

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS**

Thursday, April 18, 1991

7:00 p.m. - 9:00 p.m. Public Meeting - Drainage and Flood Control.
(Allen United Methodist Church Hall, 1475 Allen West Road, Bow)

The Skagit County Board of Commissioners met in a special session on Thursday, April 18, 1991, with Commissioners W. W. Vaux, Ruth Wylie and Robby Robinson present.

The Board convened at the Allen United Methodist Church, 1475 Allen West Road, Bow, for a public meeting the purpose of which was to present a proposal for the formation of a county-wide drainage utility, and to gather public opinion on the proposal. Approximately 45 people attended.

Chairman Vaux introduced Dave Brookings, Flood Control Engineer.

Mr. Brookings reviewed drainage and flooding issues, beginning in the far eastern reaches of the County and extending westward to Fidalgo Island. He then reviewed the revenues available for flood and drainage improvements and maintenance of flood and drainage facilities. Twelve dike districts and 13 drainage districts produce revenues through taxes in amounts from \$6,000 to \$35,000 annually to address the dike and drainage facilities in their respective areas. Nine sub-flood control zones, for which the Board of County Commissioners acts as administrators, also produce revenues through taxes to address flood and drainage issues in their respective areas. The county-wide drainage utility would respect the role these districts play in flood and drainage control, and would not disturb their functions. The County Road Fund allots \$240,000 for drainage maintenance necessary to protect County Roads and is applied to projects outside the perimeter of the roads. The River Improvement Fund provides \$20,000 which is apportioned to the dike, drainage and sub-flood control districts through a grant program. One person, Mr. Brookings, makes up the staff of the Flood Control Division.

Mr. Brookings reviewed the components necessary to a comprehensive drainage program. Planning and studies should include the following steps:

- identify issues and solutions
- clarify jurisdictional roles
- develop a system to evaluate and prioritize projects
- identify maintenance needs
- facilitate compliance with Department of Ecology regulations
- set appropriate fees

Mr. Brookings explained that the staff has reviewed ways in which to fund this study and has the following options:

- sub-flood control zones and diking and drainage districts to cover the entire County. Does not deal with regional issues, but does compel everyone to participate.
- River Improvement Fund raised by a county-wide vote to exceed tax limit.
- Mitigation fees. These cannot alone provide a solution to water problems, as they can be used only to benefit whatever development pays them.
- Federal and State grants. These require matching funds of up to \$0.50 on each dollar raised through grant applications.
- County-wide drainage utility.

Mr. Brookings reviewed the State law pertaining to the County-wide drainage utility, which is being recommended as the option to pursue. The County-wide drainage utility can be formed by a vote of the

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Board of Commissioners. Initial assessments would fund the drainage study. The study would then identify how assessments should be made to fund future construction and maintenance projects based on the land use activity on the property. An initial assessment of \$10.00 per parcel has been suggested.

Finally, Mr. Brookings reviewed a timeline for planning and implementation.

Chairman Vaux called upon Commissioners Wylie and Robinson to sum up their impressions of the previous meetings.

Commissioner Robinson felt that the response of the public was very positive on the issue of county-wide drainage.

Commissioner Wylie noted how helpful the completed questionnaires will be, and asked that the audience complete those that were distributed at this meeting.

Brian Davis, a State Department of Natural Resources employee, asked whether DNR lands would be assessed under the plan, to which Mr. Brookings replied affirmatively.

Answering questions from the audience, Chairman Vaux explained how a parcel is defined. An audience member objected to a per-parcel charge for contiguous parcels of the same owner.

Tom Solberg, 213 Old Hwy 99 N, Burlington, had concerns about whether there would be fair and equitable charges to all, i.e., the Mount Baker National Forest. He stated that he would support the proposal if taxing were fair and equitable.

Commissioner Wylie stated that it was her experience as County Treasurer that the Federal Government has insulated itself from taxation. Commissioner Wylie predicted that Skagit County would never receive any tax monies from the Federal Government.

Ted Palmer, 831 Chuckanut Drive, Bow, agreed with comments from previous meetings that the plan should utilize local expertise. He was apprehensive about how the scope of the study could be limited to remain within the realm of drainage and flooding issues only.

An audience member named Dan asked if anyone has attempted to enact a moratorium on forest practices in the Samish River Basin. He stated that the DNR has not exercised good stewardship of their land in this area, and Skagit County should seek redress.

