



# NE 85th St. Station Area Plan and Planned Action Supplemental EIS

## Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## Use of Checklist for Non-project Proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

## A. BACKGROUND

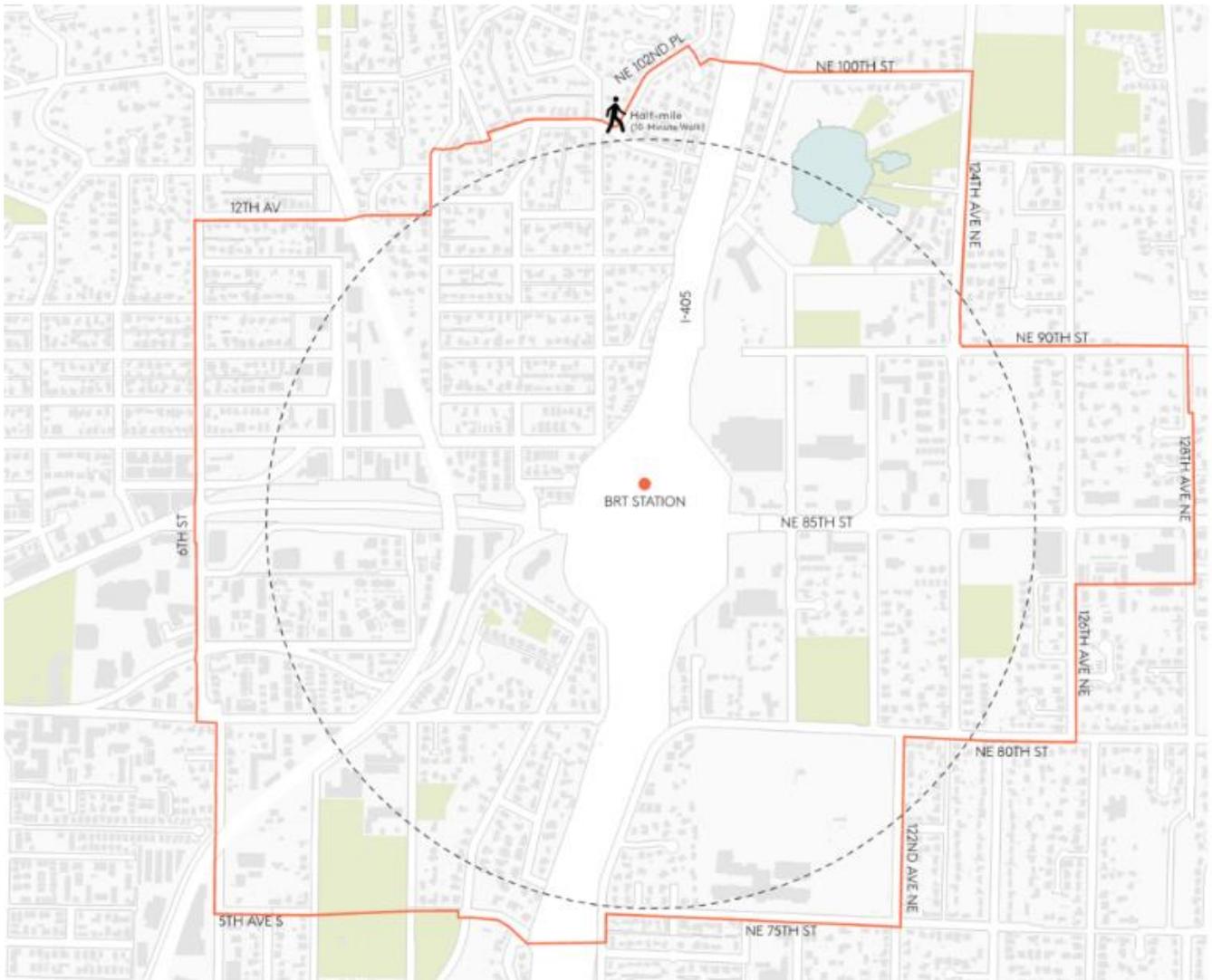
1. Name of proposed project, if applicable:  
**NE 85th St. Station Area Plan and Planned Action**
2. Name of applicant:  
**City of Kirkland**
3. Address and phone number of applicant and contact person:  
**Allison Zike, AICP, Senior Planner  
City of Kirkland  
123 5th Avenue  
Kirkland, WA 98033  
(425) 587-3259  
azike@kirklandwa.gov**
4. Date checklist prepared:  
**May 20, 2020**
5. Agency requesting checklist:  
**City of Kirkland**
6. Proposed timing or schedule (including phasing, if applicable):  
**Adoption anticipated Spring 2021.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.  
**The Station Area Plan may be updated periodically with the City's periodic Comprehensive Plan review, annual docketing, or as otherwise deemed appropriate by the City.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.  
**Kirkland Comprehensive Plan Update & Totem Lake Planned Action - Final Environmental Impact Statement, 2015.  
City of Kirkland Critical Areas Regulations Technical Report, January 2016  
Kirkland NE 85th St. Station Area Plan, Opportunities and Challenges Report, Wednesday, April 15th, 2020.**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.  
**This is a non-project action, and the proposed actions are legislative in nature. Private permits may be under review within the Station Area.**
10. List any government approvals or permits that will be needed for your proposal, if known.  
**Kirkland Planning Commission recommendations and City Council approval required. State of Washington Department of Commerce 60-day review.**
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)  
**The City of Kirkland is proposing to develop a Station Area Plan (SAP) in the area surrounding the future WSDOT/Sound Transit I-405/NE 85th Street Interchange and Inline Bus Rapid Transit (BRT) Station. The BRT station, developed by Sound Transit and WSDOT, has been designed to connect Kirkland to the Link Light Rail at Bellevue and the Lynnwood Transit Center.  
The purpose of the SAP is to advance the 2035 Comprehensive Plan vision and support a vibrant,**

equitable, and sustainable Transit-Oriented Community adjacent to this major regional transit investment and as part of the continued growth expected in Downtown Kirkland and the 85th Corridor. The SAP will address land use, urban design, open space, transportation, stormwater and utilities, and sustainability in the area approximately one-half mile from the BRT station. The SAP will study mobility and transportation connections within the station area as well as effective last-mile connections, making it easier to walk and bike to the station from the city's neighborhoods and destinations. The SAP will study various types of potential future development supportive of high capacity transit including a mix of jobs, housing, and community uses. The SAP will examine new opportunities to maximize the public benefit from potential future development, including affordable housing, open space, desired job types. The SAP is anticipated to include area-specific policies and will consider changes to zoning and other regulations, including a form-based code, in support of a Transit-Oriented Community and will study policies and development incentives to support diverse housing choices for a range of income levels. The City intends to adopt a planned action under RCW 43.21C.440 to facilitate future permitting of development consistent with the SAP.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

**The study area is approximately a half mile area centered on the future NE 85<sup>th</sup> Street/I-405 BRT station location. At the maximum extents, the study area is bounded approximately by 12<sup>th</sup> Avenue and NE 100<sup>th</sup> Street to the north, 128<sup>th</sup> Avenue NE to the east, NE 7<sup>th</sup> and 5<sup>th</sup> Avenue S to the south, and 6<sup>th</sup> Street to the west. A map is shown below.**

Figure 1. NE 85th Street Station Area Plan Study Area



Source: Mithun, 2020

## B. ENVIRONMENTAL ELEMENTS

The checklist includes information on subjects that are not proposed for study in the SEIS due to the prior Comprehensive Plan EIS. The checklist provides the SEIS approach to a topic that is proposed to be explored in the SEIS, and does not complete the associated questions.

