



DATE: May 24, 2021

TO: Chair Hummer and Members of the East Bellevue Community Council

FROM: Heidi M. Bedwell, Environmental Planning Manager
Development Services Department

SUBJECT: Courtesy Hearing – Energize Eastside North Segment
Files 21-104991 LB and 21-104989-LO

I. Introduction

On June 1, 2021, the East Bellevue Community Council (EBCC) will hold a courtesy hearing on a proposed project for Puget Sound Energy’s (PSE) transmission line replacement and upgrade. A portion of the proposed project is within the jurisdiction of the EBCC therefore the required public meeting for the project is being held as a courtesy hearing with the Community Council.

II. Discussion

A. Required Permits

Per [LUC 20.10.440](#) and [20.20.255](#) an expansion of an electrical utility facility on a sensitive site as described in the City’s Utility Comprehensive Plan element, requires an applicant to obtain a Conditional Use Permit (CUP-LB) approval. A CUP is a mechanism by which the City may require special conditions on development or on the use of land in order to ensure that designated uses or activities are compatible with other uses in the same land use district and in the vicinity of the subject property.

PSE’s proposed use is a Utility System, and portions of the North Bellevue Segment proposal will be located within critical areas and critical area buffers and structure setbacks. A Critical Areas Land Use Permit (CALUP-LO) is also required per [20.25H.055](#), Uses and Development Allowed within Critical Areas.

B. Permit Review Process

A CALUP is a Process II administrative decision made by the Director of the Development Services Department. Appeal of a Process II decision is consolidated with the Process III public hearing on the recommendation for the CUP. Following a hearing before the Hearing Examiner on a Process II appeal of the CALUP, the Hearing

Examiner issues a decision on the Process II appeal, and this Hearing Examiner decision may be appealed to Superior Court ([LUC 20.35.250.F](#)).

A Conditional Use Permit application is a Process III land use application per [LUC 20.35.015.D](#). Process III applications are required to hold a public meeting. Applications within the jurisdiction of a Community Council are to be held as part of the Council's regular meeting and conducted according to the rules for a courtesy public hearing per [LUC 20.35.327](#).

Following review by staff, the Director of Development Services, will issue a recommendation to the City's Hearing Examiner on the subject permit. The Hearing Examiner (HE) will hold a public hearing and issue a recommendation to the City Council. The City Council holds their public hearing to consider the HE recommendation. Within 60 days of the date the City Council has made its decision on the CUP and, if applicable, has adjudicated any appeal of the Hearing Examiner recommendation, the EBCC will take action to approve or disapprove the Ordinance adopted by the City Council. The Decision of the EBCC may be appealed to Superior Court.

The courtesy hearing with the EBCC is to satisfy the required public meeting requirement. Notice of the courtesy hearing before the EBCC was provided in the Weekly Permit Bulletin on May 13, a separate direct mailing to properties within 1000' of properties that intersect with the transmission line corridor was also sent to property owners, and a notice was placed in the Seattle Times on May 25, 2021. Finally an alert about the meeting and project was sent to subscribers for the project permitting page <https://bellevuewa.gov/city-government/departments/development/zoning-and-land-use/public-notices-and-participation-2>.

III. Proposal

Puget Sound Energy, Inc. (PSE) Energize Eastside project includes a new substation in Bellevue ("Richards Creek substation") and the upgrade of 18 miles of two existing 115 kV transmission lines with 230 kV lines from Renton to Redmond (Figure 1). In Bellevue, PSE is proposing to apply for permits to construct the project in two phases. The first phase ("South Bellevue Segment"), included upgrading 3.3 miles (Bellevue Portion) of existing 115 kV lines with 230 kV lines between the Lakeside substation and the southern City limits of Bellevue and land use permits have been approved.

ENERGIZE EASTSIDE 230KV - STRUCTURE TYPES
 NOTE: FOR SPECIFIC LOCATIONS AND HEIGHTS, SEE PROFILE SHEETS

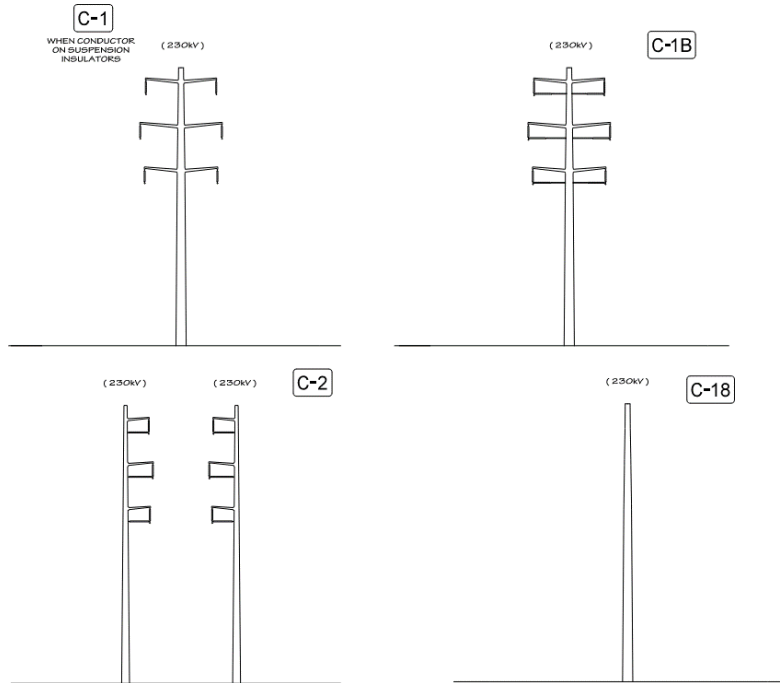


Figure 2

The proposal also includes the removal of vegetation within the transmission line easement corridor. The North American Electric Reliability Corporation (NERC) requires PSE to maintain safe clearances between vegetation and utility lines. Complying with these standards would require PSE to remove trees with an expected mature height of more than 15 feet from the wire zone and trees with an expected mature height of more than 70 feet within the legal ROW (See Figure 3).

