

## **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**

1. Name of proposed project, if applicable:

**Municipal Code Amendment to the Shoreline Master Program including adoption by reference of Chapter 173-27 WAC Shoreline Management Permit and Enforcement Procedures.**

2. Name of applicant:

**City of Mercer Island Community Planning & Development**

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

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206-275-7712**

4. Date checklist prepared:

**January 24, 2023**

5. Agency requesting checklist:

**City of Mercer Island**

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

**The following is a timeline including anticipated public participation opportunities. The City of Mercer Island will coordinate with the Department of Ecology throughout the process.**

- **February 15, 2023 – Public notice posted, public comment period begins**
- **February 22, 2023 – Planning Commission public meeting**
- **March 22, 2023 – Joint Public Hearing and Planning Commission public meeting**
- **April 21, 2023 – Deadline for initial submittal to DOE**
- **May-June – DOE issues Initial Determination of Consistency**
- **June-July – City Council review and decision**
- **August-September – DOE final decision**
- **Amendment is effective 14-days after DOE issues the Approval Letter**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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

**The City is not aware of any environmental information related to 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.

**There are no other applications for governmental approvals of other proposals directly affecting the property covered by this proposal.**

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

**The proposal will need a Determination of Consistency from the WA State DOE**

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 non-project action considers amendments to Mercer Island City Code (MICC) 19.13.010(E) and 19.13.040 - Table B Notes. The proposal intends to provide clear direction for processing shoreline permits consistent with the Washington Administrative Code. The amendments include the following:**

**MICC 19.13.010(E). *Relationship with other federal and state law.* The provisions of this chapter shall not relieve any responsibility to comply with other federal and state laws or permits. The shoreline management permit and enforcement procedures contained within Chapter 173-27 WAC as presently constituted or hereinafter amended, are adopted by reference. All work at or waterward of the OHWM may require permits from one or all of the following: U.S. Army Corps of Engineers, Washington Department of Fish and Wildlife, Washington Department of Natural Resources or Washington Department of Ecology.**

**MICC 19.13.040 - Table B Notes.**

**~~A use not listed in this table is not permitted within shorelands.~~ Other uses which are not classified or set forth in this chapter may be authorized as conditional uses provided the**

**applicant can demonstrate consistency with the requirements of WAC 173-27-160 and the shoreland development standards contained in this chapter.**

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 change will affect properties in shoreline jurisdiction (within 200 ft of Lake Washington) and development waterward of the Ordinary High Water Mark.**

## **B. ENVIRONMENTAL ELEMENTS**

### **1. Earth**

a. General description of the site

**This is a non-project action for properties within shoreline jurisdiction (within 200 ft of Lake Washington) and development waterward of the Ordinary High Water Mark. The shoreline of Mercer Island varies widely.**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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.

**Soils found on Mercer Island include: Peat, Lake deposits, Fan deposits, Alluvium, Vashon recessional outwash deposits, Vashon recessional lacustrine deposits, Vashon recessional course-grained lacustrine deposits, Vashon ice-contact deposits, Vashon subglacial till, Vashon advance outwash, Lawton Clay, Pre-Fraser nonglacial deposits, Olympia beds, Pre-Olympia fine-grained deposits, Pre-Olympia coarse-grained deposits, Pre-Olympia glacial deposits, Pre-Olympia coarse-grained glacial deposits, Pre-Olympia fine-grained glacial deposits, Pre-Olympia glacial till, Pre-Olympia glacial diamict, Pre-Olympia nonglacial deposits, Pre-Olympia coarse-grained nonglacial deposits, and Pre-Olympia fine-grained nonglacial deposits.**

**No removal of soils is proposed.**

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

**This a non-project action. Any development-related land use action within the area affected by the proposed code amendments will be required to comply with Mercer Island City Code (MICC) Ch. 19.07, Environment, which includes standards for geologically hazardous areas.**

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.

