Shoreline Management Act
Permit Data Sheet and Transmittal Letter

Local permit no. 21-134360-WG

State permit no. _____

From: David Wong, City of Bellevue

To: Stephanie Barney, Department of Ecology

Transmittal Date: September 29, 2022

Receipt Date: *(provided by Ecology)* _____

Type of Permit: *(Indicate all that apply)*

- ☒ Substantial Development
- ☐ Conditional Use
- ☐ Variance
- ☐ Revision
- ☐ Other _____

Local Government Decision:

- ☐ Approval
- ☒ Conditional Approval
- ☐ Denial

Applicant Information:

Name:	Scott Hormel
Address:	9810 Shoreland Dr, Bellevue, WA 98004
Phone:	425-246-3138
Email:	s.hormel@icloud.com

Applicant's Representative: *(If primary contact)*

Name:	Kenny Booth, The Watershed Company
Address:	750 6th St S, Kirkland, WA 98003
Phone:	425-822-5242
Email:	kbooth@watershedco.com

Is the applicant the property owner? ☒ Yes ☐ No

Location of the Property: 9810 Shoreland Dr, Bellevue, WA, 98004, SE-31-25-5

Water Body Name: Lake Washington **Shoreline of State Significance:** ☒ Yes ☐ No

Environment Designation: Shoreline Residential

Project Description: Shoreline Substantial Development Permit to remove an existing bulkhead and install an upland retaining wall and native shoreline landscaping within a wetland buffer. The proposal includes reconfiguration and reduction of walkway and stairs from the existing single-family residence and dock. The proposed scope of work is to correct unpermitted work that occurred in 2018.

Notice of Application Date: January 20, 2022 **Final Decision Date:** September 29, 2022

By: David Wong, Senior Planner
Phone: 425-452-4282
Email: DWong@bellevuewa.gov

Development Services Department
Environmental Coordinator
450 110th Avenue NE
Bellevue, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPOSAL NAME:	Hormel Shoreline Improvements
LOCATION:	9810 Shoreland Dr, Bellevue, WA
FILE NUMBERS:	21-134360-WG
PROPONENT:	Scott Hormel

DESCRIPTION OF PROPOSAL:
Proposal to remove an existing bulkhead and install an upland retaining wall and native shoreline landscaping within a wetland buffer. The proposal includes reconfiguration and reduction of walkway and stairs from the existing single-family residence and dock.

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision.

DATE ISSUED: 9/29/2022

APPEAL DATE: 10/13/2022

A written appeal must be filed in the City Clerk's Office by 5 p.m. on the appeal date noted above.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project) or if the DNS was procured by misrepresentation or lack of material disclosure.

Reilly Pittman
Issued By: ***Planning Manager*** **for** **Date:** September 29, 2022
Elizabeth Stead, Environmental Coordinator
Development Services Department

City of Bellevue
Development Services Department
Land Use Staff Report

Date of Receipt by Ecology:

SHORELINE MANAGEMENT ACT
DECISION ON SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

File Number:	21-134360-WG
Proposal Name:	Hormel Shoreline Improvements
Proposal Address and Location:	9810 SE Shoreland Dr, SE-31-25-5
Water Body:	Lake Washington
Shoreline Environment Designation:	Shoreline Residential
Proposal Description: Land Use review of a Shoreline Substantial Development Permit to remove an existing bulkhead and install an upland retaining wall and native shoreline landscaping within a wetland buffer. The proposal includes reconfiguration and reduction of walkway and stairs from the existing single-family residence and dock. The proposed scope of work is to correct unpermitted work that occurred in 2018. The proposal is supported by a Special Shoreline Report and mitigation plan.	
Applicant: ☒Applicant owns property Scott Hormel, s.hormel@icloud.com, 425-246-3138	
Applicant Representative: Kenny Booth, The Watershed Company, 750 6th St S, Kirkland, WA 98003, 425-822-5242, kbooth@watershedco.com	
Application Date:	December 16, 2021
Notice of Application Date:	January 20, 2022
Notice of Decision Date:	September 29, 2022

SEPA Determination: **Determination of Non-Significance**

SEPA Appeal Deadline: **October 13, 2022**

Reilly Pittman, Planning Manager

Elizabeth Stead, Environmental Coordinator
Development Services Department

Decision on SSDP: **Approval with Conditions**
Elizabeth Stead, Interim Co-Director
Development Services Department

By:_____
David Wong, Land Use Planner

The appeal period for a Shoreline Substantial Development Permit is 21 days from the "date of filing" with the Department of Ecology, as defined in RCW 90.58.140(6) and WAC 173-27-130. Appeal of the decision must be made to the Washington State Shoreline Hearings Board.

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

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof. This permit approval will expire within two years of the date of filing unless the construction, use, or activity pursuant to this permit is commenced. Final expiration of this permit approval is five years from the date of filing. Request for extension of expiration is subject to LUC 20.25E.250.E.6.

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

CONTENTS

Attachments:
1. Site Plans
2. Special Shoreline Report – The Watershed Company (Dated 12/10/21)

I. Proposal Description

Applicant requests approval to remove an existing wooden bulkhead located at the Lake Washington ordinary high-water mark (OHWM) and to construct a retaining wall landward of the OWHM. As part of the proposal, reconfiguration of the existing concrete walkway and stairs between the existing single-family residence and the dock and removal of artificial turf are proposed to reduce the amount of pre-existing impervious surface within the shoreline vegetation conservation area (SVCA) and wetland buffer. Areas above and below the retaining will be planted with native shoreline and wetland vegetation to replace vegetation impacts caused by removal of the wooden bulkhead and installation of artificial turf.

The existing bulkhead was located at the Lake Washington OHWM and within a Category III lake-fringe wetland associated with Meydenbauer Bay. The proposed improvements, with exception to the native planting, will be located above the OHWM and within the SVCA and 60-foot lake-fringe wetland buffer.

Unpermitted construction of a replacement bulkhead; reconfiguration of existing concrete walkways and stairs; and installation of artificial turf occurred in early- to mid-2018. These site alterations resulted in the replacement bulkhead being located landward of the OHWM and a net reduction of impervious surface within the SVCA and lake-fringe wetland buffer. However, site alterations also converted a large portion of the SVCA and lake-fringe wetland buffer to artificial turf.

The proposal is subject to a Shoreline Substantial Development Permit (SSDP) and SEPA requirements because the proposed work is within a shoreline of statewide significance. The proposal to replace an existing wood bulkhead does not meet the prescriptive requirements 20.25E.080.F. As a result, the applicant proposes to use a Special Shoreline Report to modify standards and requires a substantial development permit pursuant to 20.25E.170.C.3. The provisions of the Shoreline Overlay District apply.

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

A. Site Description and Land Use Context

The subject property is located on Lake Washington and Meydenbauer Bay and contains an existing single-family residence constructed in 1999 and a residential dock. Properties in the vicinity are generally developed with single-family residences and residential docks, and the neighborhood is characterized by highly developed shorelines with typical residential landscaping. The adjacent properties to the east and west are developed with residential docks. See Figure 1 for current conditions.

Figure 1

B. Zoning, Neighborhood Area, and Comprehensive Plan

The property is zoned R-4 and is located within the West Bellevue neighborhood area. Properties in the vicinity directly to east and west are also within the R-4 zoning district which is a single-family high-density (SF-H) Comprehensive Plan designation. Properties in the vicinity to south are located within the R-3.5 zoning district which is a single-family medium-density (SF-M) Comprehensive Plan designation. Multifamily and park uses are located in the vicinity to the north and east. See Figure 2 for zoning mapping, Figure 3 for neighborhood area mapping, and Figure 4 for Comprehensive Plan mapping.

Figure 2

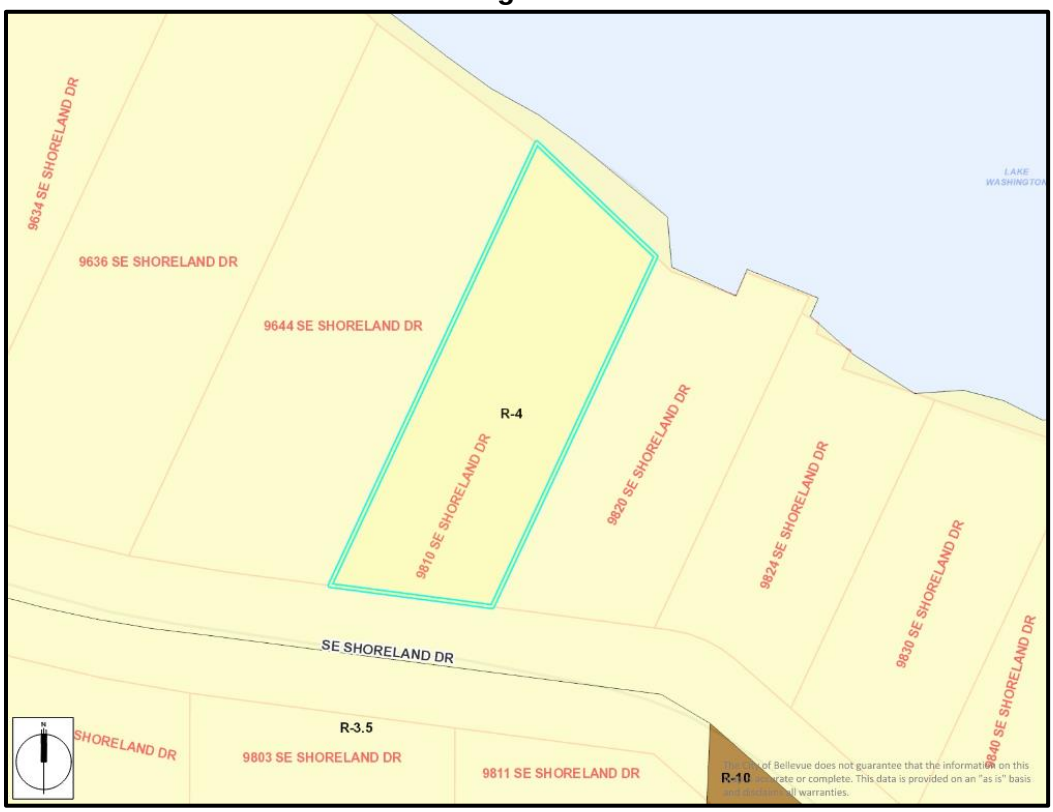


Figure 3

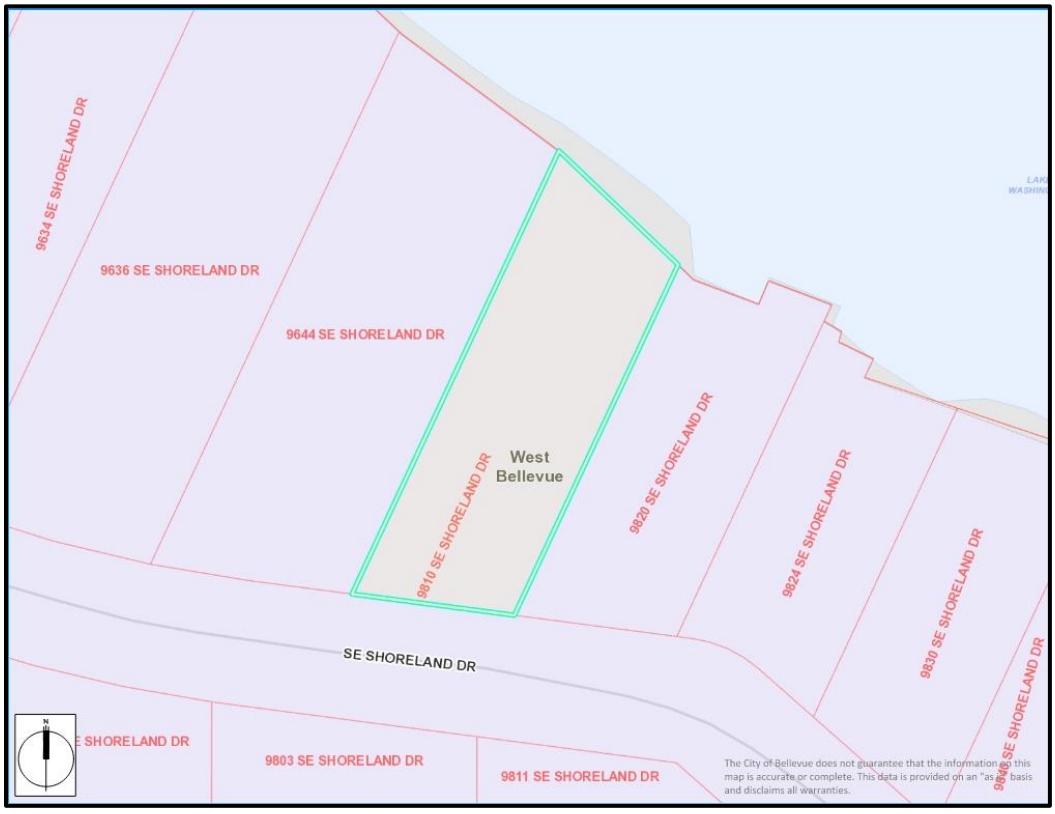
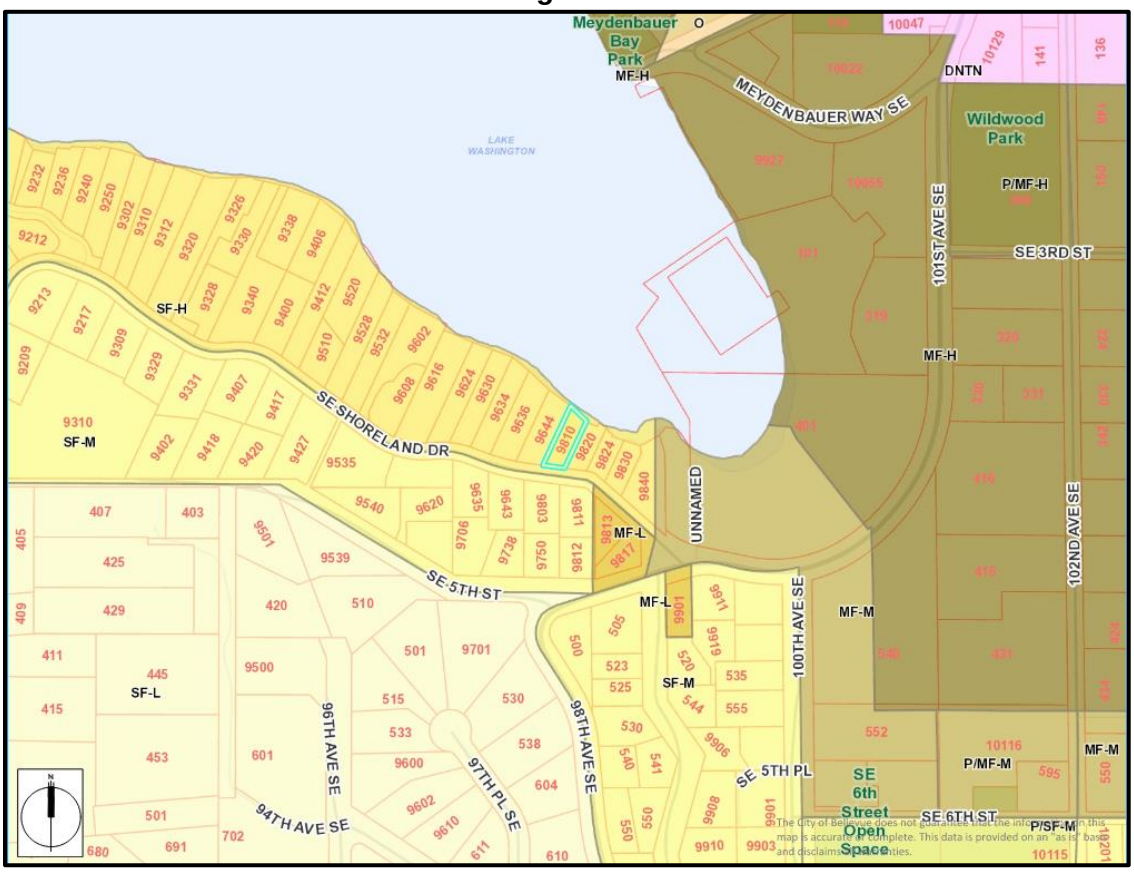


