

## Nesse, Katherine

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**From:** Ju, Cindy <Cindy.Ju@hines.com>  
**Sent:** Thursday, July 17, 2025 10:10 AM  
**To:** PlanningCommission; Council; Carlson, Diane (she/her); Horner, Rebecca D; King, Emil A.  
**Cc:** Kuntz, Charles; Bennion, Ty; Kacsur, Hunter; Jack McCullough; Jessica Clawson  
**Subject:** Objections to Downtown Affordable Housing Proposal  
**Attachments:** Objections to Downtown Affordable Housing Proposal.pdf

You don't often get email from cindy.ju@hines.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Dear Chair Geoppele and Commission Members,

Please see the attached letter outlining our concerns with the current Downtown Bellevue Affordable Housing Proposal. We welcome the opportunity to discuss and collaborate on an approach that meets the City's goals and addresses the market realities.

Best,  
Cindy

Cindy Ju

**Hines**

801 2<sup>nd</sup> Avenue | Suite 800 | Seattle, WA 98104

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**Intelligent Real Estate Investment, Development and Management**

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Craighton Goepppele, Chair  
Planning Commission  
City of Bellevue  
450 110<sup>th</sup> Avenue NE  
Bellevue, Washington 98004

Re: Objections to Downtown Affordable Housing Proposal

Dear Chair Geoppele and Commission Members:

We are major owners and developers in downtown Bellevue. A few of the more recent projects we have developed in downtown Bellevue include Tower 333 and Summit III, totaling ~800K square feet. Currently, we have in planning the HoM District Project, a ~1.4 million square foot mixed-use development comprising of office, residential, retail, and outdoor amenity space. Our commitment to downtown Bellevue is measured in the hundreds of millions of dollars. This commitment has been based on the trust that the City would communicate with us on planning issues and that zoning changes would be designed to promote new development. We recognize that zoning must be designed to address the needs of the community, such as in the areas of affordable housing, sustainability, transportation improvements and pedestrian activation. But in order to address these needs, a zoning code must ensure that development is feasible.

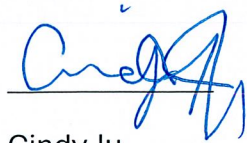
We have been made aware of the City's plan to impose a new affordable housing requirement on new development downtown, potentially including a fee as high as \$52/s.f. We are troubled that no one at the City has reached out to us to discuss this issue, to consider alternatives, to understand how it might impact our current plans. This lack of outreach and communication is a major flaw in this process and no proposal should be considered until legitimate outreach occurs. We have been major owners in downtown Bellevue for many years. Our interests and identity are not a secret to the City. We expect to get a call.

Worse, the concept of a new affordable housing fee on downtown development, especially without some corresponding development enhancement or incentive, will doom our current development efforts. The current market is already difficult enough to navigate; piling on new and significant project expenses only makes the likelihood of new development more remote. And we are seriously concerned that the proposed fees and requirements are not consistent with legal requirements.

We need the City to invite us to the table for a conversation. We need to understand the City's goals and the City needs to understand our constraints and market realities. And

then we need to work on this issue together. It is how we have worked with Bellevue to great and mutual success in the past. It is time for the City to return to its best practices.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cindy Ju', written over a horizontal line.

Cindy Ju

Hines

cc: Mayor Lynne Robinson  
City Councilmembers  
Rebecca Horner  
Emil King  
Diane Carlson

## Nesse, Katherine

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**From:** Ann Brashear <abrashear@comcast.net>  
**Sent:** Thursday, July 17, 2025 10:24 AM  
**To:** PlanningCommission; Malakoutian, Mo  
**Cc:** 'Newport Hills Community Club'; Nesse, Katherine  
**Subject:** Neighborhood Area Plan - Newport - public hearing on draft plan

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Dear Planning Commissioners and Deputy Mayor Malakoutian,

I recognize the work the staff has done to date to develop this draft.

However, the draft largely misses the main point of what makes Newport unique and gives it its special character. The Newport Hills/Lake Heights portion of this neighborhood was developed as a planned community, with a central commercial district as its hub. The neighborhood is mainly single-family but the commercial district is surrounded by a deep layer of several types of multifamily housing. Schools, churches, the swim and tennis club, parks, and bus service are also clustered around the central commercial district. This set-up is what makes our neighborhood convenient (we can access many goods and services without leaving our hill), walkable (there's something to walk to) and socially cohesive (there's places to meet up with people) – it gives the neighborhood the feel of a hometown within and apart from “the big city.”

So the central commercial district in Newport Hills is *the* crucial feature to preserve and enhance in Newport.

The draft policies give a brief nod to the existence of the neighborhood center, where they should instead *clearly recognize its function* (as a source of goods and services, as a place to gather, and as the linchpin of our neighborhood's character) *and emphasize the importance of preserving that function through whatever evolution the next couple of decades bring.*

Previous redevelopment proposals for the key Newport Hills Shopping Center parcel would have obliterated its “public square” function and replaced it with ram-and-cram infill housing and a token fringe of retail. We trust that, as with those past proposals, the Planning Commission will see the value of that public square and adopt a NAP that supports its future.

Our neighborhood has been waiting a long time for its new Neighborhood Area Plan. We need and deserve a NAP that clearly recognizes, then creates a framework for preserving and enhancing, what is unique and cherished about our neighborhood.

Following the signature below I give suggested wording (and some explanatory notes) for the additions and changes the draft needs. These are highlighted in blue and yellow respectively –



please let me know if the highlighting doesn't show up in what you receive and I will provide the comments another way.

Thank you.

Ann Brashear  
Newport Hills

## The Vision

**Newport is a connected neighborhood with strong social bonds and a deep relationship with the natural environment.**

The future of the Newport neighborhood is built around supporting connections between neighbors and with the natural world **and retaining the neighborhood's central commercial district as the hub that gives the neighborhood its unique character.** Newport is home to residents from a variety of cultural and economic backgrounds. Residents often experience the area through smaller sub-neighborhoods and value the hometown atmosphere of the neighborhood. Residents, business owners, and visitors work together to build and maintain the social fabric of the area. The neighborhood-serving commercial center on 119th Avenue SE between SE 56th Street and SE 60th Street is a unique commercial area that **contributes to underlies** the identity of the neighborhood as a tucked away gem. The neighborhood is anchored by wild areas full of life. It is connected internally and to the region through well-designed roads, convenient transit, trails, sidewalks, bike lanes and paths. Newport's future is supported by transportation infrastructure, environmental amenities and community facilities.

[sections omitted]

## Community Context

[sections omitted]

### **Neighborhood Conditions and Built Form**

[sections omitted]

Because of the geographic features like the hills, streams, the lake and the presence of I-405 and its interchanges, access to and from the neighborhood is limited, **especially by car whether by car, bus, or active transportation modes. Access by any mode is limited.** There are primarily four street access points on and off the hill east of I-405 and two street access points in and out of the area west of I-405. The local street network is typical of suburban development with winding streets focused on fitting in with the area's topology and natural features.

### **Neighborhood Challenges and Opportunities**

#### *Community Change*

Newport community members value community interconnectedness. The residents of the newly built neighborhood in the 1950s were largely young families. This is reflected in the development of three school facilities in Newport. As young families age and residents' jobs and family situations change, the uniformity of the early community has changed. Today, residents are more diverse in age, race and family make-up. The social life of the early neighborhood revolved around the swim and tennis club and the yacht club, the commercial area -- now identified as a Neighborhood Center -- and the schools. Today, with the more diverse neighborhood, these places remain important **but although** social connections are made in more contexts. **and However, the neighborhood center remains the key social and economic hub particularly of the area east of I-405, and** the social life of the neighborhood remains a priority for many people, both new and old residents.

[sections omitted]

## **An Urban Design Framework for Newport**

[sections omitted]

An urban design framework for enhancing neighborhood gathering spaces in Newport entails potential design strategies as illustrated conceptually by the following concept map and supported by neighborhood area plan policies:

- Strengthened role of Newport’s Neighborhood Center as a place for community to gather and to access goods and services. The added “to” is important because “gathering” is a purpose separate from “accessing goods and services.”

[sections omitted]

### **Neighborhood Policy Summary**

#### *Neighborhood Identity*

A neighborhood identity evolves over time as residents and businesses change, reflecting the varied history of the area and incorporating the cultures and needs of new residents and businesses. Newport, particularly the portion east of I-405, has an unusual “hometown within the city” identity because of its neighborhood center, which provides access to goods and services as well as opportunities for neighbors to encounter each other. Newport also has a very close tie to nature, through the multiple parks and its connection to Lake Washington. The trails and pedestrian paths link sub-neighborhoods together and to parks and points outside the neighborhood. The neighborhood’s unique identity is much more about the central commercial district than our parks and trails.

#### *Neighborhood Center*

Neighborhood Centers are nodes of commercial activity in otherwise residential areas. The primary purpose is to serve the daily needs of the local residents and be a focus of moderately dense housing development. The Neighborhood Center, on and around the Newport Hills Shopping Center, serves as a hub of activity and identity point for the community. The future of this area will be a mixed use area focused around a pedestrian-oriented neighborhood-serving commercial district.

#### *Community Gathering Spaces*

People in Newport value good relationships with the people that live around them and strive for an interconnected neighborhood. There are key places of connection such as the Newport Shores Yacht Club, the Newport Swim and Tennis Club and Newport Heights Elementary, as well as the restaurants, gym, and other businesses in the neighborhood center, and the churches located in the neighborhood center and in the center of the Greenwich Crest sub-neighborhood, but there are opportunities to develop other indoor and outdoor points of connection on vacant Bellevue School District property and in other community-focused spaces.

#### *Mobility and Access*

Connecting to places outside of the neighborhood is a challenge. The topography and regional transportation system restricts access to the neighborhood by car or bus (or bicycle or scooter) to a limited number of points. There is one transit route through the neighborhood. However, the regional transportation system does offer the potential for better connections. Eastrail runs through the neighborhood west of I-405 and, with better connections to areas to the east of I-405, could be a primary connector. In addition, there is an opportunity to better connect to the Lightrail and regional transit at the South Bellevue and Downtown stations and at a future station near Factoria.

[sections omitted]

## **Goals & policies**

Newport strives to build connections within the neighborhood through the growth of community gathering spaces and linking trails together into a cohesive system.

[some numbered policies omitted]

### **Neighborhood Identity**

**Goal.** Support a walkable community with strong connection with natural areas and convenient local gathering, shopping and service opportunities.

S-NP-1. Support Newport's identity as a diverse and connected community, anchored by its central commercial district (Neighborhood Center) and surrounded by forested natural areas and connections to streams and Lake Washington.

S-NP-4A. Preserve the "hometown within the city" neighborhood identity by encouraging redevelopment of the properties comprising the Neighborhood Center at a scale appropriate to their context.

S-NP-6. Enforce the City's tree code and strive to minimize loss of trees, especially on slopes and hilltops, mitigate unavoidable tree removal, and maintain and expand the tree canopy and forested environment in natural areas.

### **Neighborhood Center**

**Goal.** Support the continued evolution of the commercial heart of the neighborhood and encourage small and unique businesses to locate and grow to support the daily needs of the neighborhood.

S-NP-12. Encourage the construction of multifamily and/or other middle housing within the Neighborhood Center to the extent supported by the surrounding context.

### **Community Gathering Places**

**Goal.** Provide for the evolving social needs of residents through the formation of new indoor and outdoor community gathering spaces in partnership with Bellevue School District and other organizations.

S-NP-15. Encourage Work with the Bellevue School District to include community-serving uses, such as a community center, daycare and/or senior center in the redevelopment of its property and support the use of surplus Bellevue School District property as third places.

### **Mobility and Access**

**Goal.** Meet the needs of people using all forms of transportation to circulate within the neighborhood and connect to places outside the neighborhood.

S-NP-27. Work with school districts to enhance trails that pass through or are adjacent to school district property and connect them to the rest of the trail system, and to enhance pedestrian access to and parking for parks that are adjacent to school district property.

## Nesse, Katherine

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**From:** Charlie Bauman <charlie@gtcptl.com>  
**Sent:** Tuesday, July 22, 2025 1:16 PM  
**To:** PlanningCommission  
**Subject:** RE: 7.23.2025 Planning Commission meeting comment - Critical Areas Update  
**Attachments:** BPOG - CAO - PC comment letter - 7.23.2025.pdf; PC - 7.23.2025 Materials - BPOG.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from charlie@gtcptl.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Good afternoon - please find the attached letter from the Bel-Red Property's Owner Group concerning the critical areas ordinance update, for which Staff is presenting the first code strike draft to Planning Commission Wednesday evening. An identical letter was shared with City Council prior to their 7.15.2025 Council briefing.

Also attached is example code language for how to incorporate a Performance Based framework into the current code, along with key images of an existing degraded critical area and how it could be transformed by getting the code right. Hard copies of these will be shared with Planning Commission at the meeting.

We look forward to engaging in detailed discussions with the Commission and Staff on this topic, among others.

Cordially,

Bel-Red Property Owner's Group

C/o Charlie Bauman  
GT Capital  
[charlie@gtcptl.com](mailto:charlie@gtcptl.com)  
(425) 802-3352

**Bel-Red Property Owner's Group**

July 23, 2025



To: Bellevue Planning Commission

From: Bel-Red Property Owner's Group (BPOG)

RE: Critical Areas Code Reform

Dear Planning Commissioners,

The Bel-Red Property Owner's Group (BPOG) appreciates the opportunity to comment on the ongoing update to Bellevue's Critical Areas Ordinance (CAO). BPOG represents over 90 property owners with more than 200 acres in Bel-Red—an area uniquely positioned to deliver thousands of new homes near four light rail stations.

Unfortunately, many properties in Bel-Red are constrained by current critical area requirements that effectively prevent redevelopment. The core issue is that the CAO, as written, does not function in highly urbanized environments like Bel-Red. It applies wide, prescriptive buffers to piped and degraded streams, man-made steep slopes, and other altered features, treating them as if they were intact natural systems.

These requirements were designed to prevent further loss of habitat—but in Bel-Red, the habitat is already lost. Restoration will only happen through redevelopment, yet the code often blocks it. This is the fundamental failure: **we've created a system where the only path to ecological improvement is redevelopment—but redevelopment is prevented by the very rules intended to bring that improvement about.**

A performance-based alternative is needed—one that ties meaningful, measurable ecological restoration to housing production, instead of forcing a choice between the two.

Recommendations:

- **Differentiate between urban and natural stream contexts.** In undeveloped areas, protect existing habitat. In developed areas, enable restoration through redevelopment.
- **Add a performance-based pathway** to allow site-specific restoration plans and buffer modifications where they deliver net ecological gain based on scientific metrics.
- **Replace prescriptive buffer widths in urban areas with measurable outcomes** (e.g., stream temperature, pollutant removal, habitat complexity) that can be achieved through modern engineering.



- **Eliminate the “Top-of-Bank” rule** and measure buffers from the Ordinary High Water Mark (OHWM), consistent with best practices.
- **Offer FAR/density incentives** for projects that daylight piped streams or restore degraded urban stream segments.
- **Allow off-site mitigation** through mitigation banking or in-lieu fees when on-site restoration isn’t feasible.
- **Exclude man-made steep slopes** from critical area regulation when they pose no geologic hazard or ecological function.

These reforms align with the City’s housing and environmental goals and can be supported by the findings of the Gap Analysis and the Best Available Science review. They are essential to restoring Bel-Red’s streams while unlocking its housing potential.

Thank you for your consideration. We look forward to continuing to collaborate on this important work.

Sincerely,

**Bel-Red Property Owner’s Group**

<p><b>NEW SECTION:</b></p> <p>20.25H.075.C.1.a.iv.</p>	<p>When existing natural systems are deemed to have “Degraded Conditions” the standard stream buffer widths under this section 20.25H.075.C. shall not apply.</p> <p>For these Degraded Conditions the goal is to achieve net gain of ecological function, consistent with RCW 36.70A.172. Applying standard buffers for Degraded Conditions is often counter to this objective as it can make site redevelopment infeasible and thus prevents any ecological restoration. For these Degraded Conditions the applicant may choose to establish the restoration through the “Performance Framework for Degraded Conditions” pursuant to section 20.25H.075.C.3.c. and reviewed as part of a Critical Areas Report.</p> <p>When an applicant chooses to daylight a Closed Stream, that Closed Stream shall be considered a Degraded Condition and this section shall apply.</p>
<p><b>NEW SECTION:</b></p> <p>20.25H.075.C.3.c. Performance Framework for Degraded Conditions.</p>	<p><b>Performance Framework for Degraded Conditions.</b></p> <p>Degraded Conditions consist of streams running through developed areas, where the stream has any of the following traits:</p> <ol style="list-style-type: none"> <li>1. piped or closed streams</li> <li>2. open and channelized streams</li> <li>3. rip-rap embankments</li> <li>4. existing non-conforming structures encroach on the intended buffer</li> <li>5. pavement runs adjacent to top-of-bank</li> <li>6. intended buffer has vegetation inadequate to provide stream protection and stream buffer functions</li> <li>7. other manmade impacts that degrade the ecological function of the stream</li> </ol> <p>For sites meeting the definition of Degraded Condition, the applicant may reduce or modify buffer widths without constraint by demonstrating a net ecological gain through a Performance Framework. This alternative compliance path shall be subject to review and approval as part of a Critical Areas Report, produced by a qualified consultant, and based on the following elements:</p> <ol style="list-style-type: none"> <li>1) <b>Baseline Ecological Assessment:</b> Applicants must submit a site-specific baseline assessment of the critical area and any existing buffer, establishing current function of the following ecological indicators: <ol style="list-style-type: none"> <li>a) Hydrology: Peak/base flow rates, stormwater detention</li> <li>b) Water Quality: Temperature, turbidity, dissolved oxygen, pollutants</li> <li>c) Riparian Vegetation: Native cover, canopy density, invasive species</li> <li>d) Habitat Structure: Stream complexity, LWD, riffles/pools, spawning substrate</li> <li>e) Wildlife Use: Evidence of corridors, macroinvertebrates, birds, and other species</li> </ol> </li> <li>2) <b>Performance Targets:</b> Projects must commit to measurable ecological improvements (Net Gain of Function) over baseline conditions, including at least the following, and determined in good faith with the City and its consultant as part of the Critical Areas Report process: <ol style="list-style-type: none"> <li>a) Hydrology: Maintain or improve 2-year and 100-year storm flow performance</li> <li>b) Water Quality: Achieve pollutant removal of <math>\geq 65\%</math> over baseline; stream temperature <math>\leq 64^{\circ}\text{F}</math></li> <li>c) Riparian Cover: Increase native vegetation by <math>\geq 60\%</math> over baseline</li> <li>d) Habitat Complexity: Add habitat features such as LWD, gravel beds, or re-meandering; removal of rip-rap; slope regrading</li> <li>e) Wildlife Use: Demonstrate plan for improved macroinvertebrate or species diversity</li> </ol> </li> <li>3) <b>Project Design and Approval:</b> A licensed biologist or qualified consultant must prepare a Performance Plan documenting how the project meets or exceeds the above performance targets. The Performance Plan may consist of a combination of passive or active restoration measures, as determined by applicant’s consultant and engineering team. Off-site mitigation, pursuant to section 20.25H.085, may be used where on-site improvements are infeasible, unlikely to meet performance targets, or are demonstrably less effective than off-site alternatives. The scope and location of off-site mitigation shall be determined during review of the Critical Areas Report.</li> <li>4) <b>Monitoring and Adaptive Management:</b> The applicant shall implement a Monitoring Plan with benchmarks at 3 and 5 years. If performance targets are not met, the applicant shall undertake corrective measures subject to City review, or the City may require reasonable performance bonding to ensure compliance with the approved Performance Plan.</li> </ol>

Current Condition – Goff Creek





## What's Possible?

Horse Creek - Bothell



Thornton Creek - Seattle



Goff Creek – Bellevue??





## Nesse, Katherine

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**From:** Jessica Clawson <jessica@mhseattle.com>  
**Sent:** Tuesday, July 22, 2025 2:11 PM  
**To:** PlanningCommission  
**Cc:** Goepple, Craighton; Lu, Jonny; Khanloo, Negin; Kennedy, Mariah; Ferris, Carolynn; Nilchian, Arshia; avillaveces@bellevuewa.gov  
**Subject:** Jessie Clawson critical areas ordinance comment letter  
**Attachments:** Bel-Red CAO letter.pdf

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Chair Goepple and Commissioners—please see my attached comment letter and please let me know if you have any questions! Thanks.

Jessica M. Clawson  
**McCULLOUGH HILL PLLC**  
701 Fifth Avenue, Suite 6600  
Seattle, Washington 98104  
Direct: 206-812-3378  
Cell: 206-313-0981  
[jessie@mhseattle.com](mailto:jessie@mhseattle.com)  
[www.mhseattle.com](http://www.mhseattle.com)

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July 22, 2025

**Bellevue Planning Commission**

City of Bellevue  
450 110th Avenue NE  
Bellevue, WA 98004

**RE: Comments on Critical Areas Ordinance Update**

Dear Chair Goepple and Commissioners,

On behalf of my clients, I am writing to share our concerns and recommendations regarding the proposed updates to Bellevue's Critical Areas Ordinance (CAO). We appreciate the City's ongoing work to protect environmentally sensitive areas, but we believe the current proposal fails to consider some of the unique urban context of Bellevue.

Bellevue is a rapidly growing city with ambitious goals for urban density and sustainability. The CAO must be shaped to support those goals while promoting meaningful environmental restoration. We respectfully offer the following key points for your consideration:

**1. Urban Context Matters**

The CAO must reflect Bellevue's urban landscape. Applying suburban or rural-style environmental regulations to intensely urbanized areas is counterproductive and inconsistent with the City's land use vision. Urban redevelopment presents one of the best opportunities to improve degraded conditions, and the code should be written to support this reality. Please direct staff to include "urban streams" as a category of stream with much-reduced buffers from the currently adopted CAO—a stream meandering through Bridle Trails should be treated different from Bel-Red's current Goff Creek which is in a ditch or pipe.

**2. Buffers Should Be Reduced Where Restoration Is Possible**

Maintaining or expanding current buffer widths in areas where redevelopment can improve ecological function—such as Goff and Sturtevant Creeks—will lock in existing, degraded conditions. This is a missed opportunity. Reducing buffer widths where habitat values will be improved through redevelopment or restoration is not only appropriate—it's essential if we want these creeks to thrive.

**3. The City Has the Authority to Use the Best Available Science**

State law allows jurisdictions to apply best available science (BAS) flexibly, especially in urban areas where degraded conditions can be improved through smart planning. Numerous peer-reviewed studies and regional precedents support the use of variable or reduced buffers when paired with habitat enhancement. The CAO should reflect this by actively encouraging stream restoration through regulatory flexibility.

**4. Stronger Incentives Are Needed to Daylight and Restore Streams**

The current "incentives" to remove streams from pipes or daylight buried segments are wholly inadequate. Buffer reductions should be tied directly to the net ecological benefit of

the proposed action, as demonstrated by a qualified critical areas report. A site-specific, performance-based approach would provide real motivation for developers to restore stream corridors—especially in locations where it would otherwise be economically infeasible. The currently proposed reduction simply does not work.

In conclusion, the CAO must strike a better balance between protecting critical areas and advancing Bellevue’s urban development and restoration goals. We can—and must—do both. We urge the Planning Commission to provide clear and specific direction to staff to revise the ordinance to:

- Consider Bellevue’s urban context in all CAO provisions;
- Reduce buffer widths from the existing CAO when habitat values are enhanced; buffer widths should NOT be increased;
- Fully utilize the City’s authority to apply best available science in urban settings, which provides net ecological benefit when reasonable buffers are applied; and
- Substantially strengthen stream daylighting and restoration incentives by allowing meaningful buffer flexibility tied to ecological outcomes. Essentially, if a daylighting provides ecological benefit, buffers should be reduced to the determination of the critical areas report and the on-the-ground scientists studying the creek.

Thank you for your service and thoughtful consideration of these comments. We look forward to continuing to work with you and staff on crafting a CAO that supports a sustainable, livable, and ecologically resilient Bellevue.

Sincerely,

**Jessica Clawson**

McCullough Hill PLLC

## Nesse, Katherine

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**From:** Veronica Shakotko <Vshakotko@mbaks.com>  
**Sent:** Tuesday, July 22, 2025 2:14 PM  
**To:** PlanningCommission  
**Cc:** Mandt, Kirsten; Gallant, Kristina; Whipple, Nicholas; Horner, Rebecca D; Nesse, Katherine  
**Subject:** Critical Area Ordinance Written Comments - July 23 Agenda  
**Attachments:** 2025, 7-22 Bellevue PC CAO Comment Letter.pdf

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Chair Goeppeler, Vice Chair Khanloo, and Planning Commissioners,

Thank you for your work on the Critical Areas Ordinance update. MBACKS supports Bellevue's efforts to modernize its environmental regulations in alignment with best available science and state requirements. At the same time, we urge you to ensure the code remains practical, predictable, and compatible with the City's goals for housing attainability and infill development.

As you review the proposed changes, we encourage you to consider how the draft aligns with other key GMA goals, such as supporting urban growth, housing diversity, property rights, and timely permitting. These priorities are also reflected in the City's 2024 Comprehensive Plan housing policies, which call for zoning flexibility, streamlined permitting, and increased housing options across income levels.

We are particularly concerned about several proposed changes that may unintentionally limit housing feasibility or delay permitting, including:

- Expanding stream buffers based on site potential tree height, which could render small infill lots undevelopable without providing measurable environmental benefit.
- New habitat corridor requirements that may add complexity without clear standards or mapped guidance.
- Adding new Critical Aquifer Recharge Area regulations without clear evidence that existing protections are inadequate.

We support performance-based flexibility and recommend expanding tools that recognize the environmental benefits of thoughtful redevelopment. We also encourage the Commission to clarify which code changes are mandated by state law or Best Available Science and where alternative approaches could help minimize impacts on housing.

We appreciate your time and commitment to a balanced, workable ordinance. If you have any questions, please don't hesitate to contact me at [vshakotko@mbaks.com](mailto:vshakotko@mbaks.com) or 425.435.8990.

Respectfully,  
Veronica



**Veronica Shakotko**

Senior King County Manager

Master Builders Association of King and Snohomish Counties

m 425.435.8990

335 116<sup>th</sup> Ave. SE, Bellevue, WA 98004

Find us on    

We believe everybody deserves a place to call home.



July 22, 2025

Bellevue Planning Commission  
450 110<sup>th</sup> Ave. NE  
Bellevue, WA 98004

RE: Critical Area Ordinance (CAO) and Land Use Code Amendments (LUCA) – July 23

Dear Chair Goepple, Vice Chair Khanloo, and Planning Commissioners:

The Master Builders Association of King and Snohomish Counties (MBAKS), with nearly 2,500 members, is the largest homebuilders' association in the U.S., helping to provide diverse housing choices and attainability. We aim to be the region's most trusted housing experts and believe everyone deserves a place to call home.

