

SEPA¹ 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-

¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

A. Background

[Find help answering background questions²](#)

1. Name of proposed project, if applicable:

ZTR24-002 and SEP24-013 Open Space Zone

2. Name of applicant:

City of Mercer Island - Community, Planning and Development

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

City of Mercer Island
Community, Planning and Development
9611 SE 36th Street
Mercer Island, WA 98040
Contact: Alison Van Gorp, Deputy Director
Phone: (206) 275-7733
Email: alison.vangorp@mercerisland.gov

4. Date checklist prepared:

August 5, 2024

5. Agency requesting checklist:

City of Mercer Island

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

- Planning Commission Public Hearing – September 26, 2024
- City Council Review – October- November 2024

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

No.

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 that will be prepared as part of this proposal. The intent of this proposal is to provide further protection and preservation for the City’s Open Space properties.

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.

² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background>

A complimentary amendment is under consideration as a part of the periodic update to the Comprehensive Plan to update the Comprehensive Plan Land Use Map to align the Open Space land designations with the changes to the Zoning Map in this proposal.

No other applications are pending related to the proposal. This is a Non-project action. Future projects, including both project and non-project actions will be reviewed and evaluated separately for consistency with local, state, and federal regulations.

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

- Mercer Island City Council adoption.

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 proposal is a non-project action, to amend the development regulations, definitions and Zoning Map to create a new Open Space Zone. The proposal would rezone open space lands from a mix of residential and commercial zoning to a new zone with development regulations that strictly limit development intensity. The proposal is intended to protect and preserve open space lands for passive recreation as well as habitat and ecological services.

This is a non-project proposal and does not propose development of a specific site. No disturbances to resources will directly result from adoption of these amendments to the development code. Future development will be evaluated separately from this non-project proposal.

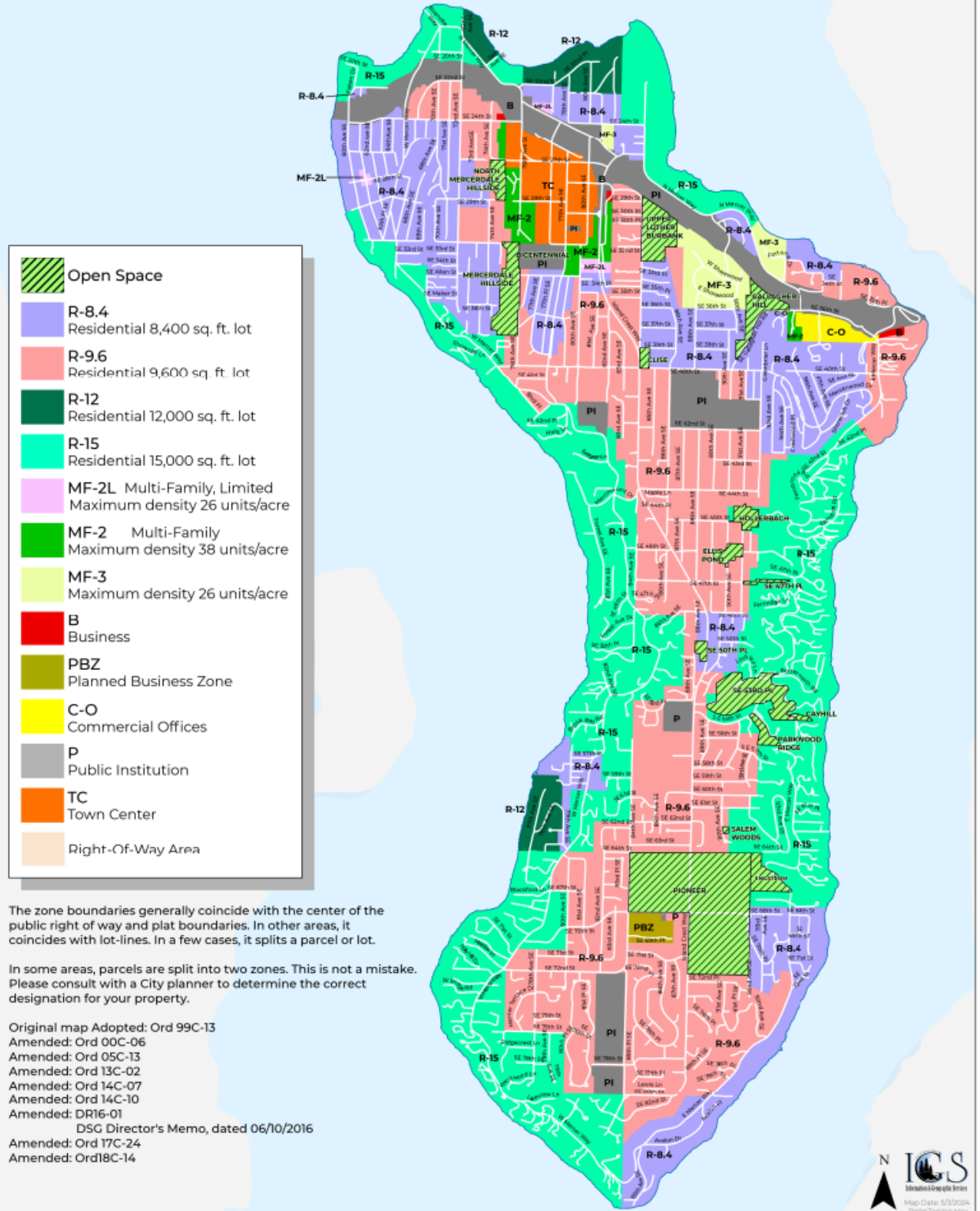
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). 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 proposal would amend the Mercer Island City Code development regulations to add a new section in Chapter 19.05 MICC and to amend 19.01.040 Zone Establishment, 19.16.010 Definitions and Title 19 Appendix D Zoning Map, affecting Open Space Lands throughout the City of Mercer Island. All proposed amendments are non-project in nature.

