

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS  
TUESDAY, AUGUST 2, 2011**

The Skagit County Board of Commissioners met in regular session on Tuesday, August 2, 2011, with Commissioners Ron Wesen, Kenneth A. Dahlstedt, and Sharon D. Dillon present.

I. CALL TO ORDER:

Chairman Wesen called the proceedings to order at 8:30 a.m.

II. PLEDGE OF ALLEGIANCE:

Chairman Wesen led the gallery in the salute to the flag.

III. AGENDA:

a) 8:30 a.m. - 10:30 a.m. Public Works - Henry Hash, Director:

1. Work Session: Federal Energy Regulatory Commission (FERC) Relicensing Regarding Imminent Drawdown on the Baker River

Henry Hash introduced Natural Resources Division Manager Dan Berentson. Mr. Berentson stated that he would be discussing Settlement Agreement Article 107c and License Article 305 and their relation to imminent drawdown on the Lower Baker Dam for public safety during a flood event. Mr. Berentson stated that the work session regarding this issue was necessary because multiple agencies do not feel that imminent drawdown is being adequately addressed. Mr. Berentson stated that Puget Sound Energy (PSE) has decided that there is little benefit from imminent drawdown, which is holding the outflow from the dam before a storm system, in order to lower the water level in the river so that it can better accommodate the new water from the storm system. Mr. Berentson commended PSE for their work during the 2003 flood and stated that the dams were managed well.

Mr. Berentson stated that according to Settlement Agreement Article 107c, and License Article 305, the licensee (PSE) shall consult with the Aquatics Research Group, Skagit County, and the U.S. Army Corps of Engineers to develop protocols for imminent drawdown in front of, and during, a flood. Mr. Berentson stated that this report from PSE is due in October.

Mr. Berentson stated that Skagit County's objectives for the outcome of the general investigation included: negotiating additional storage and reservoir management operations for flood control in the Upper and Lower Baker and Ross dams and improving off-channel storage, increasing conveyance and eliminating major flood impediment in the multi-bridge corridor including debris management, rehabilitate the levee system downstream of Sedro-Woolley providing flood protection and salmonid habitat, creating emergency flood relief to spill excess water onto the flood plain, if necessary.

Emergency Management Interim Director Mark Watkinson discussed emergency operation protocols during flood events and listed the multiple agencies and jurisdictions that they coordinate with during emergencies. Mr. Watkinson showed the Commissioners the organizational structure used during a flood event which creates unified management during a flood event.

City of Burlington Public Works Director Chal Martin was present to discuss some of the specific data regarding river flows and levels relating to the Baker and Ross systems. He stated that our storm systems create a lot of water and he discussed the need to form a 107c committee which would convene to decide what the outflow from the dams should be before and during a flood event. Commissioner Dahlstedt and Chal Martin discussed the capacity and flows from the Baker system.

Mr. Martin stated that the Baker system produces higher peak flows than the Ross system. He showed flow graphs to the Commissioners. Mr. Martin stated that the current Baker flood storage was not enough. Baker was authorized at 74,000 acre feet but that 140,000 acre feet would be more appropriate. Mr. Martin stated that Ross is authorized at 120,000 acre feet, and that a more reasonable amount would be 150,000 acre feet. Mr. Martin stated that this amount of flood storage is needed due to the fragile levee system downstream.

Mr. Martin clarified that 140,000 acre feet of flood storage in Baker system would only be necessary for very large flood events. Mr. Martin ended by saying he hoped that Article 107c would be implemented and utilized.

Commissioner Dahlstedt asked questions about an interim protection plan for drawing down the dams and also wanted the environment and fish within the river system taken into consideration and researched so that a balanced plan could be implemented.

Mr. Berentson said that after PSE files their report in October, another work session would be scheduled in order to brief the Commissioners on PSE's proposals. Mr. Berentson invited anyone up to the podium who had comments to make regarding imminent drawdown of the system. Manager of Dike District #17 Daryl Hamburg discussed why the benchmark for flood events is the 100 year flood event, which is due to the large amount of information available on 100 year floods. Mr. Hamburg stated that the Dike District's job is to reduce the risk to people and property for any small or large flood event and that this is accomplished by utilizing all available resources, and that one such resource and tool was Article 107c. Mr. Hamburg stated that the environmental, political, and financial struggles should be worked through in order to complete Article 107c.

