

**Miscellaneous**

**Communication with Applicant**

# City of Bellevue

Post Office Box 90012 ▪ Bellevue, Washington ▪ 98009 9012



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November 1, 2022

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Brad Strauch  
P.O Box 97034, PSE 9N  
Bellevue, WA 98009  
Bradley.Strauch@pse.com

Re: Conditional Use (File# 21-104991-LB)  
Critical Areas Land Use Permit (File #21-104989-LO).  
North Bellevue Segment for Energize Eastside

Dear Mr. Strauch:

Land Use staff have reviewed the plans you have submitted and request the following additional information to complete our review:

## **LAND USE REVIEW COMMENTS**

Reviewer: Reilly Pittman, 425-452-4350, rpittman@bellevuewa.gov

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### **Wetland/stream and buffer impact mitigation**

According to the CAR in the application, PSE would remove poles from wetlands, resulting in a 150-square foot reduction of current wetland impact. Vegetation conversion totaling 9,840 square feet is proposed due to removal of 30 trees from nine wetlands. Applying mitigation ratios for wetland enhancement, the 9,840 square feet of impact would require 43,510 square feet of 'on-site' compensatory mitigation for impacts within wetlands.

According to the CAR in the application, PSE would remove or install poles within wetland/stream buffers resulting in a 930-square feet net reduction of current buffer impact from poles. Vegetation conversion within wetland/stream buffers would result in 38,130 square feet of impact due to removal of 172 trees. Applying mitigation ratios (0.5:1 as approved for the South Bellevue Segment), the 38,130 square feet of impact would require 19,065 square feet of compensatory mitigation if mitigation were provided on-site and in-kind.

According to the CAR in the application, PSE proposes to enhance 9,930 square feet of degraded Category III wetland on the Richards Creek Substation site. In addition, PSE proposes to purchase 4,526 square feet of Keller Farm Mitigation Bank (KFMB) credits to compensate for the loss of ecological function associated with the tree removal (30 trees removed from wetlands plus 172 trees removed from wetland or stream buffers). The Richards Creek Substation site is considered to be on-site. KFMB is off-site, in the same WRIA but outside of the drainage basin where the impacts would occur.

1. The Bellevue City Code (BCC) allows for compensatory mitigation to occur off-site and outside of the drainage sub-basin for impacts to wetlands and wetland buffers (BCC 20.25H.105) only after other options have been exhausted and the locational requirements in BCC 20.25H.105.B have been demonstrated. The CAR in the application provides a discussion of code compliance in section 9. For

section 20.25H.105.A.2, it refers the reader to Section 8.1.1. This section does not directly address the criterion A.2.d. Please supplement the application with a justification of the use of the KFMB as functionally equivalent to being in the same basin.

2. The EIS for the Energize Eastside project did not evaluate the effects of using the KFMB for wetland mitigation. Please provide analysis showing that use of this off-site mitigation is consistent with the assumptions in the EIS and would not result in significant impacts to wetlands.

### **Critical Areas**

3. One perennial stream (EB15) and three seasonal streams (EB16, EB17, EB18) were identified in the March 2021 North Bellevue Critical Areas Report but not in the EIS or Delineation Report from 2016. Please identify separately any impacts to streams that were not identified in the EIS and provide the reasons that these were not covered in the study supporting the EIS.
4. Wetland EB 21 and Wetland I were identified in the March 2021 North Bellevue Critical Areas Report in Appendix C: Delineation Report Update, but not in the EIS. Please clarify whether that difference is due to the rating system used (2014 Rating System for the March 2021 North Bellevue Critical Areas Report and the 2004 Rating System (Hruby) in the Critical Areas Delineation Report for the EIS) or some other reason. Please show the critical area and buffer boundaries in the Vegetation Management Plan Appendix A, Outreach Maps and Public Tree Removal Maps.

### **Trees**

5. PSE proposes removal of 433 significant trees, while the EIS analyzed removal of 445 significant trees. The number of significant trees proposed for removal from critical areas is three times what was analyzed in the EIS (19 trees [application] vs. 3-6 trees [EIS]). The number of significant trees proposed for removal from critical area buffers is 35 percent higher than what was analyzed in the EIS (93 trees [application] vs. 69 trees [EIS]). Please confirm whether this difference is due to changes from using the 2004 Rating System (Hruby) in the EIS and the 2014 Rating System for the application documents, or some other reason.
6. PSE proposes planting at least 739 trees to serve as tree replacement mitigation. However, the placement of these trees is undetermined at this time. Please confirm that the only reason trees would be planted off-site rather than on-site is if the private property owner refuses the trees. Please provide more specific information on where the trees would be planted.
7. To mitigate for the removal of 433 significant trees, PSE proposes planting at least 739 trees, all of which would be larger than 6 inches diameter at breast height (dbh) when removed, and more than 40 percent would be larger than 12 inches dbh when removed. Applying the same ratios that were used in the South Segment results in an overall replacement ratio of 1.7:1. Please clarify the type of trees that would be planted, the size when planted, and the expected size at maturity.
8. Compensatory mitigation is proposed in the CAR for the removal of 202 trees from wetlands and combined buffer critical areas. Table 3 in the application's Vegetation Management Plan indicates that 112 significant trees would be removed from critical areas and buffers. Please provide the correct number and recalculate mitigation needs if necessary, in addition to showing critical area and buffer boundaries in Appendix A, Outreach Maps and Public Tree Removal Maps, in requested above in 2.c.

9. Update the Vegetation Management Plan to address Bridle Trails tree retention and replacement requirements in BCC 20.20.900 (the transmission corridor is the “site”):
  - i. The trees in the corridor need to be shown and evaluated based on their location in the interior or in relation to the perimeter, according to BCC 20.20.900.E.2 and E.3.
  - ii. According to BCC 20.20.900.E.4, replacement of trees is required on any lots that are left with eight or fewer trees after proposed project construction. Identify parcels that would be left with eight or fewer trees, including those parcels on which only a portion of the parcel is located within the corridor (on site). Provide analysis in the Vegetation Management Plan and propose tree replacement according to BCC 20.20.900.E.4.
  - iii. Note that conformance with these Bridle Trails requirements can be achieved through a request for alternative tree retention/replacement per BCC 20.20.900.G, demonstrating that one of the criteria in part G is met.
10. Provide more specifics in the Vegetation Management Plan on the planting proposed within the corridor and within Bellevue city limits.
11. Please provide descriptions and maps of maintenance access routes. Show access routes in relation to private properties and septic fields.
12. Please provide the volume of grading to be conducted. If an exact amount is not known, provide a range with an upper limit.
13. Provide Vegetation Management Standards figures for Pole Type C-18 and for Pole Type C-1B, similar to those provided in the application for Pole Type C-1 and C-2.

Please submit the revisions requested above within 60 days from the date of this letter or by Friday December 30, 2022. If no revision is received within 60 days you may request an extension or the application may be canceled without further notice. You can reach me directly at (425)452-4350 or at [rpittman@bellevuewa.gov](mailto:rpittman@bellevuewa.gov).

Sincerely,

Sent via email

**Reilly Pittman**

Reilly Pittman  
Environmental Planning Manager

cc: File

## Pittman, Reilly

---

**From:** Clara Park <cpark@vnf.com>  
**Sent:** Wednesday, July 12, 2023 9:40 AM  
**To:** Pittman, Reilly  
**Cc:** Strauch, Bradley; Sara Leverette (Sara.Leverette@pse.com)  
**Subject:** Energize Eastside Project North Bellevue Segment, File No. 2020-112645-DB; Ltr re Recertification of Need  
**Attachments:** 2023 0711 - LTR re Recertification of Need.pdf

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Mr. Pittman,

Attached to this email is a letter from Jens Nedrud, PSE's Director of Transmission, relating to the certification of project need for the Energize Eastside project. If you have any further questions, please feel free to contact Brad Strauch, who I've copied here.

