City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name:	Puget Sound Energy (PSE) – Energize Eastside North Bellevue Segment
Proposal Address:	Lakeside substation - 13615 SE 26th Street and north to the Bellevue city limits at the Bridle Crest Trail (NE 60th Street) within the PSE existing transmission line corridor.
Proposal Description:	Recommendation for approval of a Conditional Use Permit and Administrative Approval of Critical Areas Land Use Permit for the construction of a 230 kilovolt (kV) transmission line in the City of Bellevue. The North Bellevue Segment of this line (the subject of PSE's proposal and this Staff Report) runs approximately 5.2 miles from Bridle Crest Trail at NE 60th Street, south to the existing Lakeside substation. The North Bellevue Segment includes the removal of wood transmission poles and H-frame poles and replacement with steel monopoles within the existing utility corridor. The proposed pole locations for the rebuilt lines will generally be in the same locations as the existing poles. This proposal by PSE is part of the larger "Energize Eastside project," which crosses multiple jurisdictions from Redmond to Renton. Permits have been issued by the cities of Bellevue (for the South Bellevue Segment), Redmond, Newcastle, and Renton. The City of Bellevue only has permitting authority for work proposed in its jurisdiction, and the North Bellevue Segment is the last portion of the Energize Eastside project requiring local land use permits.
File Numbers:	21-104989 LO and 21-104991 LB
Planner:	Reilly Pittman, Environmental Planning Manager and Authorized Representative for Environmental Coordinator
Applicant:	Bradley Strauch, Puget Sound Energy
Recommendation Included:	Conditional Use Permit (Process I, Land Use Code 20.30B)
Decision Included:	Critical Areas Land Use Permit (Process II, Land Use Code 20.30P)

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Director's Decision and Recommendation:

Approval with Conditions

Rebecca Horner, Director
Development Services Department

By: *Elizabeth Stead*
Elizabeth Stead, Land Use Director
Reilly Pittman, Environmental Planning Manager

Application Date:	March 11, 2021
Notice of Application:	May 13, 2021 and June 29, 2023
Public Meetings:	June 1, 2021 and July 18, 2023
Recommendation/Decision Publication Date:	October 19, 2023
Public Hearing:	November 9, 2023

Deadline for Appeal of Process II Administrative Decision

- Critical Areas Land Use Permit: November 2, 2023 (14 days following publication of a notice of decision)

For information on how to appeal a City of Bellevue land use decision, visit https://bellevuewa.gov/city-government/departments/city-clerks-office/hearing-examiners-office/how-to-file-an-appeal or call the Hearing Examiner's Office 425.452.6934. Appeal of any Process II Administrative decision must be made by 5 p.m. on the date noted for appeal of the decision. Appeal of the Critical Areas Land Use Permit decision must be made to the City of Bellevue City Clerk's Office.

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ATTACHMENTS

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F. July 11, 2023, Reliability Certification (LUC 20.20.255.E.4)
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I. REQUEST AND REVIEW PROCESS

A. Request

Puget Sound Energy, Inc. (PSE) has applied to the City of Bellevue for a Conditional Use Permit (CUP) and a Critical Areas Land Use Permit for the construction of the North Bellevue Segment of the Energize Eastside project. The North Bellevue Segment includes upgrading approximately 5.2 miles of existing 115 kV transmission lines with 230 kV lines between the Redmond/Bellevue city boundary and the Lakeside substation.[1] The project and PSE's specific proposal for the North Bellevue Segment addressed in this Staff Report include the removal of approximately 90 wood transmission line poles and the installation of 49 230 kV-capacity steel monopoles, including eight single-circuit monopoles and 41 double-circuit monopoles. PSE has proposed to undertake this work in the existing transmission line corridor rather than siting the project in Bellevue neighborhoods that currently lack a transmission line corridor.

The utility corridor was established in the 1920s and early 1930s, and current uses, including homes, were developed over time adjacent to PSE's facilities. Within the existing utility corridor, the proposed pole locations for the rebuilt lines will generally be in the same locations as the existing poles. The North Bellevue Segment, which is the location for the permit applications evaluated in this Staff Report, includes two segments analyzed in the Environmental Impact Statement (EIS) prepared for the Energize Eastside project: the Bellevue North Segment and the Bellevue Central Segment (City of Bellevue et al. 2018).

The overall Energize Eastside project ("Energize Eastside project" or "the project") includes a new substation in Bellevue (the "Richards Creek substation") and the upgrade of 16 miles of two existing 115 kV transmission lines with 230 kV lines from Redmond to Renton. The Land Use Permits for the project's South Bellevue Segment, including the new substation and upgrading approximately 3.3 miles of existing lines, were issued by the City of Bellevue in 2019 (Permit Nos. 17-120556-LB and 17-120557-LO). City approval of the South Bellevue Segment, as well as the environmental review of the entire Energize Eastside project, was challenged in Superior Court (*CENSE v. City of Bellevue*, Case No. 19-2-33800-8 SEA (September 21, 2020). The Superior Court denied the appeal, affirmed the City's approval of the South Bellevue Segment, and held that the environmental review of the project complied with the State Environmental Policy Act (SEPA), chapter 43.21C RCW.

[1] The "Richards Creek substation" will replace the Lakeside substation as part of the Energize Eastside project, and this substation replacement has been approved and permitted by the City of Bellevue (Permit Nos. 17-120556-LB and 17-120557-LO). This Staff Report refers to and/or depicts both the preexisting Lakeside Substation and the replacement Richards Creek substation, but the location of the PSE substation in south Bellevue has not changed.

The remainder of the Energize Eastside project south of Bellevue continues through Newcastle, unincorporated King County, and Renton. Permits authorizing the project have been approved by each of these jurisdictions. North of the North Bellevue Segment, the remainder of the Energize Eastside project continues through Redmond to the Sammamish substation, and the city of Redmond has issued land use approvals for the Redmond Segment. The North Bellevue Segment, which is limited to work within the utility corridor for approximately 5.2 miles of the 16-mile Energize Eastside project, is the last portion of the project requiring local land use approval prior to construction.

B. Review Process

The City of Bellevue's review process for the Energize Eastside project began with pre-submittal public outreach conducted by PSE in coordination with City staff, followed by completion of technical studies and the preparation of the EIS, with the Final EIS published in March 2018 (City of Bellevue et al. 2018).[2] The environmental review, conducted by Bellevue as the lead agency in cooperation with the jurisdictions of Newcastle, Redmond, and Renton (the Partner Cities), concluded that PSE's proposal would not result in any significant unavoidable adverse environmental impacts within the North Bellevue Segment that is the subject of this Staff Report.

PSE submitted land use permit applications for its North Bellevue Segment proposal in March 2021. The first public meeting for the North Bellevue Segment was held on June 1, 2021, as part of the East Bellevue Community Council's (EBCC) regular meeting. The meeting was held via Zoom Webinar, and the EBCC discussion of PSE's proposal continued during its July 6, 2021, meeting. Public noticing of PSE's application was provided through a radius mailing and a mailing to interested parties (including those identified through the EIS process), publication in the City's Weekly Permit Bulletin, and installation of 15 notice signs.

On July 9, 2022, the EBCC was sunset by State of Washington House Bill 1769. As a result, the City's land use process for review of PSE's CUP application changed. In order to inform the public of the process change resulting from the dissolution of the EBCC, the City re-noticed the project on June 29, 2023. Thereafter, the City held the second public meeting, as required by LUC 20.20.255.C.1.b, on July 18, 2023. This second public meeting was held at Bellevue City Hall as a hybrid meeting, with an opportunity for the public to attend and participate both in-person and via Zoom. The City's review of PSE's proposal also included collection of public comments, revision requests from the

[2] The Final EIS and supporting documentation are incorporated by reference under the terms of Bellevue City Code (BCC) 22.02.020 and Washington Administrative Code (WAC) 197-11-635. The Final EIS and supporting documentation is publicly available at http://www.energizeeastsideeis.org/library.html. In addition, the Final EIS together with the supporting documentation are available for review in the City of Bellevue Records Room, Lobby Floor, Bellevue City Hall, 450 110th Avenue NE. The Final EIS is also included in the Development Services Department (DSD) official files for Permit Nos. 17-120556-LB and 17-120557-LO.

City's Environmental Planning Manager to PSE, and PSE's responses to the City's requests.

PSE's North Bellevue Segment proposal includes both a Process I (LUC 20.35.100 – Hearing Examiner land use decision) and a Process II (LUC 20.35.200 – Administrative decision) permit application, each of which is described below, along with a summary of the associated appeal opportunities.

The Critical Areas Land Use Permit (CALUP) is a Process II land use decision, which is an administrative decision made by the City's Land Use Director. The CALUP is required per LUC 20.25H.055, Uses and Development Allowed within Critical Areas. PSE's proposal 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. The Director's decision on the CALUP may be appealed to the Hearing Examiner under LUC 20.35.250.

The CUP is a Process I land use decision processed pursuant to LUC 20.35.100 to 20.35.140. Under Process I, the City's Land Use Director issues a recommendation to the Hearing Examiner; and the Hearing Examiner, after holding a public hearing, issues a decision on the application. LUC 20.35.130– 20.35.140. Per LUC 20.20.255.C, the CUP is required for new or expanding electrical utility facilities proposed on sensitive sites as described by Figure UT.5a (revised to Map UT-7) of the Utilities Element of the City of Bellevue Comprehensive Plan (UT Element 2015; City of Bellevue 2015).[3] The decision of the Hearing Examiner on a Process I application is the final City decision on a Process I application. A final decision on a Process I application may be appealed to Superior Court as set forth in LUC 20.35.070.

The City has provided notice of publication of the Process I CUP recommendation and Process II CALUP decision contained in this Staff Report through mailings and the City's Weekly Permit Bulletin, as required by code.

II. PROPOSAL DESCRIPTION

A. Purpose

The purpose of the Energize Eastside project is to meet growing demand for electricity and to protect reliability on the Eastside of King County, roughly defined as extending from Redmond in the north to Renton in the south, and between Lake Washington and Lake Sammamish. It is PSE's responsibility to plan and operate the electrical system while complying with federal standards and guidelines.

[3] For ease of reference, Comprehensive Plan Map UT-7 is also included as Attachment D to this Staff Report.

The purpose of the Energize Eastside project is defined by PSE's broad objectives for the project, as follows:

- Address PSE's identified deficiency in transmission capacity.
- Find a solution that can be feasibly implemented before system reliability is impaired.
- Be of reasonable project cost.
- Meet federal, state, and local regulatory requirements.
- Address PSE's electrical and non-electrical criteria for the project.

Electricity is currently delivered to the Eastside area through two 230 kV/115 kV bulk electric substations – the Sammamish substation in Redmond and the Talbot Hill substation in Renton – and distributed to neighborhood distribution substations using 115 kV transmission lines (see **Figure II-1**). Although numerous upgrades have been made to PSE's 115 kV systems (including new transmission lines) prior to the Energize Eastside project, the primary 115 kV transmission lines connecting the Sammamish and Talbot Hill substations had not been upgraded since the 1960s, and no 230 kV-to-115 kV transformer upgrades had been made at these substations. Since then, the Eastside population has grown from approximately 50,000 to nearly 400,000. Both population and employment growth are expected to continue, but at a slower pace of around 2 percent per year, according to Puget Sound Regional Council (PSRC) estimates. A report prepared for PSE projected that electrical customer demand on the Eastside would grow at a rate of approximately 2.4 percent per year through 2024 (Quanta Services 2015). By way of reference, the City, through the adoption of Resolution 10080 on March 28, 2022, is required to plan for 70,000 new jobs and 35,000 new housing units for the time period of 2019-2044 in its Periodic Comprehensive Plan Update.

As required by federal regulations, PSE performs annual electric transmission planning studies to determine if there are potential system performance violations (transformer and line overloads) under various operational and forecasted electrical use scenarios. These studies are generally referred to as "reliability assessments."

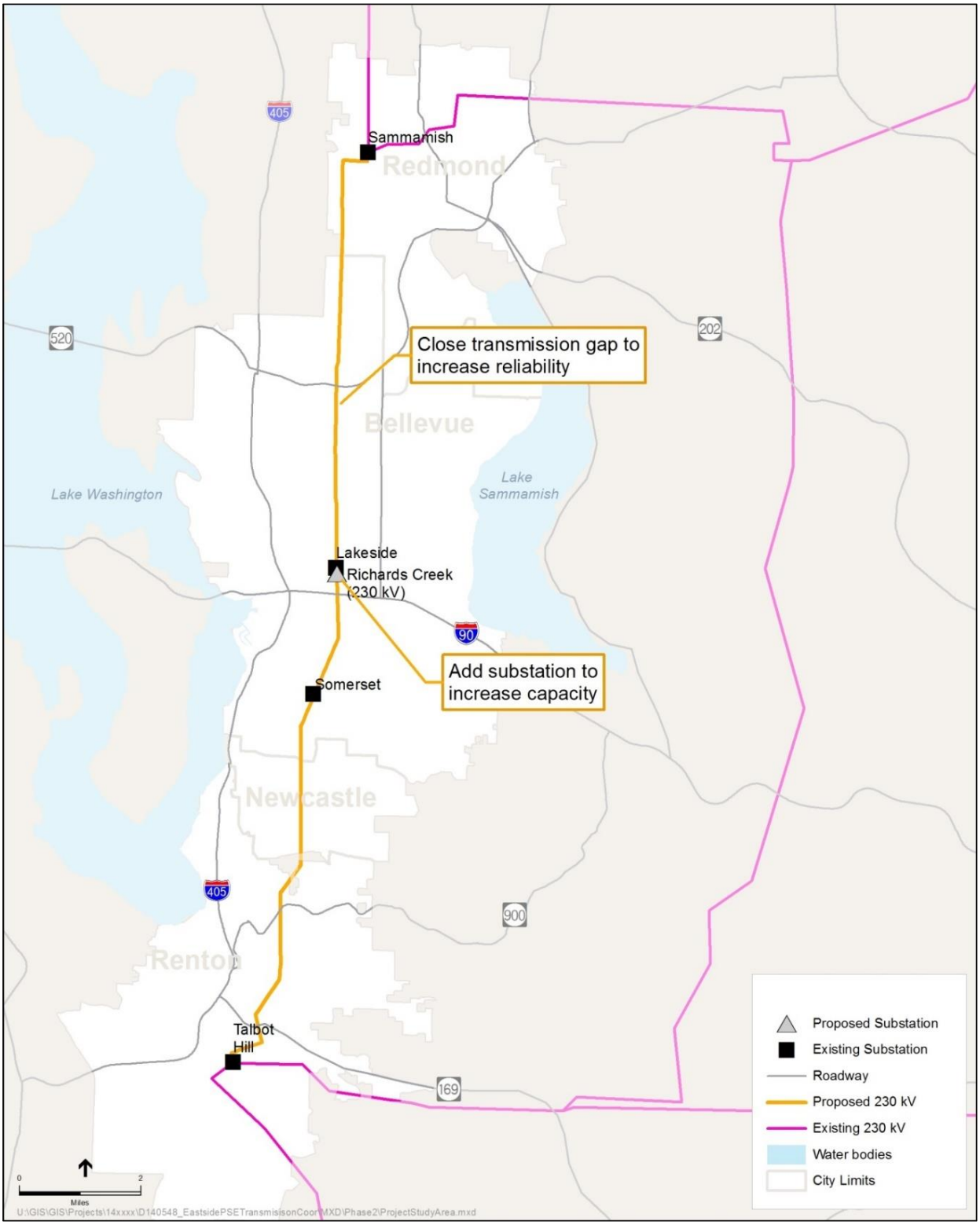

Figure II-1 Proposed 230 kV Transmission Line Route for the Energize Eastside Project

B. Project Need, the 2022 WUTC Order, and PSE's Reliability Certification

The need for additional 230 kV-to-115 kV transmission transformer capacity and 230 kV support in the Eastside is well documented, both through past studies and in the current record developed for these specific CUP and CALUP applications. This need was initially identified in the 1993 annual reliability assessment and has been included in PSE's Electrical Facilities Plan for King County (System Plan) since that time.[4] In 2009, PSE's annual reliability assessment found that if one of the Talbot Hill substation transformers failed, it would significantly impair reliability on the Eastside. Replacement of a failed 230 kV transformer can take weeks, or even months, to complete depending on the level of failure and other site-specific parameters.

Over the past fifteen years, PSE has consistently identified reliability deficits, including concerns over the projected future loading on the Talbot Hill substation and increased use of Corrective Action Plans (CAPs) to manage outage risks to customers, in this portion of the PSE system. Similarly, between 2012 and 2015, PSE and the City of Bellevue commissioned three separate studies by two different parties that confirmed the need to address Eastside transmission capacity.[5] PSE's North Bellevue Segment CUP Analysis, included as Attachment B to this Staff Report, describes each of these studies in detail.

In 2015, Stantec Consulting Services Inc. reviewed PSE's analysis and determined that the approach to the needs assessment followed standard industry practice (Stantec 2015). "Demand," as discussed in the Stantec Report, is expressed in kilowatts or megawatts (kW or MW) and represents usage at a single point in time, much like a car's speedometer shows miles per hour (mph) at a precise moment in time. As required by the National Electric Reliability Corporation (NERC), PSE's determination of project need for Energize Eastside is based on peak demand periods, that is, spikes in demand due to winter cold snaps or summer heat waves, for example. PSE must plan to meet peak demand to avoid CAPs or "blackouts."

In contrast, "use," "energy" and "consumption" refer to the amount of power consumed over a period of time, such as over an hour or a year, and are expressed in kilowatt-hours and megawatt-hours (kWh and MWh), much like a car's odometer shows total miles driven. A transmission system must be capable of delivering power when it is in very high demand, not just at times when usage is moderate or low. If a system cannot

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[4] PSE's March 2021 "Energize Eastside Conditional Use Permit, Description of Proposal – North Bellevue Segment" was submitted in connection with the application for Permit Nos. 21-104989 LO and 21-104991 LB, and excerpts from this submittal are included in this Staff Report as Attachment B (hereinafter "PSE North Bellevue Segment CUP Analysis"). Page 24 of the PSE North Bellevue Segment CUP Analysis discusses the application's consistency with PSE's System Plan.

[5] These studies include the (1) City of Bellevue Electrical Reliability Study (Exponent 2012), (2) Eastside Assessment Report (Quanta 2013), and (3) Supplemental Eastside Needs Assessment Report (Quanta 2015). In addition to these studies, the City of Bellevue also commissioned a separate study to evaluate PSE's system, which confirmed the need for the Energize Eastside project (USE 2015).

meet peak demand, power outages affect everyone, including residential uses and critical support services like the hospitals, nursing homes, fire departments, and police stations identified in the Stantec Report.

The Stantec Report specifically explained how and why PSE is required to provide adequate electrical utility infrastructure to meet peak "demand" periods: "[t]he Eastside 230 -115 kV system as it exists cannot supply the projected load under all circumstances, with the required levels of reliability that the community and neighboring utilities expect." In turn, "redundancy" is an important tool to meet peak demand, avoid blackouts, and provide reliability. The Phase 1 Draft EIS explained the concept of "redundancy," stating "[t]o ensure adequate capacity even when some equipment is not working, a substantial degree of redundancy is needed in distributed generation resources" (Phase 1, Draft EIS, at 2-37); and "[i]f adequate system redundancy is not provided, electrical power production would likely not meet the demand during certain times" (id. at 16-35). A well-planned system will feature redundancy to maintain continuity of supply to customers and ensure service reliability in the Eastside.

Following publication of the Stantec Report, the city of Newcastle hired MaxETA Energy, PLLC and Synapse Energy Economics, Inc. to prepare an assessment of the Energize Eastside project (2020 Newcastle Assessment). The assessment was completed in 2020 and found that "the current summer electric peak demand in King County has already triggered an operational need for the proposed transmission expansion to address system contingency scenarios and ensure the security of the Bulk Electric System." The 2020 Newcastle Assessment also provided the following conclusion:

> *The current transmission deficiency can be cured by upgrading one of the 115kV transmission lines between the Talbot Hill and Sammamish substations to 230kV and installing an additional 230kV/115kV 325MVA transformer at the proposed Richards Creek substation in Bellevue. Upgrading the second 115kV transmission line that currently travels through the same corridor, Willow 1, to 230kV is consistent with good system planning, particularly because the facilities to support these higher voltages will already be deployed.*

More generally, the 2020 Newcastle Assessment found that "PSE has demonstrated that the proposed transmission upgrades are needed to safeguard the operational reliability of the electric system as a whole."

On December 22, 2022, the Washington State Utilities and Transportation Commission (WUTC), which is the agency responsible for regulating PSE, issued Final Order 24/10 on PSE's Energize Eastside project (Dockets UE-220066, UG-220067, & UG-210918 (Consolidated) [hereinafter "the WUTC Order"]). Throughout the WUTC Order, the WUTC confirmed that PSE had demonstrated a need for the Energize Eastside project.

In making this determination, the WUTC considered evidence presented by PSE and the Coalition of Eastside Neighbors for Sensible Energy (CENSE) and found, "[t]he evidence establishes a need for expanding PSE's transmission on the Eastside, and this issue does not appear to be in genuine dispute according to any of the credible evidence." WUTC Order at 64. The WUTC Order referenced the numerous independent experts discussed above who, over the course of many years, agreed there is a need for additional transmission capacity on the Eastside of Lake Washington. *Id*. at 11. After reviewing the extensive evidence presented to the WUTC establishing project need, the WUTC concluded, "we agree that PSE has established a need for Energize Eastside." *Id*. at 62; see also *id.* at 67.

Recently, and in connection with its permit applications for the North Bellevue Segment, PSE submitted a Reliability Certification, dated July 11, 2023, as required by LUC 20.20.255.E.4. This Reliability Certification described the project background and included a copy of the WUTC Order. PSE's Reliability Certification stated the following (emphasis in PSE submittal):

> *On November 28, 2022, PSE provided the City with its 2022 Energize Eastside Needs Assessment Update. This study utilized the latest load forecast and system information and verified that without Energize Eastside 230 kV project, a transmission capacity deficiency is present today under certain contingency conditions for the summer season and would require the use of CAPs to manage overloads for certain contingencies. The study also verified that there is still a transmission capacity deficiency in the Eastside area in the winter for both base and sensitivity cases in the ten-year planning horizon. This present need requires use of Corrective Action Plans (CAPs) to manage overloads for certain contingencies, putting approximately 50,000 Eastside customers at risk of outages. This transmission capacity deficiency has existed for the last several years during summer peak season and is expected to increase as load grows.*
>
> *Given that the south segment of the project will be energized by the end of 2023, but the north segment is still pending, PSE conducted two verification studies during their annual TPL system assessment in 2020 and 2022 to verify that the transmission deficiency still exists without the north segment present. In PSE's 2020 and 2022 TPL assessments, PSE modeled the system without the northern segment of Energize Eastside. Specifically, the Sammamish-Lakeside 115 kV lines remained in their current configuration and were not converted to 230 kV lines from Sammamish to Richards Creek substation. The 2020 TPL assessment showed that there is a transmission deficiency in the Eastside area in the summer of 2022 without the north segment of Energize Eastside 230 kV project energized. The 2022 TPL assessment also verified the need, showing a transmission deficiency in the near term. …*

> *In conclusion, as PSE has maintained, and as third-party reviewers have separately confirmed,* ***the Energize Eastside project is needed today to meet current summer peak demand in King County to maintain reliable electric power to Bellevue. Furthermore, the current deficits experienced under today's conditions are significant****. The WUTC, the regulatory body with authority to evaluate the prudency of a utility's project investments, has confirmed that PSE has demonstrated need for the Energize Eastside project and that its consideration of alternatives was sufficient and reasonable.*

PSE's July 11, 2023, Reliability Certification and the WUTC Order are included with this Staff Report as Attachment F. Additional information and analysis regarding PSE's determination of operational need is discussed in **Section VIII.C** of this Staff Report in connection with Electrical Utility Facilities Decision Criteria (LUC 20.20.255.E.3).

C. Land Use and Environmental Background

LUC 20.20.255 – Electrical Utility Facilities governs the review and approval of new or expanding electrical utility facilities. Pursuant to LUC 20.20.255, any new or expanding electrical facility proposal identified as a sensitive site requires an Alternative Siting Analysis. The alignment of the transmission line corridor in the North Bellevue Segment is identified as a sensitive site on Map UT-7 of the UT Element in the City's Comprehensive Plan (see Attachment D to this Staff Report).

PSE began working with residents of Bellevue and City staff several years prior to submittal of the CUP and CALUP applications to determine the best possible route for the transmission lines. This included coordination with a Community Advisory Group (CAG), City staff, and the public. The Alternative Siting Analysis (PSE 2021a) discussed in **Section IV.A.1** of this Staff Report further describes the outreach efforts and criteria PSE used to arrive at the selection of its preferred alternative (i.e., PSE's proposed alignment). The 2021 Alternative Siting Analysis is included with Attachment B to this Staff Report.

The EIS process also provided opportunities for public input, including scoping meetings and opportunities to comment on two draft EISs prior to publication of the Final EIS in March 2018. The Final EIS identified the Bellevue North Segment and the Bellevue Central Segment, Existing Corridor Option as the preferred alternative for the segment between the northern city limit of Bellevue and the Lakeside substation. The environmental review conducted by the Partner Cities also determined that any environmental impacts associated with the Energize Eastside project in connection with the construction and operation of the project within the existing utility corridor through these segments would be less-than-significant.

Following publication of the Final EIS, each Partner City began processing PSE's land use permit applications required for approval and operation of the Energize Eastside project across the multi-jurisdictional utility corridor. These land use processes in

Bellevue, Renton, Newcastle, and Redmond provided unique and additional opportunities for public participation, opposition, and support for PSE's project prior to land use approval in the permitting jurisdiction. Residents of the Partner Cities, including Bellevue residents, submitted comments and participated in these respective land use processes; and the city of Bellevue, as the lead agency for the Partner Cities' environmental review of the Energize Eastside project, appeared and testified before the Renton Hearing Examiner prior to the city of Renton's approval of PSE's conditional use permit for the Renton Segment of the project.

The City has now prepared a SEPA Addendum, which was issued on October 12, 2023, and is included with this Staff Report as Attachment G. The City prepared this Addendum in connection with its land use review for the North Bellevue Segment of the project. As explained in the SEPA Addendum and Section VI of this Staff Report, PSE's current proposal is similar enough to the project analyzed in the Phase 2 Draft EIS and the Final EIS such that environmental impact conclusions disclosed and documented in the Partner Cities' prior environmental review for the Bellevue North Segment and the Bellevue Central Segment remain the same (less than significant).

D. Proposed Alignment

This Staff Report and the 2023 SEPA Addendum (Attachment G) evaluate the North Bellevue Segment proposed alignment, which is the same Existing Corridor Option as the preferred alternative identified in the Final EIS. PSE's Project Plans, submitted in connection with the applications for Permit Nos. 21-104989 LO and 21-104991 LB, are included as Attachment A to this Staff Report. PSE selected its proposed alignment for the North Bellevue Segment based on the public outreach and technical review that occurred during the CAG and EIS processes. The major deciding factors include but are not limited to the following:

- By using the existing corridor, additional easements or properties are not required.
- By using the existing corridor, the fewest number of trees will need to be removed.
- By using the existing corridor, combined with optimized transmission line design and 230/230 kV operation, the project prioritizes safety by having the lowest potential alternating current (AC) interaction with the two petroleum pipelines that share the corridor.

All of the routes analyzed in the Final EIS to meet the purpose and need for the project, including Bellevue North Segment and the Bellevue Central Segment Existing Corridor Option, traverse residential land use districts. By constructing the transmission line facilities in the existing 115 kV transmission line corridor, adverse site compatibility impacts are limited (see LUC 20.20.255.D.2.d). Simply put, the existing corridor provides the shortest distance through the City and therefore crosses the least amount of residential zoning.

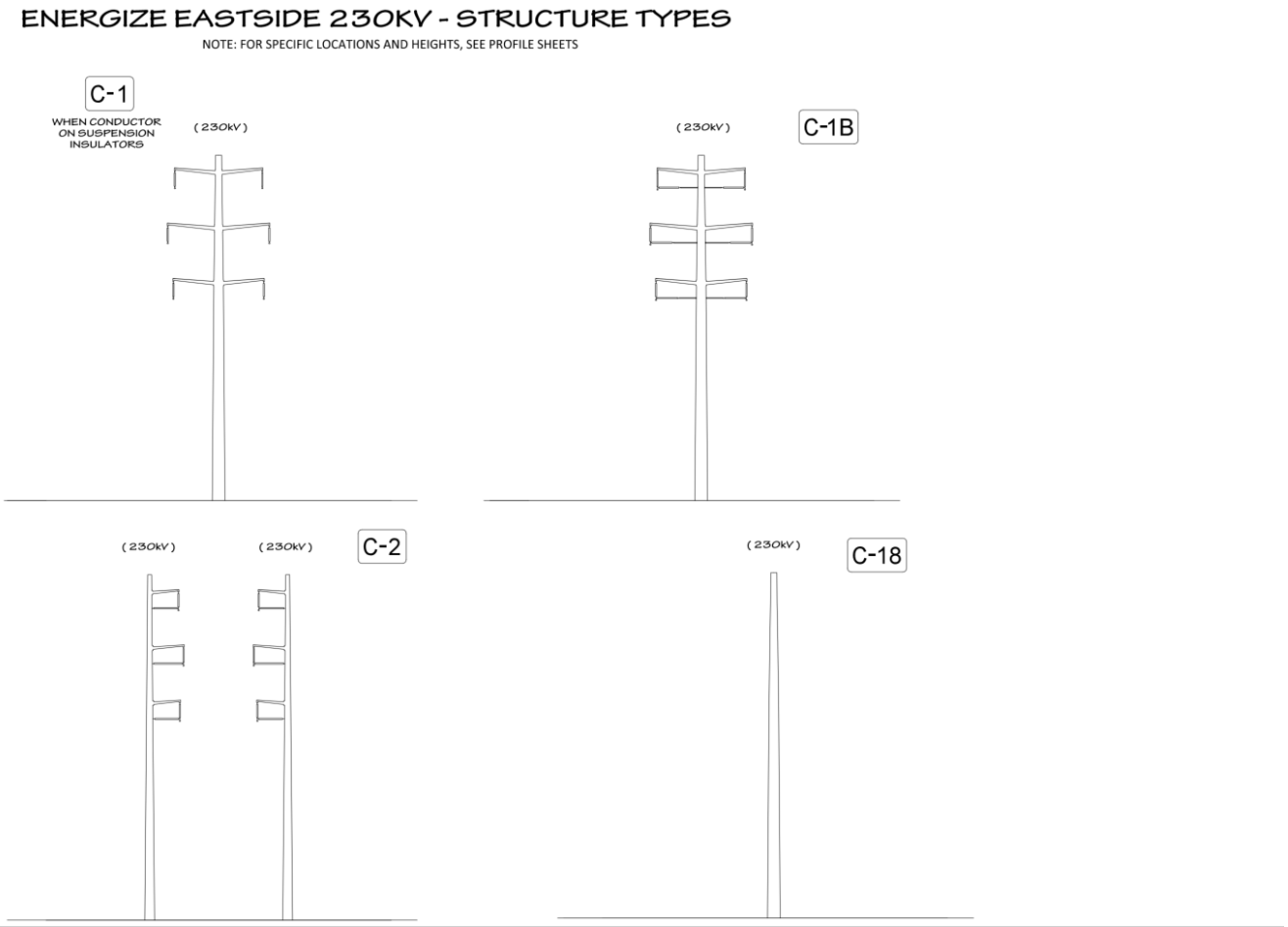
Moreover, by using the existing corridor PSE minimizes tree removal and management within the corridor as compared to establishing a new corridor (see the Alternative Siting Analysis, contained in Attachment B to this Staff Report). By using the existing corridor, PSE can also better assess and limit potential interactions with the co-located petroleum pipeline system, as well as a natural gas pipeline that crosses the corridor (DNV GL 2016).