**This a non-project action. Any development-related land use action within the area affected by the proposed code amendments will have the option to follow the City of Mercer Island's Unified Development Code (Title 19 MICC) as it pertains to filling, excavation, or grading.**

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

**This a non-project action. Any development-related land use action within the area affected by the proposed code amendments will be required to comply with MICC Ch. 15.09, Stormwater Management Program, and Ch. 19.07, Environment, which includes standards for erosion hazard areas.**

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

**This a non-project action. Any development-related land use action within the area affected by the proposed code amendments will be required to comply with the City of Mercer Island's Unified Development Code (Title 19 MICC) as it pertains to project construction and impervious surfaces.**

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

**This a non-project action. Any development-related land use action within the area affected by the proposed code amendments will be required to comply with MICC Ch. 15.09, Stormwater Management Program, and Ch. 19.07, Environment, which includes standards for erosion hazard areas and other geologically hazardous areas.**

## 2. Air

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.

**This is a non-project action. The City does not expect that allowing uses not listed in MICC 19.13.040 - Table B Shoreland Uses Waterward of the Ordinary High Water Mark to be**

authorized through a Conditional Use Permit per the processes in WAC 173-27-160 will materially change emissions to the air.

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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

**This a non-project action. Any development-related land use action within the area affected by the proposed code amendments will be required to comply with the City of Mercer Island's Unified Development Code (Title 19 MICC) for any construction and ongoing emissions.**

### 3. Water

a. Surface Water:

- 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.

**This is a non-project, legislative action only for Mercer Island's shoreline jurisdiction. The proposal will affect properties within 200 ft of Lake Washington, a shoreline of the state. Mercer Island's shoreline also includes year-round and seasonal streams, wetlands, ponds, etc. which are regulated by MICC Ch. 19.07, Environment.**

- 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.

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

- 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.

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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

**This is a non-project, legislative action only. The City does not expect any new surface water diversions or withdrawals as a result of implementing the proposed code amendments.**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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.

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

b. Ground Water:

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.

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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.

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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.

**This is a non-project, legislative action only. New development or redevelopment occurring within the area affected by the proposed code amendments will be required to comply with the City's stormwater management regulations.**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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

**This is a non-project, legislative action only. Any development-related land use action in the area affected by the proposed code amendments will be required to comply with MICC Ch. 15.09, Stormwater Management Program and; and Ch. 19.07, Environment. Final design for specific projects will be reviewed for compliance under SEPA and other federal, state, and local permitting processes.**

#### **4. Plants**

- 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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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

**This is a non-project, legislative action only. Any development-related land use action in the area affected by the proposed code amendments will be required to comply with MICC Ch. 15.09, Stormwater Management Program; Ch. 19.07, Environment; and Ch. 19.10, Trees.**

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



**This is a non-project, legislative action only. Any development-related land use action in the area affected by the proposed code amendments will be required to comply with Ch. 19.07, Environment, including standards for fish and wildlife habitat areas.**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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

**Mercer Island contains areas of knotweed, English ivy, and Himalayan blackberry; other noxious weeds and invasive species are known to be present on Mercer Island.**

## **5. Animals**

- 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 \_\_\_\_\_

**Mercer Island contains animal species typical of suburban development in the Puget Sound region, including but not limited to American crows, Steller's Jays, Bald eagles, songbirds, deer, rats, and salmon. There have also been sightings of band-tailed pigeons, pileated woodpeckers, and cavity-nesting ducks.**

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

**This is a non-project, legislative action only. The identification of threatened or endangered plant species will occur through site-specific development proposals.**

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

**Mercer Island is located within the Pacific Flyway.**

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

**This a non-project, legislative action only. Any development-related land use action in the area affected by the proposed code amendments will be required to comply with Ch. 19.07, Environment, including standards for fish and wildlife habitat areas.**

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

**Invasive animal species on Mercer Island include starlings and rats.**

## **6. Energy and Natural Resources**

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.

