

## **MEETING SUMMARY**

### **Advisory Committee Meeting #14 Flood Control Zone District August 17, 2009 2:30 - 4:30 p.m.**

#### **Location**

Cypress Room, Skagit County Planning and Development Services, 1700 East College Way, Mount Vernon, WA

#### **Meeting Purpose**

For the Flood Control Zone District (FCZD) Advisory Committee (AC) members to conduct normal business and:

1. Complete review/comments on Skagit GI measures (document E-4)
2. Complete project screening/evaluation criteria (document C-3)
3. Consider proposed "first cut" projects/measures for the Comprehensive Flood Hazard Management Plan (CFHMP) from FCZD Environmental and Land Use Technical Committees.
4. To determine next steps and Technical Committee assignments (if any).

#### **Introduction**

Chairman Bob Boudinot opened the meeting by welcoming everyone to AC meeting #14.

#### **Public Comment**

Chairman Boudinot opened the floor for public comments and/or questions. Dan O'Donnell requested an update on the hydrology discussions between the County and the United States Geological Survey (USGS). Mr. O'Donnell understands that the USGS has rejected the latest hydrology recommendations from County and City consultants. As such he believes it is time to pursue a coordinated political solution, using mediation to resolve any remaining hydrology disagreements.

Carol Ehlers spoke next and made three points: 1) Noted that flood risk reduction projects so far to date have not considered 5-year (minor) flood overtopping events that she believes is required by the U.S. Army Corps of Engineers (USACE); 2) The Swinomish Bypass measure does not acknowledge the impact it would have on the numerous north/south roads and other infrastructure between the river and the Swinomish Channel; 3) Flood risk reduction projects that incorporate levee setbacks (e.g., 3-Bridge Corridor) would also meet a Washington State mandate for the County to increase and protect open space between urban areas.

Mount Vernon Mayor Bud Norris and City Attorney Kevin Rogerson handed out copies of a City of Mount Vernon press release dated 08/17/09 (see attachment #1) and advised that the City had withdrawn its lawsuit against the Federal Emergency Management Agency (FEMA). They explained the City has taken this action after successfully negotiating an agreement with FEMA to continue processing the City's request for a Conditional Letter of Map Revision.

## **07/20/09 AC Meeting Summary**

Upon motion of Larry Kunzler, seconded by Daryl Hamburg, the meeting summary from July 17, 2009 was accepted with one minor correction. The correction being the removal of the word "a" in the last sentence, of the sixth paragraph, on page 3 of 11, which sentence now reads: "PSE provided a letters of support in the past that have been excellent examples for letters of support."

### **Regular Report Outs**

**Flood Historian:** Larry Kunzler handed out and briefly discussed two letters from the flood archives. The first letter (see attachment #2), dated May 10, 1993, was from David Hough (Skagit County Planning Director) to Dave Brookings (Skagit County Flood Control Engineer). In the letter, Mr. Hough lists the permits needed for flood control projects. Larry hopes this can be of some assistance to the Land Use Technical Committee. The second letter (see attachment #3) was to the USACE from Allen A. Tingley of the Tingley Towing Company, dated October 5, 1950. The letter sought advice from the USACE to resolve an impasse that had developed between the snag boat W.T. Preston, in its attempt to clear a stump from the river shoreline and an adjacent property owner. The property owner, upon whose land the stump was located, was refusing to allow the crew to blast it out. It seems that disagreements and resulting tensions over flood control/river maintenance are not only recent phenomenon.

**County Engineer:** Dan Berentson reported that the County has hired Tom G. Ballard, P.E. as interim Skagit County Public Works Director while the County conducts a search for a new permanent Director. Tom retired as County Engineer from Pierce County and was working as a consultant when hired by the County.

Also, Lorna Ellestad and Dan met with the USACE's Skagit General Investigation (GI) project delivery team last Wednesday. The upcoming Feasibility Scoping Meeting, with USACE Headquarters scheduled for September 23, was discussed. This is a significant step in GI process. The meeting will include a review of project accomplishments and approval of a Project Management Plan (PMP). The PMP is the detailed work plan with milestones and deliverables necessary to complete the Skagit GI by 2012. A new concept is being proposed in this PMP. Heretofore, the GI was paced by the availability of funding. The PMP proposes to complete the GI by 2012 with only the degree of project details (robust, moderate, or light) subject to available funding. A Feasibility Study Read Ahead document is available and Dan indicated it would be emailed to anyone requesting a copy.

