



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

LOCATION OF PROPOSAL: 501 W. Lake Sammamish Pkwy NE

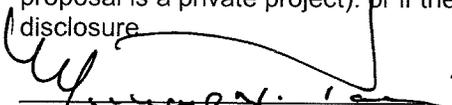
DESCRIPTION OF PROPOSAL: Request for SEPA threshold determination and clear and grade approval for a Noxious Species Removal project which includes the removal of noxious and invasive non-native plant species along Wilkins Creek.

FILE NUMBERS: 09-130259-XB

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 February 18, 2010.
- 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

2/4/2010
 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

Sally Nichols

ENVIRONMENTAL CHECKLIST

4/18/02

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit or call the Permit Center (425-452-6864) between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4). Our TTY number is 425-452-4636.

BACKGROUND INFORMATION

Property Owner: The project occurs on property owned by Bellevue Utilities and adjacent private properties. Bellevue Utilities has an easement associated with the stream and will contact all affected property owners. ✓

Proponent: City of Bellevue, Utilities Department ✓

Contact Person: Steve Costa, Senior Project Manager, City of Bellevue, Dept. of Transportation ✓
(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: 450 110th Avenue NE, P.O. Box 90012, Bellevue, WA 98009 ✓

Phone: 425.452.2845 ✓

Proposal Title: Wilkins Creek Mapping and Habitat Restoration
The project extends approximately 300 feet north/northeast of the intersection of W Lake

Proposal Location: Sammamish Parkway NE and 177th Lane NE (see attached map).
(Street address and nearest cross street or intersection) Provide a legal description if available.
501 W. Lake Sammamish Pkwy NE

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

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

1. General description: This project will restore habitat around a detention pond and along approx. 200 feet of Wilkins Creek. Proposed actions include removing invasive species and planting native species. ✓
2. Acreage of site: 0.5 acres ✓
3. Number of dwelling units/buildings to be demolished: 0 ✓
4. Number of dwelling units/buildings to be constructed: 0 ✓
5. Square footage of buildings to be demolished: 0 ✓
6. Square footage of buildings to be constructed: 0
7. Quantity of earth movement (in cubic yards): 0 ✓
8. Proposed land use: No change in land use proposed ✓
9. Design features, including building height, number of stories and proposed exterior materials: ✓
not applicable
10. Other

SN

*Planting Area 3:
Due to steep slopes
condition will be to
plant perform work*

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

The project will occur between February and September 2010. Initial invasive species removal will take place in February 2010. Planting will take place following the completion of invasive removal. Additional maintenance will take place in May and September 2010.

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

There are no plans for future additions, expansions, or further activity related to this proposal. ✓

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

Mapping of invasive species has been conducted on the site. In addition, a vegetation inventory and assessment report has been prepared containing a restoration action plan for the project site (see Wilkins Creek Mapping and Habitat Restoration Recommendations report).

*Prepared by Earth
corps 11/2009. In
project file*

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.

Work under this project is mitigation for the City of Bellevue's West Lake Sammamish Culvert Repair project, permit number 08-135088 XB. ✓

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.

- A clearing and grading permit from the City of Bellevue
- A right of way street use permit from the City of Bellevue

Please provide one or more of the following exhibits, if applicable to your proposal. (Please check appropriate box(es) for exhibits submitted with your proposal):

- Land Use Reclassification (rezone) Map of existing and proposed zoning
- Preliminary Plat or Planned Unit Development Preliminary plat map
- Clearing & Grading Permit See Map 2 in the Wilkins Creek Mapping and Habitat Restoration Recommendations report. The Project Area illustrated on the map indicates the limits of invasive vegetation clearing by manual methods. No cut/fill or regrading will take place. ✓
Plan of existing and proposed grading Development plans
- Building Permit (or Design Review) Site plan Clearing & grading plan
- Shoreline Management Permit Site plan

dated 11/09

*not too many - mostly on priv.
property @ 505 17th Ln NE*

A. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site: Flat Rolling Hilly Steep slopes Mountains Other
- b. What is the steepest slope on the site (approximate percent slope)?
The steepest slope on the site is approximately 21%. The streambed and areas surrounding the streambed are relatively flat, with steeper slopes beginning approximately 30 feet from the stream on either side.
- c. What general types of soil are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.
Soils along the streambed and within the project area are sandy.

