimination of present diking and drainage district, LeGro added, in response to a question. . . . The advisory council favors the proposed improved diking of the river and channel widening from Sedro-Woolley to the mouth, which would give eight-year flood protection, but has taken no stand on the controversial Avon by-pass, which would protect against a 35-year flood. . . . A new flood control development, possibility of having the Puget Sound Power &amp; Light Co. reserve from 11 to 19 feet of its Upper Baker dam storage for flood control use, has been suggested and is now being studied, LeGro divulged. . . . This storage could step up flood protection by as much as 12 cycle years, or to 20 if combined with the lower river dike-channel program.</p>	<p>Did not "necessarily" mean elimination of diking and drainage districts.</p> <p>Upper Baker reserve from 11 to 19 feet of storage being studied.</p>