



DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL COORDINATOR  
450 110<sup>th</sup> 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. 09-114003-LO  
Project Name/Address: Berdan Garage Addition/16713 SE 35<sup>th</sup> St.  
Planner: Reilly Pittman  
Phone Number: 425-452-4350  
  
**Minimum Comment Period: July 2, 2009**

Materials included in this Notice:

- Blue Bulletin
- Checklist
- Vicinity Map
- Plans
- Other: Habitat Assessment and Conceptual Mitigation Plan

**WAC 197-11-960 Environmental checklist.**

ENVIRONMENTAL CHECKLIST

*Purpose of 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 agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

*Instructions for applicants:*

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. 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." 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 governmental agencies 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. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

*Use of checklist for nonproject proposals:*

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

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.

A. BACKGROUND

1. Name of proposed project, if applicable:

***Berdan garage Expansion***

2. Name of applicant: ***Walt Berdan***

3. Address and phone number of applicant and contact person:

***Walt Berdan***

***16713 SE 35<sup>th</sup> St***

***Bellevue, WA 98008***

***(425) 643-0858***

4. Date checklist prepared: *4-8-09*

5. Agency requesting checklist: *City of Bellevue*

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

***As soon as permitted***

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

***No***

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

***Critical Areas and Wildlife Habitat Assessment – Berdan Property by Sewall Wetland Consulting, inc. 1-20-09***

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

**No**

10. List any government approvals or permits that will be needed for your proposal, if known.

***City of Bellevue Critical Areas Land Use Permit***

***City of Bellevue Building Permit***

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

***The proposed project is the construction of a 13' addition onto the existing garage by extending the structure 13' to the south. This area is currently a small landscaped garden area along the edge of the structure, and the rest of the area is lawn. The proposed structure addition will not be located within the existing 50' buffer. However, the entire existing structure as well as the proposed addition is within the existing 50' structure setback.***

***Addition may be slightly within 50' buffer which will be verified during review.***

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

***16713 SE 35<sup>th</sup> St***

***Bellevue, WA 98008***

B. ENVIRONMENTAL ELEMENTS

1. **Earth**

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

*flat*

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.

*Soil map indicates Everett gravelly sandy loam on the north and Norma loam on the south side of site. Review of site indicates the entire site is gravelly loam.*

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.

*No fill proposed. Minor grading of lawn for new footing.*

*Subject to review by City of Bellevue Clearing and Grading Dept. and Environmental BMPs.*

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

*Not likely as long as silt fences are maintained in place.*

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

*Currently approximately 70% of the site is impervious. This will not change from this project as work will be over existing impervious surface (lawn).*

*Approximately 30% of the site is covered by impervious surface from driveway and existing structure.*

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

*Best Management Practices to include silt fences, straw mulch and plastic coverings if needed.*

a. **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.

*NA*

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:

*NA*

**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.

*The southern end of the site contains a fish bearing stream known as "Vasa Creek". Vasa Creek is a small tributary stream to Lake Sammamish and is known to contain several species of salmonids including Coho salmon, late run kokanee and resident cutthroat trout.*

*Vasa Creek is a Type-F Stream*

- 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.

*The proposed project is the construction of a 13' addition onto the existing garage by extending the structure 13' to the south. This area is currently a small landscaped garden area along the edge of the structure, and the rest of the area is lawn. The proposed structure addition will not be located within the existing 50' buffer. However, the entire existing structure as well as the proposed addition is within the existing 50' structure setback.*

*Location in stream buffer to be determined*

- 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.

*NA*

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*

- 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.

*NA*

c. Water runoff (including stormwater):

- 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.

*NA, roof drains will continue to drain to lawn area.*

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

*No*

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

*Water from roof will continue to drain to and infiltrate into lawn.*

**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?

*A small amount of existing lawn will be removed.*

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

*None are known to use the site or Vasa Creek on the site. A search of the data on file with the State of Washington Department of Wildlife (WDFW) Non-game Data Systems revealed no priority species using the site. Vasa Creek is noted as containing "priority resident fish species" referring to use by late run Kokanee salmon*

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

The majority of the buffer along Vasa Creek abutting the structure setback is also heavily degraded lawn area with little function other than of filtering and slowing runoff to the creek from the developed portion of the site. No vegetation or habitat features will be disturbed by this project, only redevelopment of existing developed portions of the site. The total impact within the structure setback is 300sf. The creation of the addition to the existing garage will not impact any of the existing functions of this creek. However, to increase the functions of the buffer and provide additional protection of the buffer in the vicinity of the proposed addition, we are proposing providing some stream buffer enhancement along the north side of the stream (see attached Concept Buffer Enhancement Plan). The purpose of the enhancement will be to provide additional native vegetation in a currently degraded buffer, remove exotic English ivy, and increase the shading function as well as the recruitment of woody debris to the channel. The addition of native trees and shrubs will provide additional future shading to the channel which will in turn keep stream waters cooler and oxygen levels higher which benefit resident salmonids. The woody vegetation will also provide a source of woody debris which will enhance streamside habitat for microinvertebrates which are the primary food for salmonids.

Subject to performance standards in LUC 20.25H for streams and mitigation requirements.

**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: blue jay, duck, robin, starling
- 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.

*None known or observed*

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

*No*

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

*See previously described buffer enhancement.*

**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.

*Maintain current electrical use for power.*

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

*NA*

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:

*NA*

**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*

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

*NA*

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

*NA*

**b. Noise**

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

*Temporary noise from construction equipment and general carpentry during construction of project. None afterwards*

- 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.

*During daytime hours as described above*

**Noise regulated under BCC 9.18**

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

*NA*

**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.

*Existing single family home*

- d. Will any structures be demolished? If so, what?

*No*

- e. What is the current zoning classification of the site?  
f. **R5**

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

*Single Family Residential*

**Single-Family High Density**

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

*NA*

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

*Yes, Vasa Creek*

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

*2*

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

*none*

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

*NA*

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

*The proposal is typical of the surrounding land uses*

**9. Housing**

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

*NA*

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

*NA*

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

*NA*

**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?

*16' Wood,*

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

*None*

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

NA

**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*

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

NA

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

NA

**12. Recreation**

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

*none*

- 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:

NA

**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, archaeological, scientific, or cultural importance known to be on or next to the site.

