



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 7, 2010

Motion 13385

Proposed No. 2010-0626.1

**Sponsors Hague, Lambert, von Reichbauer
and Patterson**

1 A MOTION requesting the executive to identify and
2 develop a plan to pay for the ecological repair work that
3 will be required for the use of the of the four parcels lots
4 owned by Northwest Aggregates Company located on
5 Maury Island in council district 8 that the county intends to
6 purchase.

7 WHEREAS, King County has negotiated the purchase of approximately two
8 hundred fifty acres of land on Maury Island ("the NWA property") owned by Northwest
9 Aggregates Co., an Oregon corporation ("NWA"). Closing of this transaction before the
10 end of the year is a material term of the purchase and sale agreement ("the PSA"),
11 required by NWA, and

12 WHEREAS, the PSA establishes a purchase price for the NWA property at
13 \$36,000,000.00. The county would be purchasing this property "as is." The NWA
14 property is within the area of the Asarco Plume and the county is aware that the NWA
15 property is contaminated with arsenic and lead. Under state law, King County, as the
16 property owner, will be responsible for remediating the NWA property, and

17 WHEREAS, part of the NWA property operated as a gravel and sand mine.
18 Under the PSA, the county will assume the costs to reclaim the mined portion of the
19 NWA property, and

20 WHEREAS, unless the county exercises an option to pay NWA additional
21 consideration, the county will also be responsible for removing the conveyor and other
22 personal property from the NWA property, and

23 WHEREAS, there are tunnels located on the NWA property that will need to be
24 closed, and

25 WHEREAS, NWA has a lease with the state of Washington for the bedlands
26 waterward of the property's shoreline, and

27 WHEREAS, it is anticipated that the county will be entering into a new lease with
28 the state of Washington, a condition of which will require the county to remove the dock
29 pilings previously installed in the bedlands, and

30 WHEREAS, there currently is no dedicated source of funds to undertake the
31 ecological repair work that may be required, including but not limited to reclamation,
32 remediation and removal of personal property, closing the tunnels and removing the dock
33 piling ("the ecological repair");

34 NOW, THEREFORE, BE IT MOVED by the Council of King County:

35 A. The executive is requested to consult with the appropriate state agencies,
36 including but not limited to the department of ecology and the department of natural
37 resources, as well as the county's own risk management section, to identify and prioritize
38 the items of ecological repair and when they must be undertaken. As part of that
39 identification, the executive should determine the anticipated cost to complete the
40 ecological repair.

41 B. The executive is also requested to develop a plan to pay for the ecological
42 repair. The plan should include all potential third-party sources, such as grants or loans

43 that could be used to pay for the ecological repair. The plan should also investigate the
44 use of reserves from county funds that could be used to defray the costs to implement the
45 ecological repair.

46 C. The executive should submit a report identifying the items of ecological
47 repair, their priority, estimating when each repair shall be undertaken and the anticipated
48 cost to complete each repair. The report should be submitted to the council by June 1,
49 2011, filed in the form of a paper original and an electronic copy with the clerk of the
50 council, who shall retain the original and provide an electronic copy to all
51 councilmembers.

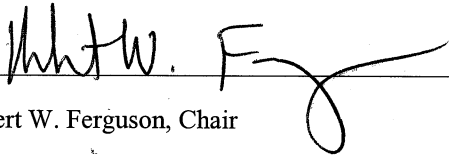
52 D. Included in that report should be the plan to pay for the ecological repair. The
53 plan should include a detailed discussion regarding all potential county funding

54 mechanisms and third- party resources that could be used and dedicated to the ecological
55 repair.
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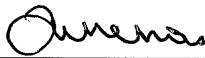
Motion 13385 was introduced on 12/6/2010 and passed by the Metropolitan King
County Council on 12/6/2010, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.
McDermott
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Robert W. Ferguson, Chair

ATTEST:


Anne Noris, Clerk of the Council

Attachments: None