

DETERMINATION OF NON-SIGNIFICANCE

PROPOSAL NAME:	Eastrail – Northup Way Connector Ramp		
LOCATION:	Intersection of Eastrail Corridor and Northup Way		
FILE NUMBERS:	22-116664-LO		
PROPONENT:	T: Eastrail Partners/King County Department of Natural Resources		
	and Parks, Parks and Recreation Division		

DESCRIPTION OF PROPOSAL:

Critical Areas Land Use Permit approval to construct a connector trail and an approximately 400-foot long, 12-foot-wide elevated non-motorized-use ramp between Eastrail and Northup Way in the City of Bellevue. The project will impact steep slope and wetland critical areas, buffers, and structure setbacks.

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: 5/18/2023

APPEAL DATE: 6/1/2023

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This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals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: May 18, 2023

Elizabeth Stead, Environmental Coordinator

Development Services Department

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

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

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the <u>SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D)</u>. Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements —that do not contribute meaningfully to the analysis of the proposal.

A. Background [HELP]

- 1. Name of proposed project, if applicable: **Eastrail Northup Way Connector Ramp**
- 2. Name of applicant:

<u>Coapplicants:</u> Eastrail Partners/King County Department of Natural Resources and Parks, Parks and Recreation Division

Katherine Hollis, Executive Director, Eastrail Partners Curt Warber, Eastrail Program Manager, King County Department of Natural Resources and Parks, Parks and Recreation Division

Address and phone number of applicant and contact person:
 Katherine Hollis, Eastrail Partners
 PO Box 1091
 Woodinville, WA 98072
 (425) 679-9595

Curt Warber, King County Department of Natural Resources and Parks King Street Center 201 S Jackson St Rm 5700 Seattle, WA 98104-3855 (206) 263-9645

- 4. Date checklist prepared: 7/14/2022
- 5. Agency requesting checklist: City of Bellevue, Development Services
- 6. Proposed timing or schedule (including phasing, if applicable):

Project is anticipated to begin construction in April 2023 and be completed by August 2023.

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

This project is related to the Eastside Rail Corridor Master Plan, which was the subject of a SEPA environmental impact statement (EIS)—intended as the first step in a phased environmental review. The Master Plan EIS was approved by King County Council with Notice of Action Taken published August 1, 2017. Formerly called the Eastside Rail Corridor, Eastrail is a 42-mile trail in various stages of development, with some sections finished, some in construction, and other sections planned for future construction.

The Northup Way Connector Ramp is associated with an interim one-mile section of soft surface trail that provides connectivity to the Cross Kirkland Corridor (CKC) interim trail, which is also a section of the larger Eastrail corridor. This section of planned trail will eventually be redeveloped as a permanent shared use path. The interim trail is a soft-surface (gravel) trail approximately 10' wide. The permanent shared use path will be a minimum of 12' width asphalt paved trail with gravel shoulders. Total width of the permanent trail including asphalt and gravel may be up to 18' wide.

- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
 - Eastside Rail Corridor Master Plan EIS (described above) adopted August 1, 2017
 - Geotechnical Assessment Eastside Rail Corridor Northup Way Connection, 2017
 - Northup Way Connection Critical Areas Report, 2017

- Eastrail Northup Way Connector Ramp: Critical Areas and Mitigation Update, 2022
- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
 No known applications of other proposals are pending for governmental approvals that would directly affect the property covered by this proposal.
- 10. List any government approvals or permits that will be needed for your proposal, if known.
 - City of Bellevue Critical Areas Land Use Permit
 - City of Bellevue Clearing and Grading Permit
 - City of Bellevue Right of Way Use Permit
 - City of Bellevue Building Permit (potentially)
 - Puget Sound Energy Public Improvement Authorization
- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The project includes constructing a connector trail between Eastrail and Northup Way in the City of Bellevue. The connection will consist of an "elevated" ramp structure supported on deep foundations. The ramp is approximately 400 feet long, and will be constructed to accommodate non-motorized use only. Ramp width is 12 feet to allow safe two-way use. Concrete pads with small associated retaining walls will be constructed at both ends of the elevated ramp structure to provide stability for the structure and to create a transition onto and off of the ramp for trail users. There will be minor sidewalk ramp improvements and utility relocation at the 116th Avenue NE and Northup Way intersection. See attached site plan.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The project is located in the northwest quadrant of the intersection of the Eastrail Corridor with Northup Way in the City of Bellevue. The ramp begins adjacent to the railroad/gravel interim trail grade just south of the I-405 overpass, and connects to Northup Way directly north of the intersection of 116th Ave. NE and Northup Way. The portion of the project within the Eastrail corridor is located within King County parcel #212505-9020, in the SW quarter of Section 21, Township 25N, Range 5E. See attached site plan and vicinity map.

B. Environmental Elements [HELP]

- 1. Earth [help]
- a. General description of the site:

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- b. What is the steepest slope on the site (approximate percent slope)?
 Approximately 100%
- 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 agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Three test borings were taken to investigate soils in the project site, one near the toe of the slope, one near the midpoint of the slope, and one nearer the top of the slope traversed by the proposed ramp. All three boring locations encountered fill soils. Soils at all three locations encountered approximately 15-20 feet of fill material, primarily silty sand with some gravel and organic material, underlain with glacial till. The Geotechnical Report included with this checklist.

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

The project location is generally vegetated, and there are no surface indications of significant soil instability.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.
 Minor fill will be placed to create a level landing for the ramp adjacent to Northup Way.
 Total import fill at this location will be approximately 50 cubic yards of structural fill to support a concrete pad near Northup Way. The project will include excavation for thickened edges to concrete pads at the north and south ends of the project. Total excavation is anticipated to be approximately 40 cubic yards, much of which will be backfilled. The total area expected to be affected by fill and excavation is approximately 1,200 square feet (.03 acres). Although the source of fill is unknown at this time, it will be clean import fill from an approved gravel quarry.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Some minor erosion may occur during the construction period due to temporarily exposed soils and minor exposed fill slopes. The majority of the project site will not be cleared. Instead, existing vegetation will be mowed and/or trimmed to allow construction access, but will not be removed.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

When considering the overall size of the existing paved right-of-way in the project area, the total percent increase in impervious surface is negligible. Areas at the north and south ends of the project will replace currently pervious soils with concrete paving and gravel surface. The total area of these surfaces is approximately 1000 square feet. The elevated ramp structure will have open grating decking material which can be categorized as pervious surface which will not cause surface water to run off in greater quantities or at an increased rate of flow from the present flow under natural conditions

prior to development. The total area of the ramp structure is approximately 4,452 square feet.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: Construction period erosion control will include silt fence surrounding all exposed soils, wattles, installation of catch basin protection, monitoring, and temporary cover (for example straw or hydroseed) for any areas anticipated to be left uncovered for long periods of time, among other best management practices (BMP's). Additional BMP' may also be required by the City of Bellevue. See attached TESC plan sheets.

Further mitigated per BCC 23.76.090 Erosion and Sedimentation Control - DF

2. Air [help]

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

During construction, air emissions typically include primarily particulate matter (i.e., PM10 and PM2.5) and small amounts of carbon monoxide and oxides of nitrogen from construction machinery exhaust. The sources of particulates are fugitive dust from diesel exhaust. Temporary increases in particulate emissions may be noticeable. In addition, temporary odors from machinery exhaust and paving activities will occur.

Air emissions post-construction at the site are not expected to change from existing conditions. Long-term, this is a non-motorized trail, and will not introduce any new activities that would result in a measurable increase in air emissions, including greenhouse gases.

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

No off-site sources of emissions or odor are expected to affect this proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any: Construction equipment would be kept in good working order to reduce emissions. The site would be watered during construction to reduce dust and equipment will be shut off when not in operation.

3. Water [help]

- a. Surface Water: [help]
 - 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.

Four wetlands were identified within 300 feet of the project site (see summary table below). Two of these (Wetland WB22 and Wetland WB23) are on the opposite side of the rail corridor from the project site. A third wetland (Wetland WB20A) is approximately 250 feet south of where project work will occur. The fourth wetland (Wetland WB20B) is in the ditch along the western edge of the railbed. The 2017 Critical Areas Report and 2022 update are included with this SEPA checklist package.

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.

