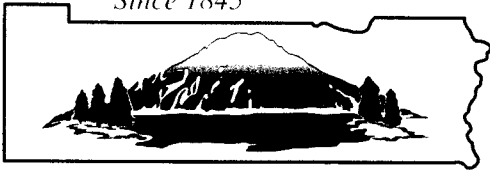


LEWIS COUNTY COMMISSIONERS

Since 1845



Lewis County, Washington

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September 15, 2009

David R. Bunting
114 Mt. View Drive
Packwood, WA 98361

RE: Cowlitz Channel Migration Zone

Dear Mr. Bunting:

We received and read your recent letter regarding flooding and channel migration in the Packwood area. Again, we respect your concerns, including those concerning property values within the channel migration study area. We also respect and value your opinions relative to the nature of flooding and river movement in the Packwood area from your personal perspective. Although anecdotal information has value, the County is required to consider "best available science" when adopting land use regulations, including studies conducted by reputable engineers and information from state and federal agencies. The official river water levels and volumes, including designation of the flood of record are the responsibility of the federal government and Lewis County must rely on that information. The federal government also is ultimately responsible for approval and designation of flood maps used under the Federal Emergency Management Administration (FEMA) programs for floodplain management and insurance.

It is unfortunate that there have been several floods in the upper Cowlitz River basin which resulted in movement of the river channel in numerous places – in some instances washing homes and property down the river. Property values are market-driven and, in real estate, location is a primary factor in determining property value. We are also in a recession and one of the biggest impacts of the recession has been the effect on property values everywhere.

Understandably, the frequency of such natural events as flooding or river channel movement impacts the value of property that may be affected. Property that may have been useful for development, in some cases, is now located in the river channel and is no longer useful for development purposes. Clearly, the historical movement of a river or a reasonable expectation of such occurrence in the near-future is a factor in the establishing the market value of property relative to its usefulness for development. However, merely identifying and mapping where changes to the river have occurred and are likely to occur, or where, historically, flooding has occurred and is likely to occur in the future, is not the cause of property value loss any more than tracking the mortality rates in smokers causes their death. Location and the free market determine the value of property. The river will do what it will do and mapping its movement or the probability of such future movement, based on statistical and scientific data, will not cause or prevent its movement.

We wish to re-iterate that the study undertaken by GeoEngineers, is only a study, and not regulatory. The County has an affirmative duty to protect the health, safety and welfare of the citizens and is required to use the best information available when reviewing permit applications, including adopted hazard maps and engineering studies. As with all human products, such information may contain errors. This is the reason draft material is subject to peer and public review, including workshops and hearings, before being incorporated into the County Code.

Mr. Dave Bunting
September 15, 2009
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Over the next year, the Planning Division will be conducting meetings, contract with consultants and engineers and work with the public to review the existing FEMA flood maps, the channel migration study, the NRCS study, and any other new information that is, or may become available, and present their finding to the Board of County Commissioners. Once the draft maps are acceptable to the Board they will be submitted to FEMA for review including public review and comment. Once changes are formally approved by the federal government, they will be adopted for regulatory use and will be the new flood maps.

Again, we want to emphasize the process of revising and adopting maps for the Upper Cowlitz River, including the Packwood area, has just begun. It will likely take several years to prepare, review and adopt final maps for use in the Upper Cowlitz River. The channel migration maps that have been prepared are not the final adopted flood maps and are subject to review, comments and revision just the same as any other proposed flood-map revision. The public as well the regulatory agencies will have numerous opportunities to review and comment on the maps, and the final maps will be the culmination of a public process that will represent the best available science and information.

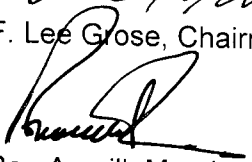
In the interim, and until new flood maps are adopted, the County must consider recent natural events and best information when reviewing development proposals. If there is any doubt as to reasonable risk that may place liability on the County, a developer may be required to demonstrate acceptable mitigation to reduce or eliminate the risk. This being said, there are potential risks in developing in certain areas and the planning division and building department will work with property owners and developers to appropriately reduce such risks to the extent allowable under currently adopted laws, regulations and policies.

We encourage you to be involved with the flood-mapping process and thank you for your interest.


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LEWIS COUNTY WASHINGTON



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