



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

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: City of Bellevue, Parks and Community Services

LOCATION OF PROPOSAL: 2050 156th Avenue SE

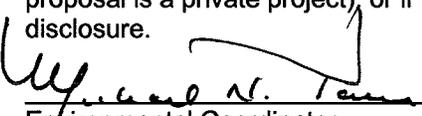
DESCRIPTION OF PROPOSAL: Request for SEPA threshold determination and approval to construct a swallow nesting structure within 200 feet of the Phantom Lake shoreline and to replant the area around the nesting structure with native plant species to help eliminate existing non-native reed canary grass.

FILE NUMBERS: 09-130244-XQ and 09-130245-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 21-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 25, 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This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

02/14/2010
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



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

Proposal Name: Lake Hills Greenbelt – Swallow Habitat Improvement

Proposal Address: 2050 156th Avenue SE

Proposal Description: Request for SEPA threshold determination and approval to construct a swallow nesting structure within 200 feet of the Phantom Lake shoreline and to replant the area around the nesting structure with native plant species to help eliminate existing non-native Reed canary grass.

File Number: 09-130244-XQ – Shoreline Substantial Development Permit
09-130245-XE – Critical Areas Land Use Permit

Applicant: The City of Bellevue, Parks and Community Services
Laura Hughes

Decisions Included: Shoreline Substantial Development Permit
(Process II. LUC 20.30R)
Critical Areas Land Use Permit
(Process II. LUC 20.30P)

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 10, 2009
Decision Publication Date: February 4, 2010
Project Appeal Deadline: February 25, 2010 (21 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.

TABLE OF CONTENTS

I.	Project Description.....	Pg 3
II.	Site Description, Zoning and Land Use Context.....	Pg 5
III.	Consistency with Land Use Code/Zoning Requirements.....	Pg 7
IV.	Public Notice and Comment.....	Pg 10
V.	Summary of Technical Reviews.....	Pg 10
VI.	State Environmental Policy Act (SEPA).....	Pg 10
VII.	Changes to the Proposal as a Result of City Review.....	Pg 11
VIII.	Decision Criteria.....	Pg 11
IX.	Conclusion and Decision.....	Pg 12
X.	Conditions of Approval.....	Pg 12