As a note, PSE recognizes that Engrossed Second Substitute House Bill (E2SHB) 1216, adopted by the Washington State Legislature in 2023, adds a new section to RCW 36.70B titled "Prohibition on Demonstration of Need" that states in relevant part, "During project review of a project to construct or improve facilities for the generation, transmission, or distribution of electricity, a local government may not require a project applicant to demonstrate the necessity or utility of the project[.]" E2SHB 1216 becomes effective July 23, 2023 and at that point supersedes the conflicting local decision criteria set forth in LUC 20.20.255.E. Without waiving any argument relating to E2SHB 1216's applicability, PSE provides this letter to further support compliance with the provisions of LUC 20.20.255.E currently in effect as of this date.

Best regards,

Clara Park | Partner



1191 Second Avenue, Suite 1800  
Seattle, WA 98101-2996

[cpark@vnf.com](mailto:cpark@vnf.com) | [vnf.com](http://vnf.com) | D: 206.802.3855

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## Pittman, Reilly

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**From:** Strauch, Bradley <bradley.strauch@pse.com>  
**Sent:** Sunday, May 23, 2021 8:49 PM  
**To:** Bedwell, Heidi  
**Cc:** Worcester, Karen - Aerotek  
**Subject:** RE: Existing pole height

**[EXTERNAL EMAIL Notice!]** Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

In addition, Bellevue Central should be included (FEIS pp 2-25) and those are 56 to 79 feet

Brad

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**From:** Strauch, Bradley  
**Sent:** Sunday, May 23, 2021 8:18 PM  
**To:** 'Bedwell, Heidi' <HBedwell@bellevuewa.gov>  
**Cc:** Worcester, Karen - Aerotek <karen.worcester@pse.com>  
**Subject:** RE: Existing pole height

Heidi,

On page 2-23 of the FEIS, the existing pole heights are listed as 54 to 70 feet.

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**From:** Bedwell, Heidi <HBedwell@bellevuewa.gov>  
**Sent:** Friday, May 21, 2021 3:19 PM  
**To:** Strauch, Bradley <bradley.strauch@pse.com>  
**Cc:** Worcester, Karen - Aerotek <Karen.Worcester@pse.com>  
**Subject:** Existing pole height

### CAUTION - EXTERNAL EMAIL

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For mobile - forward to [abuse@pse.com](mailto:abuse@pse.com)

Hey Brad,

I'm not finding any data on the existing pole height in the north segment. I'm recalling it is something like 45-60 feet but I didn't see it in the EIS or in your materials for the application. If you could give me an approximate range I'd love to have that in the memo I'm preparing for the EBCC.

Thanks, Heidi



**Heidi M. Bedwell** (She/Her)  
Environmental Planning Manager, Land Use Division  
Development Services Department  
425-452-4862

[How are we doing?](#)

*With the appearance of new cases of the COVID-19 virus in King County the Development Services Permit Center has been temporarily closed to walk-in customers and we are requiring residents and customers to use online city resources at <http://development.bellevuewa.gov>.*



## Pittman, Reilly

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**Subject:** Existing pole height

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Thanks, Heidi



**Heidi M. Bedwell** (She/Her)  
Environmental Planning Manager, Land Use Division  
Development Services Department  
425-452-4862

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## Pittman, Reilly

---

**From:** Strauch, Bradley <bradley.strauch@pse.com>  
**Sent:** Monday, May 17, 2021 8:19 AM  
**To:** Bedwell, Heidi  
**Subject:** FW: PSE North Bellevue Submittal Update - parcels within 1000ft  
**Attachments:** PSE\_EE\_NorthBellevue\_Parcel within 1000ft.xls

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Here is what I got back from our consultants.

Brad

The North Bellevue mailing list (for all parcels within 1000' of the project-area parcels) is attached. See Tab 1-Summary for some notes, Tab 2-Mailing List for addresses, and Tab 3-Missing Address Info for any parcels without associated addresses (mostly Tract parcels or parcels without address info).

One weird thing is that the County data doesn't include all property owner names (like First Name/Last Name), it is viewable on the parcel viewer if you go to KC iMAP or the Assessor look-up for an individual property, but it wasn't part of the available data we have from the County for this project. As such, most of the owner names are missing from Tab 2 (there are addresses for the mailing but no associated contact name). Hopefully that works for Heidi's purposes. Michelle did a direct request for the data from the County but as of this afternoon ([Friday](#)) hasn't received the info.

Any questions or additional needs, let us know!  
-Marissa

**Marissa Gifford**, AICP  
D 425.450.7112 M 425.214.2378

[hdrinc.com/follow-us](http://hdrinc.com/follow-us)

Summary of Findings: Assessors Table

**In the Mailing List**

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*There are a total of 1,972 records*

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Records removed - Needs additional research

99 (ex: Tract parcels & Missing address information)

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62 Parcels with Tax Payer Addresses

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1811 Parcels with Site Addresses

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*(see Tab 2 for North Bellevue Mailing List - rows that are hidden are duplicate addresses)*

## Pittman, Reilly

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**From:** Bedwell, Heidi  
**Sent:** Monday, May 17, 2021 7:57 AM  
**To:** 'Strauch, Bradley'  
**Subject:** RE: PSE North Bellevue Submittal Update

Brad, can you give me an update on the mailing list? Thanks, Heidi

-----Original Message-----

From: Strauch, Bradley <bradley.strauch@pse.com>  
Sent: Tuesday, May 11, 2021 7:38 AM  
To: Bedwell, Heidi <HBedwell@bellevuewa.gov>  
Cc: Worcester, Karen - Aerotek <Karen.Worcester@pse.com>  
Subject: Re: PSE North Bellevue Submittal Update

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I will look into it right away.

On May 11, 2021, at 7:25 AM, Bedwell, Heidi <HBedwell@bellevuewa.gov> wrote:

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For mobile - forward to abuse@pse.com

Good morning Brad,

So it's looking like our GIS staff are having a hard time producing the mailing list of parcels for our notice this week. Any chance your GIS staff could produce the list? We'd need them to buffer from the list of parcels 1000', removing duplicates. Is this something that might be possible soon? By end of week?

From: Strauch, Bradley <bradley.strauch@pse.com>  
Sent: Wednesday, May 05, 2021 3:47 PM  
To: Bedwell, Heidi <HBedwell@bellevuewa.gov>  
Cc: Worcester, Karen - Aerotek <Karen.Worcester@pse.com>  
Subject: RE: PSE North Bellevue Submittal Update

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Heidi,

Attached is the requested map and address/parcel list. Let Karen or I know if you need anything else.

Best regards,

Brad

From: Bedwell, Heidi <HBedwell@bellevuewa.gov<mailto:HBedwell@bellevuewa.gov>>  
Sent: Wednesday, April 28, 2021 2:36 PM  
To: Strauch, Bradley <bradley.strauch@pse.com<mailto:bradley.strauch@pse.com>>  
Subject: RE: PSE North Bellevue Submittal Update

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For mobile - forward to abuse@pse.com<mailto:abuse@pse.com>

Hi Brad,

Realize it's been awhile since I've been in touch. I am working on noticing the subject applications in our weekly permit bulletin on May 13th. As part of that notice we'll be noticing the required first public meeting that will be held as part of the EBCC monthly meetings. Tentatively it's scheduled for June 1st but the Council may shift their meeting to June 8th because the 1st is the first Tuesday after the Memorial Day weekend. We will know the exact date after their May 4th meeting. Therefore, please hold both June 1st and 8th as meeting dates for now. We can discuss overall logistics (it will be a virtual zoom meeting) later. Consistent with our practices for the South Bellevue Segment we'll be creating a permitting page where we'll post project plans and other information about the process and meetings. For your reference see the existing page that will be edited

