



Snohomish County

Planning and Development Services

MEMORANDUM

TO: Snohomish County Planning Commission

FROM: Terri Strandberg, Principal Planner

SUBJECT: Natural Environment Element

DATE: May 5, 2023

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Dave Somers
County Executive

INTRODUCTION

The purpose of this staff report is to outline and provide information on staff recommended amendments to Snohomish County’s GMA Comprehensive Plan Natural Environment Element. A briefing on the recommended amendments will occur at the May 23, 2023, Planning Commission meeting.

BACKGROUND

While the primary focus and project schedule for updates to the Natural Environment Element are based on the Growth Management Act (GMA), the GMA is only one of the state and federal laws addressing protection of the natural environment. In addition, the GMA requires interjurisdictional coordination at the statewide, regional, and local levels. This background section provides an overview of a some of the main laws and policies that form the framework for the Natural Environment Element and inform the proposed policy amendments.

The Growth Management Act (GMA) and the Shoreline Management Act (SMA)

While the GMA does not specifically require that comprehensive plans include a Natural Environment Element, there is ample support in the statutory provisions and priorities to justify inclusion of the Natural Environment Element. The GMA contains thirteen goals (RCW 36.70A.020), and RCW 36.70A.480(1) adds as the fourteenth GMA goal all of the goals and policies of the Shoreline Management Act (SMA) (RCW 90.58)¹. In addition, shoreline management plans adopted under the SMA must be integrated with, and incorporated into the GMA-based comprehensive plans.²These goals and policies identify the following environmental priorities:

¹ ESSHB 1181 adopted by the Washington State, 68th Legislature, 2023 Regular Session, will amend RCW 36.70A.020 to add “climate change and resiliency” and “shorelines of the state” as the 14th and 15th goals of the GMA. Climate change and resiliency will be addressed in a separate element of the county’s comprehensive plan.

² WAC 173-26-186 (7) The planning policies and regulatory provisions of master programs and the comprehensive plans and development regulations, adopted under RCW 36.70A.040 shall be integrated and coordinated in accordance with RCW 90.58.340, 36.70A.480, 34.05.328 (1)(h), and section 1, chapter 347, Laws of 1995.

- Maintain and enhance fisheries industries (RCW 36.70A.020(8));
- Conserve fish and wildlife habitat (RCW 36.70A.020(9));
- Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water (RCW 36.70A.020(10) and 36.70A.590);
- Designate (RCW 36.70A.170(2) and protect (RCW 36.70A.060(2)) critical areas functions and values including wetlands, fish and wildlife habitat, aquifer recharge areas, frequently flooded areas, and geologically hazardous areas (RCW 36.70A.030(6));
- Provide special consideration to anadromous fisheries (RCW 36.70A.172(1));
- Base designation and protection strategies on best available science (BAS) (RCW 36.70A.172 and RCW 90.58.100);
- Preserve the natural character of the shoreline (RCW 90.58.020(2));
- Protect the resources and ecology of the shoreline (RCW 90.58.020(4));
- Include a conservation element in the shoreline master program for the preservation of natural resources, including but not limited to scenic vistas, aesthetics, and vital estuarine areas for fisheries and wildlife protection (RCW 90.58.100(2)(f)); and
- Meet a “no net loss” standard for critical area functions and values (WAC 365-196-830(4)), and for ecological functions of critical areas within shoreline jurisdiction (RCW 90.58.610, RCW 36.70A.480(4) and WAC 173-26-221(2)(a)(ii)).

The Endangered Species Act (ESA) and the Clean Water Act (CWA)³

Along with the GMA and the SMA, there are other environment-related requirements in state and federal law. Of particular relevance is the influence on land use of two federal laws: the Endangered Species Act (ESA) and the Clean Water Act (CWA). These federal laws seek to prevent damage to critical habitat and to water quality. The principal parts of the federal ESA include the listing and protection of species, designation of critical habitat and avoidance of its destruction⁴, and consultation by federal agencies regarding actions that may harm listed species. ESA also provides for the designation of critical habitat and prohibits the destruction of that habitat.

