



City of Bellevue
 Department of Planning & Community Development
 P.O. Box 90012, Bellevue, WA 98009-9012
 (425) 452-6864 Fax (425) 452-5225

**Shoreline Management Act of 1971
 Permit for Shoreline Management Substantial
 Development
 Conditional Use and/or Variance**

Application No. 07-111252-WG

Date Received March 20, 2007

Approved / Date August 16, 2007

Denied / Date _____

Type of Action:

- Substantial Development Permit
- Conditional Use Permit
- Variance Permit

Pursuant to Chapter 90.58 RCW, a permit is hereby granted/denied to: Warren and Della Lieb

to undertake the following development:

Relocate an existing stone stairway, 30 inch retaining wall and pathway, remove existing lawn and concrete and replant approximately 900 square feet with native vegetation. No work below ordinary high water mark is proposed.

upon the following property: 9520 SE Shoreland Drive

within Lake Washington

and/or its associated wetlands. The project will be located _____ within Shorelines of Statewide Significance (RCW 90.58.030). The project will be located within a Shoreline Overlay District designation. The following master program provisions are applicable to this development:

- Land Use Code(LUC) Section 20.25E.080(B)General Regulations Applicable to all Land Use Districts & Activities:
- LUC Section 20.30R.155 Shoreline Substantial Development Permit
- Bellevue Comprehensive Plan, Shoreline Management Program Element, Policy SH-37

Development pursuant to this permit shall be undertaken in accordance with the following terms and conditions:

Restoration Plan: To mitigate potential impacts to fisheries resources the shoreline area and wetland buffer shall be re-vegetated per the plan submitted April 23, 2007. All plant materials used shall be indigenous to the shoreline environment. The size of all plant materials shall ensure ground coverage within a three-year period. It is the applicants responsibility to monitor the vegetation and supply the Department of Planning and Community Development with documentation on a yearly basis.
 Authority: Shoreline Master Program Policy Sh-13, LUC 20.25H.210

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof.

Construction pursuant to this permit, or substantial progress toward construction, must be undertaken within two years of the date of final approval. This permit shall expire five years from the date of local approval.

Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date of filing, as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one (21) days from the date of such filing have terminated; except as provided in RCW 90.58.140(5) (A) (B) (C).



8/15/07

Date

City of Bellevue, Land Use Division

CC: Attorney General, Department of Ecology, Northwest Region
Dept. of Fish and Wildlife, c/o Dept. of Ecology, 3190 160th Ave SE, Bellevue, WA 98008-5452 attn: Larry Fisher



**City of Bellevue
Department of Planning & Community Development
Land Use Division Staff Report**

Proposal Name: 9520 SE Shoreland Drive

Proposal Address: 9520 SE Shoreland Drive

Proposal Description: Critical Areas Land Use Permit and Shoreline Substantial Development permit to reduce the 25-foot Shoreline Critical Area buffer to 8 feet along the western 25 feet of the shoreline in order to relocate an existing stone stairway, 30 inch retaining wall and pathway. The proposal will enhance the remaining 55 feet of the shoreline by removing existing lawn and concrete and replanting approximately 900 square feet with native vegetation.

File Number: 07-111251-LO and 07-111252-WG

Applicant: Steve Carbonetti

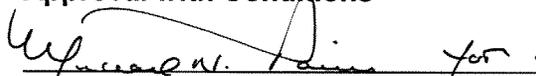
Decisions Included: Administrative Decision for a Critical Areas Land Use Permit (Process II LUC 20.30P)
Shoreline Substantial Development Permit (Process II LUC 20.30R)

Planner: Drew Folsom, Assistant Planner

**State Environmental Policy Act
Threshold Determination:** Exempt per BCC 22.02.045

Director's Decision:

Approval with Conditions



Matthew A. Terry, Director Planner
Dept. of Planning and Community Development

Application Date: March 20, 2007
Notice of Application Publication Date: April 12, 2007
Decision Publication Date: August 16, 2007
Project/Shoreline Appeal Deadline: September 6, 2007

I. DESCRIPTION OF PROPOSAL

The applicant proposes to reduce the 25-foot Shoreline Critical Area buffer to 8 feet along the western 25 feet of the shoreline in order to relocate an existing stone stairway, 30" retaining wall and pathway. The proposal will enhance the remaining areas of the shoreline by removing existing lawn and concrete and replanting approximately 900 square feet with native vegetation. This project is the result on an enforcement action.

