



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

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Meydenbauer Holdings LLC, Property Owner

LOCATION OF PROPOSAL: 916 Shoreland Drive SE

NAME & DESCRIPTION OF PROPOSAL: Shoreland Drive Slide Repair

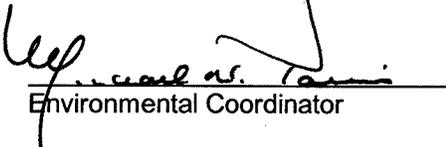
Application for Critical Areas Land Use Permit to repair landslide damage using a combination of hard and soft stabilization measures including re-vegetation, re-grading, wall construction, and drainage improvements. Work is to be located within a steep slope critical area. Allowed use per LUC 20.25H.055.

FILE NUMBER: 08-123131-LO

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 _____.
- 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 10/30/2008.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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.



Environmental Coordinator

10/16/2008

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



**City of Bellevue
Development Services Department
Land Use Staff Report**

Proposal Name: Shoreland Drive Slide Repair

Proposal Address: 916 Shoreland Drive SE

Proposal Description: Application for Critical Areas Land Use Permit to repair landslide damage using a combination of hard and soft stabilization measures including re-vegetation, re-grading, wall construction, and drainage improvements. Work is to be located within a steep slope critical area. Allowed use per LUC 20.25H.055.

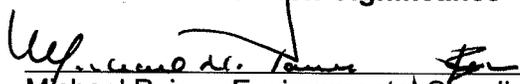
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Applicant: Meydenbauer Holdings LLC, Property Owner

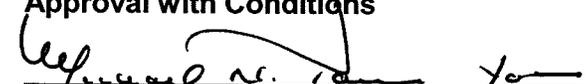
Decisions Included: Critical Areas Land Use Permit
(Process II. LUC 20.30P)

Planner: David Pyle, Land Use Planner

**State Environmental Policy Act
Threshold Determination:** Determination of Non-Significance


Michael Paine, Environmental Coordinator
Development Services Department

Director's Decision: Approval with Conditions


Mike Brennan, Director
Development Services Department

Application Date: June 17, 2008
Notice of Application Publication Date: July 17, 2008
Decision Publication Date: October 16, 2008
Project/SEPA Appeal Deadline: October 30, 2008

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.

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I. Proposal Description

This is a proposal to stabilize steep slopes on a residential property affected by a landslide in December of 2006. Stabilization of the property is necessary to protect the existing single family structure and prevent further erosion and slope failure. The proposal includes the construction of two retaining walls, a restoration plan to re-vegetate a portion of the slope, the re-grading of the affected portion of the property, and the completion of drainage improvements (see **Figure 1** below). All work will be done within a geologic hazard steep slope critical area, the top of slope regulatory buffer, or the toe of slope structure setback as defined by the City's Land Use Code (LUC) section 20.25H.120.

The work proposed is categorized in the Land Use Code as an allowed use or activity under LUC 20.25H.055.B and may be permitted through the issuance of a critical areas land use permit (LUC 20.30P) if compliance with the applicable performance standards can be demonstrated through project design and mitigation measures. Performance standards applicable to this proposed action are outlined in LUC sections 20.25H.055.C.3.m and 20.25H.125. Decision criteria are identified in LUC 20.30P. Compliance with these sections is discussed in detail below.

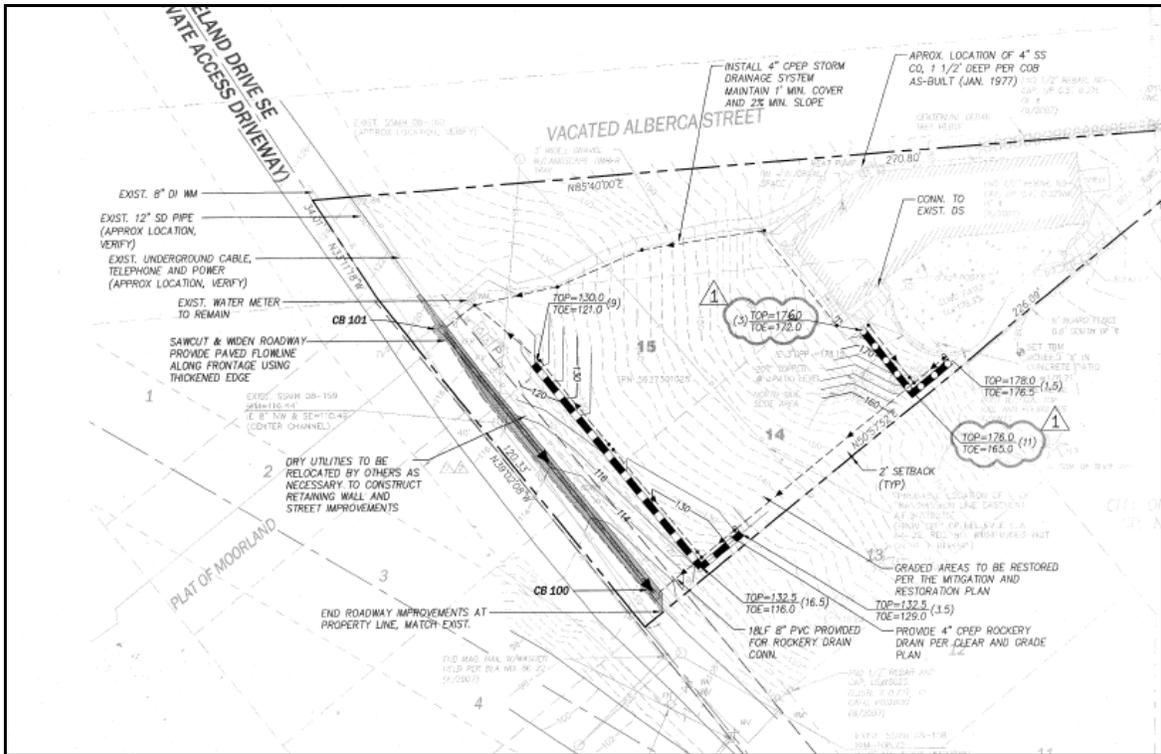


Figure 1: Project Site Plan

II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description

The property is located at 916 Shoreland Drive SE and is generally located on a regional slope that provides transition between the shoreline of Lake Washington and the plateau of South West Bellevue. The property is specifically characterized by a large unstable steep slope area that encumbers more than three quarters of the site and slopes down from 96th Ave SE to Shoreland Drive (east to west).

