

APPENDIX A

The Honorable Sharon A. Rice

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**BEFORE THE HEARING EXAMINER
FOR THE CITY OF REDMOND, WASHINGTON**

In re:

Puget Sound Energy, Inc.
Energize Eastside/LAND-2021-00487
AND LAND-2021-00521

**PUGET SOUND ENERGY’S PROPOSED
FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND DECISION**

I. SUMMARY OF DECISION

The requested conditional use permit and site plan entitlement for the Redmond portion of the proposed upgrade of approximately two miles of 115 kV transmission lines with 230 kV transmission lines from the Sammamish Substation to NE 60th Street and associated improvements are **APPROVED** subject to conditions.

II. SUMMARY OF RECORD

Request: Puget Sound Energy, Inc. (Applicant or PSE) proposes to upgrade approximately 16 miles of two existing transmission lines operating at 115 kilovolts (kV) to 230 kV lines from Redmond to Renton, construct a new substation in South Bellevue (the Richards Creek substation) and continued conservation measures (collectively referred to as the Energize Eastside Project). The Applicant requested a conditional use permit and site plan entitlement for the portion of the project falling within the Redmond

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1 city limits. The Redmond segment includes approximately two miles of transmission line
2 upgrade within a 100-foot-wide utility corridor that extends from the Sammamish
3 Substation, located at 9221 Willows Road NE, to NE 60th Street at the Redmond/Bellevue
4 city boundary.

5 **Hearing Date:** The Redmond Hearing Examiner conducted a virtual open record
6 hearing on the request on June 6, 2022. The record was held open through _____
7 to allow any members of the public having difficulty joining the virtual hearing to submit
8 written comments, with time scheduled for written responses by the parties. Post-hearing
9 comment [was / was not] submitted, and the record closed on _____.

10 **Testimony:** At the open record hearing, the following individuals presented
11 testimony under oath:

12 Cathy Beam, Principal Planner, City of Redmond
13 Dan Koch, Vice President of Operations, PSE
14 Jack Middleton, Senior Project Manager, Tetra Tech, PSE Representative
15 Lowell Rogers, Principal Owner, Oak Strategic, Inc., PSE Representative
16 David Kemp, Senior Engineer, DNV, PSE Representative
17 Bradley Strauch, Infrastructure Program Manager for the Energize Eastside
18 Project, PSE

19 **Exhibits:**
20 At the open record hearing, the following exhibits were admitted in the record:
21 Technical Committee Report to the Hearing Examiner, with the following
22 attachments:

23 Attachment 1: Land Use Application Form
24 Attachment 2: Vicinity Map
25 Attachment 3: Plan Set

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- 1 Attachment 4: Notice of Application and Certificate of Posting
- 2 Attachment 5: Notice of Application Public Comments
- 3 Attachment 6: Notice of Neighborhood Meeting
- 4 Attachment 7: Notice of Public Hearing and Certificate of Posting
- 5 Attachment 8: SEPA Documentation
- 6 Attachment 9: Project Narrative
- 7 Attachment 10: Decision Criteria Analysis
- 8 Attachment 11: Tree Health Assessment
- 9 Attachment 12: Wetland and Stream Delineation Report
- 10 Attachment 13: Critical Areas Impact Assessment
- 11 Attachment 14: Conceptual Mitigation Plan
- 12 Attachment 15: Site Photos
- 13 Attachment 16: Photo Simulations
- 14 Attachment 17: Pole Finishes Report
- 15 Attachment 18: Geotechnical Report
- 16 Attachment 19: Stormwater Report
- 17 Attachment 20: Noise Analysis
- 18 Attachment 21: Tree Exception Request
- 19 Attachment 22: Integrated Pest Management Plan
- 20 1. City of Redmond PowerPoint slides
- 21 2. Energize Eastside Project Final Environmental Impact Statement, Phase 2 Draft
22 Environmental Impact Statement, and Phase 1 Draft Environmental Impact Statement
- 23 3. Applicant Presentation Slides
- 24 4. Applicant CVs
- 25 5. Applicant Historical Aerials

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- 1 6. Applicant Redmond Simulation Boards
- 2 7. Applicant Letters from Olympic Pipe Line Co. (2016-2022)
- 3 8. AC Interference Analyses
- 4 9.

5 After considering the testimony and exhibits admitted to the record, the Hearing
6 Examiner enters the following findings and conclusions:

7 III. FINDINGS

8 PSE proposes to upgrade approximately 16 miles of two existing transmission
9 lines to 230 kV from Redmond to Renton and construct associated improvements as part
10 of the Energize Eastside Project, to significantly improve reliability for Eastside
11 communities, including the City of Redmond, and to supply additional electrical capacity
12 needed for current and anticipated growth. The Redmond segment, which is the subject of
13 this hearing, includes approximately 2 miles of transmission line upgrades within the
14 existing 100-foot-wide utility corridor between the Sammamish Substation and the
15 Redmond/Bellevue city boundary. PSE requested a conditional use permit (CUP) and site
16 plan entitlement (SPE) for the Redmond segment of the Energize Eastside Project.
17 *Exhibits 1, 1.1, 1.2, and 1.3.*

- 18 1. PSE proposes to undertake this project in the existing transmission line corridor,
19 and the proposed pole locations for the rebuilt lines will generally be in the same
20 locations as the existing poles. *Exhibit 1, 1.2, and 1.3.*
- 21 2. The application was determined to be complete on August 4, 2021. *Exhibits 1 and*
22 *1.4.*
- 23 3. The Sammamish Substation is surrounded by business park (BP) and
24 manufacturing park (MP) businesses on the north, east, and south sides. To the
25 west lies open space mostly comprised of wetlands and streams. As the

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1 transmission lines exit the substation to the south, they turn west over this open
2 space before heading south uphill towards Redmond Way. This property is owned
3 by PSE. Upon crossing Redmond Way, the lines continue heading south in the
4 existing powerline corridor on an easement through several single-family
5 residential properties before crossing NE 80th Street. The corridor is surrounded
6 by BP, MP business park and multi- and single-family residences (R4, R5, R6, and
7 R12). Between NE 80th Street and NE 75th Street, the lines are located on PSE
8 owned property and adjacent to the Rose Hill Substation. South of NE 75th Street,
9 the powerline easement is adjacent to Rose Hill Middle School before entering an
10 easement on the Sixty-01 condominium property zoned R12 south of Old
11 Redmond Road. The proposal continues south, entering the City of Bellevue.

12 *Exhibits 1, 1.1, 1.2, and 1.3.*

13 4. In the BP and MP Zones, the proposal is permitted outright and requires a Site
14 Plan Entitlement per RZC 21.14.030.C & 21.14.040.C. In the R4, R5, R6, and
15 R12 zones the proposal requires a Conditional Use Permit per RZC Tables
16 21.08.060C, 21.08.080.C, 21.08.090C, and 21.08.110C. *Exhibit 1.*

17 5. The project is a regional utility as defined in Redmond Zoning Code (“RZC”)
18 section 21.78. The Zoning Code does not contain development standards that are
19 specific to regional utilities, and the building height limitations of the zones do not
20 apply to transmission poles. Transmission lines are also not subject to the building
21 code requirements contained in Title 15 of the Redmond Municipal Code. *Exhibit*
22 *1; RZC Table 21.08.060B, Table 21.08.080B, Table 21.08.090B, Table*
23 *21.08.110B, Table 21.14.030B, and Table 21.14.040.B.*

24 6. The project complies with all of the site requirements for the BP, MP, R4, R5, R6
25 and R12 zones. *Exhibit 1; Beam Testimony.*

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- 1 7. The Willows/Rose Hill and Grass Lawn neighborhoods do not have neighborhood
2 regulations specific to energy transmission lines. *Exhibit 1.*
- 3 8. The City of Redmond Comprehensive Plan contains policies promoting the
4 following: efficiency of utility placement through collocating in shared utility
5 corridors; minimization of adverse impacts to environment by locating utility
6 corridors in existing cleared areas, locating utility facilities and corridors outside
7 of wetlands, minimizing crossings of fish-bearing watercourses, and minimizing
8 corridor widths; coordination with other jurisdictions when energy transmission
9 facilities cross jurisdictional boundaries; and recognizing PSE's Electrical
10 Facilities Plan as the plan for electrical facilities serving Redmond and the vicinity.
11 PSE's Electrical Facilities Plan has identified the need for additional 230 kV
12 capacity in the Eastside region since 1993. The corridor is identified in the Utilities
13 Element of the Comprehensive Plan on both Map UT-1 (Existing Electrical
14 Facilities) and Map UT-2 (Proposed Electrical Facilities). *Exhibit 1.*
- 15 9. Project work at the Sammamish Substation includes the installation of two new kV
16 line bays and additional equipment upgrades. Additional work at the substation
17 may include installing conduits, cable trenches, grounding, security upgrades,
18 and/or drainage improvements. This work will not result in an expansion of the
19 fenced substation footprint. *Exhibits 1, 1.1, 1.2, 1.3, 1.9.*
- 20 10. At the Rose Hill Substation, the equipment will be reconfigured and upgraded so
21 that the station can connect to the 230 kV lines. This work will include a
22 replacement transformer and supporting operating equipment. The substation will
23 generally remain in the same location within PSE's existing fenced facility.
24 *Exhibits 1, 1.1, 1.2, 1.3, 1.9.*
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- 1 11. Project work in the utility corridor primarily includes the replacement of existing
2 H-frame and single poles with 28 new steel 230 kV monopoles ranging from 91 to
3 102 feet tall. The new poles will be placed in the same general location as the
4 existing poles. *Exhibits 1, 1.1, 1.2, 1.3, 1.9.*
- 5 12. 19 new poles will require drilled pier foundations, which requires excavation with
6 a line truck of a hole up to nine feet wide and 46 feet deep. Reinforced-steel
7 anchor bolt cages will be installed in the holes, filled with concrete, and a crane
8 will place the steel poles into the foundations. The remaining nine poles will be
9 directly embedded into the ground, which will require excavation of holes up to
10 five feet wide and 25 feet deep. *Exhibits 1, 1.1, 1.2, 1.3, 1.9.*
- 11 13. Following installation of the new poles and stringing of new conductors, the
12 existing poles will be removed. Removal and restoration activities in critical areas
13 and buffers will be consistent with the approved critical area mitigation plan.
- 14 14. **Traffic:** The project will not generate pedestrian or vehicular traffic and will not
15 add to or conflict with traffic during operations. PSE will prepare traffic control
16 plans as part of their city required right-of-way use permit, in coordination with
17 the City's Public Works staff. *Exhibit 1.*
- 18 15. **Tree Protection:** Tree removal is required to meet federal clearance safety
19 standards set by the North American Electrical Reliability Corporation (NERC),
20 the entity certified by the Federal Energy Regulatory Commission (FERC) to
21 establish legally enforceable mandatory standards for the U.S. bulk power system.
22 *Exhibits 1, 1.1, 1.11; Testimony of Brad Strauch (Strauch Testimony).*
- 23 16. NERC standard FAC-003-4 sets forth the vegetation management requirements for
24 transmission lines operated above 200 kV. NERC FAC-003-4 requires PSE to
25 manage vegetation to prevent encroachments into the Minimum Vegetation