PSE conducted a Vegetation Impact Analysis and has determined there are 433 significant trees that do not meet the vegetation management standards. Approximately 74% of the trees are in fair condition or worse. These trees are located in a variety of ownership (private property, City Right-of-Way, City owned property, and PSE owned property). Of the 433 significant trees 316 are outside critical areas and 117 are located in a critical area, critical area buffer or structure setback. A table depicting these tree impacts is found in the submitted Vegetation Management Plan on page 13, Table 3.

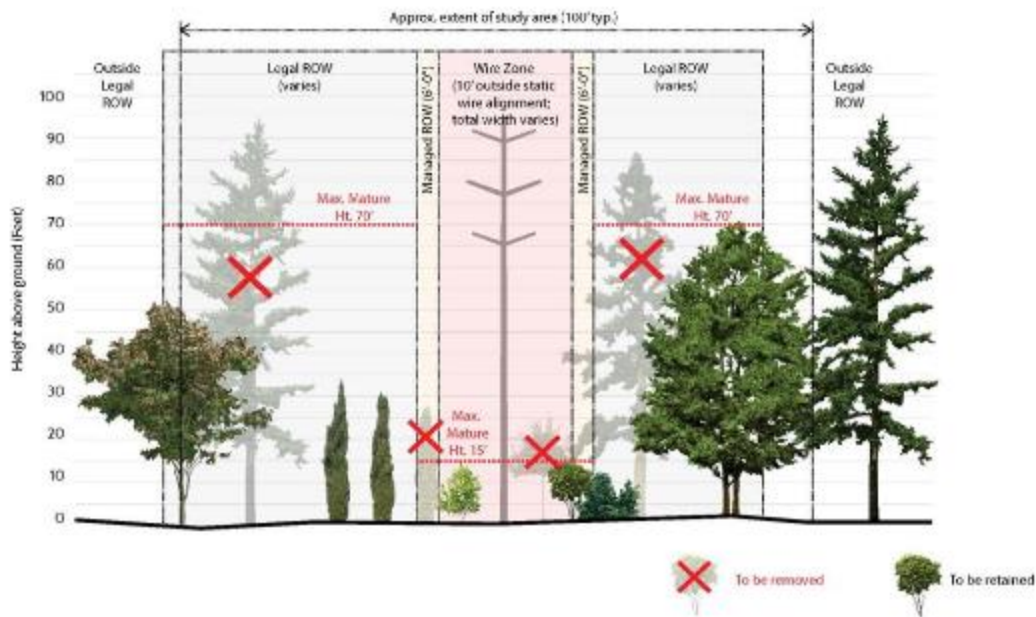


Figure 3

To meet the tree retention intent of the LUC and to mitigate for impacts to vegetation associated with the Project in compliance with LUC 20.20.255.G, PSE proposes the following tree replacement ratios:

Tree Size (DBH)	Replacement Ratio	Impacted Live Trees/Shrubs	Replacement Trees
< 6"	As requested by property owner	464	TBD
6" to ≤ 12"	1:1	420 ¹	420
> 12" to < 30"	2:1	158	316
≥ 30"	3:1	1	3
<i>Total Proposed Removal and Replacement =</i>		1,043	739+

1. Trees with "null" values for the DBH attribute (e.g., trees that were surveyed and not inventoried) have been tallied in the 6-≤12-inch DBH category for replacement at 1:1.

Trees within the City's ROW will be replaced using an In-Lieu Fee method. An independent arborist will complete a tree appraisal and a value will be determined for the trees to be removed. These fees for trees impacted in the ROW may be used by the City for replanting in the City ROW or on other City-owned projects.

IV. Applicable Standards and Decision Criteria

The Electrical Utilities Facilities provisions of the LUC require an Alternative Siting Analysis (LUC 20.20.255.D), compliance with the applicable decision criteria (LUC 20.20.255.E), and compliance with applicable design standards regarding site landscaping, fencing, and height limitations (LUC 20.20.255.F). In turn, LUC 20.20.255.G provides broad authority for the City to impose conditions relating to the location, development, design, use, or operation of an electrical utility facility in order to mitigate environmental, public safety, or other identifiable impacts. In addition to the criteria specific to Electrical Utility Facilities, the proposal must also meet the decision criteria for Conditional Use Permits <https://bellevue.municipal.codes/LUC/20.30B.140>. Finally, because the proposal will impact critical areas and their associated buffers or structure setbacks, the City must evaluate the proposal's compliance with the decision criteria for a CALUP <https://bellevue.municipal.codes/LUC/20.30B.140>.

V. Action requested of the EBCC

The EBCC is requested to hold the courtesy hearing on the proposed Conditional Use Permit. Following the courtesy hearing, staff anticipates returning at a future meeting for the public hearing and approval/disapproval of the permit.

Staff and the applicant will be present at the June 1 courtesy hearing to answer any questions the EBCC may have.