



DEVELOPMENT SERVICES DEPARTMENT  
 ENVIRONMENTAL COORDINATOR  
 11511 MAIN ST., P.O. BOX 90012  
 BELLEVUE, WA 98009-9012

## DETERMINATION OF NON-SIGNIFICANCE

**PROPONENT:** Gregg and Kelly Smith

**LOCATION OF PROPOSAL:** 6208 Hazelwood Lane SE

**NAME & DESCRIPTION OF PROPOSAL:** Smith Shoreline Restoration and Modification

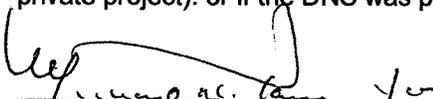
Application to remove the unpermitted expansion of a rockery bulkhead and placement of fill along the Lake Washington shoreline. Approval also includes the modification of the shoreline buffer and structure setback from the buffer to construct a house addition above an existing deck. A portion of the shoreline is to be restored and enhanced through the relocation of the bulkhead to create a beach cove and installation of native plants within the shoreline buffer.

**FILE NUMBER:** 08-125529-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 March 16, 2006.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on 6/18/09.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

6/4/2009  
 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

Environmental Coordinator

## Environmental Checklist

**1 BACKGROUND INFORMATION**

PROPERTY OWNER'S NAME: Gregg B. Smith Jr.

PROPOSER'S NAME: Gregory W. Ashley - Ashley Shoreline Design &amp; Permitting

CONTACT PERSON'S NAME: Gregory W. Ashley  
(If different from the owner. All questions and correspondence will be directed to the individual listed.)CONTACT PERSONS'S ADDRESS: 16412 NE 10th Pl.  
Bellevue, WA 98008-3707

CONTACT PERSON'S PHONE: (425) 957-9381

PROPOSAL TITLE: Smith beach cove

PROPOSAL LOCATION:  
(Street address and nearest cross street or intersection) Provide a legal description if available.  
6208 Hazelwood Ln. SE

PLEASE ATTACH AN 8½" x 11" VICINITY MAP WHICH ACCURATELY LOCATES THE PROPOSAL SITE SO THAT IT CAN EASILY BE IDENTIFIED IN THE FIELD.

GIVE AN ACCURATE, BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:

A. GENERAL DESCRIPTION: Cut approximately 20 CYD's of material and install rock behind the existing bulkhead at the northwest corner of tyhe yard to create a beach cove with rock stairs going down into the cove. After cove is in place, remove the outer rock to open up the cove to the lake.

B. ACREAGE OF SITE: 13,185 SF

C. NUMBER OF DWELLING UNITS/BUILDINGS TO BE DEMOLISHED: Does not apply

D. NUMBER OF DWELLING UNITS/BUILDINGS TO BE CONSTRUCTED: Does not apply

E. SQUARE FOOTAGE OF BUILDINGS TO BE DEMOLISHED: Does not apply

F. SQUARE FOOTAGE OF BUILDINGS TO BE CONSTRUCTED: Does not apply

G. QUANTITY OF EARTH MOVEMENT (IN CUBIC YARDS): Does not apply

H. PROPOSED LAND USE: Private single-family residence

I. DESIGN FEATURES, INCLUDING BUILDING HEIGHT, NUMBER OF STORIES &amp; PROPOSED EXTERIOR MATERIALS: Does not apply

J. OTHER: Does not apply

**Critical Area Land Use Permit approval consisting of restoration and enhancement of the shoreline with planting along the length of the shoreline and the removal of a portion of shoreline bulkhead and fill located in an approximately 530 square foot area. The restoration is associated with a code enforcement action and proposed home addition that modifies the shoreline structure setback and buffer.**

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ESTIMATED DATE OF COMPLETION OF THE PROPOSAL OR TIMING OF PHASING:

In water construction to be carried out during the timing window of July 16 through Dec. 31

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

No

**An building permit application (08-125452-BR) is associated with this application for the proposed home addition.**

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

A Critical Areas Report and planting plan has been prepared by The watershed Company. A supplemental adendum to the Critical Areas Report as well a additional planting is being prepared by EcoPacific Environmental Services

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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

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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.

HPA  
Building Permit

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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 & proposed zoning.
- PRELIMINARY PLAT (AND/OR P.R.U.D. OR P.U.D.) Preliminary plat map.
- CLEARING & GRADING PERMIT  
Plan of existing & proposed grading.  
Development plans.
- BUILDING PERMIT (OR DESIGN REVIEW)  
Site plan.  
Clearing & grading plan
- SHORELINE MANAGEMENT PERMIT  
Site plan.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): **Flat** rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_.

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

< 1%

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Sand and gravel

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

No

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

Approximately 20 CYD's of cut will be needed to create the cove. There will be approximately 10 CYD's of gravel installed in the cove to establish the beach.

**A portion of the shoreline bulkhead is to be removed and the area restored using soft stabilization and bioengineering techniques.**

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

Yes, during construction some erosion may occur due to rain runoff, however, silt curtains will be deployed to eliminate this.

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

None, does not apply

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

Silt curtains will be deployed during construction.

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

None, does not apply

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

No

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

None, does not apply

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

**Yes, Lake Washington**

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.

**Yes, the rock bulkhead will be pulled back to create a beach cove**

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, does not apply**

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.

**No, does not apply**

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

**No, does not apply**

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, does not apply**

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.

None, does not apply

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

No, does not apply

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

None

4. Plants

a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

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

None

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

Salmon

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

Native vegetation to be planted along the shore. Scope of planting to be determined by the Watershed Company planting plan and EcoPacific Environmental Services supplemental plan

5. Animals

a. 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: .....

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

Salmon

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

Possibly a Salmon outmigration rout

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

Adhere to all regulations and guidelines

#### 6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None, does not apply

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

No, does not apply

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

None, does not apply

#### 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.

No, does not apply

1) Describe special emergency services that might be required.

None, does not apply

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

None

#### b. Noise

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

None, does not apply

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

Construction, Monday through Friday, 8:00 A.M. to 4:30 P.M.

- 3) Proposed measures to reduce or control noise impacts, if any:  
Limit time of construction to M-F, 8:00 A.M to 4:30 P.M.

**Noise regulated by BCC 9.18**

**8. Land and Shoreline Use**

- a. What is the current use of the site and adjacent properties?  
Private single-family residence

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

- c. Describe any structures on the site.  
Existing pier and rock bulkhead along the shoreline

**A single-family residence is also located on the property which is proposed to be expanded.**

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

- e. What is the current zoning classification of the site?  
R-5

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

**SF-H, Single-Family High Density**

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

**Urban**

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

Yes, shoreline

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

None, does not apply

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

None, does not apply

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

None, does not apply

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

Adhere to all regulations and guidelines

**9. Housing**

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

None, does not apply

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

None, does not apply

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?

Does not apply

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

None, does not apply

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

None, does not apply

**11. Light and Glare**

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

None, does not apply

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

No, does not apply

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

None, does not apply

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

None, does not apply

**12. Recreation**

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

Water sports

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.

No

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

None present

- 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.

Does not apply

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

Does not apply

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

None, does not apply

- 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).

No, does not apply

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

No, does not apply

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

None, does not apply

- g. Proposed measures to reduce or control transportation impacts, if any:  
None, does not apply

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No, does not apply

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

None, does not apply

16. Utilities

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

Does not apply

- 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.