NA

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

NA

**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.

*The site is served by SE 35<sup>th</sup> Street.*

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? *No*

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

*none*

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*

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

*no*

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

*NA*

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

*NA*

**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*

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

*NA*

**16. Utilities**

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

**N/A - RP**

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.

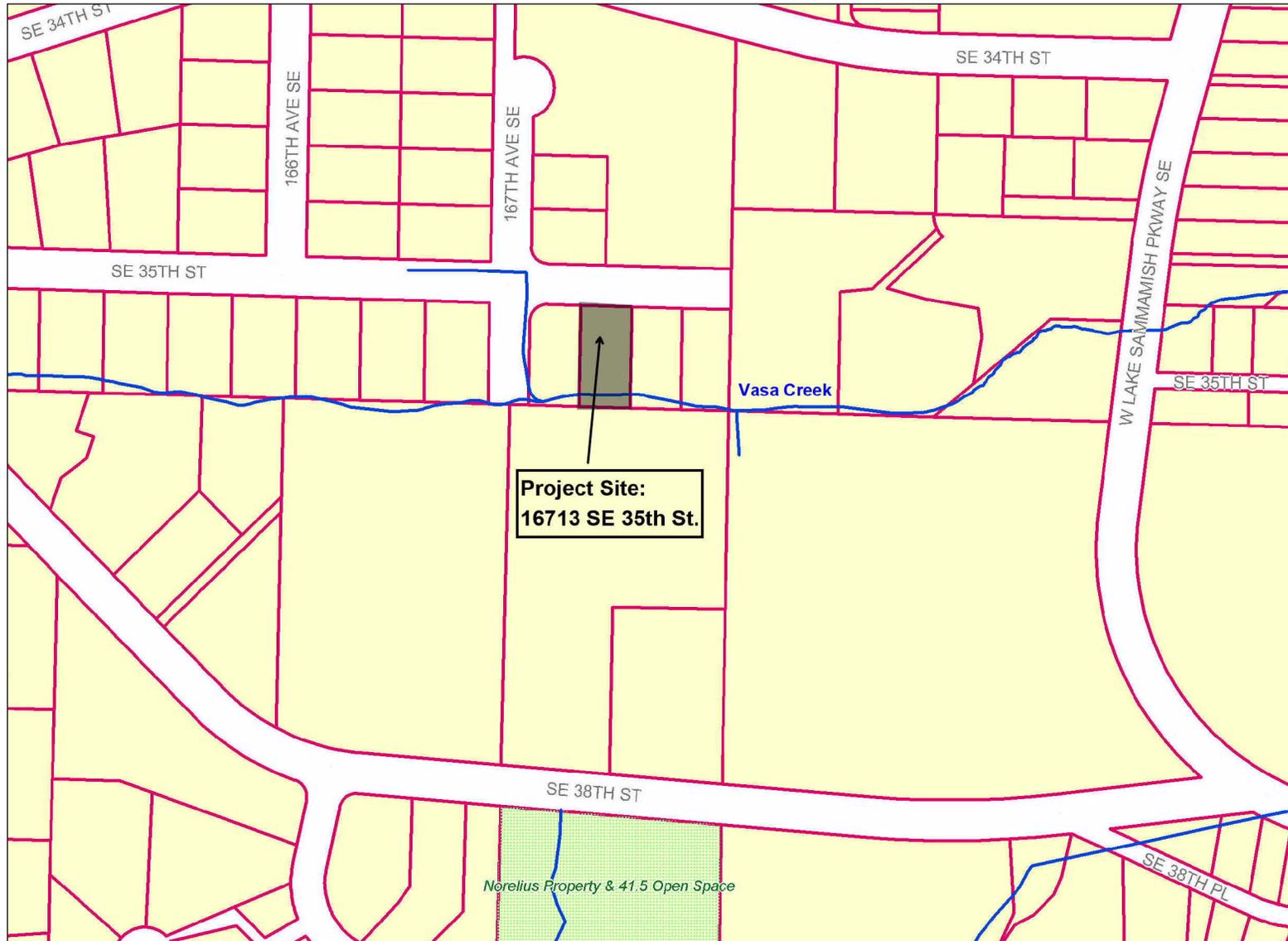
**N/A - RP**

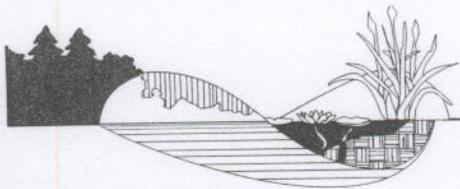
**C. SIGNATURE**

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: *[Handwritten Signature]*  
Date Submitted: *5/25/2007*

# Berdan Garage Addition Vicinity Map





January 20, 2009

Walt Berdan  
16713 SE 35<sup>th</sup> Street  
Bellevue, Washington 98008

RE: Critical Areas and Wildlife Habitat Assessment – Berdan Property  
SWC Job#A8-236

## **1.0 INTRODUCTION**

This report describes our observations in regards to critical areas on the Berdan property as defined in City of Bellevue Land Use Code (LUC) Chapter 20.25H. Specifically, the site is a, 11,249sf single family Parcel (Parcel #122405-9176) located at 16713 SE 35<sup>th</sup> Street in the City of Bellevue, Washington (the “site”). The site is located along the south side of SE 35<sup>th</sup> Street in the NW ¼ of the SW ¼ of Section 12, Township 24 North, Range 5 East of the Willamette Meridian in King County, Washington.

The site contains a single critical area known as Vasa Creek, a fish bearing stream, located along its south boundary. The proposed project is a 13’ extension/addition to the existing garage on the north end of the site.

## **2.0 METHODOLOGY**

The City of Bellevue requires a Critical Areas Report “to provide flexibility for sites where the expected critical area functions and values are not present due to degraded conditions or other unique site characteristics” (LUC 2.25H.230 & .250). In addition, a “Habitat Assessment” is required to evaluate a site for the potential presence or absence of designated species of local importance or habitat for species of local importance. As required by the City, a critical areas report for habitat for species of local importance shall contain an assessment of habitats, including the following site and proposal-related information at a minimum;

- 1. Detailed description of the site.*

2. *Identification of any species of local importance that have a primary association with habitat on or adjacent to the site, and an assessment of potential project impacts to the use of the site by the species.*
3. *A discussion of federal, state and local special management recommendations to include WDFW recommendations of species or habitats on or adjacent to the site.*
4. *A detailed discussion of the direct and indirect potential impacts on habitat by the project, including water quality.*
5. *A discussion of measures of avoidance, minimization and mitigation for impacts.*
6. *A discussion of ongoing management practices that will protect habitat after the site has been developed.*

### 3.0 OBSERVATIONS

#### 3.1 Existing conditions.

The site is nearly 100% developed with an existing landscaped lawn, a driveway, a single family home and attached garage, and a fenced landscaped lawn in the rear of the home. With the exception of the south end of the site, there is no habitat, natural vegetation or undeveloped area on the site.