Site analysis was completed by Teufel Landscaping in April 2007 with supplemental analysis done June 8, 2007 to address the impact of the proposal. The reports analyzed the proposal and probable impacts to the shoreline in accordance with the requirements of LUC Section 20.25H.

The report concluded the proposed 8 foot buffer along the western 25 feet of the shoreline and 15 feet of enhancement along the remaining 55 feet will improve function and not adversely impact the shoreline. See related condition of approval in Section IX.

The applicant has proposed to enhance the shoreline buffer by providing a native plant restoration plan covering 900 square feet of the site. This plan includes three tiers of proposed vegetation including new trees as well as ground cover and shrubs.

II. SITE DESCRIPTION AND CONTEXT

The subject property is developed with an existing single family residence and is addressed as 9520 Shoreland Drive SE. Historically the area between the house and the shoreline has been covered predominately by concrete, a stone pathway and stairs. Portions of the concrete had approximately 1 feet of fill and sod placed on top to create lawn areas. There are no significant trees within the project area.

Properties to the south, east and west of this site are developed and contain single-family homes. To the north of the property is Lake Washington.

III. CONSISTENCY WITH LAND USE CODE/ZONING

A. Special District Requirements (Critical Area Overlay District LUC. 20.25H)

Bellevue's Land Use Code (LUC) Section 20.25H.115 designates a 25-foot buffer measured from ordinary high water mark as a critical area.

Land Use Code 20.25H.230 Critical Area Report. A Critical Area Report is a mechanism by which certain requirements of LUC 20.25H, LUC 20.25E as set forth in that part, and the impervious surface standards set forth in LUC 20.20.010 may be modified for a specific proposal.

Generally, the critical areas report must demonstrate that the proposal with the requested modifications leads to equivalent or better protection of critical area functions and values than would result from the application of the standard requirements. Where the proposal involves restoration of degraded conditions in exchange for a reduction in regulated critical area buffer on a site, the critical

areas report must demonstrate a net increase in certain critical area functions.

Finding: The critical area report demonstrates the critical area functions and values will be improved effectively per the report submitted by Teufel Landscaping dated June 8, 2007. The area to be modified has minimal vegetation, mainly consisting of lawn. The existing lawn has been placed on top of a thin layer of sod and concrete. As mitigation for the stair and pathway, this concrete will be removed and native trees and associated native shrubs and ground cover will be planted on the property. As stated in the critical area report dated June 8, 2007, reducing the buffer 8 feet in order to replace an existing stone stairway, 30” retaining wall and pathway along the western 25 feet of the shoreline and removing the concrete and installing native vegetation along the remaining 55 feet of the shoreline at an average depth of 15 feet will result in an increase of critical area function. This will be achieved by reducing the overall amount of impervious concrete and introducing native vegetation to an area previous covered by sod and concrete.

B. Consistency with Standard Land Use Code Requirements

BASIC INFORMATION			
Zoning District	R-4		
Gross Site Area	15,450 square feet		
Critical Area	1,375 square feet (25 foot shoreline buffer)		
ITEM	REQ'D/ALLOWED	PROPOSED	COMMENT
Dwelling Units/Acre	4	No Change Proposed	
Building Setbacks			Dimensional requirements may be modified pursuant to 20.25H.040 to avoid critical area impacts
Front Yard	20 feet	No change Proposed	
Rear Yard	20 feet		
Min. Side Yard	5 feet		
2 Side Yard	15 feet		
Access Easement	10-feet		
Maximum Lot Coverage	35 percent	No Change Proposed	

IV. STATE ENVIRONMENTAL POLICY ACT (SEPA)

Exempt per BCC 22.02.045

V. SUMMARY OF TECHNICAL REVIEWS

A. Clearing & Grading Review

The Clearing and Grading Division of the Planning and Community Development Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with

the proposed development and concurred with the findings within the Geotechnical Report.

