BENTON COUNTY

STATE OF WASHINGTON

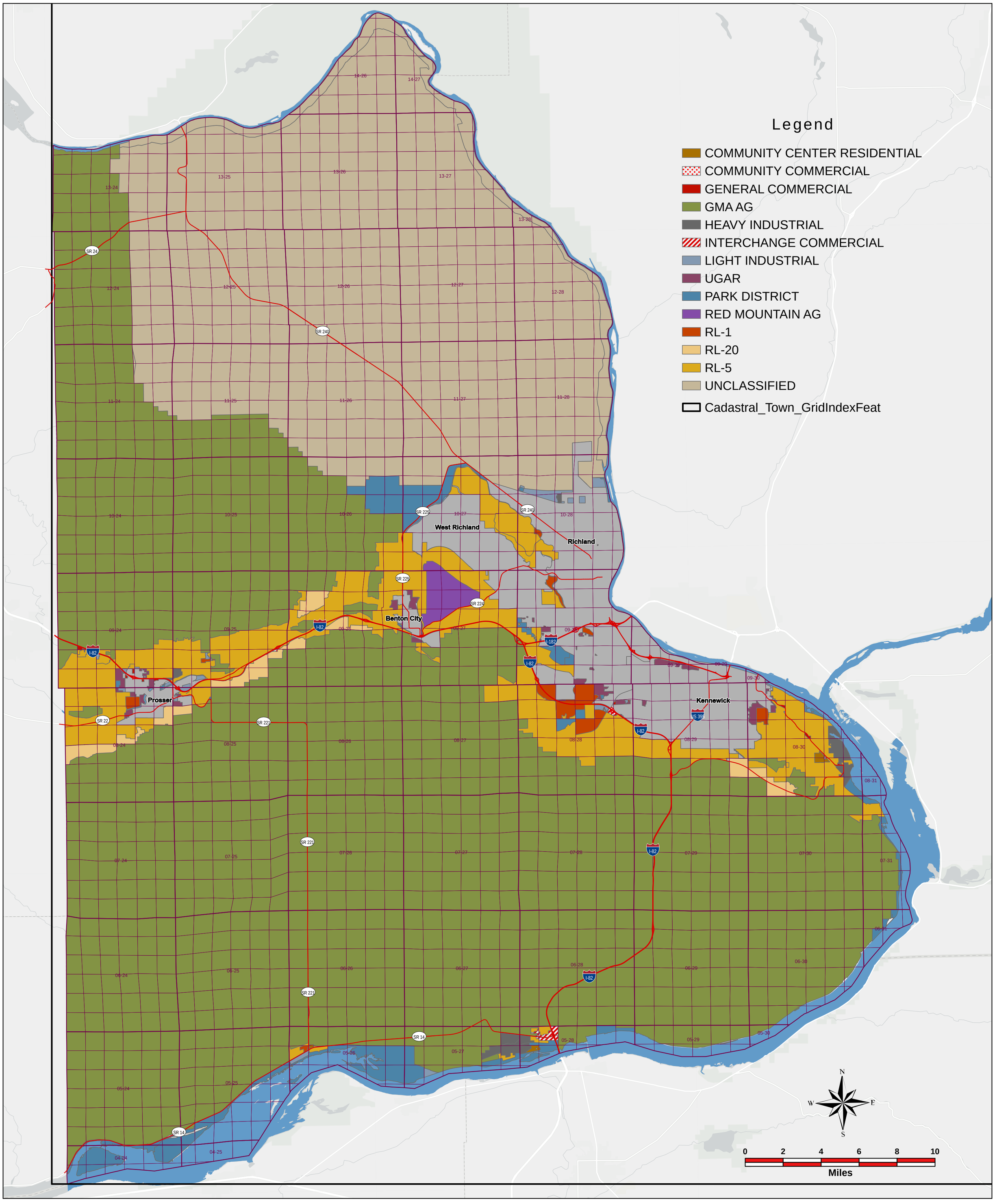
OFFICIAL ZONING MAP *

Effective *

WE HEREBY CERTIFY THAT THIS MAP CONSTITUTES THE OFFICIA; ZONING MAP AS APPROVED BY ORDINANCE #_____ OF THE BOARD OF COUNTY COMMISSIONERS AND SIGNED BY ITS CHAIRMAN.

DATED THIS *

BY _____ **ATTEST** _____
CHAIRMAN OF THE BOARD **CLERK OF THE BOARD**



This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map * adopted by Ordinance * * Map Printed:

PCM 1.15



Shrubsteppe habitat in Benton County, 2025

FINAL DRAFT Benton County Shrubsteppe Mitigation Program Description

September 24, 2026 Version

Program Purpose and Need

The Growth Management Act (the GMA) establishes no net loss (NNL) of ecological functions and values as a fundamental requirement for local land use planning. WAC 365-190-080(1) states:

> "Counties and cities required or opting to plan under the [GMA] must consider the definitions and guidelines in this chapter when designating critical areas and when preparing development regulations that protect all functions and values of critical areas to ensure **no net loss of ecological functions and values**."

The County and cities in Benton County, consistent with the GMA, are required to mitigate impacts from removal or degradation of shrubsteppe habitat when developed. Per the Washington Department of Fish and Wildlife (WDFW), shrusteppe is[1]:

> *"a nonforested vegetation type consisting of one or more layers of perennial bunchgrasses and a conspicuous but discontinuous layer of shrubs. Although Big Sagebrush is the most widespread shrubsteppe shrub, other dominant (or co-dominant) shrubs include Antelope Bitterbrush, Threetip Sagebrush, Scabland Sagebrush, and Dwarf Sagebrush. Dominant bunchgrasses include (but are not limited to) Idaho Fescue, Bluebunch Wheatgrass, Sandberg Bluegrass, Thurber's Needlegrass, and Needle-and-Thread. Sites can also have a layer of algae, mosses, or lichens. In areas with greater precipitation or on soils with higher moisture-holding capacity, shrubsteppe can also support a dense layer of forbs (i.e., broadleaf herbaceous flora). Shrubsteppe contains various habitat features, including diverse topography, riparian areas, and canyons. Another important component is habitat quality (i.e., degree to which a tract resembles a site potential natural community), which may be influenced by soil condition and erosion; and the distribution, coverage, and vigor of native shrubs, forbs, and grasses. At more disturbed sites, non-natives such as Cheatgrass or Crested Wheatgrass may be co-dominant species. Fire disturbance is an ecological component of shrubsteppe. Shrubsteppe disturbed by fire may lack the aforementioned habitat components during periods of post-fire recovery."*

If mitigation of shrubsteppe impacts cannot be accomplished onsite then offsite, compensatory mitigation is required. Additionally, the US Department of Energy and Pacific Northwest National Laboratory (PNNL) may also have mitigation needs for development in north Richland and the adjoining southern portion of the Hanford Nuclear Reservation.

In recent years, several different approaches for addressing shrubsteppe mitigation requirements offsite have been utilized in Benton County, including payments for the acquisition of mitigation lands to WDFW, developers seeking out and purchasing their own mitigation properties, and more recently, the cities of Kennewick and Richland, and PNNL contracting with the Benton

[1] WDFW Priority Habitats and Species List;
https://wdfw.wa.gov/sites/default/files/publications/00165/wdfw00165.pdf

Conservation District (Benton CD) to secure mitigation lands either through conservation easement or land acquisition. Mitigation required under these efforts has varied.

In light of this recent history, Benton County recognized the need for regional consistency for shrubsteppe mitigation and assigned White Bluffs Consulting and AC Geo, the consultant team leads for the County's 2026 Comprehensive Plan and development regulations update, to complete the following activities as part of this process:

- Forecast mitigation needs within the County, organized by each city, its respective UGA and the unincorporated area of the County
- Evaluate shrubsteppe habitat quantity and quality in Benton County
- Identify landowners of potential mitigation properties for conservation
- Investigate organizations (e.g. land trust) might be interested in partnering with the County and perpetually holding mitigation lands
- Identify options for a more regional and consistent mitigation solution to support expected development in the County for at least the next 20 years.
- Develop a draft and final program that describes a consistent regional approach for identifying and applying mitigation requirements, tailored to conditions in Benton County based on best available science
- Support coordination with the cities, WDFW, Benton CD and others during program development, to ensure the program has been thoroughly vetted with these partners and supported.

Demand Projections for Mitigation Land for Next 20 Years

Each city, the County, and PNNL have identified areas with associated acreages that they expect to be developed over the next 20 years (through 2046). These areas were intersected with shrubsteppe data sets to identify gross acres that may require mitigation for this time period, as summarized in Table 1.

Table 1 – Twenty-Year Shrubsteppe Acreage Impact Estimate by Jurisdiction

Jurisdictions	City	UGA	Total	Percent of Total
Benton City	7	3	10	0.16%
Prosser	103	6	109	1.77%
West Richland	134.0	0.4	134.4	2.16%
Richland	954	47	1,001	16.08%
Kennewick	1,076	6	1,082	17.38%
Benton County	—	—	3,889	62.47%
Grand Total	**2,274.0**	**62.4**	**6,225**	**100%**

The acreages in Table 1 provide a high end estimate of shrubsteppe impacts, since some impacts are expected to be avoided on-site and shrubsteppe extent may be overestimated in the PHS dataset. Using the estimated acres of shrubsteppe impact in each jurisdiction, further projections were made based on the quality and spatial priority of shrubsteppe in areas that are expected to be developed, as informed by Benton CD model of habitat quality, as described above. Estimates are expected to be reviewed and updated by the County and cities approximately every 5 years.

Developing the Technical Basis for the Mitigation Program

The mitigation program is built on a dual framework that evaluates both the **habitat quality** (ecological functions) and the **spatial priority** (conservation values) of shrubsteppe habitat in Benton County. This framework relies on several key datasets to evaluate both potential impacts to shrubsteppe and potential mitigation properties. The key datasets include:

- Shrubsteppe quality model developed by the Benton Conservation District
- WDFW PHS Shrubsteppe Habitats and Biodiversity Areas and Corridors
- WSRRI Xeric Habitat Spatial Priority Data
- Shrubsteppe prioritization model developed by the Benton Conservation District

Shrubsteppe Biodiversity Potential Model to Evaluate Shrubsteppe Quality

Staff from the Benton CD developed the Shrubsteppe Biodiversity Potential (SSBP) model to provide a landscape-scale indication of shrubsteppe habitat quality, ecological function, and resilience. The model integrates LANDFIRE fuel models; Multi-Resolution Land Characteristics (MRLC) Rangeland Condition, Monitoring, Assessment and Projection) (RCMAP) fractional-cover data for annual and perennial herbaceous vegetation, sagebrush, other shrubs, trees, bare ground, and litter; and the Washington Department of Natural Resources Ecological Integrity Assessment framework for upland ecosystems. It also incorporates WDFW species-specific occurrences, PHS shrubsteppe and eastside steppe habitat, Columbia Plateau Biodiversity Areas and Corridors, WSRRI Xeric and Mesic landscape priorities, Arid Lands Initiative cores and linkages, conservation and public-access priorities, agricultural land-use and field-boundary data, possible CRP and fallow lands, parcels, and urban growth boundaries. Model development also incorporated Benton Conservation District staff knowledge of known high-quality shrubsteppe and field-based ground-truthing of mapped conditions.

The model provides an initial County- and city-scale assessment of habitat condition and potential restoration or conservation opportunity. Site- or parcel-specific conditions must still be verified through field evaluation by a qualified professional. Model results are used with WSRRI and other spatial-priority information to identify mitigation opportunities that combine habitat quality with landscape importance, including locations within Core Areas, Growth Opportunity Areas, Corridors, and other habitat areas.

Washington Shrubsteppe Restoration and Resilience Initiative (WSRRI) Spatial Priority Data

The Washington Shrubsteppe Restoration and Resilience Initiative (WSRRI) provides spatial data to guide habitat protection, restoration, and investment. Its strategy focuses on protecting high-quality core habitat, expanding those cores into adjacent areas, and maintaining connections between them. This analysis relies primarily on the WSRRI Dry (Xeric) ecosystem dataset, which identifies priority areas within sagebrush and perennial grassland habitats. WSRRI also includes separate spatial priorities for Wet (Mesic) ecosystems and Greater Sage-grouse habitat. Within each of these three targets, WSRRI classifies Xeric habitats into four spatial designations:

- **Core Areas**: Large, high-quality, intact habitat blocks essential for long-term conservation and ecological resilience.
- **Growth Opportunity Areas** (GOAs): Moderately degraded habitat with high restoration potential, typically adjacent to Core Areas.
- **Corridors**: Areas that facilitate wildlife movement and genetic exchange between Cores and GOAs, helping to maintain ecological connectivity.
- **Other:** Habitat outside of the above designations — often more isolated or degraded, but still ecologically valuable.

This spatial hierarchy is used to determine the relative conservation value of both impacted areas and mitigation areas. In Benton County, the dry (xeric) ecosystem layers are used for analysis of shrubsteppe impacts and prioritization of restoration properties, while the mesic and sage grouse data may be used in a supplemental context.

WDFW Priority Habitats and Species (PHS) Shrubsteppe

The PHS shrubsteppe data provides a general view of where shrubsteppe habitats are likely located. While this is not a precise survey of shrubsteppe presence/absence, it provides a planning tool used in land use decisions to flag areas that require a site-specific evaluation. PHS data is a primary tool used by land use planners in reviewing the potential impacts of proposed developments on priority habitats, such as shrubsteppe. PHS shrubsteppe data was used to identify spatial extent of shrubsteppe habitat within each jurisdiction in Benton County. The PHS shrubsteppe areas included both "Presumptive Shrubsteppe" and "Shrubsteppe" areas.

Additionally, the WDFW Priority Habitats and Species (PHS) dataset identifies Biodiversity Areas and Corridors (BACs), which highlight regionally important intact landscapes that support core habitat and wildlife movement. BACs are also used in combination with WSRRI to determine spatial priority of shrubsteppe impacts.

20-Year Forecast of Potential Impacts for Each Jurisdiction

The analysis used the latest PHS shrubsteppe dataset available as of September 2025 to inventory the total acres of shrubsteppe that could potentially be impacted by future development. Potential impact acreage was calculated based on current land use designations within Benton County and its cities. The analysis included lands within city limits and Urban Growth Areas (UGAs), as well as Rural Community Centers and lands designated Heavy Industrial, Light Industrial, or RL-5 in unincorporated Benton County. The PHS shrubsteppe dataset was then intersected with the Benton County WSRRI/BAC datasets to characterize the full potential impact area within each jurisdiction and countywide. Results were organized by the four WSRRI categories and by "Other PHS Shrubsteppe," representing PHS-mapped shrubsteppe that does not overlap a WSRRI/BAC category, as shown in Table 2 and Figures 1 and 2.

Over the next 20 years, approximately 6,226 acres of shrubsteppe could be impacted by forecasted development, with 1,528 acres of potential impact over the next 5- years. These figures provide a high end estimate of potential impacts because the WDFW PHS shrubsteppe data tends to overestimate shrubsteppe extent, and a portion of potential shrubsteppe impacts would typically be avoided on-site. The summary also shows that approximately 79% of the forecasted shrubsteppe impacts occur within "WSRRI Other" or "Other PHS Shrubsteppe".

Table 2: Forecast Shrubsteppe Impacts by Jurisdiction & WSRRI Xeric Spatial Priority Area/PHS Biodiversity Areas & Corridors

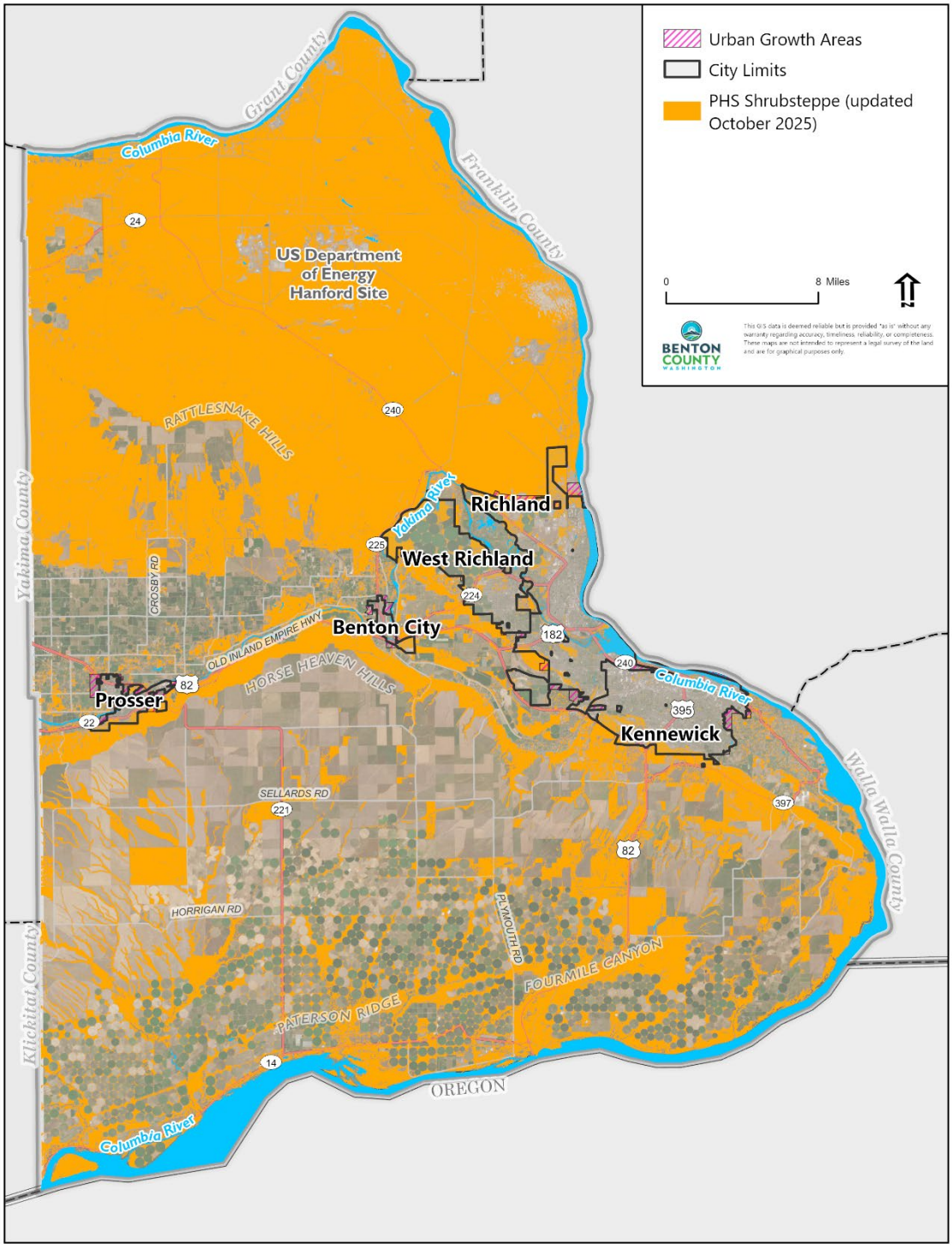
Jurisdictions	20-Year Impacts (Acres)	5-Year Impacts (Acres)	Percent
Benton City (City & UGA)	**10**	**2.50**	0.16%
Other PHS Shrubsteppe	10	2.50	0.16%
Prosser (City & UGA)	**109**	**27.50**	1.75%
WSRRI/BAC Corridor	21	5.25	0.34%
WSRRI Other habitat	53	13.25	0.85%
Other PHS Shrubsteppe	35	9.00	0.56%
West Richland (City & UGA)	**134**	**5.00**	2.16%
Other PHS Shrubsteppe	134	5.00	2.16%
Richland (City & UGA)	**1,001**	**250.00**	16.08%
WSRRI/BAC Corridor	218	54.50	3.50%
WSRRI Other habitat	165	41.25	2.65%
Other PHS Shrubsteppe	618	154.25	9.93%
Kennewick (City & UGA)	**1,082**	**270.75**	17.38%
WSRRI/BAC Corridor	2	0.50	0.03%
WSRRI Other habitat	667	166.75	10.71%
Other PHS Shrubsteppe	413	103.50	6.63%
Unincorporated Benton County	**3,889**	**972.25**	62.47%

WSRRI/BAC Core Area	241	60.25	3.87%
WSRRI/BAC Corridor	815	203.75	13.09%
WSRRI Growth Opportunity Area	42	10.50	0.67%
WSRRI Other habitat	1,194	298.50	19.18%
Other PHS Shrubsteppe	1,597	399.25	25.65%
Grand Total	**6,225**	**1,528**	100.00%

NOTES:

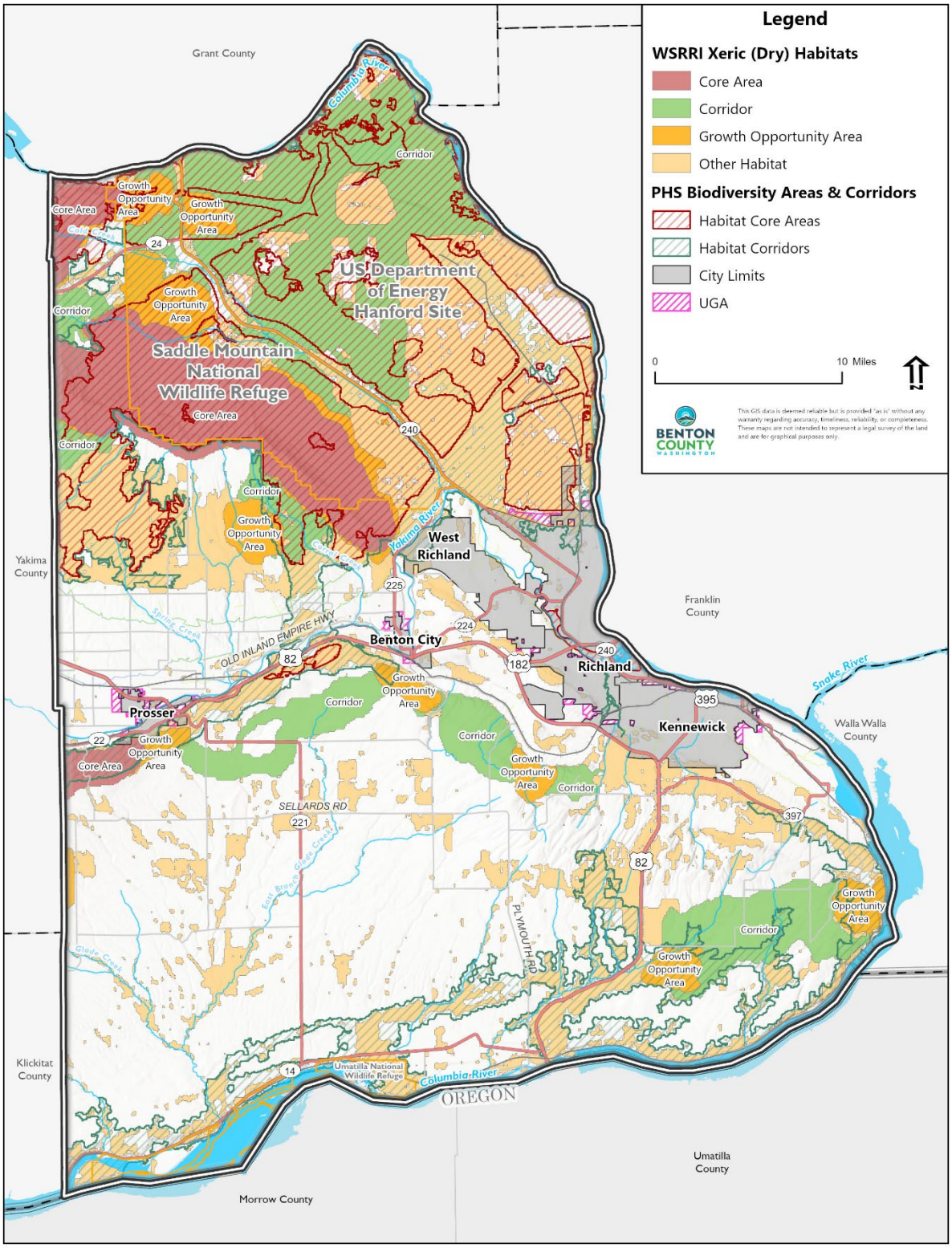
1. Totals include both PHS "Shrubsteppe" and "Presumptive Shrubsteppe"
2. "Other PHS Shrubsteppe" is shrubsteppe that does not fall within one of the WSRRI or PHS BAC spatial priority areas.

Figure 1: WDFW PHS Shrubsteppe



Mapped shrubsteppe extent provides a generalized estimate of shrubsteppe area. Some areas have already been developed or have other landcover types.

Figure 2: Shrubsteppe Spatial Habitat Area (PHS and WSRRI)



To provide an initial indication of the quality of shrubsteppe habitat areas that could be impacted by future development, the Benton CD shrubsteppe habitat quality model was intersected with the PHS and WSRRI shrubsteppe data sets. Habitat quality scores were generalized to range from 1(poor) to 4 (high), with a higher value indicating higher habitat quality/ecological function. A summary of the quality and spatial priority of forecasted shrubsteppe impacts within each jurisdiction is included in Table 3.

Table 3: Shrubsteppe Quality & Spatial Priority– 20 Year Impact Forecast

Quality: / Jurisdictions	Poor 1	Moderate 2	Good 3	High 4	Total	%
Benton City (City & UGA)	0.11	0.42	9.47	—	10	0.2%
Other PHS Shrubsteppe	0.11	0.42	9.47	—	10	0.2%
Prosser (City & UGA)	—	27	82	—	109	1.8%
WSRRI Corridor	—	6	15	—	21	0.3%
WSRRI Other habitat	—	11	42	—	53	0.9%
Other PHS Shrubsteppe	—	10	25	—	35	0.6%
West Richland (City & UGA)	3	19	107	5	134	2.2%
Other PHS Shrubsteppe	3	19	107	5	134	2.2%
Kennewick (City & UGA)	5.20	213	783	80.80	1,082	17.4%
WSRRI Corridor	—	1	1	—	2	0.0%
WSRRI Other habitat	0.20	102	513	51.80	667	10.7%
Other PHS Shrubsteppe	5	110	269	29	413	6.6%
Richland (City & UGA)	10.13	158	725	107.87	1,001	16.1%
WSRRI Corridor	0.13	18	169	30.87	218	3.5%
WSRRI Other habitat	—	10	134	21	165	2.7%
Other PHS Shrubsteppe	10	130	422	56	618	9.9%
Benton County	23.13	600	3,122.87	143	3,889	62.5%
WSRRI Core Area	0.13	45	195.87	—	241	3.9%
WSRRI Corridor	4	107	682	22	815	13.1%
WSRRI Growth Opportunity Area	—	5	37	—	42	0.7%
WSRRI Other habitat	3	152	980	59	1,194	19.2%
Other PHS Shrubsteppe	16	291	1,228	62	1,597	25.7%
Grand Total	**41.57**	**1,017.42**	**4,829.34**	**336.67**	**6,225**	**100.0%**
	1%	16%	78%	6%	100%	

Table 4 summarizes the percentage of total forecasted shrubsteppe impacts associated with each combination of habitat quality and spatial priority. These percentages can be used to forecast mitigation needs by multiplying the total acreage of anticipated shrubsteppe impacts for a given period by the percentage assigned to each quality and spatial-priority combination.

Table 4: Overall Shrubsteppe Quality & Spatial Priority of Impacted Habitat

Quality: / Jurisdictions	Poor 1	Moderate 2	Good 3	High 4	Grand Total
WSRRI Core Area	-	0.7%	3.1%	-	3.9%
WSRRI Growth Opportunity Area	-	0.1%	0.6%	-	0.7%
WSRRI Corridor	0.1%	2.1%	13.9%	0.9%	17.0%
WSRRI Other habitat	0.1%	4.4%	26.8%	2.1%	33.4%
Other PHS Shrubsteppe	0.5%	9.0%	33.1%	2.4%	45.1%
Grand Total	**0.7%**	**16.3%**	**77.6%**	**5.4%**	**100.0%**

Notes:

1. >95% of forecasted shrubsteppe impacts occur within the green highlighted range

Review of Tables 3 and 4 indicates that the majority of forecasted shrubsteppe impacts occur within areas classified as "WSRRI Other" habitat and shrubsteppe areas outside of WSRRI/BAC priority designations. These areas generally represent more fragmented or degraded shrubsteppe relative to WSRRI/BAC Core Areas, Growth Opportunity Areas, and Corridors, though they may still support native vegetation and wildlife.

Approximately 17% of potential impacts occur within WSRRI/BAC Corridors, which represent landscapes that support wildlife movement and ecological connectivity between larger habitat blocks. In most cases, development in these corridor areas is expected to consist of lower-intensity rural or residential development, which may allow for greater opportunities for avoidance, clustering, retention of native vegetation, and other on-site mitigation measures that maintain some level of habitat function and connectivity.

Although many impacts occur in areas classified as "Other" habitat, these lands can still provide important ecological functions, including wildlife movement, seasonal habitat use, and opportunities for habitat restoration. For this reason, the County's mitigation approach focuses on offsetting impacts through restoration or protection of shrubsteppe habitat in areas with higher ecological value or restoration potential, consistent with the WSRRI spatial prioritization framework.

Mitigation Properties Spatial Priority and Quality Metrics

Potential mitigation parcels were identified and prioritized throughout the County through analysis of various habitat quality and spatial priority metrics using a model developed by the Benton Conservation District. Figure 3 shows the spatial priority and shrubsteppe quality values of potential mitigation properties in the County. Table 5 summarizes countywide potential shrubsteppe mitigation acreage, organized by quality and spatial priority.

Figure 3: Shrubsteppe Mitigation Parcel Prioritization

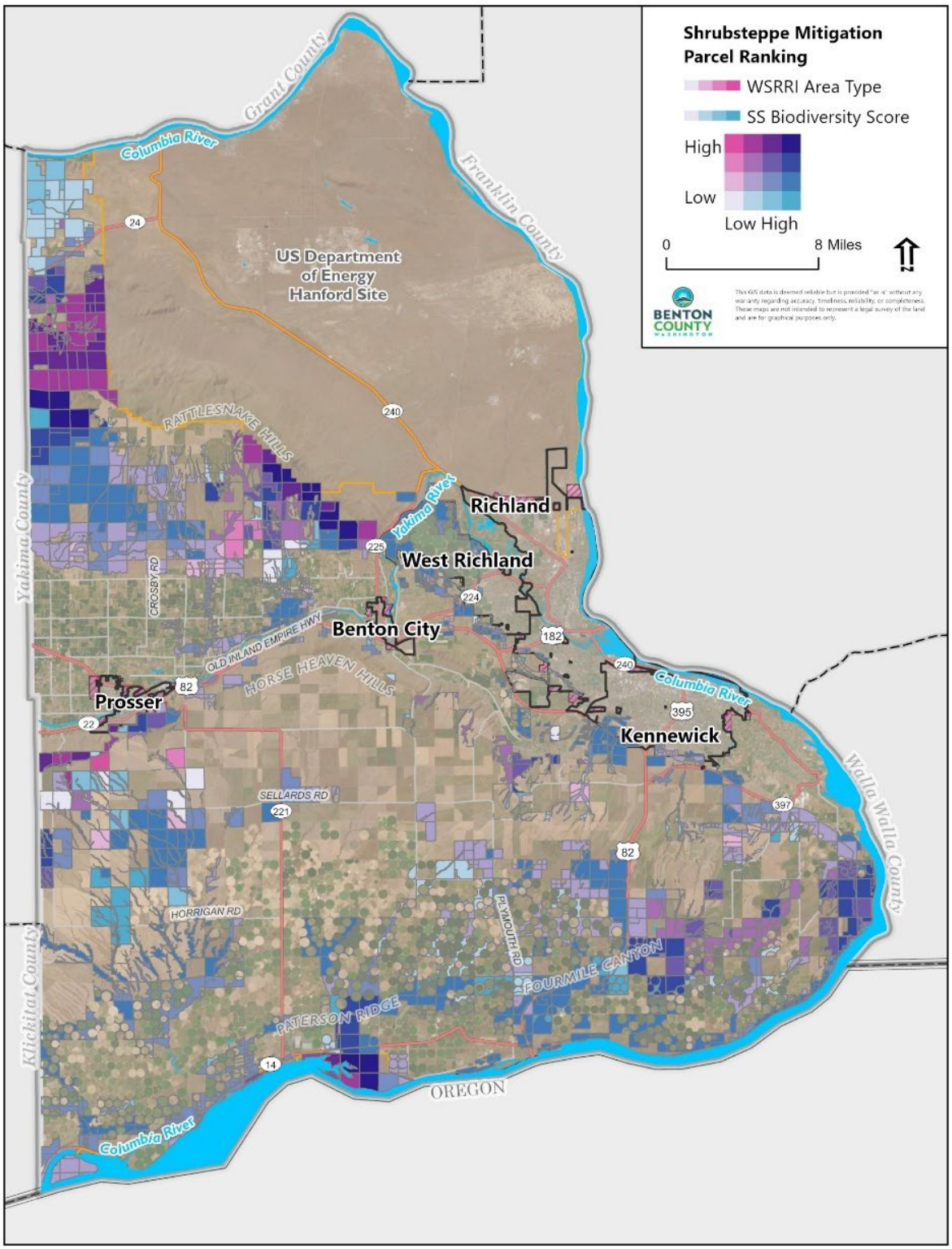


Table 5: Shrubsteppe Quality & Spatial Priority in Potential Mitigation Properties

WSSR/ BAC Spatial Priorities	Quality: Poor	Moderate	Good	High	Unknown	Total
Core Area	220	7,287	16,341	322	105	24,275
Growth Opportunity Area	38	3,497	9,789	311	494	14,130
Corridor	12	2,518	8,554	488	1,282	12,854
Other habitat	81	15,557	60,947	2313	6,316	85,214
Other PHS SS	139	5,115	16,874	451	5,603	28,184
Grand Total	**490**	**33,974**	**112,505**	**3,885**	**13,800**	**164,656**

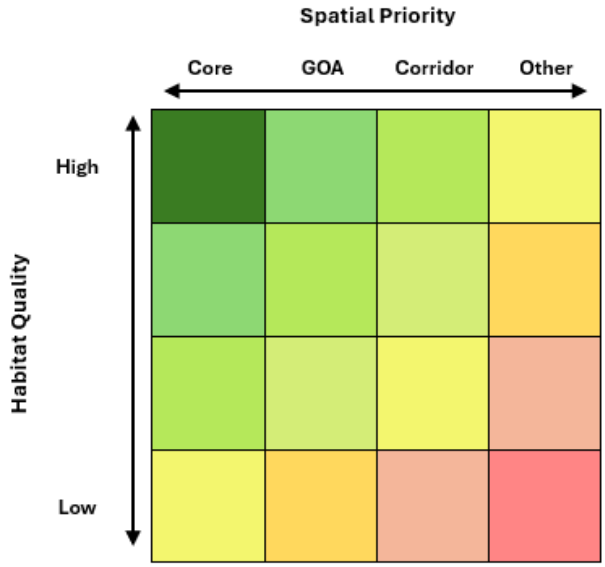
Translating Spatial and Habitat Quality Ratings into Debits & Credits

To establish a consistent and transparent method for evaluating impacts and mitigation, the program uses both **spatial priority** (where the site is located relative to core shrubsteppe and connectivity) and **ecological condition** (how well the site currently functions as shrubsteppe habitat). These two components are combined into a standardized credit/debit system.

- **Spatial Score:** Based on WSRRI ratings (e.g., Core, Connectivity, Restoration Opportunity), which identify the landscape priority of a site.
- **Function Score:** Based on the site's actual ecological condition, confirmed through field assessment. Several accepted methods may be applied:
    - **Ecological Integrity Assessment (EIA)** developed by the Washington Natural Heritage Program *(see Appendix for additional detail)*
    - **BLM AIM** (Assessment, Inventory, and Monitoring) *(see Appendix for additional detail)*
    - **WDFW PHS and other methods used by qualified professionals** for preparing critical area reports, that utilize principles consistent with EIA and BLM AIM but in a more streamlined approach.[2]
    - **Benton CD Shrubsteppe Quality Model,** with field verification and documentation in critical areas report.

[2] WDFW is developing a more streamlined shrubsteppe habitat assessment method, similar to a wetland rating form but adapted for shrubsteppe habitat conditions/functions, and this could be available for qualified professionals to use as early as 2027.

Figure 4: General Crediting Concept Based on Quality and Spatial Priority



Notes:

1. Core includes both WSRRI Xeric Core Areas and WDFW PHS Columbia Plateau Regional Biodiversity Areas.
2. Corridors include WSRRI Xeric Corridors and WDFW PHS Columbia Plateau Regional Biodiversity Corridors.

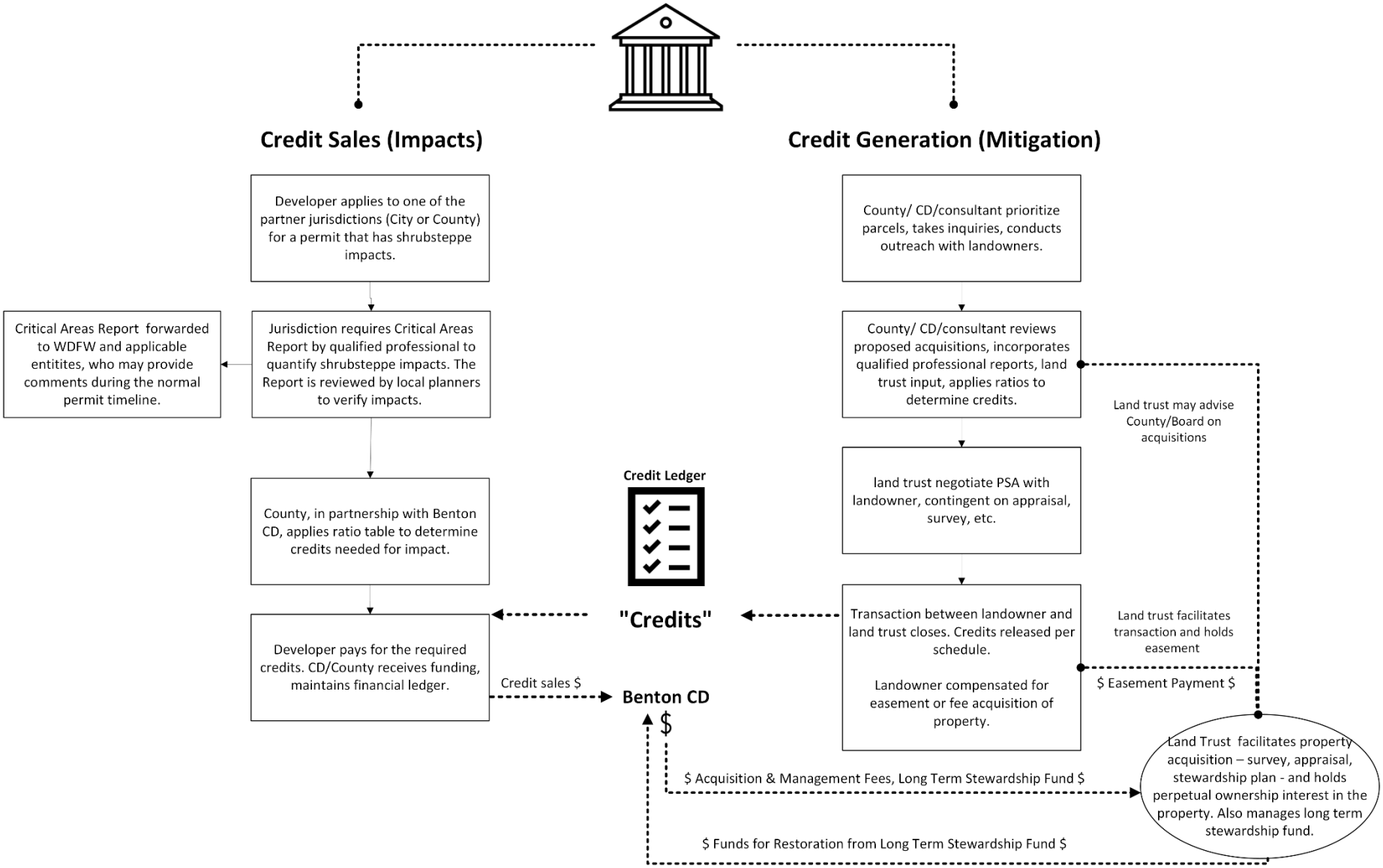
At the time of a development application with a potential to impact shrubsteppe habitat, the permitting jurisdiction (County/city) would provide this program description to the applicant to use in preparing a critical areas (CA) report (to be prepared by a qualified professional). The report would document observed shrubsteppe species and habitat features and confirm shrubsteppe habitat quantity and quality and WSRRI spatial ratings, incorporating applicable WDFW PHS recommendations.[3] (Note: This process assumes that the mitigation property and bank has been set up through a coordinated effort among the County, Cities, Benton CD and WDFW that includes mitigation property evaluation, credit establishment and monitoring and restoration strategy determined. Cost per credit would also be known at the time of application. This coordination process among the partners would occur each time a new property is brought into the bank and additional credits established).

Using the critical areas report, the permitting jurisdiction would determine the project's debit obligation and assign the required number of mitigation credits as a permit condition. The applicant would satisfy the obligation by purchasing those credits and providing verification to

[3] Threatened or endangered species presence and associated species-specific conditions to avoid or mitigate impacts may require additional permit conditions/requirements beyond shrubsteppe habitat loss mitigation.

the County or city. The applicant would satisfy the obligation by purchasing those credits and providing verification to the County or city.. See Figure 5 for a conceptual diagram of the impact and mitigation crediting process and the examples that follow to illustrate how the process might work.

Figure 5: Process Diagram

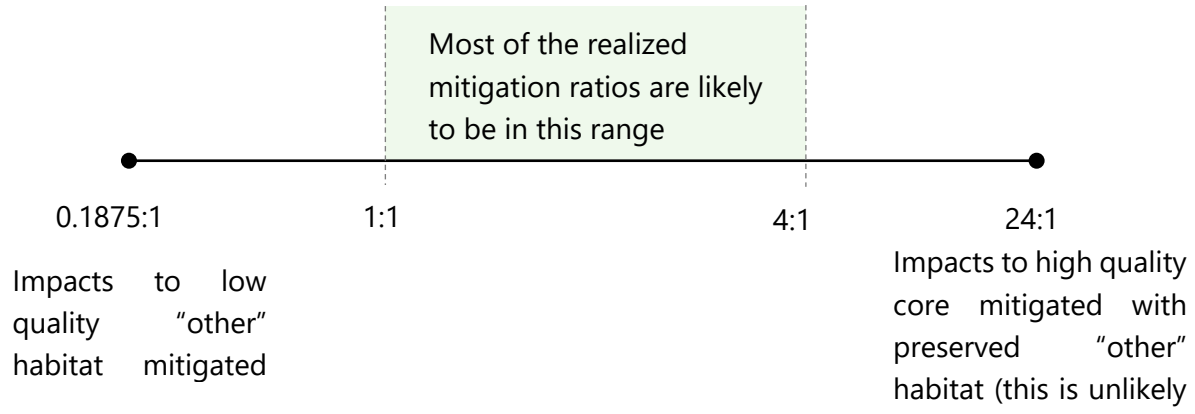


Calculating Impact and Mitigation Credits

Credits and debits are calculated independently based on the multipliers and formulas listed in Tables 6 & 7. An area of impacted shrubsteppe proposed for development is documented for habitat extent, quality and spatial priority through a qualified professional's CA report including associated WSRRI and PHS mapping to determine the appropriate multiplier. Some properties may have a range of quality or even spatial priorities, and these would be separated into sub-areas with varied multipliers applied. The overall process for determining and applying the applicable multipliers is:

1. **Initial screening**. Review PHS mapping, aerial imagery, and other available data to determine whether shrubsteppe may be present.
2. **Field assessment.** If shrubsteppe is present or reasonably suspected, a qualified professional delineates the habitat and documents its acreage, condition, and relevant features. The assessment should also document other known or observed priority species. However, the credit and debit framework described in this section addresses shrubsteppe habitat impacts only. Any species-specific avoidance, minimization, consultation, or compensatory mitigation requirements would be addressed separately through the applicable critical areas review and agency requirements.
3. **Assign spatial priority.** Use WSRRI, PHS, and other applicable data to classify each impact area. Areas with different classifications are evaluated separately.
4. **Assign habitat quality**. Classify each impact area using WDFW guidance, the Ecological Integrity Assessment, BLM AIM, or another scientifically valid method accepted by the County. Depending on the method that is used, qualified professional may need to convert the quality metric to the more general "High – Good – Moderate – Poor" categorization. Suggested conversions of BLM AIM and EIA quality metrics are included in Table 6.
   Calculate impact debits. Apply the quality and spatial multipliers to each assessment unit and sum the results to determine the total credits required.

The quality/spatial priority driven framework is designed to place greater mitigation obligations on impacts to higher-quality and higher-priority habitat, while directing mitigation toward strategically important sites, Mitigation credits also reflect the type of restoration activity appropriate for the bank property, as established by the baseline habitat quality at the site. The realized ratios resulting from the range from 0.1875:1 to 24:1, with recommended multipliers and ratios adapted from WDFW comments on previous versions of this program description, and Grant County mitigation banking guidance. Based on anticipated impact types and target mitigation properties, most realized ratios are expected to fall between 1:1 and 4:1.



Impact Debit Calculation

For shrubsteppe impacts, acres are multiplied by quality and spatial priority to account for both the ecological condition and landscape value of the habitat being lost. The habitat quality factor is determined via a site assessment using the WDFW PHS (as described in future guidance), BLM, or EIA methods. The spatial priority is determined based on the WSRRI or PHS spatial priority of the habitat. The formula to calculate impact debits would be:

Impact Debits Generated = Impact Acres × Quality Factor × Spatial-Priority Factor

Table 6: Impact and Spatial Priority Multipliers

BLM AIM Departure from Reference	EIA Score	Generalized Habitat Quality	Factor
None	A	High	1.00x
Slight to moderate	B	Good	0.75x
Moderate	C	Moderate	0.50x
Extreme	D	Poor[4]	0.375x

Spatial priority	Factor
WSRRI/PHS BAC Core Area	4x
WSRRI Growth Opportunity Area	3x
WSRRI/ PHS BAC Corridor	2x
WSRRI Other habitat/not mapped	1x

[4] An evenly stepped factor would be .25x, however, this was boosted to lift the lower-end mitigation ratios.

Credit (Mitigation) Calculation

For mitigation sites, acres are adjusted based on the type of mitigation activity and the spatial priority of the site. The framework is activity-based because the existing condition of a mitigation site, measured relative to its Natural Range of Variation (NRV), determines the action needed to maintain or improve ecological function. Sites substantially below NRV may require shrubsteppe reestablishment or rehabilitation, while sites at or near NRV may be more appropriate for enhancement, resilience measures, or preservation. This approach ties credit generation to the expected ecological benefit of the proposed action rather than assigning credits based solely on the site's existing quality.

The activity factor reflects the relative level of intervention and ecological uplift associated with reestablishment, rehabilitation, preservation with enhancement and resilience measures, or preservation only. The spatial-priority factor reflects the landscape value of completing mitigation within Core Areas, Growth Opportunity Areas, Corridors, or Other habitat.

The formula for calculating mitigation credits is:

Credits Generated = Mitigation Acres ÷ Activity Factor × Spatial-Priority Factor

Table 7: Mitigation Activity and Spatial Priority Multipliers

Existing Site Condition	Mitigation activity	Factor
Poor (<60% of NRV)	Reestablishment	2:1
Moderate (60–89% of NRV)	Rehabilitation	3:1
Good - High (≥90% of NRV)	Preservation with enhancement & resilience mechanisms[5]	4:1
Good – High ≥90% of NRV	Preservation only	6:1

Spatial priority	Factor
WSRRI/PHS BAC Core Area	4x
WSRRI Growth Opportunity Area	3x
WSRRI/PHS BAC Corridor	2x
WSRRI Other habitat/not mapped	1x

[5] *Preservation with enhancement & resilience mechanisms* refers to preservation through a conservation easement along with long term funding dedicated to restore the property if it is damaged in the future (eg. Wildfire), and other targeted long-term maintenance and resilience actions (eg. Invasive species control). This provides functional lift by increasing the probability that that site functions will exist over time.