Property geometry is generally triangular with an east-west axis of approximately 240 feet and the site is currently developed with one single family residence that is located in the eastern end of the property and at the top of the slope. The area where the home is located is the narrowest portion of the property at the point of the triangle (See **Figure 2** below). The lower portion of the property fronts a private extension of Shoreland Drive although access is taken from 96th Ave SE. No direct access to Shoreland Drive from the existing residence exists and the home is separated from Shoreland Drive by extensive slopes. Although this application does not include any proposal to modify the structure, it is important to identify the existing single family structure and site as non-conforming to current land use zoning dimensional standards.

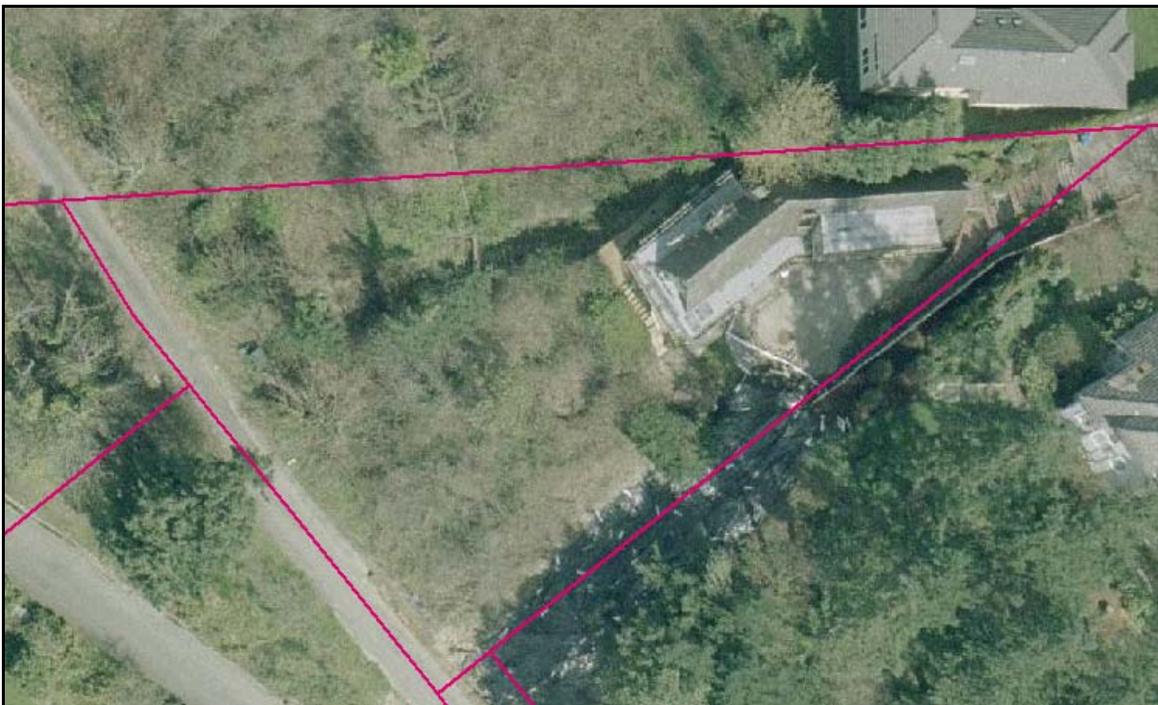


Figure 2: Site Aerial

B. Zoning

The site is zoned R-1.8 and is within the Critical Areas Overlay District due to the presence of steep slope critical areas. The proposed activity is allowed in this zone as it is part of a single family development.

C. Land Use Context

The property has a Comprehensive plan Land Use Designation of SF-L (Single Family Low Density). The proposed activity is allowed in this comprehensive plan land use designation as it is part of a single family development.

D. Critical Areas Functions and Values and Regulation

- 1) **Geologic Hazard Areas – Steep Slopes:** Review of information on file with the City and subsequent field visit identified the presence of a geologic hazard steep slope critical area as defined by LUC 20.25H.120. Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provides a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

- 2) **Geologic Hazard Areas – Steep Slopes:** Steep slope geologic hazard critical areas are protected from development activity by the City of Bellevue Land Use Code under the Critical Areas Overlay District. Generally, steep slope critical areas are protected by a top of slope buffer of 50 feet and a toe of slope structure setback of 75 feet. Only allowed activities identified under LUC 20.25H.055.B may be undertaken in the protected area, protected area buffer, or the protected area structure setback. This is a proposal to stabilize an unstable slope where past slide activity has damaged the integrity of the slope and has threatened the existing single family residence. The stabilization activities proposed are allowed subject to compliance with performance standards and the application of mitigation measures.

No other critical areas were found on-site during field investigations. No additional critical areas are known to occur on properties immediately adjacent to the project site. See **Figure 3** below for a generalized map of steep slope areas.



Figure 3: Map of Steep Slopes (Depicted in red)

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The site is located in the R-1.8 land use zoning district. General dimensional requirements from LUC 20.20 for development in this district are identified below. The scope of review completed under this application was limited to the stabilization of the steep slope area to allow for the protection of the existing single family residence. This proposal does not include any modification of the existing residence and no modification of the structure is allowed as part of this permit. Any future proposal to modify or rebuild the existing single family residence must comply with the dimensional standards identified in LUC 20.20.010 as applicable to non-conforming development under LUC 20.20.560.

