

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words “project,” “applicant,” and “property or site” should be read as “proposal,” “proponent,” and “affected geographic area,” respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

Amendments to King County Code (K.C.C.) Chapter 20.36 related to policy and administration of King County's Public Benefit Rating System (PBRs) current use assessment program.

2. Name of applicant:

The proposal was initiated by King County.

3. Address and phone number of applicant and contact person:

Bill Bernstein, PBRs Program Coordinator
King County Department of Natural Resources and Parks
201 South Jackson Street, Suite 5600
Seattle, WA 98104
Bill.bernstein@kingcounty.gov

4. Date checklist prepared:

October 8, 2021

5. Agency requesting checklist:

King County

6. Proposed timing or schedule (including phasing, if applicable):

The King County Council anticipates possible action on the proposed ordinance in Q1 2022.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

There are no known plans to add or expand the proposed ordinance in the future. If adopted, King County anticipates new PBRs program applications submitted to DNRP will be subject to the proposed code amendments.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

SEPA checklist for this proposal

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No, other proposals are not known. The proposal is a non-project action and applies to all of King County and not a specific property. Applications for new property enrollments in the PBRs program occur year-round. Code changes as a result of this proposal will impact future applications within King County, where the proposed ordinance would apply.

10. List any government approvals or permits that will be needed for your proposal, if known.

Approval by the King County Council is the only government approval required for adoption of this proposed ordinance. Existing or new PBRs program enrolled properties would also continue to be subject to all applicable federal, state and local permitting and licensing requirements.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The objective of this ordinance is to make amendments to K.C.C. Chapter 20.36 related to regulations and administration of King County's PBRs current use tax assessment program. These amendments will improve the administration, effectiveness and public understanding of this tax incentive program, which helps to conserve open space, farm and forest resources on private property. To help accomplish this objective, the proposed ordinance addresses the following goals:

- creation of a new ecological enhancement PBRs category to encourage additional conservation and protection of open space resources.
- streamlining program administration, including the approval process for PBRs applications in incorporated areas of King County
- PBRs program amendments to provide clarity and consistency in implementation.

Compliance with existing federal, state, and local regulations is presumed for purposes of this SEPA checklist, including compliance with the regulations in the proposed ordinance itself, as well as others such as those related to drinking water, stormwater, wastewater treatment, septic systems, critical areas, and zoning requirements. Any noncompliant uses or structures would be subject to code enforcement and would not be considered an impact related to the proposed ordinance.

The King County Council could modify the proposed ordinance and still accomplish the proposal's objective. Depending on the modification, the likelihood, scale, or scope of potential impacts to various elements of the environment could be the same, greater, or less.

As would be the case for any nonproject or project action that undergoes changes after the publication of a SEPA threshold determination, the King County Executive branch, which pursuant to K.C.C. 20.44.020 is the Lead Agency for SEPA for King County, would evaluate any modifications that are proposed to be made to the proposed ordinance and would update this environmental review in the case that changes would result in greater or different impacts than those identified in this checklist. The timing of additional environmental review process may vary depending on other variables, including future public processes.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed ordinance is a nonproject action that would apply to all of King County, both incorporated and unincorporated areas, which totals 1.476 million acres.

In general, King County is located in western Washington and includes 39 incorporated cities, including Seattle, Federal Way, Kirkland, and Bellevue. Approximately three-quarters of the County is unincorporated and includes areas primarily to the east of the County urban growth area boundary and the urban Puget Sound region, with the exception of Vashon-Maury Island located to the west and some isolated blocks of unincorporated area within the urban growth area.

Specific to unincorporated King County, nearly 75 percent is zoned as Forest (F), particularly the eastern portion of the County. To the west, near the more urban incorporated areas of the County, the predominant zoning category is RA, with some areas zoned A, particularly in the area northeast of Sammamish Valley and the area northwest of Enumclaw. Smaller areas of residential, business, office, and industrial zoning are also located throughout unincorporated King County.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

Although the proposed ordinance is a nonproject action with no identifiable “site,” the ordinance applies to all of King County, which includes areas that are flat, rolling, hilly, and steep slope. King County landforms include saltwater coastline, river floodplains, plateaus, slopes, and mountains, punctuated with lakes and streams.

b. What is the steepest slope on the site (approximate percent slope)?

Although the proposed ordinance is a nonproject action with no specific site or location, King County includes a variety of areas with steep slopes, including 16,596 acres of steep slope critical areas in unincorporated King County; additional steep slopes are present within cities as well. There are steep slopes on some properties to which the proposed ordinance would apply, however any existing property participation or new property enrollment in the program would be subject to existing regulations, including critical areas regulations, that would be addressed during permit review of any development proposals.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Although the proposed ordinance is a nonproject action with no specific site or location, soil in King County generally reflects geologically recent glacial and alluvial (river and stream) activity, as well as human activity. River valleys are generally occupied by poorly drained, silty loams that commonly have a substantial organic content. Soils on upland areas between valleys typically are coarser-grained sandy and gravelly sandy loams, but soils with high organic content do occur locally in these upland areas and along water bodies. Some areas of unincorporated King County are classified as farmland of statewide importance, prime farmland, and prime farmland with conditions (which means that it is prime farmland if drained, irrigated, protected from flooding, or not frequently flooded). The PBRS current use assessment program (as defined under RCW Chapter 84.34) applies property tax incentives to further encourage property owners to protect valuable agricultural land throughout King County. All PBRS properties receiving a tax reduction for protecting farmland are also required to work with the King Conservation District to obtain a farm management plan to implement applicable best management practices, often including actions to maintain and/or improve soil conditions.