Potential Realized Mitigation Ratios

The 16 possible debit classifications and 16 possible credit classifications produce 256 potential ratio combinations, ranging from approximately **24:1** to less than **0.20:1** (neither of these cases is expected to be realized based on the quality of shrubsteppe likely to be impacted and the targeted mitigation sites). Actual realized ratios are expected to fall within a narrower range between 1:1 and 4:1, based on the location of forecasted impacts and prospective mitigation sites. The full range of possible realized mitigation ratios is shown in Appendix C.

5-Year Mitigation Need Based on Forecasted Impacts

Using the 1,528 acres of potential shrubsteppe impacts forecast over the next five years, together with the spatial priority and estimated habitat quality of those impact areas, the County can estimate the total mitigation acreage required under the proposed ratio framework. The most likely mitigation-bank scenarios involve restoration or preservation (with enhancement and long-term resilience measures) within Growth Opportunity Areas or Corridors. The required acres to offset the 1,528 acres of forecasted impacts using each mitigation type are shown below:

Mitigation Scenario	5-Year Mitigation Acres Required
GOA Restoration	1,429 acres
GOA Preservation with enhancement & resilience mechanisms	1,906 acres
Corridor Restoration	2,148 acres
Corridor Preservation with enhancement & resilience mechanisms	2,858 acres

The actual mitigation need is likely to be lower than the estimates shown above. Consistent with mitigation sequencing, a portion of the forecasted impacts are expected to be avoided or minimized through project design and therefore would not require off-site compensatory mitigation. An example of the mitigation credit ledger showing both impacts and mitigation is shown in Appendix C – Mitigation Bank Ledger Example

Rationale for Mitigation Framework and Ratios

The mitigation ratios are structured to meet key ecological and implementation objectives through the following:

- **Assigns greater mitigation obligations to impacts affecting higher value shrubsteppe.** Impacts to higher-quality habitat and areas with greater landscape importance generate more debits, creating an incentive structure that encourages avoidance and minimization of impacts to the most ecologically valuable shrubsteppe.

- **Applies activity-specific ratios that account for the type of mitigation action**. Ratios are calibrated to reflect the expected functional lift and relative ecological value of each action, with greater credit assigned to actions that improve habitat condition and achieve a net ecological benefit.
- **Prioritizes protection of higher-quality habitat in areas of broader ecological significance** (WSRRI & BAC), directing mitigation to locations that provide the greatest regional habitat value, in alignment with State priorities and initiatives such as the Washington Habitat Connectivity Action Plan.
- **Strongly disincentivizes use of non-functional or very poor-quality habitat for mitigation** unless restoration to higher quality occurs, preventing low-value habitat from being used to offset meaningful impacts.
- **Supports transparent and adaptable implementation.** The decoupled framework allows impact areas and mitigation units with different conditions to be evaluated separately and can be updated as WDFW guidance, monitoring results, and banking experience evolve. This maintains transparency and simplicity during program implementation.

Worked Examples

The following worked examples illustrate how impact and mitigation would be credited under the proposed framework. Benton County has also developed a mitigation calculator that can be used to perform example calculations.

Example 1 — Debit. A development would impact 10 acres of "Good" quality (EIA Score B) habitat within a WSRRI "Corridor". The formula is 10 acres × 0.75 ("Good" quality multiplier) × 2 ("Corridor" spatial priority multiplier) = 15 credits required

Example 2 — Credit. A mitigation project would reestablish 6 acres of "Poor" quality habitat within a WSRRI "Core Area" and restore it to "High" quality. The formula is 6 acres ÷ 2 (reestablishment ratio) × 4 ("Core Area" spatial-priority multiplier) = **12 credits generated**.

Example 3 — Full transaction. A development would impact 10 acres of "Poor" quality habitat within a WSRRI "Other" area. The formula is 10 acres × 0.375 ("Poor" quality multiplier) × 1 ("Other" spatial-priority multiplier) = **3.75 credits required**. The impact would be offset by reestablishing 2.5 acres of shrubsteppe within a WSRRI "Core Area." The formula is 2.5 acres ÷ 2 (reestablishment ratio) × 4 ("Core Area" spatial-priority multiplier) = **5 credits generated**. The mitigation obligation would be satisfied, with **1.25 credits remaining**.

Accounting for Restoration/ Enhancement

Preservation through a conservation easement provides the baseline protection for each mitigation property. Additional credits may be generated through preservation with enhancement, rehabilitation, or reestablishment. The applicable activity will be determined based

on existing site condition, expressed as poor, moderate, good, or high quality, or as the degree of departure from the Natural Range of Variability (NRV), as shown in Table 7.

A restoration and management plan will establish the proposed activities, success criteria, monitoring requirements, adaptive management provisions, and credit-release schedule. This approach ties credit generation to existing condition, the mitigation activity performed and demonstrated functional lift rather than assuming restoration to a uniform reference condition.

Additionally, a long-term stewardship fund will be established for each mitigation property to support ongoing monitoring, maintenance, adaptive management, and response to unforeseen impacts such as wildfire, invasive species, vandalism, or fence damage. The fund will be capitalized as part of the mitigation cost and remain dedicated to maintaining the property's habitat functions and values over time.

Mitigation Credit Ledger

All impacts and mitigation activities within the program are tracked using a centralized debit and credit ledger, which functions as the program's official accounting system. Each recorded entry converts impacted acres into debits with credits applied using the ratios prescribed per Tables 6 and 7. The ledger maintains a running balance of available, pending, and released credits for each mitigation banked property, ensuring transparency and consistency across transactions. Credits are available for purchase by a developer once a conservation easement with restoration plan is place and total mitigation bank costs for the property, including restoration or enhancement costs are known. Internal to the bank, credits from restoration are released to the bank as described above. This approach allows the program to maintain a clear, auditable record of credits and ensures that all mitigation obligations are properly accounted for over the lifetime of the program. The County has developed a conceptual version of the debit/credit ledger, as illustrated in Appendix C.

Credit Release Staging

Credit release for mitigation is tied to verified conditions. While projects that only involve preservation are discouraged, if they were to occur, they will release 100% of the credits when the transfer of ownership interest closes. Mitigation projects that include restoration activities will have multiple credit release stages tied to the preservation and restoration outcomes. The schedule below outlines the suggested conditions under which credits are released for an acquisition and restoration project, ensuring that credits correspond to measurable outcomes.

Credit Release Schedule:

Stage	Credit Release Condition	Credits Released
1	Conservation easement secured	50%
2	Activity-specific implementation/restoration completed and long-term stewardship fund fully established	25%
3	Follow-up EIA/AIMs/other habitat assessment after 3-5 years shows progress toward quality benchmarks and anticipated functional lift.	25%

Establishing Per Credit Cost

Mitigation credit costs are under development and will be specific to the actual mitigation properties permanently protected and the associated restoration activities. Credit costs will be established prior to this program being launched, which is expected in 2027. Cost factors include land survey, baseline conditions report, conservation easement terms and conditions, restoration plan and implementation, ongoing stewardship, and ongoing administration expenses.

Benton County and Partners, and Mitigation Landholder Roles and Responsibilities

The Benton CD modeling was used to identify high-quality candidate properties and preliminary contact has been made with some landowners regarding potential participation in the program. The County is in discussions with a land trust that would serve as the holder of ownership rights is responsible for ensuring that mitigation properties provide lasting conservation benefits. Ownership rights may be secured through fee-simple acquisition or conservation easements, both of which permanently protect the property and generate mitigation credits for the program. Additional credits may also be secured through rehabilitation and re-establishment of shrubsteppe, which will also require monitoring and maintenance. The land trust organization would partner with the Conservation District for baseline habitat conditions assessment, restoration planning and implementation and potentially other areas of support, as needed. A responsible, accountable, consulted and informed (RACI) matrix was developed to outline the various roles and responsibilities for various program development and implementation efforts, as provided in Appendix B.

Grazing and Other Land Use on Mitigation Properties

Grazing and other vegetation or land management practices may be used as tools to achieve desired conservation outcomes on mitigation properties. Their application should be evaluated in developing the restoration plan and stewardship strategy for the mitigation property and desired management measures to meet habitat function goals.

Mitigation Bank Establishment and Program Management

Discussion is ongoing among partner entities (County/Benton CD/land trust) to determine various roles and responsibilities. Some responsibilities, as described above, are better understood, while others are still being confirmed. Once the results from these discussions are finalized, then they will be documented in an updated version of this program description. The current understanding of roles and responsibilities are summarized in the responsible, accountable, consulted and informed (RACI) matrix was developed to outline the various roles and responsibilities for various program development and implementation efforts, as provided in Appendix C.

Monitoring and Adaptive Management

Because this is a new program that is still under development and brings together new partners, responsibilities, and procedures, adaptive management and ongoing program refinement should be expected. Program participation, implementation costs, administrative procedures, and effectiveness in achieving no net loss of shrubsteppe ecological functions will be monitored and reviewed at least annually in coordination with program partners. This programmatic review will include a comprehensive evaluation of mitigation properties, available and used credits, restoration and stewardship performance, monitoring results, and any emerging implementation issues. Recommended adjustments to ratios, procedures, roles, monitoring requirements, or other program components may be identified and incorporated as appropriate.

The program is also being developed and implemented in advance of WDFW's updated shrubsteppe habitat protection and mitigation guidance due to Growth Management Act deadlines. Additional refinements may therefore be necessary once that guidance and associated management recommendations are finalized.

Monitoring and adaptive management will also be incorporated into the long-term restoration, enhancement, and stewardship of individual mitigation properties. Monitoring results will be used to evaluate whether performance standards are being met and to identify corrective actions or changes in management where needed.

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Appendix A

Habitat Assessment Methods

Ecological Integrity Assessment

The Ecological Integrity Assessment (EIA), developed by the Washington Natural Heritage Program, provides a science-based method for evaluating habitat condition. It uses a suite of standardized, habitat-specific metrics to assess key ecological attributes (KEAs), including native vegetation composition, invasive species presence, shrub structure, soil and hydrologic function, and vegetation structure and diversity.

Each metric is evaluated independently using a four-tiered rating system, with ratings based on how closely the site conditions align with the Natural Range of Variability (NRV). NRV values are derived from a separate local reference site that represents the best achievable ecological condition for the relevant habitat type. Ranks are converted to numerical values, weighted by ecological significance, and then aggregated to calculate a final ecological integrity score (Table 3). This score is translated into an overall site condition rank, as shown below.

Table. Ecological Integrity Assessment Scoring Framework. This table outlines how individual ranks (A–D) are numerically translated and averaged across Key Ecological Attributes (KEAs) to produce a final EIA score. The final score determines the overall site condition rank, which informs the appropriate mitigation activity. Metric scores are based on alignment with the Natural Range of Variability (NRV) established from a reference site.

Rank	Metric Score	KEA/Final Score
A	5	4.5-5.0
B	4	3.5-4.4
C	3	2.5-3.4
D	1	1.0-2.4

This standardized scoring system allows mitigation sites to be objectively evaluated and compared across landscapes and projects.

BLM AIMs Rating System

The **BLM AIMs Score** is a standardized ecological rating based on the Bureau of Land Management's (BLM) **Assessment, Inventory, and Monitoring (AIM)** strategy. AIM is a framework used across the western U.S. to collect standardized data on the condition of public lands.

This score describes how much a site has departed from its "reference condition," which represents the natural and resilient state of the ecosystem. The score is categorized into descriptive tiers:

- **Near Reference:** The site is functioning as expected with minimal human-caused alterations.
- **Slight Departure:** The site shows minor changes from its reference condition.
- **Moderate Departure:** The site exhibits significant changes in ecological attributes.
- **Extreme Departure:** The site's ecological functions and species composition are severely altered from the reference condition.

WDFW PHS Guidance

WDFW is developing updated guidance that is anticipated to include a simplified shrubsteppe quality-assessment protocol. Once published, that protocol could be incorporated into this framework as an additional County-approved method for assigning Poor, Moderate, Good, or High habitat-quality classifications.

Appendix B
Roles and Responsibilities for Program Administration

Benton County Shrubsteppe Mitigation Program — RACI Chart								
Task / Activity	Benton County	Cities (Kennewick, Richland, etc.)	White Bluffs Consulting / AC Geo	Benton Conservation District (CD)	Land Trust FORTERRA	WDFW	Developer / Applicant	Qualified Professional (General – not per CAO)
Lead program development and coordinate among jurisdictions	A	A	R	C	C	C		
Adopt and update program regulations (Critical Areas Ordinances)	R/A	R/A	C	C		C		
Establish and maintain governance structure	R/A	R/A	C	C	C	C		
Coordinate with WDFW on program design and requirements	A	A	R	C	C	C		
Mitigation properties evaluation	A	I	R	C	C	C		
Update 20-year demand projections every ~5 years	R	R		C		C		

Benton County Shrubsteppe Mitigation Program — RACI Chart								
Task / Activity	Benton County	Cities (Kennewick, Richland, etc.)	White Bluffs Consulting / AC Geo	Benton Conservation District (CD)	Land Trust FORTERRA	WDFW	Developer / Applicant	Qualified Professional (General – not per CAO)
Develop and maintain Shrubsteppe Biodiversity Potential (SSBP) model	I	C		R/A		C		
Maintain WSSRI spatial priority data and maps	C	C		C		R/A		
Maintain WDFW PHS shrubsteppe dataset	C	C		I		R/A		
Prioritize and map potential mitigation parcels	R	C		I	C	C		
Maintain centralized mitigation credit ledger	R/A	C		C	C	I		
Require critical areas (CA) report at time of development application	R/A	R/A				I		

Benton County Shrubsteppe Mitigation Program — RACI Chart								
Task / Activity	Benton County	Cities (Kennewick, Richland, etc.)	White Bluffs Consulting / AC Geo	Benton Conservation District (CD)	Land Trust FORTERRA	WDFW	Developer / Applicant	Qualified Professional (General – not per CAO)
Prepare Critical Areas / shrubsteppe impact report	I	I				I	A	R
Verify habitat quality and WSSRI spatial ratings in field	I	I				C	A	R
Calculate credits/debits required for development impacts	R/A	R/A				I	I	R
Establish permit conditions specifying mitigation obligation	R/A	R/A				I	I	
Draft generic (non-property specific) Mitigation Banking Instrument (MBI)	C/A	I		I	R			

Benton County Shrubsteppe Mitigation Program — RACI Chart								
Task / Activity	Benton County	Cities (Kennewick, Richland, etc.)	White Bluffs Consulting / AC Geo	Benton Conservation District (CD)	Land Trust FORTERRA	WDFW	Developer / Applicant	Qualified Professional (General – not per CAO)
Draft generic (non-property specific) Conservation Easement (CE)	R	I		C	R/A	C		
Identify and contact potential mitigation landowners	A	I	R	R	C	I/C		
Conduct property appraisal	A	I		C	R			R
Complete survey, Phase I ESA, habitat assessment, and baseline report	A	I		C/R (habitat)	R	C		R
Draft and execute Mitigation Banking Instrument (MBI) / legal documents	C/A	C		C	R	I		

Benton County Shrubsteppe Mitigation Program — RACI Chart								
Task / Activity	Benton County	Cities (Kennewick, Richland, etc.)	White Bluffs Consulting / AC Geo	Benton Conservation District (CD)	Land Trust FORTERRA	WDFW	Developer / Applicant	Qualified Professional (General – not per CAO)
Secure conservation easement or fee-simple acquisition	C/A	C		C	R	I		
Pay escrow, title insurance, and transaction costs	R/A	I			C			
Pay CE stewardship or MBI long-term reserve fees	R/A	I		C/R	C			
Release credits upon verified conservation easement / acquisition	R/A	I		I	I	I		
Release credits upon completion of restoration activities	R/A	I		C/R	I	c		R
Release final credits upon habitat quality benchmark verification	A	A		R	I	I		

Benton County Shrubsteppe Mitigation Program — RACI Chart								
Task / Activity	Benton County	Cities (Kennewick, Richland, etc.)	White Bluffs Consulting / AC Geo	Benton Conservation District (CD)	Land Trust FORTERRA	WDFW	Developer / Applicant	Qualified Professional (General – not per CAO)
Receive payment for credit purchases (TBD - pending agreement)	C	C		R	I	I	R	
Satisfy mitigation obligation by purchasing credits	C	C		R	I	I	R/A	
Plan and implement restoration/enhancement activities	A	I		R	R	C		R (if needed)
Conduct long-term stewardship of mitigation properties	A	I		C	R	C		
Monitor CE compliance and habitat condition (remote, 4 of 5 yrs)	I	I		C/R (5 yr)	R/A	C		
Manage MBI long-term reserve fund	I	I		C	R/A	I		

Benton County Shrubsteppe Mitigation Program — RACI Chart								
Task / Activity	Benton County	Cities (Kennewick, Richland, etc.)	White Bluffs Consulting / AC Geo	Benton Conservation District (CD)	Land Trust FORTERRA	WDFW	Developer / Applicant	Qualified Professional (General – not per CAO)
Respond to casualty losses on mitigation properties	C/A	I		C	R	C		
Coordinate grazing/land-use practices on mitigation properties (if grazing part of mgmt. plan)	C/A	I		C/R (grazing mgmt.)	R	C		

LEGEND

R — Responsible — does the work	**A —** Accountable — owns the outcome	**C —** Consulted — provides input	**I —** Informed — kept in the loop

Notes: R/A indicates a single party that is both Responsible and Accountable for a task. Mitigation Review Team composition to be established by Benton County and partner jurisdictions. Credit purchase payment recipient is pending agreement among partner entities. Per-credit cost estimated at $4,000–$5,500 (subject to revision). PNNL mitigation (134 acres / 403 required mitigation acres) is administered through separate Benton CD agreements

Appendix C

Realized Mitigation Ratios & Ledger Example

Application of the multipliers listed in Tables 6 and 7 can result in 16 potential impact and mitigation values per acre. This results in 256 potential realized mitigation ratios, as shown below.

Impacts Matrix

	Core	Goa	Corridor	Other
High	4	3	2	1
Good	3	2.25	1.5	0.75
Moderate	2	1.5	1	0.5
Poor	1.5	1.125	0.75	0.375

Mitigation Matrix

	Core	Goa	Corridor	Other
Reestablishment	2.00	1.50	1.00	0.50
Rehabilitation	1.33	1.00	0.67	0.33
Preserve & Enhance	1.00	0.75	0.50	0.25
Preserve Only	0.67	0.50	0.33	0.17

Realized Mitigation Ratios Table

	Mitigation Activity															
Impact	**Core Reest.**	**Core Restore**	**Core P&E**	**Core Preserve Only**	**GOA Reest.**	**GOA Restore**	**GOA P&E**	**GOA Preserve Only**	**Corridor Reest.**	**Corridor Restore**	**Corr. P&E**	**Corridor Preserve Only**	**Other Reest.**	**Other Restore**	**Other P&E**	**Other Preserve Only**
Core H	2.00:1	3.00:1	4.00:1	6.00:1	2.67:1	4.00:1	5.33:1	8.00:1	4.00:1	6.00:1	8.00:1	12.00:1	8.00:1	12.00:1	16.00:1	24.00:1
Core G	1.50:1	2.25:1	3.00:1	4.50:1	2.00:1	3.00:1	4.00:1	6.00:1	3.00:1	4.50:1	6.00:1	9.00:1	6.00:1	9.00:1	12.00:1	18.00:1
Core M	1.00:1	1.50:1	2.00:1	3.00:1	1.33:1	2.00:1	2.67:1	4.00:1	2.00:1	3.00:1	4.00:1	6.00:1	4.00:1	6.00:1	8.00:1	12.00:1
Core P	0.75:1	1.13:1	1.50:1	2.25:1	1.00:1	1.50:1	2.00:1	3.00:1	1.50:1	2.25:1	3.00:1	4.50:1	3.00:1	4.50:1	6.00:1	9.00:1
GOA H	1.50:1	2.25:1	3.00:1	4.50:1	2.00:1	3.00:1	4.00:1	6.00:1	3.00:1	4.50:1	6.00:1	9.00:1	6.00:1	9.00:1	12.00:1	18.00:1
GOA G	1.13:1	1.69:1	2.25:1	3.38:1	1.50:1	2.25:1	3.00:1	4.50:1	2.25:1	3.38:1	4.50:1	6.75:1	4.50:1	6.75:1	9.00:1	13.50:1
GOA M	0.75:1	1.13:1	1.50:1	2.25:1	1.00:1	1.50:1	2.00:1	3.00:1	1.50:1	2.25:1	3.00:1	4.50:1	3.00:1	4.50:1	6.00:1	9.00:1
GOA P	0.56:1	0.84:1	1.13:1	1.69:1	0.75:1	1.13:1	1.50:1	2.25:1	1.13:1	1.69:1	2.25:1	3.38:1	2.25:1	3.38:1	4.50:1	6.75:1
Corr H	1.00:1	1.50:1	2.00:1	3.00:1	1.33:1	2.00:1	2.67:1	4.00:1	2.00:1	3.00:1	4.00:1	6.00:1	4.00:1	6.00:1	8.00:1	12.00:1
Corr G	0.75:1	1.13:1	1.50:1	2.25:1	1.00:1	1.50:1	2.00:1	3.00:1	1.50:1	2.25:1	3.00:1	4.50:1	3.00:1	4.50:1	6.00:1	9.00:1
Corr M	0.50:1	0.75:1	1.00:1	1.50:1	0.67:1	1.00:1	1.33:1	2.00:1	1.00:1	1.50:1	2.00:1	3.00:1	2.00:1	3.00:1	4.00:1	6.00:1
Corr P	0.38:1	0.56:1	0.75:1	1.13:1	0.50:1	0.75:1	1.00:1	1.50:1	0.75:1	1.13:1	1.50:1	2.25:1	1.50:1	2.25:1	3.00:1	4.50:1
Othr H	0.50:1	0.75:1	1.00:1	1.50:1	0.67:1	1.00:1	1.33:1	2.00:1	1.00:1	1.50:1	2.00:1	3.00:1	2.00:1	3.00:1	4.00:1	6.00:1
Othr G	0.38:1	0.56:1	0.75:1	1.13:1	0.50:1	0.75:1	1.00:1	1.50:1	0.75:1	1.13:1	1.50:1	2.25:1	1.50:1	2.25:1	3.00:1	4.50:1
Othr M	0.25:1	0.38:1	0.50:1	0.75:1	0.33:1	0.50:1	0.67:1	1.00:1	0.50:1	0.75:1	1.00:1	1.50:1	1.00:1	1.50:1	2.00:1	3.00:1
Othr P	0.1875:1	0.28:1	0.38:1	0.56:1	0.25:1	0.375:1	0.50:1	0.75:1	0.38:1	0.56:1	0.75:1	1.13:1	0.75:1	1.13:1	1.50:1	2.25:1

= bank transactions based on extent of forecasted impacts and planned mitigation properties

Mitigation Bank Ledger Example

IMPACTS IMPACT DEBIT LEDGER

ID	JURISDICTION	ACRES	PRIORITY	QUALITY	DEBITS	
001	Unincorporated Benton County	11.00	Core	Moderate	22.00	×
002	Unincorporated Benton County	48.13	Core	Good	144.40	×
003	Unincorporated Benton County	1.22	GOA	Moderate	1.83	×
004	Unincorporated Benton County	9.00	GOA	Good	20.25	×
005	Unincorporated Benton County	1.00	Corridor	Poor	0.75	×
006	Unincorporated Benton County	32.39	Corridor	Moderate	32.39	×
007	Unincorporated Benton County	212.85	Corridor	Good	319.27	×
008	Richland	12.98	Corridor	High	25.96	×
009	Richland	9.17	Other	Poor	3.44	×
010	Unincorporated Benton County	205.00	Other	Moderate	102.50	×
011	Unincorporated Benton County	915.42	Other	Good	686.57	×
012	Unincorporated Benton County	69.84	Other	High	69.84	×
TOTAL		1528.00			1429.20	

CREDITS MITIGATION BANK CREDIT LEDGER

BANK / CREDIT SOURCE: e.g. Fourmile Canyor | ACRES: 0.00 | SPATIAL PRIORITY: Corridor (×2) | ACTIVITY: Preservation w/ enha | + ADD

SOURCE	ACRES	PRIORITY	ACTIVITY	CREDITS	
P01	1000.00	Corridor	Restore	666.67	×
P02	1600.00	Corridor	Preserve & Enhance	800.00	×
TOTAL	2600.00			1466.67	

MITIGATION BALANCE SUMMARY

SURPLUS | ⇓ EXPORT CSV

TOTAL DEBITS	TOTAL CREDITS	NET BALANCE	REALIZED RATIO
1429.20	1466.67	+37.47	1.00:1
impact acre-equivalents	mitigation acre-equivalents	Balance: +37.47	offset requirement met

REFERENCE — LOOKUP MATRICES

Quality / Priority	Core	GOA	Corridor	Other
High	4.00	3.00	2.00	1.00
Good	3.00	2.25	1.50	0.75
Moderate	2.00	1.50	1.00	0.50
Poor	1.50	1.125	0.75	0.375

Impact debit matrix (per acre)

Activity / Priority	Core	GOA	Corridor	Other
Reestablish	2.00	1.50	1.00	0.50
Restore	1.33	1.00	0.67	0.33
Preserve & Enhance	1.00	0.75	0.50	0.25
Preserve Only	0.67	0.50	0.33	0.17

Mitigation credit matrix (per acre)

WHITE BLUFFS CONSULTING

1651 South Fescue Street
Kennewick, Washington 99338
Phone 509.539.3366
www.whitebluffsconsulting.com

MEMORANDUM

To:	Greg Wendt and Damien Hooper, Benton County Community Development	**Date:**	September 24, 2026
From:	Ben Floyd, White Bluffs Consulting and Adam Cares, AC Geo	**Project:**	Comprehensive Plan Update
cc:			
Re:	Urban Growth Area Proposals Review – Benton City and Richland within the County Context		

This memorandum includes findings from an evaluation of the Benton City and City of Richland UGA boundary change applications, and incorporates relevant draft population, land capacity and contextual information received from the cities and their planning documents. The County expects the record for each city's legislative action will show, upon final adoption, how each city approached the requirements for producing housing analyses and land-capacity analyses. For this analysis, draft planning documents were used in evaluating the UGA applications within the larger County context.

Summary Analysis and Findings

White Bluffs Consulting has reviewed the proposed revisions to the Benton City and City of Richland UGA boundaries, together with measures of capacity among the cities/UGAs in the County, and finds the revisions are needed and necessary to accommodate the urban growth projected for the 20-year planning period. In reaching this determination, the evaluation considered the following for each jurisdiction:

- land capacity
- population projections
- housing allocations
- existing and planned infrastructure
- utility availability
- transportation facilities
- environmental constraints, and
- the ability to provide public facilities and services during the planning horizon.

The evaluation also considered the GMA's new climate-planning requirements, including the relationship between UGA location, transportation access, vehicle miles traveled, and

greenhouse gas emissions. The following sections summarize the Benton City and Richland proposals before presenting the supporting countywide and city-specific analysis.

Benton City UGA Application Summary

Benton City proposes adding approximately 54.65 acres to its UGA, including:

1. A 33.61-acre infill area within the central portion of the city.
2. An approximately 17.51-acre area southwest of the city consisting of WDFW-owned property and Kiona Irrigation District right-of-way that would remain largely undeveloped.
3. Approximately 3.53 acres of additional residential development area.

The City is providing urban services, including water, sewer, roadway access, and park maintenance, to portions of the WDFW property despite its current location outside the UGA. Bringing this area into the UGA would align service responsibilities with jurisdictional boundaries.

Portions of Benton City's existing UGA consist of a fully developed manufactured-home park with limited redevelopment potential. This area contributes little additional growth capacity but remains within the UGA because future utility service obligations may still arise if existing systems fail.

The City's analysis concludes that the proposed expansion is necessary to meet its 20-year population and housing allocations. Utilities and major roadway facilities already serve, or are immediately adjacent to, the proposed expansion areas and can be extended through existing service arrangements where necessary. (*See Benton City's UGA proposal received January 28, 2026 for additional detail (Attachment A)*.

City of Richland UGA Application Summary

Richland proposes removing approximately 140 acres of permanently preserved open space on Badger Mountain from the UGA and adding approximately 444 acres in several locations, producing a net UGA increase of 304 acres. Stating the gross additions, removal, and net change separately clarifies the acreage summarized below.

The City proposes adding lands that:

- Are already planned to develop at urban densities.
- Include approximately 190 acres currently designated Rural Remote that would be incorporated as recreation land without residential development.

- Include approximately 254 acres currently designated Rural Transition that is intended for urban residential development consistent with surrounding development patterns and a future school complex previously counted as development capacity.

The proposal partially offsets growth that otherwise could occur in the unincorporated County and directs that growth into areas served by urban infrastructure. The City's analysis demonstrates that these lands are needed to accommodate allocated population growth and housing needs through the planning period. The analysis further demonstrates that utilities and major arterial roadways are already available to serve the proposed expansion areas. (*See Richland's UGA proposal received November 26, 2025 for additional detail (Attachment B)*.

Rationale Summary

Table 1 summarizes each proposed UGA change, identifies its acreage, and states the principal planning rationale. It distinguishes gross additions and removals from each jurisdiction's net acreage change.

Table 1 – Net Acreage Changes

UGA Changes	Acres	Rationale
Benton City		
- Residential	+ 37.14	Provides acreage for infill housing needed to meet housing allocation in an area near existing utilities and city services. Provides ability to serve localized housing need would save VMT vs. available lands in other areas such as West Richland.
- Parks/Open Space	+17.51	Site has existing urban services, including water, sewer, roadway access, and park maintenance.
Subtotal	+54.65	

Richland		
- Harvest Ridge / Harvest Ridge Addition	+174	Harvest Ridge (53 acres) and addition (121 acres) provide compatible housing infill; proximity to school site, services, and jobs supports reduced VMT.
- Future KSD School Location	+80	Large-scale school site serving planned urban growth; adjacent housing and available utilities/arterials support coordinated services and shorter school trips.
- Recreation	+190	Large scale recreation facility site near housing and Richland/Kennewick job centers; existing freeway access and planned multimodal improvements; shorter local trips and reduced out-of-region travel.
- Open Space	-140	Protected open space removed from UGA;
Subtotal	+304	**270 acres (60.8% of UGA additions are** for school/recreation facilities with unique siting considerations; remaining 174 acres for housing near facilities and area jobs.
TOTAL	**+358.65**	

General Considerations: Capacity and Housing Targets

Each jurisdiction has worked during the past two years to update its comprehensive plan and development regulations. The cities and County have also developed climate elements through a regionally coordinated process. Each jurisdiction's update must be consistent with the Countywide Planning Policies, as updated by Resolution 2026-111 and Ordinance No. 664, dated February 24, 2026.

Table 2 shows the population projection for the total County and for each jurisdiction. The County is expected to increase in total by more than 71,000 through 2046, with city populations increasing approximately 1,500 to 25,000.

Table 2 - Population Growth through 2046 in Benton County

Jurisdiction	2020 Population	2046 Population	Population Growth (2020-2046)
Benton City	3,479	4,985	1,506
Kennewick	83,921	108,989	25,068
Prosser	6,062	8,292	2,230
Richland	60,560	82,448	21,888
West Richland	16,295	26,387	10,092
Unincorporated	36,556	47,355	10,799
Total	**206,873**	**278,456**	**71,583**

Source: BERK, 2025 based on Commerce HAPT.

When considering capacity for planned growth, WAC 365-196-310(5)(d)(iv) directs jurisdictions to first consider increasing capacity within existing urban areas before expanding UGAs. The WAC states:

> *(iv) If future growth forecasts exceed the current combined capacities of unincorporated county and city lands, counties and cities should first consider the potential of increasing capacity of existing urban areas through allowances for higher densities, or for additional provisions to encourage redevelopment. If counties and cities find that increasing the capacity of existing urban areas is not feasible or appropriate based on the evidence they examine, counties and cities may consider expansion of the urban growth area to meet the future growth forecast.*

Review of cities' code revisions and planning documents indicate this is occurring:

- Kennewick is a Tier I city for Middle Housing requirements and adopted code revisions to implement HB 1110 in mid-2025, which increased development capacity within the city.
- Richland is a Tier II city and is processing code revisions similar to Kennewick and additional upzones designed to increase residential capacity, which are expected to be adopted by the end of 2026.
- Benton City, Prosser and West Richland are planning for various measures in their draft plan and code updates to increase capacity within existing urban areas.

City-Specific Housing Considerations

Benton City

Benton City needs to add 765 housing units and 3 emergency housing beds by 2046. The application from Benton City (see Attachment A) addresses land capacity using the uniform calculation set out by Benton County. The November 2025 land capacity analysis provided in the application indicates the city needs an additional approximate 142[1] acres of residential land to support their population growth projection (including land to support the city's assigned housing allocation), with approximately 87 acres vacant or underutilized within the City, and the rest (55 acres) located in the modified UGA (including the 37 acres of residential land that would be added per the city application).

Kennewick

Kennewick needs to add 12,626 housing units and 57 emergency housing beds to meet its assigned housing targets. A 2025 Land Capacity Analysis prepared by BERK Associates identified an overall surplus of approximately 12,523 housing units, including approximately 812 units attributed to capacity within the unincorporated UGA[2]. The analysis also identified a deficit in the lowest housing-income bands. After applying a residential buildout factor of 70 percent, 25 percent market factor and excluding non-buildable lands, Kennewick has a net UGA supply of 1456 acres.

Since completion of that analysis, the City has prepared additional zoning and development-code amendments intended to address those deficiencies; the approach is to implement tools intended to address lower-income housing needs. Draft Version 3 of the City's Comprehensive Plan (August 2026)[3] reports that overall housing capacity has increased further, showing an estimated surplus of 12,916 housing units to cover the projected need.

Prosser

Prosser needs to add 765 housing units and 5 emergency housing beds by 2046. At its April 16, 2026 Planning Commission meeting[4], the City's consultant Nexus reported that existing zoning produced an estimated capacity surplus of approximately 920 housing units[5].

[1] 116 acres multiplied by 22% market factor (25% - 3% for critical areas credit)
[2] Available at https://www.go2kennewick.com/DocumentCenter/View/17127
[3] Available at https://www.go2kennewick.com/DocumentCenter/View/17551
[4] Available at https://cityofprosser.civicweb.net/document/182496
[5] This figure was much higher than what was presented to the city council on August 12, 2025 regarding initial LCA analysis findings, which indicated a capacity surplus of 221 homes. Available at https://cityofprosser.civicweb.net/document/178011

However, the analysis also found a deficit in housing capacity serving households between 0 and 50 percent of area median income. Proposed housing-element strategies, including a new Middle Housing zone and related code amendments, are intended to address that deficiency.

Richland

Richland needs to add 14,155 new housing units and 52 emergency housing beds by 2046 to meet its targets. The Housing Land Capacity Analysis recently prepared by AHBL updated a precursory assessment from 2025. The new analysis affirms that with proposed zoning map changes, the city can meet the allocation for all income bands from 0% to 100% AMI. There is also a modest capacity surplus of 360 housing units. (The application from Richland also addresses land capacity, using the uniform calculation set out by Benton County).

West Richland

West Richland needs to add 4,975 new housing units and 19 emergency housing beds by 2046 to meet its targets. Within West Richland is the undeveloped 7,600-acre Lewis & Clark Ranch, which was annexed into the city in 1981 and is planned for transition from agricultural to urban uses over at least the next 50 to 100 years (City of West Richland Lewis and Clark Ranch Subarea Plan & Planned Action, Final EIS April 2026). The preferred alternative in the EIS estimated 3,795 new housing units (770 acres) for the subarea, with the remaining housing needs to be met with other vacant or underutilized areas within the city. The City has significant acreage capacity to meet their projected housing needs, as discussed in more detail below.

Unique Considerations for West Richland

As described in the current City of West Richland Comprehensive Plan (2017): The City of West Richland is unique in that the physical size of the city limits greatly exceeds that which is necessary to support the population as about half of the city, by size, is currently used for agricultural production and does not include urban services.

As this land was annexed pre-GMA and only a portion of it is planned for development over the next 20-years (Phase 1 of the EIS preferred alternative), the remaining part of the Subarea is noted but excluded from the County-wide evaluation as the development horizon for the extends decades beyond the 20-year planning period. The excluded area continues to function in many respects as a long-term urban reserve because substantial utility extensions, infrastructure investments, and service expansion are still required before significant development can occur.

West Richland's extensive undeveloped acreage contributes to the overall land supply but creates an anomaly in the countywide assessment because its availability does not address the localized housing and associated needs in other jurisdictions, or represent capacity that can be served and developed within the planning period. Countywide capacity was therefore evaluated alongside location-specific needs, including existing development patterns, infrastructure availability and planned investments, proximity to jobs and services, and each city's assigned housing targets and housing needs by income level.

Additional Findings

Additional factors were reviewed in conducting this evaluation including potential impacts to agriculture and rural lands, critical areas, suitability for urban growth, housing for all income bands, transportation system improvements and other capital plans and greenhouse gas emissions. Relationships to existing UGA boundaries were also considered. These results include:

- The areas proposed for UGA modifications include County-designated Rural Remote (RL-5), Rural Transition (RL-1) and Parks land, and does not include agricultural or other resource lands that would adversely impact the rural character of the County or promote urban sprawl. Providing the proposed Richland recreation facilities at the Dallas Road location reduces pressure to expand residential development farther west into undeveloped or agricultural areas. UGA Addition B (Harvest Ridge) is adjacent to lands already urban in character and can be served by adequate public facilities, including the adjacent school site (UGA Addition D).
- The areas proposed for the Richland UGA modifications include removal of critical area (shrubsteppe habitat) already protected as open space (Badger Mountain) and that would remain permanently protected as open space.
- All areas included in the Richland UGA modification are previously disturbed lands without mapped critical areas.
- The County-park designated lands in Benton City that would come into the City UGA also as park land do contain frequently flooded areas, riparian management zone and riparian wetlands, but this land would remain as open space and undeveloped with critical areas preserved and protected.

- All the areas proposed for UGA expansion are suitable for urban growth, as detailed in the respective UGA proposals.

- The proposed Richland UGA additions provide areas capable of supporting housing affordable to households between 80 and 100 percent AMI as well as public facilities needed to serve future population growth. Benton City needs the UGA areas, particularly in the 33-acre infill area to support its housing needs allocation.

- The County's Transportation element and Capital Facilities Plan address the County roads in these areas. The County will be making multi-modal improvements to Dallas Road and has established maintenance plans other existing roads. The Capital Facilities element covers the Kennewick School District new school (future) and associated facilities which are part of the Richland proposal. The Capital Facilities element also incorporates by reference both cities' capital improvements plans for water and sewer utilities, and transportation improvements. The UGA proposals also characterize and detail how capital facilities are available to serve these areas.

- For Greenhouse Gas Emissions (GHGs), establishing a regional park facility as proposed as part of the Richland UGA proposal would reduce GHGs, compared to other locations as the Dallas Road location is more central to the largest County population and employment center (Kennewick/Richland) than other areas, such as western West Richland UGA or North Richland UGA, with direct access from I-82 and I-182, reducing vehicle miles traveled. Vehicles traveling from Benton City, West Richland or Prosser on the freeway system can easily access Dallas Road directly off the freeway system. Additionally, the existing regional transportation network already serves this area for the regional Badger Mountain trails system, and multi-modal improvements are planned. Locating tournaments and events locally would also reduce vehicle miles traveled currently associated with travel to facilities in other regions.

  For Benton City, the larger centralized area in the UGA proposal allows for infill in an area surrounded by city limits close to services, utilities and transportation and transit facilities, which should also help to reduce GHGs as this area develops over time.

- The proposed UGA areas are contiguous, fill gaps in existing boundaries, make the UGA boundaries clearer and more consistent, and will not increase pressure to urbanize rural or natural-resource lands.
- Portions of Benton City's existing UGA consist of a fully developed manufactured-home park with limited redevelopment potential. This area contributes little additional growth capacity but remains within the UGA because future utility service obligations may still arise if existing systems fail.
- Certain lands currently located within Benton City's UGA may not be made available for development in the foreseeable future as potential cultural-resource constraints may further limit development potential, raising questions regarding the practical availability of a portion of the City's existing land supply, further supporting the need for other areas to support growth needs.

Conclusions

The Benton City and Richland proposals are consistent with the growth needs for the forthcoming twenty-year period. Through evaluation of the information provided in this memorandum, the proposed additional UGA land is needed to meet land-capacity needs for Benton City and Richland and to accommodate projected growth within Benton County as a whole to meet projected growth, housing, and service needs through 2046.

This conclusion is based on the current availability of existing or readily extendable public facilities and services, the ability to serve the proposed areas within the planning horizon, and the cities demonstrated needs for additional housing and community-serving land uses, along with the other factors described above.

Attachments

Community Development Department
102206 East Wiser Parkway
Kennewick, WA 9933

Planning Division
(509) 786-5612
Planning.department@co.benton.wa.us

BENTON COUNTY PLANNING DIVISION APPLICATION
COMPREHENSIVE PLAN-URBAN GROWTH AREA AMENDMENT

RECEIVED
JAN 28 2026
Benton County
Planning Division

CPA File No. 2026-002

NAME OF CITY: Benton City

MAILING ADDRESS: 1009 Dale Ave. Suite A, Benton City WA 99320

CONTACT PERSON: Steve Zetz

EMAIL ADDRESS: szetz@ci.benton-city.wa.us

TELEPHONE: 509-588-3322

Please answer the following questions, if more space is needed please use attachments.

1. Addresses, parcel numbers and legal description of properties proposed for inclusion in the UGA: (add additional pages if necessary)

Area 1 Benton County Parcel Numbers 112964000005000, 112964000006000, 112964000010000, 112964000011000, 112964011346004, 112964011346003, 112964011346002, 112964011346001, 112964000009000, 112964000008000,
Area 2 Benton County Parcel Numbers 113964011991001, 113964011991002
See attached Legal Descriptions.

2. Prepare and attach a site map and aerial photo showing the proposed area in which a UGA amendment is being sought. Please show clearly the following: the proposed UGA boundary, current corporate boundaries, major physical boundaries; both natural and man-made (i. e., including but not limited to highways, railroads, rivers, streams, power lines, schools, and other public outbuildings, critical areas, open space, etc.), the proposed land use designations, pattern and acreages of urban land uses and densities for the area proposed for inclusion, with any residential areas requiring a minimum average density of six (6) dwelling units per acre, the general location and acreage of planned open spaces and greenbelts that will remain as open space within the area(s) proposed for inclusion within a UGA, as per RCW 36.70A.110(2);section, map scale, north arrow, township and range lines, and date of preparation, are to be shown and identified. If in a shoreline area, define existing shorelines area as shown in existing shorelines master plan and indicate the existing environment designation.

3. **What is the current use of the property proposed for inclusion in the UGA:**

Area 1 is undeveloped land with no assigned uses.

Area 2 containes 21.04 acres of State land currently used as a park, maintained and operated by Benton City. An additional 3.53. acres containes one single family dwelling unit.

4. What is the existing comprehensive plan designation for the area in which the property proposed for inclusion in the UGA:

The proposed area for inclusion has the following deisgnations according to the Benton County Planning Department GIS system. Area 1 - Rural Remote. Area 2- 21.04 acres Public, and 3.53 acres Rural Remote.

5. What is the City's proposed land use designation of the property proposed for inclusion in the UGA:

Area 1- Residential

Area 2- 21.04 acres of Parks, and 3.53 acres Residential (becuase of the proximity to the Yakima River and recent updates to the FEMA mapping it is likely that this residential designation may change to ensure compliance with FEMA guidelines.

6. What are the reasons for the requested amendment and include substantial information why the provisions, map designations, etc., of the adopted plan are not sufficient to satisfy the concern that gives rise to the amendment request:

Area 1- Is currently bordered on two sides by City limits and a third side is currently within the UGA. Recent changes to the flood map have significantly altered the Residential capacity of Benton City. In addition the growth in this area necessitates the need for devleopment in this area to occur at urban densities. Proximity to existing schools and infastructure makes this area an island that without the potential for annexation would likly result in development that is incompatible or inconsistent with urban standards and densities.

Area 2 - Is essentially a housekeeping item that allows the City to annex State land that is currently maintained by Benton City and used as a park. The residential piece is unlikley to ever develop further and is included in order to prevent an irregular boundary.

7. Include any other substantiated information that you feel is necessary or relevant for consideration: Recent changes to the FEMA flood maps have significantly reduced residential capacity. It is unknown at this time to what extent capacity has been reduced. During the Comprehensive Plan Update a new analysis will be required as well as alterations to all planning documents to include Capital Facilities. This UGA expansion request is likley insufficient to address the capacity reduction, however it does provide additional lands that are not encumbered by critical areas and can be more easily served by City services.

Mayor Signature	Printed Name	Date
Authorized City Representative	Printed Name	Date

ANY INFORMATION SUBMITTED TO THE BENTON COUNTY PLANNING DIVISION IS SUBJECT TO PUBLIC RECORDS DISCLOSURE LAW FOR THE STATE OF WASHINGTON (RCW CHAPTER 42.17) AND ALL OTHER APPLICABLE LAW THAT MAY REQUIRE THE RELEASE OF THE DOCUMENTS TO THE PUBLIC.

An application fee of $2000.00 must be submitted with this application. This fee is non- refundable. Please make check payable to Benton County Treasurer.

APPLICANT'S CHECKLIST FOR COMPLETENESS

- ☐ APPLICATION FORM COMPLETED AND SIGNED WITH REQUIRED FEES
- ☐ CITY COUNCIL ADOPTED UGA RESOLUTION
- ☐ MAPS AND AERIAL PHOTOS WITH REQUIRED INFORMATION
- ☐ UGA INFORMATION SPREADSHEET
- ☐ CITIES SEPA CHECKLIST, DETERMINATION, OR EIS IF REQUIRED
- ☐ CAPITAL FACILITIES PLAN AS REQUIRED BY RCW 36.70A.070(3) & RCW 36.70A.03

RESOLUTION NO. 2026-05

A RESOLUTION OF THE CITY OF BENTON CITY, WASHINGTON, REQUESTING BENTON COUNTY TO INITIATE THE FORMAL PROCESS FOR AN AMENDMENT TO THE URBAN GROWTH AREA BOUNDARY TO INCORPORATE APPROXIMATELY 58.18 ACRES OF LAND; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE AND SUBMIT ALL RELATED DOCUMENTS.

WHEREAS, the State of Washington's Growth Management Act (GMA) requires counties, in cooperation with cities, to designate an Urban Growth Area (UGA) sufficient to accommodate projected urban growth for a 20-year planning horizon; and

WHEREAS, the GMA further mandates that urban growth be encouraged within the UGA and discouraged outside of it, to promote orderly development and the efficient provision of public services; and

WHEREAS, a recent review of the existing UGA confirms that the proposed AREA 1 is bordered on 3 sides by Benton City, a map of which is attached hereto as **Exhibit A**, and that development of this property to County standards will have an adverse impact to the urban densities and development of the abutting incorporated city limits; and

WHEREAS, the area proposed for inclusion, legally described as AREA 2, is contiguous to the existing UGA boundary and is identified as the most logical and cost-effective area to provide necessary urban services, including sewer, water, transportation; and

WHEREAS, recent changes to Benton City's Floodplain and Floodway have reduced and altered the buildability of a significant amount of acreage along the Yakima River corridor; and

WHEREAS, Benton City has a duty to ensure that development occurs in areas suitable for urban densities; and

WHEREAS, the property described in AREA 2 consists of land currently owned by the State of Washington and is maintained under agreement by Benton City; and

WHEREAS, the proposed expansion is consistent with the Benton County County-Wide Planning Policies and serves an overriding public interest by protecting public health, safety, and welfare and enabling the locally adopted Comprehensive Plan to meet the goals of the State GMA; and

WHEREAS, the Benton City Planning Commission conducted a Public Hearing on January 12, 2026, and a recommendation to approve the expansion was made, see Findings of Fact attached hereto as **Exhibit B**; and

WHEREAS, the Benton City Council conducted a Public Hearing on January 20, 2026; and

WHEREAS, the Benton City Council has conducted due environmental review pursuant to the State Environmental Policy Act (SEPA) requirements, and relevant findings are incorporated herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BENTON CITY, WASHINGTON, hereby resolves as follows:

That the Benton City Council hereby formally requests Benton County / County Commissioners to initiate the formal process for an amendment to the Urban Growth Area boundary.

