



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

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue Utilities Department

LOCATION OF PROPOSAL: 17002 NE 2nd Pl.

NAME & DESCRIPTION OF PROPOSAL: COB – Utilities PRV #67 Replacement

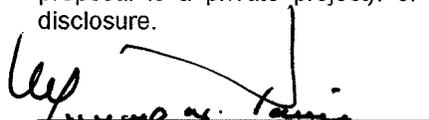
Land Use review of Critical Areas Land Use Permit proposal by the City of Bellevue Utilities Department to replace and relocate existing pressure reduction valve (PRV) #67 which is part of the City's potable water system. The proposed work will temporarily disturb and restore areas that are classified as steep slopes located within the Critical Areas Overlay District.

FILE NUMBER: 09-121920-XE

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on 9/17/09.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

09/11/2009
 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 UTILITIES

PRV #67 REPLACEMENT
C.I.P. W-67

MAYOR
GRANT DEGGINGER

DEPUTY MAYOR
CLAUDIA BALDUCCI

CITY MANAGER
STEVE SARKOZY

DIRECTOR OF UTILITIES
DENNIS VIDMAR

CITY COUNCIL
PATSY BONINCONTRI
JOHN CHELMINIAK
DON DAVIDSON
CONRAD LEE
PHIL NOBLE

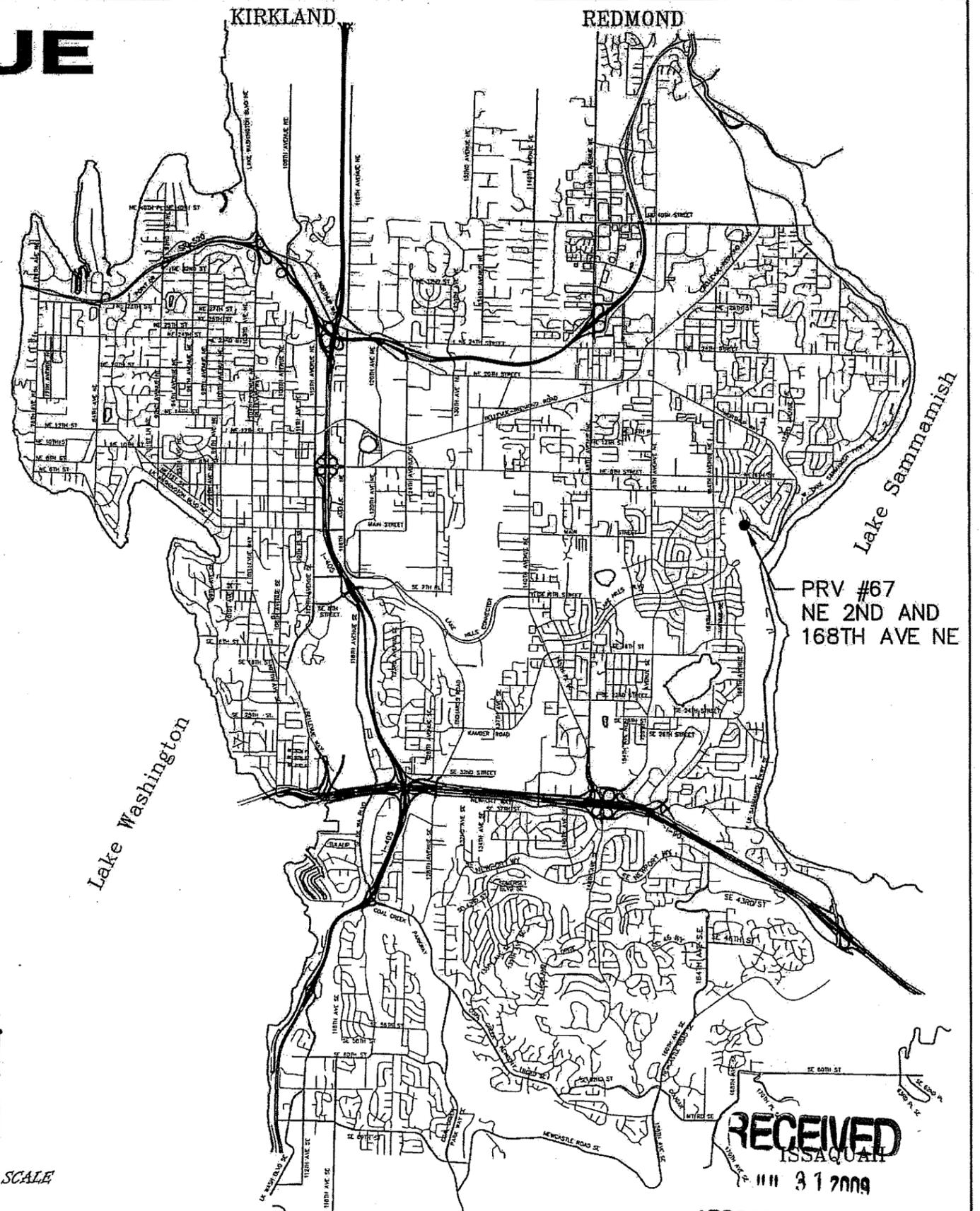
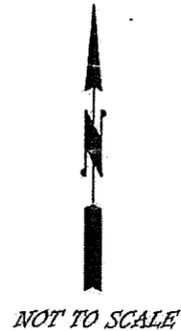
Total Area disturbed: 1/10 acre, 5,200 sq ft
Total volume Excavated/Backfill: 190 CY

