

Appendix F

Permits

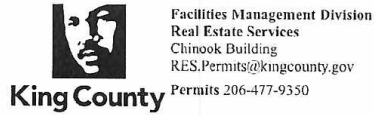


Facilities Management Division
Real Estate Services
Chinook Building
RES.Permits@kingcounty.gov
Permits 206-477-9350

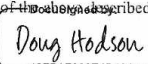
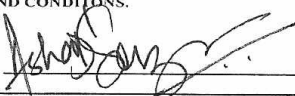
SPECIAL USE PERMIT
Use of County Owned Property

PERMIT NUMBER: SUPS25-0053		DATE: 04/24/2026																	
PERMITTEE: City of Woodinville - Asha D'Souza 17301 133rd Ave. NE Woodinville, WA 98072 DAY PHONE: (425)877-2291 OTHER PHONE: FAX:																			
PURPOSE: To allow use of PIN 726910-0096 Sammamish River Trail Corridor for a trail connection/improvement project, within the boundaries of the above referenced parcel.																			
<table border="1"><thead><tr><th>LEGAL DESCRIPTION:</th><th>Primary</th><th>1/4</th><th>Sec</th><th>Twp</th><th>Rgc</th><th>Account No</th><th>Kroll Page</th></tr></thead><tbody><tr><td></td><td>Yes</td><td>NE</td><td>9</td><td>26</td><td>5</td><td>7269100096</td><td>409</td></tr></tbody></table> Legal Description:				LEGAL DESCRIPTION:	Primary	1/4	Sec	Twp	Rgc	Account No	Kroll Page		Yes	NE	9	26	5	7269100096	409
LEGAL DESCRIPTION:	Primary	1/4	Sec	Twp	Rgc	Account No	Kroll Page												
	Yes	NE	9	26	5	7269100096	409												
EXPIRATION: This permit shall not be valid for more than 1 Year & expires on the 24th day of April, 2027.																			
Administrative Fee (New or Renewal)		\$500.00	Bond/Insurance Amount	\$1,000,000.00															
PERMITTEE MUST NOTIFY PARKSPROPERTY@KINGCOUNTY.GOV DNRP - PARKS AT: 206-477-9770 AT LEAST 72 HOURS PRIOR TO PERFORMING ANY WORK AND IMMEDIATELY UPON COMPLETION																			
Issued By: <u>Aaron Halley</u> Phone: <u>206-477-9366</u>																			
By this permit King County authorizes the use of the above described property:																			
Custodial Approval:	<u>Signature on file</u>		Date: <u>04/23/2026</u>																
Real Estate Services Approval:	<u>Signature on file</u>		Date: <u>04/24/2026</u>																
The Permittee agrees to comply with the terms and conditions contained herein.																			
SEE REVERSE SIDE FOR TERMS AND CONDITONS.																			
Signature of Permittee:	<u>Signature on file</u>		Date: <u>04/21/2026</u>																

NOTE: Permit not valid without all necessary signatures and expiration date.
King County Code 14.30



SPECIAL USE PERMIT
Use of County Owned Property

PERMIT NUMBER: SUPS25-0053		DATE: 04/16/2026																	
PERMITTEE: City of Woodinville - Asha D'Souza 17301 133rd Ave. NE Woodinville, WA 98072																			
DAY PHONE: (425)877-2291		OTHER PHONE: FAX:																	
PURPOSE: To allow use of PIN 726910-0096 Sammamish River Trail Corridor for a trail connection/improvement project, within the boundaries of the above referenced parcel.																			
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LEGAL DESCRIPTION:	Primary	1/4	Sec	Twp	Rge	Account No	Kroll Page												
Legal Description:	Yes	NE	9	26	5	7269100096	409												
EXPIRATION:		This permit shall not be valid for more than 1 Year & expires on the day of April, 2027.																	
Administrative Fee (New or Renewal)		\$500.00	Bond/Insurance Amount \$1,000,000.00																
PERMITTEE MUST NOTIFY PARKSPROPERTY@KINGCOUNTY.GOV DNRP - PARKS AT: 206-477-9770 AT LEAST 72 HOURS PRIOR TO PERFORMING ANY WORK AND IMMEDIATELY UPON COMPLETION																			
Issued By: Aaron Halley Phone: 206-477-9366																			
By this permit King County authorizes the use of the above described property:																			
Custodial Approval:		 Date: 4/23/2026 8:29 AM PDT																	
Real Estate Services Approval:		Date:																	
The Permittee agrees to comply with the terms and conditions contained herein.																			
SEE REVERSE SIDE FOR TERMS AND CONDITIONS.																			
Signature of Permittee:		 Date: 04/21/26																	

NOTE: Permit not valid without all necessary signatures and expiration date.
King County Code 14.30

01. PERMIT REVOCATION - This Permit is revocable at any time by King County. The right to revoke is expressly reserved to King County.

02. INDEMNITY AND HOLD HARMLESS - The Permittee agrees to indemnify and hold harmless King County as provided herein to the maximum extent possible under law. Accordingly, the Permittee agrees for itself, its successors and assigns to defend, indemnify, and hold harmless King County, its appointed and elected officials, and employees from and against liability for all claims, demands, suits, and judgments including costs of defense thereof for injury to persons, death, or property damage which is caused by, arises out of, or is incidental to Permittee's exercise of rights and privileges granted by this Permit. The Permittee's obligation under this section shall include a) Indemnification for such claims whether or not they arise from the sole negligence of either the County or the Permittee, the concurrent negligence of both parties, or the negligence of one or more third parties. b) The duty to promptly accept tender of defense and provide defense to the County at the Permittee's own expense. c) Indemnification of claims made by the Permittee's own employees or agents. d) Waiver of the Permittee's immunity under the industrial insurance provisions of Title 51 RCW, which waiver has been mutually negotiated by the parties.

In the event it is necessary for the County to incur attorney's fees, legal expenses, or other costs to enforce the provisions of this section, all such fees, expenses, and costs shall be recoverable from the Permittee.

In the event it is determined that RCW 4.24.115 applies to this agreement, the Permittee agrees to defend, hold harmless, and indemnify King County to the maximum extent permitted thereunder, and specifically for its negligence concurrent with that of King County to the full extent of Permittee's negligence. Permittee agrees to defend, indemnify, and hold harmless the County for claims by Permittee's employees and agrees to waiver of its immunity under Title 51 RCW, which waiver has been mutually negotiated by the parties.

03. ANTI-DISCRIMINATION - In all hiring or employment made possible or resulting from this Permit, there shall be no discrimination against any employee or applicant for employment because of race, color, ancestry, religion, national origin, age, sex, sexual orientation, marital status, or the presence of any sensory, mental or physical handicap in an otherwise qualified handicapped person unless based upon a bona fide occupational qualification, and this requirement shall apply to but not be limited to the following employment, advertising, lay-off or termination, rates of pay or other forms of compensation, and selection for training including apprenticeship. No person shall be denied, or subjected to discrimination in receipt of the benefit of any services or activities made possible by or resulting from this Permit on the grounds of race, color, ancestry, religion, national origin, age (except minimum age and retirement provisions), sex, sexual orientation, marital status, parental status, the presence of any sensory, mental or physical handicap, or the use of a trained guide-dog by a blind or deaf person. Any violation of this provision shall be considered a violation of a material provision of this Permit and shall be grounds for cancellation, termination or suspension in whole or in part of the Permit by the County, and may result in ineligibility for further County permits.

04. NON-EXCLUSIVE RIGHT - This Permit shall not be deemed or construed to be an exclusive right. It does not prohibit the County from granting any other permits to other public or private entities, nor shall it prevent the County from using any public place for any and all public use or affect its jurisdiction over any part of them.

05. ASSESSMENTS - Permittee shall be required to pay any general or special assessments incurred by King County which are directly attributable to or arising from any actions, occupancy, or usage authorized herein.

06. TERMINATION - The Permittee may terminate the Permit by written notice to the Manager of Real Estate Services Section. Upon revocation, termination, or abandonment, the Permittee shall remove at his expense all facilities placed on said property by the Permittee, and restore the premises to a condition which is equivalent in all respects to the condition existing prior to installation of the facilities, or to a condition which is satisfactory to the County. If the Permittee has not accomplished removal and restoration at the end of a ninety-day period following the effective date of revocation, termination, expiration, or abandonment, the County may accomplish all of the necessary work and charge all of the costs to the Permittee.

07. RESTORATION - After completion of work authorized by this Permit, the Permittee shall restore the property to a condition which is equivalent in all respects to the condition of the property prior to starting work, or a condition satisfactory to King County. If the Permittee delays the restoration beyond expiration of the Permit, the County may accomplish all the necessary work and charge all the costs to the Permittee.

08. REPAIRING DAMAGE BY PERMITTEE - In the event that damage of any kind is caused by the Permittee in the course of performing work authorized by this Permit, Permittee will repair said damage at its sole cost and expense. Repair work shall begin without delay and continue without interruption until completed. If damage is extensive, the time allowed for repair will be prescribed by the County agent. If the County determines it is necessary, the County may accomplish the work and charge all the costs to the Permittee.

09. ABATEMENT OF UNSAFE CONDITIONS - The County representative may at any time, do, order, or have done all work considered necessary to restore to a safe condition any area described in Permit left by the Permittee in a condition dangerous to life or property. The Permittee shall pay, upon demand, to the County all costs of such work, materials, etc. Nothing in this section shall relieve the Permittee of duties under Terms and Conditions No. 2 above.

10. RIGHTS RESERVED TO COUNTY - CONFORMANCE AND PAYMENT OF COST REQUIRED - The County reserves the right to use, occupy, and enjoy its property for such purposes as it shall desire including, but not limited to, constructing or installing structures and facilities on the property, or developing, improving repairing or altering the property. The Permittee, upon written notice, will at its own cost and expense remove, repair, relocate, change or reconstruct its installations to conform with the plans of work contemplated or ordered by the County according to a time schedule contained in the written notice.