Following construction, approximately 774 square feet (0.018 acres) of wetland vegetation and 968 square feet (0.022 acres) of wetland buffer vegetation will be permanently shaded. This vegetation is primarily non-native wetland grasses and small shrubs. During construction, there would be additional temporary impacts to approximately 1,430 square feet (0.032 acres) of Wetland 20B and approximately 1,650 square feet (0.037) acres of its buffer.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

No filling or dredging would occur.

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

The proposal would not require surface water withdrawals or diversions.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. The proposal does not lie within the 100-year floodplain.
 - 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.

The proposal does not involve any discharges of waste materials to surface waters.

- b. Ground Water: [help]
 - 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No groundwater will be withdrawn. Stormwater will be dispersed from the ramp and landings to the surrounding landscape, and could move through the soil to groundwater. The ramp is a non-pollution generating surface.

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.

No waste material will be discharged into the ground from septic tanks or other sources.

- 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.

Stormwater from the ramp and landing platforms would be dispersed into the surrounding landscape. Stormwater is anticipated to sheet flow from the ramp. It is expected to infiltrate into the native soils adjacent to and under the ramp structure, rather than flowing on the surface. Stormwater that does not infiltrate would flow on the surface to the ditch on the west side of the railroad bed. The stormwater is expected to evaporate or infiltrate in the ditch, or when the water level is higher, it would flow north, via a

culvert to a WSDOT stormwater detention facility located approximately 600 feet northwest of the project location.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. No waste materials will be discharged during operation of the project. Waters would be protected from any accidental discharge from machinery during construction by construction period BMP's.
 - 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Currently surface water flows down the hillside in the project area to drainage ditches west of the railbed. Stormwater from the project would be dispersed onto the hillside, and drain into the drainage ditch in similar quantities and locations as the current site conditions.

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

The design of the project, which is primarily elevated above an undisturbed ground surface, minimizes changes to existing drainage patterns. In addition to preserving existing topography, the soil underneath the structure would continue to support infiltration and sheet flow of surface water.

4. Plants [help]

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

X deciduous tree: <u>alder</u> , maple, aspen, <u>other:</u> red alder (<i>Alnus rubra</i>), black cottonwood (<i>Populus balsamifera</i>), and Pacific willow (<i>Salix lasiandra</i>).
 X evergreen tree: <u>fir</u>, cedar, pine, other: Douglas-fir (<i>Pseudotsuga menziesii</i>) X shrubs: Himalayan blackberry (<i>Rubus armeniacus</i>), black twinberry (<i>Lonicera</i>
involucrata), hardhack (Spiraea douglasii), salmonberry (Rubus spectabilis), common ladyfern (Athyrium filix-femina), Indian plum (Oemleria cerasiformis),
western swordfern (<i>Polystichum munitum</i>)
X grass
pasture
crop or grain
Orchards, vineyards or other permanent crops.
X wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other: American skunk
cabbage (<i>Lysichiton americanus</i>), giant horsetail (<i>Equisetum telmateia</i>), broadleaf cattail (<i>Typha latifolia</i>), giant horsetail, and small-fruited bulrush (<i>Scirpus microcarpus</i>), reed canarygrass (<i>Phalaris arundinacea</i>)
water plants: water lily, eelgrass, milfoil, other:other types of vegetation

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

The project will require the removal of two large cottonwood trees. Existing grasses and low shrubs near the construction area may be trimmed and/or mowed to allow construction access on the slope and over wetland. Following construction,

approximately 775 square feet (.018 acres) of wetland vegetation and approximately 970 square feet (0.022 acres) of buffer vegetation will be permanently shaded. This vegetation is primarily non-native wetland grasses and small shrubs.

- c. List threatened and endangered species known to be on or near the site. The WA Department of Natural Resources Natural Heritage Program, list of surveyed land sections in Washington identified by the Natural Heritage Program as reported to contain Natural Heritage Features (July 2021), indicates no threatened or endangered species are known to be on or near the site.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Native vegetation will be planted to enhance the habitat value of a portion of the on-site wetland and buffer to mitigate for potential project impacts. The mitigation plan (Eastrail Northup Way Connector Ramp: Critical Areas and Mitigation Update, 2022) for wetland buffer impacts is included with this application package.

e. List all noxious weeds and invasive species known to be on or near the site.

Reed canarygrass (*Phalaris arundinacea*) and Himalayan blackberry (*Rubus armeniacus*) are present on the site

5. Animals [help]

a. <u>List</u> any birds and <u>other</u> animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: <a href="https://heron.page.com/heron.page.c

Songbirds and common raptors are likely present in or near the site. No raptor nests are known to be near the site. Beaver were observed as active in the wetland east of the site that will not be impacted by the project. Deer, coyote and common small mammals have been observed in other similar locations along the Eastside Rail Corridor and are likely intermittently present in this site.

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

According to Priority and Habitat Species (PHS) data from the Washington Department of Fish and Wildlife, accessed July 2022, no observations of priority species have been recorded within 0.5 mile of the project area. The project area does not include any portions of the King County Wildlife Habitat Network (King County 2022). One City of Bellevue species of local importance, as defined by City of Bellevue Municipal Code 20.25H.150, was observed in the project area: a great blue heron was observed in Wetland WB23 during the site visit in May 2017, but no nest sites were observed in the project area. The on-site habitat used by this species is contained within other critical areas, namely, wetlands and their buffers. The potential value of habitat in the project area is diminished by the abundance of invasive species (primarily Himalayan blackberry and reed canarygrass), noise and disturbance from human activity on surrounding roads, highways, and commercial properties, and the presence of roads, buildings, fences, and other barriers to travel by wildlife species.

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

The project site is located within the Pacific Flyway, which is a major north-south route of travel for migratory birds in America, extending from Alaska to Patagonia.

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

The project has been designed to avoid wetland habitat and reduce impacts to native vegetation. The elevated ramp structure would allow wildlife to pass underneath and does not block wildlife mobility through the site.

e. List any invasive animal species known to be on or near the site. **None known.**

6. Energy and Natural Resources [help]

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.

No energy would be used.

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

The project would not affect the potential use of solar energy by adjacent properties.

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 energy conservation measure are proposed.

7. Environmental Health [help]

- 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.
- 1) Describe any known or possible contamination at the site from present or past uses. No known or possible contamination is at the site from present or past uses.
 - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Review of Washington Department of Ecology's "What's in My Neighborhood: Toxics Cleanup" indicates no known hazardous sites within the project footprint that might affect development and design. No hazardous liquid or gas transmission pipeline are located within the project area.

 Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. Portable containers for fueling hand-held power tools (such as chain saws, string trimmers, small generators, portable compaction machines or compressors) may be onsite during construction operations. Approved aquatic herbicides are anticipated to be used for unwanted vegetation for on-site wetland enhancement mitigation planting areas.

4) Describe special emergency services that might be required.

No special emergency services are proposed.

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

A Spill Prevention and Countermeasures Plan or Construction Stormwater Pollution Prevention Plan (CSWPPP) will be developed for use during construction.

h. Noise

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

Predominant noise in the project area results from vehicular traffic on adjacent roadways and highways.

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.

Long-term noise will be limited to voices of trail users, barking dogs, and bicycle tires. Temporary noise will occur during construction (includes typical equipment such as trucks, backhoes, compressors, and pumps), but will be relatively short-term.

3) Proposed measures to reduce or control noise impacts, if any: Construction activities will adhere to the City of Bellevue's Noise Ordinance as codified in City of Bellevue Code Chapter 19.18 Noise Control.

8. Land and Shoreline Use [help]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The project site includes a railbanked railroad corridor and adjacent public road right of way. The railbanked railroad property is currently in use as a non-motorized trail and the road right of way includes an arterial and associated sidewalk and bicycle lanes. A property bordering the project site includes a restaurant and retail/commercial building with associated parking. The project will not affect adjacent land uses.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

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No, located in a very urban area, the project site has not been used as a working farmland or working forest land.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

The proposal would not affect or be affected by working farms or forest land operations.

c. Describe any structures on the site.

The site includes a small building associated with a fiber optic line, a street overpass, a pedestrian bridge, and a highway overpass. No existing structures will be affected by the project.

- d. Will any structures be demolished? If so, what?No structures would be demolished as part of this project.
- e. What is the current zoning classification of the site?

 A portion of the site is in the GC (General Business) designation, and a portion of the site is in the OLB (Office, Limited Business) designation.
- f. What is the current comprehensive plan designation of the site?

