



SEATTLE CITY COUNCIL

Legislative Summary

CB 118484

Record No.: CB 118484

Type: Ordinance (Ord)

Status: Passed

Version: 1

124853

In Control: City Clerk

File Created: 07/30/2015

Final Action: 09/11/2015

Title: AN ORDINANCE relating to the Cedar River Watershed; authorizing five years of ecological thinning, in accordance with the Cedar River Watershed Habitat Conservation Plan, in Sections 15, 16, 21 and 22, Township 22, North, Range 7, East, W.M., Sections 8 and 9, Township 22, North, Range 8, East, W.M., Sections 2 and 11, Township 21, North, Range 9, East, W.M.; Sections 34 and 35, Township 22, North, Range 9, East, W.M., Sections 3, 4 and 10, Township 21, North, Range 10, East, W.M., and Sections 32 and 33, Township 22, North, Range 10, East, W.M.; declaring the logs resulting from ecological thinning to be surplus to the City's needs; authorizing the sale of such logs pursuant to applicable City contracting and surplus property sale procedures; and directing deposit of the proceeds therefrom to the Water Fund for the purposes of the Habitat Conservation Plan implementation.

Notes:

Date
Filed with City Clerk: 9/11/2015

Mayor's Signature: 9/11/2015

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: bob.hennessey@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published: Yes No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	08/11/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	08/11/2015	sent for review	Council President's Office			

Legislative Summary Continued (CB 118484)

Action Text: The Council Bill (CB) was sent for review. to the Council President's Office
Notes:

1 Council President's Office 08/12/2015 sent for review Seattle Public Utilities and Neighborhoods Committee

Action Text: The Council Bill (CB) was sent for review. to the Seattle Public Utilities and Neighborhoods Committee
Notes:

1 Full Council 08/17/2015 referred Seattle Public Utilities and Neighborhoods Committee

Action Text: The Council Bill (CB) was referred. to the Seattle Public Utilities and Neighborhoods Committee
Notes:

1 Seattle Public Utilities and Neighborhoods Committee 08/20/2015 pass 09/08/2015 Pass

Action Text: The Committee recommends that Full Council pass the Council Bill (CB).
Notes:

In Favor: 3 Chair Bagshaw, Vice Chair Sawant, Member Harrell
Opposed: 0

1 Full Council 09/08/2015 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:
Notes:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant
Opposed: 0

1 City Clerk 09/10/2015 submitted for Mayor's signature Mayor

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
Notes:

1 Mayor 09/11/2015 Signed

Action Text: The Council Bill (CB) was Signed.
Notes:

1 Mayor 09/11/2015 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:

1 Mayor 09/11/2015 Signed

Action Text: The Council Bill (CB) was Signed.
Notes:

1 Mayor 09/11/2015 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk
Notes:

1 City Clerk 09/11/2015 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.
Notes:

CITY OF SEATTLE
ORDINANCE 124853
COUNCIL BILL 118484

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6 AN ORDINANCE relating to the Cedar River Watershed; authorizing five years of ecological
7 thinning, in accordance with the Cedar River Watershed Habitat Conservation Plan, in
8 Sections 15, 16, 21 and 22, Township 22, North, Range 7, East, W.M., Sections 8 and 9,
9 Township 22, North, Range 8, East, W.M., Sections 2 and 11, Township 21, North,
10 Range 9, East, W.M.; Sections 34 and 35, Township 22, North, Range 9, East, W.M.,
11 Sections 3, 4 and 10, Township 21, North, Range 10, East, W.M., and Sections 32 and
12 33, Township 22, North, Range 10, East, W.M.; declaring the logs resulting from
13 ecological thinning to be surplus to the City's needs; authorizing the sale of such logs
14 pursuant to applicable City contracting and surplus property sale procedures; and
15 directing deposit of the proceeds therefrom to the Water Fund for the purposes of the
16 Habitat Conservation Plan implementation.

17
18 WHEREAS, in 1999, following several years of technical studies, negotiations with federal and
19 state agencies and review by public groups and individuals, the City Council adopted
20 Resolution 29977 authorizing the Mayor to submit the Final Habitat Conservation Plan
21 (HCP) and other related documents for federal review and issuance of an "incidental take
22 permit" under the federal Endangered Species Act, and to execute on behalf of the City
23 the HCP and related agreements, which together establish the City's long-term
24 commitments regarding watershed habitat protection and mitigation for impacts resulting
25 from the presence and operation of certain City-owned facilities; and

26 WHEREAS, the HCP describes, among other subjects, the City's planned forest management
27 practices, including the use of ecological thinning on 2,000 acres of second-growth
28 forests to accelerate development of old-growth conditions, improve habitat for species
29 dependent on older forest, and control risks of catastrophic events in certain existing
30 densely-stocked second-growth stands; and