DRAWING INDEX

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- SHEET 7 OF 8
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- COVER SHEET AND INDEX
- NOTES
- PRV #67 PLAN
- PRV #67 PROFILE AND DETAILS #1
- DETAIL #2
- PRV VAULT 6x2x2
- TESC BMP'S STANDARD DETAILS
- LANDSCAPE RESTORATION

BID NO. 90XX



PERMIT PROCESSING



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

Proposal Name: COB Utilities – PRV #67 Replacement

Proposal Address: 17002 NE 2nd Pl.

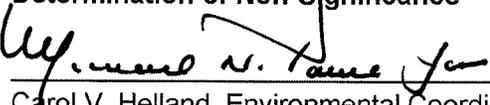
Proposal Description: Land Use review of Critical Areas Land Use Permit proposal by the City of Bellevue Utilities Department to replace and relocate existing pressure reduction valve (PRV) #67 which is part of the City's potable water system. The proposed work will temporarily disturb and restore areas that are classified as steep slopes located within the Critical Areas Overlay District.

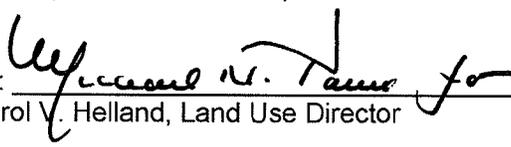
File Number: 09-121920-XE

Applicant: Bob Bergstrom, COB Utilities

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

Planner: Reilly Pittman, Land Use 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

Application Date: July 31, 2009
Notice of Application Date: August 13, 2009
Decision Publication Date: September 3, 2009
Project/SEPA Appeal Deadline: September 17, 2009

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.

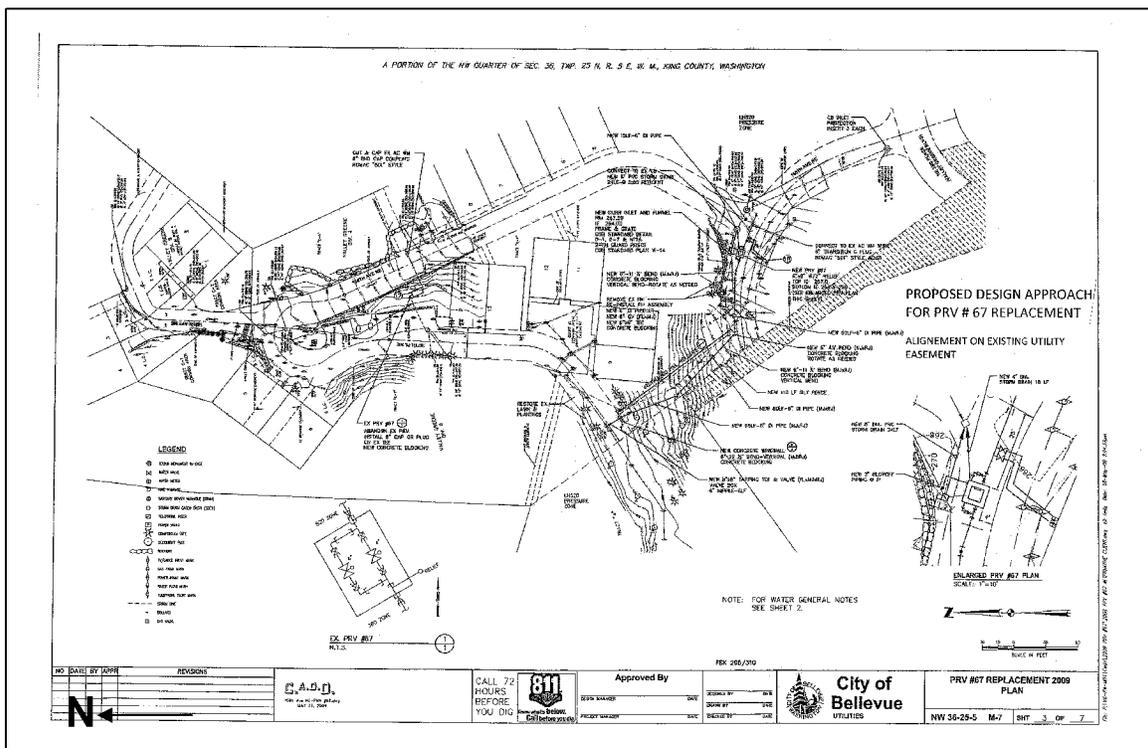
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I. Proposal Description