In accordance with the State Growth Management Act (RCW 36.70A.170 and 36.70A.050), King County designated “agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other products.” The lands that meet these criteria are designated as an Agricultural Production District, of which there are five in King County (Enumclaw, Snoqualmie, Upper Green River, Lower Green River, and Sammamish).

Properties participating in PBRS within an Agricultural Production District that are subject to the proposed ordinance is unlikely to result in any removal of these soils but rather increase the likelihood such soils be retained. Should a development proposal result in removal of these soils, existing regulations regarding those soils, and limitations on square footage and impervious surfaces, would also limit such removal.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Although the proposed ordinance is a nonproject action with no specific site or location, geologically hazardous areas, including landslide and erosion-prone areas, some abandoned mining areas, and seismic risk areas, exist within unincorporated King County. Landslide and erosion-prone areas are associated primarily with steep slopes. Hazardous mining areas that may be subject to surface subsidence are associated primarily with past coal mining that occurred in the area from Newcastle through Renton south to Black Diamond. Participation in PBRS does not result in activities that have any detrimental impact to soil stability, but rather promotes its protection by requiring owners of erosion prone areas to retain existing open space and forest cover. The program revisions within the proposed ordinance are unlikely to have detrimental impacts to participating properties where landslide or erosion-prone areas exist. Any development on properties subject to the proposed ordinance and where landslide or erosion-prone areas exist would be subject to existing regulations and, for new uses, would be identified and addressed under existing regulations during permit review.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

The proposed ordinance is a nonproject action that is unlikely to increase any fill, excavation, or grading activities beyond what is allowed under current code. Participation in PBRS protects native open space, forest and farmland and generally limits any such action or activity. Should a development proposal result in filling, excavation, or grading, such projects would continue to be subject to existing development regulations related to stormwater management, impervious surfaces, critical areas, clearing and grading, and/or landscaping. Unless exempt under state and local requirements, filling, excavation and grading is also subject to SEPA review.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

The proposed ordinance is unlikely to result in increased development activities causing erosion due to clearing, construction or use of land for development beyond what is allowed under current code. Participation in PBRS protects open space, forest and farmland and generally limits any such action or activity. Should a development proposal result in clearing, construction, or use, the proposed ordinance does not amend existing regulations on activities that could cause erosion. For example, the King County Surface Water Design Manual and shorelines and critical areas regulations, would be unchanged by the proposed ordinance, and would continue to apply to development projects subject to the proposed ordinance.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

The proposed ordinance is unlikely to increase impervious surface percentages beyond what is allowed under current code. Unless part of a qualifying agricultural use (farm structures, gravel farm access, etc.) or hard surface trail, impervious surfaces cannot exist on participating PBRS land. Program changes being proposed in this ordinance will not change these regulations. Furthermore, the addition of the proposed ecological enhancement category will provide a new incentive to encourage participants to consider removing such features and restoring to natural vegetation impacted areas of property so that previously degraded areas of property can participate.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Because the proposed ordinance is a nonproject action that would not have any direct impacts, no measures to control erosion or other impacts to the earth are proposed. King County's existing regulations related to erosion and soils would apply to any development to which the proposed ordinance would apply. Participation in PBRS protects open space, forest and farmland and generally prohibits any action or activity that could increase create erosion risks.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

The proposed ordinance is a nonproject action that would not result in direct emissions to the air. It is likely that participating PBRS properties implementing an approved ecological enhancement project resulting from the proposed new ecological enhancement category may experience slightly increased air emissions from vehicular and/or machinery operations as part of restoration/stewardship related activities; however, the impacts of these emissions are unlikely to be significant and be temporary. This ordinance would not modify any federal, state, or local codes that provide standards or controls for these types of emissions.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

The proposed ordinance is a nonproject action that would not be affected by off-site sources of emissions or odor, and no known off-site sources of emissions or odor are likely to impact implementation of the proposed ordinance.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

The proposed ordinance is a nonproject action and would not have any direct impacts to air emissions, and the properties participating in PBRS to which the ordinance would apply would still be subject to existing regulations regarding emissions and reporting requirements. Additional federal, state, and local codes may provide standards and controls for these types of emissions and would not be modified by the proposed ordinance. As a result, no measures to reduce or control emissions or other potential impacts to air are proposed.

