



# City of Seattle

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## Seattle City Light

June 27, 2014

Peg Staeheli, Chair  
Urban Forestry Commission  
700 5<sup>th</sup> Avenue, Suite 1868  
PO Box 94729  
Seattle, WA 98124-4729

Dear Urban Forestry Commissioners,

At the request of the Mayor's Office, I am writing to respond to your recent letter to the Mayor which included some thoughtful ideas on ways for the City to preserve tree canopy on properties that are surplus to the needs of Seattle City Light, the City's electric utility.

We would like to thank you for your work in support of the Urban Forest Stewardship Plan and your important service on the Urban Forest Commission. Our urban forests, which are critical to our quality of life in Seattle, especially the City's mature trees, provide valuable benefits to our city. While achieving a 30% canopy cover is a bold goal, it's an important one and I appreciate your dedication to helping the City achieve that goal.

As you know from previous discussions and briefings, the City's Law Department has raised legal concerns with some of the suggestions proposed in your letter. While City Light is a city agency, it is funded through rates not taxes. Washington courts have consistently held that it is illegal for utility ratepayers to pay for general government programs or costs. City Light, as with other city agencies and private property owners, is required to mitigate the cutting of trees under the City Code. There are sufficient appropriate locations for City Light to plant replacement trees. If City Light were to use its surplus properties as "tree banks," this would result in the utility rate payers paying for a new, more expensive requirement that is not a utility function. Over the past decade, the City's General Fund has been required to refund City Light ratepayers millions of dollars for such illegal use of ratepayer funds for non-utility functions and programs.



700 Fifth Avenue, Suite 3200, P.O. Box 34023, Seattle, WA 98124-4023  
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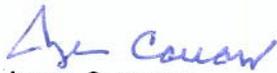
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Additionally, while you have proposed creative financing to retain City Light properties for public use, this would need to be funded by the general fund rather than by City Light ratepayers.

The City shares your interest in working together to find ways to accommodate the multiple competing uses for our city's land resources, and more broadly to achieve the bold goals of the Urban Forest Stewardship Plan.

Thank you for your dedication and commitment.

Sincerely,

  
Jorge Carrasco

Cc: Ed Murray, Mayor  
Sally Bagshaw, Councilmember  
Jill Simmons, Director, Office of Sustainability & Environment  
Brian Surratt, Senior Policy Advisor, Mayor's Office



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