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1 Clearance Distance of its applicable lines. The 230 kV vegetation management
2 standard applies to the project, and generally requires removal of trees with an
3 expected mature height of more than 15 feet from the wire zone and managed
4 ROW, and removal of trees with an expected mature height of more than 70 feet
5 from the legal ROW. The wire zone is the area directly underneath transmission
6 conductors out approximately ten feet horizontally. The managed ROW extends
7 approximately 16 feet horizontally from the outside of the transmission wires in
8 their static position. The legal ROW encompasses the entirety of PSE-owned
9 properties and easements. *Exhibits 1, 1.1, 1.11, 1.14; Strauch Testimony.*

10 17. PSE will conduct trimming if a conflict with the transmission line can be removed
11 through trimming, except in cases where trees have been previously trimmed, or
12 trimming will make the tree potentially unsound, or the conflict cannot be
13 alleviated long-term. *Exhibits 1, 1.1, 1.11, 1.14; Strauch Testimony.*

14 18. After construction is complete, PSE will perform vegetation management in three-
15 year cycles along the transmission corridors. *Exhibits 1, 1.1, 1.11; Strauch*
16 *Testimony.*

17 19. There are 881 significant trees in the corridor, of which 460 do not meet the NERC
18 and PSE vegetation management standards and must be removed. Approximately
19 90 percent of these trees are in fair or worse condition, because trees in the
20 corridor have been regularly topped and trimmed to ensure safe operation of the
21 existing transmission lines . There are 21 landmark trees in the corridor, of which
22 3 will be removed. *Exhibits 1, 1.1, 1.11; Strauch Testimony.*

23 20. The City's tree protection regulations are set forth in RZC 21.72. Although RZC
24 21.72.030 exempts tree removal for utility construction from the tree removal
25 permit requirements, the project is subject to the purpose and intent of the

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1 ordinance and must be mitigated. The proposed project exceeds the 35% tree
2 retention requirements established in RZC 21.72.060.A.1. Significant and
3 landmark trees removed will be mitigated at 1:1 and 3:1 ratios respectively.

4 *Exhibits 1, 1.1, 1.11, 1.14; Strauch Testimony.*

- 5 21. PSE's adaptive tree replacement approach prioritizes tree replacement within the
6 corridor, subject to landowner approval. If landowners decline to have trees
7 planted on their property, PSE will seek out replanting at alternative properties
8 within the City through the Energy Savings Tree Program or other properties.

9 *Exhibits 1, 1.1, 1.11, 1.14; Strauch Testimony.*

- 10 22. To date, PSE has reached out to all property owners who are expected to have
11 vegetation changes along the route in Redmond, with ten of the fourteen property
12 owners electing to meet with PSE. PSE's work with Redmond private property
13 owners has resulted in more than 250 transmission line compatible trees being
14 proposed on draft landscape plans. *Exhibits 1, 1.1, 1.11, 1.14; Strauch Testimony.*

- 15 23. Additionally, PSE proposes to plant an additional 1,500 trees as mitigation on
16 PSE-owned property near the Sammamish Substation within the transmission line
17 corridor, which is the site of the Willows Creek Stream Relocation Project. In
18 total, PSE proposes to plant more replacement trees than will be removed.

19 Providing consolidated mitigation at one site will result in more habitat lift and
20 potential for mitigation success. *Exhibits 1, 1.1, 1.11, 1.14; Strauch Testimony.*

- 21 24. Pursuant to RZC 21.72.060, PSE is not proposing removal of trees located within
22 Native Growth Protection Areas. *Exhibits 1.*

- 23 25. Pursuant to RZC 21.72.090, PSE applied for a tree exception for removal of 150
24 trees: 79 trees within wetlands, 68 trees within wetland/stream buffers, and three
25 landmark trees. *Exhibits 1, 1.21.*

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- 1 26. The Planning Director approved the tree exception request for the removal of 147
2 trees within critical areas and buffers and three landmark trees at the April 27,
3 2022 Technical Committee meeting. As summarized in the staff report, the
4 exception is necessary because of special circumstances related to the property,
5 including its use as a utility corridor subject to vegetation management standards.
6 Consistent with the intent of the regulations, PSE proposes to mitigate for the
7 impact to critical areas and buffers through providing functional lift within the
8 Willows Creek Stream Relocation Project site south of the Sammamish substation,
9 and consolidated mitigation in lieu of spot mitigation along the corridor will result
10 in more habitat lift and potential mitigation success. The exception will not be
11 detrimental to the public welfare or injurious to property in the vicinity. The trees
12 compromise the safe operation of the transmission lines and removal is necessary
13 to provide the required clearance from the upgraded 230 kV lines. The project
14 exceeds the minimum retention standard of 35 percent, and no trees will be
15 removed in a Native Growth Protection Area. The proposed tree removal,
16 replacement, and mitigation are consistent with the purpose and intent of the City's
17 tree protection standards. *Exhibits 1, 1.21; Strauch Testimony.*
- 18 27. **Critical Area Impacts:** A total of seven wetlands and six streams (eight
19 segments) were mapped in or near the Redmond segment. The project has been
20 designed to utilize the existing transmission corridor and associated historically
21 disturbed areas for access and maintenance to the greatest possible degree, and the
22 proposed pole locations have been adjusted to avoid wetlands, streams, and buffers
23 wherever practicable. Impacts to the remaining wetlands or buffers will occur
24 primarily through the removal of tree canopy for transmission line clearances. The
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1 critical areas or buffers that would be temporarily or permanently affected by the
2 project include the following:

3 *a. Wetlands:*

4 A total of seven wetlands have been delineated along the project corridor,
5 including one slope/depressional and two slope wetlands on or near the substation site,
6 and four slope wetlands located along the transmission line corridor. These wetlands are
7 located north of Redmond Way on undeveloped portions of the corridor. Six of the seven
8 wetlands are classified as Category III wetlands, and one is a Category II. *Exhibits 1, 1.1,*
9 *1.8, 1.10, 1.12, 1.13, 1.14.*

10 *i. Wetland CR01:*

11 Wetland CR01 is a large, slope Category III wetland that extends outside of the
12 study area to the west. Streams CR02 and CR03 are located within the wetland boundaries
13 but contribute little in terms of hydrology to the wetland unit. The hydrology is mainly
14 provided by groundwater seeps which support associated streams that generally flow east.
15 The wetland provides moderate levels of habitat functions, as well as low levels of water
16 quality and hydrologic functions, though these functions are of high value because of the
17 wetland's location in a basin with water quality issues and because of documented surface
18 water flooding problems. Vegetation primarily consists of red alder, salmonberry, reed
19 canarygrass, small-fruited bulrush creeping buttercup, giant horsetail, and lady fern.

20 The project crosses Wetland CR01 but will not require pole installation or
21 replacement in the wetland or its buffer. PSE will remove a total of 41 trees from the
22 combined buffer of Wetlands CR01 and CR02 to accommodate the 230 kV transmission
23 conductor clearance requirements. *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

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1 *ii. Wetland CR02:*

2 Wetland CR02 is a slope wetland located south of Stream CR01 and east of
3 Wetland CR01. This Category III wetland is 0.32 acres in size. It is a forested wetland
4 dominated by red alder in the canopy with salmonberry, Devil's club, giant horsetail,
5 piggyback plant, lady fern, and skunk cabbage common in the shrub and herbaceous
6 layers. Groundwater seeps are the main source of hydrology to the wetland unit. The
7 wetland provides generally moderate levels of habitat functions and low levels of water
8 quality and hydrologic functions, though those it does provide are of high value.

9 The project crosses Wetland CR02. No pole installation will occur in the wetland,
10 but one pole will be installed, and two removed in the combined buffer of Wetlands CR02
11 and CR04. PSE will remove three trees from CR02 and 41 trees from the combined buffer
12 of Wetlands CR01 and CR02 to accommodate clearance requirements. *Exhibits 1, 1.1,*
13 *1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

14 *iii. Wetland CR03:*

15 Wetland CR03 is a slope 0.2-acre Category II wetland located on either side of
16 Stream CR04. Groundwater seeps are the largest contributing source of hydrology to the
17 wetland unit. It contains palustrine scrub-shrub and palustrine emergent vegetation
18 classes and includes a young city restoration site in the southeast portion of the wetland.
19 Restoration plants dominate the scrub-shrub portion of the wetland; outside of the
20 mitigation area, woody vegetation includes red alder, salmonberry, and Himalayan
21 blackberry. Small-fruited bulrush, lady fern, common rush, and reed canarygrass are
22 common in the herbaceous layer. The functions provided by Wetland CR03 are
23 comparable to those provided by the other wetlands in this area.

24 The project crosses CR03 but will not require pole installation or replacement in
25 the wetland or its buffer. PSE will remove five trees from the combined buffers of

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1 Wetlands CR03 and CR04 to accommodate clearance requirements. *Exhibits 1, 1.1, 1.2,*
2 *1.8, 1.10, 1.12, 1.13, 1.14.*

3 *iv. Wetland CR04:*

4 Wetland CR04 is a slope 2.5-acre Category III wetland located on either side of
5 Stream CR04, north of Wetland CR03, and extending outside of the study area both east
6 and west. Hydrology to the wetland is mainly provided by groundwater seeps which
7 contribute to Stream CR04, generally flowing northwest. Its vegetation consists of
8 communities dominated by red alder in the canopy with salmonberry, skunk cabbage, lady
9 fern, and piggyback plant common in the shrub and herbaceous layers. The functions
10 provided by Wetland CR04 are comparable to those provided by the other wetlands in this
11 area.

