



SEATTLE CITY COUNCIL

Legislative Summary

CB 118485

Record No.: CB 118485

Type: Ordinance (Ord)

Status: Passed

Version: 1

124854

In Control: City Clerk

File Created: 07/30/2015

Final Action: 09/11/2015

Title: AN ORDINANCE relating to the management of the South Fork Tolt River Municipal Watershed; authorizing ecological forest thinning projects in accordance with the South Fork Tolt River Watershed Management Plan in Sections 25, 26, 27, 29, 30, 32, 33, 34, and 35, Township 26 North, Range 9 East, W.M.; declaring the logs resulting from said projects to be surplus to the City's needs; authorizing the sale of such logs pursuant to applicable City contracting and surplus property sale procedures; and directing use of the proceeds therefrom to fund Plan implementation.

Notes:

Date
Filed with City Clerk: 9/11/2015

Mayor's Signature: 9/11/2015

Sponsors: Bagshaw

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: bob.hennessey@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	08/11/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	08/11/2015	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						

- 1 Council President's Office 08/12/2015 sent for review Seattle Public Utilities and Neighborhoods Committee
- Action Text:** The Council Bill (CB) was sent for review. to the Seattle Public Utilities and Neighborhoods Committee
- Notes:**
- 1 Full Council 08/17/2015 referred Seattle Public Utilities and Neighborhoods Committee
- Action Text:** The Council Bill (CB) was referred. to the Seattle Public Utilities and Neighborhoods Committee
- Notes:**
- 1 Seattle Public Utilities and Neighborhoods Committee 08/20/2015 pass 09/08/2015 Pass
- Action Text:** The Committee recommends that Full Council pass the Council Bill (CB).
- In Favor: 3 Chair Bagshaw, Vice Chair Sawant, Member Harrell
- Opposed: 0
- 1 Full Council 09/08/2015 passed Pass
- Action Text:** The Council Bill (CB) was passed by the following vote and the President signed the Bill:
- Notes:**
- In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant
- Opposed: 0
- 1 City Clerk 09/10/2015 submitted for Mayor's signature Mayor
- Action Text:** The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
- Notes:**
- 1 Mayor 09/11/2015 Signed
- Action Text:** The Council Bill (CB) was Signed.
- Notes:**
- 1 Mayor 09/11/2015 returned City Clerk
- Action Text:** The Council Bill (CB) was returned. to the City Clerk
- Notes:**
- 1 City Clerk 09/11/2015 attested by City Clerk
- Action Text:** The Ordinance (Ord) was attested by City Clerk.
- Notes:**
-

CITY OF SEATTLE
ORDINANCE 124854
COUNCIL BILL 118485

AN ORDINANCE relating to the management of the South Fork Tolt River Municipal Watershed; authorizing ecological forest thinning projects in accordance with the South Fork Tolt River Watershed Management Plan in Sections 25, 26, 27, 29, 30, 32, 33, 34, and 35, Township 26 North, Range 9 East, W.M.; declaring the logs resulting from said projects to be surplus to the City's needs; authorizing the sale of such logs pursuant to applicable City contracting and surplus property sale procedures; and directing use of the proceeds therefrom to fund Plan implementation.

WHEREAS, the South Fork Tolt River Watershed has been an essential source of water supply for the City of Seattle supply system for over 40 years since completion of the Tolt Dam and Reservoir; and

WHEREAS, in 2011 Seattle Public Utilities approved the South Fork Tolt Watershed Management Plan (Plan) which reaffirms the importance of stewardship of the Tolt Watershed water supply and provides policy direction in seven resource areas, including watershed protection, forest resources, aquatic resources, fish and wildlife, invasive plant species, cultural resources, and transportation; and

WHEREAS, the City-owned portion of the South Fork Tolt Watershed supports dense second-growth forest, the condition of which would be greatly improved with active restoration management, with the exception of 400 acres that are old-growth forest and will be protected from further management activity; and

