



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE, P.O. BOX 90012
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Comcast Cablevision

LOCATION OF PROPOSAL: 3911 Lake Washington Boulevard

DESCRIPTION OF PROPOSAL:

Application for Shoreline Substantial Development Permit approval to construct an underground communications line at SE 40th Street

File Number: 13-133242

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.

- This DNS is issued after using the optional DNS process in WAC 197-11-355. The public and agency comment period was provided with the notice of application.
- This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below.

Appeals of the environmental determination and/or Shoreline Substantial Development Permit can be made to the Shoreline Hearings Board. The Shoreline Hearings Board must receive written appeals within twenty-one (21) days of the date of filing of the permit with the State Department of Ecology. For information on how to appeal a proposal, contact the Shoreline Hearings Board at 360-459-6327, or visit the City of Bellevue Permit Center at City Hall or call 425-452-6800.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts; if there is significant new information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

OTHERS TO RECEIVE THIS DOCUMENT:

State Department of Fish and Wildlife
State Department of Ecology, Shoreline Planner N.W. Region
Army Corps of Engineers
Attorney General
Mukleshoot Indian Tribe

February 6, 2014

Date



City of Bellevue
 Development Services Department
 P.O. Box 90012, Bellevue, WA 98009-9012
 (425) 452-6800 Fax (425) 452-5225

**Shoreline Management Act of 1971
 Permit for Shoreline Management Substantial
 Development
 Conditional Use and/or Variance**

Application No. 13-133242 WG

Date Received 10/28/2013

Approved / Date 2/06/2014
 Denied / Date _____

Type of Action:

- Substantial Development Permit
- Conditional Use Permit
- Variance Permit

Pursuant to Chapter 90.58 RCW, a permit is hereby granted to: Comcast Cablevision

to undertake the following development:

Install underground telecommunications line from Lake Washington Blvd SE along SE 49th Street in shoreline jurisdiction. The 1,597-foot line will be bored and all work is within the developed right-of-way.

upon the following property: 3911 Lake Washington Boulevard

within Lake Washington
 and/or its associated wetlands. The project will be located within Shorelines of Statewide Significance (RCW 90.58.030). The project will be located within a Shoreline Overlay District designation. The following master program provisions are applicable to this development:

- Land Use Code Part 20.25E.080(B) General Regulations Applicable to all Land Use Districts & Activities,
- Land Use Code Part 20.25E.080 Clearing and Grading Regulations; LUC Section 20.30R.155 Shoreline Substantial Development Permit
- Land Use Code Part 20.25H Critical Areas Overlay
- Bellevue Comprehensive Plan, Shoreline Management Program Element, Policy SH-13 and SH-50

Development pursuant to this permit shall be undertaken in accordance with the following terms and conditions:

See Conditions on next page

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof. Construction pursuant to this permit, or substantial progress toward construction, must be undertaken within two years of the date of final approval. This permit shall expire five years from the date of local approval.

Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date of filing, as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one (21) days from the date of such filing have terminated; except as provided in RCW 90.58.140(5) (A) (B) (C).

February 6, 2014

 Date City of Bellevue, Development Services Division

CC: Christa Heller, Dept. of Ecology, 1775 12th Ave. NW Suite 201 Issaquah, WA 98027
 Joe Burcar, WDFW 3190 160th Avenue SE, Bellevue, WA 98008-5452

Decision Criteria

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 modifications; and

Finding: The applicant has submitted a complete proposal and documentation to support their request to install telecommunications line in shoreline jurisdiction.

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

Finding: The applicant has demonstrated compliance with City codes.

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.

Finding: The proposal is consistent with the Comprehensive Plan Policies that make up the city's Shoreline Master Program. The project is consistent with the following specific Master Program policies:

POLICY SH-13. Protect and improve wildlife and aquatic habitats, particularly spawning waters.

POLICY SH-27. Preserve and enhance views of shoreline and water from public areas.

POLICY SH-40. Discourage incompatible commercial uses in the shorelines

Conditions of Approval

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

1. State and Federal Permits Required: Prior to the issuance of the required clearing and grading permit, the applicant shall produce evidence of receipt of required state and/or federal permits as necessary.

Authority: Land Use Code 20.30R.155

Reviewer: Michael Paine, DSD Land Use

2. Construction Stormwater Pollution Prevention Plan: To ensure federal and state water quality and effluent standards are met, and to comply with the provision of Chapter 23.76 BCC, a Construction Stormwater Pollution Prevention Plan is required to be submitted for review and approval as part of the clearing and grading permit.

Authority: Bellevue City Code 23.76

Reviewer: Janney Gwo, DSD. Clearing and Grading

3. Noise Control: Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

Authority: Bellevue City Code 9.18

Reviewer: Michael Paine, DSD, Land Use