In addition, Dan and Lorna attended a meeting with the United States Geological Survey (USGS) in Seattle on August 12. The meeting purpose was to present USGS with new hydrological information developed by consultants hired by the County and the Cities/Dike Districts. Others attending the meeting: Mark Mastin, USGS; Malcolm Leytham, Northwest Hydraulics (County consultant); and Albert Liou, Pacific International Engineering (Cities/Dike Districts consultant). The meeting involved a good exchange of information over the course of six hours. USGS has taken the information under advisement. All participants were tasked with assignments deemed necessary to address missing data. USGS will eventually determine if the new information justifies the need to recalculate the projected 100 year flood flow. Finally, Dan announced Tom Karsh will retire from the County on November 1, 2009 after 30 years with the County, and that the County will be recruiting a replacement watershed planner later this fall.

**Dike and Drainage Technical Committee (DDTC):** Daryl Hamburg, Chairman of the DDTC reported that the DDTC did not meet in August due to farming priorities. He did note that members of the DDTC, especially Chuck Bennett (DD #12), are engaged in planning for the annual Flood Awareness Week. This generally occurs in October. Bob Boudinot requested that Daryl provide more information about the event at the September AC meeting.

**Environmental Technical Committee (ETC):** Stan Walsh, Chairman of the ETC, advised that the ETC met on 07/27/09 to consider measures that should move forward as part of a first draft CFHMP. A motion was drafted (see attachment #4) in which two measures were identified as having potential to provide both significant flood risk reduction and environmental restoration. It was moved by Bob Carey, and seconded by Todd Carlson, to adopt the motion as presented from the ETC. During discussion it was acknowledged that this was a first vote "straw ballot" requiring additional discussion and a second vote for final approval. It was also discussed that there would be additional debate and analysis of all the first draft CFHMP measures before the CFHMP would be finalized. The motion passed with Ed Brunz and Dean Flaig opposing; Daryl Hamburg and Bud Norris abstaining.

**Land Use Technical Committee (LUTC):** Esco Bell, Vice Chairman of the LUTC, noted that the LUTC met on 08/11/09 to discuss the assignment from the AC, which was to consider and make recommendations for measures that should be moved forward as a list of preliminary measures for inclusion in a first draft of the CFHMP. Esco presented a draft motion (see attachment #5) developed by the LUTC. A motion was made by Bud Norris, seconded by Jason Easton, to approve the motion as presented from the LUTC.

Discussion focused on storage projects #4 Nookachamps and #5 Harts Slough, listed under motion item #3. The AC had previously discussed these measures and preliminarily recommended they not be considered further (red lighted) as part of the Skagit GI. Project proponents noted, as did the LUTC, that storage is generally a cost effective method of flood peak reduction and no storage project should be eliminated (at least at this stage) due to design or environmental uncertainties. An amendment to the motion was made by Larry Wasserman and seconded by Larry Kunzler to drop the Nookachamps and Hart Slough Storage projects from the original motion. Motion carried with Bud Norris opposed. The amended motion was then voted on and passed with Bud Norris and Bob Carey opposed. Staff was asked to reconcile the ETC motion and the revised LUTC motion, for further discussion and a second vote at the next meeting.

**U. S. Army Corps of Engineers:** No representative from the USACE was present at the meeting.

### **Project screening and evaluation criteria (Document C-3)**

Work renewed on completing Document C-3. Bob Boudinot reviewed the history of Document C-3 and reminded everyone that project evaluation/ranking criteria is a required element of a CFHMP. Bob noted that it had been some time since this topic was discussed amongst the AC (February 2009), and that the current draft had already gone through various iterations by the AC working with consultants, after initially receiving recommendations from the Technical Committees. Document C-3 was a work in progress when the AC was asked to respond to a request from the USACE for local input in determining if any of the preliminary flood reduction measures (developed as part of the Skagit GI) contained "fatal flaws" that could potentially screen them from further consideration. The AC voted ("straw" "man") to develop two screening

criteria scenarios to be called Option 1 and Option 2. Option 1 (“Any project presented for consideration must meet the three E’s, Engineeringly possible, Economically achievable, and Environmentally friendly”) was proposed, in part, to enable the AC to move forward and provide the USACE fatal flaw screening comments using general concepts. It was understood that a more refined list of evaluating/ranking criteria (Option 2) would need to be developed and eventually applied to projects/measures in the final CFHMP. A second vote has yet to occur.