Be It Further Resolved that the proposed expansion area, specifically identified in the attached exhibits, shall be added to the official Urban Growth Area map to provide for an adequate 20-year supply of developable land and to ensure its development to Urban standards.

Be It Further Resolved that the Mayor is hereby authorized and directed to execute and submit all necessary land use applications and related documents to effectuate this UGA expansion request, and to work cooperatively with county staff and the public throughout the review process.

Be It Further Resolved that this Resolution shall take effect immediately upon passage by City Council.

ADOPTED this 20th day of January, 2026, by the City Council of the City of Benton City, Washington, and signed in authentication of its passage this 20th day of January, 2026.

Resolution No. 2026-05 filed and recorded in the office of the City Clerk of the City of Benton City, Washington, this 20th day of January, 2026.

Len Burton, Mayor

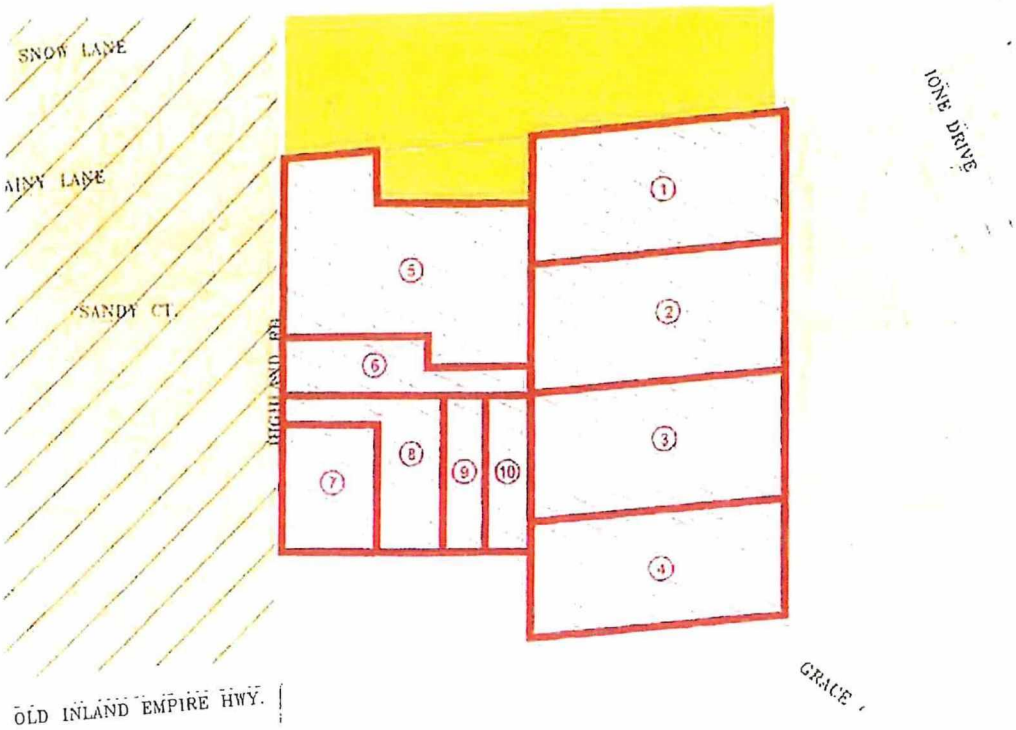
Attest:

Carla Meyer
City Clerk/Treasurer

Approved as to Form:

Kerr Ferguson Law, PLLC
City Attorneys

EXHIBIT A



PROPERTY DESCRIPTIONS

ALL PROPERTIES COUNTY ZONING: RL-5
PROPOSED CITY LAND USE: RESIDENTIAL

1. OLSEN FAMILY LLC
   112964000005000
   5.03 ACRES
2. OLSEN FAMILY LLC
   112964000006000
   5.03 ACRES
3. OLSEN FAMILY LLC
   112964000010000
   5.03 ACRES
4. OLSEN FAMILY LLC
   112964000011000
   4.52 ACRES
5. DWS ORCHARDS LLC
   112964000008000
   6.23 ACRES
6. DWS ORCHARDS LLC
   112964000009000
   1.95 ACRES
7. DWS ORCHARDS LLC
   112964011346001
   1.85 ACRES
8. DWS ORCHARDS LLC
   112964011346002
   1.97 ACRES
9. DWS ORCHARDS LLC
   112964011346003
   1.00 ACRES
10. DWS ORCHARDS LLC
    112964011346004
    1.00 ACRES

DETAIL 1

NORTH

AKANA

4. What is the existing comprehensive plan designation for the area in which the property proposed for inclusion in the UGA:

The proposed area for inclusion has the following deisgnations according to the Benton County Planning Department GIS system. Area 1 - Rural Remote. Area 2- 21.04 acres Public, and 3.53 acres Rural Remote.

5. What is the City's proposed land use designation of the property proposed for inclusion in the UGA:

Area 1- Residential

Area 2- 21.04 acres of Parks, and 3.53 acres Residential (becuase of the proximity to the Yakima River and recent updates to the FEMA mapping it is likely that this residential designation may change to ensure compliance with FEMA guidelines.

6. What are the reasons for the requested amendment and include substantial information why the provisions, map designations, etc., of the adopted plan are not sufficient to satisfy the concern that gives rise to the amendment request:

Area 1- Is currently bordered on two sides by City limits and a third side is currently within the UGA. Recent changes to the flood map have significantly altered the Residential capacity of Benton City. In addition the growth in this area necessitates the need for devleopment in this area to occur at urban densities. Proximity to existing schools and infastructure makes this area an island that without the potential for annexation would likly result in development that is incompatible or inconsistent with urban standards and densities.

Area 2 - Is essentially a housekeeping item that allows the City to annex State land that is currently maintained by Benton City and used as a park. The residential piece is unlikley to ever develop further and is included in order to prevent an irregular boundary.

7. Include any other substantiated information that you feel is necessary or relevant for consideration: Recent changes to the FEMA flood maps have significantly reduced residential capacity. It is unknown at this time to what extent capacity has been reduced. During the Comprehensive Plan Update a new analysis will be required as well as alterations to all planning documents to include Capital Facilities. This UGA expansion request is likley insufficient to address the capacity reduction, however it does provide additional lands that are not encumbered by critical areas and can be more easily served by City services.

Mayor Signature	Len Burton	1-30-26
	Printed Name	Date

Authorized City Representative	Stephen Zelz	1-26-2026
	Printed Name	Date

ANY INFORMATION SUBMITTED TO THE BENTON COUNTY PLANNING DIVISION IS SUBJECT TO PUBLIC RECORDS DISCLOSURE LAW FOR THE STATE OF WASHINGTON (RCW CHAPTER 42.17) AND ALL OTHER APPLICABLE LAW THAT MAY REQUIRE THE RELEASE OF THE DOCUMENTS TO THE PUBLIC.

An application fee of $2000.00 must be submitted with this application. This fee is non- refundable. Please make check payable to Benton County Treasurer.

BENTON CITY
24-002-23

LAND CAPACITY ANALYSIS

11/4/25

Based on Benton County's Uniform Formula in Policy #4 of the County Wide Planning Policy

2025 Population Estiamte	4,418
2045 Population Estimate	5,517

	Land Use	Total Acres	Developed Acres AC	Underutilized/ Vacant AC	Current per Capita Value AC/person	Needed Area for 2045 Population AC
A	**Residential**	904.85	816.10	88.75	0.1847	1,019.11
	R2	789.22	717.94	71.28	0.1625	896.54
	R3	77.25	66.37	10.89	0.0150	82.88
	R3M	38.37	31.79	6.58	0.0072	39.69
A-1	**AS**	210.60	210.60	0.00	0.0000	
B	**Parks**	35.51	35.51	0.00	0.0080	44.34
C	**City**	40.04	40.04	0.00	0.0091	50.00
D	**Schools**	52.27	52.27	0.00	0.0118	65.27
E	**Commerical**	69.21	51.21	17.99	0.0116	63.95
F	**Industrial**	385.94	107.89	278.05	0.0244	134.73
G	**Open Space**	0	0	0.00	0.0000	0.00
H	**Right-of-Ways**		138.18		0.0313	172.56
I	**70% Build Out Residential of 904.85 ac**		633.39		0.1434	790.95
	A-I Total				0.4243	**2,340.91**
J	25% A-I Total				0.5304	2,926.14
K	Critical Area Credit		80.88		0.0183	100.99
	TOTAL ADJUSTED(J-K)				0.5121	**2,825.14**
		1698.42	2129.72			

Total City Acreage	1698.42
Total UGA Acreage	399.90

Needed Area for 2045	**2,825.14**	**ac**
Total City & UGA Land	**2,098.32**	**ac**
Additional Land Requirement	**726.82**	**ac**

NOTES

1 Population Estimate from City Population Estimate based on OFM Population Projections and Benton City considered to be 2% of Benton County's total population. Estimates from 2025 and 2045 are used in the Land Capaicy Analysis.

2 AS (Ag-Suburban) is considered fully developed as most of this is in the flood plain and no large developments will occur in this zoning. Therefore it is not considered for additional land as it will skew the acual results. It however, included in the Total City & UGA Land.

3 Open Space (Item G) is considered to be within the parks and school land areas and shows a "0" in the

4 Needed Area for 2045 = 2045 Population x Total Adjusted per capita land use value of 0.5121 ac/person

53.28%	48%				
46.47%	42%				
4.55%	4%				
2.26%	2%				
12.40%	12%				
2.09%	2%		8.037573563		
2.36%	2%				
3.08%	3%	8%			
4.07%	3%				
22.72%	6%				
0.00%	0%				
0.00%	8%				
0.00%	37%				
0.00%	0%				
0.00%	0%				
0.00%	5%			County underdeveloped	45
0.00%				County Total	399.9
				% County Developed	0.887472
1,550					
				City underdeveloped	88.75
				city Developed	2129.72
				City Total	1698.42
				% City Developed	1.253941

BENTON CITY

LAND USE MAP

JANUARY 12, 2026

PROPOSED UGA EXPANSION

AREA 1
33.61 ACRES
SEE DETAIL 1,
SHEET 2

AREA 2
21.04 ACRES
SEE DETAIL 2,
SHEET 3

NORTH

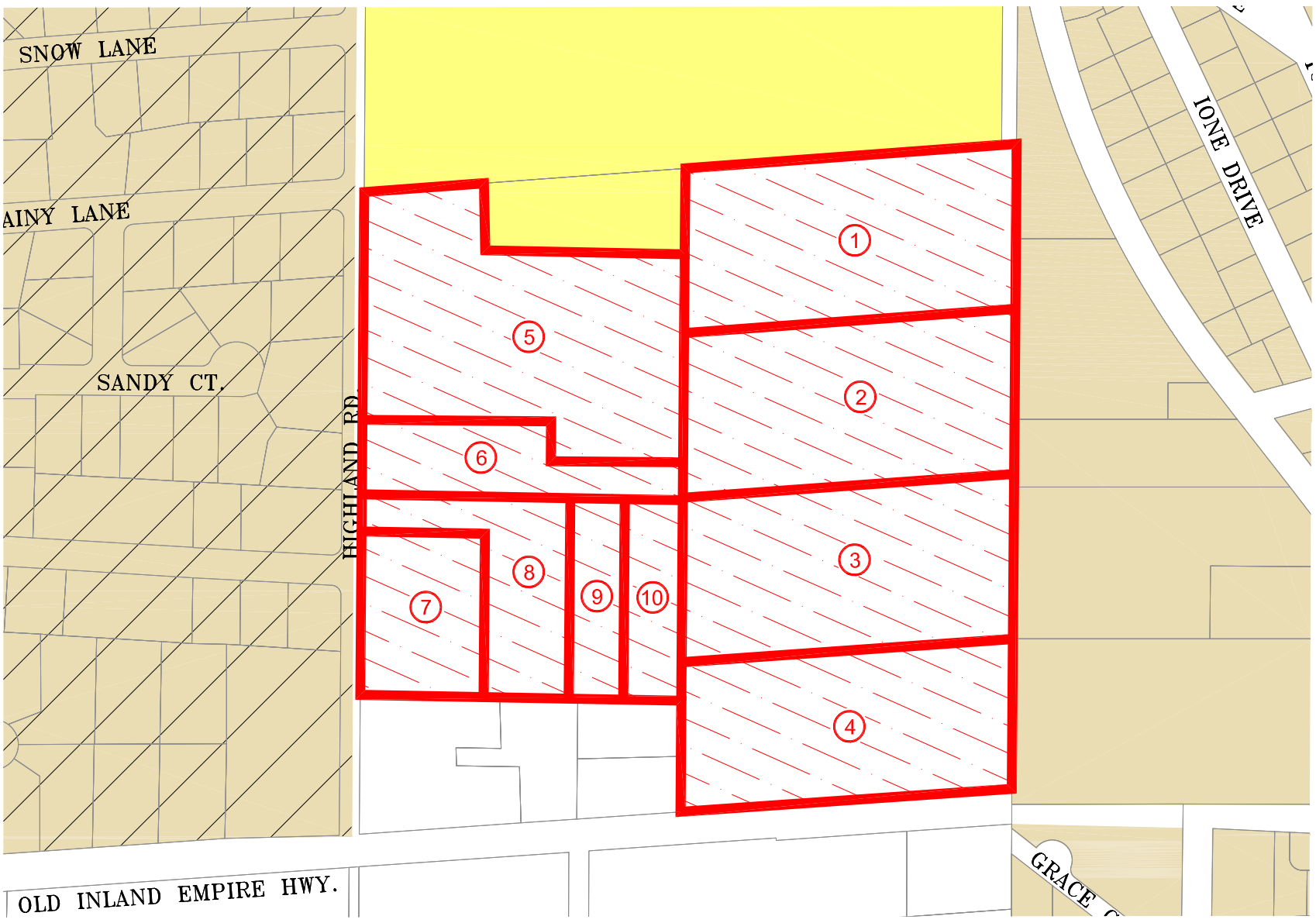
0 500 1000 1500

SCALE IN FEET

LEGEND

- CITY LIMITS
- RESIDENTIAL
- AGRICULTURE SUBURBAN
- COMMERCIAL
- MANUFACTURING/LIGHT INDUSTRIAL
- GOVERNMENT
- RIVER
- PARKS
- FLOODWAY
- EXISTING UGA
- PROPOSED UGA

AKANA
Plan + Design + Engineer + Manage
2815 Saint Andrews Loop, Ste B
Pasco, WA 99301
Voice (503) 652-9090



PROPERTY DESCRIPTIONS

ALL PROPERTIES COUNTY ZONING: RL-5
PROPOSED CITY LAND USE: RESIDENTIAL

1. OLSEN FAMILY LLC
   112964000005000
   5.03 ACRES
2. OLSEN FAMILY LLC
   112964000006000
   5.03 ACRES
3. OLSEN FAMILY LLC
   112964000010000
   5.03 ACRES
4. OLSEN FAMILY LLC
   112964000011000
   4.52 ACRES
5. DWS ORCHARDS LLC
   112964000008000
   6.23 ACRES
6. DWS ORCHARDS LLC
   112964000009000
   1.95 ACRES
7. DWS ORCHARDS LLC
   112964011346001
   1.85 ACRES
8. DWS ORCHARDS LLC
   112964011346002
   1.97 ACRES
9. DWS ORCHARDS LLC
   112964011346003
   1.00 ACRES
10. DWS ORCHARDS LLC
    112964011346004
    1.00 ACRES

DETAIL 1

NORTH

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PROPERTY DESCRIPTIONS

DETAIL 2

NORTH

(11) GOODE LLOYD L
113964011991001
3.53 ACRES
CURRENT COUNTY ZONING: RL-5
PROPOSED CITY LAND USE: RESIDENTIAL

(12) DEPARTMENT OF WILDLIFE
113964011991002
15.70 ACRES
CURRENT COUNTY ZONING: PARKS
PROPOSED CITY LAND USE: PARKS

(13) KIONA IRRIGATION DISTRICT RIGHT OF WAY
≈1.81 ACRES
CURRENT COUNTY ZONING: RL-5
PROPOSED CITY LAND USE: PARKS

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DETERMINATION OF NON-SIGNFICANCE

1. **Date of Issuance:** December 19, 2025
2. **Lead Agency:** City of Benton City
3. **Staff Contact:** Paula Kauer, Finance Manager 1009-A Dale Ave, Benton City WA 99320 Telephone 509-588-3322
4. **Name of Proposal:** Comprehensive Plan & UGA Amendment

Description of Proposal: The proposal is a non-project action that includes amendments to specific areas of the Benton City Comprehensive Plan text and UGA Map per RCW 36.70A.070 (3), RCW 36.70A.110(1)&(3), RCW 36.070A.020(1) & (2), relevant Beton County Countywide Planning Policies (CWPP). The latest Comprehensive Plan was adopted in 2021.

Location of Proposal: City-wide and at various locations in the City. See SEPA checklist for specific locations.

Findings:

1. The City finds that the non-project action will not results in adverse impacts to the environment.
2. The City further finds that future development that may occur in the locations where map changes may occur will be subject to compliance with the Benton City Municipal Code, SEPA and other applicable regulations that will ensure mitigation of any potential adverse impacts to the environment.

Mitigation Measures: None

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☒ This DNS is issued under WAC 197-11-340 and the lead agency will not act on this proposal for 14 days from the date of issuance listed above.

Responsible Official	Len Burton
Position/Title	Mayor
Address:	1009-A Dale Ave, Benton City WA 99320
Phone:	509-588-3322
Signature:	

Appeal: Any agency or person may appeal the lead agency's environmental determination per BCMC 16.02.170. Appeals of this decision are accepted until 4:00 pm, January 9th, 2026.

SEPA[1] Environmental Checklist: BENTON CITY UGA

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

Find help answering background questions[2]

1. **Name of proposed project, if applicable:**

   2026 Comprehensive Plan Update and Urban Growth Area (UGA)Revision

2. **Name of applicant:**

   Benton City

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

   Carla Meyer, City Clerk/Treasurer
   City of Benton City
   PO Box 70-1009 Dale Ave, Suite A
   Benton City, WA 99320
   (509) 588-3322

   Contact Person: Alan Rainey, PE
   Akana
   2815 Saint Andrews Loop, Suite B
   Pasco, WA 99301
   (971)328-3007

4. **Date checklist prepared:**

   November 14, 2025 by Alan Rainey of Akana

5. **Agency requesting checklist:**

   Benton City

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

   Adoption of the 2026 Comprehensive Plan Update and UGA Revision is expected to be complete by September 30, 2026.

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

   Yes, Revisions to UGA.

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

   This SEPA checklist.

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.**

   No.

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

    Benton County approval will be needed for any proposed Benton City UGA revisions.

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 that includes amendments of specific areas of the Benton City Comprehensive Plan text and land use map as allowed once-per-year in accordance with WAC Chapter 365-196 and the Benton City Municipal Code, section 2.70.030(E). The Comprehensive Plan was last amended in 2020.

The proposal includes revisions to the Benton City UGA.

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 text amendments to the Comprehensive Plan apply generally to all properties located within the current limits of Benton City. The City is located in Benton County, in eastern Washington State, in the mid-Columbia Valley. The Yakima River flows along portions of the east and west borders of the city and through a southern section of the city. Interstate 82 divides the city with approximately one-third of the city south of the interstate.

Parcels not previously located within the Benton City UGA that are proposed for inclusion in the Benton City UGA are:

	PARCEL #	OWNER	SIZE
	HIGH SCHOOL AREA		(Acres)
1	112964000005000	Olsen Family LLC	5.03
2	112964000006000	Olsen Family LLC	5.03
3	112964000010000	Olsen Family LLC	5.03
4	112964000011000	Olsen Family LLC	4.52
5	112964000008000	DWS Orchards LLC	6.23
6	112964000009000	DWS Orchards LLC	1.95
7	112964011346001	DWS Orchards LLC	1.85
8	112964011346002	DWS Orchards LLC	1.97
9	112964011346003	DWS Orchards LLC	1.00
10	112964011346004	DWS Orchards LLC	1.00
	TOTAL		33.61
	RIVER AREA		
11	113964011991001	Goode Lloyd L	3.53
12	113964011991002	Dept. of Wildlife	15.70
13	Irrigation ROW	Kiona Benton (~ area)	1.81
	TOTAL		21.04

B. Environmental Elements

1. Earth

a. General description of the site:

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

Many types of terrain, including flat, rolling, hilly, and steep slopes are found within Benton City.

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

Some areas of the City have slopes exceeding 15 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.

Soils within Benton City are predominantly Starbuck-Scooteney-Rock outcrop with some Warden-Shano-Esquatzel type soils in the southern portion of the city.

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

No.

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.

Not applicable.

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

Not applicable.

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

Not applicable.

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

Through the application of the City's Critical Areas Ordinance and other regulations to reduce or control erosion during approved land development projects.

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.**

Not applicable.

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

Not applicable.

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

None proposed.

3. Water

a. Surface:

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.**

   The Yakima River flows along portions of the east and west borders of the city and through a southern section of the city.

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.**

   None proposed

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.**

   None proposed

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

   None proposed

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

   Portions of the city lie in the 100-year floodplain and floodways. The proposed changes to the comprehensive plan apply generally to all properties located within the current limits of Benton City. A portion of Parcel 113964011991002 located

adjacent to 14th Street, directly adjacent to the Yakima River, is within the flood plain.

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.**

   No discharges. Future proposed projects will be individually reviewed for site-specific impacts.

b. Ground:

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.**

   None proposed. Future proposed projects will be individually reviewed for site-specific impacts.

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.**

   None proposed. Future proposed projects will be individually reviewed for site-specific impacts.

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.**

   None proposed. Future proposed projects will be individually reviewed for site-specific impacts.

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

   Not applicable.

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

   Not applicable.

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

Not applicable. Compliance with the City's Critical Areas Ordinance, the SMP and other regulations are compulsory.

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?**

None proposed. Future proposed projects will individually be reviewed for site-specific impacts.

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

None applicable. Future proposed projects will be individually reviewed for site-specific impacts.

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

None proposed. Future proposed projects will be individually reviewed for site-specific impacts.

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

Future proposed projects will be individually reviewed for site-specific impacts.

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:**

Nearly all the Above listed species have occasionally been observed in Benton City except bear, herring, and shellfish.

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

The Washington Department of Fish and Wildlife Priority Habitat and Species maps show the Townsend's Ground Squirrel and the Ferruginous hawk as Candidate and Threatened species, respectively, within the general area of Benton City. However, relative to listed species, future proposed projects will be individually reviewed for site-specific impacts.

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

Yes, the entire Columbia basin is located within known migratory routes for salmonids and migratory birds.

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

Not applicable. Future proposed project will be individually reviewed for site-specific impacts as well as site-specific mitigation of determined impacts where mitigation is required. All projects will be required to comply with the City's Critical Areas Ordinance.

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

Not applicable. However, relative to listed species, future proposed projects will be individually reviewed for site-specific impacts and for compliance with the City's adopted Critical Areas Ordinance.

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.**

Future proposed projects will be individually reviewed for site-specific impacts.

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

Not applicable.

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.**

Not applicable.

7. Environmental health

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.**

No.

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

   Not applicable. Future proposed projects will be individually reviewed for site-specific conditions.

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.**

   Not applicable.

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.**

   Not applicable.

4. **Describe special emergency services that might be required.**

   Not applicable.

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

   Not applicable.

b. Noise

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

   Not applicable. Future proposed projects will be individually reviewed for site-specific conditions.

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)?**

The majority of the proposals involve changes from an existing land use or one to one that is residential and future development will not typically result in greater levels of noise than the previous designations would have generated.

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

   None proposed.

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.**

   Parcel 113964011991002 is a park left in natural habitat. The City will maintain this property in natural habitat.

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?**

   None of the parcels involved in the proposals have been used as working farmlands or working forest lands.

   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.**

   Structures are located on various parcels within the existing city limits and UGA and within the proposed areas to be added to the UGA.

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

None proposed at this time.

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

Zoning classifications vary throughout the proposals. See the Zoning Map.

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

Land use designations vary throughout the proposals. See the Land Use Map

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

There are several different shoreline master program shoreline environment designations throughout the City alone shorelines.

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

A variety of sensitive areas have been designated throughout the City. These areas are typically related to shorelines, floodplains, steep slopes, wetlands, and miscellaneous habitat areas.

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

Not applicable.

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

Not applicable.

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

None proposed.

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

Application of policies and guidelines as established by the comprehensive plan.

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

Application of policies and guidelines as established by the comprehensive plan.

9. Housing

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

None at this time.

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

None.

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

None proposed.

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?**

Not applicable.

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

Not applicable.

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

Not applicable.

11. Light and glare

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

Not applicable.

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

Not applicable.

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

Not applicable.

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

None proposed.

12. Recreation

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

Not applicable.

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

No.

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

None proposed.

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.**

Not applicable.

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.

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.**

Not applicable.

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.**

None proposed.

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.**

The existing City and County street systems serve the geographic area for the proposed UGA revisions. Future developments within the UGA will be evaluated for impacts to the existing street systems.

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?**

Benton City is served by Ben Franklin Transit.

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

None at this time.

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).**

Not applicable.

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

Not applicable.

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?**

Not applicable as this is a non-project action.

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.**

Not applicable.

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

None proposed.

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.**

Not applicable as this is a non-project action.

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

None proposed.

16. Utilities

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

All utilities are available within Benton City, to various extents.

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 as this is a non-project action.

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.

X 

Type name of signee: Len Burton, Mayor

Position and agency/organization: Mayor, Benton City

Date submitted: December 19, 2025

D. Supplemental sheet for non-project actions

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?**

   As a non-project action, the proposal will not increase discharge to water; emissions to air, production, storage, or release of toxic or hazardous substances; or production of noise. Most of the proposed land use designation and zoning changes will not result in more intense development of the specific parcels however, some changes may facilitate additional dwelling units can contribute to increased emissions to air (typical of household uses) and production of noise (typical household uses).

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

     None proposed.

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

   As a non-project action, the proposal will not affect plants, animals, fish, or marine life. The changes under this proposal will not change any aspect of the city's protection of these items under the Critical Areas Ordinance.

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

     None proposed. Further, all site-specific projects are required to comply with all local, state, and federal laws regarding the protection of endangered species.

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

   As a non-project action, the proposal will not deplete energy or natural resources. Potential development will increase demands for energy and natural resources regardless of the Comprehensive Plan amendments. Future proposed projects will be individually reviewed for site-specific impacts.

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

     None proposed.

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?**

No direct impacts to environmentally sensitive areas or areas designated to government protection are expected as a result of the non-project action.

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

  Fish and Wildlife Habitat Conservation Areas are established and mapped to protect habitats for federal or state endangered, threatened, sensitive, candidate, and priority species of fish, wildlife or plants, following best available science. These areas are considered worth protecting not only for the health of fish and wildlife species but because the habitats themselves help improve water quality, increase soil health, and affect hydrology which results in a reduction of flooding. The City regulates development in or near these habitats.

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?**

   Any proposed use or development within the city is subject to the City's Comprehensive Plan and any proposed use or development within shoreline jurisdiction is also subject to the City's Shoreline Master Program.

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

     None proposed.

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

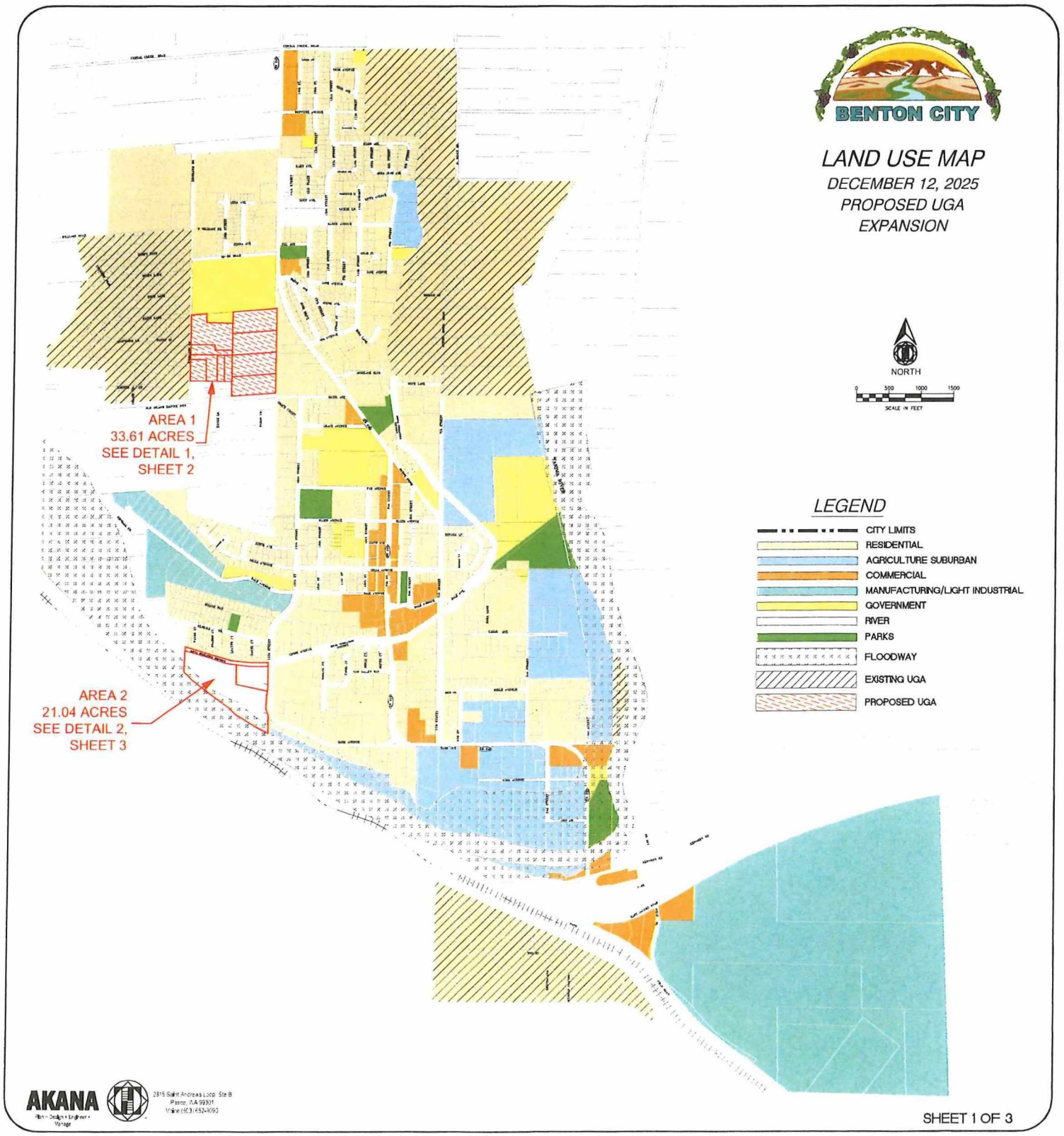
   As a non-project action, the amendments to the Comprehensive Plan will not directly increase demands on transportation or public services and utilities.

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

     None proposed.

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

   It is not the intent of the Comprehensive Plan amendments to conflict with local, state, or federal laws or requirements for the protection of the environment. All future development projects will be required to comply with the City's Critical Ordinances and all relevant local, state, and federal laws regarding the protection of the environment.



AKANA
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2815 Saint Andrews Loop Ste B
Pasco, WA 99301
Voice (509) 582-9090



PROPERTY DESCRIPTIONS

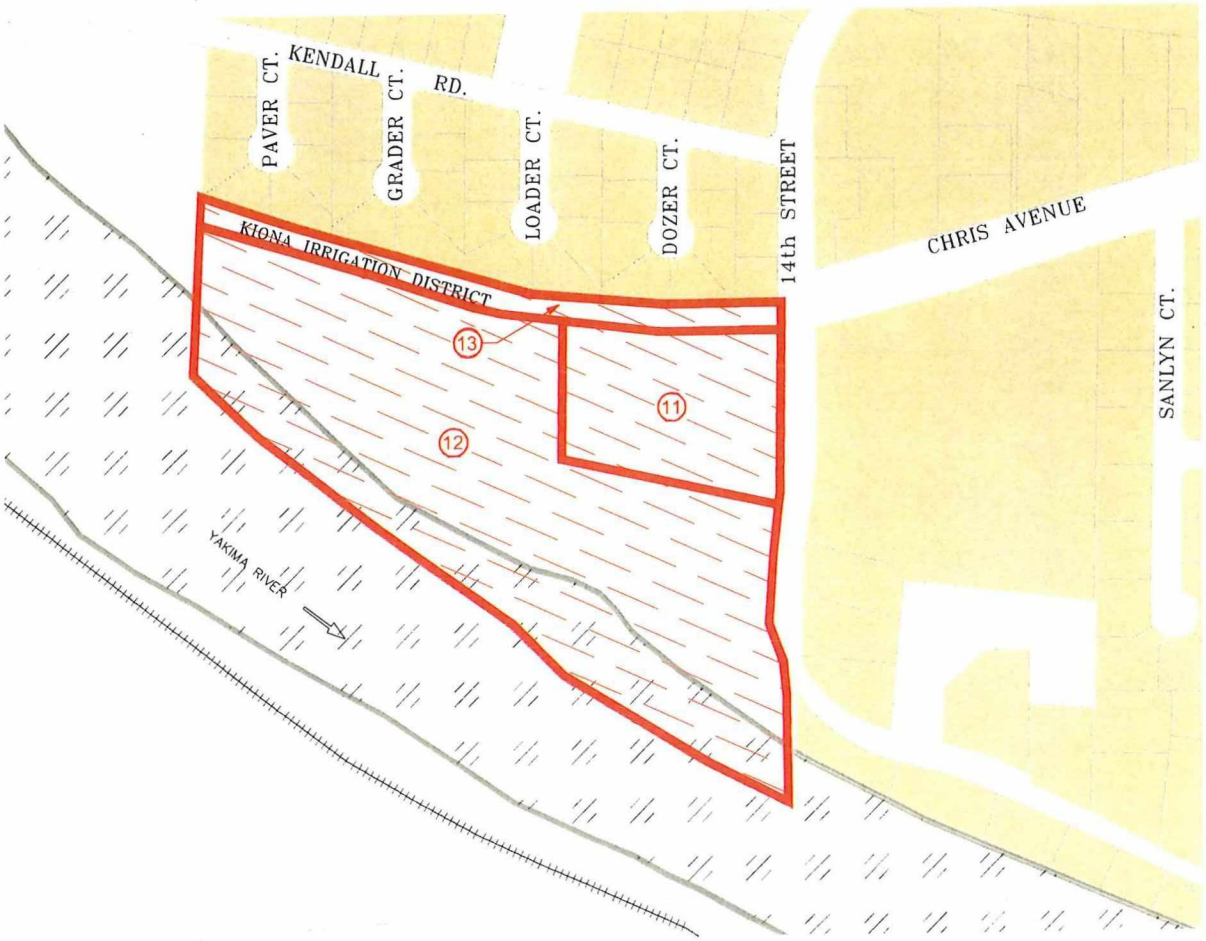
ALL PROPERTIES COUNTY ZONING: RL-5
PROPOSED CITY LAND USE: RESIDENTIAL

1. OLSEN FAMILY LLC
   112964000005000
   5.03 ACRES
2. OLSEN FAMILY LLC
   112964000006000
   5.03 ACRES
3. OLSEN FAMILY LLC
   112964000010000
   5.03 ACRES
4. OLSEN FAMILY LLC
   112964000011000
   4.52 ACRES
5. DWS ORCHARDS LLC
   112964000008000
   6.23 ACRES
6. DWS ORCHARDS LLC
   112964000009000
   1.95 ACRES
7. DWS ORCHARDS LLC
   112964011346001
   1.85 ACRES
8. DWS ORCHARDS LLC
   112964011346002
   1.97 ACRES
9. DWS ORCHARDS LLC
   112964011346003
   1.00 ACRES
10. DWS ORCHARDS LLC
    112964011346004
    1.00 ACRES

DETAIL 1

NORTH

AKANA
Plan • Design • Engineer • Manage
2315 Saint Andrews Loop Ste B
Pasco, WA 99301
Phone (509) 452-3090



PROPERTY DESCRIPTIONS

DETAIL 2

NORTH

(11) GOODE LLOYD L
113964011991001
3.53 ACRES
CURRENT COUNTY ZONING: RL-5
PROPOSED CITY LAND USE: RESIDENTIAL

(12) DEPARTMENT OF WILDLIFE
113964011991002
15.70 ACRES
CURRENT COUNTY ZONING: PARKS
PROPOSED CITY LAND USE: PARKS

(13) KIONA IRRIGATION DISTRICT RIGHT OF WAY
≈1.81 ACRES
CURRENT COUNTY ZONING: RL-5
PROPOSED CITY LAND USE: PARKS

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7815 Saint Andrews Loop Ste B
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Voice (509) 652-7093

Community Development Department
102206 East Wiser Parkway
Kennewick, WA 9933

Planning Division
(509) 786-5612
Planning.department@co.benton.wa.us

Received
NOV 2 6 2025
Benton County Planning Division

BENTON COUNTY PLANNING DIVISION APPLICATION
COMPREHENSIVE PLAN - URBAN GROWTH AREA AMENDMENT

CPA File No. CPA 2026-001

NAME OF CITY: Richland, Washington

MAILING ADDRESS: 625 Swift Blvd., MS-35 Richland, WA 99352

CONTACT PERSON: Mike Stevens (Planning Manager)

EMAIL ADDRESS: mstevens@richlandwa.gov

TELEPHONE: (509) 942-7596

Please answer the following questions, if more space is needed please use attachments.

1. Addresses, parcel numbers and legal description of properties proposed for inclusion in the UGA: (add additional pages if necessary)

A. Badger Mountain Hill Top – ***UGA Removal***	
Address	Undetermined
Parcel number	1-289-8400-000-0000 (ALL) and 1-289-8200-000-2002 (Portion)
Legal Description	Parcel 1-289-8400-000-0000: SOUTH HALF OF THE SOUTHEAST QUARTER, & THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 28, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY, WASHINGTON The complete legal description for Parcel 1-289-8200-000-2002: All of Section 28, Township 9 North, Range 28 East, W.M., Benton County Washington; EXCEPT the North half of the Northeast quarter of Section 28, Township 9 North, Range 28 East, W.M., lying Southerly and Westerly of a line drawn from the Southeast corner of said section to a point 2000 feet North of the Southwest corner of said section; AND EXCEPT a portion of land located in the Southwest quarter defined as follows: Commencing at the North quarter corner of said Section 28, Township 9 North, Range 28 East, W.M.; thence South 10°01'52" West for 3337.15 feet to U.S.C. and G.S.

	Triangulation State "Erie"; thence North 19°17'24" East for 105.95 feet to the Northwest corner of a microwave building site as said site is described in that certain assignment of lease recorded under Auditor's File No. 446559 and the True Point of Beginning; thence North for 87.00 feet; thence West for 50.00 feet; thence South for 100.00 feet; thence East for 50 feet; thence North for 13 feet to the True Point of Beginning; AND EXCEPT the South half of the Southeast quarter and the South half of the Northwest quarter of the Southeast quarter; AND EXCEPT that portion of the South half of the Northeast quarter defined as follows: Beginning at the Southeast corner of the Northwest quarter being the True Point of Beginning; thence North 00°30'34" East along the East line of said section a distance of 1297.69 feet to the Northeast corner of said South half; thence North 89°33'51" West along the North line of said South half a distance of 2612 feet to the Northwest corner thereof; thence South 00°05'01" West along the West line of said South half a distance of 36.60 feet; thence South 63°46'35" East a distance of 2898.79 feet to the True Point of Beginning; AND EXCEPT that portion of the Northeast quarter of the Northwest quarter of Section 28, Township 9 North, Range 28 East, W.M., defined as follows: Beginning at the Northeast corner; thence South along the East line of the Northwest quarter a distance of 1320 feet; thence on a 45°00 00" diagonal line to the Northwest corner of the Northeast quarter of the Northwest quarter; thence East for 1320 feet to the True Point of Beginning; EXCEPT that portion of the West half of Section 28, Township 9 North, Range 28 East, W.M., Benton County, Washington described as follows: Beginning at the Northeast corner; Thence South along the East line of the Northwest quarter a distance of 1320 feet; thence on a 45°00'00" diagonal line to the Northwest corner of the Northeast quarter of the Northwest quarter; thence east for 1320 feet to the True Point of Beginning; EXCEPT that portion of the West half of Section 28, Township 9

	North, Range 28 East, W.M., Benton County, Washington, described as follows: Beginning at the Northwest corner of said Section 28; thence South 0°19'13" East along the West line of said section 2670.58 feet to the West quarter corner of said Section 28; thence North 77°35'14" East 545.50 feet to the True Point of Beginning; thence South 67°15'52" East 226.09 feet; thence North 72°22'39" East 625.19 feet; thence South 60°39'13" East 1104.14 feet; thence South 16°57'54" West 453.26 feet; thence North 82°06'36" West 245.56 feet; thence North 65°02'13" West 1178.69 feet; thence South 87°34'33" West 351.21 feet; thence North 04°30'54" East 357.57 feet to the True Point of beginning.

B. Harvest Ridge Addition – ***UGA Addition***	
Address	Undetermined (Harvest Ridge Tract A)
Parcel number	1-058-8101-000-1000
Legal Description	HARVEST RIDGE, TRACT A. RECORDED IN VOLUME 15 OF PLATS AT PAGE 0768, RECORDS OF BENTON COUNTY, WASHINGTON. AF# 2024-001403, 01/24/2024.

C. Dallas Road Recreation Center Addition – ***UGA Addition***	
Address	12702 N Dallas Road
Parcel number	1-299-8201-246-5001 (Portion of approx. 190 acres)
Legal Description	The complete legal description for the parcel is: Section 29 Township 9 Range 28 SHORT PLAT #2465 LOT 1 99-038122. (This parcel also crosses into sections 28, 32 & 33)

D. Inclusion of the Harvest Ridge (2024 Subdivision) site and the Kennewick School District school site – ***UGA Addition***	
Address	Various addresses on Haystack Street, Harvest Ridge Loop, Grange Street and Ambrosia Street and KSD site: Undetermined
Parcel number	The series of parcels numbered 1-058-8101-000-0001 through 1-058-8101-000-0042 and KSD site: 1-058-8402-000-0053
Legal Description	Harvest Ridge, Lots 1 through 42 and KSD site: THAT PORTION OF LOT 1, PLAT OF THE RIDGE AT REATA WEST PHASE 1, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 2012-034163, RECORDS OF BENTON COUNTY, WASHINGTON, SITUATE IN SECTION 4 AND 5 TOWNSHIP 8 NORTH, RANGE 28 EAST W.M.

2. Prepare and attach a site map and aerial photo showing the proposed area in which a UGA amendment is being sought. Please show clearly the following: the proposed UGA boundary, current corporate boundaries, major physical boundaries; both natural and man- made (i. e., including but not limited to highways, railroads, rivers, streams, power lines, schools, and other public outbuildings, critical areas, open space, etc.), the proposed land use designations, pattern and acreages of urban land uses and densities for the area proposed for inclusion, with any residential areas requiring a minimum average density of six (6) dwelling units per acre, the general location and acreage of planned open spaces and greenbelts that will remain as open space within the area(s) proposed for inclusion within a UGA, as per RCW 36.70A.110(2);section, map scale, north arrow, township and range lines, and date of preparation, are to be shown and identified.

   If in a shoreline area, define existing shorelines area as shown in existing shorelines master plan and indicate the existing environment designation.

   See Exhibits A through E on the following pages.

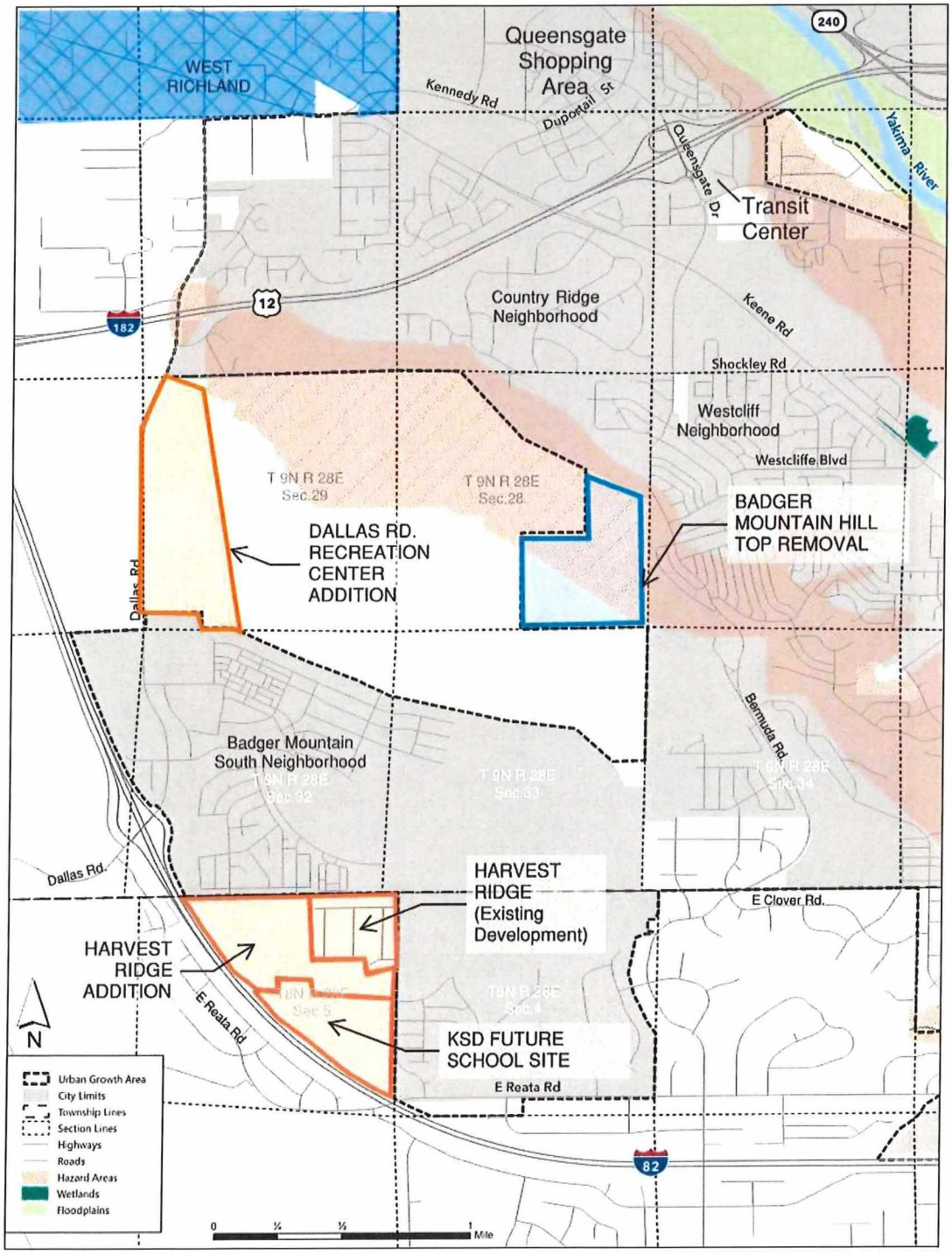


Exhibit A: Site Map with surrounding features, selected critical areas (Prepared 11/25/25)
Note: Critical Aquifer Recharge Areas are not shown; See Exhibit C for Priority Habitat Areas per WDFW



Exhibit B: Aerial Image (Prepared 11/25/25)

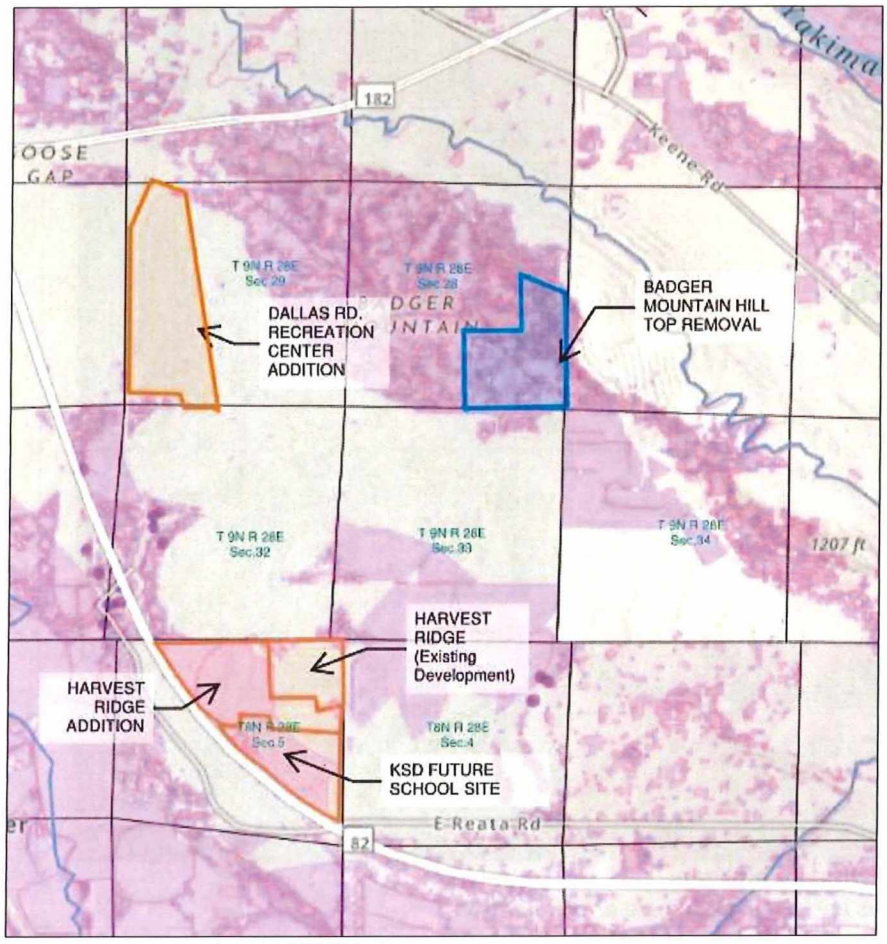


Exhibit C: WDFW Mapped Habitat Areas with annotations (Prepared 11/25/25)



Exhibit D: Drone Photograph with annotations
(Prepared 11/25/25*; Boundaries and Sites shown are approximate*)

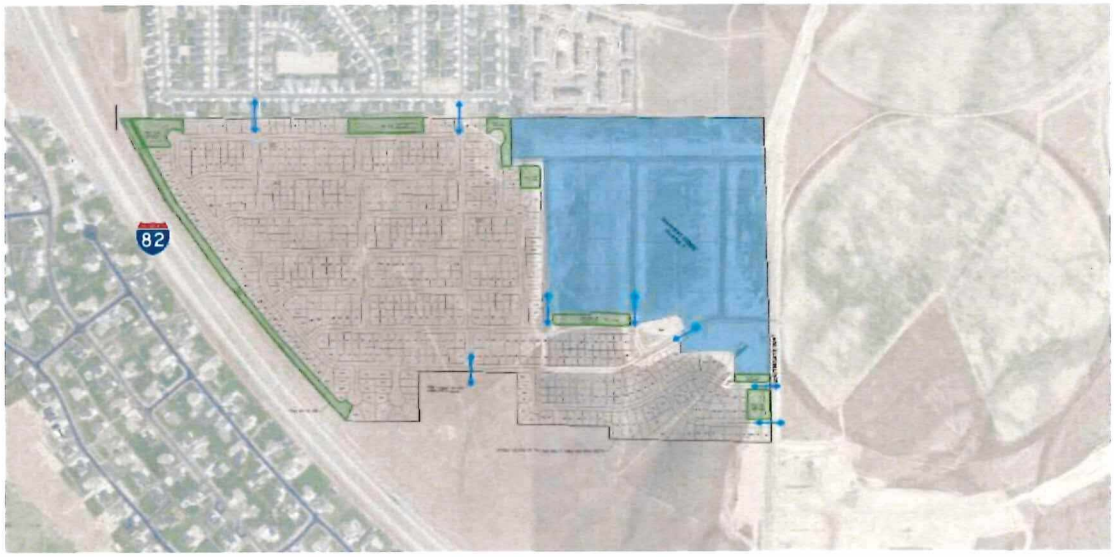


Exhibit E: Harvest Ridge Addition Concept
(Prepared 11/25/25*)*
Note: This is a very preliminary conceptual example demonstrating that the standard of a min. 6 DU/ acre can be achieved; the image shows 611 lots, potential open space areas, and a potential vehicular circulation approach)

3. What is the current use of the property proposed for inclusion in the UGA:

Harvest Ridge Addition	Vacant/ farm production, with an approved preliminary plat for residential construction and use
Dallas Road Recreation Center Addition	Farming
Harvest Ridge (2024 Subdivision)	Single Family Residential / Vacant
KSD Site	Farming

In addition, the current use of the Badger Mountain Hill Top area (requested UGA removal property) is Natural Open Space/ Recreational Trail.

