

CLERK FILE No. 305276

REPORT OF THE COMMITTEE

"Initiative Measure No. 80 concerning protection and restoration of urban creeks."

19

Honorable President:

The _____
to which was referred this file, respectfully reports that the same was considered, and the recommendation

11-25-02 Held for one week 9-0

12-2-02 Held for one week 9-0

12-9-02 Held for one week 9-0

12-16-02 Held to next Full Council meeting

1-6-03 Held one week

1-13-03 Held one week

1-21-03 Held one week

1-27-03 Held one week

2-3-03 Held one week

2-18/03 Held one week

2/24/03 Filed 9-0

Date Filed with Clerk _____

Received by _____
City Clerk Staff

ACTION OF THE COUNCIL

Referred	To
<u>11-25-02</u>	<u>Full Council</u>
Referred	To
Referred	To
Reported	Disposition
As referred	To
Reported	Disposition
<u>2/24/03</u> <u>12-2-02</u>	<u>Filed</u>

REPORT OF THE COMMITTEE

SPONSORED BY: _____

Honorable President:

The _____ Committee,

to which was referred this file, respectfully reports that the same was considered, and the recommendation is:

11-25-02 Held for one week 9-0

12-2-02 Held for one week 9-0

12-9-02 Held for one week 9-0

12-16-02 Held to next Full Council meeting

1-6-03 Held one week

1-13-03 Held one week

1-21-03 Held one week

1-27-03 Held one week

2-3-03 Held one week

2/18/03 Held one week

2/24/03 Filed 9-0

Chair

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.



(206) 955-8050 info@yeforseattle.org www.yeforseattle.org

FILED
CITY OF SEATTLE

2002 JUL 11 PM 2:34

CITY CLERK

300 Leroux Street P.O. Box 247 Seattle, WA 98121

direct
urban environment
democracy
transportation choices
for local
housing & community services
solutions

INITIATIVE 80 -- SAVE SEATTLE CREEKS

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section One: Title and Subject.

- A. This measure shall be titled the "Save Seattle Creeks Initiative."
- B. For Constitutional purposes, the subject of this Initiative is "urban creeks."

Section Two: Findings.

Citizens of Seattle hereby find that:

- A. This Initiative will protect our urban environment and help recover threatened salmon within our City.
- B. In every corner of Seattle, creek systems connect our neighborhoods with the natural environment. Creek systems should be a top priority for our environmental stewardship because they provide salmon and wildlife habitat and open space.
- C. The degradation of creeks in our City has reduced their flood-carrying capacity, resulting in severe damage to downstream properties and to critical fish and wildlife habitat, threatening the extinction of salmon within Seattle creeks.
- D. This flooding impact is especially severe when creek segments are directed into underground pipes rather than through natural, open channels. In most circumstances, the pipes also create fish-passage barriers, which are illegal and must be removed under State law.
- E. Removing a creek from an underground pipe and redirecting it into a natural, open channel abates the ongoing harm by restoring the creek's flood-carrying capacity, water quality benefits, and fish and wildlife habitat. A creek's historic channel contains soils uniquely suited for flood-control, and a creek should be redirected into its historic channel if available.
- F. This Initiative requires private property owners to restore creeks only when carrying out major creekside development. This is required to abate ongoing impacts and to mitigate the direct, indirect, and cumulative impacts of major creekside development, which include increased impervious surfaces, pollution, lighting, noise, trampling, pollution and shading.
- G. This Initiative will reduce ongoing flooding and property damage caused by creek degradation. It will also restore fish and wildlife habitat and remove fish-passage barriers. Thus, this Initiative is necessary to protect the public health, safety and welfare and is authorized under Article 11, Section 11 of the Washington Constitution, as well as through specific authority under RCW 35.21.090 and elsewhere in State Law.

Section Three: The City shall adopt a Long-Term Creek Restoration Plan.

- A. Within six months after passage of this Initiative, the City shall prepare a draft Long-Term Creek Restoration Plan, including the contents set forth in Section 8(1) of this Initiative. The City shall involve the public and interested organizations in creating the draft plan and shall consider public comments and any existing watershed plans. The City shall hold public meetings and solicit comments from the public and interested organizations on the draft plan and shall adopt a final plan within twelve months after passage of this Initiative.
- B. The goal of the Long-Term Creek Restoration Plan shall be to adopt objectives and timelines for restoring Seattle creeks and carrying out the policies and directives of this Initiative.
- C. The City shall restore Seattle's Creeks in accordance with the Long-Term Creek Restoration Plan.

Section Four: Developers shall be required to assist in creek restoration when building a major creekside development.



NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

- A. Applicants proposing a major creekside development shall hereafter be required to restore the creek running on or adjacent to the development site, satisfying the requirements of Section Six of this Initiative. This requirement shall be stated as a condition on any development approval issued to the project. The City shall decide whether such restoration will be carried out by the applicant under the City's supervision or through a City effort funded by the applicant, and shall support the project consistent with subsection C of this section.
- B. Each applicant for a major development on creekside property shall submit a creek restoration plan as part of its application for development approval. That plan must include a City approved engineering plan for conducting the restoration required by this chapter concurrent with the development, and the bases for any exemptions requested under Section 6(B). Any public notice issued regarding the major development shall elicit comments on the restoration plan and its consistency with this Initiative.
- C. Seattle Public Utilities shall coordinate the restoration efforts required by this section and the City shall contribute to such projects to the extent necessary to avoid a constitutional taking of private property and as deemed appropriate to create incentives for restoration. At a minimum, the City shall ensure that development potential on the site is not lost due to the restoration project and shall grant open space credit. The City may also purchase the creek corridor and/or provide loan financing, grants, or other valuable benefit such as density bonuses to support the restoration project to the extent deemed appropriate and allowed by law. The City and the developer should agree upon ownership and maintenance responsibilities for the restored creek, and wherever possible the restored creek should be transferred to public ownership.

Section Five: The City shall ensure that creeks are restored concurrently with major creekside development.

- A. In the event that the City should fail to enforce section Four of this Initiative, for whatever reason, the City shall carry out creek restoration as defined in Section Six concurrently with any major creekside development. In accomplishing this, the City shall utilize all of its authority, including that under RCW 35.21.090 and SMC 21.16.180. The City shall in such event prepare and solicit comments on the creek restoration plan as set forth in Section 4(B).
- B. A creek that is directed through a pipe or that contains a fish passage barrier satisfies the definition of a natural watercourse that is "obstructed, broken, inoperative, inadequate" and "liable to cause damage to public or private property" pursuant to SMC 21.16.180. To the extent allowed by that law, the City shall require a property owner to daylight such creek and/or remove such barrier(s) during a major creekside development, or after giving required notice shall carry out the same and bill the costs to the property owner.

Section Six: Restoration during major creekside development.

- A. For the purposes of Section Four and Five of this Initiative, restoration required during major creekside development shall include:
 - 1. Planting native vegetation and removing invasive species;
 - 2. Within the creek buffers, establishing wetland area, floodable wetland benches, or other means to slow the rate of water, unless topography or other existing structures make such restoration impractical.
 - 3. Removal of fish passage barriers, if such barriers exist on or adjacent to the development site; and
 - 4. Daylighting the creek on the development site, if the creek presently flows through a pipe or culvert section 50 feet or longer, exclusive of right-of-way crossings, that is either
 - (a) on the development site; or
 - (b) under a street or right of way adjacent to the site, if the creek's channel was on the development site at any time prior to being moved to its present location.

The creek shall be daylighted for the entire length in which it runs on or adjacent to the development site, except that daylighting is not required where it is necessary that the creek cross a right of way or an existing structure that is to remain as part of the development.
- B. The City or a private party may obtain an exemption from the requirements of subsection A(3) or A(4) of this section by proving either (1) that the creek segment in question, if restored as required under this section, would have insufficient surface area and/or flow to provide rearing or refugia habitat for juvenile salmonids, assuming removal of downstream manmade fish passage barriers; or (2) that so much of the creek downstream is in pipes that the segment in question will as a practical matter never become accessible to salmonids.
- C. Any party wishing to apply for an exemption must submit with the creek restoration plan a written opinion from the Washington Department of Fish and Wildlife certifying that this exemption standard is met, based upon best available science, and pay the costs for such opinion. In the event such Department is unavailable to conduct such



analysis, the City may designate another non-City agency with sufficient expertise. Public comment shall be solicited on the exemption request. The granting of such exemption shall be initially appealable to the City Hearing Examiner, and thereafter to Superior Court. In such appeal, the parties supporting the exemption shall bear the burden of proving that the standards for granting an exemption are met based upon clear and convincing evidence.

Section Seven: Adoption of creek restoration policies.