 A portion of the site is in the GC (General Business) designation, and a portion of the site is in the OLB (Office, Limited Business) designation.
- g. If applicable, what is the current shoreline master program designation of the site? **Not applicable, the site is not in the designated shoreline.**
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. The site includes critical areas designated by the City of Bellevue including: wetlands, wetland buffers, steep slopes, steep slope buffers, steep slope setbacks, landslide hazards, landslide hazard buffers, and landslide hazard setbacks.
- i. Approximately how many people would reside or work in the completed project? No people would reside or work in the completed project.
- j. Approximately how many people would the completed project displace? No people would be displaced by the completed project.
- k. Proposed measures to avoid or reduce displacement impacts, if any: No measures are proposed since there would be no displacements.
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed project is compatible with current and proposed land uses. The proposed project is consistent with King County's Eastside Rail Corridor Regional Trail Master Plan and EIS.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

No measures are proposed to reduce or control impacts to agricultural or forest land of long-term commercial significance because the project would not affect these uses.

9. Housing [help]

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

This is a trail project, no housing would be provided.

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

This is a trail project, no housing would be eliminated.

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

Because there would be no impacts to housing, no measures are proposed.

10. Aesthetics [help]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

At its highest point the elevated structure will be approximately fifteen feet (15') above ground. The material will include concrete paving.

- b. What views in the immediate vicinity would be altered or obstructed? **None- the proposed project is in a railroad cut adjacent to a hillside.**
- b. Proposed measures to reduce or control aesthetic impacts, if any: **No measures are proposed to reduce or control aesthetics.**

11. Light and Glare [help]

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

None- the project will not be lit and will not include reflective materials. No night time construction is anticipated.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? No light or glare would occur by the finished project; therefore, the completed project would not be a safety hazard or interfere with views.
- c. What existing off-site sources of light or glare may affect your proposal? **No existing off-site sources of light or glare would affect this proposal.**
- d. Proposed measures to reduce or control light and glare impacts, if any: Because light and glare would not be created because of the project, no measures are proposed.

12. Recreation [help]

a. What designated and informal recreational opportunities are in the immediate vicinity? The 42-mile Eastrail regional trail is associated with the project. Northup Way is an onstreet portion of the SR 520 regional non-motorized trail.

- b. Would the proposed project displace any existing recreational uses? If so, describe. The proposal would enhance recreational uses, it would not displace recreational uses.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

The project's purpose is to connect the Eastrail with the Northup Way non-motorized facilities and improve recreational opportunities. All impacts to recreation associated with the project are anticipated to be positive additions to recreational opportunities.

13. Historic and cultural preservation [help]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Review of the Washington State Department of Archaeology and Historic Preservation's digital repository (WISSARD system) indicates no buildings, structures, or sites, are located on or near the site that are over 45 years old and listed or eligible for national, state, or local preservation registers.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

There are no visible features to suggest Indian or historic use. The site has been the subject of extensive modification of existing grades. For more information please see the Eastside Rail Corridor Master Plan and EIS and associated Cultural Resources report on the project website at http://www.kingcounty.gov/parks/eastsiderailcorridor.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. Information on the methods used to assess the potential impacts to cultural and historic resources on or near the project site is outlined in the Eastside Rail Corridor Master Plan and EIS and associated Cultural Resources report on the project website at http://www.kingcounty.gov/parks/eastsiderailcorridor
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.
 Construction specifications would include an Unanticipated Discovery Plan to respond to any artifacts or evidence of cultural resources encountered during construction.

14. Transportation [help]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.
 Primary access to the site is from Northup Way. SR 520 and I-405 both cross over the site. The proposed project would connect to the sidewalk on the north side of Northup Way at the location of an existing signalized intersection with 116th Avenue NE.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?
 Public transit is available on both Northup Way (bus route 220) and 116th Ave NE (bus route 249).
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
 No vehicle access or parking are included in the project. There are no current parking spaces in the project area.
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No. The project will connect to existing non-motorized facilities. Only minor sidewalk ramp upgrade modifications and striping at Northup Way/116th Ave NE intersection would occur.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No, the project would not occur in the immediate vicinity of water, rail, or air transportation.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

No motorized vehicle trips are expected to be generated by the project.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
 No, the proposal is not expected to interfere or be affected by the movement of agricultural or forest products.
- h. Proposed measures to reduce or control transportation impacts, if any:

 No measures are proposed to reduce or control transportation impacts. Only minor sidewalk ramp upgrade modifications and striping at Northup Way/116th Ave NE intersection would occur.

15. Public Services [help]

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
 No, the project would not result in an increased need for public services.
- b. Proposed measures to reduce or control direct impacts on public services, if any. No measures are proposed to reduce or control direct impacts on public services.

16. Utilities [help]

a. Circle utilities currently available at the site:

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electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other Several utility lines are located on site, however the project does not include any facilities that will require utility service. Any impacts to utilities would be coordinated with the utility providers.					
 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. No utilities are proposed for the project. 					
C. Signature [HELP]					
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:					
Name of signee _ Yammie Ho (Project Manager, Parametrix, agent for Eastrail Partners/King Count					
Position and Agency/Organization Coapplicants: Eastrail Partners/King County Department of Natural Resources and Parks, Parks and Recreation Division					
Date Submitted: 10/6/2022					

D.Folsom 5/16/23

D. Supplemental sheet for nonproject actions [HELP]

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of

	activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.
1.	How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
	Proposed measures to avoid or reduce such increases are:
2.	How would the proposal be likely to affect plants, animals, fish, or marine life?
	Proposed measures to protect or conserve plants, animals, fish, or marine life are:
3.	How would the proposal be likely to deplete energy or natural resources?
	Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

SEPA	A Environmental checklist (WAC 197-11-960)	July 2016	Page 17 of 17
	requirements for the protection of the	esal may conflict with local, state, or federal laws or environment.	
-	lalandii a Maraadh la sahadh an da annan a		
	r roposed measures to reduce of	respond to such demand(s) are.	
	Proposed measures to reduce or	respond to such demand(s) are:	
	How would the proposal be likely to in- services and utilities?	crease demands on transportation or public	
	Proposed measures to avoid or re	educe shoreline and land use impacts are:	
	weard anon or orrecting or larie or	character account of the control of	
5. I		ffect land and shoreline use, including whether it shoreline uses incompatible with existing plans?	

Proposal Name: Eastrail – Northup Way Connector Ramp

Proposal Address: Intersection of Eastrail Corridor and Northup Way

Proposal Description: Critical Areas Land Use Permit approval to construct a

connector trail and an approximately 400-foot long, 12-foot-wide elevated non-motorized-use ramp between Eastrail and Northup Way in the City of Bellevue. The project will impact steep slope and wetland critical

areas, buffers, and structure setbacks.

File Number: 22-116664-LO

Applicant: Eastrail Partners/King County Department of Natural

Resources and Parks, Parks and Recreation Division

Decisions IncludedCritical Areas Land Use Permit

(Process II. 20.30P)

Planner: Drew Folsom, Land Use Planner

State Environmental Policy Act

Threshold Determination: Determination of Non-Significance

Reilly Pittman, Planning Manager

Elizabeth Stead, Environmental Coordinator

Development Services Department

Director's Decision: Approval with Conditions

Rebecca Horner, Development Services Director

Development Services Department

By: Reilly Pittman, Planning Manager

Elizabeth Stead, Land Use Director

Application Date:August 19, 2022Notice of Application Date:November 10, 2022Decision Publication Date:May 18, 2023

Project Appeal Deadline: June 1, 2023

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Appeal of the decision and SEPA determination must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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I.	Proposal Description	Pg 3
II.	Site Description, Zoning, Land Use, and Critical Areas	Pg 5
III.	Consistency with Land Use Code Requirements	Pg 8
IV.	Public Notice & Comment	Pg 11
V.	Summary of Technical Review	Pg 13
VI.	State Environmental Policy Act (SEPA)	Pg 13
VII.	Decision Criteria	Pg 14
VIII.	Conclusion and Decision	Pg 15
IX.	Conditions of Approval	Pg 16

Attachments/File Documents Referenced

- 1. Project Plans Enclosed
- 2. Critical Areas Mitigation, Restoration, or Enhancement Memorandum and Addendum Enclosed
- 3. Critical Areas Study, Wetland Typing, In File
- 4. Geotech Report In File
- 5. Public Comments, Project forms, SEPA checklist In File