**This is a non-project, legislative action only. Gas, oil, and electricity may be used during construction of future developments allowed under this legislative action.**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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:

**This is a non-project, legislative action only. Any development-related action that requires a building permit in the area affected by the proposed code amendments will be required to comply with the applicable provisions of the Washington Energy Code.**

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 code amendment would not cause environmental health hazards as the proposed code amendments would require future developments to comply with Chapter 172-27 WAC, Shoreline Management Permit and Enforcement Procedures and all applicable regulations in the MICC.**

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

**There are no known or possible contamination sites within 200 ft of the OHWM from present or past uses, according to the Department of Ecology's Toxics Cleanup Program.**

- 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.

**There are no known or possible contamination sites within 200 ft of the OHWM from present or past uses, according to the Department of Ecology's Toxics Cleanup Program.**

- 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.

**This is a non-project, legislative action only. Any future developments in the area affected by the proposed code amendments will be required to disclose plans for storing, using, or producing toxic or hazardous chemicals.**

- 4) Describe special emergency services that might be required.

**This is a non-project, legislative action only, and it requires no special emergency services.**

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

**This is a non-project action. Any future development in the area affected by the proposed code amendments will be subject to appropriate controls to avoid, mitigate and/or abate environmental health hazards.**

## **7. Noise**

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

**This is a non-project, legislative action only that will not be affected by noise levels.**

- 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.

**This is a non-project, legislative action only that will not create any noise. Any project that results from the plan will be required to comply with MICC Ch. 8.24, Nuisance Control Code, which regulates permissible noise levels.**

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

**This non-project, legislative action only. Any project that results from the plan will be required to comply with MICC Ch. 8.24, Nuisance Control Code, which regulates permissible noise levels.**

## **8. Land and Shoreline Use**

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.

**Mercer Island's shoreline jurisdiction includes single-family residential, multi-family residential, and two major city parks. The proposal will not affect current land uses. Future development proposals will be subject to all applicable regulations and requirements in the MICC.**

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?

**This is a non-project, legislative action only. There is no agricultural or forest land of long-term significance on Mercer Island.**

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:

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

c. Describe any structures on the site.

**Mercer Island's shoreline jurisdiction is primarily made up of single-family residences and parks. Waterward of the OHWM are primarily private docks or shared docks.**

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

**This is a non-project, legislative action only. Since projects have not been designed, requirements for demolition of structures are unknown at this time.**

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

**Mercer Island's shoreline jurisdiction includes the following zones: R-15, R-12, R-9.6, R-8.4, MF-3**

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

**The comprehensive plan designation is the same as the current zoning classification.**

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

**Mercer Island's shoreline jurisdiction contains two shoreline designated environments: Urban park environment and Urban residential environment.**

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

**This is a non-project, legislative action only. Any development-related land use action in the area affected by the proposed code amendments will be required to comply with Ch. 19.07, Environment, including standards for critical areas.**

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

**This is a non-project, legislative action only. Since no projects have been designed, the number of residences or work spaces is unknown at this time.**

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

**This is a non-project, legislative action only. Since no projects have been designed, displacement impacts are unknown at this time.**

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

**This is a non-project, legislative action only. Since no projects have been designed, displacement mitigation needs are unknown at this time.**

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

**The proposed legislative action is consistent with the provisions of the existing Mercer Island Comprehensive Plan. Any development-related land use action in the area affected by the proposed code amendments will be required to comply with the applicable zoning standards of MICC Title 19, Unified Development Code.**

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

**The proposal is legislative only, and no development is being proposed. There is no agricultural or forest land of long-term significance on Mercer Island.**

## **9. Housing**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

## **10. Aesthetics**

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

**No new structures are proposed as part of this non-project action. Future development in the area affected by the propose code amendments will be regulated by the MICC Title 17, Construction Codes, and MICC Title 19, Unified Development Code.**