Front yard setback:	30 feet
Rear yard setback:	25 feet
Side yard setback:	5 feet
Two side yards combined:	15 feet
Maximum lot coverage by structures:	35%
Maximum coverage by impervious surface:	50%
Significant tree retention:	30% of diameter inches

B. Critical Areas Requirements LUC 20.25H

- 1) **Consideration of administrative approval of structure and/or buffer setbacks LUC 20.25H.040 to avoid impact to critical area or buffer.**
As discussed above, steep slope geologic hazard critical areas are protected

by a top of slope 50 foot buffer and a toe of slope 75 foot structure setback. In this case, all proposed work will be done within the slope, buffer, or structure setback. Due to the location of past slide activity it is not possible to avoid impact to the steep slope geologic hazard critical area.

Allowed modifications to the general dimensional chart (LUC 20.20.010) as allowed under LUC 20.25H.040.B were not considered as they are outside of the scope of the proposed activity (avoidance is not possible) and a reduction in setbacks are not appropriate for the type of work being done.

2) **Consistency With Land Use Code Critical Areas Performance Standards of LUC 20.25H.055.C.3.m.**

The following performance standards, when applicable, shall be incorporated in the design of development on sites with steep slope geologic hazard critical areas, buffers, or structure setbacks. The incorporation of performance standards is required to be documented prior to building permit or clearing and grading permit approval to install the proposed stabilization measures. See Section IX for related conditions of approval.

- a. **When Allowed. New or enlarged stabilization measures shall be allowed only to protect existing primary structures and infrastructure, or in connection with uses and development allowed pursuant to subsection B of this section. Stabilization measures shall be allowed only where avoidance measures are not technically feasible.**

This is an application for approval to stabilize an unstable slope and protect an existing single family primary structure. Due to the location of the slope avoidance is not possible and stabilization is allowed.

- b. **Type of Stabilization Measure Used. Where a stabilization measure is allowed, soft stabilization measures shall be used, unless the applicant demonstrates that soft stabilization measures are not technically feasible. An applicant asserting that soft stabilization measures are not technically feasible shall provide the information relating to each of the factors set forth in this section for a determination of technical feasibility by the Director. Only after a determination that soft stabilization measures are not technically feasible shall hard stabilization measures be permitted. The determination of whether a technique or stabilization measure is “technically feasible” shall be made by the Director as part of the decision on the underlying permit after consideration of a report prepared by a qualified professional addressing the following factors:**

- (1) Site conditions, including topography and the location of the primary structure in relation to the critical area;
- (2) The location of existing infrastructure necessary to support

the proposed measure or technique;

(3) The level of risk to the primary structure or infrastructure presented by erosion or slope failure and ability of the proposed measure to mitigate that risk;

(4) Whether the cost of avoiding disturbance of the critical area or critical area buffer is substantially disproportionate as compared to the environmental impact of proposed disturbance, including any continued impacts on functions and values over time; and

(5) The ability of both permanent and temporary disturbance to be mitigated.

The site was analyzed in March of 2007 by Associated Earth Sciences (AES), Inc. and a geotechnical report prepared by AES was submitted as part of the permit application. Stabilization measures were designed by CPH Engineering Consultants. The type and feasibility of stabilization measures was reviewed by both AES and CPH. Generally, due to the slope's proximity to the existing residence, the stability issues associated with the slope, and the existing grade (pitch) of the slope, avoidance was ruled out as neither the home nor the slope could be moved or the hazard abated without some form of stabilization.

In their reports, both AES and CPH identify the slope as unstable and the potential for additional slide activity and erosion as probable. The reports also identify the slope as too extreme and the slide damage as too extensive to utilize only soft stabilization measures. After review of reports submitted, city staff concur that the use of only softened stabilization measures to repair slide damage and stabilize the slope are not feasible due to existing site conditions and the extent of the stabilization required.

Following this determination, the applicant prepared a recommendation on methods of stabilization that could be used to stabilize the slope and repair slide damage. During the feasibility study made by the applicant, various methods of stabilization were considered. A stabilization proposal was submitted with the permit application and includes the construction of two walls, the installation of drainage improvements, and the revegetation and restoration of the impacted areas.

The applicant is proposing the use of two different walls to improve site stability. A large soldier pile wall be used at the toe of the slope and is intended to stabilize the base of the slope to prevent any further failure to the larger slope area. This soldier pile wall is expected range from 3 feet to 18 feet in height on the exposed side. A different reinforced concrete wall is proposed at the top of the slope to repair an area where re-grading is not possible due to slide damage that left a 10 to 15 foot near vertical slope. The use of a wall in this location will allow for the grade below the wall to be

restored and not exceed the required maximum 2:1 slope and will help stabilize the patio directly above the wall. The reinforced concrete wall is expected to range from 1.5 feet to 11 feet in height on the exposed side.

The stabilization measures proposed by CPH are consistent with the geotechnical reports prepared by AES and are consistent with the Land Use Code requirements to stabilize the slope using both hardened and softened stabilization (LUC 20.25H.055). All evaluations and recommendations submitted as part of the permit package and used in the city's evaluation of the proposal were completed by licensed qualified professionals. Any design or documentation submitted to the city as part of future permit applications related to this project must be prepared by a licensed qualified professional. See associated condition of approval in Section IX of this report.

3) **Consistency With Land Use Code Critical Areas Performance Standards LUC 20.25H.125.**

Development within a landslide hazard or steep slope critical area or the critical area buffers of such hazards shall incorporate the following additional performance standards in design of the development, as applicable. The requirement for long-term slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function.

- a. **Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography;**

The proposed stabilization measures will not artificially alter the natural contour of the slope. When conditions require the use of a wall system to stabilize the slope the walls have been designed to be tiered to match the natural topography. No artificial slopes will be created and when necessary walls will be used to allow for the required grade corrections.

