

SCL Trust Land Transfer Program Property Deed Acceptance Ordinance

Date of this Brief	February 9, 2012		
Supersedes	n/a		
Key Contacts	Name(s)	Phone	Short Title
	Ron Tressler	6-4506	Strat. Advisor II, SCL/EAD
	Lynn Best	6-4586	Director, EAD
Council Action Required?	Y	If YES, within the next 3 months?	
		N	
Public Hearing Required?	N		
Presenters (if applicable)	Lynn Best, Director of Environmental Affairs		

Summary Statement

The legislation will authorize Seattle City Light to accept the transfer of the 640-acre “Pressentin Creek” from the Washington Department of Natural Resources at no cost to City Light and will authorize the acceptance of the deed to the property, and place the properties under the jurisdiction of City Light.

Background

In 1991, following several years of negotiations, City Light and 12 other parties reached settlement on all environmental issues related to a new federal license for the Skagit River Hydroelectric Project. On April 22, 1991, the Seattle City Council adopted a resolution authorizing submittal to the Federal Energy Regulatory Commission of Settlement Agreements in the areas of Fisheries, Wildlife, Recreation and Aesthetics, Erosion Control, Cultural Resources and Traditional Cultural Properties, together with an offer of settlement. These agreements were submitted, as a package, to the FERC and were intended to fully mitigate the Skagit Project’s environmental impacts. On May 16, 1995, FERC issued a new 30-year operating license that incorporated most of the settlement agreements as license articles. An order on rehearing, issued on June 26, 1996, incorporated the remainder of the settlement agreements into the license.

Under the Wildlife Settlement Agreement, City Light agreed to make \$17 million (1990 dollars) available for the purposes of securing and preserving valuable wildlife habitat in the upper Skagit and Nooksack river basins. In addition, the Wildlife Settlement Agreement requires that City Light provide funding and facilities for wildlife and plant research within the North Cascades ecosystem. Decisions on land acquisition and research grants are made in collaboration with the stakeholders through the Wildlife Land Acquisition Group and the Wildlife Research Advisory Committee, respectively.

City Light Issue Paper

City Light currently manages approximately 9,300 acres of wildlife habitat under the Wildlife Settlement Agreement; most of this land was purchased directly from willing sellers but about 850 acres was acquired in 2010 from the Washington State Department of Natural Resources (DNR) Trust Land Transfer Program. This program removes economically unproductive land from the State's Common School Construction Trust and transfers ecologically important lands to public agencies that are able to manage them in a protected status. City Light was identified by DNR as a potential recipient under the Trust Land Transfer Program appropriation for the fiscal period 2009-2011 for lands in the Skagit River watershed because of City Light's history of wildlife habitat protection and management in the watershed under the Wildlife Settlement Agreement.

The Pressentin Creek property is the last of the parcels to be transferred to City Light under the 2009-2011 Trust Land Transfer Program appropriation. The parcel contains a large tract of old-growth conifer forest that has documented spotted owl and marbled murrelet nesting. The DNR is transferring the deed for the 640-acre "Pressentin Creek" parcel to the City of Seattle to be managed as open space and wildlife habitat.

Key Issues

Key issues for management of this property are: (1) protection of spotted owl and marbled murrelet habitat on the property, and (2) maintaining access via forest roads and conducting minor amount of road maintenance.

Next Steps

City Light Environmental Affairs Division will monitor the property and ensure that any maintenance activities are completed.