4. What is the existing comprehensive plan designation for the area in which the property proposed for inclusion in the UGA:

Harvest Ridge Addition	RL-1 (Benton County Comprehensive Plan)
Dallas Road Recreation Center Addition	RL-5 (Benton County Comprehensive Plan)
Harvest Ridge (2024 Subdivision) site	RL-1 (Benton County Comprehensive Plan)
KSD Site	RL-1 (Benton County Comprehensive Plan)

In addition, the existing comprehensive plan designation of the Badger Mountain Hill Top area (requested UGA removal property) is Natural Open Space (per the Richland Comprehensive Plan Land Use map).

None of the lands have been designated as Agricultural Lands of Long Term Commercial Significance (ALLTCS). None of the lands are within Shoreline jurisdiction.

5. What is the City's proposed land use designation of the property proposed for inclusion in the UGA:

Harvest Ridge Addition	MDR - Medium Density Residential
Dallas Road Recreation Center Addition	CR - Commercial Recreation
Harvest Ridge (2024) Subdivision site	LDR - Low Density Residential
KSD Site	PBF- Public Facility

6. What are the reasons for the requested amendment and include substantial information why the provisions, map designations, etc., of the adopted plan are not sufficient to satisfy the concern that gives rise to the amendment request:

Harvest Ridge Addition	The property is currently vacant, but has land use entitlements for an approved Preliminary Plat with homes at a 1-acre minimum lot size. The owner would prefer to instead bring the property into the city limits and develop at a much more dense and compact scale. Doing so will support the city's objectives (and mandated

	requirements under the GMA as recently revised) to ensure land is available which is zoned to accommodate housing development that could be attainable to households earning around or below the Average Medium Income (AMI) for the region.
Dallas Road Recreation Center Addition	With the direct frontage along Dallas Road (and good access to I-82), proximity to existing neighborhoods, recreational amenities (including the Badger Mountain Centennial Park), unique location adjacent to city limits on the north and south sides, and infrastructure ready to be extended, the designation of RL-5 (Residential, Low - 5 acre lot minimum size) no longer fits in with the best use and potential of the property. Instead, future aspirations for the property include the development of a year-round sports recreation facility including outdoor multi-use sports fields (soccer, football, lacrosse etc.), softball fields, baseball fields and an indoor sports facility that may include basketball, volleyball etc. Other amenities may include concessions, restrooms, and an amphitheater. Parking in clusters throughout the facility will be included with pathways connecting all aspects of the complex. Open space will be integrated into the overall sport campus design, that will be accessible to the patrons of the facility. Park amenities are to be included throughout the design. Lodging components such as a hotel, groups of nightly rental bungalows, and an RV campsite complex are also envisioned for later stages per market demand, together with a potential restaurant and winery tasting room. This project would employ up to 25 full time staff and over 100 part time staff depending on season and event schedule in the near term. Later, with additional amenities and hotel capacity, these number will grow.

7. Include any other substantiated information that you feel is necessary or relevant for consideration:

The City of Richland has a proven track record of taking a measured and prudent approach when it comes to UGA expansion requests.

- Richland adopted its first Comprehensive Plan prepared under the state Growth Management Act in 1998, and the plan included the UGA boundaries for the city.
- Significant updates occurred in 2008, including adjustments to the UGA boundaries by Benton County to accommodate increased population and development needs. Most significantly, his included the addition of what is now the Badger Mountain South master planned development site which has had steady development.
- Further expansion of the UGA occurred in 2017, limited to lands north of the city limits, which are former federally-owned and control lands that are for industrial

purposes (with no residential capacity added).

- For the 2026 Periodic Update, it is necessary for the city to meet the establish population / housing targets including the income band requirements as established by Commerce's "Housing for All Planning Tool" and while infill development and potential downtown redevelopment will be useful to achieving these requirements, some additional land area for growth where utilities, services, and infrastructure is available is sensible and good planning.

    - The GMA requires comprehensive plans to include a housing element that identifies a "sufficient capacity of land" to accommodate all projected housing needs during the 20-year planning period (RCW 36.70A.070(2)(c)).
    - With recent changes to state law, Richland now must supply a detailed review of capacity among four categories: moderate, low, very low, and extremely low-income households, as defined in RCW 36.70A.030. The income level is relative to "median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development."
    - To evaluate residential land capacity by income level, AHBL will use the 6-step process as outlined by the Department of Commerce's Guidance for Updating Your Housing Element (August 2023) with adjustments to address concerns raised to the Growth Management Hearings board over an analysis following this general model conducted in Mercer Island, Washington. This is forthcoming.
    - The income level is relative to "median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development." The Department of Housing and Urban Development (HUD) publishes Area Median Income (AMI) for each county (or market area which may include several counties) on an annual basis. The AMI for FY 2025 is $105,600.
    - Benton County has set out the specific housing unit requirements for Richland and the other Benton County jurisdictions according to income band, consistent with the Housing for All Planning Tool (Commerce Guidance) as part of the update to the County-Wide Planning Policies.
    - The City of Richland is allocated housing growth targets (from the year 2020 to 2046) according to income level bands that use the "Average Median Income" benchmark
    - The 2020 "existing" distribution count was provided by the State Dept of Commerce via their "Housing for All Planning Tool" or HAPT.
    - By the year 2046 the City is expected to have 39,770 total housing units, including permanent housing units and temporary housing units / beds (emergency housing), which would be distributed as shown:

Permanent Housing Units by Income Level (% of AMI)

	0-30%							
	PSH	*Non-PSH*	> 30-50%	> 50-80%	> 80-100%	>100-120%	>120%	**Total**
Est. Housing Supply (2020)	0	798	2,690	9,796	4,469	3,275	4,497	**25,525**
Allocated Growth Target (2020-2046)	1,130	1,789	2,817	1,988	1,092	1,237	4,102	**14,155**

Emergency Housing Units

	Beds
Est. Supply (2020)	38
Allocated Growth Target (2020-2046)	52

PSH = Permanent Supportive Housing

The City of Richland has reached a 70% build-out and needs a limited amount of additional lands to accommodate the twenty-year population projection.

- The CWPPs at Policy #4 identify a uniform formula for assessing land needs in the County on a per capita basis and applies a 70% build-out factor to residential lands.
- The Dallas Road Recreation Center UGA expansion request is for non-residential uses and therefore this criterion does not apply. Furthermore, the increase of the acreage is largely offset by the proposed decrease of acres at the Badger Mountain Hill Top removal site.
- This criterion applies to the Harvest Ridge expansion request and the inventory sheet demonstrates the 70% build out is achieved.

The purpose of the proposed UGA removal and additions are primarily intended to better align with the City's objectives and obligations for growth under the Growth Management Act.

1. Increased land for housing supply is needed where higher densities (as compared to typical, single-family development on large lots) can be achieved, and where the neighborhoods can be built in a compact fashion. Furthermore, it is important to increase flexibility in housing types and promote the introduction of middle housing. The Harvest Ridge site would accommodate 611 lots for this type of development, creating an opportunity for the city to fulfill its requirements for 611 or more homes to be built in the forthcoming 20-year period to be offered at a rate attainable to households earning below the AMI.

2. The Harvest Ridge Addition site is located in close proximity to other residential development, will fill in the space between existing residential development and the I-82 right of way (which creates a physical barrier), and can be characterized as a suitable and logical site for the increased use due to the presence of existing water, sewer, electric, and transportation infrastructure that can be readily extended. In this way, the project meets the intent and directives of the GMA to reduce sprawl

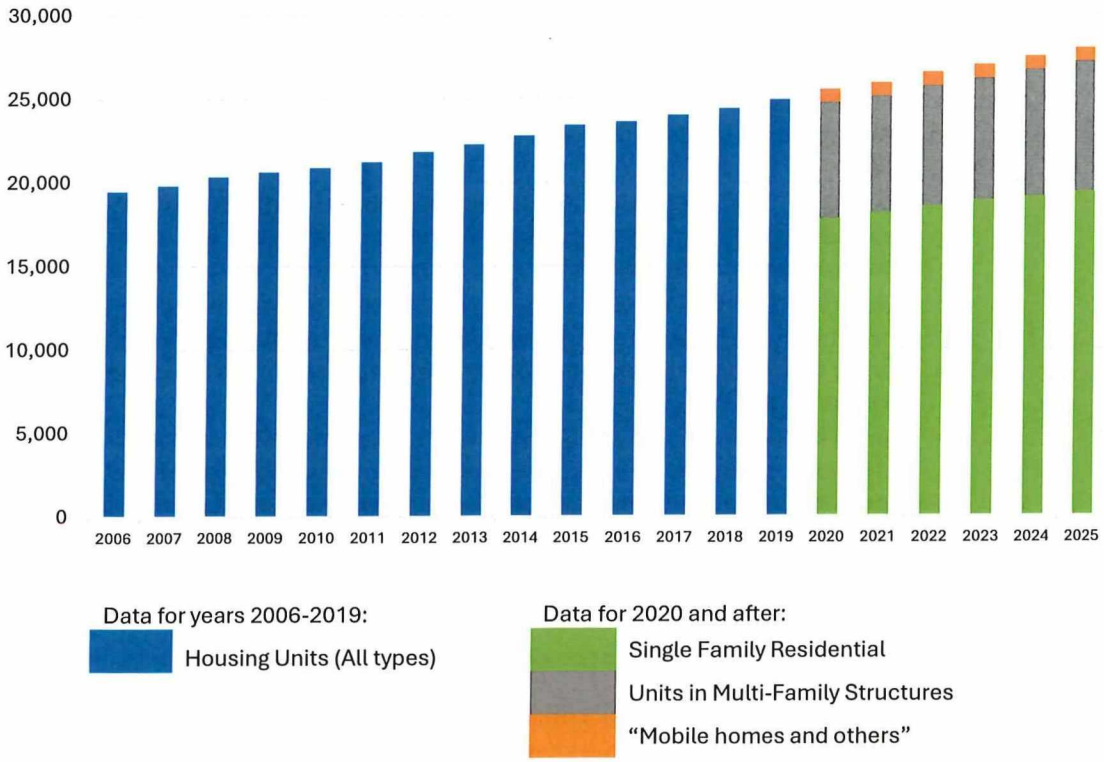
and also to avoid costly extension of infrastructure that would have fewer efficiencies elsewhere.

3. The Dallas Road recreation center site is uniquely well-suited for inclusion in the UGA; situated such that it already abuts city limits to the north and south sides; Badger Mountain is a physical barrier to the east. This site is additionally in close proximity to residential development, and will abut Dallas Road which is a minor arterial. Existing water, sewer, electric, and transportation infrastructure are in place in close proximity which can be readily extended as described in the Capital Facilities Plan.

Conditions have changed since the time and circumstances of the last County Plan adoption and the existing adopted provision is no longer appropriate.

- Benton County and its cities have experienced sustained and significant growth over the past several decades. In light of these changing conditions, it is reasonable to expect that some refinements to UGA boundaries are warranted.
- The City's UGA was last adjusted in 2017 to extend the boundaries to the north, for industrial uses and non-residential land supply increases.
- Richland has seen a steady increase in housing unit supply year-over-year. New housing production did not slow down during the 2009-2011 economic downturn and does not appear to have been negatively impacted by the health crisis of 2020-2021.
- In the year 2025, OFM estimates there are 19,374 housing units in single family homes, 7,789 homes in multi-family structures, and the inventory of "mobile homes and others" is 803.

City of Richland Housing Unit Inventory
2006 - 2025



The proposed amendment is consistent with Chapter 36.70A RCW (Growth Management Act), Benton County Code, the County-wide Planning Policies, and Plan policies.

The proposed amendment is supported by a Capital Facilities review, a land capacity analysis, and the City has demonstrated the need and preference for the change. There are many ways that the proposed amendment is consistent with Chapter 36.70A RCW, Benton County Code, the County-wide Planning Policies, and Plan policies and we are not aware of any inconsistencies.

The proposed change is particularly consistent and in alignment with the following CWPPs (emphases added):

1. *Policy #1:* The Comprehensive Plans of Benton County and each of the cities therein shall be prepared and adopted with the objective of **facilitating economic prosperity by accommodating growth** consistent with the following... *[lists the GMA goals]*
2. *Policy #3:* Locating Urban Growth Areas within the County shall be accomplished using accepted planning practices which provide sufficient land and service capacity, up to the determined need, to meet projected populations at urban densities and service standards within the Cities, and urban densities for those portions of the County located within the urban growth areas.
3. *Policy #5*: Within the urban growth area**, urban uses shall be concentrated in and adjacent to existing urban services** or where they are shown on a Capital Improvement Plan to be available within 6 years.
4. *Policy #6:* Cities will limit the extension of service district boundaries and water and sewer infrastructure to areas within each jurisdiction's urban growth area contained in their adopted Comprehensive Plan. Utility plans should attempt to reflect possible needs for a minimum of 20 years.
5. *Policy #8:* Consider other variables, such as **existing unused service infrastructure**. Also, avoid placing an urban growth line into an area of designated resource lands.
6. *Policy #9:* **Appropriate lands for urban growth expansion are typically those unincorporated lands with existing service infrastructure adjacent to corporate limits**.
7. *Policy #15:* ... All **jurisdictions shall seek to create the conditions necessary for the construction of middle, accessory dwelling units (ADU) and other housing, at the appropriate densities** within the cities and County, including UGAs....
8. *Policy #16*: Urban growth areas may include territory located outside of a city if such territory may be characterized by **urban growth or is adjacent to territory already characterized by urban growth**. Within urban growth areas, **only urban development may occur**.
9. Policy #18: Comprehensive Plans shall jointly and individually support the County and region's economic prosperity in order to **promote employment and economic opportunity for all citizens consistent with the protection of public health, safety, welfare, and the use of natural resources on a long-term sustainable basis, the ability of service capacity to accommodate demands, and the expressed desires of each community...**

Environmental impacts have been disclosed and measures imposed to either avoid or mitigate said impacts.

The City has prepared a SEPA Environmental Review checklist for the non-project action, and additionally listed out known environmental attributes and features of the

sites. A DNS was issued on November 19, 2025 (SEPA Register #202504889.

The sites feature minimal critical areas, and the impacts of future development (residential neighborhood and a Recreation Center) will not be intensive, intrusive, or cause harm to the surrounding land uses.

Please see the SEPA Environmental Review materials for further information.

The City has prepared a Capital Facilities Plan for the proposed UGA Changes. Consistent with the RCWs, the CFP shows generally that the city has, or will have, the resource capacity and capital infrastructure that is necessary for build-out of the entire area that is to be added to the UGA, without adverse effect on its ability to provide service to undeveloped areas within the current UGA.

Please see the Capital Facilities Plan.

Mayor Signature	Printed Name	Date
Authorized City Representative	Printed Name	Date

ANY INFORMATION SUBMITTED TO THE BENTON COUNTY PLANNING DIVISION IS SUBJECT TO PUBLIC RECORDS DISCLOSURE LAW FOR THE STATE OF WASHINGTON (RCW CHAPTER 42.17) AND ALL OTHER APPLICABLE LAW THAT MAY REQUIRE THE RELEASE OF THE DOCUMENTS TO THE PUBLIC.

An application fee of $2000.00 must be submitted with this application. This fee is non- refundable. Please make check payable to Benton County Treasurer.

APPLICANT'S CHECKLIST FOR COMPLETENESS

☒ APPLICATION FORM COMPLETED AND SIGNED WITH REQUIRED FEES

☒ CITY COUNCIL ADOPTED UGA RESOLUTION

☒ MAPS AND AERIAL PHOTOS WITH REQUIRED INFORMATION

☒ UGA INFORMATION SPREADSHEET

☒ CITIES SEPA CHECKLIST, DETERMINATION, OR EIS IF REQUIRED

☒ CAPITAL FACILITIES PLAN AS REQUIRED BY RCW 36.70A.070(3) & RCW 36.70A.03

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Please see the Capital Facilities Plan.

Theresa A Richardson	Theresa Richardson	November 26, 2025
Mayor Signature	Printed Name	Date
	Jon Amundson	11/26/2025
Authorized City Representative	Printed Name	Date

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Benton County Comprehensive Plan and Critical Areas Code – Comment Response Matrix (UPDATED September 25, 2026)

Comment No.	Commenter	Section No.	Page No.	Comment	Response
Comments on County Comprehensive Plan					
1	Department of Energy (DOE) 7/17/2026	1.2.1, Alternative 1	13	Recommend that language describing renewable energy projects on Hanford not use the word "allowable" in this context. Instead, update wording to reflect that DOE itself may allow renewable energy projects to be developed on Hanford: "In addition, the U.S. Department of Energy may also allow renewable energy projects to be developed on the Hanford Site, which would be evaluated through the NEPA process. Basis - The current wording may be interpreted as allowing or disallowing the development of renewable energy projects on the Hanford Site, which is outside the scope of the EIS.	Update as suggested
2	KID Daniel Tissell 11/10/2025	1.2.1, 1.5.4, Table 3-4, , 3.3.6, Alternative 1	13, 19, 59, 76-77	The "Unclassified" zoning district has no definition. As a zoning district that's wholly on the Hanford Site, it should be described as such and noted that it is governed by the Department of Energy and it's regulations. Basis - The current wording may be interpreted as allowing or disallowing the development of renewable energy projects on the Hanford Site, which is outside the scope of the EIS.	Purpose statement will be added to the Comprehensive Plan to note that this designation only applies to Hanford and is governed by US Department of Energy and its regulations for federal activity and by County regulations for state, local and private activity that require local permits and approvals.
3		Goals and Policies 2.2.3 Rural lands Policy 9	15 2018 Comp Plan	Add "and other traditional uses" at end	Update as suggested
4		General Policies 2.4.1 Policy 6	28	Add "while keeping urban heat island affect" at end	Update as suggested
5		2.4.2 Municipal Water Supply Policies Policy 3	29	Add "and require where available" at the beginning after the word Encourage Add a new policy in this section that says: Encourage the development of new and additional non-potable sources for irrigation water in housing units, parks and other developed lands or future developable lands.	Update as suggested
6		2.4.5 Agriculture Policies Policy 2	30	Add "non-potable uses in urban areas" at end	Update as suggested
7		2.4.5 Ag Policies – Policy 4	30	Add "Specifically, encouraging replacement water for KID from water lost due to upstream conservation and modernization." at the end	Update as suggested
8	KID July 2,2026	2.4.5 WR Goal 2	30	Add new policy below policy 1 that says – "No new wells in the shallow aquifer."	
9	KID 11/10/2025	2.5 Critical Areas Goal 4 Policy 2	33	Put the word "natural" before creeks	Update as suggested

Comment No.	Commenter	Section No.	Page No.	Comment	Response
10		2.8 Transportation Element Goal 2 Policy 3	38	Put "Coordinate with local Irrigation Districts to Canal ROWs for trail purposes." at end	Update to read: "Include local resident needs for pedestrian, bicycle, and recreational, and equestrian travel when those needs are identified in the Comprehensive Plan. Coordinate with local Irrigation Districts when considering Canal ROWs for trail purposes."
11		2.9 Parks, Rec, Open Space Historic Preservation Goal 1 Policy 4	39	Add "Coordinate with local irrigation districts to Canal ROWs for trail purposes" at end	Update to read: Offer a broad range of recreational opportunities for various abilities and needs of County residents (e.g., fishing, hiking, playfields). Coordinate with local Irrigation Districts when considering Canal ROWs for trail purposes."
12	WA State Department of Commerce Chaz Bates August 12, 2026			Section 1.1.2 repeats the goals of the GMA. It is slightly out of date as it uses older language for the housing goal, in 2023 the housing goal had a significant change to read: "Plan for and accommodate housing affordable to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock."	Update Housing Goal (4) to read: "Plan for and accommodate housing affordable to all economic segments of the population consistent with County/Cities housing allocation plan. Promote a variety of residential densities and housing types, and encourage preservation of existing housing stock."
13				Section 2.10, Goal 1, Policy 1 creates a different requirement from statute. RCW 36.70A.070(3)(e) requires a reassessment of the land use element if probable funding falls short of meeting existing needs. Your policy requires a reassessment of the capital facilities plan if funding falls short of meeting existing needs. and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. While this policy may arrive at the same goal: a coordinated and consistent capital facility plan and Land Use Element, a key difference appears that the proposed policy requires additional funding or reduced LOS vs a change in land use. A potentially higher bar with greater impacts to residents and the county.	Replace Policy 1 of this section with: "Reassess the land use element if probable funding falls short of meeting existing needs. Establish associated procedures for reviewing and updating the land use element and capital facilities plan to be consistent if probable funding falls short of meeting existing needs."
14				Section 2.12.3, CE Goal 4, Policy 12, working with the Benton County Conservation District on native plant species to increase resilience and reduce maintenance costs and demand for irrigation water is forward looking. You may consider impacts of climate change impacts on existing plant lists. It's possible that as the climate changes, existing native plants may not be the best long-term solution. Ensuring that any plant list is adaptable and considers changes to the climate could also save maintenance and demand for irrigation water.	Update Policy 12 of this section to read: "Work with the Benton Conservation District to develop and periodically update acceptable native and other drought resistant plant species for new developments and restoration projects, to increase resilience and reduce maintenance costs and demand for irrigation water."
15				Section 2.12.8, Goal 3, Policy 11. At the end of the sentence are the words "Waste Management" this is likely supposed to be a heading for the next section.	Thank you for pointing this out; you are correct and this will be updated to be a section heading in the final draft.
16				Section 2.7, Goal 1, Policy 3 could be strengthened by expanding beyond just city limits to include adjacent UGAs to city limits. This would allow the county in conjunction with their cities to work cooperatively to provide the conditions necessary for the construction of affordable housing at appropriate densities within the city and adjacent urban areas.	Update this policy to read: "Work with Cities to provide housing for all economic segments of the population and seek to create the conditions necessary for the construction of

Comment No.	Commenter	Section No.	Page No.	Comment	Response
					affordable housing at appropriate densities within city limits and UGAs."
17				We support the inclusion of the Parks and Recreation Element into the comprehensive plan and the recognition of the tie between the element and the county's Parks Plan. We would like to point out that the Resource Conservation Office RCO may extend eligibility for cities and counties that combine parks, recreation, and/or open space planning into required periodic updates under the Growth Management Act. To qualify, the organization must submit a request for extended eligibility in writing to RCO. If approved, extended eligibility expires on the date the organization is required to adopt its updated comprehensive plan established under Revised Code of Washington 36.70A.130.	Thank you for pointing this information out to the County.
18	Bill Barlow 5/27/2026 Public Meeting			To date looks like Benton County is attempting to go beyond just meeting requirements	Comment noted
19	WDFW Scott Downes 6/11/2026			Chapter 2. Goals and Policies 2.2 Land Use LU Goal 1. We recommend adding fish and wildlife habitat and wildlife connectivity as stated goals in review of land use compatibility.	Update as suggested
20		2.2.4 Master Plan Resorts LU Goal 7	26	We recommend adding in a policy that states where development overlaps with critical areas, prioritize placement of the critical areas into natural open for protection of the critical areas. (Comment also added by Laurie Ness on July 2, 2026)	Add new policy (7) to read: "Where development overlaps with critical areas, prioritize placement of the critical areas into natural open space through conservation easement or other permanent protection mechanism."
21		2.9 Parks, Recreation, Open Space, and Historic Preservation	40	We appreciate that Goal 2 has highlighted protection of greenways and open space along the riverine corridor of the lower Yakima River and Goal 3 identifies conservation of naturally vegetated slopes and ridges, both goals will provide important habitat protection. While both goals discuss habitat protection as a policy, neither goal speaks directly to protection of shrubsteppe habitat for upland wildlife. We recommend modifying one of the goals to address shrubsteppe habitat or adding an additional goal.	Update as suggested
22		2.12.3 Climate and Greenhouse Gas Emissions Goal 4	45	The resiliency sub-element of RCW 36/70A. 070 (9) (e) states that the climate element should identify, protect and enhance natural areas to foster resiliency for safe passage of species migration. We recommend adding wildlife connectivity under CE goal 4 to incorporate this element.	Update as suggested
23	**Land Use Comments**				
24	WDFW Scott Downes 11/14/2025 WDFW	3.2.3 Land Use Element Future Considerations	57-58	We recommend adding to plan for wildlife connectivity, particularly in the rural areas. Examples of planning could include adding wildlife connectivity corridors into open space plans, future land use maps, and even creating a wildlife connectivity overlay. There are some areas that are zoned as Rural 5 that are within wildlife connectivity corridors identified under various elements such as WAHCAP or PHS. We would like to explore if there are options to rezone some of these areas to less intensive zoning such as agriculture or Rural 20.	DRAFT Response: Wildlife Connectivity is addressed at the county and regional scale. The County's open space mapping identifies connectivity corridors of county and regional significance and supports strategic preservation of high-value open space properties, including through the shrubsteppe mitigation program relies on these corridor-scale tools rather than a parcel-scale regulatory overlay. The County will monitor development trends during plan implementation over the next few years in and around wildlife connectivity corridors and see whether zoning changes might be warranted in certain areas.

Comment No.	Commenter	Section No.	Page No.	Comment	Response
25	Department of Energy 6/17/26	3.2 Existing Land Uses in the County Second Paragraph	53	Recommend changing the reference to "Hanford industrial uses" to "the Hanford Site." Basis - The current language implies that the entire Hanford Site is used for industrial purposes. While outside the scope of the BCCP, the Hanford Site land use designations include several other categories aside from industrial	Update as suggested
26		3.2.2 Population and Land Use Trends, Last Paragraph	57	The report states that, "A solar renewable energy project is located on this land and additional future development is expected," however to date there has not been any development on the 1,641 acres of Hanford land that was transferred to the community reuse organization. Basis - The 1,641 acres of DOE land transferred to TRIDEC remains undeveloped. The only solar farm is located to the SW of the 1,641 acres on private land owned by the IBEW.	Update to clarify and correct with the accurate information
27	Benton County Public Works July 2, 2026	3.3.1.1 Urban Growth Area Amendment Request (City of Richland)	59-60	Thank you for the opportunity to review and provide comments on the City of Richland's request to adjust the Urban Growth Area (UGA) within Benton County. Public Works comments are as follows; ✓ RCW 35.21.790 (1) states "The governing bodies of a county and any city or town located therein may by agreement revise any part of the corporate boundary of the city or town which coincides with the centerline, edge, or any portion of a public street, road or highway right-of-way by substituting therefor a right-of-way line of the same public street, road or highway so as fully to include or fully to exclude that segment of the public street, road or highway from the corporate limits of the city or town." ✓ The County is requesting that the legal description included in the request for the Urban Growth Area amendment be revised to include all adjoining portions of county roads that will be impacted by all future annexed properties / parcels. Development of these properties / parcel when annexed by the City will need to meet City of Richland construction specification and standards	This comment will be shared with the City of Richland
28	Benton County Public Works July 2, 2026	3.3.1.1 Urban Growth Area Amendment Request (City of Benton City)	59-60	RCW 35.21.790 (1) states "The governing bodies of a county and any city or town located therein may by agreement revise any part of the corporate boundary of the city or town which coincides with the centerline, edge, or any portion of a public street, road or highway right-of-way by substituting therefor a right-of-way line of the same public street, road or highway so as fully to include or fully to exclude that segment of the public street, road or highway from the corporate limits of the city or town." ✓ The County is requesting that the legal description included in the request for the Urban Growth Area amendment be revised to include all adjoining portions of county roads that will be impacted by all future annexed properties / parcels. Development of these properties / parcel when annexed by the City will need to meet City of Benton City construction specification and standards.	This comment will be shared with the City of Benton City
29	WA State Dept. of Commerce Chaz Bates August 12, 2026			Section 3.3.1 provides a good summary that the comprehensive plan allows growth within UGAs and the UGAs are designed to accommodate growth and be in areas that that either already have adequate existing public facilities and service capacity or can be served by such facilities and services. The Benton City and Richland proposed UGA expansion applications appear to follow Policy 4 of the Countywide Planning Policies and acknowledge the ability to serve the expansions. However, the County has an additional obligation to review the expansions considering all existing urban growth areas within the County including capacity within cities. One example that is absent from a countywide level discussion is the City of West Richland's Lewis and Clark Ranch subarea. Though West Richland has considerable undeveloped acreage within the city, it is also highly unlikely that those areas outside of the Lewis and Clark Ranch could be provided with the necessary capital facilities within the 20-year planning period. The County as part of the overall discussion of the UGA and potential expansion should strike the balance not only having adequate land capacity but also the	See White Bluffs Consulting Memorandum dated September 24, 2026 for additional detail on the proposed UGA changes and associated Countywide evaluation of land capacity and other factors that went into supporting the proposed Benton City and Richland UGA changes. *(NOTE: This memorandum can be found as part of the Planning Commission October 6, 2026 hearings packet.)*

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				capacity to have adequate public facilities and services within the 20-year planning horizon. Additionally, if the County intends to use "UGA swaps" during this periodic update to modify UGA boundaries, please be aware the provisions within RCW 36.70A.130(3)(c) must be satisfied.	
30				We have an overarching concern about several of your proposed land use designations and the potential of misclassifying/ identifying limited areas of more intensive rural development (LAMIRD). We have concerns that the County has removed or never appropriately designated LAMIRDs throughout the County, based on conversations with staff it appears that LAMIRDs were never designated. As proposed, the Rural Commercial, Rural Transition, and Rural Industrial and their associated implementing zoning districts allow development that appears inconsistent with rural areas generally. Allowing these designations and zones to newly occur throughout the rural area conflicts with Goal 2 and Goal 8 of the GMA. The overall suggestion is for the County to limit new occurrences of the Rural Commercial, Rural Transition, and Rural Industrial and their implementing zoning districts, and consider either in this plan or future amendments designating LAMIRDs consistent with RCW 36.70A.070(5)(d) or other mechanism as appropriate to limit the conversion of rural lands to non-rural uses.	Update the following comprehensive plan sections: **2.2.1 Urban Growth** Update Policy 1 to read: "Reduce urban sprawl and preserve rural character by promoting urban growth, including new urban-scale commercial and industrial development within designated UGAs and incorporated areas where adequate urban services such as public facilities, utilities, transportation infrastructure, and services are available or can be efficiently provided." **Land Use Element 3.2.3** Add sentence at the end of paragraph 3 – "While the County has legacy urban type development – residential, commercial and industrial in certain areas, the County is prohibiting the expansion or establishment of urban-scale commercial and industrial development outside Urban Growth Areas except as described in more detail in section 3.3.2.3." **3.3.2.3 Rural Land Use Designations** **Rural Transition** Add this sentence into this section: "The County is prohibiting the expansion or establishment of additional future Rural Transition designated and zoned lands effective with the adoption of the 2026 updated plan." **Rural Commercial** Add this sentence into this section: "The County is prohibiting the expansion or establishment of additional future Rural

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					Commercial designated and zoned lands effective with the adoption of the 2026 updated plan." **Rural Industrial** Add this paragraph into this section: "The County is prohibiting the expansion or establishment of additional future Rural Industrial designated and zoned lands effective with the adoption of the 2026 updated plan for those lands located outside a designated UGA. **3.6 Expansion of Urban Growth Areas** Add discussion of Plymouth MID UGA establishment for Plymouth after discussion of Benton City and Richland UGAs. This additional information would read: "Also, the County has determined that state Major Industrial Development (MID) requirements established by RCW 36.70A.365 would be met through the designation of a 1,297-acre industrial development site near Plymouth, as further documented in September 9, 2026 Memorandum (AC Geo). *(NOTE: This memorandum can be found as part of the Planning Commission October 6, 2026 hearings packet.)* Also, update Comprehensive Plan Table 3-4, Urban row, to include General Commercial, Light and Heavy Industrial as allowed uses. See also associated additional changes in Title 11, as provided with Comment #115 response.
Natural Resources Element Comments					
31	WDFW	2.3 Natural Resources Element			Update as suggested

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	Scott Downes 6/11/2026			Yakima Basin Integrated Plan Support. While WDFW has not seen a draft of the Natural Resources Element posted to the draft to the public website yet, we would like to offer up two concepts for Goals and Policies that support Lower Yakima River habitat restoration: 1. Support for Water Stargrass control in the Lower Yakima River to support river restoration and fish passage and survival. 2. Support for fish passage and habitat restoration projects proposed under the Yakima Basin Integrated Plan in the Lower Yakima River.	
32		4.6.5.1 Natural Resources Element, Critical Areas	105	Fish and Wildlife Conservation Areas, Existing Conditions. The opening paragraph states that many of the ephemeral streams do not provide aquatic habitat due to their infrequent flows. While it is likely that many of these stream reaches may not support various life stages of anadromous fish, particularly spawning, it is incorrect that these ephemeral reaches don't have the ability to support aquatic habitat. Species such as amphibians often use ephemeral stream reaches for parts of their life cycle and can be important to their survival. We recommend acknowledging that these ephemeral stream reaches can provide aquatic habitat to some species.	Update as suggested
33	KID – 11/10/25 – Daniel Tissell	4.5.2.1.2 Natural Resources, Water Resources, Existing Conditions, Surface Water, Yakima River	91-92	Change the river flows east to west to **west to east** in the first sentence. Change sentence that says Lower Yakima flows are often lower in the summer than historical conditions, primarily **due to controlled reservoir releases for out of stream uses while maintaining minimum target flow for fish. In addition, conservation and modernization of irrigation systems reduces baseflows.** Change 2nd sentence in 2nd paragraph to: This condition **is concerning for** both the **resident** and anadromous fisheries	Update as suggested
34		4.5.2.2 Natural Resources, Water Resources, Existing Conditions, Ground Water	92	Add "Groundwater portions of the shallow aquifer adjacent to irrigation canals and irrigated lands are also impacted by modernization of irrigation systems and on-farm practices." At end of page	Update as suggested
35		4.5.3.1 Natural Resources, Water Resources, Current Trends, Surface Water	93	Add "Basin" to Yakima Integrated Plan and on pages 68, 69 and 90 (global update) and add "Chandler electrification, a project that improved the Kennewick Irrigation District water supply, helps to increase water supply for irrigation and provides benefits to fish during drought and other times." At the end of the 2nd paragraph.	Update as suggested
36		4.5.3.2 Natural Resources, Water Resources, Current Trends, Groundwater	94	Add "there is a mixed effect. Pumping water for irrigation can reduce groundwater elevation whereas irrigation distribution infrastructure and irrigated agriculture have increased the ground water elevation." At end	Update as suggested
37		4.5.4 Natural Resources, Water Resources, Future Considerations and Water Management	94	Add "Chandler electrification, a project that improved the Kennewick Irrigation District water supply, helps to increase water supply for irrigation and provides benefits to fish during drought and other times." At end of 1st paragraph.	Update as suggested
38		4.5.5.2 Natural Resources, Water Resources, Focus on the Yakima River Basin, Yakim River Basin Integrated	96	Add "and KID Chandler Electrification and Central Storage" at end	Update as suggested

Comment No.	Commenter	Section No.	Page No.	Comment	Response
		Water Resource Management Plan			
39		4.5.5.4 Natural Resources, Water Resources, Focus on the Yakima River Basin, Rural Water Supply Program	99	Add “Irrigation districts” in last sentence	Update as suggested
40		4.6.1.1 Natural Resources, Critical Areas, Wetlands, Existing Conditions	100	Add “The County will coordinate with Irrigation Districts intentionally created wetlands.” At end of 2nd paragraph	Update as suggested
41	Patrick Paulson Laurie Ness May 28,2026	4.6.1 Natural Resources, Critical Areas, Wetlands	100	• Add introductory text to section 4.6.1 Wetlands: • Wetlands help to maintain water quality; store and convey stormwater and floodwater; recharge groundwater; provide important fish and wildlife habitat; and serve as areas for recreation, education, scientific study and aesthetic appreciation. • The County's overall goal shall be to achieve no net loss of wetlands functions and values. This goal shall be implemented through retention of wetlands within the County. • Wetlands and their buffers serve to moderate runoff volume and flow rates; reduce sediment, chemical nutrient and toxic pollutants; provide shading to maintain desirable water temperatures; provide habitat for fish and wildlife; and preserve the ecological integrity of the critical area and areas adjacent. The primary purpose of the wetland regulations is to avoid detrimental wetland impacts and achieve a goal of no net loss of wetland function and values, and where possible enhance and restore wetlands.	Update as suggested
42		4.6.1.1 Natural Resources, Critical Areas, Wetlands, Existing Conditions	100	• Acknowledge wetlands other than those “concentrated within the floodplain of the Yakima and Columbia rivers.”. Suggested Language: 4.6.1.1 Existing Conditions • In addition to wetlands concentrated within the floodplain of the Yakima and Columbia rivers, Benton County contains isolated wetlands, wetlands linked to springs, wetlands created from high groundwater levels due to irrigation, and wetlands created and regulated to compensate for the loss of other wetlands.	Update as suggested
43	Department of Energy 7/17/2026	Section 1.2.1, Page 13, Alternative 1		Recommend that language describing renewable energy projects on Hanford not use the word "allowable" in this context. Instead, update wording to reflect that DOE itself may allow renewable energy projects to be developed on Hanford: "In addition, the U.S. Department of Energy may also allow renewable energy projects to be developed on the Hanford Site, which would be evaluated through the NEPA process. Basis - The current wording may be interpreted as allowing or disallowing the development of renewable energy projects on the Hanford Site, which is outside the scope of the EIS.	Update as suggested
44	Ag Reserves Jens Rasmussen 7/2/2026			• We appreciate the work you have completed on the 2026 Comprehensive Plan Update and are generally supportive of the proposed changes. • We support the proposed redesignation of agricultural lands to industrial and commercial uses in southern Benton County where those areas are adjacent to existing industrial and commercial development. These changes are consistent with existing	Thanks for the feedback - Comment noted

Comment No.	Commenter	Section No.	Page No.	Comment	Response
				land use patterns and economic development opportunities and will allow development activities that can further enhance and support the agricultural economy of the area.	
Housing Comments					
45	WA State Dept. of Commerce Chaz Bates August 12, 2026	6.3		Section 6.3, regarding Table 6-7. Consider adding a discussion of explanation of how housing units are being allocated to the UGAs adjacent to the incorporated cities within Benton County. From the text and table, it is not clear whether these areas are included in the allocation numbers.	Housing units are not being allocated to the UGAs, only within the City or unincorporated rural areas (outside UGAs). This will be clarified in the text by noting that unincorporated rural areas excludes UGAs. Additional updates to the Housing element include: Correct a typo in Table 6-10 that shows an incorrect calculation of the surplus or deficit of production rate compared to need (to read "32"). Add new section 6.4.5 to clarify the County has no funding gaps or incentive needs for addressing affordable housing in rural areas. "6.4.5 Affordable Housing Funding Gaps Benton County's allocation of countywide housing needs for unincorporated areas is exclusively limited to housing needs for >80% AMI. The review of historic production trends summarized in Table 6-10 shows that the market is already providing more than enough manufacture homes and ADUs to meet moderate-income (>80-120% AMI) housing needs in rural areas. Therefore, there is no need for additional funding or incentives to support affordable housing production in unincorporated Benton County. However, the county could work with cities to adopt local option funding tools to support new affordable housing production in cities. For instance, the county could implement a Housing and Related Service Sales Tax (RCW 82.14.530)."