Attachments

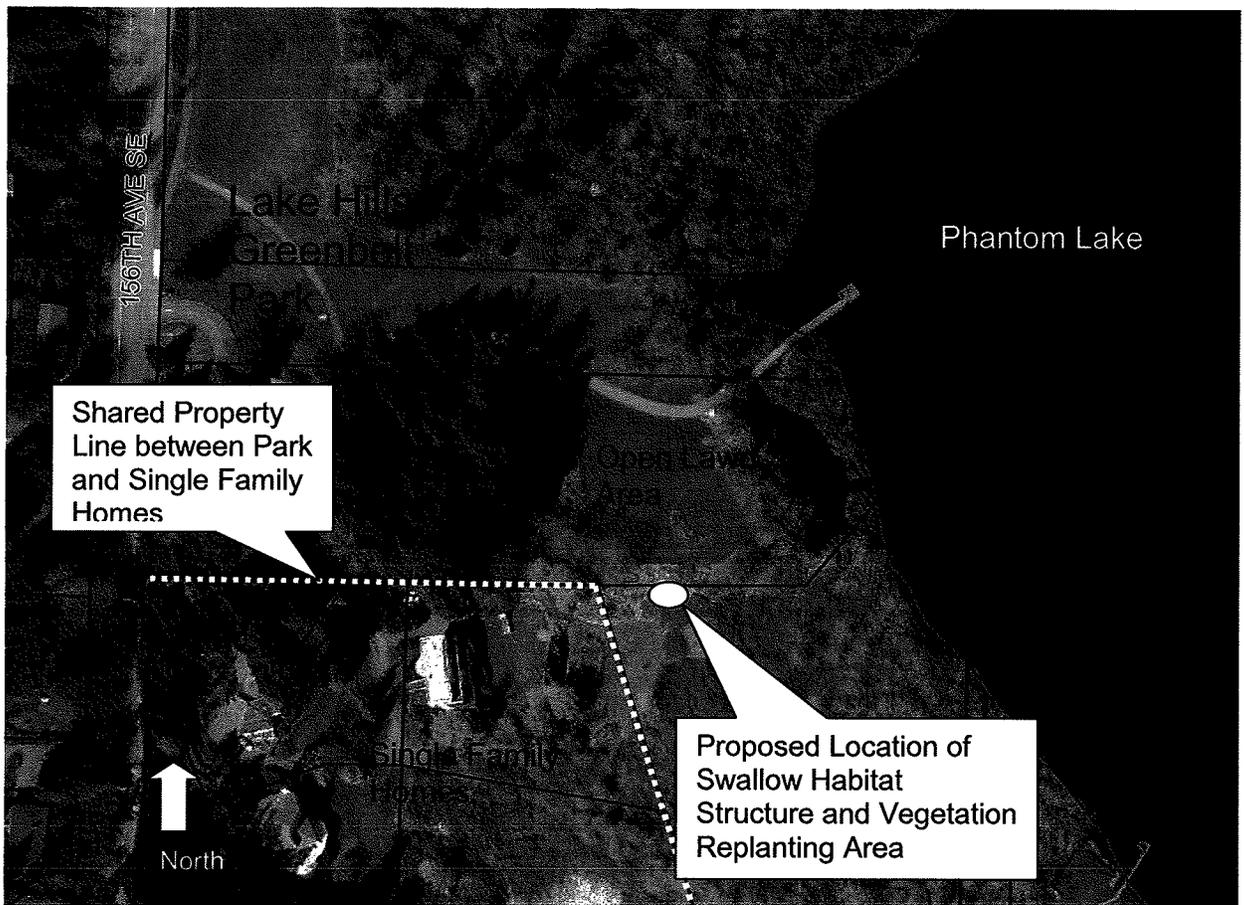
I. PROJECT DESCRIPTION

The applicant is requesting approval of a Shoreline Substantial Development Permit and Critical Areas Land Use Permit to construct and install a swallow nesting structure within 200 feet of the Phantom Lake shoreline, in the associated wetlands. The project will also include replacing approximately 100 square feet of non-native vegetation around the structure with native wetland shrub species.

This project has been previously requested and voted on by the Sammamish/East Lake Hills community as part of the City of Bellevue's Neighborhood Enhancement Program (NEP). The NEP distributes funds set aside from the City's Capital Improvement Fund.

The City is divided into 13 neighborhood areas. The funds are divided among the neighborhood areas according to the number of households in each area. Every three years, each NEP area has the opportunity to request projects. All applicable NEP projects are put to a neighborhood-wide vote. Votes are tallied through a weighted point system and projects are funded based on the number of points received and the available funding for the area.

Figure 1 – Project Location



Swallows require a nesting habitat that is in sight of open space and water to both find food to feed their young and to reduce the threat of predation by raptors, corvids and mammals. Swallows also prefer to be near human structures, but in areas where they will not be approached by people regularly. The proposed structure will be located in an existing area of reed canary

grass, very close to a managed lawn area of the Phantom Lake portion of the Lake Hills Greenbelt. There are no structures within 100 feet of the project site. The specific structure location was chosen for its open access to the water and the fact that it meets all the habitat preferences of the swallows outlined above. It is separated from the formal park area far enough to discourage people from disturbing the nesting swallows, while still being near enough to the human activity of the nearby residential neighborhood and the park. In addition, the site is already degraded by the presence of large areas of reed canary grass.

The actual structure is a single pole design that will be 12 feet tall. A four-sided, multi-tiered structure sits atop the single pole. This top portion will have a roof that is approximately 25 square feet in area. The structure will be constructed with a pin pile footing that will help reduce the overall impact of the pole on the existing wetland hydrology, while still providing a sturdy support for the habitat structure. Refer to Figure 2 – Typical Swallow Habitat Structure below.

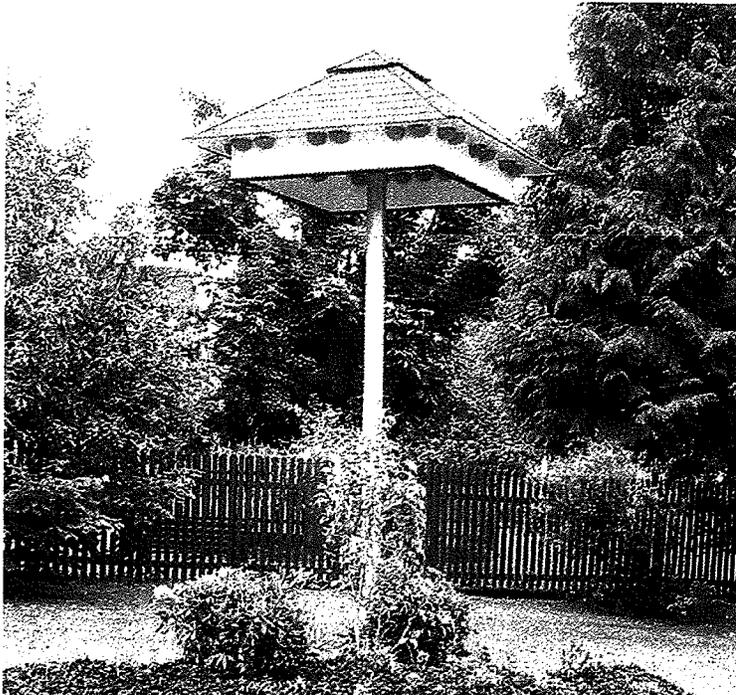


Figure 2
Typical Swallow Habitat
Structure

To help reduce the impact of reed canary grass on the wetlands of Phantom Lake, this project will also include removing approximately 100 square feet of the grass around the new nesting structure and replanting the area with Pacific willow and Scouler's willow stakes. Reed canary grass is an invasive non-native species in wetlands, particularly in disturbed areas. It suppresses native vegetation and reduces diversity. Planted at one foot on-center, the new willows will help to out compete and reduce the vigor of the reed canary grass. The new plantings will also maintain the open area around the structure and the open corridor to the water necessary for the swallows.