MBAKS supports the City's efforts to modernize its critical areas regulations in line with best available science and evolving state requirements. At the same time, we believe it is essential that the ordinance remain practical, predictable, and supportive of housing production, particularly infill and middle housing, which are critical to meeting the City's affordability and environmental goals.

**Balancing Critical Area Updates with GMA and Comprehensive Plan Goals**

The Growth Management Act requires cities to balance a range of planning goals. While protecting the environment is important (Goal 10), we urge the Planning Commission to also consider how proposed critical area updates may affect other GMA priorities, including:

- Goal 1: Urban Growth - Support development in urban areas with existing infrastructure.
- Goal 4: Housing - Promote a range of housing types and ensure affordability for all income levels.
- Goal 6: Property Rights - Protect landowners from arbitrary or overly restrictive regulations.
- Goal 7: Permits - Ensure permitting is timely, fair, and predictable.

These goals are echoed in Housing Policies in the 2024 Bellevue Comprehensive Plan, which call for:

- Policy HO-14: Ensure zoning and building policies support more housing at all income levels.
- Policy HO-15: Streamline permitting and adopt clear rules to support citywide housing development.
- Policy HO-16: Evaluate how proposed rules affect housing cost and supply, and ensure they support affordability and diversity.
- Policy HO-19: Ensure policies support middle housing types.

To support this balance, we recommend that the Planning Commission ask staff to clearly identify which proposed changes are required and where there is room for flexibility. This will help ensure that environmental protections do not come at the cost of housing opportunity or predictability in the development process.





As you review the draft ordinance, we also encourage the Planning Commission to consider the following questions:

- Will any of the updates increase housing costs or delay permitting by adding new requirements?
- Could they result in higher or additional permit fees?
- Does the draft keep the process predictable and fair?
- Are all changes required by state law or Best Available Science, or are some discretionary?
- If some provisions could hinder housing, are there alternative approaches that meet BAS with fewer impacts?

These questions are key to ensuring environmental protections do not unintentionally worsen housing attainability or delay much-needed projects. We hope the final ordinance will reflect the City's commitment to both sustainability and housing opportunity.

***MBAKS will have additional comments as this process moves forward but we submit the following comments at this time.***

**1. Stream Buffers and Measurement Standards**

The proposal to shift stream buffer measurements from the top of bank to the ordinary high water mark may seem minor, but it can significantly shrink the buildable envelope of infill lots. In some neighborhoods near small streams or ravines, even a few feet of additional buffer could mean losing an entire housing unit or triggering more intensive review. We ask the City to evaluate the cumulative impact of this change on urban parcels and consider mapping and modeling tools that improve predictability.

**2. Site Potential Tree Height and Buffer Widths**

The use of site potential tree height (SPTH) to calculate stream buffers is highly speculative. In urban and previously developed areas, existing site conditions often bear little resemblance to modeled tree canopy assumptions. For example, a small infill lot located near a narrow, degraded stream corridor with limited vegetation could become undevelopable if a large buffer is applied based on theoretical tree height, even though redevelopment could improve environmental conditions on the site. We urge the City to rely on observed conditions and retain existing buffer widths unless site-specific science justifies a change.

**3. Performance-Based Flexibility and Redevelopment Incentives**

We appreciate the inclusion of stream daylighting and buffer enhancement incentives. These are positive steps and we encourage the City to broaden its performance-based tools. A small-scale infill project that includes buffer restoration, removal of invasive species, or better stormwater management should be recognized as providing a net ecological gain. Performance-based pathways allow creative site design while still meeting environmental standards.

**4. Wetlands and Habitat Corridors**

New provisions related to habitat corridors and variable wetland buffers introduce additional complexity. Without clear thresholds or mapped layers, it becomes very difficult for applicants to determine what applies and how to comply. For instance, a small wetland located on a sloped site could trigger habitat corridor requirements with unclear boundaries or mitigation expectations, creating uncertainty for applicants during project planning and review. We recommend establishing firm size thresholds and making existing mapping tools publicly available and easy to use. We also support continued use of mitigation banking and in-lieu fee programs as effective alternatives for small builders with limited onsite options.



## 5. Steep Slopes and Geologic Hazard Areas

We are encouraged to see the City considering distinctions between natural and human-made slopes. Many developable lots in Bellevue, particularly in neighborhoods with past grading or retaining walls, include slopes that are man-made and structurally engineered. For example, we have seen previously graded or terraced lots such as those with existing driveways or retaining walls classified as steep slope hazards, triggering costly geotechnical studies even though the site was already stabilized and developed. We recommend allowing development on engineered or altered slopes when supported by professional geotechnical review and clear code criteria.

## 6. Reasonable Use Exceptions (RUEs)

We support proposed language clarifying that more than one unit may be permitted under a RUE when environmental disturbance remains the same. This is especially important considering Bellevue's recent zoning updates to allow middle housing. For example, if a property owner seeks to build two cottages instead of one large home within the same footprint and setback, it should be evaluated under the same criteria. Doing so will preserve property rights while enabling creative solutions on constrained sites.

## 7. Critical Aquifer Recharge Areas (CARAs)

We understand the City is considering new regulations for CARAs. Before introducing new requirements, we encourage a careful review of whether existing protections are working. Are there documented cases where current standards in these areas have failed? If not, additional rules may introduce cost and complexity without delivering environmental benefit. A clear, data-informed rationale is needed before layering on new regulatory obligations.

Even well-intended changes can create barriers when layered together. Wider buffers, added reporting, and new hazard designations may render infill projects financially unworkable. We encourage the City to consider solutions like administrative review, expedited permitting for restoration projects, or design flexibility to preserve housing potential. With the right balance, the City can protect natural resources while still meeting urgent housing needs.

Thank you for your consideration and the opportunity to comment. Please feel free to contact me at [vshakotko@mbaks.com](mailto:vshakotko@mbaks.com) or 425.435.8990 with any questions.

Sincerely,

Veronica Shakotko | MBAKS  
Senior King County Government Affairs Manager

CC: Kirsten Mandt, Senior Planner  
Kristina Gallant, Planning Manager  
Nick Whipple, Code and Policy Director  
Rebecca Horner, Development Services Director

## Nesse, Katherine

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**From:** Rebecca Bloom <rebeccab@columbiapacific.com>  
**Sent:** Tuesday, July 22, 2025 2:40 PM  
**To:** PlanningCommission  
**Cc:** Pete Aparico  
**Subject:** Planning Commission Meeting 7/23 - Public Comment Letter  
**Attachments:** Letter to Planning Commission - Critical Areas Ordinance 072225.pdf

You don't often get email from rebeccab@columbiapacific.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Dear Planning Commissioners,

Please find attached our public comment letter with respect to agenda item #8, the Critical Areas Ordinance Land Use Code Amendments study session.

We would be happy to answer any questions you may have.

Respectfully,

Rebecca Bloom, CRE  
Chief Investment Officer, Real Estate Equity  
Columbia Pacific Advisors  
1910 Fairview Ave. E. | Suite 200 | Seattle, WA 98102  
**DIRECT** (206) 225-2960 (TEXT ENABLED)  
**MOBILE** (310) 650-5052  
[www.columbiapacific.com](http://www.columbiapacific.com)

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**COLUMBIA PACIFIC ADVISORS, LLC**

1910 Fairview Avenue East, Suite 300

Seattle, Washington 98102

July 22, 2025

**Bellevue Planning Commission**

**City of Bellevue**

450 110th Avenue NE

Bellevue, WA 98004

**Re: Concerns Regarding Critical Areas Ordinance Draft — Bel-Red Piped Stream Setbacks and Daylighting Disincentives**

Dear Planning Commissioners,

Columbia Pacific appreciates the opportunity to comment on the current draft of the Critical Areas Ordinance (CAO) update. Columbia Pacific is serving as owner's representative on the redevelopment of a site that is located generally in the block bounded by Bel-Red Road, Spring Boulevard, 134<sup>th</sup> Avenue NE, and 132<sup>nd</sup> Avenue NE. **It is kitty corner from the light rail station.** The site contains a segment of Goff Creek that is in a pipe beneath the site. We are writing to express serious concern regarding the impact of the draft regulations on stream restoration and urban redevelopment.

Under the existing code, our site is subject to a **10-foot structure setback** on each side of the piped stream. The draft CAO now imposes a **40-foot setback on each side**, despite the stream remaining in a pipe and thus providing little or no ecological function in its current state. The code also imposes a 100-foot buffer from each side of the creek, as well as a 20-foot structure setback, if the creek were to be daylighted. This is a substantial increase in the buffer and setback requirements, not supported by the Best Available Science, and move in the wrong direction to incentivize redevelopment and achieving the goals of the recently adopted Comprehensive Plan particularly on a site that is the epitome of "transit oriented development".

More troublingly, if the stream were to be daylighted—a substantial environmental improvement—the draft CAO only allows a **25% reduction of the full 100-foot buffer**, meaning the property would still face a **75-foot** buffer on each side, with a 20-foot structure setback. This paradoxically **disincentivizes stream restoration**, a result that runs counter to the City's habitat and sustainability goals.

In its current form, the draft CAO effectively penalizes developers for restoring streams. **This is a tremendous missed opportunity.** The CAO should actively encourage daylighting and habitat improvements, particularly in dense urban areas like Bel-Red where only redevelopment can create substantial environmental gains.

We respectfully urge the Planning Commission to direct staff to revise the draft ordinance to support more pragmatic, performance-based environmental outcomes. Specifically:

1. **Maintain or reduce stream buffer widths that exist in the current code in urbanized areas** to encourage redevelopment and stream rehabilitation. Without this, sites like ours will remain in their current state.
2. **Increase the incentive for daylighting piped streams** by allowing flexible buffer reductions based on ecological performance. The code should permit buffer widths to be reduced to the level that demonstrably improves stream habitat function—rather than applying a rigid and arbitrary percentage discount.
3. **Provide greater certainty and predictability in buffer reductions**, including a clear requirement that where a proposed project improves ecological function relative to current conditions, the City must approve appropriate buffer reductions.

We believe these recommendations will bring the draft CAO into better alignment with Bellevue's environmental goals, while also supporting continued investment and revitalization in Bel-Red and other growth areas. Stream restoration should be a collaborative opportunity—not an unintended regulatory burden.

Thank you for your consideration, and for your work on this important ordinance. Pictures of the current state of our project site are below; it would be a shame to leave this site in its current condition for the next 20 years.

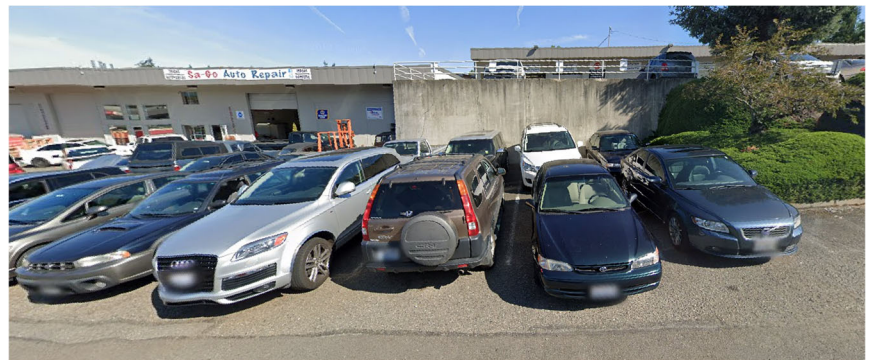
Sincerely,

**COLUMBIA PACIFIC ADVISORS, LLC**



Pete Aparico, Head of Real Estate





## Nesse, Katherine

---

**From:** Jodie Alberts <jodie@bellevuechamber.org>  
**Sent:** Tuesday, July 22, 2025 3:08 PM  
**To:** Villaveces, Andres; Ferris, Carolyn; Goepple, Craighton; Khanloo, Negin; Lu, Jonny; Kennedy, Mariah; Nilchian, Arshia; PlanningCommission  
**Cc:** Joe Fain; Jessica Clawson  
**Subject:** PLUSH Letter re: Critical Areas Ordinance  
**Attachments:** PLUSH Critical Areas Letter\_07.22.2025.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**[EXTERNAL EMAIL]** Use caution when clicking links or opening attachments.

Chair Goepple and Planning Commissioners,

On behalf of the Chamber's PLUSH Committee, I'm sharing our attached letter regarding the ongoing update to Bellevue's Critical Areas Ordinance (CAO).

We appreciate the City's thoughtful approach to this necessary update and recognize the importance of aligning environmental restoration with Bellevue's housing and economic goals. Our comments highlight opportunities to ensure the ordinance is effective in both protecting critical areas and enabling much-needed redevelopment and restoration in highly urbanized contexts.

Thank you for your consideration, and we look forward to continuing to work collaboratively with the City as this process moves forward.

Best,  
Jodie

Jodie Alberts | Vice President of Government Affairs

**Bellevue Chamber of Commerce**

M: 901.834.4261 | O: 425.213.1206 | E: [jodie@bellevuechamber.org](mailto:jodie@bellevuechamber.org)

330 112<sup>th</sup> Ave. NE, Suite 100, Bellevue, WA 98004



## PLUSH COMMITTEE

Permitting, Land Use, Sustainability, & Housing

[bellevuechamber.org](http://bellevuechamber.org)

425-454-2464

[staff@bellevuechamber.org](mailto:staff@bellevuechamber.org)



July 22, 2025

Planning Commission

City of Bellevue

P.O. Box 90012

Bellevue, WA 98009

### **RE: Recommendation on Critical Areas Ordinance Update**

Dear Chair Goeppeler and Commissioners,

Thank you for the opportunity to comment on Bellevue's ongoing Critical Areas Ordinance (CAO) update. We appreciate the City's commitment to environmental protection and responsible urban growth.

The code presents challenges for redevelopment in Bellevue's most urbanized areas. Many of these areas—such as Bel-Red and Wilburton—have been altered over decades and no longer resemble natural ecosystems. Applying the same regulations designed for intact habitat to these urban environments often prevents meaningful restoration. In fact, redevelopment is frequently the only viable path toward ecological improvement—yet it's hindered by rigid, prescriptive requirements that were never designed with urban contexts in mind.

Rather than requiring uniform buffers, the code should allow site-specific restoration plans where ecological benefits can be demonstrated. This kind of performance-based path is more effective, more practical, and more aligned with best available science. Similarly, buffer measurements should be based on the Ordinary High Water Mark (OHWM), which better reflects ecological conditions and avoids unintended buffer expansions in developed areas.

Projects that actively improve ecological conditions—by daylighting streams, restoring vegetation, or improving stormwater—should be incentivized. Offering FAR or density bonuses for these efforts would align environmental goals with development feasibility. And when on-site restoration is impractical, the code should support off-site mitigation options like in-lieu fees or mitigation banking to achieve watershed-level gains.

Finally, man-made steep slopes with no environmental or geologic function should not be regulated as critical areas. We appreciate that the current draft includes this exemption. These features are often remnants of past development and serve no ecological purpose.

By modernizing the CAO with these refinements, Bellevue can create a code that enables restoration, supports housing near transit, and reflects the realities of an evolving city.

Thank you for your thoughtful consideration of these recommendations. We look forward to continued collaboration to help shape a policy that works for both people and the environment.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodie Alberts". The script is fluid and cursive.

Jodie Alberts  
Vice President, Government Affairs

A handwritten signature in black ink, appearing to read "Jessica". The script is fluid and cursive.

Jessica Clawson  
PLUSH Committee Chair



## Nesse, Katherine

---

**From:** Heidi Dean <technogeekswife@yahoo.com>  
**Sent:** Tuesday, July 22, 2025 4:53 PM  
**To:** Goeppeler, Craighton; Khanloo, Negin; Ferris, Carolyn; Lu, Jonny; Villaveces, Andres; Nilchian, Arshia; Kennedy, Mariah  
**Cc:** PlanningCommission; Council; Carlson, Diane (she/her)  
**Subject:** Newport NAP: the WORST outreach/engagement

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Dear Planning Commissioners, Councilmembers, and City Manager:

At the Newport NAP public hearing staff will tell the Planning Commissioners it was a "robust engagement process". Brooke Brod and Kate Nesse told residents (only 9 attended) at the final NAP Zoom meeting they believe they did a good job with engagement. They also believe they turned out a good product. I couldn't disagree more and I'm unwilling to be quiet about it.

In the private sector someone who screwed up as many times as Brooke Brod did during the Newport NAP process would be fired. Unfortunately, the same isn't true of government.

Also, this is Bellevue, where rather than addressing issues with an employee's behavior and performance, we instead protect them and sometimes even promote them. In Brooke's case, we put them on the newly-formed Community Engagement Team and task them with fixing the engagement problem when THEY ARE THE PROBLEM. In fact, in a July 5, 2023, meeting with Pam Johnston, Phyllis White and me, Community Development Director Emil King said of Brooke "Yes, we know she's a problem". And yet here we are two years later...

Newport Hills residents are known for being actively engaged when provided with information. I participated in an NHCC-initiated August 2024 meeting with Brooke to discuss community club and NAP Team cooperation during the NAP update. Despite being promised transparency and accountability, Brooke repeatedly hamstrung our efforts to encourage resident participation by:

- Refusing to publish Zoom links at the time of the meeting/event announcement. Issuing the links after someone RSVPed via EventBrite prevented many people who didn't RSVP ahead of time from attending. The meetings are PUBLIC- the Zoom link isn't a state secret!
- Providing incorrect links to Zoom meetings and online tools. We repeatedly received links meant for Crossroads. When we asked for correct links it took a long time to get them, if we got them at all. That resulted in very last minute communication from the NHCC to the neighborhood and incredibly low participation in every Zoom meeting, in-person event, and with online tools. In



fact, Newport had only six days to utilize the Neighborhood Scan tool for the Urban Design section because we'd been sent the Crossroads link; Crossroads had a full 3 (4?) weeks to use the tool.

As I said, I'm unwilling to be quiet about everything that happened. Not only do Newport Hills residents deserve to know, so do people living in other neighborhoods that have yet to go through the NAP process. I don't want to see Eastgate and Factoria get hosed next, which is likely since Factoria has no neighborhood association and will be 100% reliant on Community Engagement for information.

Below my signature is the information that I'm publishing broadly about the problems Newport Hills encountered during this process. I hope that my neighbors will show up en masse as they did in 2016 and 2018, though a mid-summer public hearing isn't exactly conducive for good community participation. But know this: even if they're unable to attend they've been made aware. We will be watching and waiting to see if you acknowledge this information and if any meaningful action is taken to correct the problem.

As for the Newport NAP final draft itself, I can just say that it DOES NOT represent what those of us living "on the hill" in the Newport subarea feel is the issue of greatest importance to address in this update. The changed subarea boundary reflects the fact there are really two Newports- one that cares about and is impacted by changes in the commercial district, and one that doesn't care and isn't impacted. This NAP final draft caters to the latter group. Instead of a hearty roast beef sandwich with Land Use and Economic Development policies to truly support our commercial district, we received a sandwich made of Wonder Bread and spread thickly with weak verbiage and marshmallow fluff stuff like streetscapes.

With thanks,

Heidi Dean  
Newport Hills  
Neighborhood leader since July 2012

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Please help Newport Hills. We just experienced THE WORST community engagement for a critical land use code amendment (LUCA) that I have experienced in my 13 years as a neighborhood leader. I am not joking.

It was so bad that even the most forgiving and gracious people on my board agree- this was not accidental. It has reached the level of malicious intent.

\* Staff removed the Land Use element from the NAP without council direction and without resident input- it was listed as a "key element" when they initiated the NAP with council in September 2024. Land Use and Economic Development elements & policies should be included in any NAP update where a Neighborhood Center plays a key function in the vitality and connectedness of a neighborhood.

\* Our Ideas Fair was canceled due to the bomb cyclone, but NAP staff didn't send out another mailer to all households informing them of the new date, therefore few people showed up. Those who did show up were mostly the "upzone it!" folks (I have photos of the sign-in sheets).

\* We were repeatedly sent info and links for Crossroads, then not provided with correct info until the last minute, hindering our ability to rally resident participation. Only select groups of people participated, and

they are the people who have a history of yelling "upzone it!" during the 2016 & 2018 shopping center Comprehensive Plan Amendment & rezone attempts.

\* The Community Engagement Lead targeted certain racial groups for input but then didn't bother to ask if they lived within the Newport subarea when taking input; she did the same thing when targeting middle school kids for input. Their comments are clearly about \*their own non-Newport neighborhoods\* but are listed as if they're comments about Newport. When confronted about this the Community Engagement Lead blamed the Diversity Advantage Team for telling her where to go. NOTE: she's been with the CoB since June 2019 and she knew exactly what she was doing.

The Community Engagement Lead and NAP planner had the audacity to say in the last NAP Zoom meeting that they think they did a good job of engagement. Woooooooooow....

The NAP planner also ignored well-crafted and valid suggestions re: stronger verbiage on the importance of the commercial district as a social hub in addition to being a hub for neighborhood-serving goods and services (if the slumlords who own it would actually lease out the empty spaces & care for the property).

By crafting a Newport NAP that almost entirely ignores the commercial district, but over-focuses on things like bike lanes, parks & trails, streetscape design, and other "fluffy" stuff, the Community Development team is setting up Newport Hills' commercial district for a MASSIVE upzone to 5-6 stories and very little commercial space during the HOMA LUCA discussions in the fall. HOMA= Housing Opportunities in Mixed-use Areas.



## Nesse, Katherine

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**From:** Brit Harris <brit.harris@gmail.com>  
**Sent:** Tuesday, July 22, 2025 6:00 PM  
**To:** PlanningCommission  
**Cc:** Newport Hills Community Club; Council  
**Subject:** Newport Neighborhood Area Plan (NAP)

You don't often get email from brit.harris@gmail.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

I am writing to express concern about the potential redevelopment of the Ringdall Middle School parcel into housing. While this outcome is looking increasingly likely through BSD's direction, it raises serious questions about the resulting impact on traffic congestion along one of our key ingress/egress arterials. This redevelopment also underscores the importance of preserving the existing recreational facilities on that site—including the track, field, and tennis courts—which are actively used and valued by Newport Hills residents.

Additionally, I urge the council to reconsider any plans to convert the Newport Hills shopping center or surrounding areas into high-density housing. While I recognize the need to address housing shortages, further densifying this area would put an unsustainable strain on already overburdened infrastructure. The intersections at 60th and 119th, for example, experience severe congestion—especially during rush hours. Public transportation options here remain limited, and for most residents with jobs and childcare needs, driving remains the only viable option.

I support the idea of allowing homeowners to add an additional accessory dwelling unit (ADU) to help modestly increase housing supply without overwhelming the existing neighborhood fabric. However, if this policy is adopted, I strongly encourage the city to re-evaluate Bellevue's street parking regulations. The current 24-hour limit for street-parked cars does not reflect the realities of modern households and would place undue burden on residents with additional tenants or family members.

Rather than concentrating dense housing in multiple locations, we should prioritize preserving and strengthening the shopping center as a commercial hub—one that encourages walking, biking, and rolling for daily needs, services, and social interaction.

Please consider these points as you plan for the future of our community. We can find thoughtful, balanced solutions that preserve what makes Newport Hills a vibrant and livable neighborhood.

Sincerely,  
Brit Harris

**Nesse, Katherine**

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**From:** MWannamaker WANNAMAKER <mwannamaker@comcast.net>  
**Sent:** Wednesday, July 23, 2025 7:36 AM  
**To:** PlanningCommission  
**Subject:** Tonight's Planning Commission mtg - Critical Areas  
**Attachments:** PC\_Critical\_Areas\_25.07.23\_ltr.docx

**[EXTERNAL EMAIL]** Use caution when clicking links or opening attachments.

Attached is my letter for tonight's Planning Commission meeting re: the Critical Areas Ordinance LUCA.

Sincerely,  
Michelle Wannamaker

Chair and Planning Commissioners,

Eastgate has 2 hillsides that are basically perpendicular to the ground, so about 90 degrees. When the Eastgate/I-90 project was before the Planning Commission, every Commissioner expressed concern about upzoning near those hillsides. Staff spoke up & said there is a 75 ft toe-of-slope setback on steep slopes, which put commissioners' minds at ease. What staff ***didn't*** tell the commissioners, is that variances are allowed. I know, because I was ***at*** all of those meetings, plus re-listened to all the audio tapes. Since then, I have learned that one of those 90 degree slopes was created by the mining of a gravel pit and there are houses already built at the top of this extremely steep slope. I certainly wouldn't want any decrease of the setback, there.

In the past few years, I have seen toe-of-slope setback variances which reduced the 75 ft to 15 ft on at least 3 occasions. I was flabbergasted when that 1<sup>st</sup> one was approved! That's an 80% decrease in the buffer! The Critical Area buffers were created for a reason and I don't believe variances of more than a 25% change should be allowed. When we purchase a property or a property with a home, ***we***, the buyers, are responsible for doing our due diligence to find out any restrictions on this property ***before*** we purchase it & just because someone failed to do this, doesn't mean they should have the right to have those rules reduced.

During a conversation with Brad Miyake, he told me that it had been the City Council's intent that variances only happen in ***very rare*** instances, but that developers had learned the process to ask for & be granted Critical Area variances. That needs to stop! And a way be found to prevent such frequently approved variances. Maybe you could do something like require that a variance is only granted after the City Council reviews it in a City Council meeting in front of the public & they take a vote. Yes, I know the City Councilmembers are very busy people & don't have the time to be reviewing a bunch of variances. That's the whole point. Staff would need to be assigned as gatekeepers to prevent all but a few variances per year from getting to the City Council. Or do you have a better idea?

Sincerely,

Michelle Wannamaker  
Eastgate

## Nesse, Katherine

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**From:** Scoggins, Bethany Q (DFW) <Bethany.Scoggins@dfw.wa.gov>  
**Sent:** Wednesday, July 23, 2025 8:10 AM  
**To:** PlanningCommission; Mandt, Kirsten; Whipple, Nicholas  
**Cc:** Krueger, Morgan (DFW); Berejikian, Marian (DFW)  
**Subject:** WDFW Comments on Bellevue's Preliminary CAO Update Early Preliminary Draft  
**Attachments:** WDFW.PlanningCommission.CommentLetter.July23.2025.pdf

You don't often get email from bethany.scoggins@dfw.wa.gov. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Good morning,

Thank you for the opportunity to offer our comment letter on the City of Bellevue's CAO Update LUCA Early Preliminary Draft.

If you have any questions, would like technical assistance, or would like to schedule a time to discuss these comments, please feel free to reach out to me.