None proposed, does not apply

C. SIGNATURE

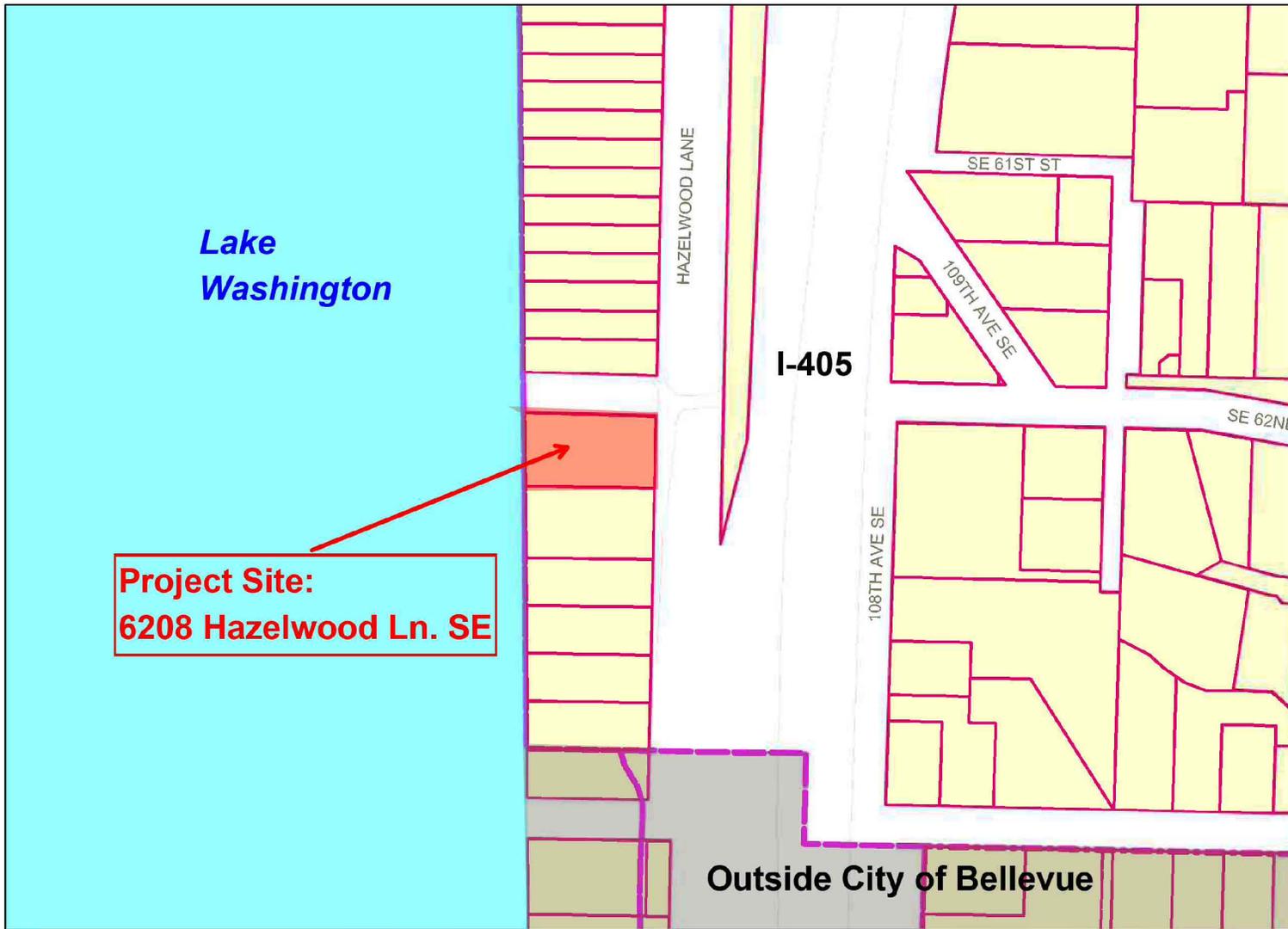


The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: .....

Date Submitted: 4/3/2009 .....

**Smith Shoreline Restoration and Modification – Vicinity Map**  
**City of Bellevue File No. 08-125529-LO**





**Exemption from Shoreline Management  
Substantial Development Permit Requirement**

**To: Gregg and Kelly Smith**  
6208 Hazelwood Lane SE  
Bellevue, WA 98006

**Re: 6208 Hazelwood Lane SE**

**File Number: 08-125529-LO**

**SEPA Determination: Determination of Non-Significance (DNS)**



This proposal is exempt under WAC 197-11-800 3 *Repair, remodeling and maintenance activities*



A DNS was issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. Appeal period ends on June 18, 2009.



A DNS was issued under WAC 197-11-340(2) and is subject to a 14-day comment from \_\_\_\_\_

The proposal to undertake the following development:

- **Remove the unpermitted expansion of a rockery bulkhead and placement of fill along the Lake Washington shoreline. A portion of the shoreline is to be restored and enhanced through: replacement of a portion of the bulkhead with a beach cove, creation of gravel shallow water habitat, and installation of native plants. An associated home addition is also proposed which will modify the shoreline buffer and structure setback.**

Within **Lake Washington** and/or its associated wetlands;

Is exempt from the requirement of a substantial development permit because:

- **Bulkhead work is considered bulkhead replacement and is exempt per LUC 20.25E.050.C**  
\* *Compliance with LUC 20.25E.080.E for shoreline stabilization is required in addition to a Critical Area Land Use Permit (08-125529-LO)\**
- **The proposed home addition is exempt per LUC 20.25E.050.G**  
\* *A Critical Area Land Use Permit (08-125529-LO) is required to modify shoreline buffer and setback\**

Inconsistent	Consistent	
	X	Policies of the State Shoreline Management Act (RCW 90.58)
	X	The Bellevue Shoreline Master Program and Comprehensive Plan

Date: 6/4/09

Signed: 

**Note:** This exemption does not authorize construction to begin. All other required local, state or federal permits must be obtained before construction can begin. All land use code, building code, City shoreline code and other City regulations must be complied with.

CC: DOE, Dave Radabaugh, 3190 160<sup>th</sup> Avenue SE, Bellevue, WA 98008-5452  
Dept. of Fish and Wildlife, Attn: Alisa Bieber, 1775 12th Ave. NW Suite 201, Issaquah, WA 98027



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

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**Proposal Name:** Smith Shoreline Restoration and Modification

**Proposal Address:** 6208 Hazelwood Lane SE

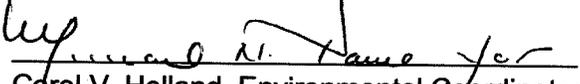
**Proposal Description:** Land Use approval of a Critical Area Land Use Permit to remove the unpermitted expansion of a rockery bulkhead and placement of fill along the Lake Washington shoreline. Approval also includes the modification of the shoreline buffer and structure setback from the buffer to construct a house addition above an existing deck. A portion of the shoreline is to be restored and enhanced through the relocation of the bulkhead to create a beach cove and installation of native plants within the shoreline buffer.

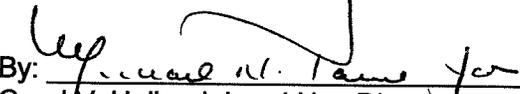
**File Number:** 08-125529-LO

**Applicant:** Gregg Smith, Property Owner

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

**Planner:** Reilly Pittman, 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**  
Michael A. Brennan, Director  
Development Services Department  
  
By: Carol V. Helland, Land Use Director

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**Application Date:** July 2, 2008  
**Notice of Application Publication Date:** April 9, 2009  
**Decision Publication Date:** June 4, 2009  
**Project/SEPA Appeal Deadline:** June 18, 2009

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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

The original permit application, noticed on August 21, 2008, requested approval to modify the 25-foot shoreline buffer and 25-foot shoreline structure setback of Lake Washington in order to construct an addition to an existing house. During the public comment period it was discovered that unpermitted fill and expansion of an existing rockery bulkhead had occurred on the property prompting a code enforcement action by the City (08-132555-EA). The size of the unpermitted fill work was approximately 300 square feet in area, consisting of expansion in height of the existing rockery bulkhead and placement of fill material behind the rockery in order to level out the yard.