12 The project crosses Wetland CR04, and PSE will install one new pole and remove
13 two existing poles from the combined buffer of Wetland CR02 and CR04. PSE will
14 remove nine trees from Wetland CR04 and three trees from its buffer to accommodate
15 clearance requirements. *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

16 *v. Wetland ARDE6:*

17 Wetland ARDE6 is a slope depressional .04-acre Category III wetland. This
18 wetland receives water via hillslope seep from upslope areas to the west, which is
19 impounded by the fill associated with the substation. Standing water is present in this
20 wetland. Surface water is conveyed to the south via a drainage ditch that runs along the
21 edge of historic fill associated with the substation. The dominant tree species is red alder.
22 Dominant shrubs are salmonberry and twinberry, with field horsetail and slough sedge
23 prevalent in the herbaceous layer. Some Himalayan blackberry is also present. The
24 wetland provides moderate levels of water quality, hydrologic, and habitat functions.

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1 The project will not affect Wetland ARDE6 or its buffer and no pole installation or
2 replacement will occur. *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

3 *vi. Wetland ARDE7:*

4 ARDE7 is a slope 0.7-acre Category III wetland located along the southwest edge
5 of the substation. It receives water via hillslope seep from the west, and carries this water
6 to the east, where it tapers into a narrow ditch south of the substation. It is also connected
7 to a drainage ditch that runs north-south along the edge of substation fill. This wetland
8 consists of two forested areas, which are broken by an area associated with the existing
9 cleared transmission line right-of-way. The wetland provides moderate levels of water
10 quality, hydrologic, and habitat functions. In the forested portion of this wetland,
11 dominant tree species include red alder and Pacific willow, with salmonberry, reed
12 canarygrass, common lady fern, and Himalayan blackberry in the understory. In the
13 cleared area within the right-of-way, salmonberry, Himalayan blackberry, and
14 thimbleberry are prevalent, with reed canarygrass, creeping buttercup, and bracken.
15 Where the wetland tapers into a narrow ditch along the south edge of the substation,
16 dominant species include narrowleaf cattail, Pacific willow, salmonberry, and reed
17 canarygrass.

18 The project crosses CR03, but will not require pole installation or replacement in
19 the wetland or its buffer. PSE will remove a total of 20 trees from the combined buffer of
20 Wetlands ARDE 7 and ARDE8 to accommodate clearance requirements. *Exhibits 1, 1.1,*
21 *1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

22 *vii. Wetland ARDE8:*

23 Wetland ARDE8 is a predominantly slope 13.6-acre Category II wetland. It
24 receives groundwater from several points along a steep section of the hillslope, conveying
25 water along and just below the ground surface toward the lower gradient eastern half of

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1 the property. The general direction of water flow in the eastern portion of the site is
2 southwest to northeast, with most water leaving the site via Willows Creek at the
3 southeast end of the substation. The amount of water inputs into the wetland appears to
4 have increased, and following rain events, water flows in a complex network of
5 temporary, shallow, braided channels across the site. The wetland generally provides low
6 levels of water quality functions, moderate levels of hydrologic functions, and high levels
7 of habitat functions. It is important from a flood control perspective, and is associated
8 with multiple riparian and instream habitats. Vegetation is dominated by reed canarygrass
9 in the wetter, flatter portion of the site, with the upland island surrounded by shrub
10 vegetation in the center. The forested component occurs along the southern boundary of
11 the study site, associated with the stream channels, and in an isolated patch near the east
12 edge of the wetland, south of the substation.

13 The project crosses ARDE8, along with eight other existing transmission lines not
14 part of the project. PSE will install three poles and remove four from ARDE8, and will
15 install two poles and remove three from the buffer. PSE will remove a total of 20 trees
16 from the combined buffer of Wetlands ARDE 7 and ARDE8 to accommodate clearance
17 requirements. *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

18 *b. Streams.*

19 Six streams and eight stream segments were delineated along the proposed project
20 corridor. Stream segments flow within or adjacent to delineated wetland boundaries
21 located north of Redmond Way. The city classifies streams as Class I, Class II, Class III,
22 or Class IV based upon status as Shoreline of the State, salmonid fish use, non-salmonid
23 fish use, and whether the stream is considered a “headwater stream” (RZC 21.64.020).
24 *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

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1 *i. Stream CR01:*

2 Stream CR01 is the upstream portion of Willows Creek (downstream segments on
3 the substation property are discussed below). It is a perennial stream that begins at an
4 approximately three-foot-wide elevated culvert under the transmission line corridor and
5 flows east, eventually entering Wetland ARDE8. It is fed by several other streams that
6 originate in ravines west and south of the study area. It has a gentle gradient, and contains
7 a coarse cobble and gravel bed. The upper portion of this stream is well shaded and
8 forested. Stream CR01 is considered to have the potential for salmonid fish use because
9 there is no natural gradient barrier to preclude future use by downstream salmonids. It is a
10 Class II stream, consistent with the City's classification of this feature.

11 The project crosses the Stream CR01 corridor, but no poles will be installed in the
12 stream or its buffer. Trees will be removed from the combined buffer of this stream and
13 those of other wetlands and streams in the vicinity. *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.12,*
14 *1.13, 1.14.*

15 *ii. Stream CR02 and CR03:*

16 Streams CR02 and CR03 are small tributary streams to CR01 that originate in
17 forested ravines west of the study area corridor. They are 2 to 3 feet wide on average.
18 Within the transmission line corridor, the banks are vegetated with reed canarygrass, and
19 the bed is made up of cobble. The streams converge from the north and south and flow
20 into the culvert that marks the start of Stream CR01. Similar to Stream CR01, there is no
21 natural gradient barrier to preclude future use by downstream salmonids. Therefore,
22 Streams CR02 and CR03 are Class II streams, consistent with City stream typing.
23 However the culvert that conveys stream flow from these streams to CR01 is currently a
24 total fish passage barrier.

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1 The project runs adjacent to Streams CR02 and CR03, as will a temporary access
2 route. Trees will be removed from from the combined buffer of Streams CR02 and CR03
3 and those of other wetlands and streams in the vicinity. *Exhibits 1, 1.1, 1.2, 1.8, 1.10,*
4 *1.12, 1.13, 1.14.*

5 *iii. Stream CR04:*

6 Stream CR04 is a tributary to Stream CR01. It flows north through the
7 transmission line corridor from a culvert outlet located north of Redmond Way. The
8 stream is approximately six to eight feet wide on average and contains some large woody
9 debris through the study area. Stream CR04 is a Class II stream based upon the lack of a
10 natural gradient barrier between its location and documented salmonid fish use
11 downstream. However, no habitat for resident salmonids appears to be present in the
12 delineated portion of Stream CR04.

13 The project crosses Stream CR04, but PSE will not place poles in the stream or its
14 buffer. Trees will be removed from the combined buffer of this stream and those of other
15 wetlands and streams in the vicinity. *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

16 *iv. Stream CR05:*

17 Stream CR05 is a small stream that feeds into Stream CR04. Stream CR05 appears
18 to originate in a forested ravine west of the study area. It is conveyed under the
19 transmission line corridor in a culvert. The delineated Stream CR05 segment is
20 approximately 20 feet in length, between the culvert outlet and Stream CR04. Stream
21 CR05 is not mapped by the city, although City stream mapping shows tributary streams to
22 CR04 nearby, which are generally classified as Class III west of the transmission line
23 corridor. Stream CR05 is considered a Class II stream based upon connectivity to Stream
24 CR04 which is a Class II stream.

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1 The project crosses Stream CR04, but PSE will not place poles in the stream or its
2 buffer. Trees will be removed from the combined buffer of this stream and those of other
3 wetlands and streams in the vicinity. *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

4 *v. Peter's Creek Tributary:*

5 This is a perennial Class III stream located along the southern property boundary
6 of the Sammamish Substation. This small stream has been modified and is confined to a
7 narrow channel that parallels the parking lot off-site to the south. This stream receives
8 stormwater inputs from residential development to the south via a pipe.

9 The project will avoid Peter's Creek Tributary and the buffer. *Exhibits 1, 1.1, 1.2,*
10 *1.8, 1.10, 1.12, 1.13, 1.14.*

11 *vi. Willows Creek:*

12 Two segments of Willows Creek are associated with Wetland ARDE8, Upper and
13 Lower Willows Creek. Water flows across the site, generally from southwest to northeast
14 in a network of shallow channels that appear after rain events. Lower Willows Creek is a
15 Class II perennial tributary to the Sammamish River that crosses under Willows Road and
16 is channelized through office park development for almost a mile before reaching the
17 river. On the substation property, this segment of the stream has been modified and
18 consists of steep banks with a confined linear channel. The Upper Willows Creek
19 segment, also a Class II stream, is a perennial stretch of stream located along the southern
20 property boundary, at the base of a hillslope. Overbank flooding has resulted in new
21 channels emerging in adjacent scrub-shrub areas.

22 Currently, in the absence of a channel connection between the two segments of
23 Willows Creek, water flows across the site, generally from southwest to northeast, in a
24 network of shallow channels that appear after rain events. These sections of the stream
25

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1 remain hydrologically connected, although there is no longer a single defined channel to
2 join them.

3 The Lower Willows Creek stream channel extends beyond the study area with 897
4 linear feet on the project site. Much of this segment of Willows Creek has been modified
5 and now consists of steep banks with a confined linear channel. The riparian buffer is
6 highly degraded and provides little shade or temperature regulation. Riparian vegetation is
7 limited to scattered shrubs and herbaceous plants. Wildlife habitat in the riparian corridor
8 is of moderate quality. There is documentation of coho salmon in this segment of Willows
9 Creek.

10 The Upper Willows Creek is perennial stream located along the southern property
11 boundary, at the base of a hillslope. It occupies 276 linear feet in the study area. In
12 contrast to Lower Willows Creek, Upper Willows Creek is unconfined, with a broad,
13 three-foot-wide channel with low banks that are overtopped frequently. The gradient
14 varies between two and five percent. Overbank flooding has resulted in new channels
15 emerging in adjacent scrub-shrub areas. The combination of unstable stream bank,
16 moderate stream gradient and high velocity low flows limits fish habitat. Riparian
17 vegetation on the south side of the channel is mixed conifer forest dominated by western
18 redcedar and Douglas-fir. On the north side, riparian vegetation is red alder forest and
19 deciduous scrub-shrub dominated by salmonberry. Wildlife habitat in the riparian corridor
20 is of moderate quality and is connected to a relatively large contiguous patch of forest
21 habitat upstream of the study area. This stream segment could provide low quality habitat
22 for non-salmonid fish. However, given the lack of a defined channel connection between
23 this portion of Willows Creek and the lower segment, salmonids are not likely to be
24 present.

