



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
ENVIRONMENTAL COORDINATOR
11511 MAIN ST., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Nat Franklin, Franklin West LLC.

LOCATION OF PROPOSAL: 15015 Main Street Bellevue, WA, 98007

NAME & DESCRIPTION OF PROPOSAL: Kelsey Creek Center Hazard Tree Removal and Critical Areas Restoration

Land Use approval of Clearing and Grading Permit to retroactively permit the removal of 64 hazard trees that were felled following the Puget Sound December 14, 2006 windstorms and restore the site with native plantings (including trees and shrubs). Tree removal and restoration work is located within an established NGPA, wetland buffer, and stream riparian area. This application is associated with City of Bellevue Code Enforcement file # 07-110937-EA and is being issued under an Emergency Declaration consistent with WAC 197-11-880.

FILE NUMBER: 07-105175-GH

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Department of Planning & Community Development. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on March 16, 2006.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on 10/18/2007.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information indicating, or on, a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

Carole Vatteland
Environmental Coordinator

10/04/2007
Date

OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife
State Department of Ecology,
Army Corps of Engineers
Attorney General
Muckleshoot Indian Tribe

Hearing Date (if applicable) _____

Hearing Location (if applicable) _____

City of Bellevue Submittal Requirements	27a
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ENVIRONMENTAL CHECKLIST

4/18/02

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

BACKGROUND INFORMATION

Property Owner: Franklin – West

Proponent: Chad Armour Co., and Emerald Commercial, L.L.C.

Contact Person: Joseph Bacon, Emerald Commercial, L.L.C.
(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: Franklin – West
C/O Emerald Commercial, LLC
1424 Fourth Ave., Ste. 804

Phone: Seattle, WA 98101 206 – 682 9325 ext. 104

City of Bellevue File Number 07-105175-GH
06/21/2007
Kelsey Creek Center Hazard Tree Removal
15015 Main Street

SEPA Checklist Reviewed By:
David Pyle, Senior Planner
425-452-2973 - dpyle@bellevuewa.gov

Proposal Title: Kelsey Creek Center December 14, 2006 Storm Damage Clearing
15015 Main Street, Bellevue, WA 98007

Proposal Location: 148th and Main Street
(Street address and • City of Bellevue provided 3 aerial views of property, kept at the City Permit Offices. (City permit representative required us to circle the area to be worked in, which we did.)
• Flood Plain Map, small aerial view of this plat, and a site plan are also enclosed. Plat has long legal description. *

Give an accurate, brief description of the proposal's scope and nature:

1. General description: The site area contained weak rooted cottonwood trees that have been a hazard to the Kelsey Creek Center office and retail building for years. The December 14th '06, storm caused three trees to blow down and into the 2nd floor of the building, snapping a
2. Acreage of site: Acreage is approximately .257 of an acre, approximately—160 feet long by 70 feet wide.
3. Number of dwelling units/buildings to be demolished: No dwelling units are on this property
4. Number of dwelling units/buildings to be constructed: None-No dwelling units are to be built on this property
5. Square footage of buildings to be demolished: None-No buildings are to be demolished
6. Square footage of buildings to be constructed: None-No buildings are to be constructed
7. Quantity of earth movement (in cubic yards): Unknown at this time, downed trees need to be moved, cleared as described in #1, then an assessment can be made, since the area was uneven, and natural, it appears that it would be best to leave it in the natural condition that it will be in after the grouping and clearing of the downed trees and debris.
8. Proposed land use: Natural area easement owned by the Kelsey Creek Center, boarded by a not public accessible area from the City park,
9. Design features, including building height, number of stories and proposed exterior materials: N/A
10. Other N/A

This is a required restoration project associated with City of Bellevue Code Enforcement File No. 07-110937-EA.

Estimated date of completion of the proposal or timing of phasing: **FALL '07**

Planting associated with this required restoration project will be completed in the fall of 2007.

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

This restoration project will require a minimum of five years of maintenance and monitoring. Future activities associated with the maintenance of this restoration may include: Removal of invasive colonizing plant species, failed plant replacement, amending soil, and monitoring activities.

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

- We have no knowledge of any environment plans for that portion of the Kelsey Creek Center site. The applicant and property owner has prepared a restoration plan and environmental checklist for review.

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.

No

Yes, the City has received an application for preliminary review of a proposed redevelopment of the Kelsey Creek Center site. More information regarding this proposal can be found in file 07-111763-DC.

List any government approvals or permits that will be needed for your proposal, if known. If permits have been applied for, list application date and file numbers, if known.