The City of Bellevue Utilities Department proposes to relocate and replace an existing pressure reduction valve (PRV) #67 associated with supply of potable water to residential structures. The proposed relocation of PRV #67 will require the construction of approximately 260 linear feet of 6-inch diameter water pipe within a steep slope critical area. Utility systems within a steep slope are an allowed use subject to the requirements in LUC 20.25H.055.C. The PRV relocation and will create new areas of disturbance in a steep slope critical area which is considered an expansion of an existing utility system requiring approval of a Critical Areas Land Use Permit. See Figure 1 below for a site plan.

Figure 1

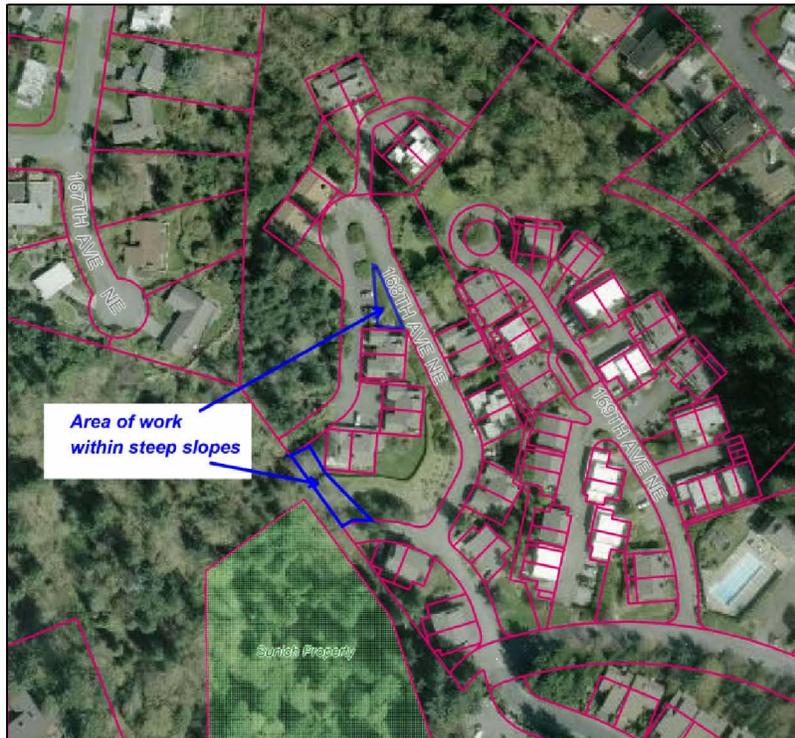


II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description

The project site is located at 17002 NE 2nd Pl. in the Northeast Bellevue subarea of the City. The site is located in the NW quadrant of Section 36, Township 25 North, Range 5 East. The site is surrounded by single-family zoned property on all sides. The project site is located within a tract of the Valley Greene Division 4 subdivision. Almost the entire tract consists of steep slopes classified as critical areas which slope down to 168th Avenue NE adjacent to the tract. See figure 2 for existing site condition.

Figure 2



B. Zoning

The surrounding properties and tract are part of the Valley Greene subdivision and are zoned R-5. Properties adjacent to the south are zoned R-1.8. The proposed work to replace the existing PRV is an allowed use in a steep slope critical area when associated with public systems and facilities.

