



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

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS) NOTICE MATERIALS

The attached materials are being sent to you pursuant to the requirements for the Optional DNS Process (WAC 197-11-355). A DNS on the attached proposal is likely. This may be the only opportunity to comment on environmental impacts of the proposal. Mitigation measures from standard codes will apply. Project review may require mitigation regardless of whether an EIS is prepared. A copy of the subsequent threshold determination for this proposal may be obtained upon request.

File No. 14-141563-LO

Project Name/Address: Programmatic Vegetation Management plan for City of Bellevue

Planner: Heidi M. Bedwell

Phone Number: 425-452-4862/ hbedwell@bellevuewa.gov

Minimum Comment Period: October 30, 2014

Materials included in this Notice:

- Blue Bulletin
- Checklist
- Vicinity Map
- Plans
- Other:

OTHERS TO RECEIVE THIS DOCUMENT:

- State Department of Fish and Wildlife / Sterwart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- Attorney General ecyolyef@atg.wa.gov
- Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us

City of Bellevue Submittal Requirements	27
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ENVIRONMENTAL CHECKLIST

12/21/00

Thank you in advance for your cooperation and adherence to these procedures. 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.

INTRODUCTION

Purpose of the 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 City of Bellevue identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the City decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. 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 Planner in the Permit Center 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. Include references to any reports or studies that you are aware of which are relevant to the answers you provide. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts.

Use of a Checklist for Nonproject Proposals: *A nonproject proposal includes plans, policies, and programs where actions are different or broader than a single site-specific proposal.*

For nonproject proposals, complete the Environmental Checklist even though you may answer "does not apply" to most questions. In addition, complete the Supplemental Sheet for Nonproject Actions available from Permit Processing.

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.

Attach an 8½" x 11" vicinity map which accurately locates the proposed site.

Received
SEP 23 2014
Permit Processing

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ENVIRONMENTAL CHECKLIST

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BACKGROUND INFORMATION

Property Owner: **City of Bellevue**

Proponent: **City of Bellevue, Parks and Community Services, Utilities and Transportation Departments**

Contact Person: **Kenny Booth, The Watershed Company**
 (If different from the owner. All questions and correspondence will be directed to the individual listed.)

Address: **750 Sixth Street South, Kirkland, WA 98033**

Phone: **(425) 822-5242**

Proposal Title:

Programmatic Permit – Critical Areas Land Use Permit/Clear and Grade/SEPA for City of Bellevue Parks & Community Services, Utilities, and Transportation Departments

Proposal Location (Street address and nearest cross street or intersection) Provide a legal description if available:

Various locations throughout the City of Bellevue. See the attached map for locations of areas within the City where public rights-of-way and parks/open spaces abut or cross critical areas and their buffers.

Please attach an 8½" X 11" vicinity map that accurately locates the proposal site.

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

1. General description: **The City of Bellevue Parks and Community Services, Utilities and Transportation Departments are seeking programmatic SEPA coverage to allow for a variety of routine vegetation management activities within critical areas and critical area buffers. Activities will occur within City-owned rights-of-way and City-owned parks and open spaces. Proposed activities include sight distance and obstruction clearing; hazard tree removal; invasive species removal; forest health; and habitat enhancement. Activities will occur within wetlands and on steep slopes, as well as within the buffers of wetlands, steep slopes, streams, shorelines, and ponds less than 20 acres in size. The main objective of the proposal is to manage and maintain critical areas and critical area buffers in order to ensure that the adjacent improved right-of-way is not threatened by hazard trees, overgrown by vegetation, impaired by visual barriers, damaged by growing root systems, or otherwise impacted.**
2. Acreage of site: **Acreages will vary by location and activity. The programmatic permit includes acreage thresholds for each activity.**
3. Number of dwelling units/buildings to be demolished: **Not applicable.**
4. Number of dwelling units/buildings to be constructed: **Not applicable.**
5. Square footage of buildings to be demolished: **Not applicable.**
6. Square footage of buildings to be constructed: **Not applicable.**
7. Quantity of earth movement (in cubic yards): **Activities authorized under the programmatic permit do not include any excavation or fill.**
8. Proposed land use: **Maintenance activities will occur throughout the City in a wide variety of land use districts, including residential, commercial, and industrial.**
9. Design features, including building height, number of stories, and proposed exterior materials: **Not applicable.**
10. Other

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

Vegetation management activities are likely to begin upon approval of the programmatic permits. Activities are expected to occur year round. However, all activities must comply with the rainy season provisions as established in Chapter 23.76 of the Bellevue Land Use Code.

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

The vegetation management activities proposed under this programmatic permit are not expected to be expanded upon.

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

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The Watershed Company. July 2014. Programmatic Permit: Critical Areas Land Use Permit/Clear and Grade/SEPA for City of Bellevue Parks & Community Services, Utilities, and Transportation Departments

Tobin, C. and L. Pendergrass. 1997. Bellevue Historic and Cultural Resources Survey. City of Bellevue, Design and Development Department. March 1993. Survey updated July 1997.

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.

There are no known pending permits that could impact the proposed vegetation management activities.

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.

The proposal seeks programmatic approval of a Critical Areas Land Use Permit and a Clearing and Grading Permit. State and/or federal permits may be needed on a case-by-case basis for work proposed within wetlands.

Please provide one or more of the following exhibits, if applicable to your proposal. **N/A**
(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 (circle one): Flat Rolling Hilly Steep slopes Mountains Other:

Slopes within the right-of-way and adjacent areas are generally flat or rolling. However, some activities may occur on steep slopes within City-owned open spaces.

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

It is possible that work may occur on steep slope areas that are up to 60 percent in slope.

- 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 types will vary from location to location, but soils in Bellevue rights-of-way generally are Alderwood, Arent, Beausite, Bellingham, Everett, Indianola, Kitsap, Ovall, and Urban Land classifications.

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

Soil stability is likely to vary from location to location. It is possible that unstable soils could be found on steep slopes. In those instances, proper erosion control measures, including appropriate BMPs, will be implemented.

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

Grading and filling will not occur as part of any activity proposed under the programmatic permit.

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

Erosion is not expected to occur during implementation of maintenance activities proposed under the programmatic permit. However, appropriate temporary erosion control BMPs would be utilized as needed. BMPs are outlined in detail in the programmatic permit.

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

The proposed programmatic permit does not include the placement of any permanent impervious surfaces.

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

The BMPs cited within the programmatic permit are adequate to control erosion.

Erosion control per BCC
23.76

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.

Any air quality impacts associated with maintenance activities, including construction vehicle emissions and dust generation, would be temporary and rapidly dissipated. After project completion, no further impacts to air would occur.

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

There are not anticipated to be any off-site sources of emissions that will affect proposed maintenance activities.

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

Standard methods of reducing impacts to air would be utilized, including managing disturbed soils as described in the programmatic permit.

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.

The map titled "Vegetation Management Programmatic Map" shows the locations where maintenance activities may occur. It is possible for activities to occur in close proximity to streams throughout the City, as well as both Lake Washington and Lake Sammamish. The permit also authorizes certain activities within wetlands.

- 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, maintenance activities could occur within 200 feet of previously mentioned waters. Activities may also occur within wetlands. However, no work will occur in streams or lakes.

- 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.

Grading will not occur as part of any activity proposed under the programmatic permit. Therefore, no filling or dredging in surface waters or wetlands will occur.

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

No in-water work is proposed. Therefore, surface water withdrawals or diversions will not occur.

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

Maintenance activities could occur within areas designated as 100-year floodplains. However, maintenance activities will not impact flood storage capacity or alter the floodplain in any way.

- 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 intentional discharges of waste materials would occur during maintenance activities. All appropriate BMPs would be implemented to prevent such discharges.

b. Ground

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

There will be no withdrawal of or discharge to ground water associated with the proposed maintenance activities.

- 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.

There will be no waste material from septic tanks or other sources discharged into the ground as part of the proposed maintenance activities.

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.

In each maintenance activity location, runoff from the immediate project site is not expected except at natural, near pre-project rates. In some cases, restoration plantings may decrease the overall amount of runoff from the project area.

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

During maintenance, fuel, lubricant or other material spills from hand-held power equipment could enter ground or surface waters. However, spill cleanup equipment shall be present on-site for all maintenance activities.

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

The erosion control measures described under question 1h would help control impacts to surface and runoff water.

4. PLANTS

- a. Check types of vegetation found on the site and circle appropriate measurements or list species:

- deciduous trees:
 evergreen tree:
 shrubs:

- pasture
- crop or grain
- wet soil plants:
- water plants:
- other types of vegetation:

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

The primary vegetation to be removed includes Himalayan blackberry, evergreen blackberry, reed canarygrass, cherry (hedge) laurel, English holly, and ivy species. Tree removal will be limited to hazard trees and trees that endanger utilities. Shrub removal will occur only when necessary for access or maintenance activities. All temporarily impacted areas will be replanted with native trees and shrubs. Areas to be replanted will be cleared of all remaining non-native vegetation before replanting.

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

No known threatened or endangered plant species have been documented in the City of Bellevue.

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

Any removed vegetation will be replaced with appropriate native species, following the guidelines in the Critical Areas Handbook.

5. ANIMALS

a. Circle any birds and animals that have been observed on or near the site or are known to be on or near the site:

birds: **bald eagle, peregrine falcon, red-tailed hawk, osprey, pileated woodpecker, Vaux's swift, purple martin, merlin, great blue heron, green heron, common loon, native songbirds**

mammals: **bats, small mammals (mice, voles, squirrels), coyote, deer, beaver**

fish: **bass, salmon, trout**

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

Adult and juvenile Chinook salmon and steelhead trout (listed as Threatened under the Federal Endangered Species Act) migrate through Lake Washington and Lake Sammamish. Adults migrate upstream to reach spawning grounds in tributaries throughout the City; juveniles migrate downstream from their natal streams to reach the ocean. Lakes and streams within the City also contain Coho salmon (Species of Concern under the Federal Endangered Species Act). Lake Washington and Lake Sammamish potentially contain bull trout, a salmonid listed as Threatened under the Federal Endangered Species Act.

Although federally delisted in June 2007, the bald eagle is a Washington State Sensitive species and a City of Bellevue Species of Local Importance. It is also protected under the Migratory Bird Act. They occur in the City of Bellevue at all lifecycle stages, including breeding.

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

As described above, adult and juvenile salmon migrate up and downstream, respectively, through Lake Washington, Lake Sammamish, Kelsey Creek and several small streams within the City. Migrating waterfowl may use the lakes as resting and foraging areas during spring and fall migrations.

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

All significant trees will be preserved, with the exception of hazard trees or those that impede utility function or maintenance. Cut trees will be retained as wildlife snags where possible, and cut and pruned material will be left onsite, with the exception of invasive species material. Temporarily impacted areas will be replanted with native trees and shrubs.

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? Describe whether it will be used for heating, manufacturing, etc.

The types of energy likely to be used to complete the proposed maintenance activities include hand-held gas powered equipment. After maintenance activities are complete, no forms of energy will be necessary.

- 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:

No forms of energy are necessary for the completed maintenance activities.

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.

Typical hazards related to hand-held gas powered equipment are associated with proposed maintenance activities.

- 1) Describe special emergency services that might be required.

Emergency services are not anticipated to be necessary. However, in the unlikely event that an accident (spill, fire, other exposure) occurs involving toxic chemicals or hazardous wastes, the local Fire Department's Hazardous Materials Team would respond. If necessary, local medical services might also be required. The full range of safety and accident response supplies would be on-site to treat any emergency during construction.