Best,  
Bethany



**Bethany Scoggins** (she/her)  
Fish & Wildlife Habitat Biologist  
North Puget Sound - Region 4, North Bend Field Office  
Washington Department of Fish and Wildlife

[Bethany.Scoggins@dfw.wa.gov](mailto:Bethany.Scoggins@dfw.wa.gov)  
425-420-0601



State of Washington

## Department of Fish and Wildlife, Region 4

Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

July 22, 2025

City of Bellevue  
Planning Commission  
450 110<sup>th</sup> Avenue NE  
Bellevue, WA 98004

**RE: Planning Commission Meeting, Critical Areas Ordinance (CAO) Land Use Code Amendments (LUCA)**

Dear Planning Commission Members,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to comment on Bellevue's CAO Update LUCA Early Preliminary Strike Draft (file number 25-513) as part of the current periodic update. Within the State of Washington's land use decision-making framework, WDFW is considered a technical advisor for the habitat needs of fish and wildlife and routinely provides input into the implications of land use decisions.

The currently proposed stream buffer widths of 100 feet for Type F streams, 50 feet for Type N streams, and no buffers for piped segments (regardless of the stream type), do not provide sufficient protection for riparian critical areas according to WDFW's Best Available Science (BAS). To align with this science, we strongly recommend basing the width of protected riparian areas on site-specific conditions rather than fish presence alone, ensuring that natural filtration, erosion control, shade, and the capacity to reduce flood risks are safeguarded across all streams, not just fish-bearing streams. We urge you to adopt riparian widths that reflect WDFW's current Riparian Management Zone (RMZ) guidance.

The City of Bellevue is a signatory to both the [WRIA 8 Interlocal Agreement](#) (2016–2025) and the [WRIA 8 Chinook Salmon Conservation Plan](#), which commit the city to supporting coordinated regional salmon recovery efforts. Given Bellevue's critically important location within the watershed, including both Tier 1 and Tier 2 priority areas for Chinook habitat, it is essential that proposed amendments remain consistent with these commitments. Additionally, any changes affecting riparian or in-stream functions should reflect the GMA's requirement to give special consideration to measures that protect or enhance anadromous fisheries (WAC 365-195-925).

While the proposed requirement of a buffer to be enhanced by 33% (if the buffer isn't adequately vegetated) is a step in the right direction, the current buffer (if it were fully vegetated) width of 50-feet for Type N streams falls below the minimum necessary to protect water quality functions. WDFW's BAS

finds that setting a minimum 100-foot buffer helps ensure that pollution is effectively filtered before reaching streams.

The proposal shows no buffers for closed stream segments, regardless of stream type, which could restrict or prohibit daylighting of the stream and future restoration efforts. This action could limit improvements to water quality, fish passage, and overall salmon recovery. The chances for failure of piped water systems are an ongoing problem and is influenced by multiple issues. Due to age and environmental factors, these piped segments will eventually fail and need to be replaced in compliance with current fish passage standards. With no buffer for these stream segments, future restoration efforts, infrastructure maintenance, and long-term climate resilience will be difficult to achieve. Development placed too close to piped stream segments may perpetuate non-conforming structures and increased public safety hazards related to flooding and erosion. A wider buffer for piped segments, would provide better stormwater management support, water quality protections, and provide enough space to allow flexibility to meet state requirements for fish passage and/or flow capacity of water crossing structures (e.g. culverts) when aging infrastructure needs to be updated.

Adopting standard buffer widths that do not fully protect riparian functions and values may compromise the city's ability to meet its no net loss requirements for FWHCAs under the GMA and affect the broader efforts to recover salmon populations throughout the region.

We ask the planning commission to adopt WDFW's BAS, or at a minimum, we respectfully request that the city consider increasing buffers to a minimum of 100 feet for the Type N waters and the piped segments of streams.

We are open to continued collaboration and welcome the chance to discuss options for aligning the city's approach with BAS-based strategies that would also work in practice for Bellevue's unique urban environment. Please do not hesitate to contact me or the Regional Land Use Lead, Morgan Krueger ([Morgan.Krueger@dfw.wa.gov](mailto:Morgan.Krueger@dfw.wa.gov)).

Sincerely,

Bethany Scoggins  
[Bethany.Scoggins@dfw.wa.gov](mailto:Bethany.Scoggins@dfw.wa.gov)  
Fish & Wildlife Habitat Biologist  
Washington Department of Fish and Wildlife

CC:

Morgan Krueger, Regional Land Use Lead ([Morgan.Krueger@dfw.wa.gov](mailto:Morgan.Krueger@dfw.wa.gov))  
Marian Berejikian, Land Use Conservation and Policy Planner ([Marian.Berejikian@dfw.wa.gov](mailto:Marian.Berejikian@dfw.wa.gov))



July 15<sup>th</sup>, 2025

Development Services Office  
450 110th Ave NE  
PO Box 90012  
Bellevue WA 98009

Via email to: [kmandt@bellevuewa.gov](mailto:kmandt@bellevuewa.gov)

*RE: Snoqualmie Tribe's comments on the City of Bellevue's 2025 Critical Areas Ordinance Update*

Dear Kristen Mandt,

On behalf of the Snoqualmie Indian Tribe (Tribe), please accept these comments on the 2025 updates to the City of Bellevue Critical Areas Ordinance.

The Snoqualmie Tribe is a federally recognized sovereign Indian Tribe and a signatory to the Treaty of Point Elliott of 1855, in which it reserved to itself certain rights and privileges and ceded certain lands to the United States. As a signatory to the Treaty of Point Elliott, the Tribe specifically reserved to itself, among other things, the right to fish at usual and accustomed areas and the "privilege of hunting and gathering roots and berries on open and unclaimed lands" off-reservation throughout the modern-day state of Washington (Treaty of Point Elliott, art. V, 12 Stat. 928). The Tribe has lived on, tended, and managed this land since time immemorial and the rivers, lakes, and surrounding lands are vitally important both ecologically and culturally.

We became aware of the Critical Areas Updates via the public information session. The present-day City of Bellevue exists on Snoqualmie Tribe Ancestral Lands. The critical areas and natural resources of Bellevue, including the rivers, lakes, wetlands, and forests, provide vital habitat and ecological functions and support culturally significant species, including Kokanee and other salmonids, culturally modified trees, and cultural sites. The Snoqualmie Tribe seeks to work collaboratively with the City of Bellevue to help develop Critical Areas Ordinances that protect these lands and waters while allowing sustainable and ethical development practices. We have reviewed the prepared BAS and data gaps reports and the current Critical Areas Ordinance's and have drafted the following comments in response.

We support City of Bellevue's commitment to strengthening environmental protections for critical areas, including the use of Best Available Science (BAS), to protect ecological and hydraulic functions and cultural values of streams, wetlands, and forests and to reduce the negative effects of development. However, the Facet BAS and Gap Analysis Reports as well as the City of Bellevue Comprehensive Plan Climate and Environment





Report make no mention of Indigenous Knowledge (IK) or tribal consultation in informing these updates. **Indigenous Knowledge is an aspect of BAS** ([Kassi et al. 2022](#); [Whyte et al. 2015](#)), and should be included as a core aspect in the development of rules, regulations, and projects. IK is itself a form of science that offers depths of insights through deep time and deep space methodologies, concepts, training, and experience that the Tribe gathered from the stewardship and conservation of their resources for thousands of years, and that only the Tribe holds and can provide. IK should be included as one of the many important bodies of knowledge that contributes to the scientific, technical, social, and economic advancements of the state of our collective understanding of the natural world and should be included alongside BAS. This knowledge should be gathered through consultation, which may come in the form of comment letters such as this current letter and/or discussions with Tribal staff or elected officials, as appropriate and determined by the Tribe.

In reviewing the current City of Bellevue Critical Areas Ordinance, we found that current protections are not sufficient to conserve ecological and hydraulic function and habitat in critical areas, which are essential for maintaining important fish, wildlife, and plant species. We support the inclusion of BAS and its protection of water quality by linking buffers (perhaps more precisely referred to as “management zones”) around water bodies directly to Site Potential Tree Height (SPTH), as recommended by the most recent guidance provided by Washington Department of Fish and Wildlife ([Quinn et al. 2020](#), [Rentz et al. 2020](#)). The SPTH for western Washington has been preliminarily mapped and ranges from 100 feet to 240 feet. Importantly, it does not distinguish between non-fish and fish-bearing streams, as intact riparian areas are vital to protecting ecological function for all streams. We recommend the adoption of the BAS and thus the utilization of the SPTH for determining management zone width. The adoption of this approach is consistent with protections passed by other Western Washington jurisdictions (See City of Stanwood SMC 18.804 (August 2024), City of Woodinville WMC 21.51.120 [January 2025]).

We strongly support the daylighting of streams to improve function, including hydrologic connectivity and stream habitat, but it is insufficient without implementing greater protections for remaining intact streams and wetlands and associated buffers. The current code (LUC 20.25H.080B) outlines several pathways for new projects to pipe or relocate stream channels. Burying stream channels has permanent impacts on ecologic and hydrologic functions and creates fragmentation, impedes fish passage, and degrades habitat. Relocating stream channels for development can also result in similar outcomes, as streams are disconnected from their riparian forests, natural sediment regimes are disrupted, and new channels often lack ecological complexity, unless natural habitat-forming processes are incorporated into the construction. We suggest relocating and burying streams only be allowed when no viable alternatives are demonstrably available. Relocation should always be prioritized above stream burial, and relocation should involve restoration to generate channel-forming and other habitat processes.



We also recommend that mitigation sequencing prioritize on-site mitigation if it is possible to do so at the site or in the immediate vicinity. If this is not possible, and demonstrably shown not to be practicable, then the closest mitigation bank or in-lieu fee mitigation bank with similar functions to the site being disturbed would be the next best option. To go directly to using a mitigation bank without determining what can be done to protect and enhance streams and wetlands on site first will result in “impact export” and an uneven distribution of cumulative impacts, setting an undesirable paradigm where areas exist on the landscape where critical areas are disproportionately filled and degraded.

Additionally, special protections are needed for Critical Cultural Resources (CCR). A Critical Cultural Resource (CCR) is an organic archaeological object of high cultural significance to the Snoqualmie people. Archaeologists use the phrase Culturally Modified Tree (CMT), but it is not the preferred term for the Snoqualmie Tribe’s Department of Archaeology and Historic Preservation (DAHP). CCRs are often western red cedar; however, historical and traditional practices include other species, such as bigleaf maple or cottonwood. Although the specific meaning of a modification type is culturally sensitive information, some marks, such as a scar left from a cedar bark harvest, are well known. Modifications to tree branches and trunks require a knowledgeable eye to determine whether a modification is human-made or likely caused naturally. The Snoqualmie Tribe’s DAHP staff have access to many internal and external resources that are reviewed before the Director determines a tree’s CCR status. The time for each CCR review varies and can take up to 60 days to make a proper determination. DAHP staff will always use the BAS and cultural teachings and sensitivities for every CCR review. This sort of meaningful consultation to evaluate and protect CCRs should be included in the ordinance updates.

We acknowledge the difficulty in balancing protection of critical areas with provisions for sustainable development; however, intact riparian forests help mitigate climate change by preserving water quality, reducing flooding, and moderating temperatures, by increasing hydrologic connectivity, filtering capacity, and providing shade. Their protection is necessary not only for healthy streams, wetlands, and fish populations, but for safe and stable environments for humans to live in. While we recognize that streamlining and efficiencies are needed to facilitate housing development in a growing area, these should not come at the cost of protecting the few remaining critical areas. These places and the species they support are not only ecological resources but are important cultural resources for the Snoqualmie Tribe.

We appreciate your efforts to date to include BAS and consistency with Washington State Code in the City code. These updates to the ordinances will be vital to provide protection for critical areas and to support sustainable development in the City of Bellevue that does not compromise the character of the city and the quality of life for those who live there. We ask the City of Bellevue to take the Snoqualmie Tribe’s ancestral relationship with the lands



of the region into account when making decisions that affect people, wildlife, and the shape of the landscape now and far into the future, and we also remain ready to continue to work with City to protect the Tribe's Ancestral Lands.

Thank you for your consideration. We look forward to working with you on this critical and important matter.

Sincerely,

DocuSigned by:

*Michael Ross*

E0D26BDD350B44F...

Michael Ross

Deputy Executive Director, Government Affairs and Special Projects



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**RE: Cedar Terrace Pump Station, Tac Lot 202505-9102**

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**From** Martin Seelig <maseelig@hotmail.com>

**Date** Wed 7/23/2025 10:28 AM

**To** Horner, Rebecca D <RDHorner@bellevuewa.gov>; PlanningCommission <PlanningCommission@bellevuewa.gov>; Nesse, Katherine <KNesse@bellevuewa.gov>

**Cc** Kleebauer, Jacquelyn <JKleebauer@bellevuewa.gov>; Dirk McCulloch <dirk.mcculloch@jacksonmain.com>; Menard, Mathieu <MMenard@bellevuewa.gov>; Mandt, Kirsten <KMandt@bellevuewa.gov>; Whipple, Nicholas <NWhipple@bellevuewa.gov>; King, Emil A. <EAKing@bellevuewa.gov>; Liu, Lucy <LLiu@bellevuewa.gov>; Carolyn Decker <cdecker@terra-associates.com>; Annice Seelig <maseelig@msn.com>

You don't often get email from maseelig@hotmail.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Good morning, all,

I wholeheartedly support the Planning Commission and Staff providing significant incentives to encourage bioecological, creative, imaginative architectural and engineering designs regarding LUC 20.25H.120 setbacks from steep slopes.

Regarding LUC.20.25H.075, especially from Type "O" streams that have been enclosed in culverts in the 20<sup>th</sup> Century, daylighting these streams should also be encouraged.

Designers need the "carrot" approach to create their best work that benefits the community.

*Respectfully,*

*Martin*

Martin A. Seelig  
206-601-8919

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**From:** Martin Seelig

**Sent:** Wednesday, July 16, 2025 11:15 AM

**To:** Horner, Rebecca D <RDHorner@bellevuewa.gov>

**Cc:** Kleebauer, Jacquelyn <JKleebauer@bellevuewa.gov>; Dirk McCulloch <dirk.mcculloch@jacksonmain.com>; Menard, Mathieu <MMenard@bellevuewa.gov>; Mandt, Kirsten <KMandt@bellevuewa.gov>; Whipple, Nicholas <NWhipple@bellevuewa.gov>; King, Emil A. <EAKing@bellevuewa.gov>; Iliu@bellevuewa.gov; Carolyn Decker <cdecker@terra-associates.com>; Annice Seelig <maseelig@msn.com>

**Subject:** RE: Cedar Terrace Pump Station, Tac Lot 202505-9102

Good morning, Ms. Horner:

I am following your suggestions to copy the people you recommended in this email.

Our family has contracted with Terra Associates, led by Carolyn Decker, C.E. P.E., President, to utilize “best available science” to establish whether the City’s 75 ft. setback from the toe of the slope on the Bel-Kirk property is warranted based on current technology and engineering standards. Terra’s boring subcontractor will drill on Monday, July 21<sup>st</sup>, to investigate subsurface soil conditions. I had offered to drill a borehole in the vicinity of the sewer easement (which falls within the 75-foot setback) if that would help the City.

Our family is proactively working to find a legal, creative, practical engineering solution that will enable the City to achieve its conflicting goals: establishing the sewer easement and increasing the land available for housing, particularly affordable housing, when the land is close to major traffic centers. The Bel-Kirk site is within ½ mile of the South Kirkland Park and Ride.

Please let us know the persons at the City with whom Carolyn Decker should communicate to discuss the results of Terra’s Study.

*Respectfully,*

*Martin*

Martin A. Seelig  
206-601-8919

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**From:** Horner, Rebecca D <[RDHorner@bellevuewa.gov](mailto:RDHorner@bellevuewa.gov)>  
**Sent:** Monday, July 7, 2025 9:45 AM  
**To:** Martin Seelig <[maseelig@hotmail.com](mailto:maseelig@hotmail.com)>  
**Cc:** Kleebauer, Jacquelyn <[JKleebauer@bellevuewa.gov](mailto:JKleebauer@bellevuewa.gov)>; Dirk McCulloch <[dirk.mcculloch@jacksonmain.com](mailto:dirk.mcculloch@jacksonmain.com)>; Menard, Mathieu <[MMenard@bellevuewa.gov](mailto:MMenard@bellevuewa.gov)>; Mandt, Kirsten <[KMandt@bellevuewa.gov](mailto:KMandt@bellevuewa.gov)>; Whipple, Nicholas <[NWhipple@bellevuewa.gov](mailto:NWhipple@bellevuewa.gov)>; King, Emil A. <[EAKing@bellevuewa.gov](mailto:EAKing@bellevuewa.gov)>  
**Subject:** RE: Cedar Terrace Pump Station, Tac Lot 202505-9102

Good morning,

Thank you for your email. I write in follow-up to your outreach to our department and your recent public comment to the Bellevue City Council, concerning a sewer project for which city personnel have engaged you and your family to secure certain easement rights and your requests to find alternate solutions to preserve the development potential of your property.

First, if you continue to have concerns regarding the proposed utility alignment and construction schedule, I respectfully refer you to the City’s Utilities Department. Similarly, if you have remaining questions about the City’s pending offer of compensation, or the timeline the City may follow to acquire easement rights through eminent domain (if ultimately required), I respectfully refer you to the City’s Real Property Department. These matters fall outside the scope and authority of the Development Services Department.

Second, I understand you have made repeated requests that include:

1. In exchange for permanent and temporary sewer easements required for the sewer project, the City and your family members (as the titled owners of the property) enter into an agreement that would permit future development of your property, even where such development might otherwise be restricted under the City’s current or future development regulations.



2. In exchange for those easements, the City provide reimbursement for certain and unknown costs your family may incur – such as design, construction, and legal expenses – arising from efforts to accommodate any sewer easement while developing the property to the fullest extent otherwise allowed by code and as though the sewer had not been constructed.
3. The City provide information regarding potential updates to zoning codes and development regulations applicable to the current “O” Zone.

I further understand that City staff has previously responded to these requests – notably on June 4 and June 24, 2025.

Last, I support the responses previously provided by City staff that touch and concern current and future development regulations. The City cannot enter into any agreement that conflicts with existing law or regulations, nor those that may be adopted in the future. Additionally, the City is prohibited from using public funds for private benefit or gain, as this would violate constitutional protections on public resources. However, the City remains committed to sharing timely and accurate information related to potential changes in development regulations. For questions regarding future legislative proposals and any timelines for adoption, please contact Mathieu Menard regarding Housing Opportunities for Mixed Use Areas (HOMA), and Kristen Mandt regarding updates to the Critical Areas Code.

Please understand that while the City is committed to sharing timely and accurate information related to potential changes in development regulations, it cannot prejudge or perform land use review based on hypotheticals. I hope this response is helpful in answering your questions.

Thank you,



Rebecca Horner, AICP  
Director  
Development Services, City of Bellevue  
(She/Her)  
[425-452-6045](tel:425-452-6045) | [rdhorner@bellevuewa.gov](mailto:rdhorner@bellevuewa.gov) | [BellevueWA.Gov](http://BellevueWA.Gov)

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**From:** Martin Seelig <[maseelig@hotmail.com](mailto:maseelig@hotmail.com)>

**Sent:** Tuesday, June 17, 2025 1:43 PM

**To:** King, Emil A. <[EAKing@bellevuewa.gov](mailto:EAKing@bellevuewa.gov)>; Whipple, Nicholas <[NWhipple@bellevuewa.gov](mailto:NWhipple@bellevuewa.gov)>; Horner, Rebecca D <[RDHorner@bellevuewa.gov](mailto:RDHorner@bellevuewa.gov)>

**Cc:** Kleebauer, Jacquelyn <[JKleebauer@bellevuewa.gov](mailto:JKleebauer@bellevuewa.gov)>; Nesse, Katherine <[KNesse@bellevuewa.gov](mailto:KNesse@bellevuewa.gov)>; Dirk McCulloch <[dirk.mcculloch@jacksonmain.com](mailto:dirk.mcculloch@jacksonmain.com)>

**Subject:** Cedar Terrace Pump Station, Tac Lot 202505-9102

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Emil King, Community Director  
Nick Whipple, Code and Policy Director  
Rebecca Hoerner, Director of Development Services

Dear Mr. King, Mr. Whipple, and Ms. Horner:

I request that you review the attached and take action to achieve the City's commendable but conflicting goals to:

1. Reduce maintenance costs for a sanitary sewer lift station by installing a new gravity system across a part of our family's "O" Zoned property, Tax Lot 202505-9102, and
2. Maintain the same number of housing units that could have been built in the "O" Zone under the proposed zoning code, as if the sewer had not been built, by implementing zoning modifications for our site.

*Martin*

Martin A. Seelig  
206-601-8919



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## Thoughts on 6/25/2025 Critical Areas Ordinance (CAO) Land Use Code Amendments (LUCA) meeting

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From leesgt@aol.com <leesgt@aol.com>

Date Wed 7/23/2025 10:29 AM

To PlanningCommission <PlanningCommission@bellevuewa.gov>

**[EXTERNAL EMAIL]** Use caution when clicking links or opening attachments.

I have meant to send you thoughts on this Bellevue Planning Commission presentation but could never get it done. As per usual it is just weird thoughts from a white, old man's perspective. Take it for what it is worth.

I was very disappointed in the staff presentation since did a couple of things that I truly thought very limiting and not very helpful. I was glad of the basic map of the critical areas for both the state/county requirements in dark green and the city extensions in light green. But the preface indicating that freeing up the codes should be easy because they weren't required. This conclusion should not have been made until the end of the presentation if at all. The implication that the city codes were not meaningful implies no real thought was needed. There was not much description of the reasons for the added buffer except for a verbal mention of 1,000 and 10 foot rise on a property. There was little in the presentation that talked about reasons for Bellevue's added concerns to balance against the ignoring its importance. (I found that very sad.)

I thought the Planning Committee went a little deeper by describing the potential of requiring construction based on the property rather than just bulldozing it. I think thoughtful development might be a good substitute for this development and might be a great way to increase the housing market while at the same time caring about how close to the protected areas. It certainly could attract people that want protected areas to exist.

(In recent news and another in Seattle that I recall shows that having residents that are not concerned about protect areas can cause the protected areas to be damaged. Recently, it was residents that were near county protected forest clearly didn't care about it as opposed to being able to clearly see a mountain. In Seattle it was similar but for a view of the lake. I am guessing there has been others that I have missed. Having a buffer seems to be a possible advantage.)

(When the Planning Committee has sufficient depth of knowledge based on staff thorough presentation great things have happened for them. In addition, those that really want to know what the give and take is about will have learned more.)

Lee Sargent

16246 NE 24<sup>th</sup> ST

Bellevue, WA 98008

Home: 425-641-7568

Mobile: 206-861-6140






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**Re: Additional Information for Consideration to Protect the Riparian Zones in the Wilburton/BelRed Subarea Growth Plans**


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**From** phyllisjwhite@comcast.net <phyllisjwhite@comcast.net>

**Date** Wed 7/23/2025 11:16 AM

**To** PlanningCommission <PlanningCommission@bellevuewa.gov>

**Cc** Council <Council@bellevuewa.gov>; Krueger, Morgan (DFW) <Morgan.Krueger@dfw.wa.gov>; Scoggins, Bethany Q (DFW) <Bethany.Scoggins@dfw.wa.gov>; Dykstra, Jesse F (DFW) <Jesse.Dykstra@dfw.wa.gov>; Robinson, Lynne <LRobinson@bellevuewa.gov>; Malakoutian, Mo <MMalakoutian@bellevuewa.gov>; Hamilton, Dave <DHamilton@bellevuewa.gov>; Lee, Conrad <CLee@bellevuewa.gov>; Nieuwenhuis, Jared <JNieuwenhuis@bellevuewa.gov>; Bhargava, Vishal <VBhargava@bellevuewa.gov>; Sumadiwirya, Claire <CSumadiwirya@bellevuewa.gov>

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Dear Members of the Planning Commission:

I submitting a correction to my statement below:

Correction-Replace "priority" with "keystone":

- Protect habitat corridors, native trees (including cottonwood trees in buffer zones), and **keystone** species like beavers.

Also, the photos of the salmon are from previous years. Fish sightings are currently infrequent, although carcasses are still found.

Best regards,

Phyllis White  
Bellevue Resident

On 07/23/2025 11:00 AM PDT phyllisjwhite@comcast.net wrote:

Dear Members of the Planning Commission,

To strengthen the CAO LUCA and ensure we're planning responsibly, I respectfully request for the following:

- Limit buffer reductions and tie them clearly to scientific standards like SPTH200.
- Define "innovative mitigation" and require it to be peer-reviewed and approved by experts.
- Require independent ecological review for significant buffer modifications.
- Protect habitat corridors, native trees (including cottonwood trees in buffer zones), and priority species like beavers.
- Require use of the WDFW PHS database.

Thank you for your time and for the work you're doing to make sure Bellevue grows in a way that respects our environment and the communities that care for it.

Best regards,

Phyllis White  
Bellevue Resident

On 11/05/2024 4:07 PM PST phyllisjwhite@comcast.net wrote:

Dear Members of the Planning Commission,

I am following up on my previous email regarding the Wilburton/BelRed/NE 8th Street subarea growth plans.

I would like to add the following photos which I believe will further support the city of Bellevue's goals to protect our wildlife corridors:





A Bald Eagle flying over a neighbor's roof.



A Hawk in a neighbor's yard.



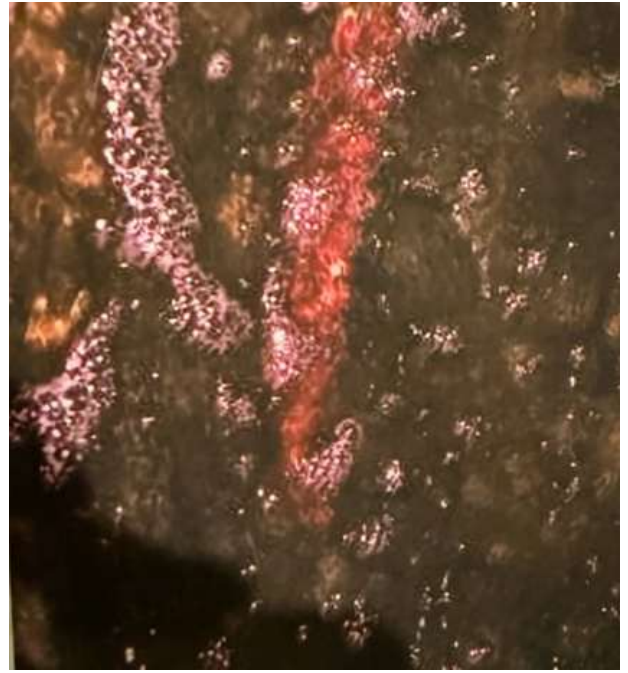
A Red-Tailed Hawk on a neighbor's roof.



A bobcat on a neighbor's fence.



Fish in our neighbor's stream.



More fish in our neighbor's yard.

Fish sightings are not as frequent. Fish carcasses eaten by animals and left behind are still sighted. There are also crustaceans in the stream.