C. Land Use Context

The property has a Comprehensive plan Land Use Designation of SF-H (Single Family High Density). Replacement of the PRV is consistent with single-family land uses and is not related to land use changes but is intended to maintain the existing level of service to the surrounding residences. The work area is located within the Critical Areas Overlay District which establishes special requirements for uses in critical areas.

D. Critical Areas On-Site and Regulations

i. Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in

steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provide a water source for the City’s wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a “green” backdrop for urbanized areas enhancing property values and buffering urban development.

The PRV replacement work is taking place in a tract which is almost entirely steep slope critical area. The actual work in the steep slope consists of installing approximately 260 linear feet of water pipe and other clearing and grading required for the relocation which will cause temporary impact to the steep slopes. Any temporary impacts will be addressed by restoration planting.

ii. Streams and Riparian Areas

According to the City of Bellevue Stream Inventory a Type-N stream is located over 100 feet away from the project area within the City-owned “Sunich Property” open space. A 50-foot buffer and a 15-foot structure setback are required from the stream and buffer respectively. The proposed PRV replacement activity is located over 100 feet away from the stream and is outside of any buffer or structure setback from the stream. Therefore this CALUP review does not include any modification or examination of the off-site stream. See figure 3 below for location of stream.

Figure 3



iii. Critical Areas Overlay District/Critical Area Land Use Permit

A Critical Area Land Use Permit (CALUP) is required as the applicant is requesting to modify steep slopes classified as critical areas as part of the replacement of PRV #67.

Work within the steep slopes will consist of installation of approximately 260 linear feet of 6-inch diameter water pipe. Other clearing and grading activity in the steep slope for installation and decommissioning of the existing PRV is also included. Expansion of a public utility system or facility is an allowed use in a critical area provided no technically feasible alternative to location in a critical area as defined in LUC 20.25H.055.C.2 is demonstrated.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

No structure is proposed which is subject to R-5 zoning dimensional requirements.

B. Critical Areas Requirements LUC 20.25H:

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes performance standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area, critical area buffer or structure setback from a critical area or buffer. The project area is within a steep slope critical area and is subject to the performance standards found in LUC 20.25H as specified in the table below

Critical Area	Geologic Hazard- Steep Slopes
Performance Standards	20.25H.055.C.2 20.25H.125

i. Consistency With LUC 20.25H.055.C.2

2. New and Expanded Uses or Development. As used in this section, “facilities and systems” is a general term that encompasses all structures and improvements associated with the allowed uses and development described in the table in subsection B of this section:

a. New or expanded facilities and systems are allowed within the critical area or critical area buffer only where no technically feasible alternative with less impact on the critical area or critical area buffer exists. A determination of technically feasible alternatives will consider:

- i. The location of existing infrastructure;

The location of the existing infrastructure is located within a steep slope critical area. The proposed 260 linear feet of new water pipe is connecting portions of the existing system above and below the steep slopes. The water enters the system from above the site and flows downhill to the proposed PRV location. The proposed location of the PRV largely maintains the configuration of the existing infrastructure. In addition the 260 feet of water line will be located within an existing utility easement.

- ii. The function or objective of the proposed new or expanded facility or system;

The function of the proposed PRV is the same as the existing which is to reduce the water pressure for use in residential fixtures. The location of the water pipe for the PRV in or out of the steep slope will not change the need to have the PRV. Bellevue has significant elevation change and the potable water system is gravity fed which requires Bellevue's water distribution system to adapt to varying water pressures.

- iii. Demonstration that no alternative location or configuration outside of the critical area or critical area buffer achieves the stated function or objective, including construction of new or expanded facilities or systems outside of the critical area;

The location of and need for the PRV is dictated by the larger system and the existing development. The only other option for placement of the PRV depicted in the application would still require work in a steep slope critical area. Replacement of the PRV in the current location is not possible as water service to the surrounding homes would be cutoff while the replacement occurred. A new PRV must be installed before the existing one is decommissioned so that water service is maintained.

- iv. Whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and

If the proposed alternative location of the PRV was chosen the road serving the neighborhood would be closed for a long period of time and would still require work within a steep slope critical area. To avoid needing PRVs the City would need to address the entire gravity-fed system which would be much more costly than using PRVs. The location of the proposed water pipe within the existing utility easement does go through a steep slope, but is the least impactful and most efficient alternative.