- b. **Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;**

Slope stabilization and restoration has been designed to use two walls – one at the bottom of the slope and one at the top of the slope. The natural grade of the slope will be restored in between the walls. Without the walls, restoration of the slope would not be possible to existing conditions and grade changes. Vegetation within the work area will be restored pursuant to an approved restoration plan. See associated conditions of approval in Section IX of this report.

- c. **The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;**

The proposed stabilization will restore slide damage and generally improve slope stability. It is not expected that the stabilization work will cause a need for increased slope buffers on the adjacent properties.

- d. The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining wall;**

This proposal includes the use of retaining walls, re-grading to create a restored slope grade, installation of improved slope drainage, and vegetation restoration to improve stability and reduce the potential for future slope failure. The construction of retaining walls is not expected to cause increased disturbance as compared to the artificial grading of the slope to correct slide damage. Due to the extreme pitch of the slope it has been determined that restoring the slope through artificial grading measures is not possible without combining the grading with wall construction.

- e. Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;**

The proposal does not include an increase in impervious surface.

- f. Where change in grade outside the building footprint is necessary, the site retention system should be stepped and re-grading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with this criteria;**

The proposal does not include re-grading outside of the existing building footprint. No topographic modification is expected outside of what is necessary through the installation of retaining walls. Grading for yard area is disallowed. See related conditions of approval in Section IX of this report.

- g. Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation;**

This proposal does not include the modification of a building footprint. Freestanding retaining walls are necessary due to the site characteristics and are not related to the foundation of the home. No expansion of the useable site area or to the existing resilience is allowed as part of this permit. See related conditions of approval in Section IX of this report.

- h. On slopes in excess of 40 percent, use of pole-type construction which conforms to the existing topography is required where**

feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and to minimize topographic modification;

This proposal does not include a request to construct or expand a residence or other structure.

- i. **On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based construction types; and**

This proposal does not include a request to construct or expand a residence or other structure.

- j. **Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.**

The applicant is required to submit a restoration plan in accordance with LUC 20.25H.220.H. See related conditions of approval in Section IX of this report.

IV. Public Notice and Comment

Application Date:	June 17, 2008
Public Notice (500 feet):	July 17, 2008
Minimum Comment Period:	July 31, 2008

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin on July 17, 2008. It was mailed to property owners within 500 feet of the project site. One written comment in opposition to the proposal was received from an adjacent property owner. In their letter, the commenter states that softened stabilization measures are possible and that the installation of the upper wall creates a terrace effect and constitutes an expansion of the useable area above the slope. In response to this comment, City staff have imposed conditions on the approval of this application related to the wall size and the expansion useable area above the slope. These conditions are intended to limit the size of the upper wall and restrict the wall design so that the terracing effect is minimized and no expansion of useable area is achieved. See related conditions of approval in Section IX of this report.

V. Summary of Technical Reviews

Clearing and Grading:

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. Any proposal for building permit or clearing and grading permit must conform to all applicable city code requirements.

VI. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The 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.

A. Earth and Water

The proposed project will require the construction of a soldier pile retaining wall, a reinforced concrete retaining wall, the re-grading of failed slope area, the planting of the restored/impacted area with native vegetation, and the installation of drainage improvements designed to correct the drainage problems on the site. All stabilization work is required to be designed by a licensed civil engineer. No fill material aside from that required to stabilize the slope is proposed. No modification to the regulated top of slope buffer is proposed. Disturbance of existing vegetation will be minimized during construction and the remaining protected slope area will be restored once construction is complete. The proposed retaining wall will allow the greatest amount of existing natural slope area to be left undisturbed as possible as compared to grading an artificial fill slope that would impact a large area of land. A Temporary Erosion Sedimentation Control Plan will be required as part of the building permit application and must address all requirements of erosion and sedimentation bmp's. See Conditions of Approval in Section IX of this report.

B. Animals

No threatened or endangered species are expected to be present in the project vicinity and the area is fully developed with residential uses.

C. Plants

Existing vegetation found within the limits of construction primarily consists of blackberry. No impact to the site's ability and potential to provide upland habitat is expected, as the area lacks significant trees and is currently vegetated with invasive colonizing plant species that provide limited habitat value to the site. To enhance the areas plant communities and potential to provide habitat, the applicant is required to remove the invasive species and replant the upslope portion of the critical area with native plants. Prior to building permit issuance the applicant will be required to submit an assignment of savings financial security device to ensure the restoration is installed and maintenance is completed as required. See Conditions of Approval in Section IX of this report.

D. Noise

The site is adjacent to single-family residences and within proximity to Lake Washington. Disturbance to adjacent residents from noise is most impacting during the evening, late night and weekend hours when residents are likely to be at home. Noise impacts from the construction on the natural environment of Lake Washington are expected to be minimal and within the range expected from the construction of a

single family home. Construction noise will be limited by the City's Noise Ordinance (Chapter 9.18 BCC) which regulates construction hours and noise levels. See Conditions of Approval in Section IX of this report.

VII. Decision Criteria

A. Critical Areas Land Use Permit Decision Criteria 20.30P

The proposal, as conditioned below, meets the applicable regulations and decision criteria for a Critical Areas Land Use Permit pursuant to LUC Section 20.30P.

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

Finding: The project applicant has applied for a Building Permit to construct the proposed stabilization measures.

2. 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;

Finding: The proposed project involves the installation of stabilization measures to restore stability to a failed slope area. The proposed activity is an allowed use and is necessary to protect the primary structure located at 916 Shoreland drive SE. The applicant has used the best available design and development techniques to conceptually design the stabilization measures. The design includes the use of two retaining walls, the restoration of vegetation in the restored slope area, and the installation of a slope drainage system designed to divert surface and subsurface water that may impact the stability of the slope.

