



**I-207 Analysis
2019 Shoreline Master Program Periodic Update
Amendments to Chapter 6 of the 2016 King County Comprehensive Plan**

This summary fulfills Washington State Growth Management Act and King County Code (K.C.C.) 20.18.100 requirements for a “plain language summary” and the requirements of Policy I-207 for analysis of proposed amendments to policies.

Executive's Proposed Policy Amendment	Rationale: a detailed statement of <u>what</u> is proposed to be changed and <u>why</u>	Effect: a statement detailing the anticipated outcome of the change on the geographic area affected, populations affected, and environment	Compliance: a statement confirming compliance (including references where applicable) with the GMA, CPPs, and King County Strategic Plan	Public Review: an indication of whether the proposed policy amendment was included in the Executive's public review draft (PRD)
CHAPTER 6 - SHORELINES				
<p>S-716 Aquaculture is a water-dependent use and (is a preferred) should be an allowed use of the shoreline when consistent with control of pollution and avoidance of adverse impacts to the environment and preservation of habitat for native species, (Washington Administrative Code 173-26-241(3)(b)).</p>	<p>Reorients policy direction to reflect new information and circumstances related to some forms of aquaculture that may not be preferred nor allowed in all areas of the County's shoreline jurisdiction.</p>	<p>Allows flexibility for the County to evaluate appropriateness of some aquaculture activities, which could result in regulatory changes for aquaculture uses in the King County Code. This is expected to have a positive impact on environment, ecological functions, and wildlife of shoreline areas.</p>	<p>Yes, this change is compliant with the GMA, CPPs, and the King County Strategic Plan. This policy:</p> <ul style="list-style-type: none"> • is consistent with the planning goals of the Growth Management Act, including conservation of fish and wildlife habitat and protection of the environment (RCW 36.70A.020); • is consistent with the mandate of the Shoreline Management Act to preserve the natural character of the shoreline, result in long term over short term benefit, and protect the resources and ecology of the shoreline (RCW 90.58.020); • implements direction in Countywide Planning Policy EN-8 regarding comprehensive approaches to managing fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species; • further implements the direction of existing Comprehensive Plan policies, including S-721; and • furthers the King County Strategic Plan goal of 	<p>The PRD ordinance only proposed prohibiting nonnative finfish marine aquaculture, consistent with recent state changes. During the comment period on the PRD, the County received comments, including from the Suquamish Tribe, which requested that the County go further than the state changes. Additionally, the Washington State Department of Ecology requested text and policy changes to the Comprehensive Plan to accompany the proposed code changes.</p>

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			safeguarding and enhancing King County's natural resources and environment.	
<p>S-716a <u>King County shall prohibit nonnative marine finfish aquaculture.</u></p>	<p>Creates policy framework for the new prohibition in the King County Code for nonnative marine finfish aquaculture in order to provide additional environmental, ecological, and wildlife protections. This is being proposed to align with the changes in state regulations in adopted Engrossed House Bill 2957 prohibiting new or expanded leases for nonnative marine finfish aquaculture.</p>	<p>This is expected to have a positive impact on environment, ecological functions, and wildlife of shoreline areas. This will limit any new nonnative marine finfish aquaculture; there are none currently sited or applied for in King County's shoreline jurisdiction.</p>	<p>Yes, this change is compliant with the GMA, CPPs, and the King County Strategic Plan. This policy:</p> <ul style="list-style-type: none"> • is consistent with the planning goals of the Growth Management Act, including conservation of fish and wildlife habitat and protection of the environment (RCW 36.70A.020); • is consistent with the mandate of the Shoreline Management Act to preserve the natural character of the shoreline, result in long term over short term benefit, and protect the resources and ecology of the shoreline (RCW 90.58.020); • implements direction in Countywide Planning Policy EN-8 regarding comprehensive approaches to managing fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species; • further implements the direction of existing Comprehensive Plan policies, including S-721; 	<p>The PRD ordinance proposed prohibiting nonnative finfish marine aquaculture, consistent with recent state changes. The Washington State Department of Ecology requested text and policy changes to the Comprehensive Plan to accompany the proposed code changes.</p>