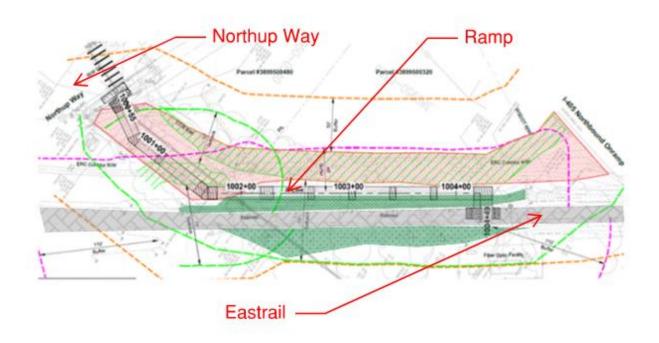
I. Proposal Description

The Eastrail Partners/King County Department of Natural Resources and Parks, Parks and Recreation Division proposes to construct a connector trail between Eastrail and Northup Way. The Eastrail corridor is a 42-mile rail corridor that stretches from Renton to Snohomish, passing through Renton, Bellevue, Kirkland, Woodinville, Redmond, and portions of unincorporated King and Snohomish counties. Originally, the rail line was known as the Lake Washington Belt Line and supported development along the eastern shore of Lake Washington. The connection will consist of an elevated ramp structure supported on piles above the critical areas or buffers. The ramp is approximately 400 feet long and will be constructed to accommodate non-motorized use only. The ramp width is 12 feet to allow safe two-way use. Concrete pads with small associated retaining walls will be constructed at both ends of the elevated ramp structure to provide stability for the structure and to create a transition onto and off of the ramp for trail users. Permanent impacts to critical areas and buffers will be shading and the placement of support piles. There will be minor sidewalk ramp improvements and utility relocation at the 116th Avenue NE and Northup Way intersection. The location, site plan and elevations are below.



Figure 1-General Location

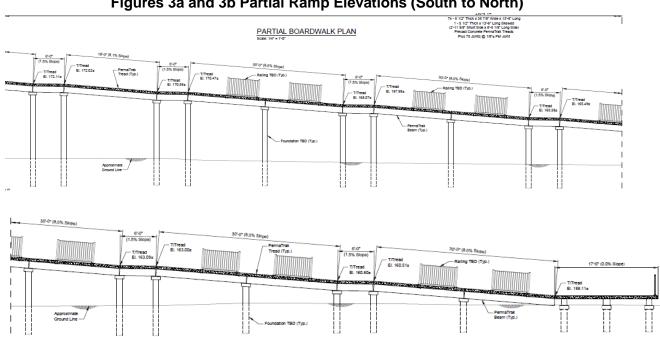
Figure 2- Site Plan











Figures 3a and 3b Partial Ramp Elevations (South to North)

During construction, there will be temporary impacts to 1,426 square feet of wetland and 1,648 square feet of wetland buffer. Temporary and permanent impacts from the project to steep slopes, a category IV wetland, and wetland buffers respectively will result from this proposal. The permanent wetland and steep slope impacts are mainly due to shading and support piles. Two cottonwood trees will be removed. Construction of new public transportation and trail infrastructure is an allowed activity per LUC 20.25H.055.C.2. See attachment 1 for project plans.

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

A. Site Description

F P

The project will provide a non-motorized connection from north of Northup Way to the Eastrail corridor. The project is located in an area between Northup Way, I-405, and 116th Avenue NE. The trail connection will extend from the north side to the intersection of Northup Way and 116th Avenue NE. The ramp will be located above steep slopes, landslide hazard areas, and a category IV wetland. A category II wetland is located east of the existing developed trail corridor. The buffer of this wetland does not extend westward of the developed Eastrail corridor where the concrete ramp is proposed to be located. The elevated ramp will be located in an degraded area highly impacted by invasive species and an informal trail. The properties adjacent to the project area are commercially zoned. A mixture of existing commercial uses align the project. See Figure 1 in Section I for project location. See Figures 4a-4d below for existing conditions.

Figures 4a-4d – Existing Conditions



Buffer Mitigation Area



Wetland and Buffer Ramp Alignment Impact Area, Lower



Wetland and Buffer Ramp Alignment Impact Area, Lower (view North)



Wetland and Buffer Ramp Alignment Impact Area, Upper

B. Zoning

The properties in the vicinity are zoned:

- OLB, Office Limited Business
- GC, General Commercial

C. Land Use Context

The properties in the vicinity have a variety of commercial Land Use Designations. The project is located in an area heavily impacted by regional and local transportation facilities.

D. Critical Areas On-Site and Regulations

i. Wetlands

Wetlands include the vegetated edges of ponds and areas commonly called swamps,

Eastrail – Northup Way Connector Ramp 22-116664-LO Page 8 of 18

marshes, and bogs. Frequently, their water is only visible in the spring. Wetlands are classified into four categories, based on a combination of habitat, water quality, and flood-flow-reduction functions.

Wetlands provide rearing and foraging habitats for fish and wildlife and food chain support for downstream waters. Wetlands provide natural water quality improvement; flood-flow reduction and storage; shoreline erosion protection; and opportunities for passive recreation. Many urban wetlands are heavily disturbed, but still provide valuable water quality treatment and flood-flow reduction.

ii. Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provide a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

All work is within City-owned or Federal right-of-way and the zoning requirements of the Land Use Code do not apply.

B. Critical Areas Requirements LUC 20.25H:

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes performance standards and procedures that apply to development on any site which contains in whole or in part any portion designated as critical area, critical area buffer, or structure setback from a critical area or buffer. The proposed improvements are allowed uses in critical areas, buffers, and setbacks, provided certain requirements are met. The project is subject to the performance standards found in LUC 20.25H.055.C below.

i. Consistency With LUC 20.25H.055.C.2.a

New or expanded facilities and systems are allowed within the critical area or critical area buffer only where no technically feasible alternative with less impact on the critical area or critical area buffer exists. A determination of technically feasible alternatives will consider:

1. The location of existing infrastructure;

The proposal will provide a non-motorized connection between Northup Way and the Eastrail Corridor by constructing an elevated ramp. The location is constrained by the size of the Eastrail easement and existing development. The location is within the narrowest area possible and there are no feasible alternative locations or configurations within the Eastrail corridor or adjoining properties that would have less impact to critical areas or buffers.

2. The function or objective of the proposed new or expanded facility or system;

The purpose of the proposed elevated ramp is to provide a safe non-motorized, multi-use connection between Northup Way and the Eastrail. The connection will provide a safe link between the Eastrail and existing and proposed pedestrian and bicycle facilities serving local and regional users.

Demonstration that no alternative location or configuration outside of the critical area or critical area buffer achieves the stated function or objective, including construction of new or expanded facilities or systems outside of the critical area;

The location is constrained by the size of the easement and proximity to the existing development. The proposed alignment stays outside of steep slopes and wetland boundaries to the greatest extent feasible, follows a portion of an existing trail to minimize disturbance of existing vegetated buffer, and incorporates an elevated boardwalk structure over the entire wetland and steep slopes. With this alignment and design, critical area impacts are limited and there are no feasible alternative locations or configurations within the Eastrail that would have less impact to critical areas or buffers.

4. Whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and

The environmental impacts of the proposal have been avoided and mitigated to the greatest extent feasible. The feasible location is constrained by existing development and the presence of steep slopes and wetlands. Complete avoidance of disturbance within the critical areas and buffers would require rerouting the trail outside of the existing railroad grade and trail envelope. Avoidance of wetland impacts would require a much longer ramp routed through private property in addition to permanent at-grade impacts within the steep slope and wetland buffer. This would entail substantial additional costs and impacts disproportionate as compared to the proposed disturbance, including additional property acquisitions and/or easements and associated fill, extraction, and grading.

5. The ability of both permanent and temporary disturbance to be mitigated.

As identified in the submitted Mitigation, Restoration, or Enhancement Plan a total of .018 acres of wetland and .022 acres of permanent wetland and wetland buffer

impacts are proposed that will be mitigated by on-site enhancement of .104 acres of wetland and .064 acres of wetland buffer. A mitigation planting plan has been submitted. The project will remove invasive species, enhance 4,672 square feet of degraded emergent wetland to native emergent and scrub-shrub wetland, enhance 2,864 square feet of buffer, and plant six native trees to offset permanent shading impacts. See Figures 4a and 4b below for wetland impacts and mitigation, and Attachment 3 for wetland typing. This plan also includes restoration plans for restoration of temporary disturbance.