Consultation between the Federal Emergency Management Agency (FEMA) and National Marine Fisheries resulted in an evaluation of the impacts on ESA-listed species resulting from implementation of the National Flood Insurance Program (NFIP). The premise was that the NFIP allows for, and reduces the risks associated with development in the floodplain. The resulting product of this consultation was a biological opinion (aka “the NFIP Bi-Op”)⁵ documenting that floodplain areas are critical habitat for ESA-listed salmonids, and outlining

³ Citation for the Endangered Species Act: 16 U.S.C. §§1531-1544 (1973);
Citation for the Clean Water Act: 33 U.S.C. §1251 et seq. (1972)

⁴ Source: <https://www.epa.gov/laws-regulations/summary-endangered-species-act>

⁵ Endangered Species Act – National Marine Fisheries Service, Northwest Region, *Section 7 Consultation Final Biological Opinion And Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation*, 9-22-2008.

measures to be taken to prevent violation of the ESA standards for “take”⁶ and habitat destruction. The recommendations in the NFIP Bi-Op have informed proposed policy amendments in the Natural Environment Element while also reflecting GMA requirements to protect habitat for critical species, including ESA listed species⁷, and to provide special consideration for anadromous fisheries.

The CWA aims to prevent, reduce, and eliminate water pollution in order to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." (CWA, section 101(a)). Under the CWA it is unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained.⁸ The National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. In Washington State, the Department of Ecology is in charge of permit issuance for industrial, municipal, and other facilities. A primary focus of the county’s NPDES permit is to promote low impact development (LID) as the preferred method for stormwater management for new development and re-development, wherever feasible. LID involves on-site stormwater best management practices (BMPs) that replicate pre-development conditions. LID principles include reliance on trees and vegetation, native uncompacted soils and natural drainage channels to keep and manage stormwater on-site to the greatest extent possible.

Washington State Water Laws

State laws for protecting and managing water are abundant and complex. The Revised Code of Washington (RCW) contains thirty-one chapters related to water under title 90 RCW. These laws overlap with several GMA and SMA requirements to protect the quantity and quality of the state’s ground and surface waters, protect habitat for anadromous fish and other critical species, and protect critical aquifer recharge areas. The county must also determine that water is both legally and physically available for all new development requiring potable water before construction permits or land use approvals can be issued.⁹ Section 36.70A.590 RCW specifically calls out state statutes relevant to GMA compliance:

36.70A.590 Complying with requirements relating to surface and groundwater resources.

For the purposes of complying with the requirements of this chapter relating to surface and groundwater resources, a county or city may rely on or refer to applicable minimum instream flow rules adopted by the department of ecology under chapters 90.22 and 90.54 RCW. Development regulations must ensure that proposed

⁶ “Take” as defined under the ESA means to harass, harm, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct. Incidental take is an unintentional, but not unexpected, taking. Source: <https://www.fisheries.noaa.gov/laws-and-policies/glossary-endangered-species-act>

⁷ WAC 365-190-130(2)(a)

⁸ Source: <https://www.epa.gov/enforcement/clean-water-act-cwa-and-federal-facilities>

⁹ RCW 19.27.097(1) and RCW 58.17.110(2).

water uses are consistent with RCW 90.44.050 and with applicable rules adopted pursuant to chapters 90.22 and 90.54 RCW when making decisions under RCW 19.27.097 and 58.17.110.

In addition to those references cited in RCW 36.70A.590, the state adopted RCW 90.94, specifically section 90.94.030 RCW, which reduces the permit exempt groundwater allotment established in RCW 90.44.050 within certain watersheds. These water laws are important for protecting instream flows for fish, addressing the interconnected relationship between surface waters and groundwater, and determining potable water source and supply for new development, particularly in rural areas.

Coordination with regional and local policies

As mentioned above, the GMA requires that planning be coordinated across jurisdictional boundaries at regional and local levels. At the regional level, Snohomish County participates on the Puget Sound Regional Council (PSRC) to develop multi-county planning policies (MPPs) for inclusion in the regional planning document, “VISION 2050”. This document is then used to inform local planning efforts between the county and the cities within the county in an organizational structure and process referred to as “Snohomish County Tomorrow” (SCT). The SCT collaboration results in a set of countywide planning policies (CPPs). Environmental issues are addressed in both the MPPs and the CPPs which in turn, influence the county policies in the Natural Environment Element.

The goals, objectives and policies in the Natural Environment Element reflect the county’s role, responsibilities and priorities related to these federal and state laws, and regional and countywide policies, and provide support for county programs and regulations developed to meet environmental standards.