11. NOTICE - Permittee agrees to obtain information from other utility operators regarding the location and current status of their installations before starting work. Property owners adjoining, or in proximity to, the project as described herein shall be notified by Permittee when such property is exposed to the possibility of injury or damage through performance of work on the project authorized by this Permit. Permittee shall make all advance arrangements necessary to protect such property or utility from injury or damage.

12. OTHER APPLICABLE LAWS - Issuance of this Permit does not in any way relieve the Permittee from complying with any other applicable laws in performing the work subject to this Permit.

13. RE-ENTRY - After completion of work authorized by this Permit, if the Permittee desires to re-enter upon the property described herein for any reconstruction, notice shall be provided in advance to King County together with the plans and specifications for the work proposed, and shall not be permitted without the County's consent.

14. TITLE - This Permit grants only the right to use King County's interest in the herein described property, and the granting of this Permit is not a warranty that good title to any specific property is vested in King County.

15 SPECIAL TERMS AND CONDITIONS:

- A. **PROJECT SCOPE.** This permit authorizes the use of a portion of King County parcel 7269100096 for the installation of a trail connection to the Sammamish River Trail, as shown on the drawings attached to this permit and approved on March 23, 2026.
- B. **PRIOR PERMITS.** Any prior existing railroad permits, agreements or leases between Permittee or its predecessors in interest and King County or its predecessors in interest are terminated and replaced by this King County Special Use Permit.
- C. **SCOPE CHANGES.** The Permittee may make no additional use of, or improvements or alterations to the corridor except as specifically authorized in this permit. Any additional use of the corridor must be approved in writing by King County in its sole and absolute discretion and subject to such terms and conditions as King County may impose. If granted, such approval shall be made an amendment to this Permit.
- D. **PERMITS BY OTHERS.** The Permittee will be responsible to secure and provide proof of all necessary permits prior to starting any construction as authorized by this permit. The Permittee shall notify Parks in advance of any Pre-Application meetings scheduled with permitting agencies.
- E. **CULTURAL RESOURCES.** The Permittee shall make a copy of the provided King County Parks inadvertent discovery plan (IDP) available to the construction contractor prior to the start of ground disturbance. The IDP will be reviewed with the field staff at the start of ground disturbing work and will be kept on site during construction on King County property.
- F. **ON-SITE CONTACT.** The Permittee shall contact Parks at 206-263-2273, to coordinate on-site inspections, prior to and following any work on the corridor.
- G. **UNFORESEEN CONDITIONS.** The Parks Division reserves the right to set additional terms as unforeseen conditions at this time may warrant in the future.
- H. **WAYFINDING SIGNAGE:** The Permittee shall develop a signage plan for proposed trail wayfinding route guidance signs. The City shall submit draft versions to King County for review and comment until a King County approved plan is established.
- I. **CONVEYANCE PIPE INSPECTION:** The Permittee shall inspect the existing stormwater conveyance pipes within the project vicinity and submit all inspection documentation to King County for review. If it is determined that the pipe has defects, the Permittee shall be responsible for performing and paying for the necessary repairs or replacements for all pipes that they are proposing to add flow.
- J. **PLANTING PLAN:** The Permittee shall provide the Planting Plan and all associated detail plans to King County for their review and approval prior to installation of landscaping elements.
- K. **NOTICE PROVISIONS:** All notice shall be delivered by phone at 206-477-9770 and by email at parksproperty@kingcounty.gov.
- L. **TRAIL IMPACTS COMMUNICATION:** Please provide a brief project description a minimum of (14) days prior to commencement of work. Project description should include scope, location, impacts to the trail and dates, times, and durations of the impacts, and any other relevant information.
- M. **NOTICE OF CONSTRUCTION ACTIVITY:** The permittee shall provide to King County Parks oral and written notice a minimum of 72 hours prior to implementation of the work permitted in this SUP. A King County Parks Representative may elect to be on-site for the duration of the project work for construction inspection. See notice provisions.

- N. ACCESS ON COUNTY TRAILS: Access along or across King County Trails requires prior authorization from King County Parks. Additional requirements are as follows:
- Construction vehicles shall come to a complete stop before crossing King County Regional Trails. Certified flaggers shall be on site to manage trail traffic during activities that require mobilization of large-scale construction equipment, vehicle turning or backing-up on or near the trail, or where sight distances or other site conditions warrant.
 - No steel tracks are allowed.
 - Any damage caused by the Permittee shall be repaired at the Permittee's sole expense.
- O. BRIDGE ACCESS: Construction access across existing bridges within King County Parks is prohibited without prior written authorization from King County Parks.
- P. OPERATIONAL REQUIREMENTS: The Permittee and its Contractor shall be responsible for ensuring that the public has uninterrupted use and access to the public park facilities. They shall also be responsible for the maintenance of access roads, crossings, and utility locates, drainage structures and systems during the time of construction. The Permittee shall provide three 24-hour contacts to King County Parks for resolution of after hour maintenance or emergency issues arising in the work zone. King County Parks will make an effort to contact the Permittee in the event of an emergency to allow the Permittee and its Contractor to respond and address the issues arising in the work zone. Parks reserves its right to recover any costs associated with Parks staff needed to respond due to the failure of the Permittee or its Contractor to respond in a timely manner.
- Q. STOCKPILE AND STAGING: Stockpile and staging areas shall not be located within critical areas or their buffers. Staging of materials and/or equipment is not permissible on King County Parks property except where authorized in a Parks accepted Work Area and Staging Plan.
- R. WORK AREA DELINEATION AND STAGING: All equipment, materials, bore pits, and work areas within King County Parks property shall be clearly delineated, secured, and blocked off from public access for the duration of the proposed work.
- S. UTILITY LOCATE: A one-call utility locate AND private utility locate is required before any excavation on KC Parks property. The request for a one-call locate shall be made a minimum of two business days before excavation. The Contractor shall record the one-call ticket number and shall make available to King County Park's staff upon request.
- T. ALLOWABLE WORK HOURS: Work with impacts to Regional Trails is allowed on weekdays between 11pm and 4am. No work is permitted on Saturday, Sunday, or on holidays without prior written approval from King County Parks.
- U. TRAIL REPAIR: Any damages to King County's Regional Trail facilities shall be restored to like conditions or better and in accordance with King County's standard Trail Repair Detail. Trail repairs shall match elevation and slope of adjacent trail surface with no discernible rise or dip. All repairs shall include the full trail width and have a minimum length of 4-feet. Pavement cuts in asphalt concrete pavement shall be perpendicular to the direction of travel and all pavement seams shall be sealed with a crack sealant. Coordinate with King County for proposed trail repairs.
- V. RESTORATION WARRANTY: Unless stated otherwise, a 1-year warranty is required for all restored areas to ensure work product is free from any defects in equipment, material, design, or workmanship performed by the Permittee and its Contractors. If defects are found, the Permittee shall make corrections at its sole expense.
- W. PRECONSTRUCTION CONFERENCE: A preconstruction conference is required and shall be held a minimum of two working days prior to the planned construction. Permittee shall verify that all required materials have been submitted and accepted by King County Parks and that the activities below have been completed prior to requesting a preconstruction conference. A minimum of seven (7) days notice is required to schedule the preconstruction conference. See Notice Provisions.
- x. • PRECONSTRUCTION SUBMITTALS: The submittals listed below shall be provided to King County Parks for review and acceptance. Submittal materials shall be made available to the Parks Division with adequate time to review and accept them in advance of the preconstruction conference. Work shall not commence without the written acceptance from King County Parks. Submittal requirements are outlined in the Submittals section of this Permit.
- o Preconstruction Photos
 - o Emergency contacts
 - o Construction material submittals (for reference only)
- Y. FINAL INSPECTION: The Permittee shall coordinate, schedule, and attend a Final Inspection meeting with King County Parks at the proposed completion of the work authorized in this Permit. If the County determines that all work is complete and acceptable the County may authorize Final Acceptance. If the County determines that any remaining items need to be completed or repaired, the County will prepare a punch list defining those items and a schedule for completion. The Permittee shall complete all items identified within the identified schedule and shall provide documentation to the County of their completion. King County may, at its discretion, require further Final Inspection meetings to verify the satisfactory completion of identified punch list items before issuing Final Acceptance.

- Z. RECORD DRAWINGS: The Permittee and its Contractor shall keep one copy of the Special Use Permit on the job site and shall maintain a record set of the Plans accurately marked to indicate completed work that differs from the design information shown in the approved Permit plans. At the completion of construction record drawings shall be provided to King County Parks electronically in Portable Document Format (PDF) unless otherwise stated. Utility lines installed on King County Parks property shall also be provided as ArcMap GIS shapefiles. Provide contact information on the record drawing.

15f. INSURANCE:

1. **Minimum Scope and Limits of Insurance** - Minimum Scope and Limits of Insurance
Coverage shall be at least as broad as:

General Liability:

Insurance Services Office form number CG 0001 (Ed. 11-88) covering COMMERCIAL GENERAL LIABILITY. The permittee shall maintain limits no less than \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage.

AUTOMOBILE LIABILITY: Insurance Services Office form number (CA 00 01 Ed. 12-90 or its equivalent) covering BUSINESS AUTO COVERAGE, symbol 1 "any auto", or the combination of symbols 2, 8 and 9. Limits shall be no less than \$1,000,000. Combined Single Limit Bodily Injury and Property Damage.

WORKERS COMPENSATION: Workers Compensation coverage, as required by the Industrial Insurance Act of the State of Washington;

EMPLOYERS LIABILITY or "Stop-Gap": The protection by the Workers Compensation policy Part 2 (Employers Liability) or, in states with monopolistic state funds, the protection provided by the "Stop-Gap" endorsement to the General Liability policy. Limits shall be no less than \$1,000,000.