The southern end of the site contains a fish bearing stream known as "Vasa Creek". The ordinary high water mark of the creek was flagged with white/blue dot flagging labeled OHWM N1-OHWM N5. Vasa Creek is a small tributary stream to Lake Sammamish and is known to contain several species of salmonids including coho salmon, late run kokanee and resident cutthroat trout (*see attached City of Bellevue Vasa Creek Basin Sheet*). The creek is characterized by a relatively natural, meandering channel with an average width of approximately 8' between OHWM. Substrate within the reach on-site is comprised of sand and gravel and approximately 6" of flow was present during our site visit. Banks of the creek are relatively stable vertical sides approximately 12" high bordering a small flat meander width. The sides of the 8' meander area are characterized by a 2:1 slope of apparent natural grades with scattered native and non-native vegetation. Species observed along the narrowly vegetated north stream bank include black cottonwood (*Populus balsamifera*), a small western red cedar (*Thuja plicata*), vine maple (*Acer circinatum*), salmonberry (*Rubus spectabilis*) and in some areas, a dense groundcover of invasive English ivy (*Hedera helix*). A few small logs were found along the channel. Fences and disturbed stream channel and buffer are evident up and downstream of the site.

The north side buffer bordering the developed portion of the site consist of an area ranging from 10'-15' of a mix of natural and landscaped vegetated area. A chain-link fence parallels the stream along the north bank and divides the natural and landscaped vegetated area. The

landscaped portion is almost entirely moss covered lawn but also includes several large vine maples with a manicured understory.



*Above: Photograph looking east along Vasa Creek on the south side of the site.*

Based upon LUC 20.25H.075C, Vasa creek meets the criteria of a Type F stream due to the presence of fish habitat. Typically, Type F streams on a "Developed site" have a 50' buffer or the buffer established with the existing NGPE/NGPA, whichever is greater. The existing 50' buffer passes through the entire lawn and includes portions of the existing structure. These features were developed prior to any regulation of the critical areas or buffers.

In addition to the 50' standard buffer of the Type F stream on a developed site, a 50' structure setback is measured from the edge of the critical area buffer on a developed site (LUC 20.25H.075.D.2.ii).

## 3.2 Wildlife Habitat

This wildlife study is an inventory of available habitat as well as observations of wildlife using the site. Significant habitat features (snags, downed logs, large trees etc.) were also noted during our November 15, 2008, field reconnaissance. General observations were also made of species utilizing or likely to utilize the site.

Habitat cover types were inspected for tree, shrub and herb species as well as significant habitat features such as snags, caves old growth forest, large woody debris, cliffs and other habitats considered "Priority Habitats" by Washington Department of Fish and Wildlife.

A review of the existing data on file with Washington State Department of Natural Resources Natural Heritage Program and the Washington Department of Wildlife Nongame Data Systems was also conducted to identify any sensitive species or habitats known to be on or near the site.

### 3.2.1 Threatened and Endangered Species

#### *Washington Department of Fish and Wildlife Priority Habitats Data Search*

A search of the data on file with the State of Washington Department of Wildlife (WDFW) Non-game Data Systems revealed no priority species using the site. Vasa Creek is noted as containing "priority resident fish species" referring to use by late run Kokanee salmon

Lake Sammamish, located approximately 1,200 east of the site is noted as containing priority fish presence.

#### *Washington Department of Natural Resources Natural Heritage Sites*

A review of the WADNR Natural Heritage Data base reveals the site is not listed as a Natural heritage site. Natural heritage sites are sites are noted for rare or unusual plant species, communities or associations.

As previously described, the site is almost entirely developed with the exception of the narrow forested band bordering Vasa Creek on the south side of the site. The area has numerous single family homes and roads in and around Vasa Creek limiting its use to wildlife species conditioned to the presence of human intrusion.

One very small snags is present in the southern forested area as well as numerous large and small downed logs in the stream area off-site to the west. No unique or unusual or high quality habitats or habitat features were noted on or near the site.

Tracks of common wildlife such as raccoon, mule deer and coyote were noted along the stream corridor. The south end of the site and the surrounding riparian area undoubtedly supports numerous human-tolerant species typically found in the area including raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), common crow (*Corvus caurinus*), Norway rat (*Rattus norvegus*), house mouse (*Mus musculus*), European starling (*Sturnus vulgaris*), barn swallows (*Hirundo rustica*), coyote (*Canis lutris*), garter snake (*Thamnophis sirtalis*), house sparrow (*Passer domesticus*) and mule deer.

The site is surrounded by residential development and the riparian area provides refuge for the few wildlife species found in this area. However, the wildlife most likely move in and out of this area at night or dusk and dawn when human encounters are at their lowest possibility. The stream corridor is the major feature on-site that appears to attract wildlife due to the presence of a perennial water source. Wildlife are restricted to the riparian corridor through the site by the presence of a chain link fence along its length.

Other than that previously described, the sites habitat quality is minimal due to its existing developed condition. Although some stream shading and cover is provided by the narrow band of vegetation along the south end of the site.

Additionally, several moderately large cottonwoods are found on along the south edge of the site. No nests of any type were noted in these trees nor were any birds observed perching on these trees. With the generally close proximity to Lake Sammamish, these trees could potentially be used as perch trees for large raptors in the area to include red-tailed hawk, bald eagle, sharp shinned hawks and possibly osprey. It should be noted that none of these species were noted on or near the site, but the potential for these trees to be used as perch trees exists.

The site has no known recorded rare plant communities or listed plants according to a data search we had conducted by the Washington Department of Natural Resources Natural Heritage Program. In addition, there are no known identified or documented uses of the site by any state or federally listed threatened or endangered species based upon our site observations as well as a data search we had conducted by WDFW Priority Habitats Program. We did not observe any rare, threatened or endangered state or federally listed species during our fieldwork on the site.