The proposed retaining wall system includes one soldier pile wall at the toe of the slope and one reinforced concrete wall at the top of the slope. The soldier pile wall at the toe of the slope is necessary to improve the general stability of the slope and prevent further failure. The reinforced concrete wall at the top of the slope is necessary due to the conditions created by the slope failure where there is a need to repair a 10 to 15 foot near vertical slope. Without the wall at the top of the slope it would not be possible to achieve the grade necessary to correct the unstable conditions. Further, the placement of a wall allows for the collection and conveyance of surface and subsurface water that would otherwise continue to impact the slope below. The combination of the wall design, drainage improvements, and replanting of the slope will allow for the stabilization of this currently unstable site.

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

Finding: The proposal incorporates the applicable performance standards of LUC 20.25H.055.C.3.m and LUC 20.25H.125. See discussion in Section III above.

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

Finding: The proposed project will be served by adequate public facilities. The site is already built out with an existing single family residence. No new streets or utility connections will be needed to serve the site and the project site will utilize existing drainage facilities found within Shoreland Drive SE. Additionally, fire and police protection are currently available at the site.

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

Finding: A mitigation and restoration plan must be prepared as required by LUC 20.25H.220.H. See related conditions of approval in Section IX of this report.

6. The proposal complies with other applicable requirements of this code.

Finding: As discussed in Section III of this report, the proposal complies with all other applicable requirements of the Land Use Code.

VIII. 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 Development Services Director does hereby **approve with conditions** this proposal to repair slide damage at 916 Shoreland Drive SE through the installation of slope stabilization measures.

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.

IX. Conditions of Approval

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

<u>Applicable City Code Sections</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC 20.25H	David Pyle, 425-452-2928

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

1. Building Permit or Clearing and Grading Permit Required: Approval of this critical areas land use permit does not constitute an approval of a building or clearing and grading permit. Application for building or clearing and grading permit must be submitted and approved prior to the commencement of construction. Plans submitted

as part of the building or clearing and grading permit application must be consistent with the activity permitted under this critical areas land use permit.

Authority: Land Use Code 20.30P.140
Reviewer: David Pyle, Development Services Department

2. Clearing Limits for Permanent and Temporary Disturbance: Prior to commencement of construction, clearing limits must be delineated in preparation for preconstruction inspection by clearing and grading and land use staff and certified in the field to be in conformity with this approval.

Authority: Bellevue City Code 23.76.160
Reviewer: Tom McFarlane, Development Services Department

3. Restoration for Areas of Temporary Disturbance: In order to mitigate for the permitted disturbance inside the regulated critical area, a restoration plan for all areas of temporary disturbance shall be submitted for review and approval by the City of Bellevue prior to the issuance of the Building Permit or Clearing and Grading Permit. The plan shall include documentation of existing site conditions, proposed restoration measures to return the site to its existing conditions per LUC 20.25H.220.H, prescribed maintenance activities to ensure plant survival, and monitoring requirements (including reporting) to document success/failure.

Authority: Land Use Code 20.25H.220.H
Reviewer: David Pyle, Development Services Department

4. Restoration Plan: To assist in the re-establishment of vegetation on the slope, the property owner or applicant shall prepare a plan for and install vegetation restoration in those areas impacted by past landslide activity. The restoration plan shall be submitted for review and approval by the City of Bellevue prior to issuance of building permit or clearing and grading permit. The plan shall include proposed restoration measures to restore those areas impacted by past slide activity, prescribed maintenance activities to ensure plant survival, and monitoring requirements (including reporting) to document success/failure.

Authority: Land Use Code 20.25H.210
Reviewer: David Pyle, Development Services Department

5. Rainy Season restrictions: Activity undertaken within a steep slope critical area is restricted 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, Development Services 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.

Authority: Bellevue City Code 9.18
Reviewer: David Pyle, Development Services Department

7. Hold Harmless Agreement: Prior to building permit or clearing and grading permit approval, the applicant or property owner shall submit a hold harmless agreement releasing the City of Bellevue from any and all liability associated with the installation of slope stabilization measures. The agreement must meet city requirements and must be reviewed by the City Attorney's Office for formal approval.

Authority: Land Use Code 20.30P.170
Reviewer: David Pyle, Development Services Department

8. Installation Device: To ensure the required slope vegetation restoration and restoration of areas of temporary disturbance is completed, the applicant shall post an Installation Assurance Device prior to the building permit or clearing and grading permit issuance. The device will be released when the applicant demonstrates the restoration has successfully been installed.

Authority: Land Use Code 20.25H.125.J and 20.25H.220
Reviewer: David Pyle, Development Services Department

9. Maintenance Device: Prior to the issuance of the building permit or clearing and grading permit, the applicant shall submit a restoration / replanting maintenance plan cost estimate to be used in determining the amount of the assignment of the maintenance and monitoring financial security device that will be required prior to permit issuance. A complete assignment of savings financial security device in the amount determined by the project planner must be submitted prior to building permit or clearing and grading permit issuance. For the purpose of this permit, maintenance and monitoring shall be completed for a period of one growing season.

Authority: Land Use Code 20.25H.125.J and 20.25H.220
Reviewer: David Pyle, Development Services Department

10. Engineered Wall Design Requirement: A detailed plan for the engineered wall design that has been recommended in the geotechnical engineer of record is required to be submitted for review and approval by the City of Bellevue Building Department prior to the issuance of any building permit for construction at this site. The wall must be designed and approved by an engineer licensed in Washington State.

Authority: Land Use Code 20.25H.125
Reviewer: David Pyle, Development Services Department

11. Wall Height: Retaining wall height shall be the minimum necessary to stabilize

the slope. The scope of work allowed under this permit is limited to slope stabilization. No expansion of useable property or modification to the existing single family residence or associated appurtenances is allowed as part of this permit approval.