Hereafter, the following shall be policies of the City:

- A. Creeks and their buffers shall be restored as a means to reduce flood damage to downstream property and to fish and wildlife habitat and to promote salmon recovery.
- B. In the few instances where creeks are being directed through underground pipes, the creek shall be redirected into a natural, open channel, except where it crosses a public right-of-way.
- C. The opportunity to restore and daylight a creek on private property comes very infrequently, usually only during a major creekside development. Seattle shall hereafter take advantage of these rare opportunities by ensuring that creeks are restored and daylighted during major creekside development.
- D. The City shall protect the opportunity to restore Seattle creeks by prohibiting any future development over creeks or their buffers.
- E. Where a creek was previously removed from its historic corridor and diverted into a pipe at a location where it cannot be restored (e.g., a location now covered by a building or road) or into a stormwater or sewage system, the City shall protect the opportunity to restore the creek by prohibiting any future development over the creek's historic corridor or, if requested by the parcel owner, an alternative corridor on that same parcel.
- F. The City should increase floodable wetland benches (floodways) in Seattle Creeks to reduce downstream flooding impacts and enhance habitat.
- G. The City shall remove fish passage barriers from Seattle Creeks.
- H. The City shall provide for the education of property owners on maintaining creek and riparian function.

Section Eight: Development shall not be allowed to preclude future creek restoration.

Under this Initiative, creek restoration is a long-term strategy, except where required to be concurrent with major development. To preserve the potential to restore all Seattle creeks in the future, the City shall grant no development approval that is inconsistent with the Policy stated in Section 7(D) or (E) of this Initiative.

Section Nine: Public costs for this Initiative are capped at five dollars per household per year.

- A. The intent of this Initiative is to accelerate the restoration of creeks within our City. This accelerated restoration effort shall supplement existing creek restoration programs of the City, which shall be maintained at least at their current levels.
- B. The City shall create a Creek Restoration Account to fund the costs of this Initiative. Within six months after the effective date of this Initiative, the City shall complete a study of new revenue sources available to fund the Creek Restoration Account. Within three months after the study's completion, the City shall adopt the funding mechanisms it finds most appropriate.
- C. The additional cost to be incurred by the public shall not be greater than five dollars (\$5.00) per household per year. Property owners, businesses and institutions shall also be required to assist in funding the Creek Restoration Account, and such contribution shall also be reasonably limited. This new revenue source and the funds in the Account may be used to finance bonds for creek restoration project to the extent deemed appropriate and allowed by law.

Section Ten: Definitions.

For the purpose of this chapter, the following definitions will apply:

- A. "Adjacent" means a creek or its buffers are beneath a right of way abutting the parcel.
- B. "Buffer" for a creek means the buffer required under local or state law. For a creek that is underground or being daylighted, buffers shall be a minimum of 50 feet wide on each side of the creek, except that buffer averaging is allowed.
- C. A "creek" for the purposes of this Initiative means any stream or watercourse that flows year-round and/or potentially supports or historically supported salmonids, including but not limited to: Longfellow, Pipers, Taylor, Ravenna, Madrona Park, Frink Park, Mt. Baker Park, Mapes, Hamm, Puget Ridge, Victory, Littles, Seola Beach,

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.



Fauntleroy, Schmitz Park, Discovery Park, Kiwanis Ravine (Wolfe), Mahteen, Washington Park, Venema, Willow, Mohlendorph, DeadHorse/Mill, Maple Leaf and Little Brook Creeks, and Thornton Creek's main stem, north branch, and south branch at least through the North Seattle Community College site, and all other tributaries of such creeks. This definition applies equally to portions of a creek that have been placed in a pipe or culvert, or that have been relocated, straightened, channelized, or otherwise altered, and applies regardless of whether the watercourse is regulated by the City's Critical Areas Ordinance or Shorelines Master Program.