The project will also include a maintenance and monitoring plan by the City's Parks & Community Services Resource Management Division for both the structure and the vegetation replanting. The structure will undergo yearly maintenance cleaning and repair. Every January it will be checked for debris, the artificial nests will be cleaned and any damage to the structure will be repaired. The use of the swallow habitat will be monitored each April and June. This monitoring will consist of counting the number of artificial nests being used and the number of swallow-built nests that are attached to the structure.

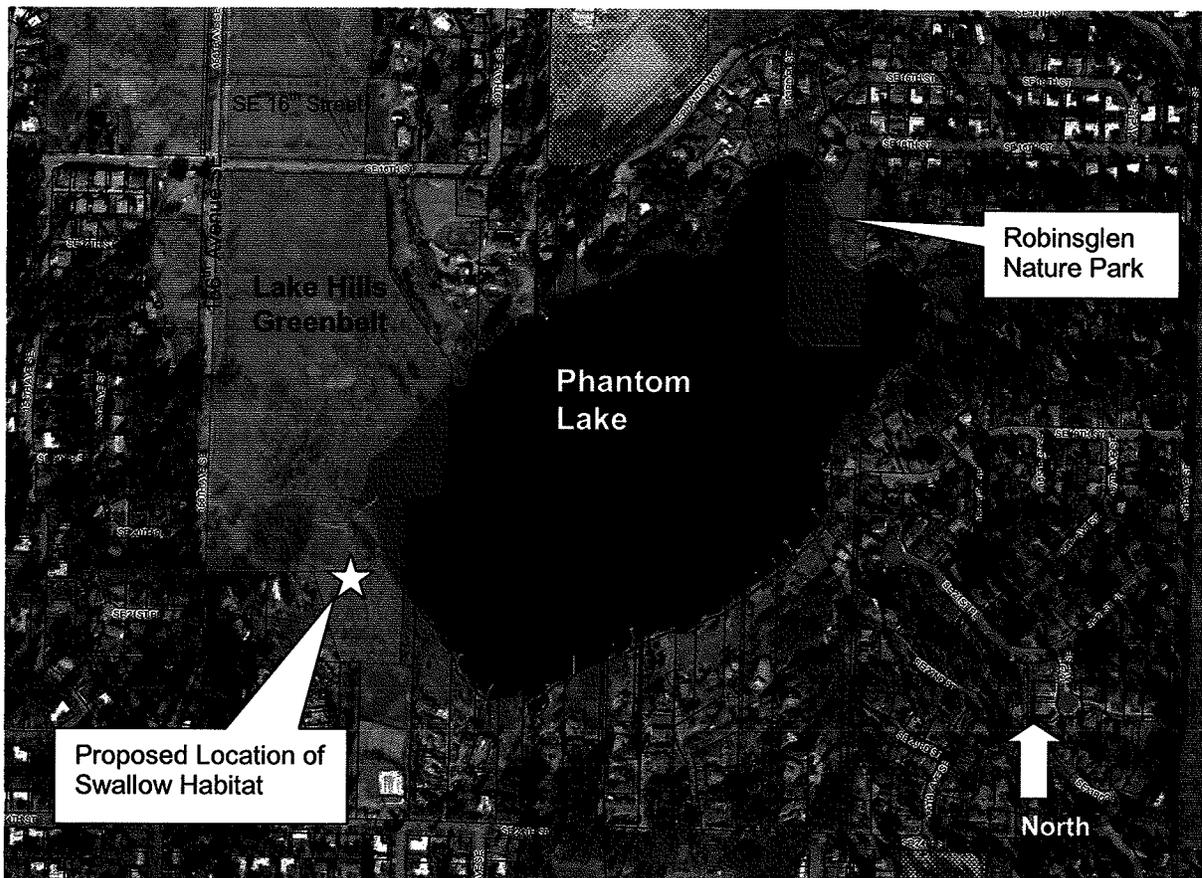
Monitoring of the newly planted willow stakes around the habitat structure will involve checking for survival and species composition within five, randomly selected one-meter plots. Species survival, species composition and percent cover of vegetation species will be recorded for each of the plots. If the survival of the willow stakes is below 80% overall, the site will be re-staked as needed to reach 80%. If after the first two years, survival does not increase to 80% or greater, the plantings will be reevaluated and additional species such as red-twig dogwood will be considered. As conditioned, monitoring will occur for at least three years. **Refer to Conditions of Approval regarding performance standards, and maintenance and monitoring plan in Section X of this report.**