The project application was re-noticed on April 9, 2009 and was changed to request approval of two distinct actions for:

1. Restoration of the filled area and expanded bulkhead to resolve the code enforcement action; and,
2. A small modification of the shoreline buffer and structure setback to allow the originally proposed home addition.

In order to remedy the code enforcement approximately 20 cubic yards (2 dump truck loads) of material and a portion of the rockery bulkhead will be removed. The rockery bulkhead will also be pulled back away from the Ordinary High Water Mark in order to create a natural gradient beach cove. The creation of the cove will move a portion of the bulkhead from its historic location which pre-dates the unpermitted expansion activity. Also a part of the bulkhead modification, gravel material will be placed in the newly created cove and along the length of the bulkhead. The gravel will act to lessen the wave action against the bulkhead and beach cove and will create shallow water habitat that can support juvenile salmon and provide protection from predation.

An additional 600 square feet of restoration planting is proposed along the shoreline consisting of native trees, shrubs, ground covers, and emergent plants. 1,200 square feet of invasive plants (blackberry) will be removed from various locations on the site including areas located within the shoreline buffer and structure setback. Any areas of blackberry removed within the shoreline buffer or structure setback are required to be restored with native plants. See related conditions of approval in Section X.

The above shoreline modification and restoration is also mitigation for the proposed home addition consisting of a 52 square foot intrusion into the shoreline buffer and a 224 square foot intrusion into the shoreline setback. The proposed home addition in the buffer and structure setback is above an existing deck with the exception of a 15 square foot area located in the structure setback. See **Attachment 1** below for the existing conditions of the site and **Attachment 2** for the proposed shoreline restoration and shoreline buffer and structure setback modifications.

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

### A. Site Description

The project site is located at 6208 Hazelwood Lane SE and is located in the SW

quadrant of Section 20, Township 24 North, Range 5 East. The property is zoned single-family residential (R-5), and has one single-family residence currently existing on-site. The site has shoreline frontage along Lake Washington to the west and is located within the City of Bellevue Shoreline Overlay District. The site is surrounded to the north and south by other single-family zoned properties and to the east by public right-of-way. Generally the site slopes down from the east to west toward Lake Washington. The project area in question is along the Lake Washington shoreline and within the 25' shoreline buffer and 25' structure setback from the buffer.

The pre-existing condition of the project area prior to any unpermitted work was in poor condition when compared to an intact highly functional shoreline reference site. The area where the activity is proposed has been historically maintained as a landscaped yard and open space between the rockery bulkhead and the house. Current shoreline developments include a dock and a concrete and rockery bulkhead built at the ordinary high water mark. See Figure 1 below for an aerial oblique photograph of the shoreline prior to the unpermitted fill activity and Figure 2 for an aerial photograph of the entire property.

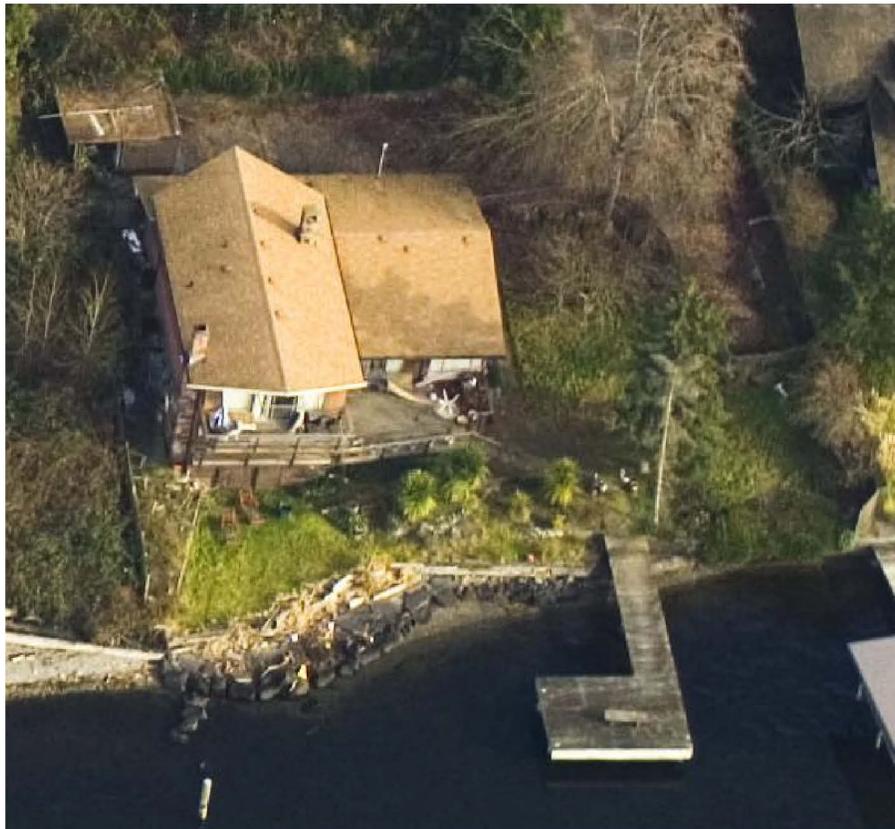


Figure 1



**Figure 2**

**B. Zoning**

The property is zoned R-5, single-family residential. The project area is within the Shoreline Overlay District and the Critical Areas Overlay District.

**C. Land Use Context**

The property has a Comprehensive plan Land Use Designation of SF-H (Single Family High Density). The proposed activity is consistent with single-family development and is allowed in the single-family comprehensive plan land use designation. The subject site is surrounded by single-family uses to the north and south. The property obtains vehicular access from Hazelwood Lane to the east. The proposed activity in the shoreline buffer and structure setback is associated with the removal of unpermitted fill material and the construction of an addition to the existing residence.

**D. Critical Areas Function and Value, Regulations**

**i. Lake Washington Shoreline**

The project area is adjacent to the shoreline of Lake Washington. Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al. 1996).

Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian

habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values. The discussion presented herein emphasizes this ecosystem approach.

**ii. Shoreline Overlay District/Shoreline Substantial Development Permit**

The Shoreline Overlay District regulations (LUC 20.25E) allow for the construction or replacement of normal protective bulkheads associated with single-family residences as an exemption (LUC 20.25E.050); however, all applicable performance standards must be met. The proposed activity is for the layback of a portion of the existing rockery bulkhead to create a natural gradient beach cove to remove unpermitted fill material and bulkhead expansion. Gravel will also be placed in the cove and in front of the re-graded bulkhead along the shoreline to lessen the wave action against the bulkhead and cove. In addition the shoreline will be planted with native plant species. The proposed activity is exempt from a Shoreline Substantial Development Permit. The proposed activity meets the performance standards identified in LUC 20.25E.080.E and 20.25E.080.G as required.

**iii. Shoreline Critical Areas**

The proposed work is subject to the Shoreline Critical Areas regulations outlined in LUC 20.25H.115. Any action which involves disturbance or modification of a critical area buffer or structure setback requires approval of a Critical Areas Land Use Permit. The proposed home addition is occurring above an existing deck and will modify the shoreline buffer to allow 52 square feet of structure in the buffer and 224 square feet of structure in the structure setback. These modifications can be approved through the Critical Area Report process provided the existing condition of the shoreline buffer is shown to be degraded and can be improved as a result of the proposed development. The Critical Areas Report and Critical Areas Land Use Permit are addressed in greater detail in section III of this report.