3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If

yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Although the proposed ordinance is a nonproject action with no specific site or location, numerous streams, lakes, ponds, and wetlands and the Puget Sound are located within King County. King County maintains an inventory of water bodies in the unincorporated area; it is likely that cities have similar inventories of water bodies within their jurisdiction. Such water bodies would be considered during permit review of development proposals on PBRS properties subject to the proposed ordinance.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

The proposed ordinance is a nonproject action that would not directly require any work over, in, or adjacent to the described waters. However, properties receiving credit for the new ecological enhancement category could include restoration of degraded shorelines and/or wetland, river or stream buffers. State and local shoreline regulations would still apply to any such recovery project or other development proposals on properties subject to the proposed ordinance for activities that are within 200 feet of waters within the shoreline jurisdiction. Other development regulations, including critical areas regulations, concerning the protection of waterbodies would also apply depending on the proximity of any proposed development to these waters.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

The proposed ordinance is a nonproject action that would not authorize filling or dredging from surface water or wetlands. Participation in the PBRS program protects surface water and wetlands on open space and forestlands and prohibits filling or dredging on participating land; the proposed ordinance does not make changes to these regulations.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

The proposed ordinance is a nonproject action that would not require any surface water withdrawals or diversions. Participation in the PBRS program protects surface water and wetlands on open space and forestlands and prohibits withdrawals or diversions on participating land and this proposed ordinance does not make changes to these regulations.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Although the proposed ordinance is a nonproject action with no specific site or location, several areas of King County lie within a 100-year floodplain. Lands participating in PBRS subject to the proposed ordinance and located within a 100-year floodplain would still be subject to federal, state, and local rules and limitations pertaining to floodplain development and fill.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

The proposed ordinance is a nonproject action that would not directly involve any discharges of waste materials to surface waters. Participation in the PBRS program protects surface water and wetlands on open space and forestlands and prohibits discharge of waste materials on participating land; the proposed ordinance does not make changes to these regulations.

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

The proposed ordinance is a nonproject action and would not directly involve any withdrawals of groundwater or discharge to groundwater. Participation in the PBRs program does not limit such activities; the proposed ordinance does not make changes to these regulations. Additionally, development projects on properties subject to the proposed ordinance that do use groundwater or discharge to groundwater would be subject to all existing state, local, and federal regulations concerning groundwater removal and protection.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

The proposed ordinance is a nonproject action that would not result in any discharge of waste material into the ground. Participation in the PBRs program limits such activities; the proposed ordinance does not make changes to these regulations. Additionally, development projects on properties subject to the proposed ordinance that do discharge waste material from septic tanks or other sources would be required to treat and dispose of any waste in a manner compatible with state and local regulations.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

The proposed ordinance is a nonproject action that would not generate or affect water runoff. Participation in the PBRs program instead offers an incentive to promote the retention of native vegetation, as well as implementing Best Management Practices (BMPs) to address and/or reduce such impacts on forested and farmed property. The proposed new ecological enhancement category also adds to these incentives. Adoption of the proposed ordinance is highly likely to result in the same or better water runoff management than under current regulations.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.**

The proposed ordinance is a nonproject action that would not result in any waste material entering ground or surface waters. Participation in the PBRs program instead offers an incentive to promote the retention of undisturbed native vegetation, as well as implementing Best Management Practices (BMPs) to address and/or reduce such impacts on forested and farmed property. The proposed new ecological enhancement category also adds to these incentives. Adoption of this proposed ordinance is highly likely to result in the same or improved ground or surface water impacts than under current regulations.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

The proposed ordinance is a nonproject action with no specific site or location and would not alter or otherwise affect drainage patterns. Development projects that are on PBRS properties that are subject to the proposed ordinance would also be subject to existing drainage regulations, which are unchanged by the subject ordinance.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

The proposed ordinance is a nonproject action that would not have any impacts to surface or ground water, runoff water, or drainage patterns. Participation in the PBRS program instead offers an incentive to promote the retention of undisturbed native vegetation, as well as implementing Best Management Practices (BMPs) to address and/or reduce such impacts where needed. The proposed new ecological enhancement category also adds to these incentives. Adoption of this proposed ordinance is highly likely to result in the same or better water and drainage management than under current regulations.

4. Plants [\[help\]](#)

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

Although the proposed ordinance is a nonproject action with no specific site or location, King County includes a variety of vegetation types on the various lands that properties participating in PBRS subject to the proposed ordinance would apply to, including those listed above.

b. What kind and amount of vegetation will be removed or altered?

Although the proposed ordinance is a nonproject action that would not directly remove any vegetation, some properties participating in PBRS subject to the proposed ordinance could include the removal or alteration of vegetation, most commonly invasive or non-native species, as part of a restoration or ecological enhancement project aimed at returning land to a more native condition using native species. Such projects or other development proposals on properties subject to the proposed ordinance would continue to be subject to existing state and local regulations that regulate vegetation removal or alteration, in the same manner as other uses.

c. List threatened and endangered species known to be on or near the site.

The proposed ordinance is a nonproject action with no specific site or location. There are no known federally listed threatened or endangered plant species in King County. However, there are several species in King County listed as threatened or endangered according to the Washington State Natural Heritage Program, including clubmoss mountain-heather, Kamchatka fritillary, Pacific peavine, white meconella, choriso bog-orchid, and little bluestem.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Although, the proposed ordinance is a nonproject action with no specific site or location, use of native plants, or other measures to preserve or enhance vegetation could be proposed for some individual properties participating in PBRs. Any such enhancement project or other development proposals on properties subject to the proposed ordinance would continue to be subject to existing regulations governing use of native plants and vegetation preservation on their respective sites.

e. List all noxious weeds and invasive species known to be on or near the site.

The King County Noxious Weed Program regulates invasive plant species, and requires eradication or control, or recommends control, for over 150 plant species. Class A noxious weeds, adopted in accordance with RCW 17.10 and WAC 16-750, that are known to or have been located in King County, and require eradication by property owners, include Common Cordgrass, Dyers Woad, Eggleaf Spurge, False Brome, Floating Primrose-Willow, French Broom, Garlic Mustard, Giant Hogweed, Goastrue, Hydrilla, Bighead Knotweed, Reed Sweetgrass, Ricefield Bulrush, Clary Sage, Small-Flowered Jewelweed, Spanish Broom, and Milk Thistle. Class B noxious weeds, that are known to have been located in King County, and require control by property owners, include Blueweed/Viper's Bugloss, Annual Bugloss, Common Bugloss, Common Reed, Dalmation Toadflax, Egeria/Brazilian Elodea, European Coltsfoot, Gorse, Hairy Willowherb, Hawkweeds/Non-native species and hybrids of meadow subgenus, European Hawkweed, Orange Hawkweed, Houndstongue, Brown Knapweed, Diffuse Knapweed, Meadow Knapweed, Spotted Knapweed, Kochia, Garden Loosestrife, Purple Loosestrife, Parrotfeather, Perennial Pepperweed, Poison-Hemlock, Policeman's Helmet, Rush Skeltonweed, Saltcedar, Shiny Geranium, Leafy Spurge, Yellow Starthistle, Sulfur Cinquefoil, Tansy Ragwort, Musk Thistle, Scotch Thistle, Velvetleaf, Water Primrose, Wild Chervil, Yellow Floatingheart, and Yellow Nutsedge.

Although the proposed ordinance is a nonproject action with no specific site or location, a variety of noxious weeds and invasive species exist in King County. PBRs program regulations require property owners to control and eradicate such plants to the extent possible. The proposed ordinance does not change any existing obligations to control noxious weeds on participating PBRs property identified by the King County Noxious Weed Control Board.

5. Animals [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other _____

Although the proposed ordinance is a nonproject action with no specific site or location, a variety of birds, mammals, and fish have been observed in King County. There are at least 221 bird species that are common, uncommon or usually seen on an annual basis in King County. Bird species include hawks, herons, eagles, owls, woodpeckers, songbirds, waterfowl, and shorebirds. There are at least 70 mammal species that can be found in King County, including shrews, bats, beavers, elk, deer, bears, rabbits, wolves, seals, and whales. There are at least 50 species of freshwater fish in King County, including at least 20 introduced species. More information on birds and animals found in King County can be found at <https://kingcounty.gov/services/environment/animals-and-plants/biodiversity/defining-biodiversity/species-of-interest.aspx>.

b. List any threatened and endangered species known to be on or near the site.

Although the proposed ordinance is a nonproject action with no specific site or location, there are a number of federally threatened and endangered species in King County according to the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration. These species include the Canada lynx, gray wolf, grizzly bear, North American wolverine, marbled murrelet, northern spotted owl, streaked horned lark, yellow-billed cuckoo, Oregon spotted frog, bull trout, Puget Sound Chinook salmon, Puget Sound steelhead, bocaccio rockfish, yelloweye rockfish, southern resident killer whale, and humpback whale.

In addition to the federally listed species above, the Washington Department of Fish and Wildlife maintains a list of priority species for which conservation measures should be taken. State threatened and endangered species not included with the federally listed species include the western pond turtle and the fisher.

Participation in PBRS promotes the protection of federally and state listed species by conserving and in some cases restoring critical wildlife and fish habitat on private property in King County. Additionally, all participating PBRS properties subject to the proposed ordinance would have to continue to comply with existing state, local, and federal regulations that protect these species.

c. Is the site part of a migration route? If so, explain.

Although the proposed ordinance is a nonproject action with no identifiable “site,” King County is within the Pacific Flyway migratory pathway for birds, and there are numerous streams and water bodies within the County that serve as migration routes for anadromous fish. These water bodies could potentially be near or cross through participating PBRS properties subject to the proposed ordinance. These pathways and migration routes, such as King County designated wildlife habitat network, are further protected due to restrictions on development and disturbance of participating PBRS open space, riparian areas and forests along these corridors.

d. Proposed measures to preserve or enhance wildlife, if any:

The proposed ordinance is a nonproject action and would not likely result in any negative impacts to wildlife, so no measures to preserve or enhance wildlife are necessary; although, opportunities to voluntarily enhance or restore degraded wildlife habitat will be improved via implementation of the program’s new ecological enhancement resource category. Additionally, all development projects on participating PBRS property subject to the proposed ordinance would also be subject to existing federal, state, and local wildlife regulations.

e. List any invasive animal species known to be on or near the site.

The Washington Invasive Species Council, established by the Washington State Legislature, has identified 16 animal species and 13 insect species that are considered invasive in Washington State. King County is known or suspected to have the following invasive animal and insect species: Apple Maggot, Brown Marmorated Stink Bugs, European Chafer, Gypsy Moth, Scarlet Lily Beetles, Spotted Winged Drosophila, African Clawed Frog, Bullfrog, Invasive Crayfish, Invasive Copepods, New Zealand Mud Snail, Northern Pike, Nutria, Tunicate (*iona savignyi*, *styela clava*, and *didenmun*).

Although the proposed ordinance is a nonproject action with no specific site or location, numerous invasive animal species exist in King County. It is possible invasive species may be located on some properties participating in PBRS that are subject to the proposed ordinance.

6. Energy and Natural Resources [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

Although the PBRs ordinance is a nonproject action that would not have any direct energy needs, any development project on parcels subject to the proposed ordinance that would require energy needs would be subject to existing energy codes and regulations.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

The proposed ordinance is a nonproject action that would not have any impacts to the use of solar energy. Implementation of the proposed ordinance will not affect the potential use of solar energy by adjacent properties.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

The proposed ordinance is a nonproject action that would not have any impacts to energy use, and therefore no energy conservation features are included. Development projects on properties subject to the proposed ordinance could include energy conservation features or other measures to reduce any energy impacts.

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

The proposed ordinance is a nonproject action that would not directly cause any environmental health hazards. Participation in PBRs protects open space, forest and farmland and generally prohibits any action or activity that could create environmental health hazard concerns. To the extent any such development created such exposure or risk, those hazards would be regulated by existing state and local regulations.

- 1) Describe any known or possible contamination at the site from present or past uses.**

The proposed ordinance is a nonproject action with no specific site or location. Sites with contamination exist within King County, but it is unlikely property participating in PBRs that are subject to the proposed ordinance would have such issues onsite. Participation in PBRs protects open space, forest and farmland and generally prohibits any action or activity that could create contamination concerns. If contamination is determined to be present, these sites would be required to meet any remediation requirements prior to grading.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

The proposed ordinance is a nonproject action with no specific site or location. Sites with hazardous chemicals/conditions exist within King County, but it is unlikely property participating in PBRs that are subject to the proposed ordinance would have such features. Should such conditions be present, any future

development would be subject to existing federal, state, and local regulations regarding chemical hazards and liquid and gas transmission pipelines.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

The proposed ordinance is a nonproject action that would not include the storage, use, or production of any toxic or hazardous chemicals. Participation in PBRS protects open space, forest and farmland and generally prohibits any action or activity that require the use, storage or production of toxic or hazardous materials. If that were to occur, individual development projects would be required to store, use, and produce any toxic or hazardous chemicals, such as cleaning supplies, in accordance with applicable laws and regulations.

4) Describe special emergency services that might be required.

The proposed ordinance is a nonproject action that would not have any direct impacts, and implementation of the proposed ordinance is not anticipated to generate any additional special emergency services for development projects on properties participating in PBRS to which it would apply.

5) Proposed measures to reduce or control environmental health hazards, if any:

The proposed ordinance is a nonproject action that would not have any direct negative impact on the environment nor create environmental health hazards. No measures to reduce or control environmental health hazards are necessary or proposed. Participation in PBRS results in greater protection of the environment on private property in King County.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The proposed ordinance is a nonproject action with no specific site or location that can be evaluated for existing noise levels. Various types of noise exist in the areas where the proposed ordinance could apply, including noise from traffic, operation of equipment, and more. These noise sources are not anticipated to affect implementation of the proposed ordinance.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

The proposed ordinance is a nonproject action that would not have any direct noise impacts.

3) Proposed measures to reduce or control noise impacts, if any:

The proposed ordinance is a nonproject action that would not have any direct noise impacts. As such, no measures to reduce or control potential noise impacts are proposed.

8. Land and Shoreline Use [\[help\]](#)

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The proposed ordinance is a nonproject action with no specific site or location and would not have any direct impacts on the current land uses on nearby or adjacent properties. As a whole, King County is predominantly forestland to the east and predominantly rural to the west, adjacent to more urban incorporated areas of the county, with agricultural areas between. The proposed ordinance would not change or impact current land use designations or zoning classifications in King County. The proposed ordinance does not change the uses allowed on properties in the King County Code land use tables.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The proposed ordinance is a nonproject action with no specific site or location and would not have any negative impacts to working farmlands or forestlands. Some properties participating in PBRs that would be subject to the proposed ordinance could have been or may currently be used as working farmland or forestlands. However, participation in PBRs does not restrict such uses on a participating property and in most cases acts to preserve it rather than be converted to non-farm or non-forest uses. Additionally, existing regulatory limitations on properties enrolled in the Farmland Preservation Program, within the Agricultural Production District or Forest Production District, or in Agricultural (A) or Forestry (F) zones would continue apply to development projects on properties that would be subject to the proposed ordinance.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

The proposed ordinance is a nonproject action that would not directly affect or be affected by the normal business operations of working farm or forestland. This proposed ordinance only impacts participating PBRs land and not adjacent lands or their uses, including working farm or forestland.

c. Describe any structures on the site.

Although the proposed ordinance is a nonproject action with no specific site or location, various structures are located on parcels within King County, where the proposed ordinance would apply.

d. Will any structures be demolished? If so, what?

Although the proposed ordinance is a nonproject action that would not directly result in any demolition, it is possible existing structures could be voluntarily demolished as part of an ecological enhancement or restoration project that would be subject to the proposed ordinance. The nature of and extent to which those structures could be demolished is unknown at this time and would be subject to all existing applicable regulations.

e. What is the current zoning classification of the site?

The proposed ordinance is a nonproject action with no specific site or location; development projects on properties subject to the proposed ordinance can occur in any zoning classification that allows the construction of buildings.

f. What is the current comprehensive plan designation of the site?

The proposed ordinance is a nonproject action with no specific site or location; development projects on properties subject to the proposed ordinance can occur in any land use designation that allows the construction of buildings.

g. If applicable, what is the current shoreline master program designation of the site?

Although the proposed ordinance is a nonproject action with no specific site or location, King County includes a variety of shoreline master program designations. Individual development projects on properties subject to the proposed ordinance that occurs within or proximate to the County's shoreline jurisdiction would need to comply with the County's shoreline master program.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Although the proposed ordinance is a nonproject action with no specific site or location, portions of King County are classified as critical areas, including on some properties participating in PBRs that would be subject to the proposed ordinance. Specifically, King County Code designates the following as critical areas: coal mine hazard areas, erosion hazard areas, flood hazard areas, coastal high hazard areas, channel migration zones, landslide hazard areas, seismic hazard areas, volcanic hazard areas, steep slope hazard areas, critical aquifer recharge areas, wetlands and wetland buffers, aquatic areas, and wildlife habitat networks and conservation areas.

i. Approximately how many people would reside or work in the completed project?

The proposed ordinance is a nonproject action that would not directly result in a completed project where people would reside or work. Individual development projects on properties that are subject to the proposed ordinance could have employees or residents, or both. The number of persons living or working in the subject buildings would depend on the individual land uses, square footages, and regulations affecting those individual development projects.

j. Approximately how many people would the completed project displace?

Although the proposed ordinance is a nonproject action and would not directly result in any displacement, it is unlikely that development projects on properties subject to the proposed ordinance could result in displacement. Implementation of the proposed ordinance is not anticipated to affect the likelihood of displacement under current King County Code.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Because the proposal is not anticipated to affect the likelihood of displacement, no measures to avoid or reduce displacement impacts are proposed. Development projects on properties subject to the proposed ordinance would be subject to existing policies and regulations governing displacements and relocations and would be evaluated during project-level environmental and permit reviews.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed ordinance was drafted to be compatible with existing and projected land uses and plans and support's King County efforts to conserve open space, farmland and forests.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

The proposed ordinance is a nonproject action and would not negatively impact agricultural and forest lands of long-term commercial significance; as such, no measures to reduce or control impacts to such lands are proposed. Participation in PBRS helps to conserve agricultural and forest lands by offering a tax incentive to property owners who seek to maintain the current and future productivity of such land in King County, including implementing additional stewardship practices via forest stewardship and farm management plans. Development projects on properties subject to the proposed ordinance may occur on lands used as working farmland or forest lands. Existing development limits on properties enrolled in the Farmland Preservation Program, within the Agricultural Production District or Forest Production District, or in Agricultural (A) or Forestry (F) zones would continue apply to development projects under the proposed ordinance.

9. Housing [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

The proposed ordinance is a nonproject action that will not directly result in any increase of housing units. Property participating in PBRS subject to the proposed ordinance protects open space and limits development of the property than what might occur under existing code.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Neither the proposed ordinance nor any development that would be allowed on properties subject to the proposed ordinance would likely result in any greater elimination of housing than what might occur if the ordinance were not adopted. However, an approved enhancement or restoration project as part of PBRS enrollment might incentivize the removal of a residential structure within participating open space land as part of a reestablishment of a native open space or forest; though, this would be a unique and limited occurrence.

c. Proposed measures to reduce or control housing impacts, if any:

No measures to reduce or control housing impacts are proposed.

10. Aesthetics [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The proposed ordinance is a nonproject action that does not directly involve the construction of any structures. In most cases, the construction of any structures in land participating in PBRS (unless in support of agricultural or forestry uses) is prohibited and the proposed ordinance does not change this policy. The proposed ordinance does not regulate or change the height requirements of any structures or principal exterior building materials. The height and any exterior building material of any development project on properties subject to the proposed ordinance will be subject to existing regulations.

b. What views in the immediate vicinity would be altered or obstructed?

The proposed ordinance is a nonproject action that would not have any direct impacts to views. It is possible a property's participation in PBRS subject to the proposed ordinance could include enhancement or restoration projects involving the reestablishment of native vegetation or forest that could reduce or eliminate previously maintained view corridors enjoyed by neighboring property.

c. Proposed measures to reduce or control aesthetic impacts, if any:

The proposed ordinance is a nonproject action that would not have any direct impacts to aesthetics, and as such, no measures are proposed to reduce or control aesthetic impacts. Participation in PBRs conserves aesthetics related to the conservation of open space, farmland and forests.

11. Light and Glare [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The proposed ordinance is a nonproject action that would not directly cause any light or glare and no development is allowed under the ordinance or by participation in PBRs that would produce any light or glare beyond other development allowed under existing regulations.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

The proposed ordinance is a nonproject action that would not have any direct impacts. No development is allowed under the proposed ordinance or by participation in PBRs that would have to comply with existing development regulations, including any related to light and glare.

c. What existing off-site sources of light or glare may affect your proposal?

The proposed ordinance is a nonproject action with no specific site or location. Various off-site sources of light or glare exist throughout unincorporated King County. It is unlikely that any development on properties subject to the proposed ordinance would be impacted by any off-site sources.

d. Proposed measures to reduce or control light and glare impacts, if any:

The proposed ordinance is a nonproject action that would not have any direct light and glare impacts. No additional measures to reduce or control light and glare impacts are proposed beyond existing development regulations.

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

The proposed ordinance is a nonproject action with no specific site or location. A variety of designated and informal recreational opportunities exist in King County where the proposed ordinance would apply, including on some properties participating in PBRs that are incentivized to provide trail or recreational uses.

d. Would the proposed project displace any existing recreational uses? If so, describe.

The proposed ordinance is a nonproject action that would not directly displace any existing recreational uses. The ordinance would not result in a greater displacement of recreational uses than what may otherwise occur under current code. PBRs increases recreation use by incentivizing public access on participating property, where appropriate and allowed, and this ordinance proposes no changes that will reduce these opportunities.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

The proposed ordinance is a nonproject action that would not have any direct impacts to recreation; no measures to reduce or control impacts on recreation are proposed. PBRs increases recreation use by incentivizing public access on participating property, where appropriate and allowed, and this ordinance proposes no changes that will reduce these opportunities.

13. Historic and cultural preservation [\[help\]](#)

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

The proposed ordinance is a nonproject action with no specific site or location. A variety of buildings, structures and sites within King County are listed or eligible for listing in national, state, or local preservation registers, including some properties participating in PBRs that are subject to the proposed ordinance. Any development on properties subject to this proposed ordinance containing such designations would continue to be required to comply with all federal, state, and local regulations related to historic and cultural resources.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

The proposed ordinance is a nonproject action with no specific site or location. However, landmarks, features, and other evidence of indigenous peoples or historic use or occupation exist throughout King County, including on some properties participating in PBRs that are subject to the proposed ordinance. Any development on properties that are subject to the proposed ordinance containing such designations would continue to be required to comply with federal, state, and local rules related to historic and cultural resources.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

The proposed ordinance is a nonproject action that will not have any negative impacts to historic and cultural resources. King County's existing regulations related to cultural and historic resources would apply to any proposed development project on properties subject to the proposed ordinance. Such requirements could include consultation with tribes and associated agencies as well as use of archaeological surveys, GIS data, and historic maps to assess potential impacts to cultural and historic resources if needed. The tribes are regularly notified during the County's SEPA process for proposed development projects. Further, PBRs increases conservation of such cultural and historic resources by incentivizing their designation and preservation on participating property, where identified, and this ordinance proposes no changes that will reduce these opportunities. Program staff work with the King County Historic Preservation Office on identifying cultural and historic resources on participating PBRs property.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

The proposed ordinance is a nonproject action that will not have any direct impacts to cultural or historic resources. However, King County's existing regulations related to avoidance, minimization of, or compensation for loss, changes to, and disturbances to cultural and historic resources would apply to any individual development proposals subject to the proposed ordinance. Further, PBRS increases conservation of these resources by incentivizing their designation and preservation on participating property and implements no activity that would jeopardize such resources, where identified, and this ordinance proposes no changes that will reduce these opportunities.

14. Transportation [\[help\]](#)

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The proposed ordinance is a nonproject action with no specific site or location. The proposed ordinance would apply to properties participating in PBRS that are served by a variety of public streets and highways.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The proposed ordinance is a nonproject action with no specific site or location. However, King County is generally served by public transit. It is unknown how far the nearest transit stop would be for any future property participating in PBRS subject to the proposed ordinance.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

The proposed ordinance is a nonproject action with no specific site or location. Implementation of the proposed ordinance would not affect the number of parking spaces provided by development projects on properties subject to the proposed ordinance.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

The proposed ordinance is a nonproject action that would not directly involve any roadway, bicycle, or pedestrian improvements and, when applied to individual development projects on properties subject to the proposed ordinance, is not anticipated to affect any required or proposed improvements to existing roads, streets, or pedestrian or bicycle transportation facilities.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The proposed ordinance a nonproject action that would not have any direct impacts to transportation facilities. However, individual development projects on properties subject to the proposed ordinance may use or occur proximal to water, rail and air transportation.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

The proposed ordinance is a nonproject action that would not directly generate any vehicular trips. Property development projects on properties subject to the proposed ordinance could generate vehicular trips, though the volume of those vehicle trips is unlikely to be greater as a result of implementing the proposed ordinance.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Although the proposed ordinance would not have any direct impact on the movement of agricultural and forest products on roads or streets in the areas where PBRs properties are located, individual development projects on properties subject to the proposed ordinance could generate some additional traffic that could interfere with, affect, or be affected by the movement of agricultural and forest products; though this is unlikely to be different than as allowed under existing regulations.

h. Proposed measures to reduce or control transportation impacts, if any:

The proposed ordinance is a nonproject action that would not have any direct impacts to transportation volumes. No additional measures to reduce or control transportation impacts are proposed. Development projects on properties subject to the proposed ordinance will be subject to existing zoning and development regulations, including, to the extent required, transportation analysis and mitigation.