II. SITE DESCRIPTION, CONTEXT, and CRITICAL AREAS

A. Site Description

Phantom Lake is a Category 2 Wetland located within the City of Bellevue's Lake Hills Greenbelt. The proposed habitat structure location also lies within the Shoreline jurisdiction around Phantom Lake. The lawn area to the north of the proposed habitat structure is used by the public for passive recreation and is managed by the City's Parks & Community Services Resource Management Division. This area is the larger of two public park sites on

Figure 3 – Vicinity Map

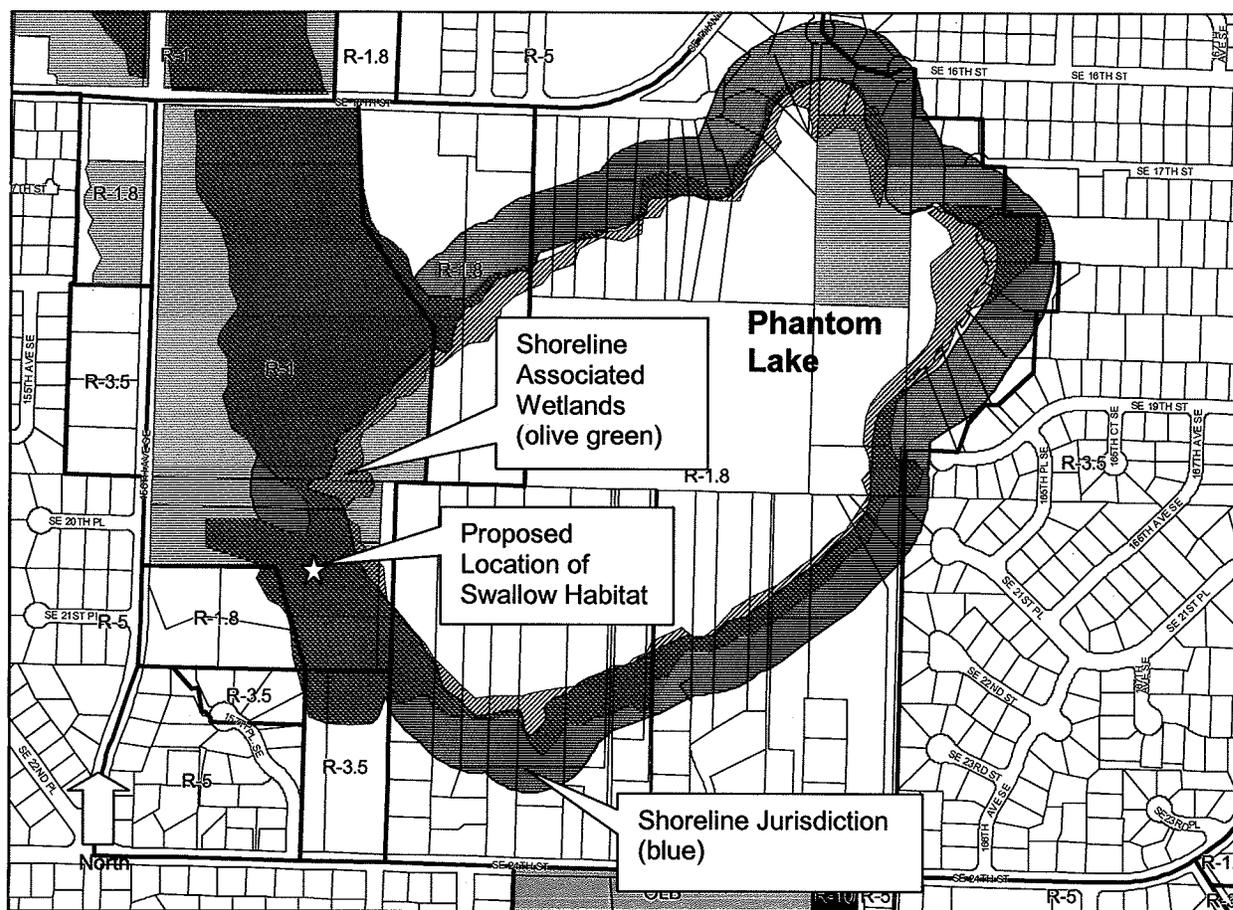


the Phantom Lake shoreline. Refer to Figure 1 – Project Location and Figure 3 – Vicinity Map above. The topography of the entire area is relatively flat, sloping at approximately 2% down to Phantom Lake. The location of the habitat structure is in an area that has been inundated with reed canary grass. There are no structures within 100 feet of the project site. The closest structure, a small shed on private property, is located approximately 164 feet from the site.