**III. Consistency with Land Use Code Requirements:**

**A. Zoning District Dimensional Requirements:**

The site is located in the R-5 zoning district. The general dimensional requirements for the property in relation to the home addition within the shoreline buffer and structure setback appear to be met. Conformance with zoning dimensional requirements will be required to be demonstrated at time of building permit application for the entire site including areas of the home addition not located within the shoreline buffer or structure setback. See related conditions of approval in Section X.

**B. Critical Areas Report Requirements - LUC 20.25H.230:**

For a modification of the shoreline buffer to be approved the applicant must demonstrate that the expected critical area functions and values of the shoreline and buffer are not present due to degraded conditions. In exchange for a reduction in the shoreline buffer there must be a net increase in the functions and values as a

result of shoreline enhancement. The condition of the shoreline buffer on this site prior to the fill material being placed was that of a maintained open space with lawn and other landscape features. Both the pre-existing and modified condition of the shoreline buffer is degraded when compared with an undisturbed and vegetated shoreline.

The applicant has submitted an application for a critical areas land use permit for modification of the shoreline buffer and structure setback in order to construct a home addition of 52 square feet in the shoreline buffer and 224 square feet in the shoreline structure setback. The proposed addition in the buffer and structure setback is located above an existing deck which means that the proposed addition is impacting an area of the buffer that has already been disturbed by development. In addition to the requested modification this permit also proposes the remediation of the shoreline rockery bulkhead in order to remove the unpermitted expansion of the bulkhead and placement of fill material behind the bulkhead to level the yard. The proposed remediation of the unpermitted work is to create a natural gradient beach cove which in addition to removing the placed material will also layback the rockery bulkhead further landward than it existed prior to placement of the fill material. See **Attachment 2** for the restoration plan and overview of proposed activity.

Per LUC 20.25H.115 a critical areas report is needed to modify the shoreline buffer and structure setback. Critical areas land use permits with critical areas reports are governed by LUC 20.25H.230 and typically include an assessment of site conditions in relation to the proposed modification. Materials and concepts submitted through this process must include a proposal to restore or enhance degraded portions of the property with the objective of a net increase in functions as identified in Section II.D.i above. In response to these requirements, the applicant has submitted a restoration/replanting plan to:

- Remove fill material and rockery bulkhead expansion and layback the rockery further landward than previously existed in order to create a beach cove.
- Restore the shoreline buffer with native plants in exchange for the modification of the shoreline buffer for a home addition

The applicant is required to maintain the restored area through four years of maintenance and monitoring and will be required to submit a security device (assignment of savings or bond) to ensure the plantings will be installed and maintained over the required four-year period. See related conditions of approval in Section X. Proposal consistency with the Critical Areas Report Decision Criteria is addressed in section VIII below. The restoration plan is included as **Attachment 2**.

#### IV. Public Notice and Comment

Application Date: July 2, 2008  
Public Notice (500 feet): April 9, 2009  
Minimum Comment Period: April 23, 2009

The first notice of application for the modification of the shoreline buffer and structure setback was published in the City of Bellevue Weekly Permit Bulletin on August 21,

2009. It was mailed to property owners within 500 feet of the project site. Comments were received regarding the unpermitted placement of fill material and bulkhead expansion which initiated code enforcement procedures. The project was re-noticed on April 9, 2009 to incorporate the work needed to restore the shoreline in addition to the originally proposed shoreline buffer and structure setback modification. In addition comments were received from the Muckleshoot Indian Tribe Fisheries Division requesting to see copies of the plans.

## **V. Summary of Technical Reviews**

### **Clearing and Grading:**

The Clearing and Grading Division of the Development Services 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.

## **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**

Erosion and sediment control best management practices include the installation of silt fencing around the work area and covering exposed soils to prevent migration of soils into adjacent Lake Washington. The project does not propose any modification of soils within the steep slope critical areas. Erosion and sedimentation control requirements and BMPs will be reviewed by the Clearing and Grading Department. See Section X for a related condition of approval.

### **B. Animals**

The proposed plant restoration and creation of the beach cove will improve the shoreline habitat potential for juvenile salmon. No significant trees will be removed with this proposal. Any mature vegetation on the site could provide potential habitat to species of local importance in the vicinity, however no impacts are anticipated since no significant trees will be removed and there are few on the site.

### **C. Plants**

The shoreline and buffer is to be planted with native plants as mitigation and restoration of the fill removal and shoreline buffer modification pursuant to the submitted restoration plan. See Section X for related conditions of approval.

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#### **D. Noise**

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. Construction noise will be limited by the City's Noise Ordinance (Chapter 9.18 BCC) which regulates construction hours and noise levels. See Section X for a related condition of approval.

### **VII. Changes to proposal as a result of City review**

The applicant created the restoration/replanting to address the removal of the fill material and enhance the condition of the degraded shoreline buffer with native planting to account for both the proposed home addition and unpermitted fill and bulkhead expansion. The applicant is creating a beach cove that will pull back a portion of the rockery bulkhead further landward than the bulkhead existed prior to placement of the fill material.

### **VIII. Decision Criteria**

#### **A. 20.25H.255.B Decision Criteria – Proposals to Reduce Regulated Critical Area Buffer.**

Except for the proposals described in subsection B of this section, the Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

##### **1. 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;**

As described within the Critical Areas Report prepared by Watershed Company and the restoration plan prepared by EcoPacific Environmental Services, the project proposes to modify an existing rockery bulkhead and restore the shoreline buffer through removal of 20 cubic yards of unpermitted fill material, re-grading and replanting of the shoreline, and the creation of a natural gradient beach cove.

The beach cove will pull back a portion of the rockery bulkhead further landward than its pre-existing location to create a small gradual beach sloping to the lake. This work is proposed to both rectify the unpermitted fill placement and bulkhead expansion and to mitigate for the slight buffer modification proposed from a home addition to the existing residence. The proposed home addition in the shoreline buffer and structure setback currently has an existing deck covering the area proposed for the addition. The proposed location of the home addition will not impact any existing vegetation as the area is already disturbed. The real disturbance on the site that has occurred was the expansion of the existing rockery bulkhead and the placement of fill material behind the bulkhead to level the yard. However this work is to be removed and replaced with a softer shoreline than previously existed on the site having a net gain in overall habitat function and value of the shoreline on this property. See Conditions of Approval in Section X of this report.

**2. 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;**

Through planting of the shoreline buffer including the installation of emergent plants the habitat of the shoreline on this site will be improved. In addition to the planting about 35 cubic yards of gravel will be installed in the beach cove and in front of the bulkhead. This gravel is primarily meant to lessen the wave action against the bulkhead but will also improve habitat potential of the shoreline by providing shallow water areas for juvenile salmon to avoid predation which increases the value of the shoreline to the greater ecosystem in which the property exists.

**3. 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;**

The proposed home addition is to be placed above an existing deck making the increase in stormwater minimal when compared to the increase in stormwater resulting from a new impervious surface on an undisturbed site. The proposed planting of the shoreline will also improve stormwater quality beyond that provided by the current lawn vegetation which exists. The project will be subject to the City's existing stormwater regulations.

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

Per LUC 20.40.490 a maintenance assurance device is required to ensure completion of the four-year monitoring period of the restoration plan submitted in the EcoPacific plan. See Conditions of Approval in Section X of this report.

**5. 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**

With implementation of the restoration plan there will be no detrimental effect to the functions and values of the critical areas and an improved change to the existing/pre-existing disturbed condition of the buffer. An increase in value of the fish habitat is expected as a result of the proposed planting and beach cove creation.

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

The resulting development would be an addition to an existing residence. This is

compatible with the other uses in the land use district in which the property is located.

**B. Critical Areas Land Use Permit Decision Criteria LUC 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:** A building permit is required for the home addition. See related conditions of approval in Section X of this report.

