



King County

Permitting Division

Department of Local Services

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www.kingcounty.gov/permits

**Notice
of SEPA Non-Project
Threshold
Determination of
Non-Significance &
Adoption of Existing
Environmental
Document**

Proponent: **King County**

SEPA Responsible Official: **Ty Peterson, SEPA Official**

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Project Location: **Unincorporated King County**

Project Description: **Proposed Ordinance 2024-0408 - Critical Areas Ordinance**

This proposal is a nonproject action to update King County's Critical Areas Ordinance (CAO) as required by the Washington State Growth Management Act (GMA) to protect the functions and values of critical areas, include Best Available Science (BAS) in informing policies and regulations, and give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries. In 2010, Washington State updated the GMA, adding a requirement that jurisdictions ensure no net loss of existing critical areas functions and values. It also directed jurisdictions to protect critical areas through a combination of regulatory measures and nonregulatory programs. The GMA also requires that jurisdictions plan for effects of a changing climate when updating protections for critical areas.

To inform the 2024 BAS review, the County reviewed state law and guidance from the Washington State Department of Commerce, and updated BAS from state agencies, including the Washington state Department of Ecology (Ecology) and the Washington Department of Fish and Wildlife (WDFW).

Consistent with state law and guidance and the adopted King County Comprehensive Plan, King County uses a combination of regulations and non-regulatory actions to protect critical areas functions and values and ensure no net loss of ecological function. The county's current proposed updates to the CAO were developed within the unique policy, program, and regulatory context of King County and also reflect the need to simultaneously address multiple GMA goals.

King County's 2024 BAS review affirmed that many County policies and development regulations protecting critical areas in unincorporated King County (UKC) are well aligned with GMA mandates and BAS. The 2024 BAS review also identified regulatory updates necessary to improve alignment with BAS and satisfy GMA mandates.

Key proposed updates to the CAO include:

- Increasing riparian area widths for all aquatic areas in both rural and urban unincorporated King County. Under the proposed CAO update, riparian-area widths for Type S and Type F waters would increase to 180 feet within urban unincorporated areas and to 200 feet outside the urban unincorporated area. The proposed riparian area width for Type N streams would be 100 feet throughout unincorporated King County.
- Updating the application of riparian area protections in places with mapped channel migration zones to provide additional protection to riparian area functions and values in areas where the river or stream channel is likely to migrate or move over time.
- Increasing buffer widths for certain types of Category I wetlands, including high conservation value, estuarine wetlands, and coastal lagoons. The focus of these additional protections is on wetland types with functions and values that are difficult or impossible to replace.
- Increasing protections for Category IV wetlands, including adding Category IV wetlands to the wetland categories to which grazing area buffer standards apply and removing alteration allowance for category IV wetlands less than 2,500 square feet.
- Increasing the mitigation ratios required for the offset of impacts when unavoidable impacts are proposed to wetlands, aquatic areas, and riparian areas.
- Decreasing buffer widths for Category II wetland rehabilitation projects.
- Establishing new tsunami hazard area standards as required by state law. Tsunami hazards are found on Vashon-Maury Island and in the Lower Duwamish River.
- Establishing new alluvial fan standards for flood risk reduction actions in certain circumstances where material has been deposited by rivers. Alluvial fans occur where streams flowing down a steep gradient meet a flatter floodplain and naturally deposit sediment. Alluvial fan hazards are most often found in rural King County where tributary streams meet a flat valley floor.
- Allowing climate-smart plants, such as Garry oak, Common juniper, White alder, and Sylvan goatsbeard to be used in addition to native plants in mitigation and restoration projects. The intent is to support long-term survival of plants as part of mitigation and restoration in a warming climate.
- Updating and clarifying provisions for agriculture related development, including farm field access drives and farm-related structures.
- Updating and strengthening minimum required protections for wetlands and riparian areas under livestock standards.
- Improving code language structure for increased clarification, consistency, and predictability for reviewers and applicants.

Additional information and copies of pertinent documents about the proposal can be found here:

<https://www.kingcounty.gov/depts/local-services/permits/public-notices.aspx>

Adoption of Existing Document Title: **2024 King County Comprehensive Plan Final Environmental Impact Statement (document is available at the link below for additional information)**

SEPA Threshold Determination: **Determination of Non-Significance issued effective October 8, 2025**

Comment/Appeal Procedure:

This Determination of Non-significance (DNS) is issued under Washington Administrative Code (WAC) 197-11-340. The Permitting Division has determined after review of the proposed legislation, an environmental checklist and associated documents, that existing State of Washington and King County regulations and codes are sufficient to address potential impacts associated with the proposed legislation. Therefore, An Environmental Impact Statement (EIS) is not required. The issuance of this DNS does NOT constitute approval or adoption of the subject legislation.

You may comment on this DNS by submitting comments to address or email below. Emailed comments are encouraged. Comments must be received no later than **4:00 pm on October 22, 2025**. The King County Council will not act until after the comment period.

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The DNS is for a non-project action. There is no administrative appeal to the King County Hearing Examiner.

Public Hearing: A public hearing on a proposed ordinance is not yet scheduled but anticipated in the future before the Metropolitan King County Council. Information on the public hearing and how to submit public comment can be found at this website:

<https://www.kingcounty.gov/council/clerk.aspx>

Additional information:

<https://www.kingcounty.gov/depts/local-services/permits/public-notices.aspx>

If you have any questions regarding this threshold determination or the proposed legislation, please contact the Project Contact or SEPA Official at the phone number or e-mail listed above. Note: To request this information in alternative formats for people with disabilities please call 206-296-6600 or TTY Relay: 711.