- v. The ability of both permanent and temporary disturbance to be mitigated.

The temporary disturbance created by the installation of the water pipe, decommissioning of the existing PRV, and other associated clearing and grading will be mitigated by restoration planting. See Conditions of Approval in Section IX of this report.

- b. If the applicant demonstrates that no technically feasible alternative with less

impact on the critical area or critical area buffer exists, then the applicant shall comply with the following:

- i. Location and design shall result in the least impacts on the critical area or critical area buffer;
- ii. Disturbance of the critical area and critical area buffer, including disturbance of vegetation and soils, shall be minimized;
- iii. Disturbance shall not occur in habitat used for salmonid rearing or spawning or by any species of local importance unless no other technically feasible location exists;
- iv. Any crossing over of a wetland or stream shall be designed to minimize critical area and critical area buffer coverage and critical area and critical area buffer disturbance, for example by use of bridge, boring, or open cut and perpendicular crossings, and shall be the minimum width necessary to accommodate the intended function or objective; provided, that the Director may require that the facility be designed to accommodate additional facilities where the likelihood of additional facilities exists, and one consolidated corridor would result in fewer impacts to the critical area or critical area buffer than multiple intrusions into the critical area or critical area buffer;
- v. All work shall be consistent with applicable City of Bellevue codes and standards;
- vi. The facility or system shall not have a significant adverse impact on overall aquatic area flow peaks, duration or volume or flood storage capacity, or hydroperiod;
- vii. Associated parking and other support functions, including, for example, mechanical equipment and maintenance sheds, must be located outside critical area or critical area buffer except where no feasible alternative exists; and
- viii. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.

Where applicable the above performance standards will be met by the proposal. The 260-foot water pipe is being placed within an existing easement on the steep slope. The pipe is being placed to have the least amount of impact on the slope. Any impacts will be temporary and will occur during construction. Areas of temporary impacts will be restored. Minimal vegetation will be disturbed and no significant trees are depicted for removal on the plans. No wetlands or streams are being impacted by the pipe installation or other work associated with the PRV relocation.

ii. Consistency With LUC 20.25H.125

The performance standards in LUC 20.25H.125 are primarily related to the

construction of structures in steep slope critical areas. No structures or retaining walls are proposed to support the water pipe. A hill holder system is being used to stabilize the trench for the water pipe. The installation of the water pipe will not require extensive grading and modification of the slope. Areas of temporary disturbance will be restored with planting.

IV. Public Notice and Comment

Application Date:	June 31, 2009
Public Notice (500 feet):	August 13, 2009
Minimum Comment Period:	August 27, 2009

The Notice of Application for this project was published the City of Bellevue weekly permit bulletin on August 13, 2009. It was mailed to property owners within 500 feet of the project site. No comments were received.

V. Summary of Technical Reviews

A. 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 and has approved the application. A clearing and grading permit with a Temporary Erosion and Sediment Control Plan will be required.

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, Air, and Water

Erosion and sedimentation control requirements and BMPs will be reviewed by the Clearing and Grading Department.

B. Animals

No significant trees will be removed by this proposal that could provide habitat.

C. Plants

Areas of temporary disturbance in the steep slope will be restored with native plants as depicted on the submitted planting plan. See Section X for related conditions of approval.

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 Due to Staff Review

Staff had no revision comments on the project. However from review of the proposed restoration plan staff will require a revised landscape restoration plan which in addition to the restoration of the area impacted by the water line installation also restores any disturbance of the slope in the area of the existing PRV. The revised plan also shall have provision for maintenance of the restoration area and monitoring for at least 3 years to ensure plant survival. Land Use inspection of the planting will be required once it is installed. The revised plan shall be submitted as part of the future clearing and grading permit application.

VIII. Decision Criteria

A. 20.30P.140 Critical Area Land Use Permit Decision Criteria – Decision Criteria

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

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

The applicant must obtain a clearing and grading permit. See 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;

The proposed water line is located in an already existing utility easement. Areas of temporary disturbance will be restored with planting

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

As discussed in Section III of this report, the applicable performance standards of LUC Section 20.25H are being met.

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

The proposed activity is to maintain public water service to existing residences.

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

A restoration plan has been prepared which will replant the area affected by the installation of the water pipe. A revised plan is required to be submitted with the clearing and grading permit application which contains provision for maintenance and monitoring of the planting for at least 3 years. See Conditions of Approval in Section X of this report.

