

FISCAL NOTE FOR CAPITAL PROJECTS ONLY

Department:	Contact Person/Phone:	CBO Analyst/Phone:
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Legislation Title: AN ORDINANCE relating to the SR 520, I-5 to Medina: Bridge Replacement and HOV Project; authorizing the Superintendent of Parks and Recreation to execute and accept from the State of Washington, Department of Natural Resources, on behalf of the City of Seattle, an Aquatic Lands Easement, an Aquatic Lands Lease and a Waterway Use Agreement at the Washington Park Arboretum.

Summary and background of the Legislation: This legislation authorizes the Superintendent of Parks and Recreation to enter into three agreements related to the Washington State Department of Natural Resources Lands within the 6(f) boundary of the SR 520, I-5 to Medina: Bridge Replacement and HOV Project.

The route for the redevelopment of SR 520 from Medina to I-5 requires converting portions of the Arboretum Waterfront Trail and the Lake Washington Ship Canal Trail owned by the City and University of Washington (UW) from park property to highway use. The trail properties were originally purchased and developed with funds from the federal Land and Water Conservation Fund (LWCF); the City and UW were joint LWCF grant recipients for the trail projects. Section 6(f) of the LWCF Act requires property converted from park to non-park use be replaced with like property. The replacement property must have similar recreational value as the property taken out of park use and must be developed with park improvements consistent with the taken property, including, in this case, water access to the ship canal. Companion legislation deals with the conversion of a portion of the 6(f) properties and the replacement property.

This legislation refers to the remainder of the 6(f) project area. Two grants were awarded for the Ship Canal Waterside Trail and the Arboretum Waterfront Trail; in 1966 for construction of a boardwalk and water access facilities along Lake Washington in the Arboretum and East Montlake Park (the Arboretum Waterfront Trail) and in 1985 for reconstruction of the boardwalk segment of the Arboretum Waterfront Trail and installation of interpretive signs, along with construction of a new trail (the Ship Canal Waterside Trail) from the Arboretum Waterfront Trail through East Montlake Park to the Montlake Bridge. The total extent of park improvements developed with federal funds is referred to as the 6(f) project area and is depicted in Attachment A. There is a federal requirement that all property within the 6(f) project area be under the control of the sponsor for future management purposes. The three agreements with Washington State Department of Natural Resources give the City control over the State Aquatic Lands managed by DNR within the project area.

The following agreements, along with a brief description of each, are being authorized by this proposed legislation:

Aquatic Lands Easement: This agreement gives the City control over, upon, and under the real property at Washington Park Arboretum for Park purposes. The agreement allows the City to use the property as a public park at no cost. Improvements include dirt and woodchip walking paths. The agreement also obligates the City to replace all treated wood on the bridges, paths and observation deck and renovate or replace existing docks, rafts, floats, wharves and piers by October 31, 2028.

Aquatic Lands Lease: This agreement gives the City control of the aquatic lands within the Washington Park Arboretum, which is a harbor area located in King County, Washington, for Park purposes. The agreement allows the City to use the property as a public park and natural area at no cost. Improvements include two bridges with concrete surface, multiple walking paths with woodchip surface, a raised wooden observation deck, and an overwater path with decking surface and support pilings. The agreement also obligates the City to replace all treated wood on the bridges, patch and observation deck and renovate or replace existing docks, rafts, floats, wharves and piers by October 31, 2028.

Waterway Permit: This agreement allows the City to use the aquatic lands commonly known as Washington Park Arboretum, which is a waterway located in King County, Washington, from State for Park purposes at no cost. The Property contains open water with no improvements.

This legislation creates, funds, or anticipates a new CIP Project.

This legislation does not have any financial implications.

This legislation has financial implications.

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No
- b) **What is the financial cost of not implementing the legislation?**
The DNR agreements are a Federal requirement of the Land and Water Conservation Fund grants already received. If the City does not enter into these agreements we would be out of compliance with an unknown financial obligation to the City.
- c) **Does this legislation affect any departments besides the originating department?**
No
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** There are no current alternatives.

e) Is a public hearing required for this legislation?

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 is included.

h) Other Issues:

None

List attachments to the fiscal note below: