



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

Proposal Name: Bellevue Botanical Garden Wetland-Sun Terraced Garden

Proposal Address: 12001 Main Street

Proposal Description: The applicant requests a Critical Areas Land Use Permit for the development of the 4.2 acre Wetland-Sun Terraced Garden in the Bellevue Botanical Garden within a portion of a wetland critical area buffer.

File Number: 10-123310-LO

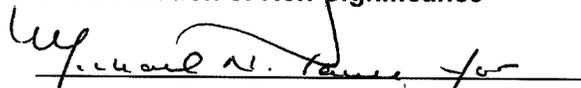
Applicant: Bellevue Parks & Community Services Department

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

Planner: Kevin LeClair, Planner

**State Environmental Policy Act
Threshold Determination:**

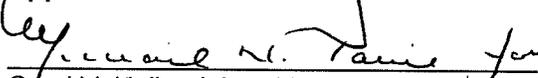
Determination of Non-Significance



Carol V. Helland, Environmental Coordinator
Development Services Department

Director's Decision:

Approval with Conditions



Carol V. Helland, Land Use Director
Development Services Department

Application Date: September 28, 2010
Notice of Application Publication Date: October 14, 2010
Decision Publication Date: January 27, 2011
Project/SEPA Appeal Deadline: February 10, 2011

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.



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 100th Ave NE., P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Scott VanderHyden, Parks and Community Services Department

LOCATION OF PROPOSAL: 12001 Main Street

NAME & DESCRIPTION OF PROPOSAL:

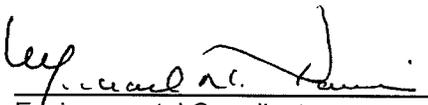
Critical Areas Land Use Permit for the development of the 4.2 acre Wetland-Sun Terraced Garden in the Bellevue Botanical Garden within a portion of a wetland critical area buffer.

FILE NUMBER: 10-123310-LO

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 10, 2011.
- 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

January 27, 2011

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

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Attachments

1. Environmental Checklist
2. Site Plan – In File

I. Proposal Description

The application is requesting a Critical Areas Land Use Permit for the development of a 4.2 acre Wetland-Sun Terraced Garden as part of the Bellevue Botanical Garden. The construction of the garden will result in disturbance of approximately 11,000 square feet of the northern portion of a wetland critical area buffer predominantly covered by Himalayan blackberry. Much of the disturbance will be temporary and will be restored. There will be approximately 840 square feet of permanent disturbance in the wetland critical area buffer that will be mitigated through restoration of the same square footage elsewhere in the buffer.

The wetland in the vicinity of the project site is rated as a Category III and is afforded a 110-foot wetland critical area buffer. The garden's encroachment into the buffer will be approximately 80 feet from the edge of the wetland. The project is characterized as a "new or expanded public park" in Section 20.25H.055 of the Land Use Code (LUC). As such, it is considered an allowed use provided the performance standards enumerated in LUC 20.25H.055.C.3.g and 20.25H.100 are met.

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

A. Site Description

The site is located a 12001 Main Street on the northwestern-most corner of the existing Bellevue Botanical Garden. The project site is currently an undeveloped depressed area dominated by alder, bigleaf maple, Himalayan blackberry, reed canary grass, and creeping buttercup.



B. Zoning

The property is zoned R-1. The property also contains wetland critical areas and wetland critical area buffers, therefore it is also within the Critical Areas Overlay District.

C. Land Use Context

The property is located within the Wilburton/NE 8th Street Comprehensive Plan subarea. The Bellevue Botanical Garden and Wilburton Hill Park serve key role in providing separation between the more-intense land uses of 120th Ave NE/Auto Row areas and the less-intense, residential areas to the east and south of the garden and park. The development of the Wetland-Sun Terrace Garden was included as an element of the update of the Bellevue Botanical Garden Master Plan in 2008.

D. Critical Areas Functions and Values

i. Wetlands

Wetlands provide important functions and values for both the human and biological environment—these functions include flood control, water quality improvement, and nutrient production. These “functions and values” to both the environment and the citizens of Bellevue depend on their size and location within a basin, as well as their diversity and quality. While Bellevue’s wetlands provides various beneficial functions, not all wetlands perform all functions, nor do they perform all functions equally well. However, the combined effect of functional processes of wetlands within basins provides benefits to both natural and human environments. For example, wetlands provide significant stormwater control, even if they are degraded and comprise only a small percentage of area within a basin.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The site is located in the R-1 land use zoning district. There is one structure proposed as part of the proposed garden development. It is an approximately 23 feet wide by 15 feet deep by 15 feet tall shelter located at the approximate center of the property and low-point of the trail that weaves through the garden.

The structure will be located nearly 120 feet from the nearest property line and will be less than 20 feet tall, and will, therefore, be in compliance with the dimensional standards for the zoning district. The size of the structure, relative to the parcel size on which it is located results in a lot coverage of less than 1%. All of the garden paths are proposed to be surfaced of pervious material and will ultimately drain to bioretention cells incorporated into the garden design. The result will be a site that is far below the allowed impervious surface coverage allowed for the district of 50%.

B. Critical Areas Requirements LUC 20.25H:

i. Performance Standards for “New or Expanded City or Public Parks” LUC 20.25H.055.C.3.g

The following discussion explains how the proposal complies with the performance standards for New or Expanded City and Public Parks for trails.

a. Trail location and design shall result in the least impacts on the critical area or critical area buffer;

The trail layout is contoured to follow the existing topography and is routed to avoid impacts to significant trees and desirable vegetation. Two trees will be removed within the buffer, but their loss is mitigated with installation of three

new conifers in addition to the mitigation for the permanent disturbance of the trail itself. The trail width is the minimum necessary to allow comfortable two-way pedestrian access. The trail is designed to be of pervious material. Both sides of the trail will be planted with a dense mixture of native and non-native plants that will increase the diversity within the existing critical area buffer.

b. Trails shall be designed to complement and enhance the environmental, educational, and social functions and values of the critical area with trail design and construction focused on managing and controlling public access and limiting uncontrolled access;

Goals of the design include the desire to increase the ecological function of the project site and to make visitors familiar with, and appreciative of, the plant communities of the region while allowing interpretation of hydrologic processes of site. Around this, visitors will experience interpretive programs which will demonstrate and suggest how environmental and topographical features and challenges might be preserved, conserved, augmented and incorporated. Interpretive opportunities that will be featured include storm water management techniques, proper plant selection, and creative drainage and water collection techniques.

The basic design philosophy underlying the garden is to work with its natural features and processes and interpret these to visitors as part of an educational program.

c. Trails shall be designed to avoid disturbance of significant trees and to limit disturbance of native understory vegetation;

Although two trees will be removed in the wetland critical area buffer, the disturbed area will be restored with a large variety native and non-native plant species, including 10 trees. In addition, three conifer trees will be planted elsewhere in the buffer along with 840 square feet of buffer enhancement and restoration.

d. Trails shall be designed to avoid disturbance of habitat used for salmonid rearing or spawning or by any species of local importance;

The trail is completely outside of the critical area itself, but within the critical area buffer of the wetland critical area. A habitat assessment was conducted by the applicant for the update of the park master plan. It was determined that the Wetland-Sun Terraced Garden will have a negligible affect impact on wildlife movement because the garden is on the edge of the Bellevue Botanical Garden. There will be short term impacts associated with construction impacts, but restoration with native plant species, will result in little long term negative impacts to species of local importance.

e. The trail shall be the minimum width necessary to accommodate the intended function or objective;

As stated above, the trail is the minimum width necessary to allow ADA access and comfortable two-way pedestrian movement through the garden room.

f. All work shall be consistent with the City of Bellevue's "Environmental Best Management Practices" and all applicable City of Bellevue codes and standards, now or as hereafter amended;

The work is consistent with the Environmental Best Management Practices

relative to trail construction techniques and integrated pest management.

g. Where feasible and consistent with any accessibility requirements, any trail shall be constructed of pervious materials;

New trail segment will maintain a 6 feet standard park width and be overlaid with pervious asphalt surfacing which will help with erosion in wet winter months.

h. Crossings over and penetrations into wetlands and streams shall be generally perpendicular to the critical area, and shall be accomplished by bridging or other technique designed to minimize critical area disturbance considering the entire trail segment and function; and

The proposed trail segment traverses the edge of the 110-foot wetland critical area buffer and is over 80 feet from the edge of the wetland critical area.

i. 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.

The disturbed area will be restored with a large variety native and non-native plant species, including 10 trees. In addition, three conifer trees will be planted elsewhere in the buffer along with 840 square feet of buffer enhancement and restoration.

ii. Performance Standards for Wetlands LUC 20.25H.100

a. Lights shall be directed away from the wetland.

Lighting is not proposed as an element of this park development. A condition of approval of the subsequent park development is included that prohibits the installation of lights into the area of wetland critical area buffer proposed for disturbance.

b. Activity that generates noise such as parking lots, generators, and residential uses, shall be located away from the wetland, or any noise shall be minimized through use of design and insulation techniques.

The proposed park development is not anticipated to generate any significant noise, with the exception of the construction activity and the routine maintenance of the completed garden.

c. Toxic runoff from new impervious area shall be routed away from the wetlands.

No toxic runoff from new impervious areas will be created.

d. Treated water may be allowed to enter the wetland critical area buffer.

Water that falls on the new garden will be routed to bioretention ponds or cells that will then be allowed to flow toward the wetland critical area buffer. The bioretention areas will be constructed per the standards of the Bellevue Utilities Department.

e. The outer edge of the wetland critical area buffer shall be planted with dense vegetation to limit pet or human use.

The applicant is proposing to plant a diverse mixture of a native and non-native plant species to protect the functions and value of the critical area buffer.

These plantings, along with the required mitigation and restoration planting to be required as a condition of approval will limit human access to the wetland critical area buffer. At this time, pets are not allowed in the Bellevue Botanical Garden.

f. Use of pesticides, insecticides and fertilizers within 150 feet of the edge of the wetland buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.

The project applicant is the Bellevue Parks & Community Services Department, which manages the Bellevue Botanical Garden. The applicant has adopted Bellevue's Environmental Best Management Practices as a foundation of their operational practices for the management of the garden.

iii. Performance standards for Habitat associated with Species of Local Importance LUC 20.25H.160

The applicant prepared a habitat assessment for the property. The assessment reported that the project area is likely used by pileated woodpecker and several bat species.

The recommendation was to preserve the large, significant trees and convert patches of Himalayan blackberry and English ivy to native species. The proposal will remove no snags or large conifer trees that serve as the primary habitat for these species. The proposal increases the native and non-native plant diversity on the site and enhances the wetland buffers, which will protect the existing high quality habitat areas on the site.

IV. Public Notice and Comment

| | |
|---------------------------|--------------------|
| Application Date: | September 28, 2010 |
| Public Notice (500 feet): | October 14, 2010 |
| Minimum Comment Period: | October 28, 2010 |

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on October 14, 2010. It was mailed to property owners within 500 feet of the project site. One request for additional information was received from the public as of the writing of this staff report. Additional information was shared with the customer and no further questions or 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 development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development.

Utilities

The Utilities Department's Development Review Division has reviewed the proposed development for compliance with Bellevue Utilities' codes and standards. The Utilities Development Review staff found no issues with the proposed development.

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 and Water

A complete construction stormwater pollution prevention plan (CSWPPP) is required to be reviewed and approved as part of the subsequent clearing and grading permit. The CSWPPP is required to address all temporary erosion and sedimentation controls needed prevent soil migration into the adjacent wetland critical area. The applicant will also be required to submit information regarding the use of pesticides, insecticides, and fertilizers to avoid impacts to water resources. See Section X for a related condition of approval.

B. Animals

The project site is on the edge of a larger natural area that contains quality habitat for birds and mammals. The proposed garden development and trail is designed to skirt the edge of the critical area buffer. Three significant trees will be removed, but a diversity of native and non-native plants will be installed in the disturbed portion of the buffer along with a several conifer trees and an additional 840 square foot area of native plantings will be installed. The area that will be contain the majority of the garden development does not contain any vegetation communities that are likely to support species of local importance, therefore it is not likely that project will result in any significant impacts to animals.

C. Plants

Mitigation for temporary and permanent disturbance will be approved pursuant to an approved re-vegetation and monitoring 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 as a result of City review

The proposal, as submitted for the Critical Areas Land Use Permit, is largely unchanged. The project underwent an extensive preapplication review and discussion associated with the previous preliminary SEPA review of the Bellevue Botanical Garden Master Plan Update.

At that time, the proposed Wetland-Sun Terrace Garden extended further into the wetland buffer and included a boardwalk trail spur that extended up the edge of the Category III wetland to the south of the project area. Although these elements were supportive of the education mission of the Bellevue Botanical Garden, the trail design was modified and the boardwalk spur was removed as avoidance and minimization measures to protect the functions and values of the wetland and wetland critical area buffer.

VIII. Decision Criteria

A. Critical Areas Land Use Permit Decision Criteria 20.30P

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;

Finding: The proposal is required to obtain a clearing and grading permit for the major earthwork associated with the proposal. The construction of the shelter will require building permit be review and approved before it can be built. A Right-of-Way Use permit will be required for the construction haul-route associated with the clearing and grading of the project.

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;

Finding: The proposal intends to install pervious pavement for all of the internal walkways of the newly developed garden. The proposal also includes the use of

bioretention cells or ponds that will gather and release stormwater on the site and release it at a slow rate to the on-site wetlands, ensure the hydrology supporting these features is maintained.

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

Finding: As discussed in Section III of this report, the proposal incorporates and demonstrates compliance with all of the applicable performance standards for the requested use and the critical area features on the site.

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

Finding: The project site is currently served by adequate public facilities. The proposed development will not change the need for public facilities on the property.

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

Finding: The proposal contains an extensive planting plan that includes both native and non-native plant species as restoration of the temporarily disturbed areas. In addition, the applicant will be required to install three native conifer trees in the wetland critical area buffer, restore 840 square feet of wetland critical area buffer, and monitor this mitigation effort for a period of three years.

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

Finding: As discussed in Section III and V of 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, SEPA, City Code and Standard compliance reviews, the Director of Planning and Community Development does hereby **approve with conditions** the proposal to develop a 4.2 acre Wetland-Sun Terraced Garden within a portion of the 110-foot wetland critical area buffer at the Bellevue Botanical Garden at 12001 Main Street.

Note- Expiration of Approval: In accordance with LUC 20.30P.150, this Critical Areas Land Use Permit will automatically expire and be void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within three years 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 | Savina Uzunow, 425-452-7860 |
| Land Use Code- BCC 20.25H | Kevin LeClair, 425-452-2928 |
| Noise Control- BCC 9.18 | Kevin LeClair, 425-452-2928 |
| Transportation Code – BCC 14.60 | Rohini Nair, 425-452-2569 |

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

1. Expiration of Approval: This Critical Areas Land Use Permit will automatically expire and be void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within three years of the effective date of the approval.

Authority: Land Use Code 20.30P.150
Reviewer: Kevin LeClair, Land Use

2. Restoration for Areas of Temporary Disturbance: A restoration plan for all areas of temporary disturbance is required to be submitted for review and approval by the City of Bellevue prior to the issuance of the Clearing and Grading Permit. The plan shall include documentation of existing site conditions and shall identify the restoration measures to return the site to its existing conditions per LUC 20.25H.220.H.

Authority: Land Use Code 20.25H.220.H
Reviewer: Kevin LeClair, Land Use

3. Mitigation for Areas of New Permanent Disturbance: A mitigation plan for all areas of permanent new disturbance is required to be submitted for review and approval by the City of Bellevue prior to issuance of the Clearing and Grading Permit. The plan shall document the total area of permanent disturbance and area of new critical area buffer to satisfy a replacement ratio of one to one.

The mitigation plan shall include the following:

- 1) Plant three conifer trees in addition to the ones already planned for in the garden itself. The trees should be planted to provide additional evergreen screening from the permanent pathways of the garden (such as: the wide gravel garden pathway below the perennial border and south of the proposed retaining wall). The 3 trees should be 4-6 feet tall at planting.

- 2) Add 840 square feet of restoration area to the existing buffer, in the form of invasive removal and native plant installation, this would make up for the lost buffer area from the trail. Additional area beyond the 840 square feet can also be restored as part of this approval, but should be shown on the park development plans.
- 3) A performance standards and monitoring plan for a period of three years that is adequate to ensure the plantings survive and the invasive species do not recolonize the restored area.

Authority: Land Use Code 20.25H.210
Reviewer: Kevin LeClair, Land Use

4. Rainy Season restrictions: Due to the proximity to wetland critical areas, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A,
Reviewer: Savina Uzunow, Clearing and Grading

5. Pesticides, Insecticides, and Fertilizers: The applicant must submit as part of the required Clearing and Grading Permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

Authority: Land Use Code 20.25H.220.H
Reviewer: Kevin LeClair, Land Use

6. 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: Kevin LeClair, Land Use

7. Lighting in Wetland Buffer: To ensure the remaining wetland critical area buffer is allowed to perform its function of protecting the wetland critical area from disturbance artificial light, no artificial lights are allowed to be installed with the disturbed portion of the wetland critical area buffer being approved by this decision.

Authority: Land Use Code 20.25H.100.A
Reviewer: Kevin LeClair, Land Use

8. Right of Way Frontage Improvement: Due to the scope of the project and proximity of impacts to the public right of way, the applicant is required to improve the property frontage adjacent to the project area along 118th Ave SE. All sidewalks shall be constructed with five inch thick Class 3000 concrete with a non-slip broom finish. The design and details of the sidewalk will be reviewed during the engineering plan review stage. Alternative surfacing options will be reviewed and considered at the time of construction for consistency with Transportation Development Standards.

Authority: Bellevue City Code 14.60
Reviewer: Rohini Nair, Transportation

DRAFT SEPA CHECKLIST COPY

WAC 197-11-960 Environmental Checklist

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

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

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:
Bellevue Botanical Garden – Sun Terraced Garden

2. Name of applicant:
**City of Bellevue
Scott VanderHyden, Project Manager**

3. Address and phone number of applicant and contact person:
**Applicant: Scott VanderHyden, Project Manager
P O Box 90012
Bellevue WA 98008
425-452-4169**

**Agent: JGM Landscape Architects, Inc.
David McNeal, Principal
2800 Northup Way, Suite 100
Bellevue WA 98040
425-454-5723**

4. Date checklist prepared:
May 25, 2010

5. Agency requesting checklist:

SEPA Threshold Determination
occurring concurrently with review of
Critical Areas Land Use Permit under
Bellevue file # 10-123310-LO

REVIEWED

By Kevin LeClair at 8:44 am, Oct 07, 2010

DRAFT SEPA CHECKLIST COPY

City of Bellevue, Washington

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

The Sun Terraced Garden is a construction project anticipated in the 2008 Bellevue Botanical Garden Master Plan Update. Construction will not start until construction funding is secured.

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

The 2008 Master Plan Update addresses the following future improvements:

- **Two New Garden Rooms (including the Sun Terraced Garden)**
- **New Visitor Services Center**
- **Expanded Parking Area**
- **New Maintenance Facility**
- **New Pedestrian Bridges and Pathways**
- **New Tree House Structure**
- **Relocating Existing Sharp’s Cabin**

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

Bellevue Botanical
Garden Master Plan
Non-project SEPA
Threshold
Determination under
Bellevue File #
08-114999-LM

- **Wetland Delineation Report for the Bellevue Botanical Garden by Skillings Connolly Inc., dated 2007.**
- **Habitat Assessment Report for the Bellevue Botanical Garden by Skillings Connolly Inc., dated March 28, 2008.**
- **A Tree Management Program was completed for the Bellevue Botanical Garden by Urban Forestry Services, Inc. and the Weisman Design Group, Inc., PS dated December 2007.**
- **A Traffic Impact Analysis was completed for the Bellevue Botanical Garden Master Plan Update by The Transpo Group, Inc. in July 2008.**
- **A Preliminary Geotechnical Engineering Report was completed for the Bellevue Botanical Garden – Wetland and Terrace Sun Garden by Associated Earth Sciences, Inc. dated November 24, 2009.**

