

been expended to acquire 370 acres, including key habitat on Rock Creek and the main stem of the Cedar River.

**Farms and Forests (1996):** This program included \$6 million to acquire demonstration rural forest projects at Taylor Mountain and Ring Hill, as well as additional Farmlands Preservation Program development rights easements.

**1997 “Mini Bond:”** King County created this \$22 million program primarily with REET and Conservation Futures funds to acquire specific properties, including Taylor Mountain.

### Waterways 2000

Waterways 2000 (1994-1997), initiated under the 1993 Conservation Futures Bond, is King County’s premier salmon habitat preservation program. Working with scientists, stakeholders, communities and landowners, King County identified 17 stream basins with high-quality salmon habitat. Pilot project acquisition efforts were successfully completed on the Cedar, Green and Snoqualmie Rivers, and on Bear, Griffin and Patterson Creeks. The program also developed stewardship and maintenance practices for managing these lands. As shown on Table 2, more than 1,600 acres were permanently preserved on a completely voluntary basis. More than 300 acres were added to the Public Benefit Rating System (PBRS) current use taxation program through Waterways 2000. (See next section for discussion of the PBRS program.)

Table 2

WATERWAYS 2000 ACQUISITION PROGRESS - 6/30/98				
Unincorporated King County	Fee Ownership (Acres)	Conservation Easements (Acres)	PBRS (Acres)	TOTAL (Acres)
Bear Creek	308	40	117	465
Cedar River	260	0	57	317
Green River	660	0	93	753
Griffin Creek	46	0	8	54
Patterson Creek	123	0	36	159
Mid-Fork Snoqualmie	177	0	23	200
<b>Subtotal</b>	<b>1,574</b>	<b>40</b>	<b>334</b>	<b>1,948</b>
<b>Urban Program</b>				
Seattle	5	0	0	5
Suburban Cities	19	0	0	19
Uninc. King County	10	0	0	10
<b>TOTAL</b>	<b>1,608</b>	<b>40</b>	<b>334</b>	<b>1,982</b>

**Selection criteria:** The Waterways 2000 program was a first attempt by the County to develop and apply ecosystem-based analysis to the conservation of salmonid habitats at a large scale. Characterized by some as a search for the “last, best places for salmon in King County,” this program was based on the guidance of an independent, expert scientific panel and the work of staff and citizens from throughout the county.

The scientific panel crafted selection criteria based on indicators of ecological function at several system scales, from watershed indicators to species-based indicators. Using the criteria, the county’s watersheds were screened

at successively smaller scales until reaches of high ecological integrity (embedded within watersheds of high ecological integrity) were identified. All properties within these reaches were considered equally preferable for protection. The criteria and indicators used in selection are listed in the table below:

**Table 3**

WATERWAYS CRITERIA	
Scale	Indicators
Basin Scale: 20-300 sq. miles	<ul style="list-style-type: none"> <li>■ landscape condition</li> <li>■ riparian condition</li> <li>■ biotic condition</li> <li>■ risk</li> </ul>
Reach Scale: 1-7 miles	<ul style="list-style-type: none"> <li>■ adjacent to other habitat types such as upland forest, wetlands</li> <li>■ concentrated spawning and rearing</li> <li>■ areas of biotic and habitat richness</li> <li>■ forested riparian habitats</li> <li>■ process areas such as braids, confluences, side channels</li> </ul>

Once the properties were acquired, the County’s participating agencies convened a work group to develop site plans to guide the protection and management of these areas. Those plans are still being formulated for most of the acquisition areas.

The following map shows the Tri-County Area with Waterways 2000 Basins.

Much good work took place in Waterways 2000 and the various basin plans to identify important salmon habitat and watershed areas for acquisition. King County recognizes that our natural systems, centering around our river systems, contain many unconnected “gaps” where lands are still threatened by development. There is a need to complete the permanent protection of these natural systems by acquiring additional key links and core areas in our systems that are threatened with development conversion. See “Early Actions” and Chapter 8 for the County’s strategies for permanent preservation of core salmon habitat areas and their supporting watersheds.

**Public Benefit Rating System**

Another key preservation tool complementing Resource Lands and Open Space acquisition work is the county’s “current use taxation” program, known as the Public Benefit Rating System (PBRS).

Through this program, King County offers an incentive to preserve open space on private property in King County by providing a tax reduction if the land contains one or more open space resources. This tax incentive establishes a “current use taxation” property tax assessment for the approved

open space land. This taxation is lower than the “highest and best use” tax assessment level that usually applies on most land in the County. The reduction in taxable value ranges from 50% to 90% for the portion of the property in “current use.”

While these lands are not permanently protected, the program does provide valuable assistance to landowners who do not want to be forced into developing their property because of high property taxes. The program is very successful in preventing conversions to development, with several thousand acres of King County land currently enrolled.