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fbellevuewa.gov%2Fcity-government%2Fdepartments%2Fdevelopment%2Fzoning-and-land-use%2Fpublic-notice-and-participation%2Fenergize-eastside-updates&data=04%7C01%7CHBedwell%40bellevuewa.gov%7C3828e948debe4634621b08d9148a71ac%7C222d2edd825545bd859752141b82f713%7C0%7C0%7C637563407150979583%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I1haWwiLCJXVCi6Mn0%3D%7C1000&reserved=0>  
[https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Froofpoint.com%2Fv2%2Furl%3Fu%3Dhttps-3A\\_\\_gcc02.safelinks.protection.outlook.com\\_-3Furl-3Dhttps-253A-252F-252Furldefense.proofpoint.com-252Fv2-252Furl-253Fu-253Dhttps-2D3A-5F-5Fbellevuewa.gov-5Fcity-2D2Dgovernment-5Fdepartments-5Fdevelopment-5Fzoning-2D2Dand-2D2Dland-2D2Duse-5Fpublic-2D2Dnotice-2D2Dand-2D2Dparticipation-5Fenergize-2D2Deastside-2D2Dupdates-2526d-253DDwMFAg-2526c-253D2qU16x-2DMyLBBsjp4ZR92ow-2526r-253DqSlvzjXM-5F-5FDWP1fRAZAm4uePacwZr000JAVPWhDr-2DT8-2526m-253DCM96OQwgcptHCs-5FPpQ3bfjzuq0nmjX8wYhX030tJvk-2526s-253DDWaeHQu5CYZmgLQjkcGvXge5ituPE618PM7Td6aK9yY-2526e-253D-26data-3D04-257C01-257CHBedwell-2540bellevuewa.gov-257C6b24d50c3bd147e040f208d91017b45b-257C222d2edd825545bd859752141b82f713-257C0-257C0-257C637558516295755088-257CUnknown-257CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I1haWwiLCJXVCi6Mn0-253D-257C1000-26sdata-3DYTao06mrr5zjUzhZtms-252FZK42G49j74liYG-252Fe5rVLis8-253D-26reserved-3D0%26d%3DDwMFAg%26c%3D2qU16x-MyLBBsjp4ZR92ow%26r%3DqSlvzjXM\\_\\_DWP1fRAZAm4uePacwZr000JAVPWhDr-T8%26m%3DyJaFHjDtakvKITAHubfpdZYN0ZeQmx5o\\_uN-RHEkbtY%26s%3DvZ\\_k-gb1Z1gSlas6STjyrBsRQ3gqkW1iAyt3WMhtKQ%26e%3D&data=04%7C01%7CHBedwell%40bellevuewa.gov%7C3828e948debe4634621b08d9148a71ac%7C222d2edd825545bd859752141b82f713%7C0%7C0%7C637563407150979583%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I1haWwiLCJXVCi6Mn0%3D%7C1000&reserved=0](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Froofpoint.com%2Fv2%2Furl%3Fu%3Dhttps-3A__gcc02.safelinks.protection.outlook.com_-3Furl-3Dhttps-253A-252F-252Furldefense.proofpoint.com-252Fv2-252Furl-253Fu-253Dhttps-2D3A-5F-5Fbellevuewa.gov-5Fcity-2D2Dgovernment-5Fdepartments-5Fdevelopment-5Fzoning-2D2Dand-2D2Dland-2D2Duse-5Fpublic-2D2Dnotice-2D2Dand-2D2Dparticipation-5Fenergize-2D2Deastside-2D2Dupdates-2526d-253DDwMFAg-2526c-253D2qU16x-2DMyLBBsjp4ZR92ow-2526r-253DqSlvzjXM-5F-5FDWP1fRAZAm4uePacwZr000JAVPWhDr-2DT8-2526m-253DCM96OQwgcptHCs-5FPpQ3bfjzuq0nmjX8wYhX030tJvk-2526s-253DDWaeHQu5CYZmgLQjkcGvXge5ituPE618PM7Td6aK9yY-2526e-253D-26data-3D04-257C01-257CHBedwell-2540bellevuewa.gov-257C6b24d50c3bd147e040f208d91017b45b-257C222d2edd825545bd859752141b82f713-257C0-257C0-257C637558516295755088-257CUnknown-257CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I1haWwiLCJXVCi6Mn0-253D-257C1000-26sdata-3DYTao06mrr5zjUzhZtms-252FZK42G49j74liYG-252Fe5rVLis8-253D-26reserved-3D0%26d%3DDwMFAg%26c%3D2qU16x-MyLBBsjp4ZR92ow%26r%3DqSlvzjXM__DWP1fRAZAm4uePacwZr000JAVPWhDr-T8%26m%3DyJaFHjDtakvKITAHubfpdZYN0ZeQmx5o_uN-RHEkbtY%26s%3DvZ_k-gb1Z1gSlas6STjyrBsRQ3gqkW1iAyt3WMhtKQ%26e%3D&data=04%7C01%7CHBedwell%40bellevuewa.gov%7C3828e948debe4634621b08d9148a71ac%7C222d2edd825545bd859752141b82f713%7C0%7C0%7C637563407150979583%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I1haWwiLCJXVCi6Mn0%3D%7C1000&reserved=0) When the bulletin is sent we will mail the notice to properties within 1000' of properties that contain the transmission line. Could you please create a map with separate spreadsheet that shows these parcels and their addresses? We will create the list for the properties within 1000' we just need you to create the map and list of parcels that have the transmission line/easement. Can you get that to me in a week? In addition to the mailing we will be posting signs along the corridor consistent with our general practice for land use permit Process III applications. We're still evaluating the submitted materials so don't have a revision request for you yet but I expect there will be one after our June public meeting.

Re: Core Team Meetings, I agree this would be advisable but I haven't had a chance to discuss internally. These were the monthly meetings with a variety of staff not just energize permitting specific right? Nicholas Matz has left the city and Planning hasn't filled his position yet so I don't think anyone is covering the general electrical facility planning issues. I suspect you've had some staffing changes as well. Let me know if you have other thoughts about these meetings or who you think should be attending from both our side as well as yours.

I'll send a separate email about the South Segment permits.

Hope you are well.  
-Heidi

From: Strauch, Bradley <bradley.strauch@pse.com<mailto:bradley.strauch@pse.com>>  
Sent: Tuesday, March 16, 2021 11:05 AM  
To: Bedwell, Heidi <HBedwell@bellevuewa.gov<mailto:HBedwell@bellevuewa.gov>>  
Subject: RE: PSE North Bellevue Submittal Update

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Heidi,

As we move forward with the application review, we should think about re-instituting the Core Team Meetings were having. I suspect that we would want to wait until you have your review team in place and have had some time to look at the materials. Let me know if you have any questions or suggestions.

Best regards,

Brad

From: Strauch, Bradley  
Sent: Thursday, March 11, 2021 10:25 AM  
To: Heidi Bedwell (HBedwell@bellevuewa.gov<mailto:HBedwell@bellevuewa.gov>)  
<HBedwell@bellevuewa.gov<mailto:HBedwell@bellevuewa.gov>>  
Subject: PSE North Bellevue Submittal Update

Heidi,

Hope all is well. Just to let you know, we submitted the CUP and CALUP applications for the Energize Eastside North Bellevue Segment this morning. Let me know if you have any questions.

Best Regards,

Brad Strauch  
Puget Sound Energy  
Infrastructure Program Manager  
Energize Eastside  
D. (425) 456-2556  
C. (425) 214-6250

## Pittman, Reilly

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For mobile - forward to abuse@pse.com

Good morning Brad,

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Sent: Wednesday, May 05, 2021 3:47 PM  
To: Bedwell, Heidi <HBedwell@bellevuewa.gov>  
Cc: Worcester, Karen - Aerotek <Karen.Worcester@pse.com>  
Subject: RE: PSE North Bellevue Submittal Update

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Sent: Wednesday, April 28, 2021 2:36 PM  
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Subject: RE: PSE North Bellevue Submittal Update

