

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
Seattle Public Utilities	Brent Lackey	Akshay Iyengar

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle Public Utilities; authorizing the acquisition by negotiation of two parcels of land identified as King County parcel numbers 2752200050 and 2752200091 located at 21226 221st Avenue SE in King County for salmon habitat protection and watershed management; granting a life estate to Helen R. Sherry; authorizing the General Manager/CEO of Seattle Public Utilities to execute, accept, and record deeds and conveyance documents and take any other actions reasonably necessary on behalf of the City; placing the properties under the jurisdiction of Seattle Public Utilities; and ratifying and confirming certain prior acts.

Summary and Background of the Legislation: SPU manages the Cedar River Habitat Conservation Plan (HCP) Downstream Habitat Program, a component of the Cedar River HCP, pursuant to SPU's compliance with the federal Endangered Species Act. Under this program SPU acquired approximately 70 acres of salmon habitat lands for preservation. This ordinance authorizes SPU to acquire two additional parcels comprising approximately 20 acres, located on the Royal Arch Reach of the Cedar River, and contiguous to 16 acres formerly acquired and restored in 2023 for the same purpose. These two parcels were identified as top-tier priorities for protection and restoration of salmon habitat in the Cedar River, Lake Sammamish, and Lake Washington Salmon Recovery Plan.

The acquisition is funded entirely with grant funds from Washington State and King County, and formerly accepted by Council in Ordinance 127011. No expenditures of SPU ratepayer funds are anticipated to complete this transaction. The property was formally appraised at \$2.2 million in May 2024, and a final agreed purchase price of \$2.3 million was negotiated with the seller. All of the purchase price and other closing costs will be grant funded. Monies were appropriated in the SPU 2024 Capital Budget to fund this work using these grant awards.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? Yes No

The property was formally appraised at \$2.2 million in May 2024, and a final agreed purchase price of \$2.3 million was negotiated with the seller. All of the purchase price and other closing costs will be grant-funded.

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

There is a marginal operating cost associated with environmental stewardship of the acquired property. The parcels will be added to the existing portfolio of property totaling 70 acres of land across numerous parcels. There is a long-term stewardship plan and program that is funded by a dedicated O&M fund in the SPU HCP budget.

Please describe any financial costs or other impacts of *not* implementing the legislation.

There are no known financial costs from not completing this acquisition. It is likely that there would be a harmful non-specific political cost to foregoing the four separate grants awarded to SPU for the purposes of this acquisition after having successfully sought them for this purpose.

4. OTHER IMPLICATIONS

a. Please describe how this legislation may affect any departments besides the originating department.

No impacts to any other departments are anticipated.

b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.

This legislation authorizes City acquisition of property for preservation and future habitat restoration purposes. An environmental assessment of the land will be completed before property closing as required under the Purchase and Sale agreement. See attached map of parcel.

c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.

This work will have no impact on vulnerable or historically disadvantaged communities. The property is occupied by an elderly property owner and is otherwise maintained as open space. This will continue in the same function following acquisition and should have no impact on the very rural community proximate to this property. This is determined because it will have no functional impact on human

communities in the acquisition area. This land will be added to the portfolio of properties acquired by the Downstream HCP program and will be managed through the pen space habitat stewardship and property maintenance program operating under the oversight of SPU. The Muckleshoot Indian Tribe will be consulted during floodplain restoration planning and design anticipated in the future. Cultural resources surveys and monitoring will be conducted prior to any ground disturbing activities to ensure preservation of any archaeological resources.

ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.

N/A.

iii. What is the Language Access Plan for any communications to the public?

No direct additional public communication is anticipated.

d. Climate Change Implications

i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.

The preservation of this 20-acre property in perpetuity will have limited benefits to climate protection. Through preservation, it will eliminate carbon emissions normally associated with residential occupation and land use. There will likely be a very short-term increase in carbon emissions, should SPU be successful in designing and constructing a large-scale river floodplain habitat restoration project on the acquired parcels.

ii. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

This action will increase the resiliency to climate change on the Cedar River by ensuring that the river channel and floodplain functions in the undeveloped lands there remain so in perpetuity.

e. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?

No new initiatives or major programmatic expansion is proposed, though the existing Downstream Habitat Program anticipates the pursuit of further state and local grants to fund a salmon habitat restoration and floodplain reconnection very similar to the Upper Royal Arch Reach Restoration Project completed in 2023. That work would occur within the bounds of existing six-year CIP appropriations. The acquired property continues 25 years of property acquisition projects on a long-term programmatic effort to protect ESA-listed salmon habitats on the downstream Cedar River. The protection of property provided by this

acquisition furthers regional goals for habitat preservation in the overarching Updated Salmon Recovery Plan adopted in 2018.

5. CHECKLIST

- Is a public hearing required?**
- Is publication of notice with The Daily Journal of Commerce and/or The Seattle Times required?**
- If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**
- Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

6. ATTACHMENTS

Summary Attachments: Summary Exhibit A – Map of Sherry Parcel and Surrounding Parcels