The creation of new impacts on adjacent uses, including residential uses, is also minimized by utilizing the existing corridor for the proposal. As properties adjacent to the transmission line corridor currently have utility facilities in their viewsheds and neighborhoods, the Bellevue North Segment and the Bellevue Central Segment Existing Corridor Option have lower impacts compared to establishing a new corridor. Several impacts that could not be avoided through route selection will be minimized or mitigated through measures that PSE has incorporated into the project design. Additional information regarding PSE's compliance with the Alternative Siting Analysis requirements of the LUC is discussed below in **Section IV.A.1** of this Staff Report.

E. Pole Design

The proposed transmission line will primarily be installed on double-circuit monopoles, as shown on **Figure II-2** and **Table II-1**. Pole heights range between 77 feet and 125 feet, with an average height of 99 feet and a median height of 95 feet. The three tallest proposed poles are located near NE Bellevue-Redmond Road/NE 20th Street and adjacent to the Richards Creek substation. North of NE 20th Street, proposed pole heights range from 86 feet to 105 feet with two poles 100 feet or higher. Average proposed pole height north of NE 20th Street is 94 feet, and the median proposed pole height is 95 feet. South of NE 20th Street, proposed pole heights range from 77 feet to 125 feet with 10 poles 100 feet or higher and three poles 115 feet or taller. Average proposed pole height south of NE 20th Street is 101 feet and median proposed pole height is 97 feet.

The proposed pole designs are shown in Figure II-2. Information about the pole type, including line configuration, typical height, and diameter, is listed in Table II-1. Simulations showing the proposed pole types typical in the North Bellevue Segment are also provided in **Figure II-3** and **Figure II-4**. Additional detailed information for all pole locations can be found in Attachment A, Project Plans. PSE's Photo Simulations and PSE's 2021 Pole Finishes Report - City of Bellevue (North) are included in the City's Project File.



Structure Type	Naming Convention	Description
SCDE	C-18	Single circuit deadend
DCT	C-1	Double circuit tangent (D denotes OHGW overhead groundwire)
DCA	C-1B	Double circuit angle - equiv to a C1 with a post brace to handle bigger angle
SCA	C-2	Single circuit angle

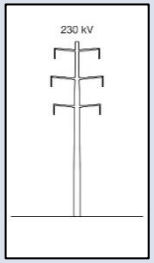
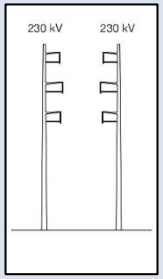
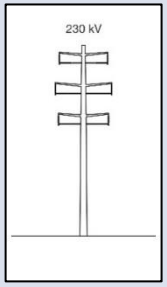
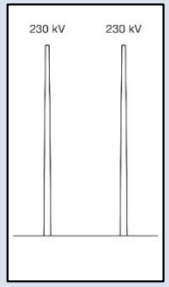
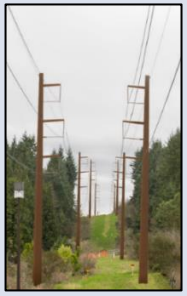
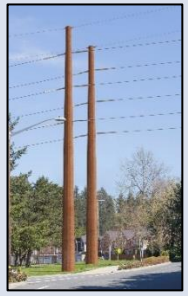
*number after type in table denotes angle

STRUCTURE TYPES
NORTH BELLEVUE
BASED ON PSE ENGINEERING DESIGN REVISION Y

Appendix A
Date: 2/4/2021

Figure II-2 Pole Structure Types

Table II-1 Pole Types

	C-1 Pole	C-2 Poles	C-1B Pole	C-18 Poles
Pole Type	One Double-Circuit Monopole	Two Single-Circuit Monopoles	One Double-Circuit Monopole	Two Single-Circuit Monopoles
Line Configuration	Six conductors total, three on each side of the pole	Three conductors stacked vertically on each pole	Six conductors total, three on each side of the pole	Three conductors stacked vertically on each pole
Typical Height in North Segment	95 feet	121.5 feet	90 feet	105 feet
Diameter (at base)	Typically 4.5–6 feet	Typically 3.5–5.5 feet	Typically 4.5–6 feet	Typically 3.5–6.5 feet
Diagram				
Simulation				

Existing Pole Height: ~56–79 feet

Average/Median Proposed Pole Height: ~101/97 feet

Figure II-3 Existing and Proposed Conditions From SE 5th Street Looking North

Existing Pole Height: ~54–70 feet

Average/Median Proposed Pole Height: ~ 94/95 feet

Figure II-4 Existing and Proposed Conditions From NE 54th Place Looking North

F. Vegetation Removal

Vegetation management activities, including tree trimming and tree removal, are proposed to meet the NERC vegetation management standards for electric transmission lines. The overall size of the vegetation management/maintenance area typically varies by transmission pole type (see **Figure II-5** through **Figure II-8**).

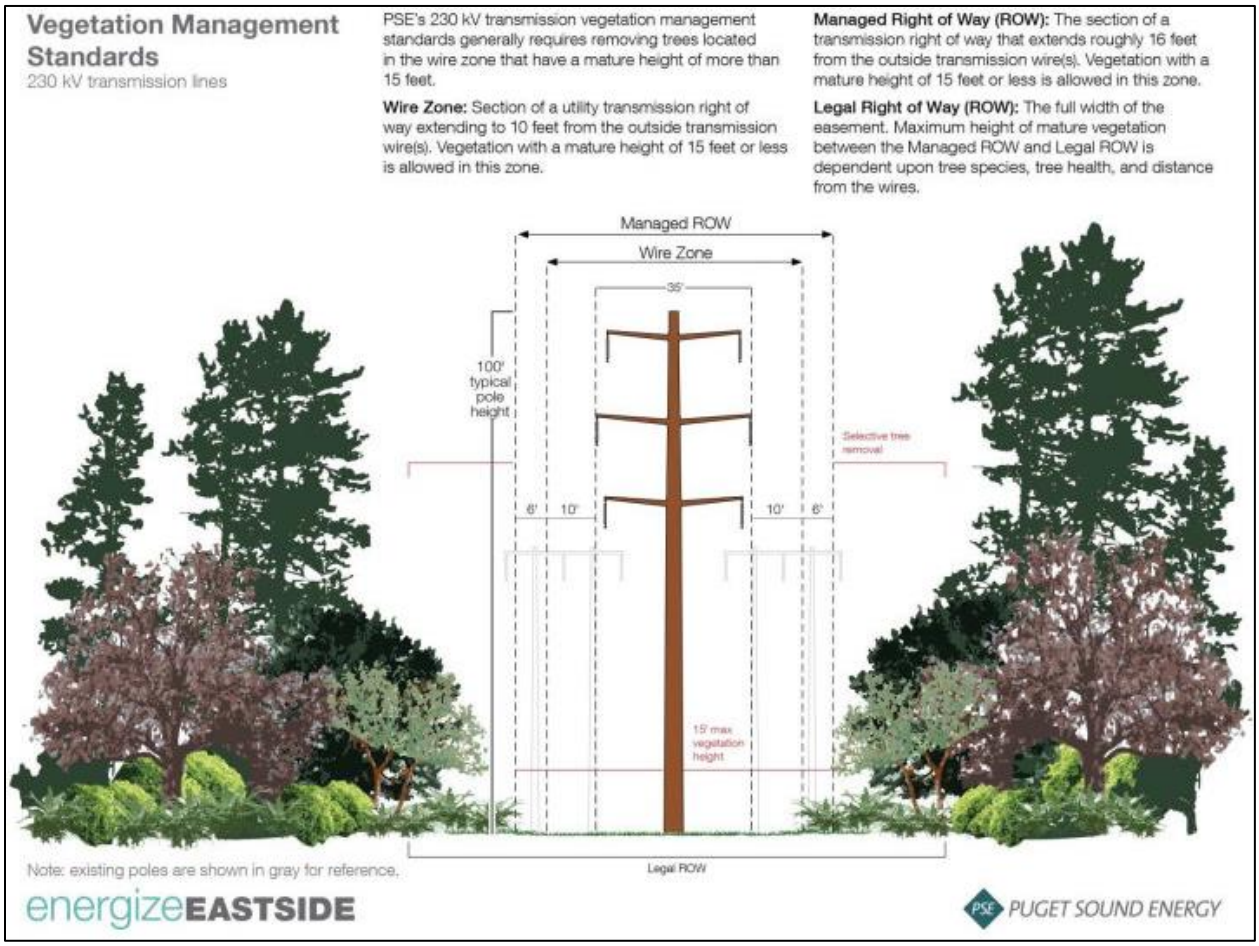


Figure II-5 Vegetation Management Standards (C-1 Pole Type)

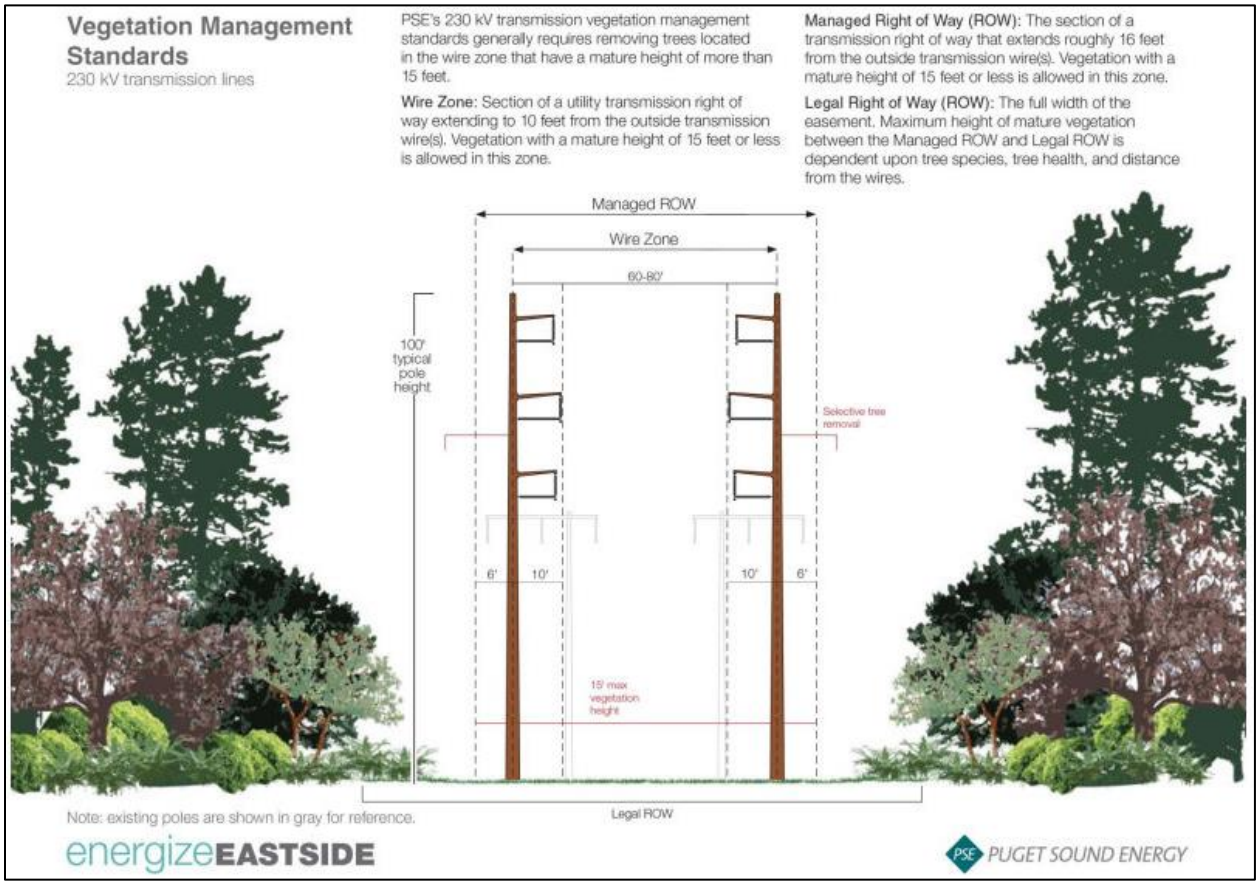


Figure II-6 Vegetation Management Standards (C-2 Pole Type)

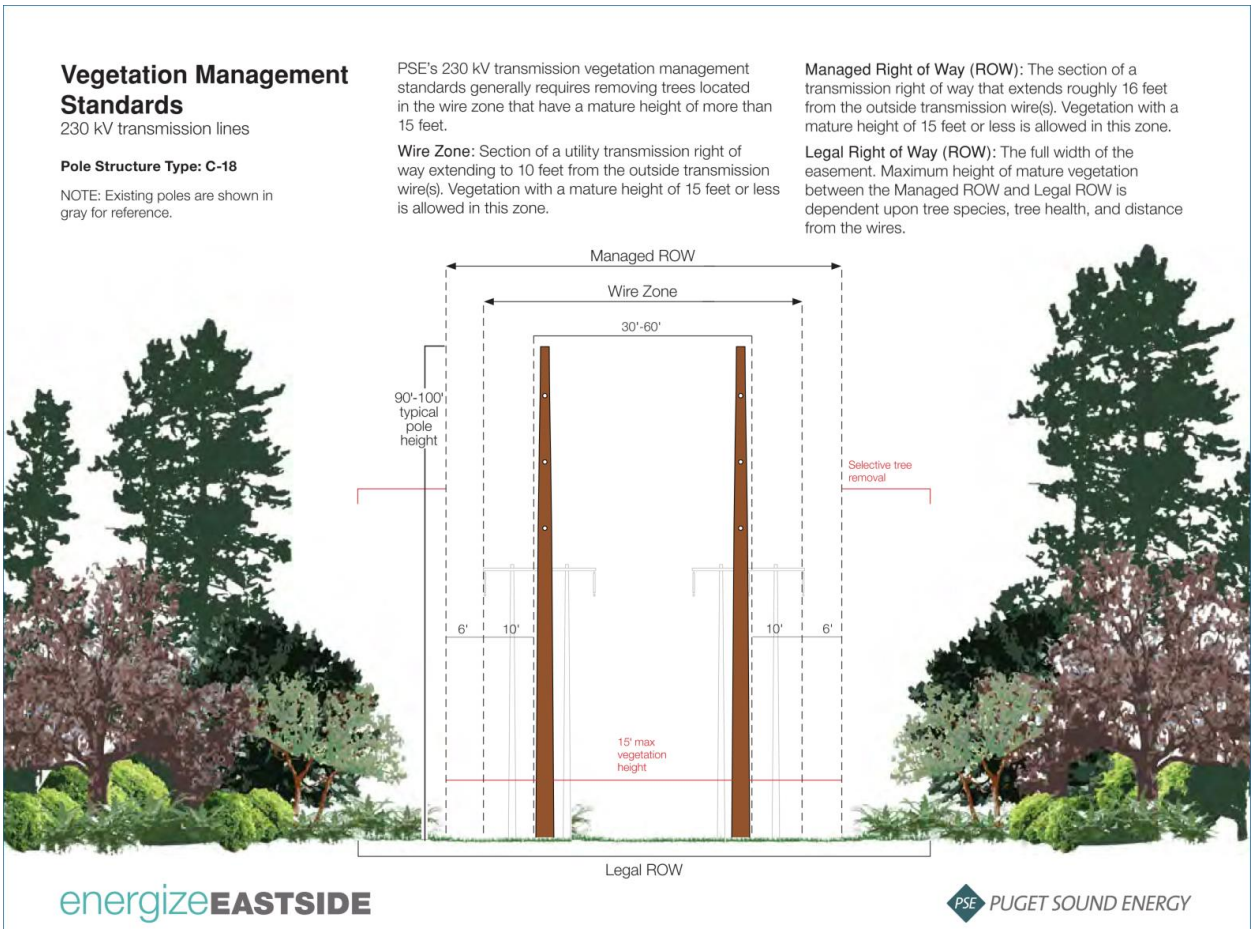


Figure II-7 Vegetation Management Standards (C-18 Pole Type)

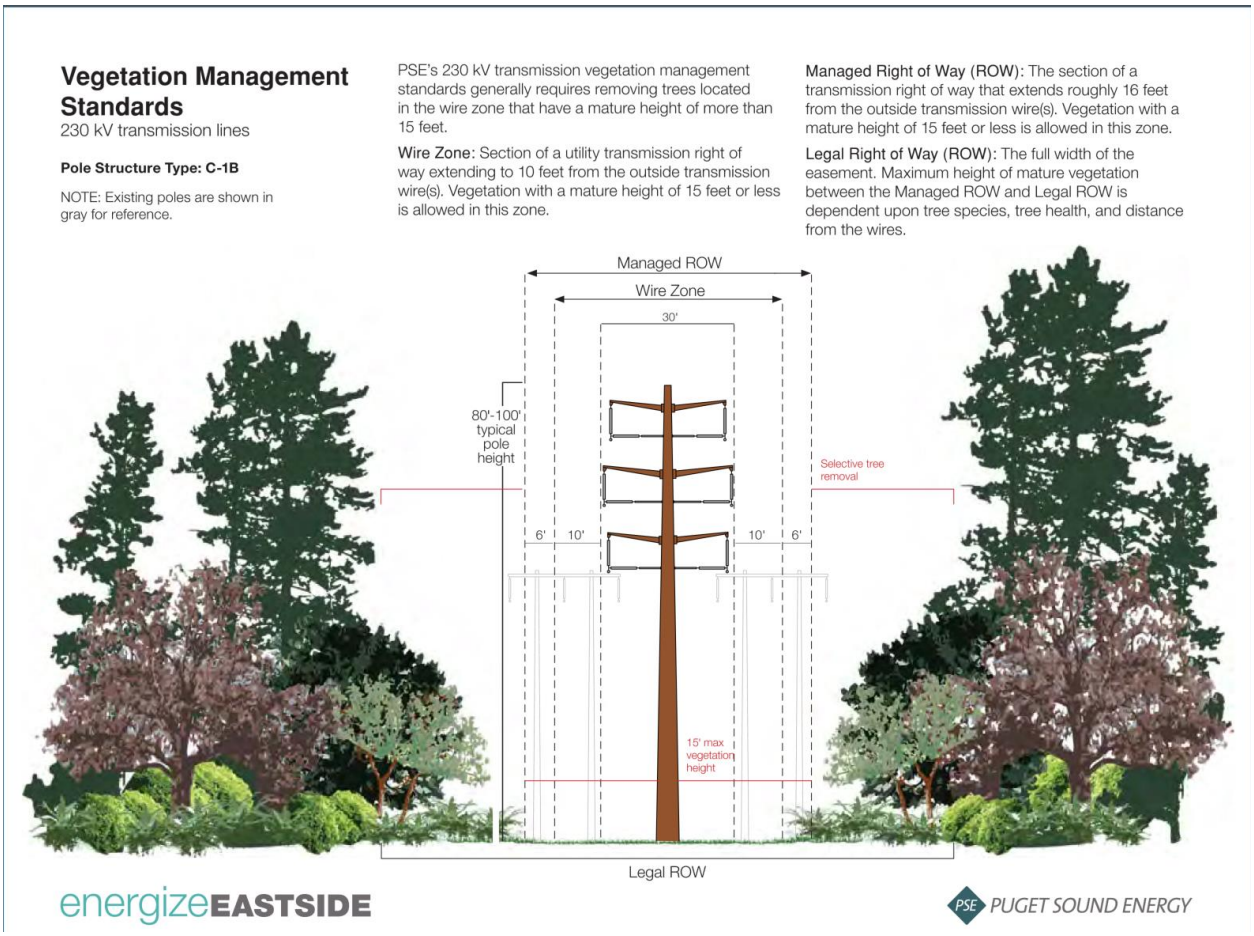


Figure II-8 Vegetation Management Standards (C-1B Pole Type)

Based on the strict application of these standards, PSE will remove any vegetation within the wire zone that matures to a height of more than 15 feet, unless terrain conditions allow at least 20 feet of clearance between the lowest wires and the potential mature height of the vegetation. Within the managed right-of-way, PSE will apply the same requirement as for the wire zone. Trees outside of the managed right-of-way but within the legal right-of-way could also be trimmed or removed based on a combination of tree height, species, health, and distance from the wires if they pose a risk of damage to the wires. The Vegetation Management Plan (PSE 2021b) is included as Attachment C to this Staff Report.

The transmission line will require the removal of approximately 433 significant trees in the North Bellevue Segment as part of PSE's proposal due to NERC vegetation management standards. Of this total, approximately 20 trees are located either in the City right-of-way or within a City-owned (parks or utilities) property. Approximately 386 trees are located on private property. The remaining 27 trees are on PSE-owned property. This tree removal total is consistent with the analysis in the Final EIS (see Final EIS [City of Bellevue, et al. 2018], Section 4.4.5), which estimates 445 significant trees would be removed from the Bellevue North and Bellevue Central segments.

The Final EIS concluded that application of codes, standards, and regulations—including the Tree Retention and Replacement Code (LUC 20.20.900) and the City's critical areas requirements contained in Part 20.25H LUC—would adequately mitigate potential impacts due to vegetation removal in the Bellevue North and Bellevue Central segments (see Final EIS, Sections 4.4.5.4 and 4.4.5.5). **For a discussion of PSE's proposed tree replacement plans (contained in Attachment C), along with applicable City regulations and mitigation measures, refer to the 2023 SEPA Addendum (Attachment G) and the Conditions of Approval in Section X of this Staff Report.**

III. SITE DESCRIPTION, ZONING/CONTEXT, AND CRITICAL AREAS

A. Site Description

The location of the North Bellevue Segment of the project is PSE's existing transmission line utility corridor that was established in the late 1920s and early 1930s, consisting of parcels owned outright by PSE and easements over parcels owned by others. See generally Figure II-1. Subject to the City's permitting authority and codes, standards, and regulations, PSE's utility corridor easement grants PSE broad authority to manage vegetation and cut trees to maintain its electrical utilities facilities.

The utility corridor traverses rolling terrain and is generally maintained with low vegetation, including grass, shrubs, and small trees. The current land uses adjacent to the corridor developed over time as areas were annexed into the Bellevue city limits. These areas became more densely populated. In some areas where the site is in an easement, the properties adjacent to the corridor have garden vegetation, sport courts, driveways, or parking areas within the transmission line corridor. The Olympic Pipeline

Company (OPLC) operates two underground petroleum pipelines in the transmission line corridor.

B. Zoning/Context

The proposed North Bellevue Segment of the transmission line runs through multiple Land Use Districts along PSE's proposed alignment, including single-family residential, multi-family residential, commercial, and industrial districts. The Bridle Trails Subarea Plan land use designations along the North Bellevue Segment include low-density single-family residential, park, and professional office (City of Bellevue 2015). A small portion of the segment goes through the Bel-Red Subarea Plan boundaries and has future land use designations of general commercial, commercial/residential, and office/residential transition (City of Bellevue 2015). The percentages of the proposal abutting each district were summarized in the EIS and are shown in **Table III-1**. Zoning districts are shown in **Figure III-1**.

Table III-1 Percentage of Transmission Line Abutting Each Zone – North Bellevue Segment

Zone	Percentage of Transmission Line (north of NE 20th/Northup Way)	Percentage of Transmission Line (south of NE 20th/Northup Way)
Single Family Residential	59%	15%
Multi-family Residential	0%	20%
Commercial (Retail and Office)	0%	2%
Industrial	0%	2%
Institutional	4%	5%
Parks/Open Space	23%	0%
Recreation	1%	44%
Utility	0%	1%
Vacant	12%	10%
Other	0%	1%

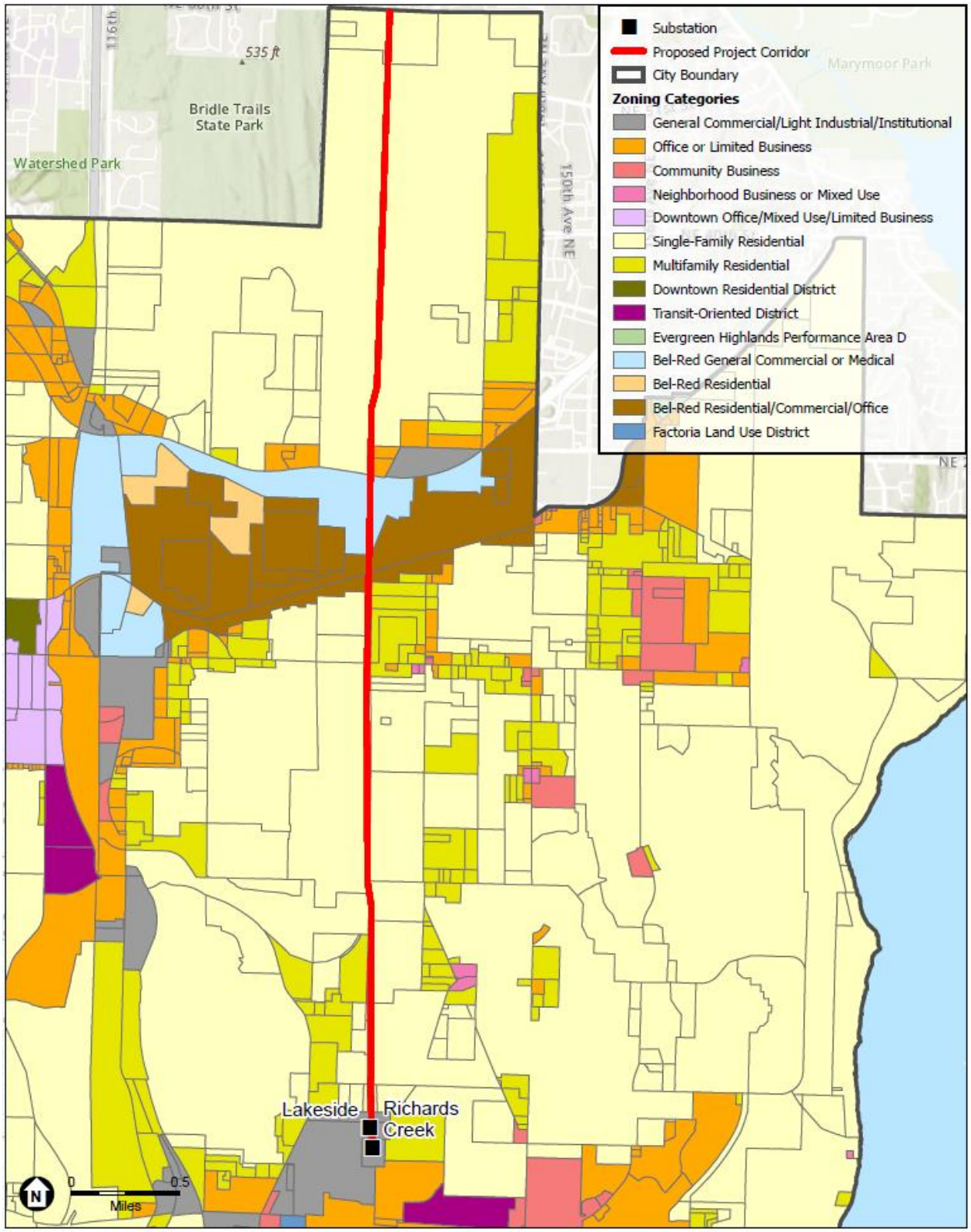


Figure III-1 Zoning Map

C. Critical Areas

As described in the submitted Critical Areas Report, which is included in the City's Project File for the North Segment, PSE's proposed alignment passes through or is nearby the following:

- 16 unnamed Type N streams, one unnamed Type F stream (tributary of Richards Creek, and Kelsey Creek which is Type F;
- 25 wetlands along the transmission line corridor; and
- Geologic Hazard Areas, areas with habitat or species of local importance, and frequently flooded areas

As required by Part 20.25H LUC, the submitted Critical Areas Report describes existing ecological functions and values of the subject critical areas, the impacts proposed to these critical areas, conformance to required performance standards in LUC 20.25H, and how the proposal complies with the required decision criteria. The expected functions, site conditions, and impacts to critical areas are discussed below.

1. Streams and Riparian Areas

a) Expected Functions:

Most of the elements necessary for a healthy aquatic environment rely on processes sustained by the dynamic interaction between the stream and the adjacent riparian area (Naiman et al. 1992). Riparian vegetation in floodplains and along streambanks provides a buffer to help mitigate the impacts of urbanization (Finkenbine et al. 2001). Riparian areas support healthy stream conditions.

Riparian vegetation, particularly forested riparian areas, affects water temperature by providing shade to reduce solar exposure and regulate high ambient air temperatures, slowing or preventing increases in water temperature (Brazier and Brown 1973; Corbett and Lynch 1985).

Upland and wetland riparian areas retain sediments, nutrients, pesticides, pathogens, and other pollutants that may be present in runoff, protecting water quality in streams (Sheldon et al. 2005). The roots of riparian plants also hold soil and prevent erosion and sedimentation that may affect spawning success or other behaviors, such as feeding.

Both upland and wetland riparian areas reduce the effects of flood flows. Riparian areas and wetlands reduce and desynchronize peak crests and flow rates of floods (Novitzki 1979; Verry and Boelter 1979 in Mitsch and Gosselink 2015). Upland and wetland areas can infiltrate floodflows, which in turn are released to the stream as baseflow.