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

As discussed in 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 Director of the Development Services Department does hereby **approve with conditions** the installation of approximately 260 linear feet of water pipe and other work related with the relocation of PRV #67 located within the steep slope critical area on the site. **Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. A clear and grade permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards.**

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 building 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 Title 20	Reilly Pittman, 425-452-4350
Noise Control- BCC 9.18	Reilly Pittman, 425-452-2973

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

- 1. Clear and Grade Permit Required:** Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. Application for a clear and

grade permit must be submitted and approved. Plans submitted as part of either permit application shall be consistent with the activity permitted under this approval.

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

- 2. Restoration, Maintenance, and Monitoring:** A revised restoration plan shall be submitted with the clearing and grading permit application that includes any areas of steep slope disturbance created as a result of the decommissioning of the existing PRV. In addition provision for maintenance and a 3-year monitoring period of the restoration shall be included.

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

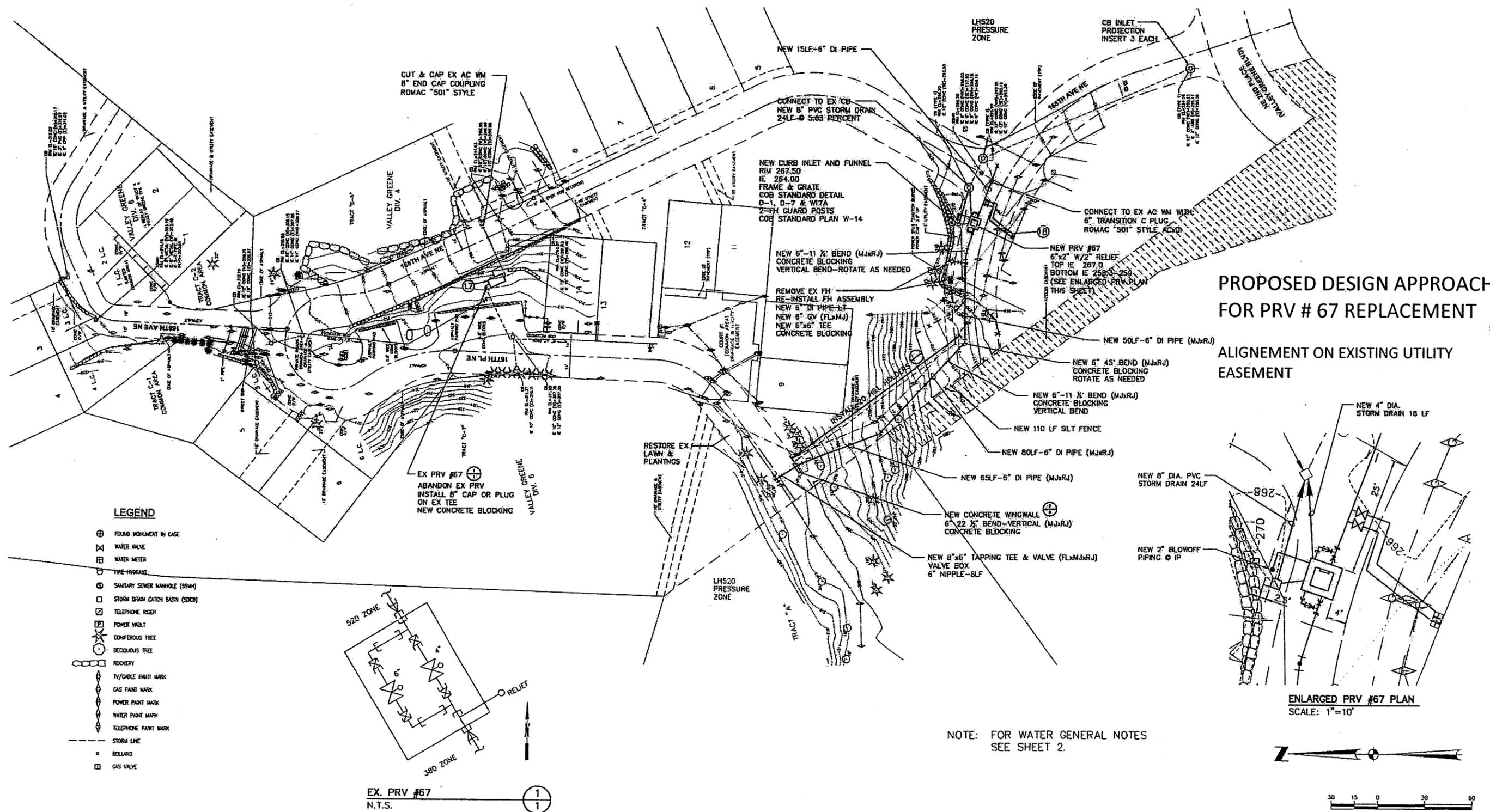
- 3. Noise Control:** Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited 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