15. Public Services [\[help\]](#)

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

The proposed ordinance is a nonproject action that would not directly result in an increased need for public services. Development projects on properties subject to the proposed ordinance would need public services to be available at a similar level to what is currently required in the affected zones.

b. Proposed measures to reduce or control direct impacts on public services, if any.

The proposed ordinance is a nonproject action that would not have any direct impacts to public services, so no additional measures to reduce or control impacts on public services are proposed.

16. Utilities [\[help\]](#)

a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

The proposed ordinance is a nonproject action with no specific site or location. A variety of utilities are generally available in King County depending on the service area of specific utility providers. Municipal sanitary sewer is not likely to be available in most rural and agricultural areas in unincorporated King County, with notable exceptions for the Vashon and Snoqualmie Pass Rural Towns, which do have sanitary sewer service.

i. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

The proposed ordinance is a nonproject action that would not have any direct connection to utilities and is not directly connected to a participating PBRs property on which general construction activities would need to occur. Any utilities needed as part of an acceptable development project on properties subject to the proposed ordinance would require connection to the electrical grid or onsite power generation. If such uses are connected to the electrical grid, the probable utilities providing electrical service would be either Puget Sound Energy (PSE) or Seattle City Light.

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: *Bill Bernstein*

Name of signee Bill Bernstein

Position and Agency/Organization PBRs Program Coordinator

Date Submitted: 8/22/2022

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Overall, the proposed ordinance is expected to further support PBRS enrollment which helps to reduce development, especially those that include discharges to water; emissions to air; production, storage, or release of toxic or hazardous substances; and production of noise.

Proposed measures to avoid or reduce such increases are:

Existing regulations that aim to avoid or reduce increased discharges to water, emissions to air and the production, storage, or release of toxic or hazardous substances, and to limit noise would also apply to properties participating in PBRS that are subject to the proposed ordinance and are not changed by the proposed ordinance. No additional measures to avoid or reduce such impacts are proposed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

There are numerous plants, animals, fish, and marine life within King County, but the proposed ordinance is unlikely to result in activities that would cause a greater impact to these resources than might otherwise occur under the current code because the regulations protecting those resources are not changed by the proposed ordinance. Participation in PBRS offers a tax incentive to owners of private property to conserve and, in some cases restore, these resources on privately owned land; the proposed ordinance enacts program improvements to further promote these conservation efforts.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Existing regulations that protect and conserve plants, animals, fish, and marine life would apply to properties participating in PBRS that are subject to the proposed ordinance and are not changed by the proposed ordinance, including the County's Shoreline and Critical Areas Code. Improvements proposed in this ordinance, most notably the new ecological enhancement category, create additional opportunities to further protect and restore open space and forests and associated terrestrial and riparian habitat.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed ordinance will not result in activities that would deplete energy or natural resources. Participation in PBRS offers a tax incentive to owners of private property to conserve and in some cases restore natural resources on privately owned land and the proposed ordinance enacts program improvements to further promote these conservation efforts.

Proposed measures to protect or conserve energy and natural resources are:

Existing regulations that protect and conserve energy and natural resources would apply to property participating in PBRS subject to the proposed ordinance. Improvements proposed in this ordinance, most notably the new ecological enhancement category, create additional opportunities to further protect and restore open space natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed ordinance is unlikely to result in activities that would cause a negative impact to environmentally sensitive areas or areas designated as eligible or under study for governmental protection than might otherwise occur under the existing code. Alternatively, participation in PBRS offers a tax incentive to owners of private property to conserve and in some cases restore environmentally sensitive areas on privately owned land and the proposed ordinance enacts program improvements to further promote these conservation efforts.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Existing regulations that protect such resources would apply to property participating in PBRS subject to the proposed ordinance. Improvements proposed in this ordinance, most notably the new ecological enhancement category, create additional opportunities to further protect and restore environmentally sensitive areas on private property in King County.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

This proposal will not encourage land or shoreline uses incompatible with existing plans. Alternatively, participation in PBRS offers a tax incentive to owners of private property to conserve and in some cases restore shorelines on privately owned land and the proposed ordinance enacts program improvements to further promote these conservation efforts.

Proposed measures to avoid or reduce shoreline and land use impacts are:

As the proposed ordinance does not alter, and is not anticipated to affect, currently allowed land uses or shoreline uses in King County, no measures to avoid or reduce impacts are proposed. Alternatively, participation in PBRS offers a tax incentive to owners of private property to conserve and in some cases restore shorelines on privately owned land and the proposed ordinance enacts program improvements to further promote these conservation efforts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal would not increase demands on transportation or public services or utilities, because the proposed ordinance would not allow any additional development beyond what is allowed by existing regulations.

Proposed measures to reduce or respond to such demand(s) are:

As the proposal would not increase demands on transportation or public services or utilities, no measures to reduce or respond to such demands are being proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No conflicts have been identified and the proposed ordinance is consistent with local, state, and federal law requirements for the protection of the environment. Existing local, state, and federal regulations related to the protection of the environment are not amended by the proposed ordinance and would still apply to properties participating in PBRS that are subject to the proposed ordinance in King County.