Comment No.	Commenter	Section No.	Page No.	Comment	Response
					Update the last paragraph of Section 6.5, Racially Disparate Impacts to read: "The County reviewed policies to ensure they didn't include any harmful bias associated with any groups or didn't result in racially disparate impacts, displacement, and exclusion in housing. The Housing Goals and Policies section was updated and included new goals and policies to address racially disparate impacts such as displacement of housing due to planning, disinvestment, redevelopment, etc. Policies to provide a variety of housing types will also act to mitigate displacement and disparate impacts. Policies include the following key principles to address racially disparate impacts, displacement, and exclusion in housing: ▪ Provide a variety of housing types throughout the county, with specific housing types appropriate for rural areas and urban areas ▪ Urban areas to accommodate housing types for moderate, low, very low, and extremely low income households ▪ Allow higher density housing in LAMIRD areas ~~mostly~~ within the communities of Finley, Plymouth, Paterson, and Whitstran, land uses, when rural infrastructure is available ▪ Ensure zoning to support emergency, temporary, transitional and permanent supportive housing types ▪ Prevent discrimination and displacement in planning and investment decisions ▪ Collaborate with communities and agencies to understand and prevent displacement

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					Additionally, Appendix E of Volume 2 weill be updated with a displacement risk map for Benton County and associated explanatory text that reads: "Figure 65 indicates most of the displacements in Benton County occurring in the Kennewick, Richland and Finley area. Within the rural county, displacement is shown on the west side, from Whitstran area to the rural area on the north side of the county limits. Within Kennewick, Richland and Finley area, high risk of displacement is indicated mostly in north Kennewick, and moderate displacement risk is shown in portions in Richland. Rest of the urban area has low risk of displacement."
Transportation Comments					
46	WA State Dept. of Commerce Chaz Bates August 12, 2026	7.2.8		Section 7.2.8 includes a discussion about transportation demand strategies and there is a note that the section will be expanded to more specifically discuss TDM strategies from the Regional Transportation Plan, Transition 2045. This appears to be a note to add these in before final approval. Similarly, there is a note in Section 7.3.1 regarding multi-modal level of service standards.	See response to comment 61 and comment 55 below.
47	KID – 11/10/25 Daniel Tissell	7.4.1 Transportation Element, Planned Improvements and Financing, County Six-year Road Program 8.2.3 Parks and Recreation Element, Existing Conditions, Greenway Connections	152 163-164	Recommend working with Irrigation Districts to create trails on canal ROW, also mentioned in section 8.2.3	Update as suggested
48		Table 9.1 Capital Facilities Element	176-179	Include Irrigation districts or is this a GMA?	Update to include irrigation districts
49		Table 9.1 Capital Facilities Element Fire District 1 – rural water supplies	178	Add irrigation components (all locations)	Update as suggested

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50	WDFW Scott Downes 11/14/2025	2.8 Transportation Element Goals and Policies	37-39	Transportation Element: We recommend incorporating evaluation of wildlife connectivity into the goals and policies of the Transportation Element for transportation projects, both new and rebuilding, particularly for bridges and culverts in rural lands. The Washington Habitat Connectivity Action Plan (WAHCAP) provides rough guidance on where wildlife connectivity is important, and the PHS Biodiversity Areas and Corridors (BAC) is also recommended as a source. WDFW can provide support in guidance and recommend including consultation with WDFW into the Goal and Policy.	Update as suggested
51	Steve Gahn – 5/27/26 public open house comment			Since most of our emissions are from transportation, most of the emissions reduction will come from decarbonization of transportation. We applaud Benton County for engaging with BFCOG on the Regional Bicycle Plan. We note that the Climate Element in the Benton County Comp Plan calls for "expansion of reliable EV charging infrastructure." Benton County should encourage applications for Climate Commitment Act (CCA) grants for level 2 chargers for apartment buildings, and work with Ben-Franklin Transit, school districts and city governments to write CCA proposals to fund the infrastructure (chargers and substations) needed to charge fleets of transit buses, school buses, and city vehicles and equipment. These investments will greatly reduce the cost of powering transportation as well as reduce emissions of toxic and greenhouse-gas pollutants.	Benton County will support future grant applications consistent with its climate element.
52				Appreciate the coordination with BFCOG on regional bike plan. I would like to encourage grants for level 2 charging systems for apartment dwellers. Work with BF transit to help get funding for electric buses. Need more carbon-free electricity.	Comment noted and this comment also be shared with BFCOG.
53	Benton Franklin Council of Governments - 4/10/26	7	148	Transportation Element Consistent with relevant CPPs and RCW 36.70A.070(6) amended in 2023 by HB 1181. See also the new climate element below for jurisdictional requirements A. The transportation element must identify the transportation facilities, public facilities and services needed to serve the UGA and the funding to provide the transportation facilities and public facilities and services. RCW 36.70A.130 amended in 2022 (see SB 5593)	A reference to the Climate Element of the Comprehensive Plan was added to section 7.1 This requirement is addressed throughout the Transportation Element. Of note is that there are no current or forecast Level of Service deficiencies identified in the 10-year forecasts and evaluation shown in Appendix H2, H3.
54		7.2	148 - 154	B. An inventory of air, water, and ground transportation facilities and services, including transit alignments, state-owned transportation facilities, and general aviation airports.RCW 36.70A.070(6)(a)(iii)(A) amended in 2023 and WAC 365-196-430(2)(c). • Page 134-140, Figure XX of Existing Transportation Facilities Map	This inventory is now on pages 148-154 and Figure 15 of the Map Folio on the Appendix.
55		7.3.1	155	C. Adopted multimodal levels of service (LOS) standards for all locally-owned arterials, transit routes, and state highways. RCW 36.70A.070(6)(a)(iii)(B) and (C), WAC 365-196-430 • LOS is stated, but no mention of the multimodal level of service • https://wsdot.wa.gov/sites/default/files/2024-08/MMLOS_guidance_Aug2024.pdf	A new paragraph was added to the bottom of section 7.3.1 that reads: "A new requirement to be included in the Transportation Element of Comprehensive Plans is Multi-modal Level of Service Standards (MMLOS), see RCW 36.70A.070(6)(a)(iii)(B). These standards are to apply to locally owned arterials, locally and regionally owned transit routes that serve urban growth areas, and active transportation facilities to serve as a gauge to judge performance of the system and success in helping to achieve the goals of the GMA. These standards are to be developed regionally. The BFCOG is in the process of establishing such MMLOS

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					standards being developed. Benton County actively participates in the BFCOG processes at both the technical and policy level and commits to participating in this specific effort. Following the BFCOG adoption of MMLOS standards, Benton County will adopt such standards appropriate for county roads, prepare 10-year forecasts for multimodal demand and needs, and also identify specific actions necessary to meet those standards on locally owned arterials, transit routes and state highways. The only locally owned arterial roadways in urban growth areas of Benton County are: Badger Road, portions of Dallas Road and a portion of Olympia Street"
56		7.3.1	155	D. Identification of specific actions to bring transportation facilities and services to established multimodal LOS. RCW 36.70A.070(6)(a)(iii)(D), amended in 2023, WAC 365-196-430 • LOS is stated, but no mention of the multimodal level of service	See response to comment 55.
57		7.3.1	155	E. A forecast of multimodal transportation for a minimum of 10 years, including land use assumptions used in estimating travel. **RCW 36.70A.070(6)(a)(i)**, **RCW 36.70A.070 (6)(a)(iii)(E)**, amended in 2023, **WAC 365-196-430(2)(f)** • LOS is stated, but no mention of the multimodal level of service • https://wsdot.wa.gov/sites/default/files/2024-08/MMLOS_guidance_Aug2024.pdf	See response to comment 55.
58		7.3.1, 7.3.1.1, Appendix H2, H3	155 – 156	F. A projection of state and local system needs to equitably meet current and future demand and equitably implement the multimodal network. **RCW 36.70A.070(6)(a)(iii)(F)** amended in 2023, **WAC 365-196-430(1)(c)(vi)** and **RCW 47.06** • Appendix H1	No Level of Service deficiencies have been identified in the next 10-year forecasts as reported in the analysis in Appendix H2, H3.
59		7.2.9	154	G. A transition plan for transportation as required in **Title II of ADA**. Perform self-evaluations of current facilities and develop a program access plan to address deficiencies and achieve the identification of physical obstacles, establish methods, perform modifications and identify leadership roles. **RCW 36.70A.070(6)(a)(iii)(G)** new in 2023. **Not mentioned**	A new section 7.2.9 was added that reads: " A new requirement for Transportation Elements, as of 2023, is an ADA Transition Plan as required by the Americans with Disabilities Act of 1990, that includes a self-evaluation of current facilities relative accessibility requirements of the ADA and a plan to address any deficiencies. Although Benton County has not as yet adopted an ADA Transition Plan, it has established an Accessible Community Advisory Committee

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					and has begun the process to prepare and ADA Transition Plan."
60		7.2.7	154	H. An active transportation component to include collaborative efforts to identify and designate planned improvements for active transportation facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles. **RCW 36.70A.070(6)(a)(vii)** amended in 2023, **WAC 365-196-430(2)(j)** • Page 146 – states BFCOG 2016 Regional Active Transportation Plan, instead of 2020. The BFCOG Bike Plan was adopted in 2024, and the Pedestrian Trails Plan was adopted in 2026.	References were updated.
61		7.2.8	154	I. A description of any existing and planned transportation demand management (TDM) strategies, such as HOV lanes or subsidy programs, parking policies, etc. **RCW 36.70A.070(6)(a)(vi)** and **WAC 365-196-430(2)(i)(i)** • Page 140 – if this is true, the County has been lacking in action. • There needs to be specific action steps outlined, such as which TDM strategies will be implemented when MMLOS/LOS drops on roadways.	Section 7.2.8 was rewritten as follows: "As discussed above, Benton County is an active participant in the BFCOG. The Regional Transportation Plan, Transition 2045, includes a section that discusses Transportation Demand Management Strategies. There is also a Congestion Management Process Strategy Toolkit that has TDM strategies appropriate for the region. ~~TDM strategies should be pursued before roadway LOS approaches or drops below adopted standards included in the Comprehensive Plan.~~ As members of BFCOG, all of these documents~~, and associated TDM strategies,~~ are adopted and incorporated into the Benton County Comprehensive Plan by reference. These documents can be found on the BFCOG website. TDM strategies should be pursued before roadway LOS approaches or drops below adopted standards included in the Comprehensive Plan. Although there are no Tier 1 or Tier 2 Congestion Management Corridors in Benton County, some strategies can be implemented in Benton County that could assist in reducing congestion in the Tri-Cities region. By promoting other modes. These strategies include provision of pathways and trails, carpool and vanpool programs, as well as incentives for working

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					remotely. It is also recognized that other strategies are more applicable to the urban areas and Benton County will continue to support efforts by the cities and large businesses to use other strategies such as flexible work hours and parking management."
62		7.4.3	159	J. An analysis of future funding capability to judge needs against probable funding resources. **RCW 36.70A.070(6)(a)(iv)(A)**, **WAC 365.196-430(2)(k)(iv)** • Not included	The following statement was added to Section 7.4.3: "The Capital Facilities Element discussed in Chapter 9 of this Comprehensive Plan discusses the need to balance funding for capital facilities projects for transportation and parks to meet their associated Level of Service standards against other capital projects that do not have LOS standards. It discusses the relationship between land use and capital facilities, the Capital Improvement Program annual update process, project selection and LOS Standards, analysis of future development and siting of public facilities, as well as prioritizing public facilities projects and their financing and what will be considered when funding is not available."
63		7.4.1	158	K. A multi-year financing plan based on needs identified in the comprehensive plan, the appropriate parts of which serve as the basis for the 6-year street, road or transit program. **RCW 36.70A.070(6)(a)(iv)(B)** and **RCW 35.77.010**, **WAC 365-196-430(2)(k)(ii)** • Page 142 – mentions the TIP, it does not mention a multi-year financing plan.	The following statement was added to Section 4.1: "The current multi-year financing program for projects that are included in the Transportation Improvement Program (which is updated annually) that help to meet the requirements for capacity and multi-modal levels of service include: Badger Road re-channelization, County Route 12/Active Transportation path improvements, Adair Road Extension, Reata Road/Bermuda Road intersection improvements, Dallas Road multi-modal improvements, Two Rivers pathway extension."

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64		7.4.3	258	L. If probable funding falls short of meeting identified needs of the transportation system, including state transportation facilities, a discussion of how additional funds will be raised, or how land use assumptions will be reassessed to ensure that LOS standards will be met. RCW 36.70A.070(6)(a)(iv)(C) amended in 2023, WAC 365-196-430(2)(l)(iii) • Not included	See response to comment 62.
65		7.5	160	M. A description of intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions and how it is consistent with the regional transportation plan. RCW 36.70A.070(6) (a)(v); WAC 365-196-430(1)(e) and 430(2)(a)(iii) • Page 144	Intergovernmental coordination efforts are discussed in sections 7.3.1, 7.3.1.1, 7.4.1 and 7.5
66	**Parks and Recreation Comments**				
67	WDFW Scott Downes 6/11/2026	8.4.1 Parks and Recreation, Future Considerations, Open Space Preservation	167	We appreciate the county's dedication to preservation of open space and the recognition that wildlife habitat is a stated goal under strategies to protect open space. We would welcome continued collaboration with the county on areas where we might be able to conserve critical wildlife habitat through the open space program, using both WDFW spatial mapping and local knowledge of species use.	Thank you for this support and opportunity for continued collaboration.
68		8.4.2 Parks and Recreation, Future Considerations, Key Capital Improvements to Meet Demands	168	Horn Rapids Park. As identified in the existing conditions for the park, riverine and shrubsteppe habitat is central to the park and provides critical wildlife habitat. We would recommend addition to this section to explicitly state that preservation and enhancement of these habitats within the park should be a goal of future improvements to the park.	Update as suggested
69	**Utilities Comments**				
70	Steve Gahn – 5/27/26 public open house comment			Utilities Element: Because electrification of transportation and heating systems is so important, adding carbon-free electricity to our energy system is essential to achieving emissions reduction goals. Benton County is particularly well positioned to add carbon-free nuclear energy; this fact should be mentioned in the Utilities Element of the plan. Enhanced geothermal energy has been demonstrated to be economically viable across the western U.S. and should encouraged in Benton County by mentioning it in the Comp Plan. Solar energy should be encouraged on industrial land. Solar and wind power production should also be allowed on land that can supplement revenue for land owners. Wind and even solar power production can be compatible with ag production. As reported on Northwest Public Radio, a planned solar farm near Connell will also be used to graze sheep. The sheep rancher was excited to have land to rent, and the landowner was excited to have not just profitable solar power but also rent money coming in.	Update as suggested to include future carbon-free energy opportunities. Benton County agricultural lands have taken a disproportionate share of impact with existing and proposed commercial-scale renewable energy projects and will continue to be excluded from agricultural lands of long-term commercial significance.
71	Citizen 5/27/26 Public open house			I'm from Sustainable Tri Cities and support the need for more electricity in the future and it is coming. We support clean energy. Hope the PUD is considering things. Storage batteries for energy. Software for load balancing? I hope there is a plan for power needs and additional data centers. There is a lot of concern about data centers and think state laws will protect us. People would like to see more transparency in those siting decisions. Solar and wind power on farms we support.	Comment noted and we encourage you to also share this input with Benton PUD
72	Citizen 5/27/26 Public open house			I like to see all of this regionalism on this for the climate element, and we are really trying to look at new opportunities. The regional approach to a lot of our problems is emerging. The energy piece feels new, and it is so integrated with economic development. Ben mentioned the shrubsteppe mitigation program wasn't required, but the county led out. We need all jurisdictions to come to	Comment noted

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				agreement on electric vehicles. I don't see all the factors for quality of life and the local community that needs addressing and the data behind it. We appreciate the attitude that is going into these comprehensive plans	
73	Debbie Berkowitz 5/27/26 Public Open house			Please consider ag and critical areas as part of least conflict parameters for future energy projects and coming up with a map that is in the document.	We did analysis and modified the memo but are not recommending an energy overlay. Commercial scale energy projects are addressed in the WSU least conflicts analysis. The County will use the information to inform EFSEC input.
74	Lora Rathbone Richland, WA July 2026			Benton County could be a clean and renewable energy production powerhouse. It doesn't have to mean taking valuable farmland: there is growing use of agrivoltaics, placement in areas of grazing, and other compatible uses. Farmers who can keep farming with the added income from wind and solar would be a way to keep farmland, rather than selling it to developers.	Comment noted
75				Please clarify what is meant by "quality of life for local communities" (Noisy data centers, higher power bills from inadequate infrastructure and energy production, ghg pollution- all reduce quality of life)	Quality of life discussion is sprinkled throughout the plan. Generally it means Benton County residents (living in the unincorporated area) enjoy a safe, prosperous, healthy, and sustainable community that preserves rural character, natural resources, open space, and local culture while providing economic opportunity, housing, public services, recreation, clean air and water, and responsible growth. Development such as data centers would be limited to industrial-designated lands, which are largely separated from rural residential areas. The County does not have any active applications for new data centers. The local power providers are responsible for determining how to offset impacts to power rates.
76				We need better transparency in siting decisions for both power plants and data centers. Find a balance between companies' need for secrecy in property acquisition, and the community's need for information and input. Is transparency addressed in the draft plan?	Local project review has notice requirements for these and other projects along with SEPA review.

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77				Advocate for a requirement for clean energy to power needs of data centers	Energy services are provided by local utilities that are not part of the Benton County government. However, the County is considering how to address future potential data centers and BESS, and where and how these facilities might be addressed in County code, and also with other service providers that would also be required to provide approval for power, water, etc.
78				We need a County Waste management facility. Benton County's new Hazard Household Waste Facility could be the start of a sorely needed regional waste management strategy.	Comment noted and will be shared with Solid Waste Advisory Committee
79	**Climate Comments**				
80	Steve Gahn – 5/27/26 public open house comment			Climate Element: The Comp Plan can also build resilience to climate change. It embraces the Yakima Basin Integrated Water Resource Management Plan, which is using state and federal funding to increase the water storage capacity of the watershed and encourage water conservation. It also describes how buildings and vegetation can be made resilient to wildfires. What it misses is the need to ensure that all residents who are sensitive to smoke have access to effective air filtration systems. Masks can help outdoor workers, but asthmatics need effective indoor air filtration systems. Funding is needed for that.	Comment noted and will also be shared with those agencies that have this responsibility
81	Citizen 5/27/26 Public open house			I want to see all residents have access to air filtration systems in their homes.	Comment noted
82	Citizen 5/27/26 Public open house			Is there some way to make a requirement for having an emergency cooling center by city or county as a long-term plan?	Yes, that is a good idea to have gathering places. Comment noted and will also be shared with those agencies that have this responsibility
83	Lora Rathbone Richland, WA July 2026			Thank you for considering these concerns and suggestions for the climate element of the 2026 Benton County comprehensive plan. To be sure that the plan does more than just suggest changes based on good science, I strongly support the use of stronger language by using the words "must, will, shall, should and may".	Thanks for the background and feedback – comment noted
84				Wildfire and smoke management – The regional plan includes some good ideas – need to incorporate onto the Benton County plan, for health and to reduce damage to valuable grape crop.	The regional plan is incorporated by reference
85	WA State Dept. of Commerce Chaz Bates			The goals and policies in the Climate and Environment chapter adequately address the Resiliency Sub-element requirements outlined in RCW 36.70A.070(9)(e)(i)(A)-(C) and are clearly supported by the research presented in the Climate Element (Chapter 11).	Thank you for this feedback
86				The goals and policies in the Climate and Environment chapter adequately address the Greenhouse Gas Emissions Reduction Sub-element requirements outlined in RCW 36.70A.070(9)(d)(i)(A)-(C) and are clearly supported by the research presented in the Climate Element (Chapter 11).	Thank you for this feedback

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87	August 12, 2026			We commend Benton County for the cross-regional governmental approach to the climate element and research and for working toward regional alignment to address climate vulnerabilities and shared GHG emissions sources.	Thank you for this feedback
88				It is evident that many of the resources and tasks recommended in Commerce's climate guidance materials were used in development of the Climate and Environment chapter and that the resulting goals and policies are tailored to fit local needs.	Thank you for this feedback
89				The collection of maps and graphics in Climate Element (chapter 11) are well done and especially valuable for understanding how exposure to climate impacts vary across the county.	Thank you for this feedback
90				We commend the city for developing a 10-year Climate Element and GHG Sub-element Implementation Action Plan as part of chapter 11 that can guide implementation of the climate goals and policies presented in chapter 2.	Thank you for this feedback
91	Terri Stewart Richland, WA July 2, 2026	**Data Centers**		Note: This file contains comments that suggest safeguards to protect Benton County residents and our natural resources while continuing to achieve a balance between different industries and land use as large data centers make their first entries into the County. My comments are based on lessons learned from across the country, sometimes the hard way. My input is purposely formatted to be dropped into the Comprehensive Plan and stated from the County's point of view. I am suggesting adding a section on Large Data Centers (as an Element) similar to the Climate Element in the current plan. There are two reasons for this suggestion. First, this is a multi-year plan and large AI data centers are on the horizon now and for the foreseeable future. Second, large data centers are different than other industries described within the Comprehensive Plan. Specifically, the amount of power consumed is orders of magnitude greater than other conventional heavy industries or agricultural related industries. Additionally, the fact that the products from large data centers extend well beyond the region and may not even supply services to Benton County residents while we must manage the impact of their operation is a different situation that needs focused and careful thought. Finally, there are steps being taken in Richland to protect the residential rate payer by: • requiring the large data center get their own power which is a separate 'pot' from the residential rate payer, and • requiring the large data center to pay for transmission lines and interconnects. These policies are captured in my comments. But I want to point out that that doesn't get us out of the woods. Because residential rate payers share the same transmission system, we may still end up seeing rate increases. For more information on that possibility, I am providing a link to a publication from the Environmental and Energy Law Program at Harvard Law School. It describes how residential ratepayers may still see rates increase. It could inform additional steps to be taken by the County to protect residents. https://eelp.law.harvard.edu/wpcontent/uploads/2025/03/Harvard-ELI-Extracting-Profits-from-the-Public.pdf Please feel free to contact me with any questions. Note that references can be provided for the comments if needed. Large Data Centers (Element) Large data centers (also known as hyperscale or exascale data centers or AI Data Centers) are in various stages of proposal in Benton County. These include Atlas Agro's proposed Data Center in Richland at the Northwest Advanced Clean Energy Park. Atlas Agro also has a proposed green fertilizer plant, Pacific Green Fertilizer (PGF) which is inextricably linked to the data center and needs immense power (330 MW). The two facilities will share costs for infrastructure. Port of Benton is leading the land purchase for PGF and City of Richland will handle land purchase for the large data center. The total power requirement is 1,300 MW. Additionally, Trammell Crow LLC (TCC) is doing due diligence for a data center on the Lewis and Clark Ranch in West Richland. TCC is exploring a large data center campus requiring 250 MW to 912 MW. Based on lessons learned from other communities across the country, once high voltage	We appreciate the information that you have provided. While we are not ready to include the suggested section into the draft Comprehensive Plan, please know the County is considering how to address future potential data centers and battery storage facilities, and where and how these facilities might be addressed in County code, and also with other service providers that would also be required to provide approval for power, water, etc. This comment will also be shared with power utilities in the County.

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				transmission lines service an area, additional data centers or other large power using industry follows. Hence, it is also possible that future large data centers will be proposed on county land as well as other Ports or Cities. Therefore, Benton County working with Ports and Cities is addressing large scale data centers in the Comprehensive Plan. Historically, data centers have had smaller footprints with lower power and water consumption; they were often zoned as warehouses, i.e., light industrial. But in the age of AI, the new large data centers consume as much water and energy as a city and have a large land footprint. For example, Seattle has a power load of 2,000 MW; the proposed data centers in Benton County today slightly exceed Seattle's power load. Total power for Richland and West Richland proposed data centers is 2,212 MW. New zoning and other considerations such as displacement of current and future industries, impact to agricultural lands, and displacement of new homes competing for the same power and water must be balanced. Moreover, impact on natural environments and environmental health need to be incorporated into Comprehensive Plans at the county, port and city level to ensure coordinated growth that does not deplete or degrade our natural resources. For these reasons an Element for Large Data Centers has been included in the Comprehensive Plan Definition of Large Data Center For purposes of county planning and permitting, a "Large Data Center" shall mean any facility primarily used for housing computer servers, networking equipment, or digital processing equipment with a peak electrical demand greater than 10 megawatts (MW), including expansions of existing facilities that increase total site demand above this threshold. Typically, large data centers range from 50 MW to 1,000 MW or more housed on 500 or more acres with multiple buildings on its campus. Substations and high voltage power lines will be nearby. In West Richland, the data center will start with about 500 acres with potential to expand to 1,000 acres. In Richland, the combined footprint of the data center and PGF is 425 acres. The basis for identifying the power capacity at 10 MW in our definition of large data centers is consistent with the Bonneville Power Administration's (BPA) limit of 10 MW for all new users. All new users are now required to seek their own power provider or onsite power generation for any power needed in excess of 10 MW. If onsite power is generated, it must meet the Washington State renewable energy goals. If offsite power is sought, whether within the State of Washington or from other States or Canada, the power source need also comply with Washington State's renewable energy goals. For offsite power providers, new transmission lines and other infrastructure will be required. Power Sources and Transmission Benton County plans for appropriate location of data centers through zoning, permitting, and other planning actions will be based on the following expectations for large data centers. • Full Cost Recovery - Benton County will require large data centers to bear the full cost of all infrastructure, generation, transmission, distribution, interconnection, and systems upgrades required to serve their load. Existing utility customers shall not subsidize infrastructure developed to serve new large data centers' demands. • Marginal Cost Service - Large data centers shall also demonstrate that electrical service will be supported through new power resources, contracts, transmission capacity, or market purchases necessary to serve the facility. Existing legacy resources shall be prioritized for existing residential, commercial, agricultural, and industrial customers. • Demand flexibility - Large data centers shall be designed and operated to support grid reliability through mandatory participation in demand response, emergency curtailment, interruptible service programs, flexible scheduling, peak-load reduction programs, and	

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				other load-management measures established by the serving utility. The County prioritizes approval of facilities capable of reducing electricity demand during periods of grid stress, transmission congestion, resource scarcity, or emergency system conditions without adversely impacting air and water quality of the region. • Infrastructure before service - No large data centers may commence operations unless all generation resources, transmission facilities, distribution facilities, and contractual power arrangements necessary to serve the facility are operational and available. The County discourages speculative interconnection requests and utility overbuilding undertaken in anticipation of future data center demand. • Utility Capacity Verification - Prior to permit approval, applicants must provide a "will serve" letter or equivalent certification from the serving utility demonstrating that sufficient electrical capacity, transmission capability, and distribution structure area available or will be available to serve proposed facility. The County won't approve speculative projects lacking demonstrated utility capacity or a credible plan for service. • Clean Energy Requirements - Large data centers must demonstrate procurement of locally deliverable, additional, zero-emission electricity sufficient to meet facility demand on a 24-hour-per-day, 365-day-per-year basis. Additional clean energy resources must be developed such that data center demand does not reduce availability of existing clean energy resources needed for residential electrification, transportation electrification, or state climate goals. • Consistency with Energy and Climate Goals - Large data centers won't be approved unless the Applicant demonstrates that projected electricity demand is consistent with county climate goals, utility integrated resource plans, state clean energy requirements, greenhouse gas reduction targets, and long-term electrification needs for households, transportation, agriculture, public services, and industry. • Prohibition on Fossil Fuel Generation - Large data centers shall not utilize on-site combustion-based electricity generation except for emergency backup purposes authorized by permit. The County seeks to phase out diesel backup generation or aero-fuel turbines and prioritize non-combustion alternatives for backup power and resiliency services. Protection and Responsible Use of Water Resources Large data centers use huge amounts of water for cooling. Older designs used open loop cooling systems which use the largest amount of water, but the least amount of energy. Closed loop cooling uses less water at a higher power cost. Data centers primarily use Water Usage Effectiveness (WUE) to measure and describe the efficiency of their water consumption rather than disclose the amount of water used daily. WUE is defined as the ratio of site water used to the total equipment energy (WUE = {Liters of Water}/{kWh}). Lower WUE values indicate higher efficiency, which is the County's goal. For modern high-density data centers, permitting agencies should request a baseline WUE target of 0.2 L/kWh to 0.4 L/kWh. The industry average is 1.8 L/kWh, but best-in-class facilities utilize closed-loop, waterless, or near-waterless systems to achieve < 0.2 L/kWh.	

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				For our semi-arid climate that frequently experiences drought conditions, water usage by large data centers must be a critical consideration for siting a data center. Proper planning is required to avoid groundwater depletion and degradation, to avoid negative impacts to surface water in wildlife preserves and recreational areas, and to protect the Columbia River from overuse, thermal plumes or anti-corrosion, biocides, or PFAs from untreated wastewater. • Water Resource Protection - Large data centers shall be designed to curtail water use during periods when withdrawals or consumption may impair ecological flow, salmon recovery, aquifer sustainability, or treaty-protected Tribal water rights. The County prioritizes data center technologies and cooling systems that minimize freshwater consumption and maximize water usage efficiency. • Continuous Environmental Monitoring - Large data centers shall provide continuous monitoring and public reporting of: o Water withdrawals and consumption o Discharge temperature o Total dissolved solids o pH o PFAs and other persistent contaminants o Biocides and cooling-water treatment chemicals o Legionella monitoring results o Greenhouse gas emissions o Criteria air pollutants o Backup generator operation and fuel consumption. Monitoring data shall be publicly available in near real time through an accessible public reporting platform. Reducing Financial Risk to Benton County Residents There are situations where proposed and future large data centers are high risk. For example, both Richland and West Richland data centers are being developed by companies who will not ultimately operate or be a user of the facility. At this time, a potential user or operator has not been identified. An unoccupied facility would be a risk. Another type of risk is associated with the PGF which is linked to the Richland data center. The green fertilizer plant is the first of its kind. The developer proposes to build full-scale without completing a pilot-scale testing. There is the potential for failure or delayed production due to startup problems that might result in ending the project. Another risk is that AI data centers are rapidly evolving, and today's designs may not be viable within the next 10 years. When there is higher than usual risk, financial security and stranded asset protection is a reasonable approach to reduce liabilities to the County and its residents. • Financial Security and Stranded Asset Protection - Prior to receiving final approval, large data center operators shall provide financial assurance sufficient to protect utilities, local governments, and ratepayers from stranded costs associated with project cancellation, downsizing, abandonment, or early closure. Financial assurance mechanisms may include letters of credit, security deposit, parent guarantees, collateral requirements, decommissioning bonds, or other forms of financial security. • Prior to construction, large data center owners and subsequent users or operators shall	

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				submit and maintain a decommissioning and site restoration plan. The plan shall identify funding mechanisms sufficient to cover facility closure, equipment removal, environmental remediation, and site restoration in the event of project abandonment, bankruptcy, or cessation of operations. Solid waste handling Large data centers drive a massive surge in electronic waste (e-waste). Graphics Processing Units (GPUs) and servers become commercially obsolete every two to five years. Discarded hardware contains toxic components and critical materials—such as rare earths, gallium, and indium. Improper disposal leaches these heavy metals, including lead and mercury, into soil and groundwater. Although there are valuable rare earths in the waste that might suggest recycling, the recycling rates are low due to material lock-in. Recovering these vital materials is a difficult technical and economic hurdle. Traditional e-waste recycling rates for these specific rare earth or trace metals are estimated to be close to zero due to the complex, time-consuming separation required. The environmental impact of this hardware is asymmetrical. Those populations closest to the disposal operation pay the environmental prices. Benton County Control Mechanisms To protect the County and county residents, there are two actions that can help inform and enforce. • Transparency and Public Reporting – Large data centers shall submit annual public reports detailing: o Electrical consumption o Peak demand o Water consumption o Greenhouse gas emissions o Local employment o Tax incentives received o Infrastructure investments required to serve the facility o Compliance with demand-response and curtailment obligations Annual report shall summarize performance, environmental impacts, compliance status, and progress toward energy and climate commitments. • Enforcement – Failure to comply with permit conditions, reporting requirements, environmental standards, operational commitments, clean energy obligations, curtailment requirements, or monitoring requirements shall constitute grounds for permit modification, suspension, revocation, civil penalties, denial of future expansion requests, or other enforcement actions authorized by law. Mitigating Distance Benefits, Local Burden One of the unfortunate outcomes of large data centers is captured by the concept of 'distance benefits and local burden.' Typically, the products of large data centers are aimed at commerce beyond the local region (distance benefits) while the local community bears the burden associated with huge power consumption, water depletion and degradation, environmental health impacts, noise	

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				and light pollution during both construction and operational phases, increasing residential power rates, and costs due to abandoned assets. The County aims to mitigate power stress, water depletion and degradation, abandoned assets, and solid waste issues to protect County residents and ensure a balanced distribution of County	
References Comments					
92		12,DOE 1999 Reference	215	Please change the reference from DOE/EIS-0222D to DOE/EIS-0222F. Basis - The reference refers to the draft EIS, DOE/EIS-0222D. It should reference the final EIS, DOE/EIS-0222F.	Update as suggested
Comments on Technical Appendices					
93	**Brooke Frickleton** Deputy Legal Director Futurewise – 1/6/2025			I'm reaching out from Futurewise to learn more about Benton County's 2026 Comprehensive Plan update process and to understand how the public can meaningfully participate. I've reviewed the County's Public Participation Plan (February 2025), Work Plan, project webpage, and recent Planning Commission and BOCC agendas. While the PPP outlines robust public engagement commitments, I've had difficulty locating evidence that these commitments are being implemented. I wanted to check in about a few things; in case there's information I may have missed. **Missing Public Engagement Infrastructure** The PPP states the County website will include "an email address for submitting public comments" and "an interested party sign up link" (PPP, page 6). I was unable to locate either resource on the project webpage. Additionally: • Status updates, meeting notices, and draft documents are not readily accessible • Planning Commission agendas contain limited information, and meeting minutes are often unavailable or difficult to locate • Recent BOCC agendas show no mention of the comprehensive plan or critical areas ordinance updates • The project webpage lists draft elements and shows a "January 7th 2026 Planning Commission Meeting," but the actual agenda shows January 6th with unclear alignment to those drafts **Public Engagement Resources:** • The Public Participation Plan states that the County website will include "an email address for submitting public comments" and "an interested party sign up link" (PPP, page 6), but I was unable to locate either resource on the 2026 Comprehensive Plan Update webpage. • I could not easily find recent status updates, meeting notices, agendas, or draft documents posted on the project website. o Planning Commission agendas appear to contain limited information, and meeting minutes are often unavailable or difficult to locate on the County website. o I reviewed several BOCC agendas from the last year but found no mention of the comprehensive plan or critical areas ordinance. **Process Timeline Questions** 1. Quarterly Planning Commission presentations: The PPP indicates that "upon completion of preliminary drafts of updated Comprehensive Plan elements, the Benton County Planning Commission will receive presentations...typically at least	Thank you for reaching out. If you go into the County website, you will find the 2026 Comprehensive Plan Update page has been updated! The website now includes information about our busy YR 2025 and a look forward to the timelines in 2026. This documentation should hopefully answer many of your questions in your email. We did ensure our contact email and interested party sign up list information is accessible and easy for people to locate from our Comp Plan website page. Regarding SEPA scoping, the scoping comment period ran from March 26, 2025 through April 25, 2025. Additionally, a scoping public meeting was held on April 8, 2025, at 6:00 PM in Prosser, WA. The meeting was documented in the scoping and public participation reports. The public participation report (also referred to as Engagement Report) includes additional information on public involvement activities completed as part of the update process. See website link above to access this information. Benton County also met with FutureWise in follow up to this set of comments and subsequently shared additional information to address the identified questions and comments in meetings and emails.

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				quarterly" with "opportunity for public questions and input" (PPP, page 4). I found no evidence of these presentations in 2025 Planning Commission agendas. Have these occurred? 2. Critical Areas Ordinance: According to the Work Plan, the CAO update should have been completed by November 2025. What is the current status? 3. Countywide Planning Policies: The January 6, 2026, Planning Commission agenda includes discussion of these policies. How can the public provide input? Was there public notice of this process? 4. Public workshops: Workshop materials and presentations posted on the comprehensive plan website (including housing element and other draft elements) indicate workshops occurred on dates that don't align with Planning Commission meetings. I searched the newspaper legal notices and the County's News & Information webpage but found no public notices for these workshops. How was the public notified of these meetings and given the opportunity to attend? **SEPA Process Concerns** The "Request for Comments on Scope of Programmatic EIS" (dated March 26, 2025) stated the County would hold a public scoping meeting on April 8, 2025, and anticipated "additional public meetings following the development of the EIS alternatives in the fall of 2025/early 2026." However: • I was unable to locate public notices for the April 8th scoping meeting or any subsequent meetings • The May 13, 2025 workshop summary indicates only three comments were received during the scoping period—two by email and one oral testimony. This a very low level of participation in a countywide comprehensive plan update suggests the public was not adequately notified of the scoping process and indicates that the County may have failed to "broadly disseminate" information about this critical public comment opportunity as required by RCW 36.70A.140. • It's unclear how the draft EIS alternatives informed the development of draft plan elements, as typically the EIS process precedes element drafting Has a full draft EIS been released for public review? RCW 36.70A.140 requires jurisdictions to "establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation." The PPP's plan to host only "one or two public open houses in 2025" does not appear to meet the "early and continuous" standard I'd appreciate your help in accessing the following so Futurewise can participate effectively in the remainder of this process: 1. The comment submission email and interested parties sign-up mentioned in the PPP 2. Schedule of upcoming workshops and public hearings beyond the scheduled planning commission meetings (like the element presentations) 3. Current status of the CAO update, draft EIS timeline, and overall work plan status if available. Futurewise has worked with many jurisdictions on their 2026 updates and we're happy to share what we're learning or provide informal consultation if that would be useful. We want to support Benton County in developing a strong, compliant plan that serves your community well.	

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94	Dept. of Energy 6/17/26	Appendix A - Map Folio		HFO cannot guarantee the factual accuracy of the Hanford information throughout the document including figures depicting the Hanford Site. One example of a change would be to correct all DOE Hanford Site maps that label the area south of State Highway 240 as the Saddle Mountain National Wildlife Refuge to read Fitzner-Eberhardt Arid Land Ecology Reserve. Basis - Saddle Mountain is located on the north side of the Columbia River, outside of Benton County. There is no Saddle Mountain National Wildlife Refuge.	Understood. We will consider these updates
95		Appendix A – Map Folio		HFO cannot guarantee the factual accuracy of the Hanford information throughout the document including figures depicting the Hanford Site. One example of a change would be to review all DOE Hanford Site maps that include a boundary for the "Federal Refuge." This term is not introduced in Volume I. Basis - The "Hanford Refuge" boundary reflects an older boundary of the Hanford Site before more recent land transfers (1100 Area, TRIDEC).	Understood. We will consider updates.
96		Appendix I - Industrial Lands Inventory Memorandum, Page 4		Update discussion of the Hanford Site. Lands comprising the Hanford Site are owned by DOE and not the public.	Will clarify in the document
97		Appendix I - Industrial Lands Inventory Memorandum, Page 6			
98	WDFW Scott Downes 6/11/2026	Appendix N		Draft Comprehensive Plan. Volume II. Technical Appendices. Appendix N. WDFW submitted comments to Benton County on suggested revisions to the shrubsteppe mitigation program on May 11, 2026. Please incorporate those recommendations.	Update as suggested.
Open Space Memo					
99	WDFW Scott Downes 11/14/2025	**Open Space Memo**		<u>Open Space:</u> We appreciate the thoughtful and thorough analysis conducted in the open space memo and that tools such as WAHCAP, PHS, WSRRI and Arid Lands Initiative (ALI) were part of the analysis. To improve these open space recommendations for wildlife habitat, we offer the following suggestions. Protection measures. In open space areas where wildlife habitat is an identified key principle (such as identified in WAHCAP, PHS, WSRRI or ALI), we recommend limiting the amount and type of recreation to limited infrastructure and when planning recreational trails, consider a balance between trails and overburdening human use in these sensitive wildlife habitats. We recommend a more restrictive open space category such as natural open space be implemented in these areas to reduce conflict. We appreciate the inclusion of many areas into the open space list. We would like to offer a few additions for consideration that are identified as high value wildlife habitats in tools such as WAHCAP, PHS, WSRRI and ALI: C1. Horse Heaven Hills. While it would include private lands, consider extending the currently proposed open space corridor west to the county line. This entire corridor is identified as a Connected Landscape of Regional Significance in WAHCAP and is also identified in analysis such as ALI. Figure 4 identifies arrows noted in WAHCAP running from the Yakima River to the Rattlesnake Slope west of Benton City. This area is of importance to wildlife connectivity. Please include it in the list.	Thank you for the suggestions. In open space areas with important habitats where only limited recreation and infrastructure is appropriate, the County will address this through property scale planning, which is primarily implemented through parks planning. Parks planning typically considers the appropriate intensities and types of recreation, infrastructure, and trail alignment for each property or area. For C1, update Figure 4 as needed to extend corridor line west to the County line (although dark blue shading demonstrates that corridor extends to County line).

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				Figure 4 identifies the wildlife connectivity corridor that runs in the southern part of the county from the Klickitat County line to Wallula Gap. This corridor is noted in multiple connectivity analysis such as WAHCAP, PHS BAC and ALI. Please include it on the list. The area north of Highway 24 from the Yakima County line through the US Department of Energy Hanford Site has been identified in WAHCAP as a Connected Landscape of Statewide Significance. Please include it in the list.	In the Open Space Memo, some areas that are shown as WAHCAP or other Open Space corridors in the map figures are not included in the inventory list of corridors. This is because the inventory focused on "open space corridors within and between Urban Growth Areas", per RCW 36.70A.160. The other open space corridors identified in the map figures will still be considered in broader planning efforts and in specific programmatic efforts such as shrubsteppe mitigation and the open space taxation program,
100	KID July 2, 2026	**C6 Amon Creek Corridor**		The Amon Creek (add"Badger Drain") riparian corridor forms an urban greenway….	Update as suggested
101	KID July 2, 2926	**C7 Elliott Lake Corridor**		Elliott Lake is a spring-fed "irrigation reservoir" not lake	Update as suggested
Energy Overlay Memo					
102	WDFW Scott Downes 11/14/2025			<u>Energy Overlay Memo:</u> WDFW released our Wind and Solar Guidelines in September 2025. https://wdfw.wa.gov/sites/default/files/publications/02662/wdfw02662.pdf. As part of that guidance, we recommend complete avoidance of PHS BACs, Washington Shrubsteppe Restoration and Resiliency Initiative (WSRRI) Cores and Growth Opportunity Area and areas with a WAHCAP score of 8+. They are lands that are currently listed as conditional use in the Energy Overlay Memo, Figure 1. We recommend that these areas should be part of the Zone 1 Prohibited for the Energy Overlay Zone. We also recommend consulting with local tribes to ensure that you are avoiding culturally sensitive areas in the Energy Overlay.	The memo was updated to include reference to WDFW's Wind and Solar guidance. Ultimately the County decided not to propose an energy overlay zone, but to rely on the existing County provisions that allow energy projects in designated industrial lands and unclassified lands as a conditional use. The County also intends to use the information from the memo to support input to state permitting efforts for future energy projects through EFSEC.
103	Bill Barlow 5/27/2026 Public comment			Require an EIS for siting of new energy facilities Factor in health, safety, and quality of life of local communities along with farmlands and sensitive habitats	An EIS is required when significant impacts are expected. This decision of whether to prepare an EIS is made at the time of application. The items noted are factored into both an EIS and SEPA checklist, as applicable.
104	Gail Taff June 19, 2026			Comments on Volume 2 Appendix J: Energy Overlay Memorandum: I support grid improvement in general, such as adding more storage batteries and more clean energy (solar, wind, nuclear, and consider geothermal), to meet the expected growth in demand and state CETA requirements. I also support improved grid efficiency. Possibilities include microgrids and waste mining for re-use or up-cycling. There is even software under development that, if it works, could assist with load balancing. I volunteer with Sustainable Tri-Cities, and several of us have had a number of conversations recently with members of the public about data centers. They are concerned about (1) possible over-use of our limited water supply for cooling of data centers, and (2) noise, especially when data centers are located too close to residences. Except for data center workers, the noise produced by a data center usually does not meet the definition of noise pollution which damages hearing, but it's often very annoying 24/7/365, affecting people's quality of life (https://www.eesi.org/articles/view/communities-are-raising-noise-pollution-concernsabout-data-centers). It also includes low-frequency noise, which some researchers suspect may be harmful to human health	Comments noted

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				(https://www.sciencedirect.com/science/article/abs/pii/S0048969716304338). Larger setbacks for data centers from residential areas may be needed, as it's not clear what distance would be required to eliminate the impact of noise on residences. People have told us they'd like to see more transparency in the siting of data centers. Consider balancing the needs of the companies acquiring sites (such as confidentiality in negotiations) with county residents' concerns.	
105				Comment on wildfire prevention in the urban/rural interface: In Table 11-2 on page 205, I agree that many living in the Wildlands-Urban Interface are not aware of the risk or how to mitigate it, and I hope to see more Firewise communities in Benton County.	Comments noted; we are also working towards increased resiliency to fire risk.
106				Comment on Appendix N: I support the proposed shrubsteppe mitigation program described in Appendix N. The natural environment and its wildlife are a key aspect of our county's character.	Comment noted and thank you for the support
Title 9					
107	KID July 2, 2026	9.07.040	9-54	Section a – add and irrigation districts after utilities companies	Update as suggested
108		9.09.020	9-68	At the end add - There are existing combination easements within the Cities of Kennewick and Richland. It helps to reduce the overall encumbered land while meeting the statutory requirements of RCW 58.17.310 on subdivisions.	Comment noted
109		9.10.060	9-81	Section h add at end - The boundary line adjustment must not result in the property losing access to any irrigation easements.	Comment noted
Title 11					
110	WA State Dept. of Commerce Chaz Bates August 12, 2026	11.03.010		Benton County Code 11.03.010(67). We support the definition of single-family dwelling that includes designated manufactured homes, modular homes, and site-built homes. The definition supports RCW 36.01.225 in treating manufactured homes the same as traditional site-built homes.	Comment noted
111		11.03.010		BCC 11.03.010. Consider adding definitions for "mass timber construction" and "modular construction" to the definitions to assist in implementing RCW 36.70A.815 and .817 which prohibits the county from requiring façade modulation, upper-level setbacks or off-street parking as a condition of permitting these types of residential projects. We did not see any standards for façade modulations, upper-level setbacks or off-street parking in the proposed amendments. If these standards exist elsewhere in your development code, we recommend evaluating those standards to be consistent with RCW 36.70A.815 and .817.	Benton County does not require facade modulation. Benton County has no parking standards for any type of development.
112		11.07.030		BCC 11.07.030(g). Consider revising to be clear that co-living housing is permitted use on any lot located within an urban growth area that allows at least six multifamily residential units. The provision as written could be interpreted as co-living is only allowed on lots that support six multi-family residential units.	Updated as noted in the Urban Growth Area Residential District.
113		11.31.030		BCC 11.31.030. The Interchange Commercial District allows hotels and motels as an allowed use. Chapter 232, laws of 2026, (HB 2266) requires fully planning counties to allow transitional housing, permanent supportive housing, and indoor emergency housing (STEP housing) in any zones within UGAs where hotels are allowed. An overview of the requirements can be found on our website at: HB 2266 STEP Overview June 2026. This bill is preemptive, and Benton County must adopt provisions consistent with the bill by its periodic update.	The Interchange Commercial designation does not exist wihtin the boundaries of any Urban Growth Area. No changes proposed.
114				Off road parking – various sections. In many places it appears that "adequate off-road parking, as determined by the Hearing Examiner, must be provided. We recommend that additional guidance or standards be incorporated that recognize limits on off street parking, specifically RCW 36.70A.622 and RCW 36.01.397.	Comment noted
115		11.09, 11.23, 11.33 and 11.35		(In response to Comment 30, regarding limiting additional designated R-1, Commercial or Industrial lands outside UGAs, accompanying zoning code changes are proposed.)	Add this sentence into Title 11.09.020 Applicability, Rural Lands One Acre…"The County shall not allow the expansion or establishment of any additional Rural Lands One Acre District zoned lands effective with

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					the adoption of the 2026 revisions to this chapter." Add this sentence into Title 11.23.020 Applicability, General Commercial…"For those lands located outside a designated Urban Growth Area, the County shall not allow the expansion or establishment of any additional General Commercial District zoned lands effective with the adoption of the 2026 revisions to this chapter." Add this sentence into Title 11.33.020 Applicability, Light Industrial… Effective with the adoption of the 2026 revisions to this chapter, the County shall not allow the expansion or establishment of any additional Light Industrial District zoned lands outside a designated Urban Growth Area. Add this sentence into Title 11.35.020 Applicability, Heavy Industrial…"Effective with the adoption of the 2026 revisions to this chapter, the County shall not allow the expansion or establishment of any additional Heavy Industrial District zoned lands outside a designated Urban Growth Area." [*Note: During final editing of code sections by the County, minor wording adjustments may be made by code publishing service but intent of the proposed changes will still be met*]
116		11.31.030		Related to affordable housing	Provide the following additional allowable uses: 11.31.030 ALLOWABLE USES. (k) Transitional housing (l) Permanent supportive housing

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					(m) Indoor emergency housing (shelters, transitional housing, emergency housing, and permanent supportive housing)
117				The proposed regulations appear to mix ADU regulations outside UGAs and ADUs inside a UGA. While similar the standards and obligations for addressing ADUs inside UGAs versus outside UGAs are different, and we recommend separating these provisions into separate subsections, one for rural ADUs and one for urban ADUs. For ADUs inside the UGA: HB 1337, passed in 2023 and codified at RCW 36.70A.680, .681 and .696, requires jurisdictions to allow two ADUs per lot within urban growth areas (UGAs) with their periodic update cycle or be preempted. A checklist is available to help local governments meet the statutory requirements. ADU checklist for UGAs. For ADUs outside the UGA: HB 1345, passed in 2026 and codified at RCW 36.70A.685, went into effect On June 11, 2026. This law applies to all detached ADUs outside of UGAs. Any changes to rural ADU standards are required to comply with HB 1345. A checklist is available to help local governments meet the statutory intent of House Bill 1345 (2026) for regulations related to rural accessory dwelling units (ADUs) outside urban growth areas (UGAs). DADU checklist outside UGAs.	The ADU regulation (11.42) is being updated to allow two lots per ADU within UGAs. The rural ADUs are retained as is.
118	KID July 2, 2026	11.19.100	11-113	Comment regarding line 1 - KID has concerns that newly created lots will be stranded without access to irrigation infrastructure and easements. This could result in additional RWSP mitigation requirements.	Comment noted
Comments on Critical Areas Ordinance (Title 15)					
119	Debbie Berkowitz July 1, 2026	Section IIA. Comments on CAO 15.02 General Provisions		This chapter does a good job of covering many of the actions that are important for the County to consider in administering its CAO. I do, however, have a number of specific comments/suggestions that would help clarify and strengthen some of the sections. 15.02.010 Purpose - there are a lot more functions that these critical areas supply - it would be useful to enumerate them either here or in each individual CAO section in order to strengthen the idea that they supply important benefits to Benton County and its residents. For example, see my comment #2 for 15.14, line 133 in this document.	Thank you for the thorough review and comments. The purpose section will be strengthened to include additional functions beyond those currently listed.
120		15.02.020 (b)		15.02.020 (b) ' The County may withhold, condition, or deny development permits or activity approvals...' The may in this statement makes it appear that following the CAO is optional. Please change 'may 1 to "should" (using the definitions suggested 15.020.070, my comment #20, Line 96 in this document).	Comment noted – the "may" is designed to demonstrate these various responses are all options in meeting Chapter 15 requirements.
121		15.02.030(c)		Please add-"The provisions of this chapter apply whether or not a permit or other type of county approval is being sought." (I.e., even if an activity doesn't trigger a SEPA review, following the CAO is required.)	Section 15.02.120 has an even stronger existing applicability statement that appears to adequately cover the intent of this comment.
122		15.02.070 (11)		Compensatory mitigation is described only for wetlands. Please add FWHCAs, i.e., 'wetlands or FWHCAs' to each mention of 'wetlands.'	Update as suggested
123		15.02.070 (16)		Cumulative impacts are not just impacts within a particular place or time. They occur over a much larger scale, and they occur over a longer period of time. E.g., cumulative impacts to shrub steppe are on a landscape scale and must be considered across multiple projects and timeframes. For riparian habitats, cumulative impacts would be on a watershed scale.	Update definition to read: **Cumulative Impacts (Cumulative Effects):** The combined, incremental effects of past, present, and reasonably foreseeable future actions on a critical area, its buffer, associated habitat, watershed, aquifer, or ecosystem. Cumulative impacts may result from individually minor