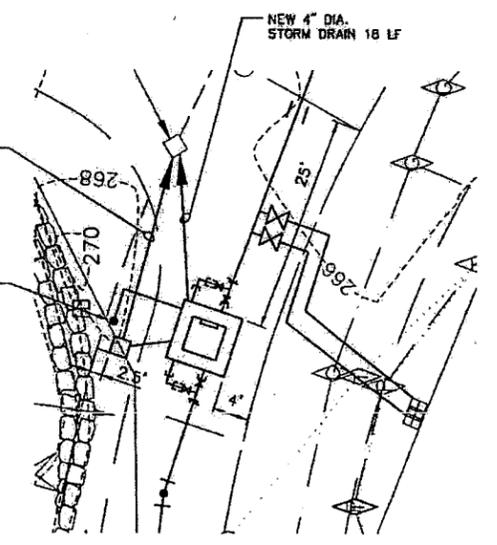
XI. Attachments:

1. Site Plan – Enclosed
2. Project Plans, Alternative, and other Information – In Project File

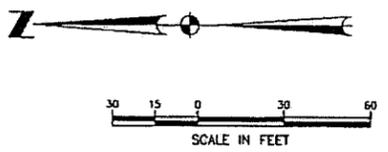
A PORTION OF THE NW QUARTER OF SEC. 36, TWP. 25 N, R. 5 E, W. M., KING COUNTY, WASHINGTON



**PROPOSED DESIGN APPROACH
FOR PRV # 67 REPLACEMENT**
ALIGNMENT ON EXISTING UTILITY
EASEMENT

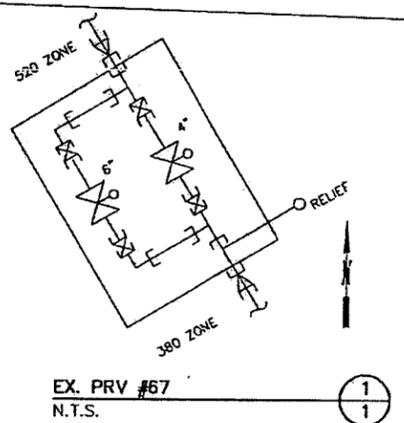


NOTE: FOR WATER GENERAL NOTES
SEE SHEET 2.



LEGEND

- ⊕ FOUND MONUMENT IN CASE
- ⊗ WATER VALVE
- ⊕ WATER METER
- ⊕ FIRE HYDRANT
- ⊕ SANITARY SEWER MANHOLE (SSMH)
- ⊕ STORM DRAIN CATCH BASIN (SDCB)
- ⊕ TELEPHONE RISER
- ⊕ POWER VAULT
- ⊕ CONIFEROUS TREE
- ⊕ DECIDUOUS TREE
- ⊕ ROCKERY
- ⊕ TV/CABLE FAULT MARK
- ⊕ GAS FAULT MARK
- ⊕ POWER FAULT MARK
- ⊕ WATER FAULT MARK
- ⊕ TELEPHONE FAULT MARK
- STORM LINE
- BOLLARD
- ⊕ GAS VALVE



NO	DATE	BY	APPR	REVISIONS

C.A.D.D.
168th Ave NE-PRV #67.dwg
MAY 27, 2009

CALL 72 HOURS BEFORE YOU DIG
811
Know what's below. Call before you dig.

Approved By

DESIGN MANAGER _____ DATE _____
PROJECT MANAGER _____ DATE _____

City of Bellevue UTILITIES

PRV #67 REPLACEMENT 2009 PLAN

NW 36-25-5 M-7 SHT 3 OF 7

FBK 295/310

File: P:\196-84-140\1\Coord\2009 PRV #67\2008 PRV #67 ALTERNATIVE CLIENT.dwg ID: 1649 Date: 28-May-09 2:04:37pm