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

**No views will be altered or obstructed as part of this non-project action. View impacts will be analyzed when specific projects are proposed for development.**

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

**This is a non-project, legislative only action. Any development-related land use action in the area affected by the propose code amendments will be required to comply with MICC Ch. 19.13, Shoreline Master Program**

## **11. Light and Glare**

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

**The proposal is legislative only, and no development causing light or glare is being proposed at this time.**

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

**The proposal is legislative only, and no development causing light or glare is being proposed at this time.**

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

**There are no known existing off-site sources of light or glare that may affect this non-project action.**

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

**This is a non-project, legislative action only, and no project resulting in light or glare impacts is being proposed at this time. Any development-related land use actions in the area affected by the propose code amendments will be required to comply with applicable lighting standards in MICC Title 19, Unified Development Code.**

## **12. Recreation**

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

**There are various designated and informal recreational opportunities within shoreline jurisdiction on Mercer Island.**

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

**This is a non-project, legislative action only, and no development that would result in the displacement of existing recreational uses is being proposed at this time in the area affected by the propose code amendments.**

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

**This is a non-project, legislative action only, and no development that would result in the displacement of existing recreational uses is being proposed at this time in the area affected by the propose code amendments.**

## **13. Historic and cultural preservation**

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.

**There are two buildings that are on both the National Register of Historic Places and Washington Heritage Register. There are approximately 3,100 buildings that are over 45 years old or eligible for listing.**

- 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.

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

- 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 proposal is legislative only, and no development is being proposed at this time.**

- 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 proposal is legislative only, and no development is being proposed at this time. Upon any specific project, cultural resource evaluations and inventories on sites that have a greater potential for historic significance will be performed, including consultation with Tribes and the State Department of Historic Preservation as required. Such surveys will direct avoidance and/or mitigation measures to be implemented on a site-specific basis. Inadvertent discovery plans will be required for all sites with greater potential for archaeological, cultural and historic resources. The proposed code amendments are not expected to result in any disturbance to cultural resources in the affected area.**

#### **14. Transportation**

- 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.

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

- 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?

**Mercer Island is currently served by Sound Transit and King County Metro buses.**

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

**The proposal is legislative only, and no change to parking spaces is being proposed. Any development-related land use action in the area affected by the propose code amendments**



**will be required to provide minimum parking requirements in MICC Title 19, Unified Development Code, and as may be required by parking demand studies.**

- 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 proposal is legislative only, and no change to road improvements is being proposed at this time.**

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

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

- 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?

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

- 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.

**The proposal is legislative only, and no development is being proposed at this time.**

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

**The proposal is legislative only. Transportation impacts of individual project actions will be analyzed and mitigated by compliance with MICC Ch. 19.20, Transportation Concurrency Management System.**

## **15. Public Services**

- 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 proposal is legislative only, and no development is being proposed. Any future developments in the area affected by the proposed code amendments will be analyzed for potential impacts on public services as part of the review process.**

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

The proposal is legislative only, and no development is being proposed. Any future developments in the area affected by the proposed code amendments will be analyzed for potential impacts on public services as part of the review process.

**16. Utilities**

- a. Circle utilities currently available at the site:  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_
  
- b. 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.

**This is a legislative, non-project action, with no additions, expansions or further activity associated with this proposal.**

**C. SIGNATURE**

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: *Molly McGuire*

Name of signee: **Molly McGuire**

Position and Agency/Organization: **Planner, City of Mercer Island Community Planning & Development Department**

Date Submitted: **January 30, 2023**

## D. SUPPLEMENTAL SHEET FOR NON-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?

**The proposal would not be likely to increase any of the above. The proposal would allow for the adoption of Chapter 173-27 WAC which regulates developments on shorelines of the state for environmental impacts and detrimental effects on shorelands.**