- D. "Daylighting" refers to restoring a creek segment that was previously directed into a pipe or drainage or sewer system by redirecting it into a natural, open channel.
- E. "Development" means development or redevelopment.
- F. "Development Approval" means any permit, Master Use Permit, or other approval required as a condition of changing the use of the property or constructing any structure on the property.
- G. A "fish passage barrier" is (a) any culvert failing to meet the standards under WAC 220-110-070(3) or (b) any other impediment to fish passage. This determination shall assume the removal of downstream manmade fish passage barriers.
- H. "Floodable wetland bench" or "floodway" is a strip of wetland bordering a creek channel which is designed to inundate during high stream flows to provide shelter to fish and decrease downstream flooding.
- I. "Long-Term Creek Restoration Plan" means a plan that, at a minimum, has the following components:
1. The City's objectives for creek restoration, including at a minimum the policies set forth in Section Seven of this Initiative.
 2. A plan, timeline, and identification of funding source for accelerating the City's creek restoration programs and implementing the policies set forth in Section Seven of this Initiative.
 3. A plan and 18-month timeline during which the City shall evaluate strategies and adopt regulations to further reduce stormwater pollution and impacts to creek ecosystems. Strategies to be evaluated shall include requirements of low-impact development, pervious pavement, increased buffer widths, wetland restoration, increased use of infiltration, and restrictions on pesticide and fertilizer on parcels draining to creeks.
 4. A plan and 18-month timeline during which the City shall update Seattle's existing creek protection regulations, including its critical areas regulations and shoreline master program.
 5. A plan and 18-month timeline during which the City shall phase out the use of pesticides and herbicides and fungicides on City-owned land within 200 feet of creeks.
 6. A plan and 20-year timeline for daylighting Seattle creeks on parks and other public property.
 7. A plan, regulatory framework and long-term timeline for daylighting Seattle creeks on private property.
 8. A plan and timeline for conducting education and outreach to creekside property owners concerning creek and riparian function and best management practices.
 9. A plan and timeline for specific and proactive joint planning and information exchange with other political jurisdictions sharing responsibilities for creeks that flow entirely or partly within Seattle.
- Where an existing City Program or document satisfies one or more of these requirements, such program or document may be incorporated into the Plan by reference.
- J. "Major Creekside Development" means a project that satisfies each of the following criteria:
- A. A commercial, multi-family residential, mixed-use, or light or heavy industrial development, subdivision or short plat that exceeds the SEPA exemption thresholds set forth in SMC 25.05.800A and B (minor new construction) and 25.05.800C (repair, remodeling and maintenance);
 - B. Proposed on parcel(s) having a combined area of over one-half acre; and
 - C. At least one such parcel or right of way contains a creek or its buffer or is adjacent to a creek or its buffer.

Section Eleven: Construction.

This initiative is to be liberally construed to advance its purpose of restoring Seattle's creeks and ensuring that creeks are restored and daylighted concurrently with major creekside development and ultimately for their entire lengths. This



NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Initiative shall be codified as a new chapter in the Seattle Municipal Code and shall not be interpreted to amend or in any way limit any existing laws protecting Seattle's environment, including but not limited to the City's Critical Areas Ordinance or Shorelines Master Program.

Section Twelve: State Environmental Policies Act.

Within six months after passage of this Initiative, the City shall prepare a supplemental environmental impact statement for the Seattle Comprehensive Plan which specifically addresses the impact of ongoing development and City of Seattle activities on Seattle creeks. It shall evaluate the impact of increased impervious surfaces, lighting, noise, trampling, pollutants, stormwater runoff, and shading, and shall serve as a basis for requiring mitigation of creek impacts.

Section Thirteen: Declaration of emergency and vesting.

- A. The Citizens of Seattle declare that this Initiative responds to an emergency posed by ongoing flooding, property damage and environmental impacts of degraded and piped creeks. This emergency requires abatement of these ongoing impacts. Thus, the restoration requirements imposed by this Initiative cannot be defeated by vested rights.
- B. Notwithstanding any court construction of Subsection A of this section, the following vesting rule is enacted by this Initiative. Applications for a major creekside development, as defined in this Initiative, shall vest upon submission of a fully complete building application, which shall be construed strictly, and shall at a minimum satisfy the requirements of RCW 19.27.095 and Section 106 of the Seattle Building Code and shall also include a creek restoration plan as required by this Initiative, a stormwater management plan, and a plan for complying with the federal Clean Water Act, the federal Endangered Species Act, and all other applicable environmental laws. This subsection applies notwithstanding the previous issuance of a Master Use Permit, General Development Plan, or site plan approval. Any provisions of the Seattle Municipal Code that are inconsistent with this section are deemed repealed or modified so as to be in accordance with this section.

Section Fourteen: Severability.

The provisions of this ordinance are declared to be separate and severable. The Citizens of Seattle declare that they support each of the provisions of this Initiative independently, and their support for this Initiative would not be diminished if one or more of its provisions were to be held invalid. Thus, if any one or more of the provisions of this Initiative is declared to be contrary to law, then such provision or provisions shall be null and void and severed from the rest of this ordinance, and all other provisions of this Initiative shall remain valid and enforceable.

Section Fifteen: Compliance.

The mandates of this Initiative create non-discretionary duties for the City and its agencies, and any Seattle resident or organization shall have standing to seek enforcement of this Initiative by mandamus or other action. If the City of Seattle is found to be in violation of the mandates of this Initiative or to have issued any development approval or exemption that is inconsistent with the Initiative, the party bringing the action to enforce the Initiative shall be entitled to recover only the reasonable costs and attorneys' fees incurred in maintaining such action.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.