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

Standard precautions would be taken to ensure the safety of the work crew. The construction manager would be contacted by a crew member immediately upon discovery of a spill. The construction manager would then ensure that the spill is cleaned up in the

manner dictated by the chemical use instructions and would contact the appropriate authorities.

b. Noise

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

Because some maintenance activities are likely to occur within or adjacent to the right-of-way, noise associated with traffic is likely. However, the noise will not affect the maintenance activities.

- 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.

Noise associated with the proposed maintenance would be restricted to use of hand-held power equipment. Noise would be limited to normal daytime working hours pursuant to Bellevue City Code 9.18. There would be no long-term noise associated with the completed maintenance activities.

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

The short-term nature of the maintenance activities coupled with compliance with the noise regulations established in Bellevue City Code 9.18 will minimize noise impacts to an insignificant level.

8. LAND AND SHORELINE USE

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

Maintenance activities will occur throughout the City in a wide variety of land use districts, including, residential, commercial and industrial.

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

Maintenance activities could occur in locations used for agriculture.

- c. Describe any structures on the site.

Maintenance activities will likely occur in locations void of structures.

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

No.

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

Zoning classifications vary throughout the City and include, residential, commercial, and industrial.

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

Comprehensive plan designations vary throughout the City and include residential, commercial, and industrial.

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

Maintenance activities may occur within 200 feet of "shorelines of the state" and would therefore fall within shoreline jurisdiction. Shorelines within the City of Bellevue do not currently contain a shoreline master program designation.

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

All maintenance activities proposed as part of the programmatic permit will take place within wetlands, steep slopes, or the buffers of wetlands, steep slopes, shorelines, streams and ponds less than 20 acres in size.

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

Not applicable.

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

Not applicable.

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

No measures are necessary.

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

Proposed maintenance activities do not affect existing land use.

9. HOUSING

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

Not applicable.

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

Not applicable.

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

No measures are necessary.

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?

No structures are proposed as part of any maintenance activity.

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

Views will likely be improved in many instances through the removal of non-native and invasive vegetation.

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

No measures are necessary.

11. LIGHT AND GLARE

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

No light or glare will be produced by the proposed maintenance activities.

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

No.

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

Proposed maintenance activities will not be affected by off-site sources of light or glare.

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

No measures are necessary.

12. RECREATION

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

Some maintenance activities will occur within or adjacent to City parks.

- 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:

No measures are necessary.

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.

According to the Office of Archeology and Historic Preservation's (OAHP) WISAARD (Washington Information System for Architectural and Archaeological Records Data) website, there are two sites within Bellevue located on City-owned property. The sites are the Wilburton Trestle (Washington Heritage Register) and the Frederick W. Winters House (Washington Heritage Register and National Register).

The City of Bellevue's *Historic and Cultural Resources Survey* (Tobin and Pendergrass 1997) identifies additional sites on City-owned property as historically significant. These include the Miller Homestead (Robinswood Community Park), Twin Valley Barns (Kelsey Creek Park), Fraser House (Kelsey Creek Park), Masunaga House (Larsen Lake), and the Larsen Lake Blueberry Farm.

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

As described in 13.a, historic sites exist within City-owned properties throughout the City. Therefore, maintenance activities may occur within the vicinity of the sites. However, proposed activities include only vegetation maintenance within critical areas and critical area buffers. Therefore, no impacts to existing historic sites will occur.

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

Should historic, archeological, scientific or culturally significant items be encountered during implementation of maintenance activities, work would be temporarily stopped while the appropriate agencies are notified.

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.

Some of the proposed maintenance activities will take place within or adjacent to the right-of-way of streets that abut critical areas or their buffers. The attached map, titled "Vegetation Management Programmatic Map" details the locations of such occurrences.

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

Not applicable.

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

Not applicable.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No.

- 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.

Not applicable.

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

No measures are necessary.

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.

No measures are necessary.

16. UTILITIES

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

Not applicable.

- 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.

Not applicable.

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



Kenny Booth, AICP
Associate Planner
The Watershed Company

Date Submitted: September 23, 2014

HMB 10/15/2014



**Programmatic Permit:
Critical Areas Land Use Permit/
Clear and Grade/SEPA for City of Bellevue
Parks & Community Services, Utilities, and
Transportation Departments**

Prepared for:
City of Bellevue
Development Services Department
450 110th Avenue NE
Bellevue, WA 98004

Prepared on behalf of:
City of Bellevue
Parks & Community Services,
Utilities and Transportation Depts.
450 110th Avenue NE
Bellevue, WA 98004

Prepared by:
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July 2014

PROGRAMMATIC PERMIT

**Critical Areas Land Use Permit/Clear
and Grade/SEPA for City of Bellevue
Parks & Community Services,
Utilities, and Transportation
Departments**

Prepared for:

City of Bellevue
Development Services Department
450 110th Avenue NE
Bellevue, WA 98004

Prepared on behalf of:

City of Bellevue
Parks & Community Services, Utilities and Transportation Departments
450 110th Avenue NE
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watershedco.com

July 2014

The Watershed Company
Reference Number: 130213

Critical Areas Land Use Permit/Clear and Grade/SEPA
Programmatic Permit

Cite this document as:

The Watershed Company. (July 2014).
Programmatic Permit: Critical Areas Land Use
Permit/Clear and Grade/ SEPA for City of
Bellevue Parks & Community Services, Utilities,
and Transportation Departments

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PROGRAMMATIC PERMIT

CRITICAL AREAS LAND USE PERMIT/CLEAR AND GRADE/SEPA

1 PURPOSE

In 2009, the City of Bellevue – Development Services Department (DSD) approved a City-wide programmatic permit (09-119604-XE) to allow multiple City departments (i.e. Parks and Community Services Department, Utilities Department, Transportation Department [Department(s)]) to conduct routine vegetation management activities within critical area buffers and certain critical areas. The 2009 permit included coverage under the City’s Critical Land Use Permit (CALUP), Clearing and Grading Permit, and State Environmental Policy Act (SEPA) requirements. The Clearing and Grading Permit portion of the programmatic permit expired after three years and has since been updated and re-approved by the Development Services Department. However, the CALUP, with SEPA coverage, is set to expire in late 2014. The purpose of this document is to re-establish approval of a CALUP (with SEPA coverage), while simultaneously updating the Clearing and Grading permit, as well. Therefore, as with the prior approved programmatic document, this updated version of the document will establish programmatic guidelines and practices to substitute for the issuance of Critical Areas Land Use Permits (CALUP) and Clear and Grade Permits. By following the Best Management Practices (BMPs) outlined in this document, Departments will submit individual projects to DSD for approval without the need to undergo the comprehensive CALUP/SEPA/Clear and Grade permit review on each routine project.

The permitting obligations addressed within Bellevue Land Use Code (LUC) 20.25H, along with the SEPA requirements addressed within LUC 22.02, and the Clearing and Grading requirements addressed within LUC 23.76 will be satisfied as part of the approval of this programmatic permit. Therefore, future individual Department applications will not need to receive review pursuant to LUC 20.25H, LUC 22.02 and LUC 23.76. Individual activities authorized under this programmatic permit are clearly defined within this document but are primarily related to the management of vegetation within critical areas and critical area buffers located within City rights-of-way. Additionally, pursuant to LUC 20.25H.215, Departments must make all reasonable efforts to avoid, minimize, and finally mitigate for impacts to the critical area and/or critical area buffer.

Management of vegetation within the City rights-of-way by Departments has typically centered on promoting and encouraging the growth of existing native vegetation while maintaining and protecting the improved portions of the right-of-way and ensuring public safety. This delicate balance is often complicated by the numerous codes and regulations that apply when a critical area or critical area buffer encroaches into the right-of-way. This document aims to set forth a standard set of guidelines and practices that can be followed in such situations to allow continued vegetation management and right-of-way protection while programmatically satisfying critical area regulations, SEPA standards and Clearing and Grading regulations.

2 GEOGRAPHIC AREA

Those areas within the City of Bellevue covered by this programmatic permit have been identified on the Vegetation Management Programmatic Map (Appendix A). The map shows the locations of the following critical areas: streams, wetlands, shorelines, steep slopes, and lakes less than 20 acres. A summary of the regulatory buffers for each critical area is presented below in Table 1. As detailed in the table, streams and wetlands have buffers that vary depending upon the classification or category of the critical area.

However, the City has not inventoried and classified every wetland within City limits. For that reason, for the purposes of this permit (and as shown on the corresponding map), a 225-foot buffer will apply to those larger and well known wetlands within the City (wetlands associated with the Mercer Slough system; Phantom and Larsen Lakes; and Richards Creek), while a 110-foot buffer will apply to all other wetlands in the City regardless of their categorization.

Therefore, it is possible that some proposed activities might actually fall outside the limits of the “true” wetland buffer. However, to ensure that all proposed activities within the vicinity of wetlands are covered under this programmatic, the most stringent buffer will be applied.

Alternatively, if the Departments suspect that the critical area in question does not meet the rating criteria of a wetland requiring the maximum buffer, they may choose to have the actual wetland classification and standard regulatory buffer determined on a case-by-case basis. Such a determination must be made by a qualified professional and approved by DSD. In the event a determination is submitted and approved, the appropriate standard buffer for the wetland under investigation will apply. Determination by a qualified professional will also apply to those instances in which activities are proposed within a wetland (see Section 3.4).

Shoreline critical areas within the City include Lake Washington, Mercer Slough upstream to Interstate 405, Lake Sammamish, Phantom Lake, and lower Kelsey Creek. Shoreline buffers range from 25 to 50 feet, depending upon whether a site is developed. For the purposes of this permit, a minimum 50-foot buffer will apply to all shorelines. In addition, the Mercer Slough and lower Kelsey Creek are also regulated as Type S streams and thus are subject to the 100-foot stream buffer.

Pursuant to LUC 20.25H.120(A)(2), steep slopes are defined as slopes of 40 percent or more with more than 10 feet of rise and exceeding 1,000 square feet in area. Steep slopes require a 50-foot buffer from the top-of-slope, and thus any activities proposed within 50 feet of the top of a slope of 40 percent or greater are covered by this permit.

The LUC defines geologic landslide hazard areas as those areas of at least 15 percent slope with more than 10 feet of rise that also display one or more additional characteristics. Landslide hazard regulations are intended to address geologic issues, as opposed to more surficial concerns such as erosion and sedimentation. Landslide hazards are not a central concern of the activities addressed by this programmatic permit. Subsequently, activities proposed in areas of between 15 and 40 percent slope do not require compliance with this permit, provided they do not overlap with another regulated critical area or critical area buffer.

Table 1. Critical Area Buffers (per LUC)

Critical Area	Buffers pursuant to LUC 20.25H	Buffers pursuant to this programmatic permit
Streams	Type S – 100 feet	100 feet
	Type F – 100 feet	100 feet
	Type N – 50 feet	50 feet
	Type O – 25 feet	25 feet
Wetlands	Category I – 75 feet to 225 feet	110 feet (except for those wetlands associated with Mercer Slough, Phantom/Larsen Lakes, & Richards Creek which will require a 225-foot buffer)
	Category II – 75 feet to 225 feet	
	Category III – 60 feet to 110 feet	
	Category IV – 40 feet	
Shorelines	50 feet	50 feet
Steep Slopes	50 feet (from top-of-slope)	50 feet
Ponds < 20 acres, where no other critical area designation applies	35 feet	35 feet

It should also be noted that while coal mine hazard areas and areas of special flood hazard have been deemed critical areas by the City, neither require regulatory buffers and are therefore not included in this permit. Vegetation management activities proposed within either critical area or their buffers can proceed without the need for coverage under this programmatic permit.

Habitat Associated with Species of Local Importance (HASLI) is a designated critical area in the City. A list of designated species of local importance is included in the LUC, along with a process to identify additional species. In general, species of local importance are native species that are declining or in danger of extirpation based on existing trends, and that are not afforded adequate protection on a local scale by existing State and federal policy. All habitat associated with species of local importance (outside of other designated critical areas) is also considered a critical area. HASLI areas do not require standard buffers (except for naturally occurring non-wetland ponds of less than 20 acres as described below). Instead, they are subject to additional regulatory requirements beyond the standard Critical Areas Report. These may include completion of a Habitat Assessment. The presence of a species of local importance may also require adherence to management recommendations put forth by State agencies, and other State or federal policies or regulations may apply. Because species of local importance are found throughout the City, particularly within heavily vegetated rights-of-way and City-owned parks and open spaces, this permit assumes their occurrence in all instances. Therefore, for the purposes of this programmatic permit, all proposed maintenance activities must comply with the BMPs outlined in Section 5.

HASLIs also include naturally occurring non-wetland ponds of less than 20 acres, depicted on the attached map, which require a 35-foot buffer (whereas ponds greater than 20 acres in size are designated as shorelines and typically require a 50-foot buffer). Impacts to ponds less than 20 acres are not covered under this permit. However, work proposed within the 35-foot buffer of such ponds is covered under this permit.

In general, activities authorized under this permit may take place in the following areas:

1. Within critical area buffers (those identified in Table 1) that encroach into City rights-of-way. It should be noted that the buffers of critical areas end at the edge of an improved right-of-way (sidewalk, curb, gravel shoulder, etc.). Therefore, areas located within the zone bounded by the edge of the improved right-of-way and the outer edge of the right-of-way (unimproved area within the critical area buffer) are covered under this permit (see Figure 1).

2. City-owned property adjacent to a right-of-way located within a critical area buffer. An example of this would be a City park abutting a City right-of-way. Activities could occur within any area of the park and/or right-of-way encumbered by a critical area buffer (those identified in Table 1).
3. City-owned property, not adjacent to a right-of-way but still within a critical area buffer. An example of this would be a City park that does not border a City right-of-way but contains a critical area buffer or portion of a buffer. Activities could occur in any area of the park encumbered by the buffer (those identified in Table 1).
4. City-owned property within a critical area, whether or not it is within a right-of-way. Critical areas are limited to wetlands and steep slopes only in this scenario. Wetlands must be delineated and marked in the field by a qualified professional prior to approval under this programmatic permit. Work within wetlands and areas of steep slopes are subject to the provisions detailed in the following section.

3 AUTHORIZED ACTIVITIES

This section describes in detail the common characteristics of the typical right-of-way, including standard features and management objectives. This section also details the various activities allowed under this permit, along with each area in which those activities are permitted and the general BMP approach required to be taken for each activity (specific BMPs are outlined in Section 5).

3.1 Vegetation Management Zones

As described in Section 2 above, many of the activities authorized under this permit will occur within City-owned rights-of-way. In most locations throughout the City, the right-of-way area can be divided into three distinct zones. The first zone is the improved right-of-way, which is made up of the street/road, curb, and sidewalk. Within this zone, there may be manicured lawn, street trees, and other formal/ornamental landscaping. However, a hardened surface such as a sidewalk or curb typically serves as the outer edge of the improved right-of-way. Any vegetation located on the street side of the outermost hardened surface would be considered to be within the improved right-of-way.

Because critical area buffers do not extend past the edge of the improved right-of-way [LUC 20.25H.075(C)(2)(b), 20.25H.095(C)(2)(b), and 20.25H.115(B)(2)(b)], routine maintenance activities can occur within this area as needed and without permit review, provided no danger of encroachment, erosion, sedimentation, or

other disturbance to the adjacent buffer exists. Therefore, this permit does not cover those areas within the improved right-of-way. Where activities that could affect critical areas outside the improved right-of-way, and where regulatory buffers are present within such right-of-way, BMPs pertaining to unimproved (see below) rights-of-way apply.

Extending outward from the street, the edge of the improved right-of-way ends and a second zone of more natural right-of-way begins (for the purposes of this permit, this area will be referred to as the unimproved right-of-way). While this area is still within the City-owned right-of-way, it is likely to be vegetated with native, non-native invasive, naturalized, or ornamental species. Regulatory critical area buffers may fully or partially encumber unimproved rights-of-way. An important objective of the City is to manage and maintain such areas in order to ensure that the adjacent improved right-of-way is not threatened by hazard trees, overgrown by vegetation, impaired by visual barriers, damaged by growing root systems, or otherwise impacted. Additionally, these areas serve a vital function in the City's ecosystem, in that they often provide habitat for native species within highly developed portions of the City. In a number of areas of the City, some of the highest quality, and in some cases only extensive stands of native vegetation can be found in the City-owned right-of-way.

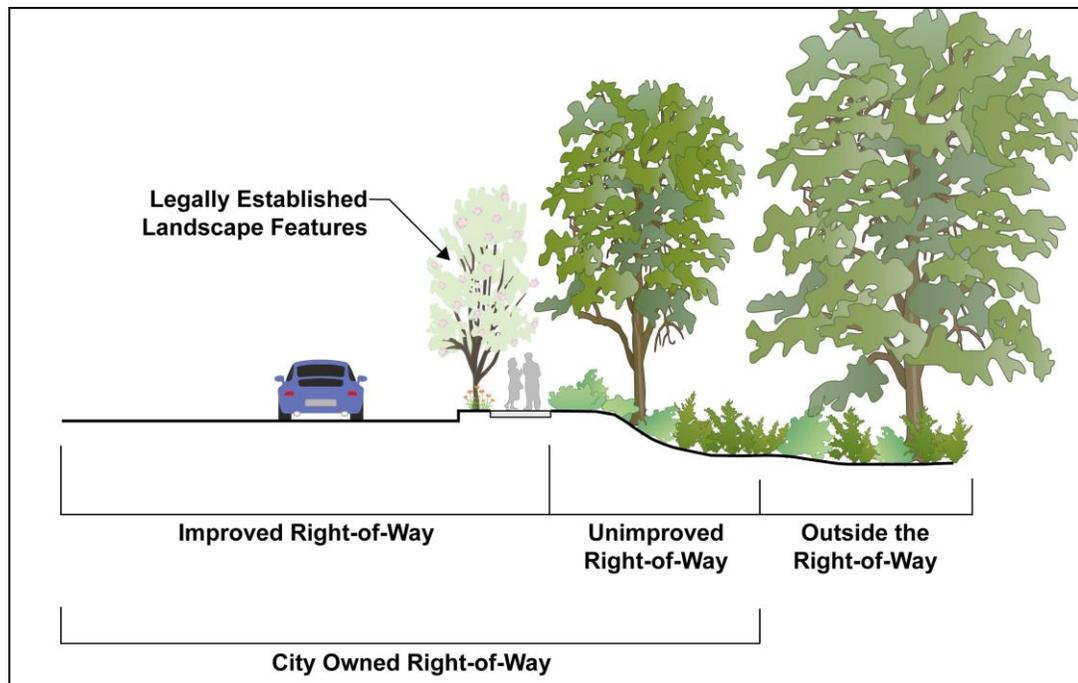


Figure 1. Right-of-way Zones

Beyond the developed and unimproved right-of-way is the third zone, usually on private property, in which activities do not typically take place. Limited activities that may occur within this area include hazard tree removal and habitat enhancement activities. Any such activity on private property is not covered under this permit. However, in the event that this third zone is on City-owned property (such as a park), maintenance and improvement activities would be included in the scope of this programmatic permit. A brief summary of the three distinct vegetation management zones located within and adjacent to the right-of-way can be found in Table 2.

Table 2. Right-of-way Vegetation Management Zones

Vegetation Management Zone	Typical Conditions	Management Objectives	Compliance with Critical Area Regulations	Covered under this Programmatic Permit
Improved right-of-way	Roadway, sidewalk, curb, gravel shoulder (may include lawn, ornamental shrubs, street trees).	Maintain vegetation for aesthetics and protection/safety of motorists and pedestrians.	No	No
Unimproved right-of-way	No developed improvements, native and non-native vegetation.	Maintain/improve vegetation in natural state while protecting right-of-way.	Yes	Yes
Outside the right-of-way	Private or public property with limited maintenance.	Limited activities may include hazard tree removal and habitat enhancement.	Yes	No ¹

3.2 Authorized Activities within Unimproved Rights-of-Way

As noted in Section 3.1, activities located within the unimproved right-of-way and within a critical area buffer are covered under this permit. This section will describe those activities in detail. In general, the Department’s objectives for this area are to efficiently manage the right-of-way in a sustainable fashion while protecting the adjacent improved right-of-way. Vegetation management within this area must comply with a variety of codes and regulations while also maintaining and encouraging the natural growth of existing native vegetation.

¹ With the exception of those activities located outside the right-of-way but within City owned property. See Section 3.3 for details.

Vegetation management includes consideration of the following factors: sight distance, erosion control, maintaining water quality, stormwater infiltration, reducing fire risks, public safety requirements, invasive species control, vegetation and wildlife habitat preservation and enhancement, and hazard abatement.

It should be noted that routine maintenance of existing legally established landscaping and other existing non-conforming features in critical area buffers is allowed pursuant to LUC 20.25H.055(C)(3)(h). Therefore, the mowing, pruning, weeding, and planting associated with maintaining established ornamental vegetation is currently allowed and not covered by this programmatic permit. This permit instead covers those areas of native and non-native vegetation located within critical area buffers and certain critical areas.

Additionally, vegetation management authorized by this permit is not subject to the preparation of a Vegetation Management Plan [currently required pursuant to 20.25H.055(C)(3)(i)(v)]. Vegetation Management Plans would still be required for those projects that surpass the thresholds established for coverage under this permit (see Section 6).

This programmatic permit requires the preparation of enhancement plans for those activities that will impact more than the minimum thresholds established in Section 6. Enhancement plans must be prepared by a qualified professional pursuant to LUC 20.25H.220.

A description of each individual activity allowed within the unimproved right-of-way is presented below. While each activity allows for the removal of vegetation, the priority for the Department is maintaining the existing natural state of the unimproved right-of-way to the greatest extent possible.

Sight Distance and Obstruction Clearing

Description: Clearing, mowing, pruning, or weeding undesirable vegetation that is limiting sight distance, limiting complete and safe use of the transportation system, limiting the viewing of required signage, obstructing utilities, or preventing the ingress and egress for maintenance of such utilities. No soil disturbance will occur with described activities. The extent of clearing will be the minimum necessary to alleviate the described condition. If clearing is necessary for maintenance of utilities, the width of such clearing is not to exceed that needed for access and turn-around for specific equipment to be used.

BMP Approach: Pruning of native trees and shrubs should be limited to the extent necessary to accomplish the objective, and should in no case

endanger the plant or plants. Usually, branches that grow below 8 feet above a pathway or below 14 feet above a parking lot or driveway entrance will be cut back. Dead branches should also be pruned where necessary to restore vigor to a tree or shrub.

Pruning should be performed late in the dormant season or very early spring, before new buds form. Dead and dying branches can be pruned anytime. Clean sharp tools should be used to make clean cuts. Living or dead stubs should not be left. Branch collars should not be removed or injured, and cut branches should not be painted. The definition of pruning does not include topping trees. Pruned materials should be placed so that they do not interfere with the growth of other vegetation, or should be disposed of off-site.

Removal should be considered for non-native plants that present an ongoing problem because of their growth patterns or prolificacy. Any removed vegetation must be replaced with appropriate native species, following the guidelines in the Critical Areas Handbook (Handbook), available from DSD. Any access trails should be minimal and staging areas placed outside of the buffer when possible. All pruning should be performed to current ANSI Z133 standards, as specified in the Bellevue Environmental Best Management Practices and Design Standards document (Bellevue 2012).

Mowing should be conducted before March 1 or after August 15, outside of the bird-breeding season, and timed to avoid breeding seasons of other wildlife known to occur in the area. As well, it should be timed to precede seed set of the invasive species, and limited to a minimum mown height of 6 inches. If mowing must occur within the bird-breeding season, it should be limited to the minimum extent and frequency possible, particularly between April 15 and July 31, to ensure public safety until after the bird-breeding season, when more extensive mowing may occur. Ground-breeding birds are likely to remain on nests until they are approached very closely, at which point they often flush, or fly from the nest, visibly. When flushing breeding birds are disturbed, a swath of vegetation should be left undisturbed in the area from which the individual flushed. In most cases, this is sufficient to ensure that the breeding attempt is not aborted.

Driving on wet ground should be avoided where ruts will remain; the site should first be walked during wet conditions to do a visual inspection.

Care should be taken when weeding or trimming areas near native plant bases with string trimmer (weed whacker/weed eater); native plants may be damaged or killed, and weeds easily recover after trimming.

Grass clippings should rarely be removed from mowed areas, as they provide plant nutrients and organic material. Ensure that grass clippings do not have the potential to be washed into stream or drainage systems, which can degrade water quality.

Hazard Tree Removal

Description: For the purposes of this permit, hazard trees include those posing an imminent threat to public safety or posing an imminent risk of damage to an existing structure, public or private road or sidewalk, or other permanent improvement. Hazard trees in the right-of-way may include trees that are healthy but are threatening public use of the right-of-way. Under this permit, hazard trees located within critical area buffers in the unimproved right-of-way may be removed with the recommendation of a qualified professional.

BMP Approach: Tree replacement in critical area buffers may be accomplished in a number of ways. Departments should replace hazard trees at a 4:1 ratio with appropriate native species, using planting templates in the Handbook for guidance. A Department arborist or other qualified professional should select species that will likely not require similar future remediation at the site. If a Department arborist or qualified professional determines that site conditions are not favorable to tree replacement, native shrubs and/or groundcover can be substituted onsite and tree replacement can occur at an off-site City-owned property at a 4:1 ratio. Alternatively, if it would not cause an ongoing hazard or negatively impact habitat, it may be more beneficial to leave a snag rather than entirely remove the tree. Snag height can be reduced for safety purposes. In this case, a Department arborist or other qualified professional should be consulted regarding whether leaving a snag is appropriate under existing conditions, whether on-site tree replacement is advised, and if so, in what ratio. Cut hazard trees should generally be left on-site to function as habitat features unless otherwise advised by a qualified professional. Access trails should be minimal and staging areas placed outside of the buffer.

If stump re-sprouting control is necessary, the stump can be manually removed or controlled by painting newly cut stump surfaces with specific approved herbicides listed in the Bellevue Environmental Best Management Practices and Design Standards document (EBMP&DS,

Bellevue 2012). Care will be taken to limit the application of the selected herbicide to the stump surface only.

Invasive Species Removal

Description: The removal of non-native species for the purposes of promoting the successful establishment of native plantings that might otherwise have difficulty competing with aggressive invasive plants. Invasive species removal may also be conducted as part of an approved enhancement plan.

BMP Approach: Erosion control measures should be implemented if any soil disturbance is expected. Such measures should not spread non-native plants into critical areas and/or critical area buffers. Therefore, hydroseeding, hand seeding, and the use of straw mulch are not permitted means of controlling erosion in areas of invasive species removal. Invasive species removal should be conducted in accordance with the Handbook.

Mowing is not a long-term solution to invasive species removal and should be employed only when immediate action is needed to preserve public safety. More appropriate removal measures, as described in the Handbook, should be implemented as early as possible to avoid mowing. Where mowing within the bird-breeding season (March 1 through August 15) is unavoidable, as in emergency safety situations, it should be limited to only areas of necessity according to the guidelines listed above under Sight Distance and Obstruction Clearing.

Removal of homogeneous vegetation patches will most likely result in areas supporting little or no native vegetation. In this case, it is imperative to replace removed vegetation with native trees, shrubs, and/or groundcovers. Removal of ground-level vegetation on slopes should be minimized, and stabilization techniques such as wattling, mulching, and netting should be employed when such removal cannot be avoided. Removal should be conducted prior to planting of the target species. Replacement species, densities, and methods should be conducted using the guidelines in the Handbook. In general, only native species should be planted within critical areas and their buffers, unless the subject area is part of one of the agricultural areas that are preserved within the parks system. All cut or grubbed non-native vegetation should be disposed of off-site. Access trails should be minimal and staging areas placed outside of the buffer.

Herbicide use should be avoided wherever removal by hand or mechanical means is possible. The preferred method of herbicide application is cut and stem treatment (daubing or painting) with approved herbicides listed in the Bellevue EBMP&DS(Bellevue 2012). According to the EBMP&DS, herbicides may not be used within 25 feet of any water source; in some riparian areas, the distance is increased to 50 feet. Approved wetland herbicides are to be used only when necessary and can be used on wetland sites when no standing water is present. All herbicide applications within shoreline, wetland and riparian buffers shall be made under an approved NPDES Aquatic Noxious Weed Permit. The King County Noxious Weed Control Program Best Management Practices (King County 2010) should also be consulted for species-specific guidelines.

Weed management in actual water bodies, such as Larsen Lake and Phantom Lake, is handled by the Bellevue Utilities Department.

Mulching around the base of plants is widely accepted as a horticultural practice for soil fertility and weed control. In most instances, composted wood chips or on-site recycled native leaf litter are adequate materials. Avoid wood chips from diseased trees. Mulch should be between 2 and 3 inches deep for best results. Care must be given to not incorporate new weed problems with the import and use of lower grade mulch materials, or to allow mulch to runoff into wetlands, streams or other water bodies.

Habitat Enhancement

Description: The protection and when necessary, the enhancement of existing critical areas and their buffers is a goal of the City. Enhancement activities may include thinning dense homogeneous stands of vegetation, planting multiple native species to increase diversity, installing habitat features, or other habitat improvement activities.

BMP Approach: Any removal or planting should be conducted using the guidelines and recommendations above and in the Handbook, or as designed by a qualified professional.

Organic debris from maintenance practices can be left on site when not interfering with other landscape functions, such as blocking trails, forming unstable cornices, diverting drainages, and/or smothering desirable vegetation. Organic debris should be cut and dispersed to maximize ground contact. Chipped woody debris can be left in a depth of 3 inches or less. Uncut branches and logs should be left in place to

restrict traffic into natural areas when necessary. Logs should be stabilized to prevent sliding or rolling.

With the exception of hazard tree removal and invasive species removal, all of the preceding activities currently require a CALUP. Additionally, SEPA review is currently required for all the preceding activities. This programmatic permit aims to satisfy the CALUP criteria, SEPA compliance criteria and Clearing and Grading compliance criteria for all described activities and therefore streamline the permitting process for routine vegetation management activities.

3.3 Authorized Activities outside Unimproved Rights-of-Way

As discussed in Section 3.1, vegetation management may take place outside of the unimproved right-of-way. There are two circumstances in which activities outside of the right-of-way would be allowed under this permit. The first is when a City-owned property abuts the edge of right-of-way and also contains a critical area buffer. In these situations, all activities described below and in Section 3.2 would be allowed. Secondly, maintenance activities outside of the right-of-way would also be allowed to occur on City-owned property not located adjacent to a right-of-way. This may include City parks and open spaces. Activities allowed within these areas are described below.

Obstruction Clearing

Description: Clearing, mowing, pruning, or weeding undesirable vegetation that is limiting sight distance, limiting complete and safe use of trails or the transportation system, limiting the viewing of required or interpretive signage, obstructing utilities, or preventing the ingress and egress for maintenance of such utilities. No soil disturbance will occur with described activities. The extent of clearing will be the minimum necessary to alleviate the described condition. If clearing is necessary for maintenance of utilities, the width of such clearing is not to exceed that needed for access and turn-around for specific equipment to be used.

BMP Approach: BMPs for obstruction clearing outside of the unimproved right-of-way are the same as those outlined in Section 3.2, *Sight Distance and Obstruction Clearing*.

Hazard Tree Removal

Description: For the purposes of this permit, hazard trees located outside but adjacent to the right-of-way are defined as those posing an imminent threat to public safety or are posing an imminent risk of damage to an

existing structure, public or private road or sidewalk, or other permanent improvement. Therefore the hazard trees must pose enough harm from an area outside the right-of-way that they must be trimmed and/or removed entirely.

Hazard trees located within City-owned property, not adjacent to a right-of-way, are defined as those trees posing a risk to the public, legally established infrastructure, or off-site private property.

Removal of a coniferous tree equal to or exceeding 8 inches dbh (diameter at breast height at 4 feet above grade) or a deciduous tree 12 inches dbh or greater from City property outside of the right-of-way requires an assessment by a TRACE²-certified arborist or qualified professional adhering to the standards of the International Society of Arboriculture (ISA).

BMP Approach: BMPs for hazard tree removal outside of the unimproved right-of-way are the same as those outlined in Section 3.2, *Hazard Tree Removal*.

Forest Health

Description: Vegetation management aimed at halting the spread of disease or damaging insects or the pruning of existing trees and vegetation to maintain forest health and/or increase diversity. Activities may include canopy thinning, structural pruning, overlay dense stand thinning, diseased tree removal, and restoration/enhancement of vegetative diversity.

BMP Approach: BMPs vary somewhat depending upon the action taken. Where the tree canopy is thinned or otherwise pruned, care should be taken to ensure that falling vegetation does not damage other desirable vegetation. Pruning should be performed late in the dormant season or very early spring, before new buds form. Pruning should be completed using clean, straight cuts. Living or dead stubs should not be left. Branch collars should not be removed or injured, and cut branches should not be painted. The definition of pruning does not include topping trees. Pruned materials from diseased vegetation should be disposed of off-site to prevent further spread of disease or pests, when present. All pruning should be done in conformance with the Bellevue Environmental Best Management Practices and Design Standards document (Bellevue 2012).

² Tree Risk Assessment Course and Examination as established by the Pacific Northwest Chapter of the ISA.

In situations where thinning is to occur to prevent homogeneity of habitat, replanting should be done in accordance with the guidelines in the Handbook. Healthy trimmings from thinning activities should be left on-site and placed to avoid damage to existing or planted native vegetation. Approximately 4 trees per acre should be converted to snags during thinning operations. Snag height can be reduced for safety purposes if necessary. To avoid trampling of vegetation and compacting of soils, access trails should be minimal. Any equipment or vehicles used during vegetation management activities should be staged and refueled outside of critical areas and critical area buffers. If this is not possible, then a “safe area” within the buffer shall be used for staging and refueling.