The City of Mercer Island is located within King County in the southern half of Lake Washington. Mercer Island is closest to the City of Seattle and City of Bellevue. Interstate-90 (I-90) runs through the city. A map of the city and the proposed new Open Space Zone is provided below.



CITY OF MERCER ISLAND ZONING MAP (PROPOSED)



B.Environmental Elements

1. Earth

[Find help answering earth questions](#)³

a. General description of the site:

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

The proposal is a non-project proposal and does not recommend project action on a specific site.

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

This is a non-project proposal and does not recommend project action on a specific site. The proposed updates address the entire island. A variety of slopes are found throughout the island. Steep slopes occur predominantly on the perimeter of the island, with many of the steep slopes found along the sidewalls of ravines. The steepest slope within the City of Mercer Island is approximately 60 percent.

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.

This is a non-project proposal. Although the proposal does not recommend project action on a specific site, future development under these updates could occur throughout the island. There are several soil series found on the island. The Alderwood Series is moderately to well drained. Alderwood soils on the island are located around the upper edge of the narrow plateau. Also along this edge is an area of combination of the Alderwood Series gravelly sandy loam and the Kitsap Series silt loam. Soils of Arents, Alderwood Series have properties similar to those of the Alderwood Series, but are not classified as Alderwood because the soils have been disturbed through urbanization. These soils are located on the plateau and in the area of First Hill in the northwest corner of the island. The Bellingham Series is characterized by poorly drained soils. This soil type is found in one small portion of the Town Center. The Everett-Alderwood Series is found at the southern end of the narrow plateau. The Kitsap Series consists of moderately well drained soils. These soils are found along the shoreline of the island in the valley that separates First Hill from the narrow plateau. The Puget Series is located north of Interstate 90 near the shoreline. The Seattle Series consists of very poorly drained organic soils and is found in one location along the shoreline just north of Interstate 90. The soil classification “Ur” stands for Urban Land. This soil type is located in the northeastern corner of the island.

³ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>

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

This is a non-project proposal and does not recommend project action on a specific site. The proposed updates would affect future development in areas that include a wide variety of slopes, including steep slopes. Critical Areas regulations contained in Chapter 19.07 MICC provide additional restrictions and protections related to unstable soils to protect life, health, safety, property, and the environment. All project actions are required to meet the requirements of Mercer Island City Code.

- 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.**

Filling and grading estimates are unknown. However, it is anticipated that most development in the city will be redevelopment within the Urban Center and therefore the need to fill, grade, and bring in fill will be limited. No filling or grading is expected as a direct result of this action. Development proposals emerging after the adoption of this update would be evaluated relative to federal, state, and local regulations and standards on an individual project-specific basis.

- f. Could erosion occur because of clearing, construction, or use? If so, generally describe.**

No erosion would result from the adoption of the proposal. Future development proposals will be evaluated and subject to the federal, state, and local regulations and standards, as well as evaluated for consistency with the goals and policies of the 2024 Mercer Island Comprehensive Plan. Temporary erosion and sediment control is regulated under the City's existing stormwater regulations and adopted manual.

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

The proposal is to update the development code and Zoning Map and does not relate to a specific project. The proposal would affect Open Space lands throughout the City of Mercer Island. The City does not have an estimate of total impervious surface on these lands. Future development proposals will be evaluated and subject to the adopted regulations and standards. In general, the development permitted in the new Open Space zone will be very limited. The City has adopted and maintains a Stormwater Management Manual (SWMM) and requires stormwater management for all new developments.

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

This is a non-project proposal and no specific development conditions are presented. Future development will conform to City standards and regulations for land disturbance in compliance with NPDES requirements.

2. Air

[Find help answering air questions](#)⁴

- 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.**

Not applicable. This is a non-project proposal and does not propose development of a specific site.

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

There are no off-site sources of emissions or odors which will affect this proposal.

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

While this is a non-project action, future developments will be reviewed for environmental impacts in compliance with City of Mercer Island Code and both state and federal requirements for emissions and impacts to the air. The proposed updates would not change how the concerns listed above are regulated so no additional mitigation measures have been developed to address this concern. Emissions are primarily regulated under state and federal law. Future project actions that may result in emissions would be reviewed under SEPA and as part of the permit process as established by RCW 36.70B.

3. Water

[Find help answering water questions](#)⁵

- a. **Surface:**

[Find help answering surface water questions](#)⁶

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.**

Not applicable. This is a non-project proposal and does not propose development of a specific site. Lake Washington and several unnamed streams are in the immediate vicinity of Mercer Island.

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.**

⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water>

Not applicable. This is a non-project proposal and does not propose development of a specific site. Future development projects may or may not take place within critical areas, buffers, or within the shoreline environment. Those developments will be regulated by the Shoreline Master Program and Critical Area Ordinance.

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.

No fill or dredge material that would be placed in or removed from surface water or wetlands is proposed as part of the non-project proposal. Further, the City is not making any changes to adopted policies or regulations which would authorize this use beyond what current code and policy authorizes in compliance with local, state, and federal regulations.

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

This non-project action does not anticipate any surface water withdrawals or diversions.

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

Not applicable. The City of Mercer Island does not lie within a 100-year floodplain. This is a non-project proposal and does not propose development of a specific site.

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 non-project action does not anticipate any discharges of waste materials to surface waters.

b. Ground:

[Find help answering ground water questions](https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater)⁷

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 a general description, purpose, and approximate quantities if known.

Not applicable. This is a non-project proposal and does not propose development of a specific site. The proposed update to the development regulations and Zoning Map is not expected to affect discharges to groundwater. Drinking water on Mercer Island comes from Seattle Public Utilities and is not drawn from groundwater on the island.

