



**KING COUNTY
FLOOD CONTROL
DISTRICT**

KING COUNTY FLOOD CONTROL DISTRICT

King County Courthouse
516 Third Avenue
Room 1200
Seattle, WA 98104

Signature Report

FCD Motion FCD24-05

Proposed No. FCD24-05.1

Sponsors

1 A MOTION adopting a Flood Reduction Facilities
2 Inventory Policy.

3 WHEREAS, in 2007, the King County Flood Control Zone District ("District")
4 was formed to provide flood risk reduction to the residents of King Count, and

5 WHEREAS, through multiple interlocal agreements, King County ("County") has
6 served as the primary service provider to the District, ensuring efficient implementation
7 of flood risk reduction measures including the operations and maintenance of the
8 County’s existing inventory of flood risk reduction facilities consisting of levees,
9 revetments, and property used as flood storage ("Flood Risk Reduction Facilities"), and

10 WHEREAS, the District provides the funding and strategic guidance necessary to
11 implement, operate, and maintain a regional flood risk reduction system based on the
12 principles of integrated floodplain management, and

13 WHEREAS, the County, primarily in its work supporting the Water Resource
14 Inventory Areas and salmon recovery, designs, permits, and implements habitat
15 restoration projects that can involve a modification and/or removal of an existing County
16 Flood Risk Reduction Facility, and

17 WHEREAS, Section 9.3 of the 2021 interlocal agreement between the District
18 and the County directed the development of a policy notifying the District of proposed
19 modifications to the County’s Flood Risk Reduction Facilities, and

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20 WHEREAS, the District intends to continue District funding for the operations
21 and maintenance of modified County Flood Risk Reduction Facilities after receipt of
22 notice of the proposed modification, as set forth in Attachment A to this motion;

23 NOW, THEREFORE, BE IT MOVED BY THE BOARD OF SUPERVISORS
24 OF THE KING COUNTY FLOOD CONTROL ZONE DISTRICT:

25 SECTION 1. The board of supervisors adopts the "Notification and Approval


FCD Motion FCD24-05

- 26 Procedures for Modifications to Flood Risk Reduction Facilities or Real Property
- 27 Interests in Inventory," Attachment A to this motion.

FCD Motion FCD24-05 was introduced on 10/2/2024 and passed by the King County Flood Control District on 10/8/2024, by the following vote:

Yes: 8 - Balducci, Barón, Dunn, Dembowski, Perry, Upthegrove, von Reichbauer and Zahilay
Excused: 1 - Mosqueda

KING COUNTY FLOOD CONTROL DISTRICT
KING COUNTY, WASHINGTON

Signed by:

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Reagan Dunn, Chair

ATTEST:

DocuSigned by:

42A7D875B6B4420...

Russell Pethel, Clerk of the District

Attachments: A. Notification and Approval Procedures for Modifications to Flood Risk Reduction Facilities or Real Property Interests in Inventory

Notification Procedure for Modifications to Inventory (Flood Risk Reduction Facilities and Real Property Interests)

Background

Section 9.3 of the 2021 ILA between King County and the King County Flood Control Zone District (District) directed the development of a policy for providing reasonable advance notice to the District of a proposed modification to the Inventory (defined herein), including but not limited to the planned addition or removal of a Flood Risk Reduction Facility or Real Property Interest on the Inventory, or a plan to change or modify an existing facility or property interest on the Inventory. This policy is intended to meet the requirement set forth in Section 9.3 of the ILA.

King County, in its role as service provider to the District, updates information about the location and condition of facilities in the Inventory informed by regular Inspections, post flood damage assessments, development of capital investment strategies, capital project design, modifications to facilities, and application of improved modeling and GIS location technology. The Inventory may also, at times, be impacted by projects led by King County, other public agencies, and County partners, including but not limited to the Water Resource Inventory Areas.

This policy sets forth the District's notification expectations for a Modification to the Inventory.

Glossary

District Capital Improvement Project

A project included in the District's annual budget.

Flood Risk Reduction Facility or Facility

A structure that provides protection from flood damage including, but not limited to, structures such as levees, berms, revetments, and floodwalls; dams or water diversions; and bank stabilization structures to reduce flooding and channel migration risk; and other supporting structures such as pump stations, culverts, and piping. This term includes those Facilities constructed prior to the District's formation in 2007, as well as those constructed following the District's formation. Facility as used in this policy does not include any Facility held in the name or custodianship of County agencies other than the Water and Land Resources Division (WLRD).

Inventory

As used in this policy, Inventory refers to: (1) Real Property Interests on the River and Flood Plain Management Section of WLRD Property Interests List, which includes fee simple owned property and permanent river protection easements; and (2) Flood Risk Reduction Facilities on the River Facility Inventory under the WLRD's custodianship. The Inventory identifies all Real Property Interests and Flood Risk Reduction Facilities for which the District funds Operations and Maintenance. The Inventory does not include any Real Property Interests and Facilities are held in name and custodianship of County agencies other than the WLRD.

Inspection

A visual examination of a Flood Risk Reduction Facility to identify potential issues, deficiencies, and flood risks. Inspections will continue regardless of whether a Project occurs on a Facility or not.

