

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

BNSF RAILWAY COMPANY,)	DOCKET NO. TR-070696
)	
Petitioner,)	
)	
v.)	DECLARATION OF DAVID OLSON, CHAIR, SKAGIT COUNTY DIKING DISTRICT NO. 3
)	
CITY OF MOUNT VERNON,)	
)	
Respondent.)	

I declare under penalty of perjury under the laws of the State of Washington that the following facts are true:

1. I make this declaration based on my personal knowledge.
2. I have lived more than 60 years in the area between Conway and Mount Vernon. My family has been engaged in agriculture, including dairy farming and crop farming. I currently reside at 18385 Torset Road, Mount Vernon, Washington 98273.
3. For more than 15 years I have been a Commissioner of Skagit County Diking District No. 3 which has responsibility for the levee along the Skagit River main stem and South Fork on the left bank of the river. This levee protects downtown Mount Vernon and the land on

DECLARATION OF
DAVID OLSON - 1

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which the Burlington Northern Santa Fe Railroad right-of-way and Interstate 5, Old Highway 99 and Pioneer Highways are built.

4. In my capacity as Chairman of Skagit County Diking District No. 3, I have participated in the Skagit County Hazard Mitigation Planning process.

5. A key resource for flood fighting and flood damage repairs is the Meridian Quarry at the east end of Hickox Road in the City of Mount Vernon. Maintaining a route for delivery of sand, rock and other flood fighting materials from the Meridian Quarry to the Skagit River levees is important to the protection of farms, businesses and residents of south Mount Vernon. It is also crucial to the evacuation of people, equipment and animals from the flood plain which lies between the Skagit River levees and the Burlington Northern Santa Fe Railroad tracks. In the event of a levee failure south of Mount Vernon, Hickox Road would be the main escape route to high ground during the flood event.

6. Our District levees are not adequate to protect against the 100 year flood, which is a flood that has a 1% chance of occurring in any year. According to the hydrology studies which have been prepared by the Army Corps of Engineers water depths in the south Mount Vernon corridor between the Skagit River levees and the Burlington Northern Santa Fe railroad could be more than 10 feet deep in places. Having an efficient route for getting people away from the area and having the capacity to quickly bring flood fighting material to a break are crucial to the success of Dike District No. 3 protecting life and property.

7. Alternatives to Hickox road access to the Mount Vernon levees on the south end of town are completely inadequate. Anderson Road does not reach the dikes. Blackburn Road, access involves winding through city streets.

8. The other primary access for flood fighting is at Conway where our District Headquarters is located. Although that location and the Railroad crossing at Conway are useful for flood fighting, the reach of trucks and personnel for a flood fight would be longer and slower if the District did not have the ability to cross both the freeway and the railroad tracks at Hickox Road. Many people could be trapped, unable to go as far south as Conway and unable to go north because of a breach of the levees in the City of Mount Vernon.

9. Skagit County Diking District No. 3 relies heavily on resources of the City of Mount Vernon and volunteer sand bagging to protect downtown Mount Vernon from flooding. The base elevation for the District's flood fight on Main Street in Mount Vernon is lower than any other levee in the vicinity. If the downtown Mount Vernon area were to flood, preservation of an emergency route to Interstate 5 at the Hickox Road rail crossing and highway interchange would be important.

DATED this 28 day of August 2007.

SKAGIT COUNTY DIKING DISTRICT NO. 3

By: David J. Olson
DAVID OLSON, Chair