*some of the removal/
replanting work on
slopes > 40%
allowed
work per
LUC 20.25H.6.3
05%*

*Identified
some small pockets of
noxious species are w/in
steep slopes. Removal
allowed per LUQ
20.25 F.G.3.1
055*

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
There are no indications of unstable soils within the immediate vicinity of the project. Portions of the stream corridor have been classified as steep slopes, although no such slopes are present within the Project Area. Sediment and erosion control Best Management Practices will be followed per City of Bellevue regulations..

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
No filling or regrading will take place. Approximately 8,000 square feet of invasive plant species will be removed from the project area and approximately 320 native plants will be installed. BMP's for invasive plant removal will be followed and when directed, sheet mulching may occur.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
The clearing and grubbing of invasive vegetation would expose soils and could increase the potential for erosion in the cleared areas. All cleared areas will be covered with appropriate material at the end of each work day.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
None.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
Areas of exposed soil will be covered with appropriate materials at the end of each work day per City of Bellevue regulations. Exposed areas will be planted following invasive plant removal to aid in long-term soil stabilization. Other measures may be implemented as required and could include the use of mulch, coir, jute, silt fences, and/or straw wattles as deemed necessary. ✓

2. AIR

a. What types of emissions to the air would result from the proposal (i.e. dust, automobile odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. ✓
The use of two or four cycle hand-operated brush cutters may be used for invasive plant clearing.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
Not applicable.

c. Proposed measures to reduce or control emissions or other impacts to the air, if any:
Not applicable.

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

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appropriate, state what stream or river it flows into.

Wilkins Creek, listed as 08-0151 in the State WRIA system, is present on the site. This is a perennial stream originating upstream from the project area. Wilkins Creek enters a detention pond on site before flowing through pipes beneath W Lake Sammamish Pkwy NW, and eventually into Lake Sammamish.

- (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 project will remove invasive vegetation and replant native shrubs, trees and herbaceous species within approximately 30-50 feet of the stream corridor, along 200 linear feet of the stream corridor. See the attached Wilkins Creek Mapping and Habitat Restoration Recommendations report for further details.

- (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.

No fill or dredge material will be placed or removed from surface water or wetlands. ✓

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

No surface water withdrawals or diversions will take place as part of this project.

- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. ✓
The project area does not lie within a 100 year floodplain.

- (6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. ✓

No.

b. Ground

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

No.

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. ✓

Not applicable.

c. Water Runoff (Including storm water)

(1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable.

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

Not applicable.

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

Not applicable

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, bulrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

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

This proposal calls for removing approximately 7,000 square feet of invasive species including Himalayan blackberry, English ivy, periwinkle, yellow archangel, bitter nightshade, bamboo and herb Robert from the stream corridor. Native trees, shrubs and herbaceous species will be planted to replace these plants.

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

No known threatened or endangered species are present on this site. ✓

*Noxious species
20.25.H.C
31.055*

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

Approximately 60 native trees, 210 shrubs and 40 herbaceous plants representing 33 different native species will be planted on the site.

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5. ANIMALS

- a. Check or circle any birds and animals which have been observed on or near the site or are known to be on or near the site:
- Birds: hawk, heron, eagle, songbirds, other:
 - Mammals: deer, bear, elk, beaver, other:
 - Fish: bass, salmon, trout, herring, shellfish, other:
- b. List any threatened or endangered species known to be on or near the site.
No threatened or endangered species are known to be on or near the site.
- c. Is the site part of a migration route? If so, explain. ✓
The site is not part of a migration route.
- d. Proposed measures to preserve or enhance wildlife, if any:
Native habitat will be provided through planting a wide variety of native plant species on the site.
- Animals typical of lowland forest*
- Pacific flyway entre project sound*

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy need? Describe whether it will be used for heating, manufacturing, etc.
Not applicable.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
Not applicable.
- c. What kinds of energy conservation features are included in the plans of the proposal? List other proposed measures to reduce or control energy impacts, if any:
Not applicable.