Figure 4



C. Shoreline Environment and Functions

The site is in the Shoreline Residential shoreline environment designation. Per LUC 20.25E.010, the shoreline residential environment is to accommodate single or multifamily residential development and appurtenant structures. A Shoreline Residential environment designation is assigned to Bellevue shorelands which are predominantly characterized by residential development or are planned for residential development and exhibit moderate to low levels of ecological functions because of historic shoreline modification activities.

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al.1996). Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values

D. Wetlands

The site is located along the southern portion of Meydenbauer Bay which contains a Category III lake-fringe wetland. Wetlands provide important functions and values for both the human and biological environment—these functions include flood control, water quality improvement, and nutrient production. These "functions and values" to both the environment and the citizens of Bellevue depend on their size and location within a basin, as well as their diversity and quality. While Bellevue's wetlands provide various beneficial functions, not all wetlands perform all functions, nor do they perform all functions equally well (Novitski et al., 1995). However, the combined effect of functional processes of wetlands within basins provides benefits to both natural and human environments. For example, wetlands provide significant stormwater control, even if they are degraded and comprise only a small percentage of area within a basin.

III. Consistency with Land Use Code (LUC) Requirements:

A. Zoning District Dimensional Requirements:

The site is located in the R-4 zoning district. The project proposes to reduce the amount of impervious surface from pre-existing conditions by reconfiguring the walkway between the house and dock. The reconfiguration results in a reduction of approximately 186 SF of on-site impervious surface from the amount granted under the original Building Permit and addition Building Permit approvals.

B. Shoreline Master Program Requirements LUC 20.25E:

1. Shoreline Vegetation Conservation Area – 20.25E.065.F

Unpermitted installation of artificial turf, new retaining wall, reconfiguration of impervious walkway, and other minor improvements resulted in impacts to the SVCA, or the area 50 feet perpendicular from adjacent to the OHWM. The proposal intends to mitigate the impacts to the SVCA by improving conditions above pre-construction conditions, including removal of artificial turf, and has provided a pre- and post-project land cover analysis to demonstrate compliance with SVCA land cover requirements. See Figure 5 and 6 for shoreline land cover debit and credit calculations.

Figure 5

Existing Land Cover of Areas to be Impacted	Area (SF)	Existing Value	Final Value	Change in Land Cover Value	Total Debit
Non-native (0-25') to impervious	152	0.3	0.0	0.3	45.6
Non-native (0-25') to bare ground/pervious	30	0.3	0.15	0.15	4.5
Non-native (25-50') to bare ground/pervious	37	0.25	0.15	0.10	3.7
				TOTAL:	53.8

Figure 6

Proposed Land Cover Types	Area (SF)	Existing Value	Final Value	Change in Land Cover Value	Total Credit
Non-native, 0-25' (from impervious)	0	0.0	0.3	0.3	0
Non-native, 25-50'(from impervious)	41	0.0	0.25	0.25	10.25
Native, 0-10' (from impervious)	51	0.0	1.0	1.0	51
Bare ground/pervious (from impervious)	2	0.0	0.15	0.15	0.3
Native, 0-10' (from non-native)	352	0.3	1.0	0.7	246.4
Native, 0-25' (from non-native)	789	0.3	0.8	0.5	394.5
TOTAL:				TOTAL:	702.45

Finding: The proposed land cover change within the SVCA results in a net increase in coverage value of 648.65 points based on the conceptual mitigation plan. Conformance with the conceptual plan (Attachment 1; Sheet W4 of 4) and calculations will be reviewed under the required Clearing & Grading Permit. See Section IX for conditions of approval related to Clearing & Grading Permit and mitigation plan.

2. Shoreline Stabilization – 20.25E.080.F

Shoreline stabilization measures designed to protect existing primary structures, public facilities, or public use structures from shoreline erosion are allowed in the shoreline at or above ordinary high-water mark only in compliance with this subsection F. The requirements of this subsection F may be modified through a Special Shoreline Report (SSR) pursuant to LUC 20.25E.160.E. An SSR to modify stabilization requirements of subsection F due to unique shoreline conditions (Category III wetland, Meydenbauer Bay shoreline conditions, and topography) has been provided with this application.

The proposed replacement stabilization generally complies with regulations under this subsection, however proposals to replace existing stabilization is required to demonstrate it is necessary *"…to protect principal use(s), structure(s), or property from erosion caused by currents or waves."* The site is located within Meydenbauer Bay where the property is generally protected from the wave energy experienced by those shoreline properties outside of the Meydenbauer Bay and with direct exposure to open water in Lake Washington. The pre-existing wooden bulkhead did not provide the protective functions listed above, and strict application of this subsection would result in the removal of the pre-existing wood bulkhead and conversion to soft shore stabilization.

The pre-existing bulkhead also provided stabilization to natural upland topography which drops approximately 6-8 feet over 25 feet (24-32% slope) between the pre-existing bulkhead and the house upland. Converting to soft shore stabilization would require significant grading of and additional upland stabilization to be place within the SVCA and wetland buffer.

The applicant has submitted a SSR to modify the requirement for shoreline stabilization to protect property from erosion caused by currents or waves and proposes soft stabilization at the OHWM and hard stabilization upland of the OHWM to retain the existing upland topography in lieu of strict application of 20.25E.080.F.

3. Special Shoreline Report – 20.25E.160.E

A special shoreline report is a mechanism by which setbacks, moorage, and shoreline stabilization requirements of this part and the impervious surface standards set forth in LUC 20.20.010 may be modified for a specific proposal. The report is intended to provide flexibility for sites or proposals providing unique design, or protection of shoreline area functions and values, not anticipated by this part, and to ensure that strict implementation of certain requirements will not thwart the policy enumerated in RCW 90.58.020.

A. Minimum Report Requirements – 20.25E.160.E.5

A report authored by The Watershed Company, a qualified professional, has been included with this application, and meets the minimum requirements listed in LUC 20.25E.160.E.5.b-c.

C. Critical Areas Ordinance Requirements LUC 20.25H:

1. Stabilization Measures – 20.25H.055.C.3.m

Proposed stabilization measures within a critical area or critical area buffer to protect against streambank erosion or steep slopes or landslide hazards may be approved in accordance with this subsection. The performance standards of this part do not apply to shoreline stabilization measures in flood hazard critical areas when developed in accordance with LUC 20.25E.080.F.

The proposed stabilization will result in erosion protection for the upland property to replace function the pre-existing wooden bulkhead provided prior to unpermitted removal. Analysis of alternatives resulted in no other alternatives to provide soft shore stabilization while also retaining upland topography to avoid erosion and sloughing. Complete avoidance of stabilization at the proposed location would require artificial regrading of the wetland buffer and additional upland retaining walls.

2. Wetland Performance Standards – 20.25H.100

Development on sites with a wetland or wetland critical area buffer shall incorporate the following performance standards in design of the development, as applicable:

A. Lights shall be directed away from the wetland.
The proposal does not include the installation of exterior lighting.

B. Activity that generates noise such as parking lots, generators, and residential uses shall be located away from the wetland, or any noise shall be minimized through use of design and insulation techniques.
No new sources of noise are proposed at the site. The site is developed with a single-family residence, rear yard, and dock. The proposal includes replanting with native wetland and shoreline plant species in areas impacted by bulkhead removal, wall construction, and artificial turf installation. Planting will aid in mitigating existing noise associated with the single-family development.

C. Toxic runoff from new impervious area shall be routed away from the wetlands.
No new toxic runoff is anticipated with this proposal. The proposal results in a reduction in site impervious surface and impervious surface within the SVCA and wetland buffer. No change is proposed with the existing outfall into Lake Washington of the private stormwater drainage located on-site.

D. Treated water may be allowed to enter the wetland critical area buffer.
No new discharges of treated water are proposed.

E. The outer edge of the wetland critical area buffer shall be planted with dense vegetation to limit pet or human use.
The wetland edge and portions of the wetland buffer are proposed to be revegetated densely with native wetland and shoreline plant species. Access to the shoreline is proposed to remain via the dock and a small area directly adjacent to the dock near the OHWM.

F. Use of pesticides, insecticides and fertilizers within 150 feet of the edge of the stream buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.
No use of pesticides, insecticides, or fertilizers is proposed under this application. This performance standard will be further verified during review of the required Clearing & Grading Permit. See Section IX for conditions of approval related to pesticide, insecticide, and fertilizer use.

G. All applicable standards of Chapter 24.06 BCC, Storm and Surface Water Utility Code, are met.
Utilities department staff have reviewed this proposal and determined all elements comply with Utilities Code requirements. See Section V for more information.

IV. Public Notice and Comment

Date of Application: December 16, 2021
Notice of Application: January 20, 2022
Minimum Comment Period: February 2, 2022

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin on February 2, 2022. It was mailed to property owners within 500 feet of the project site. Staff received no comments prior to the writing of this report.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development.

Utilities Department:

The Utilities Division of the Development Services Department has reviewed the proposed development for compliance with Utilities codes and standards. The Utilities staff found no issues with the proposed development.

VI. State Environmental Policy Act (SEPA)

The applicant has provided a complete SEPA checklist supported by detailed analysis for review in demonstrating no significant adverse environmental impact. Staff has reviewed the checklist, analysis, and supporting documentation and has determined that, for the proposed action, environmental review indicates no probability of significant adverse environmental impacts provided that applicable city codes and standards are implemented. Therefore, issuance of a Determination of Non-Significance pursuant to WAC 197-11-340 and Bellevue City Code (BCC) 22.02.034 is appropriate.

A. Earth, Air, and Water

No dredging, withdrawals, diversions, or discharges are anticipated from the proposed construction, and minor disturbance is anticipated as the only in-water work is limited to native planting to restore the lake-fringe wetland.

B. Animals

Chinook salmon, bull trout, and steelhead are found in Lake Washington. Work at or below the OHWM is limited to restoration planting of wetland plant species. Fish species and their habitat will be protected during the project construction through the timing of in-water work.

C. Plants

Existing vegetation on the shoreline is sparse due to unpermitted artificial turf installation, and the limited areas of vegetation consist of lawn and ornamental plants. The proposal

will increase vegetative coverage of the wetland, wetland buffer, and SVCA using native wetland and shoreline vegetation.

VII. Decision Criteria

A. Shoreline Substantial Development Permit Decision Criteria – LUC 20.25E.160.D

The Director of the Development Services Department may approve or approve with modifications if:

1. The proposal is consistent with the policies and procedures of the Shoreline Management Act;

Finding: As evaluated the proposal is consistent with applicable policies and procedures of the Shoreline Management Act (SMA). The SMA includes broad policies that give priority to water-dependent uses and activities and single-family residences are specifically identified as a preferred use. Stabilization is allowed use of the Residential shoreline environment and are reviewed and permitted through a shoreline substantial development permit.

2. The proposal is consistent with the provisions of Chapter 173-27 WAC;

Finding: The applicant's proposal is consistent with the general policies and has demonstrated compliance with the applicable procedures and requirements of the WAC through this permit application.