Authority: Land Use Code 20.25H.055
Reviewer: David Pyle, Development Services Department

12. Geotechnical Recommendations: All stabilization design and installation must comply with the recommendations identified in the geotechnical report prepared by AES dated March 27, 2007 including erosion hazard mitigation bmp's intended to limit the potential for erosion during construction.

Authority: Bellevue City Code 23.76
Reviewer: Tom McFarlane, Development Services Department

Attachments

1. Vicinity Map - In file
2. SEPA Checklist - In file
3. Slope Stabilization Plans - In file
4. Geotechnical Report - In file

Shoreline Drive Slide Repair
Project SEPA Checklist
916 Shoreland Drive SE

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

City of Bellevue Submittal Requirements

ENVIRONMENTAL CHECKLIST

Thank you in advance for your cooperation and adherence to these procedures. 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.

INTRODUCTION

Purpose of the Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21c RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the City of Bellevue identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the City decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly, with the most precise information known, or give the best description you can. You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer or if a question does not apply to your proposal, write "do not know" or "does not apply." Giving complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the Planner in the Permit Center can assist you.

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. Include reference to any reports on studies that you are aware of which are relevant to the answers you provide. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

Use of a Checklist for Nonproject Proposals: *A nonproject proposal includes plans, policies, and programs where actions are different or broader than a single site-specific proposal.*

For nonproject proposals, complete the Environmental Checklist even though you may answer "does not apply" to most questions. In addition, complete the Supplemental Sheet for Nonproject Actions available from Permit Processing.

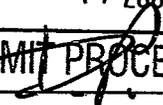
For nonproject actions, the references in the checklist to the words *project*, *applicant*, and *property* or *site* should be read as *proposal*, *proposer*, and *affected geographic area*, respectively.

Attach an 8 1/2" x 11 vicinity map which accurately locates the proposed site.

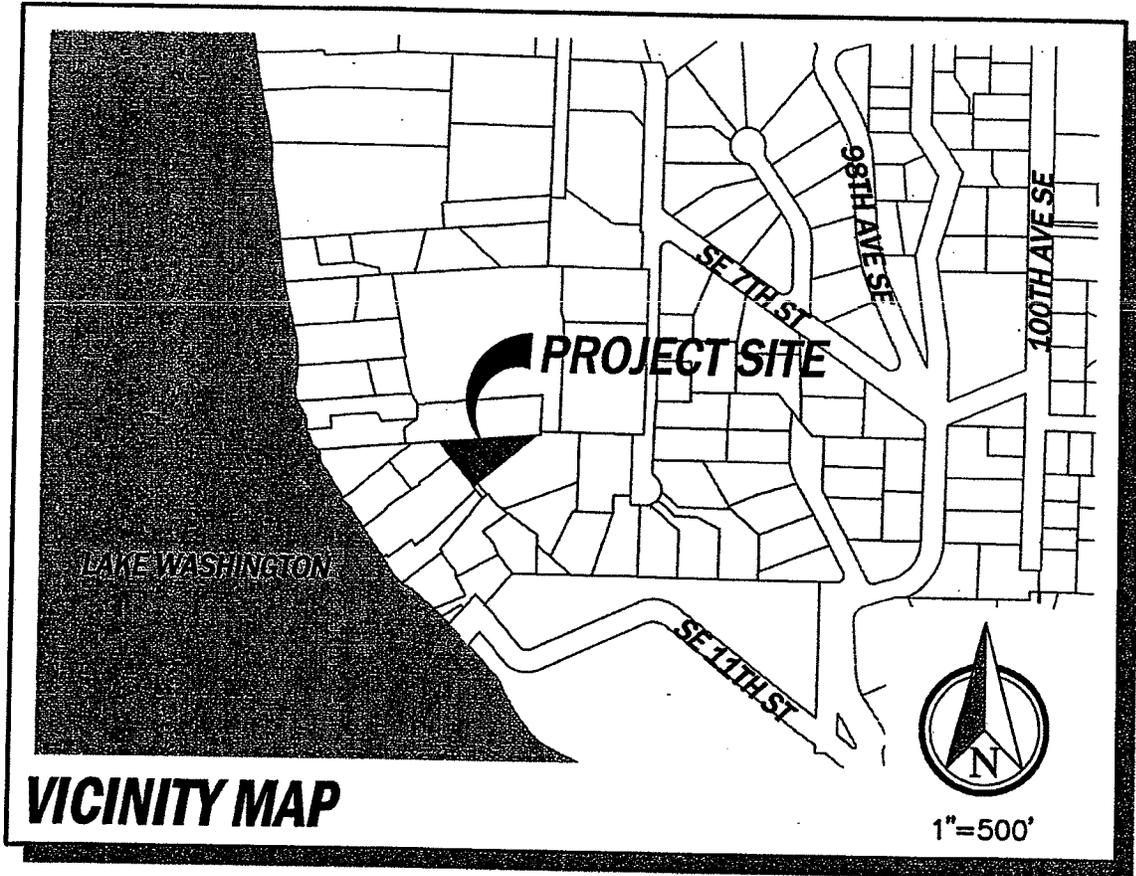
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JUN 17 2008

PERMIT PROCESSING

Reviewed By 

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PROJECT INFORMATION

SITE ADDRESS: 916 SHORELAND DRIVE SE
BELLEVUE, WA 98004

KB PARCEL NO.: 5627301025

Reviewed By DP

LEGAL DESCRIPTION:

LOT 14 AND THOSE PORTIONS OF LOTS 15 AND 16, BLOCK 13, MOORLAND, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 4 OF PLATS, PAGE 103, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THOSE PORTIONS OF THE SOUTH HALF OF VACATED ALBERCA STREET AND OF THE WEST HALF OF GRENADA AVENUE ADJOINING SAID PREMISES, ALL LYING SOUTHEASTERLY OF THE NORTHEASTERLY PRODUCTION OF THE NORTHWESTERLY LINE OF THE SOUTHEASTERLY HALF OF LOT 2 IN SAID BLOCK 13 AND NORTHWESTERLY OF THE NORTHEASTERLY PRODUCTION OF THE SOUTHEASTERLY LINE OF LOT 4 IN SAID BLOCK 13;