Stream riparian areas, or buffers, can be a significant factor in determining the quality of wildlife habitat. For example, buffers comprised of native vegetation with multi-canopy structure, snags, and downed logs provide habitat for the greatest range of wildlife species (McMillan 2000). Vegetated riparian areas also provide a source of large woody debris that helps create and maintain diverse instream habitat, as well as create woody debris jams that store sediments and moderate flood velocities.

Sparsely vegetated or vegetated buffers with non-native species may not perform the needed functions of stream buffers. In areas where the buffer is not well vegetated, it is necessary to either increase the buffer width or require that the standard buffer width be restored or revegetated (May 2003). Until the newly planted buffer is established, the near-term goals for buffer functions may not be attained.

Riparian areas often have shallow groundwater tables, as well as areas where groundwater and surface waters interact. Groundwater flows out of riparian wetlands, seeps, and springs to support stream baseflows. Surface water that flows into riparian areas during floods or as direct precipitation infiltrates into groundwater in riparian areas and is stored for later discharge to the stream (Ecology 2001; Sheldon et al. 2005).

b) Project Site Conditions:

A total of 18 streams are located along the segment corridor. Only two of these streams are classified as Type F streams; the remainder are Type N streams. Stream channels are often co-located with wetlands, located in the vicinity of the Lake Hills Connector, near Kelsey Park. Direct impacts on streams will not occur from the project. Streams were classified based on City of Bellevue Land Use Code.

Kelsey Creek, the most prominent stream in this segment, crosses the corridor south of Bel-Red Road and is the northernmost stream in the North Bellevue Segment. Kelsey Creek is classified as a Type F stream (contains fish or fish habitat) and is known to support both coho and Chinook salmon.

According to the Wetland and Stream Delineation Report (The Watershed Company 2021b), Streams EB02 through EB05 and EB16 are typically small, non-fish bearing streams that daylight and reenter culverts along the PSE corridor on the Glendale Country Club property, in the Kelsey Creek drainage basin. Fish use is precluded by natural gradient barriers downstream. Similarly, Streams EB06 through EB14 and EB17 are small non-fish bearing streams that are often piped under the access trail that runs along the corridor or were noted to enter culverts. These streams also occur in the Kelsey Creek drainage basin and are located in the vicinity of the Lake Hills Connector.

Stream EB18 is located in the Richards Creek drainage basin and appears to be seasonal. It flows west through Wetland EB18, then enters a culvert and discharges outside of the transmission line corridor in Wetland EB19. Stream EB18 is classified as a Type F stream by the City of Bellevue geographic information system (GIS) data.

2. Wetlands

a) Expected Functions:

Wetlands provide important functions and values for both the human and biological environment; these functions include flood control, water quality improvement, and nutrient production. These “functions and values” to both the environment and the citizens of Bellevue depend on their size and location within a basin, as well as their diversity and quality. While Bellevue’s wetlands provide various beneficial functions, not all wetlands perform all functions, nor do they perform all functions equally well. However, the combined effect of functional processes of wetlands within basins provides benefits to both natural and human environments. For example, wetlands provide significant stormwater control, even if they are degraded and comprise only a small percentage of area within a basin.

b) Project Site Conditions:

A total of 25 wetlands are within or adjacent to the corridor. Most of the wetlands are located south of Bel-Red Road and in the vicinity of the Lake Hills Connector, near Kelsey Creek Park. They are all categorized as having either slope or depressional hydrogeomorphic classes and are palustrine systems. Wetland categories based on the Washington Department of Ecology’s 2014 Rating System (Ecology 2014) range from Category II to Category IV, with the majority of the wetlands rated as Category III features. Many of these wetlands are degraded and consist of Himalayan blackberry and reed canarygrass monocultures. Where wetlands are higher functioning, the plant communities contain native species such as Pacific willow, red alder, salmonberry, and ladyfern.

Due to previous development/disturbance and existing land uses, some buffer areas are mostly degraded, consisting of compacted soils and invasive vegetation (predominantly Himalayan blackberry and reed canarygrass), while some consist of forest dominated by native vegetation (predominantly big-leaf maple, swordfern, and salmonberry).

c) Impacts:

Wetland and buffer impacts will be mitigated through wetland enhancement at the existing substation site and off-site at an approved mitigation bank. Although

the project avoids development, grading, or pole placement in wetland and stream critical areas, wetland impacts would occur due to vegetation community conversion (i.e., vegetation management activities resulting in a shift from large shrubs and trees to shrubby or herbaceous vegetation). **Table III-2** shows the approximate amount of wetland area that will be impacted by wetland conversion.

Table III-2 Approximate Area of Direct Wetland Vegetation Conversion Impacts

Drainage Basin	Critical Area Name	Area of Impact (SF)
Valley Creek (840 SF Total)	Wetland A (Overlake Farms)	240
	Wetland CB01	600
Kelsey Creek (8,160 SF Total)	Wetland EB11	2,900
	Wetland EB12	1,940
	Wetland EB13	1,460
	Wetland EB14	800
	Wetland EB16	500
	Wetland EB17	560
Richards Creek (840 SF Total)	Wetland EE	840

Six poles will be relocated from wetland to non-wetland areas, which will restore 150 square feet (SF) of wetland area to be functional wetland. Following pole removal, the holes will be filled and restored with native wetland seed mix and left to naturally regenerate.

Wetland buffer impacts within the transmission line corridor are also caused by proposed vegetation management activities. Due to previous development/ disturbance and existing land uses, most buffer areas are degraded, consisting of compacted soils and invasive vegetation (predominantly Himalayan blackberry and reed canarygrass). Permanent impacts only occur within combined wetland and stream buffers. Permanent impacts on wetland and stream buffers are limited to nine new poles, resulting in 63 SF of permanent impact in the Kelsey Creek sub-basin and 59 SF of permanent impact in the Richards Creek sub-basin. These impacts are offset by removing 34 existing poles (totaling 1,039 SF) from wetland and stream buffer areas. Following pole removal, the buffer will be restored by filling in the holes with dirt and restored with native grass seed and left to naturally regenerate.

Table III-3.A Approximate Area of Net Change in Wetland/Stream Buffer Condition with Respect to Transmission Poles

Drainage Sub-basin	Pole Removal (SF)	Pole Impact Area (SF)	Net Result (Rounded up)
Kelsey Creek	704	63	+ 650 SF vegetated buffer area
Richards Creek	335	59	+ 280 SF vegetated buffer area
Total	**1,039**	**122**	**+ 930**

As shown in **Table III-3.B**, project construction will result in temporary impact areas of 760 SF of wetland and 46,980 SF of wetland or stream buffer.

Table III-3.B Approximate Area of Temporary Wetland and Wetland/Stream Buffer Impacts

Drainage Sub-basin	Location	Temporary Area of Impact (SF)
Valley Creek	Wetland	0
	Wetland/Stream Buffer	1,300
Kelsey Creek	Wetland	720
	Wetland/Stream Buffer	36,890
Richards Creek	Wetland	40
	Wetland/Stream Buffer	8,790
Total		**Wetland: 760** **Wetland/Stream Buffer: 46,980**

For further discussion of the wetland mitigation proposed by PSE and required by City Code, **refer to the discussion below under Section IV.B and the Conditions of Approval in Section X regarding wetland mitigation**.

3. Geologic Hazard Areas

a) Expected Functions:

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Areas that are susceptible to one or more of the following types of hazards are classified as a geologically hazardous area: erosion hazard, landslide hazard, seismic hazard, or areas subject to other geological events such as coal mine hazards and volcanic hazards. Some geologic hazards can be reduced or mitigated by engineering, design, or

modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190-120).

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

b) Project Site Conditions:

The submitted *Targeted Critical Areas Geologic Hazards Evaluation* analyzed regulated geologic hazard areas along the North Bellevue Segment alignment. The report was prepared by GeoEngineers, dated November 5, 2020, and is included in the City's Project File for the North Bellevue Segment.

The report acknowledges the presence of landslide hazards, steep slope hazards, and their buffers. Erosion hazards in the City are regulated under the stormwater code (chapter 24.06 BCC). The existing geology in the project area is characterized in the report as "*areas mainly consist of glacial drift, including exposures of advance continental glacial outwash and glacially consolidated till. Soil types anticipated in the project area include mainly Alderwood gravelly sandy loam (AgB, Agc, and AgD), Arents, Alderwood material (AmB and AmC) and Everett very gravelly sandy loam (EvC and EvD).*"

The project area includes steep slopes, defined as those with inclination of 40 percent or greater. The steep slopes where vegetation management, pole replacement, and access are proposed are generally within a maintained utility corridor occupied by PSE transmission lines and OPLC's underground petroleum pipelines. OPLC periodically maintains (i.e., mows) the corridor.

Some of the pole locations include the replacement of existing poles within the 75-foot setback for steep slopes. GeoEngineers determined that the proposed pole installation will not impact slope stability if appropriate Best Management Practices (BMPs) are used and soil cuttings for pole installation either are scattered on site or removed. No new poles are located near the toes-of slope for landslide hazard.

c) Impacts:

In the North Bellevue Segment, the number of poles in geologic hazard areas and associated buffers/setbacks would be reduced from 48 to 16. Within landslide hazard areas, steep slopes, and their associated buffers/setbacks, pole removal and installation would require a total 8,980 SF of vegetation conversion and 6,670 SF of temporary clearing. Impacts on geologic hazard areas will be mitigated though implementation of best management practices (BMPs) and temporary erosion and sediment control (TESC) measures and site-specific recommendations set forth in the geotechnical report. As stated in the Critical Areas Report, with implementation of these strategies, the project is not expected to adversely impact the geologic hazard areas along the North Bellevue Segment. Further, proposed activities are consistent with the management activities of the existing corridor.

4. Species of Local Importance

Human settlement and intensifying land use have and will continue to displace the natural environmental and wildlife habitat. Although undisturbed natural areas provide high-quality wildlife habitat, urban areas can also support wildlife communities.

a) Project Site Conditions:

A complete evaluation of habitat associated with species of local importance is provided in the March 2021 North Bellevue Critical Areas Report, prepared by the Watershed Company, at Section 4.3.3. As noted in the Critical Areas Report, the existing utility corridor is in an urban and mostly developed setting. The transmission line corridor contains little impervious surfaces and is mostly vegetated. Vegetation in the project area often consists of low-growing grasses, landscape plants, and invasive plant species (e.g., Himalayan blackberry) typical of disturbed areas. Large established trees are located at the perimeter or outside of the corridor in some areas, such as the Bridle Trails neighborhood. However, existing maintenance activities associated with the transmission lines, established PSE programs and procedures, and the urban landscape setting reduce the likelihood that species of local importance will use the corridor areas for breeding.

Of Bellevue's 23 species of local importance, as identified on page 23 of the Critical Areas Report and LUC 20.25H.150.A, coho and Chinook salmon are the only species known to occur in the project area, within Kelsey Creek. River lamprey are also presumed to occur in Kelsey Creek, although this has not been confirmed. Species that could breed in the project area but are considered unlikely to do so based on site disturbance are pileated woodpecker, and western toad. Bald eagle, pileated woodpecker, Vaux's swift, purple martin,

merlin, green heron, red-tailed hawk, and Townsend's big-eared bat have the potential to forage in the project area. The project area supports suitable habitat for pileated woodpeckers (e.g., green spaces east of the Richards Creek substation site, near Eastgate Park, and Coal Creek Park), green herons (e.g., Coal Creek and Richards Creek), and osprey.

b) Impacts:

No in-water work in Kelsey Creek is proposed. BMPs will be implemented to minimize the potential for sediment-laden runoff. The March 2021 North Bellevue Critical Areas Report provides the following information, on page 15, Section 4.3.3, about species of local importance in the project area:

> *Species that could breed in the project area but are considered unlikely to do so based on site disturbance are pileated woodpecker, green heron, and red-tailed hawk. Bald eagle, pileated woodpecker, Vaux's swift, purple martin, merlin, green heron, red-tailed hawk, and Townsend's big-eared bat also have the potential to forage in the project area*.

Consistent with LUC 20.25H.160, PSE implements an Avian Protection Program to protect avian wildlife from harmful interactions with its utility equipment.[6] The Plan includes preventing the creation of potentially harmful nests and monitoring known nest sites when construction activities occur in close proximity during the nesting season. Potential project impacts on birds are mitigated through PSE's bird protection programs and procedures. Because the project area contains suitable habitat for pileated woodpecker, PSE shall also include the creation of wildlife snags as part of any mitigation plans. Final design shall also include wildlife snags designed as recommended by the Washington Department of Fish and Wildlife (WDFW) where feasible and in consideration of PSE's Avian Protection Program. The timing and location of construction work shall consider critical time periods such as the nesting season for species of local importance present in the North Bellevue Segment project area. A habitat biologist or other qualified professional shall submit a plan documenting recommended measures to limit impacts.

Refer to the Conditions of Approval regarding additional state and federal permitting, Stormwater and Erosion Control, and implementation of the Avian Protection Plan in Section X of this Staff Report.

[6] PSE's Avian Protection Program is included in the Critical Areas Report and in the City's Project File for the North Bellevue Segment.

5. Areas of Special Flood Hazard

a) Expected Functions:

Floodplains provide both hydrologic and ecological functions. Flooding occurs when either runoff exceeds the capacity of rivers and streams to convey water within their banks, or when engineered stormwater systems are overwhelmed. Urbanization is linked with increased peak discharge and channel degradation (Dunne and Leopold 1978; Booth and Jackson 1997; Konrad 2000). Floodplains diminish the effects of urbanization by temporarily storing water and mediating flow to downstream reaches. The capacity of a floodplain to buffer upstream fluctuations in discharge varies according to valley confinement, gradient, local relief, and flow resistance provided by vegetation. Development within the floodplain can dramatically affect the storage capacity of a floodplain, impact the hydrologic regime of a basin, and present a risk to public health and safety and to property and infrastructure.

b) Project Site Conditions/Impacts:

The only area of special flood hazard in the North Bellevue Segment, as determined by the Federal Emergency Management Agency (FEMA), is associated with Kelsey Creek. The floodplain of Kelsey Creek is relatively un-modified within the project area because the area is generally undeveloped. No permanent or temporary impacts are expected, as poles and pole working areas will be located outside of areas of special flood hazard.

IV. CONSISTENCY WITH LAND USE CODE AND ZONING REQUIREMENTS

A. Electrical Utility Facilities – LUC 20.20.255 & RCW 36.70B.360

The purpose of LUC 20.20.255 is to regulate proposals for new or expanding electrical utility facilities and to minimize impacts associated with such facilities on surrounding areas through siting, design, screening, and fencing requirements. 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 to mitigate environmental, public safety, or other identifiable impacts.

An Alternative Siting Analysis discussed in LUC 20.20.255.D is required for proposals that impact sensitive sites as identified on Map UT-7 of the Comprehensive Plan (see Attachment D to this Staff Report). In fact, PSE's proposed alignment within the existing utility corridor is specifically identified in and anticipated by Map UT-7 and has been for many years. PSE's Alternative Siting Analysis for the North Bellevue Segment is

included in Attachment B to this Staff Report and is sufficient to satisfy the requirements in LUC 20.20.255.D. Section IV.A of this Staff Report summarizes and analyzes PSE's compliance with the Alternative Siting Analysis and design standards requirements in LUC 20.20.255.D and 20.20.255.F, respectively.

In addition to City regulations contained in LUC 20.20.255, the Washington State Legislature recently adopted Engrossed 2nd Substitute House Bill (E2SHB) 1216, which is related to efficient and effective permitting of clean energy projects throughout Washington. E2SHB 1216 went into effect on July 23, 2023; and Section 304 of the Bill amends the Local Project Review Act, at RCW 36.70B.260, to add a new section titled "Prohibition on Demonstration of Need." This new prohibition states the following:

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

PSE's Energize Eastside project, including the North Bellevue Segment, is "a project to construct or improve facilities for the generation, transmission, or distribution of electricity" under RCW 36.70B.260. Analysis of PSE's compliance with the Electrical Utilities Facilities decision criteria, contained in LUC 20.20.255.E, as well as PSE's compliance with the submittal requirements allowed by RCW 36.70B.260, is provided in Section VIII.C (Electrical Utility Facilities Decision Criteria / RCW 36.70B.260 (E2SHB 1216) Compliance) of this Staff Report.

1. Compliance with the Alternative Siting Analysis

LUC 20.20.255.D requires that PSE identify alternative sites, provide required content showing analysis relating to identified sites, describe technologies considered for the proposal, and describe community outreach conducted for proposals relating to new or expanding electrical utility facilities on sensitive sites as identified on Map UT-7 of the Comprehensive Plan.

PSE submitted an Alternative Siting Analysis (contained in Attachment B to this Staff Report) that provided the required information regarding the methodology employed, the alternative sites analyzed, the technologies considered, and the community outreach undertaken in connection with the proposal (see LUC 20.20.255.D). The Alternative Siting Analysis provided by PSE specifically considers: (1) three siting alternatives for the transmission line upgrades; (2) the relationship of each alternative alignment to the location of the actual demand for electrical service and to improved customer reliability; (3) the City of Bellevue's location selection hierarchy

contained in LUC 20.20.255.D.2; and (4) the impacts of PSE's proposed alignment compared to a nonresidential siting.

The Alternative Siting Analysis submitted by PSE satisfies LUC 20.20.255.D.1 because it specifically describes three potential transmission line alignments — the Willow 1 route (the proposed alignment that follows the existing transmission line corridor for the Bellevue North and Bellevue Central segments), EBCC Bypass Route 1, and EBCC Bypass Route 2. All identified alignments are feasible, but Willow 1 is the alternative that causes the fewest environmental impacts and fewest new impacts on adjacent uses. The option of placing the new 230 kV transmission lines underground is also discussed, with a cross reference to the Phase 1 Draft EIS, in Section 2.4.1.3 of the Alternative Siting Analysis (see Attachment B).

The Alternative Siting Analysis submitted by PSE satisfies the requirements of LUC 20.20.255.D.2 because it accurately describes and maps the alternative routes, along with the applicable land use districts within which the sites are located, and analyzes both customer demand and operational need.[7] The analysis explains that the upgraded transmission lines are needed to meet peak demand, address electrical system deficiencies identified during federally required planning studies, and supply additional electrical capacity needed for current and anticipated growth. The Alternative Siting Analysis also describes PSE's phased construction plan, stating that "the existing system is not robust enough to maintain reliable service if the entire facility is taken out of service at one time" and explains the entire project is needed to maintain reliable service to the Eastside, including uses along the North Bellevue Segment.

The Alternative Siting Analysis also specifically references the many historical studies confirming project need and provides quotations from the more recent 2020 Newcastle Assessment. The analysis also states unequivocally that PSE performs annual planning studies that continue to confirm the need for Energize Eastside. Although the Alternative Siting Analysis submitted by PSE for the North Bellevue Segment predates the December 22, 2022, WUTC Order, the statements contained in PSE's submittal are consistent with the findings and conclusions of the WUTC regarding PSE's showing of project need.

The Alternative Siting Analysis and the documents attached thereto comply with LUC 20.20.255.D.3 because they describe how the proposal is intended to provide reliability and describe the range of technologies considered (see Attachment B [Alternative Siting Analysis], pp. 17-20). Consistent with LUC 20.20.255.D.3.d, the Alternative Siting Analysis provided by PSE describes mitigation measures, including

[7] Further discussion of operational need is contained in Section VIII.C of this Staff Report in connection with the Electrical Utility Facilities Decision Criteria; see LUC 20.20.255.E.3.

(1) limiting the proposal to the existing corridor and (2) compliance with City codes and standards.

The Alternative Siting Analysis also explains that PSE's proposed alignment for the transmission line upgrades, the Willow 1 route (existing alignment), minimizes compatibility impacts because it does not require acquisition of additional easements; it removes the fewest number of trees; and it prioritizes safety by having the lowest potential AC interaction with the two petroleum pipelines that share the corridor. PSE has sought to mitigate impacts by reducing pole height to the minimum height necessary and moving pole locations, where feasible and requested by a stakeholder, and through consideration of different pole colors to limit contrast with the skyline or adjacent uses. PSE will mitigate vegetation impacts by replanting both on- and off-site consistent with a Tree Replacement Plan (see Section IV.B and Attachment C).

With respect to the community outreach description required by LUC 20.20.255.D.4, the Alternative Siting Analysis describes how PSE has worked with Bellevue residents and City staff over the course of several years, well before submittal of the current CUP and CALUP applications, to determine the best possible route for the proposed transmission lines. This outreach is documented in the Community Advisory Group (CAG) Final Report (Appendix D to the Alternative Siting Analysis) and included public open houses, sub-area workshops, sub-area committee meetings, and question-and-answer meetings. This outreach continued during the EIS process, with scoping meetings, public comment periods prior to development of both the programmatic and project-level Draft EISs, and public hearings and public comment periods following the release of each Draft EIS.

Ultimately, PSE selected the Existing Corridor Option as its proposed alignment based on the public outreach and technical review that occurred during the CAG and EIS processes. As discussed above, PSE's decision to use the existing corridor minimizes tree removal as compared to establishing a new corridor and allows for better assessment of potential interactions with the co-located petroleum and natural gas pipeline (see DNV GL [2016]). The existing corridor minimizes the creation of new impacts on adjacent uses, including residential uses. As properties adjacent to the transmission line corridor currently have utility facilities in their viewsheds and neighborhoods, the Existing Corridor Option has lower impacts compared to establishing a new corridor. Throughout the Alternative Siting Analysis, PSE credibly explains how, by constructing the proposed transmission line facilities in the existing 115 kV transmission line corridor, site compatibility impacts are limited by this preferred alternative.

The Alternative Siting Analysis (contained in Attachment B to this Staff Report) satisfies each discreet requirement of LUC 20.20.255.D. Although some members of the public have argued that PSE has not provided sufficient evidence to satisfy the

submittal requirements in LUC 20.20.255.D.2.c—or that the City should compel PSE to produce more evidence or information regarding project need prior to processing PSE's permit applications—additional submittals are neither required by LUC 20.20.255.D.2.c nor necessary for the City to evaluate PSE's proposal. The information submitted by PSE, coupled with the studies referenced therein, are sufficient to establish compliance with the provisions of LUC 20.20.255.D.

2. Compliance with LUC 20.20.255.F Design Standards:

a) Site Landscaping (LUC 20.20.255.F.1):

This section of the code does not apply to transmission lines.

b) Fencing (LUC 20.20.255.F.2):

This section of the code does not apply to transmission lines.

c) Required Setbacks (LUC 20.20.255.F.3):

Setback requirements in this section of the code do not apply to transmission lines or poles.

d) Height Limitations (LUC 20.20.255.F.4 and 20.25D.080):

The maximum structure height varies by land use district along the transmission line corridor. The tallest maximum height allowed by zoning along PSE's proposed alignment is 70 feet in the BelRed Commercial Residential (BR-CR) zone. The maximum heights listed in the code for each zone are shown in **Table IV-1**, along with the maximum pole height proposed in each zone.

Table IV-1 Maximum Height per Land Use Code and Proposed Project

Zone	Maximum Height per Land Use Code	Existing Pole Height	Maximum Height Proposed
S.F. Residential (R-1) north of SR 520	35 feet	55 feet	110 feet
BR-GC General Commercial	45 feet	55 feet	115
BR-CR Commercial Residential	70 feet	55 feet	No poles in this zone
BR-ORT Office/Residential Transition	45 feet	55 feet	121.5 feet
S.F. Residential (R-1, R-2.5, R-3.5, R-5) south of Bel-Red Road	35 feet	50–75 feet	121.5 feet
Light Industrial (LI)	45 feet	55 feet	125 feet

SOURCE: LUC 20.20.010; LUC 20.25D.080.A

Under LUC 20.20.255.F.4, PSE may exceed the height allowed within the underlying land use district provided that:

1. The requested increase for the poles is the minimum necessary for the effective functioning of the electrical utility facility; and
2. Impacts associated with the electrical utility facility have been mitigated to the greatest extent technically feasible (LUC 20.20.255.F.4).

Finding: PSE's proposed heights are the minimum necessary for the effective and safe functions of the transmission lines. The National Electrical Safety Code (NESC) requires a minimum distance between each of the conductors and the ground, based on operating temperature and loading to account for sag, as well as increased separation between the three conductors necessary for each circuit. This required increase in conductor separation distance means that the poles need to be higher. The poles are designed to meet the minimum height, required safety provisions, and design standards, all of which ensure effective functioning of the transmission line during all operational conditions.

The Final EIS assessed the potential impacts associated with the Energize Eastside project, including an assessment of PSE's project-level proposed alignment (Willow 1 [existing alignment]) and environmental impacts of the entire project in light of this proposed alignment (see Chapters 1, 2, 4, 7, and 8 of the Final EIS). The Final EIS analyzed both cumulative impacts of the project across all jurisdictions and specific impacts within the Bellevue North Segment.

Analysis of the Bellevue North and Bellevue Central segments was revised for the Final EIS to incorporate changes in the pole height and form associated with PSE's proposed alignment. Impacts on the scenic views and the aesthetic environment in each of these two segments would be less-than-significant. The transmission lines would be in the existing corridor, which has existed for almost a century, and there would be minimal contrast with existing conditions. The Final EIS states that viewer sensitivity is low along the Bellevue North Segment because there are few sensitive viewers.

Further, viewer sensitivity was found to be low along both Bellevue North and Bellevue Central Segments because the project would be consistent with existing plans and policies, in that the tree removal (0.5 percent of trees within the Bridle Trails Subarea) would not substantially change the existing wooded, natural, rural, and equestrian character of the Bridle Trails Subarea. In addition, no trees would be removed from the lower slopes of the bluff adjacent to SR 520 at approximately 136th Avenue NE, so the existing visual separator between residential areas and the freeway would not be removed. The degree of additional obstruction of scenic views from the transmission line would be minimal. As explained in the Final EIS and the 2023 SEPA Addendum, scenic

view impacts along the North Bellevue Segment analyzed in this Staff Report would be less-than-significant (Attachment G).

Proposed pole heights in the North Bellevue Segment range between 77 feet and 125 feet, with an average height of 99 feet and a median height of 95 feet. The three tallest proposed poles south of NE 20th Street are located approximately 50 feet south of NE Bellevue-Redmond Road and approximately 35 feet north of the edge of the Richards Creek substation. The taller pole heights south of NE 20th Street are required to comply with FERC regulations for pole spacing and conductor sag, particularly because PSE's proposal includes fewer overall poles than anticipated in the Phase 2 Draft EIS. However, as the 2023 SEPA Addendum explains, the current pole height maximum (125 feet) is not higher than the overall maximum stated in the Phase 2 Draft EIS (also 125 feet) or the overall maximum stated in the Final EIS (135 feet). As confirmed by the Addendum, aesthetic and visual resource impact conclusions based on maximum pole heights would be the same (less than significant) as the impact conclusions memorialized in the Phase 2 Draft EIS and Final EIS. For further discussion of environmental impacts to Scenic Views and Aesthetics related to pole heights, see the 2023 SEPA Addendum included as Attachment G to this Staff Report.

B. Critical Areas Requirements – LUC 20.25H

The City of Bellevue Land Use Code Critical Areas Overlay District (LUC 20.25H) establishes standards and procedures that apply to development on any site that contains in whole or in part any portion designated as critical area or critical area buffer. As discussed above, regulated critical areas within the project area include wetlands, streams, geologic hazard areas, and flood hazard areas.

Per LUC 20.25H.055.B, a new or expanded utility system (including an electrical utility facility per LUC 20.50.050) is an allowed use within a critical area. Regulated critical areas present in the North Bellevue Segment include wetlands, streams, habitats associated with species of local importance, geologic hazard areas (steep slope and landslide hazard areas), areas of special flood hazard, and associated buffers. No impacts are proposed on streams, habitats associated with species of local importance, or areas of special flood hazard. The project has been designed to avoid and minimize impacts on wetlands, steep slopes, and landslide hazard areas, and associated buffers/setbacks. The proposal is subject to the following critical areas requirements:

LUC Section	Performance Standard/Code Provision	Applicable Critical Area
20.25H.055.C	Performance Standards for Allowed Uses	All
20.25H.080	Performance Standards for Streams (Type S or F) and Associated Stream Buffers	Streams
20.25H.085	Mitigation and Monitoring – Additional Provisions	Streams
20.25H.100	Performance Standards for Wetlands and Wetland Critical Area Buffers	Wetlands
20.25H.105	Mitigation and Monitoring – Additional Provisions	Wetlands
20.25H.125	Performance Standards for Landslide Hazards and Steep Slopes	Landslide Hazards, Steep Slopes

1. Consistency with LUC 20.25H.055.C.2.a and LUC 20.25H.055.C.2.b Performance Standards for Allowed Uses

Finding: The proposed alignment is within the existing utility corridor with 115 kV transmission lines. These lines are supported by H-frame wood poles, which are grouped in sets of two or three and are approximately 2 to 3 feet in diameter. The location of the existing poles in the North Bellevue Segment can be seen on the Critical Area Assessment Maps in Appendix A of the Critical Areas Report. The new 230 kV steel monopoles will replace the existing 115 kV H-frames within the same utility corridor. Therefore, the project does not propose a new or expanded use or development. Regular maintenance will occur within the transmission line corridor, including vegetation management activities and pole inspections/maintenance.

PSE has concluded that the most effective and cost-efficient solution to meet its objectives is to site a new 230 kV transformer in the center of the Eastside, which would be fed by new 230 kV transmission lines from the north (addressed in this Staff Report) and south (see Stantec 2015). Numerous alternative routes were evaluated prior to selection of the proposed alignment. No alternative routes were identified that would completely avoid impacts on critical areas. The proposed alignment (the existing utility corridor) minimizes new impacts on critical areas because the corridor is currently maintained to 115 kV vegetation management standards. Within the proposed alignment, the design was configured to avoid direct permanent impacts on wetlands and streams. Additionally, the project design has been modified to remove impacts from other critical areas and buffers to the greatest extent possible.

Disturbance to critical areas and critical area buffers will be minimized through design practices and engineering controls. BMPs will be used to minimize ground disturbance during construction, including during the use of existing, vegetated access routes. Poles that disturb critical areas or critical area buffers will generally be

accessed using existing, partially vegetated access (established during the original construction and re-used over time to maintain the corridor). After construction, disturbed areas shall be restored. Any equipment or vehicles will be staged and refueled outside of critical areas and critical area buffers. Containment measures will be included in the project-specific Construction Stormwater Pollution Prevention Plan (CSWPPP).