3. The proposal is consistent with the SMP;

Finding: As evaluated in Section III of this report, the applicant has submitted project plans that demonstrate the proposal's consistency with the policies and procedures of the Shoreline Management Program (SMP) including, but not limited, those policies and procedures related to stabilization.

4. The proposal is consistent with the Bellevue Comprehensive Plan; and

Finding: The applicant's proposal is consistent with the following policies and has demonstrated compliance with the SMP through this application. Specifically:

SH-1 - Allow compatible water-dependent uses and development when associated with permitted upland uses and in accordance with applicable policies and regulations.

SH-9 - Recognize residential development, appurtenant structures, and water-dependent and water-enjoyment recreation activities as preferred where they are appropriate and can be developed without significant impact to ecological functions identified in the Shoreline Analysis Report or displacement of water-dependent uses.

SH-18 - Give preference to residential and water dependent, water-enjoyment, and water-related uses (in that order) when the use, activity, or development preserves shoreline ecological functions and processes or, where necessary, mitigates impacts to water quality, fish and wildlife habitat, and other shoreline functions.

Finding: The stabilization and mitigation plans are consistent with this goal to allow residential use of the shoreline, and will improve functions related water quality, vegetative coverage, biodiversity, fish, and wildlife in or near the water.

5. **The proposal complies with applicable requirements of the Bellevue City Code.**

Finding: As reviewed in Section III and V of this report, the proposal complies with all applicable requirements of the Bellevue City Code. Final determination of compliance with Bellevue City Code will occur during review of the required Clearing & Grading Permit. See Section IX for conditions of approval related to Clearing & Grading Permit requirements.

B. Special Shoreline Report Decision Criteria – 20.25E.160.E

Proposals to Modify Performance Standards or Reduce a Shoreline Setback. The Director may approve, or approve with modifications, a proposal to modify a performance standard or shoreline setback on a site where the applicant demonstrates:

1. **The proposal includes plans for restoration of shoreline aquatic area, setback or upland area such that there is a measurable net gain in overall shoreline and critical area functions;**

Finding: The mitigation plans included in Attachment 1 demonstrate a net functional uplift to shoreline and wetland functions values by increasing native plant coverage, decreasing non-native vegetative coverage, decreasing impervious surface, and increasing habitat opportunities. In addition, the plans also demonstrate a net improvement in quality and overall vegetative coverage within the SVCA and wetland buffer as noted in Figure 6 of this report.

2. **The proposal includes plans for restoration of degraded setback or shoreline area such that there is a measurable net gain in the most important shoreline aquatic or habitat functions on the site;**

Finding: The report identifies stormwater quality as the most important shoreline function occurring at this site. The proposal will improve stormwater quality by increasing overall native vegetative coverage; reducing non-native vegetative coverage within the SVCA and wetland buffer; and reducing impervious surface within the SVCA and wetland buffer.

3. **The proposal includes a net gain in storm water quality function by the shoreline**

setback or by elements of the development proposal outside of the reduced regulated shoreline setback;

Finding: As noted in Section VII.B.2 above, the SSR identifies stormwater quality as the most important shoreline function occurring at this site. The proposal will improve stormwater quality by increasing overall native vegetative coverage; reducing non-native vegetative coverage within the SVCA and wetland buffer; and reducing impervious surface within the SVCA and wetland buffer.

4. **Adequate resources to ensure completion of any required restoration, mitigation and monitoring efforts;**

   Finding: Adequate resources have been provided to ensure all restoration, mitigation, and monitoring will be completed as described in the SSR. In addition, a financial surety will be required to provided to the City as part of the Clearing & Grading Permit application. See Section IX for conditions of approval related to the assurance device.

5. **The modifications and performance standards included in the proposal are not detrimental to the functions and values of shoreline setbacks and critical areas off site; and**

   Finding: The proposal seeks to improve on and off-site wetland functions and values by installing wetland and wetland buffer vegetation. Expected improvements to biodiversity, habitat opportunities, vegetative coverage, stormwater quality, and noise mitigation are anticipated over pre-existing and existing conditions. The proposal does not affect shoreline setbacks on- or off-site.

6. **The resulting development is compatible with other uses and development in the same land use district.**

   Finding: The proposed retaining wall, soft shore, and revegetation is similar to existing single-family shoreline development in the vicinity. Much of the shoreline in this area is highly developed with hard stabilization, residential landscaping, and other commonly found residential features. Implementation of this proposal will not affect site compatibility in comparison with the adjacent and nearby single-family uses.

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including LUC consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the location, construction, and installation of the upland retaining wall, soft shore stabilization, and associated mitigation at 9810 SE Shoreland Dr. Revision to this approval shall be in accordance with LUC 20.25E.150.E.2.

Note—Expiration of Approval: In accordance with LUC 20.25E.250.C.2, a Shoreline Substantial Development Permit automatically expires and is void if the applicant fails to file for a Clearing & Grading Permit and fails to make substantial progress towards completion of the project within two (2) years of the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension for the Shoreline Substantial Development Permit pursuant to LUC 20.25E.250.C.6.

Permit authorization expires finally, despite commencement of construction, five years after the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension pursuant to LUC 20.25E.250.

IX. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Utilities Code- BCC 24	Jeremy Rosenlund, 425-452-7683
Land Use Code- BCC 20.25H	David Wong, 425-452-4282
Noise Code- BCC 9.18	David Wong, 425-452-4282

The following conditions are imposed under the BCC or SEPA authority referenced:

1. **Clearing & Grading Permit Required:** Approval of the Shoreline Substantial Development Permit does not constitute approval of a development permit. A Clearing & Grading Permit shall be required and approved. Plans consistent with those submitted as a part of this permit application shall be included in the Clearing & Grading Permit application

   Authority: LUC 20.25E.160
   Reviewer: David Wong, Land Use

2. **Mitigation and Restoration Planting Plan:**
   A mitigation planting plan in conformance with the conceptual plan (Attachment 1) shall be submitted with the Clearing & Grading Permit application. A restoration plan for any temporary impacts associated with retaining wall, artificial turf removal, or mitigation planting shall also be submitted with the Clearing & Grading Permit application.

   Authority: LUC 20.25E.060.D
   Reviewer: David Wong, Land Use

3. **Maintenance and Monitoring:**
   A maintenance and monitoring plan consisting of five (5) years of maintenance and monitoring activities to ensure successful establishment of native shoreline plantings shall

be submitted with the Clearing & Grading Permit application. Annual reporting is required to be transmitted to the City of Bellevue following the end of the growing season or by December 1 of each year following the installation and inspection of the mitigation planting. All reporting shall be sent to DWong@Bellevuewa.gov or by mail to:

Environmental Planning Manager
Development Services Department
City of Bellevue
PO Box 98012
Bellevue, WA 98009-9012

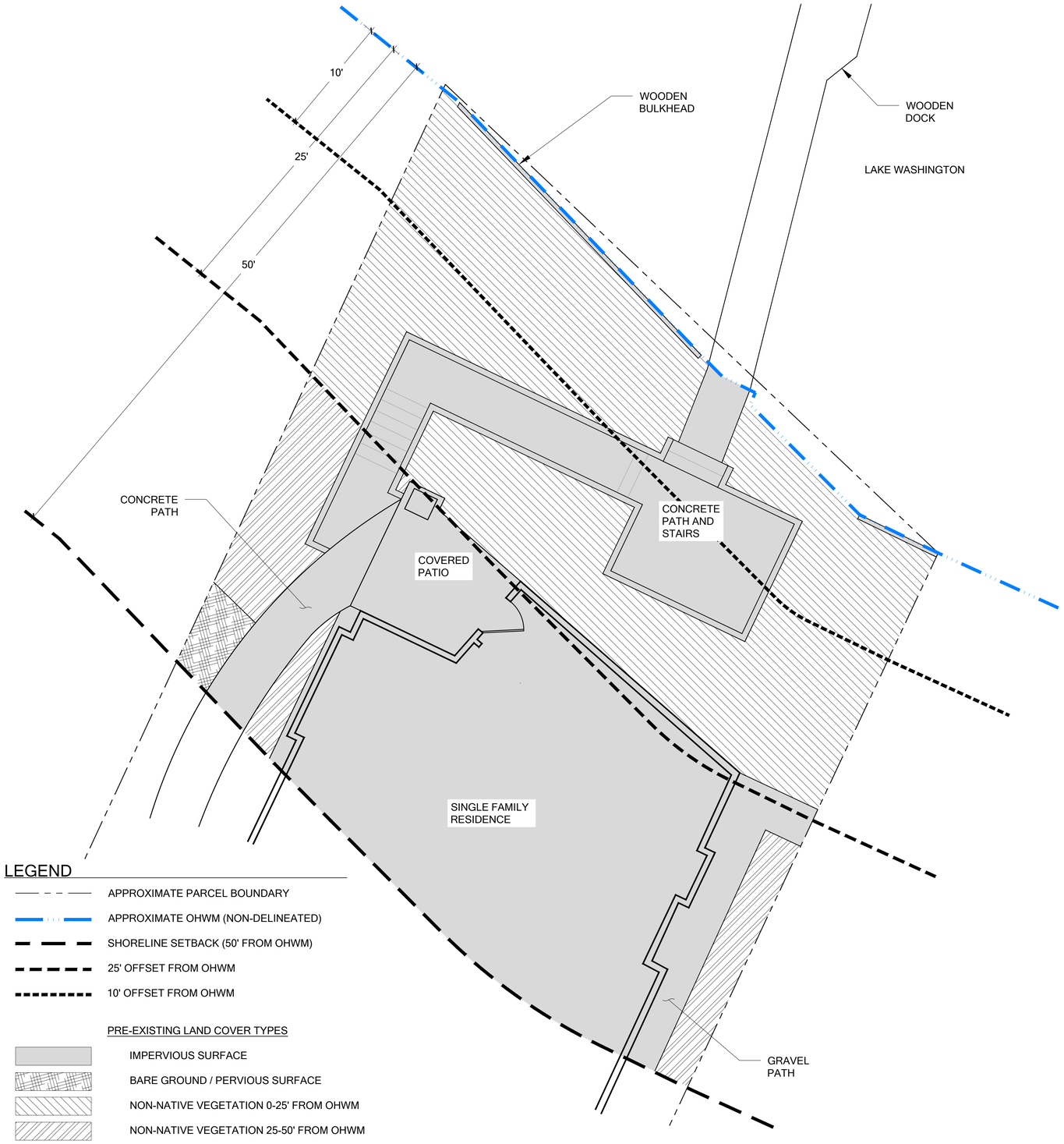
Authority: LUC 20.25E.060.D
Reviewer: David Wong, Land Use

4. **Cost Estimate and Assurance Device:**
A cost estimate for all plants, labor, and materials needed to complete the mitigation planting plan shall be submitted with the Clearing & Grading Permit application. Upon successful review, an assurance device totaling 100% of the cost of the plants, labor, and materials shall be provided to the City prior Land Use approval of the Clearing & Grading Permit.

Authority: LUC 20.25E.060.D
Reviewer: David Wong, Land Use

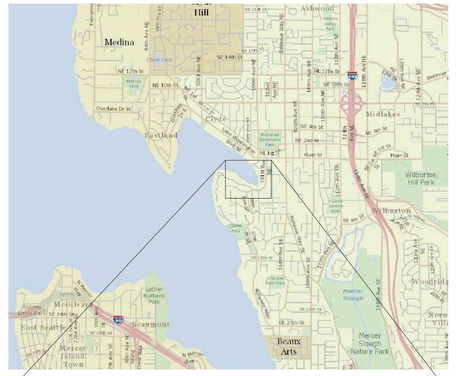
5. **Lake Washington Allowed In-Water Work Windows:** The US Army Corps of Engineers regulates work windows for when work can occur in Lake Washington and this project shall comply with the approved work window.

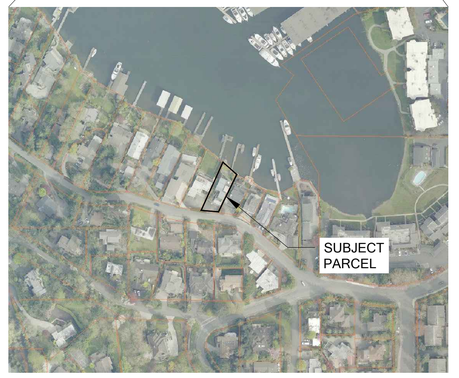
Authority: LUC 20.25E.160
Reviewer: David Wong, Land Use



PRE-EXISTING CONDITIONS LAND COVER ASSESSMENT

SCALE 1"=5'





VICINITY MAP

NTS

LEGEND

- APPROXIMATE PARCEL BOUNDARY
- APPROXIMATE OHWM (NON-DELINEATED)
- SHORELINE SETBACK (50' FROM OHWM)
- 25' OFFSET FROM OHWM
- 10' OFFSET FROM OHWM

PRE-EXISTING LAND COVER TYPES

- IMPERVIOUS SURFACE
- BARE GROUND / PERVIOUS SURFACE
- NON-NATIVE VEGETATION 0-25' FROM OHWM
- NON-NATIVE VEGETATION 25-50' FROM OHWM

0' 5' 10' 20'

PERMIT SET - NOT FOR CONSTRUCTION

THE WATERSHED COMPANY
750 Sixth Street South
Kirkland WA 98033
p 425.822.5242
www.watershedco.com
Science & Design

HORMEL RESIDENCE

CONCEPTUAL MITIGATION PLAN
PREPARED FOR SCOTT HORMEL
PARCEL #7768700230
9810 SE SHORELAND DRIVE
BELLEVUE, WA 98004

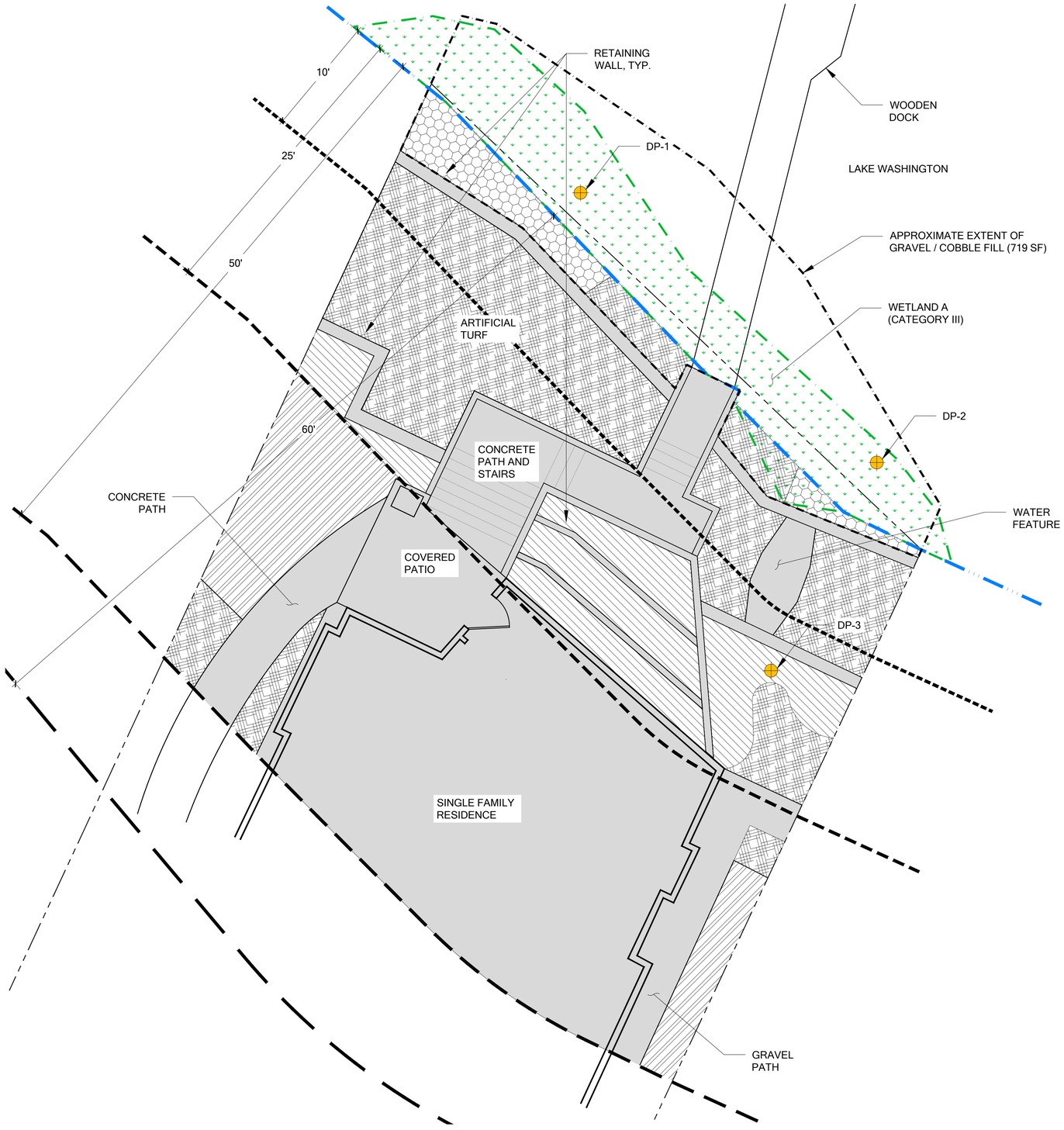
SUBMITTALS & REVISIONS

NO.	DATE	DESCRIPTION	BY
1	10/19/2020	IMPACTS ASSESSMENT / MITIGATION PLAN	RH
2	12/18/2020	MITIGATION PLAN	RH
3	12/16/2021	CONCEPTUAL MITIGATION PLAN	AK

SHEET SIZE:
ORIGINAL PLAN IS 22" x 34".
SCALE ACCORDINGLY.

PROJECT MANAGER: JKB
DESIGNED: AK
DRAFTED: AK
CHECKED: LV
JOB NUMBER:
200908
SHEET NUMBER:
W1 OF 4

FILENAME
PRINTED BY
DATE



EXISTING CONDITIONS LAND COVER ASSESSMENT

SCALE 1"=5'

0' 5' 10' 20'

NOTES

1. SITE HAS NOT BEEN SURVEYED. CRITICAL AREAS, PARCEL BOUNDARIES, AND LAND-COVER TYPES ARE APPROXIMATED BASED UPON SITE VISIT FINDINGS, IMAP AERIAL PHOTOS, AND SKETCH PROVIDED BY APPLICANT.
2. SITE VISIT TO ASSESS LAND COVER TYPES AND DELINEATE CRITICAL AREAS COMPLETED BY THE WATERSHED COMPANY ON SEPTEMBER 17 AND DECEMBER 3, 2020 (750 6TH STREET S; KIRKLAND, WA 98033; 425-822-5242.)

LEGEND

- APPROXIMATE PARCEL BOUNDARY
- APPROXIMATE OHWM (NON-DELINEATED)
- SHORELINE SETBACK (50' FROM OHWM)
- 25' OFFSET FROM OHWM
- 10' OFFSET FROM OHWM
- APPROXIMATE WETLAND AREA
- APPROXIMATE WETLAND BUFFER (60')
- DATA POINT (DP)

EXISTING LAND COVER TYPES

- IMPERVIOUS SURFACE
- BARE GROUND / PERVIOUS SURFACE
- NON-NATIVE VEGETATION 0-25' FROM OHWM
- NON-NATIVE VEGETATION 25-50' FROM OHWM
- MIXED NATIVE / NON-NATIVE VEGETATION LANDWARD OF OHWM

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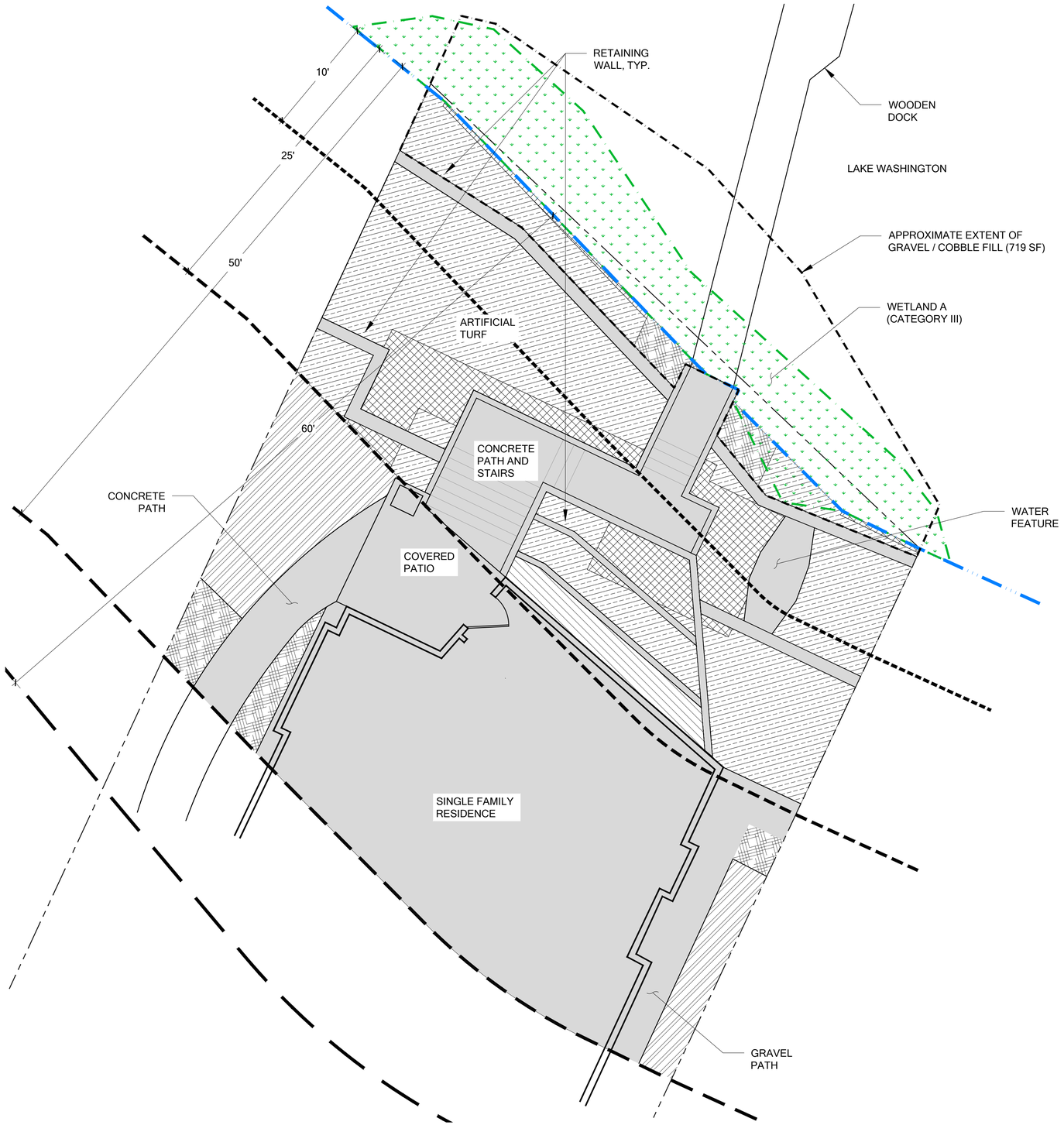

PROPOSED CONDITIONS LAND COVER ASSESSMENT

SCALE 1"=5'

0' 5' 10' 20'

IMPACT CALCULATIONS

SHORELINE DEBIT CALCULATIONS

EXISTING LAND COVER OF AREAS TO BE IMPACTED	AREA (SF)	EXISTING VALUE	FINAL VALUE	CHANGE IN LAND COVER VALUE	TOTAL DEBIT
NON-NATIVE (0-25') TO IMPERVIOUS	152	0.3	0.0	0.3	45.6
NON-NATIVE (0-25') TO BARE GROUND/PERVIOUS	30	0.3	0.15	0.15	4.5
NON-NATIVE (25-50') TO BARE GROUND/PERVIOUS	37	0.25	0.15	0.10	3.7
				TOTAL:	53.8

SHORELINE CREDIT CALCULATIONS

PROPOSED LAND COVER TYPES	AREA (SF)	EXISTING VALUE	FINAL VALUE	CHANGE IN LAND COVER VALUE	TOTAL CREDIT
NON-NATIVE, 0-25' (FROM IMPERVIOUS)	0	0.0	0.3	0.3	0
NON-NATIVE, 25-50' (FROM IMPERVIOUS)	41	0.0	0.25	0.25	10.25
NATIVE, 0-10' (FROM IMPERVIOUS)	51	0.0	1.0	1.0	51
BARE GROUND/PERVIOUS (FROM IMPERVIOUS)	2	0.0	0.15	0.15	0.3
NATIVE, 0-10' (FROM NON-NATIVE)	352	0.3	1.0	0.7	246.4
NATIVE, 0-25' (FROM NON-NATIVE)	789	0.3	0.8	0.5	394.5
				TOTAL:	702.45

LEGEND

- APPROXIMATE PARCEL BOUNDARY
- APPROXIMATE OHWM (NON-DELINEATED)
- SHORELINE SETBACK (50' FROM OHWM)
- 25' OFFSET FROM OHWM
- 10' OFFSET FROM OHWM
- APPROXIMATE WETLAND AREA
- APPROXIMATE WETLAND BUFFER (60')

EXISTING LAND COVER TYPES TO REMAIN

- IMPERVIOUS SURFACE
- BARE GROUND / PERVIOUS SURFACE
- NON-NATIVE VEGETATION 0-25' FROM OHWM
- NON-NATIVE VEGETATION 25-50' FROM OHWM

PROPOSED LAND COVER TYPES

- IMPERVIOUS TO NATIVE VEGETATION, 0-25' (186 SF)
- NON-NATIVE VEGETATION TO NATIVE VEGETATION, 0-25' (735 SF)