Sincerely,

Phyllis White  
Wilburton/BelRed/NE 8th Street Resident

On 11/04/2024 4:55 PM PST phyllisjwhite@comcast.net wrote:

Dear Chair Goeppelle, Vice-Chair Cuellar-Calad, Planning Commissioners, and Deputy Mayor Mo Malakoutian,

I am writing to request your full support for the recommendations and concerns outlined in the recent letter from the Washington Department of Fish and Wildlife (WDFW) regarding the environmental protections within Bellevue, particularly focusing on tree retention, wildlife habitat, and riparian zones, which includes the riparian zones in our Wilburton /BelRed/NE 8<sup>th</sup> Street subarea as noted by the Washington Department of Fish and Wildlife (WDFW). The presence of priority fish and bird species in Kelsey Creek and Goff Creek streams are sighted on private properties in our neighborhood and warrants this status.

As highlighted by the WDFW, urban ecosystems and riparian zones are integral in supporting wildlife and mitigating the impacts of development. Their proposal to integrate its latest riparian management guidance into Bellevue's Comprehensive Plan zoning update is critical. Attached is WDFW's latest report for environmental protections guidance for riparian restoration projects, based on Best Available Science (BAS), and includes strategies such as utilizing Site Potential Tree Height (SPTH) at 200 years and Riparian Management Zones (RMZs) instead of traditional stream typing.

These strategies are designed to ensure that our riparian zones can sustain long-term ecological function and resilience. It's essential that these plans align with recommendations from the WDFW and relevant state legislation to ensure environmental protections, equity, and resilience. Doing so later may be costly and ineffective.

**1. Tree Retention and Canopy Expansion**

To enhance tree protections in riparian zones, a recommended 3:1 tree replacement ratio, and meeting the "WDFW's Riparian Data Engine: An Aid for Identifying and Prioritizing Riparian Restoration Projects" 38% tree canopy retention for riparian management zones. Expanding the tree canopy is critical for mitigating urban heat, providing shade, and preserving ecosystem health.

**2. Riparian Zone Protections**

The WDFW's latest guidance on riparian management, based on Best Available Science (BAS), includes innovative strategies using Site Potential Tree Height (SPTH) at 200 years and establishing Riparian Management Zones (RMZs) rather than traditional stream typing. These guidelines recommend stream RMZs of 187–196 feet to support long-term ecological function, particularly in areas with fish and other priority species, as seen in Kelsey Creek and Goff Creek, which flow through private properties in our neighborhood.

**3. Equity Considerations**

As we address growth, it's important to prioritize equity by reducing heat disparities, following King County's strategies. This will ensure that our plans address the needs of all community members and provide relief in the most heat-vulnerable areas.

The recommended stream RMZs, ranging from 187-196 feet as per WDFW's BAS recommendations, will significantly enhance protections for trees and wildlife, particularly in areas like Wilburton. The presence of salmon in Kelsey Creek, as noted in the city of Bellevue's recent records, and priority bird species further underscores the need for robust environmental protections.

I urge the planning team to adopt these BAS-informed recommendations and integrate them into the Comprehensive Plan update and subarea plan updates. Doing so will not only safeguard our urban ecosystems but also ensure that Bellevue remains a city that values and protects its natural habitat and its ecological environment.

Thank you for your consideration and attention.

Sincerely,

Phyllis White  
Wilburton/BelRed/NE 8th Street Resident

Nesse, Katherine

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**From:** Charlie Bauman <charlie@gtcptl.com>  
**Sent:** Wednesday, July 23, 2025 3:14 PM  
**To:** PlanningCommission  
**Subject:** RE: 7.23.2025 Planning Commission meeting comment - Critical Areas Update  
**Attachments:** Bellevue Policy Discretion - Key Quotes.pdf; Analysis of BMP for Urban Riparian Buffers (2024-07-31) - FINAL.pdf; Stream Analysis & Monitoring Protocol - Wetland Resources.pdf; Blue-GreenImprovements\_for\_EvergreenCenter-Draft.pdf

You don't often get email from charlie@gtcptl.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Good afternoon,

Following up on my comment submitted yesterday, I'm attaching additional reference materials for the Planning Commission's review. These documents provide critical context and scientific support that were overlooked in the current BAS report. Included:

- **Legal and Policy References:** Key provisions from the BAS report, WAC, GMA, and WDFW acknowledging that local jurisdictions have broad discretion to tailor Critical Areas regulations based on local priorities.
- **PACE Engineers Bel-Red Study:** A science-based analysis by the firm that led the Horse Creek restoration in Bothell. It outlines proven strategies for achieving net ecological gain in degraded urban streams—strategies completely absent from the Facet BAS.
- **Performance-Based Protocol:** Developed by Wetland Resources, this performance framework offers a clear method for evaluating baseline function and setting measurable improvement targets in degraded streams, with an adaptive management component to ensure long-term success.
- **Blue-Green White Paper by Dr. Robert K. Johnston:** A comprehensive, literature-backed plan prepared by a respected Navy scientist and ecologist, to restore Goff Creek through modern infrastructure and adaptive ecological management. The numerous citations in this work were also absent from the Facet BAS.

These materials offer a far more complete and practical scientific foundation for restoring Bel-Red's degraded streams—while enabling feasible redevelopment. I urge the Commission to review them closely.

Best,

Charlie Bauman  
425-802-3352

---

**From:** Charlie Bauman  
**Sent:** Tuesday, July 22, 2025 1:16 PM  
**To:** PlanningCommission <planningcommission@bellevuewa.gov>  
**Subject:** RE: 7.23.2025 Planning Commission meeting comment - Critical Areas Update

Good afternoon - please find the attached letter from the Bel-Red Property's Owner Group concerning the critical areas ordinance update, for which Staff is presenting the first code strike draft to Planning Commission Wednesday evening. An identical letter was shared with City Council prior to their 7.15.2025 Council briefing.

Also attached is example code language for how to incorporate a Performance Based framework into the current code, along with key images of an existing degraded critical area and how it could be transformed by getting the code right. Hard copies of these will be shared with Planning Commission at the meeting.

We look forward to engaging in detailed discussions with the Commission and Staff on this topic, among others.

Cordially,

Bel-Red Property Owner's Group

C/o Charlie Bauman

GT Capital

[charlie@gtcptl.com](mailto:charlie@gtcptl.com)

(425) 802-3352



## Facet BAS Report

*“While the BAS review is a resource for critical area management, it is not intended to provide definitive answers for all policy and regulatory decisions. Policy and regulations should incorporate BAS but also necessitate decision-making processes based on societal values.”*

*“Acknowledging that establishing functional RMZs using the recommended methods may not be practical in many developed areas, WDFW recommends effective watershed management, preservation, and protection, resulting in nearly full restoration of riparian ecosystem habitat functions as is feasible within existing constraints.”*

*“Other WDFW management recommendations for urban riparian ecosystems include delineating stream ordinary high water marks and associated riparian management zones, document current conditions and target degraded riparian areas for restoration, maintain or improve functions through regulations and voluntary measures, prioritize opportunities to maintain and restore in-stream and riparian connectivity, manage stormwater following latest Ecology manual, and require stormwater retrofit for redevelopment projects (Rentz et al. 2020).”*

*“Many of the scientific studies that examine the functions and values associated with riparian areas have been conducted in forested environments. However, there are fundamental differences between forested, agricultural, and urban areas, including land use and hydrology. Riparian studies often do not account for the contribution of engineering and public works projects, such as surface water detention facilities, that can supplement natural riparian function in urban settings.”*

*“WDFW concludes it is critical to maintain connectivity for fish passage and terrestrial habitat corridors, manage stormwater, protect high functioning areas, and prioritize restoration in urban riparian ecosystems.”*

## Facet Gap Analysis

*“In general, urban settings are limited by surrounding land uses; review of buffer widths should be paired with consideration of requirements to enhance ecological functions. The City must review the BAS-based recommendations and determine the best regulatory approach for Bellevue.”*

## WA State Law – WAC 365-196-830

*“(8) Local government may develop and implement alternative means of protecting critical areas from some activities using best management practices or a combination of regulatory and nonregulatory programs.*



(a) When developing alternative means of protection, counties and cities must assure no net loss of functions and values and must include the best available science.”

#### **WA State Law – WAC 365-195-905**

“The responsibility for including the best available science in the development and implementation of critical areas policies or regulations rests with the legislative authority of the county or city. Cities and counties must conduct a best available science review when updating critical area regulations. The complexity of the review should reflect the scope of the amendment.”

“In the context of critical areas protection, a valid scientific process is one that produces reliable information useful in understanding the consequences of a local government's regulatory decisions and in developing critical areas policies and development regulations that will be effective in protecting the functions and values of critical areas.”

#### **WDFW’s July 2020 Best Available Science Update**

“... determining the “right” buffer width for pollutant removal cannot be purely scientific. Determining the “right” buffer width begins with choosing a desired removal efficacy, and that ... is a social choice influenced by cultural values, economic costs, and risk tolerance.” Pg. 151

“...WDFW recognizes that natural resource management or land use policies must often balance competing ecological, economic, and social values.” Pg. 283

“Riparian buffer widths for pollution removal need not be one-size-fits-all” Pg. 113

#### **Growth Management Act - RCW 36.70A.020 - Infill Before Sprawl**

“(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.”

“(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.”

“(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.”

“(10) Environment. Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.”



May 16, 2025

Evergreen Center  
Attn: Charlie Bauman  
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## **RE: Urban Stream Assessment Methodology**

The stated goal of the City of Bellevue's Comprehensive Plan for the BelRed Sub-area is "*To continue developing a sustainable urban development pattern that dramatically reshapes the future of the BelRed Subarea, while allowing the area to transition gracefully from its past.*" To achieve this goal, this City intends to transform the former industrial area into a series of vibrant, urban villages with abundant new green space, businesses and homes. Within the BelRed Sub-area there are key components of the environmental landscape; including wetlands, streams, and wildlife habitat areas, that exist in various stages of degradation. As redevelopment occurs, an opportunity exists to restore, enhance, monitor and maintain these areas. This management action offers continued opportunity for water quality improvement, stormwater management, as well as food/water resources for fish and wildlife. All of which are especially important in urban settings, as when functioning properly, these areas act as refuge islands. They not only provide a refuge for wildlife, but also; improve air quality, help regulate urban temperatures, and offer recreational opportunities as well as aesthetic enrichment for the surrounding community.

An excerpt from the City of Bellevue's Comprehensive Plan for the BelRed Sub-area:

### ***THE NATURAL ENVIRONMENT***

*Undulating gradually from east to west, BelRed's landscape contains a variety of topographies, geologic deposits and soils, influencing its hydrology, ecology and how humans use all of the above to grow and develop over time. Sitting lower in elevation than surrounding neighborhood areas, BelRed has seven streams flowing through it. Streams flow from every direction except from the south/southwest. They tend to follow glacial lacustrine and outwash deposits and contribute to BelRed's varied landscape. Both streams and topography help to define the boundaries of different neighborhood districts within BelRed. Riparian corridors also provide opportunities for strengthening BelRed's resilience to climate change, and opportunities for active transportation, recreation and connecting with nature.*

Rivers, streams, and other hydrologic systems are highly dynamic and vary greatly from system to system. A data-based approach to restoration will likely lead to improved results over prescriptive plans that do not take into account site-specific conditions. Being able to tailor mitigation measures based on the specific metrics of a degraded riparian system permits planning actions to focus on the stream functions most likely to improve and therefore provide the most benefit. Paired with adaptive management, site-specific, data-based approaches to restoration are much more likely to achieve goals and restore ecosystem services (Walters, Scott. PhD Candidate, University of Western Ontario, CA – (CAM - Avian ecology, stable isotopes, diet). May 2025).

**The Evergreen Center** – is a six-acre urban site in BelRed, with a portion of Goff Creek flowing through the property. Goff Creek is a historically altered watercourse that is highly channelized with rip-rap armoring, and little to no active floodplain within the subject site. Additionally, riparian vegetation is limited with low species diversity and dominated by non-native and invasive species.

The Evergreen Center represents a unique opportunity to couple the redevelopment needs of the BelRed sub-area, with stream restoration and enhancement using a performance-based approach.

## **1.0 KEY PERFORMANCE METRICS FOR STREAM HEALTH**

### **1.1 HYDROLOGY & FLOW REGIMES**

#### **1.1.1 Peak and Base Flow & Flow Continuity**

Project goal: Re-establish an active floodplain suitable for the contributing basin, which will allow for the restoration of suitable peak and base flows.

Modeling will require a developed condition review (built environment assessment/inventory), point discharge volumetric measurements for contributing basin to Goff Creek, as well as the subject reach.

- Calculate base/peak flow based on contributing basin assessment and built environment discharge.
- Flow rate shall be determined to be consistent with 2-year & 100-year return periods. The new channel will account for low flow and bank-full widths (100-year flow period).

$$\text{Flow} = \text{ALC} / T$$

*Where:*

A=Average cross-sectional area of the stream (stream width multiplied by average water depth).

L=Length of the stream reach measured (usually 20 ft.)

C=A coefficient or correction factor (0.8 for rocky-bottom streams or 0.9 for muddy-bottom streams). This allows you to correct for the fact that water at the surface travels faster than near the stream bottom due to resistance from gravel, cobble, etc. Multiplying the surface velocity by a correction coefficient decreases the value and gives a better measure of the stream's overall velocity.

T=Time, in seconds, for the float to travel the length of L

New proposed roughened channel will maintain the 2-year and 100-year flow rate and accommodate the associated 100-year floodplain, while maintaining a fish passable design to accommodate future fish accessibility.

The methodology for stream performance standards is followed by USGS procedures for common stream flow measurement instrumentation.

- Velocity measurement: Velocity measurements are valid only at discharges measured at the roughened channel that are within  $\pm 20\%$  of the high fish passage design flow.
- Hydraulic Drop measurement: Free overfalls and gradient changes exhibiting supercritical flow are to be located and measured at Water Surface Elevations (WSE) outside of turbulent zones beyond the plunge pool.
- Flow Continuity Measurement: When water is present, flow measurements shall be taken above and below the installed Roughened Channel.

*Data collection instruments:*

- Flowmeter (by SWOFFER or similar)
- Stream Gage (USGS)
- Integrated data logger (HOBO or similar)

## **1.1 WATER QUALITY**

### **1.1.1 Multi Parameter Approach**

Project goal: Establish a baseline for overall stream health. Provide functional improvements to overall water quality through stormwater treatment (biofiltration) and re-establishment of a riparian corridor.

Baseline data shall be collected to provide a snapshot of overall stream health. A multi-parameter assessment will be utilized in order to identify which water quality standards are impaired. Water quality sampling over a period of 1-year (to account for seasonal changes) will establish the baseline water quality condition.

Standard Washington Department of Ecology Water Quality standards shall be utilized. However, an adaptive management approach (coordination with stakeholders and WDOE) will govern if strict adherence to these levels is not possible.

*Long-term sampling sites shall be established*

- Upstream
- Subject Site
- Downstream

*Standard Water Quality Parameters*

- Dissolved Oxygen
- Temperature
- Turbidity
- Conductivity/ Specific Conductivity
- PH
- Salinity
- Temperature

*Expanded Water Quality Parameters*

- Metals
- 6PPD-quinone (tire dust)
- Total algae
- Nitrate

Based on the results of the water quality baseline assessment, an integrated stormwater management and riparian restoration plan will be developed. Integration of vegetated bioswales can help significantly reduce pollution entering the site through stormwater discharges (*Guidance on using new high performance bioretention soil mixes*, DOE, May 2021).

*Data collection instruments:*

- Integrated data logger (HOBO or similar)
- Multi-parameter sonde (YSI or similar)
- Real-Time Water Quality Monitoring System (Badger or similar)

## **1.2 RIPARIAN HABITAT**

### **1.2.1 Vegetative Cover & Diversity, Invasive Species Management**

Project goal: Establish a diverse native riparian corridor, which can provide shade, cover, refugia, bank stabilization, LWD recruitment opportunities, and food resources for wildlife. LWD installation along restored channel to provide additional stream complexity.

Establish monitoring protocols for long-term management, 10-year baseline period with built-in continued monitoring benchmarks (15, 20, 25, and beyond).

*Data collection methodology:*

- Braun-Blanquet Cover Abundance Scale (Restoration & Invasive species management)
- Spherical Densitometer (Canopy cover)
- Wolman Pebble Count (Channel complexity)
- Scholz and Booth / LWD survey (Instream habitat)
- SAM & B-IBI (Macroinvertebrate richness)
- Visual survey / Electro-fisher (Fish presence)
- Avian point-counts / Camera traps (Wildlife diversity)

## **2.0 PERFORMANCE STANDARDS**

Overall improvements shall be measured against existing baseline condition. Baseline condition assessment shall be measured using the parameters outlined above.

### **2.1 PERFORMANCE STANDARD 1: HYDROLOGY & FLOW REGIMES**

Flow rate shall be determined to be consistent with 2-year & 100-year return periods. The new channel will account for low flow and bank-full widths (100-year flow period).

#### **2.1.1 Contingency**

If monitoring shows that the channel is not supporting the target peak and base flows, an Inspection, Monitoring, and Repair Plan shall be implemented. A HPA will be required in the event the project is deemed as failing and requires alterations. Failure to fully implement the Inspection, Monitoring, and Repair Plan, may result in penalties to the applicant.

Utilizing mitigation banking or a habitat reserves program (in-lieu fee) offers an additional opportunity to provide options for sites that are unable to meet the proposed performance standards. This contingency approach will ensure that there is no net loss of functions and values in the long term.



## **2.2 PERFORMANCE STANDARD 1: WATER QUALITY**

- Stream temperature shall be at a level to support salmonids. Temperature shall be measured according to the 7-DAM, and ideally shall be at 64° F or less.
- Turbidity shall be reduced from pre-development levels, aiming not to exceed 10 NTU above background levels.
- Dissolved Oxygen shall be increased from pre-development levels, aiming for a level of 6 mg/l
- Pollutant removal of 65% or greater from pre-development levels (by use of biofiltration methods)

### **2.2.1 Contingency**

If monitoring shows that the performance standards are not being met, or are not expected to be met, an adaptive management plan will be implemented. Management goals may include but are not limited to, modifying the biofiltration media, establishing additional natural aeration structures, removing sediment, increasing vegetative cover.

Utilizing mitigation banking or a habitat reserves program (in-lieu fee) offers an additional opportunity to provide options for sites that are unable to meet the proposed performance standards. This contingency approach will ensure that there is no net loss of functions and values in the long term.

## **2.3 PERFORMANCE STANDARD 1: RIPARIAN HABITAT**

- Increase of native plants within the development area by at least 60% from pre-development levels.
- Establishment of native plantings with at least 60% survival and 80% aerial cover by Year-10. No greater than 10% invasive species present in the restoration areas by Year-10.
- Increase in macroinvertebrates from pre-development levels, aiming for Biological Condition of “Fair” by Year-10.
- Increase in avian species/individual abundance from pre-development levels
- Increase in total wildlife utilization from pre-development levels
- Increase in stream complexity (stream gravel/pool/riffle/refugia/LWD) from pre-development levels by Year-10

### **2.3.1 Contingency**

If monitoring shows that the performance standards are not being met, or are not expected to be met, an adaptive management plan will be implemented. Management goals may include but are not limited to, modifying the plant species assemblage, increasing LWD/boulder installation, removing sediment, herbicide treatment of invasive species (by a licensed applicator with an aquatic endorsement).

Utilizing mitigation banking or a habitat reserves program (in-lieu fee) offers an additional opportunity to provide options for sites that are unable to meet the proposed performance standards. This contingency approach will ensure that there is no net loss of functions and values in the long term.

## **3.0 CONCLUSION**

The BelRed Sub-area represents a unique opportunity to provide a template for urban stream restoration coupled with thoughtful residential redevelopment. In adopting a data-based approach to restoration, the City of Bellevue will align themselves with their comprehensive plan goals, as well as set the precedent in recognizing the importance of function and long-term protection of natural systems in the sub-area. Implementing this template, not only results in a significant increase to functions and values compared to existing conditions, but also offers property owners a framework for redevelopment. This will encourage redevelopment on sites that have degraded or piped conditions, which will result in the re-capture of diverse fish and wildlife habitat in the sub-area, that otherwise would not be required. This model has the potential to become the basis of urban stream restoration and management, not only in the BelRed sub-area, but in the City at large, and could act as a the standard for urban stream restoration across the region.

Should you have any questions or comments, please do not hesitate to contact me at 425-337-3174 or via email [jeff@wetlandresources.com](mailto:jeff@wetlandresources.com)

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# ANALYSIS OF BEST MANAGEMENT PRACTICES FOR URBAN STREAM BUFFERS

July 2024

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## **ANALYSIS OF BEST MANAGEMENT PRACTICES FOR URBAN STREAM BUFFERS**

### **PREPARED FOR**

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July 2024

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## EXECUTIVE SUMMARY

The Growth Management Act (GMA) of 1990 (*Growth Management --Planning by Selected Counties and Cities* 1990) requires all jurisdictions to define the limits of their growth to prevent urban sprawl common in other states in the United States of America. The GMA stresses infill before expansion by defining urban growth zones. The Act also requires that critical areas, such as wetlands and streams, must be protected from environmental harm.

This mandate can, at times, conflict with a jurisdiction's comprehensive plans in that wide buffers must be maintained on new developments despite a lack of a code-required buffer on adjacent properties. The conflict is that the code-required buffers can substantially reduce the size of the infill and may make a property infeasible to develop.

This is the case in the Bel-Red District of Bellevue, Washington. The City's vision for this district is to transform it from a largely industrial development to a vibrant urban neighborhood providing retail and residential units, all within walking distance of the Sound Transit Light Rail station.

An impediment to that goal is a series of small streams that flow through the Bel-Red District to Kelsey Creek, which is a major waterway and important in supporting a healthy population of salmonids, some of which are listed as threatened or endangered by the federal government. These streams may have relatively narrow buffers with minimal vegetative cover to reaches that have been piped and buried for many years.

The restoration of stream habitat only occurs in the Bel-Red District when a property is developed or redeveloped. Bellevue's current critical areas code requires that these streams must have a wide buffer along with a wide critical area setback. Buried streams are strongly encouraged to be daylighted and thus require wide buffers. The City of Bellevue requires that buffers be measured landward from the floodplain of the stream (if one exists) or at the top of slope where streams are significantly below the existing grade of a property. Bellevue's code does allow for piped reaches of a stream to remain in a pipe and even moved to accommodate development. The current critical areas ordinance provides more incentive for developers to leave a stream buried or to not develop a property at all (again, where the amount of buildable area on a property is reduced in size to the point where it is no longer feasible to develop). Under these circumstances, restoration of a stream channel that provides habitat for fish will not occur.

This document, therefore, explores the possibility of utilizing technology to replace some of the functions and values of a critical area buffer while focusing on protecting the resource at risk. The goal is to provide a healthy stream with cool, clean water and habitat for spawning or rearing fish, all without an excessively large buffer. The focus on such stream habitat restoration is to understand the resource at risk and optimize the available habitat to support the resource.

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## 1 REVIEW OF CURRENT BUFFER SCIENCE

Buffers protect critical areas from the impacts of human development. Buffers exist only in conjunction with development and should not be confused with “ecotone,” or the boundary between habitats. Ecotone describes the range of habitats available adjacent to a sharp change in ecosystems, such as between forest and grassland, wetland and upland, or riparian and non-riparian. A buffer identifies the abrupt change from the natural and built environment and provides a “minimum” distance needed to protect a critical area. Unfortunately, the gradation between environments is lost, which, in turn, limits available habitats and populations of animal species that might otherwise be present. While buffers are a construct rather than a habitat, buffers still provide much-needed support for critical areas. In short, buffers provide the following three basic functions:

1. Remove pollutants from stormwater runoff (sediments, metals, nutrients), and provide some thermal protection;
2. Regulate the hydroperiod of a critical area by controlling the rate at which runoff water is released to a waterbody; and
3. Provide habitat for wildlife.

Buffers in relation to human land use and development serve to protect certain functions and values of an ecosystem considered important to society. Protecting the health and quality of wetlands in turn provides water quality and mitigates the effect of large storms by storing water and releasing it over an expanded hydroperiod. Protected wetlands and stream buffers serve to protect stream health by providing cool, clean water for habitat necessary for threatened or endangered fish species and attenuating the volume of water entering a stream. Higher flows can cause erosion, sedimentation, and destruction of habitat for the survival of fish species.

Riparian buffers have been in use for many decades for protecting wetlands and streams from potential impacts of forestry, golf courses, and agricultural land (Richardson, Naiman, and Bisson 2012; Jiang *et al.* 2020; Wong and McCuen 1982). Later after the passage of the 1972 Clean Water Act (US Environmental Protection Agency 2020), the usefulness of buffers in protecting riparian habitat was a major concern. Buffer widths for protecting riparian habitat vary from study to study, depending on the parameters being reviewed (Oberts and Plevan 2001; S. C. Bingham, P. W. Westerman, and M. R. Overcash 1980; Ives *et al.* 2005; Kallestad and Swanson 2017). In general terms, wider vegetated buffers offer greater protection and habitat support to riparian systems than narrower ones.

The implementation of the GMA in 1990 (*Growth Management --Planning by Selected Counties and Cities* 1990; Laschever 1998) required all jurisdictions in Washington State to prepare comprehensive plans to demark the limits of urban growth. The main goal of the Act is to specify growth as infill before sprawl. The Act also requires the protection of critical areas (wetlands, streams, waterbodies, and priority habitats and species) as a component of a comprehensive

plan. The Washington Department of Ecology (Ecology) has prepared guidance on the buffer widths necessary to protect these environments.

Streams in riparian areas in dense urban development historically (before the Clean Water Act and the GMA) were routinely piped and buried to provide more land for development. Piping and burying streams is one characteristic of Bellevue's urban industrial development. The loss of streambed material, sources of carbon input, narrow, relatively poorly vegetated buffers, and the point discharge of stormwater directly and adversely affects riparian corridors, including the loss of spawning and rearing habitat for fish.

Declining stocks of salmon in the Pacific Northwest has been linked, in part, to the loss or destruction of riparian habitats. A result of the loss of riparian habitat is that several Pacific salmon species are now listed either as endangered, threatened, or a species of concern by the National Marine Fisheries Service. The reduction of salmon stocks has wide implications for terrestrial habitats adjacent to streams and the ecology of the eastern Pacific Ocean.

It is, therefore, imperative that riparian habitats be restored to their original function as habitat in providing support for endangered salmon species. The daylighting of piped streams is strongly encouraged by the City of Bellevue. However, a daylighted stream is currently required to provide a standard vegetated buffer width and development setback. This results in a very wide buffer (two setback widths, two buffer widths, and the width of the daylighted stream) that can preclude the redevelopment of parcels within dense urban areas and will be at odds with any comprehensive plan for urban redevelopment.

The purpose of this white paper is to analyze the basic functions of a riparian zone and to relate a buffer width to the efficacy of state-of-the-art stormwater management systems. The buffer width can then be determined by the need to protect a resource at hand.