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

None Known

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

- City of Bellevue**
- Critical Areas Special Use Permit**
- Building Permit**
- Clearing and Grading Permit**
- State Electrical Permit**

- Washington State Department of Ecology**
- Construction Dewatering and Stormwater Discharge Permit (NPDES)**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

Bellevue Botanical Garden – Sun Terraced Garden is an area of 4.2 acres within the existing Botanical Garden. It is designed to capitalize on this site’s south and west facing slopes which will receive large amounts of sunlight throughout most of the year. The slopes will allow the Garden to demonstrate suitable garden techniques for sloping land with a lot of sun exposure. Accessible trails will allow visitors to view a variety of garden types that work well in this sunny environment. The slopes flatten

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out lower in the garden to demonstrate the differences in the garden aesthetic with the native vegetation that surrounds the existing wetland at the bottom of the slope.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s).

The Bellevue Botanical Garden is located at 12001 Main St, Bellevue WA 98005

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

Rolling topography with undeveloped forested areas and open areas that are primarily the Botanical Garden.

b. What is the steepest slope on the site (approximate percent slope)?

40% + in certain areas

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Soil mapping indicates AgC, Alderwood Series gravelly sandy loam, is found at this site.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None have been identified.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

There will be a variety of fill materials that will be imported into the site to construct the site improvements:

- **Clean sand and gravel fill** 11,985 cubic yards
- **Crushed rock surfacing** 425 cubic yards
- **Porous asphalt surfacing** 328 cubic yards
- **Topsoil** 3,110 cubic yards
- **Bioretention pond soil mix** 325 cubic yards
- **Bioretention pond drain rock** 215 cubic yards

The source of these materials will be primarily from sand and gravel pits, topsoil suppliers, and asphalt plants.

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

Yes. Soil will be exposed as a result of clearing and grubbing. Some areas have slopes as steep as 40% which would be more susceptible to erosion.

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

Less than 5%. The asphalt paving used for trails is porous asphalt which is not an impervious surface.

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

Construction for Sun Terraced Garden improvements will include erosion control measures as required by current City of Bellevue Land Use codes. Typically, this includes temporary facilities such as silt fence, diversions, check dams and settling basins. Once grass and plants are established these temporary control measures can be removed.

The required clearing and grading permit will require implementation of erosion control BMPs

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2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Construction activities will generate short term dust and exhaust from construction vehicles.

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

None Known

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

Appropriate dust control measure will be used during construction to reduce dust generated by earthwork operations.

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

- **Surface Water has been identified in some wetland areas (outside the limits of work).**
- **Wetlands have been identified and delineated on-site.**
- **Drainages include seasonal un-named streams.**

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. Trail improvements are proposed within 200 feet of surface water bodies. See attached Sun Terraced Garden drawing.

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 material is proposed to be placed in or removed from surface wetlands.

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

No

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

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

No

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No withdrawal or discharge anticipated at this time. All runoff will be directed into improved bioretention ponds.

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

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c. Water runoff (including stormwater):

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

The project is a botanical garden. All project runoff and stormwater will be directed to the new bioretention ponds.

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

Properly designed and maintained treatment measures are intended to prevent waste transmission.

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

Stormwater improvements will utilize the latest proven low impact development (LID) measures.

4. Plants

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

Deciduous tree: alder, maple, aspen, other

Evergreen tree: fir, cedar, pine, other

Shrubs

Grass

Pasture

Crop or grain

Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

Water plants: water lily, eelgrass, milfoil, other

Other types of vegetation

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

Identified noxious weed and hazardous vegetation will be removed within the area of the improvement.

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

None known.

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

Site is a botanical garden.

5. Animals

- a. Underline 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: mallard ducks, American crow

Mammals: deer, bear, elk, beaver, other: coyote, raccoon, vole, Eastern gray squirrel

Fish: bass, salmon, trout, herring, shellfish, other:

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

None known.

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

Yes. Site contains a large forested area. A small wetland is likely to be part of some migration route.