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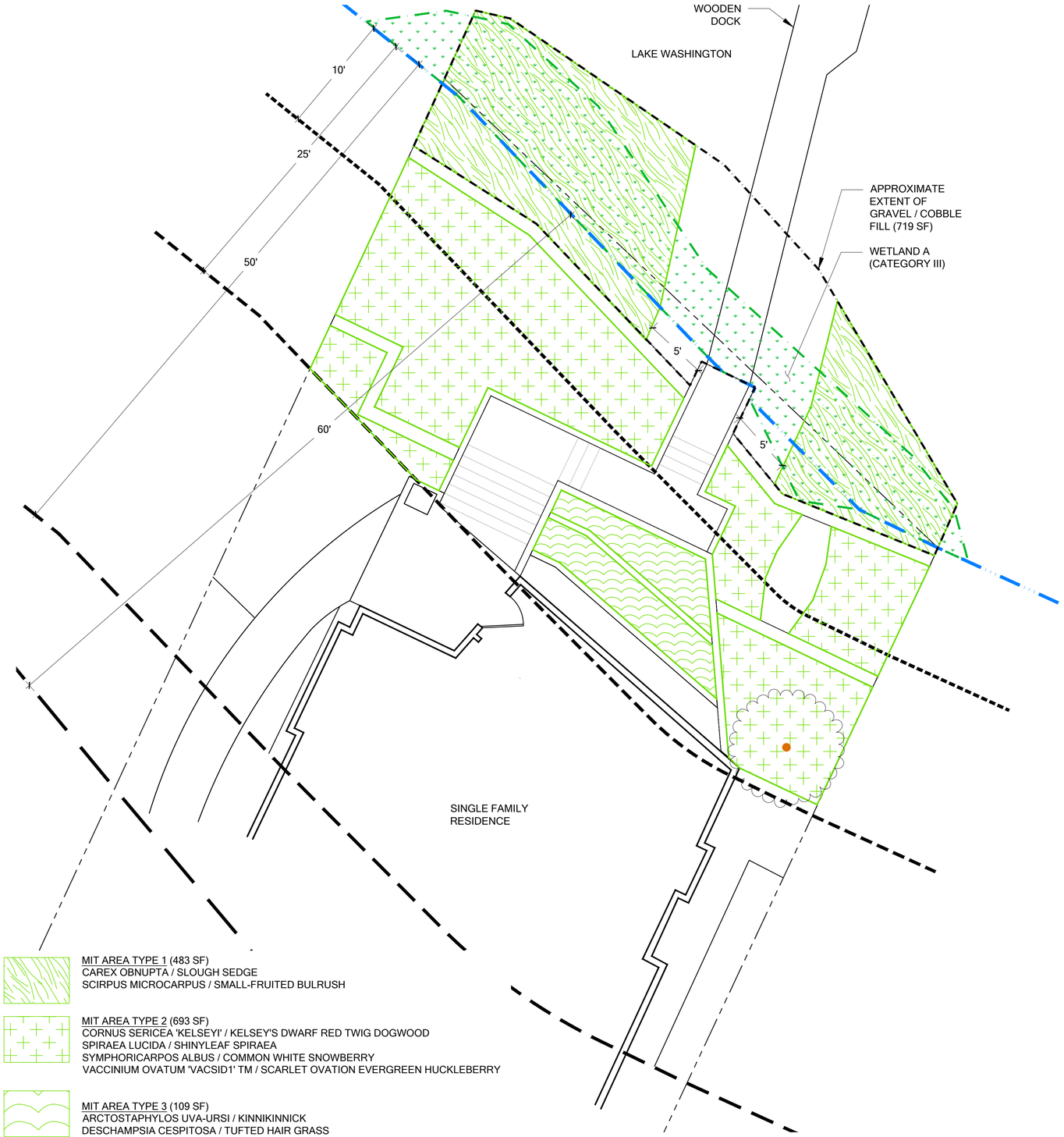

MIT AREA TYPE 1 (483 SF)
CAREX OBNUPTA / SLOUGH SEDGE
SCIRPUS MICROCARPUS / SMALL-FRUITED BULRUSH

MIT AREA TYPE 2 (693 SF)
CORNUS SERICEA 'KELSEYI' / KELSEY'S DWARF RED TWIG DOGWOOD
SPIRAEA LUCIDA / SHINYLEAF SPIRAEA
SYMPHORICARPOS ALBUS / COMMON WHITE SNOWBERRY
VACCINIUM OVATUM 'VACSID1' TM / SCARLET OVATION EVERGREEN HUCKLEBERRY

MIT AREA TYPE 3 (109 SF)
ARCTOSTAPHYLOS UVA-URSI / KINNIKINNICK
DESCHAMPSIA CESPITOSA / TUFTED HAIR GRASS
POLYSTICHUM MUNITUM / WESTERN SWORD FERN

CONCEPTUAL MITIGATION PLAN

SCALE 1"=5'

0' 5' 10' 20'

NOTES

1. GROUNDCOVERS AND SHRUBS TO BE GROUPED BY SPECIES IN GROUPS OF 3-9 AND SPACED TRIANGULARLY.

LEGEND

- APPROXIMATE PARCEL BOUNDARY
- APPROXIMATE OHWM (NON-DELINEATED)
- SHORELINE SETBACK (50' FROM OHWM)
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Special Shoreline Report

Hormel Residence

City of Bellevue

December 10, 2021

Prepared for:

City of Bellevue
PO Box 90012
Bellevue, WA 98009 9012

Prepared on behalf of (applicant):

Scott Hormel
9810 SE Shoreland Drive
Bellevue, WA 98004

The Watershed Company

Title-page image: View looking toward subject property from Lake Washington (December 3, 2020).

Report Disclaimer: The information contained in this report is based on the application of technical guidelines currently accepted as the best available science and in conjunction with the manuals and criteria outlined in the methods section. All discussions, conclusions and recommendations reflect the best professional judgment of the author(s) and are based upon information available at the time the study was conducted. All work was completed within the constraints of budget, scope, and timing. The findings of this report are subject to verification and agreement by the appropriate local, state and federal regulatory authorities. No other warranty, expressed or implied, is made.

THE WATERSHED COMPANY

750 Sixth Street South
Kirkland, WA 98033

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watershedco.com

The Watershed Company Reference Number: 200908
The Watershed Company Contact: Kenny Booth, AICP

Table of Contents

List of Figures

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1. Introduction

1.1 Background and Purpose

The purpose of this report is to document potential shoreline and shoreline setback impacts associated with a residential redevelopment project located on the shore of Meydenbauer Bay in the City of Bellevue, Washington (Figure 1), and how the proposal will result in no net loss of shoreline ecological function in compliance with the requirements of the City's Shoreline Master Program (SMP). The subject property is comprised of a single lot which is currently developed with a single-family residence. Unpermitted work occurred within the shoreline setback in 2018, resulting in minor modifications to hardscape and landscape areas within the setback. The pre-existing condition included a wood bulkhead at the ordinary high water mark (OHWM), concrete stairs and retaining walls, and areas of planting. Improvements carried out in 2018 included a reconfiguration of the stairs and retaining walls, and the addition of artificial turf. In addition, the wood bulkhead was removed, with a new upland retaining wall holding grade further away from the shoreline. Impervious surfaces waterward of the residence did not increase as a result of these improvements. As part of retroactive permitting of the reconfiguration of improvements within the shoreline setback, the turf will be removed and replaced with plantings. Retroactive approval is sought from the City of Bellevue for the other improvements, which will remain.

The replacement bulkhead complies with the City of Bellevue shoreline regulations for replacement of existing shoreline stabilization features, with the exception of the provision that the structure be intended for protection of property. Specifically, LUC 20.25E.080.F.6.b indicates that the stabilization structure must be needed to protect the property or structures from erosion caused by currents or waves. However, in this case the stabilization structure is required to protect the property by holding grade and combating upland erosion/sloughing. Thus, the project proposes a slight deviation from the shoreline stabilization regulations.

The Bellevue Shoreline Master Program (SMP) allows deviation from certain SMP requirements through the Special Shoreline Report Process (LUC 20.25E.160) when it can be demonstrated that the proposal with requested modifications leads to equivalent or better protection of shoreline ecological functions and values than would result from the strict application of the code. LUC 20.25E.160.E.5 details specific report content requirements and LUC 20.25E.160.E.6 requires demonstration of compliance with specific criteria as part of any modification. This report fulfills these criteria.

Impacts and mitigation related to unauthorized work within the on-site wetland are addressed in the *Wetland Delineation, Impact Assessment, and Restoration Plan* (Wetland Report), dated December 18, 2020, prepared by the Watershed Company.

1.2 Methods

An ecologist and landscape designer from The Watershed Company visited the site on September 17, 2020, to evaluate the existing site conditions. A second site visit was performed on December 3, 2020, to conduct a wetland and ordinary high water mark delineation. Vegetative structure and composition, special habitat features, presence of wildlife species and human disturbances were also assessed, which inform the discussions presented in this report. Results of the delineation are documented in the Wetland Report and were utilized in preparation of the associated Mitigation Plan (Appendix A).

2. Subject Property

2.1 Location and Description

The subject property is located at 9810 SE Shoreland Drive (parcel 7768700230) in the City of Bellevue. Lake Washington borders the project area to the north, and single-family residences are located to the south, east and west. Lake Washington is designated as a Shoreline of the State and the project area is within the shoreline jurisdiction of Lake Washington, within the Shoreline Residential (SR) environment designation. The SR environment designation requires a standard 50-foot shoreline structure setback, measured from the OHWM and a 50-foot shoreline vegetation conservation area (SVCA), also measured from the OHWM.

The subject property is approximately 7,750 SF and is narrower than deep, extending over 150 feet landward from the lake. The parcel has approximately 60 feet of shoreline frontage and slopes moderately toward the lake with an approximate 25-foot elevation change from the road to the lake. The property includes an existing single-family residence, located approximately 25-30 feet from the shoreline, and appurtenant features including hardscapes and vegetated areas between the house and lake. Unpermitted work occurred within the shoreline setback in 2018, resulting in minor modifications to hardscape and landscape areas within the setback. The pre-existing condition included a wood bulkhead at the ordinary high water mark (OHWM), concrete stairs and retaining walls, and areas of planting. Improvements included reconfiguration of walkways and stairs, vegetation revisions and turf installation, installation of a water feature to account for the discharge of surface water runoff in the area, and bulkhead removal and replacement.

The site is situated in the East Lake Washington – Bellevue North drainage basin of the Cedar-Sammamish Watershed (WRIA 8). According to the Natural Resources Conservation Service Web Soil Survey, the site is characterized by Kitsap silt loam soils. Any surface or groundwater on the site would be expected to flow north toward the lake.

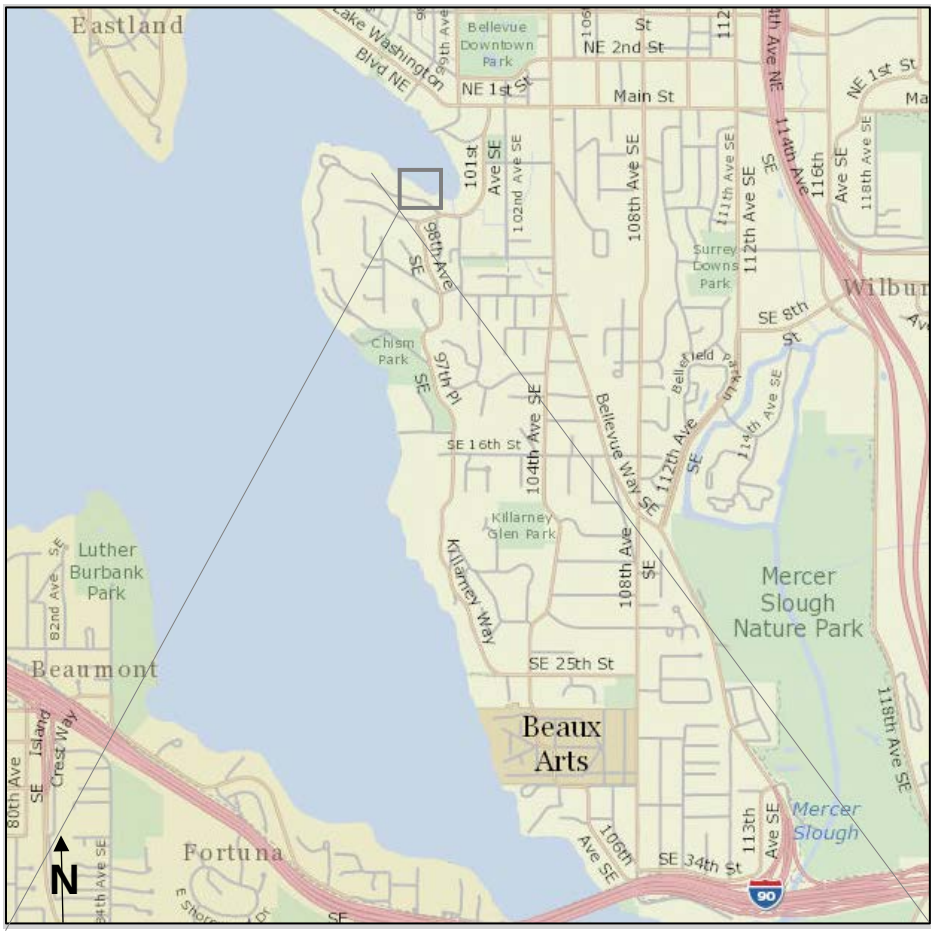


Figure 1. Vicinity and street level map (King County iMap).

2.2 Critical Areas

2.2.1 Wetlands

One shoreline associated wetland, Wetland A, is present within the study area. Wetland A is a lake fringe wetland with a small slope component. The wetland rates as a Category III wetland with low habitat functions. The City of Bellevue requires associated wetlands with these scores to have a 60-foot buffer.

2.2.2 Species of Local Importance

The City of Bellevue designates habitat associated with species of local importance as a critical area [LUC 20.25H.150(B)]. As further described in Section 2.3 below, wildlife use on site is expected to be limited to mainly urban species due to the densely developed surroundings, and is further limited by the lack of large trees on site. However, it is possible that some habitat on site could occasionally be used by species of local importance, especially given the proximity to Lake Washington. Species of local importance [LUC 20.25H.150(A)] for which suitable habitat exists on the study property are Vaux's swift, merlin, purple martin, great blue heron, and common loon. Potential fish use of Lake Washington includes Chinook and coho salmon, bull trout, and river lamprey. The likelihood of each of these species utilizing the property is discussed below.

Vaux's swifts forage in open skies over forests, lakes, and rivers, where insects are abundant. Lake Washington provides suitable foraging habitat, and the species may be present at times over the study area. Nesting normally takes place in old-growth forest where large, hollow snags are available. The study parcel does not provide nesting habitat for this species.

Merlins occur throughout western Washington in winter and during migration. Breeding birds are rare in the state. Occurrences are spotty but not uncommon in suburban areas, and the study parcel may provide a small amount of suitable hunting or perching area in the non-breeding season.