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.
Control of invasive vegetation will be accomplished through the use of hand tools. A small amount of herbicide may be used to control bamboo within the project site if manual removal is ineffective. If herbicide is used, it would be painted directly on the cut stumps of the bamboo, and used in adherence with applicable laws and regulations. No foliar application of herbicide is planned.
- (1) Describe special emergency services that might be required.
No special emergency services will be required.
- (2) Proposed measures to reduce or control environmental health hazards, if any.
If herbicide will be used, it will be applied directly to the cut stumps of the target plants (bamboo) and only during appropriate dry, non-windy conditions.
- Work done by hand.*

b. Noise

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

Not applicable.

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

Not applicable.

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

Not applicable.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties? ✓

The site is located on Bellevue Utility right of way and single family residential homes. Adjacent properties are single family residential homes.

- b. Has the site been used for agriculture? If so, describe. ✓

The site has not been used for agriculture.

- c. Describe any structures on the site. ✓

No structures exist on the site.

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

No structures will be demolished as part of this project.

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

The current zoning classification of the site is R 2.5

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

The comprehensive plan designation is single-family medium

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

This site is not part of the shoreline master program

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

The stream corridor is an environmentally critical area and portions of the stream corridor are also classified as steep slope areas.

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

None.

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

None.

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

Not applicable.

Allowed work without CALWP 20.254.031055

sn

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

Not applicable.

9. Housing

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

Not applicable.

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

Not applicable.

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

Not applicable.

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? ✓

Not applicable.

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

Not applicable.

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

Not applicable.

11. Light and Glare

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

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

12. Recreation

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

The project site within the stream corridor contains two small trails that can be accessed by property owners.

b. Would the proposed project displace any existing recreational uses? If so, describe. ✓

The project would not affect any existing recreational uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: ✓

Not applicable.

13. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe. ✓

No places or objects on or near the site are proposed for or located on any historical or preservation registers. ✓

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

Not applicable.

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

Not applicable.

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. ✓

A small city-owned parcel directly adjacent to West Lake Sammamish Parkway Northeast provides access to the site.

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

The site is not served by public transit. The nearest transit stop at Northrup and NE 8th Street is 0.8 miles away.

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

Not applicable.

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). ✓

Not applicable.

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

Not applicable.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
Not applicable.
- g. Proposed measures to reduce or control transportation impacts, if any:
Not applicable.

15. Public Services

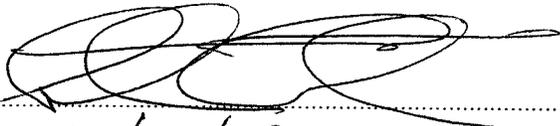
- a. Would the project result in an increased need for the public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
No increased need for public services would be necessary as a result of this project.
- b. Proposed measures to reduce or control direct impacts on public services, if any.
Not applicable.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.
No utilities are present on site.
- 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.
No utilities are proposed for this

Signature

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

Signature.....
Date Submitted.....12/21/09



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

Proposal Name: Wilkins Creek Noxious Species Removal

Proposal Address: 501 W. Lake Sammamish Pkwy NE

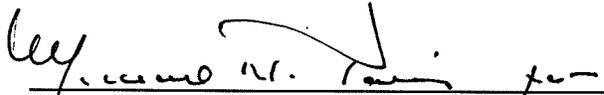
Proposal Description: Request for SEPA threshold determination and clear and grade approval for a Noxious Species Removal project which includes the removal of noxious and invasive non-native plant species along Wilkins Creek.