Figure 4a Summary of Wetland Impacts

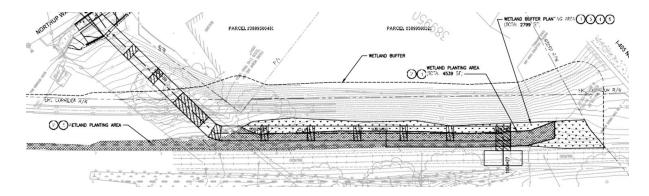
		Impact Area (square feet)		Buffer Impa	ct Area (Sq ft)
Wetland	Rating	Temporary	Permanent	Temporary	Permanent
Wetland WB20B		1,426	774	1,648	968
Wetland WB23		0	0	0	0
Total Wetland I	mpacts	1,426	774	1,648	968

Mitigation Goals

The mitigation goals are:

- Enhance 4,672 square feet of degraded emergent wetland to native emergent and scrub-shrub wetland.
- Enhance 2,864 square feet to the wetland buffer to offset permanent shading impacts, remove invasive species, and plant native forested upland.

Figure 4b Wetland and Wetland Buffer Enhancement



The future permits for the construction of the road must depict all proposed mitigation, and restoration and provide full details on all planting specifications. The on-site restoration and mitigation areas will be required to be maintained and monitored for a minimum of five years. **See Section IX for mitigation**,

The proposed alignment stays outside of wetland boundaries to the greatest extent

feasible, follows a portion of an existing trail to minimize disturbance of existing vegetated buffer, and incorporates an elevated boardwalk structure over the entire wetland and steep slopes. With this alignment and design, critical area impacts are limited. All project work will be consistent with applicable City of Bellevue codes and standards. The project does not include any parking or other support functions within critical areas or critical area buffers. All areas of new permanent disturbance and temporary disturbance within critical areas or critical areas buffers will be mitigated pursuant to the mitigation included in this report meeting requirements of Bellevue LUC 20.23H.210.

ii. Consistency With LUC 20.25H.080 and LUC 20.25H.100

New lighting will be directed away from the steep slopes, wetlands, and buffers Other than noise potentially created by use of the trails, the only increase in noise levels would result from construction. Runoff from impervious surfaces will be treated prior to release to any wetland. The outer edge of the wetland will be planted with dense vegetation to limit pet or human per the submitted mitigation plan. Use of pesticides, insecticides, and fertilizers within 150 feet of the edge of buffers will be in accordance with the City of Bellevue's Environmental Best Management Practices.

i. Consistency with LUC 20.25H.125

The steep slopes performance standards are incorporated into the project as found in the submitted Geotechnical Report, in Attachment 4 of this staff report. The proposal is designed to minimize alterations to the steep slope critical areas and buffers by elevating the ramp to limit disturbance. As demonstrated in the geotechnical report, the proposed development will not result in a greater risk or a need for increased buffers on neighboring properties. Disturbed areas will be mitigated by a replanting plan. See Mitigation Related Conditions of Approval in Section IX of this report.

iii. Consistency with LUC 20.25H.105

The applicant has proposed on-site enhancement of wetlands and buffers. The applicant supplied a Critical Area Mitigation, Restoration, or Enhancement Memorandum and addendum prepared by a qualified professional. The analysis meets the minimum requirements in LUC 20.25H.105 and demonstrates that the proposed mitigation of the wetland and buffer leads to equivalent or better protection of the critical area functions and values. The memorandum and addendum are included as Attachment 2 to this staff report. See Mitigation Related Conditions of Approval in Section IX of this report.

IV. Public Notice and Comment

Application Date: August 19, 2022
Public Notice (500 feet): November 10, 2022
Minimum Comment Period: November 28, 2022

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin and Seattle Times on November 10, 2022. It was mailed to property owners within 500 feet of the project site. Comments were received expressing regarding the mitigation location and expressing concern that the mitigation location and length of monitoring may not be sufficient.

 Comment expressing concern regarding the location of wetland mitigation and expressing a preference that the project use a wetland bank and fee-in-lieu program instead of on-site wetland enhancement.

City Response: LUC 20.25H.105 requires a hierarchy of mitigation actions and locations that the project must meet. The applicant submitted a Critical Area Mitigation, Restoration, or Enhancement Memorandum and addendum prepared by a qualified professional (attachment 2) that supports using on-site wetland and buffer enhancement as mitigation for wetland and wetland buffer impacts. Per LUC 20.25H.105.A.1.c, and 20.25H.105.A.2.b on-site wetland enhancement of degraded wetlands and critical areas buffers are preferable to mitigation outside the drainage basin. Wetland banking off-site and outside the drainage basin is not included in preferred locations.

The project is designed for no net loss of function or area. There will be no fill in wetlands or reduced wetland areas. The substantive impacts are shading and small temporary disturbance of very degraded wetlands. The removal of invasive vegetation and introduction of native plantings to areas of temporary and permanent (shading) impacts are expected to provide a net gain in wetland and wetland buffer functions, including an uplift in the overall ecosystem of the site through increased production of organic matter, improved biological diversity by planting a variety of native wetland and buffer plant species.

More details and justification can be found in the Critical Area Mitigation, Restoration, or Enhancement Memorandum and addendum (Attachment 2).

 Comment expressing concern regarding the sustainability of the proposed wetland mitigation and length of the monitoring period:

City Response: Enhancing the site with native vegetation and retaining the water quality and hydrology functions of the site provides for localized benefits. Native plants that are appropriate for site conditions were selected for a high survival rate.

Mitigation measures within the 5-year monitoring period is required, which includes the percentage of invasive species. If the percentage of invasive vegetation exceeds performance standards, the project proponent is required to continue to implement corrective measures and monitor the site until the site meets the site objectives and performance standards. If at year 5 performance standards are not met, monitoring and corrective measures will continue. It is expected that at 5-years, if the site meets

Eastrail – Northup Way Connector Ramp 22-116664-LO Page 13 of 18

the objectives and performance standards, the site will continue to do so in subsequent years.

The project site is within a King County-owned parks property and related to Eastrail, a plan for a 42-mile multi-use trail. There are no plans for selling the property for future development by others. Any littering or illegal camping will be handled by BMC and also per County policy on the County owned right of way.

See Mitigation Related Conditions of Approval in Section IX of this report.

V. Summary of Technical Reviews

A. Clearing and Grading

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

B. Utilities

The Utilities Review section of the Development Services Department reviewed the proposal for compliance with Utility codes and standards and has approved the application.

C. Transportation

The Transportation Review section of the Development Services Department reviewed the proposal for compliance with Transportation codes and standards and has approved the application.

VI. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Codes, and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth, Air, and Water

The project will have steep slope, wetland, and buffer impacts, as discussed in Section III. The wetland and buffer impacts will be mitigated through on-site wetland enhancement. Slope impacts are minimal and will be mitigated through replanting of native vegetation including six native trees.

A temporary erosion and sedimentation control plan will be required as part of the approval of

the required clear and grade permit and shall address all requirements for restoring areas of temporary construction disturbance as well as erosion and sedimentation best management practices. Erosion and sediment control best management practices include the installation of silt fencing around the work area and covering exposed soils to prevent migration of soils. See Permit Related Conditions of Approval in Section X of this report.

B. Animals

The project area includes natural area open space, wetlands, and steep slopes that contain limited habitat for birds and mammals. Although no species were observed on the site, some species may use the site for foraging and perching. Habitat in the project area is diminished by the abundance of invasive species (primarily Himalayan blackberry and reed canarygrass), noise and disturbance from human activity on surrounding roads, highways, and commercial properties, and the presence of roads, buildings, fences, and other barriers to travel by wildlife species.

The proposed activities are designed to be minimally disruptive to wildlife habitat. The impacted critical areas and buffers currently contain a significant invasive species component, which will be replaced post-Project with a native vegetation community. The on-site wetland enhancement and buffer will also benefit wildlife through removal of invasive plant species and restoration of a diverse native vegetation community. **See Mitigation Related Conditions of Approval in Section X of this report.**

C. Plants

The project will require the removal of two large cottonwood trees. Existing grasses and low shrubs near the construction area may be trimmed and/or mowed to allow construction access on the slope and over wetland. Following construction, approximately 775 square feet (.018 acres) of wetland vegetation and approximately 970 square feet (0.022 acres) of buffer vegetation will be permanently shaded. This vegetation is primarily non-native wetland grasses and small shrubs.