Purple martin is Washington State's least common swallow. The species forages over open water and could potentially use the lake area adjacent to the study property for foraging. There are no suitable standing snags available on the subject property for cavity-nesting.

Great blue herons are widespread in western Washington. Outside of breeding, which occurs in tall trees, commonly away from human disturbance, the birds are most often observed in and along rivers, lakes, and wetlands. The associated wetland and adjacent waters of Lake Washington are likely used by foraging and resting herons throughout the year.

Common loons prefer large, secluded lakes in the eastern part of the state for breeding. In winter, the species is most common on the coast and in saltwater bays and inlets, but can be seen on freshwater lakes near the coast as well. The open waters of Lake Washington are commonly used by wintering loons, but the species is unlikely to enter the study parcel.

Chinook and coho salmon migrate through Lake Washington. The lake itself does not provide spawning habitat. The lake is used by juveniles for migration, as well as rearing. Lake temperatures are warmer than preferred by these species, particularly in shallow areas, and outside of the existing pier, the shoreline area provides no cover for hiding or cooling. The lake area immediately adjacent to the property is unlikely to be used extensively by these species.

Bull trout are rare or non-existent in Lake Washington. The species has a narrow temperature tolerance range, and is very unlikely to occur near the shallow waters adjacent to the study area.

River lamprey have been identified in Lake Washington. According to the U.S. Fish and Wildlife Service, the species has declined, present status is unknown, and little is known about their biology.

Other species including bald eagle, pileated woodpecker, osprey and red-tailed hawk are common over Lake Washington and may occasionally pass through the subject parcel on their

way to more suitable habitat. However, the lack of large trees on site limits perching or nesting habitat and it is unlikely that these species would use the site for any significant period of time.

2.3 Vegetation and Habitat Conditions

A comparison of aerial photos from 2015, 2017, and 2019 shows that some vegetation within the wetland and shoreline area has been displaced by the placement of cobble and gravel. The addition of cobble and gravel has altered the native substrate of this area, which appears to be a silty loam or mucky loam in adjacent undisturbed areas. The primary result of this alteration is the overall cover of vegetation within the wetland area has been reduced. Wetland vegetation plays a key role in improving water quality as well as providing wildlife habitat. Plants have the ability to trap and hold sediments and remove excess nutrients and toxins from the water. Additionally, vegetation, particularly woody plants, have the ability to dissipate wave energy from storms and boat-drive wake which could otherwise erode shorelines or damage property. These primary wetland functions have been reduced as a result of the gravel/cobble placement and loss of shoreline vegetation.

Based upon field observations, it appears that some vegetation has reestablished since 2019, however the majority of the vegetation that has reestablished is not native to the region. Some species are listed on the King County Noxious Weed List/Weeds of Concern list including purple loosestrife (control is required in King County), reed canarygrass, yellow flag iris, and bird's-foot trefoil. This composition of species are aggressive colonizers that will outcompete most native plants and they do not support native terrestrial or aquatic fauna to the degree that native plants otherwise would.

Figure 2. View from the dock of the replacement bulkhead, shoreline and upland areas (12.3.20)

Figure 3. Detail of replacement bulkhead with turf landward and wetland vegetation with cobble/gravel waterward (12.3.20)

Figure 4. Overview of shoreline area facing toward the lake with water feature in foreground (12.3.20)

Figure 5. Detail of upland landscaped areas (12.3.20)

Off-site Habitat

The opportunity for the subject property to provide habitat is dependent upon the potential for the greater vicinity to act as a source for wildlife. Therefore, the presence or absence of habitat patches in the landscape surrounding the subject property is considered in this assessment.

The general habitat type used to categorize the study area vicinity is Urban and Mixed Environs in the Medium-density Zone (Johnson and O'Neil 2001). This habitat type contains dense residential development and some natural open spaces.

The area surrounding the subject property is urban and dominated by developed single-family residential land uses. Habitat areas within approximately 1/4 mile of the project site include Lake Washington and less intensely developed residential lots, primarily to the southwest. Some of these lots are larger and/or include more retained significant trees, resulting in areas of interconnecting canopy cover. However, these habitat patches in the vicinity are mostly disconnected from on-site habitat by roads and development.

Wildlife

Wildlife species expected to utilize the project site most are species that are adapted to living in urban settings, and that are not closely associated with wetland or stream environments. These species generally include raccoons, opossums, Eastern gray squirrel, rats, mice, bats, and a number of birds like crows, starlings, robins, chickadees, and sparrows, to name a few.

During site investigations, no species of local importance were observed on the subject property, nor was habitat was observed that is expected to have a primary association with any species of local importance given the local- and landscape-level conditions (see section 2.2.2).

3. SMP Regulations

3.1 Replacement of Existing Shoreline Stabilization

LUC 20.25E.080.F.6.b states that legally established existing shoreline stabilization may be replaced with similar structure(s) if there is a demonstrated need to protect principal use(s), structure(s), or property from erosion caused by currents or waves. A qualified professional must prepare a written report demonstrating the need and considering the following factors:

i. An assessment of the necessity for stabilization, considering site-specific conditions such as water depth, orientation of the shoreline, wave fetch, and location of the nearest structure.

ii. An assessment of erosion potential resulting from the action of waves or other natural processes operating at or waterward of the OHWM in the absence of the shoreline stabilization.

iii. An assessment of the feasibility of using nonstructural or soft structural stabilization measures in lieu of hard structural shoreline stabilization measures. Soft stabilization may include the use of gravel, cobbles, boulders, and logs, as well as vegetation.

3.1.1 Modification

The requirements of LUC 20.25E.080.F may be modified through a special shoreline report pursuant to LUC 20.25E.160.E. The report is intended to provide flexibility for proposals providing unique design, or protection of shoreline area functions and values, not anticipated by the code and must demonstrate that the proposal with requested modifications leads to equivalent or better protection of shoreline ecological functions and values than would result from the strict application of the requirements.

3.1.2 Shoreline Functions Based on Application of Code Standards

If the regulations and standards of the LUC regarding replacement of shoreline stabilization structures were applied to this site, the replacement bulkhead may not be approved as the need for the structure is not from erosion caused by currents or waves. The old wood bulkhead, which preceded the current one, was located closer to the lake and would have had to remain. The replacement bulkhead is located further landward which allows the area waterward to be restored. If the replacement structure were not allowed this area would remain impacted by the further waterward structure. Furthermore, without either wall the upland portion of the shoreline area would be at risk of erosion.

4. Project

4.1 Description

The proposed project involves replacement of a residential bulkhead. Unpermitted work occurred in 2018 including removal of the old wood bulkhead, which was located at the OHWM, and installation of the new cement block bulkhead which is located further landward. Additional minor modifications to hardscape and landscape areas within the shoreline setback were also completed in 2018. These improvements included the following:

- Relocation of stairs. The pre-existing stairs that provided access from the residence to the shoreline/dock came off the west side of the house. These stairs were removed and new stairs added at the north side of the house.
- Reconfiguration of walkway. The pre-existing walkway to the shoreline/dock was slightly reconfigured. Reconfiguration included an overall decrease in the length of the walkway since the new stairs were more centrally located to the shoreline area.
- Retaining walls. In addition to the replacement bulkhead/wall, new retaining walls were added in several locations to help support grade changes. This included a series of walls parallel and upland of the concrete pathway. These walls were intended to help support grade near the house, as signs of erosion had become evident.
- Vegetation revisions. The pre-existing shoreline setback area was primarily comprised of non-native shrubs and grasses. These species were removed and replaced with a combination of different non-native species and artificial turf.
- Water feature. An ornamental water feature was added near the shoreline to account for the discharge of surface water runoff in the area.

As part of retroactively permitting these actions the artificial turf is proposed to be removed and replaced with native plantings. All other improvements are proposed to remain.

4.2 Mitigation Sequencing

Pursuant to LUC 20.25E.060.D.2, a mitigation sequencing analysis has been completed to assure that the proposal will meet the no net loss provisions by avoiding, minimizing, and mitigating for any adverse impacts to shoreline ecological functions or processes.

Avoidance. As previously mentioned, the project site includes a standard 50-foot shoreline structure setback, as well as the 50-foot SVCA. Improvements included reconfiguration of hardscape and landscape features. Work within the shoreline setback cannot be avoided as the improvements were previously installed without permits. A bulkhead/wall cannot be avoided, as it is necessary to hold the grade of the site and prevent erosion in the upland shoreline area.

Minimization. Minimization techniques were utilized during the previous implementation of improvements. This included a shortening of the overall stair/pathway length, the removal of the old wood bulkhead, and locating the replacement bulkhead further landward. Additional minimization is now proposed by replacing the previously installed turf with plantings.

Mitigation. As mitigation for shoreline impacts (discussed in Section 4.3), a total of 155.9 shoreline credits are proposed (see Section 4.4). Shoreline credits include the previous

conversion of impervious surface to non-native vegetation, native vegetation, and bare-ground/pervious features. Additionally, the previously installed turf will be removed and replaced with native plantings. Proposed species include slough sedge, small-fruited bullrush, red-twig dogwood, spiraea, snowberry, evergreen huckleberry, kinnikinnik, western sword fern, and tufted hairgrass. Details are provided in Section 4.4 and Appendix A.

4.3 Impacts

Installed improvements occur within the standard 50-foot shoreline structure setback, as well as the 50-foot SVCA. Hardscape and landscape improvements occurred between the residence and the shoreline. Impacts are to be calculated pursuant to LUC 20.25E.065.F.8.c.i. Table 1 below summarizes proposed impact calculations.

Table 1. Shoreline Debit Calculations

Existing Land Cover of Areas to be Impacted	Area (SF)	Existing Value	Final Value	Change in Land Cover Value	Total Debit
Non-native (0-25') to impervious	152	0.3	0.0	0.3	45.6
Non-native (0-25') to bare ground/pervious	30	0.3	0.15	0.15	4.5
Non-native (25-50') to bare ground/pervious	37	0.25	0.15	0.10	3.7
				TOTAL:	53.8

As seen in Table 1 above, a total of 53.8 shoreline debits resulted from unpermitted activities. This includes areas of new concrete stairs and walkway, retaining walls, and the water feature. These new impacts occurred over areas of non-native vegetation.

4.3.1 Cumulative Impacts

Impacts that result from collective changes over the landscape have the potential to affect habitat over time. The area within the vicinity of the project site is almost entirely developed with single-family residences. While some development or re-development can be expected, the overall character of the urban setting in not likely to change substantially. Residential neighborhoods, and other urban areas, do trend toward less mature native vegetation and more ornamental vegetation and impervious surface. The proposed project is consistent with this trend in that some vegetated areas will be replaced with development and increased impervious surface. However, the functions of retained habitat will be improved, not further degraded, once proposed mitigation activities are considered. Retained habitat is not likely to be developed further because of the presence of regulated shoreline setbacks.

In the event that nearby, undeveloped land is developed in a manner similar to what is proposed for this project, anticipated changes to habitat in the landscape may include a reduction in habitat quantity, increased habitat fragmentation and disturbance, and improved quality of retained habitat areas. Overall, the cumulative impacts to urban habitat from relatively small development proposals like this one are expected to be minor. This is primarily due to the fact that the majority of the surrounding area has already been developed and is unlikely to substantially change in the foreseeable future. Additionally, similar proposals may require restoration of degraded habitat areas (as does this one), in which case, wildlife habitat would benefit.

4.4 Mitigation

As mitigation for shoreline impacts summarized in Table 1, a total of 702.45 shoreline credits are proposed. Shoreline credits include the conversion of impervious surface to non-native vegetation, native vegetation, and bare-ground/pervious features. Proposed species include slough sedge, small-fruited bullrush, red-twig dogwood, spiraea, snowberry, evergreen huckleberry, kinnikinnik, western sword fern, and tufted hairgrass. Shoreline credits are summarized in Table 2 below.

Table 2. Table 2. Shoreline Credit Calculations

Proposed Land Cover Types	Area (SF)	Existing Value	Final Value	Change in Land Cover Value	Total Credit
Non-native, 0-25' (from impervious)	0	0.0	0.3	0.3	0
Non-native, 25-50'(from impervious)	41	0.0	0.25	0.25	10.25
Native, 0-10' (from impervious)	51	0.0	1.0	1.0	51
Bare ground/pervious (from impervious)	2	0.0	0.15	0.15	0.3
Native, 0-10' (from non-native)	352	0.3	1.0	0.7	246.4
Native, 0-25' (from non-native)	789	0.3	0.8	0.5	394.5
TOTAL:				TOTAL:	702.45

Proposed shoreline credits, totaling 702.45, account for necessary mitigation to offset proposed impacts of 53.8 debits, pursuant to LUC 20.25E.065.F.8.c. Plantings will comply with the standards of LUC 20.25E.065.F.8.g. Overall, proposed mitigation measures will result in no net loss of shoreline ecological functions.

5. Special Shoreline Report Criteria

As previously mentioned, SMP requirements for replacement of shoreline stabilization structures may be modified pursuant to LUC 20.25E.160.E, through a special shoreline report.

Per the LUC, the special shoreline report must meet specific minimum requirements in order for the Director to approve a proposal to modify the regulations. Compliance with the relevant requirements are addressed below.

LUC 20.25E.160.E.5.b – Minimum Report Requirements

i. The lake classification and environment designation as outlined in the City of Bellevue GIS mapping.

The lake classification and environment discussed is included in Section 2.1.

ii. Identification and classification of all shoreline setbacks and any critical areas and critical area buffers on the site and abutting properties.

Critical areas and buffers located on or adjacent to the subject property are described in Section 2.2. Shoreline setbacks are discussed in Section 2.1.

iii. Identification of each regulation or standard of this code proposed to be modified.