⁷ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

2. **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (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.**

Not applicable. This is a non-project proposal and does not propose development of a specific site. Mercer Island is served by a sewage collection system operated by the City. All structures with facilities for the disposal of sewage must connect to the City sewer system (MICC 15.06.060). No additional discharge to the ground from septic tanks is expected.

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.**

While this is a non-project proposal, source of runoff (including storm water) is typically a derivative of development within the City of Mercer Island. However, all development is regulated by MICC 15.09 in compliance with the Clean Water Act.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. The proposal would update the City's development regulations and Zoning Map. The adoption of the proposed code amendments is not expected to affect the potential flow of waste materials into ground or surface waters. New development is required to address ground and surface water in compliance with the City's SWMM and Chapter 15.09 MICC.

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

It is not anticipated that the proposed non-project action will alter or otherwise affect drainage patterns.

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

While this is a non-project action, any development which would occur as a result of this project will be required to meet all storm water requirements as authorized by Chapter 15.09 MICC.

4. Plants

[Find help answering plants questions](#)

- 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

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. Adoption of the proposed code amendments is not expected to remove or alter vegetation.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. Future project level SEPA review for development under these regulations may require species database searches from U.S. Fish and Wildlife Service and the Washington State Department of Natural Resources' Natural Heritage Program to identify any threatened or endangered species on or near each specific project site. All development in Mercer Island must comply with MICC 19.07.170 - Fish and wildlife habitat conservation areas. MICC 19.07.170 establishes specific protections for habitat of state- and federally-listed endangered, threatened, or sensitive species. These protections include the preparation of a wildlife habitat assessment that includes protection measures for the species that may be affected.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. Adoption of the proposed code amendments is not expected to result in new landscaping or require additional vegetation management.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. On its website, King County maintains a list of noxious weeds found in the County ([LINK](#)).

5. Animals

[Find help answering animal questions](#)⁸

⁸ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>

- a. **List any birds and other animals that 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:

Not applicable. This is a non-project proposal and does not propose development of a specific site.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. Future project level SEPA review for development under these regulations may require species database searches from U.S. Fish and Wildlife Service and the Washington State Department of Natural Resources' Natural Heritage Program to identify any threatened or endangered species on or near each specific project site. All development in Mercer Island must comply with MICC 19.07.170 - Fish and wildlife habitat conservation areas. MICC 19.07.170 establishes specific protections for habitat of state- and federally listed endangered, threatened, or sensitive species. These protections include the preparation of a wildlife habitat assessment that includes protection measures for the species that may be affected.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. Mercer Island is within the bird migration path referred to as the Pacific Flyway.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. The proposed updates to the development regulations and Zoning Map will support preservation of existing open space lands, including wildlife habitat areas. All development in Mercer Island must comply with MICC 19.07.170 - Fish and wildlife habitat conservation areas. MICC 19.07.170 establishes specific protections for habitat of state- and federally listed endangered, threatened, or sensitive species. These protections include the preparation of a wildlife habitat assessment that includes protection measures for the species that may be affected.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. The following invasive species are known in King County: European starling, house sparrow, eastern gray squirrel, fox squirrel, and feral cats.

6. Energy and natural resources

[Find help answering energy and natural resource questions](#)⁹

- 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.**

Not applicable. This is a non-project proposal and does not propose development of a specific site. The proposed code amendments are not expected to require energy to complete the project beyond the normal energy consumption associated with City operations.

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

No. This non-project proposal does not propose new policies or regulations which would affect the potential use of solar energy by adjacent properties.

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 proposal. New development will be extremely limited in the new zone created under this proposal. However, any future development will be reviewed for impacts to energy and natural resources, including compliance with applicable building codes and energy code requirements.

7. Environmental health

[Health Find help with answering environmental health questions](#)¹⁰

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. The proposed code amendments are not expected to increase the potential for exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. Any future developments will be reviewed and any potential contamination on the site will be addressed according to City of Mercer Island Code and state and federal regulations.

⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou>

¹⁰ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

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.

Although this is a non-project proposal and does not propose development of a specific site, future development is not anticipated to have hazardous chemicals/conditions that might affect project development and design, including underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. If there are liquid and gas transmission pipelines, this would be addressed and mitigated as part of the project review process.

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.

Although this is a non-project proposal and does not propose development of a specific site, there are hazardous chemicals that might be stored, used, or produced during a development or construction, or during the operating life of the project. All hazardous chemicals must be stored according to RCW 49.17 and WAC 296-155. In addition, any use that would include hazardous material storage would be evaluated for compliance with Mercer Island City Code .

4. Describe special emergency services that might be required.

While this is a non-project proposal and does not propose development of a specific site, emergency services would include the City of Mercer Island Police Department and Eastside Fire and Rescue.

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

While this is a non-project proposal and does not propose development of a specific site, future development will be required to reduce or mitigate environmental health hazards as authorized by the Mercer Island City Code and state and federal regulations. Actual measures would depend on the specific proposal.

b. Noise

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. The proposed code amendments are not expected to be impacted by noise.

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)?

While this is a non-project proposal and does not propose development of a specific site, any project level noise is regulated in the City of Mercer Island by Chapter 8.24 MICC. Noise would typically be associated with construction which will occur in accordance with City of Mercer Island Code and state regulations.

2. Proposed measures to reduce or control noise impacts, if any:

All noise impacts would be mitigated through RCW 70A.20 and WAC 173-60 as further modified in the noise regulations adopted in Chapter 8.24 MICC.

8. Land and shoreline use

[Find help answering land and shoreline use questions](#)¹¹

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.

Not applicable. This is a non-project proposal and does not propose development of a specific site. There are a mix of residential, commercial, institutional, and recreational land uses throughout the City. The proposed code amendment will have an impact on current land uses within the proposed new zone. The proposal will limit the permitted land uses within the proposed Open Space Zone with the purpose of preserving, protecting, restoring and enhancing Open Space Lands. The proposal is not anticipated to affect land uses on properties nearby or adjacent to the new zone.

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 because 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 code amendment will not result in the conversion of agricultural or forest lands of long-term significance. There are no working farmlands or forest lands of 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?

No.

c. Describe any structures on the site.

Not applicable. This is a non-project proposal and does not propose development of a specific site. There are a mixture of residential, industrial/business, and commercial buildings within the City of Mercer Island. Existing structures on properties proposed for the new zone include signs, kiosks and fencing.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. No structures are currently planned to be demolished on properties proposed for the new zone.

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

¹¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

Not applicable. This is a non-project proposal and does not propose development of a specific site. Current zoning of properties proposed for the new Open Space Zone includes a mix of residential zones (R-8.4, R-9.6 and R-15) as well as a small commercial-office property.

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

While this is a non-project action and does not propose development of a specific site, the proposed Open Space Zone will align with proposed amendments to the Comprehensive Plan land use designation of "Open Space".

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

Not applicable. The proposed Open Space Zone does not include any properties within the Shoreline area.

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

Yes. The City of Mercer Island has designated critical areas regulations in compliance with GMA requirements.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. The proposed Open Space Zone and accompanying development regulations do not permit residential uses and it is anticipated that no people will reside in this area.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. The properties in the proposed Open Space Zone do not currently contain any residential housing and the proposal would not displace any people.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. No displacement is anticipated as a result of this proposal.

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

The proposal is being undertaken in concert with a complimentary amendment to the Land Use Map and land use designations in the Comprehensive Plan.

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

Not applicable. There are not agricultural or forest lands in the City of Mercer Island.

9. Housing

[Find help answering housing questions](#)¹²

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

The proposal will not provide any housing units.

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

The proposal will not eliminate any housing units.

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

Not applicable. This is a non-project action and is not anticipated to create housing impacts.