Invasive Species Removal

Description: The removal of non-native species for the purposes of promoting the successful establishment of native plantings that might otherwise have difficulty competing with aggressive invasive plants. Invasive species removal may also be conducted as part of an approved mitigation or voluntary enhancement plan.

BMP Approach: BMPs for invasive species removal outside of the unimproved right-of-way are the same as those outlined in Section 3.2, *Invasive Species Removal*.

Habitat Enhancement

Description: The protection and, when necessary, the enhancement of existing critical areas and their buffers is a goal of the City. Enhancement activities may include thinning dense homogeneous stands of vegetation, planting multiple native species to increase diversity, installing habitat features, or other habitat improvement activities.

BMP Approach: BMPs for habitat enhancement activities outside of the unimproved right-of-way are the same as those outlined in Section 3.2, *Habitat Enhancement*.

3.4 Authorized Activities within a Critical Area

This permit also allows for limited vegetation management activities within certain critical areas, including only wetlands and steep slopes. These may occur within the unimproved right-of-way or outside of it. Therefore, while activities may be allowed within the *buffers* of streams, shorelines, and ponds less than 20 acres in size, only work *within* wetlands and areas of steep slopes is allowed by this permit. The size of activities allowed by this permit within a wetland or steep slope differs from those allowed within critical area buffers (see Section 6).

The presence of a wetland or steep slope may be indicated on the attached map; however, either critical area may exist when the map does not depict one. It is the responsibility of the Department to ascertain the presence of a wetland or steep slope in the area proposed for maintenance activities.

If the Department is unsure whether activities are proposed within a wetland, a professional wetland biologist should be consulted to help determine the boundary of the wetland in question. Any wetland in which activities are proposed must be determined in the field by a qualified professional. Additionally, any proposed activity that will result in soil disturbance or the excavation or placement of materials within a wetland (such activities include stumping, tilling and discing), requires that the Department consult with DSD prior to the initiation of work. DSD will advise the Department whether the proposed activities are authorized without State and/or federal permits. On a case-by-case basis, DSD may choose to consult with State and federal agencies to determine if permits are necessary. This programmatic permit authorizes certain activities within wetlands as a substitute for City of Bellevue permits; however, it is the responsibility of the Departments (through consultation with DSD) to ensure that all State and/or federal permits have been obtained.

Authorized activities described in this section that disturb greater than 5,000 square feet of soil within a steep slope require submittal of a geotechnical report, prepared by a qualified professional. The report shall demonstrate that the proposed activities will not have a detrimental effect on the stability of the steep slope and that downslope impacts are insignificant.

Sight Distance and Obstruction Clearing

Description: Clearing, mowing, pruning, or weeding undesirable vegetation that is limiting sight distance, limiting complete and safe use of the transportation system, limiting the viewing of required signage, obstructing utilities, or preventing the ingress and egress for maintenance of such utilities. No soil disturbance will occur with described activities. The extent of vegetation clearing will be the minimum necessary to alleviate the described condition. If clearing is necessary for maintenance of utilities, the width of such clearing is not to exceed that needed for access and turn-around for specific equipment to be used.

General BMP Approach: Pruning of native trees and shrubs should be limited to the extent necessary to accomplish the objective, and should in no case endanger the plant or plants. Usually, branches that grow below 8 feet above a pathway or below 14 feet above a parking lot or driveway entrance will be cut back. Dead branches should also be pruned where necessary to restore vigor to a tree or shrub.

Pruning should be performed late in the dormant season or very early spring, before new buds form. Dead and dying branches can be pruned anytime. Clean sharp tools should be used to make clean cuts. Living or dead stubs should not be left. Branch collars should not be removed or injured, and cut branches should not be painted. The definition of pruning does not include topping trees. Pruned materials should be placed so that they do not interfere with the growth of other vegetation, or should be disposed of off-site.

Removal should be considered for non-native plants that present an ongoing problem because of their growth patterns or prolificacy. Any removed vegetation must be replaced with appropriate native species, following the guidelines in the Critical Areas Handbook (Handbook), available from DSD. Any access trails should be minimal and staging areas placed outside of the buffer when possible. All pruning should be performed to current ANSI Z133 standards, as specified in the Bellevue Environmental Best Management Practices and Design Standards document (Bellevue 2012).

Mowing should be conducted before March 1 or after August 15, outside of the bird-breeding season, and timed to avoid breeding seasons of other wildlife known to occur in the area. As well, it should be timed to precede seed set of the invasive species, and limited to a minimum mown height of 6 inches. If mowing must occur within the bird-breeding season, it should be limited to the minimum extent and frequency possible, particularly between April 15 and July 31, to ensure public safety until after the bird-breeding season, when more extensive mowing may occur. Ground-breeding birds are likely to remain on nests until they are approached very closely, at which point they often flush, or fly from the nest, visibly. When flushing breeding birds are disturbed, a swath of vegetation should be left undisturbed in the area from which the individual flushed. In most cases, this is sufficient to ensure that the breeding attempt is not aborted.

Driving on wet ground should be avoided where ruts will remain; the site should first be walked during wet conditions to do a visual inspection.

Care should be taken when weeding or trimming areas near native plant bases with string trimmer (weed whacker/weed eater); native plants may be damaged or killed, and weeds easily recover after trimming.

Grass clippings should rarely be removed from mowed areas, as they provide plant nutrients and organic material. Ensure that grass clippings

do not have the potential to be washed into stream or drainage systems, which can degrade water quality.

Wetland Specific BMP Approach: Mowing should be conducted outside of the most intensive spring/early summer bird breeding season (April 15 through July 31), and timed to avoid breeding seasons of other wildlife known to occur in the area. As well, it should be timed to precede seed set of the invasive species, limited to a minimum mown height of 6 inches, and completely avoided in inundated and surface-saturated areas. Removal of non-native species or plants that present an ongoing problem because of their growth patterns or prolificacy should be considered.

Steep Slope Specific BMP Approach: Removing vegetation from the ground layer should be minimized, and plantings should be stabilized with appropriate bioengineering techniques (e.g. netting, wattling, hydro-mulching, etc.). Revegetation should be evaluated so as not to cause more damage or disturbance to soil layers. Slide areas, or areas suspected of being slide-prone, should be evaluated by a geotechnical expert before extensive restoration begins. Storm-water runoff must be prevented from saturating or loading steep slopes. An appropriate drainage system should be in place and adequately maintained to intercept runoff flows before reaching the slope.

Hazard Tree Removal

Description: For the purposes of this permit, hazard trees located within the limits of a wetland or steep slope area are defined as those posing an imminent threat to public safety or posing an imminent risk of damage to an existing structure, public or private road or sidewalk, or other permanent improvement. Generally summarized, hazard trees must pose enough harm to an area outside the wetland or steep slope area that they must be removed to alleviate the hazard.

Removal of a coniferous tree equal to or exceeding 8 inches dbh or a deciduous tree at least 12 inches dbh from a wetland or steep slope requires an assessment by a TRACE-certified arborist or qualified professional adhering to the standards of the ISA. In no case shall a stump be removed from a wetland or steep slope area as part of hazard tree removal.

BMP Approach: Hazard trees in wetlands and steep slope areas should be retained as snags except when otherwise recommended by a TRACE-certified arborist or qualified professional. If a snag would continue to pose a hazard, the height can be reduced or the cut tree should be left as

downed wood in the critical area. Cut hazard trees must be replaced at a 4:1 ratio with appropriate native species, using the Handbook for guidance or as designed by a qualified professional. A Department arborist or other qualified professional should select species that will likely not require similar future remediation at the site. If a Department arborist or qualified professional determines that site conditions are not favorable to tree replacement, native shrubs and/or groundcover can be substituted onsite and tree replacement can occur at an off-site City owned property at a 4:1 ratio.

Forest Health

Description: Vegetation management aimed at halting the spread of disease or damaging insects or the pruning of existing trees and vegetation to maintain forest health and/or increase diversity. Activities may include canopy thinning, structural pruning, overly dense stand thinning, diseased tree removal, and restoration/enhancement of vegetative diversity. In no case shall a stump be removed as part of any forest health practice.

BMP Approach: BMPs vary somewhat depending upon the action taken. Where the tree canopy is thinned or otherwise pruned, care should be taken to ensure that falling vegetation does not damage other desirable vegetation within the wetland or steep slope area. Pruning should be performed late in the dormant season or very early spring, before new buds form. Pruning should employ clean, straight cuts. Branch collars should not be removed or injured, and cut branches should not be painted. The definition of pruning does not include topping trees. Pruned materials from diseased vegetation should be disposed of off-site to prevent further spread of disease or pests. All pruning should be done in conformance with the Bellevue Environmental Best Management Practices and Design Standards document (Bellevue 2012).

In situations where thinning is to occur to prevent homogeneity of habitat, replanting should be done in accordance with the guidelines in the Handbook. Healthy trimmings from thinning activities should be left on-site and placed to avoid damage to existing or planted native vegetation. Approximately 4 trees per acre should be converted to snags during thinning operations. Snag height can be reduced for safety purposes if necessary. To avoid trampling of vegetation and compacting of soils, access trails should be minimal. Any equipment or vehicles used during vegetation management activities should be staged and refueled outside of critical areas and critical area buffers. If this is not possible,

then a “safe area” within the buffer shall be used for staging and refueling.

Invasive Species Removal

Description: In those instances where an existing wetland or steep slope area has been overgrown by invasive species, the removal of such vegetation is allowed pursuant to this permit. Removal shall be limited to non-native, invasive species.

General BMP Approach: Invasive species removal should be conducted according to guidelines set forth in the Handbook and the EBMP&DS. Any potentially soil-disturbing activity, such as grubbing or root removal, should be accomplished by hand and appropriate erosion control measures taken. In no case shall mechanized equipment be used within a wetland or steep slope area. Removal of ground-level vegetation should be minimized; activities on slope-type wetlands and steep slopes should be stabilized using bioengineering techniques such as wattling, mulching, and biodegradable netting if removal of ground-level vegetation is unavoidable. Invasive species materials should be disposed of off-site. All areas in which removal takes place must be densely replanted with native species. Replacement species, densities, and methods should be conducted using the guidelines in the Handbook and a qualified professional shall develop the enhancement plan. Access trails should be minimal and staging areas placed outside of the critical area and buffer.

Wetland Specific BMP Approach: Mechanical, cultural, or biological methods of control are preferred. The use of herbicides in wetlands is of particular concern because of the potential to contaminate groundwater and the unique sensitivity of aquatic organisms. Effective control of invasive species in wetlands can sometimes only be accomplished by herbicides. However, herbicides should only be utilized in wetlands where the benefits of invasive species removal outweigh the risks, based on the recommendation of a qualified ecologist. Approved herbicides may be used only when necessary and never near standing water. Application should conform to the procedures outlined in the EBMP&DS (Bellevue 2012). Herbicides should be applied by a licensed applicator. The King County Noxious Weed Control Program Best Management Practices (King County 2010) should also be consulted for species-specific guidelines.

Only native species should be planted in wetlands, unless the subject area is part of one of the agricultural areas that are preserved within the park

system. Trails should be kept to a minimum and specifically designed to decrease habitat disturbance.