2. **Deductibles and Self-Insured Retentions** - The deductible and/or self-insured retention of the policies shall not limit or apply to the permittee's liability to the County and shall be the sole responsibility of the permittee.
3. **Other Insurance Provisions** - The insurance policies required in this permit are to contain, or be endorsed to contain the following provisions
 - a. All Liability policies except Workers Compensation:
 1. The County, its officers, officials, employees and agents are to be covered as insured as respects liability arising out of activities performed by or on behalf of the permittee in connection with this permit.
 2. Insurance coverage shall be primary insurance as respects the County, its officers, officials, employees and agents. Any insurance and/or self-insurance maintained by the County, its officers, officials, employees or agents should not contribute with the permittee's insurance or benefit the permittee in any way.
 3. The permittee's insurance shall apply separately to each insured against whom a claim is made and/or lawsuit is brought, except with respect to the limits of the insurer's liability.
 - b. All Policies:

Coverage shall not be suspended, voided, cancelled, reduced in coverage or in limits prior to the expiration date of this special use permit, unless forty-five (45) days prior notice, return receipt requested, has been given to the County.
4. **Acceptability of Insurers** - Unless otherwise approved by the County, insurance is to be placed with insurers with a Bests' rating of no less than A: VIII, or, if not rated with Bests', with minimum surpluses the equivalent of Bests' surplus size VIII.
5. **Verification of Coverage** - The permittee shall furnish the King County Real Property Division with certificates of insurance and endorsements required by this permit. The County reserves the right to require complete, certified copies of all required insurance policies at any time.
6. **Municipal or State Agency Provision** - If the Permittee is a Municipal Corporation or an agency of the State of Washington and is self-insured for any of the above insurance requirements, a certification of self-insurance shall be attached hereto and be incorporated by reference and shall constitute compliance with this section.

7. **Insurance** - By the date of issuance of this permit, the permittee shall procure and maintain, for the duration of this permit, insurance or coverage against claims for injuries to persons or damages to property which may arise from and in connection with the rights and privileges granted by this permit and/or the performance of work hereunder by the permittee, his agents, representatives, employees and/or subcontractors.

By requiring such minimum insurance coverage, the County shall not be deemed or construed to have assessed the risks that may be applicable to the Contractor under this contract. The Contractor shall assess its own risks and, if it deems appropriate and/or prudent, maintain greater limits and/or broader coverage.

Nothing contained within these insurance requirements shall be deemed to limit the scope, application and/or limits of the coverage afforded, which coverage will apply to each insured to the full extent provided by the terms and conditions of the policy(s). Nothing contained within this provision shall affect and/or alter the application of any other provision contained within this Agreement.

For All Coverage's: The cost of such insurance shall be paid by the permittee. Each insurance policy shall be written on an "Occurrence Form."



DETERMINATION OF NONSIGNIFICANCE (DNS)

Project Name: Trestle Replacement Project

Project Number(s): SEP25004

Description of Proposal: Construction of multipurpose trail improvements (Eastrail) within an abandoned railroad right-of-way and construction of road widening and trestle bridge replacement. The project will install about 1,580 linear feet of multipurpose trail improvements, replace an existing railroad trestle bridge with a pedestrian bridge, and widen 131st Avenue NE (State Route 202) in vicinity of the trestle bridge. The westernmost 185 feet of the proposed new trail is within the Sammamish River shoreline jurisdiction. The trail improvements will connect the Sammamish River trail to the 133rd Avenue NE roundabout and pedestrian tunnel improvements.

Project Location: The trail improvements are on Parcel Nos. 0926059043 and 7269100096. The road widening and trestle bridge replacement are in 131st Avenue NE right-of-way between NE 175th Street and NE 177th Place, Woodinville, WA

Applicant: City of Woodinville Public Works Department

Lead Agency: City of Woodinville

Staff Contact: Dillon Roth, Senior Planner at dillonr@woodinville.gov

CONCLUSION OF THE RESPONSIBLE OFFICIAL

The lead agency for this proposal has determined that it does not have a probably significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after reviewing a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and WAC 197-11-340. There is no further comment period on the determination.

Responsible Official: Robert J. Grumbach, AICP
Title: Director of Development Services
Address: 17301 133rd Avenue NE, Woodinville, WA 98072
Issuance Date: February 11, 2026
Contact information: (425) 877-2271 / robertg@woodinville.gov

Signature:


Responsible Official

Date: February 10, 2026

APPEALS

This DNS is a final determination under the State Environmental Policy Act, and a party of record aggrieved by this determination may appeal this decision to the Woodinville Hearing Examiner within 14 days pursuant to Chapter 21.81 WMC. Written appeals shall be submitted with the appropriate appeal fee to: Development Services Department in City Hall, 17301 133rd Avenue NE, Woodinville, WA 98072. **Deadline to file an appeal is 4:00 pm, Wednesday, February 25, 2026.**

DISCLAIMER

The issuance of this DNS should not be interpreted as acceptance or approval of this proposal as presented. The City of Woodinville reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interests of the City and/or necessary for the general health, safety, and welfare of the public to do so.



ADMINISTRATIVE DECISION

In the matter of the	)	No. SDP25001
Application of	)	
	)	
City of Woodinville Public Works	)	Trestle Replacement Shoreline Trail
	)	Improvements
	)	
For a Shoreline Substantial	)	
Development Permit & Critical Area	)	ANALYSIS, FINDINGS, CONCLUSIONS,
Alteration	)	AND DECISIONS
	)	

SUMMARY OF DECISION

The request for a shoreline substantial development permit and critical area alteration to construct a 194-foot-long shoreline segment of a new multipurpose trail in abandoned railroad right-of-way and repaving approximately 190 lineal feet of the existing Sammamish River Trail on Parcel No. 0926059343 and 7269100096 respectively in Woodinville, Washington is hereby **APPROVED**. Conditions are necessary to address specific impacts of the proposed project.

SUMMARY OF RECORD

Exhibits:

Exhibit 1	Application Form, dated June 4, 2025
Exhibit 2	Complete application letter, dated July 10, 2025
Exhibit 3	Notice of Application, issued January 5, 2026
Exhibit 4	Public Comments
Exhibit 5	Final SEPA Determination of Nonsignificance, dated February 11, 2026
Exhibit 6	Estimated Valuation of Shoreline Work, dated February 4, 2026
Exhibit 7	Mitigation Plan, dated February 2026
Exhibit 8	Applicant Compliance Narrative, dated January 14, 2026
Exhibit 9	DAHP Letter of No Adverse Effect, dated March 25, 2024
Exhibit 10	Critical Areas Reconnaissance, dated June 26, 2025
Exhibit 11	Geotechnical Report, dated June 16, 2025
Exhibit 12	SEPA Checklist, dated May 20, 2025
Exhibit 13	Redacted Cultural Resources Inventory Report, dated March 2024
Exhibit 14	NOAA Biological Opinion, dated March 7, 2025
Exhibit 15	City Response to Biological Opinion, dated March 21, 2025
Exhibit 16	Illustration of Impervious Surfaces, dated May 14, 2026

The Director enters the following Analysis, Findings and Conclusions based upon the application and the exhibits admitted.

ANALYSIS AND FINDINGS

Application

1. Asha D'Souza, P.E., on behalf of the City of Woodinville Public Works Department (Applicant), requests approval of the following (Exhibit 1):

Summary Description of Proposal:	Construct a 194-foot-long shoreline segment of a new multipurpose trail in abandoned railroad right-of-way and repave approximately 190 lineal feet of the existing Sammamish River Trail. The shoreline segment is part of 1,570 linear feet of trail improvements planned to connect the Sammamish River Trail to the 133 rd Avenue NE pedestrian tunnel improvements.
Address:	About 193 feet north of the NE 175 th Avenue bridge crossing of the Sammamish River
Parcel Numbers:	0926059043 & 7269100096
Zoning:	Industrial & Public Parks/ Open Space
Comprehensive Plan Designation:	Parks and Open Space (PO)
Shoreline Designation:	Conservancy, and General Urban Environments
Critical Areas:	Two Type S streams (Little Bear Creek and Sammamish River)

2. The application was circulated for review in accordance with the City's standard review and permitting procedures set forth in Woodinville Municipal Code (WMC) 21.83.030, Chapter 21.80 WMC, and Chapter 21.70 WMC. The scope of the shoreline permit is for the trail improvements within the shoreline jurisdiction. A supporting site development permit (File No. SDL25015) includes trail improvements inside and outside of the shoreline jurisdiction.

Consolidated Permit Review

3. A shoreline substantial development permit is a Type 2 decision decided by the Development Services Director pursuant to WMC 21.80.050(2). A critical areas determination/alteration permit is a Type 1 decision decided by the Director pursuant to WMC 21.80.050(1). Pursuant to WMC 21.80.040, these permits are consolidated under the optional consolidated review process, which requires the consolidated applications to be processed under the highest number procedure, in this case the Type 2 decision.¹

Noticing and Public Comments

4. The following is a summary of the notices (Exhibits 2 and 3):

Application received:	May 20, 2025
Determination of Completeness:	July 10, 2025
Notice of Application:	January 5, 2026

The application for a shoreline substantial development permit was submitted May 20, 2025. The applications were determined to be incomplete on June 13, 2025. A resubmittal was received on June 27, 2025, and the application deemed complete on July 10, 2025. A first review letter was sent to the applicant on August 21, 2025, and a resubmittal was received on October 16, 2025. A second review letter was sent on November 20, 2025, and a resubmittal was received on January 20, 2026. A third review letter was sent on February 3, 2026, and a resubmittal was received on February 12, 2026.

¹ WMC 21.77.050(2)(b) requires where a critical area alteration activates a shoreline permit or exemption, the critical area alteration review and determination must be decided as part of the shoreline permit or exemption decision.

On January 5, 2026, the Notice of Application was mailed to property owners within 500 feet of the property, published in *The Seattle Times* newspaper, and posted on site and other public notices locations (City Hall, Post Office, and City website) pursuant to WMC 21.80.110. A 30-day public comment period was utilized pursuant to WAC 173-27-110(e) that ended on February 4, 2026.

The following table is a summary of comments received during the public comment period. (Exhibit 4)

Who	Summary
Kiran Asher	Expressed support for the Eastrail project and road widening.
Luke Skowronek, WDFW	Requested to review the plan sets for the project.
Aaron Webster, Snoqualmie Tribe	Has no substantive comments at this time but may comment on the project if the scope of work changes.
King County Wastewater	Requested coordination with the City to prevent potential conflicts with their infrastructure during construction of the project.

State Environmental Policy Act

- The City acted as lead agency and analyzed the environmental impacts of the entire Woodinville multipurpose trail proposal as required by the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, and Chapter 197-11 WAC. City staff reviewed the environmental checklist prepared for the project and other information on file, and the Responsible Official determined the proposal would not have a probable significant adverse impact on the environment. Accordingly, the Responsible Official issued a Determination of Nonsignificance (DNS) on February 11, 2026, using the Optional DNS process pursuant to WAC 197-11-355 (Exhibit 5). No administrative appeal was filed, and the DNS is final.

Existing Property

- Parcel No. 0926059043 is an abandoned Northern Pacific Railroad Company right-of-way acquired by and owned by the City of Woodinville. The City railbanked the right-of-way with the intent of developing a trail on the abandoned line. The rails, ties, and other track material have been mostly removed. A historic wooden railroad bridge (North Sammamish River Bridge) overlapping and to the west of the project remains and will be unaffected by the proposal. This parcel is part of the Eastrail corridor, which is a 42-mile former rail line being converted into a multipurpose regional trail between Renton and the Snohomish County line.

Parcel No. 7269100096 is controlled by King County Parks. The parcel contains a segment of the Sammamish River Trail, which crosses under the North Sammamish River Bridge and over Parcel No. 0926059043. The Sammamish River Trail is a regional trail that stretches between Marymoor Park in Redmond, and the Burke Gilman Trail at Blyth Park in Bothell.

Proposed Project

- The Applicant is proposing construction of a new 12-foot-wide multipurpose trail with two-foot-wide gravel shoulders on the abandoned railroad right-of-way. A 10-foot-wide asphalted American Disabilities Act (ADA) assessable trail connection down the north side of the railroad embankment will link the new trail improvements with the King-County controlled Sammamish River Trail. The shoreline segment of trail improvements measures approximately 194 linear

feet. Additionally, about 1,565 square feet of the existing Sammamish River Trail surface will be grinded and overlayed with new asphalt to complete the connection. The project includes removing 10 trees within the shoreline jurisdiction and providing mitigation by removing invasive plants and replanting approximately 13,126 square feet of area with native vegetation.

Comprehensive Plan & Zoning

8. The Comprehensive Plan encourages northwest woodland character design, promotes pedestrian friendliness and traffic linkages, encourages recreation space, and requires adequate infrastructure for development within the City limits. The Woodinville Comprehensive Plan adopted by Ordinance No. 781 designates the properties as Parks and Open Space per Figure 2-3 Future Land Use Map. This designation applies to existing and planned publicly owned parks and trails, semi-public parks, and memorial parks; and sensitive environmental areas and natural features set aside as part of agreements with the city. The following Comprehensive Plan Goals and Policies were identified as applying to this project:

Goal LU-3: Support and incorporate regional policies, strategies, and investments that reflect the vision, goals and policies of the Woodinville Comprehensive Plan.

Policy LU-3.6: Coordinate with other jurisdictions, including Snohomish County, in extending the Woodinville's portion of the Eastrail connection to the Snohomish County border.

Goal LU-7: Public Spaces. Integrate inviting and distinctive public space throughout the City with greatest emphasis in downtown, mixed-use areas, and within multifamily districts.

Policy LU-7.1: Implement public open space policies set forth in the Downtown Little Bear Creek and Tourist District Plans.

Goal LU-11: Healthy and connected community design. Promote land use and community design that encourages healthy living and good connectivity between compatible uses.

Policy LU-11.3: Integrate public recreational amenities accessible to all Woodinville residents, workers, and visitors, with highest priority on locations, facilities, and activities that best serve the community.

Goal PROS-1: To provide quality parks for Woodinville's residents and visitors.

Policy PROS-1.1: Develop and maintain a public park system containing a variety of larger community-scale parks that serve a wide-range of active and passive activities, neighborhood-scale, passive parks, and open space that preserves the natural environment.

Policy PROS-1.4: Provide parks within and adjacent to the City's Central Business District to serve as focal points for downtown Woodinville.

Goal PROS-2: To ensure adequate and enriching recreational activities for the residents and visitors of Woodinville.

Goal PROS-7: To develop and maintain a robust system of multi-use trails.

Policy PROS-7.1: Plan multi-use trails to improve access to parks, recreational facilities, residential neighborhoods, employment centers, downtown, and other local and regional systems.

Policy PROS-7.2: Develop multi-use trails with entry points and surfaces that are accessible for people with mobility issues or devices.

Goal T-2: Facilitate Neighborhood and trail connections for people of all ages and all abilities.

Policy T-2.3: Facilitate the construction of pedestrian and bicycle facilities along the city's adopted pedestrian and bicycle network.

9. The trail improvements within the shoreline area are in the Industrial (I) zone. The repaving part of the Sammamish River Trail is in the Public Parks/Open Space (P) zone.² The trail improvements meet the use definition of "Public Parks and Trails" pursuant to WMC 21.11B.170. Table 21.21.060 lists Public Parks and Trails as permitted in the Industrial and Public Parks/Open Space zones.

Shoreline Management Act (SMA)

10. The Washington State SMA (Chapter 90.58 RCW) and the Woodinville Shoreline Program (SMP), revised May 29, 2021, govern those parts of the trail improvements within 200 feet of the Little Bear Creek and Sammamish River ordinary high-water marks. The SMP is designed to preserve, protect, and manage the city's shoreline resources, ensuring that any development within these areas is sustainable and consistent with broader environmental and community objectives. The following shoreline goals and policies set forth in Chapter 9 of the 2024 Woodinville Comprehensive Plan apply to the proposal:

Goal SMP-7: To provide for an adequate amount of public access, both physical and visual, to the shorelines as part of a total system, consistent with the Woodinville Comprehensive Plan's Parks, Recreation, and Open Space element, and the needs of other shoreline uses.

Policy SMP-7.5: Utilize as many existing public rights-of-way and easements as possible to expand the network of public access to shoreline amenities.

Goal SMP-11: To coordinate circulation plans for pedestrian, bicycle and equestrian access routes connected to the shorelines so that there is minimum conflict between the different users.

Policy SMP-11.2: Trail and bicycle paths should be encouraged along shorelines where they are compatible with the natural character, resources, and ecology of the shoreline.

Goal SMP-12: To provide for and increase the amount of shorelines dedicated to passive and active public recreation where the use is consistent with the ability of the site to support such use.

² See Zoning Map, Ordinance No. 738.

Policy SMP-12.5: Ensure that recreation areas meet the demands of population growth consistent with the carrying capacity of the land and water resources.

Policy SMP-12.7: The supply of active or passive recreation facilities shall be compatible with the environmental designations and should relate to local population characteristics, density, and special activity demands. Provision of active recreation and/or park facilities shall be based on the City-wide parks and recreation level-of-service standards adopted by the City of Woodinville's Comprehensive Plan, Parks and Recreation Element or Parks, Recreation, and Open Space Plan.

Shoreline Regulations

11. WMC 21.70.050 requires all proposed uses and development occurring within a shoreline jurisdiction to conform to Chapter 90.58 RCW, Shoreline Management Act, and the City's shoreline program set forth in Chapters 21.70 through 21.77 WMC. The shoreline jurisdiction includes the Sammamish River, Little Bear Creek and all areas extending landward for 200 feet from the ordinary high-water mark of the Sammamish River and Little Bear Creek. A segment of the new trail improvements and the resurfacing of the Sammamish River Trail is within 200 feet of the ordinary high-water mark of both the Sammamish River and Little Bear Creek (Little Bear Creek is a tributary and flows into the Sammamish River about 150 feet north of the new trail improvements).
12. Pursuant to RCW 90.58.140(2) and WMC 21.83.030(3), a shoreline substantial development permit is required for any "substantial development" within the shoreline jurisdiction. Development is defined in RCW 90.58.030(3)(a) as a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the SMA. Substantial development is defined in RCW 90.58.030(3)(e) as any development in which the total cost or fair market value exceeds \$8,504,³ or any development that materially interferes with the normal public use of the water or shorelines of the state. The Applicant submitted a project cost of approximately \$150,070 for the work within the shoreline jurisdiction, which qualifies this development as substantial development (Exhibit 6).
13. Figure 21.71.030(1) and Figure 21.71.030(2) show that the subject trail improvements will be within the Conservancy and the General Urban Environment Designations. The purpose of the Conservancy Environment is to protect and restore ecological functions while making areas available for limited human use, when appropriate and nondestructive of critical areas. This designation extends 100 feet of landward from the ordinary high-water mark along both the Sammamish River and Little Bear Creek. The purpose of the Urban General Environment is to provide for economically viable use of commercial and industrial areas that contain existing non-water-dependent use or are not suitable for water-dependent use due to limited or no water access, and to protect existing ecological functions. This designation applies to the remaining shoreline jurisdiction within the project area.

³ Pursuant to RCW 90.58.030(3)(e), the "substantial development" dollar threshold is adjusted by the Department of Ecology every five years for inflation based on the consumer price index during the time period and was last revised July 1, 2022.

Shoreline Uses

14. Chapter 21.72 WMC applies to specific uses and types of development that occur in shoreline areas. Table 21.72.030 establishes those uses that are permitted, those uses that require special approvals, and those uses which are prohibited within each shoreline environment designation. The design of the trail as multiuse and connecting into the regional transportation network of trails qualifies this development as a “Pedestrian, Bicycle, Equestrian Trails” use. Table 21.72.030 designates “Pedestrian, Bicycle, Equestrian Trails and is permitted in both the Conservancy and Urban General Environments.