PROPOSED COMPREHENSIVE PLAN AMENDMENTS

The Natural Environment Element provides an organizational framework of goals, objectives and policies addressing a variety of federal, state, and local requirements, and lays out a multifaceted approach outlining strategies for meeting these requirements. This multifaceted approach relies on regulatory and nonregulatory programs:

- Regulatory programs mandated by state and federal laws;
 - Critical area regulations
 - Shoreline management program
 - Water laws
 - Stormwater management
 - Other state and federal environmental requirements
- Nonregulatory programs include:
 - Public education
 - Voluntary conservation and stewardship programs
 - Incentives programs
 - Land acquisition and restoration
 - Interjurisdictional coordination

- Monitoring and adaptive management

The Natural Environment Element focuses on protection of the environment and on protection from environmental hazards (flooding, landslide, air and water pollution, etc.). A key focus for this update is equity – equitable access to the benefits provided by the natural environment, and equitable protection from the potential hazards. The concept of equity is based on recent updates to the GMA goals (ESSHB 1181, 2023 legislative session), the MPPs in Vision 2050, and on the CPPs.

Proposed amendments to the Natural Environment Element reflect one or more of the following:

- Policy direction from the various federal and state laws discussed above, including broadening focus on groundwater protection, water quality, and stormwater management;
- Policy direction from the regional and countywide environmental policies;
- Recommendations from best available science;
- New focus on Integrated Floodplain Management;
- Policy proposal from County Council to address urban tree canopy as per Motion No. 22-096 (this section of the Natural Environment Element will be coming to the Planning Commission as a separate project in the next 1-2 months);
- Policy direction from County Executive to reduce future reliance on groundwater by future development;
- Housekeeping amendments to fix typos, improve language clarity, update current implementation status, reorganization of policies into other sections or elements, and to consider equity and inclusive language.

The proposed amendments to the NE goals, objectives and policies embody several key concepts from the MPPs and CPPs:

- Equitable access to a healthy environment;
- Injurisdictional and interagency coordination;
- Use of integrated and interdisciplinary approaches;
- Priorities and recommendations from watershed and open space planning and best available science;
- Placement and design for new development that is sensitive to the natural environment;
- Improvement of air and water quality;
- Protection of water quantity;
- Functions and values provided by urban tree canopy; and
- Minimizing exposure to pollution, excessive light and noise.

Attachment B to this staff report is a table showing each proposed amendment to the Natural Environment Element, including introductory text, goals, objective and policies, as well as corresponding proposed findings explaining the amendment and why it is consistent with relevant law and standards.

Two additional pieces that you may have expected to see in the Natural Environment Element will be coming separately to Planning Commission in the next few months:

- The Urban Tree Canopy policies are proposed as the new NE Goal 9 in the Natural Environment Element; and
- A new Climate Change Element.

The existing Goals NE 9, 10 and 11, and related objectives and policies addressing solid waste, recycling and renewable energy, and climate change, including introductory text are proposed for removal from the Natural Environment Element and relocation (with or without amendments or deletions) into the new Capital Facilities and Utilities Element or the new Climate Change Element, as appropriate.

ANALYSIS

The proposed amendments to the Natural Environment Element comply with GMA and SMA requirements to protect the natural environment as expressed in GMA and SMA goals; the requirements to protect critical areas, ecological functions, and surface and ground waters; provide special consideration for anadromous fisheries; and rely on recommendations from best available science. The discussion below identifies key sections of the GMA and the SMA, along with the corresponding state guidelines that inform the content of the Natural Environment Element and the proposed amendments.

GMA and SMA Goals

GMA goals in RCW 36.70A.020 (emphasis added):

*(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and **fisheries industries**. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.*

*(9) Open space and recreation. Retain open space, enhance recreational opportunities, **conserve fish and wildlife habitat**, increase access to natural resource lands and water, and develop parks and recreation facilities.*

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The SMA goals, which taken as a whole are incorporated into the GMA goals per RCW 36.70A.480(1), can be summarized by RCW 90.58.020 which says, in part, "... In the implementation of this policy the public's opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally. To this end uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the state's shoreline. ..."

GMA and SMA Requirements to Protect Critical Areas and Ecological Functions

The state laws and guidelines in both the GMA and the SMA require designation and protection of critical areas functions and values and shoreline ecological functions.