**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 applicant has located the home addition above an existing deck which already is located within the shoreline buffer and structure setback. The deck has already disturbed the shoreline buffer and setback and the home addition will not increase this disturbance. To ensure all disturbances are minimized, the proposal includes a plan for restoration of the 25-foot shoreline buffer with vegetation to limit pet or human use and includes the creation of a beach cove to create a softer shoreline. See related conditions of approval in Section X of this report.

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

**Finding:** The proposed activity meets the performance standards in LUC 20.25E.080.E and 20.25E.080.G. See related conditions of approval in Section X of this report.

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

**Finding:** The proposed project will not change the amount of public facilities demand for the site. The site has historically been built out with an existing single family residence which will remain.

**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 has been prepared as required by LUC 20.25H.220.H. See related conditions of approval in Section X 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.

## IX. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, City Code and Standard compliance reviews, the Development Services Director does hereby **approve with conditions** this proposal to modify the existing rockery bulkhead in order to remove the unpermitted placement of fill material and bulkhead expansion along the shoreline and buffer of Lake Washington and the modification of the shoreline buffer and structure setback to allow the proposed home addition.

**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.

## X. Conditions of Approval

**The applicant shall comply with all applicable Bellevue City Codes 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 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:**

**1. Removal of Fill Material:** In addition to modifying the shoreline buffer and structure setback, this approval addresses the required removal of fill material and expanded rockery bulkhead in the northwest corner of the property along the shoreline frontage. The work depicted and described in the restoration plan by EcoPacific Environmental Services dated April 22, 2009 shall be carried out in order to remove the code enforcement action (08-132555-EA) on this property following an inspection from Land Use staff. If this work is not completed per the restoration plan the City will refer this case back to Code Compliance.

Authority: Land Use Code 20.40.450  
Reviewer: Reilly Pittman, Development Services Department

**2. Modification Limit:** The buffer and structure setback modification approved is limited to 52 square feet within the shoreline buffer and 224 square feet within the structure setback as seen on the restoration plan by EcoPacific Environmental

Services dated April 22, 2009. Any disturbance within the shoreline buffer or structure setback outside of these area and/or not accounted for on the plans will require additional restoration.

Authority: Land Use Code 20.30P.120

Reviewer: Reilly Pittman, Development Services Department

**3. Obtain all Other Applicable State and/or Federal Permits:** Before shoreline work can proceed, all required federal and state permits and approvals must be obtained by the applicant. A copy of the approved Section 10 permit issued by the Army Corps of Engineer, if needed, and the approved Hydraulic Project Approval (HPA) issued by the Washington State Department of Fish and Wildlife shall be submitted to the City of Bellevue, prior to beginning construction.

Authority: Land Use Code 20.25H.080

Reviewer: Reilly Pittman, Development Services Department

**4. 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: Reilly Pittman, Development Services Department

**5. Verification of Conformance with Zoning Requirements:** At time of building permit the applicant must formally demonstrate that the site and proposed home additions meet all required dimensional requirements for the R-5 zone. Survey verification may be needed in order to determine lot coverage and impervious surface coverage is below the maximum coverage amounts in LUC 20.20.010.

Authority: Land Use Code 20.30P.140

Reviewer: Reilly Pittman, Development Services Department

**6. 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: Reilly Pittman, Development Services Department

**7. Buffer Restoration and Maintenance Plan Cost Estimate:** A cost estimate is required to be submitted which is in the amount of 50 percent of the cost of work for plant installation and materials proposed under the restoration plan. The cost

estimate shall be submitted with the building permit application. This cost estimate will determine the amount required for the Maintenance Assurance Device in condition 8 below.

Authority: Land Use Code 20.25H.220

Reviewer: Reilly Pittman, Development Services Department

**8. Installation and Maintenance Assurance Devices:** To ensure the proposed plantings are installed and that the four-year maintenance and monitoring plan is implemented, the applicant shall post a Maintenance Assurance Device (based on cost estimate in condition 7 above) prior to building permit issuance. This device will be released following an inspection from the Land Use Planner that finds that the four-year maintenance and monitoring plan has been implemented and the restoration is successfully established.

Authority: Land Use Code 20.25H.255.B.4

Reviewer: Reilly Pittman, Development Services Department

**9. Maintenance and Monitoring:** Monitoring shall be carried out as detailed in the maintenance and monitoring sections of the restoration plan created by EcoPacific Environmental Services dated April 22, 2009. Annual reports shall be submitted to Land Use staff for review documenting the items and performance standards stated in the plan. Land Use staff may amend the plan based on early performance data following installation.

Authority: Land Use Code 20.25H.255.B.4

Reviewer: Reilly Pittman, Development Services Department

**10. Special Inspection Required:** Special inspection of the shoreline restoration following construction must be completed by the Land Use Planner. The applicant shall contact Land Use staff to schedule an inspection of the shoreline restoration when it is completed.

Authority: Land Use Code 20.25H.210

Reviewer: Reilly Pittman, Development Services Department

**11. In-Water Work Window:** The US Army Corps of Engineers regulates work windows for when work can occur in Lake Washington. The allowed work window where work can occur in water for this property is from July 6<sup>th</sup> to December 31<sup>st</sup>, subject to US Army Corps regulation.

Authority: Land Use Code 20.25H.080

Reviewer: Reilly Pittman, Development Services Department

**12. Rainy Season Restrictions:** Due to the proximity to Lake Washington, 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 Development Services Department. Should approval be granted for work during the rainy season,

increased erosion and sedimentation measures, representing the best available technology may be required prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A