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1 The project crosses Upper Willows Creek, and PSE will use existing gravel access
2 road over a culverted portion of the stream for construction access. Trees will be removed
3 from the combined buffer of this stream and other critical areas in the vicinity. *Exhibits 1,*
4 *1.1, 1.2, 1.8, 1.10, 1.12, 1.13, 1.14.*

5 *c. Fish and Wildlife Habitat Conservation Areas:*

6 Fish and Wildlife Habitat Conservation Areas (“FWHCA”) within the city are
7 rated and classified according to their characteristics, function and value, and/or
8 sensitivity to disturbance under RZC 21.64.020.A. The streams are considered Core
9 Preservation Areas. Coho salmon, a Priority Species, breeding and occurrence has been
10 mapped in the lower segment of Willows Creek. There is no suitable habitat for
11 Endangered Species Act (“ESA”) listed mammals or species proposed for listing in the
12 study area. There is no Quality Habitat in the project boundaries. Project impacts are
13 addressed above under individual stream impacts. *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.12,*
14 *1.13, 1.14.*

15 *d. Geologically Hazardous Areas:*

16 There are landslide and erosion hazard areas within the project area within a
17 system of ravines and ridges north of Redmond Way. The steep slopes are in a maintained
18 ROW corridor occupied by PSE transmission lines and an underground petroleum
19 pipeline and is periodically maintained by PSE and Olympic Pipeline Company. Some of
20 the selected tree removal will occur in ravines and steep slopes. There are no mapped
21 faults in the project area and there was no observation of any surface expression of
22 faulting or rupturing, which would indicate impacts from seismic activity.

23 PSE will utilize temporary and maintained access routes for track-mounted or
24 wheeled equipment to install new poles and remove existing poles. The use of such
25 equipment may potentially increase the risk of localized erosion in steep slope and erosion

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1 prone areas, as well as temporary impacts to wetland vegetation. Minor regrading and
2 addition of small amounts of quarry spalls or gravel may be needed to stabilize portions of
3 the existing access routes, and timber driving mats may be used where feasible temporary
4 stream and wetland crossings... *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.13, 1.14.*

5 *e. Frequently Flooded Areas:*

6 Frequently Flooded Areas include floodplains, flood fringes, Federal Emergency
7 Management Agency (FEMA) floodways, and zero-rise floodways. The 100-year
8 floodplain of the Sammamish River is well outside of the study area to the east. *Exhibits*
9 *1, 1.1, 1.2, 1.8, 1.10, 1.13, 1.14.*

10 *f. Critical Aquifer Recharge Areas:*

11 No Critical Aquifer Recharge Areas are mapped in or near the proposed project.
12 *Exhibits 1, 1.1, 1.2, 1.8, 1.10, 1.13, 1.14.*

13 **Critical Areas Mitigation:** Consistent with the mitigation sequencing
14 requirements of RZC 21.64.010, PSE designed the project to avoid and minimize impacts
15 to critical areas by using an existing multi-use corridor and historically disturbed areas for
16 maintenance and access, adjusting pole locations to avoid critical areas, implementing best
17 management practices, restoring disturbed areas, and implementing compensatory
18 mitigation for impacts to critical areas and buffers that are unavoidable. *Exhibits 1, 1.14.*

19 28. The project avoids permanent impacts to Wetlands CR03, ARDE6 and ARDE7.

20 Impacts to the other wetlands will occur through removal of trees for transmission
21 line clearances. PSE will conduct construction between spring and fall to avoid the
22 wettest part of the year when wetlands are most susceptible to damage. *Exhibits 1,*
23 *1.14.*

24 29. Temporary access routes have been designed to minimize impacts to wetlands,
25 streams and buffers. PSE will employ best management practices such as

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1 temporary mats laid down over vegetation to prevent plant mortality associated
2 with use of heavy equipment. PSE will avoid crossing stream channels and areas
3 with forest cover for temporary access routes. *Exhibits 1, 1.14.*

4 30. The project will result in 170 square feet of permanent Category II wetland impact,
5 8,120 square feet of Category II wetland vegetation conversion impact, 12,370
6 square feet of Category II wetland vegetation conversion impact, 100 square feet
7 of permanent buffer impact, and 21,690 square feet of buffer tree removal impact.
8 Vegetation conversion impacts are impacts where vegetation in a wetland is
9 permanently changed from one wetland class to another. In this case, conversion
10 will be from forested to scrub-shrub or emergent wetlands. Conversion impacts
11 may result in a partial loss or reduction in wetland functions, but do not result in a
12 total loss of wetland functions. *Exhibits 1, 1.14.*

13 31. PSE proposes to mitigate for project impacts on-site on PSE-owned property, at
14 the site of the Willows Creek Stream Relocation Project and the Sammamish
15 Substation mitigation site, south of the Sammamish Substation and within the
16 transmission line corridor that contain the project transmission lines. *Exhibits 1,*
17 *1.14.*

18 32. The Willows Creek Stream Relocation Project is a comprehensive project
19 designed by PSE to improve riparian, wetland, and stream functions and habitat in
20 the Willows Creek watershed, and alleviate flooding onto adjacent properties due
21 to excessive sedimentation in the existing Willows Creek channel. The mitigation
22 required for the proposed project is 100,240 square feet of wetland enhancement
23 and 8,030 square feet of buffer enhancement. A portion of this enhancement is
24 available within the site of the Willows Creek Stream Relocation Project, which
25 totals 50,700 square feet of wetland enhancement. An additional 54,200 square

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- 1 feet of wetland enhancement and 8,030 square feet of buffer enhancement area is
2 available on the Sammamish Substation mitigation site. The mitigation site is
3 located on a 42-acre parcel owned by PSE (parcel 0325059002) that includes the
4 Sammamish Substation and associated transmission line corridor. *Exhibits 1, 1.14.*
- 5 33. The combination of enhancement available at the Willows Creek Stream
6 Relocation Project and Sammamish Substation site for the Redmond Segment is
7 104,900 square feet. The proposal follows an 8:1 enhancement ratio for Category
8 III wetland impacts, a 12:1 enhancement ratio for Category II wetland impacts, a
9 1:1 enhancement ratio for buffer impacts, which uses a modified mitigation ratios
10 of 0.5 for wetland vegetation conversion and restoration of stream buffers
11 equivalent to 0.25 times the amount of impacted buffers as compensation for trees
12 removed in buffers.
- 13 34. Mitigation project components include wetland enhancement of approximately 2.4
14 acres of Wetland ARDE8; replacement of a partial fish barrier culvert on Willows
15 Creek with a new fish passable stream simulation box culvert; reestablishing the
16 Willows Creek channel through Wetland ARDE8, restoring 1,450 linear feet of
17 instream habitat and enhancing riparian vegetation; and upstream large woody
18 debris placement to slow down sediment transport. Functions provided through the
19 mitigation include habitat structure and quality as well as moderately improved
20 water quality and hydrologic functions as a result of increased dense woody
21 vegetation. *Exhibits 1, 1.14.*
- 22 35. The required mitigation will meet city wetland mitigation ratios as outlined in
23 RZC 21.64.030.B and will meet the riparian stream corridor performance
24 standards and mitigation requires specified in RZC 21.64.020.F. No net loss of
25 wetland functions or values would occur, and the proposed mitigation would result

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1 in significantly improved wetland functions, including improved water quality and
2 hydrologic functions through increased sediment filtering and potential for slowing
3 flow, improved habitat structure and quality, soil stabilization, and riparian
4 shading for Willows Creek. There will be no permanent impacts to other aquatic
5 resources, including streams. *Exhibits 1, 1.14.*

6 36. RZC 21.64.010.L.2 outlines location and timing of mitigation. The mitigation site
7 is located in the Willows Creek Sub-Watershed, which has been designated in the
8 City's Watershed Plan as a priority area for restoration. The mitigation site is
9 considered on-site mitigation as the project-associated transmission lines are
10 located on the same site. The site is located in Water Resource Inventory Area
11 ("WRIA") 8, the Cedar-Sammamish, and the Sammamish River watershed,
12 resulting in no-net-loss of functions on a watershed scale. Consolidating mitigation
13 at this location verses spot mitigation along the linear corridor will provide higher
14 habitat value and functions, as well as ensure long-term mitigation survival. In
15 addition, PSE's ownership of the parcel ensures long-term protection of the
16 mitigation site. *Exhibits 1, 1.14.*

17 37. **Stormwater:** New impervious surface areas and land disturbing activity will be
18 limited to isolated work areas associated with each pole installation and removal.
19 The proposed site and drainage conditions will result in only minor permanent
20 changes from existing conditions, due to the small footprint required for the new
21 poles and construction methods intended to minimize impacts. *Exhibits 1, 1.19.*

22 38. The stormwater runoff from the developed portions of the corridor is managed
23 through a combination of local parking lot/private property drainage systems and
24 roadway drainage systems. The existing drainage components are comprised of a
25 variety of collection and conveyance systems that include closed pipe networks,

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1 ditches, and culverts. The stormwater runoff from the undeveloped portions of the
2 corridor is limited to occasional ditch and culvert systems that sheet flow to the
3 adjacent roadway drainage systems, disperse into natural areas, or directly into a
4 downstream water body. The proposed site and drainage hydrology will result in
5 only minor permanent changes from the existing hydrology. Minimal impervious
6 area will be added as a result of the new poles and no flow control or conveyance
7 facilities are required.

8 39. The project will create less than 2,000 square feet of new plus replace impervious
9 surface and will create less than 50 acres of new impervious surface within a
10 hydraulically connected subbasin. However, the project will require greater than
11 7,000 square feet of land disturbing activity and is therefore subject to certain City
12 stormwater management requirements. *Exhibits 1, 1.19.*

13 40. **SEPA:** For multi-jurisdictional projects such as the proposed transmission line
14 project, State Environmental Policy Act (SEPA) rules specify that the jurisdiction
15 containing the greatest portion of the project is the lead agency for environmental
16 review. In this case, the majority of the Energize Eastside Project falls within the
17 Bellevue city limits, and the City of Bellevue assumed lead agency status, in
18 cooperation with the partner cities of Redmond, Renton, Kirkland, and Newcastle.
19 The City of Bellevue issued a threshold Determination of Significance on April 30,
20 2015. The project was reviewed under a phased Environmental Impact Statement
21 (EIS). The Phase 1 Draft EIS was released in January 2016. The Phase 1 Draft EIS
22 analyzed impacts associated with broad options for addressing PSE's objectives, in
23 a non-project or programmatic EIS. The Phase 2 Draft EIS evaluated and
24 described impacts at site-specific and project-specific levels. The Phase 2 project-

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1 level EIS was issued May 6, 2017, and following additional comment period, the
2 Final EIS was issued March I, 2018. *Exhibits 1, 1.8, 3.*

3 41. **Notice and Public Comment:** The City issued public notice of the project

4 application on August 16, 2021 to owners of property within 500 feet of the site
5 and posted at four locations on or near the site, at City Hall, and at the Redmond
6 Regional Library, and the City accepted public comment on the application.