City of Seattle
Legislative Department



Office of the City Clerk

Judith E. Pippin
City Clerk

December 2, 2002

HAND DELIVERED

Ms. Julie Ann Kempf
Superintendent of Elections
Division of Records and Elections
King County Department of Administration
500 Fourth Avenue, Room 553
Seattle, WA 98104

RE: Seattle Initiative No. 80 - Additional Petitions; Batch 3

Dear Ms. Kempf:

Accompanying this letter are approximately 315 petition pages from the proponents of Seattle Initiative No. 80. The pages have been numbered by the petitioner page 2,484 through page 2,798. This initiative concerns restoring Seattle's creeks through permitting conditions, mandates, and other measures.

The petitions were filed with this office Monday, December 2, 2002 at 11:45 a.m. The petition representatives estimate the pages contain approximately 2,600 signatures. Should the original submission of petition pages, forwarded to you November 7, 2002, and then Batch 2, forwarded to you on November 19, both contain an insufficient number of valid signatures registered Seattle voters to qualify proposed Initiative 80 for the ballot, these additional signatures should then be verified as valid signatures of Seattle voters.

Please call me at 684-8361 if you have any questions or if we can be of assistance in this matter.

Very truly yours,

Judith E. Pippin
City Clerk

RECORDS & ELECTIONS

RECEIVED BY: Lorinda McCann

Cc: Mayor Greg Nickels
City Councilmembers
City Attorney Tom Carr
Terry Thomas, Director Ethics and Elections Commission
Knoll Lowney, Yes for Seattle

Room 104, Municipal Building, Seattle, Washington 98104-1892
(206) 684-8344 FAX: (206) 386-9025 TDD: (206) 233-0025

Accommodations for people with disabilities provided upon request. An equal employment opportunity - affirmative action employer.

Printed on Recycled Paper



NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Corrected Version



City of Seattle
Legislative Department

Office of the City Clerk

Judith E. Pippin
City Clerk

November 19, 2002

HAND DELIVERED

Ms. Julie Ann Kempf
Superintendent of Elections
Division of Records and Elections
King County Department of Administration
500 Fourth Avenue, Room 553
Seattle, WA 98104

RE: Seattle Initiative No. 80 - Additional Petitions

Dear Ms. Kempf:

Accompanying this letter are approximately 336 petition pages from the proponents of Seattle Initiative No. 80. The pages have been numbered by the petitioner page 2,147 through page 2,483. This initiative concerns restoring Seattle's creeks through permitting conditions, mandates, and other measures.

The petitions were filed with this office Monday, November 18, 2002 at 5:24 p.m. The petition representatives estimate the pages contain approximately 2,300 signatures. Should the original submission of petition pages, forwarded to you November 7, 2002, contain an insufficient number of valid signatures of registered Seattle voters to qualify proposed Initiative 80 for the ballot, these additional signatures should then be verified as valid signatures of Seattle voters.

Please call me at 684-8361 if you have any questions or if we can be of assistance in this matter.

Very truly yours,

Judith E. Pippin
City Clerk

Cc: Mayor Greg Nickels
City Councilmembers
City Attorney Tom Carr
Terry Thomas, Director Ethics and Elections Commission
Knoll Lowney, Yes for Seattle

**RECORDS & ELECTIONS
DIVISION**
RECEIVED BY: *Michael Bastone*

Room 104, Municipal Building, Seattle, Washington 98104-1892
(206) 684-8344 FAX: (206) 386-9025 TDD: (206) 233-0925

Accommodations for people with disabilities provided upon request. An equal employment opportunity - affirmative action employer.
Printed on Recycled Paper



NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle
Legislative Department



Office of the City Clerk

Judith E. Pippin
City Clerk

November 19, 2002

HAND DELIVERED

Ms. Julie Ann Kempf
Superintendent of Elections
Division of Records and Elections
King County Department of Administration
500 Fourth Avenue, Room 553
Seattle, WA 98104

RE: Seattle Initiative No. 80 - Additional Petitions

Dear Ms. Kempf:

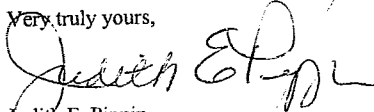
Accompanying this letter are approximately 336 petition pages from the proponents of Seattle Initiative No. 80. The pages have been numbered by the petitioner page 2,147 through page 2,483. This initiative concerns restoring Seattle's creeks through permitting conditions, mandates, and other measures.

The petitions were filed with this office Monday, November 18, 2002 at 5:24 p.m. The petition representatives estimate the pages contain approximately 2,300 signatures. Should the original submission of petition pages, forwarded to you November 7, 2002, contain an insufficient number of valid signatures of registered Seattle voters to qualify proposed Initiative 80 for the ballot, these additional signatures should then be verified as valid signatures of Seattle voters.

Because the deadline for introduction of a qualified ballot measure to City Council is dependent upon the date which that final qualifying signature was filed with this office, it is important that verification of the first submitted batch of signatures be completed prior to the second and/or subsequently submitted batches of signatures.