V. PUBLIC NOTICE AND COMMUNITY INPUT

Application Date: March 20, 2007
Public Notice (500 feet): April 12, 2007
Minimum Comment Period: May 14, 2007

Notice of Application was published in the City of Bellevue's *Land Use Bulletin* and the *Seattle Times* on April 12, 2007. It was mailed to property owners within 500 feet of the project site. No comments were received from the public as of the writing of this staff report.

VII. DECISION CRITERIA

20.25H.255 Critical areas report – Decision criteria.

B. Decision Criteria – Proposals to Reduce Regulated Critical Area Buffer.

The Director may approve, or approve with modifications, a proposal to reduce the regulated critical area buffer on a site where the applicant demonstrates:

- a. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in overall critical area or critical area buffer functions;

Finding: The critical area report demonstrates the critical area functions and values will be improved effectively per the letter submitted by Teufel Landscaping dated June 8, 2007. This area has minimal vegetation consisting of lawn and ornamental trees. Removal of concrete beneath the lawn will improve drainage of the site. As enhancement native trees and associated native shrub and ground cover will be planted on the property.

- b. The proposal includes plans for restoration of degraded critical area or critical area buffer functions which demonstrate a net gain in the most important critical area or critical area buffer functions to the ecosystem in which they exist;

Finding: The project area has minimal vegetation consisting of lawn and ornamental trees. Removal of concrete beneath the lawn and planting of native trees and associated native shrub and ground cover will improve drainage and result in a net gain to the function of the Shoreline critical area as demonstrated in the letter submitted by Teufel Landscaping dated June 8, 2007.

- c. The proposal includes a net gain in stormwater quality function by the critical area buffer or by elements of the development proposal outside of the reduced regulated critical area buffer;

Finding: The critical area report demonstrates a net increase in storm water function per the letter submitted by Teufel Landscaping dated June 8, 2007. The removal of concrete and introduction of native vegetation will improve drainage and water quality.

- d. Adequate resources to ensure completion of any required restoration, mitigation and monitoring efforts;

Finding: An assurance device in the amount of 100 percent of the cost of materials and installation labor for preparing and planting the site per the revegetation plan will be required. See Conditions of Approval in Section IX of this report regarding the required restoration plan and installation and maintenance security.

- e. The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and

Finding: The proposal will not be detrimental to the shoreline and shoreline buffer offsite. As stated in the critical area report, dated June 8, 2007, removing concrete and installing native vegetation in an area currently maintained as lawn in exchange for reducing the shoreline buffer to 8 feet in the westerly 25 feet of the shoreline will increase the critical area function by improving habitat and drainage water quality.

- f. The resulting development is compatible with other uses and development in the same land use district.

Finding: The proposal is compatible with other uses in the area. The properties in the area are developed with residential uses.

20.25H.119 Critical areas report – Additional Provisions.

Modifications to the shoreline critical area buffer which would reduce the buffer to less than 25 feet shall establish by survey the site's ordinary high water mark, notwithstanding any other provision of this part or Part 20.25E.LUC:

Finding: The ordinary high water mark was taken from an existing shoreline bulkhead.

Land Use Code Decision Criteria LUC 20.30P.140

- a. The proposal obtains all other permits required by the Land Use Code; and

Finding: The applicant has already applied for necessary clearing and grading permit.

- b. The proposal utilizes to the maximum extent possible, the best available construction and design & development techniques which result in the least impact on the critical area and critical area buffer; and

Finding: The applicant will adhere to all applicable performance standards of the Land Use Code.

- c. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and;

Finding: Section 20.25H does not contain specific performance standards related to shoreline buffers.

- d. The proposal will be served by adequate public facilities including street, fire protection and utilities; and

Finding: The site is adequately served by existing public facilities.

- e. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

Finding: The applicant will be required to implement the site restoration plan as a condition of approval of this permit.

- f. The proposal complies with other applicable requirements of this code.