- RCW 36.70A.170 requires that critical areas be designated and protected per RCW 36.70A.060(2).
- RCW 36.70A.480 *Shorelines of the state.*

(4) Shoreline master programs shall provide a level of protection to critical areas located within shorelines of the state that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources as defined by department of ecology guidelines adopted pursuant to RCW 90.58.060.

- WAC 365-190-080(1) *Counties and cities must protect critical areas. Counties and cities required or opting to plan under the act must consider the definitions and guidelines in this chapter when designating critical areas and when preparing development regulations that protect the function and values of critical areas. The department provides additional recommendations for adopting critical areas regulations in WAC 365-196-485.*
- WAC 365-196-485(1) *Relationship to the comprehensive plan.*

...

(e) Because the critical areas regulations must be consistent with the comprehensive plan, each comprehensive plan should set forth the underlying policies for the jurisdiction's critical areas program.

- RCW 90.58.090 (4) *The department shall approve the segment of a master program relating to critical areas as defined by *RCW 36.70A.030(5) provided the master program segment is consistent with RCW 90.58.020 and applicable shoreline guidelines, and if the segment provides a level of protection of critical areas at least equal to that provided by the local government's critical areas ordinances adopted and thereafter amended pursuant to RCW 36.70A.060(2).*

- WAC 173-26-221 *General Master Program Provisions.*
(2) Critical areas.

(a) Applicability. Pursuant to the provisions of RCW 90.58.090(4) and 36.70A.480(3) as amended by chapter 107, Laws of 2010 (EHB 1653), shoreline master programs must provide for management of critical areas designated as such pursuant to RCW 36.70A.170 (1)(d) located within the shorelines of the state with policies and regulations that:

...

(ii) Provide a level of protection to critical areas within the shoreline area that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources.

GMA and SMA Requirements to Protect Surface and Groundwaters

The critical area provisions in the GMA and the SMA specifically require protection for rivers, streams, lakes, marine waters¹⁰, wetlands, floodplains and critical aquifer recharge areas. The GMA also directs that water usage be consistent with instream flow rules (RCW 90.22 and 90.54) and groundwater withdrawal limits in RCW 90.44.050¹¹ (RCW 36.70A.590).

Water quality is a vital component of a healthy environment. Both the GMA and the SMA require that plans and regulations include goals for protecting and enhancing water quality.

- *WAC 365-196-485(1) Relationship to the comprehensive plan.*
 - (a) *The act requires that the planning goals in RCW 36.70A.020 guide the development and adoption of comprehensive plans and development regulations. These goals include retaining open space; enhancing recreation opportunities; conserving fish and wildlife habitat; protecting the environment and enhancing the state's high quality of life, including air and water quality, and the availability of water.*

- *WAC 173-26-221 General master program provisions.*
 - The provisions of this section shall be applied either generally to all shoreline areas or to shoreline areas that meet the specified criteria of the provision without regard to environment designation. These provisions address certain elements as required by RCW 90.58.100(2) and implement the principles as established in WAC 173-26-186.*
 - (6) *Water quality, storm water, and nonpoint pollution.*
 - (a) *Applicability. The following section applies to all development and uses in shorelines of the state, as defined in WAC 173-26-020, that affect water quality.*
 - (b) *Principles. Shoreline master programs shall, as stated in RCW 90.58.020, protect against adverse impacts to the public health, to the land and its vegetation and wildlife, and to the waters of the state and their aquatic life, through implementation of the following principles:*
 - (i) *Prevent impacts to water quality and storm water quantity that would result in a net loss of shoreline ecological functions, or a significant impact to aesthetic qualities, or recreational opportunities.*

Best Available Science and Anadromous Fisheries

Both the GMA and the SMA require consultation of, and guidance from the best available science in the preparation of plans, policies and regulations related to environmental protection and development standards. Both state statutes also provide for special attention to anadromous fish, estuaries and fish passage as vital lifecycle elements.

¹⁰ See designation and classification criteria for “fish and wildlife habitat conservation areas”, WAC 365-190-130(2) and WAC 173-26-221(2).

¹¹ Or as may be modified by RCW 90.94.030.