## **1.1 Analysis of Stream Buffer Width Documentation**

A brief list of documentation and research papers was provided in the preceding paragraphs. Often these sources of information focus on a particular requirement of a functioning buffer. Generally, the ability of vegetated buffers to remove sediments, toxic metals, and toxic organic compounds are topics of these reports (S. C. Bingham, P. W. Westerman, and M. R. Overcash 1980; Houlahan and Findlay 2004; Kupilas *et al.* 2021). Unfortunately, many of these studies on the efficacy of a riparian buffer width are predominantly associated with agriculture and not the urban environment.

### **1.1.1 Sedimentation**

Several studies discussed the relative buffer width for the removal of sediments from runoff water. Combined with these studies were analyses on vegetation type in reducing the motility of sediments. This is important in that excessive sedimentation may damage the available fish habitat for spawning, rearing, and foraging. Fine sediments can settle between streambed gravels and effectively "cement" them in place. These gravels can no

longer be used for spawning. Salmonid species construct their redds so that eggs may be deposited in the gravel interstitial voids. Eggs hatch and develop into alevins that mature into fry as the yolk sacs are absorbed. The redds provide a critical environment for juvenile fish until they mature into out-migrant fry.

Studies have shown that the width of a buffer is the best predictor of sediment removal efficiency (Neiber *et al.* 2011; Yuan, Bingner, and Locke 2009; Barden *et al.* 2003). In one study (Neiber *et al.*), it was determined that a buffer between three and six meters (10 to 20 ft) would filter out as much as 80 percent of total suspended sediments. The study found no difference between forested or grass buffers. Another study (B.E. Allison and S. M. Fatula and D.P. Wolanski 2006) assessed the riparian buffer within developing areas as specified by the State of Delaware (30 m, or 98 ft) and found that the recommended buffer width was too wide and offered no additional protection to streams.

In summary, a buffer width between 10 and 20 feet is generally sufficient to reduce total suspended sediments entering a stream by up to 80 percent.

### 1.1.2 Nutrient Removal

Nutrients, such as nitrogen and phosphorus, can have deleterious effects on the general health of a stream or a receiving body of water. Nitrogen and phosphorus are used by vascular plants and algae for growth. Too much of these nutrients in the water can cause excessive plant growth or blooms of algae (eutrophication). Algal blooms can smother streambed material necessary for macrobenthic life or increase the biological oxygen demand within the stream or receiving body of water. The loss of oxygen in the water can suffocate aquatic invertebrates, fish, and amphibians that generally do not live on land.

A study by the Minnesota Department of Transportation (B.E. Allison and S. M. Fatula and D.P. Wolanski 2006) suggests that a vegetated buffer of 100 ft is sufficient to remove 80 percent of the total nitrogen and 78 percent of the total phosphorus from runoff water. Another study by Allinson, Fatula, and Wolanski (B.E. Allison and S. M. Fatula and D.P. Wolanski 2006) indicated that a vegetated buffer of between 15 and 30 meters (approximately 50 to 100 ft) was effective in reducing phosphorus by greater than 60 percent using simulated stormwater runoff.

### 1.1.3 Toxic Metals

Metals emanating from vehicle usage can be toxic to many species of fish. These metals include cadmium, lead, copper, and zinc. Little research appears to have addressed the size of a vegetated buffer width for the removal of toxic metals. However, toxic metals are often associated with suspended solids and petroleum products (Nieber *et al.* 2014) and can be sequestered in a vegetated buffer along with sediment deposits.

A study conducted by Jiangdi Deng, *et al.*, (Deng *et al.* 2024) indicated that toxic metals were reduced by up to 85 percent to 99 percent using 33 feet of vegetated strips

emanating from mine tailings. The ability of a buffer to remove toxic metals is more closely related to the cation exchange capacity of the soil within a buffer.

#### 1.1.4 Toxic Organics

Several studies examine the ability of a vegetated buffer to remove toxic organic compounds from agricultural fields (S. C. Bingham, P. W. Westerman, and M. R. Overcash 1980). A study of the efficiencies of a vegetated buffer to remove pesticides from runoff water indicated that up to 85 percent removal of pesticides occurred over a distance of 140 ft to 154 ft (Moore *et al.* 2014).

Currently, the ability of a buffer to effectively remove 6PPD and 6PPD-quinone from road runoff is extremely important in protecting fish life (Hiki, *et al.* 2021, 6; Washington State Department of Ecology 2022, 6; Tian, *et al.* 2022). 6PPD is an organic compound that is included in all vehicle tires as an antioxidant to prolong the integrity of the rubber from degradation, and is among many other tire rubber additives yet to be fully assessed for their effects on fish and wildlife (Saifur and Gardner 2021; Challis *et al.* 2021). 6PPD is converted to 6PPD-quinone in the presence of oxygen, thus preventing the oxidation of the tire rubber compound. However, 6PPD-quinone is lethal to adult coho salmon in minuscule concentrations. This leads to a die-off of adult coho spawners during the first rains of the spawning season. Removal of 6PPD-quinone from the stormwater train requires both soil and organic compounds for adsorption. Once sequestered, 6PPD-quinone will degrade naturally into less toxic compounds.

### 1.2 Impact of Prescribed Stream Buffer Widths on Urban Development.

#### 1.2.1 Growth Management Act

In 1990, the Washington State Legislature passed the Growth Management Act (*Growth Management --Planning by Selected Counties and Cities* 1990; Laschever 1998). The goal of the Act was to have the Counties and Cities of Washington State prepare comprehensive plans to indicate the limits to which a jurisdiction can expand and what types of growth will occur in a particular location. The emphasis is on infill before sprawl. The Act also requires that critical areas be protected according to a jurisdiction's critical areas code. A developer must now consider properties that were feasibly unbuildable or redevelop properties with existing legally nonconforming structures. In urban or urbanizing areas, redevelopment often requires the restoration of critical areas, including their associated buffers. The requirement for a vegetated buffer can remove substantial portions of a property from potential development, thus reducing the project's viability or the ability to meet density requirements.

### 1.2.2 City of Bellevue's Urban Comprehensive Plan

The City of Bellevue's Comprehensive Plan ("City of Bellevue Comprehensive Plan," n.d.) details its vision for the development or redevelopment of several subareas. In particular, the City of Bellevue identifies the Bel-Red Subarea to transition away from its previous industrial base to hybrid commercial and residential development. One goal of the proposed redevelopment of the Bel-Red District is to provide opportunities to improve the natural environment, including improvements to riparian corridors. Policy S-BR-11 states that the City encourages incorporating commercial and residential building siting and design to use on-site streams as a significant amenity.

The Environment section of the Bel-Red Comprehensive Plan provides details and guidance for stream corridor restoration. The streams within the Bel-Red District are badly impacted by previous legal property development. Streams either have no functional buffer to protect them from development or are buried in pipes through developed parcels. The Plan envisions the restoration of the streams in the Bel-Red District through removal of fish passage barriers, daylighting piped stream segments, and restoring the riparian habitats. The Comprehensive Plan also advises the creation or re-creation of natural streamside vegetation to a width of between 50 ft and 100 ft. In addition to these buffer widths, the City of Bellevue also requires a 50 ft development setback from the outer edges of the buffers.

### 1.2.3 Impact of Prescribed Stream Buffers on Urban Redevelopment

The required buffers and buffer setbacks for existing open reaches of stream, or for the daylighting of a stream, is a disincentive to redevelopment as envisioned by Bellevue's Comprehensive Plan and the GMA. Daylighting or restoring streams and their associated buffers and setbacks would require a large portion of potentially developable area to be set aside and unavailable for development. Buffers are measured landward from the top-of-bank<sup>1</sup>. Often, this results in a development that does not meet zoning density requirements due to a reduction of buildable area or completely impacting a property, thus making it undevelopable. This is especially true for piped conveyances where fill material has been added above the original stream grade. Therefore, it does not make sense for a developer to redevelop a property as envisioned by the Comprehensive Plan under the restrictive riparian buffer requirements currently stated in the City of Bellevue's Critical Areas Code (City of Bellevue, 2023). Properties containing either piped or open conveyance streams will likely not be redeveloped if these restrictions are enforced. Therefore, the critical areas code update will require reviewing and reassessing the need for such restrictive buffers and setbacks.

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<sup>1</sup> Top-of-bank is defined in §20.50.048.T as "[t]he point closest to the boundary of the active floodplain of a stream where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 50 feet."

Buffers help protect sensitive areas from the deleterious impacts of human development. The analysis of buffer widths and their relative effectiveness in removing pollutants as presented in **Section 1.1** of this letter clearly shows that much research into the effectiveness of a buffer to reduce pollutants rests on evaluating the width necessary to provide a certain percent removal for a particular pollutant. Quite often the buffer widths needed to remove a pollutant tend to be measured in tens to hundreds of feet. Again, prescriptive buffers suggested by the literature would prevent, or at least significantly reduce, the redevelopment of a dense urban area.

We believe that combining modern stormwater treatment best management practices (BMPs) with stream restoration can be used to reduce the prescriptive buffer widths and allow for the restoration and enhancement of riparian habitats.



## 2 REVIEW OF CURRENT STORMWATER FILTRATION SYSTEMS

Stormwater management in the past often consisted of moving collected stormwater to the nearest stream without regard to water cleanliness and discharge volume. Ecology has frequently revised its recommendations on stormwater detention, treatment, and release (Washington State Department of Ecology 2019). The BMPs for stormwater treatment and detention provided in the Ecology manual are meant to remove trash and sediments, separate oils, and release the detained stormwater to match a modeled pre-development forested release rate.

The need to provide clean water to riparian systems is a requirement to protect the riparian environment from human-produced toxins, such as excess nutrients, toxic metals, and toxic organic compounds. As mentioned in **Section 1.1**, tire wear compounds, such as 6PPD and 6PPD-quinone are major toxins that are lethal to fish in minute quantities. Other tire wear material includes zinc, and many other additives that have yet to be effectively analyzed.

We provided a list of general buffer functions in **Chapter 1**. These are water quality control, hydrology, and habitat. The hydrologic functions of a buffer are best considered as supplemental to the current technologies that regulate the rate at which stormwater can flow into a critical area. Therefore, it will not be necessary to provide a discussion of buffer hydrologic functions.

Many products have been developed to improve water quality from stormwater runoff. These range from settling ponds or vaults, to oil-water separators, trash racks, and other BMPs. Newer filtration systems can provide enhanced removal of many pollutants found in stormwater. These newer systems include filtering stormwater using a variety of materials dependent on the pollutant or pollutants being targeted for removal. This paper will address the basic hydrologic functions of riparian buffers (removal of sediments, nutrients, and hydrocarbons), but will focus on the removal of 6PPD and 6PPD-quinone because of their effect on adult coho salmon, and likely other aquatic organisms. The loss of salmon stock in the Pacific Northwest also affects the survival of other species that depend on salmon.

The Ecology studied the efficacy of existing stormwater BMPs in filtering out 6PPD and 6PPD-quinone (Navickis-Brasch *et al.* 2022). This study evaluated the potential for various stormwater filtration systems to effectively remove 6PPD and 6PPD-quinone. In general, filter systems that use soil media or organic filter media (such as biochar) were deemed to be highly effective in removing these compounds from stormwater. The Ecology study did not expressly evaluate the efficacy of any stormwater BMP. Recent research has shown that using bioretention cells can substantially reduce 6PPD-quinone from entering a receiving water (Rodgers *et al.* 2023; McIntyre *et al.* 2015).

### 3 DEVELOPING A NEW CONCEPT OF STREAM BUFFERS IN URBAN DEVELOPMENT

#### 3.1 Relating a Stormwater Filtration System to Buffer Widths

It is possible to relate a stormwater filtration system to an approximate buffer width based on the filter's ability to remove certain pollutants. Ecology maintains a list of stormwater filter systems identified for general use or General Use Level Designation. These technologies can be tailored to meet specific types of treatment objectives, such as nutrients, metals, *etc.*

Much of the discussion of buffer functions provided in **Section 1.1** indicates that certain prescriptive buffer widths will provide a certain percentage removal of various pollutants. Aspects determining the efficiency of buffers in removing pollutants are strongly based on the plant community, soil type, the presence of organic compounds, and the slope of the buffer. For instance, a vegetated buffer of 20 feet with moderate to shallow slopes can reduce the total suspended solids in stormwater by up to 80 percent. A vegetated buffer of 100 feet or greater may be necessary to remove total nitrogen (up to 80% removal) and total phosphorus (up to 78% removal). Vegetation appears to be a key component in a buffer's ability to remove these nutrients. A 33-ft buffer was shown to be effective in removing 85 percent to 99 percent of toxic metals. It should be noted here that the ability of a buffer to filter out toxic metals is finite. Finally, buffers greater than 145 feet may reduce pesticide loads in stormwater by 85 percent.

Most of the stormwater-enhanced biofiltration systems in the market today can remove up to 85 percent of the total suspended solids or sediments based on modeled high-intensity storm events, which is approximately equivalent to 20 feet of vegetated buffer. The ability of biofiltration systems to remove nutrients (nitrogen and phosphorus) from stormwater can range from 70 percent to 80 percent. As discussed by Nieber, *et al.* (2014), many pollutants are associated with suspended solids in the stormwater. Filtration systems that are effective in removing total suspended solids are also effective in sequestering toxic metals, organic compounds, and hydrocarbons. **Table 1** contains a comparison of water quality improvement capabilities between different buffer widths and stormwater filtration systems.

**Table 1.** Comparison of Water Quality Improvements Between Passive Buffers and Active Stormwater Filtration Systems<sup>2</sup>

	Passive Buffer		Active Stormwater Filtration System	
Contaminant Source	Buffer Width	% Contaminant Removal	Comparable Buffer Width	% Contaminant Removal
<i>Sedimentation</i>	<i>10-20 feet</i>	<i>80%</i>	<i>20+ feet</i>	<i>85%</i>
<i>Eutrophication Nutrients</i>	<i>50-100 feet</i>	<i>60 - 80%</i>	<i>75-100 feet</i>	<i>70-80%</i>
<i>Heavy Metals</i>	<i>33 feet</i>	<i>85 - 99%</i>	<i>33 feet</i>	<i>85%</i>
<i>Organic Compounds</i>	<i>140-154 feet</i>	<i>85%</i>	<i>140+ feet</i>	<i>85%</i>

### 3.2 Providing Habitat

While enhanced filtration BMPs can substantially reduce the concentration of common stormwater pollutants in a manner comparable to what specific widths of vegetated buffers may provide, the protection and potential enhancement of wildlife habitat are not addressed.

Streams in dense urban development, such as the Bel-Red Subarea, provide little to no habitat for fish or terrestrial animals typically associated with riparian corridors. Such habitat is severely curtailed by channelization and encroachment of impervious surfaces or entirely lacking (as with buried stream segments). As discussed in **Section 1.2.3** it is impractical to provide the standard City of Bellevue riparian buffer widths and setbacks since to do so would make redevelopment as envisioned by the City of Bellevue’s Comprehensive Plan infeasible. Applying standard riparian buffers and setbacks on the urban streams within the Bel-Red Subarea could require the dedication of a riparian corridor on a parcel of more than 300 feet (100-ft buffer on either side of a stream plus the 50-ft structure setback x2), plus the width of the restored or enhanced stream channel—as a worst case scenario. This disincentive would make leaving a property undeveloped because of an existing aboveground stream channel or keeping a piped segment underground a more attractive option. Therefore, a balance must be made between protecting and enhancing riparian resources and the redevelopment goals as described in the Comprehensive Plan.

#### 3.2.1 Discussion of the Resource at Risk

We believe that a better approach to providing stormwater management and riparian habitat is to evaluate what resources are at risk. This includes the quality and integrity of the riparian corridor and its ability to support wildlife resources. The quality and quantity

<sup>2</sup> These comparisons are based on data derived from current scientific literature and the filtration specifications for various systems provided by the manufacturers.

of stream water is a primary concern for the Pacific Northwest in that negative impacts on riparian areas have a direct impact on the support of the associated marine environment. The support of healthy salmonid fisheries is closely tied to the survival of southern resident killer whales (an endangered species). Intimately associated with supporting healthy stocks of salmon is the cultural heritage of the region's Indian Tribes.

It will not be possible or practicable to provide a pristine riparian habitat in a densely developed urban area. Therefore, the goal of providing meaningful riparian corridors must address the resources at risk.

A riparian corridor in a dense urban environment will not provide support to a full spectrum of plants and animals associated with riparian environments. Therefore, the effort to determine the width of a riparian corridor is to determine what the life requirements are of species that are likely to utilize the stream.

We previously noted that endangered or threatened salmonid stocks are perhaps the most important factors in considering the restoration or enhancement of riparian corridors. In short, salmon and other salmonid species need the following factors to ensure their survival:

- ♦ A source of cool, clean water;
- ♦ Overhanging vegetation to provide thermal protection from the sun;
- ♦ A source of carbon to support healthy populations of aquatic macroinvertebrates, which are a source of food for juvenile fish;
- ♦ Suitable gravel substrate in streambeds for spawning; and
- ♦ Rearing habitat.

Sources of cool, clean water in urban settings start with the use of enhanced stormwater treatment to remove as many pollutants from stormwater as is practicable. Stormwater also needs to be retained on site and released in a manner that does not cause high-flow conditions within the restored stream. And stormwater needs to be cooled before being released into the riparian corridor and the stream channel. Enhanced stormwater treatment systems can provide pollutant removal while providing some cooling of stormwater (Jones 2008; Sabouri *et al.* 2013), and an extension of hydroperiods. Therefore, the water quality and hydrology functions of a buffer can be met with the utilization of current stormwater filtration technologies and retention BMPs.

### 3.2.2 Discussion of Wildlife Usage in an Urban Area.

Wildlife usage in urban areas is largely dependent on the types and degree of development present. Residential areas can provide a greater variety of habitats for wildlife than commercial or industrial areas. This is due primarily to a greater abundance of vegetation in residential areas and a lower level of interaction between wildlife and humans and human-related activities. Still, the potential of any urban area to support wildlife is limited to synanthropic species (species that can utilize resources within dense

human populations). Providing natural or naturalized vegetated areas can increase the potential to support more synanthropic species.

Salmonid species are not synanthropic by any measure, but they can be found in urban streams. Therefore, any stream re-establishment or enhancement work should include providing a streambed with suitable gravel to support the spawning and rearing of juvenile fish, and a stable substrate for aquatic macroinvertebrates that form the base of a stream's food chain. Also, the re-created or enhanced riparian corridor must include large woody debris that will provide additional structural habitat within a stream channel and include enough vegetative cover to protect and nourish the stream. Forest canopies provide protection from solar heating, thus keeping stream water cool enough for healthy salmonid populations. Also, leaf litter, twigs, and other vegetative materials will fall into the riparian corridor providing a much-needed source of carbon in support of the stream's food chain.

### 3.2.3 Providing a Balance of Riparian Habitat within an Urban Area

Providing the balance between a functioning riparian corridor and an urban area requires accepting certain trade-offs. Since the amount of land available for re-creating or restoring riparian corridors is limited, special attention must be given to determining the dimensions of a reasonable corridor that still allows for feasible development, and that provides real incentives for developers to go beyond the minimum requirements of the critical areas code.

The first step is to design a stormwater management plan that addresses the pollutants likely to be generated on a site and releases detained and treated stormwater per the current SWMMWW (2019), and potentially address additional water treatment measures. A properly designed and maintained stormwater treatment system will address the water quality improvements that would be provided by larger buffers.

The width of the riparian corridor needs to be determined. This width should consider the wetted width of the stream channel and provide a reasonable additional width to account for some natural channel migration. The resultant riparian corridor will be planted with a variety of native vegetation and will be provided with large woody debris for habitat structure and streambank erosion control. Reasonable structure setbacks must also be assessed. The final riparian corridor will be a fixed width. Finally, it will be required of the property developer or owner to maintain the riparian corridor and stormwater treatment system in perpetuity.

A fixed-width riparian corridor can then be incorporated more easily as an aesthetic amenity with any proposed redevelopment proposal, so long as minimum design and restoration standards are met. Coordination with property owners and developers working within a specific riparian area will be necessary to provide a consistent design concept for a particular stream.

## 4 CONCLUSIONS

The Washington State GMA requires jurisdictions to define the limits of their growth to prevent urban sprawl. The Act, therefore, favors infill before sprawl. Urban areas may be rezoned to provide higher-density housing, especially within special urban subareas, such as the Bel-Red Subarea of the City of Bellevue. The current Comprehensive Plan for the Bel-Red Subarea indicates the City's desire to transform the Bel-Red Subarea from light industrial uses to mixed commercial and residential uses.

The GMA also requires that critical areas be protected to the extent practical or as allowed under a jurisdiction's critical areas code. The Comprehensive Plan for the Bel-Red Subarea speaks to the desire to restore currently degraded riparian systems and incentivize the use of special stormwater treatment to protect stream water quality and potential fish habitat. The Comprehensive Plan, however, falls short in providing any tools or incentives for daylighting buried sections of streams or redeveloping properties with existing aboveground stream reaches. The Comprehensive Plan and Bellevue's Critical Areas Code require that streams within the Bel-Red Subarea have a 50- to 100-ft vegetated buffer and a 50-ft buffer setback measured from the top-of-bank of a stream. Thus, a stream buffer in the Bel-Red Subarea could be greater than 300 ft wide when the width of the stream, steep slopes, and buffer setbacks are added in.

We suggest that the use of enhanced stormwater filtration and detention facilities can be used to reduce much of the required buffer width, since many of the water quality and hydrology functions of a buffer can be replicated through applied technology. Modern stormwater filtration and management systems, when properly implemented, have proven effective at removing contaminants in amounts equal to or greater than current passive buffer widths. Stormwater systems also offer advanced methods of retaining stormwater on-site and slowly releasing cool, clean water to streams in a manner replicating a pre-development hydroperiod. Combining a modern stormwater system that includes advanced water quality treatment with a narrower buffer (as little as 20 feet) should provide comparable riparian habitat protection when compared with wider passive buffers. A restored stream channel providing limited channel migration opportunities, a streambed material approved by the Washington Department of Fish and Wildlife, large woody debris, and sufficient vegetative canopy will provide a vastly improved riparian habitat for fish, including anadromous species. This minimized riparian corridor can be modified to meet any aesthetic aspect of a proposed development.



## 5 REFERENCES

- Barden, Charles J., Kyle R. Mankin, Daniel Ngandu, and Wayne A. Geyer. 2003. "Assessing the Effectiveness of Various Riparian Buffer Vegetation Types (2003)." *Kansas Agricultural Experiment Station Research Reports*, no. 12 (January). <https://doi.org/10.4148/2378-5977.7243>.
- B.E. Allison and S. M. Fatula and D.P. Wolanski. 2006. "Evaluating Riparian Buffers for Nonpoint Source Pollution Control in an Urban Setting Using the Riparian Ecosystem Management Model, REMM." In *Hydrology and Management of Forested Wetlands, Proceedings of the International Conference, April 8-12, 2006, New Bern, North Carolina*. American Society of Agricultural and Biological Engineers. <https://doi.org/10.13031/2013.20307>.
- Challis, J. K., H. Popick, S. Prajapati, P. Harder, J. P. Giesy, K. McPhedran, and M. Brinkmann. 2021. "Occurrences of Tire Rubber-Derived Contaminants in Cold-Climate Urban Runoff." *Environmental Science & Technology Letters* 8 (11): 961–67. <https://doi.org/10.1021/acs.estlett.1c00682>.
- City of Bellevue. 2023. *Part 20.25H Critical Areas Overlay, City of Bellevue Land Use Code*. Vol. 20.25H.
- "City of Bellevue Comprehensive Plan." n.d. City of Bellevue. Accessed May 27, 2024. <https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/comprehensive-plan>.
- Deng, Jiangdi, Zuran Li, Bo Li, Cui Xu, Lei Wang, and Yuan Li. 2024. "Wide Riparian Zones Inhibited Trace Element Loss in Mining Wastelands by Reducing Surface Runoff and Trace Elements in Sediment." *Toxics* 12 (4): 279. <https://doi.org/10.3390/toxics12040279>.
- Growth Management --Planning by Selected Counties and Cities*. 1990. Vol. 36.70A.
- Hiki, Kyoshiro, Kenta Asahina, Kota Kato, Takahiro Yamagishi, Ryo Omagari, Yuichi Iwasaki, Haruna Watanabe, and Hiroshi Yamamoto. 2021. "Acute Toxicity of a Tire Rubber-Derived Chemical, 6PPD Quinone, to Freshwater Fish and Crustacean Species." *Environmental Science & Technology Letters* 8 (9): 779–84. <https://doi.org/10.1021/acs.estlett.1c00453>.
- Houlahan, Jeff E., and C. Scott Findlay. 2004. "Estimating the 'Critical' Distance at Which Adjacent Land-Use Degrades Wetland Water and Sediment Quality." *Landscape Ecology* 19 (6): 677–90. <https://doi.org/10.1023/B:LAND.0000042912.87067.35>.
- Ives, Christopher, Mark Patrick Taylor, Peter Davies, and David Wilks. 2005. "How Wide Is Wide Enough? The Relationship between Riparian Buffer Width, Condition and Biodiversity: An Assessment of Urban Creek Systems in the Ku-Ring-Gai Local Government Area, North Sydney, NSW." In *Khanna, N., Barton, D., Beale, D., Cornforth, R., Elmahdi, A., McRae, J., Seelsaen, N., Shalav, A.(Eds), Environmental Change: Making It Happen: 9th Annual Environmental Research Conference, 29th November to 2nd December*.
- Jiang, Fei, Heather E. Preisendanz, Tamie L. Veith, Raj Cijin, and Patrick J. Drohan. 2020. "Riparian Buffer Effectiveness as a Function of Buffer Design and Input Loads." *Journal of Environmental Quality* 49 (6): 1599–1611. <https://doi.org/10.1002/jeq2.20149>.
- Jones, Matthew Paul. 2008. "Effect of Urban Stormwater BMPs on Runoff Temperature in Trout Sensitive Regions." Dissertation, Raleigh, North Carolina: North Carolina State University.
- Kallestad, J., and M. E. Swanson. 2017. *Riparian Buffers for Western Washington Agriculture. Tilth Producers Farm Walk Series*. Washington State University.
- Kupilas, Benjamin, Francis J. Burdon, Jens Thaulow, Johnny Håll, Petra Thea Mutinova, Marie Anne Eurie Forio, Felix Witing, et al. 2021. "Forested Riparian Zones Provide Important Habitat for Fish in Urban Streams." *Water* 13 (6): 877. <https://doi.org/10.3390/w13060877>.