#### **4.0 PROPOSED PROJECT**

The proposed project is the construction of a 13' addition onto the existing garage by extending the structure 13' to the south. This area is currently a small landscaped garden area along the edge of the structure, and the rest of the area is lawn. The proposed structure addition will not be located within the existing 50' buffer. However, the entire existing structure as well as the proposed addition is within the existing 50' structure setback. According to LUC

20.25H.075.D.4, structure setback modifications on developed sites may be modified only through an approved critical areas report.

As described in LUC 20.25H.255, the director may approve modifications where the following are demonstrated;

- 1. The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code;*

The proposed work within the 50' structure setback is entirely within existing developed portions of the site. Since the entire structure is within this structure setback there would be no way to enlarge the structure without impacting this setback or other required setbacks.

The majority of the buffer along Vasa Creek abutting the structure setback is also heavily degraded lawn area with little function other than of filtering and slowing runoff to the creek from the developed portion of the site. No vegetation or habitat features will be disturbed by this project, only redevelopment of existing developed portions of the site. The total impact within the structure setback is 300sf. The creation of the addition to the existing garage will not impact any of the existing functions of this creek. However, to increase the functions of the buffer and provide additional protection of the buffer in the vicinity of the proposed addition, we are proposing providing some stream buffer enhancement along the north side of the stream (see attached Concept Buffer Enhancement Plan). The purpose of the enhancement will be to provide additional native vegetation in a currently degraded buffer, remove exotic English ivy, and increase the shading function as well as the recruitment of woody debris to the channel. The addition of native trees and shrubs will provide additional future shading to the channel which will in turn keep stream waters cooler and oxygen levels higher which benefit resident salmonids. The woody vegetation will also provide a source of woody debris which will enhance streamside habitat for microinvertebrates which are the primary food for salmonids.

The proposed mitigation area will be monitored for 5 years to insure success of the mitigation site.

- 2. Adequate resources to ensure completion of any required mitigation and monitoring efforts;*

The owner has adequate resources to ensure completion of this project.

- 3. 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*

The proposed reduced structure setback will not impact any of the functions of the critical area or critical area buffer. As previously described, all work is within existing developed area. The proposed enhancement of the existing degraded buffer will result in a buffer with higher function and protection of Vasa Creek than currently exists.

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

The proposed addition is similar to other developments and home expansions that are found in and around the site and this section of Vasa Creek. The property to the west extends further towards the creek and encroaches more into the buffer and structure setback than this proposal. The proposed addition does not change the character or the use of the site, only increases the size of the structure within existing developed area but a small amount.

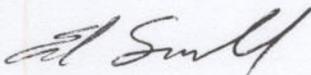
## 5.0 CONCLUSION

No state or federally listed threatened or endangered plant or wildlife species were observed on the site, nor are they known to use either the site according to WDNR & WDFW data records. Streams such as Vasa Creek are considered Priority Habitats by WDFW. No high quality habitats exist on or in close proximity to the site.

The proposed small addition to the existing structure within existing developed area and the "structure setback" will not be detrimental to Vasa Creek or its buffer functions. The proposed conceptual buffer enhancement plan will increase the functions of the buffer by increasing natural vegetation, cover for wildlife utilizing the riparian corridor, increasing shading of the creek, as well as increasing a source of woody debris recruitment to the stream channel and buffer as the vegetation matures. Once this concept plan is approved a final detailed plan will be prepared for review and approval.

If you have any questions in regards to this report or need additional information, please feel free to contact me at (253) 859-0515 or [esewall@sewallwc.com](mailto:esewall@sewallwc.com).

Sincerely,  
Sewall Wetland Consulting, Inc.



Ed Sewall  
Senior Biologist

**BIRDS OBSERVED OR POTENTIALLY USING  
THE BERDAN SITE**

ACCIPITRADAЕ:	Sharp-shinned Hawk Cooper's Hawk Red-tailed Hawk	<i>Accipiter striatus</i> <i>Accipiter cooperii</i> <i>Buteo jamaicensis</i>
COLUMBIDAE:	Mourning Dove	<i>Zenaidura macroura</i>
STRIGIDAE:	Great Horned Owl Barn Owl	<i>Bubo virginianus</i> <i>Tyto alba</i>
PICIDAE:	Red-breasted Sapsucker Hairy Woodpecker Northern Flicker Downy Woodpecker Pileated Woodpecker	<i>Sphyrapicus varius</i> <i>Picoides villosus</i> <i>Colaptes auratus</i> <i>Picoides pubescens</i> <i>Dryocopus pileatus</i>
TYRANNIDAE:	Olive-sided Flycatcher Western Wood-pewee Western Flycatcher	<i>Nuttallornis borealis</i> <i>Contopus sordidulus</i> <i>Empidonax difficilis</i>
HIRUNDINIDAE:	Violet-green Swallow Barn swallow	<i>Tachycinata thalassina</i> <i>Hirundo rustica</i>
CORVIDAE:	Stellar's Jay Crow	<i>Cyanocitta stelleri</i> <i>Corvus caurinus</i>
PARIDAE:	Black-capped Chickadee	<i>Parus atricapillus</i>
SITTIDAE:	Red-breasted Nuthatch	<i>Sitta canadensis</i>
CERTHIIDAE:	Brown Creeper	<i>Certhia familiaris</i>
TROGLODYTIDAE:	Winter Wren House Wren	<i>Troglodytes troglodytes</i> <i>Troglodytes aëdon</i>
TURDIDAE:	Hermit Thrush American Robin Varied Thrush	<i>Catharus guttatus</i> <i>Turdus migratorius</i> <i>Ixoreus naevius</i>