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					activities that, when considered collectively over time, degrade critical area functions and values, reduce ecological resilience, diminish habitat connectivity, impair water quality or quantity, or contribute to a net loss of ecosystem functions. Evaluation of cumulative impacts for changes to policies and permitting decisions shall occur at the geographic scale necessary to assess affected ecological processes and functions.
124		15.02.070 (38)		In-kind compensation. This seems vague and would be better addressed under shrub steppe mitigation or wetland mitigation (and should apply to other activities as well).	Update definition to read: **In-Kind Compensation:** A compensatory mitigation action that replaces an impacted critical area or critical area function with the same or substantially similar type of habitat, ecological process, species support function, hydrologic function, or other ecosystem service. In-kind compensation emphasizes replacement of ecological functions and values rather than acreage alone and is preferred where it will most effectively achieve no net loss of critical area functions and values. Examples include replacing wetlands with wetlands of similar hydroperiod and function, replacing riparian habitat with comparable riparian habitat, or replacing habitat features used by the same wildlife species assemblages.
125		15.02.070 (43)		'...development proposals "or other activities"....' (i.e., add "or other activities"). Activities other than development proposals may have an impact on critical areas and may require mitigation and monitoring.	Update as suggested
126		15.02.070 (52)		Practical alternative should also include a comment about requiring no net loss of functions and values of critical area functions. E.g., "and has fewer impacts to critical areas, but still results in no net loss of critical functions and values."	Update definition to read: **Practical Alternative:** A feasible project alternative that can reasonably accomplish the basic purpose of the proposal and is available in light of economic, technological, logistical, legal, and environmental considerations. A practicable alternative is one that avoids impacts to critical areas and their buffers where possible and, where avoidance is not possible, minimizes impacts to the greatest extent practicable. The applicant shall demonstrate that no other practicable alternative exists that would have

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					less adverse impact on critical area functions and values while still meeting the fundamental objectives of the proposed action.
127		15.02.070 (55)		Project area should include any area 'adjacent' to an area proposed to be disturbed.	Update the beginning of the definition to read: **Project area**-All areas within or adjacent to… (see also definition 1 - adjacent)
128		15.02.070(56)(i)		A qualified professional for fish & wildlife habitats should have a degree in wildlife biology, zoology, ecology, or fisheries (or a degree in biology specializing in one of these fields) - and not just a generalized biology degree (in addition to the professional experience related to the subject species or habitat).	Comment noted and no additional change proposed - There are many qualified professionals with varied biology degrees; to try and name all the different types or be too specific could result in unnecessarily limiting an otherwise qualified person who also has relevant work experience related to the subject species or habitat from potentially doing the work.
129		15.02.070(58 vs 59)		Repair or maintenance. If an activity goes beyond the authorized scope of approved work, restoration should be required to restore function of a critical area.	Section 15.02.220.c already has this requirement that addresses this comment, as part of mitigation sequencing and this also applies to repair and maintenance activities. Also, update 15.02.130 to include this sentence at the end of the paragraph: "If an activity goes beyond the authorized scope of approved work, restoration should be required to restore function of a critical area."
130		15.02.070 (60)		Riparian Management Zone is defined as the area that has the potential to provide full riparian functions. The rest of this is better discussed in 15.14 RMZs, as has been done for wetlands - i.e., specifics of wetland buffers is not included in this definitions section (and shouldn't be). If, however, this is included here, it should state that "In non-forest zones the RMZ is defined by the greater of the outermost point of the riparian management zone (which includes upland vegetation, not just riparian vegetation) or the pollution removal function, a minimum of 100ft." (as per WDFW Riparian Ecosystems, Vol. 2 Management Recommendations, Dec. 2020, Chapter 2.3)	Update definition to read: **Riparian Management Zone (RMZ):** An area of land adjacent to a stream, river, lake, wetland, marine shoreline, or other waterbody that contains or is intended to support riparian ecological functions and processes. The Riparian Management Zone includes vegetation, soils, floodplain features, and habitat elements that influence water quality, water quantity, channel stability, nutrient cycling, large woody debris recruitment, microclimate regulation, flood attenuation, and fish and wildlife habitat. The RMZ is managed to protect, maintain, and where necessary restore these ecological functions and values.
131		15.02.070(61)		Add "and" at the end of i through v. I.e., this list should be all of the above.	Update sentence before list of items i-v, to read: The characteristics of a valid scientific process must include all of the following:

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132		15.02.070(63)		'Serviceable.' Where is this term used in Chapter 15? It doesn't appear to turn up in a search.	It is included in definition 58.
133		15.02.070(67)		paragraph two. ' ...other dominant shrubs "may" include "(but are not limited to)" ....' Please add "may" since these are not required and "(are not limited to)" since other shrubs like spiny hopsage, gray and green rabbitbrush, may be present (in part depending on the stage of recovery of shrubsteppe habitat)	Update as suggested, noting this is the PHS definition that WDFW asked the County to include.
134		15.02.070(67 paragraph three)		'...which may be influenced by soil condition and erosion' add "and other factors including temperature, elevation, etc."	Update as suggested, noting this is the PHS definition that WDFW asked the County to include.
135		15.02.070 (67)		Add "Fire disturbance is an ecological component of shrubsteppe. Shrubsteppe disturbed by fire may lack the aforementioned habitat components during periods of post-fire recovery." (Based on WDFW recommendation)	Update as suggested
136		15.02.070 (68)		Significant portion of its range. What is a non-significant portion of its range? How does this take into account cumulative impact?	Update definition to this: **Significant Portion of a Species' Range** means a geographic area that contributes meaningfully to the continued viability, recovery, resiliency, redundancy, representation, genetic diversity, ecological function, population persistence, or long-term survival of a species, considering both existing conditions and the cumulative effects of past, present, and reasonably foreseeable future actions. *Note: Insignificant Portion of a Species' Range means an area whose loss, degradation, or alteration would not be reasonably expected to measurably reduce the species' long-term viability, recovery potential, population persistence, ecological function, genetic diversity, distribution, resiliency, redundancy, or representation across its range, and including considering cumulative effects of reasonably foreseeable impacts.*
137		15.02.070(72)		Species of local importance. This definition doesn't take into account the various criteria that are considered in the new Section 15.14.020 (Designation of habitats and species of local importance). A more inclusive definition would be 'species that are important locally to the people of Benton County.'	Update using this definition: **Species of Local Importance** means a habitat or species, population, or group of organisms that is not otherwise listed as endangered, threatened, sensitive, candidate, or priority by federal or state agencies, but has been determined by the local jurisdiction to warrant conservation because of its rarity or vulnerability, need for

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					protection, contribution to local biodiversity, special value or habitat connectivity objectives.
138		15.02.070		Please add definitions for 'may ', 'should ', and shall, as follows: • "May- Gives permission (allowed) and implies that the stated policy/action is advisable." • "Should- Means implementation of the policy/action is expected, but its completion is not mandatory because it allow for special circumstances that could make a policy become inappropriate or infeasible." • "Shall- Means implementation is mandatory, i.e., set policies/actions must be followed."	Update as suggested
139		15.02.100		Even under reasonable use provisions, off-site mitigation should prevent no net loss. Therefore, please eliminate the part of the last sentence that states 'except under the reasonable use provisions of this chapter.'	Agree – update as suggested
140		15.02.110(c)		' ...whether the source of the information displays the characteristics of a valid scientific process.' Change the last sentence and add (from WAC-365-190-905: "When weighing scientific information contained in the record for inclusion, the Planning Administrator shall weigh the scientific information contained in the record based on its scientific validity. The characteristics generally to be expected in a valid scientific process are as follows:..."	Update as suggested
141		15.02.150 (b)		After '(SEPA documents).' please add, "If development of this area will result in a net loss of critical area function or values, then mitigation sequencing shall be followed with on-site in-kind mitigation preferred. If off-site in-kind mitigation is required, then the appropriate sections of 15.02 and 15.14 shall be followed. A mitigation plan based on best available science will be submitted to the Hearings Examiner as part of the approval process."	Update as suggested except the last suggested sentence will be modified to read: "A mitigation plan demonstrating no net loss of ecological function and consistent with best available science will be submitted to the Hearings Examiner as part of the approval process." BAS is also included as review criteria in (d)(4) of this section.
142		15.02.160 (a)		Would a critical area report have been required previously for these allowed activities if they had the potential for impacting a critical area? I.e., what is meant by a 'separate critical area report?' 'The Planning Administrator may apply conditions to ensure that the allowed activity is consistent with protecting critical areas.' Change 'may' to "should" [given the definitions suggested for this chapter].	Update to: "The Planning Administrator ~~may~~ should apply conditions, as applicable, to the underlying permit or approval to ensure that the allowed activity is consistent with the provisions of this chapter to protect critical areas. "
143		15.02.160 (c)		This is confusing. All the activities in (c) through (k) are allowed. It would be less confusing if (c) were followed by a list (l) 'permit requests' through (9) 'hunting/etc.'	Agreed - update as suggested to format all items that fall under (c) Allowed activities. Formatting update only; no content changes required.
144		15.02.160(g)		Criteria are given for wetlands, but these criteria should also apply to RMZs. There should also be criteria for other FWHCAs, e.g., in FWHCAs, placement and number of trails should consider a balance between human use and needs of wildlife, depending on the location and sensitivity of the FWHCA.	This was a specific change requested by Ecology for wetlands; RMZs can have a larger variation of conditions and functions, and so would trail or walkway locations could also vary as long as they are consistent with mitigation sequencing and no net loss of ecological function. For example, an area with a narrow riparian vegetation corridor that extends only to 40 percent width of the RMZ next to a disturbed cheatgrass area could accommodate a walkway

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					or path that protects water quality at 50 or 60 percent, instead of in the outer 25 percent only.
145		15.02.220		It would make more sense if the section on Mitigation sequencing (15.02.220) came before the section on Mitigation requirements (15.02.210) in the text.	Update as suggested; agree that would be a better flow (format change only)
146		15.02.210(d)		After 'expected ecological uplift,' add "and should demonstrate measurable improvement based on BAS,"….	Update to include "and should demonstrate measurable improvement." It is not necessary to continue to repeat "based on BAS," as it is included in item (a) of the same section.
147		15.02.210(e) (2)		… to replace' - add "and improve" the impacted functions (WDFW POL-M5002, 1999) based on the required mitigation ratio.	Update as suggested to read" Off-site mitigation located in Benton or an adjacent County with mitigation measures to replace and improve the impacted functions based on the required mitigation ratio."
148		15.02.210(e) (2)		Mitigation should occur in Benton County unless suitable off-site locations aren't available in the County. Mitigation measures should replace "or exceed" impacted functions (i.e., add "or exceed")	Update as suggested – keep option open for other counties if more suitable
149		15.02.210(e)(post (4))		It should be noted that (3) and (4) should rarely be used. Please add, "Out-of-kind mitigation should only be approved when it can be shown to provide significantly superior biological functions and values than in-kind mitigation."	Update as suggested
150		15.02.21O(f)		…' monitoring that continues until success criteria are met. Delayed or unsuccessful mitigation should require additional compensation or corrective actions.' Mitigation that fails after success criteria are met means that there has been a net loss of critical area function. Monitoring needs to be long term and corrective actions shall be taken. This is especially true for compensatory mitigation.	We believe this intent is addressed with "until success criteria are met."
151		15.02.210(g)		The county should require, not prefer, long-term monitoring and site protection (conservation easement, deed restriction …) for mitigation areas both onsite and offsite, including those onsite areas that are still held by the landowner.	Update as suggested
152		15.02.230 (e)		Add "On-site monitoring shall be annual until success criteria are met and maintained for a period of not less than 10 yrs. On-site monitoring shall occur every 3 yrs after that to make sure that the mitigation results haven't been damaged. Off-site monitoring shall be done at least annually, in perpetuity."	The monitoring time period is determined as part of the mitigation plan as prepared by a qualified professional in combination with permanent protection through deed restriction or conservation easement. The County wants to be able to provide flexibility and avoid being too prescriptive to develop tailored monitoring solutions for each project and mitigation property situation.
153		15.02.240(a)		Add "(7) A critical area report and mitigation shall evaluate cumulative impacts at the landscape scale for shrub steppe or the watershed scale for riparian areas to ensure that no net loss is achieved collectively across projects."	Update as suggested, with the following addition: "(7) A critical area report and mitigation shall evaluate cumulative impacts at the landscape scale for shrub steppe or the watershed scale for riparian areas to ensure that no net loss is achieved collectively across projects. <u>This includes considering other</u>

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					habitats surrounding the subject property within ½ mile, and the relationship (or lack thereof) to the project area. Additionally, discuss the spatial habitat context for shrubsteppe for the subject and surrounding properties." Additionally, cumulative impacts were evaluated in the EIS. Cumulative impacts are also evaluated through the SMP and its critical area protections.
154		15.02.240 (b)		Change 'may' to "shall." This shouldn't be optional.	Update as suggested
155		15.02.260		Please include information about what hearings are required for the mitigation process. I.e., how does the public stay informed? For project activities, is a public hearing held before the Planning Commission or Hearing Examiner to look at the project mitigation? For non-project activities, how would the public stay informed as to potential impacts to critical areas? In the event of destruction of a critical area, who would have 'standing' to appeal a decision?	RCW 36.70B and BCC Title 17 direct the public hearing requirements for all project permit applications. Hearings will be limited to the requirements of those regulations. Projects that do not require a public hearing but may require review under the State Environmental Policy Act (SEPA) would be subject to the public notice requirements directed by SEPA and Benton County Code. The public is encouraged to review the county webpage, and the newspaper record for public notices and the Washington State SEPA Register for public information related to development actions currently under consideration by Benton County. In instances where critical areas are impacted outside of a permit process, the County's Code Enforcement requirements would be implemented. These processes do not require public notice nor hearing, but the public is further encouraged to reach out to the Community Development Department to inquire about suspected damage to critical areas and if warranted file a Request for Code Enforcement Investigation.
156	WDFW Scott Downes March 2025	**Critical Areas Checklist** FWHCA definition BCC 15.02.070(23)		Recommend inclusion of WDFW PHS program as it has been recognized as a form of BAS for FWHCA.	Updated as suggested, and reflected in the latest draft code section on the County website

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157		Recent updates/resources Fish & wildlife habitat		In addition to these resources, WDFW has a Land Use planning website that has good additions for wildlife connectivity and climate. Recommend including these resources as well: Land-use planning priorities and resources | Washington Department of Fish & Wildlife	Thank you for the suggestion; this information was reviewed and considered in CA updates and the completion of the CAO checklist.
158		Riparian Management Zone Checklist for CAOS (2023) for additional potential changes		Appreciate the updates. WDFW recommends using the RMZ checklist as it incorporates WDFW Riparian Guidance as BAS. That guidance lists all water courses in the Columbia Basin at a minimum width of 100 ft (Type F and Type N).	Thank you for the suggestion; this information was reviewed and considered in CA updates for Fish & Wildlife Habitat Conservation Areas.
159		Shrub steppe management recommendation		The definition was updated in 2020 to incorporate fire impacts to shrubsteppe. WDFW recommends updating the CAO definition to match the updated PHS definition.	Update as suggested in the CAO and noted in the checklist.
160		Regulation review regarding changes in species listing		Since the last update, several wildlife species have had their listing status changed including Ferruginous Hawk (uplisted to endangered) and while no current known populations in Benton County, Greater Sage-grouse (also upgraded to endangered).	Thank you for providing this information. We reflected these changes in the CAO checklist.
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162		Non-regulatory measures to protect or enhance functions		In addition to these measures which WDFW supports, consider adding in support of wildlife connectivity https://wdfw.wa.gov/species-habitats/habitat-recovery/connectivity/action-plan and shrubsteppe restoration through WSRRI https://wdfw.wa.gov/species-habitats/habitat-recovery/shrubsteppe	Thank you for providing this information. We used these sources extensively in several related efforts for the draft CA code update and open space planning.
163	WDFW Scott Downes 11/14/2025	15.02.070		15.02.070. Definitions: 22. Fish and Wildlife Habitat Conservation Areas. The definition does not explicitly reference WDFW Priority Habitats and Species (PHS), though the FWHCA section later in the document does. Please add PHS reference in the definition. 61. Riparian Management Zone (RMZ). Please add reference to the full WDFW definition. Shrubsteppe. Recommend adding a definition for shrubsteppe. WDFW PHS definition can be found here and is the recommended definition to use: https://wdfw.wa.gov/sites/default/files/publications/00165/wdfw00165.pdf Page 267.	Update as suggested
164		15.02.200		15.02.200 Mitigation requirements: 1. Mitigation Ratios and Functional Accounting The CAO should specify that compensatory mitigation ratios must be greater than 1:1 to address temporal losses, functional uncertainty, and performance risk. Credits and debits should be based on a scientifically valid measure of habitat function, value, and area, consistent with WDFW POL-M5002 §1 & §27. 2. Activity-Specific Ecological Uplift Mitigation activities (re-establishment, rehabilitation, enhancement, preservation) should be distinguished by their expected ecological uplift, ensuring that the degree of functional gain is proportional to the magnitude of impact. WDFW recommends incorporating language that requires mitigation actions to demonstrate measurable functional improvement based on best available science. 3. Mitigation Hierarchy and Location Clarify the preferred sequencing and location/type hierarchy: 1. On-site / in-kind → 2. Off-site / in-kind → 3. On-site / out-of-kind → 4. Off-site / out-of-kind. Off-site or out-of-kind mitigation	Update per item as described in the following responses: 1 – 6; Updated as suggested, and reflected in the latest draft code section on the County website 7 – Cumulative impacts are considered in the Comprehensive Plan EIS and also in the County proposed shrubsteppe mitigation program. See also response to Comment #123 and #153.

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				should only be approved when it can be shown to provide equal or greater biological functions and values than on-site, in-kind options (WDFW POL-M5002 §6–8). 4. Mitigation Mechanisms The CAO does not identify acceptable mitigation delivery mechanisms. WDFW recommends clarifying whether permittee-responsible, in-lieu fee, or mitigation banking (per WAC 173-700) options will be recognized, and ensuring that all follow the same sequencing and functional accounting framework. 5. Monitoring, Timing, and Adaptive Management Mitigation should be implemented before or concurrent with construction, with function-based performance standards and monitoring that continues until success criteria are met (not simply a fixed duration). Delayed or unsuccessful mitigation should require additional compensation or corrective actions. 6. Long-Term Site Protection and Financial Assurance WDFW recommends requiring permanent or project-life protection (e.g., conservation easement or deed restriction) for mitigation areas and financial guarantees covering full costs + an additional percentage for implementation, monitoring, and contingency. The conservation easement or deed restriction should be held by a third party. 7. Cumulative Impacts Consideration Explicitly require evaluation of cumulative impacts at the watershed or landscape scale to ensure that "no net loss" is achieved collectively across projects.	
165	WDFW Scott Downes March 2025	15.02.210		15.02.210 (f) Mitigation sequencing. Please add "fish and wildlife" to the habitat conservation areas to clarify the name.	Updated as suggested, and reflected in the latest draft code section on the County website
166		BCC 15.14.040(g) Regs. Protecting waters of state		See WDFW Riparian Vol. 2 where it states that the RMZ is a critical area, not just a buffer of the stream. WDFW recommends incorporating this into the BAS.	Updated the CAO checklist to reflect this and also made commensurate changes in the draft CA code updates.
167		Non-regulatory measures to protect or enhance functions		In addition to these measures which WDFW supports, consider adding in support of wildlife connectivity https://wdfw.wa.gov/species-habitats/habitat-recovery/connectivity/action-plan and shrubsteppe restoration through WSRRI https://wdfw.wa.gov/species-habitats/habitat-recovery/shrubsteppe	Thank you for providing this information. We used these sources extensively in several related efforts for the draft CA code update and open space planning.
168	Debbie Berkowitz July 1, 2026	Section IIB. Comments on CAO 15.04 Wetlands		Table 15.04.040-1 'Wetland Buffer Width Requirements' needs to be labeled as requiring a protected habitat corridor (it's confusing otherwise). It is also not clear why the wetland buffer wouldn't be the same as the required minimum 100ft protected habitat corridor.	Update table title to include habitat corridor. The wetland buffer is prescribed by Ecology BAS based on habitat function scores and wetland ratings.
169				Table 15.04.040-2 a. Lights - should also apply to parks and recreation, including sports areas when not in use. b. Noise -should also apply to parks and recreation when not in use. Fencing should be wildlife-friendly.	Update as suggested
170				15.04.040 (c)-If buffer widths are expanded because of buffer averaging, the additional width should be protected in the same way that a regular buffer width is (e.g., deed restriction).	Agree – update to include this requirement – deed restriction or conservation easement or other mechanism to permanently protect.

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171				15.04.050 (f) - "Greater ratios may apply ...from unauthorized alterations." Change 'may' to 'shall' to discourage unauthorized alterations.	The existing language provides flexibility to respond based on specific conditions of the situation.
172		15.14.010		15.14.010 (c). There are creeks that are natural and convey irrigation water. Please add to the first sentence "wholly man made" in front of artificial features.	Updated as suggested, and reflected in the latest draft code section on the County website
173		15.14.~~030~~ (040)		15.14.030 (c). WDFW has noticed that some projects do not submit a critical areas report with the SEPA application. We believe this report should be a part of a complete application and SEPA review, including proposed mitigation actions. Please include a requirement that this report should be included as part of a complete application if there are potential critical area impacts on the projects.	Updated as suggested, and reflected in the latest draft code section on the County website. *[Note that the section #s changed and this is now in Section 15.14.040(c)]*
174		15.14.~~040~~ (050)		15.14.040 (e). Please add "no net loss" under the performance standards of mitigation to ensure the language is consistent with the GMA statute.	Updated as suggested, and reflected in the latest draft code section on the County website. *[Note that the section #s changed and this is now in Section 15.14.050]*
175		15.14.~~040~~ (050)		15.14.040 (g): Riparian RMZs: WDFW Riparian Guidance (which is considered as Best Available Science) recommends a minimum of 100 ft for all RMZs in Benton County and greater if the Site Potential Tree Height exceeds 100 ft (possible in some areas along larger rivers with cottonwoods). Our guidance does not make exceptions for slope as is currently indicated in the proposed CAO language. WDFW recommends extending all RMZs to a minimum of 100 ft and removing the slope considerations.	Updated as suggested, and reflected in the latest draft code section on the County website. *[Note that the section #s changed and this is now in Section 15.14.050]*
176		15.14.~~040~~ (050)		15.14.040. Fish and Wildlife Habitat Conservation Areas c) It should be clarified to ensure consistency with the County's general mitigation provisions in BCC 15.02.210–.230 and WDFW Policy M-5002. The general provisions correctly prioritize *in-kind, on-site* mitigation, whereas 15.14.040(C) could be interpreted as encouraging *off-site* mitigation for connectivity purposes without demonstrating that it provides greater biological function or value. WDFW recommends revising 15.14.040(C) to state that mitigation sites may be located off-site to support habitat connectivity only when it can be demonstrated that such siting achieves equal or greater ecological function, value, and long-term viability than on-site mitigation, consistent with Policy M-5002. e) Mitigation and Equivalent or Greater Biological Functions. Please add "fish and wildlife" to the habitat conservation areas to clarify the name.	Updated as suggested, and reflected in the latest draft code section on the County website. *[Note that the section #s changed and this is now in Section 15.14.050]*
177	Debbie Berkowitz July 1, 2026	Section IIC. Comments on CAO 15.14 Fish and Wildlife Habitat Conservation Areas		I. 15.14.010 (a) Please consider adding the following to FWHCAs: • Riparian Management Zones • The areas listed as a national wildlife refuge, national park, national monument, natural area preserve; • Badger Mountain Preserve; • Candy Mountain Preserve; • Category I wetlands; • documented habitat of threatened, endangered, or sensitive species; • documented habitat of regional or national significance for migrating birds (these are areas that help maintain biodiversity)	Update as suggested, except for documented habitat of T, E & S species – covered by (i) and (ii) and the last bullet. These habitat areas are often already covered by CAO protections whether specifically documented or not.
178		15.14.010(d)		Consider adding 15.14.010(d) (to augment the reasons why FWHCA's are important beyond section	Update as suggested.

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				15.02.010) "Fish and wildlife habitat conservation areas are intended to: (1) Create a system of fish and wildlife habitat with connections between larger habitat blocks and open space, integrating with open space corridor planning where appropriate; (2) Limit the level of human activity within such areas that is appropriate for certain areas and habitats, including presence of roads and level of recreation type (passive or active recreation); (3) Protect riparian ecosystems including potential for restoring lost or impaired salmonid habitat; (4) Evaluate land uses that may negatively impact these areas, or conversely, that may contribute positively to their function; (5) establish buffer zones around these areas to separate incompatible uses from habitat areas; (6) promote biodiversity in part by preserving local gene pools of seeds/insects/other species."	
179		15.14.020		Thank you for adding 15.14.020 'Designation of habitats and species of local importance.' Please consider adding an introductory paragraph "A process is provided for listing other habitats and species that are important locally to the people of Benton County. This action may be initiated at the request of WDFW, other government agencies, County staff, nonprofit organizations, or interested citizens." The current definition in 15.02.070(72) should be changed to better take into account the various criteria that are considered in this new section (perhaps "Those species that are important locally to the people of Benton County")	No planned updates on this language. Interested citizens can reach directly to the Planning Official to present their case for consideration.
180		15.14.020(a)		Section 15.14.020 describes in detail Benton County's criteria for designating habitats and species of local importance, but it does not include requirements for de-designation. Please include statements that cover the following requirements: "All of the criteria listed for designation shall be required for de-designation" and specifically, that "all the designation criteria in subsection (b) no longer apply and reasons are given" (e.g., the species is no longer vulnerable or is otherwise protected). Also, add that "WDFW should be consulted when the de-designation process is started."	Update as suggested
181		15.14.020(b)(1)(iii)		'hydrological functions ' add "where applicable" (since these sections are listed as requirements but hydrological functions are not applicable to all FWHCAs).	Update as suggested
182		15.14.020(b)(2)(v)		'special value' should include "such as public appeal."	Update as suggested
183		15.14.020(c)		'Proposals shall be reviewed by the County and be forwarded to WDFW....' WDFW and other agencies should be involved in this review as they are the experts and can bring to bear BAS. Please change 'may' to 'should" (and add definitions of 'may', 'should ', 'shall' to 15.02 definitions- see comment re 15.02) for both designation and de-designation.	Update as suggested, both for this section and definitions.
184		15.14.040(a)		see comment re 15.02.070(56)(i) (definition of qualified professional for fish and wildlife habitats).	See response to comment (#128)
185		15.04.040 (c)(7)		When appropriate due to the type of habitat or species present or project area conditions, the planning administrator also require...to include a request for consultation....' Please change 'may' to "shall." Consultation with WDFW is critical for appropriate habitat assessment and implementation of no net loss provisions. The statement already indicates that this consultation is appropriate due to the type of habitat or species present. This assessment should also be built into any project or activity assessment as part of SEPA. If there are some limited exceptions where consultation with WDFW may not be required, these exceptions should be specified in 15.l4.040(c) and otherwise consultation shall be required....	Appreciate the comment, however, no change is planned as this is really more specific to the situation, and often consultation is not required. And specifying WDFW only for a wetlands condition would exclude Ecology and sometimes other agencies may also be consulted, such as USACE. Prefer to keep this more broadly written that allows more tailored and less prescriptive implementation.
186		15.40.050(d)		'Conditions shall be based on the BAS and 'may' include but are not limited to....' Please change 'may' to "should". 'Should' implies that implementation is expected, but gives leeway if circumstances make an activity inappropriate (see suggested definition in 15.02.070).	Update as suggested

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187		15.14.050 (d)(3)		Please add 'wildlife-friendly' to fencing.	Update as suggested
188		15.14.050 (d)(5)		If this is for mitigation, monitoring should be in perpetuity.	Monitoring will continue per the required performance period; in some cases it may be in perpetuity but not in all cases. Keep language as is.
189		15.14.050(g)(I) and (g)(2)		"Documented through site-specific or river/stream area specific conditions as established through local studies that meet BAS criteria." Please note that "Local studies to determine RMZ width based on pollutants should include appropriate pollutant transport measurements on local streams by a hydrologist qualified in pollution studies that meet BAS criteria."	This suggestion is not necessary and too focused just on water quality while ignoring other factors. Additionally, the County has increased the minimum buffers to 100 feet per the State Riparian guidance for the Columbia Basin. Keep language as is.
190		15.14.050(g) (2)(ii)		Glad to see the change to 100 feet. Please add "a minimum of ' 100ft. as per WDFW Riparian Ecosystems, Volume 2: Management Recommendations (Rentz et al, Dec. 2020). Also add "This distance should be greater if there are steep slopes or poorly drained soils or high intensity land uses." (ibid). Also, consider adding: "Areas of heavy pesticide or fertilizer use should also be considered high intensity land uses in this context as they add more pollutants to the soil and should require larger RMZs". It should be noted that this number considers only the pollution removal function (i.e., aquatic functions) and does not specifically consider upland wildlife needs in an RMZ, including wildlife connectivity; if these were to be considered, the RMZ could be considerably wider. The RMZ should also include the possibility of using Site Potential Tree Height if this exceeds 100 ft.	See response to Comment 194 and 239, one of several other comments addressing Site Potential Tree Height
191		15.14.050(g)(3)		In this section, RMZ averaging should explicitly take into account minimizing the impact on wildlife corridors that are part of or adjacent to the RMZ.	Update to include in item (i) It will not reduce riparian functions or functional performance <u>of other PHS habitat(s) part of or adjacent to the RMZ, as applicable;</u>
192		15.14.050(g)(3)		Please add: "If RMZ (or other buffer) averaging is used, it should be maintained in an undisturbed vegetated state consistent with its intended ecological functions and monitored in perpetuity as part of a conservation easement." It would be too easy to lose track of the agreed-upon buffer zone otherwise	Updated to include permanent protection.
193		15.14.050(g) (insert between (3) and (4)		The equivalent section to 15.04.040(b)(6) should be added for FWHCAs, i.e., Increased FWHCA, including RMZ, buffer widths. E.g., "The Planning administrator should require increased buffer/RMZ widths on a case-by-case basis when a larger buffer is necessary to protect FWHCA functions and values based on site-specific characteristics."	Update as suggested
194		15.14.050(g)(4)		Add to 'from the OHWM"' or the CMZ where one exists." ' In the case where waterbody is adjacent to a steep slope or bluff,' add "the RMZ would be increased beyond the 100ft minimum to take into account the increased potential for pollution runoff and the possibility of erosion or sloughing as determined by a qualified professional hydrologist and geologist, respectively." Question- Would slopes less than 15% also impact the surface or subsurface hydrology of pollutant runoff?	Update as suggested for OHWM or CMZ, as applicable, and increasing beyond minimum 100 feet for steep slope areas. Regarding the questions of slope, the 15-percent slope threshold is from Washington Administrative Code (WAC) 365-190-120, which establishes minimum classification standards for geologically hazardous areas under the Growth Management Act (GMA). The question about impacts on pollutant runoff is a question for WDFW based on their science synthesis in the

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					Riparian Vol. 1 Guidance manual - Quinn, T., G.F. Wilhere, and K.L. Krueger, technical editors. 2020. Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications. Habitat Program, Washington Department of Fish and Wildlife, Olympia..
195		15.14.050(g)(5)		Change ' may' to "should" in all three instances.	No change as this is dependent upon site specific conditions, species and type of proposed activity. May is more appropriate.
196		15.14.050(h)		Please add a section to discuss buffer zones for non-riparian areas- criteria, widths, etc.- e.g., for shrub steppe habitat, other PHS/candidate species and habitats. This section should include the possibility of increasing buffer widths if a larger buffer is necessary to protect FWHCA functions and values. The brief mention under 15.40.040(g)(4)(ii) isn't clear and doesn't really cover non-riparian buffers.	Update 15.40.040(g)(4)(ii) to read: (ii) Buffers for other PHS habitat types that are also within or adjacent to the proposed action area shall be identified in a critical areas report and be consistent with best available science. These buffers shall be measured in all directions from the habitat boundary, as mapped by the Washington State Department of Fish and Wildlife or a qualified professional pursuant to BCC 15.14.030(a).
197		15.14.060(b)(l)		Further reference should be made to mitigation sequencing and the strong preference for avoidance, minimization, etc. (discussed in 15.02.220). It should be emphasized that offsite, compensatory mitigation is the last stage of mitigation sequencing and is not the preferred stage. As in wetlands, offsite compensatory mitigation should be allowed only when such siting can be demonstrated to achieve greater ecological function and value, and longterm viability than on-site mitigation. Department of Fish and Wildlife POL-M5002 (1999) should be followed in the discussion in 15.14.060(b), including the following: a. In the long-term, WDFW shall seek a net gain in productive capacity of habitat through restoration creation, and enhancement. Mitigation credits and debits shall be based on a scientifically valid temporal losses, uncertainty of performance, and differences in functions and values. b. For offsite mitigation to be accepted, the project proponent must demonstrate to WDFW's satisfaction that greater habitat function and value can be achieved off-site than on-site. c. Delayed mitigation shall include replacement that is greater than losses. Mitigation that is implemented after project construction, or that requires a long time to reach replacement value, shall include additional habitat value (over and above replacement value) equal to the loss through time. d. WDFW shall determine impacts and mitigation.	Mitigation sequencing, as provided in Section 15.02.220 provides adequate discussing of the preferential process and it is unnecessary to duplicate this description in this section. The principles of POL-M5002 are incorporated into the draft shrubsteppe mitigation program goals, description and methods, and WDFW is a cooperative partner in this effort.
198	Debbie Berkowitz continued	15.14.060(b)(2)		It should be stated that WDFW is currently working on an update for PHS shrubsteppe management recommendations, including guidance for mitigation ratios and banking credits/debits and that these will be incorporated into this program when they become available since they are an important source of best available science. See other comments below.	This information is noted in the Monitoring and Adaptive Management section of the draft shrubsteppe mitigation program.
199		15.14.060(b)(3)		This discussion considers spatial priority from WSRRI but does not take into account WAHCAP (Washington Habitat Connectivity Action Plan, wdfw02630, 2025) comments about local areas and urban areas. While WSRRI downplays 'other habitat' or 'other PHS shrubsteppe,' WAHCAP (P. 15,	WAHCAP data is directly included in the datasets compiled to support the draft shrubsteppe mitigation program, and this layer

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				16, 94) states that 'Many smaller habitat areas (e.g., urban riparian areas, parks, or isolated forest patches did not appear as statewide priorities even though they are critical to supporting wildlife and ecosystem functions at the local scale. ' [this could be expanded to include shrubsteppe patches}. 'We encourage local conservation practitioners and land managers to use the WAHCAP as a starting point and use additional data to delineate priority locations for connectivity at the local level ... ' 'Across all spatial scales- statewide, regional, and local- riparian corridors emerge as crucial conservation features, particularly in fragmented or human-dominated landscapes. Stream and river corridors often retain continuous strips of vegetation...making them natural pathways for wildlife movement through otherwise fragmented habitat. Protecting and restoring riparian areas supports both aquatic ecosystems and terrestrial wildlife movement. ' 'Additional fine-scale planning is needed to fully identify regional and local priorities (for connectivity).' I urge the County to take into account the above statements from WAHCAP in considering the importance of urban areas for habitat and habitat connectivity (see additional comments for Shrubsteppe Mitigation Program, specifically #6)	will be shared with the County for ongoing administration of the program, once established. Because WAHCAP is mapped at a broader spatial scale, WSRRI and WDFW Biodiversity Areas and Corridors were used as the primary spatial-priority datasets.
200		15.14.060(b)(3) and (4)		There appears to be no requirement that WDFW have input into the critical area report provided by the applicant or the calculation of debits/credits. WDFW must be given a significant role in these discussions, more than the standard two-week review.	WDFW has been closely coordination with in developing the draft shrubsteppe mitigation program, will be involved in identifying and establishing a mitigation property, developing a property management and restoration/enhancement plan and in ongoing review of annual performance reports and restoration monitoring efforts. We believe WDFW participation in the launching and ongoing implementation of this program, combined with their typical review process for critical area reports will provide ample opportunity or input and oversight of local program administration efforts.
201		15.14.060(b)(6)		Please add-"Annual monitoring and reporting shall be done in perpetuity."	Update as suggested
202		15.14.060(b)(Tab1e 1)		This table assumes that all mitigation properties will be restored. High quality mitigation properties should generally be protected, not restored. Restoration is more likely to result in damage to high quality shrub steppe. Preservation of high or even good quality habitat should require significantly higher ratios than are given in table 1 since such habitat is essentially irreplaceable.	An updated draft shrubsteppe mitigation program has revised tables for mitigation and compensation ratios, which addresses this comment.
203		15.14.060(b)(Table 1)		This table assumes that mitigation properties will be restored to high reference quality. Since we don't know how to restore the cryptogamic soil crust, it is not possible to restore to a high reference quality (which 'represents the natural and resilient state of the ecosystem).' Even restoring to a 'near reference' or 'slight departure' would be difficult. Since we are unlikely to achieve high reference quality, mitigation ratios need to be higher than 1:1 (also per WDFW POL-M5002).	An updated draft shrubsteppe mitigation program has revised tables for mitigation and compensation ratios, which addresses this comment, except for the cryptogamic soil crust, where as noted it is not possible to restore to a high reference quality.
204		15.14.060(b)(Table 1)		Assumes that the cost paid by the developer in advance will be sufficient to purchase the land, restore it, monitor, and maintain it. Current costs of $3,500 to $4,000 per acre are unlikely to be sufficient to even restore the mitigation property (e.g., WE Johnson is underfunded at $3,500 per acre just for restoration). What are the consequences if the restoration process doesn't meet its goals? Who pays for the additional restoration to meet those goals?	Costs for credit purchase and the basis for these are still under development. You are correct that restoration costs alone could be several thousand per acre. In the draft program, it is envisioned that a long-term stewardship fund

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					will be established from part of the proceeds from each transaction, and these funds would be used to address restoration shortfalls in meeting goals.
205		15.14.060(b)(Table 1)		How are fire-disturbed areas taken into account? Many have the potential for recovery, especially if they are restored soon after a fire occurs. Note, for example, WDFW studies related to caching sagebrush in areas that have recently been subject to fires.	In the draft program, it is envisioned that the long-term stewardship fund will be established from part of the proceeds from each transaction, and these funds would be used to also address restoration needs resulting from fire disturbance on the mitigation property.
206		15.14.060(b)(Table 1)		If one compares this table to Table I5.04,050-1 or 2, the discrepancy between compensatory ratios required for wetlands and those for shrub steppe are noteworthy and need to be explained.	Shrubsteppe mitigation is a relatively new consideration compared to wetlands mitigation, and has much less scientific study, literature and practical experience supporting it. We have worked closely with WDFW in developing an updated draft shrubsteppe mitigation program with revised tables for mitigation and compensation ratios. These are nearly identical to those WDFW provided to Grant County to consider in developing their program, except for a 6:1 replacement ratio for _preservation_compared to an 8:1 ratio WDFW suggested, and an added 4:1 ratio for preservation with enhancement & long term resilience. We expect ratios to evolve and refine over time as a stronger technical foundation is established. The range of possible impact and mitigation ratios has been expanded from the table provided in the review draft Critical Areas code section.
207		15.14.060(b)(general)		While I am happy to see that the County is looking seriously at shrub steppe mitigation, based on my comments above on 15.14.060(b), it appears that there are more factors to be taken into account before section 15.14.060(b) in general, and especially Table 1, can be considered to be based on BAS. Two factors that should be taken into account: 1) WDFW is working on guidance for PHS shrubsteppe management recommendations including mitigation ratios and banking credits/debits based on BAS and is hoping to have a document ready by the end of this year. Given the complexity of this process and the need to incorporate best available science, it is not surprising that it is taking them longer than expected. (2) The Comprehensive Plan isn't due until the end of this year and the CAO isn't due until 6 months after that, so there is time to adjust the mitigation ratios to take into consideration the work that WDFW is currently doing. Waiting to adopt the CAO to include their input is the best way to make sure that this part of the CAO is based on BAS. Section 15.14.060(b) should reference the "Shrubsteppe Mitigation Program or as revised in the future."	Update as suggested. It is assumed the program document will be reviewed and updated periodically to reflect new information.

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208		15.14.060(b)		In an earlier iteration of this document, there was a proposal for a 'mitigation review team. ' That seemed like a good concept, especially as the shrub steppe mitigation program is being started. Is that still under consideration and what would be the composition of the team?	There is a mitigation program development team that has replaced the review team. It was felt that the mitigation review team process would be too cumbersome for meeting permitting timeline requirements. The program development team, which includes WDFW, is working to set the program up to meet the no net loss objectives and then would meet periodically to review and consider updates to strengthen the program during implementation.
209		15.14 general.		There should be a list of activities that are regulated in FWHCAs equivalent to that in wetlands, e.g., altering vegetation.	See response to Comment #210
210		15.14 general		WDOE's "Wetland Guidance for CAO (Western and Eastern Washington)" Oct. 2022, Publication #22-06-014, Appendix A, Sample Wetland Regulations 030.b containing regulated activities should be applied to FWHCAs as well as wetlands. The light, noise, etc. categories are equally important for FWHCAs.	Agree many of these activities would also be regulated in FWHCAs and RMZs, including removal of soil/grading/excavation, dumping or adding fill, constructing or removing structures and vegetation alterations (many types), and will be added to 15.14.050 (a) as examples of types of alterations. Please also see 15.02.070 (3), which includes a definition of Alteration as well, which lists some of these items as well.
211		15.14 general		The County might consider starting a conversation about "Lights Out During Migration" as well as Bird-Friendly Buildings- programs that help reduce the number of birds killed, especially during migration. Local studies have been done at WSU-Tri-Cities; information is available through the American Bird Conservancy and the National Audubon Society as well as its local chapter.	Comment noted. This seems like a more appropriate role for a local non-governmental organization to lead up. The County would be open to supporting such an effort, as resources allow.
212	Patrick Paulson Laurie Ness July 2,2026	15.14.050 (e)		Replace the term "no-net loss" with "no net loss" in Draft CAO 15.14.050 (e).	Thank you for the suggestion; we will pass this along to our editing team
213				Please add "fish and wildlife" to the habitat conservation areas to clarify the name. Likewise, 'fish and wildlife' should be added to all occurrences of 'habitat conservation area' to ensure consistency and clarity. Some locations where this edit can be applied: Draft CAO 15.14.040.b.2, 15.14.040.c, 15.14.050.a (2 occurrences), 15.14.050.d-g (4 occurrences), and 15.14.060.a.	Update as suggested
214		15.02.110, Best Available Science		Draft CAO§ 15.02.110, Best Available Science The organization of this section is a little confusing, because items (1)-(6) under paragraph (c) are all drawn from WAC 365-195-905.a, but item (7) corresponds to WAC 365-195-920 (1)(a). We suggest renumbering item (c)(7) as paragraph (d): (6) References. The assumptions, analytical techniques, and conclusions are well referenced with citations to relevant, credible literature and other pertinent existing information.	Update as suggested; yes this was a formatting error. Apologies for the confusion.

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				(7d) Absence of Valid Scientific Information. Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the Planning Administrator shall take a "precautionary or a no-risk approach," that strictly limits development and land use activities until the uncertainty is sufficiently resolved.	
215		15.02 – various sections (and 15.14.010)		CAO General Provisions Note and Riparian Management Zones and Fish and Wildlife Habitat Conservation Areas We noticed that a lot of the textual updates to the Draft CAO and many of our comments pertain to the inclusion of protection of Riparian Management Zones (RMZ) into various provisions. Under the Draft CAO one could argue many of these updates are unnecessary: Priority Habitats and Species (PHS) identified by the Washington Department of Fish and Wildlife (WDFW) are designated as Fish and Wildlife Habitat Conservation Areas (FWHCA), 'Riparian habitat' is PHS5, and RMZs provide protection for riparian areas. But this linkage is not obvious, and it is not clear that the terms 'Riparian Management Zone' ("the area that has the potential to provide full riparian functions"6) is synonymous with "Riparian Habitat". Because of this uncertainty it makes sense to specifically including RMZ as areas to be protected. But a much better solution would be to clearly designate Riparian Management Zones as FWHCA in Draft CAO §15.14.010 as recommended by WDFW. 5 Washington Department of Fish and Wildlife. 2008 (Updated June 2023). Priority Habitat and Species List (PHS List). Olympia, Washington. "Riparian habitat encompasses the area beginning at the ordinary high water mark and extends to that portion of the terrestrial landscape that is influenced by, or that directly influences, the aquatic ecosystem." (p. 265). 6 Draft CAO §15.02.070.60. 7 Rentz, R., A. Windrope, K. Folkerts, and J. Azerrad. 2020. Riparian Ecosystems, Volume 2: Management Recommendations (Riparian Recommendations). Habitat Program, Washington Department of Fish and Wildlife, Olympia. Attached to these comments as "Rentz et al. 2020.pdf". https://wdfw.wa.gov/sites/default/files/publications/01988/wdfw01988.pdf. "WDFW recognizes riparian ecosystems as a Priority Habitat for fish and wildlife and recommends that local jurisdictions designate those ecosystems as Fish and Wildlife Habitat Conservation Areas (FWHCAs), a type of critical area." (p. 10).	The point you make is a good one. Where buffer was struck out and replaced with RMZ or other habitat buffer is probably an unnecessary and even possibly confusing edit. RMZs, as you point out, are critical areas – one type of habitat as part of FWHCAs. Therefore, we will remove this edit in multiple locations and stick with the original language of "critical areas or buffer," which by definition includes RMZs. Clarifications will also be made to note that RMZs are a habitat type in FWHCAs in Section 15.14.010.
216		Section 15.02.070		Definitions Define the term 'Hazard Tree' as recommended by WDFW (Item N). The following definition is given in Riparian Recommendations (p. 65): Hazard Tree– A tree that a jurisdiction's building official or other recognized professional (e.g., certified arborist, registered landscape architect, or certified forester) has determined poses a near-term hazard to public safety or to an existing permanent structure or public utility.	Update with this definition: **Hazardous Tree:** *"Trees with significant structural defects that are likely to lead to failure."*
217		15.02.130.b		Please consider the following suggested text for Draft CAO §15.02.130.b: All exempt activities must use reasonable methods to avoid potential impacts to critical areas and buffers. In every case, disturbance to the critical area must be minimized through best management practices and the use of low-impact equipment.	Update first sentence in this section to read: "All exempted activities shall avoid potential impacts to critical areas and buffers." The rest of the suggested detail to add may be too prescriptive in certain situations.