7 *Exhibits 1, 1.14, 1.5.*

8 42. PSE hosted a neighborhood meeting on October 21, 2021. PSE provided notice to

9 1396 recipients through the mail and confirmed that the notice was mailed to all
10 parties within 500 feet of the project on September 30, 2021. The City received
11 public input during the neighborhood meeting. *Exhibit 1.6.*

12 43. The City provided public notice of the virtual open record hearing on or before

13 May 16, 2022. The City provided notice by mail to owners of property within 500
14 feet of the project; posted on or near the site, at City Hall and at the Redmond
15 Regional Library; and published in *The Seattle Times*. *Exhibit 1.7.*

16 44. The City of Redmond Technical Committee reviewed the project for consistency

17 with the Redmond Zoning Code, Redmond Comprehensive Plan, Redmond
18 Municipal Code, and SEPA, and recommended approval subject to conditions.

19 *Exhibit 1.*

20 45. Issues raised in public comments include concerns regarding general project

21 opposition, tree regulations, health risks, drainage, traffic, impacts to property
22 value, and alternative sites. The City's Technical Memorandum addresses and
23 responds to these comments. *Exhibits 1, 1.5.*

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1 46. Comments made in general opposition to the project are not considered in land use
2 decisions as established in RZC sections 21.76.070.B.3.a, 21.76.070.Y.3 and
3 21.76.070.K.4. *Exhibit 1*.

4 47. Having heard all testimony and considered all materials, the City of Redmond
5 Technical Review Committee and the principal planner on the case recommended
6 approval of both the conditional use permit and site plan entitlement with the
7 conditions in the staff report. PSE waived objection to the recommended
8 conditions. *Exhibit 1*.

9 48. Any Conclusion of Law that is more correctly a Finding of Fact is incorporated as
10 such by this reference.

IV. CONCLUSIONS

[Fill in citations]

- 13 1. **Jurisdiction:** Pursuant to RZC 21.76.050.C (Table B) and RZC 21.76.060.F, the
14 Hearing Examiner has jurisdiction to hear and issue the City's final decision on
15 requests for a conditional use permit.
- 16 2. Per RZC Table 21.76.050.B, Site Plan Entitlements are Type II permits decided
17 administratively without public hearing by the Technical Committee; however,
18 pursuant to RZC 21.76.050.E.2, when two or more land use applications for a given
19 development are submitted for consolidated review, the review shall be conducted
20 using the highest numbered process type applicable to any of the land use applications
- 21 3. **Criteria for Review of Conditional Use Permit Application:** Pursuant to RZC
22 21.76.070.K.4, applications for conditional use permits may be approved if the
23 applicant demonstrates compliance with the following criteria for approval:
 - 24 a. The conditional use is consistent with the RZC and the Comprehensive Plan;

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- 1 b. The conditional use is designed in a manner which is compatible with and
2 responds to the existing or intended character, appearance, quality of development,
3 and physical characteristics of the subject property and immediate vicinity;
- 4 c. The location, size, and height of building, structures, walls and fences, and
5 screening vegetation for the conditional use shall not hinder neighborhood
6 circulation or discourage the permitted development or use of neighboring
7 properties;
- 8 d. The type of use, hours of operation, and appropriateness of the use in relation to
9 adjacent uses minimize unusual hazards or characteristics of the use that would
10 have an adverse impact;
- 11 e. The conditional use is such that pedestrian and vehicular traffic associated with the
12 use will not be hazardous or conflict with existing and anticipated traffic in the
13 neighborhood;
- 14 f. The conditional use will be supported by adequate public facilities or services and
15 will not adversely affect public services to the surrounding area or conditions are
16 established to mitigate adverse impacts on such facilities.
- 17 4. **Criteria for Review of Site Plan Entitlement:** Pursuant to RZC 21.76.070.Y.3,
18 approval for site plan entitlement is granted if findings can be entered showing the
19 following criteria are satisfied:
- 20 a. The Technical Committee, composed the Departments of Planning and Public
21 Works, shall review all Development Review permits with SEPA and the RZC.
- 22 b. The Landmarks and Heritage Commission will review all Certificates of
23 Appropriateness for compliance with the RZC.
- 24 5. **Criteria Applicable to all Land Use Permits:** Pursuant to RZC 21.76.070.B.3.a, all
25 land use permits must be reviewed to determine consistency between the proposed

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1 project and the applicable regulations and Comprehensive Plan provisions, based on
2 the following criteria:

3 a. A proposed project's consistency with the City's development regulations shall be
4 determined by consideration of:

- 5 i. The type of land use;
- 6 ii. The level of development, such as units per acre or other measures of
7 density;
- 8 iii. Availability of infrastructure, including public facilities and services
9 needed to serve the development; and
- 10 iv. The character of the development, such as development standards.

11 b. Upon review of a land use permit and accompanying site plan, the decision maker
12 shall determine whether building design and/or site design complies with the
13 following provisions:

- 14 i. The Comprehensive Plan, RZC 21.02, Preface, RZC Article I, Zone-Based
15 Regulations, RZC Article II, Citywide Regulations, and the Appendices
16 that carry out these titles;
- 17 ii. The provisions of RMC Title 15, Buildings and Construction, that affect
18 building location and general site design;
- 19 iii. The Washington State Environmental Policy Act (SEPA) if not otherwise
20 satisfied;
- 21 iv. RZC Article VI, Review Procedures, to the extent it provides the
22 procedures to ensure compliance with the requirements in subsections
23 B.3.a.ii.B and B.3.a.ii.C of this section.
- 24 v. Both within and outside Transition Overlays, decision makers authorized
25 by the RZC to decide upon discretionary approvals may condition such

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1 approvals and development permits, including but not limited to site plan
2 approvals, to minimize adverse impacts on other properties and uses, and
3 to carry out the policies of the Comprehensive Plan.

Conclusions Based on Findings:

4
5 6. As conditioned, the proposal satisfies the criteria for a conditional use permit.

6 a. With the approved tree exception, the proposal is consistent with the RZC and the
7 Comprehensive Plan. Required tree removal and impacts to critical areas would be
8 mitigated consistent with RZC standards and the tree exception. As detailed
9 further below, the proposal is consistent with Comprehensive Plan policies,
10 particularly those policies that encourage placement of utilities in collocated
11 corridors, minimizing environmental impacts by locating utility corridors in
12 existing cleared areas, and ensuring the provision of adequate public utilities
13 consistent with planned growth. Stream and wetland impacts were avoided to the
14 extent possible, and unavoidable impacts are appropriately mitigated as proposed
15 and conditioned. *Exhibits 1, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 1.18, 1.19, 1.20, 1.21,*
16 *1.22, 3; Findings 3, 4, 5, 6, 8, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31,*
17 *32, 33, 34, 35, 36, 37, 38, 39.*

18 b. The project is compatible with and responds to the existing character, appearance,
19 quality of development, and physical characteristics of the subject property and the
20 immediate vicinity. The transmission facility is an existing use, and the project
21 will not introduce a change in land use. It will reduce the number of poles in the
22 corridor, which although larger, will not increase visual clutter and could reduce it
23 in some areas, and the pole designs minimize visual impact to the extent feasible.
24 Consistent with Comprehensive Plan policies for siting utilities, the upgraded
25 transmission facilities are sited in the existing collocated utility corridor. Utilizing

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1 the existing utility corridor also consolidates vegetation impacts to a single
2 location, where PSE already conducts regular maintenance activities. Various pole
3 treatments will be employed to complement the natural environment and
4 vegetation management will maintain the general appearance of landscaping in a
5 manner similar to present conditions. While some trees will be removed, the
6 remaining and proposed trees will partially screen views of the taller poles.
7 Reinstallation of telecommunications facilities on the same transmission facilities
8 following construction will ensure that there will not be an increase in the number
9 of telecommunications facilities to the maximum extent feasible. *Exhibits 1, 1.1,*
10 *1.2, 1.3, 1.8, 1.9, 1.10, 1.15, 1.16, 1.17; 3, 6, 7; Testimony of Jack Middleton*
11 *(“Middleton Testimony”); Findings 1, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 16, 17, 18,*
12 *19, 20, 21, 22, 23, 24, 25, 26.*

13 c. The location, size and height of the proposed powerlines will not hinder
14 neighborhood circulation and will not discourage development or use of
15 neighboring properties. The project would improve utility infrastructure serving all
16 uses in the vicinity. The project will utilize the existing utility corridor, which has
17 been in use for transmission lines for nearly a century. Adjacent land uses and
18 properties already integrate transmission line facilities, so they will not be
19 materially impacted by replacement of the existing transmission line facilities.

20 *Exhibits 1, 1.1, 1.2, 1.3, 1.8, 1.9, 1.10; Findings 4, 5, 6, 11, 14.*

21 d. The project minimizes hazards by removing and managing trees within the
22 corridor to ensure adequate clearance of the transmission lines; designing the
23 project to meet the most modern, current codes and engineering standards; and
24 implementing conservative safety protocols and conditions. The project minimizes
25 hazards associated with the collocated pipeline utilities by incorporating an

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- 1 optimized design, pipeline safety modeling and analyses, and ongoing
2 coordination with the pipeline utility. The transmission facility would not generate
3 noise in excess of City standards. As an electrical transmission line the project
4 does not have code regulated hours of operation; surrounding land uses demand
5 and rely on electric power transmission 24 hours per day, seven days per week.
6 *Exhibits 1, 1.1, 1.2, 1.3, 1.8, 1.9, 1.10; Strauch Testimony; Testimony of Lowell*
7 *Rogers (Rogers), David Kemp (Kemp); Findings 15, 16, 17, 40.*
- 8 e. Traffic associated with the proposal would not conflict with existing or anticipated
9 traffic in the neighborhood. For construction, PSE will prepare traffic control plans
10 in coordination with the City's Public Works staff as part of the City required
11 right-of-way use permit. *Finding 14.*
- 12 f. The proposal is designed to deliver electricity to the area. No new permanent
13 public access or other additional public facilities will be required to accommodate
14 the upgraded lines. *Findings 1, 3, 9, 10, 11, 12, 13.*
- 15 7. As conditioned, the proposal satisfies the criteria for site plan entitlement.
- 16 a. The project has been reviewed for compliance with the RZC and SEPA. A
17 threshold Determination of Significance was issued on April 30, 2015, and a
18 phased EIS was prepared for the entire project. *Exhibit 1; Findings 4, 5, 6, 40.*
- 19 b. The project does not include a structure with a Historic Landmark Designation
20 under RZC 21.76.020.E.3.b. The Landmarks and Heritage Commission process
21 does not apply to the proposal. *Exhibit 1.*
- 22 8. With approval of the conditional use permit, the proposal is consistent with the criteria
23 of RZC 21.76.070.B.3.a.i and ii.
- 24 a. The City's Technical Review Staff completed a comprehensive review of the
25 proposed project against all applicable development regulations. The land use is

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1 allowed in the BP and MP zones and allowed as a conditional use in the residential
2 (R4, R5, R6, and R12) zones. Development density is not applicable to the use.