**All new developments permitted under the proposed amendments would still be required to comply with existing stormwater and impervious surface regulations as well as to manage toxic and hazardous substances under existing regulations.**

Proposed measures to avoid or reduce such increases are:

**Any project proposals would be required to demonstrate compliance with Chapter 173-27 WAC Shoreline Management Permit and Enforcement Procedures; MICC Ch. 15.09, Stormwater Management Program; Ch. 19.07, Environment; and Ch. 8.24, Nuisance Control Code.**

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

**The proposal would not be likely to negatively affect any of the above. The proposal would allow for the adoption of Chapter 173-27 WAC which regulates developments on shorelines of the state for environmental impacts and detrimental effects on shorelands. The proposal would also allow for uses not listed in the SMP to apply for a conditional use permit, consistent with the language in WAC 173-27-160**

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

**Any development-related land use action will be required to comply with Ch. 19.07, Environment, including standards for wetlands, watercourses, and fish and wildlife habitat areas; Ch. 19.10, Trees; and Ch. 19.13, Shoreline Master Program.**

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

**The proposal would not be likely to deplete energy or natural resources. The proposal would allow for the adoption of Chapter 173-27 WAC which regulates developments on shorelines of the state for environmental impacts and detrimental effects on shorelands. The proposal would also allow for uses not listed in the SMP to apply for a conditional use permit, consistent with the language in WAC 173-27-160**

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

**Any project proposals would be required to demonstrate compliance with Chapter 173-27 WAC Shoreline Management Permit and Enforcement Procedures**

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 proposal would not be likely to negatively affect any of the above. The proposal would allow for the adoption of Chapter 173-27 WAC which regulates developments on shorelines of the state for environmental impacts and detrimental effects on shorelands. The proposal would also allow for uses not listed in the SMP to apply for a conditional use permit, consistent with the language in WAC 173-27-160**

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

**Any development-related land use action will be required to comply with Ch. 19.07, Environment, including standards for wetlands, watercourses, and fish and wildlife habitat areas; Ch. 19.10, Trees; and Ch. 19.13, Shoreline Master Program.**

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?

**The proposal would not be likely to negatively affect any of the above. The proposal would allow for the adoption of Chapter 173-27 WAC which regulates developments on shorelines of the state for environmental impacts and detrimental effects on shorelands. The proposal would also allow for uses not listed in the SMP to apply for a conditional use permit, consistent with the language in WAC 173-27-160. Conditional Use Permit applications are required to demonstrate that the proposed use is consistent with the policies in RCW 90.58.020 and the SMP, as well as demonstrate that the proposed use is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program**

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

**Projects implemented under this proposed code amendment will be subject to further environmental and land use review, as appropriate, to ensure consistency with all local, state, and federal laws and regulations. Any development-related land use action will be required to comply with applicable provisions of MICC Title 19, Unified Development Code, including, but not limited to, zoning standards and Ch. 19.13, Shoreline Master Program.**

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

**The proposal would not be likely to increase demands on transportation or public services and utilities. The proposal would allow for the adoption of Chapter 173-27 WAC which regulates developments on shorelines of the state for environmental impacts and detrimental effects on shorelands. The proposal would also allow for uses not listed in the SMP to apply for a conditional use permit, consistent with**

**the language in WAC 173-27-160. Any proposed Conditional Use Permit would be required to meet all transportation or public services and utilities services standards in the MICC**

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

**Transportation impacts of individual project actions will be analyzed and mitigated by compliance with MICC Ch. 19.20, Transportation Concurrency Program, as well as any required compliance with MICC Ch. 19.17, School Impact Fees, Ch. 19.18, Parks Impact Fees, and Ch. 19.19, Transportation Impact Fees.**

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

**The proposal is in compliance with local, state, and federal regulations, and all future development-related land use action shall also comply with all local, state, and federal regulations. The proposal is intended to create consistency with state and federal laws regarding the processing of shoreline permits and allowed uses.**