1 WHEREAS, in 2000, the City received the incidental take permit and executed the HCP and
2 related agreements; and

3 WHEREAS, in 2002, the City Council passed Ordinance 121040, which clarified certain
4 differences between the forest management policies contained in the Secondary Use
5 Policies (adopted by Ordinance 114632) and those contained in the HCP; prohibited the
6 harvesting of trees for commercial purposes on City-owned land within the Watershed;
7 authorized the cutting of trees for certain limited non-commercial reasons, including
8 ecological thinning; provided limited authority for the sale of logs resulting from such
9 non-commercial cutting; and dedicated the proceeds from such sales for the purpose of
10 offsetting the costs of the HCP; and

11 WHEREAS, in 2002 and 2005, the City Council passed Ordinances 121039 and 121793,
12 respectively, which authorized two ecological thinning projects under the HCP, which
13 were completed in 2003 and 2008; and

14 WHEREAS, in 2012, the City Council passed Ordinance 124068, which provided authority for
15 ecological thinning projects over a five year period (2013-2017) under the HCP, and
16 those projects will be completed in 2017; and

17 WHEREAS, following field surveys and other technical considerations, Seattle Public Utilities
18 staff have recommended additional ecological thinning to meet HCP commitments
19 located in Sections 15, 16, 21 and 22, Township 22, North, Range 7, East, W.M.,
20 Sections 8 and 9, Township 22, North, Range 8, East, W.M., Sections 2 and 11,
21 Township 21, North, Range 9, East, W.M.; Sections 34 and 35, Township 22, North,
22 Range 9, East, W.M., Sections 3, 4 and 10, Township 21, North, Range 10, East, W.M.,
23 and Sections 32 and 33, Township 22, North, Range 10, East, W.M.; that consists of

1 approximately 800 acres of second-growth forest that will receive ecological thinning
2 treatment between 2016 and 2020; and

3 WHEREAS, this ecological thinning over five years is estimated to result in up to 7,000,000
4 board feet of merchantable logs from among the vegetation that would be cut; NOW,
5 THEREFORE,

6 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

7 Section 1. The Director of Seattle Public Utilities is hereby authorized to contract,
8 pursuant to applicable City contracting or surplus property sale procedures for the service of
9 ecological thinning of second-growth forest stands located in Sections 15, 16, 21 and 22,
10 Township 22, North, Range 7, East, W.M., Sections 8 and 9, Township 22, North, Range 8, East,
11 W.M., Sections 2 and 11, Township 21, North, Range 9, East, W.M.; Sections 34 and 35,
12 Township 22, North, Range 9, East, W.M., Sections 3, 4 and 10, Township 21, North, Range 10,
13 East, W.M., and Sections 32 and 33, Township 22, North, Range 10, East, W.M.; and consisting
14 of approximately 800 acres of second-growth forest that will receive ecological thinning
15 treatment under the principles and procedures described in the Cedar River Watershed Habitat
16 Conservation Plan (HCP), which contract may provide for the sale and removal of merchantable
17 logs down as a result of ecological thinning. The Director of Seattle Public Utilities shall, no
18 later than March 31 of each year, submit to the Mayor and City Council a report for the previous
19 calendar year describing the timber volumes sold and the proceeds derived from sales authorized
20 by this section, an estimate on what tree cutting is anticipated in the next year, and an analysis of
21 the cumulative effects of these projects. A public hearing having been held, the logs resulting
22 from ecological thinning authorized by this ordinance are hereby declared to be surplus to the
23 City's needs. The Director of Seattle Public Utilities is further authorized to conduct all related

1 monitoring, surveys, and other such activities as may be required by the City's commitments in
2 the HCP and by applicable permit requirements.

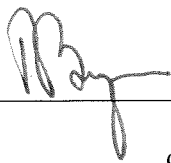
3 Section 2. All proceeds from the sale of logs authorized by Section 1 of this ordinance
4 shall be deposited in the Water Fund (43000) and further dedicated for the exclusive purpose of
5 offsetting the costs of implementing the HCP, including the projects, programs and activities
6 described in the HCP documents and those that educate the public about them.

7


1 Section 3. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 8th day of September, 2015, and
5 signed by me in open session in authentication of its passage this

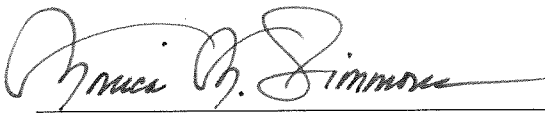
6 8th day of September, 2015.

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8 
9 _____
10 President _____ of the City Council

11 Approved by me this 11th day of September, 2015.

12
13 
14 _____
15 Edward B. Murray, Mayor

16 Filed by me this 11th day of September, 2015.

17 
18 _____
19 Monica Martinez Simmons, City Clerk

20
21
22 (Seal)