1
2
3 WHEREAS, the City's forest management objectives, as described in the Plan, are to promote
4 the development of old-growth forest conditions, improve habitat for wildlife and fish,
5 increase resilience to disturbance, improve future timber value, and maintain water
6 quality; and

7 WHEREAS, ecological thinning results in marketable timber that can be sold as surplus property
8 under applicable City contracting procedures, to offset costs of restoration activities; and

9 WHEREAS, Seattle Public Utilities staff conducted ecological thinning on 250 acres and
10 produced approximately 3.8 million board feet of merchantable logs from 2011-2015
11 under Ordinance 123680;

12 WHEREAS, to continue implementation of the Plan, Seattle Public Utilities staff will conduct
13 ecological thinning on 330 acres, producing up to 4 million board feet of merchantable
14 logs over the next five years; NOW, THEREFORE,

15 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

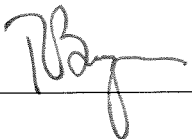
16 Section 1. The Director of Seattle Public Utilities is hereby authorized to contract,
17 pursuant to applicable City contracting and surplus property sale rules, for the services of
18 ecological thinning of approximately 330 acres of second-growth forest stands located within
19 portions of Sections 25, 26, 27, 29, 30, 32, 33, 34, and 35, Township 26 North, Range 9 East,
20 W.M., over the next five years (2016-2020) under the principles and procedures described in the
21 South Fork Tolt Watershed Management Plan (Plan), and to contract for the sale and removal of
22 merchantable logs downed as a result of such ecological thinning. The Director of Seattle Public
23 Utilities shall, no later than March 31 of each year, submit to the Mayor and City Council a

1 report for the previous calendar year describing the timber volumes sold and the proceeds
2 derived from sales authorized by this section, an estimate on what tree cutting is anticipated in
3 the next year, and an analysis of the cumulative effects of these projects. A public hearing
4 having been held, the logs resulting from the planned ecological thinning projects authorized by
5 this ordinance are hereby declared to be surplus to the City's needs. The Director of Seattle
6 Public Utilities is further authorized to conduct all related monitoring, surveys, and other such
7 activities as may be required by the City's commitments in the Plan.

Section 2. Proceeds from the sale of logs authorized by Section 1 of this ordinance shall be recorded as Water Fund (43000) revenue to offset the costs of implementing the Plan.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 8th day of September, 2015, and signed by me in open session in authentication of its passage this 8th day of September, 2015.



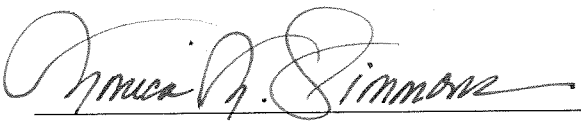
President _____ of the City Council

Approved by me this 11th day of September, 2015.



Edward B. Murray, Mayor

Filed by me this 11th day of September, 2015.



Monica Martinez Simmons, City Clerk

(Seal)

SUMMARY and FISCAL NOTE

Department:	Contact Person/Phone:	Executive Contact/Phone:
Seattle Public Utilities	Amy LaBarge/ 3-9777	Aaron Blumenthal/3-2656

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the management of the South Fork Tolt River Municipal Watershed; authorizing ecological forest thinning projects in accordance with the South Fork Tolt River Watershed Management Plan in Sections 25, 26, 27, 29, 30, 32, 33, 34, and 35, Township 26 North, Range 9 East, W.M.; declaring the logs resulting from said projects to be surplus to the City's needs; authorizing the sale of such logs pursuant to applicable City contracting and surplus property sale procedures; and directing use of the proceeds therefrom to fund Plan implementation.

Summary and background of the Legislation: This ordinance would authorize SPU to implement ecological forest thinning projects under the South Fork Tolt Watershed Management Plan and to sell logs that are surplus to the City's needs, in accordance with applicable contracting and surplus property sale procedures, and authorize use of the proceeds to offset costs of implementing the plan.