10. Aesthetics

[Find help answering aesthetics questions](#)¹³

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

Not applicable. This is a non-project proposal. The proposed amendments would allow only very limited types of structures in the new Open Space Zone, such as signs, kiosks and restrooms. MICC 19.12 regulates the design of any structures proposed in the new zone.

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

Not applicable. This is a non-project proposal. The proposed code amendments will not result in the construction of any structure.

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

Not applicable. This is a non-project proposal. Future development will be reviewed for aesthetic impacts. Aesthetic impacts are controlled by the design standards in Chapter 19.12 MICC.

11. Light and glare

[Find help answering light and glare questions](#)¹⁴

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

¹² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing>

¹³ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

¹⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>

Not applicable. This is a non-project proposal and does not propose development of a specific site. The proposed code amendments will not result in the construction of any structure and is not expected to create or modify the existing light and glare.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site.

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

None. This is a non-project proposal. Future development will be reviewed for aesthetic impacts.

12. Recreation

[Find help answering recreation questions](#)

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. The City has a system of parks and open space within its boundaries. This system includes 27 City parks and 15 City-managed open spaces. Open Space Lands provide passive recreational uses, including hiking, walking, jogging, wildlife viewing or picnicking.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. The proposed code amendments include a new Open Space Zone that will protect and preserve Open Space Lands for passive recreational uses as the City grows.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. No negative impacts to recreational opportunities are anticipated as a result of this proposal.

13. Historic and cultural preservation

[Find help answering historic and cultural preservation questions](#)¹⁵

- 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.**

Not applicable. This is a non-project proposal and does not propose development of a specific site. The City of Mercer Island has designated one historic landmark: the VFW Hall located at 1836 72nd Ave SE. This property is not part of the proposed Open Space Zone.

- 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.**

Not Applicable. This is a non-project proposal and does not propose development of a specific site. The proposal involves a City-wide non-project legislative action. There are landmarks, features, and evidence of Indian or historic use or occupation on Mercer Island. This is evaluated by the City of Mercer Island when a project is submitted it is evaluated through the Washington State DAHP database/WISAARD map viewer. There are also processes in place when inadvertent discovery occurs.

- 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.**

Review of Washington State DAHP database/WISAARD map viewer. The Comprehensive Plan is not expected to affect cultural or historical resources directly. Future changes or developments will be evaluated separately.

- 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.**

Not applicable. This is a non-project proposal and does not propose development of a specific site. No disturbances to resources will directly result from adoption of the proposed code amendments. Future development will be evaluated separately from this non-project proposal. There are landmarks, features, and evidence of Indian or historic use or occupation on Mercer Island. This is evaluated by the City of Mercer Island when a project is submitted it is evaluated through the Washington State DAHP database/WISAARD map viewer. There are also processes in place when inadvertent discovery occurs.

¹⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

14. Transportation

[Find help with answering transportation questions](#)¹⁶

- 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.**

Not Applicable. This is a non-project proposal and does not propose development of a specific site. The proposal involves a City-wide non-project legislative action. Interstate-90 (I-90) runs through the northern portion of Mercer Island.

- 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?**

Not Applicable. This is a non-project proposal and does not propose development of a specific site. Metro and Sound Transit provide transit service to the City of Mercer Island and the Puget Sound region. Sound Transit operates routes to Seattle and Bellevue, serving passengers at the Mercer Island Park and Ride adjacent to I-90. Metro Transit provides local service in addition to service to locations off-Island. The Sound Transit Link Light Rail Station is under construction and will provide additional transit options for Mercer Island and neighboring jurisdictions.

- c. **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).**

Not Applicable. This is a non-project proposal and does not propose development of a specific site. The proposal involves a City-wide non-project legislative action. No new or improved transportation infrastructure is anticipated as a part of the proposed code amendments.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site.

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?

Not applicable. This is a non-project proposal and does not propose development of a specific site. Car trips per day generated by individual projects will be evaluated on a per-application basis.

- e. **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.**

¹⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>

No, Mercer Island does not have agricultural or forest lands located within the city.

