DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Michael C. Jordan

LOCATION OF PROPOSAL: 14303 SE 61st St.

DESCRIPTION OF PROPOSAL: Vegetation management on a steep slope critical area to replant an area of prior tree cutting.

FILE NUMBERS: 15-115281-LO **PLANNER:** Reilly Pittman

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 Development Services Department. 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 _____.

☒ 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 **7/30/2015**

☐ 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 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals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.

Environmental Coordinator

7/16/2015
Date

OTHERS TO RECEIVE THIS DOCUMENT:

☐ State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
☐ State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
☐ Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
☐ Attorney General ecyolyef@atg.wa.gov
☐ Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us

City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name:	Jordan Vegetation Management
Proposal Address:	14303 SE 61st St.
Proposal Description:	The applicant requests a Critical Areas Land Use Permit for vegetation management in a steep slope critical area to restore an area of unpermitted tree removal with native plants.
File Number:	15-115281-LO
Applicant:	Michael C. Jordan
Decisions Included:	Critical Areas Land Use Permit (Process II. LUC 20.30P)
Planner:	Reilly Pittman, Associate Planner
State Environmental Policy Act Threshold Determination:	**Determination of Non-Significance** Carol V. Helland, Environmental Coordinator Development Services Department
Director's Decision:	**Approval with Conditions** Carol V. Helland, Land Use Director Development Services Department

Application Date:	May 29, 2015
Notice of Application Publication Date:	June 11, 2015
Decision Publication Date:	July 16, 2015
Project/SEPA Appeal Deadline:	July 30, 2015

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

I. Proposal Description and Context

The applicant is proposing to manage vegetation within a steep slope critical area on their property located at 14303 SE 61st St, in the Factoria subarea. The vegetation management plan will likely replace the habitat values lost by the unpermitted tree cutting which occurred and prevent erosion on the slope. See figure 1 below for proposal.

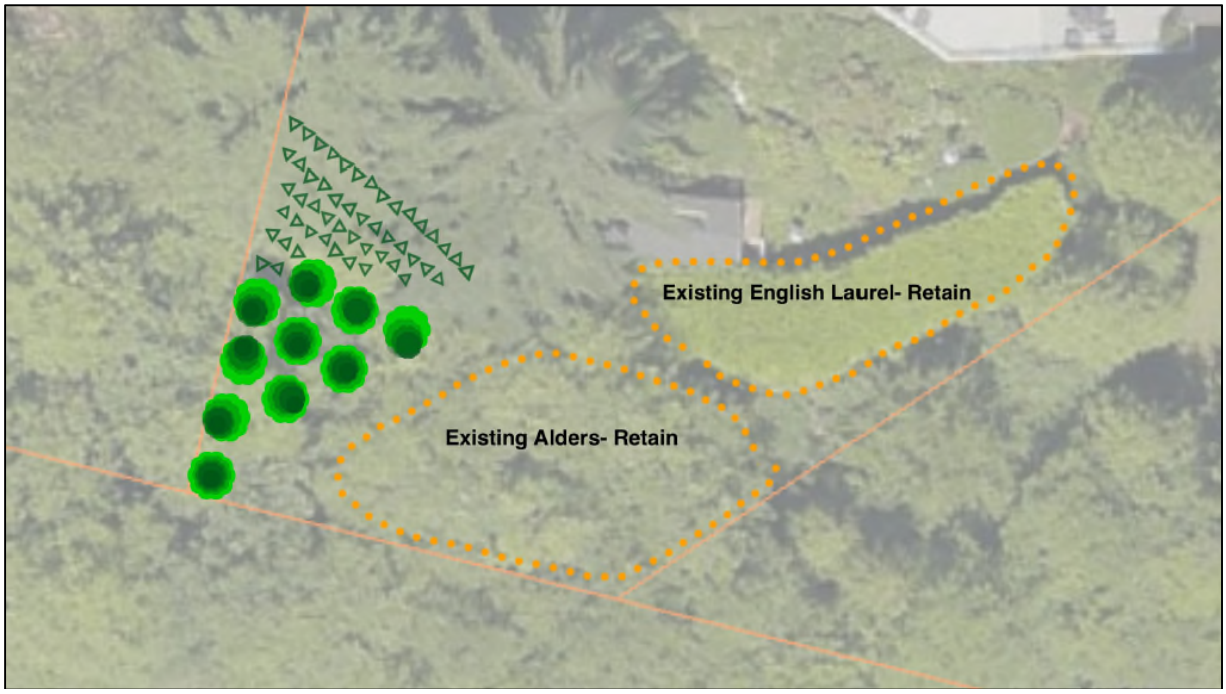


Figure 1

II. Vegetation Management Plan Performance Standards LUC 20.25H.055.C.3.v.i

(A) Is the Vegetation Management Plan prepared by a qualified professional?