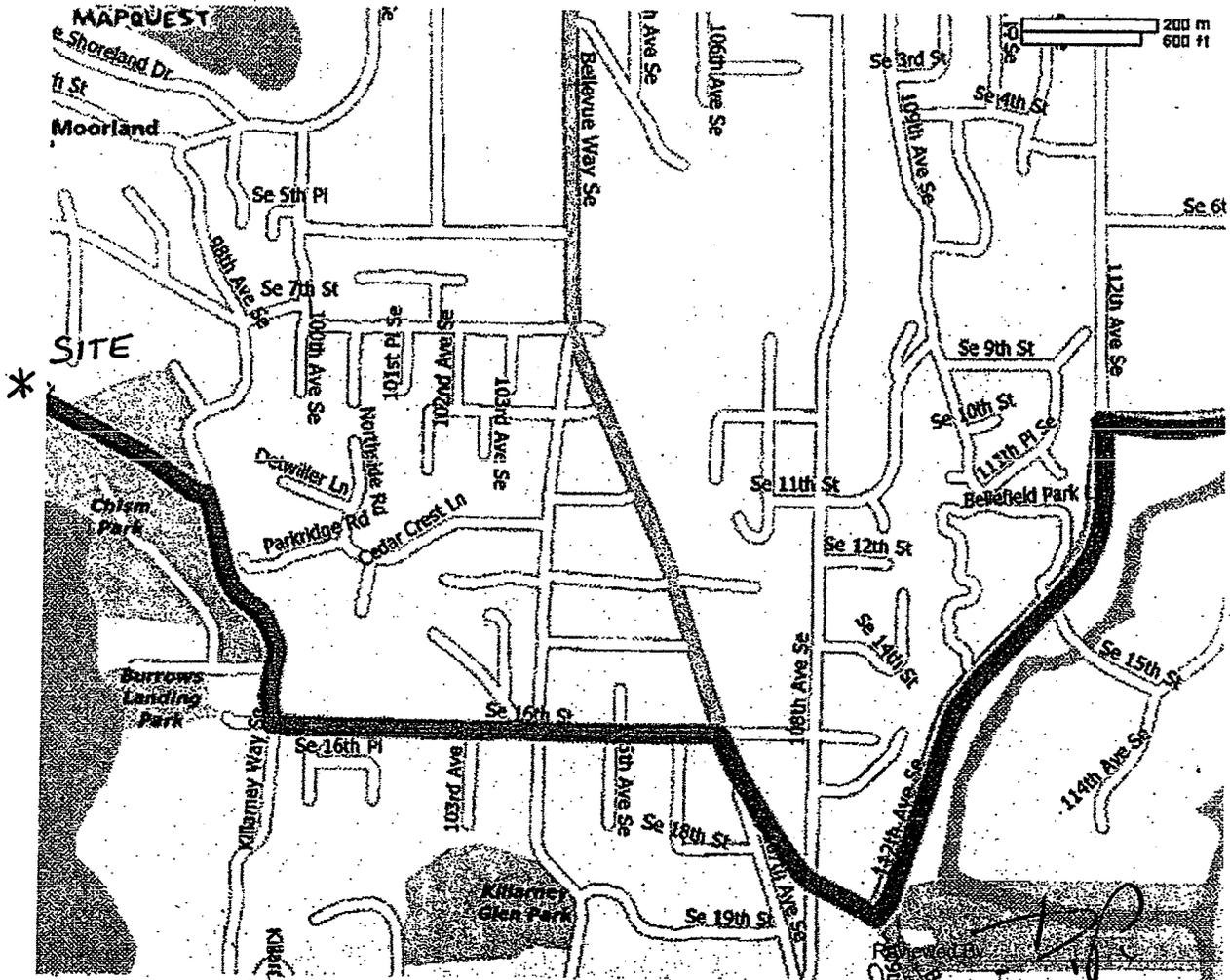
TOGETHER WITH A TRIANGULAR PARCEL OF LAND, BEING IN MOORLAND, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 4 OF PLATS, PAGE 103, IN KING COUNTY, WASHINGTON, LYING BETWEEN THE FOLLOWING DESCRIBED LINES:

THE CENTERLINE OF VACATED ALBERCA STREET, THE NORTHEASTERLY EXTENSION OF THE SOUTHEASTERLY LINE OF THE NORTHWESTERLY HALF OF LOT 5 IN BLOCK 2 OF SAID MOORLAND, AND THE CENTERLINE OF THE EASTERLY SECTION OF A PRIVATE EASEMENT FOR ROADWAY AND UTILITY PURPOSES AS ESTABLISHED BY INSTRUMENTS RECORDED UNDER RECORDING NOS 4549806 AND 4550981, IN KING COUNTY, WASHINGTON;

TOGETHER WITH EASEMENTS FOR INGRESS AND EGRESS AND PARKING RECORDED UNDER RECORDING NOS. 9804301098, 9805111462 AND 9904162600.

B: 733 7th Ave, Kirkland, WA 98033-5668

Total Time: 14 minutes Total Distance: 8.28 miles



City of Bellevue Submittal Requirements

27a

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: *DANIEL STULL*

Proponent:

Contact Person: *STACIA Schroeder*
(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: *733 7th AVENUE, SUITE 100 KIRKLAND, WA 98033*

Phone: *206-276-8922*

Proposal Title: *Shoreland Drive Slide Repair*

Proposal Location: *916 Shoreland Drive SE*
(Street address and nearest cross street or intersection) Provide a legal description if available.

Please attach an 8 1/2" x 11" vicinity map that accurately locates the proposal site.