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[https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Froofpoint.com%2Fv2%2Furl%3Fu%3Dhttps-3A\\_\\_gcc02.safelinks.protection.outlook.com\\_-3Furl-3Dhttps-253A-252F-252Furldefense.proofpoint.com-252Fv2-252Furl-253Fu-253Dhttps-2D3A-5F-5Fbellevuewa.gov-5Fcity-2D2Dgovernment-5Fdepartments-5Fdevelopment-5Fzoning-2D2Dand-2D2Dland-2D2Duse-5Fpublic-2D2Dnotice-2D2Dand-2D2Dparticipation-5Fenergize-2D2Deastside-2D2Dupdates-2526d-253DDwMFAg-2526c-253D2qU16x-2DMyLBBsjp4ZR92ow-2526r-253DqSlvjzXM-5F-5FDWP1fRAZAm4uePacwZr000JAVPWhDr-2DT8-2526m-253DCM96OQwgcptHCs-5FPpQ3bfjzuq0nmjX8wYhX030tJvk-2526s-253DDWaeHQu5CYZmgLQjkcGvXge5ituPE618PM7Td6aK9yY-2526e-253D-26data-3D04-257C01-257CHBedwell-2540bellevuewa.gov-257C6b24d50c3bd147e040f208d91017b45b-257C222d2edd825545bd859752141b82f713-257C0-257C0-257C637558516295755088-257CUnknown-257CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0-253D-257C1000-26sdata-3DYTao06mrr5zjUzhZtms-252FZK42G49j74liYG-252Fe5rVlis8-253D-26reserved-3D0%26d%3DDwMFAg%26c%3D2qU16x-MyLBBsjp4ZR92ow%26r%3DqSlvjzXM\\_\\_DWP1fRAZAm4uePacwZr000JAVPWhDr-T8%26m%3DyJaFHjDtakvKITAHubfpdZYNOZeQmx5o\\_uN-RHEkbtY%26s%3DvZ\\_k-gb1Z1gSlas6STjyrBsRQ3gqkW1iAyt3WMhtKQ%26e%3D&data=04%7C01%7CHBedwell%40bellevuewa.gov%7C3828e948debe4634621b08d9148a71ac%7C222d2edd825545bd859752141b82f713%7C0%7C0%7C637563407150979583%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C1000&reserved=0](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Froofpoint.com%2Fv2%2Furl%3Fu%3Dhttps-3A__gcc02.safelinks.protection.outlook.com_-3Furl-3Dhttps-253A-252F-252Furldefense.proofpoint.com-252Fv2-252Furl-253Fu-253Dhttps-2D3A-5F-5Fbellevuewa.gov-5Fcity-2D2Dgovernment-5Fdepartments-5Fdevelopment-5Fzoning-2D2Dand-2D2Dland-2D2Duse-5Fpublic-2D2Dnotice-2D2Dand-2D2Dparticipation-5Fenergize-2D2Deastside-2D2Dupdates-2526d-253DDwMFAg-2526c-253D2qU16x-2DMyLBBsjp4ZR92ow-2526r-253DqSlvjzXM-5F-5FDWP1fRAZAm4uePacwZr000JAVPWhDr-2DT8-2526m-253DCM96OQwgcptHCs-5FPpQ3bfjzuq0nmjX8wYhX030tJvk-2526s-253DDWaeHQu5CYZmgLQjkcGvXge5ituPE618PM7Td6aK9yY-2526e-253D-26data-3D04-257C01-257CHBedwell-2540bellevuewa.gov-257C6b24d50c3bd147e040f208d91017b45b-257C222d2edd825545bd859752141b82f713-257C0-257C0-257C637558516295755088-257CUnknown-257CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0-253D-257C1000-26sdata-3DYTao06mrr5zjUzhZtms-252FZK42G49j74liYG-252Fe5rVlis8-253D-26reserved-3D0%26d%3DDwMFAg%26c%3D2qU16x-MyLBBsjp4ZR92ow%26r%3DqSlvjzXM__DWP1fRAZAm4uePacwZr000JAVPWhDr-T8%26m%3DyJaFHjDtakvKITAHubfpdZYNOZeQmx5o_uN-RHEkbtY%26s%3DvZ_k-gb1Z1gSlas6STjyrBsRQ3gqkW1iAyt3WMhtKQ%26e%3D&data=04%7C01%7CHBedwell%40bellevuewa.gov%7C3828e948debe4634621b08d9148a71ac%7C222d2edd825545bd859752141b82f713%7C0%7C0%7C637563407150979583%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C1000&reserved=0) When the bulletin is sent we will mail the notice to properties within 1000' of properties that contain the transmission line. Could you please create a map with separate spreadsheet that shows these parcels and their addresses? We will create the list for the properties within 1000' we just need you to create the map and list of parcels that have the transmission line/easement. Can you get that to me in a week? In addition to the mailing we will be posting signs along the corridor consistent with our general practice for land use permit Process III applications. We're still evaluating the submitted materials so don't have a revision request for you yet but I expect there will be one after our June public meeting.

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Hope you are well.

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Sent: Tuesday, March 16, 2021 11:05 AM

To: Bedwell, Heidi <HBedwell@bellevuewa.gov<mailto:HBedwell@bellevuewa.gov>>

Subject: RE: PSE North Bellevue Submittal Update

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Brad Strauch

Puget Sound Energy

Infrastructure Program Manager

Energize Eastside

D. (425) 456-2556

C. (425) 214-6250

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Thanks for the update. Yes, next Wednesday (May 12) at 10:30 works. Do you want to set up the call, or would you like me to?

---

**From:** Bedwell, Heidi <HBedwell@bellevuewa.gov>  
**Sent:** Friday, May 7, 2021 6:57 AM  
**To:** Strauch, Bradley <bradley.strauch@pse.com>  
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## Pittman, Reilly

---

**From:** Strauch, Bradley <bradley.strauch@pse.com>  
**Sent:** Wednesday, May 5, 2021 3:47 PM  
**To:** Bedwell, Heidi  
**Cc:** Worcester, Karen - Aerotek  
**Subject:** RE: PSE North Bellevue Submittal Update  
**Attachments:** PSE\_NorthBellevue\_ParcelMap.pdf; PSE\_NorthBellevue\_ParcelList.xls

**[EXTERNAL EMAIL Notice!]** Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Heidi,

Attached is the requested map and address/parcel list. Let Karen or I know if you need anything else.

Best regards,

Brad

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**From:** Bedwell, Heidi <HBedwell@bellevuewa.gov>  
**Sent:** Wednesday, April 28, 2021 2:36 PM  
**To:** Strauch, Bradley <bradley.strauch@pse.com>  
**Subject:** RE: PSE North Bellevue Submittal Update

**CAUTION - EXTERNAL EMAIL**

Phishing? Click the PhishAlarm **"Report Phish"** button.

For mobile - forward to [abuse@pse.com](mailto:abuse@pse.com)

Hi Brad,

Realize it's been awhile since I've been in touch. I am working on noticing the subject applications in our weekly permit bulletin on May 13<sup>th</sup>. As part of that notice we'll be noticing the required first public meeting that will be held as part of the EBCC monthly meetings. Tentatively it's scheduled for June 1<sup>st</sup> but the Council may shift their meeting to June 8<sup>th</sup> because the 1<sup>st</sup> is the first Tuesday after the Memorial Day weekend. We will know the exact date after their May 4<sup>th</sup> meeting. Therefore, please hold both June 1<sup>st</sup> and 8<sup>th</sup> as meeting dates for now. We can discuss overall logistics (it will be a virtual zoom meeting) later. Consistent with our practices for the South Bellevue Segment we'll be creating a permitting page where we'll post project plans and other information about the process and meetings. For your reference see the existing page that will be edited <https://bellevuewa.gov/city-government/departments/development/zoning-and-land-use/public-notice-and-participation/energize-eastside-updates> When the bulletin is sent we will mail the notice to properties within 1000' of properties that contain the transmission line. Could you please create a map with separate spreadsheet that shows these parcels and their addresses? We will create the list for the properties within 1000' we just need you to create the map and list of parcels that have the transmission line/easement. Can you get that to me in a week? In addition to the mailing we will be posting signs along the corridor consistent with our general practice for land use permit Process III applications. We're still evaluating the submitted materials so don't have a revision request for you yet but I expect there will be one after our June public meeting.

Re: Core Team Meetings, I agree this would be advisable but I haven't had a chance to discuss internally. These were the monthly meetings with a variety of staff not just energize permitting specific right? Nicholas Matz has left the city and Planning hasn't filled his position yet so I don't think anyone is covering the general electrical facility planning issues. I

suspect you've had some staffing changes as well. Let me know if you have other thoughts about these meetings or who you think should be attending from both our side as well as yours.