General Shoreline Regulations

15. WMC 21.73.020 sets forth that development and shoreline modifications to be designed, located, sized, constructed and/or maintained to achieve no net loss of shoreline ecological functions. Mitigation sequencing is used to assess the no net loss requirement. However, a written mitigation sequencing analysis is not required where specific standards are provided in the SMP, unless expressly referenced. Mitigation sequencing is expressly required by and will be scrutinized under the shoreline critical area regulations.
16. No work is proposed waterward of the ordinary high-water mark and accordingly no federal or state permits are required for the development.⁴ WMC 21.73.040 requires public access to shorelines to be incorporated into new substantial development by any public entity, including the City. The existing Sammamish River Trail provides access to the river, and the construction of a multi-use trail connection to the Sammamish River Trail will improve public access by expanding accessibility including American Disability Act (ADA) accessibility.
17. WMC 21.73.050 requires implementation of shoreline vegetation management measures in combination with other provisions of the Woodinville Municipal Code. This includes clearing limits, replanting exposed soils, and the prohibition of the use of chemical pesticides, herbicides and fertilizers. The project includes clearing herbaceous vegetation within the project area and replanting exposed soils outside of the trail improvements using native trees, shrubs and ground cover. No use of chemical pesticides, herbicides or fertilizers are proposed with the project. Compliance with vegetation conservation area requirements will be evaluated under critical area findings.
18. WMC 21.73.060 sets forth requirements for archaeological and historical resources within shoreline areas that are either recorded by state or local agencies, or inadvertently uncovered. AECOM prepared a Cultural Resources Inventory Report for the SR202 Widening and Trestle Replacement project (March 2024). In preparing this report, the Washington State Department of Archeology and Historic Preservation (DAHP) and local Native American Tribes were consulted. The report concluded that no artifacts or archeological features were observed in test areas. The North Sammamish River Bridge (DAHP Property ID 724898) was the only eligible historical resource identified within the project area (Exhibit 13). Additionally, an Inadvertent Discovery Plan was also prepared (September 8, 2023) should cultural resources be discovered during development activity. The plan outlines discovery protocols if archaeological materials are observed during project activities. The report concluded that the project would have no adverse effect, which was reviewed by DAHP who concurred in a letter dated March 25, 2024, (Exhibit 9) with the determination of no adverse effect on resources listed in, or eligible for listing in the National Register of Historic Places.

⁴ While no federal or state permits are required for the shoreline development, the total trail project was reviewed under the National Environmental Policy Act due to federal funding for the project and related oversight.

19. WMC 21.73.070 requires compliance with water quality, surface water runoff, and nonpoint pollution that there is no net loss of receiving water quality in the shoreline environment. This is accomplished by complying with the 2021 King County Surface Water Design Manual adopted pursuant to Chapter 13.05 WMC and preventing illicit discharges into water bodies pursuant to Chapter 13.04 WMC. A temporary erosion and sediment control plan and stormwater pollution prevention plan will be prepared and followed during construction of trail improvements to comply with this requirement. Compliance with the surface water manual, which is applicable to the entire project within Woodinville, is determined during the processing of a site development permit.
20. WMC 21.73.100 requires all new development within shoreline areas to comply with, where appropriate, the following General Shoreline Regulations as follows:
 - a. Coordination among affected jurisdictions and agencies. Because the trail improvement project uses federal funds, National Environmental Policy Act review was triggered and the Applicant coordinated review of this project with King County Parks, Federal Highways Administration, the Washington State Department of Transportation, and other agencies and tribes. See page 15 and 16 of Exhibit 8 for a full description of coordination efforts.
 - b. Adequate measures to mitigate adverse environmental impacts. No adverse environmental impacts due to the shoreline project were identified. The Applicant will implement mitigation measures to include the removal of existing gravel fill, removal of nonnative invasive vegetation, the planting of 13,126 square feet with native trees, shrubs and groundcover in disturbed areas, increasing the stream buffer by 1,375 square feet, and adding permanent fencing and signage to protect the stream buffer.
 - c. Comply with relevant state and federal air, noise, and water quality requirements. As noted above, the project will follow the City's adopted 2021 King County Surface Water Design Manual. Impacts on air and noise are temporary and will occur from the use of equipment during construction.
 - d. Conform with regional and local plans. The project supports regional plans for multipurpose trail corridors by creating a connected access between the Eastrail and the Sammamish River regional trail networks.

Shoreline Development Standards

21. Pursuant to WMC 21.74.010, the development standards in Chapter 21.74 WMC apply to new development or redevelopment within the shoreline area.
 - a. WMC 21.74.020 sets forth maximum impervious surface requirements within the shoreline environment designations for Little Bear Creek and the Sammamish River. Impervious surface is calculated based on the impervious surface and lot area within each of the shoreline designations. Impervious surface is defined in WMC 21.70.218 as:

Any hard surface area which either prevents or retards the entry of water into the soil mantle as it would otherwise enter under natural conditions preexisting to development, or any hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow as it would otherwise under natural conditions preexisting to development.

An analysis of compliance with maximum impervious surface standards is summarized in the table below:

	Maximum Percentage		Maximum Square Footage ⁵ Allowed		Existing Impervious Surface		Conclusion of Project	
	Conservancy	Urban General	Conservancy	Urban General	Conservancy	Urban General	Conservancy	Urban General
Sammamish River	15%	75%	NA	60,416 sq. ft. (75%)	NA	10,631 sq ft (13%)	NA	4,045 sq. ft. (5%)
Sam. R + Little Bear Creek	15%	80%	24,561 sq. ft. (15%)	NA	31,243 sq. ft. (19.1%)	NA	30,743 sq. ft. (18.8%)	NA

The table shows the existing impervious surface area currently exceeds the 15 percent maximum for the Conservancy Environment by 6,682 square feet while being under 49,785 square feet within the Urban General Environment. While the new trail connection will create new impervious surface areas, the mitigation plan involves removing existing impervious surface areas associated with the abandoned railroad line and replanting this area with native vegetation. The result is a net decrease of 500 square feet of impervious surface in the Conservancy Environment, and a net decrease of 6,586 square feet of impervious surface in the Urban General Environment. While the remaining impervious surface will continue to exceed the maximum impervious surface standards in the Conservancy Environment, this is permissible pursuant to WMC 21.73.080(5) due to the net decrease result. See Exhibit 16 for the applicant's complete impervious surface analysis.

- b. The provisions for maximum height, parking and loading, setbacks and lighting are not applicable to trail improvements. The landscaping requirements are in WMC 21.74.060. A conceptual landscaping plan is set forth in Exhibit 7, Figure 4, and a more detailed planting plan is set forth in Exhibit 7, Drawing No. L46. The detailed planting plan shows the plants outside of the stream buffer will consist of Pacific Northwest shrubs and groundcover including serviceberry, red twig dogwood, rocky mountain maple, western sword ferns, and other plants with extensive use of drought tolerant native species.

Use-Specific Shoreline Development Standards

22. Chapter 21.75 WMC contains specific development standards that correspond to specific shoreline uses. In this case, transportation use provisions in WMC 21.75.060 and recreational use provisions in WMC 21.75.080 are applicable.

- a. **Transportation Facilities.** The proposed trail is a permitted use within the Shoreline Conservancy and Urban General designations as a Pedestrian, Bicycle, Equestrian Trail. The build out of the Eastrail Trail and connection to the Sammamish River Trail is consistent with the Parks, Recreation and Open Space Plan and will facilitate active and safe nonmotorized recreation within an existing transportation corridor. The width of the paved surface is the minimum necessary to support joint use by pedestrians and bicycles and to satisfy federal ADA requirements.

⁵ See Exhibit 16 for an illustration of the impervious surface calculation.

- b. Recreational. The proposed trail is a permitted use within the Shoreline Conservancy and Urban General designations. The recreational development standards are satisfied by improving public access to the Sammamish River and by supporting a regional trail system that supports hiking, walking, running, cycling, fish and wildlife viewing, and other water-oriented uses. The width of the paved surface is the minimum necessary to support joint use by pedestrians and bicycles and to satisfy federal ADA requirements.

Shoreline Critical Area Regulations

- 23. Chapter 21.77 WMC applies to critical areas found within the shoreline jurisdiction. The Sammamish River and Little Bear Creek are designated Type S water types pursuant to Table 21.77.120(2). Type S water types are defined as shorelines of the state. WMC 21.77.120(6) prescribes a 150-foot-wide standard buffer width for Type S-streams with 100-foot-wide buffer allowed if certain enhancements are provided. A memo was prepared by AECOM dated June 26, 2025 (Exhibit 10), that confirmed that a part of the project is within the 150-foot-wide stream buffer of the Sammamish River and Little Bear Creek. The City's critical areas map indicates the project site is within a seismic hazard area. A *Report of Geotechnical Investigation: SR202 Widening and Trestle Replacement*, dated June 16, 2025, was prepared by AECOM (Exhibit 11) and sets forth multiple recommendations that apply to the entire project, but no specific geotechnical recommendations were made for the proposed trail improvements. No other critical areas were identified within the project area.
- 24. WMC 21.77.050(2) requires a critical area determination/ critical area alteration for all requests involving an alteration on a property where indicators of critical area or critical area buffers exist. As stated in the findings above, trail improvements will occur within critical areas. WMC 21.77.040(1)(e) allows the maintenance and/or replacement of publicly owned recreation areas without the need for a critical area review process. The grinding and resurfacing of the Sammamish River Trail qualify for this allowance as this specific work will only replace existing surfaces and will not expand the width of the trail or alter the remaining critical area. However, the other proposed trail improvements would not qualify as maintenance, but may be permitted within a stream buffer, subject to critical area review, provided impervious materials are used, except multipurpose trails may use impervious materials if stormwater regulations are satisfied, and the stream buffers are expanded at a minimum to equal the width of the trail corridor in the disturbed areas. This is analyzed below.
- 25. Stormwater runoff from the proposed trail improvements within the stream buffer will sheet-flow to adjoining vegetated areas that will be landscaped with native plants. The applicant indicated that some of the stormwater drainage could be discharged via a culvert to the Sammamish River. However, the resurfacing materials are non-pollution generating impervious surface and will not impact water quality. Additionally, to satisfy WMC 21.77.120(7)(d)(ii), the mitigation plan includes a proposal to add approximately 1,375 square feet to the stream buffer to offset the new impervious surface within the stream buffer.

Mitigation Sequencing

- 26. Pursuant to WMC 21.77.070(2)(a), applicants must demonstrate that all reasonable efforts have been examined within the intent to avoid, or if that is not possible, minimize, and then mitigate impacts to shoreline ecological functions as provided by critical areas. The proposed new trail improvements will connect these improvements to the existing Sammamish River Trail improvements, which runs along the river and under the North Sammamish River Trestle and provides public recreational access to the shoreline. There is no practical alternative to creating trail connections to existing trail improvements that are entirely outside of the stream

buffer. Additionally, the proposed new trail improvements will be placed mostly within an abandoned railroad line that should minimize causing new impacts on shoreline ecological functions. Finally, those permanent impacts to shoreline ecological functions being generated by the new trail improvements will be mitigated by implementing an approved mitigation plan.

27. WMC 21.77.070(2)(b) requires alterations to critical areas and their buffers to apply mitigation sequencing as follows in lieu of WMC 21.73.020(6):

- a. *For fish and wildlife habitat conservation areas, wetlands and/or associated buffers, avoiding the impact altogether by not taking a certain action or parts of an action, except this provision shall not be used to deny a use or activity specifically authorized by the shoreline master program;*

Staff analysis: The proposed new trail improvements are within recently abandoned railroad right-of-way and those portions of the trail improvements predominately within the Conservancy Environment are the minimum width necessary to comply with American Disabilities Act (ADA) requirements. The shoreline use table in WMC 21.72.030 and permitted uses in WMC 21.77.120(7)(d) for fish and wildlife habitat conservation areas allow trail improvements within the Conservancy and Urban General Environments and stream buffer respectively.

- b. *For geological hazards, minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods;*

Staff analysis: The proposed trail improvements are within a mapped geological seismic hazard, but the applicant's geotechnical report did not identify any geological concerns if the recommendations in the report are followed.

- c. *Minimizing impacts by limiting the degree or magnitude of the action by using appropriate technology, or by taking affirmative steps to avoid or reduce the impact;*

Staff analysis: Impacts are minimized to furthest extent feasible. The upper trail improvements are of a width needed to support multipurpose use of the trail safely, and the connector trail segment's width is the minimum necessary to comply with ADA standards. Although some tree removal is necessary, the location of trail improvements was designed to avoid to the extent feasible and minimize native tree removal.

- d. *Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;*

Staff analysis: Impacts caused by the installation of new trail improvements will be rectified by removing existing gravel fill and nonnative invasive vegetation, by replanting 13,126 square feet of native trees, shrubs and groundcover in disturbed areas, which includes the 1,375 square feet of expanded stream buffer, and by adding permanent fencing and signage to protect the stream buffer.

- e. *Reducing or eliminating the impacts over time by preservation and/or maintenance operations;*

Staff analysis: The trail improvements will have permanent impacts that cannot be eliminated over time. However, permanent impacts are mitigated to the extent possible as

set forth in an approved mitigation plan by reducing the size of existing impervious surface area and replanting with native vegetation.

- f. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and*

Staff analysis: The new trail improvements are compensated for by new mitigation plantings and by adding an equivalent amount of enhanced buffer to the 150-foot stream buffer as required by WMC 21.77.120(7)(d).

- g. Monitoring the impact and the compensation projects and taking appropriate corrective measures.*

Staff analysis: A monitoring plan is included in the mitigation plan.

Fish and Wildlife Habitat Conservation Areas – General Development Standards

- 28. WMC 21.77.120 prescribes general development standards applicable to all fish and wildlife habitat conservation areas.

- a. A fish and wildlife habitat conservation area may be altered only if consistent with mitigation sequencing as prescribed in WMC 21.77.070(2) and the proposed alteration of the habitat or the mitigation proposed does not result in a net loss of shoreline ecological functions. All new structures and land alterations shall be prohibited within fish and wildlife habitat conservation areas, except as allowed in accordance with this chapter;*

Staff analysis. As set forth in the findings above, trail improvements are permitted within fish and wildlife habitat conservation areas, and the proposal is consistent with mitigation sequencing and will result in a net gain in shoreline ecological functions.

- b. Whenever activities are proposed in or adjacent to a fish and wildlife habitat conservation area, which State or Federally endangered or threatened species have a primary association, such area shall be protected through the application of measures in accordance with a critical area report prepared by a qualified professional and approved by the City, and guidance provided by the appropriate State and/or Federal agencies;*

Staff analysis. No project activities are proposed in or immediately adjacent to the Sammamish River or Little Bear Creek. A biological assessment report was prepared as part of compliance with the National Environmental Policy Act due to the use of federal funds. Based on the analysis and conclusions of the biological assessment, no construction impacts are anticipated to endangered or threatened species. However, stormwater runoff could potentially impact endangered or threatened species. Compliance with stormwater regulations should avoid or minimize impacts on these species. The National Marine Fisheries Service issues a Biological Opinion on March 7, 2025 (Exhibit 14), concluding that “the proposed action is not likely to jeopardize the continued existence of Puget Sound Chinook salmon or steelhead, or destroy or adversely modify Puget Sound Chinook salmon critical habitat,” but determined that “incidental take is reasonably certain to occur in the form of harm, as a result of reduced prey based from degraded water quality, and harm from direct exposure to contaminants in stormwater runoff.” The Biological Opinion included Reasonable and Prudent measures with terms and conditions the City is required to meet to minimize incidental take from stormwater, as well as several Conservation Recommendations. The City submitted a response letter to the Federal

Highway Administration describing how the City will meet the terms and conditions and conservation recommendations in the Biological Opinion (Exhibit 15).

- c. *All activities, uses, and alterations proposed to be located in or within the established buffers of water bodies used by anadromous fish shall give special consideration to the preservation and enhancement of anadromous fish and fish habitat;*

Staff analysis. The proposed trail improvements and associated landscaping are on the landward side of the Sammamish river Trail and are over 50 feet from Little Bear Creek. The trail is anticipated to have no impact on anadromous fish or fish habitat.

- d. *Plant, wildlife, or fish species not indigenous to western Washington State shall be excluded from fish and wildlife habitat conservation areas unless authorized by a State or Federal permit or approval.*

Staff analysis. As outlined in the mitigation plan (Exhibit 7), non-native plants are being removed and replaced with native plantings.

Shoreline Vegetation Conservation Area

29. WMC 21.73.050(3) designates wetland and fish and wildlife habitat conservation area buffers located within the shoreline jurisdiction as shoreline vegetation conservation areas. Within shoreline vegetation conservation areas, all native and nonnative trees are required to be preserved, except where removal may be authorized, and replacement requirements set forth in Table 21.73.050 are satisfied. The replacement requirements comply with a no net loss of ecological functions as required by WMC 21.73.020(1).

The project will remove approximately 4,536 square feet of vegetation within the shoreline vegetation conservation area composing almost entirely of non-native Himalayan blackberry.⁶ Himalayan blackberries are listed as a noxious weed by the Washington State Noxious Weed Board. Additionally, nine native trees with a DBH⁷ of four inches or greater will be removed within the shoreline vegetation conservation area. The remove trees include (Exhibit 7, Figure 4) a 4-inch DBH, an 8-inch DBH, two 12-inch DBH, a 14-inch DBH, an 18-inch DBH, a 24-inch DBH, a 38-inch DBH, and a 42-inch DBH tree.

Pursuant to Table 21.73.050, the three trees with a 24-inch DBH and larger are only permitted to be removed if determined by the City to be hazardous or nuisance trees, or trees where retention is not feasible to reasonably allow a permitted shoreline use. The 38-inch and 44-inch DBH trees are within the footprint of the proposed trail, or within the cut/fill limits associated with the trail improvements and are not feasible to be retained. The 24-inch DBH tree just south of the trail cut/fill was identified for removal due to being on the edge of the construction limits, plus King County requested a stormwater ditch be installed that will have to go between the cluster of trees where the 24-inch DBH tree is located making its removal unavoidable. The mitigation plan includes 12 replacement trees and 11,934 square feet of riparian plantings within the 150-foot buffer shoreline vegetation conservation area, which complies with the replacement requirements in Table 21.73.050.

⁶ Exhibit 7 indicated that the vegetation removal may be an overestimation as it included the surface of the abandoned railroad, which is predominately unvegetated, except where weeds have established themselves since the abandonment.

⁷ "DBH" means "Diameter Breast Height" and it measures a tree's diameter in inches along the outside bark of a tree trunk, measured at four and one-half feet above the surrounding existing ground surface.

Critical Area Mitigation Plan

30. WMC 21.77.070 sets forth shoreline critical area mitigation requirements. Mitigation is to be in kind and on site where feasible, and sufficient to maintain critical areas and shoreline ecological functions and values. The Applicant prepared a Mitigation Plan titled: *SR202 Widening and Trestle Replacement Project*, Revised February 2026 (Exhibit 7). The mitigation plan includes:

- Modifying the shoreline buffer by adding 1,375 square feet of area, which is equivalent to the area of vegetated buffer permanently converted by the paved trail.
- Remove non-native invasive species (primarily Himalayan blackberry) within the modified shoreline buffer.
- Installing approximately 13,126 square feet of native trees, shrubs, and groundcover adjacent to the new trail improvements within the modified shoreline buffer.
- Replacing nine native trees greater than four-inch DBH with 12 native replacement trees.

This mitigation is based on the project impacting approximately 4,536 square feet of native and non-native invasive vegetation within the 150-foot stream buffer. The proposed mitigation is anticipated to substantially improve vegetation and habitat conditions in the buffer area over existing conditions and will result in a net increase in native tree/shrub quantity, area of native vegetation cover, and structural and species diversity within the buffer. With the proposed invasive species removal and native shoreline plantings, no net loss of shoreline ecological functions would occur. The mitigation plan was peer reviewed by the City's third-party consulting biologist and found to be consistent with all applicable regulations.

CONCLUSIONS

Jurisdiction

The Development Services Director has jurisdiction to decide requests for shoreline substantial development permits and critical area alterations pursuant to Woodinville Municipal Code 21.80.050(1) and (2).

Criteria for Review

Shoreline Management Act, Chapter 90.58 RCW

The Shoreline Management Act (SMA) is codified at RCW 90.58.020. Applicable policies of RCW 90.58.020 include those to foster "all reasonable and appropriate uses"; and to protect against adverse effects to public health, the land and its vegetation and wildlife. Permitted shoreline uses must be designed to "minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.