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218	Patrick Paulson Laurie Ness July 2,2026	15.02.130 (b) (1) (ii)		The Draft CAO 15.02.130 (b) (1) (ii) requires that Add a requirement that the mitigation be monitored for a suitable period time to ensure its success. Further, make it clear that the 'review' requires a SEPA determination. Here's a possible edit: (ii) After the emergency, the person or agency undertaking the action shall fully fund and conduct necessary restoration and/or mitigation for any impacts to the critical area and buffers/RMZ resulting from the emergency action in accordance with an approved critical area report and mitigation plan. The person or agency undertaking the action shall apply for review, and the alteration, critical area report, and mitigation plan shall be reviewed by the County in accordance with the review procedures contained herein. The county shall make a formal SEPA determination as specified by Benton County Code Chapter 6.35 (Environmental Policy).	Update the SEPA suggested language to read: "The county shall issue a SEPA threshold determination for instances when a determination is required by BCC 6.35 and WAC 197-11."
219		150.02.130 (b) (4) (ii)		Please include RMZs in the section limiting 'Existing and ongoing agricultural activities' in Draft CAO section 150.02.130 (b) (4) (ii): (ii) Fish and wildlife habitat conservation areas and Riparian Management Zones. Existing and ongoing agricultural activities do not include tree cutting, road building, new agriculture, clearing, earth moving, mining, filling, burning or construction of buildings or other facilities in fish and wildlife habitat conservation areas including riparian management zones.	By updating the description of FWHCAs to specifically include RMZs (see response to comment #166 above), then it is unnecessary to also call out RMZs here.
220		15.02.130 Hazard Trees		Add consideration of 'hazard trees' to the exemptions for Emergencies and Operations, Maintenance and Repairs. Language could be added onto Draft CAO §15.02.130. This language is adapted from text from Riparian Recommendations:[10] (c) Exempt activities and Hazard trees and snags within RMZ, Wetlands and their buffers, and FWHCA and their buffers. A determination of whether a tree presents a hazard shall be made by a qualified arborist and submitted in a hazard tree determination report. Snags (dead trees) are a Priority Habitat feature for wildlife [11]. To maintain functions and values of these critical areas, snags shall be preserved, when possible, when removing or trimming hazard trees. The removal of vegetation from hazard trees shall be the minimum necessary to remove the hazard. When removing the hazard, damage to remaining trees and vegetation will be avoided if possible and minimized if necessary. (1) Hazard Tree Determination Report means a written document prepared by an certified arborist containing the following elements. (i) Parcel, address, and name of landowner of site where tree(s) are located (ii) Description of size, health, and species of tree(s) evaluated; (iii) Alternative methods (pruning, cabling, etc.) considered; (iv) Location of nearby critical areas (wetlands, streams, steep slopes, floodplains, shorelines, fish and wildlife habitat conservation areas, RMZ and biodiversity corridors; (v) Proposed methods for removal include types of heavy machinery, if applicable; (vi) Size and species of native replacement trees; (vii) Site map showing parcel lines, structures, evaluated trees, critical areas, utilities, and other pertinent information described in the report; (viii) Date of field evaluation and signature of arborist; (ix) Qualifications of arborist authoring the report	Update as suggested, with some minor editing to simplify description

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				10 "Specifically, we recommend that any removal of hazard trees involve an avoidance and minimization of damage to remaining trees and vegetation within the …it is important to note that snags (dead trees) are a Priority Habitat feature for wildlife, and so should be preserved if not hazardous. 11 HS List, p. 287.	
221		15.02.130		Ongoing agricultural activities Please consider the following edits to Draft CAO §15.02.130 for consistency and clarity (just tried to integrate the lists of activities where it made sense, using the same wording). (4) Existing and ongoing agricultural activities, provided they implement applicable Best Management Practices (BMPs) contained in the latest editions of the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG). (i) Wetlands. Existing and ongoing agricultural activities do not include removing trees tree cutting or removal, clearing or removal of vegetation, road building, mining, excavation, ditching, draining, culverting, filling, grading, burning, construction of buildings or other facilities, diverting or impounding water, or any similar activities excavation, ditching, draining, culverting, filling, grading, and similar activities that introduce new adverse impacts to wetlands or other aquatic resources and their buffers. Conversion of wetlands that are not currently in agricultural use, regardless of their wetlands rating, to a new agricultural use should be subject to the same regulations that govern new development. (ii) RMZs, FWHCA, and FWHCA Buffers. Fish and wildlife habitat conservation areas and RMZs. Existing and ongoing agricultural activities do not include tree cutting or removal, clearing or removal of vegetation, road building, mining, excavation or earth moving, ditching, draining, culverting, filling, grading, burning, new agriculture, clearing, earth moving, mining, filling, burning or, construction of buildings or other facilities, new agriculture, or any similar activities that introduce adverse impacts to fish and wildlife habitat conservation areas, their buffers, or RMZ..in fish and wildlife habitat conservation areas	Comment noted
222		15.02.130.b.2		Operations, Maintenance or Repair The activities not considered ongoing agricultural activities should also not be considered activities exempted for "Operation, Maintenance, or Repair. Update Draft CAO § 15.02.130.b.2: (i) Wetlands and their buffers. Operation, Maintenance, or Repair activities do not include tree cutting or removal, clearing or removal of vegetation, road building, excavation, ditching, draining, culverting, filling, grading, burning, construction of buildings or other facilities, diverting or impounding water, or any similar activities that introduce adverse impacts to wetlands or other aquatic resources. (ii) RMZs, FWHCA, and FWHCA Buffers. Operation, Maintenance, or Repair activities do not include tree cutting or removal, clearing or removal of vegetation, road building, mining, excavation or earth moving, ditching, draining, culverting, filling, grading, burning, burning, construction of buildings or other facilities, or any similar activities that introduce adverse impacts to fish and wildlife conservation areas, their buffers, or RMZs.	Update with this language, as suggested.
223		15.02.130.b.5		Storm Water Treatment facilities and artificial ponds should not be an allowed activity in wetlands, RMZ, or FWHCA. Strike Draft CAO §15.02.130.b.5, which allows stormwater facilities in critical areas. We wouldn't think this should be allowed in any critical area: not geological sensitive areas, CARAs, frequently flooded areas, and definitely not wetlands and their buffers, FWHCA and their buffers or RMZ. Wetland Guidance Appendix A gives example wetland regulations which allow stormwater facilities in wetlands only when specific conditions are met[12]. Stormwater facilities should not be allowed in critical areas when they impact the functions and values of the critical area. Update Draft CAO	This is referring to artificial structures constructed in upland areas that will not impact critical areas, or part of a mitigation activity. It is appropriate to allow this activity without a permit in conditions where constructing it will not impact critical areas. No change.

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				§15.02.130.b.5 to prohibit stormwater treatment from RMZ, FWHCA (and their buffers), and Wetlands (and their buffers). (5) In critical areas other than RMZs, Wetlands and their buffers, and FWHCA and their buffers, exempt activities include artificial structures intentionally constructed from upland areas for purposes of storm-water drainage or water quality control, or ornamental landscape ponds, which are not part of a mitigation plan as described and detailed in this chapter. 12 Washington State Department of Ecology. 2022. Wetland Guidance for CAO Updates, Western and Eastern Washington. Publication No. 22-06-014. October 2022. Shorelands and Environmental Assistance Program, p. A-7.	
224		15.02.150		Conditions for Reasonable Use Exception Change Draft CAO§15.02.150 to limit when a Reasonable Use Exception will be considered. These conditions are suggested in the Critical Areas Handbook[13]: (a) If the application of this chapter would deny all reasonable use of the subject property, the property owner may apply for an exception pursuant to this section. For a reasonable use application to be considered, the following conditions must be met: (1) No other reasonable economic use of the property has less impact on the critical area, (2) The proposed impact to the critical area is the minimum necessary to allow for reasonable economic use of the property, (3) The inability of the applicant to derive reasonable economic use of the property is not the result of actions by the applicant after the effective date of this regulation, or its predecessor, (4) The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site, (5) The proposal will result in no net loss of critical area functions and values consistent with the best available science, and (6) The proposal is consistent with other applicable regulations and standards. 13 Washington State Department of Commerce. 2026 (Accessed). Critical Areas Handbook (Critical Areas Handbook). Washington State Department of Commerce Growth Management Services, Olympia WA. https://deptofcommerce.app.box.com/s/rlysjrfvrxpxwnm9jvbcd3lc7ji19ntp. P. 11.	Update as suggested. These are more specific and updated conditions/criteria to apply.
225		15.02.160.g		Restrict trails in RMZs Edit Draft CAO §15.02.160.g to ensure that trails aren't allowed activities in FWHCA and RMZ. Creating trails in these critical areas should require a critical-areas report to ensure no net loss of function and values. Here is an attempt to update the code: (g) Public and Private Pedestrian Trails. Public and private pedestrian trails, except in are not allowed in riparian management zones, wetlands or their buffers, or fish and wildlife habitat conservation areas, or their buffers, Public and private pedestrian trails in other critical areas are allowed, subject to the following:	See response to comment #144
226		15.02.160g		Project Application should include Critical Areas Report (if required) before SEPA determination and shall be submitted for SEPA review WDFW Comments on Drafts notes: WDFW has noticed that some projects do not submit a critical areas report with the SEPA application. We believe this report should be a part of a complete application and SEPA review, including proposed mitigation actions. Please include a requirement that this report should be included as part of a complete application if there are potential critical area impacts on the projects.	See Response to Comment #173 for the SEPA review part of this comment. Additionally, critical areas studies are required as part of a complete application when known in advance.

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				It wasn't clear to us that the Draft CAO requires that if a critical areas report is required it must be submitted with the SEPA determination. We would also like to see that required stormwater plans are submitted with the SEPA determination—stormwater handling shouldn't be tacked on later as it may impact critical areas	Projects are placed on hold when critical areas are discovered to be present and no permit decision/approvals are rendered until critical areas are addressed. It is atypical that land use projects coming in for initial entitlement include sufficient engineering analysis to include stormwater handling/management. Projects are conditioned to comply with applicable stormwater standards, then during civil construction stormwater calcs and design are submitted and reviewed.
227		15.02.190 (c) (6)		Cumulative Impact Analysis WDFW commented: 7. Cumulative Impacts Consideration Explicitly require evaluation of cumulative impacts at the watershed or landscape scale to ensure that "no net loss" is achieved collectively across projects. The Draft CAO requirements for cumulative impacts in critical area reports for FWHCA is addressed solely by 15.02.1290 (c) (6): (6) An assessment of the probable cumulative impacts to critical areas resulting from development of the site and the proposed development; This requirement does not address the cumulative impacts at the watershed or landscape scale, so it cannot be determined if the proposed project are addressed to achieve no net loss at those scales.	See response to comment #123 and #153
228		15.02.210.e.4		"Out-of-kind" mitigation not allowed for Priority Habitats and Species WDFW Mitigation Policy15 §6 states "Out-of-kind mitigation is not acceptable for impacts to priority habitats and species …", and further requires that: for off-site mitigation to be accepted, the project proponent must demonstrate to WDFW's satisfaction that greater habitat function and value can be achieved off-site than on-site. The Draft CAO allows off-site mitigation when it provides merely biological functions and values that are 'equal' to those provided by on-site mitigation. This is inconsistent with the preferred mitigation sequence: on-site mitigations are preferred to off-site mitigations. Possible update to Draft CAO §15.02.210.e.4 : 4) Off-site mitigation located in Benton or adjacent County with out-of-kind mitigation measures to offset the impacted functions Off-site or out-of-kind mitigation should only be approved when it can be shown to provide equal or greater biological functions and values than on-site, in-kind options). Out-of-kind mitigation will not be approved for impacts to WDFW Priority Habitat and Species associated with a Fish and Wildlife Habitat Conservation Area.	The County mitigation hierarchy as provided in this section is consistent with WDFW Mitigation Policy, where it states: Out-of-kind mitigation is not acceptable for impacts to priority habitats and species, **with two exceptions**: (1) priority habitats and species that are at greater risk can be substituted for impacted priority habitats and species; and (2) for hydraulic projects, WDFW shall consider off-site and/or out-of-kind mitigation where equal or better biological functions and values are provided… Priority habitats, and habitats of priority species, may be replaced at a level greater than the impacts of the project on those habitats and species. The county follows this and also prefers mitigation occur within Benton County, but if

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				Off-site mitigation should not be allowed outside of Benton County since this would result in a net-loss of ecological values within Benton County.	circumstances preclude this from happening then the County will consider mitigation in adjacent County as acceptable.
229		15.02.210–.230 and 15.14.060		The Draft CAO does not address these comments [*See comments from Scott Downes – WDFW in this document*]. Further, the extensive language regarding mitigation banking given in Draft BCC 15.14.060(b) seems to further promote the idea that off-site mitigation is an acceptable substitute for the required mitigation sequence. This section should explicitly state that the mitigation sequencing described in BCC 15.02.210–.230 (and WDFW Policy M-5002) before resorting to a mitigation bank. Possible edit: (1) The County and cities in Benton County require mitigation to offset impacts from removal or degradation of shrubsteppe habitat when developed. If mitigation cannot be accomplished through mitigation sequencing as required by BCC 15.02.210–.230 and associated onsite actions then offsite, compensatory mitigation is required to achieve no net loss of function and values.	See response to comment #197
230		15.14.050		Fish and Wildlife Habitat Conservation Areas (Draft CAO§15.14.050) Regarding Draft CAO §15.14.040.c, WDFW Comments on Drafts notes: It should be clarified to ensure consistency with the County's general mitigation provisions in BCC 15.02.210–.230 and WDFW Policy M-5002. The general provisions correctly prioritize in-kind, on-15 WDFW. 1999. POL-M5002: Requiring or Recommending Mitigation (hereafter referred to as "WDFW Mitigation Policy") at §1. Attached to these comments as "WDFW-POL-M5002-Mitigation-Policy.pdf"site mitigation, whereas 15.14.040(C) could be interpreted as encouraging off-site mitigation for connectivity purposes without demonstrating that it provides greater biological function or value. WDFW recommends revising 15.14.040(C) to state that mitigation sites may be located off-site to support habitat connectivity only when it can be demonstrated that such siting achieves equal or greater ecological function, value, and long-term viability than on-site mitigation, consistent with Policy M-5002. Possible edit to current text: Mitigation and Contiguous Corridors. Impacts to Fish and Wildlife Habitat Conservation Areas shall be mitigated as specified in BCC 15.02.200 and 15.02.210. Mitigation sites shall be located to preserve or achieve contiguous wildlife habitat corridors in accordance with a mitigation plan that is part of an approved critical area report to minimize the isolating effects of development on habitat areas, Mitigation sites may be located off-site to support habitat connectivity only when it can be demonstrated that such siting achieves greater ecological function, value, and long-term viability than on-site mitigation. so long as mitigation of aquatic habitat shall be located within the same aquatic ecosystem as the area disturbed. We're not sure if this captures the original intent of the code. We're guessing the intent was: "If you're going to mitigate on site, try to locate the mitigation so that it supports habitat corridors". Because if you're mitigating off-site, then you could instead restore core habitat. But in all cases, the code should prefer on-site to off-site and require ecological lift.	See response to comment #197
231		15.14.020		Habitats and Species of Local Importance Draft CAO section 15.14.020 doesn't provide a mechanism for nomination of habitats and species of local importance (HSLI). As written, the planning director has sole discretion on whether to present recommendations regarding HSLI. Please consider the following edits[16] : a) Any person may nominate for designation, or propose de-designation, of a species or habitat of local importance Nominated habitats or species must meet the definition in section 15.02.070. Proposals for de-designation of a species or habitat of local importance shall follow the same process as a nomination for designation, except that the proponent shall demonstrate that all	Thank you for this comment. Update Chapter 15.14.020(e) text to read as suggested. While no additions are being made to this text, citizens are welcome to reach out to the Planning Administrator to provide information on habitats and even encourage a local

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				designation criteria in subsection (b) no longer apply, such as due to federal or state de-listing of protected species, recovery has been achieved, or other facts that support that the species is no longer vulnerable or is protected through other means. (b) Nominations for habitats or species of local importance shall include the following: (c) Proposals Nominations shall be reviewed by the County and may be forwarded to the State Departments of Fish and Wildlife, Natural Resources, and/or other local, state, federal, and/or tribal agencies, or experts for comments and recommendations. The Draft CAO seems to give the Planning Administrator veto power over HSLI recommendations, rather than just making a recommendation to the Planning commission. Please clarify that the planning director only makes a recommendation by altering text for 15.14.020.e: (e) The Planning Commission shall hold a public hearing for nominations upon receiving the Planning Administrator's recommendation. After the hearing the planning Commission shall make a recommendation to the Board of Commissioners to approve or deny the recommendation based on the standards enumerated in subsection b. 16 Based on CAO for Island County, WA 17.02B.220. https://library.municode.com/wa/island_county/codes/code_of_ordinances?nodeId=TITXVIIZO_CH17.02BISCOCRARRE_GEPR_17.02B.070RERE	importance designation. Opportunity is also provided at Planning Commission meetings to make similar suggestions.
232	Patrick Paulson Laurie Ness July 2,2026	15.14.010.a		Designate RMZ as FWHCA As recommended by WDFW17 and discussed in our comments at §4.1, add RMZ as a designated FWHCA in Draft CAO §15.14.010.a.	Update as suggested
233		15.14.050 (g.4.i)		RMZ width of at least 100' not clearly enforced In areas of steep slopes, Draft CAO §15.14.050 (g.4.i) could be read as stating that the RMZ extends only to a "geologically safe distance away from the steep slope" even if that distance is less that the width specified in (g.2). Here's a clumsy attempt at rectifying the problem: … the case where waterbody is adjacent to a steep slope or bluff (slope greater than 15 percent), the RMZ specified in item (2) of this section (g) is increased to would extend to a geologically safe distance away from the edge of the steep slope or bluff…	See response to comment 194
234		15.14.050 (g.4.i)		Draft CAO §15.14.050 (g.4.i) contains no provision for determining the RMZ from the outer edge of a channel migration zone and should be updated: (i) RMZs for rivers, lakes, ponds, and streams shall be measured in all directions from either the ordinary high-water mark (OHWM) as identified in the field; or the outer edge of the channel migration zone (if one exists and the outer edge is farther from the middle of the watercourse than the OHWM). In the case where waterbody is adjacent to a steep slope or bluff (slope greater than 15 percent), the RMZ specified in item (2) of this section (g) is increased to would extend to a geologically safe distance away from the edge of the steep slope or bluff to prevent erosion or sloughing, as determined by a qualified professional (licensed geologist or geotechnical engineer)	See response to comment 194
235		15.14.050		A regulation like the following[19] should be added: The director shall have the authority to increase the width of a RMZ on a case-by-case basis when such an increase is necessary to achieve any of the following: A. Protect fish and wildlife habitat, maintain water quality, ensure adequate flow conveyance; provide adequate recruitment for large woody debris, maintain adequate stream temperatures, or maintain or improve existing in-stream conditions.	Update as suggested with the following modification to the introductory sentence: The director shall have the authority to increase the width of a RMZ on a case-by-case basis when such an increase is necessary to achieve

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				B. Compensate for degraded vegetation communities or steep slopes adjacent to the stream. C. Maintain areas for channel migration. D. Provide adequate pollution filtration functions. E. Protect adjacent or downstream areas from erosion, landslides, or other hazards. 19 Adapted from Walla Walla County's CAO (https://library.municode.com/wa/walla_walla_county/codes/code_of_ordinances?nodeId=TIT18EN_ CH18.08CRARPR_18.08.674FIWIHACOARATBOUFIN	any of the following, as documented through a Critical Areas report or through technical review comments by a state or federal agency responsible for fish and wildlife species and habitat, and supported by best available science:
236	Patrick Paulson Laurie Ness July 2,2026	15.14.050 (g)		Riparian Management Zones should be subject to requirements for mitigations WDFW Comments on Drafts states: … any portion of an RMZ used to offset a buffer reduction shall be considered compensatory mitigation and therefore: Must be treated as part of the project's mitigation plan, subject to the same monitoring and performance standards as other mitigation areas. The following text can be added to 15.14.050.g: RMZs shall be included in the project's mitigation plan (15.02.230) and are subject to the same monitoring and performance standards as other mitigation areas.	Update as suggested
237		15.14.050 (g)		Missing citation to 'local studies' BCC 15.14.050 (g) states: (1) … Required RMZs … shall be consistent with the management recommendations issued by the Washington State Department of Fish and Wildlife and local conditions as documented through site-specific or river/ stream area specific conditions as established through local studies that meet BAS criteria. (2) Rivers, Lakes, Ponds, and Streams. Waterbodies classified by the water typing system specified in WAC 222-16-030 have the following RMZs consistent with State Department of Fish and Wildlife recommendations and local studies characterizing existing conditions [emphasis added] No citation is given for either 'local studies that meet BAS criteria' or 'local studies existing conditions'; these local studies cannot be evaluated to determine whether they meet the standard for Best Available Science because they are not in the record.	Specific citation is not required here as this is just referring to general types of studies that could be utilized to supplement state guidance. Please see BAS sources document citation: AC Geospatial, 2020. Riparian Buffer Analysis Summary Memorandum. Prepared for Benton County, May 2020, for an example of a document that characterizes existing riparian conditions for certain streams in Benton County as an example of the type of study generally described. Update to read: (1) … Required RMZs … shall be consistent with the management recommendations issued by the Washington State Department of Fish and Wildlife and local conditions as documented through site-specific or river/ stream area specific conditions as established through local studies that ~~meet BAS criteria~~ characterize existing conditions, as applicable.
238		15.14.050		RMZ requirements wording	Update this section to read:

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				The wording of paragraphs (1) and (2) are confusing. Paragraph 1, for example, states "Required RMZs … shall be consistent with the management recommendations issued by the Washington State Department of Fish and Wildlife and…" as if this section is describing RMZ requirements somewhere else. Here's some edits. (g) Riparian Management Zones (RMZs). (1) Establishment of RMZs. RMZs protect habitat conservation areas are as set forth in this section (g). Buffers RMZs shall consist of an undisturbed area of native vegetation or areas identified for restoration established to protect the integrity, all key riparian functions, and values of the affected habitat. Required RMZs requirements reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby and shall are designed to [see note 1 below] be consistent with the management recommendations issued by the Washington State Department of Fish and Wildlife and with local conditions as documented through site-specific or river/stream area specific conditions as established through local studies that meet BAS criteria. (2) Rivers, Lakes, Ponds, and Streams. Waterbodies classified by the water typing system specified in WAC 222-16-030 have the following RMZs consistent with State Department of Fish and Wildlife recommendations and local studies characterizing existing conditions [see Note 2 below]:… The purpose of these corrections is to make the regulation clearer: 1. We require no net-loss to all ecological function the word 'key' is subjective and superfluous. 2. The text is talking about the current regulation – not setting out requirements for another set of regulations. "are designed to be" is a wordy but is clearer than current "shall be". 3. We've already established in (1) how the RMZ requirement was established	RMZs protect riparian habitat functions and values ~~conservation areas are as set forth in this section (g). Buffers~~ RMZs ~~include shall~~ often consist of an undisturbed area of native vegetation or areas identified for restoration established to protect the integrity, all key riparian functions, and values of the affected habitat. Required RMZs requirements reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby and shall ~~are designed to [see note 1 below~~] be protected consistent with the management recommendations issued by the Washington State Department of Fish and Wildlife and documented ~~with~~ local conditions in critical area reports or other ~~as documented through site-specific or river/stream area specific conditions as established through~~ local studies, as applicable ~~that meet BAS criteria~~. (2) Rivers, Lakes, Ponds, and Streams. Waterbodies classified by the water typing system specified in WAC 222-16-030 have the following RMZs consistent with State Department of Fish and Wildlife recommendations and local studies characterizing existing conditions
239	Patrick Paulson Laurie Ness July 2,2026	15.02.070 (60) 15.14.040.g.2		Conflicting definitions of RMZ BCC 15.02.070 (60) defines RMZ as: Riparian management zone (RMZ)-The RMZ is the area that has the potential to provide full riparian functions. In forested areas, including deciduous trees as is common in the lower Yakima and along the Columbia River, this can occur within one 200-year site-potential tree height measured from the edge of a stream channel. In situations where a channel migration zone (CMZ) is present, this occurs within one site potential tree height measured from the edges of the CMZ. In non-forest zones the RMZ is defined by the greater of the outermost point of the riparian vegetative community or the pollution removal function, at 100-feet. But BCC 15.14.040.g.2 defines RMZ differently: Rivers, Lakes, Ponds, and Streams. Waterbodies classified by the water typing system specified in WAC 222-16-030 have the following minimum riparian buffer requirements RMZs consistent with State Department of Fish and Wildlife recommendations and local studies characterizing existing conditions: (i) Type S (Shorelines of the State) RMZ: Type S water RMZs and associated Channel Migration Zones are protected by the Benton County Shoreline Master Program, as existing and hereafter amended, rather than this chapter.	SPTH200 cannot be consistently applied in Benton County because the underlying NRCS soil data do not provide the forest productivity information needed to calculate it. Not all NRCS soil polygons are forested or contain forest productivity attributes, and WDFW's *Riparian Ecosystems, Volume 2: Management Recommendations* specifically states that NRCS soil polygons in Benton, Franklin, Grant, and Adams counties lacked the forest productivity information used to generate SPTH200-based RMZ widths. Accordingly, these areas were not assigned SPTH200 values and were instead classified as either "dryland ecosystems" or "other lands" (Volume 2, p. 71). Thus, the

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				(ii) Type F (Fish), Type Np (Non-Fish Perennial) and type Ns (Non-Fish Seasonal) RMZ: One hundred (100) feet The first definition states that the RMZ within forested areas is within one 200-year site-potential tree height (SPTH200) measured from the edge of a stream channel and is the current BAS from WDFW. The second definition is not BAS and makes no mention of 'forested areas' and sets the RMZ width as 100 feet. No allowance is given for "one 200-year site-potential tree height measure from the edge of a stream", as specified in the definition of RMZ in BCC 15.02.080 (g). The Draft CAO departs from BAS by not requiring an RMZ width equivalent to the 200-year site potential tree height, as recommended in Riparian Recommendations. The County seems to justify ignoring $SPTH_{200}$ when determining RMZ conclusions Riparian of two documents–Riparian Buffer Summary20 and Proposed Riparian Buffers21– listed in the County's list of sources of BAS22, but ignores clear guidance from Riparian Recommendations[23]: …designating a riparian area based on at least one SPTH200 is a scientifically supported approach if the goal is to protect and maintain full function of the riparian ecosystem for aquatic habitat and species, including salmon. In Futurewise et al. v. Snohomish Cty[24], the Growth Management Hearings Board (GMHB) noted that the Washington Court of Appeals held that"… evidence of the best available science must be included in the record and must be considered substantively in the development of critical areas policies and regulations". While the County's documents argue that RMZ width based on $SPTH_{200}$ will be narrower than the minimum 100-foot width specified in Draft CAO for most riparian areas in the County, they give no reasoned justification for not using $SPTH_{200}$ to determine RMZ width where $SPTH_{200}$ exceeds 100 feet. In Futurewise et al. v. Snohomish Cty, the GMHB ruled: The Board has long held and the Supreme Court has agreed that a "[c]ounty cannot choose its own science over all other science and cannot use outdated science to support its choice."[[25] 20 AC Geospatial. 2020. Riparian Buffer Analysis Summary Memorandum (Riparian Buffer Summary). Prepared for Benton County, May 2020 21 Anchor QEA. 2021. Proposed Riparian Buffers within the Benton County Critical Areas Code Update (Proposed Riparian Buffers). Prepared for Benton County, January 30,2021. Attached to these comments as 'Anchor-QEA-2021.pdf'. 22 Benton County. 2026. Draft of APPENDIX A—GENERAL REFERENCES AND BEST AVAILABLE SCIENCE (BAS List), attached to these comments as 'BAS Sources Trk Chgs BCC 15.02 - 15.14.pdf. Obtained June 18, 2026, via email from the Count. Email attached to these comments as 'RE_ [EXTERNAL] BAS for CAO?.eml' PDF attached as 'RE_ [EXTERNAL] BAS for CAO?.pdf' .' 23 P. 17. 24 Futurewise, Pilchuck Audubon Soc'y, Adopt A Stream Found., League of Women Voters of Snohomish Cnty. and Sno-Isle Sierra Club v. Snohomish Cnty (Futurewise et al. v. Snohomish Cnty), GMHB Case No. 25-3-0011, Final Decision and Order (Feb. 17, 2026). 25 P. 23, citing Honesty in Envtl. Analysis and Legis. (HEAL) v. Growth Mgmt. Hearings Bd., 96 Wn. App. 522, no reasoned justification for not using SPTH200 to determine RMZ width where SPTH200 exceeds 100 feet.	reasoned justification for not using SPTH200 where it exceeds 100 feet is that no scientifically supported SPTH200 values are currently available for Benton County, including any values demonstrating SPTH200 greater than 100 feet. This conclusion is also consistent with WDFW's mapped *2025 Riparian Management Zones Map*, which provides estimated locations for RMZs statewide. WDFW's RMZ data is based on estimated stream locations, likely tree species, soils, and maximum tree height at 200 years. Where estimated tree height is less than 100 feet, WDFW applies a minimum 100-foot RMZ to account for pollution-removal functions. WDFW's statewide map does not establish any SPTH200 values greater than 100 feet for Benton County or provide a basis for replacing the County's 100-foot RMZ standard. Citations Washington Department of Fish and Wildlife. *Riparian Ecosystems, Volume 2: Management Recommendations*. Technical editors Amy Windrope, Terra Rentz, Keith Folkerts, and Jeff Azerrad. Olympia, WA: Washington Department of Fish and Wildlife, December 2020, pp. 27, 71 Keith Folkerts, Ken Muir, and Julia Michalak, *2025 Riparian Management Zones Map: A User Guide for Local Governments from WDFW's Priority Habitats and Species Program* (Olympia: Washington Department of Fish and Wildlife, Habitat Program, 2025), https://wdfw.wa.gov/publications/02671. To further evaluate whether tree height data could provide a meaningful basis for establishing RMZ widths in Benton County, the County reviewed landcover and tree canopy data from WDFW's Riparian Data Engine and Landcover datasets within WDFW-mapped RMZs along natural streams (manmade

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					watercourses were excluded). The tree-canopy data are derived from the latest available version of WDFW's Land Cover dataset, which maps landcover types and the extent and height of tree canopy throughout Benton County. The analysis included Corral Creek, Glade Creek, East Branch Glade Creek, Rattlesnake Creek, Sulphur Creek, Spring Creek, Snipes Creek, the Yakima River, and the Columbia River. Only 10.5 percent of the land cover within the reviewed RMZs was classified as tree cover. The remaining land cover consisted of 70.5 percent herbaceous vegetation, 11.0 percent shrub cover, 7.3 percent non-vegetated land, and 0.7 percent water. Most tree cover occurred along the Columbia and Yakima rivers, which are regulated under the County's Shoreline Master Program. Within areas with trees, the average tree height was 25.6 feet and the 90th-percentile tree height was 41.8 feet (using an area-weighted average value). These results demonstrate tree height—whether expressed as potential tree height or actual existing canopy height—are neither consistently available nor representative of riparian conditions in Benton County to serve as a practical basis for determining RMZ width. Citations: Washington Department of Fish and Wildlife, "Land Cover," *High Resolution Change Detection*, accessed July 24, 2026, https://hrcd-wdfw.hub.arcgis.com/pages/land-cover. In 2020, AC Geo evaluated the riparian vegetation communities along the non-shoreline jurisdiction streams in Benton County (those streams regulated outside of Shoreline Jurisdiction but within this critical area code) and found in cases the riparian vegetation width to be well within 100-feet on each side. Per WDFW BAS guidance, when this condition

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					exists, then you go with the greater of two measurements, which is the 100-feet for pollutant removal. For dryland ecoregions, *Riparian Ecosystems, Volume 2: Management Recommendations* recommends protecting the full extent of the riparian vegetative community. Where neither SPTH200 nor the riparian vegetative community extends at least 100 feet, WDFW recommends establishing a minimum 100-foot RMZ to provide pollution-removal functions (Volume 2, p. 27). Because scientifically supported SPTH200 values are unavailable for Benton County and the locally evaluated riparian vegetative communities generally do not extend beyond 100 feet, the County's 100-foot RMZ for Type F, Np, and Ns waters is consistent with the applicable recommendations in Volume 2. The County has therefore substantively considered WDFW's statewide best available science, evaluated the availability and applicability of SPTH200 and existing tree-height data, reviewed local riparian vegetation conditions, and adopted an RMZ standard consistent with WDFW's recommendations for dryland ecosystems. The County is not disregarding SPTH200 or substituting unsupported local science. Rather, it is applying the portions of WDFW's recommended methodology that are supported by the available statewide and local data for Benton County. See also Comment 131 by WDFW, and our response. What is cited as the second definition is not in fact a definition but rather a description of a framework for applying RMZs based on

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					waterbody type, and really only distinguishes between RMZs in shoreline jurisdiction (Yakima and Columbia River – applied per SMP) and all other streams – 100 feet, as further described above.
240	Patrick Paulson Laurie Ness July 2,2026	15.14.040.g.1		Draft CAO falsely claims the RMZ definition is consistent with WDFW BAS recommendations BCC 15.14.040.g.1 states that Required RMZs reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby and shall be consistent with the management recommendations issued by the Washington State Department of Fish and Wildlife and local conditions as documented through site-specific or river/ stream area specific conditions as established through local studies that meet BAS criteria [Emphasis added]. The RMZ definition in BCC 15.14.040.g.2 is not consistent with WDFW recommendations, since no consideration is given to the 200-year site potential tree height. Further, no references are given to any 'local studies that meet BAS criteria' that support departing from WDFW recommendations. As citizens, we should not have the burden of reading all the documents listed by the county as BAS to ferret out how the County justifies departing from BAS provided by WDFW. Further WDFW Management recommendations specifically state (p. 26, Riparian Recommendations): In dryland ecoregions, it is less common, but still possible to find riparian vegetation which includes—and may even be dominated by—large trees. Examples of large tree species in these areas are black cottonwood (Populus trichocarpa) and ponderosa pine (Pinus ponderosa). If SPTH200 in dryland ecoregions exceeds 100 feet, then it should be used for the RMZ width [emphasis added].	See response to Comment #239
241		15.14.040 (g) (3)		RMZ Averaging WDFW commented[27]: 15.14.040 (g) (3). The RMZ averaging provision allows narrower buffers in one location to be offset by wider buffers elsewhere; however, it does not specify how the wider portions will be protected or managed over time. To ensure the ecological benefit of averaging is maintained, WDFW recommends clarifying that any portion of an RMZ used to offset a buffer reduction shall be considered compensatory mitigation and therefore: 1. Must be protected in perpetuity (or for the life of the project, at minimum) through a recorded conservation easement, deed restriction, or other legally binding instrument. 2. Must be maintained in an undisturbed, vegetated state consistent with its intended ecological function; and 3. Must be treated as part of the project's mitigation plan, subject to the same monitoring and performance standards as other mitigation areas. The Draft CAO does not address these comments.	Buffer averaging does not automatically trigger a mitigation plan but the County does support adding this suggested language in 15.14.040 to ensure ecological benefit of averaging is maintained: 1. Must be protected in perpetuity (or for the life of the project, at minimum) through a recorded conservation easement, deed restriction, or other legally binding instrument. 2. Must be maintained in an undisturbed, vegetated state consistent with its intended ecological function Based on this, the RMZ buffer averaging is not a compensatory mitigation action but rather a slightly different RMZ boundary than a straight application of the 100 foot boundary following

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				As noted by WDFW, mitigation for impacts to the RMZ must be viewed as compensatory mitigation, since the mitigation occurs outside of the RMZ, which is designated as a Fish and Wildlife Habitat Conservation Area[28]. Compensatory mitigation must be provided in ratios larger than 1:1[29], but RMZ averaging only requires a 1:1 ratio.[30] Further, the provision for RMZ averaging is inoperable, since it requires a qualified professional to demonstrate that reduction of the RMZ width will not "reduce riparian functions or functional performance"[31]. But since RMZ is defined as "the area that has the potential to provide full riparian functions", and because the Draft CAO states "…Required RMZs reflect the sensitivity of the habitat"[32] there is no avenue to demonstrate that reduction will not reduce riparian function. Finally, the RMZ averaging provision allows the RMZ width to be reduced by "twenty five percent of the standard width or fifteen (15) feet, whichever is less"[33]. However, the County provides no science that shows this reduction can be made without reducing riparian function. §15.14.010.a.2), and RMZs are defined as "the area that has the potential to provide full riparian functions." (Draft CAO §15.02.070.60). 26 The Board cites Island Cty. Citizens' Growth Mgmt. Coal. v. Island Cty., WWGMHB Case No. 98-2-0023c, Compliance Order (Mar. 6, 2000) at 11 (cited with approval in Ferry Cty. v. Concerned Friends of Ferry Cty., 155 Wn.2d 824, 837 838, 123 P.3d 102 (2005)) 27 WDFW Comments on Drafts pp. 2-3. 28 Because riparian areas are PHS (Washington Department of Fish and Wildlife. 2008. Priority Habitat and Species List. Olympia, Washington, pp. 265-66), PHS is designated as FWHCA (Draft CAO 29 "Compensatory mitigation ratios must be greater than 1:1 to address temporal losses, functional uncertainty, and performance risk." Draft CAO §15.02.210.c. 30 "The total area contained in the buffer RMZ area after averaging is no less than that which would be contained within the standard buffer RMZ under subsection (g)(2) above;…". Draft CAO §15.14.050.g.3.iii. 31 Draft CAO §15.14.050.g.3.i 32 Draft CAO §15.14.050.g.1 33 Draft CAO §15.14.050.g.3.iv	OHWM but still achieving no net loss of ecological function. Also, as discussed in Comment #239 response, riparian vegetation for streams in Benton County outside of wetlands are always less than 100 feet, which means there could exist other vegetation, including native and non-native plants of varying habitat value including completely disturbed areas from historical land use. The qualified professional preparing the Critical Areas report would be required to document these conditions and demonstrate no net loss of ecological function would still be achieved through averaging.
Title 17					
242	WA State Dept of Commerce Chaz Bates August 12, 2026	17.10		Chapter 17.10 BCC Permit Process Procedures. The chapter and proposed amendments appear to be consistent with recent changes to chapter 36.70B RCW. In the 2026 legislative session, a change was made by Engrossed Second Substitute House Bill 2418 and became effective June 11, 2026. We are working on a fact sheet on ESSHB 2418 and hope to have it available soon. In the meantime, you can review ESSHB 2418. At a high level the bill affects when applications are forwarded to public utility or special purpose districts, and requirements for designating a single point of contact for each project permit.	Thank you for this feedback; we look forward to receiving the ESSHB 2418 fact sheet when it becomes available.
Flood Damage and Prevention Code					
243		Chapter 3.26.040, Definitions		Flood Damage And Prevention (Chapter 3.26) Please add the following definition (from Draft CAO definitions) to definitions for this section, since many critical areas such as wetlands and fish and wildlife habitat conservation areas are in flood plains: Repair or maintenance-An activity that restores the character, scope, size, and design of a serviceable area, structure, or land use to its previously authorized and undamaged condition. Activities that change the character, size, or scope of a project beyond the original design and drain, dredge, fill, flood, or otherwise alter critical areas are not included in this definition.	Repair or maintenance in the context of this code is referring to buildings and other structures. The CAO serves as an overlay to this code, and so all the CAO provisions would apply, making it unnecessary to add in this definition.
Shrubsteppe Mitigation					

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244	WDFW– Scott Downes – 10/16/25	Shrubsteppe Mitigation Program	1	Recommend using the WDFW PHS definition. That definition includes disturbance, which is lacking below. Definition is at: https://wdfw.wa.gov/publications/00165 under shrubsteppe	This was updated in the draft CA code as suggested.
245		Steep slope areas are not primary habitat	2	We recommend careful discussions about using steep slope habitats for mitigation areas as they may not mitigate for the same impacts.	Agree and we will keep this in mind, noting there may be a mix of slopes on a mitigation property and assume WDFW would be okay with some steeper slope areas that might exist along with less elevated areas.
246		Other: habitat outside of the above designations	4	should be recognized that the human footprint layer played heavily into this layer. There are areas of high quality shrubsteppe, but if adjacent to developed areas they were put into the "other" category and some of these are only developed on one side, so they have connections to more intact landscapes.	Thank you for this context.
247		Mitigation properties spatial priority and quality metrics	9	In addition to WSRRI, we would recommend that some of the wildlife connectivity layers be used to incorporate connectivity. Those can be found in PHS and the recently completed WAHCAP report. https://wdfw.wa.gov/species-habitats/habitat-recovery/connectivity/action-plan	WAHCAP was used in both identifying shrubsteppe spatial priorities and potential mitigation properties.
248		Figure 4 description	11	Recommend not focusing too heavily on species presence surveys. Some species are seasonally dependent and can be cryptic. A one or two day generalized site visit often will not accurately show the species use of an area	Noted
249		Figure 5 – process diagram	12	Recommend producing a document that outlines the members of the Bank Advisory Board and their roles and responsibilities.	The updated process including RACI better defines roles and responsibilities. We no longer include an advisory board in the draft program description. This has been replaced with stakeholder coordination, including WDFW in mitigation property identification and baseline conditions reporting and in determining restoration strategy and mitigation credits provided, among other things.
250		Table 7	14	These ratios are lower than ratios used in WDFW mitigation bank guidance, see copy attached to email sent. WDFW recommends revisiting these ratios in early 2026 after we have a draft of our updated shrubsteppe management recommendation which will include updated recommended ratios. These don't seem to account for quality differences in the "Other" habitat highlighted in an earlier comment. Recommend building in some difference to reflect quality differences in "other" habitat.	Ratios continue to be refined with input from WDFW.
251		Last paragraph accounting for restoration	14	We recommend that restoration opportunities be built into any mitigation opportunity to truly achieve no net loss of impacts per GMA. While some properties are of such a high quality that restoration opportunities may be limited, we recommend that the project be expanded into adjacent areas that may need restoration. This is akin to the concept of Growth Opportunity Areas under the "Build the Core" concept in WSSRI.	Shrubsteppe restoration is a component of every mitigation action and mitigation property to be included in the program.

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252		First paragraph	15	We recommend increasing this multiplier to incentivize restoration. Restoration is key to achieving no net loss of impacts and we are concerned that with significant resources needed to restore an area and only gaining a small bump in credits that there will not be much appetite for restoration.	Shrubsteppe restoration is a component of every mitigation action and mitigation property to be included in the program.
253		Credit release staging section		Need to have discussions on metrics for restoration and at what scale do we consider restoration successful and what practices would be considered under restoration. would mitigation lands be purchased or only a conservation easement (CE) be placed? If only a CE be placed, then details needed on who is monitoring the CE and ensuring that terms of the CE are habitat based are important (i.e. management activities)	Shrubsteppe restoration is a component of every mitigation action and mitigation property to be included in the program. Additionally, expanded roles and responsibilities address who will conduct these responsibilities.
254		Mitigation landholder roles paragraph	16	Purchase of the property also needs a CE to be placed on the property to ensure long-term protection. We recommend that any property targeted for mitigation be first placed into permanent protection and then looking for opportunities to restore/rehabilitate the land.	Agree; this is built into the program.
255		Top of page	17	Please confirm this means the level 2 assessment under EIA?	Yes, however EIA is just one way to baseline mitigation property conditions, as discussed with WDFW.
256	WDFW Scott Downes 4/17/2026			WDFW provided various edits to the draft shrubsteppe mitigation program description	Updated as suggested, and changes will be reflected in the revised draft made available in late July or early Aug 2026
257	Scott Downes – 4/20/26			WDFW had several comments regarding the RACI chart related to WDFW's roles and responsibilities.	Updated as suggested, and changes will be reflected in the revised draft made available in late July or early Aug 2026
258	WDFW – Danny Didriksen – 5/11/26			**Benton County Shrubsteppe Mitigation Program Description** We appreciate that under the Section on Rationale for Mitigation Ratios, the program has prioritized a combination of protection of high-quality habitat and restoration of lower quality habitat. WDFW guidance is that preservation alone will not achieve the no net loss objective stated in the program, but the combination of protection and restoration is important to achieve shrubsteppe protection and ultimately enhancement of shrubsteppe functions. Tables referenced under the Section Calculating Impacts and Mitigation Credits should be viewed as interim and should be revisited once we update our PHS shrubsteppe management recommendations in relation to mitigation guidance (in progress). In the interim, we recommend you refer to our Grant County shrubsteppe mitigation bank technical memo. We recommend including an adaptive management framework within the mitigation program. The mitigation team can evaluate areas where the program is working well and areas where the program needs improvement to meet program objectives. This process can also incorporate relevant new guidance that comes out including but not limited to the forthcoming WDFW PHS shrubsteppe management recommendation update. We recommend program evaluation within the mitigation team on at least an annual basis.	Shrubsteppe restoration is a component of every mitigation action and mitigation property to be included in the program. Tables can be revisited once WDFW management recommendations are available. Adaptive management has been added as a program component

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				The shrubsteppe definition under the program purpose and need cites a definition from the WDFW shrubsteppe outreach flier. Instead, we recommend citing the Priority Habitats and Species (PHS) shrubsteppe definition found at: Priority Habitats and Species List | Washington Department of Fish & Wildlife	
				Several methods are listed under the section Translating Spatial and Habitat Quality Ratings into Impact and Mitigation Credits. WDFW PHS shrubsteppe management recommendations currently contains a methodology for assessing impacts, and the methodology is being revised as part of the management recommendations update currently in progress. Please include WDFW PHS shrubsteppe recommendations in the list of methods for determining a site's function score and that the Critical Areas Report (CAR) should follow the PHS recommendations.	Update as suggested
				The suggested range of mitigation ratios under the Section Calculating Impacts and Mitigation Credits refers to the WDFW solar and wind guidance. The solar and wind guidance is not specific to shrubsteppe and suggest removing it as a reference in the document. We recommend adding in a reference to the PHS shrubsteppe recommendations.	Program description can be updated once WDFW management recommendations are available.
				The WDFW solar and wind guidance is referenced under the section Rationale for Mitigation Ratios. This particular reference should be removed as the solar and wind guidance is not shrubsteppe specific. Please insert an intention to revisit and adaptively manage the mitigation program when the revised PHS shrubsteppe management recommendations are published.	Update as suggested; see response above on adaptive management
259				**Benton County Shrubsteppe Mitigation RACI Chart** There are several instances under WDFW roles and responsibilities that we recommend changing in the RACI chart to reflect our current roles and responsibilities. • Under Technical Analysis and Mapping it lists WDFW as "Consulted" under Maintain WSRRI spatial priority data and maps. Please change to "Responsible" as WDFW is responsible for maintaining WSRRI spatial priority data and maps. • Under Technical Analysis and Mapping it lists WDFW as "Consulted" under Maintain PHS shrubsteppe dataset. Please change to "Responsible" as WDFW is responsible for maintaining PHS shrubsteppe dataset. • Under Permitting and Impact Assessment it lists WDFW as "Informed" under Verify habitat quality and WSRRI spatial ratings in the field. Please change to "Consulted" as WDFW typically reviews the habitat assessments and provides technical recommendations to the local jurisdiction. • Under Mitigation Property Acquisition it lists WDFW as "Consulted" under draft and execute mitigation banking instrument. We also recommend being consulted on the terms of the Conservation Easement (CE) or purchase to ensure that land management activities allowed on the property are consistent with habitat protection and restoration.	RACI chart – update as suggested
				WDFW Technical Comments **Comment 1: Program Description Should Meet Minimum Standards of a Formal Mitigation Banking Instrument** Description The Benton County Shrubsteppe Mitigation Program Description performs the functional equivalent of a mitigation banking instrument (MBI). It establishes credit generation	

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				methodology, debit calculations, a credit release schedule, and program governance. That approach is reasonable and not without precedent. However, because it is structured as a program description rather than a formal MBI, it lacks the procedural and technical completeness that a formal instrument would require. Washington's mitigation banking rules (WAC 173-700) establish a comprehensive framework covering certification, bank establishment, bank operation, credit use, compliance, and long-term management. The current draft addresses some elements of bank establishment but leaves significant gaps across the broader framework. Several of those gaps were discussed verbally during our meetings, and some are addressed in the April 20, 2026, RACI chart. However, verbal agreement and supporting working documents are not substitutes for documented, enforceable requirements written into the program instrument itself. The following elements should be addressed in the program description: **Bank Establishment (WAC 173-700-300 through 173-700-354):** • Service area description and rationale (WAC 173-700-301 and 173-700-302) • Financial viability (WAC 173-700-350) • Financial assurances (WAC 173-700-351) • Financial assurances for construction (WAC 173-700-352) o See Comment 4 for WDFW's recommended approach. • Financial assurances for monitoring and maintenance (WAC 173-700-353) o See Comment 6 for WDFW's recommended approach. • Financial assurances for long-term management (WAC 173-700-354) o See Comment 6 for WDFW's recommended approach. **Bank Operation (WAC 173-700-400 through 173-700-421):** • Monitoring plan (WAC 173-700-400 through 173-700-402) • Adaptive management plan (WAC 173-700-403) • Random audits (WAC 173-700-413) • Long-term management plan (WAC 173-700-420) **Compliance and Enforcement (WAC 173-700-600 through 173-700-603)** The program would benefit from an added compliance and enforcement framework, including provisions for remedial action, credit suspension, and program termination. Relatedly, clarifying certifying authority would strengthen the program's foundation. For wetland mitigation banks, Ecology holds that role by rule; for terrestrial and shrubsteppe banks, no equivalent is currently defined in Washington rule. Benton County is a logical candidate given its GMA obligations and permitting role and explicitly stating that authority in the program instrument would provide important clarity. Identifying who has standing to require corrective action will help ensure the program can be implemented and overseen effectively. WDFW Recommendation We recommend developing the program description into a full mitigation banking instrument consistent with WAC 173-700 or supplementing it to address the elements identified above.	There is not a specific rule for addressing shrubsteppe mitigation; the County will rely on its adopted program description and governance program, along with those agreements implemented under the program to provide the procedural and technical detail for the program. We have reviewed the suggestions provided below and believe that the County program incorporates many of these provisions already or will establish them through subsequent provisions and implementing agreements. Benton County along with the cities that participate in the program are responsible for compliance and enforcement.