Finding: As conditioned and discussed in this report, the proposal complies with all applicable code requirements including, Critical Area Report requirements, Critical Areas Land Use Permit decision criteria, Shoreline Substantial Development decision criteria.

20.30R.155 Decision Criteria of Shoreline Substantial Development Permit

The proposal, as conditioned below, meets the applicable Shoreline Substantial Development Permit regulations listed in Land Use Code Section 20.30R.155.

1. The applicant has carried the burden of proof and produced evidence sufficient to support the conclusion that the application merits approval or approval with modifications; and
2. The applicant has demonstrated that the proposal complies with the applicable decision criteria of the Bellevue City Code; and
3. The applicant has demonstrated that the proposal is consistent with the policies and procedures of the Shoreline Management Act and the provisions of Chapter 173-14 WAC and the Master Program.

Finding: The proposed project would not alter the existing natural or developed character of the shoreline. All work would occur above the

ordinary highwater mark. The work occurs with an area of the shoreline buffer which has been significantly disturbed by the placement of concrete and stone pathways. Significant trees are not proposed to be removed as part of this proposal. The temporary disturbance associated with this work will be restored per the mitigation plan.

Erosion created by construction activities shall be contained to the maximum extent feasible. Temporary Erosion and Sedimentation Control Measures shall be installed before, during and after construction as applicable.

The site is adjacent to single-family residences whose residents are most sensitive to disturbance from noise during evening, late night and weekend hours when they are likely to be at home. Impacts are adequately mitigated by the City's Noise Ordinance (Chapter 9.18 BCC) which limits construction hours

VIII. CONCLUSION AND DECISION

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, City Code, and standard compliance reviews, the Director of Planning and Community Development does hereby **approve with conditions**, the proposed reduction in the shoreline buffer from 25 feet to 8 feet over the westerly 25 feet of the shoreline.

A Critical Areas Land Use Permit modification automatically expires and is void if the applicant fails to file for a building permit or other necessary development permits within one year of the effective date of the approval pursuant to LUC 20.30P.150.

IX. CONDITIONS OF APPROVAL

A. The following conditions are imposed under authority referenced:

Compliance with Bellevue City Codes and Ordinances.

The applicant shall comply with all applicable Bellevue City Codes, Standards, and Ordinances including but not limited to:

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC Title 20.25H	Drew Folsom, 425-452-4441
Noise Control- BCC 9.18	Drew Folsom, 425-452-4441

B. General Conditions:

The following conditions are imposed under the Bellevue City Code Referenced:

1. **Rainy Season restrictions:** Due to the proximity to a steep slope, no clearing and grading

activity may occur during the rainy season, which is defined as November 1 through April 30 without written authorization of the Department of Planning and Community Development. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A,
Reviewer: Tom McFarlane, Planning and Community Development Department

3. **Area of Modification:** The modification of critical area is limited to the area depicted on the site plan dated April 23, 2007.

Authority: Land Use Code Section 20.25H.140
Reviewer: Drew Folsom, Planning and Community Development Department

4. **Restoration Plan:** The applicant shall implement the site restoration plan that includes mitigation planting for impacts to the site associated with the reduced shoreline buffer critical area buffer. Any modifications to this plan must be reviewed and approved by the Planning and Community Development Department.

Authority: Land Use Code Section 20.25H.210
Reviewer: Drew Folsom, Planning and Community Development Department

5. **Landscape Installation and Maintenance Security:** The applicant must submit a combined Landscape Installation and Maintenance Security in the amount of 100 percent of the costs of site restoration, including labor, materials. The security may be released after the vegetation has successfully been installed and maintained for a period of three years.

Authority: Land Use Code Section 20.25H.125.J and 20.25H.220.D
Reviewer: Drew Folsom, Planning and Community Development Department

6. **Noise Control:** The proposal will be subject to normal construction hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Upon written request to PCD, work hours may be extended to 10 pm if the criteria for extension of work hours as stated in BCC 9.18 can be met. Use of heavy equipment will be prohibited outside of normal construction hours.