The replacement bulkhead complies with the City of Bellevue shoreline regulations for replacement of existing shoreline stabilization features, with the exception of the provision that the structure be intended for protection of property. Specifically, LUC 20.25E.080.F.6.b indicates that the stabilization structure must be needed to protect the property or structures from erosion caused by currents or waves. However, in this case the stabilization structure is required to protect the property by holding grade and combating upland erosion/sloughing. Thus, the project proposes a slight deviation from the shoreline stabilization regulations.

iv. A vegetative cover and habitat analysis, including existing aquatic vegetation, setbacks and upland area. (Use of the Bellevue Urban Wildlife Habitat Functional Assessment Model is required if credit is sought for wildlife habitat functions outside the shoreline setback and aquatic area)

Habitat is assessed in Section 2.

v. An assessment of the probable cumulative impacts to the shoreline area resulting from development of the site and the proposed development;

Cumulative impacts are discussed in Section 4.3.1.

vi. An analysis of the level of protection of shoreline ecological functions and values provided by the regulations or standards of this Code, compared with the level of protection provided by the proposal. The analysis shall include:

(1) A discussion of the functions and values currently provided by the aquatic zone, shoreline setback and shoreline upland area on the site and their relative importance to the ecosystem in which they exist;
(2) A discussion of the functions and values likely to be provided by the shoreline setback area on the site through application of the regulations and standards of this Code over the anticipated life of the proposed development;
(3) A discussion of the functions and values likely to be provided by the shoreline setback and upland area on the site through the modifications included in the proposal over the anticipated life of the proposed development;
(4) A discussion of the mitigation requirements applicable to the proposal pursuant to relevant performance and mitigation standards, and a recommendation for additional or modified mitigation, if any; and
(5) Any additional information required for the specific use as specified in the sections of this part addressing that use.

As described in Section 3.1.2, the replacement bulkhead would not be allowed in the proposed location since it does not protect structures or property from erosion caused by currents or waves. The pre-existing wood bulkhead did also not provide this function. This situation relates to a combination of two primary factors:

1) The site is located within the interior of Meydenbauer Bay, where storm and boat-driven waves are diminished compared to open areas of Lake Washington; and
2) The shoreline setback on the subject parcel slopes considerably from the residence to the shoreline.

In consideration of these two factors, the wall is not needed to protect the property or structures from currents or waves. Instead, the wall is necessary to account for this change in grade and to ensure that upland areas of the setback do not experience erosion or sloughing.

Regarding functions and values of the aquatic zone, shoreline setback, and shoreline upland zone, the replacement of the wood bulkhead with a concrete block wall results in an improvement of functions related to these areas. Specifically, the replacement wall is located further landward (ranging between one and six feet) than the pre-existing wall. The landward relocation of the wall will provide for an improvement in nearshore aquatic functions, including a more natural gradient at the site's interface with the ordinary high water mark. In turn, this will help to attenuate any wave energy at the site and will improve shallow water habitat for

juvenile salmonids. Combined with the proposed upland conversion of impervious surfaces and non-native vegetation to native plantings, this will result in an improved shoreline structure, filtering of stormwater by native plantings, increased habitat structural and compositional complexity, and an increase in organic material to the food chain. Therefore, shoreline ecological functions and values will be improved through approval of the requested deviation.

LUC 20.25E.160.E.6 – Decision Criteria

a. The proposal includes plans for restoration of shoreline aquatic area, setback or upland area such that there is a measurable net gain in overall shoreline and critical area functions;

A mitigation plan is included in Appendix A and provides for a functional lift in overall shoreline and critical area functions. Specifically, the quality of habitat will be increased by replacing non-native species and impervious surfaces with a dense and diverse native plant assemblage appropriate to the eco-region and growing conditions on-site. New plantings will provide food, cover, and nesting opportunities for wildlife. Plantings will also aid in rain and surface water interception and transpiration. New vegetation will improve soil quality, which generally improves water infiltration into the soil. The dense woody stems will also provide vertical structure that can trap sediments and pollutants that would otherwise flow into the lake (and wetland). Overall, the proposed project will result in a net gain in shoreline and critical area functions.

b. The proposal includes plans for restoration of degraded setback or shoreline area such that there is a measurable net gain in the most important shoreline aquatic or habitat functions on the site;

The most important ecological function provided on the site relates to water quality. The proposed conversion of non-native vegetation and impervious surfaces to native vegetation will result in an overall improvement to water quality functions provided by the shoreline setback (and wetland buffer). Specifically, the addition of extensive native plantings improves rain and surface water interception and evapotranspiration functions adjacent to the lake (and wetland). The new vegetation also improves soil quality, which generally improves water infiltration into the soil. Erosion potential is also reduced through these actions. The dense woody stems provide vertical structure that can trap sediments and pollutants that would otherwise flow into the lake (and wetland). Overall, a net gain in water quality and hydrology functions within the shoreline setback (and wetland buffer) will result from installation of the mitigation plantings.

c. The proposal includes a net gain in storm water quality function by the shoreline setback or by elements of the development proposal outside of the reduced regulated shoreline setback;

See previous response.

d. Adequate resources to ensure completion of any required restoration, mitigation and monitoring efforts;

The applicant will comply with any City requirements related to installation or performance assurance devices, as well as any long-term monitoring requirements.

e. The modifications and performance standards included in the proposal are not detrimental to the functions and values of shoreline setbacks and critical areas off site; and

Proposed mitigation will restore on-site wetland and wetland buffer functions while improving shoreline setback functions through the conversion of non-native vegetation and bare/pervious surfaces to areas of native vegetation. Mitigation activities will have positive effects on nearby off-site areas as well by improving overall habitat and water quality functions in the area.

f. The resulting development is compatible with other uses and development in the same land use district.

The proposed project is compatible with adjacent properties and surrounding development within the same land use district. Adjacent properties include residential land uses with appurtenant landscaping and hardscaping features.

6. Summary

The project includes the retroactive permitting for the reconfiguration of hardscaping and landscaping within the shoreline setback of Lake Washington. Compensation for land cover type conversion includes mitigation as required by LUC 20.25E.065. Mitigation consists of the planting of native vegetation and the conversion of impervious surfaces to pervious features. Compliance with the shoreline vegetation provisions of LUC 20.25E.065.F, as demonstrated within this report, will result in no net loss of shoreline ecological functions.

The parcel also includes one lake fridge wetland that has been impacted with the placement of gravel and cobble fill, resulting in a decrease of vegetation and associated loss of water quality and habitat functions. As demonstrated in the separately submitted Wetland Report, the

proposed mitigation plan will restore these functions and ensure there is no decrease in critical area functions and values.

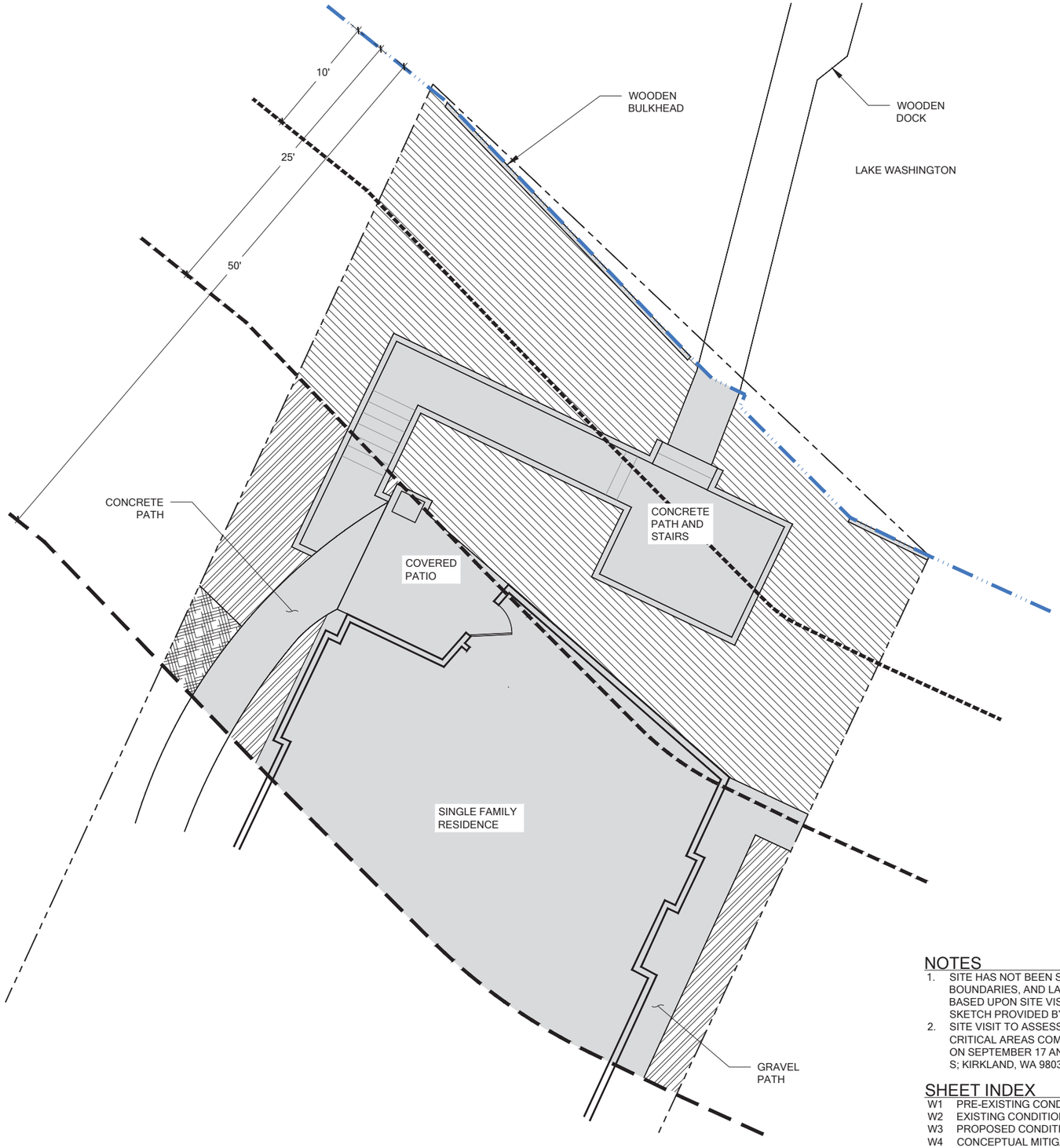
As part of hardscape reconfigurations within the shoreline setback, an existing wood bulkhead was removed and replaced with a concrete block retaining wall, positioned further landward. Rather than protect the property from lake-based erosion, the pre-existing bulkhead, along with the replacement wall, hold grade and combat upland erosion/sloughing. As such, the replacement wall deviates slightly from the provisions authorizing replacement of shoreline stabilization features (LUC 20.25E.080.F.6.b). This document demonstrates compliance with the allowed deviation process established in LUC 20.25E.160.E, thereby justifying the replacement wall.

References

The Watershed Company. 2020. Technical Memorandum: Wetland Delineation, Impact Assessment, and Restoration Plan.

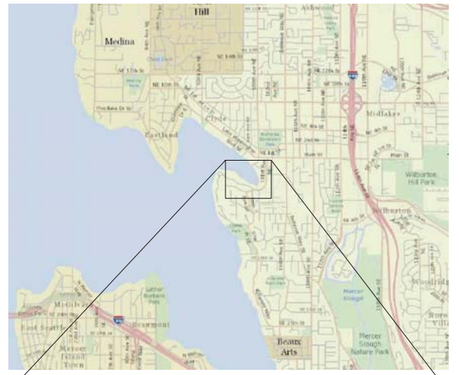
Appendix A

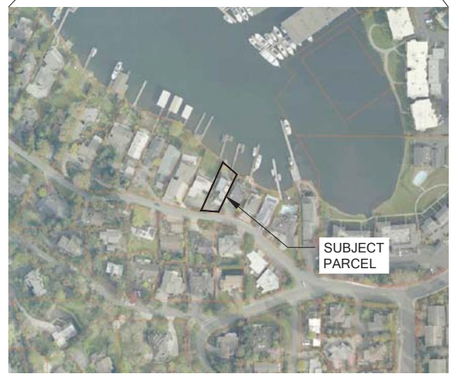
Mitigation Plan



PRE-EXISTING CONDITIONS LAND COVER ASSESSMENT

SCALE 1"=5'





VICINITY MAP

NTS

LEGEND

- APPROXIMATE PARCEL BOUNDARY
- APPROXIMATE OHWM (NON-DELINEATED)
- SHORELINE SETBACK (50' FROM OHWM)
- 25' OFFSET FROM OHWM
- 10' OFFSET FROM OHWM

PRE-EXISTING LAND COVER TYPES

- IMPERVIOUS SURFACE
- BARE GROUND / PERVIOUS SURFACE
- NON-NATIVE VEGETATION 0-25' FROM OHWM
- NON-NATIVE VEGETATION 25-50' FROM OHWM

NOTES

1. SITE HAS NOT BEEN SURVEYED. CRITICAL AREAS, PARCEL BOUNDARIES, AND LAND COVER TYPES ARE APPROXIMATED BASED UPON SITE VISIT FINDINGS, IMAP AERIAL PHOTOS, AND SKETCH PROVIDED BY APPLICANT.
2. SITE VISIT TO ASSESS LAND COVER TYPES AND DELINEATE CRITICAL AREAS COMPLETED BY THE WATERSHED COMPANY ON SEPTEMBER 17 AND DECEMBER 3, 2020 (750 6TH STREET S; KIRKLAND, WA 98033; 425-822-5242.)