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			and <ul style="list-style-type: none"> • furthers the King County Strategic Plan goal of safeguarding and enhancing King County's natural resources and environment. 	
<p>S-717 Potential locations for aquaculture activities are relatively restricted because of specific requirements related to water quality, temperature, oxygen content, currents, adjacent land use, wind protection, commercial navigation, and salinity. The technology associated with some forms of aquaculture is still experimental and in formative states. Therefore, when implementing development regulations related to aquaculture, King County should provide flexibility in its development regulations governing the siting of aquaculture facilities, <u>where appropriate</u>. Those regulations shall require avoidance of adverse impacts to existing uses, to the maximum extent practical, and no net loss in shoreline ecological functions and processes. <u>If King County determines that certain types aquaculture involve a significant risk of net loss in shoreline ecological functions or cumulative adverse effects on the environment or native species and their habitats, the County may prohibit or condition such uses in its development regulations.</u></p>	<p>Reorients policy direction to reflect new information and circumstances related to some forms of aquaculture that may not be preferred nor allowed in all areas of the County's shoreline jurisdiction.</p>	<p>Allows flexibility for the County to evaluate appropriateness of some aquaculture activities, which could result in regulatory changes for aquaculture uses in the King County Code. This is expected to have a positive impact on environment, ecological functions, and wildlife of shoreline areas.</p>	<p>Yes, this change is compliant with the GMA, CPPs, and the King County Strategic Plan. This policy:</p> <ul style="list-style-type: none"> • is consistent with the planning goals of the Growth Management Act, including conservation of fish and wildlife habitat and protection of the environment (RCW 36.70A.020); • is consistent with the mandate of the Shoreline Management Act to preserve the natural character of the shoreline, result in long term over short term benefit, and protect the resources and ecology of the shoreline (RCW 90.58.020); • implements direction in Countywide Planning Policy EN-8 regarding comprehensive approaches to managing fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species; • further implements the 	<p>The PRD ordinance only proposed prohibiting nonnative finfish marine aquaculture, consistent with recent state changes. During the comment period on the PRD, the County received comments, including from the Suquamish Tribe, which requested that the County go further than the state changes. Additionally, the Washington State Department of Ecology requested text and policy changes to the Comprehensive Plan to accompany the proposed code changes.</p>

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			direction of existing Comprehensive Plan policies, including S-721; and <ul style="list-style-type: none"> • furthers the King County Strategic Plan goal of safeguarding and enhancing King County's natural resources and environment. 	
S-718 Aquaculture activities shall be designed, located and operated in a manner that supports long-term beneficial use of the shoreline and protects and maintains shoreline ecological processes and functions. Aquaculture <u>permits</u> shall not be (permitted) <u>approved</u> where it would result in net loss of shoreline ecological functions; net loss of habitat for native species including eelgrass, kelp, and other macroalgae; adverse impacts to other habitat conservation areas; or interference with navigation or other water-dependent uses.	Clarifies policy direction to better reflect how this is addressed in King County Code 21A.25.110, both currently and as proposed in this ordinance.	Adds clarity regarding how this policy is implemented.	Yes, this change is compliant with the GMA, CPPs, and the King County Strategic Plan. This policy: <ul style="list-style-type: none"> • is consistent with the planning goals of the Growth Management Act, including conservation of fish and wildlife habitat and protection of the environment (RCW 36.70A.020); • is consistent with the mandate of the Shoreline Management Act to preserve the natural character of the shoreline, result in long term over short term benefit, and protect the resources and ecology of the shoreline (RCW 90.58.020); • implements direction in Countywide Planning Policy EN-8 regarding comprehensive approaches to managing fish and wildlife habitat conservation, especially protecting endangered, 	The PRD ordinance only proposed prohibiting nonnative finfish marine aquaculture, consistent with recent state changes. During the comment period on the PRD, the County received comments, including from the Suquamish Tribe, which requested that the County go further than the state changes. Additionally, the Washington State Department of Ecology requested text and policy changes to the Comprehensive Plan to accompany the proposed code changes.