I'll send a separate email about the South Segment permits.

Hope you are well.

-Heidi

---

**From:** Strauch, Bradley <[bradley.strauch@pse.com](mailto:bradley.strauch@pse.com)>

**Sent:** Tuesday, March 16, 2021 11:05 AM

**To:** Bedwell, Heidi <[HBedwell@bellevuewa.gov](mailto:HBedwell@bellevuewa.gov)>

**Subject:** RE: PSE North Bellevue Submittal Update

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Heidi,

As we move forward with the application review, we should think about re-instituting the Core Team Meetings we were having. I suspect that we would want to wait until you have your review team in place and have had some time to look at the materials. Let me know if you have any questions or suggestions.

Best regards,

Brad

---

**From:** Strauch, Bradley

**Sent:** Thursday, March 11, 2021 10:25 AM

**To:** Heidi Bedwell ([HBedwell@bellevuewa.gov](mailto:HBedwell@bellevuewa.gov)) <[HBedwell@bellevuewa.gov](mailto:HBedwell@bellevuewa.gov)>

**Subject:** PSE North Bellevue Submittal Update

Heidi,

Hope all is well. Just to let you know, we submitted the CUP and CALUP applications for the Energize Eastside North Bellevue Segment this morning. Let me know if you have any questions.

Best Regards,

**Brad Strauch**

Puget Sound Energy

Infrastructure Program Manager

Energize Eastside

D. (425) 456-2556

C. (425) 214-6250

## Pittman, Reilly

---

**From:** Strauch, Bradley <bradley.strauch@pse.com>  
**Sent:** Friday, April 30, 2021 8:43 AM  
**To:** Bedwell, Heidi  
**Subject:** RE: PSE North Bellevue Submittal Update

**[EXTERNAL EMAIL Notice!]** Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Heidi, good to hear from you. Thanks for all the information. We will hold those dates. Also, we are working on the property list/map and should be able to get that to you by early next week. We can follow-up in a couple of weeks regarding the Core team meetings. Kelsey Knowles will be the main point of contact for those meetings on our side.

Take care.

Brad

---

**From:** Bedwell, Heidi <HBedwell@bellevuewa.gov>  
**Sent:** Wednesday, April 28, 2021 2:36 PM  
**To:** Strauch, Bradley <bradley.strauch@pse.com>  
**Subject:** RE: PSE North Bellevue Submittal Update

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Best Regards,

**Brad Strauch**  
Puget Sound Energy  
Infrastructure Program Manager  
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D. (425) 456-2556  
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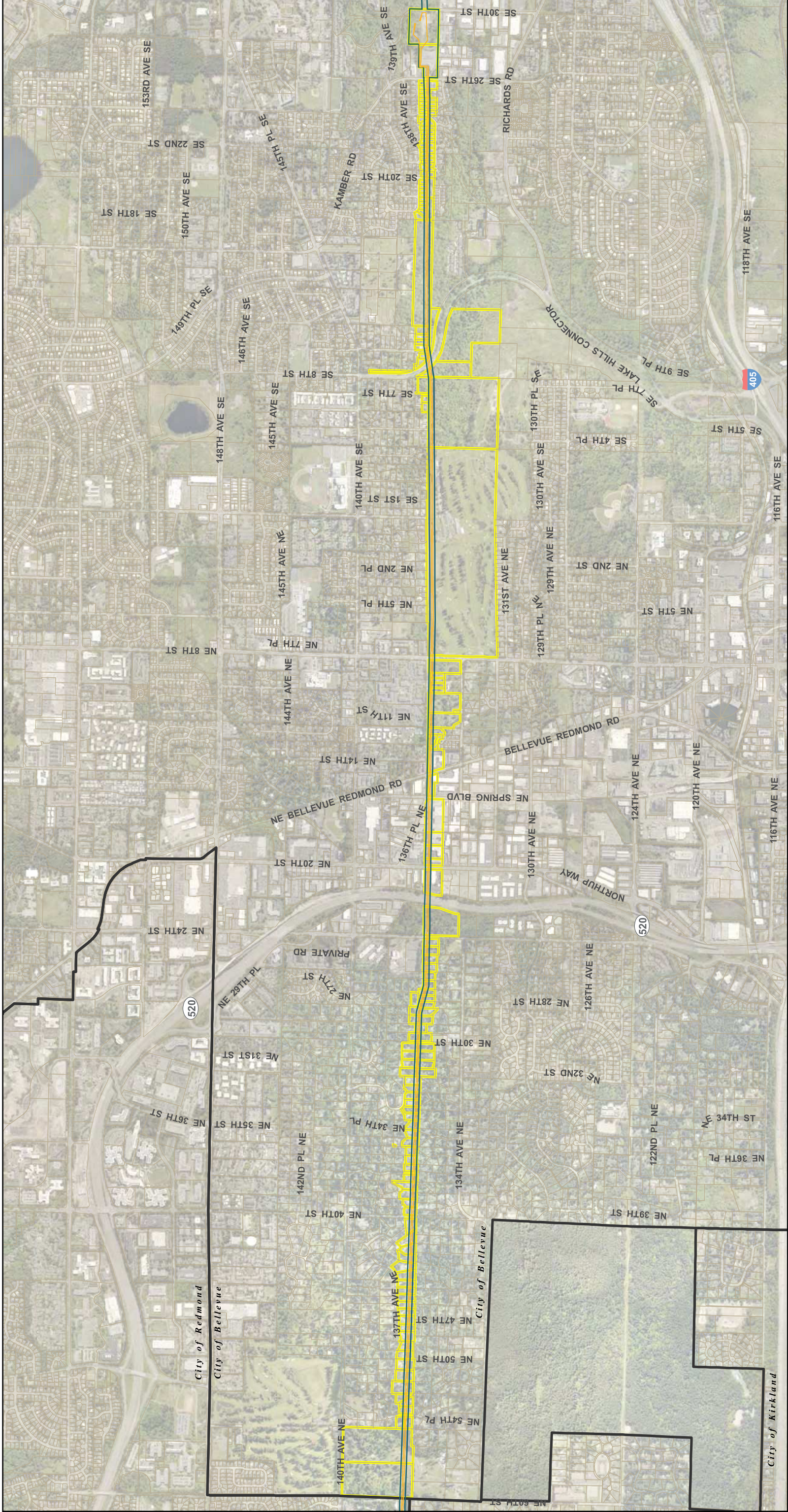