- Laschever, Eric S. 1998. "An Overview of Washington's Growth Management Act." *Pac. Rim. L. & Pol'y J.* 7:657.
- McIntyre, J.K., J.W. Davis, C. Hinman, K.H. Macneale, B.F. Anulacion, N.L. Scholz, and J.D. Stark. 2015. "Soil Bioretention Protects Juvenile Salmon and Their Prey from the Toxic Impacts of Urban Stormwater Runoff." *Chemosphere* 132 (August):213–19. <https://doi.org/10.1016/j.chemosphere.2014.12.052>.
- Moore, M. T., R. Kröger, M. A. Locke, R. E. Lizotte, S. Testa, and C. M. Cooper. 2014. "Diazinon and Permethrin Mitigation Across a Grass–Wetland Buffer." *Bulletin of Environmental Contamination and Toxicology* 93 (5): 574–79. <https://doi.org/10.1007/s00128-014-1357-8>.
- Navickis-Brasch, Aimee S., Mark Maurer, Taylor Hoffman-Ballard, Susan Bator, and Jerry Diamond. 2022. "Stormwater Treatment of Tire Contaminants Best Management Practices Effectiveness." Olympia, WA: Washington State Department of Ecology.
- Neiber, J. L., C Arika, C Lenhart, M Titov, and K Brooks. 2011. "Evaluation of Buffer Width on Hydrologic Function, Water Quality, and Ecological Integrity of Wetlands." Mn/RC 2011-06. University of Minnesota.
- Nieber, J. L., C. N. Arika, L. Lahti, J. S. Gulliver, and Peter T. Weiss. 2014. "The Impact of Stormwater Infiltration Practices on Groundwater Quality." University of Minnesota.
- Oberts, Gary, and Andrea Plevan. 2001. "Benefits of Wetland Buffers: A Study of Functions, Values and Size." Emmons and Olivier Resources, Inc.
- Richardson, John S., Robert J. Naiman, and Peter A. Bisson. 2012. "How Did Fixed-Width Buffers Become Standard Practice for Protecting Freshwaters and Their Riparian Areas from Forest Harvest Practices?" *Freshwater Science* 31 (1): 232–38. <https://doi.org/10.1899/11-031.1>.
- Rodgers, Timothy F. M., Yanru Wang, Cassandra Humes, Matthew Jeronimo, Cassandra Johannessen, Sylvie Spraakman, Amanda Giang, and Rachel C. Scholes. 2023. "Bioretention Cells Provide a 10-Fold Reduction in 6PPD-Quinone Mass Loadings to Receiving Waters: Evidence from a Field Experiment and Modeling." *Environmental Science & Technology Letters* 10 (7): 582–88. <https://doi.org/10.1021/acs.estlett.3c00203>.
- S. C. Bingham, P. W. Westerman, and M. R. Overcash. 1980. "Effect of Grass Buffer Zone Length in Reducing the Pollution from Land Application Areas." *Transactions of the ASAE* 23 (2): 0330–35. <https://doi.org/10.13031/2013.34580>.
- Sabouri, F., B. Gharabaghi, A.A. Mahboubi, and E.A. McBean. 2013. "Impervious Surfaces and Sewer Pipe Effects on Stormwater Runoff Temperature." *Journal of Hydrology* 502 (October):10–17. <https://doi.org/10.1016/j.jhydrol.2013.08.016>.
- Saifur, Sumaiya, and Courtney M. Gardner. 2021. "Loading, Transport, and Treatment of Emerging Chemical and Biological Contaminants of Concern in Stormwater." *Water Science and Technology* 83 (12): 2863–85. <https://doi.org/10.2166/wst.2021.187>.
- Tian, Zhenyu, Melissa Gonzalez, Craig A. Rideout, Haoqi Nina Zhao, Ximin Hu, Jill Wetzel, Emma Mudrock, C. Andrew James, Jenifer K. McIntyre, and Edward P. Kolodziej. 2022. "6PPD-Quinone: Revised Toxicity Assessment and Quantification with a Commercial Standard." *Environmental Science & Technology Letters* 9 (2): 140–46. <https://doi.org/10.1021/acs.estlett.1c00910>.
- U.S. Environmental Protection Agency. 2020. "Clean Water Act - Navigable Waters Protection Rule." U.S EPA.

- Washington State Department of Ecology. 2019. "Stormwater Management Manual for Western Washington." Manual 19-10-021. Washington State Department of Ecology Water Quality Program.
- . 2022. "6PPD in Road Runoff - Assessment and Mitigation Strategies." 22-03-020. Olympia, WA.
- Wong, S. L., and R. H. McCuen. 1982. "The Design of Vegetative Buffer Strips for Runoff and Sediment Control. Appendix J in Stormwater Management for Coastal Areas." *American Society of Civil Engineers, New York*.
- Yuan, Yongping, Ronald L. Bingner, and Martin A. Locke. 2009. "A Review of Effectiveness of Vegetative Buffers on Sediment Trapping in Agricultural Areas." *Ecohydrology* 2 (3): 321–36. <https://doi.org/10.1002/eco.82>.

# Blue-Green Infrastructure Improvements at Evergreen Center

## Overview

[Wetland Resources](#) is consulting with the owners of Evergreen Center about the possibility of conducting Blue-Green Infrastructure improvements on their parcels located at 130<sup>th</sup> and Northrup Way Bellevue, WA (Table 1). A site visit was conducted on June 1, 2025. (See link to photo album: <https://photos.app.goo.gl/B4dFXyjUvECnmZSJ7> )

A critical aspect of this work is to develop a framework for quantifying the net environmental gains (De Burca 2023; Diefenderfer et al. 2016) obtained from any infrastructure improvements that would help recover Goff Creek that flows through the property (Blue) and landscape restorations (Green) that would improve the environmental quality of runoff and enhance the ecological habitat processes supporting the quality of life and wellbeing of people and wildlife at the site. These goals are consistent with Bellevue’s sustainable development goals (City of Bellevue 2024b), comprehensive plan (City of Bellevue 2023), subarea plan (City of Bellevue 2012), and current capital improvements being constructed for Bel-Red (City of Bellevue 2024a). The King county climate action tool kit (King County and King County-Cities 2021) recommends adopting policies that could require owners of buildings over a certain size (such as 50,000 sq. ft) to manage their own stormwater runoff and considers requiring permeable pavement targets for parking areas.

Additionally, this work would cumulatively support regional species (orca, salmon, etc.) recovery, habitat conservation, and ecosystem restoration activities that are vital for the quality of life and wellbeing of people and critical for sustaining populations of native fish and wildlife of the Puget Sound region (Puget Sound Partnership 2018; King County 2019; 2009; King County and King County-Cities 2021; Colwell and McLaughlin 2016). Furthermore, such improvements at the site would increase the value of the parcels, enhance benefits to tenants, and make the site more welcoming to visitors of Evergreen Center.

*Table 1. List of parcels located at 130<sup>th</sup> and Northrup Way, Bellevue, WA (King County 2025) that are being considered for restoration efforts that could include Blue-Green Infrastructure improvements.*

Parcel	Present use:	Taxpayer name:	Appraised value:	Lot area:	unit
2825059203	Industrial Park	MRM EVERGREEN LLC	\$2,801,000	16,000	sq ft
2825059202	Industrial Park	MRM EVERGREEN LLC	\$22,301,400	116,443	sq ft
2825059247	Industrial Park	MRM EVERGREEN LLC	\$10,481,500	59,889	sq ft
2825059049	Retail (Line/Strip)	MRM EVERGREEN LLC	\$10,215,200	58,367	sq ft
	Total		\$45,799,100	250,699	sq ft
				5.76	acres

## Approach

In order to quantitatively track net environmental gains achieved by Blue-Green Infrastructure improvements, it is recommended that an adaptive management restoration plan for Bel-Red be developed. The development of the plan should be guided by a technical working or advisory group made up of experts, stakeholders, and interested citizens who can engage in the process. This is similar to the approach the City Bellevue used for the Wilburton Vision Sustainability District Opportunity Assessment (City of Bellevue 2025) and other successful collaborative projects in the Puget Sound (ENVVEST 2006; R. M. Thom et al. 2010; [PSEMP] Puget Sound Ecosystems Monitoring Program Toxics Work Group 2017). The purpose of the stakeholder group is to

- Identify methodology and goals of the restoration
- Define metrics to evaluate ecological benefits of proposed restoration
- Assist in developing an existing conditions report and a baseline monitoring plan
- Prepare protocols for baseline sampling and analysis
- Provide stakeholder technical review and evaluation

The above process is similar to the Restoration Adaptive Management Plan (RAMP) developed for the Navy's compensatory mitigation project to restore salmon rearing habitat at the Keyport Lagoon on the Naval Underwater Warfare Center Keyport, WA (R. M. Thom et al. 2010; Vavrinec et al. 2012). In this project, a RAMP was developed to provide a framework to evaluate the effectiveness of restoration activities based on the net environmental improvements (NEI) determined by selected metrics that were monitored to establish a baseline and then tracked during the restoration process. Although the Keyport Lagoon restoration did not go forward<sup>1</sup>, baseline monitoring was conducted (Vavrinec et al. 2012) and the RAMP/NEI framework was endorsed by the Stakeholders involved in the process (R. M. Thom et al. 2010; R. Thom and Brandenberger 2010). This framework is applicable to restoration activities in the Bel-Red planning area as well as the other locations within the Puget Sound Lowlands. The first step in this process is to develop a baseline of current conditions that can be used to evaluate and quantify environmental benefits of infrastructure improvements.

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<sup>1</sup> In 2012, the Navy, with the concurrence of the Suquamish Tribe and other stakeholders, agreed to conduct restoration of Chico Creek instead of Keyport Lagoon as compensation mitigation for Pier B Construction at the Puget Sound Naval Shipyard. This decision was due in-part to the elevated dioxin levels found in sediments of Keyport Lagoon.

## Background Info

Bellevue, WA has several ongoing urban green projects, including an updated Comprehensive Plan with a sub-area plan for Bel-Red (City of Bellevue 2023), a Station Area Plan for the new light rail station being built on 130<sup>th</sup> Ave (City of Bellevue 2012), and plans for developing a sustainable Bellevue (City of Bellevue 2024b). The city also offers various tree planting and preservation programs and is currently implementing utility upgrades (City of Bellevue 2024c) and street improvements in the Bel-Red area (City of Bellevue 2024a).

The City of Bellevue is committed to providing a healthy environment for its citizens and wildlife. Bellevue is known as a "*city in a park*" and capital Investments help support a livable city in the following ways (City of Bellevue 2024c):

- Flood control projects protect property and the environment.
- Maintaining sewer pump stations prevents sewage overflows, supporting healthy waterways.
- Improving stream stability by reducing erosion, removing barriers to fish passage and removing pollutants from stormwater runoff supports healthier streams for fish and wildlife.

## Indicators for Determining Environmental Gains

A variety of indicators can be used to determine net environmental gains. Examples include restoration of the health of Goff Creek, the reduction of impervious surfaces of Evergreen Center, increased infiltration and reduced runoff from the site, and improvements in habitat quality, biodiversity, and nature benefits perceived by residents and visitors at the site.

For the purpose of salmon recovery, many organizations and agencies are actively involved in stream restoration in the Puget Sound lowlands (King County 2019; 2009; Colton et al. 2009). Stream restoration is typically measured using a combination of biological, hydrological, and ecological indicators. Some of the best methods include (from MSCoplilot):

- ***Benthic Index of Biotic Integrity (B-IBI):*** This method assesses stream health based on the variety of aquatic insects (stream bugs) present. A higher diversity of sensitive species indicates better water quality and habitat conditions.
- ***Water Quality Monitoring:*** Measuring parameters like temperature, dissolved oxygen, turbidity, and nutrient levels helps determine the effectiveness of restoration efforts.



- ***Riparian Vegetation Assessment:*** *Evaluating the density and diversity of streamside vegetation helps gauge improvements in habitat quality and erosion control.*
- ***Sediment and Flow Analysis:*** *Monitoring sediment levels and stream flow patterns can indicate whether restoration efforts are reducing erosion and improving hydrological stability.*
- ***Fish Population Surveys:*** *Tracking salmon and other fish species helps assess whether restored streams are supporting aquatic life.*

Another major force in Puget Sound recovery is management and control of stormwater and lessening the environmental impacts of stormwater runoff (Puget Sound Partnership 2018). Modifications of the built environment to reduce runoff from pervious surfaces, increase infiltration, and improve ecological functions are being conducted to implement green infrastructure improvements (Seattle Public Utilities 2025; Rottle and Lee 2007; Seattle Public Utilities and King County 2024), build smarter streets (Colwell and McLaughlin 2016), and create stormwater parks (May et al. 2016; Northwest Cascade Inc. 2016; Henry 2015). Stormwater improvement metrics from these and other projects can be developed to determine the net environmental gains over time (Diefenderfer et al. 2020).

Improvements to habitat quality, biodiversity, and human well being can also be assessed. These improvement can also contribute to rewilding urban areas as protection against climate change and lessen the impacts of biodiversity loss (Stockwell 2024; Song 2021). Changes in canopy cover and vegetation community can be characterized (Struckhoff et al. 2024; The Nature Conservancy and Environmental Systems Research Institute, Inc. 1994; Velasquez-Camacho et al. 2024), species presence and abundance can be documented by conducting a BioBlitz (National Geographic 2023), measuring eDNA (Coward et al. 2020), and capturing images of changes at the site (Nature Research Custom Media 2021; Radig et al. 2021; Panigrahi, Maski, and Thondiyath 2023). The net improvement to human wellness and mental wellbeing can also be quantified (Madhuleena 2019; Harrington and Biedenweg 2024).

Conducting a BioBlitz provides data about the presence and abundance of plant, insect, bird, fungi, and other species at the site, but more importantly, it allows the community and citizen scientists to participate and engage in the project.

*A BioBlitz, is an event that focuses on finding and identifying as many species as possible in a specific area over a short period of time. A Bioblitz is also known as a biological inventory or biological census. The primary goal of a BioBlitz is to get an overall count of the plants, animals, fungi, and other organisms that live in a place. A BioBlitz differs from a scientific inventory in a number of ways. Scientific inventories are usually limited to biologists, geographers, and other scientists. A BioBlitz brings together volunteer*

*scientists, as well as families, students, teachers, and other members of the community. While a scientific survey often focuses on unique or isolated areas, BioBlitzes focus on areas that are connected to residential, urban, and industrial areas. These differences make a BioBlitz a unique biological survey that encourages a relationship between the natural and human communities of a given area. Citizens work alongside scientists to learn about the biological diversity of local natural spaces. In the process, they gain skills and knowledge and develop a stronger connection to their home environment. A BioBlitz aims to promote and improve local natural spaces by empowering citizens to better understand and protect biodiversity (National Geographic 2023).*

## Summary

The benefits of blue-green infrastructure improvements at Evergreen Center can improve the ecology of Goff Creek, reduce impervious areas and stormwater runoff from the site, enhance habitat quality and conservation, and provide economic benefits to the owners, tenants, residents, and visitors to the area.

Developing an adaptive management framework, in collaboration with technical stakeholders and interested parties is recommended to provide a basis for determining the net environmental gains from infrastructure improvement projects.

A variety of indicators are recommended for determining environmental gains including restoration of the health of Goff Creek, the reduction of impervious surfaces of Evergreen Center, increased infiltration and reduced runoff from the site, and improvements in habitat quality, biodiversity, and nature benefits perceived by residents and visitors at the site.

## References

An online repository of references cited in this document is available at

<https://www.zotero.org/groups/6025862/bel-red/library>

- City of Bellevue. 2012. "Station Area Plan: 130th Ave NE Light Rail Station, Bellevue, WA." Bellevue, WA. [https://bellevuewa.gov/sites/default/files/media/pdf\\_document/EL-BR130SAP-130thStationAreaPlanFinalMarch2012.pdf](https://bellevuewa.gov/sites/default/files/media/pdf_document/EL-BR130SAP-130thStationAreaPlanFinalMarch2012.pdf).
- . 2023. "Comprehensive Plan." Community Development. City of Bellevue. 2023. <https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/comprehensive-plan>.
- . 2024a. "BelRed Improvements." City of Bellevue. 2024. <https://bellevuewa.gov/city-government/departments/transportation/projects/belred-street-improvements>.

- . 2024b. “Sustainable Bellevue Plan.” Information. Sustainable Bellevue Plan. 2024. <https://bellevuewa.gov/city-government/departments/community-development/environmental-stewardship/esi-strategic-plan>.
- . 2024c. “Utilities Capital Projects.” Information. Utilities Capital Projects. 2024. <https://bellevuewa.gov/city-government/departments/utilities/utilities-projects-plans-standards/utilities-capital-projects>.
- . 2025. “Sustainable District Opportunity Assessment: Wilburton Vision Implementation.” Sustainable Bellevue. Bellevue, WA: city of Bellevue. <https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/wilburton-vision/wilburton-sustainable-district-opportunity-assessment>.
- Colton, J, D Henderson, D Lester, and J Simmonds. 2009. “Puget Sound Stream Benthos: Monitoring Status and Data Management.” August 2009. Seattle, WA. <https://pugetsoundstreambenthos.org/About-Us.aspx>.
- Colwell, Shanti, and Susan McLaughlin. 2016. “Seattle’s Natural Drainage Systems and Complete Streets.” Presentation presented at the North American Cities and Transit Agencies (NACTO) Designing Cities 2016, Seattle, WA, September 28. <https://nacto.org/wp-content/uploads/Seattles-Natural-Drainage-Systems-and-Complete-Streets.pdf>.
- Cowart, Dominique A., Marjolaine Matabos, Miriam I. Brandt, Julien Marticorena, and Jozée Sarrazin. 2020. “Exploring Environmental DNA (eDNA) to Assess Biodiversity of Hard Substratum Faunal Communities on the Lucky Strike Vent Field (Mid-Atlantic Ridge) and Investigate Recolonization Dynamics After an Induced Disturbance.” *Frontiers in Marine Science* 6. <https://www.frontiersin.org/article/10.3389/fmars.2019.00783>.
- De Burca, Jackie. 2023. “What Is Environmental Net Gain?” July 12, 2023. <https://constructive-voices.com/what-is-environmental-net-gain/>.
- Diefenderfer, Heida L., Gary E. Johnson, Ronald M. Thom, Kate E. Buenau, Laurie A. Weitkamp, Christa M. Woodley, Amy B. Borde, and Roy K. Kropp. 2016. “Evidence-Based Evaluation of the Cumulative Effects of Ecosystem Restoration.” *Ecosphere* 7 (3): e01242. <https://doi.org/10.1002/ecs2.1242>.
- Diefenderfer, Heida L., Gregory D. Steyer, Matthew C. Harwell, Andrew J. LoSchiavo, Hilary A. Neckles, David M. Burdick, Gary E. Johnson, et al. 2020. “Applying Cumulative Effects to Strategically Advance Large-Scale Ecosystem Restoration.” *Frontiers in Ecology and the Environment* n/a (n/a). <https://doi.org/10.1002/fee.2274>.
- ENVVEST. 2006. “Puget Sound Naval Shipyard and Intermediate Maintenance Facility Project ENVVEST Community Update CD: Study Plans, Reports, Data and Supporting Information.” CD. Bremerton, WA: Prepared by Marine Environmental Support Office NW for Puget Sound Naval Shipyard Project ENVVEST Ecology Publication No.: 06-10-054. <http://mesodat.org/Public/ENVVEST2006/>.
- Harrington, Krista, and Kelly Biedenweg. 2024. “Puget Sound Perceptions of Environmental Change Summary Report.” Final. Tacoma, WA: Puget Sound Partnership. [https://www.eopugetsound.org/sites/default/files/features/resources/Puget\\_Sound\\_Climate\\_Report\\_2024.pdf](https://www.eopugetsound.org/sites/default/files/features/resources/Puget_Sound_Climate_Report_2024.pdf).
- Henry, Chris. 2015. “Park in Manchester Cleans the Environment.” *Kitsap Sun*, August 15, 2015, sec. Local News. <http://www.kitsapsun.com/news/local/park-in-manchester-cleans-the-environment-ep-1232147893-354539291.html>.

- King County. 2009. "Restoration Priorities - Puget Sound Stream Benthos." Data Repository. Puget Sound Stream Benthos. 2009.  
<https://pugetsoundstreambenthos.org/Projects/Restoration-Priorities-2014.aspx>.
- . 2019. "The Restore and Protect Project - King County, Washington." Identifying and recommending actions to restore and protect local streams. 2019.  
<https://www.kingcounty.gov/en/dept/dnrp/nature-recreation/environment-ecology-conservation/projects/restore-and-protect>.
- . 2025. "King County Parcel Viewer." GIS Spatial Data Server. Parcel Viewer. 2025.  
<https://gismaps.kingcounty.gov/parcelviewer2/>.
- King County, and King County-Cities. 2021. "Climate Action Toolkit." Seattle, WA: King County.  
<https://your.kingcounty.gov/dnrp/climate/documents/climate-action-toolkit-04-2021.pdf>.
- Madhuleena, Chowdhury Roy. 2019. "The Positive Effects Of Nature On Your Mental Wellbeing." *PositivePsychology.Com* (blog). March 11, 2019.  
<https://positivepsychology.com/positive-effects-of-nature/>.
- May, Chris, Tim Beachy, Phil Struck, Norman Olson, and Michelle Perdue. 2016. "Manchester's Stormwater Park." *Stormwater* 2016 (May).  
<https://www.stormwater.com/home/article/13023721/manchesters-stormwater-park>.
- National Geographic. 2023. "Bioblitz." Encyclopedic Entry. Bioblitz. 2023.  
<https://education.nationalgeographic.org/resource/bioblitz>.
- Nature Research Custom Media. 2021. "Capturing Snapshots of Biodiversity." *Nature Portfolio*, no. d42473-021-00149–9. <https://www.nature.com/articles/d42473-021-00149-9>.
- Northwest Cascade Inc. 2016. "Manchester Stormwater Park." Case Study. *NW Cascade* (blog). 2016. <https://nwcascade.com/projects/manchester-stormwater-park/>.
- Panigrahi, Siddhant, Prajwal Maski, and Asokan Thondiyath. 2023. "Real-Time Biodiversity Analysis Using Deep-Learning Algorithms on Mobile Robotic Platforms." *PeerJ Computer Science* 9 (August):e1502. <https://doi.org/10.7717/peerj-cs.1502>.
- [PSEMP] Puget Sound Ecosystems Monitoring Program Toxics Work Group. 2017. *2016 Salish Sea Toxics Monitoring Review: A Selection of Research*. Edited by CA James, J Lanksbury, D Lester, S O'Neill, C Sullivan, and J West. Puget Sound Ecosystems Monitoring Program. Tacoma, WA: Ecyclopedia of Puget Sound.  
<https://pspwa.app.box.com/s/0luxyi979sz3d9cx90ovlr4ot6axqwk8/file/391719053529>.
- Puget Sound Partnership. 2018. "Puget Sound Partnership 2022-2026 Action Agenda." Puget Sound Action Agenda Update. Tacoma, WA: Puget Sound Partnership.  
<https://www.psp.wa.gov/action-agenda-archive.php>.
- Radig, Bernd, Paul Bodesheim, Dimitri Korsch, Joachim Denzler, Timm Haucke, Morris Klasen, and Volker Steinhage. 2021. "Automated Visual Large Scale Monitoring of Faunal Biodiversity." *Pattern Recognition and Image Analysis* 31 (3): 477–88.  
<https://doi.org/10.1134/S1054661821030214>.
- Rottle, Nancy, and Vanessa Lee. 2007. "Seattle Streets: Planting Strips and Street Edge Treatments for Urban Green Infrastructure." Final Report. Final Report for Seattle Public Utilities. University of Washington. [https://nacto.org/wp-content/uploads/re-imagining\\_seattle\\_streets\\_rottle\\_optimized2.pdf](https://nacto.org/wp-content/uploads/re-imagining_seattle_streets_rottle_optimized2.pdf).

- Seattle Public Utilities, and King County. 2024. "700 Million Gallons: Green Stormwater Infrastructure." 700 Million Gallons. 2024. <https://www.700milliongallons.org/>.
- Seattle Public Utilities, (SPU). 2025. "Green Stormwater Infrastructure." SPU Public Information. Green Stormwater Infrastructure. 2025. <https://www.seattle.gov/utilities/your-services/sewer-and-drainage/green-stormwater-infrastructure>.
- Song, Faye. 2021. "Rewilding Cities: Why It's Needed and How You Can Help." Blog Post. Rewilding Knowledge. Mossy.Earth. <https://www.mossy.earth/rewilding-knowledge/rewilding-cities#ways-to-rewild-a-city>.
- Stockwell, Ben. 2024. "What Is Urban Rewilding?" *Citizen Zoo* (blog). 2024. <https://www.citizenzoo.org/CZ/urbanrewilding/>.
- Struckhoff, Matthew A., Keith W. Grabner, Janice L. Albers, and Michael J. Hooper. 2024. "Vegetation Community Recovery on Restored Bottomland Hardwood Forests in Northeast Indiana, USA." *Integrated Environmental Assessment and Management* 20 (6): 1917–38. <https://doi.org/10.1002/ieam.4993>.
- The Nature Conservancy, and Environmental Systems Research Institute, Inc. 1994. "Field Methods for Vegetation Mapping: USGS/NPS Vegetation Mapping Program." Final Draft. Arlington, VA.
- Thom, Ron, and J. M Brandenberger. 2010. "Restoration and Adaptive Management Plan (RAMP) for Compensatory Mitigation of Pier B." Briefing presented at the Keyport Lagoon Restoration Working Group Meeting, Keyport, WA, February 11. <https://drive.google.com/file/d/1j6LiF2aWDOC5jdFe3EWTp-OJrble5b1-/view?usp=sharing>.
- Thom, Ronald M., Diane L. Woodruff, J Vavrinec, and J. M. Brandenberger. 2010. "Restoration and Adaptive Management Plan (RAMP) for Mitigation of Pier B Development at the Bremerton Naval Facilities." Final PNWD-4148. Compensatory Mitigation at Keyport Lagoon Naval Underwater Warfare Center Division Keyport, Washington. Sequim, WA: PNNL Marine Sciences Laboratory.
- Vavrinec, J, Ronald M. Thom, A. Borde, C.L. Wright, Diane L. Woodruff, and V. Cullinan. 2012. "Annual Adaptive Management Report for Compensatory Mitigation at Keyport Lagoon." Final PNNL-21147. Compensatory Mitigation at Keyport Lagoon Naval Underwater Warfare Center Division Keyport, Washington. Sequim, WA: Pacific Northwest National Laboratory Marine Sciences Laboratory.
- Velasquez-Camacho, Luisa, Esko Merontausta, Maddi Etxegarai, and Sergio de-Miguel. 2024. "Assessing Urban Forest Biodiversity through Automatic Taxonomic Identification of Street Trees from Citizen Science Applications and Remote-Sensing Imagery." *International Journal of Applied Earth Observation and Geoinformation* 128 (April):103735. <https://doi.org/10.1016/j.jag.2024.103735>.

**Nesse, Katherine**

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**From:** Heidi Dean <technogeekswife@yahoo.com>  
**Sent:** Wednesday, July 23, 2025 6:05 PM  
**To:** PlanningCommission  
**Cc:** Council; Newport Hills Community Club  
**Subject:** Comments for Newport NAP public hearing 7/23/2025  
**Attachments:** NAP public hearing- Equity re commercial district policies.docx; NAP public hearing-suggested policies.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**[EXTERNAL EMAIL]** Use caution when clicking links or opening attachments.