SHEET INDEX

0' 5' 10' 20'

PERMIT SET - NOT FOR CONSTRUCTION

THE WATERSHED COMPANY

750 Sixth Street South
Kirkland WA 98033

p 425.822.5242
www.watershedco.com

Science & Design

HORMEL RESIDENCE

CONCEPTUAL MITIGATION PLAN
PREPARED FOR SCOTT HORMEL
PARCEL #7768700230
9810 SE SHORELAND DRIVE
BELLEVUE, WA 98004

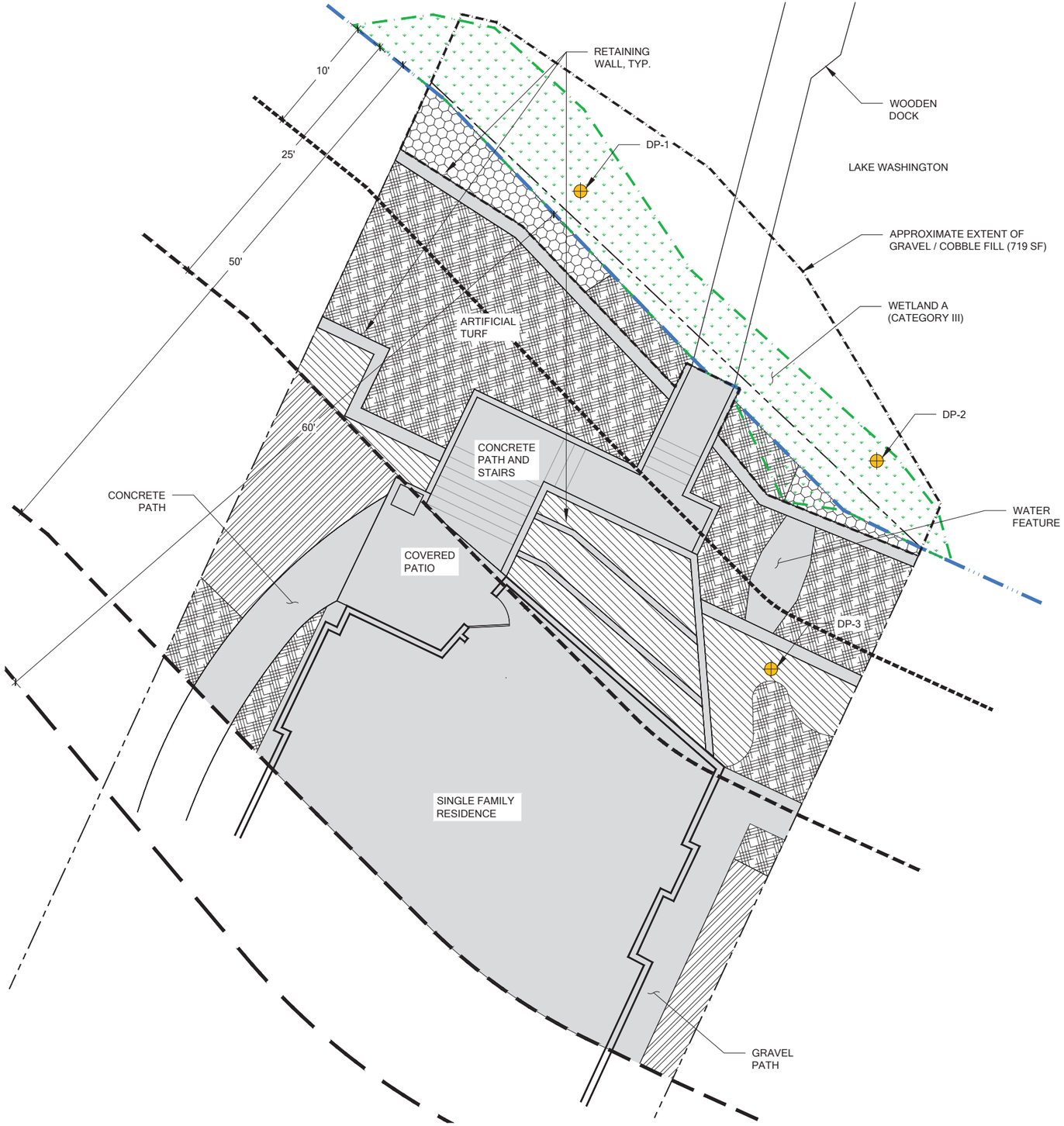
SUBMITTALS & REVISIONS

NO.	DATE	DESCRIPTION	BY
1	10/19/2020	IMPACTS ASSESSMENT / MITIGATION PLAN	RH
2	12/18/2020	MITIGATION PLAN	RH
3	12/16/2021	CONCEPTUAL MITIGATION PLAN	AK

SHEET SIZE:
ORIGINAL PLAN IS 22" x 34".
SCALE ACCORDINGLY.

PROJECT MANAGER: JKB
DESIGNED: AK
DRAFTED: AK
CHECKED: LV
JOB NUMBER:
200908
SHEET NUMBER:
W1 OF 4

FILENAME
PRINTED BY
DATE



EXISTING CONDITIONS LAND COVER ASSESSMENT

SCALE 1"=5'

0' 5' 10' 20'

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- SHORELINE SETBACK (50' FROM OHWM)
- 25' OFFSET FROM OHWM
- 10' OFFSET FROM OHWM
- APPROXIMATE WETLAND AREA
- APPROXIMATE WETLAND BUFFER (60')
- DATA POINT (DP)

EXISTING LAND COVER TYPES

- IMPERVIOUS SURFACE
- BARE GROUND / PERVIOUS SURFACE
- NON-NATIVE VEGETATION 0-25' FROM OHWM
- NON-NATIVE VEGETATION 25-50' FROM OHWM
- MIXED NATIVE / NON-NATIVE VEGETATION LANDWARD OF OHWM

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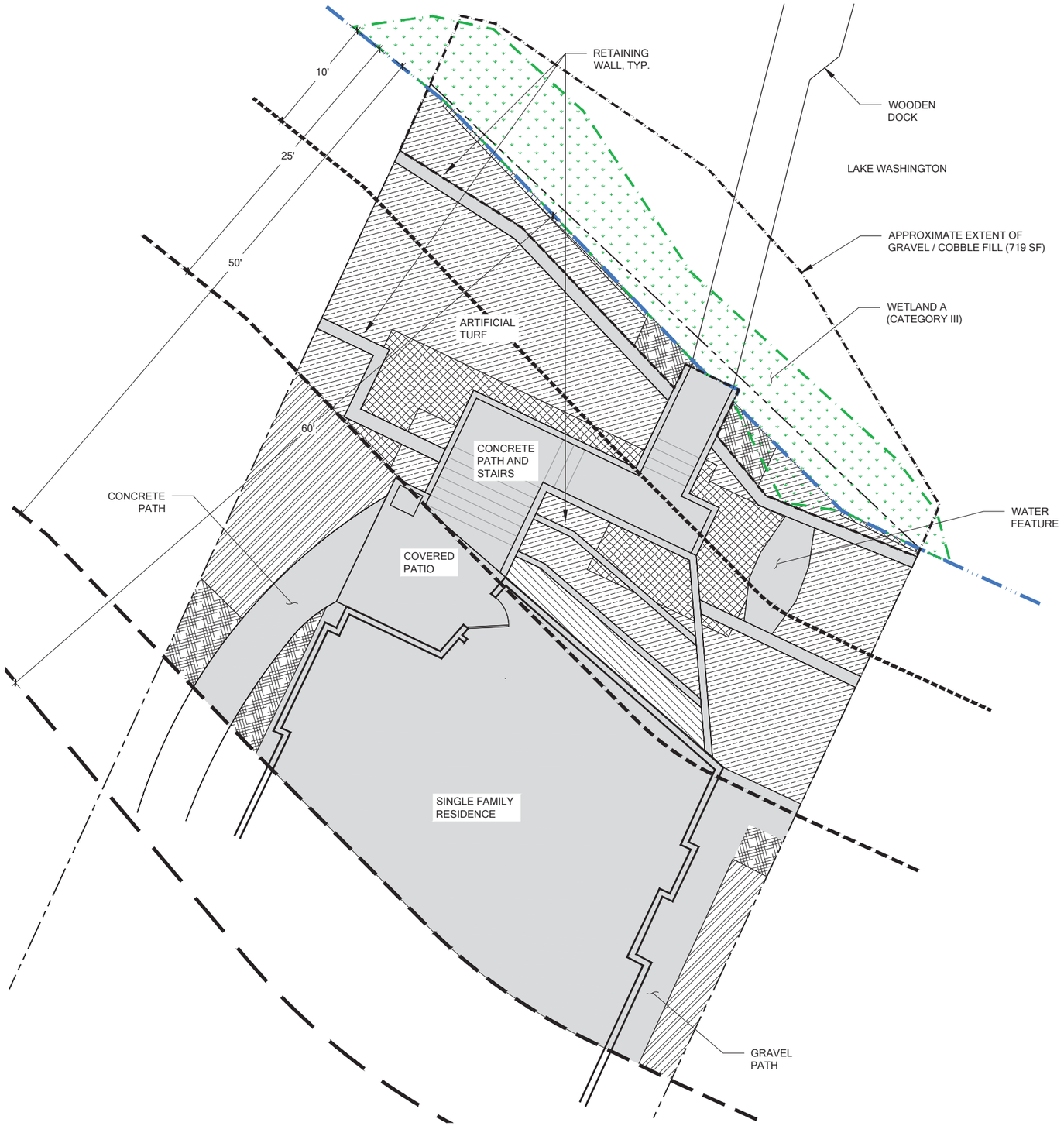

PROPOSED CONDITIONS LAND COVER ASSESSMENT

SCALE 1"=5'

0' 5' 10' 20'

IMPACT CALCULATIONS

SHORELINE DEBIT CALCULATIONS

EXISTING LAND COVER OF AREAS TO BE IMPACTED	AREA (SF)	EXISTING VALUE	FINAL VALUE	CHANGE IN LAND COVER VALUE	TOTAL DEBIT
NON-NATIVE (0-25') TO IMPERVIOUS	152	0.3	0.0	0.3	45.6
NON-NATIVE (0-25') TO BARE GROUND/PERVIOUS	30	0.3	0.15	0.15	4.5
NON-NATIVE (25-50') TO BARE GROUND/PERVIOUS	37	0.25	0.15	0.10	3.7
				TOTAL:	53.8

SHORELINE CREDIT CALCULATIONS

PROPOSED LAND COVER TYPES	AREA (SF)	EXISTING VALUE	FINAL VALUE	CHANGE IN LAND COVER VALUE	TOTAL CREDIT
NON-NATIVE, 0-25' (FROM IMPERVIOUS)	0	0.0	0.3	0.3	0
NON-NATIVE, 25-50' (FROM IMPERVIOUS)	41	0.0	0.25	0.25	10.25
NATIVE, 0-10' (FROM IMPERVIOUS)	51	0.0	1.0	1.0	51
BARE GROUND/PERVIOUS (FROM IMPERVIOUS)	2	0.0	0.15	0.15	0.3
NATIVE, 0-10' (FROM NON-NATIVE)	352	0.3	1.0	0.7	246.4
NATIVE, 0-25' (FROM NON-NATIVE)	789	0.3	0.8	0.5	394.5
				TOTAL:	702.45

LEGEND

- APPROXIMATE PARCEL BOUNDARY
- APPROXIMATE OHWM (NON-DELINEATED)
- SHORELINE SETBACK (50' FROM OHWM)
- 25' OFFSET FROM OHWM
- 10' OFFSET FROM OHWM
- APPROXIMATE WETLAND AREA
- APPROXIMATE WETLAND BUFFER (60')

EXISTING LAND COVER TYPES TO REMAIN

- IMPERVIOUS SURFACE
- BARE GROUND / PERVIOUS SURFACE
- NON-NATIVE VEGETATION 0-25' FROM OHWM
- NON-NATIVE VEGETATION 25-50' FROM OHWM

PROPOSED LAND COVER TYPES

- IMPERVIOUS TO NATIVE VEGETATION, 0-25' (186 SF)
- NON-NATIVE VEGETATION TO NATIVE VEGETATION, 0-25' (735 SF)

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SHEET NUMBER: W3 OF 4

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CONCEPTUAL PLANT SCHEDULE

BOTANICAL NAME / COMMON NAME	QTY	SIZE	SPACING
TREES (1)			
ACER CIRCINATUM / VINE MAPLE	1	5 GAL	PER PLAN
MIT AREA TYPE 1 (483 SF)			
CAREX OBNUPTA / SLOUGH SEDGE	112	PLUG	18" O.C.
SCIRPUS MICROCARPUS / SMALL-FRUITED BULRUSH	112	PLUG	18" O.C.
MIT AREA TYPE 2 (693 SF)			
CORNUS SERICEA 'KELSEYI' / KELSEY'S DWARF RED TWIG DOGWOOD	20	1 GAL	3' O.C.
SPIRAEA LUCIDA / SHINYLEAF SPIRAEA	20	1 GAL	3' O.C.
SYMPHORICARPOS ALBUS / COMMON WHITE SNOWBERRY	20	1 GAL	3' O.C.
VACCINIUM OVATUM 'VACSID1' TM / SCARLET OVATION EVERGREEN HUCKLEBERRY	20	1 GAL	3' O.C.
MIT AREA TYPE 3 (109 SF)			
ARCTOSTAPHYLOS UVA-URSI / KINNIKINNICK	5	1 GAL	3' O.C.
DESCHAMPSIA CESPITOSA / TUFTED HAIR GRASS	5	1 GAL	3' O.C.
POLYSTICHUM MUNITUM / WESTERN SWORD FERN	5	1 GAL	3' O.C.

NOTES

1. GROUNDCOVERS AND SHRUBS TO BE GROUPED BY SPECIES IN GROUPS OF 3-9 AND SPACED TRIANGULARLY.

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