SYLVIIDAE:	Golden-crowned Kinglet Ruby-crowned Kinglet	<i>Regulus satrapa</i> <i>Regulus calendula</i>
BOMBYCILLIDAE:	Cedar Waxwing	<i>Bombycilla cedrorum</i>
STURNIDAE:	European Starling	<i>Sturnus vulgaris</i>
VIREONIDAE:	Solitary Vireo Hutton's Vireo Warbling Vireo	<i>Vireo solitarius</i> <i>Vireo huttoni</i> <i>Vireo gilvis</i>
PLOCEIDAE:	House Sparrow	<i>Passer domesticus</i>
ICTERIDAE:	Brown-headed Cowbird	<i>Molothrus ater</i>
THRAUPIDAE:	Western Tanager	<i>Piranga ludoviciana</i>
FRINGILLIDAE:	Cassin's Finch Evening Grosbeak House Finch American Gold Finch Lincoln Sparrow Chipping Sparrow Fox Sparrow Song Sparrow Rufous sided towhee Dark-eyed Junco	<i>Carpoolacus cassinii</i> <i>Hesperiphona vespertina</i> <i>Carpodacus mexicanus</i> <i>Spinis tristis</i> <i>Melospiza lincolnii</i> <i>Spizella passerina</i> <i>Passerella iliaca</i> <i>Melospiza melodia</i> <i>Pipilo erythrophthalmus</i> <i>Junco hyemalis</i>

**MAMMALS OBSERVED OR POTENTIALLY USING THE  
THE BERDAN SITE**

MARSUPIALS:	Common Opossum	<i>Didelphis virginiana</i>
INSECTIVORES:	Masked Shrew	<i>Sorex cinereus</i>
	Pacific Mole	<i>Scapanus orarius</i>
BATS:	Little Brown Myotis	<i>Myotis lucifugus</i>
	Hoary Bat	<i>Lasiurus cinereus</i>
RODENTS:	Deer Mouse	<i>Peromyscus maniculatus</i>
	House Mouse	<i>Mus musculus</i>
	Bushy-tailed Wood Rat	<i>Neotoma cinera</i>
	White footed mouse	<i>Peromyscus leucopus</i>
	Norway rat	<i>Rattus norvegus</i>
CARNIVORES:	Raccoon	<i>Procyon lotor</i>
	Short-tail Weasel	<i>Mustela erminea</i>
	Coyote	<i>Canis lutris</i>
UNGULATES:	Mule Deer	<i>Odocoileus hemionus</i>

**REPTILES, AMPHIBIANS, AND FISH OBSERVED OR POTENTIALLY USING  
THE BERDAN SITE**

SNAKES:	Common Garter Snake	<i>Thamnophis sirtalis</i>
FROGS AND TOADS:	Pacific Tree Frog	<i>Hyla regilla</i>
SALAMANDERS:	Ensatina	<i>Ensatina eschscholtzi</i>
	Red-backed Salamander	<i>Plethodon vehicul</i>



*Above: Photograph looking west along the "buffer" of Vasa Creek. Vasa Creek is not visible but is to the left of the photograph. The proposed extension of the garage is just west of the barbecue visible on the right.*



*Above: Looking south from the southwest corner of the existing structure through the lawn/buffer area.*



*Above: Looking easterly along the south side of the garage in the area of the proposed 13' addition into the "structure setback". Note area is entirely lawn and landscaped area.*

*Below: Looking southerly towards proposed buffer enhancement area from south edge of proposed addition.*





*Above: looking northerly towards garage and proposed addition area from the north bank of Vasa Creek.*

*Below: looking easterly along north bank of Vasa Creek. This area is proposed to have enhancement plantings of willow slips to stabilize the stream bank and provide shade and organic matter to the creek.*





*Above: Looking westerly along edge of existing landscaped native vegetation in the buffer of Vasa Creek. Proposed enhancement plantings would be in upper right side of this area.*

# Vasa Creek Basin

Basin Areas: 1,104 Total Acres  
 City 860 Acres  
 King County 244 Acres  
 Drainage Jurisdictions: Bellevue,  
 DOT (I-90)  
 % Impervious 40%  
 Basin Relief 795 ft  
 Basin Energy 0.7  
 Basin Length 2.4 mi  
 Average Basin Width 0.7 mi

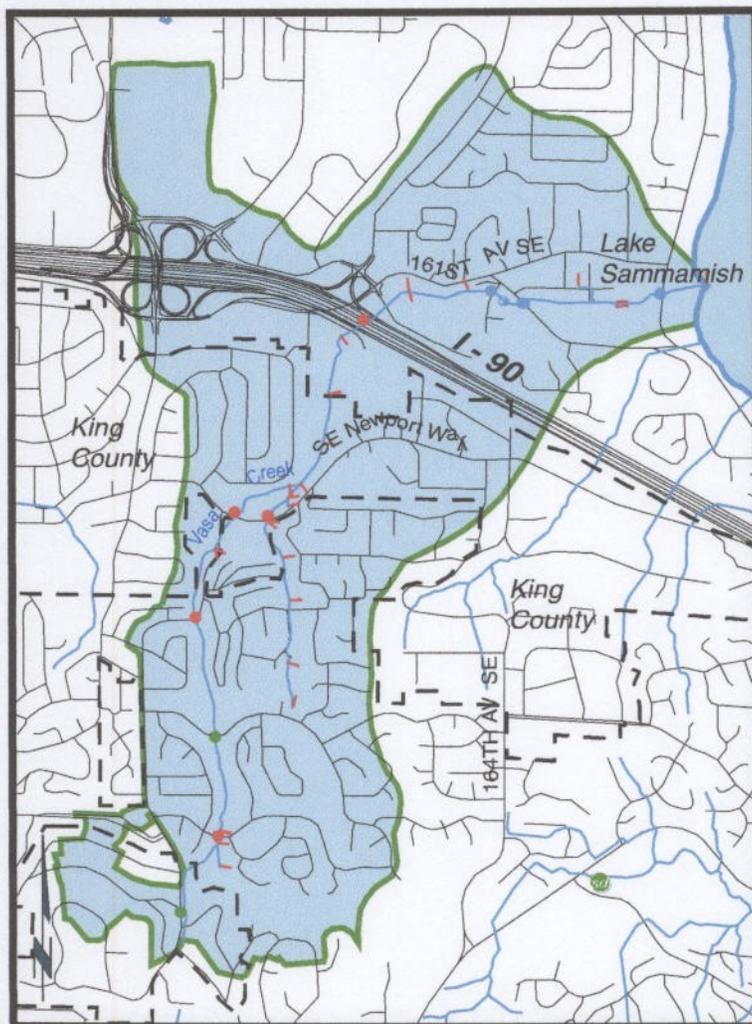
Total Length of Open Channel 14,384 ft

## Lake Sammamish Watershed

City Basin Population (2000): 3,810

### Land Use Within the City Area

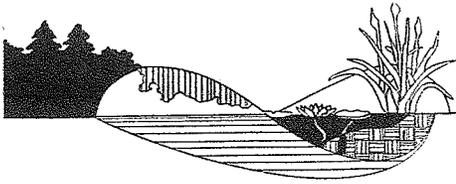
Single family residential	41%
Multi-family residential	5%
Commercial/Office	5%
Industrial	2%
Institutional/Government	6%
Open Space/Park	4%
Mixed use/Misc.	0%
Public streets	37%



SCALE 1" = 2400'

**Fish Use:** According to Washington Department of Fish and Wildlife information (Downen 2000), the reaches of Vasa Creek (08-0156) nearest to Lake Sammamish contain cutthroat trout and late run kokanee, as well as coho and sockeye salmon. The first small tributary is entirely within the influence of the main channel and presumed to have similar fish use. The other small tributary flows through a restored corridor along 167<sup>th</sup> Avenue SE. Numerous juvenile cutthroat trout were visible in the downstream pools in the summer of 2001. However, several installed weirs with 18-inch plunges possibly hinder upstream migration. The survey effort did not discover any fish in the upper portion of this tributary, located in a ditch parallel to SE 35<sup>th</sup> Street.

The reach, located above an impassible fish barrier at I-90, consists of a sedimentation pond and a gravel-filled channel that lacks perennial surface flow. Surface flow was observed both upstream and downstream of this segment and thus, flow must go sub-surface through a thick gravelly substrate during summer months. Although no fish were present in the sedimentation pond, the possibility of a resident population in Eastgate, outside of City limits, cannot be ruled out without field verification.



April 13, 2009

Walt Berdan  
16713 SE 35<sup>th</sup> Street  
Bellevue, Washington 98008

RE: Critical Areas Conceptual Mitigation Plan – Berdan Property  
SWC Job#A8-236

## **1.0 INTRODUCTION**

This report describes our proposed mitigation for encroachment into the 50' Building Setback of the 50' buffer of Vasa Creek on the Berdan property. Specifically, the site is a, 11,249sf single family Parcel (Parcel #122405-9176) located at 16713 SE 35<sup>th</sup> Street in the City of Bellevue, Washington (the "site").

The site contains a single critical area known as Vasa Creek, a fish bearing stream, located along its south boundary.

The proposed project is the construction of a 13' addition onto the existing garage by extending the structure 13' to the south. This area is currently a small landscaped garden area along the edge of the structure, and the rest of the area is lawn. The proposed structure addition will not be located within the existing 50' buffer. However, the entire existing structure as well as the proposed addition is within the existing 50' structure setback. According to LUC 20.25H.075.D.4, structure setback modifications on developed sites may be modified only through an approved critical areas report.

As described in LUC 20.25H.255, the director may approve modifications where the following are demonstrated;

- 1. The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code;*

The proposed work within the 50' structure setback is entirely within existing developed portions of the site. Since the entire structure is within this structure setback there would

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PERMIT PROCESSING

be no way to enlarge the structure without impacting this setback or other required setbacks.

The majority of the buffer along Vasa Creek abutting the structure setback is also heavily degraded lawn area with little function other than of filtering and slowing runoff to the creek from the developed portion of the site. No vegetation or habitat features will be disturbed by this project, only redevelopment of existing developed portions of the site. The total impact within the structure setback is 300sf. The creation of the addition to the existing garage will not impact any of the existing functions of this creek. However, to increase the functions of the buffer and provide additional protection of the buffer in the vicinity of the proposed addition, we are proposing providing some stream buffer enhancement along the north side of the stream (see attached Concept Buffer Enhancement Plan). The purpose of the enhancement will be to provide additional native vegetation in a currently degraded buffer, remove exotic English ivy, and increase the shading function as well as the recruitment of woody debris to the channel. The addition of native trees and shrubs will provide additional future shading to the channel which will in turn keep stream waters cooler and oxygen levels higher which benefit resident salmonids. The woody vegetation will also provide a source of woody debris which will enhance streamside habitat for microinvertebrates which are the primary food for salmonids.

The proposed mitigation area will be monitored for 5 years to insure success of the mitigation site.

- 2. Adequate resources to ensure completion of any required mitigation and monitoring efforts;*

The owner has adequate resources to ensure completion of this project.

- 3. 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*

The proposed reduced structure setback will not impact any of the functions of the critical area or critical area buffer. As previously described, all work is within existing developed area. The proposed enhancement of the existing degraded buffer will result in a buffer with higher function and protection of Vasa Creek than currently exists.

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

The proposed addition is similar to other developments and home expansions that are found in and around the site and this section of Vasa Creek. The property to the west

extends further towards the creek and encroaches more into the buffer and structure setback than this proposal. The proposed addition does not change the character or the use of the site, only increases the size of the structure within existing developed area but a small amount.

The proposed small addition to the existing structure within existing developed area and the "structure setback" will not be detrimental to Vasa Creek or its buffer functions. The proposed conceptual buffer enhancement plan will increase the functions of the buffer by increasing natural vegetation, cover for wildlife utilizing the riparian corridor, increasing shading of the creek, as well as increasing a source of woody debris recruitment to the stream channel and buffer as the vegetation matures. Once this concept plan is approved a final detailed plan will be prepared for review and approval.

## **1.0 ENHANCEMENT CONCEPT AND GOALS**

The Berdan project includes enhancement of 560sf of existing lawn located in close proximity to Vasa Creek.

The enhanced buffer area will be monitored 5 times over a 5 year period.

### **1.2. ENHANCEMENT GOALS**

1.2.1 Enhance disturbed stream buffer area through replanting with native trees and shrubs.

## **2.0 CONSTRUCTION SEQUENCE**

The construction sequence of this project will be implemented as follows:

- 2.1 Pre-construction meeting
- 2.2 Plant material installation
- 2.3 Construction inspection and silt fence removal
- 2.4 Agency approval
- 2.5 Monitoring inspection and reporting
- 2.6 Project completion

### **2.1 Pre-construction Meeting**

A pre-construction meeting will be held on-site prior to commencement of construction, to include the Owner's biologist, the contractor, the Owner and the City Biologist. The approved plans and specifications will be reviewed to ensure that all parties involved understand the intent of the construction documents, specifications, site environmental constraints, sequences, and inspection requirements.

