

**ADDENDUM NO. 3
TO THE
FINAL ENVIRONMENTAL IMPACT STATEMENT
SNOHOMISH COUNTY
CRITICAL AREA REGULATIONS**

Updating the Critical Area Regulations to Designate and Protect Additional Fish and Wildlife Habitat Conservation Areas to Comply with the Growth Management Hearings Board's Final Decision and Order; Amending Title 30 of the Snohomish County Code (SCC) Chapters 30.62A, 30.91C, 30.91N, and 30.91S

Prepared Consistent with

The Washington State Environmental Policy Act of 1971
Chapter 43.21C Revised Code of Washington
Chapter 197-11, Washington Administrative Code
Snohomish County Code Title 30



Snohomish County Planning and Development Services

Date of Issuance: June 27, 2017

FACT SHEET

Project Title:	Critical Area Regulations Update
Proposed Non-Project Action:	The proposed non-project action is the adoption by the Snohomish County Council of amendments to Title 30 of Snohomish County Code (SCC) critical area regulations (CAR) by amending chapters 30.62A, 30.91C, 30.91N, and 30.91S SCC.
Purpose of the EIS Addendum:	<p>This addendum adds information relating to the non-project, programmatic county action described above. This information does not result in any new significant adverse environmental impacts and does not change the analysis or the conclusions of previously identified significant impacts of the alternatives to the county's critical area regulations, adopted through Ordinance No. 06-061, within the previously issued SEPA documents: Draft Environmental Impact Statement issued April 2006, Final Environmental Impact Statement issued July 2007, Addendum No. 1 to the Final Environmental Impact Statement, issued July 2007 and Addendum No. 2 to the Final Environmental Impact Statement issued July 2015.</p> <p>This addendum is being issued in accordance with WAC 197-11-625 and WAC 197-11-630. The adopted environmental documents listed herein, together with this addendum, meet Snohomish County's environmental review requirements for the proposed amendments.</p>
Description of Proposal:	<p>This proposal will amend the CAR by designating three additional types of critical areas for protection as specified in WAC 365-190-130: naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat; lakes, ponds, streams and rivers planted with game fish by a governmental or tribal entity; and state natural area preserves, natural resource conservation areas, and state wildlife areas. The majority of the proposed amendments are to Chapter 30.62A SCC - Wetlands and Fish & Wildlife Habitat Conservation Areas. The proposal also adds two new definitions to Title 30 SCC.</p>
Location of Proposal:	Unincorporated Snohomish County.

**Action Sponsor
Lead Agency:** Snohomish County Department of Planning and Development Services
3000 Rockefeller Avenue, M/S #604
Everett, Washington 98201-4066

**Required Approval
Review:** Snohomish County Council – adoption of ordinance
Washington State Department of Commerce – coordination of state
comments

**Circulation and
Comment:** This addendum, or notice of availability, is being sent to all recipients of
the previously issued Draft and Final EIS for the Critical Area Regulations
as required by WAC 197-11-625. No comment period is required for this
addendum under WAC 197-11-502(8)(c).

**The EIS Addendum
is available by
contacting:** Troy Holbrook, Project Manager
Snohomish County Department of Planning and Development Services
3000 Rockefeller Ave., M/S #604
Everett, Washington 98201
Phone: (425) 388-6257
Troy.holbrook@co.snohomish.wa.us

Proposed Addendum No. 3 is also available for viewing at the Snohomish
County Department of Planning and Development Services (County
Administration Building West, 2nd Floor) and on the county's website.
Visit www.snoco.org and go to the Planning and Development Services web
page in the search box and select Critical Area Regulations Update.

Date of Issuance: June 27, 2017

**Responsible
Official:** Barb Mock, Director
Snohomish County Planning and Development Services
3000 Rockefeller Avenue, M/S #604
Everett, Washington 98201-4066

Signature



Barb Mock, Director

Background

A major review and update of the Snohomish County Code (SCC) critical area regulations (CAR) was concluded on August 1, 2007, with the adoption of Ordinance No. 06-061. Subsequently, CAR was applied to agricultural lands in 2013 with the adoption of Ordinance No. 13-042. Minor updates to CAR were incorporated in 2015 with the adoption of Ordinance No. 15-035. Planning and Development Services (PDS) has compiled and reviewed Best Available Science (BAS) that has been developed since the last major update adopted in 2007.

This proposal is in response to a decision issued by the Growth Management Hearings Board (Board) Central Puget Sound Region and is limited to amendments to comply with the Board's Final Decision and Order (FDO) and to be consistent with the Growth Management Act (GMA). On February 17, 2017, the Board issued a FDO in Case No. 15-3-0012c finding the County's adoption of Amended Ordinance 15-034 to be in compliance with all legal issues raised except for Issue A-7 which addresses the requirement to designate critical areas. Specifically under Issue A-7, the Board found that the County did not follow the Minimum Guidelines referenced in WAC 365-190-130, which requires the County to consider for codification and designation of three separate types of critical areas that were not previously designated in CAR:

1. Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat;
2. Lakes, ponds, streams and rivers planted with game fish by a governmental or tribal entity; and
3. State natural area preserves, natural resource conservation areas, and state wildlife areas.

The adoption of amendments to Title 30 SCC are a non-project action under the Washington State Environmental Policy Act (SEPA). This Addendum is not intended to satisfy individual project action SEPA requirements (the review needed for a future site-specific land use or building permit application). This Addendum does not significantly change the analysis of impacts and alternatives contained in the Environmental Impact Statement (EIS) prepared in 2007 for the critical area regulations, nor does it identify new or significantly different impacts.

Prior Environmental Review

The county published the Final EIS for the county's critical area regulations adopted through Ordinance No. 06-061, in 2007. The Draft EIS was issued on April 7, 2006, the Final EIS was issued on July 23, 2007. Addendum No. 1 to the Final EIS was issued July 23, 2007. Addendum No. 2 to the Final EIS was issued July 2, 2015, when minor amendments were incorporated into the county's critical area regulations adopted through Ordinance No. 15-034. The elements of the environment addressed in these EIS documents included elements of fish and wildlife habitat conservation areas, geological hazard areas, critical aquifer recharge areas, land use and socioeconomic issues.

EIS Addendum

The proposed code amendments will not change any existing land uses or their impacts and should result in further avoidance or increased mitigation of impacts. The proposed code amendments will, if enacted, provide for greater protection of critical areas.

According to the SEPA Rules, an Addendum to an EIS provides additional analysis and/or information about a proposal or alternatives where their significant environmental impacts have been disclosed and identified in a previous environmental document (WAC 197-11-600(3)(b)(ii)). An Addendum is appropriate when the impacts of the new proposal are the same general types as those identified in the prior document, and when the new analysis does not substantially change the analysis of significant impacts and alternatives identified in the prior environmental documents (WAC 197-11-600(4)(e), WAC 197-11-706).

This Addendum is being issued pursuant to WAC 197-11-625 to meet the county's SEPA responsibility. The 2007 Critical Area Regulations EIS evaluated plan alternatives, impacts, and mitigation measures that encompass the same general policy direction, land use patterns, socioeconomic, and environmental impacts that are expected to be associated with the proposed amendments identified in this Addendum.

Proposed Action

The analysis provided through the environmental documents listed in this addendum have not identified any significant impacts beyond those listed in the county's EIS for the critical area regulations adopted in 2007. Therefore, no additional programmatic level environmental review will be required.