3 *Exhibit 1; Findings 4, 5, 6, 7, 8.*

4 b. The proposal provides for needed electrical utility infrastructure. No new
5 permanent public access or other additional public facilities will be required to
6 accommodate the proposal. *Exhibit 1; Findings 1, 3, 9, 10, 11, 12, 13..*

7 c. There are no development standards that are specific to the use. *Exhibit 1; Finding*
8 *5.*

9 d. City staff reviewed the project and determined it complies with the Comprehensive
10 Plan, RZC, RMC, SEPA policies and followed the review procedures set forth in
11 the RZC for a Conditional Use Permit and Site Plan Entitlement. *Finding 6.*

12 e. The proposal is consistent with the utility policies of the Comprehensive Plan. In
13 addition, with approval of a conditional use permit, the proposal is consistent with
14 the zone-based and citywide regulations of the Redmond Zoning Code. Required
15 tree removal and impacts to critical areas would be mitigated consistent with RZC
16 standards and approved tree exception. *Findings 8, 15, 16, 17, 18, 19, 20, 21, 22,*
17 *23, 24, 25, 26, 27, 28, , 29, 30, 31, 32, 33, 34, 35, , 36.*

18 f. No Title 15 provisions were identified that would affect the location or design of
19 the project. The conditions of approval reference applicable Title 15 standards
20 relating to stormwater and clearing/grading. *Findings 37, 38, 39.*

21 g. The project was reviewed pursuant to SEPA and a phased EIS was issued.
22 *Finding 40.*

23 h. The project is being reviewed under the conditional use permit criteria to ensure
24 compliance with the land use requirements of the residential zones. *Findings 1, 3,*
25 *4, 5, 6.*

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- 1 i. As established in the Technical Report and at hearing, the project is compatible
2 with the following applicable Comprehensive Plan goals and policies:

3 LU-14 - Encourage the provision of needed facilities that serve the general public,
4 such as facilities for education, libraries, parks, culture and recreation, police and fire,
5 transportation and utilities. Ensure that these facilities are located in a manner that is
6 compatible with the City's preferred land use pattern.

7 The project will use an existing powerline corridor and not require any new
8 easements from adjoining property owners. *Exhibit 1; Findings 1, 11.*

9 UT-1 - Ensure that adequate public utilities and facilities are planned for, located,
10 extended, and sized consistent with the planned growth described in the Goals, Vision and
11 Framework Policies; Annexation and Regional Planning; and Land Use Elements.

12 PSE has identified the need for an upgrade to 230 kV transmission lines and
13 substation upgrades to serve the growth of the Eastside region and meet federal planning
14 requirements. PSE and independent third-party studies have consistently confirmed the
15 need for the project. The project will serve the Eastside service area, including industrial,
16 commercial, residential, and public facility uses in the city. *Exhibits 1, 1.8, 1.9, 1.10.*

17 The project will be sited in the existing utility corridor, in mostly the same
18 locations as the existing 115 kV transmission lines. The corridor predates the surrounding
19 residential and commercial development, and the existing land use patterns integrate the
20 existing transmission lines and the utility corridor. The project is thus compatible with
21 local context and land use patterns. *City Exhibits 1, 1.1, 1.2 1.8, 1.9, 1.10; Middleton*
22 *Testimony; Findings 1, 3, 4, 5, 6, 7, 8, 11, 12, 13.*

23 UT-2 - Design and maintain public utility facilities to meet service standards
24 identified in the Capital Facilities Element and corresponding functional plans.

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1 PSE is the electrical service utility for Redmond. PSE plans, constructs, and
2 maintains the necessary electrical services required by its customers. The Redmond utility
3 plan focuses on developing and maintaining utilities at the appropriate levels of service in
4 order to accommodate growth. *Exhibit 1; Finding 8.*

5 UT-9 - Promote the efficiency of utility placement both in cost and timing through
6 methods such as the following:

- 7 • Collocate public and private utilities in shared trenches or utility corridors,
8 provided that such joint use is consistent with limitations as may be prescribed by
9 applicable legal and safety considerations;
- 10 • Coordinate facility planning so that utilities may locate in transportation
11 corridors and other dedicated rights-of-way;
- 12 • Provide timely notice to utilities or coordinate with them when the construction
13 or repair of existing and new roadways, bridges, or sidewalks is anticipated;
- 14 • Provide a reasonable regulatory climate, recognizing that utilities provide a
15 critical service to the community;
- 16 • Provide expeditious permitting, recognizing that avoiding utility project delay
17 can minimize service disruptions and associated costs for residents and businesses;
- 18 and
- 19 • Design new public infrastructure to allow for projected future utilities that may
20 be placed within those facilities at a later time; and encourage joint use of utility
21 corridors for utilities, recreation and appropriate nonmotorized connections.

22 The project will be located within an existing corridor that was established in the
23 1920's and 1930's and is mostly composed of easements on private property. Residential
24 and commercial development occurred after the corridor was established. Public access to
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APPENDIX A

1 the corridor is limited by the surrounding development. *Exhibits 1, 1.8, 1.9, 1.10;*
2 *Middleton Testimony; Findings 1, 3, 4, 5, 6, 7, 8, 11, 12, 13.*

3 Two petroleum pipelines are collocated with the existing transmission lines, and
4 PSE's analysis shows that the joint use of the corridor is consistent with the current
5 industry safety standards and considerations and with the ongoing joint operations. Use of
6 the existing utility corridor by replacing the existing transmission lines is the most
7 efficient in terms of both cost and timing. *City Exhibits 1, 1.8, 1.9, 1.10; Rogers*
8 *Testimony; Kemp Testimony; Middleton Testimony; Findings 8, 9, 10, 11, 12, 13, 27.*

9 PSE will continue its ongoing coordination with Olympic Pipeline Company, who
10 operates the two petroleum pipelines. *City Exhibits 1, 1.8, 1.9, 1.10; Rogers Testimony;*
11 *Kemp Testimony.*

12 UT-11 - Balance the need for provision of utilities at a reasonable cost with the
13 need to protect the environment and natural resources.

14 The project will have temporary construction impacts on the surrounding
15 environment and natural resources due to some of the new and existing poles existing
16 within critical areas. PSE minimized the siting of new poles within wetlands to the
17 maximum extent possible through design. PSE will minimize construction impacts to the
18 greatest extent feasible through use of existing or historic access routes that were used for
19 initial pole installation and/or maintenance activities. *Exhibits 1, 1.8, 1.9, 1.10, 1.12, 1.13,*
20 *1.14; Findings 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,*
21 *35, 36.*

22 UT-12 - Design, locate and construct facilities to minimize adverse impacts to the
23 environment and to protect environmentally sensitive areas. Take into account both
24 individual and cumulative impacts. Minimize impacts through actions such as:

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- 1 • Using construction methods and materials to prevent or minimize the risk of
- 2 overflows into watercourses and water bodies;
- 3 • Locating utility corridors in existing cleared areas;
- 4 • Locating utility facilities and corridors outside of wetlands;
- 5 • Minimizing crossings of fish-bearing watercourses;
- 6 • Using biostabilization, rip rap or other engineering techniques to prevent erosion
- 7 where lines may need to follow steep slopes; and
- 8 • Minimizing corridor widths.

9 Poles that are currently located in wetlands will be replaced outside of wetland
10 areas to the extent feasible. Buffer impacts will be limited to the pole footprint and
11 selective vegetation management activities required by federal clearance standards.

12 The transmission line will cross six streams in the utility corridor, but the aerial
13 crossing will not impact the streams, and no in-water work will occur. No other natural
14 open surface water systems in Redmond will be affected. *Exhibits 1, 1.8, 1.9, 1.10, 1.12,*
15 *1.13, 1.14; Finding 27.*

16 PSE will employ appropriate temporary erosion control measures during work
17 activities. *Exhibits 1, 1.8, 1.9, 1.10, 1.12, 1.13, 1.14; Rogers Testimony; Finding 39.*

18 UT-58 - Work with energy service providers to ensure energy facility plans reflect
19 and support Redmond's Land Use Plan and that energy resources are available to support
20 the Land Use Plan.

21 The project will fulfill an existing need for 230 kV transmission capacity and serve
22 the Eastside region, including the city. The transmission lines will connect a new
23 transformer with existing 230 kV Sammamish substation in Redmond and the Talbot Hill
24 substation in Renton. *Exhibits 1, 1.8, 1.9, 1.10; Testimony of Dan Koch (Koch Testimony);*
25 *Findings 1, 9, 10, 11, 12, 13.*

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1 The Redmond Comprehensive Plan Utility Element identifies the corridor on both
2 Map UT-1, Existing Electrical Facilities, and Map UT-2, Proposed Electrical Facilities.
3 *Exhibits 1, 1.8, 1.9, 1.10; Middleton Testimony; Finding 8.*

4 UT-60 - Coordinate and seek to cooperate with other jurisdictions when energy
5 transmission facility additions or improvements cross jurisdictional boundaries. Include
6 efforts to achieve consistency between jurisdictions in permit timing.

7 As a transmission line upgrade, the project is a linear utility project that crosses
8 through multiple jurisdictions, including Redmond, Bellevue, Renton and Newcastle. The
9 north segment of the project will traverse between Redmond and Bellevue, and the south
10 segment will traverse Bellevue, Newcastle, and Renton. The cities cooperatively prepared
11 the phased EIS documents. *Exhibits 1, 1.8, 1.9, 1.10; Findings 1, 3, 40.*

12 UT-61 - Recognize the current Electrical Facilities Plan, authored by Puget Sound
13 Energy, as the facility plan for electrical utilities serving Redmond and the vicinity. Use
14 this plan, where it is consistent with Redmond's land use goals, as a guide in identifying
15 and preserving utility corridors and locating electrical facilities.

16 PSE first identified the need for additional 230 kV in the Eastside in its Electrical
17 Facilities Plan for King County in 1993. *Exhibits 1, 1.8, 1.9, 1.10; Finding 8.*

18 UT-62 - Allow electrical utility facilities as a permitted use where appropriate to
19 ensure that land is available for the siting of electrical facilities.