## **2.2 Plant Material Installation**

All plant material will be planted by hand per detail and Construction and Planting Notes. The Enhancement Plan specifies the required size, species, quantity, and location of plant materials to be installed. The contractor will re-seed or over-seed all hydroseeded areas disturbed during the planting process. Plant substitutions or modifications to locations shall be approved in writing, by the Owner's biologist prior to installation.

## **2.3 Construction Inspection**

Upon completion of installation, the Owner's biologist will conduct an inspection to confirm proper implementation of the Enhancement Plan. Any corrections, substitutions or missing items will be identified in a "punch list". Items of particular importance will be soils in pits, pit size, plant species, plant size, and mulch around pits.

Upon completion of planting, if installation or materials vary significantly from the Enhancement Plan, the contractor will submit a reproducible "as-built" drawing to the Owner.

## **2.4 Agency Approval**

Following acceptance of the installation by the Owner's biologist, a letter will be prepared to the City Biologist requesting approval of the installation.

## **2.5 Monitoring Inspection and Reporting**

The monitoring program will begin in the first growing season (approximately one year) following installation approval by the City Biologist. The subsequent monitoring inspections will be conducted in accordance with the approved Monitoring Program.

## **3.0 PLANT AND HABITAT MATERIALS**

3.1.1 All plant materials will be as specified in the plant schedule. Only vigorous plants free of defects, diseases and infestation are acceptable for installation.

3.1.2 All plant materials stored on-site longer than two (2) weeks will be organized in rows and maintained by the contractor at no additional cost to the owner. Plant materials temporarily stored will be subject to inspection and approval prior to installation.

3.1.3 All plant materials will be dug, packed, transported and handled with care to ensure protection from injury. All plant materials to be stored on site more than 24 hours will be heeled into topsoil or sawdust. Precautionary measures shall be taken to ensure plant materials do not dry out before planting. Plants will be shaded and saturated until time of installation. Immediately after installation the enhancement planting area will be saturated to avoid capillary stress.

3.1.4 All plant materials will be placed as shown on the approved enhancement plan. If the final installation varies from the approved enhancement plan, the contractor will provide a reproducible mylar as-built of the installed conditions. All plant material will be flagged by the contractor.

3.1.5 A fall-winter installation schedule (October 1<sup>st</sup> - March 15<sup>th</sup>) is preferred for lower mortality rates of new plantings. If plant installation occurs during the spring or summer (March 15<sup>th</sup> - Oct. 1<sup>st</sup>) the plantings will be irrigated by hand for 15 minutes every day until fall rains can provide adequate moisture to support plant materials.

3.1.6 The installer will warrant all plant materials to remain healthy and alive for a period of one year after final acceptance. The installer will replace all dead or unhealthy plant materials per the approved plans and specifications.

## **4.0 MONITORING PROGRAM**

### **4.1 SAMPLING METHODOLOGY**

The enhanced buffer area will be monitored five times over a five year period. Monitoring will be conducted using the techniques and procedures described below to quantify the survival, relative health and growth of plant material. A monitoring report submitted following each monitoring visit will describe and quantify the status of the enhancement at that time.

#### **4.1.1 Vegetation**

The vegetation monitoring consists of inspection of the planted material to determine the health and vigor of the installation. All the planted material in the buffer will be inspected during each monitoring visit to determine the level of survival of the installation.

### **5.2 STANDARDS OF SUCCESS**

1. Evaluation of the success of the enhancement project will be based upon an 80% survival of all planted woody vegetation at the end of year 5.
2. Volunteer native, non-invasive species will be included as acceptable components of the enhancement.
3. Not more than 10% non-native invasive species within the enhancement area.

### **5.3 CONTINGENCY PLAN**

A contingency plan can be implemented if necessary. Contingency plans can include additional plant installation, and plant substitutions including type, size, and location.

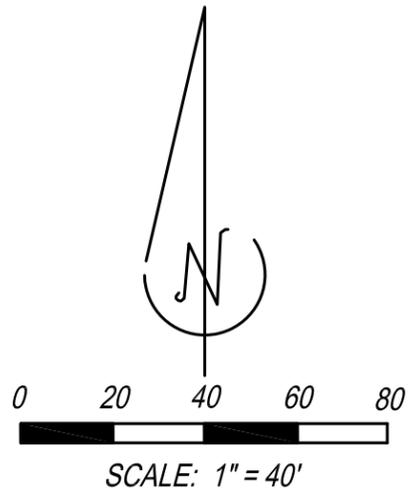
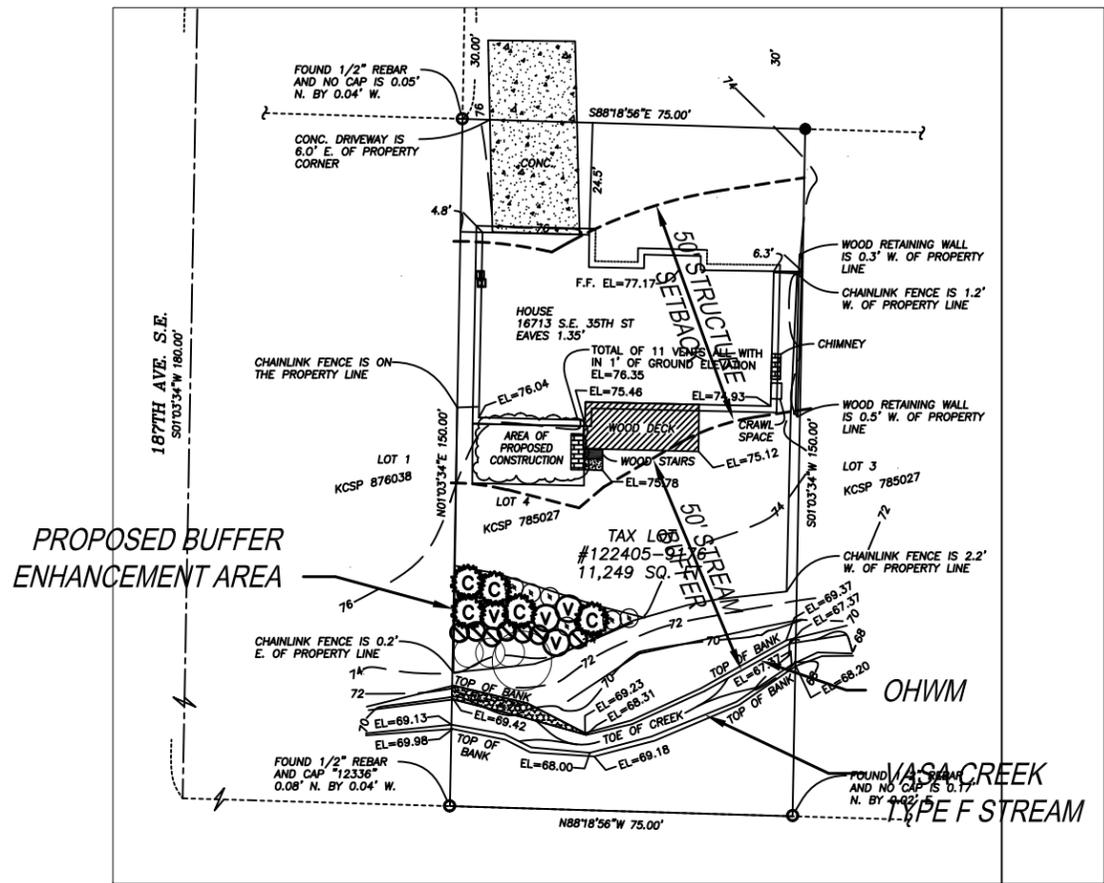
If the monitoring results indicate that any of the performance standards are not being met, it may be necessary to implement all or part of the contingency plan. Careful attention to maintenance is essential in ensuring that problems do not arise. Should any of the site fail to meet the success criteria, a contingency plan will be developed and implemented with the City approval. Such plans are prepared on a case-by-case basis to reflect the failed enhancement characteristics.