The Public Benefit Rating System provides a scoring system, with a number of points being assigned to specific open space resources, through which a calculation of the current use taxation value is based. For property to be approved as open space under this program, either the potential for use or additional development must be present. The owner also may agree to other restrictions or provide public access in return for the tax reduction. Public access is encouraged, but not required, on open space resources for this program. In some cases, public access must be allowed in order to gain credit for the current use taxation.

For a complete description of the Public Benefit Rating System as well as a discussion of specific categories related to salmonid habitat preservation, see the Chapter 5 Appendix 5.2.

### **King County Livestock Management Ordinance**

The King County Livestock Management Ordinance (LMO) enacted in 1993 was developed to support the raising and keeping of livestock in King County while minimizing livestock’s negative impact on the environment, particularly with regard to impacts on water quality and salmonid fisheries habitat. Toward this end, the ordinance prescribes acceptable livestock densities, restricts access of livestock to Class I and II streams and wetlands, and establishes specific manure management requirements.

The LMO is an ordinance with a comprehensive approach to regulating a practice. The LMO is not one specific standard to prevent non-point pollution, but rather a set of standards that take into consideration the entire operation and addresses the various potential sources of contaminated runoff, and how to eliminate them not only individually, but collectively.

Beyond the technical specifications and regulations governing how livestock should be managed, the ordinance also stipulates several actions to facilitate implementation of these regulations such as:

- Establishment of a Livestock Oversight Committee to advise and assist the County in implementing the Ordinance;
- Development of Farm Management Plans;
- Identification of the best management practices (BMPs) to be implemented on individual farms; and
- Development of a program to monitor the effectiveness of various management practices and their impact on water quality.

The King County Livestock Management Ordinance #11168 (LMO states that its “emphasis is on achieving compliance with LMO standards as the primary objective, rather than the collection of fines or penalties...” (21A.30.066 A. KCC)

In order to follow through on this approach and be fair to landowners, the Livestock Oversight Committee has spent four years educating livestock owners and reviewing the LMO process. By expanding education efforts and continuing to alert livestock owners of the LMO through media, letters and various classes, the County has and will continue to implement this Ordinance in a fair and consistent manner. Public awareness and understanding has risen considerably in the past four years. A key partner in this endeavor has been the King Conservation District, which has been assisting in education efforts and providing technical assistance to landowners and the Livestock Oversight Committee.

The King County LMO Cost Share program has been instrumental in helping to achieve the goal of more Farm Management Plans designed and improving the speed of overall implementation of best management plans (BMPs) prescribed in the plan.

Efforts are underway to map livestock operations on the GIS, and a survey of livestock owners will be completed this year. Together, these activities will provide more accurate data.

As stated above, one component of the LMO is the development of farm plans. Requests for farm plan assistance are being prioritized based on the following criteria.

**KCD Farm Management Plan Request Priority List Criteria (initiated July 1998)**

- #1 **High:** Property on Class I or II stream or wetland not meeting management standards and/or has a documented valid complaint lodged against it.
- #2 **Medium:** Number of livestock at or near density limit; serious mud problem; close proximity to Class I or II stream or wetland.
- #3 **Low:** Those that don't fit in the above listings.

The enforcement provisions of the Livestock Management Ordinance became effective on January 1, 1999. In order to implement the strategy outlined above, staff from King County Livestock program, DDES and the King Conservation District, have developed a process for handling complaints.

Funding for the County's staffing of this program is derived from the \$5 per parcel assessment for the King Conservation District. Ordinance 12959, approved by the King County Council in December 1997, adopted the Regional Water Quality Committee's recommendation to raise the Conservation District annual assessment from \$1.25 per parcel to \$5 per parcel. The \$1.25 per parcel assessment had been in place since the King County Council adopted Ordinance 10981 in August 1993 and was renewed in 1995 by Ordinance 12095.

The Ordinance provides that the generated revenues be distributed as follows:

- \$3 of the assessment is distributed to each of the five watershed forums in equal amounts;
- \$1 per parcel to the County and each city in the District from which the funds were collected; and
- \$1 per parcel to the District for implementation of its approved work program.

The Ordinance put the assessment in place for the years 1998 through 2000 and approved the district's 1998 work plan. The County's livestock staff is funded out of the \$1 returned to the County or approximately \$160,000.

Additional funding sources are also being investigated to assist in the education and enforcement effort. These include the following grants.

- An application was submitted in November 1998 for a two-year, \$200,000 EPA Sustainable Development Challenge Grant, "Rural Salmon Recovery through Farm Planning."
- An application was submitted in January 1999 for a two-year, \$100,00 Cooperative Resources for Extension Education Services CSREES Grant "Rural Salmon Recovery through Farm Planning"

#### **Area Specific Habitat Plans: Elliott Bay-Duwamish Restoration Program**

The Elliott Bay-Duwamish River Restoration Program resulted from a 1990 federal lawsuit based upon a complaint by NOAA (acting on the public's behalf) that alleged sediment contamination and habitat loss due to combined sewer overflow (CSO) and storm drain discharges by Metro and the City of Seattle. The lawsuit was settled by consent decree in December 1991.

