



## King County

**Dow Constantine**  
King County Executive  
401 Fifth Avenue, Suite 800  
Seattle, WA 98104-1818  
**206-263-9600** Fax 206-296-0194  
TTY Relay: 711  
[www.kingcounty.gov](http://www.kingcounty.gov)

November 8, 2024

The Honorable Dave Upthegrove  
Chair, King County Council  
Room 1200  
C O U R T H O U S E

Dear Councilmember Upthegrove:

This letter transmits the updated Best Available Science (BAS) Report for King County's 2024 Comprehensive Plan and Critical Areas Ordinance (CAO) updates. The BAS Report documents the County's review and inclusion of BAS in developing policies and development regulations to protect critical area functions and values as required under the Growth Management Act (GMA). This report reflects the review of updated BAS and responds to the latest state requirements and guidance for protecting critical areas and simultaneously addresses GMA goals. The BAS Report is provided to support and inform Council review of the Comprehensive Plan and CAO updates and should be included in the legislative record for Proposed Ordinance 2023-0440. This updated report replaces the BAS Report that was transmitted to the Council on March 1, 2024.

The BAS Report summarizes BAS review findings and assesses policy and regulatory updates to strengthen protections for critical areas functions and values while providing special consideration for anadromous salmonids and ensuring "no net loss" of critical areas functions and values as required by state law. Key regulatory updates assessed in the BAS Report include increased riparian area widths for all aquatic areas in both rural and urban unincorporated King County; enhanced protections for Category 1 (high conservation value) wetlands, estuarine wetlands, and coastal lagoons; new development standards for alluvial fans; and identification and review of updates to county flood codes to better support salmon recovery and fish passage projects. The BAS Report also assesses code updates that clarify critical area protections applied to agricultural uses and activities that are supported by Comprehensive Plan policies and GMA goals.

Consistent with state guidance, the BAS Report identifies departures from BAS, identifies nonscientific information that informed departures, assesses risk of departures to critical areas,

The Honorable Dave Upthegrove

November 8, 2024

Page 2

and describes companion regulations and nonregulatory actions that mitigate risk and contribute to ensuring no net loss of critical areas functions and values. Please note that should the King County Council amend the Comprehensive Plan policies or the CAO that depart from BAS, the legislative record should be updated or supplemented to identify the departures from BAS, assess risks to critical areas, and provide rationale for departures as required by the Revised Code of Washington 36.70A.172 and Washington Administrative Code 365-195-915. Executive branch subject matter experts who supported the BAS and regulatory review can assist with identification and assessment of departures from BAS.

As part of the BAS review process, King County consulted with Indian Tribes and engaged with community partners and state agencies to review BAS findings and changes under consideration. The Department of Natural Resources and Parks (DNRP), Department of Local Services, and the Office of Regional Planning worked closely together on the development of the BAS Report.

Thank you for your consideration of the BAS Report. This report will enhance King County's ability to manage growth responsibly, protect critical ecosystems, and promote climate resilience.

If your staff have questions, please contact John Taylor, Director, King County Department of Natural Resources and Parks, at 206-477-0602.

Sincerely,



for

Dow Constantine  
King County Executive

Enclosure

cc: King County Councilmembers  
    ATTN: Stephanie Cirkovich, Chief of Staff, King County Council  
        Melani Hay, Clerk of the Council  
Karan Gill, Chief of Staff, Office of the Executive  
Penny Lipsou, Council Relations Director, Office of the Executive  
John Taylor, Director, Department of Natural Resources and Parks (DNRP)  
Josh Baldi, Director, Water and Land Resources Division, DNRP  
Jim Chan, Director, Permitting Division, Department of Local Services  
Lauren Smith, Director of Regional Planning, Office of Performance, Strategy, and  
    Budget