Project Coordinator Lorna Ellestad thanked everyone for coming to the work session. She said that a lot of the people in the room also went to Washington D.C. to discuss this and other water issues. Ms. Ellestad listed Skagit County's disappointments with PSE's current position on the imminent drawdown of the Baker dam. Some of the issues she brought up

pertained to the current report being premature and failing to identify and address emergency operational procedures for reasonable best efforts to achieve target reservoir elevations when public safety is threatened by a natural disaster, like a flood. Ms. Ellestad also stated that PSE has failed to work with Skagit County Emergency Management, some of PSE's responses have not been consistent. Ms. Ellestad stated that PSE's current position within the report is that the actions brought to the 107c discussion by members of the community fall outside of the license and are not consistent with the other licensing procedures. Skagit County disagrees and believes that they do fall within the scope of emergency operations. Ms. Ellestad stated that much remains to be discussed and evaluated. Plans also need to consider the impacts on our fish. Ms. Ellestad would like PSE and others involved in emergency operations to develop the protocols consistent with License 107c.

Ms. Ellestad ended by stating that the Baker system needed to provide more storage. She said that the Lower Baker dam is held at full reservoir capacity all year long, even during a flood event, and that plans need to be enacted in order to protect the environment, people, and property.

Discussion ensued regarding utilizing the holding capacity of dams during flood events. The October deadline was discussed, as well as important dates leading up to the October deadline. It was pointed out that this has been an issue for Skagit County for the last 10 years and that the county wants to make sure all the necessary work is done for the best outcome.

Community Services Supervisor from PSE Cory Ertel was thanked for attending the work session.

The Commissioners thanked everyone for attending and for working together to obtain the needed storage from the dam systems.

## 2. Miscellaneous

Public Works did not have any miscellaneous items to discuss. Chairman Wesen recessed the proceedings at 9:27 a.m.

### b) 10:30 a.m. - 11:30 a.m. Presentation: Washington Counties Risk Pool

Chairman Wesen reconvened the proceedings at 10:30 a.m.

Risk Manager Billie Kadrmas introduced Washington Counties Risk Pool (WCRP) Executive Director Vyrle Hill and Member Services Manager David Goldsmith.

Mr. Goldsmith briefed the Commissioners on the 2010 Annual Report and then discussed liability within the public sector and why Washington State is one of the most risky states to insure. Due to this, Mr. Goldsmith stated that one method of insuring is self-insuring each other against liability. Mr. Goldsmith stated that WCRP started with 15 counties when they were initially formed in 1988. There are

now 27 member counties. He showed the Commissioners a map of the counties which made up the risk pool. Mr. Goldsmith explained that the risk pool is governed by a Board of Directors and can self insure according to R.C.W. 48.62.031. Functions of WCRP include providing insurance coverage, decreasing the costs of claims, and reducing claims and losses through training and policy work. Mr. Goldsmith stated that the WCRP was strong because of its diversity. Mr. Goldsmith discussed rates and premiums. Mr. Hill explained WCRP current financial situation and showed how Skagit County rated when compared to the other 26 counties. Mr. Hill stated that people looking for more information could go online at [www.wcrp.info](http://www.wcrp.info)

The Commissioners thanked Mr. Goldsmith and Mr. Hill for the information and they thanked them for working with Skagit County staff on insurance matters. Commissioner Wesen asked Mr. Goldsmith to explain why Skagit County is self-insured.

Mr. Goldsmith answered that it would be very difficult to find a commercial insurer who would be willing to insure a governmental entity, and that if a commercial insurer was found who was willing, the cost would be very high.

Mr. Hill and Mr. Goldsmith pointed out that Skagit County has a very high participation rate, when compared to other counties, in their trainings and they commended employees for being proactive.

Chairman Wesen recessed the proceedings at 11:27 a.m.

c) 11:30 a.m. - 11:45 a.m. Public Comment Period

Chairman Wesen reconvened the proceedings at 11:33 a.m. Seeing no one present for public comment, Commissioner Dahlstedt made a motion to close the public comment period, which was seconded by Commissioner Dillon. The motion passed unanimously.

Commissioner Dillon announced the upcoming public meeting on Monday, September 12, 2011, at 6:00 p.m. in the Commissioners Hearing Room would be to discuss and gather information on pipeline safety.

d) \*5:00 p.m. Farewell Celebration for Shell Puget Sound Refinery General Manager Sue Krienen (Padilla Bay National Estuarine Research Reserve, 10441 Bayview-Edison Road, Mount Vernon)

IV. ADJOURNMENT:

Chairman Wesen adjourned the proceedings at 11:34 a.m.

**BOARD OF COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**

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Ron Wesen, Chairman

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Kenneth A. Dahlstedt, Commissioner

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Sharon D. Dillon, Commissioner

ATTEST:

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Linda Hammons, Clerk of the Board