Steep Slope Specific BMP Approach: Removing vegetation from the ground layer should be minimized, and plantings should be stabilized with appropriate bioengineering techniques (e.g. netting, wattling, hydro-mulching, etc.). Revegetation should be evaluated so as not to cause more damage or disturbance to soil layers. Slide areas, or areas suspected of being slide-prone, should be evaluated by a geotechnical expert before extensive restoration begins, as must any known steep slope where more than 5,000 square feet of soil surface disturbance is proposed. Storm-water runoff must be prevented from saturating or loading steep slopes. An appropriate drainage system should be in place and adequately maintained to intercept runoff flows before reaching the slope.

Habitat Enhancement

Description: In those instances where an existing wetland or steep slope area is found to be in a degraded state or where invasive species have been removed, enhancement of the wetland or steep slope is allowed pursuant to this permit. Enhancement and habitat improvement activities shall be limited to those necessary to successfully restore the critical area to a natural condition. This includes native species planting and installation of habitat features. Invasive species removal is also covered under this permit, pursuant to the preceding subsection. This permit does not cover other enhancement techniques such as redirection of hydrology, grading, and other invasive techniques.

BMP Approach: Enhancement and habitat improvement activities in a wetland or steep slope area require an approved enhancement plan to be completed by a qualified professional. The plan must detail invasive species removal techniques, a planting plan with installation details, a sediment and erosion control plan, maintenance methods, and a monitoring plan to ensure success.

3.5 Emergency Activities

Pursuant to LUC 20.25H.055(C)(3)(b), emergency actions are defined as those that must be undertaken immediately or within a time too short to allow full compliance with the LUC, to prevent an imminent threat to public health or safety. After emergency actions are taken, DSD must be notified and an enhancement and/or mitigation plan must be prepared based on the impacts of the emergency activities.

This programmatic permit shall cover those activities described in this document that are undertaken on an emergency basis. DSD shall be notified by Departments within 10 working days following commencement of the emergency activity. If emergency activities surpass the minimum thresholds established in Section 6, an enhancement plan shall be developed by a qualified professional, and submitted to DSD. However, no further permit coordination would be required, as long as the emergency activity is covered by this programmatic permit and the maximum thresholds are not surpassed.

4 CLEARING AND GRADING GUIDELINES

The preceding section described general BMPs for each of the individual activities covered under this programmatic permit. The intent of this section is to describe general BMPs applicable to all covered activities, as required by the Clearing and Grading Code (LUC 23.76), specifically LUC 23.76.060, *Clearing – Vegetation preservation and replacement* and LUC 23.76.090, *Erosion and sedimentation control*. Also included in this section is a construction work sequence for proposed activities, along with a description of erosion control measures to be taken for all covered activities.

4.1 Clearing and Grading Standard Notes

In addition to the general BMPs described in the preceding section for each individual activity and the specific BMPs provided in Section 5, all activities covered under this programmatic permit shall adhere to all relevant City of Bellevue clearing and grading standard notes. For reference, the standard notes are listed below in their entirety.

1. All clearing & grading construction must be in accordance with City of Bellevue (COB) Clearing & Grading Code, Clearing & Grading Development Standards, Land Use Code, Uniform Building Code, permit conditions, and all other applicable codes, ordinances, and standards. The design elements within these plans have been reviewed according to these requirements. Any variance from adopted erosion control standards is not allowed unless specifically approved by the City of Bellevue Development Services (DSD) prior to construction.

It shall be the sole responsibility of the applicant and the professional civil engineer to correct any error, omission, or variation from the above requirements found in these plans. All corrections shall be at no additional cost or liability to the COB.

2. Approval of this erosion/sedimentation control (ESC) plan does not constitute an approval of permanent road or drainage design (e.g. size and location of roads, pipes, restrictors, channels, retention facilities, utilities, etc.).
3. A copy of the approved plans and drawings must be on-site during construction. The applicant is responsible for obtaining any other required or related permits prior to beginning construction.
4. The implementation of these ESC plans and the construction, maintenance, replacement, and upgrading of these ESC facilities is the responsibility of the applicant/contractor until all construction is completed and approved and vegetation/landscaping is established.
5. The ESC facilities shown on this plan must be constructed in conjunction with all clearing and grading activities, and in such a manner as to insure that sediment and sediment laden water do not enter the drainage system, roadways, or violate applicable water standards.
6. The ESC facilities shown on this plan are the minimum requirements for anticipated site conditions. During the construction period, these ESC facilities shall be upgraded as needed for unexpected storm events and to ensure that sediment and sediment-laden water do not leave the site.
7. All locations of existing utilities have been established by field survey or obtained from available records and should, therefore, be considered only approximate and not necessarily complete. It is the sole responsibility of the contractor to independently verify the accuracy of all utility locations and to discover and avoid any other utilities not shown which may be affected by the implementation of this plan.
8. The boundaries of the clearing limits shown on this plan shall be clearly flagged in the field prior to construction. During the construction period, no disturbance beyond the flagged clearing limits shall be permitted. The flagging shall be maintained by the applicant/contractor for the duration of construction.
9. Clearing shall be limited to the areas within the approved disturbance limits. Exposed soils must be covered at the end of each working day when working from October 1st through April 30th. From May 1st through September 30th, exposed soils must be covered at the end of each construction week and also at the threat of rain.
10. At no time shall more than one foot of sediment be allowed to accumulate within a trapped catch basin. All catch basins and conveyance lines shall be

cleaned prior to paving. The cleaning operation shall not flush sediment laden water into the downstream system.

11. Stabilized construction entrances shall be installed at the beginning of construction and maintained for the duration of the project.
12. The contractor must maintain a sweeper on site during earthwork and immediately remove soil that has been tracked onto paved areas as result of construction.
13. The ESC facilities shall be inspected daily by the applicant/contractor and maintained as necessary to ensure their continued functioning.
14. Any excavated material removed from the construction site and deposited on property within the City limits must be done in compliance with a valid clearing & grading permit. Locations for the mobilization area and stockpiled material must be approved by the Clearing and Grading Inspector at least 24 hours in advance of any stockpiling.
15. The ESC facilities on inactive sites shall be inspected and maintained a minimum of once a month or within the 48 hours following a major storm event.
16. Final site grading must direct drainage away from all building structures at a minimum 5% slope, per the International Residential Code (IRC) R401.3.

4.2 Construction Sequence

The following describes the general construction sequence to be followed for the allowed activities covered by this programmatic permit.

1. Identify and mark work limits with high visibility fencing. Place high visibility fencing as protection around trees that are to remain in the project area.
2. Identify, locate, flag and protect all utilities that may exist in the construction area. Any damage to utilities, shall be the sole responsibility of the Department.
3. Install any necessary staging and/or refueling areas, outside of the critical area and buffer if possible.
4. Install all temporary erosion control measures, general and site-specific, as noted throughout this document or as required by any State or federal permit conditions.

5. Properly identify and remove all invasive weeds encountered in the work area and dispose off-site. Mark all desirable vegetation around control area, ensuring that no native plants are removed.
6. Remove hazard trees as necessary.
7. Retain large woody debris and the stubs of large diameter trees onsite where it is safe to do so. Woody debris shall be placed to maximize ground contact.
8. Evaluate soil conditions. If the soils are deficient of organic material, amend soils as necessary to insure minimum organic content.
9. Plant the proposed areas with the native tree, shrub, and groundcover species during the first dormant season (November through March). Use sizing and condition information provided on the enhancement plan or as indicated in the Handbook.
10. Cover the entire planting area with a 4-inch deep layer of wood chip mulch.
11. If plants are installed outside of the dormant season, then a minimum of 1 inch of water per week should be provided during the first two summers via a temporary or permanent irrigation system.

4.3 Erosion and Sediment Control Plan

Pursuant to LUC 23.76.090, all construction activities covered by this programmatic permit shall comply with the following erosion and sedimentation control BMPs. The described BMPs are necessary to prevent sediment from leaving the project area and impacting downstream waters. In general, it is the Department's responsibility to ensure sediment does not leave the project area in an amount that would violate applicable State or City water quality standards.

1. All necessary temporary erosion and sedimentation control measures shall be installed prior to any clearing or vegetation removal.
2. Construction access into critical area buffers shall be limited to one route if possible. Sediment deposited on the paved right-of-way shall be removed in a manner that prevents it from entering the drainage system.
3. Adjacent and downstream properties, storm drain inlets, and the downstream natural and built drainage system shall be protected from sediment deposition using the BMPs described in Section 4.1.
4. No stockpiling of materials shall occur on-site.

5. Whenever possible, staging and refueling areas are to occur outside of critical areas and critical area buffers and also away from areas of exposed soil.
6. Filter fabric will be installed around storm drains located in the vicinity of any vehicle staging areas.
7. The project area will be inspected daily to ensure that no additional sediment and erosion control BMPs are necessary.

5 SUMMARY OF BEST MANAGEMENT PRACTICES

The general BMP approach for each individual authorized activity has been described in Section 3. A more detailed analysis of the specific management controls and appropriate BMPs are presented in this section. Management controls have been divided into three categories: mechanical, chemical and cultural. Depending upon the critical area or critical area buffer in which the proposed activity is to occur, different controls should be used to protect the critical area.

Mechanical controls typically include: grass and brush mowing; manual brush cutting; pruning; aerial saw work; and tilling. Chemical controls include herbicide and pesticide application. Cultural controls include sequencing and timing actions. Table 3 provides general guidance regarding which controls should be used while working within critical areas and critical area buffers.

Table 3. Management Controls

	Critical Area Buffer				
	Streams	Wetlands ³	Shorelines	Steep ⁴ Slopes	Ponds < 20 acres
Mechanical	Yes	Yes	Yes	Yes	Yes
Chemical	No	No ⁵	No	Yes	No
Cultural	Yes	Yes	Yes	Yes	Yes

BMPs for each individual activity are presented below in Table 4. In addition to the BMPs presented below, proposed vegetation management activities must

³ Includes work within wetlands

⁴ Includes work within steep slopes.

⁵ Selected use of herbicide may be employed where alternatives do not exist or are ineffective. See Sections 3.2 and 3.4, *Invasive Species Removal*.

also be in compliance with the specific applicable performance standards for each individual critical area or critical area buffer described in the LUC. These include streams (LUC 20.25H.080), wetlands (LUC 20.25H.100), shorelines (LUC 20.25E.080) and steep slopes (LUC 20.25H.125).

Compliance with the BMPs described in this section shall also constitute compliance with the performance standards for HASLI (LUC 20.25H.160). The LUC (20.25H.160) requires that a wildlife management plan developed by the Washington Department of Fish and Wildlife (WDFW) be implemented on sites where a project or activity has the potential to impact habitat associated with species of local importance. Several species of local importance are also Priority Habitat Species (PHS) and therefore have had wildlife management recommendations developed for them by WDFW. Of these species, bald eagle, peregrine falcon, pileated woodpecker, great blue heron, Vaux’s swift, and purple martin may use City rights-of-way or parks/open spaces and subsequently could be impacted by activities covered under this permit.

The BMPs required under this permit address the majority of the recommendations developed by WDFW for these species through the permit’s overall goal of maintaining forest health and enhancing habitat. Specific management strategies recommended by WDFW and also employed by the programmatic permit include the replacement of hazard trees, the retention of snags and large stumps, and the use of herbicides and pesticides only under the guidelines set forth in the Environmental Best Management Practices and Design Standards document (Bellevue 2012).