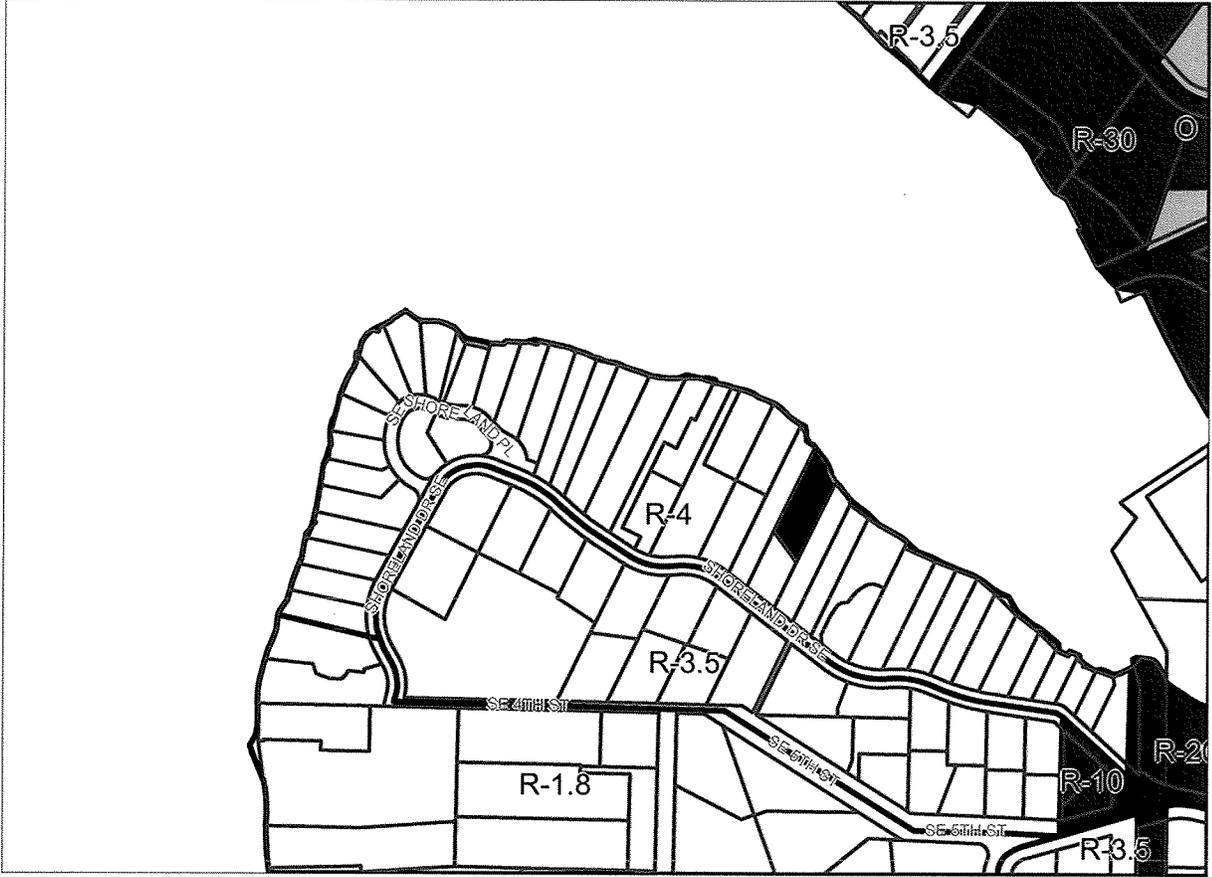
Authority: Bellevue City Code 9.18
Reviewer: Drew Folsom, Planning and Community Development Department

ATTACHMENTS

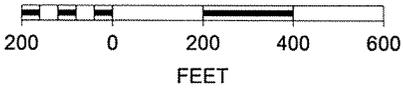
- A. Zoning Map/Vicinity Map
- B. Critical Areas Report

City of Bellevue MapGuide

- Streets & Street Names
- Hydrology
- School Layers
- Districts - Areas
- Zoning Layers
- Property Layers



SCALE 1 : 5,049



CRITICAL AREA REPORT

**Lieb Residence
9520 SE Shoreland Drive
Bellevue, WA 98004**

June 8, 2007

Submitted to:

City of Bellevue
450 110th Avenue Northeast
Bellevue, Washington 98009

Prepared by:

**TEUFEL LANDSCAPE
17712 134TH Ave NE
Woodinville, WA 98072
Phone: (425) 489-1827
Fax: (425) 483-1543**



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FIGURES

Site plan-B
Mitigation Plan
Erosion Control Plan

PROJECT DESCRIPTION

This narrative provides documentation for meeting the City of Bellevue Land use Code (LUC) requirements for environmental remediation work to be conducted at the Lieb Residence Shoreline Primary Buffer Project of 25 feet. The project purpose is the removal of concrete and replanting with native vegetation and relocation of steps and walking path.

20.25H.165 CRITICAL AREAS REPORT

1) Identification and classification of all critical areas and critical area buffers on the site.

Shoreline Primary buffer of 25 feet.

2) Identification and characterization of all critical areas and critical area buffers on those properties immediately adjacent to the site;

Shoreline Primary buffer of 25 feet.

3) Identification of each regulation or standard of this code proposed to be modified.

Primary setback modification to allow removal of asphalt and replanting with native vegetation and relocation of steps and walking path.

4) A habitat assessment consistent with the requirements of LUC 20.25H.165.

Definition of a species of local importance.

The following designated species of local importance are located in the general vicinity of the subject property:

- Bald eagle (*Haliaeetus leucocephalus*)
- Peregrine falcon (*Falco peregrinus*)
- Great blue heron (*Ardea herodias*)
- Osprey (*Pandion haliaetus*)
- Chinook salmon (*Oncorhynchus tshawytscha*)
- Bull trout (*Salvelinus confluentus*)
- Coho salmon (*Oncorhynchus kisutch*)

5) An assessment of the probable cumulative impacts to critical areas resulting from development of the site and the proposed development.

The project is not anticipated to impact water quality and fish habitat as the project is onshore and mitigation activities are scheduled to take place around the time of the lowest precipitation months to avoid runoff of soil into the lake. In addition, all of the mitigation work will be located behind and below the top of wall of current bulkhead. A temporary Erosion & Sedimentation Control (TESC) Plan for the project will be employed to mitigate or avoid impacts to aquatic habitat.

6) An analysis of the level of protection of critical area functions and values provided by the regulations or standards of this code, compared with the level of protection provided by the proposal. The analysis should include:

a. A discussion of the functions and values currently provided by the critical area and critical area buffer on the site and their relative importance to the ecosystem in which they exist;

The project area itself does not appear to contain species of local importance or habitat. However, these reside nearby in the form of salmon spawning areas in Lake Washington, Significant trees off-site, and bald eagles nest approximately 0.5 miles from the project location. None of the disturbances is anticipated to impact key habitat for birds or other wildlife.

b. A discussion of the functions and values likely to be provided by the critical area and critical area buffer on the site through application of the regulations and standards of this Code over the anticipated life of the proposed development; and

Application of current regulation should improve habitat diversity as well as erosion control, wildlife food, nesting material, and shelter.

c. A discussion of the function and values likely to be provided by the critical area and critical area buffer on the site through the modification and performance standards included in the proposal over the anticipated life of the proposed development.

The proposed removal of concrete and replanting with native vegetation and relocation of steps and walking path should have no impact on species of local importance. Mitigation efforts and post-project restoration should preserve a healthy shoreline habitat.

Additional Report Submittal Requirements.

1) Proposal to obtain reductions I regulated critical area buffers below the buffers required by this part shall include the following information in addition to the minimum critical areas report contents described in subsection B of this section. The restoration proposed to improve existing function included in the proposal must be separate from any impact mitigation proposal:

a. The specific restoration actions proposed and the specific regulated buffer dimensions proposed.

Primary setback modification to allow removal of asphalt and replanting with native vegetation and relocation of steps and walking path. Buffer dimensions is on average 15 feet in width and 55 feet in length.

b. The functions that will be enhanced by the restoration actions, addressing at minimum habitat, hydrology, water quality and (where applicable) stream process functions.