Contingency/maintenance activities will include, but are not limited to:

- Replacing all plants lost to vandalism, drought, or disease, as necessary.
- Replacing any plant species with a 20 percent or greater mortality rate with the same species or similar species approved by the City Biologist.
- Irrigating the enhancement area only as necessary during dry weather if plants appear to be too dry, with a minimal quantity of water.
- Removing all trash or undesirable debris from buffer areas as necessary per 4.0 Maintenance Program.

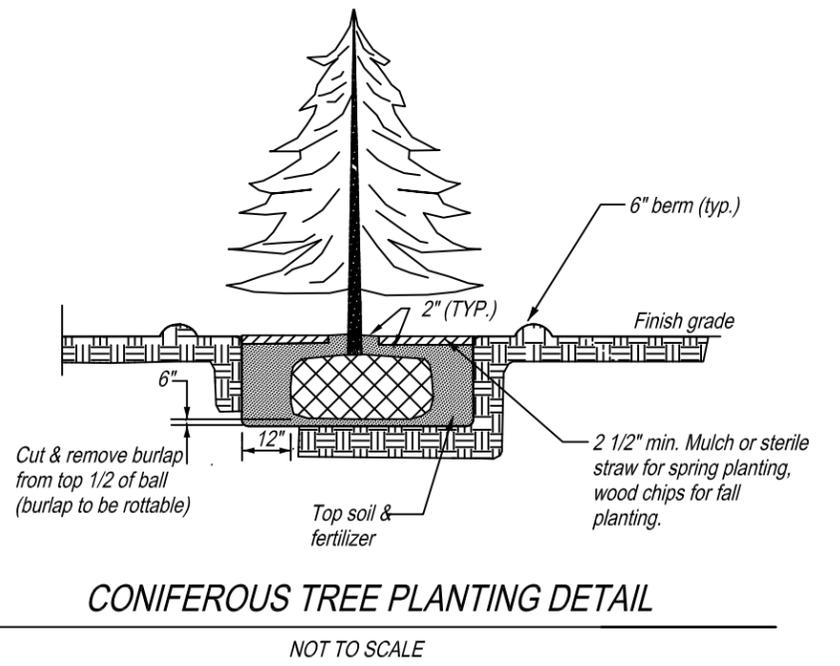
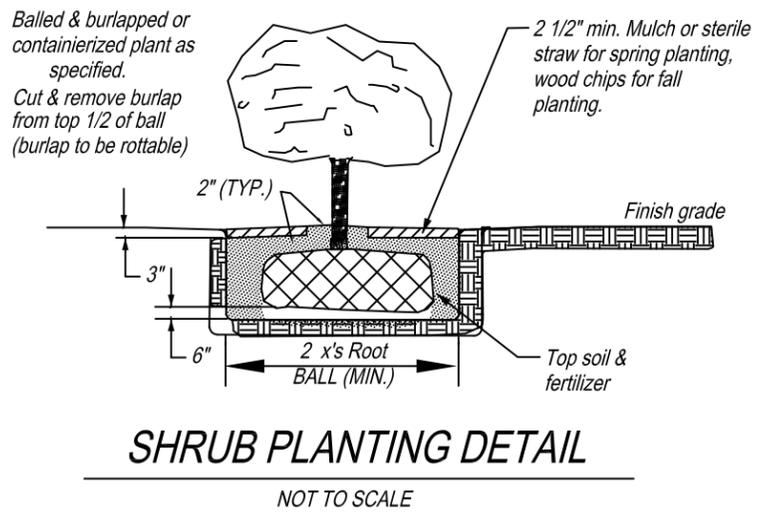
Sincerely,  
*Sewall Wetland Consulting, Inc.*

Ed Sewall  
Senior Wetland Ecologist



**PLANTING LIST**

	QNTY	PLANT NAME	SIZE	SPACING
C	5	Western Red Cedar <i>Thuja plicata</i>	2 gal.	as shown
V	4	Vine Maple <i>Acer circinatum</i>	2 gal.	as shown
*	6	Red-flowering Currant <i>Ribes sanguineum</i>	2 gal.	as shown
/	7	Salal <i>Gaultheria shallon</i>	2 gal.	as shown



NOTE: BASE DRAWING PROVIDED BY CRAMER NW, INC.

Sewall Wetland Consulting, Inc. Ecological Services 27641 Covington Wy SE #2 Covington, wa 98042 253-859-0515 Fax 253-852-4732		JOB# <u>A8-236</u> DATE: <u>JAN. 2009</u> DRAWN BY: <u>CML</u> SCALE: <u>1"=40'</u> REVISED: <u>April 2009</u> DESIGNER: <u>ES</u>	<b>BERDAN PROPERTY CONCEPTUAL STREAM BUFFER ENHANCEMENT PLANTING PLAN</b>
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