Tree removal will be performed in a manner to minimize impacts on underlying shrubs, groundcover, and other trees, without disturbance to soil. BMPs will be used to minimize ground disturbance in these areas and in areas of new access. Any permanent impacts on vegetation within a critical area or critical area buffer shall be mitigated to include replacement planting. Restoration of temporary impacts shall be with native plants where native plants are being removed. All other areas of temporary impact shall be re-vegetated (primarily with native grass seed), except for those areas that contained impervious surfaces prior to construction activities. The Final Mitigation Plan for permanent impacts and vegetation conversion in critical areas and critical areas buffers shall be developed consistent with the City's Critical Areas Handbook for species choice, plant size, and spacing (City of Bellevue 2007). All areas of vegetation removal shall be mitigated in an equivalent area consistent with the replacement ratios contained in the Critical Areas Report and Vegetation Management Plan (see Attachment C).

During construction in critical areas or buffers, mats will be placed over existing vegetation where possible. When installing the new conductors, techniques will be used to avoid impacts on critical areas (i.e., shooting the wire from pole to pole or using guide wires). Stringing sites will be outside of critical areas where possible.

An Erosion Control Plan will be required to address construction staging and access. Areas disturbed for temporary access and staging will be restored in place following completion of construction activities. Only native seed mixes and/or native plantings shall be installed in critical areas or critical area buffers. **Refer to the Conditions of Approval regarding the Mitigation Plans and monitoring, construction staging and access, erosion control, and construction stormwater pollution prevention plans in Section X of this Staff Report.**

Due to other uses within the corridor and the tangential nature of transmission line engineering, relocating poles away from the current locations within critical areas is not always feasible. Replacement poles for poles currently located within wetlands will be replaced within buffers for a net decrease in wetland fill; however, total avoidance of all critical areas is not feasible. Use of the existing, maintained corridor, which is generally within urban/developed areas, helps to reduce both the cost of the project and, importantly, the environmental impacts. Temporarily disturbed critical areas will be restored in place, and permanent disturbance, primarily the result of

wetland vegetation conversion, will be mitigated in accordance with the City's code and methods supported by the best available science.

Existing access routes will be used to the extent feasible. Pole locations are designed to be in the vicinity of existing poles within the utility corridor rather than in areas where critical areas have not been impacted in the past by poles. Where the existing poles are within a critical area, the new design moves the poles outside of the critical area and buffer to the degree feasible. No new permanent wetland or stream crossings are proposed and the project is not expected to have a significant adverse impact on critical area hydrology. PSE's proposal will be subject to and is conditioned to comply with applicable City of Bellevue codes and standards. **Refer to the Conditions of Approval in Section X of this Staff Report.**

Proposed mitigation includes an on-site Mitigation Plan that fulfills the requirements of LUC 20.25H.210, including mitigation goals, performance standards, monitoring and maintenance protocols, and contingencies for the duration of the monitoring period. Additional mitigation is provided through purchase of credits from the Keller Farm Mitigation Bank (KFMB) in the City of Redmond, which is allowed pursuant to LUC 20.25H.085.A.4 and 20.25H.105.B.3 through a Critical Areas Report. Restoration of temporary impacts will occur in accordance with the Temporary Impact Restoration Plan (Appendix I to the Critical Areas Report). **Refer to the Conditions of Approval regarding mitigation and monitoring plans in Section X of this Staff Report.**

2. Consistency LUC 20.25H.080 Performance Standards (Streams) and LUC 20.25H.100 (Wetlands)

a) Lights shall be directed away from the critical area

Finding: No lighting is proposed as part of the project.

b) Activity that generates noise such as parking lots, generators, and residential uses shall be located away from the critical area or any noise shall be minimized through use of design and insulation techniques.

Finding: Noise generated from the project after completion is expected to be minimal. Transmission lines within the corridor will generate noise similar to the existing condition of the corridor and below ambient levels.

Construction noise is regulated per the City Noise Control Code – Chapter 9.18 BCC. **Refer to the Conditions of Approval regarding Noise in Section X of this Staff Report.**

c) Toxic runoff from new impervious area shall be routed away from the critical area.

Finding: No new impervious areas are proposed within streams or wetlands. Impervious areas in the North Bellevue Segment area are limited to poles and pole foundations. Impervious areas are not pollutant generating and no toxic runoff will occur. **Refer to the Conditions of Approval regarding Stormwater in Section X of this Staff Report.**

d) Treated water may be allowed to enter the stream or wetland critical area buffer.

Finding: No treated water is proposed to enter a stream or wetland critical area buffer. No new impervious surfaces are proposed. Therefore, the project will not generate treated water.

e) The outer edge of the stream or wetland critical area buffer shall be planted with dense vegetation to limit pet or human use. Preference shall be given to native species.

Finding: A portion of the wetland enhancement area on the Richards Creek substation site is located within the stream buffer. The mitigation approach proposes dense, native wetland and buffer plantings on-site to compensate for some of the impacts on wetlands and combined buffers located in the Richards Creek and Kelsey Creek sub-basins. No compensatory mitigation plantings are proposed elsewhere in the corridor. The plan design complements the previously permitted mitigation and restoration work on the substation site, proposes only native species, and will limit human and pet intrusion into the mitigation areas. Public access is significantly limited and discouraged on substation sites. Additional mitigation for the remaining wetland impacts and combined wetland and stream buffer impacts is proposed through the KFMB. **Refer to the Conditions of Approval regarding mitigation and monitoring plans in Section X of this Staff Report.**

f) Use of pesticides, insecticides, and fertilizers within 150 feet of the edge of the stream or wetland critical area buffer shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.

Finding: Generally, weeds would be controlled by manual removal. If any persistent weed or pest problems require pesticide control, the City would be contacted to verify compliance with City of Bellevue BMPs and, if allowed, a licensed pesticide applicator would be hired. Potential pesticide, insecticide, and fertilizer use for the project will be applied consistent with the standards outlined in the Pesticide, Insecticide, and Fertilizer Plan (Appendix H to the Critical Areas

Report). **Refer to the Conditions of Approval regarding BMPs in Section X of this Staff Report.**

g) All applicable standards of Chapter 24.06 BCC, Storm and Surface Water Utility Code, are met.

Finding: No additional stormwater runoff is anticipated because no new impervious surface is proposed as part of the project, except poles and pole foundations. No pollutant-generating impervious areas are proposed. No untreated construction stormwater will be allowed to discharge in the City storm drain system and/or within critical areas. The proposal is required to comply with Chapter 24.06 BCC and is conditioned to ensure compliance. **Refer to the Conditions of Approval regarding BMPs in Section X of this Staff Report.**

3. Consistency with LU 20.25H.085 and LUC 20.25H.105 Mitigation and Monitoring Provisions for Streams and Wetlands

Finding: Proposed mitigation and monitoring is documented in the submitted Critical Areas Report and the Vegetation Management Plan, which is included in this Staff Report as Attachment C. No permanent impacts are proposed in wetlands or streams as a result of the construction or operation of the North Bellevue Segment of the Energize Eastside project. Impacts on wetlands and combined stream and wetland buffers are due to proposed vegetation conversion and not due to proposed fill or development. All impacts are described in the Critical Areas Report and in Section III of this Staff Report.

PSE proposes to restore and enhance previously disturbed wetlands where six existing poles would be removed and relocated to upland areas. Pole removal would result in the existing pole area converting back to wetland. In addition, PSE proposes to enhance wetlands and wetland buffers that would experience temporary construction disturbance, including staging areas and access routes. This results in 150 SF of restored wetlands on site.

PSE also proposes to improve 9,930 square feet of wetland and wetland buffer as wetland habitat within Wetland A at the Richards Creek substation site (i.e., 6,630 SF of wetland enhancement and 3,300 SF of wetland buffer enhancement). This proposed on-site mitigation is adjacent to the South Bellevue Segment mitigation area at the substation, would increase the functional lift of the wetlands and wetland buffer, and provides quantifiable long-term management benefits because PSE owns the property. As part of this proposal, PSE reassessed the Richards Creek substation site and identified this additional mitigation area, which is functionally related to and complements the on-site mitigation required for the South Bellevue Segment. This on-site mitigation area identified as part of the North Bellevue Segment proposal is a large, continuous patch of wetland and stream enhancement; and the proposed mitigation within this area would provide additional benefits and

increase the on-site mitigation area associated with the Energize Eastside project through dense, native wetland and buffer plantings. The proposed mitigation site also provides ease of access that would facilitate maintenance and monitoring, increasing the likelihood of successful mitigation.

The additional North Bellevue Richards Creek mitigation area currently consists of a Category III wetland (Wetland A) dominated by reed canarygrass and Himalayan blackberry. PSE's proposed wetland enhancement mitigation measures are intended to increase native plant cover, decrease invasive species prevalence, improve native species diversity, and provide food and other habitat resources for wildlife. In this location, native trees that may not be available in the wire zone or managed right-of-way can be planted because approximately 60 percent of the site is outside of the transmission line corridor.

In addition to the on-site mitigation at the Richards Creek substation site, PSE also considered off-site mitigation, through replacement or enhancement, in the same sub-drainage basin. PSE-owned properties and easements and nearby sites within the same sub-drainage basins were evaluated for off-site mitigation opportunities. Although PSE identified potential mitigation sites, these sites are small, disconnected features that would provide limited habitat benefit or functional uplift. In contrast to the on-site North Bellevue Richards Creek mitigation area, these areas lack ease of access for maintenance and monitoring. Among the sites PSE considered for mitigation were City parks, including Viewpoint Park and Highland Park. Other properties considered included the PSE-owned Westminster property north of SR 520 in the Valley Creek sub-basin and the privately owned Glendale Country Club in the Kelsey Creek sub-basin. The Westminster property was found not to warrant mitigation through enhancement because it was unlikely to be considered "significantly degraded" per City code. The Country Club was found to lack mitigation opportunities in wetland buffers outside of lands actively managed as part of the golf course.

In order to ensure compliance with the City's critical areas regulations and given the lack of off-site mitigation opportunities within the sub-basin and drainage basin, PSE proposes off-site mitigation via the purchase of KFMB mitigation bank credits, which is allowed for PSE's proposal under LUC 20.25H.085.A.4 and 20.25H.105.B.3 if supported by a Critical Areas Report. KFMB is an approved mitigation bank (KFMB Banking Instrument 2019). The wetland and habitat restoration goals of the KFMB site were developed to address the limiting factors in the Cedar River/Lake Washington Watershed in WRIA 8. These limiting factors include the loss of wetland hydrology, loss of wetland habitat and vegetation communities, and the alteration of topography affecting wetlands, floodplain, and stream habitat conditions. The KFMB site was developed in recognition of the limited mitigation opportunities when looking "on-site" versus locating mitigation in a more sustainable and effective part of the Watershed.

In order to satisfy LUC 20.25H.085.A.4 and 20.25H.105.B.3 off-site mitigation requirements in City Code, a Critical Areas Report is required. Here, PSE's Critical Areas Report prepared for the North Bellevue Segment demonstrates that PSE followed the mitigation preference process required by the LUC in an effort to meet the mitigation requirements on-site. Specifically, PSE considered on-site mitigation, through replacement of lost critical area buffer; and PSE considered property acquisition within the affected sub-drainage basins. However, mitigation opportunities within the transmission line corridor are limited, and PSE determined that this option was not feasible because it would require access rights to verify mitigation opportunities. As discussed above, PSE evaluated its own properties and easements in the vicinity for in-corridor or on-site out of corridor mitigation opportunities; and although degraded critical areas were identified in corridor, they are small, disconnected features that may be difficult to access and maintain.

The limited options available to PSE in connection with this linear infrastructure project is exactly the scenario the KFMB mitigation bank is designed to address. The transmission line utility corridor is not an ideal or appropriate location to focus on-site mitigation given that PSE must have clear zones for its transmission facilities and has historically removed and topped trees in the corridor to maintain its facilities. PSE's submittals establish that the proposed mitigation bank is designed and approved to serve WRIA 8 and that the KFMB site is relatively close in proximity to the transmission line corridor. PSE's submittals also show that the proposed off-site mitigation at the KFMB site would provide equal or better functional uplift than on-site mitigation of the impacted wetlands. The proposed off-site mitigation meets the requirements and intent of the City's critical areas regulations because it provides more immediate benefits than the small, disconnected mitigation areas available within the sub-basin.

Furthermore, the proposed purchase of KFMB credits includes large areas of wetland restoration and creation, which meets the more preferred type of mitigation actions listed under the applicable LUC provisions. The use of mitigation banking allows PSE to complete its compensatory mitigation requirements by providing off-site restoration of degraded wetland, stream, and riparian habitats, which will provide a greater functional uplift than could be achieved in the small, fragmented mitigation areas that would otherwise be available on-site.

In sum, PSE conducted a detailed mitigation site selection process and followed the mitigation preferences required by Part 20.25H LUC. The Critical Areas Report and the associated bank use plan (Appendix G in the Critical Areas Report) contains details about the site selection process, and PSE has shown that suitable mitigation sites meeting all mitigation requirements within the same sub-drainage basin are not available. PSE proposes on-site mitigation where a high-quality in-basin opportunity is available: the Richards Creek substation site. However, because the available in-basin opportunities do not provide all of the required mitigation, PSE proposes off-

site mitigation at the KFMB site to fully meet the compensatory mitigation for critical areas functions and values and supplement the on-site mitigation. As explained above and based on the Critical Areas Report and limited opportunities available in the drainage basin, the most ecologically responsible mitigation approach with the greatest functional uplift is to use the Richards Creek substation site for on-site mitigation and the KFMB site for the remainder of the required mitigation.

For ease of reference, **Table IV-2** provides a summary of the “on-site” mitigation area required for project impacts; **Table IV-3** summarizes the proposed “on-site” Richards Creek Substation Mitigation; and **Table IV-4** summarizes the KFMB Site Mitigation proposal. For further discussion regarding tree removal and impacts to Plants and Animals associated with the construction and operation of the North Bellevue Segment, see the Vegetation Management Plan (Attachment C) 2023 SEPA Addendum (Attachment G). **Refer to the Conditions of Approval in Section X of this Staff Report for required mitigation and restoration plans.**

Table IV-2 Summary of Approximate Minimum "On-Site" Mitigation Area Required to Compensate for Project Impacts Using a Permittee-Responsible Mitigation Approach

Sub-basin	Critical Area Name	Category	Type of Activity	Impact Quantity (SF)	Adjusted Impact Quantity (SF)[a]	Mitigation Ratio[b]	Mitigation Required (SF)[c]
Richards Creek (Wetland Total: 2,430 SF Buffer Total: 3,270 SF)	Wetland EB20	III	Pole Removal	-30	—	—	0
	Wetland EE	IV	Conversion	840	810	3:1	2,430
	Combined Buffers	na	Pole Removal/Installation	-280	—	—	0
	Combined Buffers	na	Conversion	6,820	6,540	0.5:1	3,270
Kelsey Creek (Wetland Total: 37,960 SF Buffer Total: 14,730 SF)	Wetland EB02	III	Pole Removal	-120	—	—	—
	Wetland EB11	II	Conversion	2,900	2,900	6:1	17,400
	Wetland SB12	III	Conversion	1,940	1,820	4:1	7,280
	Wetland EB13	III	Conversion	1,460	1,460	4:1	5,840
	Wetland EB14	III	Conversion	800	800	4:1	3,200
	Wetland EB16	III	Conversion	500	500	4:1	2,000
	Wetland EB17	III	Conversion	560	560	4:1	2,240
	Combined Buffers	na	Pole Removal/Installation	-650	—	—	0
	Combined Buffers	na	Conversion	30,110	29,460	0.5:1	14,730
Valley Creek (Wetland Total: 3,120 SF Buffers Total: 1,065 SF)	Wetland A (Overlake Farms)	IV	Conversion	240	240	3:1	720
	Wetland CB01	III	Conversion	600	600	4:1	2,400
	Combined Buffers	na	Conversion	2,130	2,130	0.5:1	1,065

SOURCE: Table 11 from the Critical Areas Report.

a. The adjusted impact quantity incorporates square footage of pole removal (if any) as the removal self-mitigates for some of the pole installation.
b. In accordance with agency guidance for conversion impacts, mitigation ratio presented is one-half the standard Ecology enhancement ratio, based on wetland category.
c. The required mitigation area shown is based on on-site enhancement rations.

Table IV-3 Richards Creek Substation Mitigation Summary

Sub-basin	Critical Area Name	Wetland Category	Type of Impact	Adjusted Impact Quantity (SF)[a]	Proposed Mitigation Activity	Proposed Mitigation Area (SF)
Richards Creek	Wetland EE	IV	Conversion	810	Enhancement of Wetland A (Category III) at Richards Creek substation in the Richards Creek sub-basin	2,940
	Combined Buffers	Buffer	Conversion	6,540		3,300
Kelsey Creek	Wetland EB14	III	Conversion	800		3,690
Total						***9,930***

SOURCE: Table 12 from the Critical Areas Report.

a. The adjusted quantity incorporates square footage of pole removal (if any) as the removal self-mitigates for some of the pole installation.

Table IV-4 Summary of Proposed KFMB Credit-to-Impact Ratios with the Applied Vegetation Conversion Factor and Total Credit Amount and Cost

Critical Area	Wetland Category	Vegetation Conversion Impact (SF)[a]	Permanent Impact Ratio	Vegetation Conversion Discount Factor	KFMB Credits
Wetland A (Overlake Farms)	IV	240	0.85:1	25%	51
Wetland CB01	III	600	1:1	25%	150
Wetland EB11	II	2,900	1.2:1	25%	870
Wetland EB12	III	1,820	1:1	25%	455
Wetland EB13	III	1,460	1:1	25%	365
Wetland EB16	III	500	1:1	25%	125
Wetland EB17	III	560	1:1	25%	140
Combined Buffer	Buffer	31,590	0.3:1	25%	2,370
Total Credit (SF)					***4,526 SF***
Total Credit (acres)					***0.103885***
Cost ($1,000,000 per acre)					***$103,885***

SOURCE: Table 13 from the Critical Areas Report.

a. Vegetation conversion impacts have been rounded and adjusted to incorporate square footage of pole removal (if any) as the removal self-mitigates for some impact.

4. Consistency with LUC 20.25H.125 Performance Standards – Landslide Hazards and Steep Slopes

Finding: No structures, retaining walls, impervious surfaces, substantial changes in grade, or parking areas are proposed within geologically hazardous areas. Site improvements (pole removal, pole replacement, access improvements, and vegetation management/tree removal) will not adversely impact the natural contour of slopes. There is one location just south of proposed Pole 6/2 where the natural contour of the slope may be modified slightly by adding permanent fill to the existing road/trail if the site is accessed from Lake Hills Connector.

PSE will place or remove poles in 42 locations along the transmission line corridor that overlap with steep slopes, steep slope buffers, or steep slope structure setbacks. In addition, proposed pole 5/8 and three existing poles to be removed between poles 5/8 and 6/1 are located within the landslide hazard 50-foot top-of-slope buffer. Replacement of poles within a steep slope critical areas is proposed and is the preferred type of construction on a steep slope. Vegetation management/tree removal will occur in additional areas with steep slopes or steep slope buffers. No new poles will be located near landslide toes-of-slope. The new poles will be embedded deeply and located in the distal location in relation to the landslide toes-of-slope. Most site soils at proposed pole locations consist of glacially-consolidated deposits and should provide adequate support for the new poles. Once a pole is installed, the pole will not adversely affect slope stability because the pole foundation footprint is small (GeoEngineers 2020). *Targeted Critical Areas Geologic Hazards Evaluation, Energize Eastside Project, North Bellevue, Washington* (GeoEngineers 2020) contains further detail and is included in the City's Project File.

No adverse impacts from fill placement are anticipated if geotechnical recommendations are implemented (GeoEngineers 2020). The Geotechnical Report found that the project will not require increased buffers and will not result in a greater risk to neighboring properties. The geotechnical engineer provided their opinion that the poles within the hazard areas can be installed with a low risk of impact to the geologic hazard areas, their buffers, or structure setbacks, provided that their recommendations and appropriate BMPs are implemented (GeoEngineers 2020). **Refer to the Conditions of Approval regarding geotechnical recommendations in Section X of this Staff Report.**

Temporary disturbance will be mitigated by scattering and/or chipping trimmed limbs and logs, replanting vegetation, and using limited access equipment or accessing only by foot as appropriate. If work areas are wet or have standing water, timber driving mats will be used under all equipment. Additionally, for poles located in geologic hazard areas, the old poles will be cut off approximately 1 to 2 feet below ground surface and the remaining portion of each pole left in place. If fill is placed to widen and regrade the existing access road/trail just north of Lake Hills Connector for

access to proposed Pole 6/2, potential impacts will be mitigated by conducting a geotechnical evaluation and design for the proposed fill, and constructing the access improvements in accordance with geotechnical recommendations. **Refer to the Conditions of Approval regarding the mitigation plan and geotechnical recommendations in Section X of this Staff Report.**

V. SUMMARY OF TECHNICAL REVIEWS

A. Clearing and Grading

A Clear and Grade Permit is required for PSE's proposal per BCC 23.76.035. The permit application must be in accordance with the Clearing and Grading Code, as outlined in the submittal requirements and the Clearing and Grading Development Standards, which are available on the City of Bellevue website at:

https://development.bellevuewa.gov/UserFiles/Servers/Server_4779004/File/pdf/Development%20Services/cg-DevStds2017.pdf.

Various soil and erosion conditions will be encountered along the transmission line route, and erosion and sedimentation control should be specifically addressed for each area. Work within critical areas or buffers should be identified on the construction drawings and in the Construction Stormwater Pollution Prevention Plan, and provided with exceptional erosion and sedimentation protection. No untreated construction stormwater will be allowed to discharge in the City storm drain system and/or within the critical areas. Turbidity monitoring will be required at all discharge points.

B. Utilities

The CUP application has been reviewed and no further utility revisions are needed at this time. The Utility Department approval of the CUP application is based on the preliminary utility design only. This conceptual review of the proposal has no implied approvals of the engineering design and specifications. Changes to the site layout may be required to accommodate the utilities. Minimum setback requirements shall be met during the review and approval of the utility permit application(s).

Storm Drainage: No additional stormwater runoff is anticipated because no new impervious surface is proposed as part of the project.

Refer to the Conditions of Approval regarding utilities in Section X of this Staff Report.

C. Transportation

1. Traffic Impacts and Mitigation

Traffic impacts from this project will be temporary and occur only during the construction phase. These impacts will be the result of needed travel lane and

sidewalk closures to allow for safe installation of transmission lines within City right-of-way. Appropriate mitigation will be specified in the required right-of-way permit for this project (traffic control, detours, etc.). No permanent traffic impacts will be created by this project.

2. Street and Access Improvements

PSE proposes to upgrade 5.2 miles of existing electrical transmission lines between PSE's existing Lakeside switching substation and the northern city limits of Bellevue. The existing wood H-frame poles will be replaced with steel monopoles within the existing utility corridor. Some poles/structures will be located within City right-of-way.

Access to the existing and proposed poles/structures and transmission lines will be provided by using the existing or historic access corridor, and by creating new access roads as necessary. At some sites, access roads my need to be improved to accommodate construction equipment. All work in the right-of-way related to these access roads needs Right-of-Way Use Permits and must meet City of Bellevue and current Americans with Disabilities Act (ADA) standards.

The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (Chapter 14.60 BCC), Transportation Design Manual (City of Bellevue 2017), and the ADA prior to approval of construction drawings.

1. Engineering design plans must be submitted for review and approval for each new and removed pole located within City right-of-way, sidewalk easements, and within 20 feet of the right-of-way or sidewalk easement areas.
2. All new or modified access road connections to public roadways for the installation of new structures and overhead transmission lines, and removal of existing poles must meet Transportation Design Manual requirements.
3. All areas disturbed (i.e., pavement, curb and gutter, landscaping, driveways, etc.) by the project shall be restored after construction to its previous or an improved state per City of Bellevue right-of-way standards including current ADA standards.
4. All structures installed for the project must meet the City's sight distance criteria per the Transportation Design Manual (RL-110-1, RL-110-1, RL-120-1 and Sections 21 and 22).

3. Use of the Right-of-Way during Construction

Applicants often request the use of the right-of-way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading, and other temporary uses, as well as for construction of utilities and street improvements. A Right-of-Way Use Permit for such activities must be acquired prior to issuance of any construction permit, including a demolition permit. Sidewalks

may not be closed except as specifically allowed by a Right-of-Way Use Permit. **See Section X for related Conditions of Approval regarding use of the right-of-way.**

4. Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period since it has last been resurfaced. These three categories are "No Street Cuts Permitted," "Overlay Required," and "Standard Trench Restoration." Each category has different trench restoration requirements associated with it. Damage to the street can be mitigated by placing an asphalt overlay well beyond the limits of the trench walls to produce a more durable surface without the unsightly, piecemeal look that often comes with small strip patching.

PSE will be required to restore all damaged pavement within City right-of-way caused by construction activities related to this project. The limits and extent of pavement restoration shall be as required by the Right-of-Way Use Permit. **See Section X for related Conditions of Approval regarding pavement restoration.**

D. Fire

The Bellevue Fire Department has no concern with the Energize Eastside proposed location as submitted. Any changes in the location will require further review. Because the proposal will use the existing corridor, no additional fire department staffing or resources will be required as a result of the project.

E. Land Use

As discussed above, PSE's utility corridor easement grants PSE broad authority to manage vegetation and cut trees to maintain its electrical utilities facilities, subject to the City's permitting authority and codes, standards, and regulations. LUC 20.20.900.E.2 is a City regulation that requires perimeter site retention of significant trees within the R-1 Land Use District in the Bridle Trails Subarea. This regulation does not specifically reference a linear electrical utility infrastructure project that crosses many sites in a utility corridor, such as the North Segment of the Energize Eastside project. Nevertheless, under the plain language of LUC 20.20.900.E.2, areas cleared for utilities are outright exempt from perimeter retention requirements contained in LUC 20.20.900.E.2.

LUC 20.20.900.E.3 contains the City's interior tree retention requirements within the R-1 Land Use District in Bridle Trails. Again, this regulation does not specifically reference or contemplate a linear electrical utility infrastructure project that crosses hundreds of sites in a utility corridor. Instead, LUC 20.20.900.E.3 addresses site-specific development in

the R-1 zone where the property owner or applicant controls the entire interior of the site. The land alteration or development contemplated by this LUC provision would, by its very nature, occur on an individual property or a group of properties, in contrast to a linear utility easement traversing the entire City. These regulations also require that such development, typically residential development, must obtain a permit to remove any trees in this area. Both LUC 20.20.900.E.2 and 20.20.900.E.3 ensure that properties and uses are screened from adjacent properties on the lot perimeter and that the interior of a property has a minimum tree retention to preserve the treed character of Bridle Trails.

A portion of PSE's transmission line corridor is within the Bridle Trails Subarea and subject to the LUC 20.20.900.E.3 site interior tree retention requirements, despite the fact that the "site" for the North Bellevue Segment is a linear utility easement that is not contained by property lines and crosses hundreds of properties. However, LUC 20.20.900.G provides an option for modification of the site interior tree retention requirements in LUC 20.20.900.E.3 through a vegetation management plan and Director approval of an alternative tree retention or replacement option.

Here, PSE has submitted a Vegetation Management Plan that covers their entire easement corridor. This Plan provides for the replacement of trees and other natural vegetation in consolidated locations in the easement area, at locations across the City, on private properties through which PSE's easement burdens the land, and at the mitigation bank site. Consistent with the criteria found in LUC 20.20.900.G.2.a and G.2.b, PSE's supplemental and replacement vegetation proposal is consistent with the stated purpose in LUC 20.20.900.A, complements the natural character of the area, and is designed to be adaptable to climate and other environmental changes, as well as meet the vegetation management requirements that PSE must meet to safely maintain its electrical utility facilities. Therefore, PSE's proposal, as documented in its Vegetation Management Plan, satisfies the criteria in LUC 20.20.900.G.2 to qualify for an alternative tree replacement option.

Finally, the Final EIS concluded that application of codes, standards, and regulations—including LUC 20.20.900 and the City's critical areas requirements contained in Chapter 20.25H LUC—would adequately mitigate potential impacts due to vegetation removal in the Bellevue North and Bellevue Central segments (see Final EIS, Sections 4.4.5.4 and 4.4.5.5). Updated environmental analysis regarding impacts to Plants and Animals is included in the 2023 SEPA Addendum, which is included as Attachment G to this Staff Report, and for any tree removal that is not subject to LUC 20.20.900, PSE is required to comply with the permitting requirements imposed by Ordinance 6665, the City's Landmark Tree Ordinance. For further discussion of PSE's proposed tree replacement plans and the Conditions of Approval imposed and/or recommended by the Department, please refer to the 2023 SEPA Addendum (Attachment G), Section VI below, and the Conditions of Approval in Section X of this Staff Report.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA)

The City of Bellevue, in cooperation with the Partner Cities of Newcastle, Redmond, and Renton, conducted environmental review of the Energize Eastside project over the course of several years. Culmination of this environmental review was the issuance of the March 1, 2018, Final EIS. The Final EIS built upon the previous Phase 1 Draft EIS and Phase 2 Draft EIS, released in January 2016 and May 2017, respectively. Two addenda have been issued to the Final EIS: Addendum #1 by the City of Renton in 2021; and the 2023 SEPA Addendum (Attachment G to this Staff Report), issued by the City of Bellevue on October 12, 2023, in association with PSE's North Bellevue Segment proposal.

An EIS is the most detailed form of environmental review required under SEPA and is prepared when an agency determines that it is probable that a project would have significant environmental impacts. The Phase 1 Draft EIS evaluated a broad range of potential technological alternatives to address PSE's identified transmission facility deficit, including the feasibility and environmental impacts of wire solutions and non-wire solutions. Based on the findings of the Phase 1 Draft EIS and the purpose of the Energize Eastside project, PSE determined that a wire-based solution was the only feasible and reasonable project alternative to meet the project objectives. The Phase 2 Draft EIS then conducted a project-level evaluation of potential environmental impacts and alternatives associated with the overhead transmission lines throughout each Partner City jurisdiction.

Together, the Phase 2 Draft EIS and Final EIS analyzed fourteen (14) transmission line routing alternatives, and based on this analysis, PSE proposed utilizing the existing transmission line utility corridor as the route of the project. The environmental analysis undertaken by the Partner Cities presented a comprehensive environmental assessment of the entire Energize Eastside project, with discreet sections devoted to the transmission line upgrades in the Bellevue North Segment and Bellevue Central Segment. The adequacy of the Partner Cities' extensive environmental review of the Energize Eastside project was challenged in Superior Court (*CENSE v. City of Bellevue*, Case No. 19-2-33800-8 SEA [September 21, 2020]); and the Superior Court denied that appeal, holding that the Partner Cities' environmental review complied with SEPA and was adequate.