Please call me at 684-8361 if you have any questions or if we can be of assistance in this matter.

Very truly yours,


Judith E. Pippin
City Clerk

Cc: Mayor Greg Nickels
City Councilmembers
City Attorney Tom Carr
Terry Thomas, Director Ethics and Elections Commission
Knoll Lownéy, Yes for Seattle

RECORDS & ELECTIONS
DIVISION

RECEIVED BY: S. McConnell

Room 104, Municipal Building, Seattle, Washington 98104-1892
(206) 684-8344 FAX: (206) 356-9025 TDD: (206) 233-0025

Accommodations for people with disabilities provided upon request. An equal employment opportunity - affirmative action employer.
Printed on Recycled Paper

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle
Legislative Department



Office of the City Clerk

Judith E. Pippin
City Clerk

July 25, 2002

HAND DELIVERED

02 JUL 26 PM 1:05

Julie Anne Kempf, Superintendent of Elections
Records and Elections Division
Department of Information and Administrative Services
King County Administration Building, Room 553
500 Fourth Avenue
Seattle, WA 98104

RE: Proposed Seattle Initiative No. 80

Dear Ms. Kempf:

This is to inform you that a proposed initiative, Initiative No. 80 (Clerk File 305276) has been filed with the Seattle City Clerk. The initiative concerns restoring Seattle's creeks through permitting conditions, mandates, and other measures. The proposed initiative was filed on July 11, 2002, at 2:34 p.m.

The City's Law Department, pursuant to Article IV, Section 1 of the City Charter, Seattle Municipal Code Section 2.08, and RCW 29.27.060, has approved the following ballot title:

Initiative Measure Number 80 concerns restoring Seattle's creeks through permitting conditions, mandates, and other measures.

This measure would require developers of "major creekside development" to daylight waterways, remove fish barriers, and take other restoration measures. It provides exemptions and incentives. Development is prohibited over creeks, creek "buffers," and "historic corridors" if piped creeks cannot be restored at their location. The measure changes the vesting rule and is retroactive in some circumstances. City mandates include: adopting a plan; maintaining current restoration efforts; and restoring creeks and funding creek restoration on public and private properties.


Should this measure be enacted into law?


Yes.....
No.....

The initiative's proponents have been informed that they must submit 17,228 valid signatures to this office by Tuesday, January 14, 2003, for subsequent submittal to your office for verification.

If you have any questions or if you need additional information, please do not hesitate to call me at 684-8361.

Very truly yours,


Judith E. Pippin
City Clerk

RECORDS & ELECTIONS
DIVISION
RECEIVED BY: 

cc: Steve Gross, Interim Director, Seattle Office of Ethics and Elections
Bob Roegner, Manager, King Records and Election Division
Room 104, Municipal Building, Seattle, Washington 98104-1892
(206) 684-8344 FAX: (206) 386-9025 TDD: (206) 233-0025

Accommodations for people with disabilities provided upon request. An equal employment opportunity - affirmative action employer.

Printed on Recycled Paper



NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle
Legislative Department



Office of the City Clerk

Judith E. Pippin
City Clerk
July 18, 2002

CERTIFIED MAIL

Mr. Knoll Lowney
Yes! For Seattle
300 Lenora Street, PMB No. 247
Seattle, WA 98121

RE: PROPOSED INITIATIVE NO. 80

Dear Mr. Lowney:

I have approved proposed Initiative No. 80 as to form, as shown on the attached copy. The ballot title for the petition has been prepared to read as follows:

Initiative Measure Number 80 concerns restoring Seattle's creeks through permitting conditions, mandates, and other measures.

This measure would require developers of "major creekside development" to daylight waterways, remove fish barriers, and take other restoration measures. It provides exemptions and incentives. Development is prohibited over creeks, creek "buffers," and "historic corridors" if piped creeks cannot be restored at their location. The measure changes the vesting rule and is retroactive in some circumstances. City mandates include: adopting a plan; maintaining current restoration efforts; and restoring creeks and funding creek restoration on public and private properties.

Should this measure be enacted into law?

Yes.....
No.....

The initiative process is defined in Article IV Section 1 of the City Charter, Seattle Municipal Code Section 2.08, and Washington State Code (RCW) 29.27.050. You have received copies of these reference materials; if you need additional copies, please let me know.

The signed petitions for Initiative 80 must be filed with the City Clerk no later than 5:00 p.m. on Tuesday, January 14, 2003. If at least 17,228 signatures on petitions for Initiative 80 have been filed on or before that date, they will then be transmitted to King County Elections Department for signature verification. A total of at least 17,228 valid Seattle resident registered voter signatures will be required to validate the initiative before transmittal to the City Council.