The functions that will be improved are habitat diversity as well as erosion control, wildlife food, nesting material, and shelter. Water quality will be improved with greater plant diversity that will allow water to be filtered naturally before it enters Lake Washington.

c. Functions that will be provided outside of the reduced regulated buffer dimension proposed by the project, if any (for example, storm water quality and quantity controls or low impact development features).

Storm water will be improved with greater plant diversity that will allow water to be filtered naturally before it enters Lake Washington.

d. The relative importance of the enhanced functions to the ecosystem in which they exist.

The enhanced functions will benefit the ecosystem by providing increased food, shelter/protection for habitat of local important species.

e. A description of the net gain in functions by the restoration actions in the reduced regulated buffer area and the proposal, compared to the functions that would be preserved under standard buffer provisions of the CAO without restoration.

Preserve Buffer (PB)
Net Gain (NG)

Leave existing concrete area (PB) or Remove existing Concrete (NG)?

Removing existing concrete will improve water quality by allowing water to naturally filter into adjacent Lake Washington vs. flowing freely into Lake Washington. Removal of concrete will allow for an increased in native plant material and habitat.

Leave existing path and steps in current location (PB) or Move existing path steps closer to the house (NG)?

Moving existing path and steps closer to the home will allow for a greater buffer from the shore of Lake Washington as well as increase native plant material and habitat.

20.25H.165 Critical areas report – Additional provisions.

Habitat Assessment

ON-SITE VEGETATION

1) Detailed description of vegetation on and adjacent to the site.

A majority of all existing on-site vegetation are non-native species.

The North side of the property gently slopes toward Lake Washington. Vegetation consist of Laceleaf Maple (*Acer palmatum*), Boxleaf Hebe (*Hebe buxifolia*), Box-leaf Euonymus (*Euonymus j. Microphyllus*), Globe Arborvitae (*Thuja o. Globosa*), Boxwood (*Buxes s. 'True Dwarf'*), New Zealand Flax (*Phormium tenax*), Blue fescue (*Festuca glauca*), Itailian Cypress (*Cupressus sempervirens*).

The South side of the property consist of mostly raised planters consisting of Emerald Green Arborvitae (*Thuja o. 'Emerald Green'*), New Zealand Flax (*Phormium tenax*), Hidcote Lavender (*Lavendula a. 'Hidcote'*), Boxwood (*Buxes s. 'True Dwarf'*), and Wild Lalac (*Ceanothus*).

The East side of the property consist of a combination of raised planters and ground level bed areas consisting of Emerald Green Arborvitae (*Thuja o. 'Emerald Green'*), Boxleaf Hebe (*Hebe buxifolia*), Blue Fescue (*Festuca glauca*), Globe arborvitae (*Thuja o. Globosa*).

The West side of the property slopes downward toward the shoreline of Lake Washington and is not planted due to easement rights.

ADJACENT VEGETATION

One Ponderosa Pine (*Pinus ponderosa*), and Himalayan blackberry (*Rubus discolor*) exist on the property adjacent East of the project site. The Pine tree provides important habitat features for local wildlife and prevents soil erosion of the slope. Vegetation on the West side of the project site consist English ivy and Cherry laurel (*Prunus laurocerasus*).

2) Identification of any species of local importance that have a primary association with habitat on or adjacent to the site, and assessment of potential project impacts to the use of the site by the species.

There does not appear to be any obvious nesting and/or roosting of habitat adjacent or on site of project area. Nor does there appear to be any danger to fish habitat due to existing erosion control measures currently in place.

3) A discussion of any federal, state, or local special management recommendations, including Washington Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the site.

The project area is located within 250 feet from the shoreline and may be located .5 miles of a bald eagle's nest. Therefore, a Standard Bald Eagle Management Plan or Standard Short Plan (SSP) is required. As stated in the WSWF Bald Eagle Management Plan, the SSP for the subject property includes the following conditions:

1. Retain all known perch trees and all conifers greater than or equal to 24 inches diameter at breast height (24 inches dbh), measured at 4-1/2 feet above ground.
2. Retain at least 50 percent of pre-clearing or pre-construction conifer stand with diameter distributions representative of the original stand (> 6 feet tall).
3. Windowing and low limbing of trees is acceptable provided no more than 30 percent of the live crown is removed. Topping of trees is not allowed.