The Energize Eastside Project Final EIS and supporting documentation fulfill SEPA requirements for the Energize Eastside project and are incorporated by reference under the terms of BCC 22.02.020 and WAC 197-11-635. The Final EIS, along with all background and supporting analyses (including but not limited to the 2023 SEPA Addendum [Attachment G]), studies, and technical reports are publicly available here:

http://www.energizeeastsideeis.org/library.html

In addition, the Energize Eastside Project Final EIS together with the supporting documentation are available for review in the City of Bellevue Records Room, Lobby Floor, Bellevue City Hall, 450 110th Avenue NE. Likewise, PSE submitted technical information with the permit applications, which is attached hereto and/or included in the DSD official files

for Permit Nos. 21-104989 LO and 21-104991 LB. The letter from Reilly Pittman, City of Bellevue Environmental Planning Manager, to Brad Strauch, PSE Program Manager, dated November 1, 2022, is in the DSD files for Permit Nos. 21-104989 LO and 21-104991 LB. The Watershed Company's March 1, 2023, Response Letter to Mr. Pittman is attached hereto as Attachment E and also included in the City's Project File.

The City issued the 2023 SEPA Addendum on November 12, 2023, and this Addendum is included with and informs the Department analysis herein. Under WAC 197-11-706, a SEPA Addendum is an environmental document used to provide additional information or analysis that does not substantially change the analysis of significant impacts and alternatives in the existing environmental document. An addendum may be used at any time during the SEPA process (WAC 197-11-706).

Here, the 2023 SEPA Addendum (Attachment G) addresses changes to the proposed North Bellevue Segment portion of the project subsequent to the Phase 2 Draft EIS and the Final EIS. Specifically, the Addendum addresses changes in the North Bellevue Segment related to (1) the updated wetland rating system, (2) the number of trees to be removed, (3) changes to proposed pole heights, and (4) the use of off-site mitigation. Elements of the environment impacted by these changes are Water Resources, Plants and Animals, and Scenic Views and Aesthetics.

The SEPA Addendum confirms that impact conclusions memorialized in the Phase 2 Draft EIS and the Final EIS have not changed. As further explained in detail in the SEPA Addendum, the refinements to the project included in the North Bellevue Segment do not substantially change the analysis of significant impacts and alternatives in the Final EIS and do not result in significant unavoidable environmental impacts. Therefore, the EIS conclusion that the project will result in less-than-significant environmental impacts within the Bellevue North Segment and the Bellevue Central Segment remains the same.

With respect to the City's conditions of approval addressing Environmental Health—Pipeline Safety, the City's Environmental Procedures Code, Chapter 22.02 BCC, provides substantive authority to mitigate impacts disclosed through the environmental review process. Substantive SEPA authority to condition PSE's proposal is available in cases where development regulations do not exist or do not apply, or where unanticipated impacts occur that are not mitigated by existing regulations. In cases where the City has adopted development regulations to systematically avoid or mitigate adverse impacts, those standards and regulations, where applicable, will normally constitute adequate mitigation of the impacts (BCC 22.02.140.C).

The Energize Eastside project site is occupied by a portion of the Olympic Pipeline system, which consists of 400 miles of underground pipelines within a 299-mile corridor. One of the pipelines crosses through the middle of the Richards Creek substation site and continues along the North Bellevue Segment, centrally located within PSE's existing corridor. The Final EIS concluded that the probability of a pipeline release and fire occurring and resulting in fatalities remained low under PSE's proposed alignment, both during construction and over the long term.

Nevertheless, potential public safety impacts would be significant if this unlikely event were to occur. Section 4.9 of the Final EIS analyzed the environmental consequences of such an incident, along with a description of the operational concerns for the Energize Eastside project that affect pipeline safety. Section 5.9 of the Final EIS addressed the construction aspects of the project that affect pipeline safety. Section 5.9.4 of the Final EIS identified recommended mitigation measures applicable during construction. Section 4.9.8 of the Final EIS described the mitigation measures that would be used during operation of the project and recommended additional measures to avoid, minimize, and mitigate environmental health and safety impacts related to pipeline safety.

PSE's proposal incorporates some of the recommendations made during the EIS process related to pipeline safety, including the following engineering aspects: initially operate both transmission lines at 230 kV rather than one line at 230kV and the other line at 115kV; minimize points of pipeline and transmission line divergence along the corridor; use a delta conductor configuration; and locate poles and pole grounds away from the pipeline(s). PSE also will perform an additional AC Interference Study prior to construction that incorporates the final transmission line route, configuration, and operating parameters to confirm that current densities remain within acceptable levels, and to inform OPLC of any locations where additional measures may be needed to protect the pipelines. The full pipeline safety assessment is available at Section 4.9 of the Final EIS.

A primary goal of the City of Bellevue's Utilities (UT) Element of the Comprehensive Plan is "*to ensure reliable utility service is provided in a way that balances public concerns about infrastructure safety and health impacts, consumer interest in paying a fair and reasonable price for service, potential impacts on the natural environment, and aesthetic compatibility with surrounding land uses*." With that goal in mind, Bellevue's Comprehensive Plan Policy UT-94 states the following: "*Require in the planning, siting, and construction of all electrical facilities, systems, lines, and substations that the electrical utility strike a reasonable balance between potential health effects and the cost and impacts of mitigating those effects by taking reasonable cost effective steps*." Several UT Element policies call for ensuring that health and safety are protected as infrastructure projects are developed, including UT-3 ("*use design and construction standards that are environmentally sensitive, safe, cost-effective, and appropriate*").

The Conditions of Approval in Section X of this Staff Report impose reporting and coordination requirements that address pipeline safety are intended to ensure that every effort is made to minimize risks to public safety and strike a balance between potential health effects and the costs of mitigating those effects. The Department notes that these project-specific mitigation measures are consistent with City-imposed requirements for the South Bellevue Segment CUP and the proposed mitigation measures identified in the Final EIS. The Conditions of Approval are required and included in this Staff Report pursuant to BCC 22.02.140.B.1 and 22.02.140.C.

VII. PUBLIC COMMENT

PSE's community outreach efforts regarding the construction of the Energize Eastside project, which crosses multiple jurisdictions from Redmond to Renton, began well before the North Bellevue Segment CUP application was submitted. As discussed above, the EIS process provided opportunities for public input, and following publication of the Final EIS, each of the Partner Cities individual land use processes have provided unique and additional opportunities for public participation, opposition, and support for PSE's project prior to land use approval in each jurisdiction. It is undisputed that many Bellevue residents and associated nonprofits have availed themselves of these opportunities in multiple forums over many years to provide public comment on and opposition to PSE's Energize Eastside project.

With respect to the North Bellevue Segment land use applications, and consistent with the requirements of the LUC, public engagement regarding the larger Energize Eastside project and the specific North Bellevue Segment has continued throughout the CUP review process. All comments received by the City during the land use permit review process are included in the DSD official file for Permit Nos. 21-104989 LO and 21-104991 LB. Meetings held prior to submittal of the permit application are documented in PSE's Alternative Siting Analysis (contained in Attachment B to this Staff Report). Comments received during the EIS process, and responses to those comments, are appended to the Final EIS (as Volume 3 and Volume 4) as required by SEPA. This Staff Report provides responses to comments submitted and received during the City's land use review of the North Bellevue Segment below in Section VII.C, at **Table VII-1**.

A. Public Noticing Requirements per LUC 20.35.120:

This project was noticed publicly twice during the course of the City's land use review for the North Bellevue Segment. The first noticing occurred as follows:

Application Date: March 11, 2021

Notice of Application: May 13, 2021

Minimum Comment Period: May 27, 2021

Promoted by:

- Weekly Permit Bulletin sent to properties within 500 feet of properties abutting the proposed transmission line and substation.
- Weekly Permit Bulletin Webpage https://development.bellevuewa.gov/zoning-and-land-use/public-notices-and-participation/past-bulletins included in the May 13, 2021, Weekly Permit Bulletin.
- Permitting Webpage https://development.bellevuewa.gov/zoning-and-land-use/public-notices-and-participation/energize-eastside-updates.
- Information signs along the route and substation (15 total signs).

The second noticing occurred as follows:

Second Notice of Application: June 29, 2023

Promoted by:

- Weekly Permit Bulletin sent to properties within 500 feet of properties abutting the proposed transmission line and substation and parties of record.
- Weekly Permit Bulletin Webpage https://development.bellevuewa.gov/zoning-and-land-use/public-notices-and-participation/past-bulletins included in the June 29, 2023, Weekly Permit Bulletin.
- Permitting Webpage https://development.bellevuewa.gov/zoning-and-land-use/public-notices-and-participation/energize-eastside-updates.
- Updated information signs along the route and substation (15 total signs).

B. Public Meetings Required by LUC:

Two public meetings were held as follows:

Initial Public Meeting (required per LUC 20.35.300):

Date: June 1, 2021

Location: Virtual, via Zoom Webinar, as part of the EBCC regular monthly meetings

Purpose: Courtesy Hearing

Promoted by: EBCC Meeting Calendar, City of Bellevue Weekly Permit Bulletin, Webpage, Direct Mailer, public notice signs

Number of attendees: Approximately 60

Continuation of Initial Public Meeting:

Date: July 6, 2021

Location: Virtual, via Zoom Webinar, as part of the EBCC regular monthly meetings

Purpose: Continuation of Courtesy Hearing

Promoted by: EBCC Meeting Calendar

The second public meeting, required by LUC 20.20.255.C.1.b for PSE's proposal, was held after the second public noticing, as follows:

Second Public meeting (required per LUC 20.20.255.C.1.b):

Date: July 18, 2023

Location: Bellevue City Hall and virtually via Zoom Webinar

Purpose: Project overview and how to participate in a public hearing

Promoted by: Weekly Permit Bulletin, Webpage, Direct Mailer

Number of Attendees: 15 in-person and 30 virtual

C. Comments and Responses:

During the land use permit review process, the City received comments and requests to be parties of record from about 32 individuals, which includes comments from citizens, comments made at the EBCC, a petition from CENSE with 131 signatures, King County Metro, and the Sierra Club. A summary of the comments related to PSE's proposal is provided below in Table VII-1.

In many cases, similar comments were made by more than one person or entity, and some individuals submitted comments on multiple occasions. In those cases, comments are paraphrased and one response is provided. Comments were received primarily via email, with several commenters submitting supplemental material as attachments. Numerous emails were submitted with the same material as a form letter, or as the form letter with additional modifications. Copies of all comments received during the land use permit review process are included in the DSD official file for Permit Nos. 21-104989 LO and 21-104991 LB.

With the exception of the agency and tribal comments, most of the comments received voiced opposition to PSE's proposal or the Energize Eastside project in general; opposition was stated either explicitly (e.g., "I oppose this project and it should not be approved") or implicitly (based on the content of the specific comment). A substantial amount of comments opposing the project were submitted by members of CENSE. The Department notes that CENSE and its members have opposed PSE's Energize Eastside project in many forums over the course of many years, including through participation in the proceedings that resulted in the WUTC Order, which is included in Attachment F to this Staff Report and discussed below, and as the plaintiff in the lawsuit against the City challenging the adequacy of the Partner Cities' environmental review for the project.

Table VII-1 Comments and Responses

	Comment Summary	Response
Questions Related to Project Need	PSE does not demonstrate the need for the project or that the project would increase system reliability. Commentors expressed a desire for the need to be met using other energy sources.	As discussed throughout this Staff Report, the Alternative Siting Analysis, the November 22, 2022, WUTC Order, and PSE's July 11, 2023, Reliability Certification required by LUC 20.20.255.E.4 demonstrate project need sufficient to show compliance with the City's LUC 20.20.255 regulations and the submittal requirements allowed by RCW 36.70B.260 (via E2SHB 1216). Specifically, the WUTC Order concluded, "we agree that PSE has established a need for Energize Eastside." WUTC Order at 62; see also *id.* at 67.

	Comment Summary	Response
[Project need continued]	PSE needs to address other types of technology and energy-producing methods by individual property owners, including “behind-the-meter” batteries. PSE can reduce peak demand by implementing a “Demand Response” that shifts electrical loads of designated industries and hours. The potential increased need for electricity could be offset by charging electric cars and big batteries during off-peak hours.	The City of Bellevue has a prescribed set of development regulations and criteria for approval of electrical utility facilities (which may employ different technology for producing electricity). The analysis in this Staff Report focuses on PSE’s compliance with those local land use regulations and criteria, City policies supporting those criteria, and any submittal requirements allowed under state law. The City does not regulate individual property owners’ electricity usage or methods.
[Project need continued]	Even as we electrify our economy, peak demand can be kept at reasonable levels by using smart energy technologies and policies. The rate of population increase is being offset by the rate of increasing energy efficiency in buildings, such as light-emitting diode (LED) lighting, smart thermostats, high-efficiency heat pumps, and appliances that are more energy efficient. A combination of solar panels, batteries, and other smart technologies could serve the Eastside’s energy future. Overall consumption could be reduced by promoting and incentivizing energy efficiency solutions–such as better insulation, window shades, high-efficiency heat pumps, and the installation of solar panels.	The growth estimates provided by PSE are based on PSE customer data and regional growth estimates by PSRC. The City is aware that PSE’s growth estimates have historically overestimated overall demand. However, overall demand can remain constant even as peak demand grows, due to conservation during off-peak periods. Additional information regarding PSE’s determination of operational need is discussed above in Section II.B of this Staff Report and below in Section VIII.C.3 in connection with Electrical Utility Facilities Decision Criteria LUC 20.20.255.E.3 and in connection with PSE’s submittal of the WUTC Order to establish compliance with RCW 36.70B.260. PSE has satisfied the submittal and decision criteria in LUC 20.20.255, and PSE has satisfied the submittal allowance contained in RCW 36.70B.260 (via E2SHB 1216) through submittal of the WUTC Order.

	Comment Summary	Response
[Project need continued]	PSE failed to respond to City requests for additional data supporting its statement in June 2018 that in 2017, summer peak loads had exceeded levels projected for summer 2018 in the Eastside Needs Analysis.	PSE did provide additional information in the October 26, 2018, email from Brad Strauch, PSE Program Manager, to Heidi Bedwell, the City of Bellevue Environmental Planning Manager at the time, clarifying specifically which peak load projection the June 2018 letter referred to, dates of the peak loads, and temperatures during the peak load period. In addition, PSE has now provided its North Bellevue Segment CUP Analysis, the Alternative Siting Analysis, the WUTC Order, and the July 11, 2023, Reliability Certification. This information is the most current information establishing that PSE has satisfied the submittal and decision criteria in LUC 20.20.255, and PSE has satisfied the submittal allowance contained in RCW 36.70B.260 (via E2SHB 1216) through submittal of the WUTC Order.
[Project need continued]	PSE's motive for the project is profit. The project is intended to generate revenue and does not have the region's best interests in mind.	The City does not regulate electrical utility facility proposals or development projects in general based on the motives of the applicant.
[Project need continued]	PSE's record on other aspects of its business suggest they should not be trusted.	The City has worked diligently to obtain accurate and verifiable information regarding the Energize Eastside project and the North Bellevue Segment proposal, and the City recognizes its responsibility and exercises its authority to ensure compliance with all regulatory requirements within its authority.
[Project need continued]	PSE's Energize Eastside transmission line upgrade will greatly improve safety of residents who have electrical wires on their properties and close to their homes.	Comment noted.

	Comment Summary	Response
[Project need continued]	Comments asserting that CENSE has not had an opportunity to participate in an open and transparent process regarding the need for Energize Eastside.	At each step of this process, from the EIS through each land use permitting process in Bellevue, CENSE has commented, met with staff, participated in hearings, and exercised its rights to appeal the City's determinations and decisions. CENSE and its members have had many opportunities to participate in the environmental and land use review processes, in Bellevue and throughout each Partner City jurisdiction, and CENSE and its members have repeatedly and consistently availed themselves of those numerous opportunities to participate.
[Project need continued]	Comments concerning the obsolescence and inaccuracy of needs assessment and data in the original EIS.	The environmental review for the Energize Eastside project conducted by the Partner Cities was challenged in and upheld by the Superior Court. The City has now published the 2023 SEPA Addendum (Attachment G), which adds analysis and information to that prior environmental review, consistent with SEPA. The Addendum specifically considers the project refinements contained in the North Bellevue Segment CUP and CALUP applications and whether impact conclusions in the prior environmental review are still correct for PSE's proposal, as updated in connection with the City's current land use review. With respect to "project need," PSE has now provided its North Bellevue Segment CUP Analysis, the Alternative Siting Analysis, the WUTC Order, and the July 11, 2023, Reliability Certification. This information is the most current information establishing that PSE has satisfied the submittal and decision criteria in LUC 20.20.255, and PSE has satisfied the submittal allowance contained in RCW 36.70B.260 (via E2SHB 1216) through submittal of the WUTC Order.
[Project need continued]	Since the FEIS there have been changes to state and federal legislation addressing climate and that impact PSE's long-term planning and diminish the need for transmission capacity.	Comment noted. PSE's permits are subject to the City of Bellevue's codes and the decision criteria for each permit. The Department notes that PSE has satisfied the submittal allowance contained in RCW 36.70B.260, which is a recently adopted state law, through submittal of the WUTC Order.

	Comment Summary	Response
[Project need continued]	Now that the South Segment is powering a new 230kv substation it is not clear how the North Segment will enhance reliability or why the segment is needed.	PSE has provided its North Bellevue Segment CUP Analysis, the Alternative Siting Analysis, the WUTC Order, and the July 11, 2023, Reliability Certification. The Final EIS also disclosed and considered PSE's phased construction plan and permitting schedule for the Energize Eastside project. Each phase of the project is part of the whole project envisioned by the EIS. Further, the North Bellevue Segment is being constructed and permitted in the same manner and as part of the same phased sequence identified in the Final EIS, and any change to how the Energize Eastside project or the North Bellevue Segment was described and assessed in the Partner Cities' environmental review is discussed in both the 2023 SEPA Addendum (Attachment G) and throughout this Staff Report. Finally, the 2020 Newcastle Assessment found that "PSE has demonstrated that the proposed transmission upgrades are needed to safeguard the operational reliability of the electric system as a whole;" and the WUTC Order concluded "that PSE has established a need for Energize Eastside." Neither of these conclusions are limited to one segment or portion of the project.
Questions Related to Potential Alternatives	Better alternatives are available that are less expensive, safer, and/or more reliable. The City should require PSE to pursue other alternatives, such as batteries, solar, and other non-wire alternatives. These alternatives were not adequately evaluated as part of this project.	The City has a duty to review a project as proposed by the applicant, in this case PSE. The City can only decide if the proposed project is consistent with City codes, standards, and regulations. While the City did review many of the alternatives described in comments in the Phase 1 Draft EIS, it cannot require PSE to build an alternative that PSE does not see as feasible.

	Comment Summary	Response
[Alternatives continued]	What battery technology was considered by PSE in response to Bellevue Land Use Code 20.20.255.D.3? What was the rationale for the type and size of batteries considered?	The Alternative Siting Analysis included as Attachment B to this Staff Report demonstrates that PSE relied primarily on the Strategen report (Eastside System Energy Storage Alternatives Screenings Study), prepared for the Energize Eastside project in 2015 and updated in September 2018, to evaluate energy storage and battery alternatives. Generally, this study looked at lithium-ion battery technology with a power rating of 328 MW to provide 2,338 MW-hours to cover a period of 7.1 hours (the amount needed by 2021). Compliance with the Alternative Siting Analysis criteria in LUC 20.20.255.D.3 is analyzed in Section IV.A of this Staff Report.
Questions Related to Safety and Risk	Commenters were concerned about construction crews damaging the Olympic Pipeline during construction.	The risk of accidents in the pipeline corridor is acknowledged and analyzed in the EIS. PSE and OPLC have worked together in the corridor for over 40 years and communicate regularly to coordinate activities related to pole replacement and other maintenance work. The risk assessment completed for the EIS indicates that there will be a very small increase in total risk during construction. The City is conscious of the need to ensure that PSE complies with safety requirements during construction and has exercised the authority available to a local permitting agency to ensure that every effort is made to minimize risk. See the discussion of Environmental Health-Pipeline Safety above in Section VI (SEPA) and below in Section X, Conditions of Approval, of this Staff Report regarding pipeline safety.

	Comment Summary	Response
[Safety/risk continued]	The risk associated with the Olympic Pipeline system in the corridor.	Operational risks related to natural forces were analyzed in the EIS. Earthquakes and lightning strikes or wires downed by extreme weather events present risks of fault conditions or arcing from the transmission lines to the pipelines. The risk assessment included in the EIS determined that the project is not expected to increase the risks of accidental release due to seismic activity or other natural forces, and that overall operational risks would decrease. See the discussion of Environmental Health-Pipeline Safety above in Section VI (SEPA) and below in Section X, Conditions of Approval, of this Staff Report regarding pipeline safety.
[Safety/risk continued]	Concern about pipeline safety and response time if a leak or fire occurs. The nearest fire engine equipped to deal with a leak of gasoline, diesel, or large amounts of jet fuel is at SeaTac Airport.	The City's Fire Department provided a detailed response on October 23, 2018, to questions about response times. The time it would take to extinguish a fire would depend on the scale of the release, but all fire trucks are equipped with a limited amount of foam concentrate for suppressing petroleum fires. The first priority would be to control or contain the spread of the fire, then work to extinguish it. Additional support could be provided by nearby fire departments, including Renton and Seattle. People who see, hear, or smell a release from a pipeline should move away quickly and call 911. Additional details are included in the Fire Department's October 23, 2018, communication, and information about pipeline safety is provided above in Section VI (SEPA) and in the specific EIS sections referenced in Section VI of this Staff Report.

	Comment Summary	Response
[Safety/risk continued]	Commenters noted potential negative EMF-related health effects to occupants of buildings close to or underneath the transmission lines.	The International Agency for Research on Cancer (IARC) does classify Extremely Low Frequency (ELF)-EMF as "possibly carcinogenic to humans" based on epidemiological studies. However, extensive health studies have not found a causal link between adverse health effects and ELF-EMF from electrical transmission lines. The 2011 IARC and WHO study cited by some commenters evaluated the possible association between the types of exposure from radiofrequency EMF from the use of wireless phones, not from ELF-EMF. Because there is no known causal link, there is no established EMF exposure limit in the U.S., other than workplace limits, which are far higher than any expected exposure at schools or other sites along the transmission line corridor.
[Safety/risk continued]	How much deeper will PSE have to dig to install the new poles along the trail that runs behind Trails End and Brentwood Lane? Please confirm the proposed height and material of poles.	The heights and materials of poles are addressed in Section II of this Staff Report. The environmental impacts associated with the poles installed for the North Bellevue Segment is discussed in the 2023 SEPA Addendum (Attachment G to this Staff Report).
Questions Related to Process	Public Meeting Logistics and Format. Some commenters had questions about the format of the public Zoom meeting and notification timing.	The meeting format and notice requirements are specified in the City's Land Use Code. Because PSE's proposal is an Electrical Utility Facility upgrade, a second public meeting is required by LUC 20.20.255.C.1.b. One virtual meeting was held on June 1, 2021, and a hybrid meeting was held on July 18, 2023. Both meetings provided opportunity for public comment, as will the November 9, 2023, Hearing Examiner Pre-Decisional Hearing on PSE's CUP application.

	Comment Summary	Response
[Process continued]	Commenters expressed concern that the State of Washington Energy Facility Site Evaluation Council (EFSEC) is not a certifying agency for this project.	EFSEC coordinates evaluation and licensing steps for siting certain energy facilities in Washington. EFSEC specifies the conditions of construction and operation and manages an environmental and safety oversight program of facility and site operations. For this project, PSE must comply with NERC regulations. NERC is a not-for-profit international regulatory authority that ensures the effective and efficient reduction of risks to the reliability and security of the power grid. NERC develops and enforces reliability standards; annually assesses seasonal and long-term reliability; monitors the bulk power system through system awareness; and educates, trains, and certifies industry personnel. NERC is the Electric Reliability Organization (ERO) for North America, subject to oversight by the Federal Energy Regulatory Commission. NERC's jurisdiction includes users, owners, and operators of the bulk power system. The City of Bellevue was the lead agency under SEPA for environmental review of the project and is a local land use permitting authority for the project. The City only has permitting authority for work proposed in its jurisdiction, and the North Bellevue Segment is the last portion of the Energize Eastside project requiring local land use permits.
[Process continued]	One commenter wrote that the opinion of the residents who are affected the most by the project, due to having transmission lines on their property, should carry more weight and have more impact than the opinion of residents who are not directly affected by the project.	Comment noted.

	Comment Summary	Response
[Process continued]	Several commenters urged the City of Bellevue to reject the proposed project because they believed that would best protect the interests of its residents, rather than promoting the business interests of PSE and its owners.	In making its land use decisions on PSE's permit applications, the City will consider the evidence submitted by the applicant and all parties of record, including its citizens, and then apply the decision criteria and standards in the Land Use Code in light of the evidentiary record that has been developed. However, project-level CUP and CALUP land use decisions are not policy decisions and are instead based on the evidence in the record, the City's critical areas regulations in Part 20.25H LUC, the Electrical Utility Facilities provisions in LUC 20.20.255, and the CUP decision criteria in LUC 20.30B.140.
Questions Related to NE 48th Place Trail Access	NE 48th Place is a private road where the Brentwood Lane Property Owners Association owns an easement on the trail that is on top of the Olympic Pipeline, and under the electricity cables at the very west of NE 48th Place. Will we be able to access the heavily used trail?	The proposed replacement of PSE's transmission lines does not change existing easement rights. Trail access will be maintained; however, there may be temporary impacts, including impacts to access, during construction which PSE will communicate as part of their public outreach and Construction Management Access Plan. See the Conditions of Approval in Section X for related conditions regarding access and public notice.
Questions Related to Vegetation Removal	Commenters asked about removal of vegetation on their property and about specific trees or vegetation that provides screening and privacy functions.	PSE has provided a Vegetation Management Plan, which is included as Attachment C to this Staff Report. The Vegetation Management Plan establishes a planting template for replanting. In the portions of the utility corridor affected by the North Bellevue Segment of the project, PSE will work directly with individual property owners to finalize the planting that will be installed. This has been PSE's practice during each construction phase of the Energize Eastside project. For the Conditions of Approval regarding PSE's Vegetation Management Plan and PSE's ongoing obligation to comply with the City's codes, standards, and regulations, please refer Section X of this Staff Report.

	Comment Summary	Response
Questions Related to Tree Canopy	The amount of tree removal proposed is not consistent with City policy to increase tree canopy.	The City is aware of the concerns listed regarding tree canopy loss. The City has policies to preserve tree canopy generally, and PSE has made and continues to make efforts to limit the amount of tree removal necessary as a result of its proposal. Mitigation for tree removal is required in critical areas and buffers areas and will be provided. Mitigation will also be required for tree removal from public right-of-way or other public lands. PSE will be required to submit a final (as-built) Landscape and Tree Replacement Plan, consistent with Attachment C (Vegetation Management Plan) to this Staff Report. In addition, upon completion of replanting activities, PSE will provide a summary report that documents the total number and types of trees that have been removed and planted. PSE will provide a financial guarantee that covers the estimated cost of tree mitigation (including materials and labor) prior to the issuance of the Clearing and Grading Permit and the commencement of tree removal activities. See Section VI.A of this Staff Report for a discussion of tree removal and mitigation measures. See Section VIII.D.1 for a discussion consistency with the City's Comprehensive Plan. See the Conditions of Approval in Section X for information regarding the specific conditions and mitigation measures addressing tree removal in critical areas and non-critical areas. See the 2023 SEPA Addendum included as Attachment G for further discussion of impacts to Plants and Animals.

	Comment Summary	Response
[Tree canopy continued]	Comment concerning increase of urban heat island due to tree removal and that removal impacts vulnerable communities.	The area proposed for tree removal is an existing transmission line corridor which has contained PSE's electrical utility facilities for almost a century. Subject to the City's codes, standards and regulations, PSE currently manages, tops, and can remove trees within the utility corridor to maintain its facilities. Tree removal is proposed but the areas on the ground are to remain pervious vegetated areas and will not be buildings or impervious surfaces. In addition, many of the areas surrounding this transmission line utility corridor lack trees due to development. The EISs prepared by the Partner Cities and the 2023 SEPA Addendum specifically analyzed tree removal in the North Bellevue Segment and the environmental impacts associated with that tree removal. As further explained in detail in the SEPA Addendum (Attachment G), the refinements to the project included in the North Bellevue Segment do not substantially change the analysis of significant impacts and alternatives in the Final EIS and do not result in significant unavoidable environmental impacts.
[Tree canopy continued]	70% of mature trees in the transmission corridor are to be removed	Tree removal quantities are documented in this Staff Report and were revised from the original EISs to be less than was originally anticipated. The tree removal changes in the North Bellevue Segment are the result of the taller transmission poles requiring a larger clear zone which reaches more of the trees on the perimeter of the corridor. The transmission corridor is not an ideal or appropriate location to focus the City's efforts for tree retention given that PSE must have clear zones for its transmission facilities and has historically removed and topped trees in the corridor to maintain its facilities. In connection with the North Bellevue Segment and throughout the utility corridor, PSE's replanting is occurring in the transmission corridor as much as possible, or on private property where permitted by the property owner and on other properties owned by PSE. Required mitigation for tree removal in critical areas is regulated by City code and analyzed throughout this Staff Report.

	Comment Summary	Response
Questions Related to Ratepayer Funds and Cost	Concern was expressed about increased electricity bills or rates to pay for the project.	The City of Bellevue does not establish rates or evaluate whether there are less costly means of accomplishing a project. It is the responsibility of the WUTC to determine if the cost of electrical upgrades is appropriate.
Questions Related to Aesthetics and Views	The upsized transmission lines proposed by PSE will have larger and taller poles, potentially affecting views.	Views would change due to relocated poles and higher pole heights. For residents adjacent to the transmission lines, taller poles may remove obstructions to some private views or may create obstructions that previously did not exist for other private views. No scenic views from parks or designated view corridors are expected to be impacted, and private views in the City are not protected through LUC regulations or policy. The corridor already contains transmission lines, so the proposal is not expected to alter the visual character of the neighborhoods it passes through. The Final EIS found that for the North Bellevue Segment, impacts on the scenic views and the aesthetic environment would be less-than-significant. More information is contained in Section IV.2.d (Height Limitations) and Section VI (SEPA) of this Staff Report, as well as in the 2023 SEPA Addendum included as Attachment G.
Questions Related to Public Outreach in Bridle Trails	Why are you not arranging a separate meeting specifically for Bridle Trails? Why are homeowners in Bridle Trails being held to a scheduled meeting for EBCC, which has nothing to do with the Bridle Trails neighborhood?	The meeting format and notice requirements are specified in the City's LUC. Because PSE's proposal is an Electrical Utility upgrade, a second public meeting is required by LUC 20.20.255.C.1.b. One virtual meeting was held on June 1, 2021, and a hybrid meeting was held on July 18, 2023, at City Hall. Both meetings provided opportunity for public comment and dialogue. Residents and project opponents from Bridle Trails attended and participated in each public meeting, both before the EBCC and at City Hall.