Please do not hesitate to contact me if you have questions. I can be reached at 684-8361.

Very truly yours,
Judith E. Pippin
Judith E. Pippin
City Clerk

Attachment

Cc: Mayor Gregory J. Nickels
City Councilmembers
Steve Gross, Interim Executive Director, Ethics and Elections Commission

Room 104, Municipal Building, Seattle, Washington 98104-1892
(206) 684-8344 FAX: (206) 386-9025 TDD: (206) 233-0025

Accommodations for people with disabilities provided upon request. An equal employment opportunity - affirmative action employer.
"Printed on Recycled Paper"



NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Yes Seattle initiative 80



- Restores creeks throughout Seattle
- Reduces pollution of our salmon habitat
- Requires major developers to protect the environment

Washington Initiative 80, known as Initiative 80, is a ballot measure that will appear on the November 2009 ballot. It is a measure that will restore creeks and riparian areas throughout the city of Seattle. The measure is a ballot measure that will restore creeks and riparian areas throughout the city of Seattle. It is a measure that will restore creeks and riparian areas throughout the city of Seattle. It is a measure that will restore creeks and riparian areas throughout the city of Seattle.

Official Ballot Title:
 "City of Seattle Initiative Measure Number 80 concerns restoring Seattle's creeks through permitting conditions, mandates, and other measures. This measure would require developers of "major creekside development" to daylight waterways, remove fish barriers, and take other restoration measures. It provides exemptions and incentives. Development is prohibited over creeks, creek "buffers," and "historic corridors" if piped creeks cannot be restored at their location. The measure changes the vesting rule and is retroactive in some circumstances. City mandates include: adopting a plan; maintaining current restoration efforts; and restoring creeks and funding creek restoration on public and private properties."

Initiative petition for submission to the Seattle City Council (see reverse for complete text of initiative):
 To the City Council of The City of Seattle: We, the undersigned registered voters of the City of Seattle, State of Washington, propose and ask for the enactment as an ordinance of the measure known as Initiative Measure #80, entitled, "Initiative Measure Number 80 concerns restoring Seattle's creeks through permitting conditions, mandates, and other measures. This measure would require developers of "major creekside development" to daylight waterways, remove fish barriers, and take other restoration measures. It provides exemptions and incentives. Development is prohibited over creeks, creek "buffers," and "historic corridors" if piped creeks cannot be restored at their location. The measure changes the vesting rule and is retroactive in some circumstances. City mandates include: adopting a plan; maintaining current restoration efforts; and restoring creeks and funding creek restoration on public and private properties."

VOLUNTEERS NEEDED!
 Did you know that it will take more than 18,000 signatures to get I-80 on the ballot? Contributions and volunteers will make this initiative a success! (Please send contributions to the address below.) If you'd like to help, or need more petitions, please fill out the volunteer form on the other side. For more info, contact Yes for Seattle! (206) 988-0030 or info@yesforseattle.org. Thanks for your help - together we can make a difference!

SEATTLE VOTERS ONLY. Please use the address where you are registered to vote.

signature	print name	street address (no P.O. boxes)	city	zip code	phone / email	want to volunteer?
Sal Mon	Sal Mon	80 Agua Way, Apt. C	Seattle	98103	555-8080 sal@yesforseattle.org	<input checked="" type="checkbox"/>
			Seattle			<input type="checkbox"/>
			Seattle			<input type="checkbox"/>
			Seattle			<input type="checkbox"/>
			Seattle			<input type="checkbox"/>
			Seattle			<input type="checkbox"/>
			Seattle			<input type="checkbox"/>
			Seattle			<input type="checkbox"/>
			Seattle			<input type="checkbox"/>
			Seattle			<input type="checkbox"/>

Please return this petition to: Yes For Seattle / 300 Lenora St. / PMB No. 247 / Seattle, WA 98121 www.YesForSeattle.org
 Paid for by Yes For Seattle - Save Seattle Creeks. Graphic design by Sight&Sense design: www.sightandsense.com

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.





Yes For Seattle

Please send me more Yes On I-80 petitions. If I can't, I will send a contribution to help mail more petitions & cover other campaign expenses.

I can also help with: collecting signatures at events, shopping centers, or other public places; office work; raising money; local coordinating.

Self-mailer instructions: DO NOT CUT THIS PETITION. Complete the return address section, allow night fold edge in half, top to bottom. Then fold in half, top to bottom, again. Then fold in half, left to right, with mailing address on the outside. Topse closed on open edge.

