

Stockdale, Erik

From: Stockdale, Erik
Sent: Thursday, July 19, 2001 9:38 AM
To: Marchioro, Joan (ATG)
Cc: McMillan, Andy
Subject: FW: Parcel 92 Condemnation- by the way....

The Port of Seattle tried to pull me into a condemnation case a few weeks ago but I was able to beg out of it. The property in question is a parcel just south of the "Vacca Farm" that was also in agricultural production. I asked the Port to purchase it and add it to their in-basin restoration proposal.

Here's a brief summary of the decision. I asked Jim Kelley to try to get me the written decision.

Funny how the Port's attorneys first argued with our authority to regulate prior converted croplands, then used that regulatory authority to argue for reduced property valuation in a condemnation proceeding.

Erik

-----Original Message-----

From: Jim Kelley [mailto:jckelley@parametrix.com]
Sent: Thursday, July 19, 2001 6:52 AM
To: Stockdale, Erik
Subject: Parcel 92 Condemnation- by the way....

**** High Priority ****

The judge ruled in favor of the Port on the condemnation case, recognizing that with the exception of Corps regulations, prior converted croplands were wetlands under other local and state regulations, and would reduce the value of Parcel 92.

Jim Kelley jckelley@parametrix.com
Parametrix, Inc.
Main: 425-822-8880 FAX: 425-889-8808
Direct: 425-828-4202 extn 3315

AR 018498

Stockdale, Erik

From: Stockdale, Erik
Sent: Thursday, July 19, 2001 10:32 AM
To: 'Jim Kelley'
Subject: RE: Thoughts on Lora Lake.....

I agree with your premise. The difficulty however is determining how much credit in acreage to assign to the restoration action. I think 1 to 1 is way too high, yet .25 to 1 may be as easy to argue for as your proposal to receive .5 to 1.

Erik

-----Original Message-----

From: Jim Kelley [mailto:jkelley@parametrix.com]
Sent: Thursday, July 19, 2001 10:07 AM
To: Stockdale, Erik
Subject: Thoughts on Lora Lake.....

**** High Priority ****

Just some thoughts.....

The questions you raise points a shortfall, in this instance, of determining mitigation credit based on acreage. The issue is somewhat analogous to removal of a culvert that is also a fish barrier. While the mitigation action occurs in a quite limited area, the functional benefit can occur over a broader area.

Regardless of area, it seems important to recognize the functional value of the mitigation to the lake. These would include increased shade, increased litter and terrestrial insect input to the lake (benefitting fish and aquatic life), and new amphibian breeding sites (from small branches falling into the lake). The removal of yard maintenance could also benefit water quality. These functional benefits can compensate for some of the potential functional impacts we are concerned about.

Jim Kelley jkelley@parametrix.com
Parametrix, Inc.
Main: 425-822-8880 FAX: 425-889-8808
Direct: 425-828-4202 extn 3315

AR 018499