	Comment Summary	Response
[Bridle trails continued]	One commenter expressed that it is an equity issue to cluster electrical facilities in Bridle Trails stating, "*Bridle Trails Subarea of residential housing already has six (6) High Voltage Transmission Lines including two (2) substations with a third substation planned*."	PSE's facilities are permitted in Bridle Trails, subject to compliance with the development regulations and permitting requirements contained in the City's Land Use Code. As explained above, the City reviews PSE's proposal for compliance with the City's codes, standards, and regulations. However, project-level CUP and CALUP land use decisions are not policy decisions and are instead based on the evidence in the record, the City's critical areas regulations in Part 20.25H LUC, the Electrical Utility Facilities provisions in LUC 20.20.255, and the CUP decision criteria in LUC 20.30B.140.
Agency Coordination	King County Metro Transit requested that a copy of the Traffic Control Plan be provided to Metro's System Impact Construction Coordinators in advance of construction. They also requested coordination if the project will impact any King County Metro bus stops or facilities.	Prior to the start of construction, PSE will provide information to King County Metro regarding construction timing, traffic control, and potential temporary impacts on King County Metro bus stops or facilities during construction.
Other Questions	Concern was expressed over splitting the Bellevue section of Energize Eastside into two permits (North Bellevue and South Bellevue) rather being permitted at one time.	PSE has chosen to construct the Energize Eastside project in phases. As discussed above, the Final EIS disclosed and considered PSE's phased construction plan and permitting schedule for the Energize Eastside project. PSE has also explained that phased permitting and construction is necessary to keep the transmission line on-line to serve customers during construction of the South Bellevue Segment while the northern phase, located in north Bellevue and Redmond, is permitted and constructed. The City of Bellevue, as one of the jurisdictions with permitting authority over this multi-jurisdictional project, processes the permit applications that it receives from PSE consistent with the City's LUC and other applicable codes and standards. Although the City evaluates and processes the permits it receives from PSE in the order that it receives them, the City notes that the environmental review in the Final EIS was not limited to a segment or portion of the Energize Eastside project. Instead, the Final EIS presented a comprehensive environmental assessment of the entire project.

	Comment Summary	Response
Issues of Equity and Environmental Justice	Increased rates to pay for the project will be a bigger burden for lower income families	Comment noted, but the City of Bellevue does not establish rates or evaluate whether there are less costly means of accomplishing a project. It is the responsibility of the WUTC to determine if the cost of electrical upgrades is appropriate.
Energy Source for Transmission Lines	The Clean Energy Transformation Act requires PSE to transition to renewable energy resources in the coming years. The Energize Eastside transmission lines would not connect customers to new sources of clean energy.	The City has a duty to review a project as proposed by the applicant, in this case PSE. The City can only decide if the proposed project is consistent with City codes, standards, and regulations. The City cannot require PSE to build an alternative that PSE does not see as feasible.
Conflict of Interest	One commenter suggested that the City of Bellevue staff and City Council are not motivated to question what PSE wants to do based on the amount paid in taxes.	The City reviews PSE's proposal under the codes, standards, and regulations adopted by the City and applicable to an Electrical Utility Facility project of this nature. The amount that PSE pays in taxes to the City is not part of the City's land use review of the proposal. The City Council does not review and evaluate PSE's Process II CALUP application, which is a decision issued by the Land Use Director, or PSE's Process I CUP application, which is a decision issued by the Hearing Examiner.
Need for Supplemental EIS	A supplemental EIS is needed in order to update data and assumptions as well as changes to laws and technology that removes the need for the North Segment. We have asked for a supplemental EIS to clarify the level of need and how inexpensive alternatives might remove the need for the North Segment.	A supplemental EIS is required when there are undisclosed or new significant adverse impacts that were not anticipated in the EIS. New impacts can result from project changes. Here, the changes and refinements to the Energize Eastside project associated with PSE's North Bellevue Segment permit applications do not require a supplemental EIS. This is because these changes and refinements do not substantially change the Partner Cities' prior environmental analysis of significant impacts. For more information regarding this subject matter, please review the 2023 SEPA Addendum issued by the City on November 12, 2023 (Attachment G).

	Comment Summary	Response
Bridle Trails Vegetation Impacts	This area is unique and this project has too great an impact on trees, understory vegetation and animals.	The removal of trees in the North Segment was not found to be an unmitigated significant adverse impact under the EISs prepared by the Partner Cities for the Energize Eastside. In addition, PSE's compliance with LUC 20.20.900 and potential impacts to critical areas are addressed throughout this Staff Report and in PSE's submitted Vegetation Management Plan. Property owners in Bridle Trails may also choose to allow PSE to plant trees on their property adjacent to the utility corridor, if they so choose. For further discussion of impacts to Plants and Animals associated with the North Bellevue Segment, please see the 2023 SEPA Addendum (Attachment G).
Requests for data from PSE submitted into the permit record	PSE needs to provide data requested by the public to show their models are accurate as well as other studies and reports requested, including analysis of how the South Segment may remove the need for the North Segment. The public cannot fully participate in a public land use hearing on this matter without this information from PSE.	Additional submittals are neither required by LUC 20.20.255 nor necessary for the City to evaluate PSE's proposal for the North Bellevue Segment. As explained throughout this Staff Report, the information submitted by PSE, coupled with the studies referenced therein, are sufficient to establish compliance with the "project need" provisions of LUC 20.20.255. Specifically, the Alternative Siting Analysis, the November 22, 2022, WUTC Order, and PSE's July 11, 2023, Reliability Certification required by LUC 20.20.255.E.4 demonstrate project need sufficient to show compliance with the City's LUC 20.20.255 regulations and the submittal requirements allowed by RCW 36.70B.260 (via E2SHB 1216). The wealth of substantial evidence contained in the record addressing this subject matter is more than sufficient to facilitate meaningful public participation at the November 9, 2023, CUP hearing on this matter.
Compliance with Code	The City of Bellevue needs to determine if Energize Eastside meets the City's code requirements which it does not.	As discussed in this Staff Report, Development Services staff have reviewed PSE's proposal for the North Segment of Energize Eastside and found the proposal is consistent with the City's codes, standards, comprehensive plan policies, and decision criteria to approve the CALUP and recommend approval of the CUP to the Hearing Examiner.

VIII. APPLICABLE DECISION CRITERIA – FINDINGS AND CONCLUSIONS

Compliance with the following decision criteria of individual Land Use Code sections, along with RCW 36.70B.260 (E2SHB 1216), is described below:

- Critical Areas Report Decision Criteria - LUC 20.25H.255
- Critical Areas Land Use Permit – LUC 20.30P.140
- Electrical Utility Facilities – LUC 20.20.255.E
- RCW 36.70B.260 (E2SHB 1216) Compliance
- Conditional Use Permit – LUC 20.30B.140

A. Critical Areas Report Decision Criteria – General Criteria LUC 20.25H.255

The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

1. The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code.

Finding: As required per LUC 20.25H.105 and discussed in Section IV, Part B [Consistency with Land Use Code and Zoning Requirements], PSE has demonstrated in the Critical Areas Report that the proposed on-site wetland enhancement and purchase of credits at KFMB as mitigation leads to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code. The proposed enhancement work in the proposal will result in greater protection than the standard code application for wetland mitigation.

The on-site mitigation will consist of wetland enhancement at the Richards Creek substation and will expand upon the approved Energize Eastside South Bellevue Mitigation and Restoration Area (17-120557-LO). The new proposed mitigation will increase the total habitat patch size and functions. Wetland enhancement was determined to be the most feasible mitigation option given the landscape setting.

Further, compensating in-basin/on-site for all project impacts would require several, small, fragmented mitigation areas, which would provide less functional improvement overall and would likely have a higher long-term potential for failure. Therefore, PSE proposes credit-purchase at KFMB, and PSE's proposal of off-site mitigation outside of the drainage basin through a Critical Areas Report is authorized by LUC 20.25H.085.A.4 and LUC 20.25H.105.B.3. The location of the KFMB, together with the benefits of long-term maintenance and protection of the restoration areas that the bank provides, ensures that the functional improvements provided by the bank will benefit the entire KFMB service area and the watershed as a whole, and exceed the

benefits expected to be possible under any traditional permittee-responsible mitigation approaches that are available in the same basin.

Refer to Section IV.B for further analysis and the Conditions of Approval regarding required mitigation and monitoring plans in Section X of this Staff Report.

2. **Adequate resources to ensure completion of any required mitigation and monitoring efforts.**

   Finding: A mitigation plan for all areas of temporary and permanent new disturbance is required to be submitted for review and approval by the City of Bellevue prior to issuance of the Clearing and Grading Permit. The mitigation plan shall include methods for vegetation maintenance and monitoring and shall also include a maintenance and monitoring component for a period of not less than 5 years after any replanting effort within a critical area or critical area buffer. A monitoring report shall be submitted annually, and dead plant material shall be replaced during this maintenance and monitoring period. The Conditions of Approval in Section X require the mitigation and restoration plans to be updated with any construction-level changes and require final mitigation and restoration plans to be submitted to the City in order to ensure continued compliance with City approvals.

   As part of the Clearing and Grading Permit, PSE shall submit a cost estimate for the proposed planting materials and installation. An installation assurance device shall be provided to the City of Bellevue in the amount of 150 percent of the total cost prior to issuance of the Clearing and Grading Permit. After the mitigation plan vegetation has been installed, the City shall retain a maintenance assurance device in the amount of 20 percent of the total cost estimate for a minimum of 5 years. The maintenance surety shall be kept by the City until the performance objectives have been met. **Refer to the Conditions of Approval regarding mitigation and monitoring plans in Section X of this Staff Report.**

3. **The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical areas and critical area buffers off-site.**

   Finding: Functions and values of off-site critical areas and critical area buffers will not decrease with the project. On-site wetland enhancement will occur as part of the project, which will not adversely affect off-site functions and values. Impacts have first been avoided and minimized to the extent possible, and on-site mitigation opportunities have been exhausted. The remaining mitigation proposed through purchase of credits from the KFMB is authorized by LUC 20.25H.085.A.4 and LUC 20.25H.105.B.3 for PSE’s proposal and will result in high-quality restoration. The location of the KFMB, together with the benefits of long-term maintenance and protection of the restoration areas that the bank provides, ensure that the functional

improvements provided by the bank will benefit the entire watershed, and exceed those expected to be possible under any traditional permittee-responsible mitigation approaches that are available in the same basin. **Refer to the Conditions of Approval regarding off-site mitigation requirements in Section X of this Staff Report.**

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

   Finding: The project involves the replacement of an existing transmission line; therefore, no change in land use is proposed. PSE's proposal is anticipated by and included in Bellevue's Comprehensive Plan (see Attachment D [Map UT-7] to this Staff Report). The proposal is limited to the existing transmission line corridor, and the project, as modified, is compatible with and responds to the uses and development that have built up around the transmission line corridor for decades.

B. Critical Areas Land Use Permit Decision Criteria – LUC 20.30P.140

The Director may approve, or approve with modifications, an application for a CALUP if the proposal meets all of the following criteria:

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

   Finding: PSE has applied for a CALUP and CUP. In addition, construction permits will be required, including but not limited to right-of-way permits, utility permits, and clearing and grading permits. PSE shall also submit approved state and federal permits to the City to demonstrate compliance with all regulatory requirements. Before any direct wetland impacts occur, PSE shall obtain the necessary state and federal authorizations. PSE shall provide the City of Bellevue copies of all required permits from the WDFW and the U.S. Army Corps of Engineers, including any requirements from the U.S. Fish and Wildlife Service and National Marine Fisheries Service, prior to the City of Bellevue's pre-construction meeting. **Refer to the Conditions of Approval regarding mitigation and monitoring plans in Section X of this Staff Report.**

2. **The proposal utilizes to the maximum extent possible the best available construction, design, and development techniques which result in the least impact on critical areas and critical area buffer.**

   Finding: The project will utilize existing access points to minimize impacts on critical areas and critical area buffers. BMPs include plant replacement, scattering trimmed or removed tree debris, and chipping wood to reduce potential impacts on work areas. Removal of vegetation by hand and/or using limited access machinery will reduce potential impacts. PSE has designed the transmission line to locate poles in the existing utility corridor and in the general vicinity of existing impacts, thereby limiting the number of new poles and minimizing vegetation removal. Most poles will

be directly embedded in the soil, so they would not require foundations. Direct embed pole technique minimizes ground disturbance and impacts on vegetation. Methods suggested for construction access and staging plans also demonstrate the use of best available techniques for reducing impacts on critical areas.

The final structure design for poles would comply with current National Electrical Safety Code (NESC) requirements as adopted by the WUTC. To ensure the least impact on critical areas and critical area buffer, the project geotechnical engineer shall certify that PSE has conducted geotechnical hazard evaluations for all proposed elements of the transmission line poles, and that all geotechnical recommendations have been incorporated into project design. PSE is required to provide this certification and supporting documentation to the City of Bellevue. Furthermore, the draft Geotechnical Report provided to the City addresses all code requirements and provides a discussion of how the design meets or exceeds following:

- 2012 International Building Code (IBC), or as amended, parameters for short period spectral response acceleration (SS), 1-second period spectral response acceleration (S1), and seismic coefficients Fa (short periods) and Fv (long periods).
- Consistent with the project geotechnical engineer's recommendation, use soil input parameters for lateral load design that consider the effects of liquefaction through the application of p-multipliers for LPile parameters (LPile is a computer program used to analyze deep foundations under lateral loading).
- North of the proposed Richards Creek substation, reevaluate the lateral spreading risk to the proposed poles in this area once their final locations have been selected, to determine appropriate foundation dimensions.
- Where areas subject to liquefaction are present, extend foundations below the loose to medium density liquefiable deposits into underlying dense, non-liquefiable soils.
- Once final locations are selected, reevaluate the axial capacity of the pole foundations and potential downdrag loads for poles in areas subject to liquefaction, and consider these in the structural design.

According to the Geotechnical Report, two locations could require special construction methods to provide access to pole locations: west of SE 5th Street, where two sewer manholes are located and would require fill or a temporary bridge, and at proposed Pole 6/2. The Geotechnical Report gives three options for access to proposed Pole 6/2.

For the life of the project, PSE shall develop a monitoring and maintenance program that includes inspection and reporting on the ability of the transmission line poles to resist seismic disturbances. As part of PSE's regular inspection of the poles, it shall monitor all poles for changes in conditions that could reduce the ability of the

structures to resist seismic disturbances, and then submit annual reporting to the City of Bellevue. If changes are identified during inspection and monitoring of conditions, PSE shall implement additional measures to reduce or minimize those impacts. **Refer to the Conditions of Approval regarding construction standards and Maintenance and Monitoring Plan requirements in Section X of this Staff Report.**

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

   Finding: As discussed in Section IV of this Staff Report, PSE's proposal for a new or expanded utility facility is an allowed activity per LUC 20.25H.055 that meets the performance standards and additional provisions for the following:

   - Critical Areas – Streams LUC 20.25H.080.A & 20.25H.080.B
   - Critical Areas – Wetlands LUC 20.25H.100 & 20.25H.105
   - Critical Areas –Geologic Hazards LUC 20.25H.125

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

   Finding: The proposed transmission line will not impact any existing public facility service level. The Phase 1 Draft EIS and Final EIS concluded that the Energize Eastside project would not significantly increase the demand for public services, or significantly hinder the delivery of services. This analysis has not changed based on information submitted in connection with the CALUP and CUP for the North Bellevue Segment of the Energize Eastside project. **Refer to Technical Reviews conducted by the Fire, Utilities, and Transportation in Section V of this Staff Report.**

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

   Finding: PSE has submitted a Vegetation Management Plan, which contains a Mitigation, Restoration, and Enhancement Plan (Attachment C to this Staff Report), and a Critical Areas Report with its permit applications. Both are consistent with LUC 20.25H.210, and the information contained therein shall be reflected in the final plans submitted under the Clearing and Grade Permits. **Refer to the Conditions of Approval regarding the final Mitigation Plans requirements contained in Section X of this Staff Report.**

   Mitigation plans shall also include a maintenance and monitoring component for a period of not less than 5 years after any replanting effort, within critical areas. A monitoring report shall be submitted annually, and dead plant material shall be replaced during this maintenance and monitoring period. **Refer to the Conditions of**

Approval regarding performance standards and Maintenance and Monitoring Plan requirements in Section X of this Staff Report.

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

   Finding: As discussed in Section IV of this Staff Report, PSE's proposal complies with all other applicable requirements of the Land Use Code.

C. Electrical Utility Facilities Decision Criteria – LUC 20.20.255.E / RCW 36.70B.260 (E2SHB 1216) Compliance

1. **The proposal is consistent with PSE's System Plan.**

   Finding: PSE's proposal was first included in PSE's System Plan in 1993 and has remained part of PSE's System Plan since that time (see UT Element 2015). The System Plan states, "*[t]he 230 kV sources for the 115 kV system in northeast King County are primarily the Sammamish and Talbot Hill substations. The loads on the 230–115 kV transformers in these stations will be high enough to require new sources of transformation.*" Additionally, the "*Lakeside 230 kV Substation project [now referred to as Energize Eastside] will rebuild two existing 115 kV lines to 230 kV between Sammamish and Lakeside [where PSE proposes the construction of the Richards Creek substation], and between Lakeside and Talbot Hill.*" Therefore, the specific North Bellevue Segment proposal, which is part of the multi-jurisdictional Energize Eastside project, is anticipated by and consistent with the System Plan.

   Further, PSE's proposal, as identified in its System Plan, is anticipated by and included in Bellevue's Comprehensive Plan. PSE last aligned its System Plan with the current Comprehensive Plan during the 2015 Comprehensive Plan Update, and consistent with the Growth Management Act, chapter 36.70A RCW (GMA), the Energize Eastside project is part of the UT Element of the Comprehensive Plan's identification of new and expanded electrical facilities and the general locations of conceptual alignments of PSE's planned energy facilities (see Attachment D to this Staff Report [Map UT-7]). Thus, the City's Comprehensive Plan confirms and documents that the proposal is consistent with PSE's System Plan.

2. **The design, use, and operation of the electrical utility facility complies with applicable guidelines, rules, regulations, or statutes adopted by state law, or any agency or jurisdiction with authority.**

   Finding: All PSE facilities that are part of the Bulk Electric System (BES) – defined as facilities of 100 kV and above and the interconnected western system – are planned and designed in accordance with the latest approved version of the NERC Reliability Standards, and the Western Electricity Coordinating Council (WECC) standards and reliability criteria. These standards establish the performance expectations that affect how the transmission system is planned, operated, and

maintained. NERC has been certified as the Electrical Reliability Organization by the Federal Energy Regulatory Commission pursuant to the Federal Power Act.

The NERC standards mandate that certain forecasts and studies be completed to determine if the system has sufficient capability to meet expected loads now and in the future. When completing transmission planning studies, contingencies are simulated to determine if the electric system meets the mandatory NERC performance requirements for a given set of forecasted demand levels, generation configurations and levels, and multiple system component outages. PSE has annually reanalyzed project need as part of the mandatory requirements imposed by NERC. These requirements are detailed in NERC standard TPL-001-4 Transmission System Planning (TPL) Performance Requirements and TPL-007-3.

With respect to state law requirements, PSE designs, constructs, and operates its facilities consistent with the NESC as required by Washington State law. Likewise, PSE, through submittal of the WUTC Order, has demonstrated compliance with "project need" submittal requirements allowed by RCW 36.70B.260 (via E2SHB 1216) during project-level local land use review.

In addition to compliance with state and federal laws, PSE has established compliance with the City of Bellevue regulations identified and described in this Staff Report. Specifically, PSE's proposal complies with the code requirements of LUC 20.20.255, which regulates proposals for new or expanding electrical utility facilities; the proposal's compliance with LUC 20.20.255 is discussed throughout this Staff Report. **Refer to Section IV.A of this Staff Report for a discussion of how PSE's proposal has met the applicable City of Bellevue Electrical Utilities Facilities LUC requirements.**

3. **The applicant shall demonstrate that an operational need exists that requires the location or expansion at the proposed site.**

Finding: The stated purpose of the Energize Eastside project is to meet local demand growth and protect reliability in the Eastside of King County, roughly defined as extending from Redmond in the north to Renton in the south, between Lake Washington and Lake Sammamish, and including the City of Bellevue. The project was identified in the City's 2015 Comprehensive Plan UT Element Policies for non-City-managed utilities and is shown on Map UT-7 – New or Expanded Electrical Facilities (see Attachment D to this Staff Report). That figure shows a potential need to expand the transmission line, which is the subject matter of PSE's proposal in the CUP and CALUP applications.

Comprehensive Plan Policy UT-47 directs the City to defer to the serving utility, in this case PSE, regarding the implementation sequence of components of the utility's plan. PSE originally identified an operational need in 1993 based on the capacity deficiency on the Eastside. Thereafter, numerous studies commissioned between

2012 and 2015 confirmed the need to address Eastside transmission capacity, and the 2015 Stantec Report confirmed that PSE's needs assessment followed standard industry practice and that PSE is required to provide adequate electrical utility infrastructure to meet peak "demand" periods. The 2020 Newcastle Assessment found that current summer electric peak demand has already triggered an operational need for the proposed transmission expansion; PSE's proposal is consistent with good system planning; and, more generally, the proposed transmission upgrades are needed to safeguard the operational reliability of the electric system as a whole.

Importantly, the WUTC Order that PSE has provided to the City determined that PSE has demonstrated a need for the Energize Eastside project, specifically finding that "[t]he evidence establishes a need for expanding PSE's transmission on the Eastside, and this issue does not appear to be in genuine dispute according to any of the credible evidence." WUTC Order at 64. After hearing evidence and testimony from PSE and CENSE—and reviewing the many studies evaluating project need—the WUTC concluded, "PSE has established a need for Energize Eastside." *Id*. at 62; see also *id.* at 67.

More recently, PSE submitted to the City a Reliability Certification, dated July 11, 2023, as required by LUC 20.20.255.E.4. This Reliability Certification described the project background and included a copy of the WUTC Order. PSE's Reliability Certification stated unequivocally, "the Energize Eastside project is needed today to meet current summer peak demand in King County to maintain reliable electric power to Bellevue. Furthermore, the current deficits experienced under today's conditions are significant."

The geographic location, or "site," of the Energize Eastside project is the existing utility corridor. PSE chose this location for a variety of reasons, including but not limited to operational need, local demand growth, and reliability considerations that PSE has identified and that the project is designed to address. Specifically, the project is located between Redmond and Renton, the two points where the system can connect to 230 kV bulk power on the Eastside. While PSE explored other options for siting the project, the operational need identified by PSE is to expand the capacity for transforming 230 kV power to 115 kV through multiple jurisdictions on the Eastside; and the existing utility corridor is the most practical and logical location.

PSE also found that locating the project within an existing corridor has fewer impacts than creating a new utility corridor, as well as being the location that provides the least costly way to develop the project. Although the south segment of the project may have independent utility, PSE's analysis has consistently supported and demonstrated that operationally, the project must include 230 kV transmission lines connecting the Sammamish substation in the north to a new transformer in central Bellevue, which will provide system redundancy. As the Phase 1 Draft EIS explained,

redundancy is necessary to ensure adequate capacity even when some equipment is not working, and system redundancy is needed to ensure that the system can meet peak demand. For each of these reasons, PSE has satisfied the "project need" criteria in LUC 20.20.255.E.3.

4. **The applicant shall demonstrate that the proposed electrical utility facility improves reliability to the customers served and reliability of the system as a whole, as certified by the applicant's licensed engineer.**

   Finding: As noted in **Sections II and III** specifically and throughout this Staff Report, the purpose of PSE's proposal is to address a transmission deficiency identified by PSE. If left unaddressed, this deficiency could adversely affect the reliability of the transmission system serving all of Bellevue and other Eastside communities. As discussed throughout this Staff Report, the WUTC Order and PSE's July 11, 2023, Reliability Certification satisfy this Decision Criterion.

5. **For proposals located on sensitive sites as referenced in Figure UT.5a of the Utility Element of the Comprehensive Plan, the applicant shall demonstrate:**

   a) **LUC 20.20.255.E.5.a. Compliance with the alternative siting analysis requirements of subsection D of this section.**

      Finding: The Energize Eastside project is proposed on a route that is shown as a sensitive site on Map UT-7 of the UT Element of the Comprehensive Plan (see Attachment D to this Staff Report). PSE provided a summary of its Alternative Siting Analysis, dated March 2021, which is attached hereto as part of Attachment B. The Alternative Siting Analysis provided by PSE meets the requirements of LUC 20.20.255.D.

   b) **LUC 20.20.255.E.5.b. Where feasible, the preferred site alternative identified in subsection D.2.d of this section is located within the land use district requiring additional service, and residential land use districts are avoided when the proposed new or expanded electrical utility facility serves a nonresidential land use district.**

      Finding: The Energize Eastside project provides additional transmission capacity needed to accommodate existing electrical demand and expected growth throughout the Eastside. Most of the population and employment growth in Bellevue to be served by the project is expected to occur in non-residential zones and mixed-use zones. However, because transmission capacity must connect to the regional grid, it is not possible to construct the facility in a discrete zone or zones; the lines must cross several zones to reach the center of the Eastside, and most of the area it must cross is residentially zoned.

      LUC 20.20.255.E.5.b is more directly applicable to a substation or a fixed electrical utility facility, rather than an interconnected and linear infrastructure project that traverses numerous land use districts (and jurisdictions). This is

particularly true for the North Bellevue Segment, which is limited to upgraded transmission lines and poles sited in the existing utility corridor. Nevertheless, the portion of Bellevue that would be vulnerable to reduced electrical reliability if the project is not built includes the area where the transmission lines are proposed. PSE's North Bellevue Segment proposal, along with the multi-jurisdictional Energize Eastside project, will avoid new impacts on residential areas through its location in the existing utility transmission corridor. This location is shown on Map UT-7 and adheres to Comprehensive Plan Policy UT-98, which discourages the introduction of new aerial electric facilities in areas where none exist. Thus, the preferred project site is located within districts that currently accommodate the corridor and require the service that the project will provide.

The proposed transmission lines and utility corridor run through several residential and non-residential districts of Bellevue that will benefit directly from the Energize Eastside project. Improvements to reliability as a result of the project will benefit the entire City and other communities surrounding Bellevue, including both non-residential districts and residential districts. It is simply not feasible to use the existing utility corridor and simultaneously avoid all residential areas. In the Alternative Siting Analysis, routes passing through non-residential areas were considered as alternatives to building a portion of the new transmission line in the existing corridor where it passes through residential districts. However, due to safety considerations and impacts that would result from establishing a new utility corridor, PSE determined that keeping the transmission lines in the existing utility corridor was preferable.

Consideration was also given to avoiding residential districts consistent with Policy UT-67, which encourages consolidation of facilities in easements, even though the project serves both residential and non-residential districts. Again, due to pipeline safety considerations and impacts associated with establishing a new utility corridor, diverting the line off of the existing corridor in residential areas was determined to be less feasible and more impactful than utilizing the existing corridor.

6. **The proposal shall provide mitigation sufficient to eliminate or minimize long-term impacts to properties located near an electrical utility facility.**

Finding: As conditioned through the CUP, CALUP, and SEPA process, the mitigation proposed will minimize the long-term impacts on nearby properties. These include impacts related to visual impacts, tree and vegetation removal along PSE's proposed alignment, pipeline safety, historic and cultural resource protection, and other issues. **Refer to the discussions of mitigation measures, conditions, and requirements contained in Sections III, IV, V, VI, and X of this Staff Report.**

7. PSE'S Proposal complies with the submittal requirements allowed by RCW 36.70B.260 (E2SHB 1216).

Finding: As explained above and in Section IV.A.1, PSE's proposal for the North Bellevue Segment complies with all of the Alternative Siting Analysis requirements in LUC 20.20.255.D and the Decision Criteria contained in LUC 20.20.255.E. Nevertheless, the City recognizes that E2SHB 1216 went into effect on July 23, 2023, and that the state Local Project Review Act, at RCW 36.70B.260, has now been amended to add a new section titled "Prohibition on Demonstration of Need." This new prohibition in the Local Project Review Act states, in full, the following:

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

RCW 36.70B.360. The WUTC Order, which was submitted by PSE to the City and is included with this Staff Report in Attachment F, establishes that PSE has complied with the submittal requirements allowed by RCW 36.70B.260. Thus, PSE has satisfied both the local land use regulations imposed by the City in LUC 20.20.255 and the submittal requirement allowed by RCW 36.70B.260.

D. Conditional Use Decision Criteria – LUC 20.30B.140

1. The conditional use is consistent with the Comprehensive Plan.

Under the GMA, the City considers the location of existing and proposed utilities and potential utility corridors in land use planning, and PSE's proposal has been included in the Comprehensive Plan for many years (see Attachment D [Map UT-7]). The City must plan for the adequate provision of utilities consistent with the goals and objectives of its Comprehensive Plan, taking into consideration the public service obligation of the utility involved (UT Element, p. 125). As part of the City's land use planning for existing and proposed utilities, the Comprehensive Plan shows the general locations and conceptual alignments of the proposal in order to guide the conditional use review of transmission lines, routes, and substations (see Attachment D [Map UT-7]). Various policies in the Comprehensive Plan also recognize the planning and implementation of multi-jurisdictional utility facility additions and improvements, such as the Energize Eastside project (UT-18, UT-48, UT-72).

The UT Element in the Comprehensive Plan is directly applicable to PSE's proposal. UT Policies work in concert with the Land Use Element to ensure that the City will

have adequate utilities to serve both existing development and future growth (UT Element, p. 122). While the Comprehensive Plan states that it is critically important to meet growing demand for utility services and provide reliability of the City's utilities systems, the UT Policies also recognize that it is important to ensure that new and expanding utility facilities are sensitive to neighborhood character (*Id*., p. 131).