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

Botanical Garden serves to preserve and enhance habitat used by wildlife. Plant materials provide both food and shelter for wildlife. Wildlife corridors are maintained throughout the Botanical Garden's Native Preserve areas.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs?

Lighting of proposed tool shed will utilize electricity.

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 this proposal? List other proposed measures to reduce or control energy impacts, if any:

Sustainable design for proposed garden structures may also utilize alternative sources such as solar, wind and other passive sources.

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.

None known at this time.

1) Describe special emergency services that might be required.

None

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

None

b. Noise

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

Traffic noise from I-405 can be heard in some areas of the garden.

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

Short term construction noise will be limited to day time hours during the work week.

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?

Site is a botanical garden including a native forest. Site is used for passive recreational purposes. The adjacent properties include residential, school administrative buildings, office park and power transmission line corridor.

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

No

c. Describe any structures on the site.

Existing park buildings and maintenance facilities.

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

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Existing residence will be demolished.

e. What is the current zoning classification of the site?
Park

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

g. If applicable, what is the current shoreline master program designation of the site?
Not applicable

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
Slopes in excess of 40% exist on site.

i. Approximately how many people would reside or work in the completed project?
Workers: 4 full-time workers
Volunteers: 10 to 30 at times

j. Approximately how many people would the completed project displace?
None

k. Proposed measures to avoid or reduce displacement impacts, if any:
None

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

The Sun Terraced Garden improvements were approved as part of the 2008 Master Plan Update process that addresses proposed improvements to the existing passive recreational facility.

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.
None

c. Proposed measures to reduce or control housing impacts, if any:
None

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?
Size and building materials for proposed structure are unknown at this time.

b. What views in the immediate vicinity would be altered or obstructed?
None. Views of downtown Bellevue would actually be improved by construction of the Garden Mound observation point.

c. Proposed measures to reduce or control aesthetic impacts, if any:
Sun Terraced Garden improvements are meant to add to the beauty and diversity of the Botanical Garden.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
None



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- 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?
None
- d. Proposed measures to reduce or control light and glare impacts, if any:
Not applicable

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
Site is an existing park and botanical garden with access to trail system.
- 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:
Sun Terraced Garden is meant to increase passive recreation opportunities for Botanical Garden visitors.

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, archaeological, scientific, or cultural importance known to be on or next to the site.
Some foundations remain of structures with cultural significance. Sharp's cabin and Short's house are also located on site.
- 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.
Vehicular access is from Main Street. Maintenance access will be from S.E. 5th Street. Pedestrian access will be from Main Street, the Lake-to-Lake Trail and S.E. 4th Street.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
No. The closest transit stop is approximately 1/2 mile away from site.
- c. How many parking spaces would the completed project have? How many would the project eliminate?
There would be no additions or deletions to the parking capacity of the Botanical Garden as a result of this project.
- 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).
A Traffic Impact Analysis was completed for the Bellevue Botanical Garden Master Plan Update by The Transpo Group, Inc. in July 2008. The Traffic study determined there was no need for any street improvements at this time.
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No

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

The above Traffic Impact Analysis determined that ALL improvement projects in the Master Plan Update would generate 166 new peak hour vehicle trips (83 inbound and 83 outbound), on the surrounding transportation system during the average weekday PM peak hour. Since the majority of these trips would be generated by the new building projects (described in the Master Plan Update) according to the Traffic Impact Analysis, the Sun Terraced Garden would contribute a minor part of the peak hour vehicle trip increase.

g. Proposed measures to reduce or control transportation impacts, if any:
None

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
No

b. Proposed measures to reduce or control direct impacts on public services, if any.
Not applicable

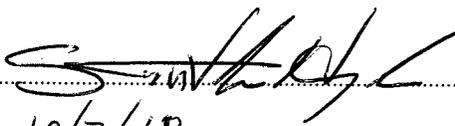
16. Utilities

a. Underline utilities currently available at the site:
Electricity, natural gas, water, refuse service, telephone, sanitary sewer, 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.
Existing utilities will be used for proposed improvements.

C. SIGNATURE

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

Signature of Proponent/Applicant: 

Date Submitted: 10/7/10