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			threatened, and sensitive species; <ul style="list-style-type: none"> • further implements the direction of existing Comprehensive Plan policies, including S-721; and • furthers the King County Strategic Plan goal of safeguarding and enhancing King County's natural resources and environment. 	
S-272a <u>King County should ensure proper management of upland uses in the shoreline jurisdiction to avoid degradation of water quality of existing shellfish areas, including adoption of additional protections from impacts of geoduck aquaculture.</u>	Creates policy framework for the regulatory changes in the King County Code for geoduck aquaculture. This is consistent with the state SMP checklist (WAC 173-26-020(2) and WAC 173-26-241(3)(b))	This is expected to have a positive impact on environment, ecological functions, and wildlife of shoreline areas. Impacts are minimal, as it reflects existing state law.	Yes, this change is compliant with the GMA, CPPs, and the King County Strategic Plan. This policy: <ul style="list-style-type: none"> • is consistent with the planning goals of the Growth Management Act, including conservation of fish and wildlife habitat and protection of the environment (RCW 36.70A.020); • is consistent with the mandate of the Shoreline Management Act to preserve the natural character of the shoreline, result in long term over short term benefit, and protect the resources and ecology of the shoreline (RCW 90.58.020); • implements direction in Countywide Planning Policy EN-8 regarding comprehensive approaches to managing 	The PRD ordinance proposed changes to geoduck aquaculture, consistent with the state checklist. The Washington State Department of Ecology requested text and policy changes to the Comprehensive Plan to accompany the proposed code changes.

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			fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species; <ul style="list-style-type: none"> • further implements the direction of existing Comprehensive Plan policies, including S-721; and • furthers the King County Strategic Plan goal of safeguarding and enhancing King County's natural resources and environment. 	
S-272b <u>King County shall prohibit new commercial salmon net pen aquaculture operations to avoid adverse impacts on native salmon runs.</u>	Creates policy framework for the new prohibition in the King County Code for commercial salmon net pens in order to provide additional environmental, ecological, and wildlife protections.	This is expected to have a positive impact on environment, ecological functions, and wildlife of shoreline areas. This will limit any new commercial operations of native salmon net pens; there are none currently sited or applied for in King County's shoreline jurisdiction.	Yes, this change is compliant with the GMA, CPPs, and the King County Strategic Plan. This policy: <ul style="list-style-type: none"> • is consistent with the planning goals of the Growth Management Act, including conservation of fish and wildlife habitat and protection of the environment (RCW 36.70A.020); • is consistent with the mandate of the Shoreline Management Act to preserve the natural character of the shoreline, result in long term over short term benefit, and protect the resources and ecology of the shoreline (RCW 90.58.020); • implements direction in Countywide Planning 	The PRD ordinance only proposed prohibiting nonnative finfish marine aquaculture, consistent with recent state changes. During the comment period on the PRD, the County received comments, including from the Suquamish Tribe, which requested that the County go further than the state changes. Additionally, the Washington State Department of Ecology requested text and policy changes to the Comprehensive Plan to accompany the proposed code changes.

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			<p>Policy EN-8 regarding comprehensive approaches to managing fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species;</p> <ul style="list-style-type: none"> • further implements the direction of existing Comprehensive Plan policies, including S-721; and • furthers the King County Strategic Plan goal of safeguarding and enhancing King County's natural resources and environment. 	
<p>S-272c <u>King County shall support tribal treaty fishing rights, including operation of noncommercial native salmon net pens for temporary rearing and brood stock recovery programs.</u></p>	<p>Clearly establishes policy support for tribal treaty fishing rights through the operation of noncommercial native salmon net pens, consistent with regulations in the King County Code (both current and as proposed).</p>	<p>Adds clarity and assurance to tribes that operation of noncommercial native salmon net pens will continue to be allowed.</p>	<p>Yes, this change is compliant with the GMA, CPPs, and the King County Strategic Plan. This policy:</p> <ul style="list-style-type: none"> • is consistent with the planning goals of the Growth Management Act, including conservation of fish and wildlife habitat and protection of the environment (RCW 36.70A.020); • is consistent with the mandate of the Shoreline Management Act to preserve the natural character of the shoreline, result in long term over short term benefit, and protect the resources and ecology of the shoreline 	<p>The PRD ordinance only proposed prohibiting nonnative finfish marine aquaculture, consistent with recent state changes. During the comment period on the PRD, the County received comments, including from the Suquamish Tribe, which requested that the County go further than the state changes, while the Puyallup Tribe wanted to ensure that tribal treaty fishing rights were not impeded. Additionally, the Washington State Department of Ecology requested text and policy changes to the Comprehensive Plan to accompany the proposed code changes.</p>