Volume I of the Comprehensive Plan contains the General Policies, including the Utilities, Land Use, Urban Design, Economic Development, and Environment Policies, and was last updated in 2015. Volume II contains the Subarea Plans, including the BelRed, Bridle Trails, and Wilburton/NE 8th Street Subarea Policies. The Comprehensive Plan is currently being updated, with the update finalized in 2024. Attachment J to this Staff Report provides a review of the proposal's consistency with the Comprehensive Plan policies and Subarea policies, and the analysis below explains why the proposal is consistent with the Comprehensive Plan.

Utilities (UT) Policies

Finding: Several UT Policies call for planning and coordination to ensure reliable, sustainable, and quality service for the whole community. PSE has coordinated its system planning with the City and other agencies and is now proposing a project consistent with this system planning work and these policies. As discussed throughout this Staff Report, the location and conceptual alignment of the proposal in PSE's existing corridor is identified and included in the UT Element at Map UT-7.

A recurring policy consideration in the UT Element is the necessity of reliable service that meets the needs of existing and future development (see UT-1 [(m)anage utility systems effectively in order to provide reliable, sustainable, quality service], UT-45 [(c)oordinate with non-city utility providers to ensure planning for system growth consistent with the City's Comprehensive Plan and growth forecasts], and UT-74 [(e)ncourage system practices intended to minimize the number and duration of interruptions to customer service]. Comprehensive Plan Policy UT-99 and the attendant discussion that accompanies this policy explain this consideration in detail:

> *UT-99: Work with and encourage Puget Sound Energy to plan, site, build and maintain an electrical system that meets the needs of existing and future development, and provides highly reliable service for Bellevue customers.*
>
> *Discussion: Providing highly reliable service is a critical expectation for the service provider, given the importance of reliable and uninterrupted electrical service for public safety and health, as well as convenience. Highly reliable service means there are few and infrequent outages, and when an unavoidable outage occurs it is of short duration and customers are frequently updated as to when power is likely to be restored. A highly reliable system will be designed, operated and maintained to keep pace with the expectations and needs of*

> *residents and businesses as well as evolving technologies and operating standards as they advance over time.*

Consistent with UT-1, UT-45, UT-74, and UT-99, the stated purpose of the Energize Eastside project is to meet local demand growth and protect reliability in the Eastside of King County. PSE has described the need for the project and its importance in managing the utility system effectively. PSE has submitted the WUTC Order and the July 11, 2023, Reliability Certification to the City. The evidence submitted by PSE confirms the stated need and confirms that the stated purpose of the project is consistent with and anticipated by UT Policies that require planning and coordination between the City and PSE to ensure reliable, sustainable, and quality service for the whole community. In addition, Comprehensive Plan Policy UT-47 directs the City to defer to the serving utility regarding the implementation sequence of components of the utility's plan.

The UT Policies also balance the need for reliable and sustainable service with the environmental and land use considerations in the Comprehensive Plan. The UT Policies encourage environmentally sensitive construction standards (UT-3); consideration of the land use plan of the area (UT-7), surrounding neighborhoods (UT-8, UT-77, UT-95), greenbelt and open spaces (UT-69), and sensitive sites in close proximity to residentially-zoned districts (UT-96); and implementation of Low Impact Development principles and vegetation management (UT-13, UT-57, UT-66). The UT Policies encourage utility, consumer, and community education, outreach and input (UT-11, UT-75); a reasonable balance between potential impacts and the costs of mitigating those impacts (UT-94); and the integration of electrical and telecommunications infrastructure in order to avoid unnecessary degradation (UT-60, UT-64, UT-65). UT-97 summarizes the balancing required by the UT Element with the following language, "*[a]void, minimize, and mitigate the impacts of new or expanded electrical facilities through the use of land use regulation and performance standards that address siting considerations, architectural design, site screening, landscaping, maintenance, available technologies, aesthetics, and other appropriate measures*."

The Comprehensive Plan recognizes the tension between the utility's obligation to meet growing demand and provide reliability, and the policies that are designed to ensure that new and expanding utility facilities are sensitive to neighborhood character. Map UT-7 identifies planned electrical facilities that have the potential to create significant incompatibilities with Bellevue neighborhoods. Sensitivity factors such as proximity to residential neighborhoods, visual access, and expansion within or beyond an existing facility border were considered in identifying potential incompatibilities. The general locations and conceptual alignments of the proposal provided in Map UT-7 are intended to increase transparency of the siting process for PSE and the public, while also ensuring the utility's ability to meet system needs.

With the Conditions of Approval specified in Section X of this Staff Report, the proposal is consistent with the UT Policies. For example, PSE proposes to site the alignment in an existing corridor that is shared with another utility (the Olympic Pipeline system) and will consolidate the lines onto fewer poles. PSE will also be required to adjust pole types and color to limit visual impacts, develop vegetation management that maintains flexibility for property owners, and limit the number of telecommunications facilities that can be located on the transmission line.

The Conditions of Approval also ensure that the proposal will be compatible with the land use pattern established in the Comprehensive Plan and will minimize the impacts of the proposal on neighborhoods that surround, or are adjacent to, the existing corridor. The land use pattern established in the Comprehensive Plan along the existing corridor is a geographic area within the city where the electrical utility facilities have become a fixture of the landscape. The proposal will not be located in any new parks and open spaces and will be limited to the existing corridor. Where feasible, the proposal is designed to avoid and minimize impacts on the character of existing neighborhoods by retaining and replacing trees within neighborhoods to the extent possible, by limiting tree removal to the amount necessary to ensure safe operation of the proposed lines in compliance with NERC standards, and by avoiding or minimizing impacts on visual character. PSE will also be required to contact the City regarding any proposed maintenance or removal of vegetation in City right-of-way.

Several UT Policies call for ensuring the protection of health and safety as infrastructure projects are developed (UT-3, UT-92, UT-93, UT-94). These policies complement the Land Use Policies that call for accommodating commercial uses that serve community needs, while also maintaining the health and vitality of residential areas (LU-1). Consistent with these policies, and with the Conditions of Approval specified for pipeline safety in Section X, the project will not adversely affect public safety or the health or vitality of residential areas within the City.

Finally, the Energize Eastside project helps ensure reliable electrical service for the City. PSE has located the proposal within the existing corridor long recognized in the Comprehensive Plan as the location for the project; and PSE has sited and designed the proposal to minimize impacts to the extent feasible, within the constraints posed by meeting those other policy objectives identified by the City. In light of the balancing required by the UT Element and with the Conditions of Approval imposed under the City’s regulations and SEPA review, the project is consistent with the UT Policies in the Comprehensive Plan.

Land Use (LU), Parks (PA), Urban Design (UD), and Neighborhoods (N) Comprehensive Plan Policies

Finding: In addition to the UT Element, policies from the Land Use, Parks, Urban Design, and Neighborhoods Elements of the Comprehensive Plan apply to PSE's proposal. The specific LU Policies that work in concert with the UT Element also balance reliable utility service with the protection of neighborhood character and preservation of parks, open space, and tree canopy throughout the city. See LU-2 (Retain the City's park-like character through the preservation and enhancement of parks, open space, and tree canopy throughout the City), and LU-14 (Protect residential areas from the impacts of non-residential uses of a scale not appropriate to the neighborhood). The LU Element also calls for accommodating commercial uses that serve community needs, while also maintaining the health and vitality of residential areas (LU-1).

Similarly, several PA and UD Policies focus on protecting the City's park-like character through preservation of tree canopy, mature trees, and natural systems while also recognizing the City's urban, suburban, and Pacific Northwest character (PA-30, PA-31, UD-2, UD-6, UD-54, UD-57.). Additional UD Policies and N Policies promote water conservation and neighborhood safety, character, and diversity (UD-56, N-1, N-9). The proposal, as conditioned, will be compatible with the land use pattern established in the Comprehensive Plan; the proposal will minimize impacts of the proposal on neighborhoods that surround, or are adjacent to, the existing corridor; and the proposal will not be located in any new parks or open spaces because it will be limited to the existing corridor. There would be no long-term impacts on land use and housing from the proposal, and any visual impacts resulting from teller poles in the North Bellevue Segment are not expected to cause the health and vitality of any residential areas to deteriorate.

Private and park properties within PSE's utility corridor are subject to restrictions determined by PSE to be necessary for the safe operation of the transmission lines. To the extent that tree removal will be required to ensure safe operation of the proposal and adequate distance from the lines, PSE will minimize tree removal to the maximum extent possible and replace trees within neighborhoods and parks. Updated environmental analysis regarding impacts associated with tree removal is included in the 2023 SEPA Addendum (Attachment G), and for any tree removal that is not subject to LUC 20.20.900, PSE is required to comply with the permitting requirements imposed by Ordinance 6665, the City's Landmark Tree Ordinance. The required tree removal associated with the proposal is not considered inconsistent with applicable LU, PA, and UD Policies that recognize the City's park-like and Pacific Northwest character.

BelRed, Bridle Trails, and Wilburton/NE 8th Street Subarea Plan Policies

Finding: The proposal is consistent with the BelRed (BR), Bridle Trails (BT), and Wilburton/NE 8th Street (WI) Subarea Plan Policies. Subarea Plan Policies S-BR-27, S-BT-2, S-BT-3, S-BT-7, S-BT-40, S-WI-16, and S-WI-17 call for the protection of the natural environment, water resources, and critical areas in the BelRed, Bridle Trails, Wilburton/NE 8th Street Subareas. With the Conditions of Approval specified for vegetation and habitat protection, and consistent with the critical areas analysis found in Section IV.B, the proposal is consistent with Subarea Plan Policies S-BR-27, S-BT-2, S-BT-3, S-BT-7, S-BT-40, S-WI-16, and S-WI-17.

Bridle Trails Subarea Plan Policies S-BT-3 and S-BT-35 call for preserving the wooded and natural character of the subarea and discouraging the cutting of significant trees. This project proposes to remove the fewest number of trees when compared to other alternatives analyzed in the Phase 2 EIS (see the Alternative Siting Analysis, contained in Attachment B to this Staff Report) by using the existing corridor which has been subject to vegetation management for decades. Vegetation management activities, including tree trimming and tree removal, are proposed to meet the NERC vegetation management standards for electric transmission lines.

The project will require the removal of approximately 433 significant trees in the North Bellevue Segment due to NERC standards, which is consistent with the Final EIS (see Final EIS [City of Bellevue et al. 2018], Section 4.4.5). The Final EIS concluded that the application of codes, standards, and regulations—including the City's critical areas requirements contained in Chapter 20.25H LUC—would adequately mitigate potential impacts due to vegetation removal in the Bellevue North and Bellevue Central segments (see Final EIS, Sections 4.4.5.4 and 4.4.5.5). This project is consistent with Policies S-BT-3 and S-BT-35. The 2023 SEPA Addendum (Attachment G) confirmed and supports these conclusions after consideration of the new information and updates associated with the North Bellevue Segment proposal. For any tree removal that is not subject to LUC 20.20.900, PSE is required to comply with the permitting requirements imposed by Ordinance 6665, the City's Landmark Tree Ordinance.

Bridle Trails Subarea Plan Policy S-BT-20 calls for working with utility companies to gain public nonmotorized trail easements along power line corridors to complete the equestrian trail facilities plan. This project does not permanently affect trails near the transmission line, nor does it preclude future consideration of additional trails near the transmission line. This project is consistent with Policy S-BT-20.

Wilburton/NE 8th Street Subarea Plan Policy S-WI-44 calls for utilities to be provided to serve the present and future needs of the subarea in a way that enhances the visual quality of the community (where practical). The Final EIS found that impacts on the scenic views and the aesthetic environment along the Final EIS-defined

Bellevue Central Segment (which extends through the Wilburton/NE 8th Street Subarea) would be less-than-significant because the transmission lines would be within the existing corridor, and contrast with the existing environment would be minimal. The Partner Cities' environmental review concluded that scenic view impacts along this segment would be less-than-significant. See Final EIS [City of Bellevue et al. 2018], Section 4.2.5.5, and the 2023 SEPA Addendum (Attachment G), which confirmed and supports these conclusions in the Final EIS.

Wilburton/NE 8th Street Subarea Plan Policy S-WI-43 encourages the undergrounding of utility distribution lines in areas of new development and redevelopment but does not discuss transmission lines. The use of the existing corridor, which is specifically identified in Map UT-7 (see Attachment D to this Staff Report), does not impose a new transmission line on new areas and does not require the acquisition of new easements.

2. **The design is compatible with and responds to the existing or intended character, appearance, quality of development, and physical characteristics of the subject property and immediate vicinity.**

Finding: The City's Comprehensive Plan states that electrical utility facilities should be designed, constructed, and maintained to minimize the impact on surrounding neighborhoods (UT-8). PSE's proposal is designed to respond to the existing and intended character appearance, quality of development, and physical characteristics of the subject property and the immediate vicinity. Because the project is sited in an existing corridor shared with another utility (the Olympic Pipeline system), the project will not introduce a change in land use. It will consolidate the lines onto fewer poles, which, although larger, will not increase visual clutter and could reduce it in some areas. Various pole treatments will be employed to complement the natural environment, and vegetation management will maintain the general appearance of landscaping in a similar manner to the present. Although a number of trees will be removed, the remaining and proposed trees will partially screen views of the taller poles. The three tallest proposed poles in the North Bellevue Segment are located either adjacent to NE Bellevue-Redmond Road (a major arterial in a commercial and light industrial area) or adjacent to the Richards Creek substation, a light industrial area with surrounding vegetation. These poles would not result in significant adverse environmental impacts or impacts that differ from those evaluated in the Phase 2 Draft EIS or the Final EIS. Finally, reinstallation of seven of the eight telecommunications facilities on the same transmission facilities following construction will ensure that there will not be an increase in the number of telecommunications facilities to the maximum extent feasible.

3. **The conditional use will be served by adequate public facilities including streets, fire protection, and utilities.**

   Finding: PSE's proposal will be served by all required public facilities, including streets, fire protection, water, stormwater control, and sanitary sewer as demonstrated in the technical review in Section V of this Staff Report.

4. **The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property.**

   Finding: PSE's proposal will not be materially detrimental to uses or property in the immediate vicinity of the subject property so long as the proposal meets code requirements identified in Sections IV and complies with the Conditions of Approval listed in Section X.

   Construction impacts will be short term, and any individual property will be affected for a few days over a few months. Notification of property owners has already begun and will continue through completion of construction. Safety and environmental measures described in Sections IV, V, VI, and X will minimize any potential damage to properties in the immediate vicinity during construction. Construction is not expected to be materially detrimental to adjacent properties.

   The site for the North Bellevue Segment of the project is an existing transmission line utility corridor that was established in the late 1920s and early 1930s, consisting of parcels owned outright by PSE and easements over parcels owned by others. Subject to the City's permitting authority and codes, standards, and regulations, PSE's utility corridor easement grants PSE broad authority to manage vegetation and cut trees in order to maintain its electrical utilities facilities. Property owners were aware, or should have been aware, when purchasing their property that the property is subject to restrictions determined by PSE to be necessary for safe operation of the transmission lines. PSE's proposal itself, coupled with the application of the City's codes, standards, and regulations, mitigates the impacts associated with said tree removal while still allowing for the safe maintenance and operation of PSE's facilities located within or adjacent to the surrounding properties. Updated environmental analysis regarding impacts to Plants and Animals is included in the 2023 SEPA Addendum (Attachment G) and application of the regulations contained in LUC 20.20.900 to PSE's proposal is included in this Staff Report. For any tree removal that is not subject to LUC 20.20.900, PSE is required to comply with the permitting requirements imposed by the City's Landmark Tree Ordinance. Therefore, required tree removal associated with PSE's proposal is not considered detrimental to surrounding properties.

   While there are safety risks for occupants of adjacent properties associated with the high voltage lines and the presence of the Olympic Pipeline system, these risks will

not increase with the project. The new poles will be less likely to fall than wood poles due to better foundations and stronger materials.

The project will increase the height of poles and conductors, making the transmission lines a more prominent feature that generally contrasts with its surroundings. Removal of vegetation will also make the transmission lines more prominent. However, as determined in the Partner Cities' environmental review and the 2023 SEPA Addendum (Attachment G), the taller poles in the North Bellevue Segment will not significantly affect any public views.

Property owners closest to the transmission lines typically own and use the property beneath the transmission lines, subject to terms of the easement that was on the property when purchased. Visual enjoyment of their property will remain largely unchanged, with the exception that the poles will be larger, made of metal rather than wood, and in slightly different locations. In some cases, the new pole configuration will mean fewer poles, and the lines will be higher above the line-of-sight for properties in the immediate vicinity, thereby reducing the visual impacts on some of the properties closest to the project. PSE has also offered to work with each property owner to adjust the location of the new poles to the extent feasible for the convenience of individual property owners. These changes are not considered materially detrimental.

For properties farther from the lines but still nearby, such as those across the street to the east or west of the corridor, the visual impacts on neighborhood character may be more apparent but will not be materially detrimental to these properties or uses. As conditioned, PSE's proposal will not be materially detrimental to uses or property in the immediate vicinity of the proposed substation or transmission line corridor. See Section X for the Conditions of Approval.

5. **The conditional use complies with the applicable requirements of the Land Use Code.**

   Finding: As conditioned, this Conditional Use Permit application has met the applicable performance standards and requirements of the Land Use Code. **For more information, refer to the discussion in Section IV – Consistency with Land Use Code and Zoning Regulations.**

IX. RECOMMENDATION AND DECISION

After conducting the various administrative reviews associated with PSE's proposal, including applicable land use consistency, SEPA, and City Code and standards compliance reviews, the City's Land Use Director **RECOMMENDS APPROVAL** of PSE's proposal subject to the following conditions in addition to all design components included PSE's proposal. This Recommendation and Decision includes the Land Use Director's approval of

the CALUP and recommendation of approval to the Hearing Examiner for the CUP, subject to the following conditions.

X. RECOMMENDED CONDITIONS OF APPROVAL

Staff recommends imposing the following conditions to ensure compliance with the relevant decision criteria and code requirements. If imposed by the Hearing Examiner in connection with CUP approval, these conditions must be complied with on plans submitted with the clear-and-grade permit in addition to all design components included in PSE's proposal.

Applicable Codes, Standards, and Ordinances

PSE shall comply with all applicable Bellevue City Codes, Standards, and Ordinances including but not limited to:

Applicable Codes, Standards, & Ordinances	Contact Person
Clearing and Grading Code – BCC 23.76	Tom McFarlane tmcfarlane@bellevuewa.gov
Fire Code – BCC 23.11	Katherine Baker kbaker@bellevuewa.gov
Land Use Code – BCC Title 20	Reilly Pittman rpittman@bellevuewa.gov
Noise Control Code – BCC 9.18	Reilly Pittman rpittman@bellevuewa.gov
Transportation BCC 14.60	Ian Nisbet, inisbet@bellevuewa.gov
Transportation ROW BCC 11.70 & 14.30	Tim Stever tstever@bellevuewa.gov
Utilities Codes – BCC Title 24	Arturo Chi achi@bellevuewa.gov

A. General Conditions

1. Changes to Pole Location and/or Alignment:

Changes to pole location and/or pole alignment submitted as part of the Conditional Use Permit application shall be reviewed as a Land Use Exemption to this Conditional Use Permit approval prior to construction.

AUTHORITY: LUC 20.30B.175
REVIEWER: Reilly Pittman, Land Use Development

2. Conceptual Design Utilities:

Utilities Department approval of the subject permits is based on the conceptual design only. Changes to the site layout may be required to accommodate the required utilities after utility engineering is approved.

AUTHORITY: BCC Title 24.02, 24.04, 24.06
REVIEWER: Arturo Chi, Utilities

3. Clear-and-Grade Permit Required:

An application for a clear-and-grade permit must be submitted and approved before construction can begin. Plans submitted as part of any permit application shall be consistent with the activity permitted under this approval. For any tree removal that is not subject to LUC 20.20.900, compliance with the City's Landmark Tree Ordinance, Ordinance 6665, is required.

AUTHORITY: LUC 20.30P.140; BCC 23.76.035 (Clearing & Grading Code)
REVIEWER: Thomas McFarlane, P.E.; Development Services; Clearing & Grading Section

B. Prior to Issuance of Any Construction/Engineering/Clear-and-Grade Permits

1. Right-of-Way Use Permit:

Prior to issuance of the clear-and-grade permit, PSE shall apply for and receive City approval of required right-of-way use permits from the City's Transportation Department, applications for which may include the following required information:

- Designated truck hauling routes
- Truck loading/unloading activities
- Location of construction fences
- Hours of construction and hauling
- Requirements for leasing of right-of-way or pedestrian easements
- Provisions for street sweeping, excavation, and construction
- Location of construction signage and pedestrian detour routes
- All other construction activities, as they affect the public street system

In addition, PSE shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring and construction of frontage improvements prevent access. General materials storage and contractor convenience are not reasons for preventing access. PSE shall secure sufficient off-street parking for construction workers before the issuance of a clear-and-grade permit.

AUTHORITY: BCC 11.70 & 14.30
REVIEWER: Tim Stever, Transportation/Right-of-Way

2. Civil Engineering Plans – Transportation:

Where required, civil engineering plans produced by a qualified licensed engineer must be approved by the Transportation Department prior to issuance of the clear-and-grade permit. The design of all street frontage improvements and driveway

accesses must be in conformance with the requirements of the Americans with Disabilities Act (ADA), the Transportation Development Code, the provisions of the Transportation Department Design Manual, and specific requirements stated elsewhere in this Staff Report. All relevant standard drawings from the Transportation Department Design Manual shall be copied exactly into the final engineering plans. Requirements for the engineering plans include, but are not limited to:

- Traffic signs and pavement markings.
- Curb, gutter, sidewalk, and driveway approach design. The engineering plans shall be the controlling document on the design of these features; architectural and landscape plans must conform to the engineering plans.
- Curb ramps and crosswalks constructed per ADA standards.
- Installation or relocation of streetlights and related equipment.
- Show the required sight distance triangles and include any sight obstructions, including those off-site. Sight distance triangles must be shown at all driveway locations and must consider all fixed objects and mature landscape vegetation. Vertical as well as horizontal line-of-sight must be considered when checking for sight distance.
- Landings on sloping approaches are not to exceed a 7 percent slope for a distance of 30 feet approaching the back edge of the sidewalk. Driveway grade must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- Driveway aprons must be constructed in accordance with Design Manual Standard Drawings SW-140-1 through SW-190-1.
- Location of fixed objects in the sidewalk or near the driveway approach.
- Trench restoration within any right-of-way or access easement.

The following street and access improvements are required to be designed and shown in the civil engineering plan set:

- No fixed objects, including fire hydrants, trees, and streetlight poles, are allowed within 10 feet of a driveway edge. Fixed objects are defined as anything with breakaway characteristics greater than a 4-inch by 4-inch wooden post.
- Although no street lighting is anticipated in connection with PSE’s proposal for the North Bellevue Segment, any street lighting shall meet Bellevue’s minimum standards contained in the Transportation Design Manual Appendix A or as amended.
- PSE shall be required to provide appropriate clearances as provided for in the most recent National Electrical Safety Code (NESC) from existing overhead signal equipment for the installation of the overhead transmission lines.

- Construction of all street and access improvements must be completed prior to closing the clear-and-grade permit and right-of-way use permit for this project. A Design Justification Form must be provided to the Transportation Department for any aspect of any pedestrian route adjacent to or across any street that cannot feasibly be made to comply with current ADA standards. Design Justification Forms must be provided prior to approval of the clearing and grading plans for any deviations from standards that are known in advance. Forms provided in advance may need to be updated prior to project completion. For any deviations from standards that are not known in advance, forms must be provided prior to project completion.

AUTHORITY: BCC 14.60, Transportation Department Design Manual, and the Americans with Disabilities Act
REVIEWER: Ian Nisbet, Transportation

3. Turbidity and pH Monitoring Required:

A turbidity and pH monitoring plan must be submitted and approved prior to issuance of the clear-and-grade permit. The plan must be developed in accordance with the Turbidity & pH Monitoring Requirements contained in the Bellevue Clearing & Grading Development Standards, indicating appropriate locations and timing of turbidity and pH sampling and testing. The plan must be implemented during site work and shall be modified as appropriate during construction to reflect the pace and extent of construction activity.

AUTHORITY: BCC 23.76.160 (Clearing & Grading Code)
REVIEWER: Thomas McFarlane, P.E.; Development Services; Clearing & Grading Section

4. Drainage Report Required:

Prior to the issuance of the clear-and-grade permit, PSE shall submit and receive City of Bellevue approval of a final drainage report that documents the storm drainage minimum requirements triggered for the project. In the report, PSE shall include either Figure 2.2 or 2.3 from the Utilities Surface Water Engineering Standards. PSE shall document if the project qualifies as either new development or redevelopment and include a project summary. PSE shall document the amount of new, replaced, and pollution-generating impervious surface (PGIS) changes. PSE shall also document any work within any critical area, including wetlands and/or buffers, in the report.

AUTHORITY: Title 24.02, 24.04, 24.06 BCC
REVIEWER: Arturo Chi, Utilities

5. Final Wetland Enhancement Plan:

PSE shall submit Final Wetland Enhancement Plans consistent with the plans submitted as part of this application in the Critical Areas Report. The plans shall be

submitted for review and approval by the City of Bellevue as part of the required clear-and-grade permit. All plant species, size, and spacing shall be consistent with the standards found in the City's Critical Areas Handbook (City of Bellevue, undated).

AUTHORITY: LUC 20.25H.220; 20.25H.230
REVIEWER: Reilly Pittman, Land Use Development

6. Final Stream Habitat Improvement Plan:

PSE shall submit Final Stream Habitat Improvement Plans consistent with the plans submitted as part of this application in the Critical Areas Report. The Plans shall be submitted for review and approval by the City of Bellevue as part of the required clear-and-grade permit. All plant species, size, and spacing shall be consistent with the standards found in the City's Critical Areas Handbook. The plans shall include methods for fish exclusion, construction sequencing, monitoring, and maintenance.

AUTHORITY: LUC 20.20H.210, 20.25H.220, 20.25H.230
REVIEWER: Reilly Pittman, Land Use Development

7. Construction-Level Mitigation Plan for Permanent Impacts and Vegetation Conversion in Critical Areas and Critical Area Buffers:

PSE shall update and submit Mitigation Plans for all permanent impacts and vegetation conversion activities consistent with the Critical Areas Report for review and approval by the City of Bellevue prior to issuance of the clear-and-grade permit. The plans shall depict trees and other vegetation to be removed, permanent pole locations, pole work area boundaries, and construction and maintenance access routes in relation to private properties, septic fields (either known or located in the field), and critical areas or critical area buffers. Trees within a critical area or critical area buffer shall be replaced at a minimum of a 3:1 ratio. All other areas of vegetation removal shall be mitigated in an equivalent area consistent with the replacement ratios contained in the Critical Areas Report. Plans submitted by PSE shall show the planting locations of all replacement trees and vegetation in relation to private properties, and PSE shall work with private property owners to identify septic fields. The plans shall also include wildlife snags designed as recommended by WDFW where feasible and in consideration of PSE's Avian Protection Program. The mitigation plans shall include BMPs for construction sequencing and a 5-year mitigation monitoring and maintenance plan, which shall be developed consistent with the City's Critical Areas Handbook (City of Bellevue, undated) for species choice, plant size, and spacing. PSE shall demonstrate in these mitigation plans that the impacts of final pole, pole work area, construction route, and access route locations are not substantially greater than impacts evaluated in the EISs.

AUTHORITY: Part 20.30P LUC
REVIEWER: Reilly Pittman, Land Use Development

8. **Construction-Level Restoration Plan for Temporary Impacts in Critical Areas and Critical Area Buffers, and Other Impacted Areas:**

   Prior to issuance of the clear-and-grade permit, PSE shall update and submit and receive City approval of a restoration plan showing temporary construction impacts. The plan shall show all temporarily impacted areas (including proposed pole locations, pole work area boundaries, and construction and access route boundaries) in relation to private properties and septic fields (either known or located in the field). Restoration of impacts shall be with native plants where native plants are being removed. All other areas of temporary impact shall be re-vegetated unless they are to be improved with impervious surfaces as part of this project. PSE shall monitor these other re-vegetated areas in accordance with the 1-year monitoring and replacement plan outlined in PSE's Property Owner Engagement for Vegetation Management, submitted by PSE to the City of Bellevue on March 1, 2023. Annual monitoring reports are required to be submitted to document the successful establishment of vegetation in re-vegetated areas. Photos from selected photo points shall be included in the monitoring reports to document successful establishment of vegetation in re-vegetated areas. Inspection is required by City of Bellevue Land Use Development Services Department staff to end the plant monitoring period.

   AUTHORITY: LUC 20.25H.220
   REVIEWER: Reilly Pittman, Land Use Development

9. **Off-Site Mitigation for Permanent Impacts in Critical Areas, in Critical Area Buffers, and in Other Areas:**

   Prior to issuance of the clear-and-grade permit, PSE shall submit and receive City approval of a Final Off-site Mitigation Plan. The plan shall show critical areas impacted by the project within the North Bellevue Segment and include documentation available to summarize the mitigation for project impacts through the wetland mitigation bank site at Keller Farms Mitigation Bank (KFMB). PSE shall submit a bank use plan and the mitigation bank purchase agreement, or other appropriate documentation for review and approval to the City of Bellevue, verifying that off-site mitigation requirements are met to compensate for project impacts.

   AUTHORITY: LUC 20.25H.105
   REVIEWER: Reilly Pittman, Land Use Development

10. **Avian Protection Program:**

    PSE shall implement their Avian Protection Program consistent with the Critical Areas Report, including methods and equipment to reduce avian collisions, electrocution, and problem nests. To reduce impacts on birds, the timing and location of construction work shall consider critical time periods such as the nesting season for species of local importance present in the project area. A habitat biologist or other

qualified professional shall submit a plan documenting recommended measures to limit impacts.

AUTHORITY: Part 20.30P LUC, LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

11. Critical Areas and Critical Area Buffers Maintenance and Monitoring Reports:

Mitigation plans shall include methods for vegetation maintenance and monitoring and shall be submitted as part of the clear-and-grade permit. Mitigation sites are required to be maintained and monitored for 5 years to ensure the plants successfully establish. Annual monitoring reports are required to be submitted to document that the plants are meeting approved performance standards. Photos from selected photo points shall be included in the monitoring reports to document the planting. Land Use inspection is required by City of Bellevue Land Use Development Services Department staff to end the plant monitoring period.