File Number: 09-130259-XB – Clear and Grade in a Critical Area

Applicant: The City of Bellevue, Utilities
Steve Costa

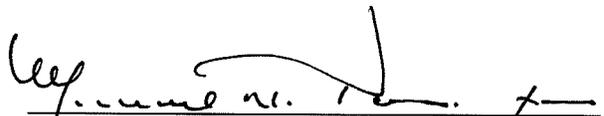
Planner: Sally Nichols

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



Carol V. Helland, Environmental Coordinator
Development Services Department

Director's Decision: **Approval with Conditions**



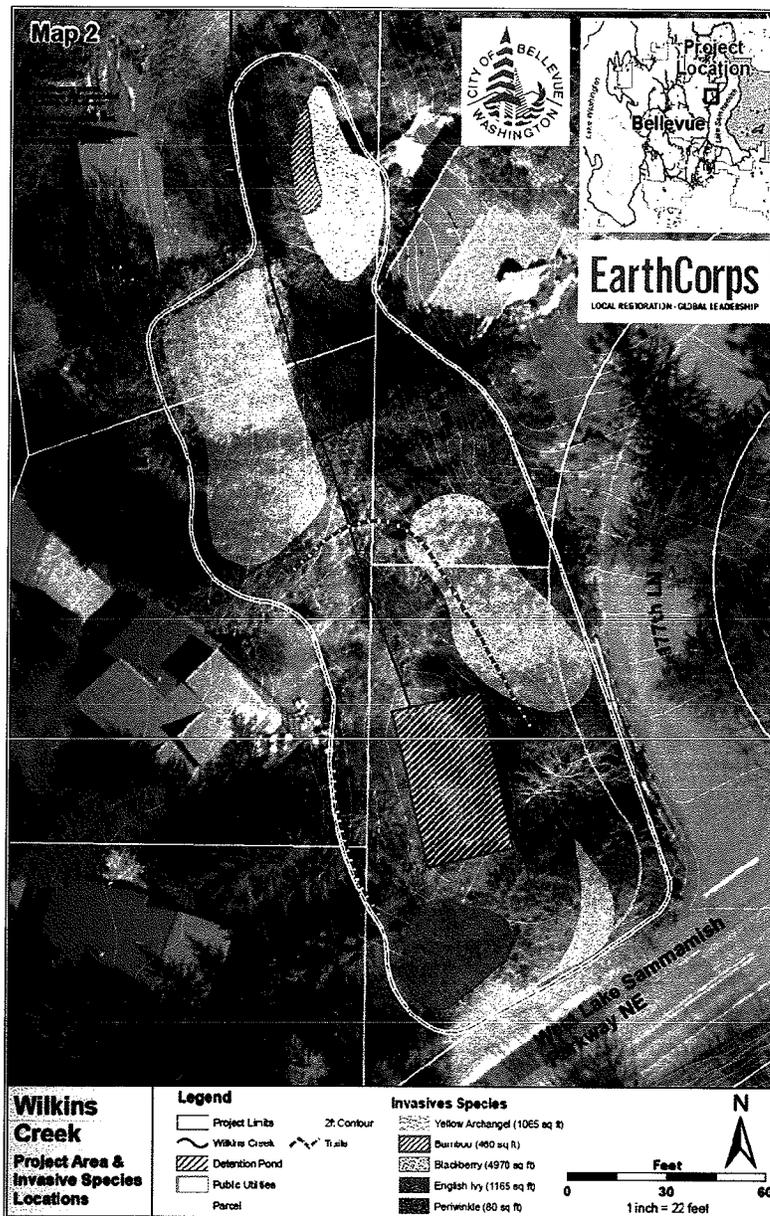
Mike Brennan, Director
Development Services Department

Application Date: November 19, 2009
Application Publication Date: December 24, 2009
Decision Publication Date: February 4, 2010
Project Appeal Deadline: February 18, 2010 (14 days)

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6864. 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 Clerk's Office by 5 PM on the date noted for appeal of the decision.

I. PROJECT DESCRIPTION

The applicant is requesting approval for the removal of noxious species within a critical area through a Clearing and Grading in Critical Areas Permit; which also includes a SEPA determination. Work will occur on one parcel owned by the City of Bellevue Utilities and on three privately owned residential parcels. The scope of work will include the removal of approximately 7,750 square feet of noxious species, including but not limited to English Ivy, Blackberry, Bamboo, Periwinkle and Yellow Archangel. Replanting with native species will occur only in locations where a healthy understory existing beneath the noxious species does *not* occur. In accordance with Land Use Code (LUC) 20.25H.055.C.3.i, the work will be executed with hand labor and hand-operated equipment and the replanting will comply with the guidelines found in the City of Bellevue's Critical Areas Handbook.