As mitigation, the project will remove invasive species, enhance 4,672 square feet of degraded emergent wetland to native emergent and scrub-shrub wetland, enhance 2,864 square feet of buffer, and plant six native trees to offset permanent shading impacts.

All temporarily disturbed steep slopes, wetlands and buffers will be revegetated with native trees, shrubs, and groundcovers. Required monitoring and maintenance of wetlands and buffers after Project implementation will include invasive species management.

See Mitigation Related Conditions of Approval in Section IX of this report.

VII. Decision Criteria

A. 20.30P.140 Critical Area Land Use Permit Decision Criteria – Decision Criteria

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

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

 All required permits will be obtained.
- 2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer.

The project location and elevated design limit permanent disturbance as much as possible to have the least impact on steep slopes, wetlands, and buffers. Use of an elevated ramp to avoid fill slopes, wetlands, and buffers is as much as can be done considering the linear nature of the project and that the Eastrail has wetlands on both sides.

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

As discussed in Section III of this report, the applicable performance standards of LUC Section 20.25H are being met.

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

The proposed improvements enhance a public facility by providing new non-motorized transportation options. No increased need will be placed on the existing public facilities.

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

A mitigation planting plan has been submitted. The project will remove invasive species, enhance 4,672 square feet of degraded emergent wetland to native emergent and scrub-shrub wetland, enhance 2,864 square feet of buffer, and plant six native trees to offset permanent shading impacts. **See Mitigation Related Conditions of Approval in Section X of this report**.

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

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

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the disturbance and modification of critical areas for the proposed Eastrail – Northup Way Connector Ramp. **Approval of this Critical Areas Land Use Permit does not constitute a permit for construction. Separate development permits are required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards.**

Note - Expiration of Critical Area Permit Approval: In accordance with LUC 20.30P.150, a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a permit or other necessary development permits within one year of the effective date of the approval.

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	Tom McFarlane Uzunow, 425-452-	
	5207	
Utility Code	Arturo Chi, 425-452-4119	
Transportation Code	Ryan Miller, 425-452-2065	
Land Use Code- BCC Title 20	Drew Folsom, 425-452-4441	

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

1. Development Permit: Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. Application for a clearing and grading or other required permits must be submitted and approved. Plans submitted as part of either permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.30P.140, Clearing & Grading Code 23.76.035

Reviewer: Drew Folsom, Development Services Department, Tom McFarlane,

Development Services Department, Clearing & Grading Section

2. Right-of-Way Use Permit

Prior to issuance of any construction or clearing and grading permit, the applicant shall secure applicable right-of-way use permits from the City's Transportation Department, which may include:

- a) Designated truck hauling routes.
- b) Truck loading/unloading activities.
- c) Location of construction fences.
- d) Hours of construction and hauling.
- e) Requirements for leasing of right of way or pedestrian easements.
- f) Provisions for street sweeping, excavation and construction.
- g) Location of construction signing and pedestrian detour routes.
- h) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times

during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevent access. General materials storage and contractor convenience are not reasons for preventing access. The applicant shall secure sufficient off-street parking for construction workers before the issuance of a clearing and grading, building, a foundation or demolition permit.

Authority: BCC 11.70 & 14.30

Reviewer: Ryan Miller, Transportation

3. Final Restoration Planting: The mitigation planting proposed is required to be installed and the plans submitted under the application are considered conceptual. A final plan is required to be submitted under future construction permits. All areas of temporary disturbance within critical areas and buffers shall be restored. The plans submitted shall provide full planting specifications and details.

Authority: Land Use Code 20.30P.140; 20.25H.220

Reviewer: Drew Folsom, Development Services Department,

4. Maintenance and Monitoring: Maintenance and monitoring of the mitigation and restoration planting is required for five years per the plan found in the submitted critical areas assessment as Attachment 3. A copy of the monitoring reports is required to be submitted to the Environmental Planning Manager for the Land Use Division of Development Services annually.

Authority: Land Use Code 20.30P.140; 20.25H.220

Reviewer: Drew Folsom, Development Services Department

5. Geotechnical Review: The project geotechnical engineer must review the final plans, including all foundation, retaining wall, and shoring designs. A letter from the geotechnical stating that the plans conform to the recommendations in the geotechnical report and any addendums and supplements must be submitted to the clearing and grading section prior to issuance of the construction permit.

Authority: Clearing & Grading Code 23.76.050

Reviewer: Tom McFarlane, Development Services Department, Clearing & Grading

Section

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

Authority: Bellevue City Code 23.76.093

Eastrail – Northup Way Connector Ramp 22-116664-LO Page 18 of 18

Reviewer: Tom McFarlane, Development Services Department, Clearing & Grading

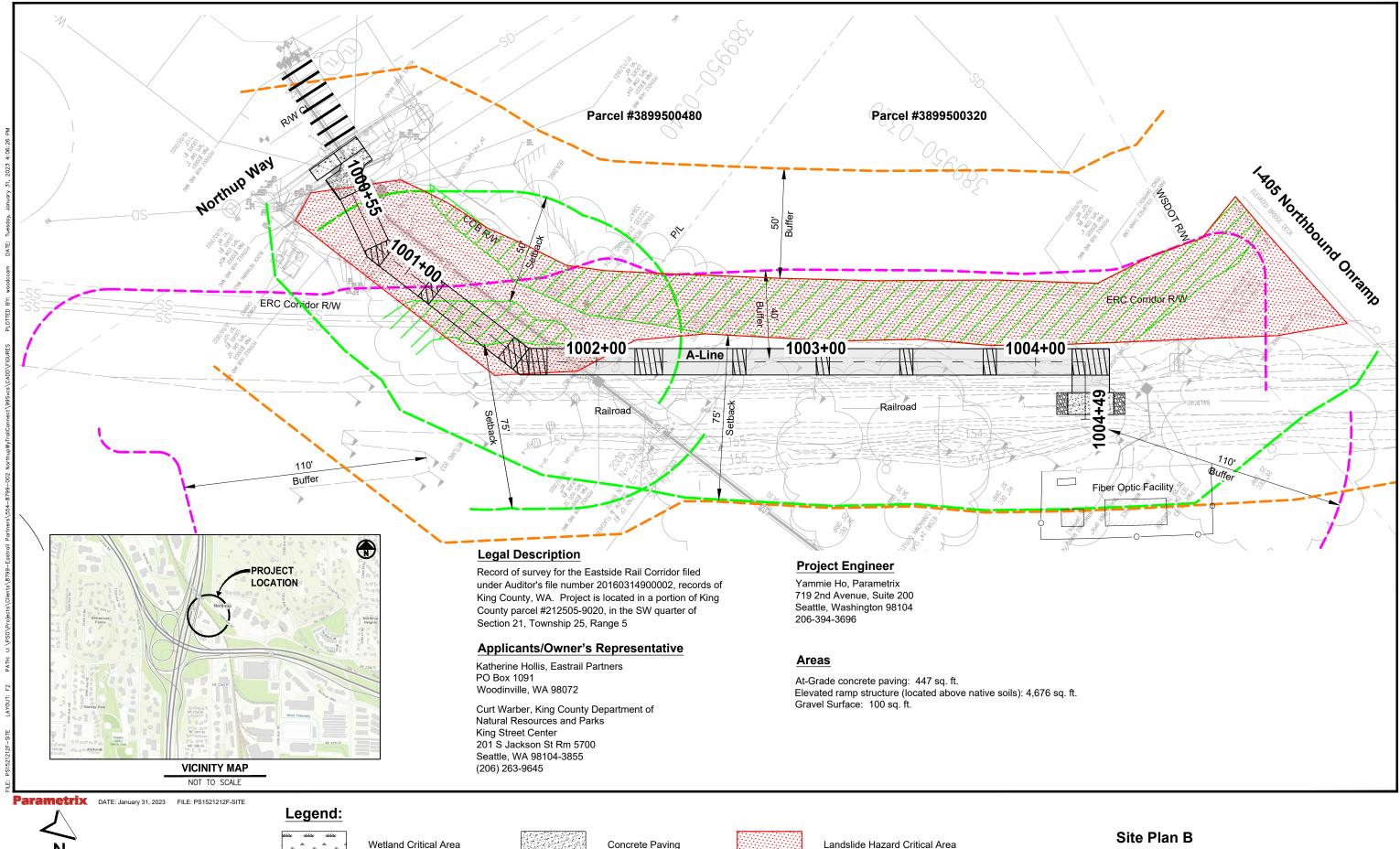
Section

7. Turbidity and pH Monitoring Required: A turbidity and pH monitoring plan must be submitted and approved prior to issuance of the clearing and grading permit, and the plan must be implemented during site work. The plan must be developed and implemented in accordance with the Turbidity & pH Monitoring Requirements contained in the Bellevue Clearing & Grading Development Standards.