Shoreline Management Act Regulations

The shoreline regulations are promulgated by the Department of Ecology in Chapters 173-26 and 173-27 of the Washington Administrative Code (WAC). Chapter 173-26 WAC sets forth the procedures and guidelines for local adoption of shoreline master programs that are not applicable to the Applicant's permit requests. Chapter 173-27 WAC sets forth the permitting procedures and permit criteria. These permitting procedures and permit criteria are promulgated in WMC 21.83.030.

Shoreline Critical Area Regulations

The shoreline critical area regulations are set forth in Chapter 21.77 WMC. WMC 21.82.030 sets forth the procedures and permit criteria for a critical area alteration both inside and outside the shoreline jurisdiction. Pursuant to WMC 21.77.050(2), if approval of a critical area alteration is required, it shall not be construed as substituting for the requirements of a shoreline permit. Where an alteration of a critical area activates a shoreline permit, the critical area alteration review and determination must be decided as part of the shoreline permit. The decision criteria in WMC 21.77.050(2)(c) are applied in lieu of the criteria in WMC 21.82.030(4).

Shoreline Substantial Development Permit Decision Criteria

The Development Services Director may approve, conditionally approve, or deny a shoreline substantial development permit after considering whether the Applicant has demonstrated that all the following criteria exist:

1. *The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW);*
2. *The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (Chapter 173-27 WAC); and*
3. *The proposed development is consistent with the provisions of the Woodinville Shoreline Master Program.*

Critical Area Alteration Decision Criteria

The Development Services Director may approve, conditionally approve, or deny a critical area alteration after considering whether the Applicant has demonstrated that all the following criteria exist:

1. *The proposal will result in no net loss of shoreline ecological functions in accordance with the mitigation sequencing prescribed in WMC 21.77.070(2);*
2. *The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the proposal's development site;*
3. *The proposal is consistent with these critical area regulations, the shoreline master program, and the public interest;*
4. *Any impacts permitted to the critical area and/or buffers are mitigated in accordance with the shoreline master program;*
5. *The proposal protects critical area and/or buffer functions and values consistent with the most current, accurate, and complete scientific and technical information available;*
6. *The proposal is consistent with other applicable regulations and standards; and*
7. *Alterations to critical areas and their buffers that exceed those expressly allowed by the shoreline critical area regulations can only be authorized by a shoreline variance.*

Conclusions Based on Analysis and Findings

Shoreline Substantial Development Permit

1. **With conditions, the proposal would meet the criteria to obtain a Shoreline Substantial Development Permit.**

The proposal to construct new trail improvements and resurface an existing trail are consistent with the policies of the SMA, shoreline regulations, and the policies of the City's SMP. As set forth in the findings above, the trail improvements are permitted uses within the SMP's Conservancy and Urban General Environments. The Responsible Official evaluated the proposal for significant adverse impacts and issued a Determination of Nonsignificance. The proposal is consistent with the SMA as the trail improvements would enhance public access to the shoreline and would not interfere with the public's use of the water or result in damage to the ecology or environment of the shoreline. Mitigation sequencing was followed and a

mitigation plan consistent with the most current, accurate, and complete scientific and technical information available was prepared proposing to remove non-native vegetation and replanting with native trees, shrubs, and ground cover. The mitigation plan was peer-reviewed by the City and found to comply with applicable standards and no net loss of ecological functions. Finally, the proposal was reviewed for meeting the SMP's goals and policies, the Woodinville Comprehensive Plan, and the City's Codes and as articulated above in the findings was found to be consistent with applicable provisions. With conditions, the proposal satisfies the criteria for a shoreline substantial development permit.

Critical Area Alteration

1. **The proposal will result in no net loss of shoreline ecological functions in accordance with the mitigation sequencing prescribed in WMC 21.77.070(2);**

The proposed trail improvements comply with general shoreline regulations and should result in net gain to shoreline ecological functions. As set forth in the findings above, the proposal follows the mitigation sequencing set forth in WMC 21.77.070(2). Trail improvements are permitted within the critical area, and the Applicant is proposing mitigation by removing invasive non-native vegetation, reducing impervious surfaces, expanding the shoreline stream buffer to address the new trail improvements, and replanting and enhancing the project area to improve ecological functions. With conditions, the proposal is consistent with this criterion.

2. **The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the proposal's development site;**

The proposed trail improvements are on the landward side of the existing Sammamish River Trail and will not pose an unreasonable threat to public health, safety, or welfare. The new trail connection will be ADA compliant, mitigation plantings and compliance with the City's adopted stormwater manual will address stormwater runoff impacts. The resurfacing of the Sammamish River Trail will ensure a safer pedestrian connection, and no in-water work is proposed. With conditions, the proposal is consistent with this criterion.

3. **The proposal is consistent with these critical area regulations, the shoreline master program, and the public interest;**

As set forth in the findings above, the proposal is consistent with the shoreline critical area regulations in Chapter 21.77 WMC, the shoreline program, and the public interest. Trail improvements are permitted within the Shoreline Conservancy and Urban General Environments and are permitted within stream buffers if certain criteria are satisfied. The project will connect two regional trails with an ADA compliant connection and will further support non-motorized movement around the region and improve public access to the shoreline environment. The removal of noxious weeds and replanting of native vegetation, and expansion of the buffer area serves the public interest by improving ecological functions in the area. With conditions, the proposal is consistent with this criterion.

4. **Any impacts permitted to the critical area and/or buffers are mitigated in accordance with the shoreline master program;**

The trail improvements are authorized under the shoreline program, and the proposal includes reduced impervious surface, and buffer mitigation and enhancements that will result in a net gain to shoreline ecological functions. The impacts from the new impervious surface of the trail are addressed through mitigation measures and by the incorporation of applicable stormwater controls as prescribed by the City's stormwater regulations and the shoreline master program. The mitigation measures were peer-reviewed and found to be consistent with the shoreline program requirements. The proposal is consistent with this criterion.

5. **The proposal protects critical area and/or buffer functions and values consistent with the most current, accurate, and complete scientific and technical information available;**
The proposal includes expanding the stream buffer with enhanced vegetation planting consistent with the impervious surface area being added by the trail connection. The proposed buffer mitigation and enhancement plan was peer-reviewed and found to comply with the most current, accurate, and complete scientific and technical information available as prescribed by the shoreline program. The proposal is consistent with this criterion.
6. **The proposal is consistent with other applicable regulations and standards;**
The proposed trail improvements are permitted in the Industrial and Public Parks and Open Space zones. The trail improvements are required to comply with the City's adopted storm water manual and will meet minimum width requirements for multipurpose trails as well as federal ADA requirements. The proposal is consistent with this criterion.
7. **Alterations to critical areas and their buffers that exceed those expressly allowed by the shoreline critical area regulations can only be authorized by a shoreline variance**
The proposed trail improvements do not exceed the alterations authorized by the shoreline critical area regulations. A shoreline variance is not required. The proposal is consistent with this criterion.

DECISION

Based on the proceeding Analysis, Findings and Conclusions, the shoreline substantial development permit and the critical areas alteration for the trestle replacement project, on parcels 0926059343 and 7269100096 are hereby **APPROVED** with the following conditions:

1. The proposed development shall substantially comply with the trail design and mitigation plan dated February 2026 and set forth in Exhibit 7. Modifications to these plans require approval from the Development Services Director.
2. The mitigation plan in Exhibit 7 shall be implemented and installed prior to the opening of the trail improvements to the public, unless approved otherwise by the Development Services Director. The Applicant shall be responsible for contacting and scheduling inspections with the Development Services Department to verify compliance with the mitigation plan.
3. A notice on the title for Parcel No. 0926059343 shall be recorded documenting the expanded stream buffer. The notice should state the presence of the critical areas and include a delineation of the expanded stream buffer. Text language for the notice must obtain approval from the Development Services Director and once approved, the Applicant shall record the notice with King County Recorder.
4. Unless expressly allowed by the shoreline master program, the use of artificial chemicals including pesticides, herbicides, and fertilizers is prohibited within the shoreline jurisdiction. Organic plant treatments are acceptable.
5. Any revisions to this substantial development permit including the shoreline critical area alteration shall be pursuant to WAC 173-27-100 and requires obtaining approval from the Development Services Director.
6. Should archaeological materials (e.g., bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains be observed during project activities, all work in the

immediate vicinity should stop. The State Department of Archeology and Historic Preservation (360-586-3065), the City planning staff, and affected tribes, and the county coroner must be notified to help assess the situation and determine how to preserve the resource(s). Compliance with the cultural assessment and inadvertent discovery plan as well as applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is also required.

7. Per WMC 21.80.220, construction activity under this shoreline substantial development permit must commence within 24 months and the activity must be completed by 60 months from the effective date pursuant WAC 173-27-090(4). One 12-month extension for each of these deadlines may be granted pursuant to WAC 173-27-090. The request for extension shall be filed before the expiration date and notice of the proposed extension will be given to parties of record on the substantial development permit and to the Department of Ecology.
8. Per WAC 173-27-190, construction pursuant to this permit shall not begin and is not authorized until 21 days from the date of filing with the Washington State Department of Ecology as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within 21 days from the date of such filing have been terminated.

Dated this 28th Day of May 2026



Robert J. Grumbach, AICP,
Development Services Director

ADMINISTRATIVE APPEAL

Any person aggrieved by the granting of this shoreline permit may seek review from the shorelines hearings board pursuant to RCW 90.58.180 by filing a petition for review within twenty-one days of the date of filing of the decision as defined in RCW 90.58.140(6). For information on filing an appeal, please visit the State of Washington Environmental & Land Use Hearings Office at: <https://elaho.wa.gov/content/78>. For questions about the decision, please contact the Project Manager listed below.

