



March 28, 2011

Luis Rodriguez, P.E. Chief and Kevin C. Long Acting Chief
Engineering Management Branch
Mitigation Directorate
Federal Emergency Management Agency
500 C Street, SW.
Washington, DC 20472

RE: Submission of Local Communities Burlington, WA (Community No. 530153) and Mount Vernon, WA (Community No. 530158) Appeal of Revised Digital Flood Insurance Rate Map (rDFIRM) and Revised Flood Insurance Study (rFIS) Dated July 1, 2010 For Skagit County, Washington.

Dear Mr. Rodriguez and Long:

Enclosed are three copies of the City of Mount Vernon, Washington and City of Burlington, Washington (the Cities) joint regulatory appeal of FEMA's revised flood insurance study and flood maps dated July 1, 2010 for Skagit County, Washington. These have been delivered to your office as required in your letters of notification dated December 17, 2010 sent certified mail to the Honorable Mayor Bud Norris, CEO of the City of Mount Vernon, WA and the Honorable Mayor Ed Brunz, CEO of the City of Burlington, WA. A copy has also been sent at the same time to FEMA Region X as directed by the letters of notification.¹

¹ A letter has also been sent to FEMA's Chief for Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency 500 C Street, SW., Washington D.C. 20472 placing them on notice that this appeal has been delivered to your office as that branch has previously been identified in other FEMA materials in which an appeal may be sent.

The Cities have brought this appeal as a result of a voluminous amount of compiled data and scientific study gathered over the years by the local communities. As set forth by the appeal, such work clearly demonstrates that FEMA's rFIS and rDFIRM are scientifically and technically incorrect as defined in FEMA regulations. As a result of the studies presented on appeal, new more accurate floodplain mapping has been included based on better quality and quantity of information, better and more accurate assumptions and more appropriate methods. The appeal includes the following:

- FEMA Flood Map Appeal/Protest Submission Form
- Summary Report of Appeal by Scott L. Shapiro, Esq.
- Technical Report – Supporting Data and Analysis for Skagit River RFIS Appeal, March 2011, Pacific International Engineering (“Technical Report”), and all supporting technical appendixes, computer files, and floodplain maps.
- Probability Estimates of Historical Flood Events and Recorded Floods, Skagit River near Concrete by Joseph Countryman P.E., with ITR by Dr. David Ford PE (“Probability Estimates (Countryman)”).
- Memorandum dated March 28, 2011 raising legal and procedural issues associated with FEMA's issuance of the rDFIRM and the RFIS and its proposal to finalize these documents.
- Appellants' Response Memorandum to FEMA memorandum of May 19, 2010.
- Appellants' Response Memorandum to USGS memorandum of May 7, 2010.

The Cities look forward to FEMA's review of the submitted materials and anticipate that FEMA's next steps to this appeal will include good faith consultation with the local communities and best efforts to resolve all errors raised in this appeal so that the best available science may prevail.

Sincerely,

CITY OF BURLINGTON



Edward J. Brunz
Mayor

Sincerely,

CITY OF MOUNT VERNON



Bud Norris
Mayor

cc: Ryan Ike; Risk Analysis, Branch Chief and Skagit FIS Consultation and Coordination Officer FEMA Region X

Burlington and Mount Vernon

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