Monitoring reports shall be submitted no later than the end of each growing season or by December 31 and shall include a site plan and photos from photo points established at the time of Land Use inspection. Reports shall be submitted to Reilly Pittman, or the City of Bellevue's successor Environmental Planning Manager, by the above-listed date and can be emailed to rpittman@bellevuewa.gov or mailed directly to:

Environmental Planning Manager
Land Use Development Services Department
City of Bellevue
PO Box 90012
Bellevue, WA 98009-9012

AUTHORITY: Land Use Code 20.30P.140; 20.25H.220
REVIEWER: Reilly Pittman, Land Use Development

12. Assurance Device – Critical Areas Mitigation:

As part of the clear-and-grade permit, PSE shall submit a cost estimate prepared by a qualified professional for the proposed planting materials and installation costs. An installation security shall be provided to the City of Bellevue in the amount of 150 percent of the total cost. After the final mitigation plans have been implemented and inspected by the City, the installation assurance device will be released, and the City shall request and retain a maintenance assurance device in the amount of 20 percent of the total cost estimate. The maintenance assurance device shall be kept by the City until the performance objectives have been met.

AUTHORITY: LUC 20.40.490
REVIEWER: Reilly Pittman, Land Use Development

13. Geotechnical Review:

The project geotechnical engineer (see BCC 23.76.030.G) must review and approve the final construction plans, including all foundation, cut, and fill designs. A letter from the geotechnical engineer stating that the plans conform to the recommendations in the geotechnical report and any addenda and supplements must be submitted to the Clearing & Grading Section prior to issuance of the construction and clear-and-grade permit.

AUTHORITY: BCC 23.76.050 (Clearing & Grading Code)
REVIEWER: Thomas McFarlane, P.E.; Development Services; Clearing & Grading Section

14. Seismic Design:

The project geotechnical engineer shall certify that PSE has conducted geotechnical hazard evaluations for all proposed transmission poles and that all geotechnical recommendations have been incorporated into project design. PSE shall provide required certification and supporting documentation to the City of Bellevue. The final geotechnical report shall address all code requirements and provide a discussion of how the design meets or exceeds following:

- The 2012 International Building Code (IBC), or as amended, parameters for short period spectral response acceleration (SS), 1-second period spectral response acceleration (S1), and Seismic Coefficients for acceleration responses to the soil to short period (Fa) and long periods (Fv) of an earthquake.
- Consistent with the project geotechnical engineer's recommendation, use soil input parameters for lateral load design that consider the effects of liquefaction through the application of p-multipliers for LPile parameters (LPile is a computer program used to analyze deep foundations under lateral loading).
- For poles proposed north of the Richards Creek substation, reevaluate the lateral spreading risk to the proposed poles once their final locations have been selected, to determine appropriate foundation dimensions.
- Where areas subject to liquefaction are present, extend foundations below the loose to medium density liquefiable deposits into underlying dense, non-liquefiable soils.
- Reevaluate the axial capacity of the pole foundations and potential downdrag loads for poles in areas subject to liquefaction once final locations are selected and consider these in the structural design.

AUTHORITY: Part 20.30P LUC, LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

15. Updated Landscape Plan for Mitigation near Richards Creek Substation:

PSE shall update the landscape plan submitted for the Richards Creek substation as part of the South Bellevue Segment. The updated landscape plan shall include plant species, quantity, spacing, and cost estimate for plant material and installation for the on-site mitigation at Wetland A, near Richards Creek substation. To ensure plant establishment, PSE shall provide an updated landscape assurance device that shall cover 20 percent of the fair market value of labor and materials for the initial landscape installation of all areas of restoration required for the proposed mitigation. This updated assurance device will cover the landscape maintenance of the project for a period of 1 year from the date of final inspection.

AUTHORITY: LUC 20.20.520.K.1 & 2, 20.40.490
REVIEWER: Reilly Pittman, Land Use Development

16. Tree Removal in Non-critical Areas:

PSE shall submit a final tree replacement plan in compliance with the City of Bellevue's Tree Retention and Replacement Code (BCC 20.20.900) as part of the required clear-and-grade permits consistent with Attachment E (Vegetation Management Plan) submitted as part of this application.

AUTHORITY: LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

17. Mitigation for Tree Removal in City of Right-of-Way (Fee in Lieu Plan):

PSE has agreed to mitigate for the loss of trees located in the City right-of-way with a fee in lieu method. Mitigation will be based on a total value of the trees to be removed using the methods outlined in the Council of Tree and Landscape Appraisers, *Guide for Plant Appraisal* (Council of Tree and Landscape Appraisers 2020). The fee will be used for replanting in the City right-of-way or on other City-owned parcels.

PSE shall prepare a final tree removal plan depicting trees to be removed in the right-of-way including their size, species, and location. This plan shall be submitted to the City of Bellevue for review and approval. PSE and the City will identify and agree upon an independent third-party certified arborist to determine the total value of trees removed from the City right-of-way. The arborist shall use the methods outlined in the Council of Tree and Landscape Appraisers, *Guide for Plant Appraisal*. PSE shall pay for the arborist appraisal. Acceptance of the plan, appraisal, and payment to the City of Bellevue must occur prior to issuance of the clear-and-grade permit before any tree removals are allowed.

AUTHORITY: LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

18. Installation Surety – Tree Replacement (Non-critical Areas):

As part of the required clear-and-grade permit, PSE shall submit a cost estimate in the amount equal to the cost of the trees proposed for replacement in non-critical areas. The estimate shall be based on the following replacement ratios contained in Table VI-1 of the Staff Report:

Tree Size (dbh)	Replacement Ratio
<6"	As requested by property owner
6" to <12"	1:1
>12" to <30"	2:1
>30"	3:1

The estimate and surety provided by PSE as required by this condition shall be in the amount of 100 percent of the estimated cost of tree replacement (including materials and labor). The surety shall be received by the City prior to issuance of the clear-and-grade permit and will be released 1 year after tree replacement is complete, consistent with the applicable tree replacement plan.

AUTHORITY: LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

19. Construction-Level Restoration Plan for Temporary Impacts (Non-critical Areas):

Prior to issuance of the clear-and-grade permit, PSE shall submit and receive City approval of a restoration plan showing temporary construction impacts on non-critical areas. The plan shall show all temporarily impacted areas (including proposed pole locations, pole work area boundaries, and construction and access route boundaries) in relation to private properties and septic fields (either known or located in the field); and shall clearly specify the BMPs PSE intends to implement to minimize ground disturbance and facilitate the re-vegetation of these areas to return them to their pre-construction condition after construction is completed. Where vegetation has been removed, the impacted areas shall be restored with vegetation consistent with the pre-project condition. Other improvements impacted by construction activities shall be restored in coordination with the underlying property owner. PSE shall monitor these re-vegetated areas in accordance with the 1-year monitoring and replacement plan outlined in PSE’s Property Owner Engagement for Vegetation Management, submitted by PSE to the City of Bellevue on March 1, 2023. Annual monitoring reports are required to be submitted to document the successful establishment of vegetation in re-vegetated areas. Photos from selected photo points shall be included in the monitoring reports to document the successful establishment of

vegetation in re-vegetated areas. Inspection is required by City of Bellevue Land Use Development Services Department staff to end the plant monitoring period.

AUTHORITY: LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

20. Pesticides, Herbicides, and Fertilizers:

PSE shall submit written information identifying the pesticide, herbicide, and/or insecticide to be used AND written confirmation that the product used has been reviewed and approved by a consulting arborist. Work shall be done in accordance with the with the City of Bellevue's *Environmental Best Management Practices & Design Standards* (City of Bellevue 2020). Prior to any use of pesticides, herbicides, and/or fertilizers associated with the proposal, PSE must receive approval from the City of Bellevue Land Use Development Services Department under the required clear-and-grade permit.

AUTHORITY: LUC 20.25H.080, LUC 20.20.255G
REVIEWER: Reilly Pittman, Land Use Development

21. Pole Finishes:

To reduce aesthetic impacts on the surrounding environment and reduce contrast with the surrounding environment, PSE shall implement proposed pole finishes consistent with the recommendations found in Attachment D (Pole Finishes Report, City of Bellevue [North Bellevue Segment]).

AUTHORITY: LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

22. Final Pipeline Interaction Assessment and Design Report:

To protect nearby pipelines from interaction with the new transmission lines due to AC current density, faults caused by lightning strikes, mechanical/equipment failure, or other causes, PSE shall continue to coordinate with OPLC and include safeguards in the project design. PSE shall optimize conductor geometry, where a true delta configuration provides the greatest level of field cancellation. PSE shall operate both transmission lines at equivalent voltage ratings. These safeguards shall be certified by an engineer licensed in the State of Washington. PSE shall also install an Optical Ground Wire (OPGW) shield wire or equivalent shield wire recommended by DNV GL (2016) on the transmission line poles.

PSE shall perform an AC Interference Study incorporating the final transmission line route, configuration, and operating parameters to confirm that current densities remain within acceptable levels. PSE shall provide OPLC with the study and provide the City with documentation establishing that the study was performed and submitted to OPLC.

The study shall include a report detailing how the following have been addressed:

- PSE shall obtain and incorporate all of the pipeline parameters required for detailed modeling and study (i.e., locations and details of above-grade pipeline appurtenances/stations, bonds, anodes, mitigation, etc.).
- PSE shall assess the safety and AC corrosion risks under steady-state operating conditions on the transmission lines.
- PSE shall fully assess the safety and coating stress risks for phase-to-ground faults at transmission line structures along the entire area of co-location, including both inductive and resistive coupling.
- PSE shall reassess the safe separation distance at each pole location to minimize arcing risk based on the international standard for mitigating alternating current and lighting effects on metallic structure and corrosion control systems (NACE SP0177-2014) (NACE International 2014).
- PSE shall reassess the safe separation distance at each pole location to minimize arcing risk in consideration of the findings in CEA 239T817 (CEA 1994).
- PSE shall specify appropriate distances for pole grounds from the pipeline to avoid electrical arcing as recommended by the licensed engineer.
- PSE shall incorporate mitigation measures into the project design to prevent or minimize ground fault arcing to the pipelines in areas where the pipelines are within the modeled arcing distance of transmission line pole grounding rods.

AUTHORITY: BCC 22.02.140.B.1, 22.02.140.C
REVIEWER: Reilly Pittman, Land Use Development

23. Construction Management and Access Plan (Pipeline Safety):

PSE shall develop a Construction Management and Access Plan in coordination with OPLC's Damage Prevention Team that is mutually agreed upon by both parties. This plan shall outline the specific actions that PSE will take to protect the pipelines from vehicle and equipment surcharge loads, excavation, and other activities in consideration of OPLC's general construction and right-of-way requirements and in consultation with OPLC on the Energize Eastside project design specifically. The following general measures, at a minimum, shall be included in the Construction Management and Access Plan:

- Notify "one-call" 811 utility locater service at least 48 hours prior to PSE or PSE-designated contractors conducting excavation work. (OPLC's line marking personnel will then mark the location of the pipelines near the construction areas. These procedures are designed to ensure that excavation will not damage any underground utilities and to decrease potential safety hazards.)

- Field-verify the distance between the pipelines and transmission line pole grounds.
- Add the pipeline location and depth to project plans and drawings and submit to OPLC for evaluation. To the extent that OPLC determines pipeline location and depth is secure or confidential information, this information is not required to be submitted to the City of Bellevue under this condition.
- Arrange for OPLC representatives to be on-site to monitor construction activities near the pipelines.
- Identify demarcation and protection measures as recommended and required by OPLC.
- Provide all necessary information for OPLC to perform pipe stress calculations for equipment crossings and surface loads (surcharge loads). Based on pipe stress calculations and in coordination with OPLC, provide additional cover that may include installing timber mats, steel plating, or temporary air bridging; utilize a combination of these; or avoid crossing in certain identified areas to avoid impacts on the Olympic pipelines.
- Incorporate additional measures related to minimizing surcharge loads included in OPLC's general construction and right-of-way requirements.
- The Construction Management and Access Plan will identify contractor responsibilities, including appropriately sized construction zones to protect the general public, construction timing limits, and other mitigation measures that limit the exposure of the general public to potential pipeline incidents.
- No excavation or construction activity will be permitted in the vicinity of a pipeline until appropriate communications have been made with OPLC's field operations and its Right-of-Way Department. A formal engineering assessment (conducted by OPLC) may be required.
- No excavation or backfilling within the pipeline right-of-way will be permitted for any reason without a representative of OPLC on-site giving permission.
- Coordinate with OPLC regarding excavation and other construction activities to ensure that pipeline operating pressures are reduced prior to these activities when necessary.
- As directed by OPLC, use soft dig methods (e.g., hand excavation, vacuum excavation, etc.) whenever the pipeline(s) are within 25 feet of any proposed excavation or ground disturbance below original grade.
- Coordinate with OPLC to ensure that an OPLC representative, trained in the observation of excavation and pipeline locating, is on-site at all times during excavation and other ground-disturbing activities that occur within 100 feet of the pipelines where the pipelines are co-located with the proposed transmission lines.
- Where excavations are within 20 feet of the Olympic Pipeline system, the project geotechnical engineer shall consider temporary casing to reduce the risk of sloughing under the pipeline.

- As required by OPLC, steel plates or mats will be placed over the pipelines to distribute vehicle loads where construction equipment needs to cross over the pipelines.
- Utility settlement monitoring points will be established on the Olympic Pipeline corridor at the direction of OPLC where drilled shafts will be within 15 feet of a pipeline (or another distance as stipulated by OPLC) to monitor settlement during installation of the drilled shafts. Settlement monitoring points will be installed so that baseline readings of the settlement monitoring points may be completed prior to the contractor mobilizing to the site. Monitoring will continue during construction on a daily basis and twice a week in the 3 weeks following construction. The monitoring readings will be reviewed by the engineer on a daily basis. If measured settlement exceeds 1 inch, or an amount specified by OPLC, the integrity of the utility will be tested and PSE will work with OPLC to repair any damage to the utilities as a result of construction.
- The Construction Management and Access Plan shall include monitoring procedures to ensure that all mitigation measures related to construction activities are followed.

The Construction Management and Access Plan shall be submitted to the City of Bellevue before construction permit issuance. After permit issuance, any revisions or updates to the plan shall be provided to the City in a Final Construction Management and Access Plan before construction commences.

AUTHORITY: BCC 22.02.140.B.1, 22.02.140.C
REVIEWER: Reilly Pittman, Land Use Development

24. Construction Management and Access Plan (Recreation Uses and Schools):

To reduce impacts on recreation sites as a result of project construction, PSE shall include in their Construction Access and Management Plan the following:

- Steps to coordinate with the City of Bellevue Parks and Community Services Department.
- Phasing plan schedules to avoid construction activity near recreation sites, including but not limited to public parks, during time periods when the sites are most frequently used.
- Plans for alternative access points to recreation sites and trail detours where necessary.
- Notification of local schools, parks, and private owners 60 days in advance of project construction within the recreation sites and again at least 2 weeks in advance of work commencing.
- The location of signs notifying users of any temporary closure of trails or recreations sites and installation of these signs 2 weeks in advance of closure.

The Construction Management and Access Plan shall be submitted to the City of Bellevue prior to the issuance of construction permits.

AUTHORITY: LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

25. Public Outreach Plan:

PSE shall submit to the City of Bellevue a public outreach plan that details how PSE will provide information to the public about the types and locations of expected construction impacts and mitigation measures. As part of the plan, a construction outreach team shall work with affected residents and business owners to minimize construction-related impacts throughout the duration of project construction. PSE will provide a contact with whom community members can address specific concerns both prior to and during project construction. Also as part of the plan, PSE shall submit to the City quarterly reports summarizing the status of public outreach efforts, including issues raised by the community and how PSE is addressing concerns. Reports shall be submitted to the Development Services Department Director through project completion.

AUTHORITY: LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

C. After Clear-and-Grade Permit Issuance and during Construction

1. State and Federal Permit Compliance:

To reduce indirect and direct water quality impacts associated with construction of the new transmission lines, PSE shall comply with applicable state and federal regulatory requirements. Before any direct wetland impacts occur, PSE shall obtain the necessary state and federal authorizations. PSE shall provide the City of Bellevue copies of all required permits from the WDFW and the U.S. Army Corps of Engineers, including any requirements from the U.S. Fish and Wildlife Service and National Marine Fisheries Service prior to the City of Bellevue's pre-construction meeting.

AUTHORITY: BCC 24.06.015, 24.06.020; LUC 20.20.255.E.2
REVIEWER: Reilly Pittman, Land Use Development

2. Cultural Resources Protection:

Prior to construction, PSE shall conduct archaeological resource surveys for the selected route that include subsurface testing and a second pedestrian and subsurface survey to assess staging areas, laydown areas, stringing sites, and access roads after more information on these locations is available.

Prior to construction, PSE shall develop resource-specific mitigation measures during consultation with the Washington Department of Archaeology and Historic

Preservation (DAHP), affected Tribes, King County Historic Preservation Program (KCHPP), and other appropriate stakeholders if a protected archaeological resource is identified during the pre-construction archaeological survey or historic property inventory.

PSE shall prepare an Inadvertent Discovery Plan (IDP) for the project and discuss the IDP with the contractor during pre-construction meeting(s). PSE shall apply for an archaeological excavation permit from DAHP (WAC 25-48-060) if impacts on a protected archaeological resource cannot be avoided.

If any resources are determined eligible for listing in the National Register of Historic Places (NHRP) by DAHP, mitigation measures specific to those resources shall be developed during consultation with DAHP, affected Tribes, and any other appropriate stakeholders. Any final determination and mitigation measures developed based on this determination shall be reported to the City of Bellevue to the extent allowed by law.

During construction, PSE shall follow outlined procedures in the IDP in the event that archaeological resources are identified during construction activities.

During construction, PSE shall follow the procedures identified for any historic resources through consultation with DAHP.

AUTHORITY: LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

3. Drilled Shaft Installation Plan:

Prior to construction PSE shall submit a detailed Drilled Shaft Installation Plan prepared by their construction contractor describing casing and drilled shaft construction methods. The submittal will include a narrative describing the contractor’s understanding of the expected subsurface conditions, underground pipelines, the overall construction sequence, access to the pole locations, and the proposed pole foundation installation equipment. The contractor shall submit a detailed direct embedment pole installation plan describing both uncased and temporary casing methods. If drilled shafts are used where groundwater is present, the concrete for drilled shafts will be placed using the “tremie” method, which will be considered and evaluated by an on-site geotechnical engineer (described in the geotechnical report). The plan shall be reviewed by the project geotechnical engineer before construction commences; the plan shall include documentation of this review, which shall be provided to the City of Bellevue Land Use Development Services Department.

AUTHORITY: Part 20.30P LUC, LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

4. **Geotechnical Inspection:**

   The project geotechnical engineer must provide geotechnical inspection during project construction when applicable. The geotechnical engineer must monitor and test soil cuts and fills for pole foundations. The geotechnical engineer also must observe, monitor, and test any unusual seepage, slope, or subgrade conditions.

   AUTHORITY: BCC 23.76.050, 23.76.160 (Clearing & Grading Code)
   REVIEWER: Thomas McFarlane, P.E.; Development Services; Clearing & Grading Section

5. **Rainy Season Restrictions:**

   Clearing and grading activity may be initiated during, or continue into the rainy season, which is defined as October 1 through April 30, only with written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, as appropriate for the expected rainy season conditions, must be implemented prior to beginning or resuming site work.

   AUTHORITY: BCC 23.76.093.A (Clearing & Grading Code)
   REVIEWER: Thomas McFarlane, P.E.; Development Services; Clearing & Grading Section

6. **Street and Access Improvements:**

   All street and access improvements and other required transportation elements (including streetlights revisions) must be constructed by PSE and accepted by the Transportation Department inspector.

   All areas disturbed (i.e., pavement, curb and gutter, landscaping, driveways, temporary access roads, etc.) by the project shall be restored after construction to its previous or an improved state per City of Bellevue right-of-way standards, including current ADA standards.

   AUTHORITY: BCC 14.60, Comprehensive Plan Policy UT-39, and the Transportation Department Design Manual.
   REVIEWER: Ian Nisbet, Transportation

7. **Pavement Restoration:**

   Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required.

PSE will be required to restore all damaged pavement within the City right-of-way caused by construction activities related to this project. Limits and extent of pavement restoration shall be as required by the right-of-way use permit.

AUTHORITY: BCC 14.60. 250; Design Manual Design Standard #23
REVIEWER: Tim Stever, Transportation/Right-of-Way

8. Helicopter or Large Crane Use:

PSE shall identify any areas where a helicopter or large crane will be used to lift poles over adjacent properties and into place, or to facilitate stringing the new transmission lines. PSE or its contractor shall provide copies of the “congested air” permit from the Federal Aviation Administration (FAA). PSE shall also coordinate with the City of Bellevue to determine where this type of construction is allowed.

AUTHORITY: Part 20.30M LUC
REVIEWER: Reilly Pittman, Land Use Development

9. Construction Stormwater Pollution Prevention Plan (CSWPPP):

The clear-and-grade permit application must include a CSWPPP. The structure and content of the CSWPPP must follow the requirements of the Bellevue Clearing and Grading Code (BCC 23.76) and the Bellevue Clearing and Grading Development Standards (City of Bellevue 2017b). BMPs in the plan include the following:

- Operating procedures to prevent spills.
- Control measures such as secondary containment to prevent spills from entering nearby surface waters.
- Countermeasures to contain, clean up, and mitigate the effects of a spill.
- Construction vehicle storage and maintenance and fueling of construction equipment will be located away from streams and wetlands.

To avoid groundwater contamination, if any pole installation sites are determined to need dewatering, PSE shall prepare and submit a dewatering plan for City approval. The dewatering plan must include provisions for turbidity and pH monitoring of dewatering water. No refueling or staging shall be allowed within critical areas or critical area buffers.

AUTHORITY: Part 20.25H LUC; Chapter 23.76 BCC
REVIEWER: Reilly Pittman, Land Use Development; Thomas McFarlane, P.E., Development Services, Clearing & Grading Section

10. Traffic Management:

As part of the right-of-way use permit, PSE shall ensure that access to residential and commercial properties is maintained at all times, except when restricted access is required for safety while work is occurring. At major driveways, flagger control may

be needed to facilitate alternating enter and exit traffic. Special treatment will be needed for developments with split driveways (with one driveway serving entering traffic and one serving exiting traffic) if traffic cannot easily be shifted to the other driveway for two-way operation. The contractor will be required to coordinate with property owners when driveways or alleys are affected by construction.

AUTHORITY: BCC 14.30
REVIEWER: Tim Stever, Transportation/Right-of-Way

11. Pavement Degradation:

As part of the right-of-way permit inspection process, pavement degradation identified by the City that results from increased project-related construction truck traffic or excavation shall be fully restored upon completion of construction activities. This includes restoration of streets, curbs, gutters, sidewalks, parking lots, driveways, and traffic signal induction loops where appropriate.

AUTHORITY: BCC 14.30
REVIEWER: Tim Stever, Transportation/Right-of-Way

12. Coordination with Other Utility Providers Affected by Proposal:

PSE will coordinate with any affected utility providers, as appropriate, to determine how best to avoid or minimize any impacts while project construction is occurring. The City of Bellevue will review project designs prior to permit approval to ensure protection of other utilities. PSE and its contractors will be required to develop construction sequence plans and coordinate schedules for utility work to minimize service disruptions and provide ample advance notice when service disruptions are unavoidable, consistent with utility owner policies. Relocation plans and service disruptions shall be reviewed and approved by the affected utility providers before construction begins. PSE will coordinate with the other utility providers to assist in their planning efforts for public outreach to inform their customers of potential service outages and construction schedules.

AUTHORITY: LUC 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

13. Field Verification of Utility Locations:

PSE shall follow regulatory requirements to field-verify utility locations such as gas lines or the Olympic Pipeline system. Field verification of the Olympic Pipeline system may include methods as directed by OPLC, such as potholing using vacuum truck excavation to avoid damage to the pipelines. See also General Condition No. B.23, above.

AUTHORITY: BCC 22.02.140.B.1, 22.02.140.C
REVIEWER: Reilly Pittman, Land Use Development

14. Pipeline Marking Prior to Construction:

PSE shall coordinate with OPLC to ensure that line marking personnel mark the entire length of OPLC's pipeline within 50 feet of any excavation or ground disturbance below original grade, and not only the location of angle points (points of intersection). See also General Condition No. B.23, above.

AUTHORITY: BCC 22.02.140.B.1, 22.02.140.C
REVIEWER: Reilly Pittman, Land Use Development

15. Grounding System:

A qualified licensed engineer shall verify that separation distances between the transmission grounding system and the pipeline meets the recommendations in the Final Pipeline Interaction Assessment and Design Report after poles are installed. If grounding distances are not consistent with the recommendations, PSE shall reinstall the grounding system to comply with the recommendations. See also General Condition No. B.23, above.

AUTHORITY: BCC 22.02.140.B.1, 22.02.140.C
REVIEWER: Reilly Pittman, Land Use Development

16. OPLC's General Construction Requirements:

PSE shall comply with the approved Construction Management and Access Plan, including the identified measures from OPLC's General Construction and Right-of-Way Requirements for all work proposed near the pipelines.

AUTHORITY: BCC 22.02.140.B.1, 22.02.140.C
REVIEWER: Reilly Pittman, Land Use Development

17. Mitigation and Monitoring Report – Construction Management and Access Plan (Pipeline Safety):

Consistent with the approved Construction Management and Access Plan, PSE shall document all mitigation measures implemented, monitored, and conducted.

PSE will file a mitigation and monitoring report with the City of Bellevue that documents consultations with OPLC and mitigation measures to address safety-related issues. PSE shall file the mitigation and monitoring reports with the City of Bellevue quarterly during construction. The reports shall identify any additional mitigation measures and monitoring that may be required as a result of PSE's coordination with OPLC.

The mitigation and monitoring reports shall demonstrate that sufficient pipeline safety measures have been implemented, and document all consultations with OPLC, including the sharing of modeling, engineering, and as-built information with OPLC to assist OPLC in its ongoing monitoring and mitigation responsibilities. The reports

shall identify any additional field surveys and data collection necessary for verifying mitigation measures following project start-up, and any proposed monitoring to ensure that mitigation measures related to operational issues are followed.

AUTHORITY: BCC 22.02.140.B.1, 22.02.140.C
REVIEWER: Reilly Pittman, Land Use Development

18. Required Updates to Construction-Level Mitigation Plan (Condition of Approval B.7), Construction-Level Restoration Plan (Condition of Approval B.8), and Construction-Level Restoration Plan for Temporary Impacts (Condition of Approval B.19):

PSE shall update its construction-level mitigation plan and restoration plans to provide a final accounting of all planting on private property. PSE shall update the construction-level plans to document final vegetation removal, pole locations, pole work area boundaries, and construction and maintenance access routes in relation to private properties, located septic fields, and critical areas or critical area buffers. Such updates shall show changes, if any, proposed by PSE to the construction-level plans based on negotiations with private property owners and shall show continued compliance with approved mitigation monitoring and maintenance requirements and continued consistency with the City's Critical Areas Handbook (City of Bellevue, undated) for species choice, plant size, and spacing. PSE shall demonstrate in these final mitigation and restoration plans that the impacts of final pole, pole work area, construction route, and access route locations are not substantially greater than impacts evaluated in the EISs.

AUTHORITY: Part 20.30P LUC, LUC 20.25H.220
REVIEWER: Reilly Pittman, Land Use Development

D. For the Life of the Project

1. Water Quality Protection:

During maintenance activities (for poles, the transmission line corridor, and access roads), PSE shall prevent spills or leaks of hazardous materials, paving materials, or chemicals from contaminating surface or groundwater.

AUTHORITY: Part 20.25H LUC
REVIEWER: Reilly Pittman, Land Use Development

2. Maintenance and Monitoring Program – Structural Stability:

PSE shall develop a monitoring and maintenance program that includes inspection and reporting on the ability of the transmission line poles to resist seismic disturbances. As part of PSE's regular inspection of the poles, it shall monitor all poles for changes in conditions that could reduce the ability of the structures to resist seismic disturbances. PSE shall submit reporting to the City of Bellevue. If changes

are identified during inspection and monitoring of conditions, PSE shall implement additional measures to reduce or minimize those impacts.

AUTHORITY: Part 20.30P LUC, 20.20.255.G
REVIEWER: Reilly Pittman, Land Use Development

3. Telecommunications Facilities:

PSE shall limit the number of telecommunications facilities installed on the 230 kV poles to the number currently installed in the corridor. Reinstalled facilities shall be in approximately the same locations as they were previously. Facilities shall require City approval per current land use regulations before reinstalling telecommunications equipment.

AUTHORITY: LUC 20.20.255.G, 20.20.255.E.6
REVIEWER: Reilly Pittman, Land Use Development

4. Electromagnetic Fields:

In the event that radio frequency interference is found by a radio operator, PSE shall de-tune pole structures by installing hardware (such as arresters).

AUTHORITY: LUC 20.20.255.G, 20.20.255.E.6
REVIEWER: Reilly Pittman, Land Use Development

5. Pipeline Safety during Operation:

PSE shall work with OPLC to evaluate and implement appropriate mitigation measures to reduce electrical interference on the Olympic Pipeline system to safe levels.

PSE shall provide information to OPLC as appropriate or when requested by OPLC for OPLC to record AC pipe-to-soil potentials and DC pipe-to-soil potentials during its annual cathodic protection survey.

PSE shall provide OPLC with as much advance notice as practical of when outages are planned on the individual circuits (i.e., when only one circuit of the double-circuit transmission lines is in operation) to allow monitoring of the AC induction effects on the pipelines.

PSE shall provide OPLC with data on expected maximum loads under peak winter operating conditions on an annual basis and shall provide copies to the City of Bellevue to verify that these data have been provided to OPLC.

After the transmission line is installed and energized, OPLC is expected (due to its federal requirements to protect the pipeline from damage) to measure the actual AC interference with the pipeline to ensure that all AC interference risks have been fully mitigated under steady-state operation of the transmission line. PSE shall cooperate

with OPLC in completing a post-energization AC site survey to determine if any adjustments are needed to OPLC's pipeline protection systems. This survey should cover the entire length of the new transmission line in the North Bellevue Segment. PSE shall provide load data for the survey, along with any design or as-built information requested by OPLC.

PSE shall monitor oil insulation for evidence of arcing and gassing, and monitor substations for evidence of overloading, overheating, or malfunctions.

PSE shall submit to the City of Bellevue, upon request by the City, documentation sufficient to show compliance with the provisions imposed by these Conditions of Approval.

AUTHORITY: BCC 22.02.140.B.1, 22.02.140.C
REVIEWER: Reilly Pittman, Land Use Development

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