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Kent, county in high-stakes levee dispute

Published February 22, 2013, 3:00 a.m. PST

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KING COUNTY PHOTO

A system of levees contains the Green River in its lower valley, allowing for dense commercial development, as seen in this aerial photograph of Tukwila, looking north. Now the nearby city of Kent and King County are skirmishing over a section of levee amid concerns that federal officials could designate much of the lower valley as flood plain.

King County and the city of Kent are finally on the verge of settling a high-stakes dispute that has left more than 18,000 people who work at businesses behind a Green River levee in limbo.

Fixing the levee — which protects highways, rail lines and companies — is an urgent priority for the city. “It is at the top of our list,” said Kent Mayor [Suzette Cooke](#).

Cooke and other city officials are particularly concerned about the Briscoe-Desimone Levee along the Green River between South 180th and 200th streets. That stretch of levee has weak spots and pinch points that don’t meet federal standards.

The mayor and business owners fear that if the county Flood Control District Board doesn’t move forward on beefing up the levee, federal officials would designate as flood plain much of the Green River Valley from Auburn to Tukwila. That would mean property owners in the West

Coast's second-largest warehouse district would face more onerous development rules and would have to buy expensive flood insurance.

The county Flood Control District Board of Supervisors, which is made up of all nine King County Council members, is scheduled to vote on a fix for the Briscoe-Desimone Levee on Feb. 26. Earlier this month, the board's executive committee voted 3-1 in favor of a proposed fix. While this suggests a "yes" vote by the full board, not everyone at the courthouse is in agreement.

King County Executive [Dow Constantine](#) favors a more expensive approach that would take longer than Kent's proposal, but it could lead to a more comprehensive solution that more groups would support. The solution Constantine favors calls for a "Systemwide Improvement Framework," or SWIF.

Constantine's deputy executive, [Fred Jarrett](#), said environmentalists oppose Kent's plan, and he worries that some federal agencies could block its implementation.

"We think it's a much better investment to spend two years working on SWIF than two years in court litigating," Jarrett said.

But King County Councilmember [Julia Patterson](#) said property owners behind the Briscoe-Desimone Levee can't wait for a long-term solution.

"I don't know what (Constantine) is thinking," she said. "The business community is very anxious over this."

The Briscoe-Desimone is a little-known levee that's part of a larger flood control system between the Howard S. Hanson Dam about 20 miles east of Auburn and the watershed that empties into Elliott Bay.

The system protects one of the Puget Sound region's main economic engines. Not only is there \$12 billion worth of property and nearly 100,000 jobs in the valley, but it's home to 24,000 people and one of the metro region's largest runs of Chinook salmon.

The story of the Briscoe-Desimone Levee has more twists and turns than the Green River itself.

Five and a half years ago, the **Federal Emergency Management Agency** released preliminary maps that showed the entire valley in the flood plain because parts of the levee system would not hold back a 100-year flood. FEMA went back to the drawing board and released a draft national policy for how the maps would be drawn in late 2011. FEMA spokesman Ryan Ike said

there is no release date for the policy, but he said the agency expects to have mapping methods in place “in the near future.”

Kent isn't waiting. Seattle land-use attorney Molly Lawrence said the city realized, “Holy bejeezus, we have a huge problem on our hands.”

Lawrence, who represents a group called Property Owners for Sensible Floodplain Regulations, said the city spent a couple million dollars analyzing the levees and found some deficiencies in the Briscoe-Desimone Levee on the east side of the river. The city came up with a plan to bolster the levee by building a \$17 million flood wall behind it. Lawrence said the county flood board signed off on the plan, but with caveats.

Later, however, Kent was surprised when the county flood board voted to buy land that would lead to the more expensive fix that county staffers supported. The county bought two vacant buildings and one that houses a 102-year-old stamp maker called Mastermark. The county plan called for moving the levees on both sides of the river back several hundred feet, necessitating buying hundreds of millions of dollars in property.

A third-party expert said the county's most robust plan could cost \$920 million, though the ultimate cost would be significantly less if only the levee on the east side of the river were fixed. Patterson said county staffers revised the number for their project down to \$74 million.

Even the lower estimate is still more than twice the \$36 million that the county flood district raises annually from a property tax that costs the owner of a \$400,000 home \$40 a year.

Robert Gilbert, an engineering professor at the University of Texas in Austin, Texas, is a third-party expert that the county hired to analyze the two proposals. While the county's fix is costly, it would increase fish habitat and result in a larger greenbelt, Gilbert said.

However, Patterson said Constantine's plan isn't worth the expense. That approach “is attempting to create a Garden of Eden in the most industrialized terrain that the river winds through,” she said.

Jarrett doesn't know if opponents would sue to stop implementation of the Kent plan. “I only know from my experience and that shows that without buy-in from all parties, you face that probability,” he said.

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