B. Land Use Context

The section of the Lake Hills Greenbelt adjacent to Phantom Lake lies within the R-1 Single Family Residential District. There are single family homes to the west of the structure location within the R-1.8 Single Family Residential District and to the south in the R-3.5 Single Family Residential District. The remainder of the Phantom Lake shoreline is composed of single family residences in either the R-1.8 or the R-3.5 zoning districts. Refer to Figure 4 – Zoning and Shoreline/Wetland Designations below.

Figure 4 – Zoning and Shoreline/Wetland Designations



C. Critical Areas Functions and Values

1. Wetlands

Wetlands are integral parts of Bellevue's natural landscape. The functions provided by wetlands and their assigned human-based values have been identified and evaluated through several studies (Cowardin et al., 1979; Adamus et al., 1987; Mitsch and Gosselink, 2000; Hruby, 1995; Reppert et al., 1979; Cooke, 1995). These functions include:

- Flood water attenuation and flood peak desynchronization;
- Stream base flow maintenance and groundwater support;
- Water quality improvement;
- Erosion / shoreline protection;
- Biological support and wildlife habitat; and
- Recreation, education, cultural resources, and open space.

2. Shorelines

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

Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values. The discussion presented herein emphasizes this ecosystem approach.

III. CONSISTENCY WITH LAND USE CODE AND ZONING REQUIREMENTS

A. Zoning District Dimensional Requirements:

The proposal site is located in the R-1 zoning district. The scope of work included in this application is limited to the construction of a 25-square foot pole structure that is 12 feet high and the restoration planting of approximately 100 square feet within the Phantom Lake shoreline associated wetland and shoreline buffer. The height of the structure and the percentages of lot coverage by structure and impervious surface comply with the requirements of the R-1.8 zone in LUC 20.20.010.

B. Critical Areas Requirements – LUC 20.25H

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 performance standards below apply to this proposal:

Habitat Improvement Projects:	LUC 20.25H.055.C.3.j
Critical Areas – Wetlands	LUC 20.25H.100
Shorelines – General	LUC 20.25E.080.B
Shorelines – Clearing & Grading	LUC 20.25E.080.G

1. Consistency with LUC 25H.055.C.3.j – Habitat Improvement Projects

Response: Disturbance, clearing and grading are allowed in the critical area or critical area buffer for habitat improvement projects demonstrating an improvement to functions and values of a critical area or critical area buffer. The habitat improvement project is

being managed and constructed by the City of Bellevue's Park & Community Services Resources Management Division and will include a yearly monitoring plan that will extend for at least three years.

2. Consistency with LUC 20.25H.100 – Wetlands

Response: This project complies with all of the performance standards of this Code section. This project consists only of a free-standing swallow habitat structure and replanting of native wetland plants around the structure. Therefore, there will be no lights, noise generating activities, toxic runoff, treated water or use of pesticides, insecticides or fertilizers. The new plantings are within an existing planting area and will effectively help to continue to limit pet and human use near the proposed habitat. **Refer to condition of Approval regarding pesticides, insecticides and fertilizers in Section X of this report.**

3. Consistency with LUC 20.25E.080.B – General

The proposed site of the habitat structure and associated replanting of native wetland vegetation is located within the Shoreline Overlay District. The proposed use – Habitat Improvement Projects - is allowed under LUC 20.25H. All development activity within this area (including any Clearing and Grading associated with the structure and/or the vegetation management) is subject to compliance with the applicable performance standards in LUC 20.25E.080 and requires a Substantial Development Permit. This proposal meets all shoreline performance standards in LUC 20.25E.080.B and 20.25E.080.G. A Shoreline Substantial Development Permit is required due to the value of the work exceeding \$5,718.00.

i. Shoreline Overlay District Performance Standards LUC 20.25E.080.B – General Regulations

a. Where applicable, all federal and state water quality and effluent standards shall be met.

Response: No effluent discharge is expected.

b. If a property extends into the Shoreline Overlay District, the Shoreline Master Program Policies and these use regulations shall apply only to that portion of the property lying within the Shoreline Overlay District.

Response: The entire proposal is within the Shoreline Overlay District.

c. All development within the Shoreline Overlay District shall be accompanied by a plan indicating methods of preserving shoreline vegetation and for control of erosion during and following construction in accordance with LUC 20.25H, City of Bellevue Clearing and Grading regulations, Chapter 23.76 BCC, and the Comprehensive Plan.

Response: Associated with construction of the swallow habitat structure, the proposal will include the removal of approximately 100 square feet of non-native vegetation and the replanting of native species that further enhance the shoreline vegetation and swallow habitat requirements.

d. Special care shall be exercised to preserve vegetation in wetland, shoreline and stream corridor bank areas in order to prevent soil erosion. Removal of vegetation from or disturbance of shoreline critical areas and shoreline critical area buffers, and from other critical area and critical area buffers shall be prohibited, except in conformance with Part 20.25H LUC and the specific performance standards of this section.