The 2011 South Fork Tolt Watershed Management Plan provides ecosystem and landscape management policy guidance for the City-owned portion of the Tolt Watershed. This amounts to about 8400 acres. The plan recommends action in seven resource areas, including watershed security and protection, forest resources, aquatic resources, fish and wildlife, invasive plant species, cultural resources, and transportation infrastructure. To implement the forest resources management recommendations, including thinning, SPU requires authorization to sell timber as surplus property under City contracting and surplus property procedures. According to the plan, SPU would thin approximately 60 acres annually, generating up to 1 million board feet of surplus timber each year.

In adopting the 2009-2011 SPU water rates ordinance, the City Council directed SPU to conduct ecological forest thinning activities at net-zero cost, by subsidizing the cost of conducting the projects with revenue from the surplus timber generated. The past five years of plan implementation indicate that timber revenues covered 54% of Tolt forest management operating costs.

This next five-year ordinance would authorize the sale of up to 4 million board feet of harvested timber between 2016-2020, with estimated average annual net revenue of \$40,000. This ordinance will deposit any timber sale proceeds in the Water Fund to offset the costs of plan implementation.

2. CAPITAL IMPROVEMENT PROGRAM

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

3. SUMMARY OF FINANCIAL IMPLICATIONS

 X This legislation has direct financial implications.

Budget program(s) affected:				
Estimated \$ Appropriation change:	General Fund \$		Other \$	
	2015	2016	2015	2016
				\$0
Estimated \$ Revenue change:	Revenue to General Fund		Revenue to Other Funds	
	2015	2016	2015	2016
				\$40,000
Positions affected:	No. of Positions		Total FTE Change	
	2015	2016	2015	2016
				0
Other departments affected:				

3.a. Appropriations

 This legislation adds, changes, or deletes appropriations.

Fund Name and number	Dept	Budget Control Level Name/##	2015 Appropriation Change	2016 Estimated Appropriation Change
Water Fund 43000	SPU			\$0
TOTAL				

**See budget book to obtain the appropriate Budget Control Level for your department.*

Appropriations Notes:

Existing appropriations are available in the Water Fund's Operations & Maintenance Budget to cover SPU operating costs of this program; costs are approximately \$50,000 annually and include project planning, permitting, contract administration and monitoring of ecological thinning and associated forest management activities (e.g., planting) in the South Fork Tolt River Municipal Watershed. Average annual costs of implementing this program since 2011 have been approximately \$82,000, with labor averaging 70% and non-labor averaging 30% of the expenditures. Future expenditures will be at the spending plan amount, as certain forest management activities (i.e., young forest restoration thinning) have been completed. The specific activity is N781801, in the Water Fund's sub-BCL (N780). The ecological thinning contracts to implement the projects include tree felling, log yarding to roads and log transportation, and

contract costs are fully offset by revenues from the sale of surplus timber. Ecological thinning conducted pursuant to this ordinance would begin in the fall of 2016 and continue through the fall of 2020.

3.b. Revenues/Reimbursements

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

Anticipated Revenue/Reimbursement Resulting from this Legislation:

Fund Name and Number	Dept	Revenue Source	2015 Revenue	2016 Estimated Revenue
Water Fund 43000	SPU	Timber revenues		\$40,000
TOTAL				

Revenue/Reimbursement Notes:

Although the price of timber and the bidding climate for logging are volatile and may change, SPU anticipates that the timber sales will produce net revenue in the amount of at least \$40,000 annually. All timber revenues will be deposited into the Water Fund to offset costs of Plan implementation.

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?

Yes, this legislation supports the long-term forest stewardship program in the South Fork Tolt River Municipal Watershed, as described in the Plan, to improve habitat, resilience and future management options.

b) Is there financial cost or other impacts of not implementing the legislation?