Modify or Modification

Any change, not including those associated with Operations and Maintenance, to a Flood Risk Reduction Facility on the Inventory by any entity, including but not limited to a structural change to a facility (e.g., repair to restore a Facility to its original condition, setback, retrofit, and removal). Any adjustment to the legal boundaries or terms of a Real Property Interest, and/or any change or conveyance of a Real Property Interest in part or full.

Operations and Maintenance

Ongoing activities and procedures necessary to ensure the proper functioning and effectiveness of Flood Risk Reduction Facilities. These activities include but are not limited to vegetation maintenance; cleaning and debris removal; repairs and replacements of damaged components of a Facility that do not require a permit (e.g., flap gates, access gates); and other preventive and corrective measures that do not require a permit aimed at maintaining the integrity and reliability of Flood Risk Reduction Facilities. The District may elect to pay for Operations and Maintenance of the items on the Inventory when authorized in the District's annual budget. For the purposes of this policy, Operations and Maintenance does not include Inspections.

Project

As used in this policy, Project refers to any anticipated Modification of a Real Property Interest or Flood Risk Reduction Facility other than a District Capital Improvement Project by any entity.

Real Property Interest

As used in this policy, Real Property Interest refers to: (1) the real property interests acquired by the County prior to the District's formation in 2007; and (2) the real property interests acquired by the District or the County on behalf of the District following the District's formation in 2007 for flood risk reduction and integrated floodplain management purposes. These real property interests may be held by the County, held by the County in the name of the District, or held by the District. The Inventory does not include real property interests held in the name and custodianship of County agencies other than WLRD.

Procedures for Real Property Interest and Facility Modifications

The County shall notify the District of a Project that may Modify an existing Flood Risk Reduction Facility or Real Property Interest as follows:

1. Initial Notice – When the County is aware a Project is anticipated to Modify a Flood Risk Reduction Facility or Real Property Interest it shall provide initial notification to the District in writing at its earliest opportunity, but no later than prior to requesting grant funding or including the Project in the agency-proposed budget request to the Office of Performance, Strategy and Budget. The Initial Notice shall include the name of the

Facility or parcel number; river location; river mile; a map of the project site; implementation phase; design elements; the Project's sponsoring entity; the estimated time the Project will assume Operations and Maintenance of the Facility within the project footprint; and whether the Project is anticipated to affect the District's ongoing Operations and Maintenance of the Facility and any other property in the Project footprint after construction is complete and all permit obligations are met.

- a. No further notice is necessary if any of the following are true:
 - The Project will not affect the District's ongoing Operations and Maintenance after construction is complete and all permit obligations are met, or
 - The notice pertains only to a Real Property Interest and does not include a Facility Modification.
2. Second Notice – Within 14 calendar days of alternative selection, the County will notify the District in writing of the preferred alternative, including level of flood protection provided by the Project relative to existing facilities.
 - a. The District may request design upgrades to improve service level, extend design life, or enhance flood protection within 45 calendar days of receipt of the Second Notice. Such requests will include a commitment to necessary funding.
3. Third Notice – At no later than 90 percent design, the County will provide the District:
 - a. A map of the project site,
 - b. A written description of how the site is expected to be managed during construction and the estimated time the Project will assume Operations and Maintenance within the Project footprint and the permit obligation period, and
 - c. A written description of the initially anticipated impact the Project may have on the needs and associated costs of ongoing Operations and Maintenance of the Facility and any other property in the Project footprint following completion of construction and permit obligations.
4. Final Notice – Within 45 calendar days of successfully meeting Project permit obligations, the County shall notify the District in writing that any ongoing Operations and Maintenance responsibilities undertaken by the Project are returned to the District and subject to the District's annual budget approval. The Final Notice will include a written description of the anticipated ongoing Operations and Maintenance needs, if changed since the Third Notice.

The District may make a written request for additional information about a Project. Responses will be provided in writing within 14 calendar days of the request unless an alternative timeline is agreed upon by the District and County.

Notification of Changes to Real Property Interests

In addition to the above, Modifications to Real Property Interests on the Inventory require the following:

1. District Projects. Section 12 of the District's 2023 budget and work program (Resolution FCD2022-13) directs the County to provide a monthly report to the District of the status of acquisitions and property interests necessary to implement the District's adopted work plan. This monthly report shall serve as the notification process for acquisitions or dispositions of Real Property Interests in the Inventory maintained by the WLRD.
2. Real Property Interests that Pre-Date District Formation. In the event a Real Property Interest that the County acquired prior to the District's formation is proposed for surplus (including sale, relinquishment, or transfer of management responsibilities from WLRD to another custodial agency within the County) or proposed to be modified, advance (at least thirty days) written notification to the District will be provided.
3. Real Property Interests Acquired with District Funding. For Real Property Interests acquired with District funding, the sale or conveyance process shall be governed by [King County Code 4.56.060.E Real and Personal Property](#). For the modification of a Real Property Interest acquired with District funding, such as the modification of the location or terms and conditions of an easement, the County will seek input and concurrence from the District's Executive Director and legal counsel.