Response: The removal of a small area of non-native reed canary grass and the

replanting with native willow stakes will occur in a relatively level area of the Phantom Lake wetland. This is an allowed activity under LUC 20.25H. and it will adhere to the performance standards of this section. Due to the small scope of work, no clearing and grading permit is required.

e. Maximum height limitation for any proposed structure within the Shoreline Overlay District shall be 35 feet, except in land use districts with more restrictive height limitations. The method of measuring the maximum height is described in WAC 173-14-030(6). Variances to this height limitation may be granted pursuant to Part 20.30H LUC.

Response: The height of the habitat structure will be 12 feet, which conforms to the height requirements for the Shoreline Overlay District and the R-1 land use district.

f. The Bellevue Shoreline Master Program, in conjunction with existing Bellevue land use ordinances and Comprehensive Plan policies, shall guide all land use decision in the Shoreline Overlay District.

Response: No change in land use is proposed.

g. Any development within the Shoreline Overlay District shall comply with all applicable Bellevue ordinances, including but not limited to the Bellevue Land Use Code, Sign Code, and clearing and grading regulations.

Response: The proposal meets all applicable requirements of the Land Use Code. No clearing and grading permit is required and there will be no signs.

h. The dead storage of watercraft seaward of the ordinary high water mark of the shoreline is prohibited.

Response: No watercraft are proposed to be stored as part of this application.

i. Where applicable, state and federal standards for the use of herbicides, pesticides and/or fertilizers shall be met, unless superseded by City of Bellevue ordinances. Use of such substances in the shoreline critical area and shoreline critical area buffer shall comply with the City's "Environmental Best Management Practices."

Response: No herbicides, pesticides and fertilizers are proposed to be used as part of this proposal. The applicant will be required to submit information regarding their use in accordance with the City of Bellevue's "Environmental Best Management Practices". Refer to Condition of Approval regarding Pesticides, Insecticides, and Fertilizers in Section X of this report.

j. Adequate storm drainage and sewer facilities must be operational prior to construction of new development within the Shoreline Overlay District. Storm drainage facilities shall be separated from sewer disposal systems.

Response: No new development or facilities that require storm drainage or sewer facilities are proposed as part of this project.

ii. Consistency with LUC 20.25E.080.G – Clearing and Grading

Response: Clearing and grading for this proposal will be limited to the 25 SF of clearing required for the habitat pin pile foundation and the approximately 100 SF of vegetation restoration. The proposed work will not trigger the need for a clearing and grading permit and is permitted because the work is associated with the Habitat Improvement project; an allowed activity in LUC 20.25H.

IV. PUBLIC NOTICE AND COMMENT

Application Date: December 10, 2009
Public Notice (500 feet): December 10, 2009
Minimum Comment Period: December 24, 2009 (14 days)

The Notice of Application for this project was published in the City of Bellevue Land Use Bulletin on December 10, 2009. It was mailed to property owners within 500 feet of the project site. In addition, a letter dated November 17, 2009 from project contact Laura Hughes, Park Ranger, City of Bellevue Parks & Community Services Department, was sent to the above property owners; notifying them about the project and the tentative completion date. A copy of this letter is included in the attachments to this staff report. No public comments were received.

V. SUMMARY OF TECHNICAL REVIEWS

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards. The project does not meet the Clearing and Grading threshold of 50 or more cubic yards of cut and fill or over 1,000 square feet of disturbance; and thus does not warrant a Clearing and Grading permit (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 Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth and Water

The small, 25 square foot footprint of the habitat structure and the approximately 100 square feet of vegetation replacement will not trigger the need for a Clearing and Grading Permit. 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 X of this report.**

B. Animals

The purpose of this proposal is to provide improved habitat for the swallow population around Phantom Lake. It is also expected that the new native plantings around the habitat structure will generally improve overall habitat within the shoreline buffer. There will be no work within the water or on the shoreline.

C. Plants

This Habitat Improvement project includes both a new structure and associated removal of approximately 100 square feet of reed canary grass and the replanting of native vegetation. A Habitat Improvement Project is an allowed activity per LUC 20.25H and therefore additional mitigation will not be required. The replanting area will meet maintenance and monitoring objectives. **Refer to Condition of Approval regarding a maintenance and monitoring plan in Section X of this report.**

D. Noise

The site is adjacent to single-family homes 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. **Refer to Condition of Approval regarding noise control in Section X of this report.**

VII. CHANGES TO PROPOSAL AS A RESULT OF CITY REVIEW

There were no changes to the proposal due to thorough review during a pre-application meeting.

VIII. DECISION CRITERIA

A. Critical Areas Land Use Permit Decision Criteria - LUC 20.30.P.140

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

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

Response: The applicant has applied for a Critical Areas Land Use Permit and a Shoreline Substantial Development Permit. No other permits will be required for this proposal.