Reviewer: Reilly Pittman, Development Services Department

**13. Noise Control:** Noise related to 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

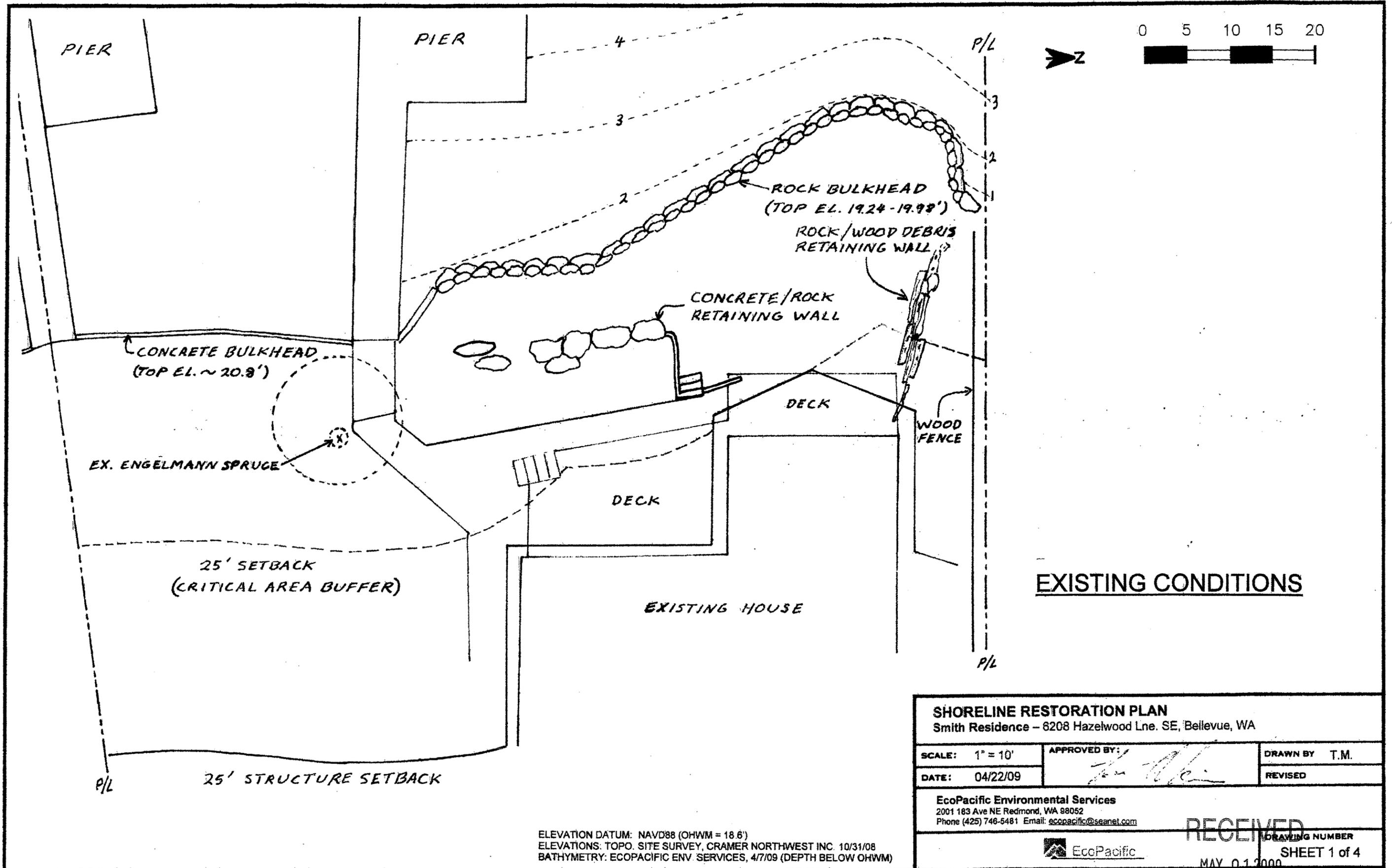
Authority: Bellevue City Code 9.18

Reviewer: Reilly Pittman, Development Services Department

#### **Attachments**

1. Existing Conditions Site Plan - Enclosed
2. Restoration/Replanting and Monitoring Plans - Enclosed
3. Site plan and Details prepared by Ashley Shoreline Design – In File
4. Critical Area Report prepared by Watershed Co. – In File
5. Survey and Other Documentation – In File

# Attachment 1

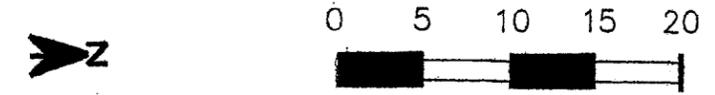
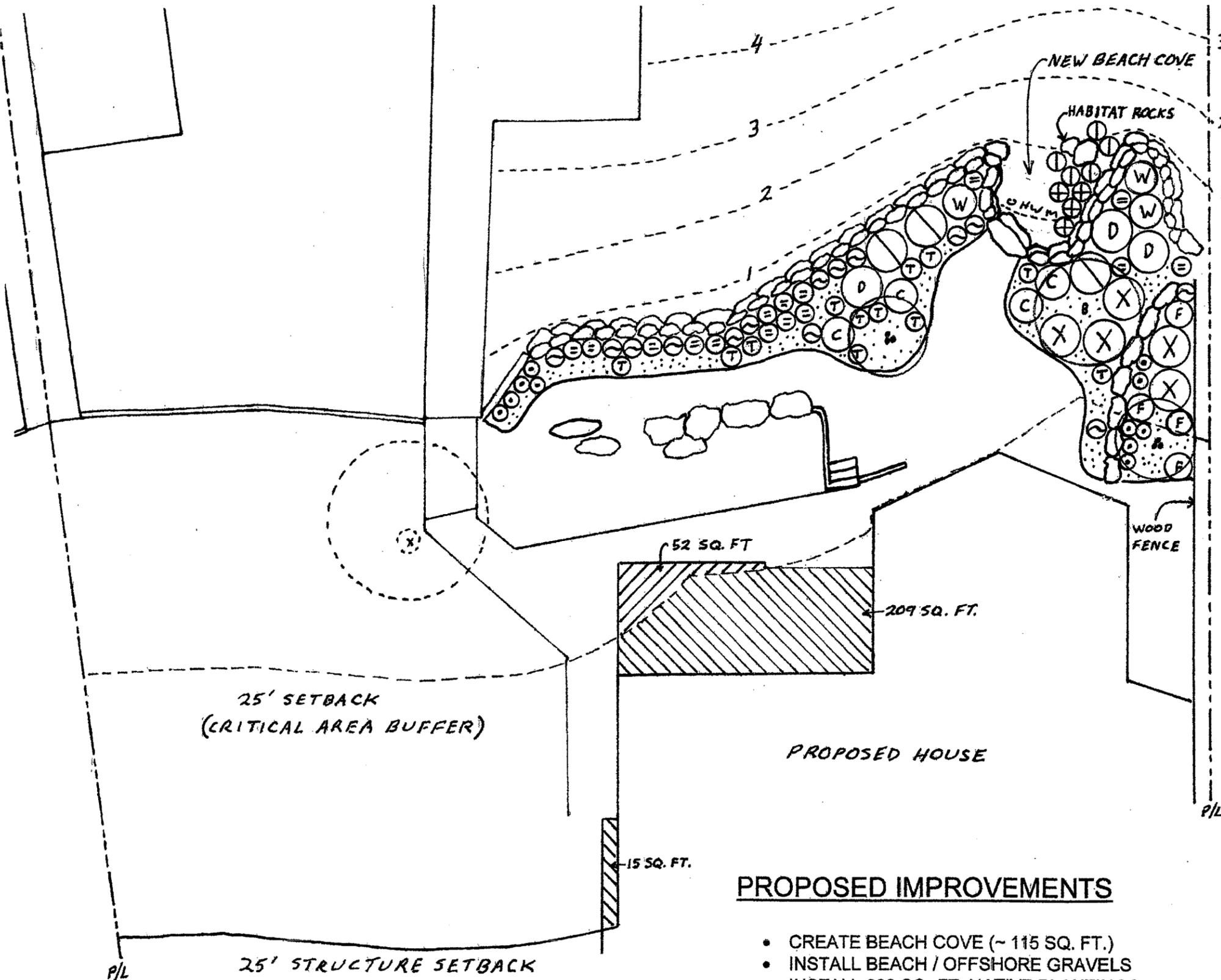


<b>SHORELINE RESTORATION PLAN</b> Smith Residence - 6208 Hazelwood Ln. SE, Bellevue, WA		
SCALE: 1" = 10'	APPROVED BY:	DRAWN BY T.M.
DATE: 04/22/09		REVISED
EcoPacific Environmental Services 2001 183 Ave NE Redmond, WA 98052 Phone (425) 746-5481 Email: ecopacific@seanet.com		
		RECEIVED MAY 01 2009 DRAWING NUMBER SHEET 1 of 4

ELEVATION DATUM: NAVD88 (OHWM = 18.6')  
 ELEVATIONS: TOPO. SITE SURVEY, CRAMER NORTHWEST INC. 10/31/08  
 BATHYMETRY: ECOPACIFIC ENV. SERVICES, 4/7/09 (DEPTH BELOW OHWM)

