DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE., P.O. BOX 90012
BELLEVUE, WA 98009-9012

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS) NOTICE MATERIALS

The attached materials are being sent to you pursuant to the requirements for the Optional DNS Process (WAC 197-11-355). A DNS on the attached proposal is likely. This may be the only opportunity to comment on environmental impacts of the proposal. Mitigation measures from standard codes will apply. Project review may require mitigation regardless of whether an EIS is prepared. A copy of the subsequent threshold determination for this proposal may be obtained upon request.

File No.	09-112926-AB
Project Name/Address:	Amendments to Clearing and Grading Code (Chapter 23.76) City-wide
Planner:	Matthews Jackson, Planning Manager,
Phone Number:	425-452-2729
Minimum Comment Period:	**June 18, 2005**

Materials included in this Notice:

- ☒ Blue Bulletin
- ☒ Checklist

CITY OF BELLEVUE
ENVIRONMENTAL CHECKLIST
(Integrated SEPA/GMA Process)

A. BACKGROUND INFORMATION

PROPOSAL TITLE: Amendments to Clearing and Grading Code (Chapter 23.76 BCC)

PROPERTY OWNERS' NAME: N/A; applies City-wide

PROPOSAL LOCATION (street address and nearest cross street or intersection as well as a legal description if available): Applies City-wide

PROPONENT'S NAME: City of Bellevue, Development Services Department

CONTACT PERSON'S NAME: Catherine A. Drews, Legal Planner

CONTACT PERSON'S ADDRESS: Development Services Department
City of Bellevue
P.O. Box 90012
Bellevue, WA 98009-9012

CONTACT PERSON'S PHONE: 425-452-6134

BRIEF DESCRIPTION OF THE PROPOSAL'S SCOPE AND NATURE:

1. **General description:** The proposal is to amend Chapter 23.76 of the Bellevue City Code (BCC) to implement mandatory regulations required by the federal National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit. Other amendments to Chapter 23.76 BCC include consistency updates with other City codes and standards, in particular, the City's Critical Areas Ordinances (Ordinances numbers 5680, 5681, 5682, and 5683), modifications to reflect current City practices, and substantive modifications relating to erosion and sediment control and enforcement actions.

2. **Site acreage:** Applies to all property in the City

3. **Number of dwelling units/buildings to be demolished:** N/A

4. **Number of dwelling units/buildings to be constructed:** N/A

5. **Square footage of buildings to be demolished:** N/A

6. **Square footage of buildings to be constructed:** N/A

7. **Quantity of earth movement (in cubic yards):** N/A

8. **Proposed land use:** N/A

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

10. **Other:** N/A

Proposed timing or schedule (including phasing, if applicable):

The Environmental Service Commission will hold an Open House and Public Meeting on June 4, 2009 at 5:30 p.m. City Council final action on the proposal is anticipated on August 3, 2009.

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

Additional code amendments to Chapter 24.06 BCC are required to implement mandatory regulations required by the federal National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit. Amendments to the Land Use Code are anticipated for the fall or winter of 2009 for consistency with the amendments contained in this proposal. Potential amendments to Chapter 1.18 BCC dealing with enforcement matters may also be anticipated.

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

SEPA checklist.

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.

The City is currently considering amendments to Chapter 24.06 BCC, which are required to implement mandatory regulations required by the federal National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit.

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.

Ordinance adoption by the City Council.

B. Environmental Elements

No discussion of the individual Environmental Elements is required for GMA actions per WAC 197-11-235.3.b.

C. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (do not use this sheet for project actions)

SUMMARY

Project Summary: The proposal is to amend Chapter 23.76 of the Bellevue City Code (BCC) to implement mandatory regulations required by the federal National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit. Other amendments to Chapter 23.76 BCC include consistency updates with other City codes and standards, modifications to reflect current City practices, and substantive modifications relating to erosion and sediment control and enforcement actions.

Environmental Summary per WAC 197-11-235(3)(b):
State the proposal's objectives: To implement mandatory regulations required by the federal National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit and to provide consistency with current practices and other city codes and standards.

Specify the purpose and need to which the proposal is responding: Federal National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit.

State the major conclusions, significant areas of controversy and uncertainty: Although mandatory and non-discretionary, the Federal National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit requirements may be controversial since such regulations substantially modify existing practice and regulation of stormwater matters.

State the issues to be resolved, including the environmental choices to be made among alternative courses of action: The City is required to implement the requirements in the Federal National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit – thus no alternatives may be considered in regard to those amendments. The non-NPDES code amendments will require policy discussions by the Council although alternatives are not being proposed at this time. Consistency updates with the critical areas ordinances is mandatory under the Growth Management Act, Chapter 36.70B RCW

State the impacts of the proposal, including any significant adverse impacts that cannot be mitigated: The proposal is a nonproject action which includes regulations to protect the environment from prohibited discharges and ensure compliance with the Federal National Pollutant Discharge Elimination System (NPDES) Western Washington Phase II Municipal Stormwater Permit. There are no significant adverse impacts resulting from that action.

Describe any proposed mitigation measures and their effectiveness: No specific development is being approved with this proposal. No significant environmental impacts have been identified, therefore no mitigation measures are proposed. Future development under the provisions of the regulation will be subject to SEPA review, as well as to the City's existing development regulations.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

   The proposed code amendment will not increase the potential impacts to water, air and earth resources or noise production – rather this proposal serves to further protect impacts to water and earth resources.

   Proposed measures to avoid or reduce such increases are: N/A

2. **How would the proposal be likely to affect plants, animals, fish or marine life?**

   The proposed code amendment will not increase the potential impacts to plants and animals.

   Proposed measures to protect or conserve plants, animals, fish or marine life are: N/A

3. **How would the proposal be likely to deplete energy or natural resources?**

   No adverse impacts to energy or natural resources are anticipated.

   Proposed measures to project or conserve energy and natural resources are: N/A

4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

   The proposal will not directly impact any environmentally sensitive areas.

   Proposed measures to protect such resources or to avoid or reduce impacts are: N/A

5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The proposal will not impact shoreline areas. The same shoreline overlay regulations will continue to apply to development and redevelopment.

Proposed measures to avoid or reduce shoreline and land use impacts are: N/A

6. **How would the proposal be likely to increase demands on transportation or public services and utilities?**

None of the proposed amendments are likely to change the demands on the transportation system.

Proposed measures to reduce or respond to such demand(s) are: N/A

7. **Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

No conflicts are known or anticipated.

D. **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 Catherine A. Davis

Date Submitted 05/28/09