- *RCW 36.70A.172(1) In designating and protecting critical areas under this chapter, counties and cities shall include the best available science in developing policies and development regulations to protect the functions and values of critical areas. In addition, counties and cities shall give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.*
- *RCW 90.58.100(1) The master programs provided for in this chapter, when adopted or approved by the department shall constitute use regulations for the various shorelines of the state. In preparing the master programs, and any amendments thereto, the department and local governments shall to the extent feasible:

 - (a) Utilize a systematic interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts;*
 - ...*
 - (2) The master programs shall include, when appropriate, the following:

 - ...*
 - (f) A conservation element for the preservation of natural resources, including but not limited to scenic vistas, aesthetics, and vital estuarine areas for fisheries and wildlife protection***

Compliance with the Multi-County Planning Policies (MPPs)

The proposed amendments to the Natural Environment Element are consistent with the MPPs. Review of Attachment B shows that the proposed amendments address all of the 22 MPPs contained in the Environment section of VISION 2050. As an overview, the key concepts addressed in the proposed amendments are based on the following MPPs and VISION 2050 action strategies:

- MPP-En-1 Develop and implement regionwide environmental strategies, coordinating among local jurisdictions, tribes, and countywide planning groups.
- MPP-En-2 Use integrated and interdisciplinary approaches for environmental planning and assessment at regional, countywide, and local levels.
- MPP-En-4 Ensure that all residents of the region, regardless of race, social, or economic status, have clean air, clean water, and other elements of a healthy environment.
- MPP-En-5 Locate development in a manner that minimizes impacts to natural features. Promote the use of innovative environmentally sensitive development practices, including design, materials, construction, and on-going maintenance.
- MPP-En-6 Use the best information available at all levels of planning, especially scientific information, when establishing and implementing environmental standards established by any level of government.
- MPP-En-7 Reduce and mitigate noise and light pollution caused by transportation, industries, public facilities, and other sources.

- MPP-En-9 Enhance urban tree canopy to support community resilience, mitigate urban heat, manage stormwater, conserve energy, improve mental and physical health, and strengthen economic prosperity.
- MPP-En-10 Support and incentivize environmental stewardship on private and public lands to protect and enhance habitat, water quality, and other ecosystem services, including protection of watersheds and wellhead areas that are sources of the region’s drinking water supplies.
- MPP-En-12 Identify, preserve, and enhance significant regional open space networks and linkages across jurisdictional boundaries through implementation and update of the Regional Open Space Conservation Plan.
- MPP-En-16 Preserve and enhance habitat to support healthy wildlife and accelerate the recovery of salmon, orca, and other threatened and endangered species and species of local importance.
- MPP-En-19 Reduce the use of toxic pesticides, fertilizers, and other products to the extent feasible and identify alternatives that minimize risks to human health and the environment.
- MPP-En-20 Restore – where appropriate and possible – the region’s freshwater and marine shorelines, watersheds, and estuaries to a natural condition for ecological function and value.
- **En-Action-3** Watershed Planning Counties and cities, together with other jurisdictions in the watershed, will continue to participate in watershed planning to integrate land use, transportation, stormwater, and related disciplines across the watershed to improve the health of Puget Sound. Include planning for culvert removal and work with tribal, federal, state, and local governments in planning, funding, and implementation to ensure the effective and efficient use of funds to restore salmon habitat.
- **En-Action-4** Local Open Space Planning In the next periodic update to the comprehensive plan, counties and cities will create goals and policies that address local open space conservation and access needs as identified in the Regional Open Space Conservation Plan, prioritizing areas with higher racial and social inequities and rural and resource land facing development pressure. Counties and cities should work together to develop a long-term funding strategy and action plan to accelerate open space protection and enhancement.

Compliance with the Countywide Planning Policies (CPPs)

The proposed amendments to the Natural Environment Element are consistent with the CPPs. Review of Attachment B shows that the proposed amendments address all of the 11 environment CPPs contained in the adopted CPPs.