It was moved by Todd Carlson, with a second from Jason Easton to approve the Option 1 (3 E’s) from the earlier motion as the final screening and evaluation criteria list. Discussion followed. Numerous questions and suggestions ensued, including: Concern was expressed that criteria as general as Option 1 would be difficult to apply and add little value. Why not just use the existing goals and objectives already approved for the CFHMP as criteria? How will the criteria ultimately be used? Will the criteria be applied to the list of measures that have already been preliminarily screened by the AC? How can any criteria (regardless of how general or specific) be used to evaluate measures for which so little technical information is currently available? How much technical evaluation is expected from the AC? Is the CFHMP a general planning document with flood relief measures listed only for future evaluation? Or does it need to be detailed enough to allow project proponents to move forward to find funding for final design and construction?

At the conclusion of the discussion a vote on the motion failed (4 aye, 5 nay, and 1 abstention). Daryl Hamburg then moved, and Todd Carlson seconded, to continue this matter to the next AC meeting; to ask staff to put together a hybrid list of criteria that expands Option 1 by adding criteria with language from goals and objectives and Option 2; and to provide the list for review before next month’s meeting. Motion passed 15-0-0.

#### **Suggested Next Steps and Meeting:**

1. Bob Boudinot proposed that a subcommittee be formed to assist the County in drafting the CFHMP. AC members Larry Kunzler, Daryl Hamburg, and Bob Boudinot volunteered to work with County staff. Dan Berentson, agreed to coordinate and provide necessary staff support.
2. Review and complete the project/measure screening and evaluation criteria document (C-3).
3. Final discussion and vote on projects/measures that will be moved forward (“short list”) for further evaluation in the draft CFHMP.
4. There were no assignments for the Technical Committees.

The next AC meeting will be on Monday, September 21, 2009, from 2:30 to 4:30 p.m.

#### **Adjourn:**

The meeting adjourned at 4:30 p.m.

**PRESENT AT FCZD ADVISORY COMMITTEE MEETING ON 08/17/09:**

<b>ADVISORY COMMITTEE</b>						
<b>Name</b>	<b>Representing</b>	<b>Affiliation</b>	<b>Present</b>	<b>Absent</b>	<b>Proxy</b>	<b>Position Vacant</b>
Anderson, Mayor Mike	Cities and Towns	City of Sedro-Woolley	X			
Boudinot, Bob	ETC	Skagit Land Trust	X			
Brunz, Mayor Ed	Cities and Towns	City of Burlington	X			
Carey, Bob	ETC	The Nature Conservancy	X			
Carlson, Todd	LUTC	WA Dept. of Transportation	X			
Easton, Jason	LUTC	Washington Realtors	X			
Flaig, Dean	DDTC	Drainage District #21	X			
Halverson, Leonard	At-Large	Sterling Area		X		
Hamburg, Daryl	DDTC	Dike District #17	X			
Hughes, Robert	LUTC	Ag. Adv. Committee	X			
Kunzler, Larry	At-Large	Skagit River Flood Historian	X			
Nelson, Stanley	DDTC	Dike District #22	X			
Norris, Mayor Bud	Cities and Towns	City of Mount Vernon	X			
Pflug, Dave	ETC	Seattle City Light	X			
Wasserman, Larry	ETC	Swinomish Indian Tribe	X			

**OTHERS PRESENT AT FCZD ADVISORY COMMITTEE MEETING ON 08/17/09:**

<b>STAFF</b>	
<b>Name</b>	<b>Affiliation</b>
Berentson, Dan	Skagit County Public Works
Karsh, Tom	Skagit County Public Works
MacMullen, Meghan	Skagit County Public Works

<b>OTHER INTERESTED PARTIES</b>	
<b>Name</b>	<b>Affiliation</b>
Bell, Esco	City of Mount Vernon
Borman, Neil	Environmental Technical Committee
Ehlers, Carol	Citizen
Flagan, Jan	Skagit County Public Works
Helton, Bob	Citizen
Killgore, Mark	Puget Sound Energy
Martin, Chal	City of Burlington
Miller, Curt	Miller Consulting
O'Donnell, Dan	Town of LaConner Council
Raicho, Carly	Skagit County Planning & Dev. Services
Rogerson, Kevin	City of Mount Vernon
Schwartz, Ralph	Skagit Valley Herald
Shultz, John	Dike Districts #1 and #12
Walsh, Stan	Skagit River System Cooperative