Dear Commissioners,

Attached are my comments re: the Newport NAP final draft, as well as a list of suggested policies that would make for a more equitable plan and one that truly reflects the community's vision for our area.

Thank you,

Heidi Dean  
Newport Hills resident since December 2000



Good evening:

“Equity” and “equitable” are words that appear frequently throughout Volume 1 of the Comprehensive Plan, as well as in the final NAP draft. There are many ways in which “equity” can be applied.

For example:

**1. Is it equitable to compare & contrast the viability of a small Neighborhood Center like the Newport Hills Commercial District to large Mixed Use Centers and a portion of a Regional Center?**

- That’s what the 2023 Retail Study did and, as I have stated before, the consultants couldn’t even get the information about our commercial district correct. We haven’t had an electronics business there since the 1990s. If they were going to assess our viability shouldn’t it have been an apples-apples comparison of Neighborhood Centers utilizing correct information? Even the Existing Conditions Report that Community Development commissioned- but didn’t inform us about- makes false assumptions about the viability of the Newport Hills commercial district.

**2. Is it equitable to refuse to include a policy like Crossroads’ S-CX-8 re: establishing a commercial district organization that would support the businesses through placemaking and activation?**

- I have been asking for this help for years and Economic Development ignored me. In fact, Dr. Nesse said that Economic Development told the NAP Team that Newport Hills doesn’t have enough businesses to warrant creation of such an organization. Yet, we were considered significant enough to include in a retail study with the Mixed Use Centers that will be receiving help with creation of business-supporting organizations.

**3. Is it equitable to create policies for Crossroads that are focused on celebration, promotion, and retention of their small businesses, ensuring their commercial district is prominently recognized as such, while Newport was not provided with the same policies?**

- Newport’s policies re: the commercial district focus on

A. Encouraging creation of multifamily housing

B. Retention of the small businesses during redevelopment, if possible

C. Instructing where any commercial space left at the shopping center post-redevelopment should go

**4. Is it equitable to include language in an NAP that creates the appearance that redevelopment of a privately owned commercial property WILL happen, that it will be largely housing, and that it’s a “done deal” when in fact that is NOT the case at all?**

- There are multiple policies within the Newport NAP final draft that imply this

**5. Is it equitable to include policies in the Crossroads NAP celebrating and promoting the cultural diversity amongst their businesses and supporting retention of them while ignoring the diversity of the Newport commercial district?**

- FACT: the majority of businesses in the Newport commercial district are owned & operated by

- Non-white people
- Foreign-born people
- English as Second Language speakers
- Females

In the name of “equity”, I respectfully request that you put off a vote on the Newport NAP tonight and instead direct staff to come back to Planning Commission with a final draft that takes into greater consideration the role of the Newport commercial district and the community vision for it, particularly those living closest to it who will be impacted the most by any changes made there, good or bad.

Thank you for your consideration of my request. I have attached a list of Crossroads policies that I feel would make the Newport NAP much more equitable if they were included.

### **Neighborhood Identity**

**S-CX-7** Well-defined identity as a business district through placemaking and activation

**S-CX-8** Support for creation of a district-based organization to support businesses and reinforce economic vitality

**S-CX-9** Encourage retention of small businesses including through increased access to affordable commercial space

**S-CX-10** Support creation of permanent & temporary spaces where small & emerging food businesses and vendors can develop and flourish

### **Mixed Use Centers**

**S-CX-16** Enhance existing Neighborhood Centers designed to serve neighborhoods, recognizing their multiple roles: serving residents' needs, acting as community gathering places, and helping to establish neighborhood identity

**S-CX-18** Encourage and enhance arts & cultural opportunities within Neighborhood Centers

### **Community Gathering Places**

**S-CX-21** Continue to work with private partners to foster (Newport Hills' Commercial District properties) role as a community gathering place reflective of neighborhood identity and the community's cultural diversity

**S-CX-22** Collaborate with Bellevue School District for school sites to act as safe & welcoming gathering places

## Nesse, Katherine

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**From:** Teresa Sparling <tjsparling@gmail.com>  
**Sent:** Wednesday, July 23, 2025 7:23 AM  
**To:** PlanningCommission  
**Cc:** Council; info@newporthillscommunityclub.org  
**Subject:** Newport Neighborhood Area Plan input

You don't often get email from tjsparling@gmail.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Good Morning,

I won't be able to attend tonight's meeting. However, I want my voice to be heard. The best use for the Newport Hills neighborhood commercial area is to be developed as a social hub for our community. We are sorely missing a gathering place to meet and mingle. Factoria is NOT the same thing. It's purely commercial. I would like to see something along the lines of what the Crossroads area has become. There is a true sense of community there, a very welcoming feeling. I have lived here since 1959, and miss the human feel of "my neighborhood." Please be sure you recognize the importance of the Newport Hills community in your final draft of the NAP.

Thank you.

Teresa Sparling

--

Teresa Sparling  
425-306-3973

**Nesse, Katherine**

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**From:** Yue Leng <yue.leng03@gmail.com>  
**Sent:** Wednesday, July 23, 2025 9:32 AM  
**To:** PlanningCommission  
**Cc:** Council  
**Subject:** Concerns Regarding the Proposed Newport Neighborhood Area Plan

You don't often get email from yue.leng03@gmail.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Yue Leng

4932 125TH AVE SE, Bellevue, WA, 9806

217-898-7007

07/23/2025

To The Honorable City Council

City of Bellevue

Dear Honorable City Council Members and City Planning Officials,

I am submitting this letter to detail my significant concerns and propose specific adjustments to the draft Newport Neighborhood Area Plan (Newport NAP). As a resident of the Newport Hills neighborhood, my analysis indicates that the current plan, accessible at [bellevuewa.gov/sites/default/files/media/pdf\\_document/2024/newporthills-subarea-plan.pdf](http://bellevuewa.gov/sites/default/files/media/pdf_document/2024/newporthills-subarea-plan.pdf), contains several elements requiring revision to ensure optimal community benefit and logical consistency.

My key observations and recommendations are as follows:

## **1. Commercial District Definition and Functionality**

The plan's description of the Newport Hills commercial district is insufficiently comprehensive. It is imperative to explicitly define this area not only as a historical economic center for local goods and services but also as a critical social nexus. As the neighborhood undergoes projected densification and demographic shifts, these dual functions will become even more vital for maintaining community cohesion and vitality. I propose the integration of policy language analogous to **Crossroads policies S-CX-6, S-CX-7, and S-CX-9** to accurately reflect and support this multifaceted role.

## 2. Policy Equity and Economic Development Strategy

A notable imbalance exists in the supportive policies directed towards the Newport Hills commercial district compared to those implemented in the Crossroads NAP. The Newport NAP appears to disproportionately emphasize multi-family housing development and business displacement mitigation, rather than active commercial district support. This approach suggests a pre-determined outcome regarding zoning changes.

Newport Hills requires equitable policies. The neighborhood's previous inquiry regarding a commercial district organization was dismissed by Economic Development due to perceived insufficient business density. However, the 2023 Retail Study, commissioned by the city, compares our commercial district to significantly larger Mixed-Use Centers, thereby contradicting this assessment. Therefore, a policy similar to **S-CX-8, "Explore the creation of a district-based organization for businesses in Crossroads to reinforce the economic vitality of the area,"** is warranted.

Furthermore, the 2023 Retail Study cites "electronics sales" as a primary revenue generator for our commercial district. This datum is empirically incorrect; no electronics retailer has operated in this district since the 1990s. Such inaccuracies undermine the credibility of the data informing the plan's economic projections.

## 3. Impact of Ringdall Middle School Parcel Redevelopment on Infrastructure

The anticipated redevelopment of the Ringdall Middle School parcel for housing presents a significant load on existing infrastructure, particularly traffic arterials. This potential increase in residential density challenges the justification for extensive additional housing density within the commercial district. It also reinforces the critical need to maintain the shopping center as a commercially-focused hub, promoting non-vehicular access for essential goods, services, and social activities. This strategy aligns with multiple policies outlined in Volume 1 of the Comprehensive Plan.

## 4. Traffic Management Solutions: A Critical Review

The Newport NAP's proposed solutions for traffic congestion, primarily focusing on bike lanes and bus services, exhibit limitations. These modes of transport will still be subject to existing traffic congestion, diminishing their efficacy. Additionally, current resident utilization rates for bike lanes and bus services are low. Projections from the city's Transportation Department and the Puget Sound Regional Council indicate minimal increases in daily bike and bus trips citywide over the next two decades compared to vehicular trips. Consequently, the Newport NAP should integrate more robust and empirically supported policies for traffic mitigation that reflect actual usage patterns and projections.

As a resident, I recognize the intrinsic value of local businesses such as S-Mart Supermarket, Terry's Kitchen, and Cloud-9 Burger. These establishments provide not only practical services but also contribute significantly to the community's historical and social fabric. Future planning must integrate the preservation of this established neighborhood heritage.

I request a thorough technical review of these points by the City Council and planning department.

Thank you for your attention to these crucial details.



Yours sincerely,

Yue Leng

## Nesse, Katherine

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**From:** Joe A. Kunzler <growlnoise@gmail.com>  
**Sent:** Thursday, July 24, 2025 9:41 PM  
**To:** Nesse, Katherine; PlanningCommission; negin.khanloo@northwestu.edu  
**Cc:** Robinson, Lynne  
**Subject:** Tsimerman racist, sexist campaigning at Planning Commission

You don't often get email from growlnoise@gmail.com. [Learn why this is important](#)

**[EXTERNAL EMAIL]** Use caution when clicking links or opening attachments.

Hi there;

What the hell is going on down there with the Bellevue Planning Commission?

Letting Tsimerman campaign against the Mayor and Council.

Letting Tsimerman spew hateful racist rhetoric.

Letting Tsimerman disregard your rules.

I'll just pass you a quotation instead of fumigate at you...

"Fear can prevent us from achieving success, or it can lead us to a greater path of growth and change if we harness it effectively. So as hard as it may be, we need to have the courage to persevere through challenges, do the hard things, and take action even in the face of fear. When we take action in critical moments, when we persevere despite the difficulty, then we are positioned to create a culture of courage and an environment of trust that builds deeper relationships, inspires loyalty, and enables our team to perform at their best."

Kim "KC" Campbell, former A-10 attack pilot and [current leadership speaker + author](#)

Asking you kick Tsimerman OUT. Please.

More to come;

*JOE SENDS*

## Nesse, Katherine

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**From:** Whipple, Nicholas  
**Sent:** Thursday, July 31, 2025 12:17 PM  
**To:** Nicole Myers  
**Cc:** PlanningCommission; Gallant, Kristina  
**Subject:** RE: Co-living implementation plans

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Nicole,

Thanks for your email. We're planning to begin community engagement on this LUCA either in late summer or early fall. As you've pointed out, the state mandate leaves little room for local discretion, aside from potentially considering incentives, as you mentioned. Given the limited flexibility and narrower applicability in Bellevue, as well as the December 2025 deadline for action, our approach will be to focus on strict compliance with this mandate.

Regarding your suggestions around incentives such as shared EV parking, bicycle storage, transit proximity, and ADA or visitability standards, these would require additional analysis and would only be effective if they offered meaningful benefit to a co-living housing development. Incorporating such incentives would mean going beyond the baseline requirements of the bill (e.g., more height, density, etc.) in order to truly incent these options. Given the limited scale and scope of this LUCA in Bellevue, our approach is to remain within strict compliance. As such, our outreach will center around informing the community about the mandate and how Bellevue will implement it.

We do appreciate the ideas. Other housing efforts underway, such as the Housing Opportunities in Mixed Use Areas (HOMA) LUCA or BelRed LUCA, provide more flexibility and potential for broader impact, and may be better suited for shaping policy in the ways you've described.

As the co-living housing LUCA progresses, we will be sure to identify the staff lead and include that information in future communications so the community can stay engaged.

Thanks again,



**Nick Whipple**  
**Code and Policy Director**

Development Services, City of Bellevue  
(He/Him)

[425-452-4578](tel:425-452-4578) | [nwhipple@bellevuewa.gov](mailto:nwhipple@bellevuewa.gov) | [BellevueWA.Gov](http://BellevueWA.Gov)

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**From:** Nicole Myers <nicolemikomyers@gmail.com>  
**Sent:** Wednesday, July 30, 2025 1:11 PM  
**To:** PlanningCommission <PlanningCommission@bellevuewa.gov>; Whipple, Nicholas <NWhipple@bellevuewa.gov>  
**Subject:** Co-living implementation plans

**[EXTERNAL EMAIL]** Use caution when clicking links or opening attachments.

Hello,

I have been hoping to see co-living on the agenda for the Planning Commission, since I believe this has the potential to create a transformative amount of affordable housing, and we need to do everything we can to ensure a high standard of livability for the future residents.

While it is true that HB 1998 is fairly prescriptive, I've heard some assertions that we might limit the number of units to 24, and I'd like to get clarification about that. We are also diverging from the legislative intent by adding these to neighborhoods that are not served by Major Transit, and since car ownership adds significant cost to a combined housing/transportation personal budget, I think it's important to do what we can to address the transportation needs of the new residents.

For example, you could allow incentives if the building includes a designated spot/spots for a shared EV, individual bicycle parking lockers, and proximity to frequent transit. We might also require that at least a portion of the units meet an ADA or visitability standard.

I would also be interested in finding out if this work has been assigned to a staff member, so the community knows who to cc on emails like this.

Thanks,  
Nicole

**Nesse, Katherine**

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**From:** leesgt@aol.com  
**Sent:** Friday, August 1, 2025 4:12 PM  
**To:** PlanningCommission  
**Subject:** July 23,2025 Critical Areas Ordinance (CAO) Land Use Code Amendments (LUCA)

**[EXTERNAL EMAIL]** Use caution when clicking links or opening attachments.

I was very impressed with the staff presentation for this meeting. It was complete in depth, concerns, actions, and responses to the Planning Commissioners. It caused the Commissioners to have more background publicly and helped get questions and concerns voiced. From an audience perspective, it allowed for more in-depth understanding and allowed for a greater understanding of what was being done and what will be lost. I want to commend both parties for their work and efforts for the city.

Lee Sargent

16246 NE 24<sup>th</sup> ST

Bellevue, WA 98008

Home: 425-641-7568

Mobile: 206-861-6140

**Nesse, Katherine**

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**From:** Phyllis White <pwhite5057@gmail.com>  
**Sent:** Thursday, August 7, 2025 3:17 PM  
**To:** Mandt, Kirsten  
**Cc:** Council; PlanningCommission  
**Subject:** Re: File No 25-116714-AD, Critical Areas Ordinance Land Use Code Amendment  
**Attachments:** 8-6-25\_CAO\_PRELIMINARY LUCA\_Public\_Comment\_With\_Wilburton\_Policies.docx; WDFW Bellevue Wilburton Plan Comments (2).pdf; WDFW.PlanningCommission.CommentLetter.July23.2025.pdf; Public Comments to Council for 11-26-24.docx

You don't often get email from pwhite5057@gmail.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Hello Kirsten,

I am submitting the attached comments in regards to the Notice of Application. This is a party of record.

Thank you for your consideration and support of Bellevue's urban environment and wildlife habitats.

Thank you,

Phyllis White

You are a party of record to a notice published in the Weekly Permit Bulletin on July 24, 2025. Following is that notice. If you have any questions, please contact [Kirsten Mandt](#).

## NOTICE OF APPLICATION

**Project Name:** Critical Areas Ordinance Land Use Code Amendment

**Location:** City-Wide

**Neighborhood Area:** City-Wide

**File Number:** 25-116714-AD

**Description:** Land Use Code Amendment (LUCA) to amend the Critical Areas Overlay in LUC Part 20.25H and other related sections. Jurisdictions are required by the state to review and update their critical areas regulations to ensure compliance with the latest guidance and scientific recommendations. This includes review and potential revisions to regulations applicable to all critical areas in the city and their buffers, as well as reviewing the code for clarity and consistency. More information on the proposed LUCA can be found at <https://bellevuewa.gov/code-amendments/critical-areas-ordinance-update>

**Approvals Required:** Adoption of ordinance by the City Council



**SEPA:** Review under the State Environmental Policy Act, chapter 43.21C RCW, is required. The Environmental Coordinator will review a SEPA checklist and information submitted in support of this and will issue a SEPA threshold determination as to whether the proposal is likely to result in any significant adverse environmental impact, consistent with WAC 197-11-310, at a future date.

**Minimum Comment Period:** Beginning on 7/24/2025, lasting Fourteen (14) days, and ending on 8/7/2025, 5 PM. Comments continue to be accepted until the City issues a decision or recommendation on the application. Refer to page one for information on how to comment on a project.

**Date of Application:** February 25, 2025

**Completeness Date:** February 25, 2025

**City Planner Contact:** Kirsten Mandt, 425-452-4861, [KMandt@bellevuewa.gov](mailto:KMandt@bellevuewa.gov)

-

#### **To learn more about this project:**

- Any person may request additional information and submit written comments on this application to the **City Planner listed above.**
- Submit a request online to review the project file at [Bellevuewa.gov/city-government/departments/city-clerks-office/public-records/development-services-records](https://bellevuewa.gov/city-government/departments/city-clerks-office/public-records/development-services-records)
- You can access the weekly permit bulletin by clicking on this link: [Weekly Permit Bulletins](#)

Want to receive the bulletin by email?

Go to the Weekly Permit Bulletin page on our city website at [bellevuewa.gov/permit-bulletin](https://bellevuewa.gov/permit-bulletin). Click the Subscribe button to join the mailing list. You will continue to receive the bulletin weekly until you unsubscribe from this service.

#### **Charolett Henderson**

Administrative Assistant

Development Services, City of Bellevue

Online permitting services available at [MyBuildingPermit.com](https://MyBuildingPermit.com)

[Apply Online](#) | [Check Permit Status](#) | [Request Inspections](#)



State of Washington

## Department of Fish and Wildlife, Region 4

Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

July 22, 2025

City of Bellevue  
Planning Commission  
450 110<sup>th</sup> Avenue NE  
Bellevue, WA 98004

### **RE: Planning Commission Meeting, Critical Areas Ordinance (CAO) Land Use Code Amendments (LUCA)**

Dear Planning Commission Members,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to comment on Bellevue's CAO Update LUCA Early Preliminary Strike Draft (file number 25-513) as part of the current periodic update. Within the State of Washington's land use decision-making framework, WDFW is considered a technical advisor for the habitat needs of fish and wildlife and routinely provides input into the implications of land use decisions.

The currently proposed stream buffer widths of 100 feet for Type F streams, 50 feet for Type N streams, and no buffers for piped segments (regardless of the stream type), do not provide sufficient protection for riparian critical areas according to WDFW's Best Available Science (BAS). To align with this science, we strongly recommend basing the width of protected riparian areas on site-specific conditions rather than fish presence alone, ensuring that natural filtration, erosion control, shade, and the capacity to reduce flood risks are safeguarded across all streams, not just fish-bearing streams. We urge you to adopt riparian widths that reflect WDFW's current Riparian Management Zone (RMZ) guidance.

The City of Bellevue is a signatory to both the [WRIA 8 Interlocal Agreement](#) (2016–2025) and the [WRIA 8 Chinook Salmon Conservation Plan](#), which commit the city to supporting coordinated regional salmon recovery efforts. Given Bellevue's critically important location within the watershed, including both Tier 1 and Tier 2 priority areas for Chinook habitat, it is essential that proposed amendments remain consistent with these commitments. Additionally, any changes affecting riparian or in-stream functions should reflect the GMA's requirement to give special consideration to measures that protect or enhance anadromous fisheries (WAC 365-195-925).

While the proposed requirement of a buffer to be enhanced by 33% (if the buffer isn't adequately vegetated) is a step in the right direction, the current buffer (if it were fully vegetated) width of 50-feet for Type N streams falls below the minimum necessary to protect water quality functions. WDFW's BAS

finds that setting a minimum 100-foot buffer helps ensure that pollution is effectively filtered before reaching streams.

The proposal shows no buffers for closed stream segments, regardless of stream type, which could restrict or prohibit daylighting of the stream and future restoration efforts. This action could limit improvements to water quality, fish passage, and overall salmon recovery. The chances for failure of piped water systems are an ongoing problem and is influenced by multiple issues. Due to age and environmental factors, these piped segments will eventually fail and need to be replaced in compliance with current fish passage standards. With no buffer for these stream segments, future restoration efforts, infrastructure maintenance, and long-term climate resilience will be difficult to achieve. Development placed too close to piped stream segments may perpetuate non-conforming structures and increased public safety hazards related to flooding and erosion. A wider buffer for piped segments, would provide better stormwater management support, water quality protections, and provide enough space to allow flexibility to meet state requirements for fish passage and/or flow capacity of water crossing structures (e.g. culverts) when aging infrastructure needs to be updated.

Adopting standard buffer widths that do not fully protect riparian functions and values may compromise the city's ability to meet its no net loss requirements for FWHCAs under the GMA and affect the broader efforts to recover salmon populations throughout the region.

We ask the planning commission to adopt WDFW's BAS, or at a minimum, we respectfully request that the city consider increasing buffers to a minimum of 100 feet for the Type N waters and the piped segments of streams.

We are open to continued collaboration and welcome the chance to discuss options for aligning the city's approach with BAS-based strategies that would also work in practice for Bellevue's unique urban environment. Please do not hesitate to contact me or the Regional Land Use Lead, Morgan Krueger ([Morgan.Krueger@dfw.wa.gov](mailto:Morgan.Krueger@dfw.wa.gov)).

Sincerely,

Bethany Scoggins  
[Bethany.Scoggins@dfw.wa.gov](mailto:Bethany.Scoggins@dfw.wa.gov)  
Fish & Wildlife Habitat Biologist  
Washington Department of Fish and Wildlife

CC:

Morgan Krueger, Regional Land Use Lead ([Morgan.Krueger@dfw.wa.gov](mailto:Morgan.Krueger@dfw.wa.gov))

Marian Berejikian, Land Use Conservation and Policy Planner ([Marian.Berejikian@dfw.wa.gov](mailto:Marian.Berejikian@dfw.wa.gov))



State of Washington

## Department of Fish and Wildlife, Region 4

Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

October 31, 2024

City of Bellevue  
Josh Steiner  
450 110th Ave NE  
Bellevue, WA 98004

### **WDFW Comments Regarding the Wilburton Vision Implementation Land Use Code Amendments**

Dear Mr. Steiner,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to comment on the city of Bellevue's Wilburton Vision Implementation Land Use Code Amendment. Within the State of Washington's land use decision-making framework, WDFW is considered a technical advisor for the habitat needs of fish and wildlife and routinely provides input into the implications of land use decisions. We provide these comments and recommendations in keeping with our legislative mandate to preserve, protect, and perpetuate fish and wildlife and their habitats for the benefit of future generations – a mission we can only accomplish in partnership with local jurisdictions.

### **Fish and Wildlife Resources and Recommendations:**

Congratulations on the recent land use code updates proposed to successfully implement the Wilburton Subarea Plan. Integrating green building incentives, open space provisions, and other sustainable development measures reflects Bellevue's commitment to fostering a vibrant and environmentally conscious community.

To further strengthen these efforts, we recommend incorporating WDFW's [Best Available Science \(BAS\) for riparian management zones](#) (RMZs), including the Site Potential Tree Height at 200 years (SPTH<sub>200</sub>) standard. Think of SPTH<sub>200</sub> like a measuring cup for riparian ecosystems— it provides the exact "recipe" for buffer width determination, ensuring adequate filtration, erosion control, and shade requirements are met to protect water quality and aquatic habitats, especially for sensitive species like Chinook salmon in Kelsey Creek.

[Our data](#) shows that a 196 ft RMZ (or ‘buffer’ width) is needed in the Kelsey Creek area to protect all critical ecosystem functions and values. According to our BAS [management recommendations](#), a minimum of 100 feet is required to filter most pollutants, whereas buffers under 100 feet, such as the current 50-foot width, are insufficient for safeguarding water quality and ecosystem integrity. Utilizing WDFW’s BAS can help Bellevue align with its [interlocal agreement](#) commitments and provide lasting environmental benefits.

WDFW’s BAS also underscores the importance of protecting all streams, not just those with fish presence, and prioritizing the retention of mature vegetation over compensatory mitigation planting. In addition to supporting fish life, healthy riparian vegetation stabilizes stream banks, prevents erosion, and provides the necessary shade to maintain cool water temperatures. These ecosystem functions are challenging to replace, particularly those provided by mature plants. With climate change increasing the likelihood of severe heat and storm events, protecting vegetated buffers will help absorb floodwaters, mitigate future high-flow conditions, and maintain cooler water temperatures, ultimately contributing to community resilience.

While a broader code update is anticipated in 2025, establishing protections now ahead of increased development activity will help ensure that the Wilburton area’s streams continue to provide essential ecosystem services while allowing development in suitable areas. Riparian areas can also serve as open spaces that enhance community character, offering recreational areas and natural spaces for residents to enjoy. By preserving adequate RMZs delineated using the SPTH<sub>200</sub> standard, Bellevue can foster a more resilient, livable, and ecologically connected Wilburton area.

Incorporating our recommendations helps align this plan with BAS standards (WAC 365-195-900) and further demonstrates Bellevue’s leadership in sustainable urban development. Our recommendations further align with the policies within the Wilburton/N.E. 8th Street Plan, such as “S-WI-9. Protect and enhance streams, drainage ways, and wetlands in the Kelsey Creek Basin,” and “S-WI-10. Prevent development from intruding into the floodplain of Kelsey Creek.”

We would be happy to assist in providing additional information on WDFW’s recommendations or explore opportunities to integrate these environmental and community benefits into future planning. Please also see the WA Department of Ecology’s funding opportunity, the [Climate Resilient Riparian Systems Grant](#). See also NOAA’s grant opportunity, [Restoring Fish Passage through Barrier Removal Grants](#).

Thank you once again for your dedication to enriching Bellevue’s natural and built environments. Please feel free to reach out to our Regional Land Use Lead for further collaboration (Morgan Krueger, [Morgan.Krueger@dfw.wa.gov](mailto:Morgan.Krueger@dfw.wa.gov)).

Sincerely,



Timothy Stapleton

Washington Department of Fish and Wildlife  
Region 4, Habitat Program Manager

CC:

Morgan Krueger, Regional Land Use Lead (Morgan.Krueger@dfw.wa.gov)

Kara Whittaker, Land Use Conservation and Policy Section Manager  
(Kara.Whittaker@dfw.wa.gov)

Marian Berejikian, Land Use Conservation and Policy Planner (Marian.Berejikian@dfw.wa.gov)

Stewart Reinbold, Assistant Regional Habitat Program Manager  
(Stewart.Reinbold@dfw.wa.gov)

Bethany Scoggins, Habitat Biologist (Bethany.Scoggins@dfw.wa.gov)

Jesse Dykstra, Habitat Biologist (Jesse.Dykstra@dfw.wa.gov)

*Subject: Bellevue's Draft Critical Area Ordinance Preliminary Update- Protecting Bellevue's Rare Urban Wildlife Corridors for Future Generations*

Dear Bellevue City Staff, Council, and Planning Commission,

As a Bellevue resident deeply committed to the long-term health of our city, I write today to urge you to prioritize the protection of Bellevue's rare and increasingly fragile urban wildlife corridors and riparian areas. These natural systems—such as those found within the Wilburton, Kelsey Creek, and Goff Creek watersheds—are not only remnants of our region's ecological heritage, but also vital lifelines for climate resilience, biodiversity, and community well-being.