PARCEL	ADDR_FULL	ZIP5	PLUS4	CTYNAME
672100120	1024 134TH AVE NE	98005	2718	BELLEVUE
672100135	1060 134TH AVE NE	98005	2718	BELLEVUE
672100140	1220 134TH AVE NE	98005	2720	BELLEVUE
3425059016	13204 SE 8TH PL	98005		BELLEVUE
2725059191	13424 NE 20TH ST	98005	2025	BELLEVUE
2225059292	13425 NE 27TH ST	98005	1805	BELLEVUE
2725059034	13427 NE 20TH ST	98005	2043	BELLEVUE
2725059234	13431 NE 20TH ST	98005	2010	BELLEVUE
2725059045	13431 NE 24TH ST	98005		BELLEVUE
2225059291	13431 NE 27TH ST	98005	1805	BELLEVUE
2725059334	13433 NE 20TH ST	98005	2024	BELLEVUE
2225059234	13436 NE 25TH ST	98005	1804	BELLEVUE
3425059010	13440 MAIN ST	98005	3799	BELLEVUE
2225059209	13440 NE 25TH ST	98005	1804	BELLEVUE
2225059036	13441 NE 25TH ST	98005	1803	BELLEVUE
2225059230	13445 NE 27TH PL	98005	1806	BELLEVUE
2225059231	13450 NE 27TH PL	98005	1807	BELLEVUE
2225059260	13455 NE 27TH PL	98005	1806	BELLEVUE
9538900010	13500 SE 24TH ST	98005	4043	BELLEVUE
5415700030	13508 NE 29TH PL	98005	1845	BELLEVUE
2225059273	13521 NE 30TH ST	98005	1809	BELLEVUE
1331700120	13540 NE 54TH PL	98005	1036	BELLEVUE
1331700010	13545 NE 54TH PL	98005	1037	BELLEVUE
1331700030	13549 NE 54TH PL	98005	1037	BELLEVUE
2225059283	13550 NE 24TH ST	98005	1832	BELLEVUE
1331700110	13550 NE 54TH PL	98005	1036	BELLEVUE
1331700040	13553 NE 54TH PL	98005	1037	BELLEVUE
672100160	13555 BEL RED RD	98005		BELLEVUE
672100176	13570 BEL RED RD	98005		BELLEVUE
1065500070	13600 NE 48TH PL	98005	1114	BELLEVUE
7701950080	13601 NE 34TH PL	98005	1470	BELLEVUE
2077700043	13601 SE 10TH ST	98005	3715	BELLEVUE
3425059017	13601 SE 7TH ST	98005	3735	BELLEVUE
1024059092	13602 SE 26TH ST	98005	4209	BELLEVUE
2806300070	13603 NE 36TH PL	98005	1411	BELLEVUE
9304400120	13604 NE 26TH PL	98005	1834	BELLEVUE
1896700090	13604 NE 28TH ST	98005	1841	BELLEVUE
7811220130	13604 SE 18TH ST	98005	4064	BELLEVUE
1065500080	13605 NE 48TH PL	98005	1113	BELLEVUE
1024059120	13605 SE 24TH ST	98005	4045	BELLEVUE
3425059036	13606 SE 7TH ST	98005	3709	BELLEVUE
2077700042	13607 SE 10TH ST	98005	3715	BELLEVUE
2806300160	13608 NE 36TH PL	98005	1412	BELLEVUE
3425059287	13608 SE 7TH ST	98005	3709	BELLEVUE
1896700020	13609 NE 28TH ST	98005	1860	BELLEVUE
2806300060	13609 NE 36TH PL	98005	1411	BELLEVUE
8669400110	13610 NE 40TH ST	98005	1427	BELLEVUE
2077700036	13610 SE 10TH ST	98005	3716	BELLEVUE
2225059272	13611 NE 30TH ST	98005	1810	BELLEVUE
1445500060	13611 NE 37TH PL	98005	1417	BELLEVUE
7811220040	13611 SE 20TH ST	98005	4047	BELLEVUE
1896700080	13612 NE 28TH ST	98005	1841	BELLEVUE
1445500050	13612 NE 37TH PL	98005	1418	BELLEVUE
7811220050	13612 SE 20TH ST	98005	4048	BELLEVUE
1024059065	13612 SE 26TH ST	98005	4209	BELLEVUE
2077700041	13613 SE 10TH ST	98005	3715	BELLEVUE

2077700035	13614 SE 10TH ST	98005	3716	BELLEVUE
1024059083	13615 SE 26TH ST	98005	4209	BELLEVUE
1896700030	13619 NE 28TH ST	98005	1860	BELLEVUE
2077700040	13619 SE 10TH ST	98005	3715	BELLEVUE
8669400130	13621 NE 42ND ST	98005	1101	BELLEVUE
1329000060	13623 NE 32ND PL	98005	1400	BELLEVUE
8669400140	13632 NE 42ND ST	98005	1102	BELLEVUE
8669400120	13633 NE 42ND ST	98005	1101	BELLEVUE
1024059119	13635 SE 24TH ST	98005	4045	BELLEVUE
2225059353	13640 NE 37TH PL	98005	1418	BELLEVUE
2225059352	13646 NE 37TH PL	98005	1418	BELLEVUE
1329000080	13647 NE 32ND PL	98005	1400	BELLEVUE
7701950070	13650 NE 34TH PL	98005	1470	BELLEVUE
1329000090	13659 NE 32ND PL	98005	1400	BELLEVUE
1024059114	13665 SE 24TH ST	98005	4045	BELLEVUE
7811210270	13700 SE 23RD LN	98005	4026	BELLEVUE
2225059159	13701 NE 32ND PL	98005	1401	BELLEVUE
7811210260	13710 SE 23RD LN	98005	4026	BELLEVUE
7811210250	13726 SE 23RD LN	98005	4026	BELLEVUE
7811210240	13730 SE 23RD LN	98005	4026	BELLEVUE
7811210230	13740 SE 23RD LN	98005	4026	BELLEVUE
7811210220	13750 SE 23RD LN	98005	4026	BELLEVUE
2725059009	1611 136TH PL NE	98005	2372	BELLEVUE
7811220120	1801 136TH PL SE	98005	4061	BELLEVUE
7811220110	1805 136TH PL SE	98005	4061	BELLEVUE
7811220100	1809 136TH PL SE	98005	4061	BELLEVUE
7811220090	1813 136TH PL SE	98005	4061	BELLEVUE
7811220080	1907 136TH PL SE	98005	4059	BELLEVUE
7811220070	1911 136TH PL SE	98005	4059	BELLEVUE
7811220060	1915 136TH PL SE	98005	4059	BELLEVUE
686050100	1990 134TH PL SE	98005	8063	BELLEVUE
686050040	2034 135TH PL SE	98005	4002	BELLEVUE
686050030	2060 135TH PL SE	98005	4002	BELLEVUE
686050020	2078 135TH PL SE	98005	4002	BELLEVUE
686050010	2096 135TH PL SE	98005	4002	BELLEVUE
7811210160	2103 138TH AVE SE	98005	4017	BELLEVUE
7811210171	2107 138TH AVE SE	98005	4017	BELLEVUE
7811210180	2111 138TH AVE SE	98005	4017	BELLEVUE
7811210190	2117 138TH AVE SE	98005	4017	BELLEVUE
9538900070	2200 135TH PL SE	98005	4074	BELLEVUE
7811210200	2201 138TH AVE SE	98005	4019	BELLEVUE
9538900060	2208 135TH PL SE	98005	4074	BELLEVUE
7811210210	2213 138TH AVE SE	98005	4019	BELLEVUE
9538900050	2214 135TH PL SE	98005	4074	BELLEVUE
9538900040	2220 135TH PL SE	98005	4074	BELLEVUE
9538900030	2230 135TH PL SE	98005	4074	BELLEVUE
9538900020	2240 135TH PL SE	98005	4074	BELLEVUE
514500005	2405 137TH AVE SE	98005	4053	BELLEVUE
514500010	2413 137TH AVE SE	98005	4053	BELLEVUE
514500015	2419 137TH AVE SE	98005	4053	BELLEVUE
514500020	2427 137TH AVE SE	98005	4053	BELLEVUE
514500025	2435 137TH AVE SE	98005	4053	BELLEVUE
514500030	2443 137TH AVE SE	98005	4053	BELLEVUE
514500035	2451 137TH AVE SE	98005	4053	BELLEVUE
514500040	2457 137TH AVE SE	98005	4053	BELLEVUE
3791000030	3008 135TH AVE NE	98005	1855	BELLEVUE
3791000090	3009 137TH AVE NE	98005	1849	BELLEVUE