- City of Bellevue 07 103489 BZ

07-103489-BZ is a Building Permit File
07-105175-GH is a Clearing and Grading Permit File

Due to storm damage caused by the Puget Sound December 2006 windstorms, the property owner and manager of the Kelsey Creek Center have applied for a Building Permit and a Clearing and Grading Permit. The building permit has been issued and was required to repair major structural damage that was caused by fallen cottonwood trees. Following the failure of several cottonwood trees, the property owner removed 64 trees from the NGPA (stream and wetland buffer). The application under review is an application for Clearing and Grading Permit to restore the area that was cleared in late December of 2006.

Please provide one or more of the following exhibits, if applicable to your proposal. (Please check appropriate box(es) for exhibits submitted with your proposal):

- Land Use Reclassification (rezone) Map of existing and proposed zoning
- Preliminary Plat or Planned Unit Development Preliminary plat map
- Clearing & Grading Permit
Plan of existing and proposed grading Development plans
- Building Permit (or Design Review)
Site plan
Clearing & grading plan
- Shoreline Management Permit
Site plan

A. ENVIRONMENTAL ELEMENTS

The site is generally flat.

1. Earth

- a. General description of the site: Flat Rolling Hilly Steep slopes Mountains Other
- b. What is the steepest slope on the site (approximate percent slope)? There isn't a steep slope on the impacted area
- c. What general types of soil are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

c. To be determined by the planners; some area look to be soft, others hard soil surfaces

Portions of this site contain wetland soils.

The site is generally flat. No stability problems exist due to lack of steep slopes.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
 - d. Yes, the recent years rain and storm season cause the owner to request the trees be taken out 2 years ago, as the roots were pulling out of the ground, which became too soft from the rains to hold the tree roots.
The recent November and December '06 100 year storm rains allowed the roots of trees to pull out of the soil with three large trees blown into the building, causing one section to collapse due to the impact and weight of the fallen trees, causing a primary electric pole, with transformers, to be pulled into the building with the downed treed
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
 - e. We do not anticipate adding any fill to this natural area.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
 - f. None anticipated
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
 - g. N/A
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
 - h. Appropriate netting shall be placed along the drainage ditch and perimeter of the area to avoid any erosion, or impacts to surrounding earth areas, if any were to occur, by the contractor who will be instructed by the planner(s) of this restoration work.

Erosion control management practices will be required. Site inspections by the City's Clearing and Grading Inspector will verify that erosion control measures have been properly applied and installed.

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e. dust, automobile odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
 - a. None, the work should not impact air quality, or produce any emissions, or odors that we currently foresee.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
 - b. None
- c. Proposed measures to reduce or control emissions or other impacts to the air, if any:
 - c. N/A

Dust will be controlled as part of Construction BMP's. Emissions from autos and equipment is regulated by State and Federal Agencies.

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
 - a. A small creek, Kelsey Creek, is to the east of this site, approximately 100 feet away—this has not been measured at this time, just a rough estimate. The creek is visible in the aerial photograph enclosed with this paperwork.

D.P.

appropriate, state what stream or river it flows into. A Pond

The proposed restoration work will take place within the riparian area adjacent to Kelsey Creek, a mapped Type F stream within the City of Bellevue.

- (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.
 - (2) Downed tree tops that have fallen 100+ feet away will be pickup, with incidental debris cleared to allow native materials to re-grow—supplemented if need be in fall. Plans are in the process of be prepared by contracted personnel.
- (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.
 - (3) None planned for.
- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
 - (4) None
- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
 - (5) Unknown, have a floodplain map requested from the City's Engineering Dept. Yes. Portions of this site are within a FEMA 100 Year Floodplain.
- (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.
 - (6) None

b. Ground

- (1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description.
 - (1) No
- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
 - (2) None

c. Water Runoff (Including storm water)

(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.

- (1) N/A, none anticipated.

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

- (2) None anticipated

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

- d. Work to be performed at a distance from the stream area, boom lift equipment to be used from a distance to not impact the soil in the area noted. Netting to be properly installed with what ever precautions our contracted planner shall require to reduce possibility of surface water reaching the stream.

4. Plants

a. Check or circle 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
- wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

4. (The planner will update this section.)

- a. 1. Deciduous tree, other
- a. 2. Uncertain
- a. 3. Uncertain
- a. 4. Uncertain
- a. 5.
- a. 6.
- a. 7. Most probably yes
- a. 8.
- a. 9. Uncertain

Due to saturated soil conditions and the presence of wetland soils, the presence of wetland or wetland tolerant plant species is probable. Currently, the site is generally devoid of vegetation due the past clearing activity associated with the hazard tree removal.