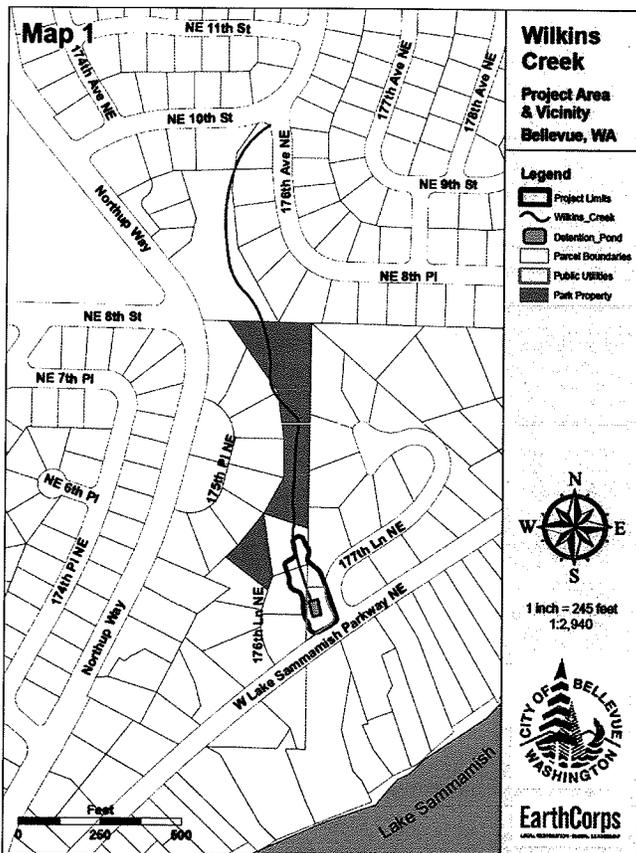
The applicant has provided a report entitled Wilkins Creek Mapping and Habitat Restoration Recommendations; prepared by EarthCorps, dated November 2009. This report includes an inventory of the existing vegetation within the project boundary and also provides information about the invasive species present on-site, control strategies for each specific species, and native plant lists to guide the re-vegetation of the site following invasive control.

This proposal is being conducted as habitat restoration mitigation for a culvert repair project (08-135088-XB). The repair project involves the maintenance and repair of six, 18 to 24-inch culverts along West Lake Sammamish Parkway. It was determined that this project did not require SEPA review, so no *SEPA mitigation* was required. However, mitigation was required by the Department of Fish and Wildlife in order for the Utilities Department to obtain their Hydraulic Permit Approval (HPA). This Wilkins Creek vegetation management project satisfies this mitigation requirement.

II. SITE DESCRIPTION

A. Site Description

Wilkins Creek is a small urban stream, with approximately 1,700 feet of open channel. The Creek emerges near the junction of NE 10th Street and 176th Avenue NE and flows in an open channel before entering a small detention pond near the intersection of West Lake Sammamish Parkway NE and 177th Lane NE. The Creek is then piped beneath the Parkway and eventually flows into Lake Sammamish. The majority of the Wilkins Creeks Basin (including the stream buffers) is privately owned. The stream has been typed as "N" with no fish present.



In several locations along the Creek, invasive plant species have extended from the adjacent private properties into the stream corridor. A lack of maintenance on the site in combination with private landscaping has resulted in the presence of a number of invasive species that are impacting the existing native vegetation on the site.

III. CONSISTENCY WITH LAND USE CODE AND ZONING REQUIREMENTS

A. Zoning District Dimensional Requirements:

The proposal site is located in the R-2.5 single family zoning district within the Critical Areas Overlay District. All work will comply with the requirements of the Land Use Code.

B. Critical Areas Requirements – LUC 20.25H and LUC 20.25H.055.C.3.i.i

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area or critical area buffer. The removal of noxious species from a stream critical area buffer or from a steep slope critical area is an allowed use that does not require a Critical Areas Land Use Permit or a Vegetation Management Plan as long as the removal of the vegetation is done with hand labor and hand operated equipment.

IV. PUBLIC NOTICE (SEPA) AND COMMENT

Application Date:	November 19, 2009
Public Notice (500 feet):	December 24, 2009
Minimum Comment Period:	January 7, 2010 (14 days)

The Notice of Application for this project was published in the City of Bellevue Land Use Bulletin on December 24, 2009. It was mailed to property owners within 500 feet of the project site. No comments from these property owners were received.