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				Technical corrections are an important part of that work but pairing them with a clear operational and legal foundation will produce a program that can be implemented, audited, and enforced with confidence. Resolving certifying authority early in that process will help clarify what compliance mechanisms are available and who is responsible for exercising them. **Comment 2: Enhancement of High-Quality Shrubsteppe as a Mitigation Activity** Description The current draft allows enhancement of already high-quality shrubsteppe to generate mitigation credits. We have three concerns with this approach First, neither the Ecological Integrity Assessment (EIA) nor the Bureau of Land Management's Assessment, Inventory, and Monitoring (BLM AIM) methods have been validated for detecting marginal improvements in sites already functioning near reference condition, so applying them to high-quality sites presupposes a level of sensitivity that has not been demonstrated. Second, the ecological return on investment for enhancing habitat at 90% of the Natural Range of Variability (NRV) is far lower than restoring degraded habitat. Directing mitigation dollars toward high-quality sites produces a fraction of the functional lift achievable through restoration, which works against the program's no net loss objective. Third, active intervention on late successional high-quality shrubsteppe can set back ecological development rather than improve it. The assumption that all shrubsteppe benefits from enhancement is not true in all cases. WDFW Recommendation Credits should only be generated for measurable, verifiable functional uplift above a documented baseline. We recommend the program explicitly limit crediting to sites below 90% NRV, with high-quality sites eligible for preservation credits only, consistent with the activity-specific ratio framework described in Comment 2. **Comment 3: Credit Generation Formula Should Follow Survey-Delineated Activity Determination** Description The current draft calculates bank credits using a pre/post restoration multiplier formula rather than a survey-delineated activity determination. The formula as written: (500 × 1x pre-restoration) + (500 × 0.5x post-restoration) = 750 credits is not traceable to any defined variable in the mitigation program and produces a credit total that cannot be independently verified. Under the framework we describe in Comment 5 below, credit generation follows a defined sequence: field surveys delineate the bank by current EIA/NRV condition, the condition determines the required mitigation activity, and the activity ratio is applied to acreage. For a 500 acre WSRRI Growth Opportunity Area (GOA) site in moderate condition, the correct formula is: 500 acres ÷ 3 (Rehabilitation ratio) × 3 (GOA spatial multiplier) = 500 credits The county's formula produces 750 credits for the same site, a 50% inflation with no described methodological basis.	Comment 2: We have shifted to a modified version of the activity-specific ratio framework described in WDFW's Comment 2, so that high-quality sites are generally only eligible for preservation credits only. This removes any reliance on EIA or BLM AIM to detect marginal improvement near reference condition. The proposed framework departs from WDFWs suggested framework in that it distinguishes between preservation only and preservation with enhancement. In many cases, even in high quality Shrubsteppe, limited, site specific enhancement activities may still enhance the long-term function of the Shrubsteppe habitat. Examples include addition of wildlife habitat structures, altered management practices, improved wildfire resilience, and targeted invasive species control. By incorporating the updated, activity-specific ratio framework, high-quality shrubsteppe sites would be limited to preservation or preservation with limited enhancement. This approach recognizes that the greatest functional lift is generally achieved through restoration of degraded shrubsteppe, while also recognizing that high-quality sites provide important mitigation value by maintaining existing ecological function, landscape connectivity, and habitat condition over time. The ecological value of shrubsteppe should not be evaluated only by its potential for immediate measurable improvement, but also by its long-term capacity to continue functioning in the future (resilience). Preservation of high-quality shrubsteppe protects that capacity in perpetuity, and the planned framework would set aside funds for long term stewardship and recovery in the event of habitat loss. This is seen

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				WDFW Recommendation Credit supply for any bank enrollment should be determined by field survey that delineates the bank into activity-specific units. Each unit's credit value is calculated as: Credits = Acres ÷ Activity Ratio × Spatial Multiplier Credits are then released according to the schedule proposed in Comment 4, described below. The complexity lives in the bank establishment process. The permit counter calculation should be simple, transparent, and auditable. **Comment 4: Credit Release Schedule Does Not Ensure Restoration Will Be Completed** **Description** The proposed schedule releases 50% of credits upon easement execution, before any restoration work has begun. This front-loads financial return in a way that may not provide sufficient incentive to ensure restoration is completed. A party could capture the majority of their return before any restoration activity occurs, and the program currently has no recovery mechanism if work stops at Stage 1. Washington's wetland mitigation banking rules (WAC 173-700-331 through 173-700-334) limit preconstruction releases to 14% of total credits and tie the bulk of credits to demonstrated performance. While those rules don't apply directly here, they reflect best available science and offer useful guidance. WDFW Recommendation We recommend restructuring the credit release ratio to better align financial incentives with restoration performance: **Stage - Credit Release Condition – Credits released** 1 - Conservation easement secured – 25% 2 - Activity-specific restoration implementation complete - 50% 3 - EIA/AIMs or equivalent assessment demonstrates attainment of target quality benchmark - 25% This retains a Stage 1 release to recognize the easement's permanent protections, while ensuring the majority of financial return is tied to work actually being completed in Stage 2 with functional gains in habitat quality reached in Stage 3. We also recommend requiring a long-term management endowment as a precondition of any credit release. See Comment 6 for details. **Comment 5: Decoupling Mitigation Activity, Habitat Quality, and Spatial Priority** Description The draft proposes replacing Tables 6a and 6b with a single combined realized ratio table that collapses habitat quality, spatial priority, and mitigation activity into one lookup value. This raises three concerns: it makes individual transaction ratios difficult to disaggregate and verify; it creates a double-counting problem, since quality is already expressed in the activity assignment and applying a separate quality multiplier inflates or deflates credit values without scientific justification; and it prevents accurate accounting for within-parcel habitat heterogeneity, where different	as a long term functional uplift, particularly where sites contribute to larger habitat blocks, regional connectivity. As mentioned above, limited enhancement may still be appropriate on high quality sites where it supports long-term stewardship and resilience without causing unnecessary disturbance to habitat that is already functioning at or near reference condition. Credits are generated from preservation and additional credits are generated from the restoration efforts, based on the restoration plan. The preservation credits will be provided first followed by restoration per a credit release schedule as provided in the restoration plan. The County has replaced the pre/post restoration multiplier with the survey-delineated activity determination WDFW recommends. Under the reworked framework, a field survey delineates each bank unit by current EIA/NRV condition, the condition determines the required mitigation activity, and credit is calculated as Acres ÷ Activity Factor × Spatial Priority Factor. The prior formula and its 750-credit result are removed.

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				sections may require different activities at different quality levels. Precise no net loss accounting is better served by evaluating each distinct area independently. WDFW Recommendation We recommend replacing the current combined table with the following decoupled three component framework. Proposed Replacement Framework Credit Generation Side Habitat quality is already accounted for in how the mitigation activity is assigned. The current condition of the mitigation site, expressed as a percentage of the NRV established from a reference site: **% of NRV - Mitigation Activity - Activity Ratio** ≥ 90% of NRV - Preservation 8:1 60–89% of NRV - Rehabilitation 3:1 < 60% of NRV - Reestablishment 2:1 The activity ratio is the quality adjustment. Applying a separate quality multiplier on top of the activity ratio double-counts the same variable. The credit formula is: Credits Generated = Acres ÷ Activity Ratio × Spatial Multiplier Spatial Priority (Mitigation Site) - Multiplier Core - 4x GOA - 3x Corridor - 2x Other - 1x Debit Side On the debit side, quality must be accounted for independently because the debit measures what is being lost, not what activity is being performed. The debit formula is: **Credits Required = Acres × Quality Multiplier × Spatial Multiplier** **EIA Score – Quality - Multiplier** **A - High -1.0x** **B - Good - 0.75x** **C -Moderate - 0.50x** **D - Poor - 0.25x** **Spatial Priority (Impact Site) - Multiplier** **Core – 4x** **GOA – 3x** **Corridor – 2x** **Other – 1x**	As noted above, credits are generated from preservation and additional credits are generated from the restoration efforts, based on the restoration plan. The preservation credits will be provided first followed by restoration per a credit release schedule as provided in the restoration plan.

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				This structure keeps the permit counter calculation simple, transparent, and independently auditable, while ensuring the debit accurately reflects the ecological value of the habitat being lost. The complexity of the credit generation methodology should live in the bank establishment process, not at the permit counter. **Worked Examples** Example 1 • Debit 10 acres of "Good" quality (EIA Score B) "Corridor" habitat impacted • 10 × 0.75 (Good) × 2 (Corridor) = 15 credits required Example 2 • Credit 6 acres of "Poor" quality (< 60% NRV) "Core" habitat restored to "High" quality • 6 ÷ 2 (Reestablishment ratio) × 4 (Core) = 12 credits generated Example 3 • Full Transaction 10 acres of "Poor" quality "Other" habitat impacted • 10 × 0.25 (Poor) × 1 (Other) = 2.5 credits required • Offset by 2.5 acres of reestablished Core • 2.5 ÷ 2 × 4 = 5 credits generated • obligation satisfied, with 2.5 credits remaining available In the impact example provided in the draft program description, 100 acres of "Good" quality "Other" habitat × 1.5x = 150 debits, illustrates this problem directly. Under the decoupled framework above, the correct calculation is 100 × 0.75 (Good) × 1 (Other) = 75 credits required. The combined lookup table produces a result twice as large, with no described methodological basis for the difference. **Comment 6: Long-Term Stewardship Funding Must Be Required and Tied to Credit Release** Description The current draft does not include a financial assurance requirement for long-term stewardship of enrolled bank sites. The program identifies Forterra as the prospective easement holder and Benton Conservation District as the restoration implementer but does not specify how permanent stewardship will be funded, what mechanism will hold those funds, or what happens if ownership or management responsibility transfers in the future. A restored shrubsteppe site without a funded stewardship mechanism would be an incomplete performance obligation. Restoration activities that are not maintained, monitored, and protected from catastrophic disturbance, including wildfire and invasive species, cannot guarantee the permanent habitat values the credit system is premised on. Regulatory Analog Washington State requires financial assurances for long-term management of wetland mitigation banks under WAC 173-700-354, which mandates: • A written cost estimate for annual maintenance from a qualified contractor, adjusted for inflation	The County has developed a decoupled three-component framework as suggested. Quality is accounted for only on the debit (impact) side; the credit (mitigation) side is set by the restoration activity and spatial priority, with no separate quality multiplier. This resolves the double-counting concern, keeps individual transaction ratios verifiable, and allows evaluation of within-parcel diffferences. The formulas match WDFW's: • Credits Generated = Acres ÷ Activity Factor × Spatial Priority Factor • Credits Required = Acres × Quality Factor × Spatial Priority Factor Spatial Priority Factors are identical for both impacts and mitigation and match WDFW: **Core - 4x** **GOA - 3x** **Corridor - 2x** **Other - 1x** **Credit (mitigation) side — Activity Factor by current condition:** **% of NRV** | **Mitigation Activity** | **Activity Factor** ≥ 90% | Preservation-with-enhancement | 4:1 ≥ 90% | Preservation-only | 6:1 60–89% | Rehabilitation | 3:1 < 60% | Reestablishment | 2:1

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				• Sufficient funds secured through an appropriate mechanism, including non-wasting endowments, trusts, or contractual arrangements • All long-term financing provisions addressed in the banking instrument • Financial obligations that travel with the site if ownership or management responsibility is transferred WDFW Recommendation We recommend the county's mitigation program include long-term stewardship financial assurance requirements consistent with our state standard (WAC 173-700-354). To help ensure habitat outcomes are maintained in perpetuity, the banking instrument should address the following: 1. Prior to the first credit release, the party responsible for long-term stewardship should provide a written cost estimate from a qualified contractor, including an inflation adjustment and a reserve component sized to address catastrophic disturbance events such as wildfire or invasive species outbreak. 2. A non-wasting endowment, trust, or equivalent financial instrument should be established, legally segregated from operating funds and governed by a document specifying allowable expenditures. 3. All long-term financing provisions should be specified in the banking instrument rather than deferred to future negotiation. 4. If site ownership or management responsibility is transferred, the financial mechanism should remain with the entity responsible for long-term stewardship. 5. Full capitalization of the stewardship endowment should be a condition of Stage 2 credit release, recognizing that restoration implementation without a funded stewardship obligation does not constitute complete performance. 6. The stewardship fund needs to have sufficient funds to be able to cover land stewardship activities such as invasive weed treatments, fire recovery, fence repair or maintenance.	**Debit (impact) side — Quality Factor by EIA score:** **EIA (or other quality evaluation) Score** / **Quality** / **Factor** A / High / 1.0x B / Good / 0.75x C / Moderate / 0.50x D / Poor / 0.375x The County's framework uses four mitigation activities rather than three — distinguishing preservation-with-enhancement (4:1) from preservation-only (6:1) instead of a single preservation tier. The suggested ratio for preservation is 6:1 rather than 8:1 based on the rationale described above. Examples for how the program would be applied are provided below: **Example 1 — Debit** 10 acres of "Good" (EIA B) "Corridor" habitat impacted. 10 × 0.75 (Good) × 2 (Corridor) = **15 credits required.** **Example 2 — Credit** 6 acres of "Poor" (< 60% NRV) "Core" habitat reestablished. 6 ÷ 2 (Reestablishment) × 4 (Core) = **12 credits generated.** **Example 3 — Full transaction** 10 acres of "Poor" "Other" habitat impacted. 10 × 0.375 (Poor) × 1 (Other) = **3.75 credits required** Offset by 2.5 acres of reestablished Core: 2.5 ÷ 2 × 4 = **5 credits generated**

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					Obligation satisfied, with **1.25 credits remaining** available. These changes are reflected in the September 2026 final draft shrubsteppe mitigation program description.
260	Debbie Berkowitz 5/27/26 Public Open house			Regarding shrubsteppe habitat, there are areas within the cities that could be protected as well, and we want to try and figure out how to do this.	Agree and this comment has been shared with the Cities as well.
261	Debbie Berkowitz July 1, 2026	General Comment		Thank you for having given several of us the opportunity to engage in discussions during the development of the Shrubsteppe Mitigation program, Critical Areas Ordinance, and portions of the comprehensive plan. I appreciate that the County is taking steps to meet the no net loss objective for critical areas as found in WAC 365-190-080, specifically for shrubsteppe and other Fish & Wildlife Habitat Conservation Areas. I hope that these new steps will help stop and, hopefully, reverse some of the ongoing loss of shrubsteppe habitat that we have been experiencing. My comments below are meant to clarify and/or further strengthen the Draft Shrubsteppe Mitigation Program and the Draft Critical Areas Code. Section I. Comments on the Benton County Shrubsteppe Mitigation Program Description WDFW is currently working on an update for the PHS shrubsteppe management recommendations including mitigation guidance. This and other future changes in WDFW guidance, including the ratios in Tables 6 and banking credits/debits need to be incorporated into this Program as an important source of BAS. This is especially critical since there is not much experience with how this kind of mitigation program works for shrubsteppe. It will be important to look at the program annually, especially in the first several years (though probably ongoing), to make adjustments based on results and BAS.	Thank you for taking the time to review and comment on the draft documents, and for those acknowledgements. We agree an annual review of the program, BAS and compliance with the no net loss provision makes sense and will strengthen the discussion the updated program document to reflect this.
262			1	P. 1 Definition of shrub steppe needs to include shrub steppe affected by fire as per the WDFW definition in Management Recommendations for Washington's Priority Habitats (Azerrad et al., updated Sept. 2020), i.e., "Fire disturbance is an ecological component of shrubsteppe. Shrubsteppe disturbed by fire may lack the aforementioned habitat components during periods of post-fire recovery."	Update as suggested
263			1 & 2	P. I last paragraph. WDFW has indicated that they are not allowed to accept payments for the acquisition of mitigation lands. Have they been able to in the past? P. 2 Kudos to Benton County for recognizing the need for regional consistency for shrubsteppe mitigation. Other than supplying data for Tables 1-3, what is the response of the cities to this document?	That is a good question; we are not exactly sure on the history of their ability to accept or not accept payments for mitigation land acquisition. Thank you – the cities are supportive of this program and its development.
264		Tables 1 and 2	3	Tables 1 and 2, P. 2 and 5. What is the total number of acres that the jurisdictions plan to develop in the next 20 years, i.e., what percent of this development impacts shrub steppe habitat? Given the rate of current development, please consider that estimates may need to be reviewed more often than approximately every 5 yrs.	We do not have this information; it would need to be requested from each City.

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					We have included the first estimated 5-years of shrubsteppe impact in the updated program description (September 2026 version).
265			3	P. 3 ff,Fig. 2. WSRRI is used in this document to determine spatial priorities for mitigation ratios/mitigation banking. Probably one result of this is that few, if any, areas in the cities appear from the map to be included in mitigation properties (i.e., properties that would be protected), or, if they are, the mitigation ratios are low including for high quality shrubsteppe. While WSSRI downplays 'other habitat' or 'other PHS sbrubsteppe,' the Washington Habitat Connectivity Action Plan (WAHCAP) (wdfw02630, 2025) (P. 15) states that "Many smaller habitat areas (e.g., urban riparian areas, parks, or isolated forest patches [perhaps isolated shrubsteppe patches can be substituted here] did not appear as statewide priorities from the WAHCAP plan] even though they are critical to supporting wildlife and ecosystem functions at the local scale....We encourage local conservation practitioners and land managers to use the WAHCAP as a starting point and use additional data to delineate priority locations for connectivity at the local level." WAHCAP (P. 16, P. 94) continues "Across all spatial scales - statewide, regional, and local - riparian corridors emerge as crucial conservation features, particularly in fragmented or human-dominated landscapes...they should be prioritized as key conservation and restoration opportunities." mitigation program. Further discussion: From Tables 2 and 3, a large percentage of the impacted WSRRI 'other habitat' as well as the WDFW's 'Other PHS shrubsteppe' in the UGAs is rated 'good/high.' A number of these areas are parts of RMZ uplands and/or provide some connectivity value threading through the cities or adjacent county lands. They are important for priority species and species of greatest conservation concern, even if not for most shrubsteppe obligates; they provide important stopover areas for migratory birds and insects. In addition to the ecological value of the other habitat/other PHS shrubsteppe in UGAs, these areas also have an educational value. They are important for city residents, including for children, who would then have the opportunity to learn about their native habitats/plants/invertebrates/vertebrates, and, hopefully, to value them enough to support maintaining and restoring shrubsteppe habitat. These UGA areas are also important for preserving plant genetic diversity which can be hyperlocal. What portion of these areas in the UGAs are being considered for preservation? Mitigation proposed for high and moderately high quality 'other' habitat should be higher than a 2:1 ratio. At a 2:1 ratio, one would lose 1 acre of high-quality shrub steppe for every 2 acres preserved. Note as stated in more detail in other comments (#220-222 below), high or near-high quality shrub steppe should be protected, not restored or enhanced; thus, mitigation ratios should be higher.	We have updated the program description to reference both WSRRI and Biodiversity Areas and Corridors (BACs) from WDFW's Priority Habitat and Species (PHS) dataset as the datasets used to determine spatial priority. The PHS BAC dataset maps additional corridors within and around the cities and provides more localized connectivity and spatial priority information. The map shown in Figure 2 has been updated to reflect this. The spatial priority areas identified in the shrubsteppe program are specific to shrubsteppe- related habitat. Other habitats, such as riparian or wetlands, that are important for priority species and species of greatest conservation concern or provide important stopover areas for migratory birds and insects are separately designated as wetlands (under 15.04) or FWHCAs under BCC 15.14.010 (2) and protected under these respective chapters (15.04 and 15.14). Areas within. UGAs are not highly prioritized for preservation/restoration, as shown in Figure 3 of the Program Description. The updated program description includes updated credit/debit methods for impacts and mitigation, which include higher ratios for preservation. See response to comment #259 for additional detail.
266		Figure 2		Figure 2-There are a number of areas that are labeled 'other habitat' and 'other shrubsteppe' that, based on the map, look like they could help link significant corridors throughout the state (i.e., expanding the WSRRI GOAs and Corridors already labeled, e.g., along the Horse Heaven Hills). These 'other habitat' areas should be considered as extensions of these corridors. Many of these areas are considered FWHCAs in Appendix A, Figure 14 (Comp Plan maps). (And many of these potential corridors were considered as environmental conservation areas in the Least Conflict Solar Sitings mapping which is cited as a reference in WAHCAP.)	See response to comment #265.

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267		Table 6		Table 6 ratios assume restoration to high reference quality for all levels of habitat quality. Several comments: a. Any shrub steppe in the high-quality category should be preserved and not restored. Restoration of high quality shrubsteppe is more likely to result in damage to the habitat than in improvement. If 'good quality' habitat is defined by the BLM AIMS score as 'slight departure,' then considerable care should be taken before deciding that restoration is preferred to preservation even in good quality habitats. Preservation is important because it protects high/good quality habitat, but it doesn't accomplish 'no netloss' of habitat function, let alone increase habitat function. Thus, preservation should require significantly higher mitigation ratios than are proposed in Table 6. b. Restoration to 'high reference quality' of moderate and low-quality habitat (and maybe the portion of good quality habitat that wouldn't suffer from restoration) would be extremely difficult, assuming that 'high reference quality would be 'near reference' with minimal human-caused alterations. This quality of shrubsteppe would contain cryptogamic soil crust, but we haven't figured out how to restore the crust, soit does not appear to be possible to restore shrubsteppe to a high reference quality. Restoration is certainly a necessary part of this process for areas of shrub steppe that are not already high quality (or, depending on the definition, good quality), but to assume that the restoration process will result in shrubsteppe that is comparable to high quality 'near reference' quality habitat that is being destroyed is not reasonable. It's difficult and takes time to restore shrub steppe to even a good quality habitat, yet this is not being taken into account in the ratios that are being suggested. Restoration or re-establishment of low or moderate quality shrubsteppe to reasonably good quality shrubsteppe is likely what can be expected unless further research into restoration of biocrust allows for better results. c. The amount of money that's being proposed per acre is insufficient for significant restoration work, even to good quality habitat. d. It is not at all clear where these ratios come from or how they translate into mitigation banking credits and debits. It's also not clear how the range of quality categories are defined or how the EIA or BLM AIMs scores are translated to Table 6 quality scores or to credit/debit calculations. More clarity would give the public a better understanding of how this whole process works and achieves greater ecological function and value and long term viability than on-site mitigation (see my comment re 15.14.060(b)(l).	The County agrees that the original Table 6 framework did not clearly distinguish among preservation, restoration, enhancement, and reestablishment and could be read to assume that all mitigation sites would be restored to a uniform high-reference condition. In response to WDFW's comments, the Shrubsteppe Mitigation Program Description has been revised to use a decoupled, activity-based credit and debit framework. Under the revised approach, impacts generate debits based on habitat quality and spatial priority, while mitigation credits are calculated separately based on the type, extent, and anticipated ecological benefit of the mitigation action. Preservation, restoration, enhancement, and reestablishment are therefore treated as distinct activities. High-quality shrubsteppe would generally be preserved and managed to maintain existing condition rather than subjected to unnecessary restoration. Restoration or enhancement of good-quality habitat would occur only where site-specific assessment identifies functions that can be improved without damaging intact habitat. Preservation credits are discounted relative to activities that produce measurable functional lift, meaning that preservation-only mitigation would generally require more acreage than successful restoration or reestablishment. Credits for restoration, enhancement, and reestablishment are based on the reasonably anticipated improvement from existing conditions and account for the magnitude, certainty, timing, and durability of the expected ecological gain. Credit generation would be supported by site-specific plans, performance standards, monitoring, and adaptive management.

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					The revised program also clarifies how field methods, including the Ecological Integrity Assessment and BLM Assessment, Inventory, and Monitoring framework, may be used to characterize habitat condition and document change. Implementing guidance will establish the applicable indicators, scoring methods, reference conditions, and procedures for translating field results into habitat-condition and functional-lift scores. See response to comment 259 for additional detail. See also response to Comment 204 on credit cost.
268		Figure 4		Figure 4-see comment about Figure 2. It seems like the spatial priority 'other' excludes a number of areas of high-quality habitat that would function as corridors; these areas should have a higher credit value than is proposed in this figure since at least some of them would expand corridors.	Figure 4 has been updated to clarify that Core Areas include both WSRRI Xeric Core Areas and WDFW PHS Columbia Plateau Regional Biodiversity Areas, and Corridors include both WSRRI Xeric Corridors and WDFW PHS Columbia Plateau Regional Biodiversity Corridors. Figure 2 has also been updated to display both datasets. These revisions better reflect areas that provide core habitat or support movement among key habitat areas.
269			12	P. 12. There appears to be no requirement that WDFW have input into the critical area report provided by the applicant. WDFW must be given a better opportunity to provide BAS guidance (i.e., not just the standard window of review).	See response to Comment 185
270		Figure 5		Figure 5. Credit sales and credit generation as well as properties for acquisition all need to have input from WDFW.	See response to Comment 197
271			15	P. 15 - Mitigation ratios for WDFW Wind and Solar Guidance should not be used for shrubsteppe-specific guidance.	Agreed – mitigation ratios are being updated as provided in response to Comment #259
272			18	P. 18 - Credit Release Staging. 'Projects that only involve preservation will release....' Yet Table 6 assumes that all projects will involve restoration, not just preservation. What are the ratios/credits for 'just preservation '?	Thank you for pointing this out. The mitigation ratios listed in Table 6 are being updated as provided in response to Comment #259. Clearer ratios tied to the specific mitigation activity and based on the existing condition of the mitigation site, are now provided in the program description as Tables 6 and 7.

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273			17	P. 17 - Impact Example 1 a. First consideration- Since this is a patch of 'near reference' quality habitat, it should be worth more credits, especially since the restoration of the moderate quality GOA area is likely to not result in better quality than the 'near reference' quality habitat that is being destroyed for development. So, this would replace 10 acres of 'near reference' quality shrub steppe with 7 acres of lesser quality shrub steppe. This appears to be a net loss of shrubsteppe habitat. b. Second consideration -Is this an isolated 10-acre patch of habitat or does it have some connectivity to other habitat patches? If the latter is the case, then it is also worth more than a .7:1 ratio. c. Third consideration- $4,000 per acre is insufficient to restore this habitat even to a good quality. The current cost of $3,500 to $4,000 per acre in current agreements has been noted as being barely sufficient to pay for land, let alone having money left to put it in a conservation easement or to pay for restoration costs or short-term and long term monitoring. And $3,500 to $4,000 per acre is insufficient to pay for restoration to even a good quality (example is WE Johnson Park, where there were no land costs and $3,500 per acre is enough for native grasses and maybe a few shrubs, not 'high' reference or even good quality shrub steppe).	Thank you for the comment. The worked examples have been revised to reflect the updated credit and debit framework, including separate consideration of habitat quality, spatial priority, and mitigation activity. Site-specific review will also address connectivity and other functions not fully reflected in mapped categories. The revised program no longer assumes restoration to a uniform high-reference condition. Credits are based on the mitigation activity and expected ecological uplift, with preservation and restoration treated separately. The previously identified per-acre amounts were preliminary planning estimates and are not intended to establish final credit pricing or restoration costs. See also the response to Comment 166 regarding credit costs. See also response to Comment 204 on credits cost.
274			17	P. 17 - Impact example 2. WSRRI Core habitat should have a much higher ratio to discourage its destruction.	Program ratios are being updated to provide a broader range of ratio values.
275			18	P. 18 - Accounting for restoration/enhancement. If the developer pays for all the credits at the initiation of the project and is then allowed to develop his land, what happens if the price is insufficient to cover the actual costs of purchase/conservation easement, restoration process, and initial and longterm monitoring? The credit release table indicates that restoration credit is released in stages. How long do stages 2 and 3 last to ensure that restoration actually is effective? And what happens if future vandalism or fire or other events impact the restored habitat?	The credit price will be established to cover anticipated land acquisition or conservation easement costs, activity-specific restoration and enhancement, monitoring, administration, and long-term stewardship. Updated cost assumptions are being developed with a regional land trust experienced in mitigation-bank acquisitions and using current restoration cost data. The credit release schedule has been revised to release 25% when the conservation easement is secured, 50% after activity-specific implementation and establishment of the stewardship fund, and the final 25% after

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					follow-up assessment shows progress toward quality benchmarks and functional lift. The credit release stages occur when the initial performance of the condition is achieved to provide a feasible project timeline for developers. Subsequent damage after restoration occurs will be handled through long term stewardship reserve funding included in each mitigation transaction, as described in the updated program description.
276				Who pays for the land purchase and the follow-up restoration where required. And then how are the longterm monitoring, maintenance, and protection covered. It is not clear from the document how all these financial considerations will be covered.	The land purchase will come from funds provided to Benton Conservation District from the development community. Long-term program administration costs, including maintenance and protection, are being built into the cost structure for the per acre impact fee.
277				How do these ratios compare to ratios in mitigation banking for wetlands? Based on CAO section 15.04, it seems like compensatory mitigation ratios are significantly higher for wetlands. Shrubsteppe habitat in eastern WA is seriously threatened and should have more comparable ratios.	The update ratios being included in the program provide a broader range of potential values, including higher values, similar in concept to wetland ratios, where higher ratios are required for protection only for example.
278				How are fire-disturbed areas taken into account? Many have the potential for recovery, especially if they are restored soon after a fire occurs. Note, for example, WDFW studies related to caching sagebrush in areas that have recently been subject to fires. Also, consider if we're looking at one 500 acre parcel to mitigate for numerous other parcels, what are the consequences if it all goes up in flames? If a fire occurs after preservation and/or restoration, what recovery efforts will be made to protect the habitat long-term? How will this be dealt with financially?	See response to Comment 205
279				In a previous iteration, the County was considering a 'mitigation review team.' That has disappeared from this latest document, but seemed like a good idea, especially during establishment of this process (and, perhaps, continuing, similar to VSP). This should include WDFW and members of the public, including those with expertise and interest in shrub steppe habitat. I.e., what kind of public input and review is proposed?	See response to Comment 208
280	Ag Reserves Jens Rasmussen July 2, 2026			We also appreciate the County's efforts to provide a simpler and more defined framework for shrub-steppe mitigation and critical area protection that appropriately balances resource protection and future development opportunities. As those provisions are finalized, we encourage the County to prioritize clear and predictable mitigation standards so that landowners and developers can better understand requirements early in the planning process and so that shrub-steppe analysis does not create unnecessary delays for future development. The County should also retain flexibility for site-specific scientific review where appropriate, particularly with respect to Riparian Management Zones (RMZs) and habitat mitigation requirements. The ability to demonstrate equivalent resource protection through site-specific analysis can help ensure both effective resource protection and practical implementation.	Comments noted; we try to provide flexibility in meeting the requirements where possible and consistent with achieving no net loss of ecological function.
281	Patrick Paulson Laurie Ness	15.02.210		Shrubsteppe Mitigation Requirements Inconsistent Draft BCC 15.02.210 states	Update this provision to read: d) Activity-Specific Ecological Uplift - Mitigation activities (re-establishment, rehabilitation,

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	July 2, 2026			(d) Activity-Specific Ecological Uplift - Mitigation activities (re-establishment, rehabilitation, enhancement, preservation) should be distinguished by their expected ecological uplift, ensuring that the degree of functional gain is proportional to the magnitude of impact. The GMA requires the mitigation to achieve "no net loss" of habitat value, not just that the uplift is "proportional to the magnitude of impact". Here's one possible edit: (d) Activity-Specific Ecological Uplift – The expected uplift of mitigation activities (re-establishment, rehabilitation, enhancement, preservation) should exceed the net loss of function and value caused by the activity.	enhancement, preservation) should be distinguished by their expected ecological uplift, ensuring that the degree of functional gain is proportional to the magnitude of impact <u>to achieve no net loss of ecological function.</u>
282		15.14.050 (b)		Shrubsteppe Mitigation Requirements do not ensure no net loss using BAS Draft CAO § 15.14.050 (b) and the Benton County Shrubsteppe Mitigation Program Description[34] depends on a mitigation program that is still in its planning stages. It would be difficult, if not impossible, to determine how the text given Draft BCC 15.14.060 can be read as development regulations and how those regulations would result preservation of Shrubsteppe Habitat value as required by WAC 365-196-485 (1) (b)[35]. The Draft CAO language appears to offer a guarantee to developers that an offsite mitigation bank will be available. But the regulations only seem to assume that sometime, in the future, there will be mechanisms to provide off-site compensatory mitigation. The current language does nothing to guide developers and citizens trying to follow the regulations. Nor does this language provide a alterative habitat for species to persist or even exist in the interim. The CAO cannot contain regulations that depend on a program that cannot be evaluated to determine whether it will result in no net loss of Shrubsteppe functions and values. References to the program should be removed from the CAO until the program is better defined and meets the Growth Management Act's (GMA) BAS requirements.[36] The CAO should only state that there will be no net loss of shrubsteppe habitat function and values and the county has a compensatory mitigation program to assist in finding mitigation opportunities. 34 Benton County Shrubsteppe Mitigation Program Description, hereafter referred to as Compensatory Mitigation Program (SCMP). 35 "Jurisdictions are required to include the best available science in developing policies and development regulations to protect the functions and values of critical areas." https://app.leg.wa.gov/wac/default.aspx?cite=365-196-485 36 RCW 36.70A.172.1: "In designating and protecting critical areas under this chapter, counties and cities shall include the best available science in developing policies and development regulations to protect the functions and values of critical areas".	Thank you for this perspective. The shrubsteppe mitigation program will continue to be referenced in the CAO as one of the options expected to be available when shrubsteppe mitigation is required.
283	Patrick Paulson Laurie Ness July 2, 2026	Draft Shrubsteppe Mitigation Program and 15.04.050 (b)		Sources used to develop model are unclear and incomplete [[Cite BAS about shrubsteppe habitat value. Court cases/board rulings about functions/values.]] The SCMP description provides incomplete citations making it difficult to determine the quality of science the program is based on. It appears the two sources of information used to develop the County's models are "WDFW PHS Shrubsteppe Habitats" and "[Washington Shrubsteppe Restoration and Resilience Initiative (WSRRI)] Xeric Habitat Spatial Priority Data". Additional sources that should be consulted include: • Washington Wildlife Habitat Connectivity Working Group's analysis of the Columbia Plateau Ecoregion[37], • Spatial Conservation Priorities in the Columbia Plateau Ecoregion from (Arid Lands Initiative 2014) • Washington's State Wildlife Action Plan (WDFW 2025)[38] • WDFW's PHS management recommendations for Shrubsteppe (Azerrad et al. 2020) • WSU Least Conflict Solar Siting Conservation Value Map 37 Washington Wildlife Habitat Connectivity Working Group. 2012. Washington Connected Landscapes Project: Analysis of the Columbia Plateau Ecoregion. https://waconnected.org/wp-content/themes/whcwg/docs/WHCWG_ColumbiaPlateauEcoregion_2012.pdf 38 WDFW 2025. Washington's State Wildlife Action Plan: 2025 Update, hereafter referred to as "WDFW Action Plan" Many of these sources are recommended in WDFW's document Priority Habitats and Species Shrubsteppe Decision Support Tools: Implementation Guidance for Land-use Planners and VSP Workgroups Decision Support Tools (WDFW 2024)	Thank you for identifying these additional sources. The program description and BAS references have been updated to more clearly identify the information reviewed and the datasets used in the spatial analysis. Many of the listed sources were reviewed and considered during program development, including the Columbia Plateau connectivity analysis, Arid Lands Initiative conservation priorities, Washington State Wildlife Action Plan, Washington Habitat Connectivity Action Plan, WDFW shrubsteppe guidance, and WSU Least-Conflict Solar Siting Conservation Value data. These efforts provide important regional context for habitat connectivity, conservation priorities, species needs, and landscape resilience, but generally reflect broader-scale data. WSRRI spatial priorities and WDFW Biodiversity Areas and Corridors were found to

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					provide better spatial resolution for identifying the spatial priority of parcel scale impacts. The County's overall approach remains consistent with the priorities identified in these other regional planning efforts. The spatial priority modeling does not attempt to independently combine every available regional model. WSRRI Xeric spatial priorities and WDFW Priority Habitats and Species Biodiversity Areas and Corridors were selected as the primary spatial-priority datasets because they synthesize many of these underlying conservation and connectivity sources into regionally applicable Core Areas, Growth Opportunity Areas, Corridors, and "other" habitat. WDFW's mapped shrubsteppe data were used to identify habitat extent, while the Benton County Conservation District quality model and other field assessment methods address habitat condition. The other listed sources may also be used by qualified professionals to evaluate habitat functions and species use at proposed impacts and mitigation sites, as applicable. The revised program description provides additional details about the sources consulted to develop the quality model and inform the quality and spatial priority framework.
284	Patrick Paulson Laurie Ness July 2, 2026	Draft Shrubsteppe Mitigation Program and CAO 15.14.060 (b), Table 1		Proposed Assessment Methodology incompletely models functions and values of Shrubsteppe The WDFW Action Plan notes that over 50 Species of Greatest Conservation Need (SGCN) are closely associated with shrubsteppe and notes "The large number … and broad diversity of SGCN that are closely associated with shrubsteppe vegetation communities really emphasize the habitat importance of that system and conservation need."[39] Support of these species should be included in the evaluation of net loss of impacts to Shrubsteppe habitat. The model for determining debits and credits of habitat destruction (debit) and mitigations (credits) is illustrated in Figure 4 of the Compensatory Mitigation Program. This model seems reasonable for determining the credit to be assigned to a mitigation effort – for example, the credit for restoring a corridor to highest quality should be about the same as the credit for restoring core habitat to moderate quality. However, impacts (or debits) cannot be determined by solely by using WSSR spatial priorities and the proposed function scores. The impact of destroying poor quality corridor that connects two large areas of quality shrubsteppe might be higher than the impact of destroying a similarly sized area of high-quality GOA shrubsteppe. Likewise, marginal, low-quality areas rated with a spatial priority rating of 'Other' might have high functional value if no other shrubsteppe is nearby, perhaps serving as a migration stop-over site for Shrubsteppe endemic species.	Thank you for the comment. The Washington State Wildlife Action Plan and other regional sources were reviewed during program development and provide important context regarding shrubsteppe-associated Species of Greatest Conservation Need, connectivity, and landscape resilience. However, the proposed framework in the program description does not attempt to combine every available regional dataset into a single model. WSRRI spatial priorities and WDFW Biodiversity Areas and

<table>
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<tr><td></td><td></td><td></td><td></td><td>The mitigation ratios given in Table 1 of Draft CAO 15.14.060 (b) (equivalently Table 6 in the Compensatory Mitigation Program) assign the same ratios to all areas that have the same spatial priority and habitat value, but we've given two examples that show the habitat value of two areas with the same spatial priority and habitat value can vary significantly. As noted by WDFW,
Mitigation activities (re-establishment, rehabilitation, enhancement, preservation) should be distinguished by their expected ecological uplift, ensuring that the degree of functional gain is proportional to the magnitude of impact.[40]

Because of the failure to fully account for the impacts to habitat value of shrubsteppe tracts, the mitigation ratios fail to ensure no net loss of habitat function and value.[41]

Designing a metric that truly represents the extent of impact to habitat values and functions – a metric based on best available science – isn't a task to be taken on lightly. One possible alternative for compensatory mitigation is to treat all impacts as impacts to high quality core Shrubsteppe, requiring mitigation credits equivalent to the ecological uplift of restoring poor-quality habitat with a spatial priority of 'other' to high-quality 'Core' shrubsteppe at a 2:1 ratio. Compensatory mitigation is required to be used only as a last resort according to the mitigation sequence given in Draft CAO §15.02.200.

39 P. 144.
40 WDFW Comments on Drafts, p. 1.
41 Supra 35.</td><td>Corridors were selected as the primary spatial-priority datasets because they provide the best available parcel-scale reflection of spatial priority.

The County recognizes that landscape-scale models cannot capture all site-specific functions and values of variable and spatially interconnected shrubsteppe habitat. For proposed shrubsteppe impacts, site specific review by a qualified professional will allow important habitat values not fully reflected in the spatial priority categories to be accounted for in the quality assessment.
The revised program framework now separates debits from credits and applies activity-specific ratios based on mitigation-site condition and the expected ecological uplift from preservation, preservation with enhancement, rehabilitation, or reestablishment.</td></tr>
<tr><td>285</td><td>Patrick Paulson
Laurie Ness
July 2, 2026</td><td>Table 1</td><td></td><td>Additional sources for assessing function/value of fragmented habitat
Data compiled by eBird[42] provides informal evidence that within our local urban areas shrubsteppe birds seem more likely to stop over in small patches of shrubsteppe habitat rather than habitat that does not contain shrubsteppe (Table 1).

Table 1. Occurrence of Shrubsteppe birds in Urban Shrubsteppe
<table>
<tr><th>eBird Hotspot</th><th>Habitat</th><th>Time Period</th><th>Occurrence of Shrub Steppe Birds (# of weeks)</th></tr>
<tr><td>Amon Creek Willowbrook Section</td><td>Shrubsteppe, Riparian</td><td>April, All Years (74 Checklists)</td><td>Say's Phobe (4 weeks), Western Kingbird (1), Black-billed Magpie (1), Common Raven (4), Brewer's Sparrow (1), Savannah Sparrow (1)</td></tr>
<tr><td></td><td></td><td>May, All Years (57 Checklists)</td><td>Say's Phoebe (4 weeks), Western Kingbird(3), Black-billed Magpie (2), Common Raven(4), Horned Lark(1), Chipping Sparrow(2), Brewers Sparrow(2), Savannah Sparrow(1), Lazuli Bunting(4)</td></tr>
<tr><td>Chamna Natural Preserve</td><td>Shrubsteppe, Riparian</td><td>April, All Years (37 Checklists)</td><td>Say's Phoebe (3 weeks), Western Kingbird (1 week), Black-billed Magpie (3 weeks), Common Raven (2 weeks), Savannah Sparrow (1 week)</td></tr>
</table></td><td>Thank you for providing this information. The County will consider its applicability in applying critical area shrubsteppe protections in more urbanized areas of the County and will also share this information with the cities for their consideration.</td></tr>
</table>

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	May, All Years (59 Checklists)	Say's Phoebe (3 weeks), Western Kingbird (4), Black-billed Magpie (2), Common Raven (3), Chipping Sparrow (2), Lark Sparrow (2), Savannah Sparrow (1), Western Meadowlark (2), Lazuli Bunting (4)
Howard Amon Park	Turf grass, river shore	April, All Years (42 Checklists)	Say's Phoebe (1 week)
		May, All Years (28 Checklists)	No Shrubsteppe Birds.
Steptoe Roundabout Pond	Wetland	April, All Years (31 Checklists)	No Shrubsteppe Birds.
		May, All Years (25 Checklists)	No Shrubsteppe Birds.
Yakima Delta HMU	Primarily Riparian	April, All Years (11 Checklists)	No Shrubsteppe Birds.
		May, All Years (19 Checklists)	Western Kingbird (1), Blackbilled Magpie(1)

Recent scholarship is placing higher value on habitat within urban settings; replacing fragmentary habitat with off-site mitigation could result in loss of migratory stop over sites for songbirds and further fragment habitat corridors.

Jimenez et al. 202543 "…used stopover densities as estimated by 10 million remote sensing scans to assess stopover patterns in urban areas across the [continental U.S.]". Their abstract notes that "stopover hotspots disproportionately occur on urban landscapes relative to their land area, with nearly half of migration hotspots falling within Metropolitan Statistical Areas"
Moore, et. al 199344 noted in their management recommendations that:
…the rigors of migration often place birds close to their physiological limits in unfamiliar landscapes, where they simply do not have the luxury of selecting alternative habitats. Therefore, a lack of suitable stopover habitat will result in death or reproductive failure for Neotropical migrants and contribute substantially to future population declines.

42 Sullivan, B.L., C.L. Wood, M.J. Iliff, R.E. Bonney, D. Fink, and S. Kelling. 2009. eBird: a citizen-based bird observation network in the biological sciences (eBird). Biological Conservation 142: 2282-2292

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286	Dept. of Energy 6/17/26	Figure 3-1,	21	HFO cannot guarantee the factual accuracy of the Hanford information throughout the document including figures depicting the Hanford Site. One example of a change would be to correct all DOE Hanford Site maps that label the area south of State Highway 240 as the Saddle Mountain National Wildlife Refuge to read Fitzner-Eberhardt Arid Land Ecology Reserve. Basis -Saddle Mountain is located on the north side of the Columbia River, outside of Benton County. There is no Saddle Mountain National Wildlife Refuge.	Understood. We will consider these updates and make appropriate corrections based on this input.
287		General		Recommend that language describing renewable energy projects on Hanford not use the word "allowable" in this context. Instead, update wording to reflect that DOE itself may allow renewable energy projects to be developed on Hanford. "In addition, the U.S. Department of Energy may also allow renewable energy projects to be developed on the Hanford Site, which would be evaluated through the NEPA process." Basis - The current wording may be interpreted as allowing or disallowing the development of renewable energy projects on the Hanford Site, which is outside the scope of the EIS.	Update as suggested
288		General maps and text		The identification of Hanford itself is inconsistent (i.e. Hanford Area vs. Hanford Site vs. Hanford Reservation vs. Hanford Nuclear Reservation vs Hanford Reach, etc.) Basis - Edit all documents and maps for consistency and identify as the Hanford Site and the river portion as the Hanford Reach.	Update as suggested
289		General maps		The county did not coordinate with HFO in the development of the Hanford relevant portions of the document and while HFO has provided come comments and proposed edits based on it it's review, HFO cannot guarantee the factual accuracy of the Hanford information throughout the document including figures depicting the Hanford site. Basis - Specific input on notable map inconsistencies are provided as separate comments. However, there may be additional items that were not addressed with these comments.	Understood. We will consider these updates and look for any additional inconsistencies that might exist.
290		Table 11.05.020-1, Zoning District, Page 11-37, or 42 of PDF.		The "Unclassified" zoning district has no definition. As a zoning district that's wholly on the Hanford Site, it should be described as such and noted that it is governed by the Department of Energy and its regulations.	Purpose statement in Zoning describes "Unclassified as does the comprehensive plan. The County permits uses other than USDOE on Hanford, including all non-federal activities.
291		General		Any proposed land use identified in this plan for property previously transferred from the U.S. Department of Energy to the community should be consistent with all deed restrictions and environmental covenants established at the time of transfer. These long-term institutional controls are intended to ensure continued protection of human health and the environment.	Understood
292	WDFW Scott Downes 6/11/2026			SUBJECT: WDFW comments on Benton County draft 2026 Comprehensive Plan Environmental Impact Statement (EIS) Dear Mr. Wendt, Thank you for the opportunity to review the Benton County draft 2026 Comprehensive Plan Environmental Impact Statement (DEIS). The Washington Department of Fish and Wildlife (WDFW) has reviewed the DEIS and its supporting elements and appendices. We appreciate that many positive aspects have been included in the plan for the protection of fish and wildlife habitats, including incorporating wildlife connectivity into various elements including transportation and open space planning. Alternative 3 in the DEIS presents a balance of resource and habitat protection with moderate growth protections, particularly focusing on growth within the urban growth areas while trying to preserve open space and critical habitats. WDFW is pleased to work with the county on the development of the shrubsteppe mitigation bank to conserve high value shrubsteppe habitat while providing a path for development and offsetting the losses to shrubsteppe from those developments. We also appreciate that Alternative 3 converts some of the industrial shoreline areas to public use, enhancing ability for shoreline protections. From a fish and wildlife habitat viewpoint, WDFW recommends adoption of Alternative 3 in the DEIS.	Thank you for this input on the DEIS and expressed support for Alternative 3
293	KID July 2, 2026	3.2.1.5 Water Use and Water Rights	30	Last sentence in first paragraph - Irrigation districts such as the Kennewick and Benton Irrigation Districts rely on a combination of "Yakima" River instead of Columbia	Update as suggested
294	KID July 2, 2026	3.2.3	33	First paragraph last bullet add - withdrawal from wells with no replenishment depletes the shallow aquifer.	Update as suggested

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