Initiative 80: Save Seattle Creeks

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS: Section One: Title and Subject. Section Two: Findings. Section Three: Declaration during major creek development. Section Four: Declaration during minor creek development. Section Five: Declaration during major creek development. Section Six: Declaration during minor creek development. Section Seven: Declaration during major creek development. Section Eight: Declaration during minor creek development. Section Nine: Declaration during major creek development. Section Ten: Declaration during minor creek development.



Yes For Seattle - Save Seattle Creeks
300 Lenora Street
PMB No. 247
Seattle, WA 98121

Signature-gatherers: In addition to completing the name & return address section above, please sign your name and provide a telephone number here.

EVERY SIGNATURE COUNTS! Please return every petition, even if it has only one name.

NOTICE: IF THIS DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.





Seattle City Attorney

Thomas A. Carr

July 18, 2002

Judith Pippin
Seattle City Clerk
First Floor, Municipal Building
600 Fourth Avenue
Seattle, WA 98104

Re: Proposed Ballot Title for Initiative Measure No. 88 (Clerk's File No. 305276)

Via e-mail and hand-delivered

Dear Ms. Pippin:

In response to your memorandum of July 11, 2002, regarding proposed Initiative Measure 80, Clerk's File 305276, this office has established the following ballot title:

Initiative Measure Number 80 concerns restoring Seattle's creeks through permitting conditions, mandates, and other measures.

This measure would require developers of "major creekside development" to daylight waterways, remove fish barriers, and take other restoration measures. It provides exemptions and incentives. Development is prohibited over creeks, creek "buffers," and "historic corridors" if piped creeks cannot be restored at their location. The measure changes the vesting rule and is retroactive in some circumstances. City mandates include: adopting a plan; maintaining current restoration efforts; and restoring creeks and funding creek restoration on public and private properties.

Should this measure be enacted into law?

Yes.....

No.....

CITY OF SEATTLE
2002 JUL 18 PM 3:32
CITY CLERK

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.



Judith Pippin
July 18, 2002
Page 2

If you have any questions, please contact me at 615-1960.

Very truly yours,

THOMAS A. CARR
Seattle City Attorney



Maureen Madion
Assistant City Attorney
Municipal Law Section

cc: Steve Gross, Interim Executive Director, Ethics and Elections
Commission
Dwight Dively, Director of Finance
Venerria Knox, Human Services Department
Susan Brown, Office of City Clerk

initiative 80 letter to judith pippin 71801.doc



NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.



**Legislative Department
Office of City Clerk
Memorandum**

Date: July 11, 2002
To: The Honorable Thomas Carr
City Attorney
From: Judith E. Pippin, City Clerk *J. Pippin* acting City Clerk
Subject: Proposed Initiative Petition – Initiative No. 80

I am forwarding with this memo Clerk File No. 305276, which contains Initiative 80, a proposed initiative petition concerning urban creeks.

The proposed initiative was filed with the City Clerk's Office on July 11, 2002 at 2:34 p.m., and is submitted pursuant to Article IV, Section 1B of the City Charter, and Seattle Municipal Code 2.08. The initiative is sponsored by Yes For Seattle ("Save Our Creeks").

The title of the Clerk File is:

"Initiative Measure No. 80, concerning protection and restoration of urban creeks."

The file is transmitted to you for preparation of a ballot title.

Cc: Mayor Gregory J. Nickels
City Councilmembers
Carol Van Noy, Executive Director, Ethics and Elections Commission
Dwight Dively, Director of Finance

Room 104, Municipal Building, Seattle, Washington 98104-1892
(206) 684-8344 Fax: (206) 386-9025 TTY: (206) 233-0025
email: clerk@ci.seattle.wa.us

Accommodations for people with disabilities provided upon request. An equal opportunity-affirmative action employer



NOTICE:
IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.



FILED
CITY OF SEATTLE

2002 JUL 11 PM 2:34

direct
urban environment
democracy
transportation choices
for local
housing & community services
solutions

(206) 956-8050 info@yesforseattle.org www.yesforseattle.org 300 Lenora Street PMB No. 247 Seattle, WA 98121

CITY CLERK
July 11, 2002

Scott Kline
City of Seattle Clerk

Mr. Kline:

This letter of transmittal is to inform you that "Yes for Seattle" is submitting the text of ballot initiative proposal #80. As we discussed, we will submit the final petition within five business days. We apologize for the inconvenience of multiple submissions.

If you have questions regarding this information, please contact me at 206-860-2956. Address and phone for Yes for Seattle is 300 Lenora Street, PMB No. 247, Seattle WA 98121, (206) 956-8050.

Sincerely,

Yes for Seattle,

By 
Knell D. Lowney



NOTICE:
IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.