Not implementing the legislation would have two potential financial impacts: (1) net revenues from sale of surplus timber resulting from the ecological thinning would be foregone or delayed; and (2) the long-term improvement in forest health and tree growth expected from thinning would be foregone or delayed, reducing potential revenues from any future considered forest management.

c) Does this legislation affect any departments besides the originating department?

No

d) Is a public hearing required for this legislation?

Yes, given that this ordinance would authorize the sale of surplus property with potential value exceeding \$50,000 (per RCW 39.33.020). Public hearings have been and will be held for all ecological thinning ordinances requesting to sell timber as surplus property.

- e) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

Yes.

- f) Does this legislation affect a piece of property?**

Yes, see Attachment A.

- g) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**

The only perceived implication for historically disadvantaged communities is positive, which is improved habitat and potential for gathering culturally valuable plants by Native American Tribes.

- h) 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.**

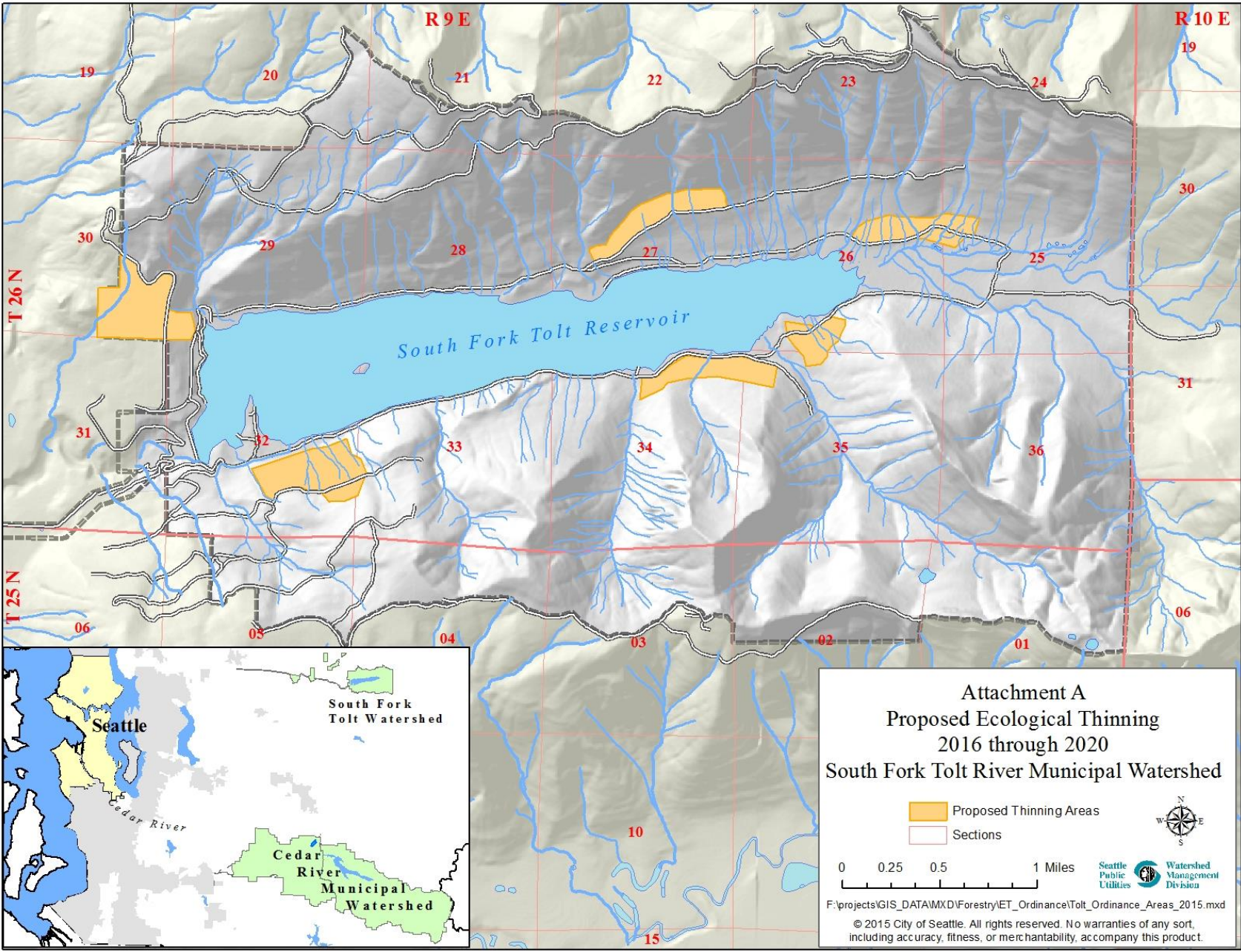
Not applicable.