3791000080	3023 137TH AVE NE	98005	1849	BELLEVUE
3791000040	3024 135TH AVE NE	98005	1855	BELLEVUE
3791000050	3036 135TH AVE NE	98005	1855	BELLEVUE
3791000070	3041 137TH AVE NE	98005	1849	BELLEVUE
3791000060	3049 137TH AVE NE	98005	1849	BELLEVUE
2225059156	3058 135TH AVE NE	98005	1855	BELLEVUE
627100100	3839 136TH AVE NE	98005	1439	BELLEVUE
627100010	3851 136TH AVE NE	98005	1439	BELLEVUE
8669400200	4265 137TH AVE NE	98005	1123	BELLEVUE
8669400210	4277 137TH AVE NE	98005	1123	BELLEVUE
8669400220	4285 137TH AVE NE	98005	1123	BELLEVUE
8669400230	4407 137TH AVE NE	98005	1125	BELLEVUE
8669400240	4421 137TH AVE NE	98005	1125	BELLEVUE
8669400250	4433 137TH AVE NE	98005	1125	BELLEVUE
8669400260	4439 137TH AVE NE	98005	1125	BELLEVUE
8669400270	4615 137TH AVE NE	98005	1141	BELLEVUE
8669400280	4633 137TH AVE NE	98005	1141	BELLEVUE
8669400290	4649 137TH AVE NE	98005	1141	BELLEVUE
1525059160	5269 140TH AVE NE	98005	1024	BELLEVUE
1525059156	5273 140TH AVE NE	98005	1024	BELLEVUE
1525059182	5277 140TH AVE NE	98005	1024	BELLEVUE
1525059247	5755 140TH AVE NE	98005	1018	BELLEVUE
672100111	833 136TH AVE NE	98005	3419	BELLEVUE
672100112	841 136TH AVE NE	98005	3419	BELLEVUE
672100113	849 136TH AVE NE	98005	3419	BELLEVUE
672100115	857 136TH AVE NE	98005	3419	BELLEVUE
7811220560				BELLEVUE
760580TRCT				BELLEVUE
7605800160				BELLEVUE
7605800150				BELLEVUE
2725059062				BELLEVUE
207770UNKN				BELLEVUE
1525059269				BELLEVUE
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1024059089				BELLEVUE
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324059047				BELLEVUE
324059009				BELLEVUE

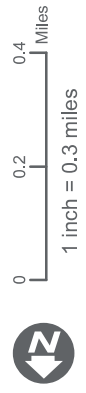




**PARCELS THAT INTERSECT  
THE PSE EASEMENT**

**NORTH BELLEVUE**

BASED ON PSE ENGINEERING  
DESIGN REVISION Y



SOURCES: Roads and Parcels - King County (2015), Aerial - King County (2015) Online; Streams, Wetlands and Buffers, Landslide Hazard and Buffers, and Steep Slopes and Buffers from Watershed Company (2018).  
For cartographic purposes only.

- Transmission Line - Proposed
- Project Corridor
- Parcels that Intersect PSE Easement
- Parcel
- City Jurisdiction Boundary



## Ernst, Lyudmila (Mila)

---

**From:** Clara Park <[cpark@vnf.com](mailto:cpark@vnf.com)>  
**Sent:** Wednesday, August 30, 2023 12:46 PM  
**To:** McFarland, Matthew <[MMcfarland@bellevuewa.gov](mailto:MMcfarland@bellevuewa.gov)>  
**Subject:** Energize Eastside - permitting review status

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Matt,

Thanks again for discussing the status of the Energize Eastside project with me yesterday. As we discussed, PSE's projected service date for the North segment of the Energize Eastside project is October 2024. This schedule is reflected in the Washington Transportation and Utilities Commission's final order approving PSE's current two-year rate plan (starting on January 1, 2023). On July 6, Dan Koch and Brad Strauch of PSE met with Rebecca Horner, Gregg Shrader, and Liz Stead to discuss permit review timing and achieving alignment with the October 2024 service date. During that discussion, the City agreed to conduct concurrent review of the project's construction permit applications, pending the processing of the project's land use permits.

PSE provided its clearing and grading permit submittal for the North Bellevue segment last Friday, August 25. We appreciate the City's agreement to concurrent review of this submittal. We also appreciate the City's efforts to timely review and hold a public hearing on the pending land use permit applications. I look forward to hearing from you soon regarding the anticipated schedule for holding the public hearing. If there are any questions regarding any of the application materials, please do not hesitate to reach out to Brad Strauch at [bradley.strauch@pse.com](mailto:bradley.strauch@pse.com).

Best regards,

Clara Park | Partner



1191 Second Avenue, Suite 1800  
Seattle, WA 98101-2996

[cpark@vnf.com](mailto:cpark@vnf.com) | [vnf.com](http://vnf.com) | D: 206.802.3855

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## Ernst, Lyudmila (Mila)

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**Subject:** FW: Letter re: Energize Eastside/HB 1216  
**Attachments:** 2023 0816 - LTR to M. McFarland re EE230kV.pdf

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**From:** Clara Park <[cpark@vnf.com](mailto:cpark@vnf.com)>  
**Sent:** Wednesday, August 16, 2023 1:04 PM  
**To:** McFarland, Matthew <[MMcfarland@bellevuewa.gov](mailto:MMcfarland@bellevuewa.gov)>  
**Cc:** Sara Leverette ([Sara.Leverette@pse.com](mailto:Sara.Leverette@pse.com)) <[Sara.Leverette@pse.com](mailto:Sara.Leverette@pse.com)>  
**Subject:** Letter re: Energize Eastside/HB 1216

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Matt,

Attached please find a letter relating to the Energize Eastside project and the application of a recently adopted state law (specifically, HB 1216). If you have any questions or wish to discuss anything, please do not hesitate to contact me.

Best regards,

Clara Park | Partner



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August 16, 2023

**VIA EMAIL ONLY** ([mmcfarland@bellevuewa.gov](mailto:mmcfarland@bellevuewa.gov))

Mr. Matt McFarland  
Assistant City Attorney  
450 110th Ave N.E.  
Bellevue, WA 98004

Re: Application of HB 1216  
Energize Eastside 230kV Project, North Bellevue  
File No. 2020-112645-DB

Dear Mr. McFarland:

I am writing on behalf of Puget Sound Energy, Inc. (PSE) to discuss the application of a newly enacted state law, HB 1216, to the Energize Eastside project. HB 1216 took effect on July 23, 2023. As discussed below, HB 1216 prohibits consideration of project need and supersedes conflicting provisions of Bellevue's Land Use Code (LUC). As such, although PSE has provided a complete record, issues of project need and utility should not be considered at the upcoming permit hearing.

***The Energize Eastside Record on Project Need***

As you are aware, PSE applied for permits for the North Bellevue segment of the Energize Eastside project. The applicable code criteria include LUC 20.20.255, which applies to electrical utility facilities, and which require applicants to make certain demonstrations of project necessity and utility. PSE also provided a complete record that satisfies LUC 20.20.255 as part of our North Bellevue segment application.<sup>1</sup>

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<sup>1</sup> As summarized in the South Bellevue permit decision, the need for a transmission upgrade in the Eastside was first identified in 1993, and the need has been consistently confirmed through multiple studies conducted by independent third-party experts and by PSE. Most recently, the City of Newcastle's independent consultants provided a study completed June 28, 2020, which concluded that there is a summer transmission capacity deficiency under current conditions. Similarly, PSE's 2022 Energize Eastside Needs Assessment Update, provided to the City on November 28, 2022, confirmed the present deficiency based on the latest load forecast and system information. And finally, on July 11, 2023, PSE provided an updated reliability certification that again confirmed need, supported by PSE's annual transmission planning assessments and by the Washington Utilities and Transportation Commission (WUTC).



## ***Background of HB 1216***

In April 2023, following a request from Governor Inslee, the Washington Legislature passed HB 1216 to promote efficient and effective siting and permitting of clean energy projects.<sup>2</sup> The legislation is a product of broad collaboration and support from varied stakeholders including the Departments of Ecology and Commerce, the Office of the Governor, Earthjustice, The Nature Conservancy, labor and business groups, and utilities including PSE.<sup>3</sup> Section 304 of HB 1216 adds a new section to chapter 36.70B RCW, Local Project Review, and states in full:

**PROHIBITION ON DEMONSTRATION OF NEED.** During project review of a project to construct or improve facilities for the generation, transmission, or distribution of electricity, a local government may not require a project applicant to demonstrate the necessity or utility of the project other than to require, as part of a completed application under RCW 36.70B.070(2), submission of any publicly available documentation required by the federal energy regulatory commission or its delegees or the utilities and transportation commission or its delegees, or from any other federal agency with regulatory authority over the assessment of electric power transmission and distribution needs as applicable.

HB 1216 became effective on July 23, 2023.