- Env-1** All jurisdictions shall protect and enhance natural ecosystems through their comprehensive plans, development regulations, capital facilities programs, and management practices. Jurisdictions should work collaboratively, employing integrated and interdisciplinary approaches, to consider regional and countywide strategies and assessments, as well as best available qualitative and quantitative information, in formulating plans and regulations that are specific to their community.
- Env-2** The County and cities should work collaboratively to identify, designate, and protect regional open space networks and wildlife corridors both inside and outside the Urban Growth Area and across the jurisdictional boundaries. Jurisdictions should establish policies and coordinated approaches to preserve and enhance these open space networks and corridors and ensure that all residents have access to parks and open space.
- Env-3** The County and cities shall work collaboratively to create goals and policies intended to implement and address the needs identified in the Regional Open Space Conservation Plan.
- Env-4** The County and cities should identify and protect, enhance, or restore wildlife corridors and important habitat areas that support designated species of local or state significance, such as orca and salmon, and those areas that are critical for survival of endangered or threatened species.
- Env-5** The County and cities should work with neighboring jurisdictions and tribes to identify and protect significant open space areas, natural resources, and critical areas through appropriate local policies, regulations or other mechanisms such as public acquisition, easements, voluntary agreements, supporting the efforts of conservation organizations, and other best practices.
- Env-6** In recognition of the broad range of benefits from ecological systems, the County and cities should establish policies and strategies to restore – where appropriate and possible – the region’s freshwater and marine shorelines, watersheds, and estuaries to a natural condition for ecological function and value.
- Env-7** The County and cities should reduce and mitigate the stormwater impacts of land development and redevelopment through collaboration in watershed planning, implementation of low impact development, and other best practices.
- Env-8** The County and cities shall work to maintain and improve air and water quality and ensure that all residents have equitable access to clean air and water.

- Env-9** The County and cities should reduce the impacts of light and noise pollution upon residents, including an emphasis on reducing these impacts on vulnerable populations, through land use, development, and transportation decisions.
- Env-10** The County and cities should support the use of integrated pest management and other programs that work to reduce the use of toxic pesticides and other products that present a risk to the health of the environment and humans.
- Env-11** The County and cities should establish and/or support programs that manage and work to reduce the spread of invasive species that are harmful to natural ecological function and habitat throughout the county.

Where there is overlap between goals, objectives, and policies in the Natural Environment Element with those related to transportation, parks and recreation, open space and climate change, these concepts are expanded upon within separate elements of the comprehensive plan.

PUBLIC PARTICIPATION

The GMA requires early and continuous public participation (GOAL 11 and RCW 36.70A.140). Public participation on the Natural Environment Element has been provided to date through:

- Providing an opportunity through SEPA Scoping which began on November 1, 2021, and ended on December 3, 2021;
- Making draft policies available for a 30-day early public comment period which began on February 1, 2023, and ended on March 2, 2023; and
- Continuously through the 2024 Update project website.

Highlights of public input received to date includes strong support for protection of trees and vegetation and apparent dissatisfaction with perceived implementation and enforcement of current requirements as observed in the lack of trees and vegetation actually being retained on new development sites within the Urban Growth Areas. Overall, commenters expressed support for the proposed amendments with several suggesting language to strengthen the policies in favor of stronger environmental protection and restoration requirements. However, it should be noted that where strong support was indicated by those representing environmental interests, opposition was registered by those in the building industry.

All public comments are included in the index of records.

ENVIRONMENTAL REVIEW

The County issued a Determination of Significance (DS) for the 2024 Update to the Plan on November 1, 2021. A Draft Environmental Impact Statement (DEIS) will likely be issued in September 2023, followed by a Final Environmental Impact Statement in 2024, satisfying State Environmental Policy Act (SEPA) review.

NOTIFICATION OF STATE AGENCIES

Pursuant to RCW 36.70A.106, a notice of intent to adopt the proposed regulations and standards will be transmitted to the Washington State Department of Commerce for the entirety of the 2024 Update to the Plan in September 2023.

STAFF RECOMMENDATION

Staff recommends approval of the proposed comprehensive plan amendments and findings contained in this staff report.

ACTION REQUESTED

The Planning Commission is requested to hold a public hearing, consider the proposed comprehensive plan amendments, and provide a recommendation to the County Council. The Planning Commission can recommend approval of the amendments with supporting findings of fact as proposed or modified, deny the proposal with findings, or amend the proposal with appropriate findings.

cc: Ken Klein, Executive Director
Mike McCrary, PDS Director
David Killingstad, PDS Long Range Planning Manager
Ryan Countryman, Legislative Analyst

Attachments:

Attachment A: Natural Environment Element Introduction

Attachment B: Summary Table of Proposed Amendments