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

Not applicable. This is a non-project proposal and does not propose development of a specific site. No transportation impacts are anticipated as a result of the proposed code amendments. The City will address transportation impacts through site-specific SEPA review and through implementation of the Transportation Improvement Program and Capital Improvement Program.

15. Public services

[Find help answering public service questions¹⁷](#)

- 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.**

No, the proposal is a non-project action and is not anticipated to result in an increased need for public services.

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

Not applicable.

16. Utilities

[Find help answering utilities questions¹⁸](#)

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

This is a non-project proposal and does not propose development of a specific site. The proposal involves a City-wide non-project legislative action. All of the above-listed utilities serve the City.

- 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.**

Not Applicable. This is a non-project proposal and does not propose development of a specific site. The proposal involves a City-wide non-project legislative action.

C. Signature

[Find help about who should sign¹⁹](#)

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.

¹⁷ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

¹⁸ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>

¹⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

X *Alison Van Gorp*

Type name of signee: Alison Van Gorp

Position and agency/organization: Deputy Director, Community Planning and Development,
City of Mercer Island

Date submitted: August 5, 2024.

D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet²⁰](#)

Do not use this section 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?

The proposal is not likely to increase discharges to water, emissions to air, the production/storage/release of toxic or hazardous substances or the production of noise.

- **Proposed measures to avoid or reduce such increases are:**

Not applicable.

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

The proposed code amendments are unlikely to have an adverse impact on plants, animals, fish, or marine life. The intent of the proposal is to preserve Open Space Lands and to protect plant and animal habitat. Any future changes or development will be evaluated separately for site-specific impacts to wildlife. Adopted development standards, such as those protecting critical areas and shorelines, will protect plants, animals, and fish habitats from future development.

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

²⁰ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

The proposal will provide added protection to plant and wildlife habitats by strictly limiting development on Open Space Lands. Adopted development standards, such as those protecting critical areas and shorelines, will also protect plants, animals, and fish habitats from future development.

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

This proposal is unlikely to have adverse impacts or deplete energy or natural resources. Energy use in the proposed Open Space Zone will be minimal as the proposal strictly limits development in the new zone. The intent of this proposal is to preserve natural resources.

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

The proposed development regulations do not permit development of buildings within the proposed zone, except for restrooms on properties of 100 acres or greater. Lighting of signs is also prohibited. Uses in the new zone are primarily limited to trails, passive recreational uses, passive recreational amenities and habitat restoration and enhancement.

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 is intended to protect environmentally sensitive areas – the proposed Open Space Zone will provide additional protection to City-owned park lands that include plant and wildlife habitat, wetlands, watercourses, and other critical areas.

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

The proposed development regulations strictly limit development within the Open Space Zone and only permit uses that are likely to have limited impacts on environmentally sensitive areas.

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 is consistent and compatible with current land and shoreline uses. The proposal limits the land uses permitted within the Open Space Zone for the purpose of preserving these lands. Preservation of open space provides opportunities to the surrounding community for access to nature, passive recreation, relaxation and educational and stewardship opportunities. Open Space lands also provide habitat for plants and animals and ecological services such as stormwater management and carbon sequestration that benefit the community as a whole.

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

The proposal strictly limits development in the Open Space Zone. Development of buildings, parking and streets is not permitted (with the exception of restrooms on larger properties). These strict limits will inherently prevent most impacts.

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

The proposal is unlikely to increase demands on transportation, public services or utilities.

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

Most buildings as well as parking and driveways are not permitted under the proposal. This will limit transportation to/from the proposed zone and the need for utilities will be minimal. The properties included in the proposed zone are already under City ownership and management, so adoption of the proposed code amendments is not likely to increase demands for public services from these properties.

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

The proposed code amendment was written to comply with local, state, or federal laws and regulations to protect the environment and critical areas within the City. No conflicts are anticipated with local, state, or federal laws or requirements for the protection of the environment.