4) A detailed discussion of the direct and indirect potential impacts on habitat by the project, including potential water quality.

Wildlife habitat should not be impacted by the proposed concrete removal, installation of native plantings, and the relocation of a pathway and steps for this project. There are no significant trees on-site that birds may be utilizing for nesting and/or roosting.

All sensitive bird species are located greater than 0.5 miles from the project area and will experience no impact from the project. There will be no loss of desirable habitat due to the fact that majority of the area will be restored with native vegetation which should enhance future habitat.

The project is not anticipated to impact water quality and fish habitat as the project is onshore and mitigation activities are scheduled to take place around the time of the lowest precipitation months to avoid runoff of soil into the lake. In addition, all of the mitigation work will be located behind and below the top of wall of current bulkhead. A temporary Erosion & Sedimentation Control (TESC) Plan for the project will be employed to mitigate or avoid impacts to aquatic habitat.

5) A discussion of measures, including avoidance, minimization, and mitigation, proposed to preserve existing habitats and restore any habitat that was degraded prior to the current proposed use or activity and to be conducted in accordance with the mitigation sequence set forth in LUC 20.25H.215.

All of the mitigation work will be located behind and below the top of wall of current bulkhead. A temporary Erosion & Sedimentation Control (TESC) Plan for the project will be employed to mitigate or avoid impacts to aquatic habitat. This will prevent any concern for fish habitat.

A large majority of the existing vegetation on the property is non-native plant species. The majority of the mitigation area will be replanted with native species. There does not appear to be existing habitat that would be affected by the mitigation work.

Native Plant List for Lieb Residence

Fraxinus latifolia	Oregon Ash	5 gallon container
Pinus contorta	Shore Pine	5 gallon container
Cornus sericea	Red-osier dogwood	1 gallon container
Holodiscus discolor	Oceanspray	1 gallon container
Philadelphus lewisii	Mock Orange	1 gallon container
Symphoricarpos albus	Snowberry	1 gallon container
Arctostaphylos uva-ursi	Kinnikinnick	4" pots
Festuca Idaho	Idaho Fescue	4" pots

A discussion of ongoing management practices that will protect habitat after the site has been developed, including proposed monitoring and maintenance programs.

Maintenance and monitoring activities include:

- Regular watering of new vegetation.
- Monitor mortality rates of new vegetation.
- Replace any plants that show high level of mortality with different native species.

20.25H.220 Mitigation and restoration plan requirements

Restoration and Mitigation Project Details

1) A written report identifying environmental goals and objectives of the restoration of compensation proposed, based on replacing or restoring the critical area and critical area buffer functions and values impacted by the proposal

The environmental goal of the proposed project is to reduce impervious surfaces and non-native species.

The objective is to remove approximately 900sf of impervious surfaces and approximately 1,500sf of non-native species.

The following native plants will be introduced to improve habitat diversity as well as erosion control, wildlife food, nesting material, and shelter.

Fraxinus latifolia	Oregon Ash	5 gallon container
Pinus contorta	Shore Pine	5 gallon container
Cornus sericea	Red-osier dogwood	1 gallon container
Holodiscus discolor	Oceanspray	1 gallon container
Philadelphus lewisii	Mock Orange	1 gallon container
Symphoricarpos albus	Snowberry	1 gallon container
Arctostaphylos uva-ursi	Kinnikinnick	4" pots
Festuca Idaho	Idaho Fescue	4" pots

2) Measurable specific criteria for evaluating whether or not the goals and objectives of the mitigation or restoration project have been successfully attained and whether or not the requirements of this part have been met;

Measurable goals:

- Percentage of plants that survive to be greater than 80% after a 1 year period.
- Percentage of sight covered to be 100% in 5 years.

3) Written specifications and descriptions of the restoration or mitigation proposed.

See attached plan.