

PORT OF SEATTLE
MEMORANDUM

COMMISSION AGENDA
STAFF BRIEFING

Item No.: 7a

Date of Meeting: December 7, 2010

DATE: November 30, 2010

TO: Tay Yoshitani, Chief Executive Officer

FROM: Mike McLaughlin, Director, Cruise and Industrial Properties
Mark Griffin, Senior Manager, Real Estate Development

SUBJECT: King County Proposal for Locating Combined-Sewer Overflow Facility on Port of Seattle Property

BRIEFING OUTLINE:

The Commission will be briefed by Port and King County staff on King County's plan for controlling combined-sewer overflows, the public process to review potential sites, and their selection of preferred sites. A representative of the City of Seattle will be available to discuss the city's interests in the site selection and potential park development.

BACKGROUND:

Earlier this year, the King County Wastewater Treatment Division approached the Port of Seattle with proposals to construct facilities in the vicinity of the port's West Yard at Terminal 91 for control of combined stormwater and wastewater.

The county is planning and constructing a series of facilities to control overflows from the older combined sewer and stormwater systems throughout its system. Throughout the City during periods of heavy rainfall, stormwater flows can exceed system capacity, leading to spills of untreated sewage into Puget Sound and other local waters. The county is under a deadline set by the state Department of Ecology to reduce significantly these combined-sewage overflows (CSO).

In the Magnolia basin, sewage overflows occur 19 times a year on average, totaling 31 million gallons annually. To control overflows in this basin, the county considered a number of sites in the Magnolia area. Following a public comment process, the county narrowed the list to a city-park site and two design concepts on port property:

- A 1.8-million-gallon underground tank and an above-ground structure, and piping to connect to the conveyance system in the West Yard.
- An in-line storage system that would involve a large-diameter underground pipe traversing Terminal 91 uplands east to west.

COMMISSION AGENDA

Tay Yoshitani, Chief Executive Officer

November 30, 2010

Page 2 of 3

Port staff concluded that the underground storage facility warrants further consideration, under certain circumstances described below. Construction of the large pipe concept across Terminal 91 is not recommended as it would disrupt upland operations and unduly restrict future business opportunities.

The county's proposal comes as the port is starting a planning effort to study the long-term development potential for the Terminal 91 uplands and certain under-utilized property south of the Magnolia Bridge, including the West Yard. In addition, the port and the City of Seattle's Department of Parks and Recreation have conducted preliminary discussions in the past about a land swap of the Port's West Yard and Smith Cove Shoreline Public Access site for the city's adjacent playfield known as Smith Cove Park.

In the context of the county proposal, the trade offers potential benefits for the port, the city, county and community. The port would gain property with better access and development potential. The city would gain a more attractive park site bounded on two sides by water. The underground storage tank would be suitable for a park site, but would severely limit above-ground industrial or commercial development.

The port, city and county representatives briefed the Neighbors Advisory Committee on the proposed CSO facility and land swap on October 20, 2010. At that meeting, the NAC approved a resolution supporting the tank proposal on the condition the land swap and park development occurred in the West Yard area.

The port is engaged in discussions with both the city's Parks and Recreation Department and the county to determine if a mutually beneficial agreement can be accomplished. On a preliminary basis, staffs have agreed to examine the potential of locating the tank in the general vicinity of the West Yard and the city's park property, termed the Lower Basin. The configuration of the tank and associated equipment, as well as details of the land swap, is still under discussion.

Staff is currently negotiating a memorandum of agreement (MOA) that describes responsibilities and deadlines for determining the feasibility of the proposal. The draft agreement calls for a decision by the three parties on a site for the tank by February 15, 2011, to be followed by negotiations on design, compensation and mitigation.

Property transfers and easements for the land swap and tank construction would be subject to approval by the Port Commission and the Seattle and King County councils.

NEXT STEPS:

The county, city and port will negotiate an MOA for approval by the Port Commission and signature by the Chief Executive Officer and respective officials of King County and the City of Seattle. The MOA will not commit any port property or action but will describe the process for

COMMISSION AGENDA

Tay Yoshitani, Chief Executive Officer

November 30, 2010

Page 3 of 3

reaching a decision among the parties. Staff will return to the Commission in early 2011 for further updates on the discussions.

OTHER DOCUMENTS ASSOCIATED WITH THIS BRIEFING:

- Site photo
- King County PowerPoint presentation