The program's primary area of focus is the Lower Duwamish River and Elliott Bay, although the consent decree states that work can be conducted in "the Duwamish River and its tributaries." The settlement stipulated that Metro (now a part of King County government) and the City of Seattle provide a combination of cash payments, real estate and in-kind services with a total value of up to \$24 million.

Seattle and Metro agreed to provide \$12 million each to:

1. End the natural resource damage lawsuit brought by NOAA against Metro Water Pollution Control Department and the City of Seattle.
2. Clean up contaminated sediments and restore aquatic and benthic habitats in an urban waterway.
3. Create a partnership among federal, state, tribal and local governments to address common environmental concerns.
4. Use public funds for environmental improvements rather than for litigation.

Here is how the money is being allocated:

- \$12 million is allocated to Sediment Remediation; \$10 million is allocated to Habitat Restoration and up to \$2 million may be spent on source control.
- As part of the above allocations King County (as the successor to Metro) and the City would make available real estate valued up to \$5 million as sites for Habitat projects.
- Any sums not expended pursuant to the above conditions for planning and design or panel function and support and any interest accrued in the registry account would used for project implementation of sediment and habitat restoration projects.

Completed projects include:

- Pier 53 sediment remediation (cap) on the Seattle waterfront (4.5 acres); and
- West Seattle intertidal habitat restoration – Elliott Bay ( 2 acres).
- Porter Levee property purchase – Green River (30 acres)

Projects underway include:

- Norfolk CSO Sediment clean up – Duwamish River (1 acre);
- Northwinds Wier Habitat Restoration – Duwamish River (1.3 acre)
- Seaboard Lumber Habitat Restoration – Duwamish River (4 acres)
- Kenco Upper Turning Basin – Duwamish River (2 acres)
- Porter Levee property purchase – Green River (30 acres)

Projects anticipated in 1999:

- Hamm Creek Daylighting and Estuarine Habitat Restoration – Duwamish River (7.4 acres)
- Diagonal Duwamish CSO sediment cleanup – Duwamish River (5 acres)
- Burns Creek property purchase – Green River (30 acres)

### **Area Specific Habitat Plans: Green/Duwamish Ecosystem Restoration Study**

The Green/Duwamish Restoration Study, currently in the feasibility phase of preparation, establishes a strategy to protect and restore the critical habitat that is needed for the survival of salmon and other fish and wildlife in the watershed. Led by the U.S. Army Corps of Engineers and King County, the study has engaged a large group of local, state, federal and tribal agencies and private organizations in data collection, analysis and development of study findings and recommendations. The findings and recommendations are summarized as follows:

1. The resources of the Green/Duwamish watershed are important to the Seattle metropolitan region, the Pacific Northwest and the nation as a whole.
2. Maintaining salmon runs and other resources will require protection and restoration of key habitat areas.
3. Wherever possible, riverine and watershed processes that form and maintain good habitat should be restored.
4. Initial restoration projects should be concentrated in critical areas of the watershed.
5. Protection and restoration of habitat should begin at once.

Based on the findings of the study and extensive consultation with other agencies, organizations and tribes, a restoration strategy has been devised. Strategy includes work on the following initiatives:

1. Critical rearing and feeding habitats should be reestablished at key sites in the Duwamish estuary.
2. Urban tributaries of the Duwamish and lower Green River that have high potential as productive salmonid habitat should be restored.
3. Fish passage and habitat values along the leveed portions of the lower Green River (between Auburn and Tukwila) should be improved consistent with flood protection goals in this reach.
4. Productive tributaries such as Soos Creek, Newaukum Creek and Mill Creek, should be protected through acquisition and land use regulations, and disturbed habitats along these tributaries should be restored for salmon spawning and rearing and other fish and wildlife use.
5. Channel diversity along the middle Green River should be restored through reestablishment of side channel and floodplain habitats.
6. The two mainstem dams on the upper Green River should be modified in design and operation to allow upstream and downstream migration of salmon and to enhance downstream habitat conditions.
7. Habitat conditions in the upper Green River watershed should be improved by restoring unused road corridors and protecting and restoring stream buffers.

Many of the projects recommended in the study are simple to achieve, including acquisition projects and capital improvements with uncomplicated designs. Work on these projects is proceeding under an “early action” category, using funding from a combination of federal, local and private funding sources. See the subsequent section, “Early Action Projects.”

The complete project list (see Chapter 7 Appendix 7.10) is being reviewed and refined to assure the strongest possible combination of projects and