Yes ☒ or No ☐

Describe: The applicant contracted with Salish Restoration Services to prepare a vegetation management plan and Aspect Consulting to provide geotechnical assessment.

(B) Does the Vegetation Management Plan include the following?

(1) A description of existing site conditions, including existing critical area functions and values;

Yes ☒ or No ☐

Describe: The submitted material describes the site conditions, including the slope and five trees removed. The plan discusses the storm water management and stability provided by vegetation on the slope.

(2) A site history;

Yes ☒ or No ☐
Describe: The plan describes the vegetation removal that occurred and nature of the steep slope.

(3) A discussion of the plan objectives;
Yes ☒ or No ☐
Describe: The objectives of the plan are to replace the five trees removed, mainly the large 30 inch diameter fir tree. The plan proposes replanting of the area to replace the lost evapotranspiration ability and slope stabilization functions that were provided by the vegetation removed. The replaced vegetation was selected for fast growth in order to cover the area quicker.

(4) A description of all sensitive features;
Yes ☒ or No ☐
Describe: The steep slope is the only sensitive feature and is described in the plan.

(5) Identification of soils, existing vegetation, and habitat associated with species of local importance present on the site;
Yes ☒ or No ☐
Describe: The plan identifies the existing vegetation, soils, and the stability of the slope. The area is highly developed and the steep slope created as a result of the construction of the plat.

(6) Allowed work windows;
Yes ☒ or No ☐
Describe: No work window required.

(7) A clear delineation of the area within which clearing and other vegetation management practices are allowed under the plan; and
Yes ☒ or No ☐
Describe: The vegetation management plan includes a detailed site and planting plan that will be implemented to restore vegetation to the slope.

(8) Short- and long-term management prescriptions, including characterization of trees and vegetation to be removed, and restoration and revegetation plans with native species, including native species with a lower growth habit. Such restoration and revegetation plans shall demonstrate that the proposed Vegetation Management Plan will not significantly diminish the functions and values of the critical area or alter the forest and habitat characteristics of the site over time.
Yes ☒ or No ☐
Describe: See discussion above under Item 3 above.

(C) Would any proposed tree removal result in a significant impact to habitat associated with species of local importance?

Yes ☐ or **No** ☒

Describe: Five trees were removed, including one large fir. The area is developed and trees remain in vicinity. There is no connection to any habitat corridors and remaining trees preserve opportunity to provide habitat.

If yes, can the impacted function be replaced elsewhere within the management area subject to the plan?

Yes ☐ or **No** ☒

Describe: Not applicable

In no event may a tree or vegetation which is an active nest site for a species of local importance be removed pursuant to this subsection.

(D) Is the area under application subject to any applicable neighborhood restrictive covenants that address view preservation or vegetation management? The existence of and provisions of neighborhood restrictive covenants shall not be entitled to any more or less weight than other reports and materials in the record.

Yes ☐ or **No** ☒

If yes, describe: No covenants have been submitted or stated to exist.

III. Public Notice and Comment

Application Date:	May 29, 2015
Public Notice (500 feet):	June 11, 2015
Minimum Comment Period:	June 25, 2015

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin and Seattle Times on June 11, 2015. It was mailed to property owners within 500 feet of the project site. No comments have been received from the public during the notice period.

IV. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The attached Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

V. Critical Areas Land Use Permit Decision Criteria LUC 20.30P.140

The Director may approve or approve with modifications an application for a Critical Areas Land Use Permit if:

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

Yes ☒ or No ☐

Describe: The applicant is required to obtain a Clearing and Grading in Critical Areas (GJ) permit to perform the proposed vegetation management.

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

Yes ☒ or No ☐

Describe: The proposed vegetation management plan was developed by a qualified professional and describes the best available techniques for planting native trees and shrubs and sustaining a native landscape.

C. The proposal incorporates the performance standards of Part 20.25H LUC to the maximum extent applicable; and

Yes ☒ or No ☐

Describe: As discussed in Section I above, the applicant has complied with the performance standards for vegetation management within a riparian buffer.

D. The proposal will be served by adequate public facilities including streets, fire protection, and utilities; and

Yes ☒ or No ☐

Describe: The site is currently within the City of Bellevue and is served by adequate public facilities. Nothing in the proposal will increase the need for public services at the property.

E. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan; and

Yes ☒ or No ☐

Describe: The proposal includes a preliminary plan to modify and remove vegetation, as well as plant native vegetation. The current plan proposes to replant a smaller variety of cedar tree and a ground cover of salal. In order to be consistent with the City's planting templates for steep slopes and ensure adequate coverage the plan is required to include at least one shrub species. The planting area is proposed to be at least 750 square feet which would have 8-10 trees, 13 shrubs, and numerous ground covers to

achieve the density of the planting template. A final planting plan is required to be submitted under the clearing and grading permit and the plan shall show at least this plant quantity and spacing. The final plan shall also include provisions for monitoring and maintenance, including temporary mitigation. **See Conditions of Approval in Section VII of this report.**

F. The proposal complies with other applicable requirements of this code.
Yes ☒ or No ☐
Describe: The applicant has complied with the code by requesting Critical Areas Land Use Permit approval. The applicant shall also apply for and obtain a clearing and grading permit to carry out the proposed vegetation management.

VI. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the vegetation management plan within the steep slope critical area at 14303 SE 61st St.

Note- Expiration of Approval: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within one year of the effective date of the approval.

VII. Conditions of Approval

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

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Land Use Code- BCC 20.25H	Reilly Pittman, 425-452-4350
Noise Control- BCC 9.18	Reilly Pittman, 425-452-4350

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

1. **Clearing and Grading Permit Required**: Approval of this Critical Areas Land Use Permit does not constitute an approval of a grading, building, or utility permit. To ensure execution of the required performance standards and required mitigation planting within the critical area buffer the Applicant shall apply for a clearing and grading permit to install required mitigation and monitor performance.

   Authority: Land Use Code 20.30P.140
   Reviewer: Reilly Pittman, Development Services Department

2. **Final Mitigation Plan Required:** The applicant shall submit, in concert with a clearing and grading permit, a final planting plan, prepared by a qualified professional and conforming to the requirements of LUC 20.25H.220 (Restoration Plan Requirements) that documents the proposed restoration proposal. The plan must include at least one native shrub species and have a density of at least 8-10 trees, 13 shrubs, and numerous ground covers.

   Authority: Land Use Code 20.25H.210 and 20.30P
   Reviewer: Reilly Pittman, Development Services Department

3. **Maintenance and Monitoring:** Any planting area outlined in the mitigation plan shall be maintained and monitored for a total of three (3) years. Annual monitoring reports must to be submitted to the City of Bellevue's Land Use Division for three years at the end of each growing season. Photos from designated photo points suggested by the applicant and approved by the City shall be included in the monitoring reports to document continued success. The monitoring may be discontinued after three years if, in the opinion of the Department, the long-term success of the mitigation is assured. Due to the relatively small size of this restoration effort, the following simple schedule and performance standards apply and are evaluated in the report for each year:

   Year 1 (from date of plant installation)
   - 100% survival of all installed plants and/or replanting in following dormant season to reestablish 100%
   - 0% coverage of invasive plants in planting area

   Year 2 (from date of plant installation)
   - At least 90% survival of all originally installed material
   - Less than 5% coverage of planting area by invasive species or non-native/ornamental vegetation

   Year 3, 4, & 5 (from date of plant installation)
   - At least 85% survival of all originally installed material
   - At least 35% (Yr3), 50% (Yr4), 70% (Yr5) coverage of the planting area by native plants in each year respectively

- Less than 5% coverage by invasive species or non-native/ornamental vegetation

The reports can be sent to Reilly Pittman at rpittman@bellevuewa.gov or to the address below:

Environmental Planning Manager
Development Services Department
City of Bellevue
PO Box 90012
Bellevue, WA 98009-9012

Authority: Land Use Code 20.25H.220.D
Reviewer: Reilly Pittman, Development Services Department

3. **Temporary Irrigation Required:** The mitigation and restoration plan shall include provision for temporary irrigation sufficient to guarantee establishment success of all mitigation and restoration areas.

   Authority: Land Use Code 20.25H.210
   Reviewer: Reilly Pittman, Development Services Department

4. **Land Use Inspection Required:** Inspection of the required mitigation planting must be completed by the land use planner as part of the final inspection of the clearing and grading permit. See how to request an inspection at: http://www.bellevuewa.gov/schedule_an_inspection.htm

   Authority: Land Use Code 20.25H.210
   Reviewer: Reilly Pittman, Development Services Department

7. **Noise related to construction:** Noise from construction is exempt from the provisions of BCC 9.18 between the 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. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit at least one week prior to the date the specific exemption is required.