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

- No living vegetation is planned for removal, except for 'Berry Bushes'.

64 significant trees were removed from this site as part of past hazard tree clearing activity. The applicant is required to restore the site. Restoration will include the removal of several of the downed trees and replanting with native vegetation.

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

- c. None known of at this time.

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

- d. Shrubs and native plants are to used when and where necessary after the planner has the opportunity to see the damages to native plants, some of which will restore naturally, some will be added to complement the log groupings.

The use of native plants to restore areas of disturbance are required by the Land Use Code. The applicant has provided a replanting plan as part of this application for Clearing and Grading permit.

Reviewer Initials: DR

5. ANIMALS

a. Check or circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

Use of this site or the surrounding landscape by Chipmunks, Coyotes, Deer or Elk, Rabbits, Raccoons, Squirrels, Eagles, Crows or Ravens, Doves or Pigeons, Hawks, Herons, Jays, Owls, and Woodpeckers is probable.

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

Unknown

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

Unknown

The proposed restoration is to be located adjacent to the headwaters of Kelsey Creek, a fish bearing stream. The adjacent segments of Kelsey Creek that will be impacted by this proposal are identified in the City of Bellevue Stream Typing Inventory as segments # 76_10 and 76_11. Chinook is documented as present within these reaches.

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

- d. Grouping of the fallen trees, and the addition of shrubs that attract wild life is what is planned for. The planner for the project will refine this information as they proceed with their process.

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 need? Describe whether it will be used for heating, manufacturing, etc.

6. a. N/A

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

b. N/A

c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any:

c. N/A

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 as a result of this proposal? If so, describe.

7. a. N/A

(1) Describe special emergency services that might be required.

(1) None.

(2) Proposed measures to reduce or control environmental health hazards, if any.

(2) N/A

b. Noise

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

- b. (1) Major arterial, 148th Street, with associated traffic noise is to the West of this site, the subject buffer zone is located just South of the rear of the Kelsey Creek Office and Shopping Center which also has noise associated with its service corridor and the center itself. Additional traffic noise from the major intersection of 148th and Main Street is within audible reach of this area as well.

(2) What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example, traffic, construction, operation, other)? Indicate what hours noise would come from the site.

- (2) Short term noise from tree lifting equipment will operate during normal shopping center--traffic hours, and conform to/with the hours of operation for contractors per the zoning of this area.

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

- (3) Adhere to the allowed hours of operation during the short term use of noise generating equipment.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

- 8. a. Buffer easement between the Kelsey Creek Center property and a City Park.

b. Has the site been used for agriculture? If so, describe.

- b. No

c. Describe any structures on the site.

- c. None

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

- No

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

- Commercial Office, retail, Planner will provide this data CB- Commercial Business

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

- Unknown, planner will provide this data CB- Commercial Business

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

- N/A

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

- Told by the City that a portion of it is, the planner will provide this data

Yes. The area is designated as NGPA and contains wetlands and stream riparian area.

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

- N/A -none

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

- N/A - none

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

- N/A

- i. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
 - Current land use is to be maintained, or as the owner have authority / right to use it for.

9. Housing , 9. NA

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

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

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

10. Aesthetics • 10 N/A

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

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

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

11. Light and Glare • 11. N/A

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

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

- c. What existing off-site sources of light or glare may affect your proposal?
- d. Proposed measures to reduce or control light or glare impacts, if any:

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
 - a. City Park to the South of this property, separated by a drainage ditch, looks to have walking trails further South of this inaccessible area. Also, The Kelsey Creek Center's South boundary is fenced and gated to deter access to/from center.
- b. Would the proposed project displace any existing recreational uses? If so, describe.
 - No, N/A.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
 - None, N/A

13. Historic and Cultural Preservation • N/A

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.
- c. Proposed measures to reduce or control impacts, if any:

14. Transportation • 14. N/A

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
 - a. 148th Street is adjacent to the West of this site, separated with a sidewalk, there are no direct curb cuts or street access to this natural buffer easement site.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
- c. How many parking spaces would be completed project have? How many would the project eliminate?
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
- g. Proposed measures to reduce or control transportation impacts, if any:

15. Public Services • N/A

- a. Would the project result in an increased need for the public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
No
- b. Proposed measures to reduce or control direct impacts on public services, if any.

16. Utilities • N/A

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

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.

FRANKLIN - WEST BY EMERALD COMMERCIAL, LLC AGENT

Signature: Franklin-west by: Emerald Commercial LLC. Agent of owner

Date Submitted: 5-29-07 Revised from original submit #2.