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;

Response: The support for the proposed habitat structure has been designed using pin piles to reduce the impact on the wetland habitat. In addition, the removal of the reed canary grass and replanting with native willow species will enhance the habitat potential of the shoreline buffer of Phantom Lake.

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

Response: As discussed in Section III of this report, the proposal meets the performance standards and additional provisions for Habitat Improvement Projects in shoreline buffers in LUC 20.25H.C.3.j.

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

Response: The proposed expansion will not impact any existing public facility service level.

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

Response: As part of this project, the City of Bellevue's Resource Management Division will submit a vegetation management plan for the replacement of the reed canary grass with willow stakes around the habitat structure and will monitor these willow plantings each March and August for survival and species composition. The monitoring of this site will last for a minimum of three years. Additional information can be found in Section I – Project Description of this report. **Refer to Conditions of Approval regarding performance standards and maintenance and monitoring plan in Section X of this report.**

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

Response: As discussed in Section III of this report, the proposal complies with all other applicable requirements of the Land Use Code.

B. Shoreline Substantial Development Permit Decision Criteria - LUC 20.30R.155.B

The Director may approve, or approve with modifications an application for a Shoreline Substantial Development Permit if:

1. The applicant has carried the burden of proof and produced evidence sufficient to support the conclusion that the application merits approval or approval with modification;

Response: The applicant has provided a complete application and conceptual replanting/restoration plan. The plan has been evaluated for consistency with the Critical Areas Handbook. As conditioned, a plan that locates the habitat structure and areas of restoration, including the five monitoring plots, will be submitted prior to building permit issuance. Refer to Condition of Approval regarding the maintenance and monitoring plan in Section X of this report.

2. The applicant has demonstrated that the proposal complies with the applicable decision criteria of the Bellevue City Code;

Response: The proposal complies with all applicable decision criteria.

3. The applicant has demonstrated that the proposal is consistent with the policies and procedures of the Shoreline Management Act and the provisions of Chapter 173-14 WAC and the Master Program.

Response: The proposal complies with the Shoreline Management Act and the policies and procedures listed in WAC 173-14 and WAC 174-27.

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 does hereby **approve with conditions** the proposal for the construction of a swallow habitat structure within the wetlands associated with Phantom Lake.

Note: 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 approval.

In accordance with LUC 20.30R.175, a Shoreline Substantial Development Permit automatically expires and is void if the applicant fails to file for a Building Permit, or other necessary development permits within two years of the effective date of 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	Sally Nichols, 425-452-2727
Noise Control- BCC 9.18	Sally Nichols, 425-452-2727

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

1. 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

2. 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

3. 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 20.25H.220

Reviewer: Sally Nichols, Land Use

4. MAINTENANCE AND MONITORING PLAN

Prior to the commencement of any construction, a planting plan and a written maintenance and monitoring plan shall be submitted to the City of Bellevue.

The planting plan shall clearly delineate the habitat structure location, the areas of reed canary grass that will be removed, identification of the species and location of the new plantings, and identification and location of the five monitoring plots. Also include the approximate square footage of the entire planting area.

The written maintenance and monitoring plan shall outline how restored areas shall be monitored to establish that performance standards in Condition 3 above have been met. The monitoring period shall be for a minimum of three (3) years. 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 20.30P.140

Reviewer: Sally Nichols, Land Use

*Gally Nichols
Dec. 2, 2009*

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: *City of Bellevue Parks Department* ✓

Proponent: *Natural Resource Division, Lake Hills Greenbelt area residents who approved the NEP Project.* ✓

Contact Person: *Laura Hughes*
(If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: *16023 N 58th St., Bellevue, WA 98008* ✓

Phone: *425-452-7225* ✓

Proposal Title: *Phantom Lake Shallow Habitat* ✓

Proposal Location: *Phantom Lake access to Lake Hills Greenbelt, 2050 156th Ave SE*
(Street address and nearest cross street or intersection) Provide a legal description if available. ✓

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: *The project is to put up a bird house to provide habitat (nesting) for Shallows.*

1. General description: *The project will involve putting a post in the ground for the nesting structure to sit upon.*

2. Acreage of site: *Project site is 5 square feet* ✓

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: *5 sq. ft.* ✓

7. Quantity of earth movement (in cubic yards): *2 sq. feet* ✓

8. Proposed land use: *Habitat enhancement.* ✓

9. Design features, including building height, number of stories and proposed exterior materials: *Birdhouse will reach 10 feet tall.* ✓

10. Other

also replace non-native plant species w/ natives @ base of structure

Received

NOV 19 2009

Permit Processing

*SN
12/2/09*

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

April 01, 2010

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

We will need to do annual maintenance of the nesting structure / bird house to keep it clean & insure a safe nesting location for the swallows.

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

There are several environmentally related documents on this site, but they have not been done specifically for this proposal. All documents are included in the proposal packet. ✓

Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. List dates applied for and file numbers, if known.

