

Congress of the United States
Washington, DC 20515

March 20, 2015

Theodore A. (Tab) Brown, P.E.
Chief, Planning and Policy Division
US Army Corps of Engineers
441 G Street NW
Washington, DC 20314

Dear Mr. Brown:

We are writing to express our serious concern with the apparent lack of transparency and communication failures of the United States Army Corps of Engineers (the Corps) with Skagit County, the local sponsor of the Skagit River General Investigation (Skagit GI).

Our offices and Skagit County were surprised to hear that the Skagit GI was no longer on track to be completed on time and within budget. Our disappointment deepened when it became obvious that the Corps was planning to exceed the Federal Cost Share Agreement (FCSA) by \$440,000 in FY15 without informing the local sponsor. It was inappropriate for our offices to be the first to inform the local sponsor of this oversight. In addition, we are concerned to learn that the Skagit GI is expected to go beyond another year of study for an unconfirmed cost expected to be greater than \$1.1 million in FY16. This study, scheduled to be concluded in less than three months, has added an additional \$1.54 million in cost with no clear explanation.

In a February 2015 meeting with Skagit County representatives, Seattle District Corps staff requested the county's support for a waiver from the so-called 3x3x3 rule that put in place a \$3 million cap on the study and a three-year schedule that started June 1, 2012. Prior to asking for support of the waiver, the Corps was unable to offer a concrete timeline for the investigation's completion, that they have no definitive answer to the cost of additional study, and still cannot adequately explain why a waiver is needed. In response to requests for detailed information, the Corps has said it "cannot make any guarantees," which is not acceptable. Asking Skagit County to agree to a waiver in this manner would be the equivalent to asking the county to bet a blank check on the outcome of a shell game.

The Corps has not adequately planned its resources nor has it provided clear expectations and direction to the Skagit GI's local sponsor. According to the Seattle District, the need for a waiver has been known internally for nearly a year, yet Skagit County only heard mentions of it in late October. For having a year of preparation for a waiver, the Corps has little to offer as justification for going over budget and over the current timeline. When pressed, the conversation about the origin of the waiver results in a great deal of confusion between the Army Corps Headquarters and the Seattle District. If a waiver was needed to carry the study into FY16, the

Corps did nothing to prepare for their own share of the costs, nor prepare the local partner. The matter of amending the FCSA was first mentioned to Skagit County by our offices in January of this year even though the Corps had awarded the Skagit GI \$220,000 over the \$3 million cap in FY15.

We are calling on your office to act as quickly as possible to determine the cause of the confusion within the Corps for the need of a waiver from the existing parameters. Skagit County needs every guarantee that the Army Corps is proceeding with the Skagit GI in a cooperative way, with timely communication and the highest standards of financial stewardship possible. In addition, our offices request a briefing in Washington D.C. with headquarters and regional staff to address the need for a waiver, a detailed schedule, an explanation of costs associated with another year of study, and for assurances the Corps is working to keep the Skagit GI as close to the original timeline and budget as possible.

Our offices, along with Skagit County, have long been committed to the Skagit GI. We, along with Skagit County staff and elected officials, are taking the matter of cost and timeline overruns very seriously. Two months have gone by since we met with the Corps and Skagit County still is no closer to a clear path forward, pushing schedules back further. We are troubled by these unexpected and unacceptable delays in what should be the final stretch of the Skagit River GI. We sincerely hope the Corps is a committed partner in long term flood protection solutions in the Skagit Valley. We look forward to your prompt and detailed response.

Sincerely,



Rick Larsen
Member of Congress



Suzan DelBene
Member of Congress