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			(RCW 90.58.020); <ul style="list-style-type: none"> implements direction in Countywide Planning Policy EN-8 regarding comprehensive approaches to managing fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species; further implements the direction of existing Comprehensive Plan policies, including S-721; and further the King County Strategic Plan goal of safeguarding and enhancing King County's natural resources and environment. 	
<u>S-727d</u> <u>King County shall review and condition the siting of net pens to ensure they apply all necessary environmental and ecological protections and meet the standard of no adverse impacts and no net loss of ecological function.</u>	Creates policy framework for the additional regulatory considerations in the King County Code for net pens in order to provide additional environmental, ecological, and wildlife protections.	This is expected to have a positive impact on environment, ecological functions, and wildlife of shoreline areas. This will increase permit requirements and may further limit any new finfish net pens; there are none currently sited or applied for in King County's shoreline jurisdiction.	Yes, this change is compliant with the GMA, CPPs, and the King County Strategic Plan. This policy: <ul style="list-style-type: none"> is consistent with the planning goals of the Growth Management Act, including conservation of fish and wildlife habitat and protection of the environment (RCW 36.70A.020); is consistent with the mandate of the Shoreline Management Act to preserve the natural character of the shoreline, result in long term over 	The PRD ordinance only proposed prohibiting nonnative finfish marine aquaculture, consistent with recent state changes. During the comment period on the PRD, the County received comments, including from the Suquamish Tribe, which requested that the County go further than the state changes. Additionally, the Washington State Department of Ecology requested text and policy changes to the Comprehensive Plan to accompany the proposed code changes.

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			short term benefit, and protect the resources and ecology of the shoreline (RCW 90.58.020); <ul style="list-style-type: none"> implements direction in Countywide Planning Policy EN-8 regarding comprehensive approaches to managing fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species; further implements the direction of existing Comprehensive Plan policies, including S-721; and further the King County Strategic Plan goal of safeguarding and enhancing King County's natural resources and environment. 	
S-727e <u>King County shall revisit its policies and regulations associated with net pens, including the prohibition on commercial native salmon net pens, during the next statutory-required periodic review of this program. At that time, additional research and guidance from the state is expected to be available.</u>	Reflects a commitment to further review, and possibly amend, the County's aquaculture regulations once new guidance from the state is available. Engrossed House Bill 2957 directed state agencies to continue updating guidance and informational resources for planning and permitting marine net pen aquaculture. State agencies were further directed to seek advice and assistance from the Northwest Indian Fisheries	No effect at this time. May result in additional regulatory changes after the review occurs.	Yes, this change is compliant with the GMA, CPPs, and the King County Strategic Plan. This policy: <ul style="list-style-type: none"> is consistent with the planning goals of the Growth Management Act, including conservation of fish and wildlife habitat and protection of the environment (RCW 36.70A.020); is consistent with the mandate of the Shoreline Management Act to 	The PRD ordinance only proposed prohibiting nonnative finfish marine aquaculture, consistent with recent state changes. This policy reflects the remainder of the state changes, which is the direction to provide future guidance to jurisdictions on aquaculture regulations.

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	<p>Commission, national centers for coastal ocean science, and to invite consultation with universities and federally recognized Indian tribes. The applicable state agencies must report to the legislature in late 2019.</p>		<p>preserve the natural character of the shoreline, result in long term over short term benefit, and protect the resources and ecology of the shoreline (RCW 90.58.020);</p> <ul style="list-style-type: none"> • implements direction in Countywide Planning Policy EN-8 regarding comprehensive approaches to managing fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species; • further implements the direction of existing Comprehensive Plan policies, including S-721; and • furthers the King County Strategic Plan goal of safeguarding and enhancing King County's natural resources and environment. 	