Authority: Clearing & Grading Code 23.76.160.C

Reviewer: Tom McFarlane, Development Services Department, Clearing & Grading

Section







Wetland Critical Area





Concrete Paving



Steep Slope Critical Area

Site Plan B **Eastrail - Northup Way Connector Ramp**

Eastrail Partners/King County Department of Natural Resources and Parks, Parks and Recreation Division



TECHNICAL MEMORANDUM

DATE: February 3, 2023

TO: Yammie Ho, PE

FROM: Josh Wozniak, PWS

SUBJECT: Eastrail -Northup Way Connector Ramp -Revision

PROJECT NUMBER: 554-8799-002

PROJECT NAME: Eastrail -Northup Way Connector Ramp

The Eastrail Partners and King County Parks and Recreation are planning an improved trail connector at the intersection of Northup Way/116th Avenue NE and the Eastrail in Bellevue, Washington. Critical area studies were completed in 2017 (Parametrix 2017). This memorandum describes the results of a site investigation on June 9, 2022, to evaluate on-site conditions by Parametrix wetland biologist Josh Wozniak, PWS. Current conditions were compared to those mapped in 2017, and the boundaries were confirmed or modified as needed within the project footprint and vicinity. In addition, areas suitable for mitigation of the project's planned buffer impacts were assessed and mapped.

Current Conditions of Wetlands and Buffer

The wetland conditions in 2022 match those observed and mapped in 2017. The wetland within the project area (B 20B) still occurs in the same location and extent. This wetland is largely contained within a ditch along the western edge of the rail corridor, and that area is unchanged. The vegetation within the wetland is dominated by soft rush (*Juncus effusus*), velvet grass (*Holcus lanatus*), and other non-native grasses. There were no indicators of wetland hydrology or hydric soils outside of the ditch.

The wetland buffer is also similar to conditions in 2017. There are some native trees, primarily black cottonwood (*Populus balsamifera*) and young red alder (*Alnus rubra*). However, the buffer is primarily vegetated with Himalayan blackberry (*Rubus armeniacus*) and non-native grasses. Photos of the wetland and buffer are shown in Attachment A. Wetland and buffer extent are shown in Attachment B. The current (2014) rating form for the wetland affected by the project (B20B) is included in Attachment C.

Project Impacts

The project description of improvement is generally same as Section 1.2 of the 2017 critical area studies, with the exception that the width of the ramp is 12-foot wide as currently proposed. The structure is elevated. There are no direct fill impacts to wetlands. Deck heights below 8 feet were considered permanent shading impacts.

The project preliminary impacts on wetlands and wetland buffers were described in the Section 4.1 of the 2017 critical areas studies. With the current proposal as shown in Attachment B, the project will result in permanent shading impacts to 774 square feet of Wetland 20B and 968 square feet of its buffer. During construction, there will be an additional temporary impact to 1,426 square feet of Wetland 20B and 1,648 square feet of its buffer.

Table 1 below summarizes the impacts anticipated for the project. Figure 1 shows the locations of impacts to wetlands and wetland buffers.

Table 1. Estimated Impacts on Wetlands and their Buffers

		Impact Area (square feet)		Buffer Impact Area (Sq ft)	
Wetland	Rating	Temporary	Permanent	Temporary	Permanent
Wetland WB20B		1,555	871	1,831	759
Wetland WB23		0	0	0	0
Total Wetland Impacts		1,555	871	1,831	759

Mitigation

The project will comply with the mitigation sequencing described in the 2017 critical areas studies. The avoidance and minimization of critical area impacts was a guiding principle in the preliminary design of this project. It started with the general design of the trail, which is elevated to avoid and minimize impacts. The proposed alignment stays outside of wetland boundaries to the greatest extent feasible, follows portion of an existing trail to minimize disturbance of existing vegetated buffer, and incorporates an elevated boardwalk structure over the entire wetland. With this alignment and design, critical area impacts are limited.

Best management practices (BMPs) would be implemented to avoid or reduce adverse impacts on critical areas during construction. BMPs for erosion control would be installed before ground-disturbing activities begin. Measures used might include mulching, matting, and netting; filter fabric fencing; quarry rock entrance mats; and sediment traps. The trail corridor would be used for staging areas and stockpiles. Significant long-term water quality impacts are not expected if erosion control BMPs and spill containment measures are properly implemented, monitored, and maintained during construction.

All temporarily disturbed areas will be replanted with native vegetation per the project planting plan. Compensatory wetland and buffer mitigation areas were finalized during the 2022 field inspection. Their location and planting plan and are shown in the project plan set (Attachment B).

Mitigation Goals, Objectives, and Performance Standards

The overall goal of the mitigation is to replace the habitats and functions lost as a result of the project. The proposed mitigation would accomplish this by enhancing 4672 square feet (0.11 acres) of wetland and enhancing 2864 square feet (0.06 acres) of wetland buffer. Specific goals and objectives formulated to achieve these results are presented below.

Our mitigation approach is to enhance all the wetland and buffer areas within the project vicinity that are not encumbered by steep slopes or erosion hazards. In doing so, we have overcompensated for the temporary and shading impacts to the wetland and buffer, with the additional enhancement acreage intended to offset the unavoidable permanent impacts to the buffer. This will maintain or improve the overall wetland and buffer functions within the project area.

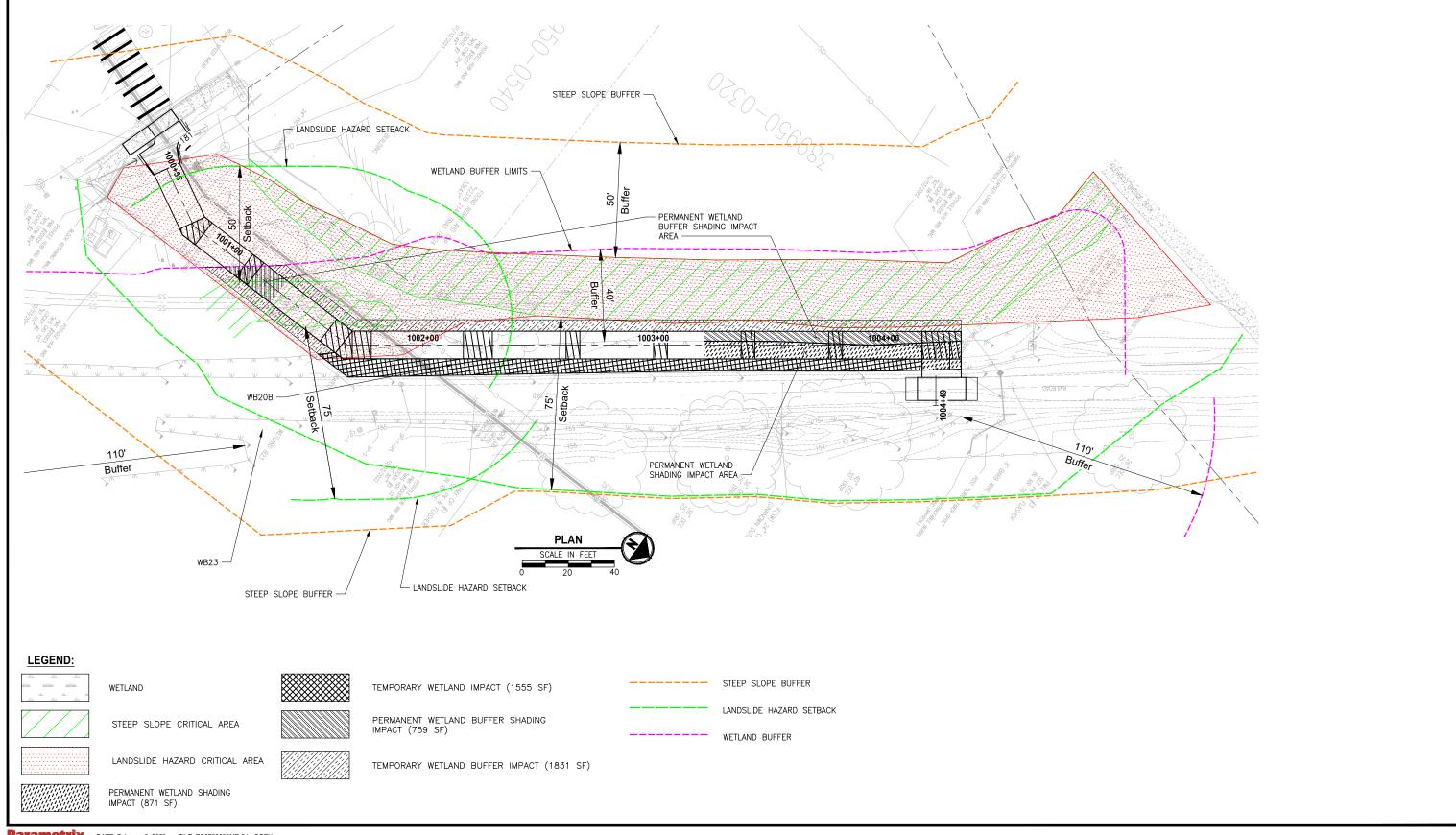
Mitigation Goals

The mitigation goals are:

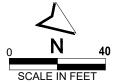
- Enhance 4,672 square feet of degraded emergent wetland to native emergent and scrub-shrub wetland.
- Enhance 2,864 square feet to the wetland buffer to offset permanent shading impacts, remove invasive species, and plant native forested upland.

Achievement of these goals is expected to provide the following improvements to wetland and wetland buffer functions:

- Increase production of organic matter by planting deciduous trees and shrubs in the enhanced wetland and buffer areas.
- Increase wildlife habitat and improve biological diversity by planting a variety of native wetland and buffer plant species that will provide shade, future snags, woody debris, and leaf litter.



Parametrix DATE: February 3, 2023 FILE: PS8799002MP-01 - COPY



Mitigation Objectives and Performance Standards

Objective 1: Enhance a minimum of 4,672 square feet of wetland by planting native emergents and shrubs.

Performance Standards:

- Year 1 Survival of planted woody species in the enhanced wetland area will be at least 80 percent.
- Year 3 Native woody species will achieve a minimum of 25 percent areal cover in the enhanced wetland area.
- Year 5 Native woody species will achieve a minimum of 35 percent areal cover in the enhanced wetland area.

Objective 2: Enhance a minimum of 2,864 square feet of wetland buffer by planting native trees and shrubs.

Performance Standards:

- Year 1 Survival of planted woody species in the enhanced wetland buffer area will be at least 80 percent.
- Year 3 Native woody species will achieve a minimum of 35 percent areal cover in the enhanced wetland buffer area.
- Year 5 Native woody species will achieve a minimum of 60 percent areal cover in the enhanced wetland buffer area.

Objective 3: Limit invasive non-native species throughout the wetland and buffer enhancement planting areas.

Performance Standard:

 Years 1, 3, 5 Class A weeds, as well as Scotch broom, Himalayan blackberry, cutleaf blackberry, Canada thistle, bull thistle and non-native knotweeds will not exceed 20 percent areal cover in any of the planting areas.

Objective 4: Provide wildlife habitat.

Performance Standard:

- Years 1, 3, 5 Increase in areal cover of native woody species in the planted buffer, as measured in Objectives 1 and 2 to be used as a surrogate to indicate increasing habitat functions.
- Year 5 Installed habitat features are present and functional.

Objective 5: Protect the mitigation site from anthropogenic disturbance.

Performance Standard:

• Years 1–5 Conduct yearly qualitative monitoring to assess the status of the sites during the 5-year monitoring period for human disturbance, including but not limited to filling, trash, and vandalism.

Monitoring

The wetland and buffer mitigation areas would be monitored during and after construction. During construction, monitoring would ensure that the BMPs are observed to minimize impacts, and the on-site construction work (including earthwork and planting) would be coordinated to ensure that the sites are constructed as designed.

After construction is completed, monitoring would be performed annually to ensure that the goals and objectives of the mitigation are being met. Monitoring of the mitigation areas would be performed over a 5-year period by qualified biologists. A combination of qualitative and quantitative monitoring activities would be used to assess the management objectives and associated performance standards described in this mitigation proposal. Activities would include site visits to monitor unnatural site disturbance, photographs to document site development, and data collection for the quantitative evaluation of performance standards. The results of the monitoring will be submitted to the City of Bellevue.

Appropriate contingency measures will be developed, as needed, by a qualified wetland biologist to ensure that the sites develop healthy vegetation that meet the obligations described in this mitigation plan and the associated permits.

Quantitative Monitoring

The following bulleted items describe the methods to be used for the quantitative monitoring, monitoring schedule, and report deadlines.

- Plant survival will be assessed in monitoring year 1 by counting the live plants installed.
- Percent areal cover for planted and volunteer desirable woody species in the wetland enhancement and buffer enhancement areas will be assessed by an appropriate quantitative vegetative cover field assessment methodology (e.g., the line intercept method) during monitoring years 1, 3, and 5.
- Percent areal cover for invasive species in the wetland enhancement and buffer enhancement areas will be assessed by an appropriate quantitative vegetative cover field assessment methodology (e.g., the line intercept method) during monitoring years 1, 3, and 5.
- Quantitative vegetation assessments will follow the same method in each consecutive monitoring year.
- Quantitative vegetation assessments will be performed between June 15 and September 15 of each monitoring year.
- Monitoring reports will be submitted to the City of Bothell Planning and Development Department by the end of (December 31) of each monitoring year.
- Quantitative monitoring will include photo documentation of the sites from permanent photograph stations.

Qualitative Monitoring

Qualitative assessments will be performed yearly to visually assess any disturbance to the sites, the overall health of plants, and identify areas that may need control of non-native invasive species or other maintenance activities.

Maintenance

The proposed mitigation is intended to achieve the performance standards with minimal ongoing maintenance. Planted vegetation species should be adapted to varying site conditions in the Puget Sound lowland; however, supplemental irrigation might be needed during the first two growing seasons after installation to ensure the long-term survival of the plants. The need for irrigation would be evaluated based on the conditions observed during the establishment period.

To ensure rapid establishment of the plant community, trees and shrubs would be planted closer together than would generally occur in natural mature stands. Some natural mortality is expected to occur during the monitoring period. All dead and downed woody material would be left in place to provide microhabitats for wildlife. Plants would be replaced as needed to meet performance standards.

Maintenance to control nuisance species in the mitigation areas may be necessary. During the monitoring period, if it becomes evident that invasive species are impeding establishment of desirable native plants, measures would be implemented to control nuisance species. A progressively aggressive approach would be used to control nuisance species. Control measures would first include hand cutting and/or grubbing and removal; if this fails, an environmentally sensitive herbicide might be considered.

Contingency Measures

If monitoring indicates that the sites are not meeting performance standards, contingency measures would be implemented (Table 2). Site conditions would be evaluated to determine the cause of the problem and the most appropriate countermeasure.

Table 2. Contingency Measures for the Mitigation Site

Problem	Contingency Measure		
Less than 80% of planted woody species survive in Year 1.	Qualified biologists would assess the site(s) to determine what conditions are preventing the plants from thriving. Appropriate measures would be taken to correct any conditions that are limiting growth. Lost plants would be replaced with appropriate native species unless appropriate native woody species are volunteering at a rate sufficient to replace them. Additional measures (such as providing additional protection) would be considered if necessary.		
Percent cover for woody species not met in Year 3 or 5.	Qualified biologists would assess the site(s) to determine what conditions are preventing the plants from thriving. Appropriate measures would be taken to correct any conditions that are limiting growth.		
Invasive species exceed percent cover threshold.	Implement/revise invasive species control plan.		
Performance standards not met at Year 5.	Continue the monitoring regime for an additional year. The site(s) would continue to be evaluated every year until they meet the stated performance standards associated with management objectives. Other contingency measures may be implemented during this period.		

Attachment A
Site Photos

PARAMETRIX Form 01-CN-68/Rev. 07/08/2020



Buffer Mitigation Area



Wetland and Buffer Ramp Alignment Impact Area, Lower

PARAMETRIX Form 01-CN-68/Rev. 07/08/2020



Wetland and Buffer Ramp Alignment Impact Area, Lower (view North)



Wetland and Buffer Ramp Alignment Impact Area, Upper

PARAMETRIX Form 01-CN-68/Rev. 07/08/2020



Wetland Mitigation Area in Ditch

Attachment B

Project Plan Set