### ***HB 1216's Application to Energize Eastside***

As explained above, the record is complete with respect to LUC 20.20.255's criteria relating to project need and utility. Once HB 1216 took effect on July 23, 2023, however, Section 304's prohibition on demonstrations of need preempted any conflicting provisions in local code. We recognize that the LUC has not been amended to incorporate Section 304, and the code may not be amended before the public hearing or the Hearing Examiner's issuance of a decision on the North Segment of the Energize Eastside project. However, a code amendment is not a prerequisite as state law preemption of conflicting local code is self-executing.

Washington courts have consistently upheld local governments' application of state law and recent amendments in pending proceedings, even when local regulations have not been amended to reflect a change in state law. For example, *Fischer Studio Bldg. Condo. Owners Ass'n v. City of Seattle*, 25 Wn. App. 2d 593, 524 P.3d 708 (2023) addressed the application of new legislation that precluded SEPA appeals based on light and glare impacts for certain projects. Although the City had not yet amended its local SEPA regulations to incorporate the new legislation,<sup>4</sup> the City argued that the statutory amendment precluded an ongoing SEPA appeal and the Court of Appeals agreed, concluding that the amendment extinguished the appellant's claims. *Id.* at 599–600; *see also City of Olympia v. W. Wash. Growth Mgmt. Hearings Bd.*, 531 P.3d 816, 818–19 (Wash. Ct. App. 2023) (concluding that the City of Olympia properly moved to dismiss an administrative appeal after a recent legislative amendment took effect and limited the grounds for appeal).

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<sup>2</sup> HB 1216, Sec. 1.

<sup>3</sup> *See* S.B. Rep. on HB 1216 and H.B. Rep. on HB 1216.

<sup>4</sup> *See* Seattle Municipal Code 25.05.680.H.3 (amended by Ord. 126685, effective Nov. 3, 2022).

Further, it is appropriate for a city attorney or hearing examiner to consider and apply state law over conflicting local regulations. For example, in *Rental Hous. Ass'n of Washington v. City of Fed. Way*, 24 Wn. App. 2d 360, 366–69, 520 P.3d 87 (2022), the Court of Appeals upheld a city attorney’s failure to adhere to the City of Federal Way’s local initiative procedures, because the ordinance conflicted with state law. As the Court stated: “Because the Federal Way initiative procedure irreconcilably conflicts with state law, the city attorney correctly refused to follow it.” *Id.* at 369; *see also Klineburger v. King Cnty. Dep’t of Dev. & Env’tl. Servs. Bldg.*, 189 Wn. App. 153, 165–67, 356 P.3d 223 (2015) (affirming decision by county and hearing examiner that denied issuance of a building permit for floodway construction, based on consideration of state regulations restricting floodway construction).

Here, because HB 1216 is now effective and unambiguously precludes a review of project need, the City and its Hearing Examiner should give it full force and effect when making decisions on the pending Energize Eastside application.

### ***Applying HB 1216 to the LUC’s Electrical Utility Facilities Criteria***

A city “may exercise only such power as is delegated to it by the Legislature.” *Employco Pers. Servs., Inc. v. City of Seattle*, 117 Wn.2d 606, 617, 817 P.2d 1373 (1991), *as modified* (Nov. 19, 1991). “Attached to “every ordinance or resolution affecting, or adopted by, a municipality, is the implied condition that the same must yield to the predominant power of the state, when that power has been exercised.” *Id.* (cleaned up). When a local ordinance conflicts with state law, the state law preempts. *Id.* An irreconcilable conflict exists when an ordinance “permits or licenses that which the statute forbids and prohibits, and vice versa.” *Id.* at 618. Further, “[a] local regulation that conflicts with state law fails in its entirety.” *Parkland Light & Water Co. v. Tacoma-Pierce Cnty. Bd. of Health*, 151 Wn.2d 428, 434, 90 P.3d 37 (2004).

Here, the Legislature has plainly prohibited local governments from requiring project applicants to demonstrate the need or utility of a project to construct or improve electrical utility facilities (with one limited exception discussed further below). LUC 20.20.255 contains provisions that require a demonstration of project need and utility, in direct conflict with state law. Specifically, the decision criteria for electrical utility facility projects, set forth in LUC 20.20.255.E, require applicants to “demonstrate that an operational need exists that requires the location or expansion at the proposed site” (LUC 20.20.255.E.3) and “demonstrate that the proposed electrical utility facility improves reliability to the customers served and reliability of the system as a whole, as certified by the applicant’s licensed engineer” (LUC 20.20.255.E.4).<sup>5</sup>

In short, LUC 20.20.255.E.3–4 are local regulations that permit what the state law prohibits—a demonstration of project need and utility for electrical utility facilities. These regulations conflict with SHB 1216 and so should not be applied following the effective date of HB 1216.

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<sup>5</sup> LUC 20.20.255.D also requires applicants to submit an alternatives siting analysis (ASA), and the required content includes matters that demonstrate project need and utility (e.g., LUC 20.20.255.D.2.c, -3.b-d). However, PSE understands that the ASA requirements are not part of the decision criteria for electric utility facilities. While we believe that some of the ASA requirements conflict with HB 1216 and should be amended, to simplify the issues for hearing, this analysis focuses solely on the decision criteria that conflict with HB 1216.

We recognize that HB 1216 allows local governments to require, as part of a completed application, “submission of any publicly available documentation” required by the WUTC, the Federal Energy Regulatory Commission (FERC), or their delegees. Accordingly, Bellevue’s City Council may amend the LUC to adopt this limited allowance. However, this allowance cannot be reconciled with or read into the current language of LUC 20.20.255.E.3–4. Although courts attempt to harmonize a local regulation with a statute if possible, harmonization requires an examination of the regulation’s plain language as written, and courts do not attempt to rewrite or modify a regulation in an effort to harmonize the language. *See Anti-Smoking All. v. Tacoma-Pierce Cnty. Dep’t of Health & Health Bd.*, 13 Wn. App. 2d 438, 448, 464 P.3d 1205 (2020) (concluding that regulation as written could not be harmonized with conflicting statute); *Langhorst v. Wash. State Dep’t of Labor & Indus.*, 25 Wn. App. 2d 1, 9, 522 P.3d 60 (2022), *rev. denied*, 528 P.3d 358 (Wash. 2023) (“[W]e cannot rewrite or modify the language of a statute under the guise of statutory interpretation or construction.”).<sup>6</sup>

Through years of extensive studies, permitting and review efforts by the Partner Cities, and litigation before the WUTC and FERC, the record for the North Bellevue segment is complete regardless of the specific regulations that apply—the record is complete under LUC 20.20.255.E as it existed before HB 1216 took effect, and the record is complete even if LUC 20.20.255.E were amended to conform with HB 1216’s limited allowance for submission of publicly available documents. However, because LUC 20.20.255.E.3–4 conflict with HB 1216 and have not been amended, the City should not enforce or apply those provisions at the upcoming permit hearing.

We look forward to the City’s consideration of these issues, and we thank the City for its continued efforts on this important project.

Very truly yours,



Clara Park

cc: Sara Leverette, PSE - sara.leverette@pse.com

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<sup>6</sup> It is worth noting that even if LUC 20.20.255 were amended to conform with HB 1216 and required submission of publicly available documentation from the WUTC and FERC, the current record is complete. In the July 11, 2023 updated reliability certification, PSE provided the latest decisions from the WUTC and FERC relating to the Energize Eastside project. As summarized in that letter, on December 22, 2022, the WUTC specifically found that PSE established need and evaluated alternatives for the Energize Eastside project. The decision followed an open-record hearing, during which the WUTC considered evidence submitted by PSE, the Coalition of Eastside Neighborhoods for Sensible Energy (CENSE), and other parties. Similarly, on April 24, 2023, FERC issued an order dismissing a complaint filed by CENSE. Although FERC did not assess questions of project need, FERC concluded that PSE’s annual planning studies complied with FERC’s mandatory transmission planning requirements. These decisions and the underlying docket documents are publicly available, and as stated in PSE’s July 11, 2023 letter, the City’s permit record should be supplemented to consider and incorporate these documents.