PERMIT PROCESSING

# Attachment 2



## SHORELINE PLANT SCHEDULE - SMITH PROPERTY

Sym.	Qty	Scientific Name / Common Name	Cond.	Size	Spacing
B	1	<i>Betula papyrifera</i> / Paper Birch	5 gal.	6-8'	as shown
A	2	<i>Acer circinatum</i> / Vine maple	5 gal.	6-8'	as shown
W	3	<i>Salix sitchensis</i> / Sitka willow	cutting	4'	as shown (3/symbol)
D	3	<i>Cornus sericea</i> / Red osier dogwood	2 gal.	30-36"	as shown
X	5	<i>Vaccinium ovatum</i> / Evergreen huckleberry	2 gal.	30-36"	as shown
N	3	<i>Holodiscus discolor</i> / Ocean spray	2 gal.	30-36"	as shown
C	4	<i>Ribes sanguineum</i> / Red-flowering currant	2 gal.	30-36"	4' o.c.
F	4	<i>Polystichum munitum</i> / Sword fern	1 gal.	8-12"	as shown
T	12	<i>Deschampsia cespitosa</i> / Tufted hairgrass	1 gal.	2-4"	as shown
O	11	<i>Arctostaphylos uva-ursi</i> / Kinnickinnick	1 gal.	2-4"	as shown
M	75-80 (total)	Mixture (equal numbers) of: <i>Fragaria chiloensis</i> / Wild strawberry; <i>Sisyrinchium angustifolium</i> / Blue-eyed grass; <i>Carnassia quamash</i> / Common camas	4" pot	2-4"	1' o.c.
E	14	<i>Juncus effusus</i> / common rush	4" pot	8-12"	1.5' o.c.
I	15	<i>Carex obnupta</i> / Slough sedge	4" pot	8-12"	1.5' o.c.
P	5(15)	<i>Scirpus acutus</i> / Hardstem bulrush	plugs	10"	1.5' o.c. (3 plgs per symbol)
+	4(12)	<i>Scirpus microcarpus</i> / Small fruited bulrush	plugs	10"	1.5' o.c. (3 plgs per symbol)

### LEGEND

- Encroachment in 25' critical area buffer
- Encroachment in 25' structural setback

### PROPOSED IMPROVEMENTS

- CREATE BEACH COVE (~ 115 SQ. FT.)
- INSTALL BEACH / OFFSHORE GRAVELS
- INSTALL 600 SQ. FT. NATIVE PLANTINGS
- SITEWIDE BLACKBERRY REMOVAL (1,200 SQ. FT.)

Smith Residence  
Shoreline Restoration Plan  
6208 Hazelwood Lne. SE  
Bellevue, WA

Scale: 1" = 40'  
Date: 04/22/09

MAY 01 2009

# Attachment 2

Smith Residence – Lake Washington  
6208 Hazelwood Lne. SE, Bellevue, WA

## SHORELINE RESTORATION PLAN (SRP) NOTES AND SPECIFICATIONS (4/30/09)

### Objectives

The purpose of the SRP is to make improvements at a Lake Washington shoreline site in accordance with the Bellevue land use Code (LUC) 20.25H.230. A new residential structure has been proposed at the site. The environmental improvements are intended as mitigation for, 1) minor proposed encroachments into the critical area buffer (52 sq. ft.) and structural setback (224 sq. ft.) and, 2) unauthorized fill behind the existing shoreline bulkhead. The SRP represents a voluntary shoreline restoration that significantly improves the quality and habitat value of the shoreline in comparison to existing conditions at the site.

The hardscape component of the SRP involves removal of a portion of the existing vertical basalt rock bulkhead and replacement with a natural gradient beach cove. New spawning gravel materials will be placed in the cove and offshore of the site. The revegetation component involves removal of non-native grass and replacement with over 600 sq. feet. of native shoreline species. New plantings include a mix of trees, shrubs, groundcover, and emergents. In addition, approximately 1,200 sq. ft. of blackberries will be removed from various locations over the site.

Primary environmental benefits of the SRP are as follows:

- Provide a natural buffer (runoff treatment and wildlife habitat) between the residential property and the lake.
- Increase shading of the shallow littoral fringe with overhanging vegetation.
- Increase inputs of leaf litter, small woody debris, and detritus to the lake.
- Increase allochthonous inputs of insects to the lake.
- Increase opportunities for small fish to forage and find refuge in the upper littoral fringe (< 1.5 feet deep).

### Responsibilities

Grading and bulkhead / cove installation shall be carried out by the marine contractor. Landscape planting elements (plant removal and replacement) shall be implemented by the owner or by a landscape contractor experienced with shoreline planting projects. Overall supervision of the SRP shall be carried out by the owner or his designated representative. Upon installation of hardscape elements, the site shall be inspected by a qualified restoration ecologist (e.g., EcoPacific) and the SRP shall be adjusted as necessary. EcoPacific shall also inspect the site once new plantings have been installed.

In the event that the property is sold, the owner/seller shall ensure that this SRP and all associated requirements are fully disclosed in the Washington Seller Disclosure Statement (Form 17). Thus, all owner responsibilities would be passed on to the buyer/new owner.

### Grading and Bulkhead / Cove Installation Procedure

1. The project shall be conducted within the approved lake in-water work window (expected to be July 16 to December 31).
2. Install in-water silt curtain offshore of the primary construction area. The silt curtain shall remain in place until all work and site cleanup have been completed.
3. The construction barge shall not be grounded on the lake bottom at any time during construction.
4. Using a backhoe (barge mounted or land based), remove a portion of the existing bulkhead and re-grade the beach cove area as shown in Sheet 2. Approximately 20 C/YDS of rock and fill will be removed for offsite disposal.
5. Place approximately 10 C/YDS of new rocks in the cove as shown in the Sheet 2. Use weathered basalt rocks of a type approved by the owner (rocks from the existing bulkhead may be reused). Several shapes and sizes (ranging from 2 to 4-man rock) can be used but all rocks placed at or below OHWM (18.6 NAVD88) shall have one axis at least 3.5 feet long. Each base rock shall be partially buried (minimum of 8 inches).
6. Install approx. 10 cubic yards gravel mix to create small sloping beach cove as shown in Sheet 2. A layer of spawning gravel one foot deep shall also be applied along the length of the bulkhead in the vicinity of the cove (about 70 lineal ft.) to about 10 feet waterward (total volume about 25 C/YDS). All material shall be washed and well rounded with fines less than 0.25 inches not exceeding 3.0 percent total volume. Approximate size distribution (by volume) shall be as follows:

20 percent - .25 to .50 inches	20 percent - .50 to .75 inches
30 percent - .75 to 1.5 inches	30 percent - 1.5 to 4.0 inches
7. The contractor shall guarantee integrity of the rock installation for a period of at least two years following installation. It is expected all structures shall remain in place in the event of extended inundation or extreme wave activity.

### Landscape Planting Procedure

1. Install reinforced silt fencing along all portions of the shoreline to be disturbed. The fence shall be located at the top of the bulkhead and remain in place until landward plantings are installed and exposed soil areas are stabilized.
2. All non-native and invasive vegetation in new planting areas shall be removed for offsite disposal. In addition, approximately 1,200 sq. ft. of blackberries shall be removed over the entire site. Care shall be taken to prevent invasive plant material from entering the lake.
3. Minor re-grading of the shoreline should not result in the need for importing new topsoil. If a small amount of imported soil is required, it shall be aged, weed free, and contain 10-20% organic matter by volume. Where possible, native soil shall be used for backfilling the bottom half of planting holes. Any compacted soils in the plating area shall be loosened.
4. SoilMoist, or an equivalent soil moisture retention agent, shall be added to topsoil backfill of all planting holes as per the manufacturer's specifications.
5. Install plantings as per Sheet 2, preferably during the fall or a frost-free period within the dormant season (Nov.-March). Bare root specimens may be used during the dormant season if properly handled. Container or balled-in burlap specimens shall be used for planting during the growing season.
6. Plant materials shall be local genetic stock (western WA), healthy, bushy, and true to size, name, and variety (nomenclature from *Flora of the Pacific Northwest* by Hitchcock and Cronquist, UW Press 1973 and/or *A Field Guide to the Common Wetland Plants of Western Washington & Northwestern Oregon*, ed. Sarah Spear Cooke, Seattle Audubon Society, 1997). All plants shall be free of damage and disease and shall be habituated to local outdoor conditions. Plants in leaf shall be well foliated and of good color. Root systems shall be fibrous and free of dead or tightly balled roots.
7. Cuttings shall only be planted from Dec. through March. In other months, live rooted or container saplings shall be substituted. Cuttings shall be at least .5" in diameter and have a minimum of 4 lateral buds above ground after planting. Cuttings must be fresh (<24 hrs. from cutting), kept moist, and have side branches cleanly removed and bark intact. Butt ends shall be cleanly cut at an angle for easy insertion and dipped in a plant rooting hormone prior to planting. A pilot hole of at least 18" shall be made prior to planting in dense and gravelly soils. Cuttings shall be inserted to a depth of at least 18", leaving a minimum of 30" extending above ground.
8. Where possible, emergent plugs shall be planted above the current level of lake inundation. If in-water planting is attempted, protective measures must be used to ensure the plugs are not destroyed by wave action and stems [if plant is non-dormant] must extend above the water surface by at least 6". Plugs shall have healthy rhizomes and tops and apparent growing buds. Weeds in the plugs shall be removed by hand. Leaves and stems shall be clipped a small amount prior to planting to encourage root production.