### 1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other \_\_\_\_\_
- b. What is the steepest slope on the site (approximate percent slope)?  
**Natural Resource Conservation Service (NRCS) soils maps indicate limited areas (less than 1 acre) of Alderwood Gravelly Sandy Loam at 15-30% slopes in the southwestern portion of the study area. The rest of the study area is covered primarily by Alderwood, Everett, and Indianola complex soils at 5-15% slopes.**
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Soils in the study area primarily consist of sandy and gravelly loams, though the Indianola loamy sand is present in the northwestern and southwestern portions of the study area, as well as Arenas materials on the western edge of the study area. The area surrounding Forbes Lake in the northeastern study area is characterized by Tukwila muck and Snohomish silt loam soils. The study area does not contain any soils classified as agricultural lands of long-term significance.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.  
**The City's Critical Areas maps indicate the presence of moderate to high landslide susceptibility areas throughout the study area.<sup>1</sup>**  
**Liquefaction is a phenomenon where saturated or partially saturated soil rapidly loses strength as a result of applied stress, such as an earthquake. Within the study area, lands just east of the I-405 interchange re mapped with high liquefaction potential.**
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.  
**Not applicable to this non-project action. Future development would be required to prepare appropriate geotechnical and soils studies where required by the International Building Code and the Kirkland Zoning Code. With future development, there would be fill and grade proposals, and limited existing vegetation may be removed. However, all development is subject to City building, grading, and erosion control regulations.**
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.  
**See 1.e above.**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?  
**The study area is in an urban setting, centered around the intersection of I-405 and NE 85<sup>th</sup> Street. As such, it contains substantial levels of impervious surfaces in the form of buildings, parking areas, and transportation infrastructure. Existing zoning allows for a mix of commercial and residential uses at a variety of densities.**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
- **City of Kirkland Critical Areas Regulations: Chapter 85 of the Kirkland Municipal Code would apply to all development in the study area. The code establishes regulations for properties containing geologically hazardous areas, including requirements for development permit applications and geotechnical analysis. Under the code, the City has the authority to require site-specific analysis of geological hazard potential and impose conditions on development to mitigate safety risks prior to issuing building permits.**
  - **City of Kirkland Tree Management and Landscaping Regulations: Chapter 95 of the Kirkland Municipal Code would apply to development in the study area and establishes requirements for tree retention and landscaping for new construction.**
  - **Building Code: Kirkland Municipal Code Chapter 21.08 adopts the International Building Code (2015 edition) for new construction, with limited amendments.**

This topic will not be further evaluated in the Supplemental EIS.

## 2. Air

**The SEIS will assess existing air quality conditions in the station area and document the existing local, regional, and federal regulatory framework for protecting air quality, with a focus on greenhouse gas impacts associated with future development under the proposed Station Area Plan, including**

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<sup>1</sup> City of Kirkland GIS: <https://maps.kirklandwa.gov/Html5Viewer/>.

**transportation-related emissions and construction activities. Where potential adverse impacts are identified, the SEIS will propose appropriate mitigation measures.**

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.  
**See 2 above.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.  
**See 2 above.**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:  
**See 2 above.**

3. Water

**There are surface waters in the study area including Forbes Creek and Forbes Lake. For current conditions that will be adapted and included in the SEIS, please see the *Kirkland NE 85<sup>th</sup> St. Station Area Plan, Opportunities and Challenges Report, Wednesday, April 15th, 2020*. The SEIS will supplement the discussion of natural resources, including surface water and stormwater drainage, included in the 2015 Comprehensive Plan Update EIS. The SEIS will document existing water resources in the station and evaluate potential impacts associated with the plan alternatives. Where future development under the proposed would result in adverse impacts to water resources, the SEIS will identify appropriate mitigation measures.**

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.  
**See 3 above.**
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.  
**See 3 above.**
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.  
**See 3 above.**
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.  
**See 3 above.**
- 5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.  
**See 3 above.**
- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.  
**See 3 above.**

b. Ground:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well? Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.  
**Use of groundwater is not anticipated by new development, which would tie into the municipal**

**water system. Future development would need to comply with surface water management standards to provide for appropriate stormwater management and low impact development. According to the City of Kirkland Critical Areas Regulations Technical Report, January 2016.<sup>2</sup>**

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

**Future development is anticipated to include residential, commercial, and light industrial uses per current zoning. The intent of the SAP is to identify a mix of jobs, housing, and community uses. Uses that are not connected to the sewer system, or heavy industrial uses, are not anticipated. Agricultural uses are not expected in the urban area.**

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including stormwater) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

**See 3 above. Surface water and stormwater are topics of the Supplemental EIS.**

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

**See 3 above. Surface water and stormwater are topics of the Supplemental EIS. Waste materials are not anticipated to enter groundwater. Wastewater will be addressed through sewer systems. Stormwater requirements will address water quality.**

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

**See 3 above. Surface water and stormwater are topics of the Supplemental EIS.**

- d. Proposed measures to reduce or control surface, ground, runoff water, and drainage pattern impacts, if any:

**See 3 above. Surface water and stormwater are topics of the Supplemental EIS.**

4. Plants

- a. Check the types of vegetation found on the site:

Deciduous tree: Alder, maple, aspen, other

Evergreen tree: Fir, cedar, pine, other

Shrubs

Grass

Pasture

Crop or grain

Orchards, vineyards or other permanent crops.

Wet soil plants: Cattail, buttercup, bullrush, skunk cabbage, other

Water plants: Water lily, eelgrass, milfoil, other

Other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

**Future development under the plan update may remove existing vegetation in the study area which is**

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<sup>2</sup> See: <https://www.kirklandwa.gov/Assets/Planning/Planning+Docs/2016+Critical+Areas+Technical+Report.pdf>

**largely ornamental. Development would be consistent with development regulations regarding landscape standards, critical areas regulations, and clearing and grading permit conditions.**

- c. List threatened and endangered species known to be on or near the site.  
**No threatened or endangered plant species have been identified in the study area based on a review of the State of Washington Department of Natural Resources Natural Heritage Program and the City of Kirkland Critical Areas Regulations Technical Report, January 2016.<sup>3</sup>**
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:  
**Individual development projects occurring under the Station Area Plan would be required to comply with the City's landscaping standards, tree retention requirements, and critical areas regulations. Additionally the SAP is anticipated to include recommendations for stormwater management and green infrastructure. This topic was evaluated in the 2015 EIS. This topic will not be further evaluated in the Supplemental EIS.**
- e. List all noxious weeds and invasive species known to be on or near the site.  
**The King County Noxious weed program has documented the following noxious weed species in the vicinity of the study area:**
- **Absinthe wormwood**
  - **Dalmatian toadflax**
  - **Diffuse knapweed**
  - **Giant hogweed**
  - **Meadow knapweed**
  - **Spotted knapweed**
  - **Sulfur cinquefoil**
  - **Tansy ragwort**

**Noxious weed control is subject to the State of Washington noxious weed laws.<sup>4</sup>**

## 5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:
- X Birds: **Hawk, heron, eagle, songbirds**, other:
- X Mammals: **Deer**, bear, elk, beaver, other: **(rabbits, squirrels, opossum, coyote, raccoons, rodents)**
- X Fish: Bass, **salmon, trout**, herring, shellfish, other:
- b. List any threatened and endangered species known to be on or near the site.  
**As described in the 2015 EIS, and similarly in the City of Kirkland Critical Areas Regulations Technical Report, January 2016, Kirkland's water bodies and natural areas provide habitat for a variety wildlife species, including the following priority species:**
- **Great blue heron (State Monitor Species)**
  - **Pleated woodpecker (State Sensitive Species, Federal Species of Concern)**

<sup>3</sup> See: <https://www.kirklandwa.gov/Assets/Planning/Planning+Docs/2016+Critical+Areas+Technical+Report.pdf>

<sup>4</sup> See: <https://www.nwcb.wa.gov/washingtons-noxious-weed-laws>.

- Osprey (State Monitor Species)
- Bald eagle (State Sensitive Species, Federal Species of Concern)
- Purple martin (State Candidate Species)
- Trumpeter swan (Priority Habitat Species)

In addition, anadromous fish occur in Forbes Creek, which runs through a portion of the study area, and resident cutthroat trout have been recorded in Forbes Lake from the mouth in Lake Washington east to I-405.

- c. Is the site part of a migration route? If so, explain.

**The Puget Sound region is within the Pacific Flyway migratory bird route.**

- d. Proposed measures to preserve or enhance wildlife, if any:

**The City's critical areas regulations (Chapter 90 Kirkland Municipal Code) establish protections for streams, wetland, and wildlife habitat areas, including buffers and mitigation requirements. The City has completed Phase 1 of the Forbes Creek - North Rose Hill Stormwater Project, and anticipates adding other projects through the implementation of the Surface Water Master Plan.<sup>5</sup> Additionally the SAP is anticipated to include recommendations for stormwater management and green infrastructure. This topic was evaluated in the 2015 EIS. This topic will not be further evaluated in the Supplemental EIS.**

- e. List any invasive animal species known to be on or near the site.

**No invasive animal species are known to be in the study area.**

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

**Future development in the study area will continue to use energy (primarily electricity and natural gas) for heating, cooking, lighting, and business needs (refrigeration, powering machinery, light manufacturing).**

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

**One of the stated objectives of the SAP is to implement Transit Oriented Development (TOD) design principles in the study area. Implementation of TOD may result in increased density and intensity of development near the new BRT station, which could include increased building heights compared to existing conditions. Such increases in building height could cause increased shading on adjacent properties. Effects of increased building heights will be analyzed and addressed in the SEIS.**

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

**The Utilities Element of the Kirkland Comprehensive Plan guides coordination between the City and utility service providers. The Comprehensive Plan contains the following goals and policies related to energy conservation and energy efficiency:**

- **Goal U-7: Promote energy infrastructure that is energy-efficient, addresses climate change, and protects the community character.**
  - **Policy U-7.1: Encourage the public to conserve energy through public education.**

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<sup>5</sup> See:

[https://www.kirklandwa.gov/depart/Public\\_Works/Utilities/Storm\\_Surface\\_Water/About\\_the\\_Stormwater\\_UTILITY/Storm\\_Surface\\_Water\\_Division\\_Projects/Forbes\\_Creek\\_-\\_North\\_Rose\\_Hill\\_Stormwater\\_Project.htm](https://www.kirklandwa.gov/depart/Public_Works/Utilities/Storm_Surface_Water/About_the_Stormwater_UTILITY/Storm_Surface_Water_Division_Projects/Forbes_Creek_-_North_Rose_Hill_Stormwater_Project.htm).

- **Policy U-7.2:** Participate in regional efforts to increase renewable electricity use 20% beyond 2012 levels Countywide by 2030, phase out coal fire electricity sources by 2025, limit construction of new natural gas-based electricity power plants, and support development of increasing amounts of renewable energy sources.
- **Policy U-7.3:** Work with and encourage Puget Sound Energy to provide clean and renewable energy that meets the needs of existing and future development, and provides sustainable, highly reliable and energy efficient service for Kirkland customers.
- **Policy U-7.4:** Promote the use of small to large scale renewable energy production facilities.

The City has adopted the Washington State Energy Code in KMC Title 21, Chapter 21.37. With applicable regulations, no significant adverse impacts are anticipated. This topic will not be further evaluated in the Supplemental EIS.

## 7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.  
**New development of specific parcels allowed under the SAP will be subject to City zoning for allowable uses and activities, and City codes for handling hazardous materials, as well as State and Federal hazardous materials regulations.**
- 1) Describe any known or possible contamination at the site from present or past uses.  
**The study area contains 18 properties listed on the register of the Washington State Department of Ecology Toxics Cleanup Program. Eight of these properties are listed as “No Further Action Required”, and another six have begun cleanup activities. The remaining four properties awaiting cleanup consist of an industrial facility, a shopping center with potential gas station petroleum contamination, a WSDOT property adjacent to the I-405 offramp to NE 85<sup>th</sup> Street, and a City of Kirkland stormwater decant facility.**
  - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.  
**See 7.a.1 above.**
  - 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.  
**New development of specific parcels will be subject to City zoning for allowable uses and activities, and City codes for handling hazardous materials as well as State and Federal hazardous materials regulations.**
  - 4) Describe special emergency services that might be required.  
**Increased intensity of land use in the study area that may occur following adoption of the SAP and associated development regulations may increase the overall demand for police and fire services. Public services will be evaluated in the Supplemental EIS.**
  - 5) Proposed measures to reduce or control environmental health hazards, if any:  
**The State Model Toxics Control Act (MTCA) sets standards for cleanup of lower levels of contaminants that are incorporated into new development and redevelopment parcels noted to be potentially contaminated. The City applies relevant standards regarding hazardous materials handling in the International Fire Code, the National Fuel Gas Code, the Liquefied Petroleum Gas Code, and the International Fuel Gas Code. With applicable regulations, no significant adverse impacts are anticipated. This topic will not be further evaluated in the Supplemental EIS.**
- b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?  
**Noise levels in the study are typical for an urban area, primarily associated with vehicular traffic and residential and commercial activities.**

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

**The proposal would increase short-term noise levels during construction activities. However, City regulations limit permissible noise levels between the hours of 8:00 pm and 7:00 am on weekdays and between 6:00 pm and 9:00 am on weekends and holidays. In the long-term, increased density/intensity of development near the BRT station and increased bus traffic associated with transit service could increase the overall level of human activity and vehicular traffic noise.**

3) Proposed measures to reduce or control noise impacts, if any:

**WSDOT has conducted the I-405 Corridor Program NEPA Review and considered future development to 2030.<sup>6</sup> The I-405 Corridor program reviewed the number of parcels in proximity to the I-405 including at NE 85<sup>th</sup> Street and identified locations for noise mitigation.**

**For the BRT station itself, WSDOT is conducting environmental and conceptual engineering.<sup>7</sup> Regional transit systems are considered essential public facilities and would not qualify as planned actions as a primary use. (RCW 36.70A.200, RCW 43.21c.440, WAC 197-11-164-172)**

**For development in the study area that qualifies as planned actions, the following applies:**

- **The City regulates noise nuisances under Chapter 115.95 of the Kirkland Municipal Code. Noise related to construction activities is regulated under Chapter 115.25 of the Kirkland Zoning Code.**
- **Pedestrian- and transit- oriented design principles anticipated in the SAP are intended to encourage residents and visitors to use transportation modes other than driving alone, which can moderate the increase in vehicle traffic and associated noise.**

**With prior environmental review by WSDOT for I-405, the tiered environmental review of the BRT station, and applicable City regulations for private development, this topic will not be further evaluated in the Supplemental EIS addressing the SAP.**

#### 8. Land and shoreline use

**The area is urban and within the city limits of Kirkland with a mix of residential and employment uses at varying densities. The area contains streams other critical areas previously described, but not shorelines of the state. There are no lands of long-term significance for agriculture or forestry. For current conditions that will be adapted and included in the SEIS, please see the *Kirkland NE 85<sup>th</sup> St. Station Area Plan, Opportunities and Challenges Report*, Wednesday, April 15<sup>th</sup>, 2020.**

**The SEIS will compare and evaluate the proposed amount, types, scale, and pattern of land uses in comparison to the existing land use pattern of the station area and surrounding areas. The SEIS analysis will evaluate the nature and magnitude of changes envisioned in the Station Area Plan compared with the *Kirkland 2035* comprehensive plan and the existing development code and design standards. The SEIS will**

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<sup>6</sup> See: <https://www.wsdot.wa.gov/Projects/I405/corridor/feis.htm>.

<sup>7</sup> See:

<https://www.kirklandwa.gov/Assets/Boards+and+Commissions/Boards+and+Commissions+PDFs/Transportation+Commission/2019/June/I-405-NE+85th+St+Interchange+Inline+BRT+Station+and+Interchange.pdf>.

**also analyze the consistency of the Station Area Plan with the City's adopted comprehensive plan and regional plans and policies.**

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.  
**See 8 above.**
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or non-forest use?  
**See 8 above.**
  - 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:  
**See 8 above.**
- c. Describe any structures on the site.  
**See 8 above.**
- d. Will any structures be demolished? If so, what?  
**See 8 above.**
- e. What is the current zoning classification of the site?  
**See 8 above.**
- f. What is the current comprehensive plan designation of the site?  
**See 8 above.**
- g. If applicable, what is the current shoreline master program designation of the site?  
**See 8 above.**
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.  
**See 8 above.**
- i. Approximately how many people would reside or work in the completed project?  
**See 8 above.**
- j. Approximately how many people would the completed project displace?  
**See 8 above.**
- k. Proposed measures to avoid or reduce displacement impacts, if any:  
**See 8 above.**
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
**See 8 above.**
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:  
**See 8 above.**

**9. Housing**

**As part of the Land Use Patterns and Policies evaluation in the Supplemental EIS, housing capacity and types will be addressed.**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.  
**See 9 above.**

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.  
**See 9 above.**
- c. Proposed measures to reduce or control housing impacts, if any:  
**See 9 above.**

10. Aesthetics

**The SEIS will also describe the overall aesthetic character of the station area, including the quality of the urban environment, the design and character of existing buildings, and building height, bulk, and scale. The SEIS will describe existing and proposed building forms in the study area and illustrate differences in building height and massing between the alternatives. The SEIS will also evaluate the potential impacts on community character, views, light and glare, and shading conditions as a result of the proposed changes to building height and form.**

- a. What views in the immediate vicinity would be altered or obstructed?  
**See 10 above.**
- b. Proposed measures to reduce or control aesthetic impacts, if any:  
**See 10 above.**

11. Light and glare

**See responses to 10 above.**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?  
**See 10 above.**
- b. Could light or glare from the finished project be a safety hazard or interfere with views?  
**See 10 above.**
- c. What existing offsite sources of light or glare may affect your proposal?  
**See 10 above.**
- d. Proposed measures to reduce or control light and glare impacts, if any:  
**See 10 above.**

12. Recreation

**As part of the discussion of public services, the SEIS will describe existing recreation services and facilities in the station area and evaluate impacts on demand for parks and recreation associated with the alternatives.**

- a. What designated and informal recreational opportunities are in the immediate vicinity?  
**See 12 above.**
- b. Would the proposed project displace any existing recreational uses? If so, describe.  
**See 12 above.**
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:  
**See 12 above.**

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.  
**The study area includes two historic properties designated by the City of Kirkland and included in Table CC-1 of Historic Buildings within the City of Kirkland Comprehensive Plan (Chapter IV Community Character). The Landry House is a single-family residence in the South Rose Hill neighborhood. The Kirkland Cannery is a commercial/industrial structure in the Norkirk neighborhood.**

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation. This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

**The study area contains the Kirkland Cemetery, established in 1891. Records from the Department of Archaeology and Historic Preservation (DAHP) indicate the property was inventoried in 1977 and 2010, and it “appears to meet the criteria for the National Register of Historic Places.” However the Washington State Historic Preservation Officer (SHPO) has not issued a determination for the property, and the cemetery is not currently a listed register property.**

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.
- **Review of National Register of Historic Places maps**
  - **Review of Washington Information System for Architectural & Archaeological Records Data (WISAARD)**

Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

**The City has an opportunity for persons to designate a historic landmark overlay zone or historic residence at Chapter 75 KMC Historic Landmark Overlay Zone And Historic Residence Designation. Washington State law establishes requirements for the protection and proper excavation of archaeological sites (RCW 27.53, WAC 25-48), human remains (RCW 27.44), and historic cemeteries or graves (RCW 68.60). The Governor’s Executive Order 05-05 requires state agencies to integrate DAHP, the Governor’s Office of Indian Affairs, and concerned tribes into their capital project planning process. This executive order affects any capital construction projects and any land acquisitions for purposes of capital construction not undergoing Section 106 review under the National Historic Preservation Act of 1966.**

**Under RCW 27.53, DAHP regulates the treatment of archaeological sites on both public and private lands and has the authority to require specific treatment of archaeological resources. All precontact resources or sites are protected, regardless of their significance or eligibility for local, state, or national registers. Historic archaeological resources or sites are protected unless DAHP has made a determination of “not-eligible” for listing on the state and national registers.**

**As part of the Planned Action, the City could require the following of new development:**

- **In areas documented to contain archaeological resources, a site inspection or evaluation by a professional archaeologist in coordination with affected tribes prior to issuance of permits.**
- **Inclusion of inadvertent Human Remains Discovery Language recommended by DAHP as a condition of project approval.**

**With applicable regulations and requirements, significant adverse impacts are not anticipated. This topic will not be further evaluated in the Supplemental EIS.**

#### 1.4. Transportation

**The study area contains streets and the I-405 interchange. Parcels contain buildings and parking. There is no air, rail, or water-based transportation. For current conditions that will be adapted and included in the SEIS, please see the *Kirkland NE 85<sup>th</sup> St. Station Area Plan, Opportunities and Challenges Report*, Wednesday, April 15th, 2020. The SEIS will document existing transportation conditions within the station area, including automobile and freight traffic, pedestrian, bicycle, safety, and parking conditions. The analysis will also evaluate changes in trip generation and traffic patterns resulting from proposed land use**

**changes and development in the station area, including changes associated with operation of the new Bus Rapid Transit station, and develop appropriate mitigation measures.**

- a. Identify public streets and highways serving the site or affected geographic area, and describe proposed access to the existing street system. Show on site plans, if any.  
**See 14 above.**
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?  
**See 14 above.**
- c. How many additional parking spaces would the completed project or nonproject proposal have? How many would the project or proposal eliminate?  
**See 14 above.**
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).  
**See 14 above.**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.  
**See 14 above.**
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?  
**See 14 above.**
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.  
**See 14 above.**
- h. Proposed measures to reduce or control transportation impacts, if any:  
**See 14 above.**

**15. Public services**

**The SEIS will describe the City's existing levels of service for police, fire protection, parks, and schools and evaluate potential for increased demand for services as a result of future development under the proposal, compared to the Kirkland 2035 comprehensive plan. The SEIS will also describe service and facility improvements implemented since the 2015 EIS and future planned improvements in the station area. Where service impacts are identified, the SEIS will describe appropriate mitigation measures.**

- a. Would the project result in an increased need for public services (for example: Fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.  
**See 15 above.**
- b. Proposed measures to reduce or control direct impacts on public services, if any.  
**See 15 above.**

**16. Utilities**

**A full range of utilities are present in the study area as it is urbanized. For current conditions that will be adapted and included in the SEIS, please see the Kirkland NE 85<sup>th</sup> St. Station Area Plan, Opportunities and Challenges Report, Wednesday, April 15th, 2020. The SEIS will describe existing utilities in the station area, including available water and sewer service. The SEIS will evaluate the potential for increased demand for services as a result of future development under the proposal, compared to the Kirkland 2035 comprehensive plan. The SEIS will also describe service and facility improvements implemented since the**

**2015 EIS and future planned improvements in the station area. Where service impacts are identified, the SEIS will describe appropriate mitigation measures.**

- a. Circle utilities currently available at the site: **Electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system**, other.  
**See 16 above.**
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.  
**See 16 above.**

## C. SIGNATURE

*The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.*

Signature:     Lisa Grueter and Kevin Gifford, BERK Consulting, Inc.    

Date Submitted     May 20, 2020    

## D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

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*(do not use this sheet for project actions)*

*Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.*

*When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented.*

*Respond briefly and in general terms.*

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1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

**See Sections B.2, B.3, and B.7.**

Proposed measures to avoid or reduce such increases are: **See Sections B.2, B.3, and B.7.**

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

**See Sections B.4 and B.5**

Proposed measures to protect or conserve plants, animals, fish, or marine life are: **See Sections B.4 and B.5**

3. How would the proposal be likely to deplete energy or natural resources?

**See Section B.6**

Proposed measures to protect or conserve energy and natural resources are: **See Section B.6**

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains, or prime farmlands?

**See Sections B.8 and B.12**

Proposed measures to protect such resources or to avoid or reduce impacts are: **See Sections B.8 and B.12**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

**See Section B.8**

Proposed measures to avoid or reduce shoreline and land use impacts are: **See Section B.8**

6. How would the proposal be likely to increase demands on transportation or public services and utilities?  
**See Section B.14**

Proposed measures to reduce or respond to such demand(s) are: **See Section B.14**

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

**Future development would comply with all applicable federal, state and local laws including environmental regulations.**