NO

Refer to Lake Hills Greenbelt Pack Wildlup - Habitat Assessment dated 7/24/06 & Wetland Science & Mgmt. Practicum for Lake Hills Greenbelt, dated 6/14/09 in project file.

permits processed together ✓

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.

Critical Areas Permit. Applied for at same time as this shoreline permit.

X_S = shoreline X_{RE} = critical areas land use

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
Plan of existing and proposed grading
Development plans
- Building Permit (or Design Review)
Site plan
Clearing & grading plan
- Shoreline Management Permit
Site plan

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)? ✓

2% slope

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. ✓

Seattle muck (sk), Arents, Alderwood material, 6-15% slopes (A/mc)

SN 12/2/09

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.

none

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

n/a

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

0

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

n/a

not required

Erosion control per BCC 23.76
Impact minimal thru use of small, underground supports (pin-piles)
25% - technically, area under roof, even if it is connected to ground, considered imperv. however, ground exposed not covered & still functions as porous

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.

none

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

n/a

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

n/a

Construction dust suppression measures - if req'd - per BCC 23.76 - C&G code

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

Phantom Lake and associated wetlands (part of Lake Hills Greenbelt wetland complex).

Wetland rating of III
1/24/09. Form in Project file

appropriate, state what stream or river it flows into.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If Yes, please describe and attach available plans. ✓

Yes, map of plans for swallow habitat and vicinity are attached.

- (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. ✓

Yes, map of nest structure location & floodplain are attached.

- (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. ✓

none

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. ✓

n/a

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

n/a

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

none

4. Plants

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

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, 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? ✓

some invasive, non-native Reed-canary grass will be removed when the post is installed for the bird house/ nesting structure to sit on.

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

none

Refer to 7/24/09 Habitat study & wetland search & management protocol 6/14/09 in file

Native Pacific & Scouler's willow stalks will be planted to help out compete & reduce vigor of Reed canary grass. ✓

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

Some shrub species ~~are~~ are planned to be planted around the nesting structure. Then native wetland shrub species will be planted 1 foot or center to try to combat the Reed canary grass in an effort to make a higher quality habitat for wildlife by creating a multistory P. broad. #

12/1/09

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:

See Wildlife Habitat Assessment 7/24/04

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

none

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

We are roughly located as part of the Pacific Flyway. Entire Puget Sound region

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

This project is designed and intended to enhance swallow habitat.

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. ✓

none

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

no

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: ✓

n/a

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. ✓

none

(2) Proposed measures to reduce or control environmental health hazards, if any. ✓

n/a

SW 12/2/04

b. Noise

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

none

✓
Noise impacts regulated
per BCC 9.18
Noise control

- (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.

Some ~~vehicles~~ ~~with~~ 1 or 2 vehicles will run into the park to bring materials and supplies to the project site from the road at the park entrance.

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

We will only allow project work to be done during normal work hours (8:00am to 5:00pm).

8. Land and Shoreline Use

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

Park and Open space, outdoor recreation, ecological function, and environmental education.

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

Other parts of the park are used and have been historically used for agriculture but not on the specific project site.

- c. Describe any structures on the site. ✓

None on site.

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

NO

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

Residential R-1 SF-Residential

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

Park and Open space. P/SF-L Park/Single Family Low

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

Moderate habitat unit.

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

Yes. There are wetlands on the site.

and shoreline
20.25H

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

0

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

0

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

N/A

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

Double check Land use codes, Management plans, and Environmental reports. Worked to create the lowest impact design possible while still meeting Swallow's nesting preferences.

9. Housing

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

0

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

0

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

n/a

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? ✓

The habitat will reach a maximum of 12 feet from ground to roof.

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

none

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

The habitat structure/bird house has been designed with function and aesthetics in mind. Though proved to be functional everywhere this habitat style has been installed, we took the overall look into consideration to make it blend w/ the environment abt more ray changing the roof material.

11. Light and Glare

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

none

no lightning

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

n/a

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

n/a

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

n/a

12. Recreation

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

walking, fishing, boating, wildlife viewing, biking

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: ✓

The habitat structure/bird house will be located such that people will be able to enjoy it from a distance. They will be able to watch the swallows, but the location and vegetation will prevent them from getting easily too close, the height of the nests will also prevent people from reaching the nests. This is to reduce negative impacts on the birds.

13. Historic and Cultural Preservation

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

no

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

n/a

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

n/a

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 access road to the site is 156th Avenue. 156th Avenue allows access to the park parking lot. There is a small gravel service road/trail that accesses the project site.

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

yes

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

The project site has no parking, but the adjacent park contains 8 parking spaces. No parking will be taken away or added.

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

no parking req'd for this project.

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. ✓
∅

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

n/A

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

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

n/A

16. Utilities

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

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

none

✓
no utilities req'd
for project.

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..... *Raura J. Hurd*

Date Submitted..... *11/10/09*