Mr. Davis from the DNR stated that not all the land in the Skagit River Basin belongs to DNR. Much of the forest practices which the public can see from I-5 northbound have been performed by private contractors.

Chairman Vaux explained the apparent failure of negotiations by the Sustainable Forestry Round Table and the Board of Natural Resources to enact forest practices controls.

An unidentified audience member complained that no attempt was made to mitigate drainage problems when Chuckanut Drive was repaired by the State.

Discussion ensued on clear cutting. Answering a question from the audience, Chairman Vaux stated that forest practice permits for both public and private operations are obtained through the DNR. Skagit County has in past years received between \$1.6 and \$2.3 million from State and Federal timber taxes for the road fund, and \$1.5 million for the general fund. Education receives much more from timber taxes.

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During the discussion the question of how the public would interface with the citizens' advisory committee was brought up. Another audience member asked whether the County would seek reparations from logging operators if the study determined that forest practices were contributing to the County's drainage problems.

Ernie Dahl, 902 Benson Road, Bow, was interested in seeing an upgrade to the Joe Leary Slough drainage system.

An unidentified female audience member was very skeptical of the taxing process, and stated her mistrust of government' abilities.

A Mr. Wallace complained that the Department of Fisheries refuses to allow the removal of a "crook" from the Samish River dike, even if the land is donated.

Discussion ensued on the powers of the Department of Fisheries, Senate Bill 5411 and House Bill 1490.

A man from Friday Creek indicated that he had experienced an uncooperative attitude from the Department of Fisheries when he tried to remove blown down trees from Friday Creek in order to save his well.

Unidentified audience members made the following comments:

- The Samish will not hold all of the water that drains from the Allen area. The dikes either should be set back from the River, or another channel built, or old channels opened up.
- Farmers at the mouth of the Joe Leary Slough would be impacted by upstream improvements.

Answering audience questions, Chairman Vaux stated that funds would be allocated to the local diking and drainage districts through flood grants similar to the manner in which they are now allocated.

Commissioner Wylie explained that a system very much like the County's Six-Year Road Program would likely be used.

Wendall Gentry, 924 Chuckanut Drive, a resident of Dike District #25, did not think the Department of Fisheries would allow the dikes to be moved back. He believed retention ponds to be the answer to drainage problems. He did point out that an equal share of the tax proceeds should be spent on the Samish as are spent on the Skagit.

Jess Knudson 1183 Avon Allen Road, Burlington, defended the dike work down by District #25. He supported the concept of county-wide drainage control, stating that the districts are overworked, staffed by volunteers, and often do not work well together.

Mr. Solberg stated that he possesses a degree in civil engineering and would like to help, particularly on a fees committee.

Tony Breckenridge, 628 Bayview-Edison Road, Bow, was open to a county-wide approach, as long as the Allen area would receive equal benefit. His solution for flooding of the Samish involved constructing a 15 foot levy from I-5 to Alger to hold Friday Creek, which contributes 1/4 to 1/3 of the water in the Samish, during heavy storms.

Mr. Davis pointed out that use of local expertise may lead to a biased fee schedule.

An unidentified audience member was concerned that if a new channel is opened, his house would be in

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jeopardy and he would not be compensated for his losses.

Terry Knudsen was in favor of the overall study of drainage.

An unidentified female audience member was in favor of dredging.

The audience discussed the potential development of property located in a low swell behind the Midway House which serves as a water retention site for the area. Mr. Brookings noted that the development project has been severely cut back, if not stopped all together.

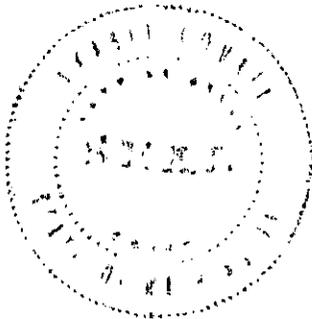
Mr. Solberg recommended a county-wide vote on the study.

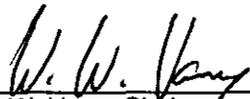
John Sandell pointed out that allowing development of wetlands in the area will destroy the Samish. He advocated controlled development.

ADJOURNMENT:

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Robinson seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON





W. W. Vaux, Chairman



Robby Robinson, Commissioner



Ruth Wylie, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners