

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
Seattle City Light	Lynn Best / 386-4586	Greg Shiring / 386-4085

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the City Light Department; declaring certain real property rights surplus to utility needs; authorizing the General Manager and Chief Executive Officer to grant a permanent flowage easement to allow for a relocated portion of Cumberland Creek to occasionally flood conservation land owned by The City of Seattle in Skagit County, Washington; and ratifying and confirming certain prior acts.

Summary and background of the Legislation: This legislation will declare as surplus, and authorize Seattle City Light to grant a flowage easement to Skagit County, to accommodate occasional flooding from Cumberland Creek on conservation lands owned by the City of Seattle in Skagit County, Washington.

In November, 2006, a major flood damaged the Cockreham Island Levee, on the opposite bank of the Skagit River from the City’s conservation parcels, near Hamilton, Washington. The damaged levee was subsequently repaired by the Skagit County Department of Public Works, acting under contract to the US Army Corps of Engineers (USACE).

In accordance with the National Environmental Policy Act (NEPA), Snohomish County was required to provide appropriate mitigation measures as part of the Cockreham Island Levee repair project.

The Skagit Land Trust, Seattle City Light, and other environmental stakeholders recommended that Cumberland Creek, on the south bank of the Skagit River, be relocated into a historic channel across Skagit Land Trust and other lands, together with the installation of certain habitat improvements, as mitigation for the Cockreham Levee repair project.

The Cumberland Creek Habitat Mitigation Project will increase the available spawning, rearing, foraging and refuge habitat for salmonids and other resident fish in the Skagit River system. As a condition of approval of this project, the USACE is requiring that The City of Seattle provide a permanent flowage easement to Skagit County, to allow for occasional flooding of the City’s property from the relocated Cumberland Creek.

The Cumberland Creek Habitat Mitigation Project and the permanent flowage easement required by the USACE will benefit the City’s fish and wildlife habitat conservation purposes. No additional monetary compensation is necessary for this easement.

2. CAPITAL IMPROVEMENT PROGRAM

_____ This legislation creates, funds, or amends a CIP Project.

3. SUMMARY OF FINANCIAL IMPLICATIONS

This legislation does not have direct financial implications.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**
No.
- b) **Is there financial cost or other impacts of not implementing the legislation?**
No.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- d) **Is a public hearing required for this legislation?**
Yes. A public hearing is required pursuant to RCW 35.94.040.
- e) **Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?**
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) **Does this legislation affect a piece of property?**
Yes. A map of the property is provided as Exhibit "A-1" to Attachment 1 to the ordinance
- h) **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**

No.

- i) If this legislation includes a new initiative or a major programmatic expansion:
What are the long-term and measurable goals of the program? Please describe how
this legislation would help achieve the program's desired goals.**

N/A

- j) Other Issues:**

None.

List attachments/exhibits below:

None.