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# Attachment 2

9. Plant spacing for listed species shall be somewhat random (naturalistic) and not in a regular grid pattern. On-center spacing in the plant list indicated the "average" spacing distance.
10. Install a biodegradable, non-floating erosion control material such as a coir blanket in all areas of exposed soil from 18.6' to 19.6' NAV88 elevation. Use 6" sod stakes on 1.5' centers. Holes will be cut as necessary in this fabric to accommodate new plantings.
11. A 3" layer of wood chip mulch (not sawdust or coarse hog fuel) shall be placed around the base of each tree (36" diameter ring) and shrub (18" diameter ring) for erosion, weed control, and moisture retention. This only applies to plantings above 19.6' NAV88.
12. Temporary fencing, mesh cylinders, or plastic tree guards shall be installed around any new vegetation susceptible to physical damage or feeding by animals such as dogs, beavers, geese, and ducks. The owner or EcoPacific shall remove protective materials when appropriate (after one or two growing seasons).
13. The owner or landscape contractor shall have discretion to substitute alternative planting methods or materials (size, condition, spacing, etc.) following assessment of site-specific conditions. Substitution of different species, smaller size, or greater spacing shall not be allowed without prior approval of the consulting ecologist (EcoPacific). Substantive changes shall be recorded upon completion of work.
14. The landscape contractor (if selected) shall guarantee survival of all plant materials for one growing season. However, he shall not be responsible for mortality or damage caused by high wave action, unusual inundation (above 18.6' NAV88), unavoidable destruction by animal pests, or lack of proper maintenance (see below).

## Irrigation Installation

1. The owner shall provide a temporary above ground irrigation system capable of head to head coverage of all planted areas prior to plant installation. The system shall include a controller and point of connection (POC) from the new residence with a back flow prevention device per City of Bellevue requirements.
2. The system shall be zoned to provide optimal pressure and uniformity of coverage, as well as separation for areas of full sun or shade and slopes in excess of 5%.
3. The watering protocol shall be capable of providing 2-inches of water a week to installed plantings from June 1 through September 30 during the first two years following plant installation. Typically, the system should be programmed to provide ½-inch of water every 3 days during the first year. Irrigation rates shall be increased as necessary during periods of prolonged hot, dry weather to prevent plant mortality.
4. The irrigation contractor (if used) shall supply site plans to the owner that depict the source and layout of the proposed irrigation system. The associated irrigation bid shall include a one-year warranty against defects in materials and workmanship from the date of final project acceptance. The warranty shall include system activation and winterization for the first year and immediate repair of the system if it is observed to be malfunctioning. A chart depicting the location of all installed or open zones and corresponding controller numbers shall be placed inside the controller and given to the Owner.

## Maintenance and Monitoring

1. Maintenance and monitoring shall be the responsibility of the owner and/or his designated representative. Overall goals of the 4-year program shall be as follows:
  - Within the proposed restoration area of the shoreline buffer, establish dense native vegetation that is appropriate to the ecoregion and site.
  - Where indicated on the plan, areas within the shoreline buffer will remain substantially vegetated with a preponderance of native plants and will contain little invasive or noxious weed cover.
  - Increase habitat cover and refuge for fish, amphibians, small mammals, and invertebrates.
2. Performance standards (listed below) shall be used to judge the success of the installation over time. If performance standards are met at the end of Year 4, the site will then be deemed successful and the performance security bond will be eligible for release by the City of Bellevue.
  - Achieve 100% survival of installed plants by the end of Year 1. This standard can be met through plant establishment or through replanting as necessary to achieve the required numbers.
  - Achieve 60% understory cover of native shrubs by Year 3. Native volunteer species may count towards this cover standard.
  - Achieve 80% understory cover of native shrubs by Year 4. Native volunteer species may count towards this cover standard.
  - Aerial cover for all non-native, invasive and noxious weeds will not exceed 10% at any year during the monitoring period. Invasive plants include Himalayan blackberry (*Rubus armeniacus*), cut leaf blackberry (*Rubus laciniatus*), reed canarygrass (*Phalaris arundinacea*), cherry (hedge) laurel (*Prunus laurocerasus*), English holly (*Ilex aquifolium*), and ivy species (*Hedera* spp.).
3. An as-built plan will be prepared by a qualified restoration ecologist (e.g., EcoPacific) prior to the beginning of the monitoring period. The as-built plan will document any changes in plant placement or other components from the Shoreline Restoration Plan (SRP).
4. Monitoring will take place once annually in the fall for four years. Monitoring shall be documented in an annual report submitted to the City of Bellevue:
  - Visual assessment of the overall site
  - Counts of live and dead plants by species.
  - Counts of dead plants where mortality is significant in any monitoring year.
  - Estimate of native shrub cover the cover class method site-wide.
  - Estimate of non-native, invasive weed cover using the cover class method site-wide.
  - Tabulation of established native species, including both planted and volunteer species.
  - Photographic documentation from four fixed reference points.
  - Any intrusions into or clearing of the planting areas, vandalism, or other actions that impair the intended functions of the mitigation area.
  - Recommendations for maintenance or repair of any portion of the mitigation area.
5. If there is a significant problem with the restoration areas meeting performance standards, a contingency plan will be developed and implemented. Contingency plans can include, but are not limited to: soil amendment; additional plant installation; and plant substitutions of type, size, quantity, and location.
6. Ongoing maintenance shall include the following:
  - Care not to use chemical pesticides or phosphorus (P) fertilizer in the shoreline planting area. If fertilizer is required, it shall be a P-free formulation such as "Lake Whatcom Blend" (Whatcom Farmers Coop.). Keep fertilizer in a weather-tight container while on site. Note that fertilizer is to be applied only in Years 2, 3 and 4 and not in the first year.
  - Regular watering with care not to over water and cause soil erosion. Once plants are established (after one or two full growing seasons), little or no watering should be required.
  - Weeding (at least twice yearly) to remove non-native and invasive species. Do not weed the area near the plant bases with string trimmer (weed whacker/weed eater). Native plants are easily damaged or killed, and weeds easily recover after trimming. Over the long term, allow natural colonization of other native species if such growth is not highly invasive.
  - Regular inspection and repair of wildlife protection features until they are no longer needed.
  - Replacement of plants as required. The site is known to be subject to occasional unusual high wave action. If this results in repeated destruction of low elevation plantings (i.e., bulrushes in beach cove), the owner can discontinue replacement planting at his discretion and note this in the monitoring record.
  - Replace mulch as necessary to maintain a 3-inch-thick layer, retain soil moisture, and limit weeds.

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