20 The project is located within BP, MP, R4, R5, R6, and R12 zoning districts.
21 Electrical utility facilities are a permitted use in the BP and MP zoning districts, but
22 conditionally allowed in R4, R5, R6 and R12 districts. *Exhibits 1, 1.2, 1.8, 1.9, 1.10;*
23 *Findings 4, 5, 6.*

24 UT-64 - Encourage pruning of trees to direct growth away from overhead utility
25 lines, education about proper placement and choice of landscape plants, and encourage

APPENDIX A

1 phased replacement of vegetation located improperly in the right-of-way. To the extent
2 possible, maintain ecological functions and values when managing vegetation located in
3 critical areas.

4 PSE routinely manages vegetation in the utility corridor. The corridor was initially
5 disturbed when the original transmission line was installed, and disturbance from
6 maintenance is regular and ongoing. Due to federal clearance requirements, PSE will
7 remove select trees as part of the transmission line upgrade. PSE will utilize native
8 compatible trees and shrubs to replace removed vegetation. *Exhibits 1, 1.8, 1.9, 1.10, 1.11,*
9 *1.13, 1.14, 1.21; Strauch Testimony; Findings 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25,*
10 *26.*

11 UT-65 - Ensure that pruning of trees necessary for safe and reliable utility service
12 is performed in an aesthetic manner to the greatest extent possible and performed
13 according to professional arboricultural specifications and standards.

14 PSE is proposing replacement trees that exceed the number that will need to be
15 removed. PSE is meeting with property owners along the existing corridor to discuss tree
16 replacement and is working with willing property owners to develop property-specific
17 landscaping and tree replacement plans. If a property owner declines to have new trees
18 planted onsite, PSE will work with the city to place additional trees offsite. PSE is
19 proposing to plant more than 1,500 additional trees on PSE property near the Sammamish
20 Substation. *Exhibits 1, 1.8, 1.9, 1.10, 1.11, 1.13, 1.14, 1.21; Strauch Testimony; Findings*
21 *15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26.*

22 UT-66 - Discourage the use of herbicides to control vegetative growth around
23 utility facilities, encourage alternative methods such as mowing or selective treatment, and
24 encourage more environmentally friendly herbicides.

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1 PSE uses an Integrated Vegetation Management approach to manage incompatible
2 vegetation within the utility corridor. PSE's contractors use state licensed applicators to
3 establish a mix of EPA registered herbicides to apply at the lowest amount needed to
4 attain the required control of incompatible vegetation. *Exhibits 1, 1.10, 1.11, 1.13, 1.14,*
5 *1.21; Strauch Testimony.*

6 UT-67 - Require designs that incorporate known and accepted low-cost
7 technological methods of reducing magnetic fields or the exposure to them when siting
8 high-voltage electrical facilities until further research provides more information on the
9 health effects of electromagnetic fields. Methods may include:

- 10 • Line configurations that reduce field strength;
- 11 • Sufficient right-of-way widths; and
- 12 • Sufficient height of lines from the ground for high-voltage transmission facilities.

13 PSE conducted studies on potential health effects of the project, including the
14 effects of the 230 kV wires' electromagnetic fields. The EIS concluded that the project
15 would not have a significant adverse impact on health. The project would result in reduced
16 electromagnetic field exposure as compared to existing conditions. *Exhibits 1, 1.8, 1.9,*
17 *1.10.*

18 UT-89 - Require proposed developments, expansions of existing uses and
19 construction projects, both public and private, located near hazardous liquid pipeline to:

- 20 • Show the location of the liquid pipeline corridors in relation to proposed
21 structures, utilities, or clearing and grading activities;
- 22 • Use techniques prior to and during construction to minimize the potential for
23 disturbing the pipeline;
- 24 • Identify and mitigate potential erosion over pipelines from stormwater discharge;

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- 1 • Use setbacks and other site design techniques to minimize the potential hazard;
- 2 and
- 3 • Develop emergency plans as appropriate.

4 PSE proactively addressed potential safety concerns related to construction safety
5 and the potential for interactions between the project and two collocated petroleum
6 pipelines. The EIS concluded that while there are safety risks for occupants of adjacent
7 properties associated with the high voltage lines and the presence of the petroleum
8 pipelines, these risks will not increase with the proposal. *Exhibits 1, 1.8, 1.9, 1.10; Rogers*
9 *Testimony; Kemp Testimony.*

10 PSE continues to coordinate with Olympic Pipeline throughout project design and
11 construction to ensure project safety. In addition to ensuring that PSE's transmission poles
12 are located a safe distance from the pipelines, PSE's construction plan involves physically
13 verifying the pipeline location ahead of construction. *Exhibit 1; Rogers Testimony; Kemp*
14 *Testimony.*

15 UT-90 - Coordinate with the pipeline operator when developments are proposed
16 near a hazardous liquid pipeline corridor to reduce the potential for problems. Methods
17 include but are not limited to:

- 18 • Notifying the pipeline operator of proposed development projects located within
- 19 one-quarter mile of a pipeline corridor;
- 20 • Seeking the pipeline operator's participation in preconstruction meetings for
- 21 projects located within 150 feet of a pipeline corridor;
- 22 • Requesting the operator to determine if additional measures above the normal
- 23 locating process are necessary to physically verify pipeline locations before
- 24 proceeding to develop; and

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- Seeking monitoring by the pipeline operator of development that involves land disturbance or other significant work within the pipeline corridor, or within 30 feet of a pipeline, whichever is greater.

PSE regularly coordinates with other non-city utilities, including monthly meetings with Olympic Pipeline Company to discuss and coordinate on the proposal. This ongoing coordination aids in PSE ensuring that its construction and operational planning is integrated with other co-located facilities. *Exhibit 1; Rogers Testimony; Kemp Testimony.*

49. Any Finding of Fact that is more correctly a Conclusion of Law is incorporated as such by this reference.

V. DECISION

Based on the preceding findings and conclusions, the requested conditional use permit and site plan entitlement for the Redmond portion of Energize Eastside Project are **APPROVED** subject to the following conditions:

VI. CONDITIONS

Site Specific Conditions of Approval: The conditions shall be reflected on the construction drawings, unless otherwise noted:

1. Development Engineering – Stormwater/Clearing and Grading.
 - a. Water Quantity Control. The proposed work does not meet the thresholds for detention. No Best Management Practices are needed. Code Authority: RZC 21.74.020.D, RMC 15.24.080(9).

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- 1 b. Water Quality Control. The proposed work does not meet the thresholds for storm
2 water quality treatment. No BMPs are needed. Code Authority: RZC 21.74.020.D,
3 RMC 15.24.080(8).
- 4 c. Public Stormwater Easements. Public Easements will be required for any public
5 stormwater conveyance systems on private property. No public easements are
6 anticipated for this project. Code Authority: RZC 21.74.020.C.
- 7 d. Clearing and Grading. There are no site-specific requirements, and all general
8 standards apply. Code Authority: RMC 15.24.080.
- 9 e. Temporary Erosion and Sediment Control. Rainy season work permitted October 1
10 through April 30 with an approved Wet Weather Plan. Construction during the
11 rainy season should be avoided to the greatest extent possible to minimize impacts
12 to wetland resources. Code Authority RMC 15.24.080.
- 13 f. Floodplain Management. The Project is not in the floodplain. Code Authority: RZC
14 21.64.010 and 21.64.040.
- 15 g. Department of Ecology Notice of Intent Construction Stormwater General Permit.
16 Notice of Intent must be submitted to the Department of Ecology at least 60 days
17 prior to construction on a site that disturbs an area of one acre r larger. Code
18 Authority: Department of Ecology Rule.
- 19 h. Critical Landslide Hazard Areas. No site-specific requirements, all general
20 standards apply. Code Authority: RZC 21.64.060.B.
- 21 2. Planning Department
- 22 a. Site Specific Conditions.
- 23 i. Critical areas mitigation for this project will be constructed as part of the future
24 Willows Creek Stream Relocation Project located behind the Sammamish
25 Substation. The applicant shall apply for a clearing and grading permit for the

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1 relocation project prior to approval of the civil construction drawings for
2 Energize Eastside. As an option, the applicant can provide the City with a phased
3 schedule for the Willows Creek Stream Relocation Project implementation with
4 milestones for anticipated permitting and construction. If chosen, this latter
5 option shall be mutually agreed upon by both the City and PSE.

- 6 ii. PSE shall implement proposed pole finishes consistent with the
7 recommendations found in Attachment 17, Pole Finishes Report.
- 8 iii. PSE shall develop a public outreach plan that details how PSE will provide
9 information to the public about the types and locations of expected construction
10 impacts and mitigation measures. As part of the plan, a construction outreach
11 team shall work with affected property owners to minimize constructed-related
12 impacts throughout the duration of project construction. PSE shall submit to the
13 City quarterly reports summarizing status of public outreach efforts including
14 issues raised by the community and how PSE is addressing concerns. Reports
15 shall be submitted to the Planning Department through project completion.
- 16 iv. Any approval conditions required due to other state or federal permits shall be
17 incorporated into the construction drawings.
- 18 v. PSE shall identify any area where a helicopter or large crane will be used to lift
19 foundation rebar and/or poles over adjacent properties and into place, or to
20 facilitate stringing the new transmission lines. PSE or its contractor shall provide
21 copies of any congested air permit issued by the Federal Aviation Administration
22 (FAA). PSE shall coordinate with the City's construction inspection group.
- 23 vi. PSE shall implement their Integrated Pest Management (IPM) Plan as shown in
24 Attachment 22. Use of herbicides shall be in accordance with state and federal
25 guidelines and only implemented by a Washington State Department of

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1 Agriculture licensed herbicide applicator. PSE shall give the City 48 hours'
2 notice in advance of any herbicide use to Tom Hardy, Environmental and Utility
3 Services Division of the Public Works Department.

4 vii. A Tree Exception Request has been granted to allow the removal of 79
5 significant trees within wetlands, 68 significant trees within wetland/stream
6 buffers, and three landmark trees. The applicant shall snag the trees in the
7 wetlands and wetland/stream buffers where possible to provide habitat value.
8 The height of the snag shall be less than the potential striking distance of a
9 structure or pedestrian pathways. Tree remains after snagging shall be left within
10 the critical areas and their buffers.

11 viii. PSE shall provide replacement plantings for landmark trees and significant trees
12 removed. The proposal includes removal of three landmark trees and 457
13 significant trees. Per RZC 21.72.080.B, significant trees and landmark trees shall
14 be replaced at a 1:1 and 3:1 ratio respectively. Therefore, PSE shall plant 466
15 replacement trees, or pay a fee-in-lieu, or some combination thereof (RZC
16 21.72.080.B). However, the tree replacement numbers may vary based on actual
17 conditions at the time of construction. PSE will provide an inventory of those
18 trees removed during construction and the final number of replacement trees.

19 b. Tree Preservation Plan. A Tree Preservation Plan depicting all significant and
20 landmark trees required to be preserved as part of the site development must be
21 provided with the civil construction drawings. Code Authority: RZC 21.72.060.D.

22 c. Tree Health Assessment. An updated tree health assessment shall be provided
23 during the civil review process. Code Authority: RZC 21.32.

24 d. Critical Areas Mitigation Plan. All required enhancement and mitigation must be
25 shown on the civil drawings. This includes any required planting, signage, fencing,

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1 wetland or stream enhancement, etc. that is required in the report. Code Authority:
2 RZC Appendix 1.

3 e. Monitoring and Contingency Plan. A five-year monitoring program shall be
4 prepared and implemented to determine the success of the critical areas mitigation
5 project and identify any necessary corrective actions. A contingency plan shall be
6 established prior to civil drawing approval for indemnity in the event that the
7 mitigation project is inadequate or fails. Code Authority: RZC 21.64.020.P.

8 f. Critical Areas Recording. Prior to issuance of the civil permits, the City and PSE
9 shall determine a mechanism whereby the regulated critical areas and its
10 associated buffers are protected consistent with RZC 21.64.010.R.4. This
11 mechanism shall prohibit development other than what is required to install,
12 maintain and mitigate for utility services as well as habitat enhancement and
13 restoration. Code Authority: RZC 21.64.010.R.4.

14 g. Final Critical Areas Report. A final Critical Areas Report must be submitted with
15 the civil construction drawings. All required enhancement and mitigation must be
16 shown on the civil construction drawings. This includes any required planting,
17 signage, fencing, wetland or stream enhancement, etc. that is required in the report.
18 If report is greater than two years old at time of civil review, an updated report
19 shall be submitted. Code Authority: RZC Appendix 1, Section G.

20 h. Bonds. Bonds for Tree Preservation, Tree Replacement and Critical Areas
21 Mitigation shall be provided no less than five days prior to construction drawing
22 approval. Drafts of the Bond Agreements, Bond Quantity Worksheets and Bond
23 Calculation Worksheets shall be submitted at time of construction drawing
24 application. Code Authority: RZC 21.76.090.F.

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- 1 i. Hazardous Liquid Pipelines. PSE shall develop a Construction Management and
2 Access Plan in coordination with Olympic's Damage Prevention Team that are
3 mutually agreed upon by both parties. These plans shall outline the specific actions
4 that PSE will take to protect the pipelines from vehicle and equipment surcharge
5 loads, excavation, and other activities in consideration of Olympic's general
6 construction and right-of-way requirements and in consultation with Olympic on
7 Energize Eastside project design. This Plan shall be submitted to the City of
8 Redmond for its review and approval before construction permit issuance.
- 9 i. Notify 'one-call' 811 utility locator service at least 48 hours prior to PSE or PSE-
10 designated contractors conducting excavation work. (Olympic's line marking
11 personnel will then mark the location of the pipelines near the construction areas.
12 These procedures are designed to ensure that excavation will not damage any
13 underground utilities and to decrease potential safety hazards.)
- 14 ii. Field verify the distance between the pipelines and transmission line pole
15 grounds.
- 16 iii. Add the pipeline location and depth to project plans and drawings and submit to
17 Olympic for evaluation. To the extent that Olympic determines pipeline location
18 and depth is secure or confidential information, this information is not required
19 to be submitted to the city under this condition.
- 20 iv. Arrange for Olympic representatives to be on-site to monitor construction
21 activities near the pipelines.
- 22 v. Identify demarcation and protection measures as recommended and required by
23 Olympic.
- 24 vi. Provide all necessary information for Olympic to perform pipe stress
25 calculations for equipment crossings and surface loads (surcharge loads). Based

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- 1 on pipe stress calculations and in coordination with Olympic, provide additional
2 cover that may include installing timber mats, steel plating, or temporary air
3 bridging; utilize a combination of these; or avoid crossing in certain identified
4 areas to avoid impacts on the Olympic pipelines.
- 5 vii. Incorporate additional measures related to minimizing surcharge loads included
6 in Olympic's general construction and right-of-way requirements.
- 7 viii. The Construction Management and Access Plan will identify contractor
8 responsibilities including appropriately sized construction zones to protect the
9 general public, construction timing limits, and other mitigation measures that
10 will limit the exposure of the general public to potential pipeline incidents.
- 11 ix. No excavation or construction activity will be permitted in the vicinity of a
12 pipeline until appropriate communications have been made with Olympic's field
13 operations and its Right-of-Way Department. A formal engineering assessment
14 (conducted by Olympic) may be required.
- 15 x. No excavation or backfilling within the pipeline right-of-way will be permitted
16 for any reason without a representative of Olympic on-site giving permission.
- 17 xi. Coordinate with Olympic regarding excavation and other construction activities
18 to ensure that pipeline operating pressures are reduced prior to these activities
19 when necessary.
- 20 xii. As directed by Olympic, use soft dig methods (e.g., hand excavation vacuum
21 excavation, etc.) whenever the pipeline(s) are within 25 feet of any proposed
22 excavation or ground disturbance below original grade.
- 23 xiii. Coordinate with Olympic to ensure that an Olympic representative, trained in the
24 observation of excavation and pipeline locating, is onsite at all times during
25 excavation and other ground-disturbing activities that occur within 100 feet of

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- 1 the pipelines where the pipelines are co-located with the proposed transmission
2 lines.
- 3 xiv. Where excavations are within 20 feet of the Olympic Pipeline system, the project
4 geotechnical engineer shall consider temporary casing to reduce the risk of
5 sloughing under the pipeline.
- 6 xv. As required by Olympic, steel plates or mats will be placed over the pipelines to
7 distribute vehicle loads where construction equipment needs to cross over the
8 pipelines.
- 9 xvi. Utility settlement monitoring points will be established on the Olympic Pipeline
10 corridor at the direction of Olympic where drilled shafts will be within 15 feet of
11 a pipeline (or another distance as stipulated by Olympic) to monitor settlement
12 during installation of the drilled shafts. Settlement monitoring points will be
13 installed so that baseline readings of the settlement monitoring points may be
14 completed prior to the contractor mobilizing to the site. Monitoring will continue
15 during construction on a daily basis and twice a week in the three weeks
16 following construction. The monitoring readings will be reviewed by the
17 Engineer on a daily basis. If measured settlement exceeds one inch, or an amount
18 specified by Olympic, the integrity of the utility will be tested, and PSE will
19 work with Olympic to repair any damage to the utilities as a result of
20 construction. Code Authority: RZC 21.16 and Comprehensive Plan Policy UT-
21 89.
- 22 j. Archaeological Historic Preservation. At all times, PSE shall monitor for potential
23 impacts to archaeological resources and shall implement its Inadvertent Discovery
24 Plan where applicable. A professional archaeological monitor shall be present for
25 those areas that have not been previously investigated to monitor all ground

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1 disturbing activities and that an archaeological MIDP shall be prepared and
2 submitted to DAHP and the interested Tribes for review prior to ground
3 disturbance. Code Authority: RZC 21.30.070.D.

4 k. Construction Parking Requirements Contact Information. A sign shall be posted on-
5 site visible to the public throughout the duration of all construction activity per the
6 Construction Contact Sign Handout. Construction activities consist of all site work
7 including, but not limited to grading, landscaping, infrastructure and building
8 permit related construction. Applicant and contractor shall work with the city
9 planner prior to construction drawing approval to determine location(s) of sign(s).
10 Contact information shall remain up-to-date and visible at all times. The assigned
11 city planner shall be notified within two business days when the contact person has
12 been changed and a picture of the updated sign shall be e-mailed. Construction
13 Parking requirements for the project shall be denoted on the bottom portion of the
14 sign per handout instructions. Code Authority: RZC 21.76.070.B.a.ii.A,
15 Comprehensive Plan TR-19.

16 3. Compliance with City of Redmond Codes and Standards. This approval is subject to
17 all applicable City of Redmond codes and standards, including the following:

18 a. Transportation and Engineering

19 i. RMC 12.08 – Street Repairs, Improvements & Alterations

20 ii. RZC 21.76.020.G – Site Construction Drawing Review

21 iii. RZC 21.76.020.H.6 – Preconstruction Conference

22 iv. RZC 21.76.020.H.7 – Performance Assurance

23 v. City of Redmond Record Drawing Requirements

24 vi. City of Redmond Standard Specifications and Details

25 b. Stormwater Clearing and Grading

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- 1 i. RMC 15.24 – Clearing, Grading, and Storm Water Management
- 2 ii. RZC 21.64.060 – Geologically Hazardous Areas
- 3 iii. City of Redmond Stormwater Technical Notebook, Issue No. 8, Amended June
- 4 5, 2019
- 5 iv. Department of Ecology Stormwater Management Manual for Western
- 6 Washington, Amended December 2017
- 7 c. Planning
- 8 i. RZC 21.32, 21.72 – Landscaping and Tree Protection
- 9 ii. RMC 6.36 – Noise Standards
- 10 iii. RZC 21.64 – Critical Areas

DATED this 31st day of May, 2022.

VAN NESS FELDMAN

s/ Erin L. Anderson

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 Clara Park, WSBA #52255
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Attorneys for Puget Sound Energy, Inc.

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CERTIFICATE OF SERVICE

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I, I’sha Willis, declare as follows:

That I am over the age of 18 years, not a party to this action, and competent to be a witness herein:

That I, as a Legal Assistant in the office of Van Ness Feldman LLP, caused true and correct copies of the following documents to be delivered as set forth:

- 1. PSE’s Proposed Findings of Fact, Conclusions and Decisions and Conditions of Approval;
- 2. Certificate of Service

and that on June 1, 2022, I addressed said documents and deposited them for delivery as follows:

HEARING EXAMINER
Sharon Rice
City of Redmond Hearing Examiner
15670 NE 85th Street
Redmond, WA 98052

By email:
kbiegel@redmond.gov

COURTESY COPIES
Cathy Beam, Principal Planner

E-mail:
cbeam@redmond.gov

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding, by authorized method of service.

EXECUTED at Seattle, Washington on this 1st day of June, 2022.

s/ I’sha Willis
I’sha Willis, Declarant