Unlike many suburban cities, Bellevue Wilburton/Subarea NE 8<sup>th</sup>/BelRed retains an extraordinary and **rare** concentration of intact wildlife corridors within an urbanized landscape. These greenways serve as habitat for priority and endangered species, including migratory birds, amphibians, and even returning salmonids. They support complex food webs, filter stormwater, prevent urban flooding, and provide natural cooling for our neighborhoods—benefits that will only grow more critical as our city densifies and the climate continues to change. Wilburton residents within the 129<sup>th</sup> NE to 134<sup>th</sup> Ave NE--east of 129<sup>th</sup> north of NE 8<sup>th</sup> Street, and south of BelRed Road are reporting increased sightings of fish presence, fish carcass, and crustaceans, in and along the streams.

Protecting these natural areas isn't just about the environment—it's an important part of keeping Bellevue a healthy, livable, and resilient place for current and future generations. These decisions show thoughtful planning, balance, and respect for the natural environmentally sensitive spaces that make our community special.

## **Analysis and Recommendations on Bellevue's CAO LUCA Draft**

Date: August 2025

This document provides an assessment of Bellevue's early preliminary Critical Areas Ordinance (CAO) Update LUCA draft, identifying sections that do not uphold Best Available Science (BAS), Washington Department of Fish and Wildlife (WDFW) recommendations, or watershed protections consistent with the WRIA 8 Salmon Recovery Plan. Recommendations are drawn from WDFW's 2024 and 2025 comment letters, the 2021 Kelsey Creek Assessment Report, Bellevue's own Resolution 9470, and relevant portions of the Growth Management Act (GMA).

### **Summary of Key Issues**

- **- Inadequate incorporation of Best Available Science (RCW 36.70A.172).**
- **- Lack of defined protections for wildlife habitat corridors and priority species.**



- - **Permissive buffer reduction policies without clear ecological thresholds.**
- - **Omission of WRIA 8 restoration priorities in site planning.**
- - **Weak standards for tree and native vegetation retention.**

### Relevant Wilburton/NE 8th Street Comprehensive Plan Policies

The following policies from the Wilburton/NE 8th Street Comprehensive Plan Subarea should guide the City's approach to protecting critical areas within this highly sensitive corridor:

- S-WI-9. Protect and enhance streams, drainage ways, and wetlands in the Kelsey Creek Basin.
- S-WI-10. Prevent development from intruding into the floodplain of Kelsey Creek.
- S-WI-11. Development should not interfere with Lake Bellevue as a drainage storage area identified in the City's Storm Drainage Plan

### Code Revision and Recommendations

- **\*\*Issue: Buffer Reduction Criteria (LUC 20.25H.230.D, 20.25H.255.A.2)\*\***

**Problem:** The current language allows buffer reduction where the buffer is deemed 'degraded' without reference to measurable ecological criteria or SPTH200 standards. This weakens protections for stream habitat.

#### **Recommendation:**

Revise language to state: 'Buffer reduction is only permitted when a site-specific habitat assessment demonstrates compliance with the SPTH200 standard and achieves no net loss of function using best available science as outlined in WDFW PHS guidelines.'

- **\*\*Issue: Lack of Wildlife Habitat Protections (No specific section in 20.25H)\*\***

**Problem:** There is no section addressing habitat corridors, species of local importance, or priority habitat features like beaver habitat, amphibian migration corridors, or cottonwood stands. This is inconsistent with WDFW guidance.

#### **Recommendation:**

Add a new section: 'Wildlife Habitat Areas. Development applications within 250 feet of critical areas shall identify habitat connectivity functions using the WDFW PHS database. Sites supporting beavers, western toads, or migratory birds shall incorporate habitat protection and native vegetation retention measures.'

- **\*\*Issue: Vegetation Management Plans Lack Specific Native Species Requirements\*\***

**Problem:** The LUCA draft allows restoration or mitigation without prioritizing a diverse mix of native species--such as black cottonwood--which is critical for beaver habitat and riparian function (see Kelsey Creek Report, p. 6-10, <https://www.wnps.org/blog/what-good-is-a-cottonwood-tree>).

#### **Recommendation:**

Require all vegetation management plans to include a diverse mix of native riparian species, with prioritization of ecologically important trees such as black cottonwood, willow, and red alder. Prohibit substitution with non-native or ornamental vegetation in wetland or stream buffers.

## Additional Recommendations: Stream Typing, Mapping, and WRIA 8 Watersheds

The LUCA should explicitly incorporate stream type distinctions (Type S, F, Np, Ns) and prohibit buffer reductions for Type Np and Ns streams located within WRIA 8 Tier 1 watersheds such as the headwaters of Kelsey Creek and Goff Creek. These stream types often deliver critical cold water and sediment regulation downstream and support amphibians and migratory birds.

Stream typing should be updated using WDFW's Stream Typing Tool and field-verified habitat data.

**Additionally, streams that have a history of supporting fish passage or where fish and fish carcasses have been observed recently**—including areas east of 129th Avenue NE to 134<sup>th</sup> Ave NE--north of NE 8th Street, and south of BelRed Road—must be treated with equal ecological value regardless of current map classification. These reaches support streams with aquatic life and state-protected wildlife corridors, including habitats for federally protected species such as the great blue heron and Chinook salmon. **They are protected under federal law, and efforts must be made to conserve and restore their habitats (such as streams, rivers, and wetlands, which are also often part of critical wildlife corridors).**

These reaches support streams with aquatic life and state-protected wildlife corridors, including habitats for federally protected species such as the great blue heron and Chinook salmon. They are protected under federal law, and efforts must be made to conserve or restore their habitats—such as streams, rivers, and wetlands—which are often part of critical wildlife corridors.

Accordingly, no buffer reductions or setback modifications should be allowed in or near these sensitive stream zones unless the City has conducted a site-specific ecological study confirming no functionally significant habitat. This would align the CAO LUCA with both BAS and WRIA 8 restoration strategies.

The City of Bellevue has already zoned capacity for more than 152,000 housing units — far exceeding the 35,000 units required by the state. **This existing capacity eliminates the need to upzone environmentally sensitive areas, including state-protected wildlife corridors and habitats for federally protected** host priority or endangered species. See the attached letter with references photos in previous public comment letters.

The Wilburton neighborhood, in particular, is already well-situated near significant planned growth in the BelRed District, which is expected to add over 5,000 new housing units. Given this substantial nearby development, expanding into Wilburton's rare and ecologically sensitive lands is both unnecessary and inconsistent with the City's stated commitments to sustainability and balanced urban growth.

### • **\*\*Wilburton CAC Report – Community Vision and Environmental Priorities\*\***

The Wilburton Community Advisory Committee's report calls for the preservation and enhancement of natural open space, prioritizing green corridors, urban forest protection, and ecological connectivity throughout the Wilburton/NE 8th corridor. The vision emphasizes "Nature + People," green infrastructure, and trail-linked natural habitats. The current CAO LUCA must be revised to align with these values, particularly where development may impact stream buffers, riparian canopy, or wildlife corridors.

### • **\*\*LUC 20.25M.035 – Role of the Community Advisory Committee (CAC)\*\***

While the CAC's formal review responsibilities have concluded, this section of the Land Use Code acknowledges the importance of community-led visioning in shaping the BelRed subarea. The City's own land use code recognizes that CAC recommendations—such as preserving natural open space and

enhancing green corridors—are foundational to planning in this area. The LUCA should align with the environmental goals set forth by the CAC and maintain consistency with the land use principles established in 20.25M.035.

## **Conclusion**

These edits bring the CAO LUCA draft closer to meeting the intent of Bellevue’s environmental goals, the Wilburton CAC’s recommendations, the Growth Management Act, and WRIA 8 watershed recovery priorities. They also respond directly to WDFW and Kelsey Creek science-based recommendations. We urge the Planning Commission and staff to integrate these protections before forwarding a final ordinance to Council.

Best regards,

Phyllis White  
Bellevue Resident

November, 2024

## Preserving the Kelsey Creek Watershed, It's Wildlife Corridor, and Tree Canopies in the Wilburton/NE 8th Street Subarea

Dear Mayor Robinson, Deputy Mayor Malakoutian, Councilmembers Hamilton, Lee, Nieuwenhuis, Stokes, and Zahn,

I am writing to express my deep concern regarding the preservation and protection of the **Kelsey Creek Watershed** and the vital tree canopies in our neighborhood, specifically around **134th, 132nd, and 130th Ave NE between NE 8th Street and Bel-Red Road**. The Kelsey Creek Watershed and its surrounding areas are considered one of the few remaining natural havens in a city such as Bellevue.

Attached is a letter from the Washington State Department of Fish and Wildlife (WDFW).

### Significant Loss of Tree Canopy in Wilburton:

City data indicates that the **Wilburton area has experienced the greatest loss of tree canopy** compared to other neighborhoods in Bellevue. This alarming trend poses a serious threat to the ecological integrity of our community and highlights the urgent need for enhanced protections:

Neighborhood Areas Minus Bellevue Parks	2011 % UTC	2019 % UTC	Change from 2011 to 2019
BelRed	14.3%	13.7%	-0.6%
Bridle Trails	47.6%	51.7%	4.1%
Cougar Mountain / Lakemont	39.3%	42.7%	3.4%
Crossroads	26.8%	30.4%	3.5%
Downtown	6.4%	7.7%	1.3%
Eastgate	33.6%	37.4%	3.8%
Factoria	18.1%	20.1%	2.0%
Lake Hills	28.6%	32.5%	3.9%
Newport	36.0%	35.7%	-0.3%
Northeast Bellevue	27.6%	31.7%	4.1%
Northwest Bellevue	33.0%	34.2%	1.2%
Somerset	32.2%	34.2%	2.0%
West Bellevue	37.4%	37.8%	0.4%
West Lake Sammamish	38.6%	43.0%	4.5%
Wilburton	30.2%	29.3%	-0.9%
Woodridge	33.9%	34.8%	0.8%
Totals	32.9%	35.3%	2.4%

Table 9. | Urban tree canopy change by neighborhoods minus park lands.

The **Kelsey Creek Watershed Assessment Report** (2021) notes that among Bellevue's four major watersheds (Coal/Newport, Lake Sammamish, Lake Washington, and Greater Kelsey Creek), the **Greater Kelsey Creek Watershed and its sub-watersheds have the lowest percentage of riparian canopy cover and the highest percentage of riparian impervious surface cover** (Kelsey Creek Assessment

Report, 2021, page 2-67). This underscores the vulnerability of our watershed to further development pressures.

### **Ownership and Importance of the Riparian Corridor:**

Ownership of the riparian corridor across all sub-basins is approximately **90% private property** and only **10% publicly owned**, mostly within parks. In our sub-basin of Kelsey Creek—the **Kelsey Creek Corridor**—**14.5%** is parkland, while the remaining **85.5%** is privately owned. This means that the stewardship of this critical ecosystem relies heavily on collaboration between private landowners and the city.

### **Alignment with the Wilburton/NE 8th Street Subarea Plan:**

Upon reviewing the **Wilburton/NE 8th Street Subarea Plan** (Wilburton/NE 8th Street Subarea Plan), there is an opportunity to strengthen the plan:

- **Integrate the Recommendations from the Washington Department of Fish and Wildlife (WDFW):** The WDFW has provided detailed recommendations to enhance environmental protections in the area, focusing on riparian management and habitat conservation in our neighborhood:
  - “Incorporating our recommendations helps align this plan with BAS standards (WAC 365-195 900) and further demonstrates Bellevue’s leadership in sustainable urban development. Our recommendations further align with the policies within the Wilburton/N.E. 8th Street Plan, such as “S-WI-9. Protect and enhance streams, drainage ways, and wetlands in the Kelsey Creek Basin,” and “S-WI-10. Prevent development from intruding into the floodplain of Kelsey Creek.”
- **Enhance Policies for Environmental Stewardship:** Include clear policies that commit to protecting the Kelsey Creek Watershed, its riparian corridors, and the associated tree canopies.
- **Strengthen Land Use Regulations:** Amend zoning and land use regulations within the Subarea Plan to limit further loss of natural habitats and mitigate the impacts of increased housing density on critical areas.

### **Recommendations from the Washington Department of Fish and Wildlife (WDFW):**

In alignment with recommendations provided by the WDFW regarding the Bellevue Wilburton Plan, I urge Council to oversee the city to:

1. **Adopt Best Available Science (BAS) for Riparian Management:**
  - Utilize **Site Potential Tree Height (SPTH) at 200 years** to determine appropriate riparian buffer widths.
  - Implement **Riparian Management Zones (RMZs)** instead of traditional stream typing.
  - Establish riparian buffers of **187–196 feet** as recommended, ensuring adequate protection for aquatic and terrestrial species.

## 2. **Strengthen Tree Canopy Protections in the floodplain of Kelsey Creek:**

- Recognize that current tree canopy codes are insufficient, especially as Wilburton has experienced significant canopy loss.
- Enhance tree canopy coverage targets, particularly within riparian zones, to support King County's **Extreme Heat Mitigation Strategy** and combat the urban heat island effect.
- Implement a **3:1 significant and landmark tree replacement ratio** regardless of tree species within riparian areas, meeting with the city's overall **40% tree retention goal**, acknowledging that riparian zones require greater protections.

## 3. **Incorporate Recommendations into the Wilburton/NE 8th Street Subarea Plan:**

- Amend the Subarea Plan to accommodate these environmental recommendations, ensuring that future development is balanced with ecological preservation.

### **Compliance with State Legislation and Regional Strategies:**

- **Growth Management Act (GMA):** Mandates the protection of critical areas and conservation of natural resources.
- **Shoreline Management Act (SMA) and State Environmental Policy Act (SEPA):** Require thorough environmental impact assessments for development projects.
- **Priority Habitats and Species (PHS) Program:** Requires the use of best available science to protect priority habitats and species.
- **King County's Extreme Heat Mitigation Strategy:** Emphasizes increasing tree canopy cover to combat urban heat islands, aligning with the need to protect and expand canopy in critical areas.

The Kelsey Creek Watershed and the Wilburton area are at a critical juncture. The significant loss of tree canopy and the poor condition of riparian areas necessitate immediate action.

By integrating these recommendations into the **Wilburton/NE 8th Street Subarea Plan** and the city's broader planning efforts, we can protect our wildlife corridors, support biodiversity, and ensure that Bellevue remains a city that values and safeguards its natural environment.

Thank you for your attention to this critical matter. I welcome the opportunity to discuss these concerns further and contribute to developing sustainable solutions.

Sincerely,

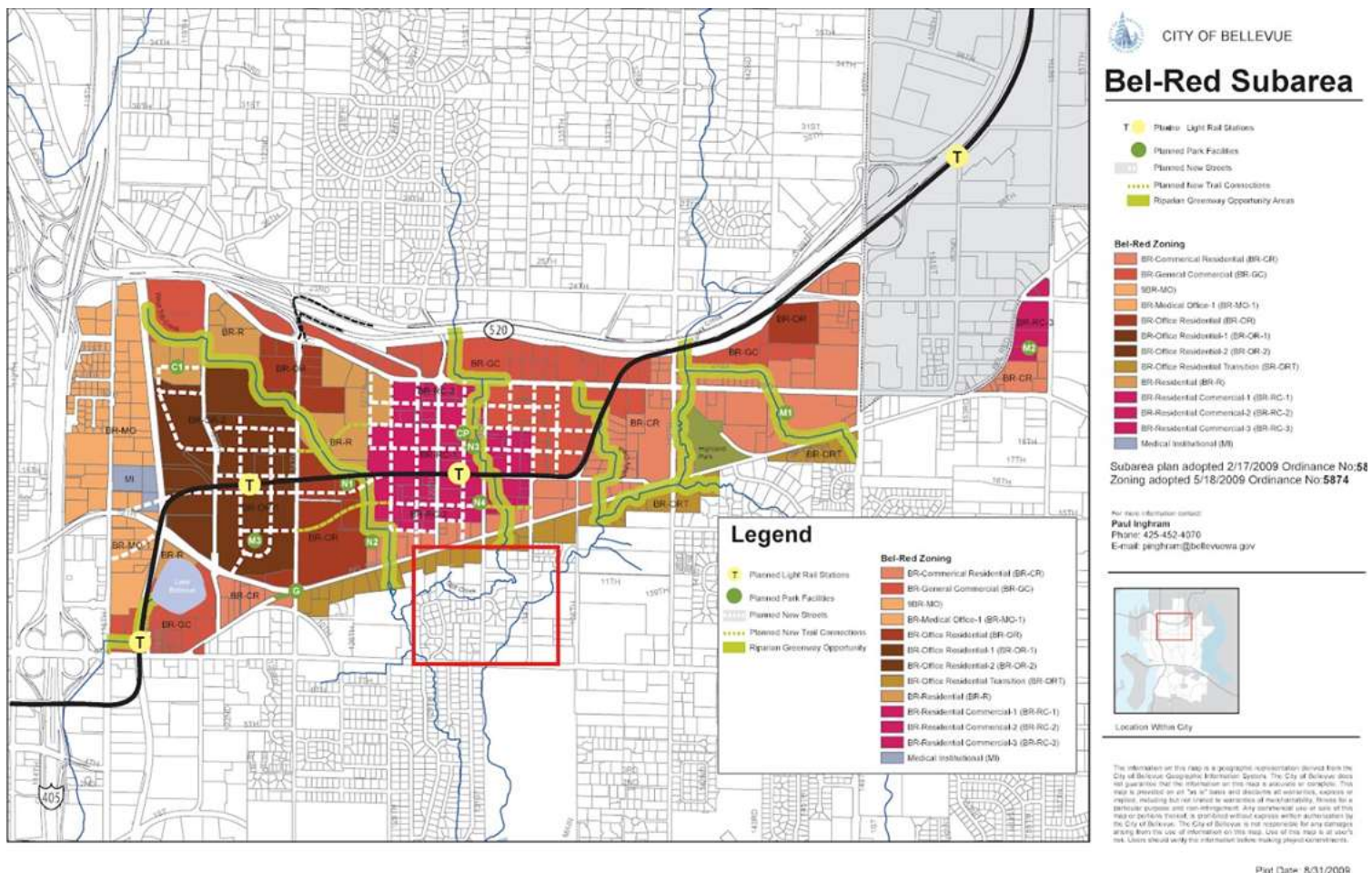
Phyllis White

Bellevue Resident



## Resources:

1. The Wilburton/NE 8<sup>th</sup> Subarea includes our neighborhood and its critical areas:



## 2. Ecological Significance and Wildlife Species:

The Wilburton/NE 8<sup>th</sup> Street Subarea Plan which includes the floodplains of the **Kelsey Creek Watershed** is a vital ecosystem that supports numerous species of wildlife and provides essential ecological services. The proposed increase in housing density developments on private properties, has the potential to significantly impact the delicate balance of the ecosystem, including water quality, habitat fragmentation, and increased runoff, which could be detrimental to the preservation of aquatic, plant, and land animal species.

### Aquatic Species:

Historically, the Greater Kelsey Creek Watershed has provided extensive spawning and rearing habitat for a large number of anadromous and migratory salmonids and other fish species, including:

- **Chinook Salmon** (*Oncorhynchus tshawytscha*) — Listed as **Threatened** under the Endangered Species Act.
- **Sockeye Salmon** (*Oncorhynchus nerka*).
- **Coho Salmon** (*Oncorhynchus kisutch*).
- **Cutthroat Trout** (*Oncorhynchus clarkii*).



- **Steelhead Trout** (*Oncorhynchus mykiss*) — Also listed as **Threatened**.
- **Peamouth Minnows** (*Mylocheilus caurinus*) — Which return to Kelsey Creek from Lake Washington to spawn each spring.

While several of these species can still be observed throughout the watershed today, spawning and rearing habitats have diminished due to urbanization.

### Terrestrial Species:

The riparian corridors and surrounding habitats are home to various land species that rely on this area for survival, including:

- **Bald Eagles** (*Haliaeetus leucocephalus*) — Protected under the Bald and Golden Eagle Protection Act.
- **Great Blue Herons** (*Ardea herodias*) — A priority species needing conservation.
- **Red-tailed Hawks** (*Buteo jamaicensis*).
- **Bats** — Including species of conservation concern due to declining populations.
- **Pileated Woodpeckers** (*Dryocopus pileatus*).
- **Western Pond Turtles** (*Actinemys marmorata*) — Considered a species of concern.



A Bald Eagle flying over a neighbor's roof.



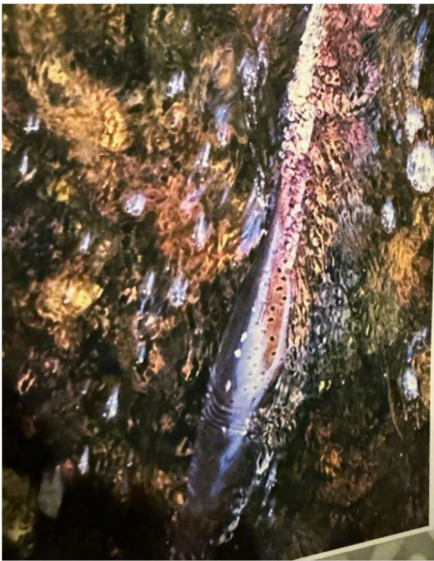
A hawk in our neighbor's tree.



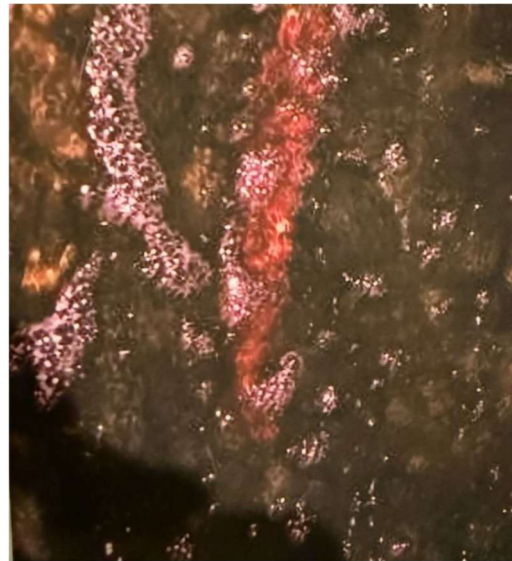
A Red-Tailed Hawk on a neighbor's roof.



A bobcat on a neighbor's fence.



Fish in our neighbor's streams in our neighbor's yard. Fish are not frequently seen although carcasses of fish are also found eaten by animals.



More fish in our neighbor's yard.



Crustacean recently found on the stream buffer in my neighbor's yard. Birds and other animals feed on them.

3. The City of Bellevue has indeed been involved in efforts to restore the salmon habitat in Kelsey Creek, particularly around NE 8th and 132nd. [The projects have included strategies such as protecting and restoring riparian vegetation, improving fish passage, and enhancing creek mouths<sup>1</sup>. Additionally, there have been initiatives to restore stream channels and create off-channel habitats upstream of NE 8th<sup>1</sup>.](#) These efforts are crucial for maintaining the ecological balance and supporting the salmon population in urban stream environments.

[Construction on NE 8th to replace Kelsey Creek culvert | City of Bellevue \(bellevuewa.gov\)](#)



## Nesse, Katherine

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**From:** Suresh Velagapudi <sureshv@outlook.com>  
**Sent:** Thursday, August 7, 2025 7:00 PM  
**To:** Council; PlanningCommission  
**Subject:** Input for Bellevue CAO amendments

**[EXTERNAL EMAIL]** Use caution when clicking links or opening attachments.

Dear Mayor, Deputy Mayor, Planning Commission and Council members,

I am a resident of the Wilburton neighborhood in Bellevue. I also run two small businesses in the city of Bellevue, located on Bel-Red Rd.

I appreciate the work you do and the tradeoffs you make in ensuring that Bellevue grows to meet the increasing housing demands while preserving the natural spaces that our city prides itself on.

With CAO amendments being considered currently, I thought it is important that I reiterate my input from the past. Please consider the following while making your tradeoffs between housing density and nature.

- Respect the WDFW guidelines in adding density to Critical Areas like streams and wetlands to ensure that we have a diverse landscape and wildlife still has a little chance to survive
- Retain (if possible increase) the buffer zones in Critical Areas like streams and wetlands
- Tree canopy is retained to the maximum extent possible to retain the “city in the park” stature that our city enjoys

I am hoping we do justice to the last few species of wildlife that live among us and preserve as much of the critical area priorities.

I appreciate your consideration of my input.

Thank you  
Suresh Velagapudi  
4258352427

**From:** [FERRELYN JACK](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Kennedy, Mariah](#); [Nilchian, Arshia](#); [Khanloo, Negin](#); [Lu, Jonny](#); [Goepppele, Craighton](#); [Villaveces, Andres](#); [Ferris, Carolynn](#); [Menard, Mathieu](#)  
**Subject:** Support for HOMA and Newport Hills Shopping Center Redevelopment!!  
**Date:** Thursday, August 28, 2025 6:03:28 PM

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Some people who received this message don't often get email from ferrelynj@gmail.com. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Hello Bellevue Planning Commission,

We are long- time residents and neighbors living in the Lake Heights Community. We wanted to share our thoughts again with you on the HOMA report - specifically as it relates to the Newport Hills Shopping Center.

While you are hearing from voices who oppose any kind of real change or development of the center, we are two of the *many* voices sharing our excitement and support for a reinvigorated center. We are happy that the comprehensive plan you recently adopted allows for 3-5 stories, as this makes it viable for the owners/a developer to build a revitalized center with housing for our kids, teachers, police and firefighters etc. while providing open space, gathering places and landscaping.

We have waited a very, very long time for something like this to happen to our neighborhood shopping center!!

Thank you for your service to the City of Bellevue and ALL of its residents.

Ferrelyn Jack and Carol Orr



**From:** [Sue baugh](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Kennedy, Mariah](#)  
**Subject:** HOMA  
**Date:** Monday, September 1, 2025 4:26:07 PM

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You don't often get email from sue.baugh@comcast.net. [Learn why this is important](#)

**[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.**

Hi, Mariah- We are part of the Newport Community Coalition and, as you are a new member of the Planning Commission, Deborah Duitch and I would like to speak with you about HOMA as it relates to Newport Hills Shopping Center.

Might you have time on Thursday 9/4 around 1:30? If that doesn't work, do you have other times on 9/4?

We appreciate your willingness to serve on the Planning Commission. Thank you. Sue and Deborah

Suzanne Baugh  
425-417-6959