   Authority: Bellevue City Code 9.18
   Reviewer: Reilly Pittman, Development Services Department

Jordan Vegetation Management Vicinity Map

Site Plan

14303 SE 61st St Bellevue, WA 98006

Critical Areas Land Use

N

15 30 60

Approximate Scale in Feet

Significant Tree Inventory

ID Number	Symbol	Species	Size (DBH)	Health
1501		Douglas Fir *Pseudotsuga menziesii*	31"	Previously REMOVED
1502		Western Red Cedar *Thuja plicata*	8"	Previously REMOVED
1503		Western Red Cedar *Thuja plicata*	8"	Previously REMOVED
1504		Western Red Cedar *Thuja plicata*	12"	Previously REMOVED
1505		Western Red Cedar *Thuja plicata*	8"	Previously REMOVED
1506		Douglas Fir Pseudotsuga menziesii	32"	GOOD HEALTH

Notes:

Prepared by: Benjamin Mark **Date:** 5/20/2015

Salish Restoration Associates

Base aerial photograph - King County IMAP 2013

Site Plan

14303 SE 61st St Bellevue, WA 98006

Critical Areas Land Use

N

10 20 30

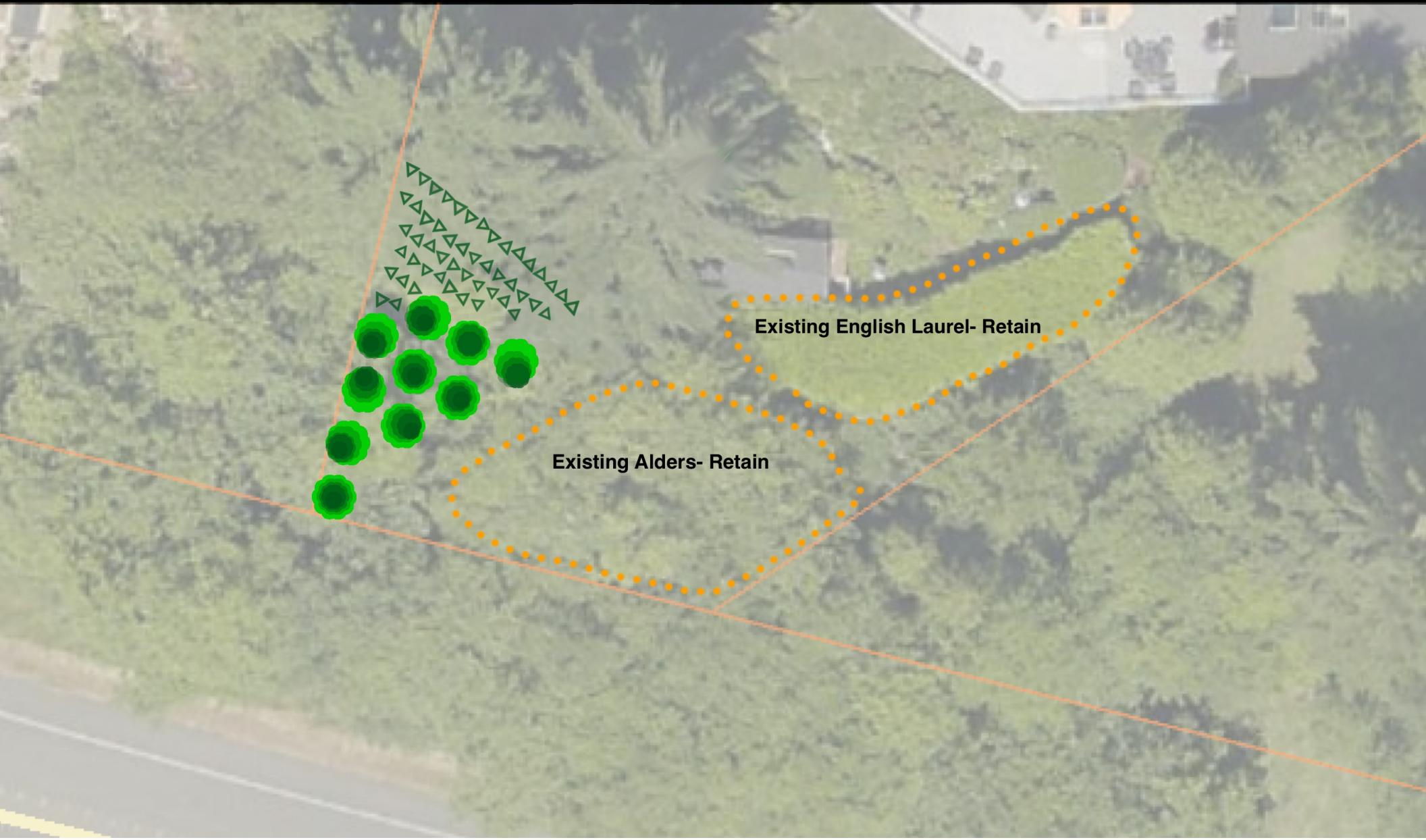
Approximate Scale in Feet

Planting Schedule

Symbol	Common	Botanical	Size
	Salal	*Gaultheria shallon*	1 Gal
	Hogan's Cedar	*Thuja plicata 'Hogan'*	5 Gal

Notes:

Prepared by: Benjamin Mark

Date: 5/20/2015

Salish Restoration Associates
23606 101st Ave W Edmonds, WA
206-617-7661