- i) Other Issues:**

List attachments below:

Exhibit A – Proposed Ecological Thinning 2016 through 2020: South Fork Tolt River Municipal Watershed

Exhibit A



STATE OF WASHINGTON -- KING COUNTY

--SS.

328688

No. 124855,854,853,852,851

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

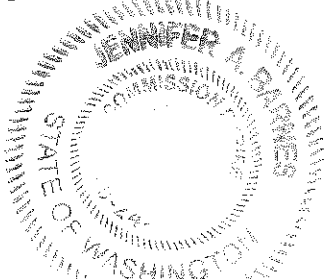
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCE

was published on

09/24/15

The amount of the fee charged for the foregoing publication is the sum of \$116.25 which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

09/24/2015

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on September 8th, 2015, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

Ordinance 124855

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights relating to a sewer facility easement within a portion of property located at 14027 Lake City Way NE as being surplus to the City's utility needs; authorizing the Director of Seattle Public Utilities to relinquish such easement rights and accept a new easement granted from 14027 Lake City Investors, LLC for a City-owned sanitary sewer facility; and ratifying and confirming certain prior acts.

Ordinance 124854

AN ORDINANCE relating to the management of the South Fork Tolt River Municipal Watershed; authorizing ecological forest thinning projects in accordance with the South Fork Tolt River Watershed Management Plan in Sections 25, 26, 27, 29, 30, 32, 33, 34, and 35, Township 26 North, Range 9 East, W.M.; declaring the logs resulting from said projects to be surplus to the City's needs; authorizing the sale of such logs pursuant to applicable City contracting and surplus property sale procedures; and directing use of the proceeds therefrom to fund Plan implementation.

Ordinance 124853

AN ORDINANCE relating to the Cedar River Watershed; authorizing five years of ecological thinning, in accordance with the Cedar River Watershed Habitat Conservation Plan, in Sections 15, 16, 21 and 22, Township 22, North, Range 7, East, W.M., Sections 8 and 9, Township 22, North, Range 8, East, W.M., Sections 2 and 11, Township 21, North, Range 9, East, W.M.; Sections 34 and 35, Township 22, North, Range 9, East, W.M., Sections 3, 4 and 10, Township 21, North, Range 10, East, W.M., and Sections 32 and 33, Township 22, North, Range 10, East, W.M.; declaring the logs resulting from ecological thinning to be surplus to the City's needs; authorizing the sale of such logs pursuant to applicable City contracting and surplus property sale procedures; and directing deposit of the proceeds therefrom to the Water Fund for the purposes of the Habitat Conservation Plan implementation.

Ordinance 124852

AN ORDINANCE relating to the Cedar River Municipal Watershed and amending the Secondary Use Policies, adopted by Ordinance 114632, to provide for the limited application of the herbicide Imazapyr to treat invasive knotweed species.

Ordinance 124851

AN ORDINANCE relating to the Landmark Preservation Board; amending Section 25.12.270 of the Seattle Municipal Code to change the qualifications for members of the Board, and making technical corrections.

Date of publication in the Seattle Daily Journal of Commerce, September 24, 2015.
9/24(328688)