Table 4. Summary of BMPs

Sight Distance & Obstruction Clearing	
Unimproved ROW	<ul style="list-style-type: none"> • Clear and prune to minimal effective extent; • Prune in late dormant season or very early spring; • Preserve health of trees; avoid damage to existing plants if disposing of materials on-site; • Replace removed vegetation in accordance with the Handbook; • Minimize access trails and place staging areas outside of the buffer; • Mow before March 1 or after August 15, outside of the bird-breeding season, and time to avoid breeding seasons of other wildlife known to occur in the area, if possible; • Limit mown height to a minimum of 6 inches; • Avoid driving on wet ground; and • Leave grass clipping in place where possible.
Outside ROW	<ul style="list-style-type: none"> • Same as above.

Wetlands	<ul style="list-style-type: none"> • Same as above, except a wetland determination by a qualified professional is required and efforts should be made to avoid creating access trails; • Mow outside of the most intensive spring/early summer bird breeding season (April 15 through July 31), and time to avoid breeding seasons of other wildlife known to occur in the area; • Mow before seed set of invasive species, and limit mown height to a minimum of 6 inches; and • Completely avoid inundated and surface-saturated areas.
Steep Slopes	<ul style="list-style-type: none"> • Same as above; in addition: • Removing vegetation from the ground layer should be minimized, and plantings should be stabilized with appropriate bioengineering techniques (e.g. netting, wattling, hydro-mulching, etc.); • Revegetation should be evaluated so as not to cause more damage or disturbance to soil layers; • Slide areas, or areas suspected of being slide-prone, should be evaluated by a geotechnical expert before extensive enhancement begins; • Storm-water runoff must be prevented from saturating or loading steep slopes; and • An appropriate drainage system should be in place and adequately maintained to intercept runoff flows before reaching the slope.
Hazard Tree Removal	
Unimproved ROW	<ul style="list-style-type: none"> • Leave as snag where possible; • Leave as downed wood when snag is not advised; • Removal of felled trees should be completed in a manner that does not damage native vegetation, riparian vegetation, or bank of streams, lakes or wetlands; • Replace with native trees at 4:1 ratio; • Access trails should be minimal and staging areas placed outside of buffers. • If stump re-sprouting control is necessary, manually remove or control by painting newly cut stump surfaces with specific approved herbicides listed in the Bellevue EBMP&DS.
Outside ROW	<ul style="list-style-type: none"> • Same as above.
Wetlands	<ul style="list-style-type: none"> • Same as above, except requires a wetland determination by a qualified professional and a recommendation by a certified arborist or qualified professional.
Steep Slopes	<ul style="list-style-type: none"> • Same as above, except requires recommendation by certified arborist or qualified professional.
Forest Health	

Outside ROW	<ul style="list-style-type: none"> • Prune in late dormant season or very early spring; • Dispose of unhealthy plant materials off-site; • Protect existing vegetation from falling plant materials; • Replant removed vegetation according to the Handbook; • Leave healthy thinned trees and trimmings on-site as habitat features; • Convert approximately 4 trees/acre to snags during thinning operations; and • Minimize access trails.
Wetlands	<ul style="list-style-type: none"> • Same as above, except a wetland determination by a qualified professional is required and efforts should be made to avoid creating access trails.
Steep Slopes	<ul style="list-style-type: none"> • Same as above, except efforts should be made to avoid creating access trails.
Invasive Species Removal	
Unimproved ROW	<ul style="list-style-type: none"> • Properly identify target species; • Mark all desirable vegetation around control area to ensure that no native plants are removed; • Focus on manual removal for small infestations if possible; • Small infestations can be hand-pulled or dug up. Isolated plants should be removed in order to prevent them from infesting a larger area; • Use soil from roots to fill in any divots to lessen the amount of disturbed soil; • Use mechanical means such as mowers when hand removal is not feasible; • Do not use string trimmers near native vegetation; • Use selective herbicide application only where manual and mechanical removal are not possible and only in accordance with City of Bellevue BMPs for herbicide use (Bellevue 2012); • Implement erosion control measures if soil could be disturbed; • Replant bare areas according to the Handbook; • Remove all cut or grubbed non-native vegetation off-site; and • Mulch remaining plants for soil fertility and weed control.
Outside ROW	<ul style="list-style-type: none"> • Same as above.
Wetlands	<ul style="list-style-type: none"> • Same as above; in addition, a wetland determination and enhancement plan by qualified professionals are required; additional restrictions apply to herbicide use, as outlined in Section 3.4, <i>Invasive Species Removal</i>.

Steep Slopes	<ul style="list-style-type: none"> • Same as above; in addition: • Removing vegetation from the ground layer should be minimized, and plantings should be stabilized with appropriate bioengineering techniques (e.g. netting, wattling, hydro-mulching, etc.); • Revegetation should be evaluated so as not to cause more damage or disturbance to soil layers; • Slide areas, or areas suspected of being slide-prone, should be evaluated by a geotechnical expert before extensive enhancement begins; • Storm-water runoff must be prevented from saturating or loading steep slopes; • An appropriate drainage system should be in place and adequately maintained to intercept runoff flows before reaching the slope; and • Enhancement plan by a qualified professional is required. A geotechnical report is required for soil disturbances that exceed 5,000 square feet.
Habitat Enhancement	
Unimproved ROW	<ul style="list-style-type: none"> • Removal of existing vegetation should be conducted in accordance with the Handbook; • <u>Organic debris from maintenance practices can be left on site when not interfering with other landscape functions.</u> Chipped woody debris can be left in a depth of 3 inches or less; • Uncut branches and logs should be left in place to restrict traffic into natural areas when necessary; • Logs left on site should be stabilized to prevent sliding or rolling; • Implement erosion control measures if soil could be disturbed; • Plantings should be installed in accordance with the guidelines and recommendations of the Handbook or approved enhancement plan; and • Restored areas should be maintained and monitored to insure success.
Outside ROW	<ul style="list-style-type: none"> • Same as above.
Wetlands	<ul style="list-style-type: none"> • Same as above, except a wetland determination and enhancement plan by qualified professionals are required.
Steep Slopes	<ul style="list-style-type: none"> • Same as above, except enhancement plan by a qualified professional is required and a geotechnical report is required for soil disturbances that exceed 5,000 square feet.

6 THRESHOLDS

The purpose of this permit is to allow small routine vegetation management activities to receive programmatic approval and thus bypass the standard CALUP/SEPA/Clearing and Grading permitting process. However, larger, more complex projects will not be covered under this permit. Therefore, it is

important to establish thresholds that will help determine which activities are covered under this permit and which are not. Thresholds will depend upon the type of activity proposed, the area in which the activity is proposed, and whether or not preparation of an enhancement plan and/or phasing of the project is planned.

In some instances, the preparation of an enhancement plan (pursuant to the requirements of LUC 20.25H.220) by a qualified professional can be done to increase the size of the threshold allowed under this permit. Similarly, phasing of a project can further increase the size of the threshold. An increased threshold, through phasing, is not allowed for work within a wetland or steep slope area under this permit.

Thresholds may be increased through the preparation of an enhancement plan due to the level of expertise provided by the qualified professional required to prepare the enhancement plan. The plan, which may include maintenance and monitoring of the project, will help to ensure success of the proposed activity.

Thresholds may be increased through phasing in order to prevent a temporal loss of ecological function compared to the temporal loss that would result from implementation of the same project through the typical CALUP/SEPA/Clearing and Grading permitting process. Temporal loss of ecological function can result from the time lag between initiation of enhancement activities and the maturation of anticipated ecological functions resulting from enhancement activities. Under this permit, an enhancement plan developed by a qualified professional must accompany any phasing proposal. The enhancement plan should specifically detail the phasing proposed, including the number of phases, estimated time between phases, and the performance standards that must be met in order to proceed to the next phase. DSD may determine that monitoring by a qualified professional is necessary in order to allow the phasing.

Table 5 outlines the maximum thresholds allowed under this programmatic permit. It is important to note that individual projects can be larger than the thresholds described below, as long as impacts within the critical area or critical area buffer do not surpass the threshold. Additionally, activities proposed pursuant to this programmatic permit must include a description of all future activities proposed within the immediate vicinity of the proposed project. Separate projects located adjacent to each other (and not proposed as phases), in order to meet the threshold criteria, will not be allowed. DSD may determine on a case-by-case basis whether a proposed activity, when coupled with additional future proposals, will surpass the threshold. DSD may then determine that an activity, when not considered to be a “single and complete” project, is subject to the standard CALUP/SEPA/Clearing and Grading permit process.

Table 5. Thresholds

Activity⁶	Area	Threshold	Threshold (with Enhancement Plan)	Threshold (with Enhancement Plan & Phasing)
Sight Distance & Obstruction Clearing	Unimproved ROW	0.50 acre	---	---
	Outside ROW	0.50 acre	---	---
	Wetland	0.10 acre	---	---
	Steep Slopes	0.10 acre	---	---
Hazard Tree Removal ⁷	Unimproved ROW	4 trees/acre	6 trees/acre	8 trees/acre
	Outside ROW	4 trees/acre	6 trees/acre	8 trees/acre
	Wetland	1 tree/acre	2 trees/acre	---
	Steep Slopes	2 trees/acre	4 trees/acre	---
Forest Health	Unimproved ROW	0.50 acre	1.0 acre	2.0 acres
	Outside ROW	0.50 acre	1.0 acre	2.0 acres
	Wetland	0.25 acre	<1.0 acre	---
	Steep Slopes	0.25 acre	<1.0 acre	---
Invasive Species Removal	Unimproved ROW	0.50 acre	1.0 acre	2.0 acres
	Outside ROW	0.50 acre	1.0 acre	2.0 acres
	Wetland	0.25 acre	<1.0 acre	---
	Steep Slopes	0.25 acre	<1.0 acre	---
Habitat Enhancement	Unimproved ROW	0.50 acre	1.0 acre	2.0 acres
	Outside ROW	0.50 acre	1.0 acre	2.0 acres
	Wetland	---	<1.0 acre	---
	Steep Slopes	---	<1.0 acre	---

7 POTENTIAL CONSERVATION OUTCOMES

It is the intention of this programmatic permit to preserve and enhance the functions and values of critical areas and critical area buffers located in City rights-of-way and City-owned parks and open spaces. The activities covered under this permit provide the opportunity to couple routine maintenance with habitat management and enhancement. BMPs described in this document are designed to achieve a degree of improvement over existing conditions during regular work in City rights-of-way and other City property. The following

⁶ A geotechnical report is required for any activity that disturbs greater than 5,000 square feet of soil within a steep slope area.

⁷ Total acreage per permit is not to exceed two (2) acres.

paragraphs describe how the methods required by this permit accomplish the goal of protecting and enhancing ecological functions.

BMPs designed for hazard tree removal and forest health include retention of standing and downed wood. These are extremely valuable habitat features for wildlife, including birds, herptiles, and small mammals. When safety dictates the removal of a hazard tree and snag, the enhancement of the area with native species designed to meet future safety needs preserves habitat function by promoting a low-maintenance right-of-way that requires less intrusion for ongoing maintenance. Similarly, obstruction clearing provides the opportunity to improve rights-of-way in both an ecological sense and from a maintenance point of view. Pruned native vegetation provides low cover for wildlife and adds complexity to habitat. Non-native vegetation cleared pursuant to this permit is required to be replaced with native species. This represents an improvement by providing habitat more suitable to native wildlife. Replanting again reduces the need for future disturbance because plant species can be selected for characteristics that avoid obstruction issues into the future. Following recommendations in the Handbook will also ensure a more diverse habitat designed to enhance not only habitat function, but other buffer functions such as slope stabilization, stormwater flow attenuation, and water quality improvement.

