



## Legislation Text

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Clerk 06/07/2013

AN ORDINANCE authorizing the condemnation of certain property and property rights needed for the replacement of the Fremont siphon pipelines with a new and separate crossing under the Lake Washington Ship Canal as part of the Fremont siphon replacement project.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. On November 22, 2010, the King County council adopted the 2011 Annual Budget and Program by Ordinance 16984 and provided funding for capital projects to support King County's wastewater treatment program.

B. One of the funded capital projects is the Fremont siphon replacement project for the construction of replacement siphon pipes under the Lake Washington Ship Canal, under capital improvement project 1047697.

C. The Fremont siphon is a critical conveyance line that conveys wastewater from King County's northeastern service area to the West Point treatment plant. The existing pipelines extend from Fremont to Queen Anne in a concrete tunnel and conveys up to two hundred twenty million gallons of wastewater per day, at peak flow, across the Lake Washington Ship Canal. The Fremont siphon was installed in the early 1900s. After approximately one hundred years of wastewater conveyance service, replacing this major infrastructure is now due and will require King County's careful planning and consideration.

D. To meet the challenge of replacing these important pipelines in a densely developed area, a range

of options to rehabilitate or replace the Fremont siphon were considered. In 2010, King County's wastewater treatment division recommended replacing the existing pipelines in a new location to reduce potential project risks and impacts, maintain operations during construction, and to ensure safe, reliable wastewater conveyance.

E. Private property must be acquired to provide space for a microtunnel launch shaft and odor control facility. Two microtunnels will be constructed just west of the existing siphon, and will be connected to the North Interceptor conveyance pipelines on the north and south sides of the canal. The new siphon will be designed to operate similar to the existing system. The microtunnel launch shaft and odor control facility will be located on the north side of the Lake Washington Ship Canal, and the reception shaft on existing King County property on the south side of the Lake Washington Ship Canal. The project will locate the microtunnel launch shaft at 2nd Avenue Northwest and Northwest 36th Street in Fremont which will require acquisition of property rights and rights in property, including acquisition of property in fee, of the property owned by Praxair Distribution, Inc.

F. The capital budget provides for the acquisition of property interests and property rights necessary for the construction and operation of the Fremont siphon replacement project. Acquisition of the property and property rights is required to carefully undertake the construction for the replacement of the Fremont siphon in a new crossing under Lake Washington Ship Canal.

G. King County is authorized, by chapters 8.12 and 36.56 RCW, RCW 35.58.320 and 35.58.200 and K.C.C. 28.01.030, to acquire and condemn real property for public use for sewage treatment and water pollution abatement facilities.

H. In order to acquire the property interests and property rights necessary for the construction, operation and maintenance of the Fremont siphon replacement project, it is necessary for King County to condemn and damage certain lands and property rights and rights in property. The acquisition of such property rights and rights in property is for a public purpose.

I. The King County council finds that public health, safety, necessity and convenience require that the Fremont siphon microtunnel launch and reception shafts, conveyance pipelines, odor control and operations facilities be constructed, and that those certain property interests, property rights and rights in property in the parcel listed in Attachment A to this ordinance be condemned, appropriated, taken and damaged for the purposes described in this ordinance.

SECTION 2. The King County council has deemed it necessary for the proposed public purpose and in the best interest of the citizens and wastewater ratepayers of King County that all or any portion of the property identified by the parcel number set forth and depicted in Attachment A to this ordinance and other property interests, property rights or rights in property be condemned, appropriated, taken and damaged for the purpose of the improvements described in this ordinance subject to the making or paying of just compensation to the owners in the manner provided by law.

SECTION 3. Condemnation proceedings are hereby authorized to acquire property interests and property rights and rights in property in all or any portion of the property described in Attachment A to this ordinance.

SECTION 4. The attorneys for King County are hereby authorized to begin to prosecute the proceedings provided by law to condemn, take, damage and appropriate the land and other property interests, property rights and rights in property necessary to carry out this ordinance.

Legal newspaper, 2 consecutive weeks

Newspaper: Seattle Times 7/17, 24