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

1. General description: *SLIDE REPAIR.*

2. Acreage of site: *0.4049 AC*

3. Number of dwelling units/buildings to be demolished: ~~0~~

4. Number of dwelling units/buildings to be constructed: ~~0~~

5. Square footage of buildings to be demolished: ~~0~~

6. Square footage of buildings to be constructed: ~~0~~

7. Quantity of earth movement (in cubic yards): *132cy CUT / 45cy FILL*

8. Proposed land use: *Single-family residence*

9. Design features, including building height, number of stories and proposed exterior materials:

SOLDIER PILE, & CONCRETE RETAINING WALLS

10. Other

This is an application for Critical Areas Land Use Permit to authorize repair of a slide within a regulated slope area. The proposal includes both soft and hard stabilization measures including revegetation, wall construction, and drainage improvements.

Reviewed By

T.P.

Estimated date of completion of the proposal or timing of phasing:

09-30-08

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

NO

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

Geotechnical Report BY: AESI DATED: 03-27-07
Boundary/Topo Survey By: Axis DATED: 08-15-07

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

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.

- 1) COB CRITICAL AREAS LAND USE PERMIT - NOT APPLIED FOR
- 2) COB BUILDING PERMIT (w/ CLEAR / GRADE REVIEW) - NOT APPLIED FOR
- 3) COB RIGHT-OF-WAY USE PERMIT - NOT APPLIED FOR

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) TO BE SUBMITTED AT A LATER DATE
Site plan
Clearing & grading plan
- Shoreline Management Permit
Site plan

A. ENVIRONMENTAL ELEMENTS

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)?

1:1 (OR 100%)

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.

Colluvium/Fill (1-4' thick)
Advance outwash (breath fill)

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

The slope area is a steep slope and landslide critical area as defined by the City of Bellevue.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

FILL: granular backfill for retaining walls 45 cy

CUT: 132 cy

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes - the site will be uncovered during construction

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

but all TESC measures will be in effect when the site is idle.

22%

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

• soft stabilization measures - drainage & vegetation improvements
• hard stabilization measures - soldier pile & concrete retaining walls

2. AIR Common TESC practices during construction.

- 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.

Automobile odors during construction

No known emissions after construction.

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

NONE KNOWN

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

NONE KNOWN

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

Reviewed By

[Signature]

appropriate, state what stream or river it flows into.

LAKE WASHINGTON.

Lake Washington is located approximately 400 feet from the project site. There is a drainage system directly down slope of the project site that presumably flow into Lake Washington. No streams or rivers are located within the project limits or vicinity.

- (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.

NO

- (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

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

NO.

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

NO

- (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.

NONE KNOWN.

Discharge of pollutants is regulated by BCC 23.76.090 and BCC 23.76.100.

b. Ground

- (1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description.

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.

NONE

D.P.

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.

Stormwater Runoff is tightlined from existing impervious surfaces to the toe of slope. From there it flows south along Shoreland Drive SE to a private 12" conveyance system.

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

It is possible.
const. equipment

to LAKE WASHINGTON,
a short distance
downstream.

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

re-vegetation; rockery drains

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 (1 tree went down w/ slide)

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

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

blackberry bushes; miscellaneous shrubs

1-20" Fir tree which went down w/ the slide.

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

NONE KNOWN

Review of the WDFW PHS
Database indicates there is a Bald
Eagle Nest approximately 1,300 feet
from the project site.

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

COB requires slope restoration to include native vegetation. Landscaping will include applicable measures from the COB Critical Areas Handbook, and the Dept. of

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:

Review of the WDFW PHS Database indicates there is a Bald Eagle Nest approximately 1,300 feet from the project site.

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

NONE KNOWN

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

NONE KNOWN.

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

NONE

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.

gasoline - construction equipment.

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

NO

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:

NONE

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.

Exposure to automobile emissions.

Risk of fire from retaining wall construction

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

Police, Fire, Medical

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

Respect applicable safety plans / procedures

b. Noise

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

NONE

- (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.

Short term - construction, traffic & operation.

8am - 5pm Monday - Friday

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

NONE

Noise is regulated by City of
Bellevue Code Section 9.18.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? Single-family Residential

- b. Has the site been used for agriculture? If so, describe. NO

- c. Describe any structures on the site. 1 - Single-family Residence

- d. Will any structures be demolished? If so, what? NO

- e. What is the current zoning classification of the site? R-1.8

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

- 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.

YES - steep slope & landslide critical area

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

2

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

0

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

NONE

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D.P.

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

COB Permit Approval Process

9. Housing

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

NONE

- 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

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?

*PROPOSE SOLDIER PILE & CONCRETE RETAINING WALL
ELEV. 178.2*

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

NONE

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

NONE

11. Light and Glare

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

NONE

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

NO

DJR

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

NONE

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

NONE

12. Recreation

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

LAKE WASHINGTON - BOATING, SWIMMING, FISHING, ETC
CHISM BEACH PARK -

- 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

13. Historic and Cultural Preservation

- 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.

NONE KNOWN

- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.

NONE KNOWN

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

NONE

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

SE 8th Street; 112th Ave SE; Bellevue Way SE; SE 16th Street; Killarney Way & 97th Place SE; SE 11th Street; Shoreland Drive SE

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No - 1/2 mile

- c. How many parking spaces would be completed project have? How many would the project eliminate?

2 / 0

- 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).

SE 11th Street (private) would be widened 0-4' along properties frontage to provide a thickened edge for stormwater runoff

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

No

Reviewed By



f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

NONE

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

Traffic control plan to be submitted with
COB Right-of-way use permit for construction
traffic expected along SE 111th Street.

15. Public Services

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.

NONE

16. Utilities

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.

Relocate underground phone, cable and power lines
along SE 111th Street to allow for street widening
and soldier pile retaining wall construction

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.

Signature..... Stan M

Date Submitted..... 3/28/08

Reviewed By

D.P.