Comments were received from Karen Walter of the Muckleshoot Indian Tribe Fisheries Division. A record of correspondence with the Muckleshoot Indian Tribe Fisheries Division can be found in the project file. She first requested a copy of the site plan/mitigation plan and the Wilkins Creek Mapping and Habitat Restoration Recommendations by EarthCorps. These documents were sent via email on January 4, 2010. Additionally, she requested more information regarding the culvert repair project (08-135088-XB) that initiated this project as mitigation. A response was sent on January 5, 2010, describing more about the culvert repair project and documenting that the mitigation was not SEPA mitigation; but instead mitigation required by Fish and Wildlife in order to obtain the HPA (Hydraulic Permit Approval).

V. SUMMARY OF TECHNICAL REVIEWS

Clearing and Grading:

The Clearing and Grading Division of the Planning and Community Development Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards. A Clear and Grade permit will be required under the Clearing & Grading Code 23.76.025.

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 and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth and Water

Work for this permit will be done on steep slopes and in close proximity to a Type N seasonal stream. Therefore, as conditioned, the applicant will be required to submit information regarding the use of pesticides, insecticides, and fertilizers to avoid impacts to water resources. Refer to Condition of Approval regarding pesticides, insecticides, and fertilizers in Section VIII of this report.

B. Animals

It is expected that the new native plantings and increased bio-diversity will generally improve habitat functions within the entire critical area and critical area buffer associated with Wilkins Creek.

C. Plants

This noxious species removal project includes is an allowed activity per LUC 20.25H and therefore additional mitigation will not be required. The applicant has proposed to replant areas of work with native species if only in locations where a healthy understory existing beneath the noxious species does not occur. The species identified conform to those recommended in the City of Bellevue’s Critical Areas Handbook. As conditioned, the replanting area will meet maintenance and monitoring objectives. Refer to Condition of Approval regarding plant spacing (compliance with the Critical Areas Handbook) and a maintenance and monitoring plan in Section VIII of this report.

D. Noise

Work areas are within City of Bellevue land and on single-family properties. These 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. Refer to Condition of Approval regarding noise in Section VIII of this report.

VIII. CONCLUSION AND 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	Savina Uzunow, 425-452-7860
Land Use Code - BCC Title 20	Sally Nichols, 425-452-2727
Noise Control- BCC 9.18	Sally Nichols, 425-452-2727
Right-of-Way – BCC 14.30	Dottie Schmidt, 425-452-2888

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

1. Letters of Agreement from Adjacent Property Owners:

Prior to the commencement of any work, the applicant shall give Land Use copies of the signed letters of agreement between the City of Bellevue and all affected private property owners that gives the City permission to conduct the vegetation management work identified in this approval on their private property.

Authority: Clearing & Grading Code 23.76
 Reviewer: Sally Nichols, Land Use

2. Pesticides, Insecticides, and Fertilizers:

The applicant must submit information to Land Use regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

Authority: Bellevue City Code 23.76.100
Reviewer: Sally Nichols, Land Use

3. Plan Spacing:

Refer to the City of Bellevue's Critical Areas Handbook - <http://en.calameo.com/read/0001038497b834c2378b5> - for typical plant spacing to be used in areas where replanting is necessary.

Authority: LUC 20.25H.055.C.3.i
Reviewer: Sally Nichols, Land Use

4. 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: Sally Nichols, Land Use

5. Performance Standards:

A plant survival rate of 80% must be met at year three. Annual monitoring reports are required as identified in Condition 4 below.

Authority: Land Use Code 20.20.220
Reviewer: Sally Nichols, Land Use

6. Maintenance and Monitoring Plan:

A complete maintenance and monitoring plan outlining how the restored area will be maintained and monitored for a period of three years shall be submitted and approved prior to the issuance of any clearing and grading permits. Restored areas shall be monitored for a period of not less than three years to establish that performance standards have been met. Monitoring reports must be submitted annually by the last day of the year to Land Use and should include an assessment of growing season success.

Authority: Land Use Code 20.40.490
Reviewer: Sally Nichols, Land Use

7. Right-of-Way Use Permit:

Any lane closures and/or hauling in excess of 10 truck loads to and/or from the project site will require a right of way haul route permit.

Authority: Bellevue City Code 14.30
Reviewer: Dottie Schmidt, Right-of-Way