Removal of invasive species, whether implemented by itself or as part of obstruction clearing, forest health, or habitat enhancement, is designed within the parameters of this permit to result in improvement in vegetated rights-of-way. Any removal that results in bare ground will be accompanied by installation of replacement plants in the form of native species. Not only is this likely to result in denser, more complex vegetative structure than the existing infestation, and provide an aesthetic visual screen, the resultant native plant community will represent an improvement from a wildlife perspective. Limiting the use of herbicides further protects the functions of buffers and critical areas.

Any vegetated natural area may be subject to invasion by disease or parasites; managed City rights-of-way provide an opportunity to protect natural areas that might not normally receive protection. The removal of diseased vegetation not only protects the immediate and surrounding areas from infestation, but also, under this permit, enables replanting under Handbook guidelines to be conducted. The result is a healthier forest with no net loss of vegetative diversity.

Successful and well-planned enhancement by definition results in buffer and critical area improvement. This permit promotes enhancement by allowing plans based on the Handbook to proceed without further permitting

requirements (with the exception of habitat enhancement within a wetland or steep slope area).

This permit recognizes the need for expedient and financially unrestrictive maintenance. Provisions for phasing activities and implementing enhancement plans enable routine maintenance to be conducted hand-in-hand with ecological improvement without cumbersome regulatory processing. With careful application, it will result in rights-of-way and parks/open spaces that provide dense and complex screens of native vegetation, habitat features for wildlife, and enhanced functions as critical area buffers.

8 PERMIT COMPLIANCE

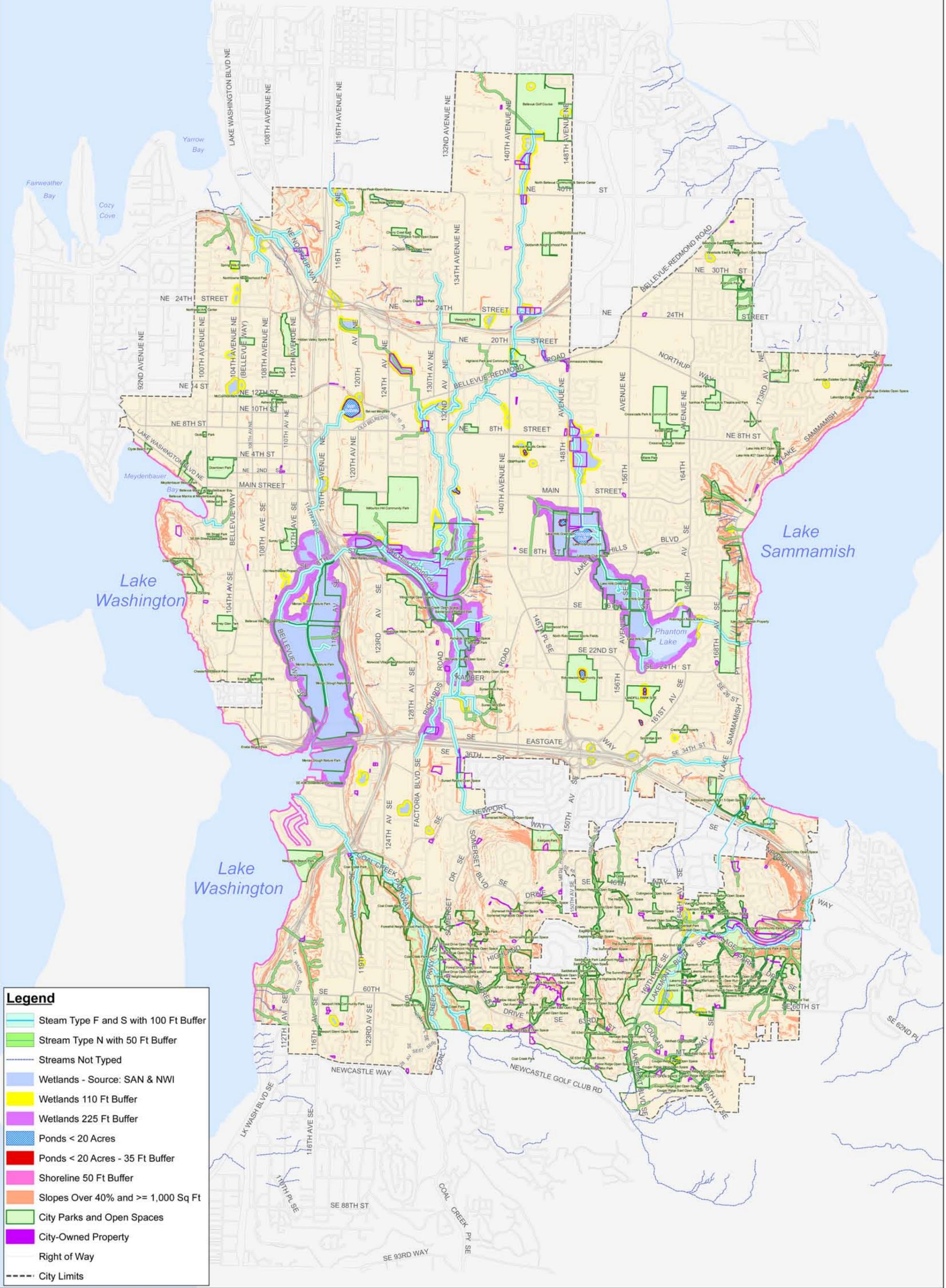
For each individual maintenance activity proposed, the Departments shall complete and submit to DSD a Programmatic Permit Approval application form. A copy of the application form is included in Appendix B. The application form is intended to provide DSD with the information necessary to find compliance with this programmatic permit.

REFERENCES

- City of Bellevue. 2007. Critical Areas Handbook.
- City of Bellevue. 2008. City of Bellevue Geographic Information System (GIS) database.
- City of Bellevue. 2012. Environmental Best Management Practices and Design Standards.
- City of Bellevue. 2012. Stormwater Management Guide.
- King County Department of Natural Resources and Parks. January 2010. King County Noxious Weed Control Program. Best Management Practices (<http://www.kingcounty.gov/environment/animalsAndPlants/noxious-weeds/weed-control-practices/bmp.aspx>)
- Marzluff, J.M. and A.D. Rodewald. 2008. Conserving biodiversity in urbanizing areas: nontraditional views from a bird's perspective. *Cities and the Environ.* 1:1-28.
- Shandas, V. and M. Alberti. 2009. Exploring the role of vegetation fragmentation on aquatic conditions: Linking upland with riparian areas in Puget Sound lowland streams. *Landscape Urban Planning* 90(1-2):66-75. WDOE (Washington State Department of Ecology). 2012. Wetlands & CAO Updates: Guidance for Small Cities. Ecology Publication No. 10-06-002.

APPENDIX A

**Vegetation Management
Programmatic Map**



Legend

- Stream Type F and S with 100 Ft Buffer
- Stream Type N with 50 Ft Buffer
- Streams Not Typed
- Wetlands - Source: SAN & NWI
- Wetlands 110 Ft Buffer
- Wetlands 225 Ft Buffer
- Ponds < 20 Acres
- Ponds < 20 Acres - 35 Ft Buffer
- Shoreline 50 Ft Buffer
- Slopes Over 40% and >= 1,000 Sq Ft
- City Parks and Open Spaces
- City-Owned Property
- Right of Way
- City Limits

NORTH

City of Bellevue
IT Department
GIS Services

Plot Date: 11/10/2008

City of Bellevue

Vegetation Management Programmatic Map

The information on this map is a geographic representation derived from the City of Bellevue Geographic Information System. The City of Bellevue does not guarantee that the information on this map is accurate or complete. This map is provided on an "as is" basis and disclaims all warranties, express or implied, including but not limited to warranties of merchantability, fitness for a particular purpose and non-infringement. Any commercial use or sale of this map or portions thereof, is prohibited without express written authorization by the City of Bellevue. The City of Bellevue is not responsible for any damages arising from the use of information on this map. Use of this map is at user's risk. Users should verify the information before making project commitments.

APPENDIX B

Programmatic Application Form

**Programmatic Vegetation Management - 14-_____ -
Activity Notification**

**Land Use and
Clearing & Grading**

14-_____ -
Please provide applicable Clearing and Grading Permit Number

Notification Date: _____
(Notification must occur a minimum of 48 hours before start date)

Timing of Proposed Work:

Estimated Start Date: _____
Estimated End Date: _____

Contact Information:

Name of Contractor Performing Work (if applicable): _____
Address: _____

Contact: _____
Phone #: _____

Contact Person (Responsible for ensuring BMPs are followed): _____
Department: _____
Contact Phone #: _____

Area of Proposed Work:

Map showing location is attached

Unimproved Right-of-way
Adjacent Roadway: _____ Nearest Cross Street: _____

City Park/Open Space:
Park Name: _____ Parcel Number (if known): _____

Critical Area(s) Affected:

- Stream Buffer
- Shoreline Buffer
- Wetland Buffer
- Steep Slope Buffer
- Wetland
- Steep Slope

Submittal Items (attach along with form when applicable):

- Enhancement Plan
Is Phasing Proposed? Yes No
Size of Additional Phases: _____ square feet
- Wetland Delineation/Determination (required for work in wetlands)
- Geotechnical Report [required for soil disturbances > 5,000 square feet in a geologic hazard critical area (steep slope) or its 50-foot top-of-slope buffer]

Type of Work Proposed:

[Circle the proposed activity, the affected area and the applicable threshold.]

Activity	Area	Threshold	Threshold (w/ Enhancement Plan)	Threshold (w/ Enhancement Plan and Phasing)
Sight Distance & Obstruction Clearing	Unimproved ROW	0.50 acre	---	---
	Outside ROW	0.50 acre	---	---
	Wetland	0.10 acre	---	---
	Steep Slopes	0.10 acre	---	---
Hazard Tree Removal	Unimproved ROW	4 trees/acre	6 trees/acre	8 trees/acre
	Outside ROW	4 trees/acre	6 trees/acre	8 trees/acre
	Wetland	1 tree/acre	2 trees/acre	---
	Steep Slopes	2 trees/acre	4 trees/acre	---
Forest Health	Unimproved ROW	0.50 acre	1.0 acre	2.0 acres
	Outside ROW	0.50 acre	1.0 acre	2.0 acres
	Wetland	0.25 acre	<1.0 acre	---
	Steep Slopes	0.25 acre	<1.0 acre	---
Invasive Species Removal	Unimproved ROW	0.50 acre	1.0 acre	2.0 acres
	Outside ROW	0.50 acre	1.0 acre	2.0 acres
	Wetland	0.25 acre	<1.0 acre	---
	Steep Slopes	0.25 acre	<1.0 acre	---
Habitat Enhancement	Unimproved ROW	0.50 acre	1.0 acre	2.0 acres
	Outside ROW	0.50 acre	1.0 acre	2.0 acres
	Wetland	---	<1.0 acre	---
	Steep Slopes	---	<1.0 acre	---

Briefly describe the existing site conditions that require the proposed work:

Briefly describe the scope of work proposed:

Upon completion, this Notification Form shall be forwarded to the following addresses:

landusereview@bellevuewa.gov

aroden@bellevuewa.gov

momalley@bellevuewa.gov

NOTE: The Clearing & Grading Inspector shall log inspections into Amanda.