Contact Person: Dillon Roth, Senior Planner

Phone Number: (425)-877-2280

Email Address: dillonr@woodinville.gov



NEPA Categorical Exclusion Documentation Form

Federal Aid Project Number	NEPA Start Date August 8, 2022	Intent of Submittal ☐ Preliminary ☒ Final ☐ Re-Evaluate
Agency City of Woodinville	Project Title SR 202 Widening and Trestle Replacement, NE 175th Street to NE 177th Place	
County King		
Beginning terminus: SR 202, MP 0.31	Township(s): 26 North	
Ending terminus: SR 202, MP 0.23	Range(s): 5 East	
Miles: 0.09	Section(s): 9	

Part 1 - Project Description (Attach Vicinity Map)

The proposed project involves replacing the existing railroad trestle over SR 202 with a pedestrian bridge and constructing trail connections to the west and east and widening SR 202 from NE 175th Street to NE 177th Place. Figure 1, Vicinity Map (See Attachment 1), shows the project location and areas within the project limits.

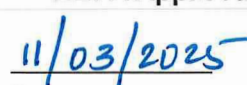
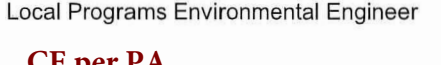
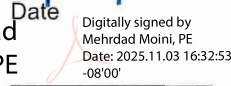
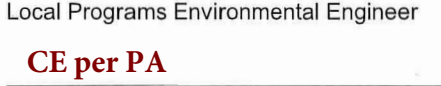
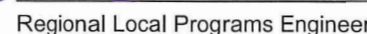
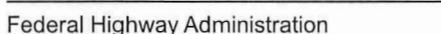
Major elements of the project are listed below and described in further detail in the Attachment 1, Project Description. Figure 2, Proposed Project (See Attachment 1), illustrates major elements of the proposed project.

- Replace the existing railroad trestle (Rail Overcrossing 202/33) over SR 202 with a new clear span pedestrian/bicycle trail bridge
- Convert the existing rail corridor to trail from the bridge west to the Sammamish River Trail (owned by King County) and east to connect with a planned future local road intersection
- Widen SR 202 from NE 175th Street to NE 177th Street (also known as Little Bear Creek Parkway) and make associated channelization improvements
- Grind and overlay the existing pavement on SR 202 from NE 175th Street to NE 177th Place
- Widen and improve sidewalks on both sides of SR 202 from NE 175th Street to NE 177th Place
- Modify traffic signals, pedestrian signals, and street lighting (luminaires)
- Relocate utilities (stormwater, sewer, communications)
- Make improvements to Woodinville Water District sewer line from NE 175th Street to NE 177th Place NE
- Grind and overlay an approximately 160-linear-foot (LF) section of the existing Sammamish River Trail from under the existing railroad trestle south of the proposed trail connection to the bridge over Little Bear Creek north of the proposed trail connection

Part 2 - Categorical Exclusion & STIP

- Identify one CE from 23 CFR 771.117 (CE Guidebook - Appendix A) that fits the entire project ^{d(13)} ~~23 (Federally-funded projects)~~
- Per 23 CFR Part 452(l) identify the subsequent project phase identified on the STIP? ☒ ROW ☒ Construction
- Attach a copy of the STIP page to the CE documentation form. See Attachment 2

NEPA Approval Signatures

 Local Agency Approving Authority	 Date 11/03/2025	 Local Programs Environmental Engineer	 Date
 Regional Local Programs Engineer	 Date	 CE per PA	 Date 11/7/25
 Regional Local Programs Engineer	 Date	 Federal Highway Administration	 Date

Completed By (Print Official's Name)	Telephone (include area code)	E-mail Address
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Part 3 - Permits, Approvals & Right of Way (ROW)

Yes	No	Permit or Approval	Yes	No	Permit or Approval
☐	☒	Corps of Engineers ☐ Sec. 10 ☐ Sec. 404 ☐ Nationwide Type _____ ☐ Individual Permit No. _____	☐	☒	Water Quality Certification - Section 401 Issued By _____
☐	☒	Coastal Zone Management Certification	☐	☒	Tribal Permit(s) (if any) _____
☐	☒	Critical Areas Ordinance (CAO) Permit	☐	☐	Other Permits (List) <u>No other permits identified</u>
☐	☒	Forest Practices Act Permit	☒	☐	Is permanent ROW acquisition needed? If yes, amount needed: <u>1,090 sq. ft.</u> (acres/sq. ft.).
☐	☒	Hydraulic Project Approval	☒	☐	Is any temporary ROW needed?
☒	☐	Local Building or Site Development Permits	☐	☒	Is relocation required?
☒	☐	Local Clearing and Grading Permit	☐	☒	Has ROW (property and/or property interests) been acquired <u>for this project</u> prior to the NEPA start date? If yes, documentation demonstrating compliance with 23 CFR 710.501 may be required.
☒	☐	National Pollutant Discharge Elimination System (NPDES) Baseline General for Construction	☒	☐	Is a detour required? If yes, please attach detour information. See Attachment 3
☒	☐	Shoreline Permit			
☐	☒	State Waste Discharge Permit			
☐	☒	Water Rights Permit			

U.S. Coast Guard Permitting

- a. Does the project propose any new or modify any existing bridges or culverts crossing a waterway? ☐ Yes ☒ No
- b. If Yes, attach a copy of the jurisdictional determination email or letter from the U.S. Coast Guard.

Other Federal Agencies - Does the project involve any federal properties, approvals or funding from other/additional federal agencies? ☐ Yes ☒ No If Yes, please describe.

Part 4 - Environmental Considerations

**Will the project involve work in or affect any of the following? Identify proposed mitigation.
Attach additional pages or supplemental information if necessary.**

1. Air Quality - Identify any anticipated air quality issues.

Is the project exempt from Air Quality conformity requirements? ☐ Yes ☒ No

a. If Yes, identify exemption - please refer to Appendix G in the CE Guidebook for a list of exemptions.

b. Is the project located in an Air Quality Non-Attainment Area or Maintenance Area for carbon monoxide, ozone or PM 10 or PM 2.5? ☒ Yes ☐ No

2. Critical and Sensitive Areas

a. Is this project within a sole source aquifer? ☐ Yes ☒ No

If located within a sole source aquifer, is the project exempt from EPA approval?

If Yes, please list exemption: _____

If No, date of EPA approval: _____

b. Will this project impact Species/Habitat other than ESA listed species? ☐ Yes ☒ No Explain your answer.

c. Is this project within one mile of a Bald Eagle nesting territory, winter concentration area or communal roost?

☐ Yes ☒ No If Yes, the local agency must go to the US Fish & Website (<http://www.fws.gov/pacific/eagle/>) and work through the Do I Need a Permit? section.

d. Are wetland present within the project area? ☐ Yes ☒ No If Yes, estimate the impact in acres: _____

Please attach a copy of the proposed mitigation plan.

3. Cultural Resources/Historic Structures - Identify any historic, archaeological or cultural resources present within the project's Area of Potential Effects.

Does the project fit into any of the exempt types of projects listed in Appendix J of the CE Guidebook?

☐ Yes ☒ No If Yes, note exemptions below.

If No: Date of DAHP concurrence: March 25, 2024

(See Attachment 4, Cultural Resources)

Date of Tribal consultation(s) (if applicable): March 3-22, 2024

Adverse effects on cultural/historic resources? ☐ Yes ☒ No

If Yes, date of approved Section 106 MOA: N/A

4. Floodplains and Floodways

- a. Is the project located in a 100-year floodplain? ☐ Yes ☒ No
- b. If Yes, is the project located within a 100-year floodway? ☐ Yes ☒ No
- c. Will the project impact a 100-year floodplain? ☐ Yes ☒ No If Yes, describe impacts.

5. Hazardous and Problem Waste - Identify potential sources and type(s).

- a. Does the project require excavation below the existing ground surface? ☒ Yes ☐ No
- b. Will groundwater be encountered? ☒ Yes ☐ No
- c. Will any properties be acquired as part of this project? ☒ Yes ☐ No
- d. Is this site located in an undeveloped area (*i.e.* no buildings, parking, storage areas or agriculture)? ☐ Yes ☒ No
- e. Is the project located within a one-mile radius of a known Superfund Site? ☐ Yes ☒ No
- f. Is this project located within a ½-mile radius of a site or sites listed on any of the following Department of Ecology databases?
☒ Yes ☐ No If Yes, check the appropriate boxes below.
- ☒ Voluntary Cleanup Program (VCP), State Cleanup Site (SCS), or Independent Cleanup Program (ICP)
- ☒ Underground Storage Tank (UST)
- ☒ Leaking Underground Storage Tank (LUST)
- ☒ Confirmed and Suspected Contaminated Sites List (CSCSL)
- g. Has site reconnaissance (windshield survey) been performed? ☒ Yes ☐ No (Please identify any properties not identified in the Ecology or ERS database search as an attachment -- name, address and property use).
- h. Based on the information above and project specific activities, is there a potential for the project to generate, acquire or encounter contaminated soils, groundwater or surface water? ☒ Yes ☐ No

Please explain:

See Attachment 5, Hazardous and Problem Waste Site and Attachment 6, Environmental Investigation Report. The contract will contain provisions for stockpiling and testing excavated materials for characterization and proper handling and disposal.

If you responded Yes to any of these questions above (5A - 5F or 5H), contact your Region LPE for assistance as a "Right-Sized" HazMat Analysis Report/Memorandum most likely will be required.

6. Noise

- a. Does the project involve constructing a new roadway? ☐ Yes ☒ No
- b. Is there a change in the vertical or horizontal alignment of the existing roadway? ☐ Yes ☒ No
- c. Does the project increase the number of through traffic lanes on an existing roadway? ☒ Yes ☐ No
- d. Is there a change in the topography? ☐ Yes ☒ No
- e. Are there auxiliary lanes extending 1-½ miles or longer being constructed as part of this project? ☐ Yes ☒ No
- f. If you answered Yes to any of the preceding questions, identify and describe any potential noise receptors within the project area and subsequent impacts to those noise receptors. Please attach a copy of the noise analysis if required.

See Attachment 7, Traffic Noise Report.

If impacts are identified, describe proposed mitigation measures.

See Attachment 7, Traffic Noise Report.

Noise mitigation does not meet the reasonableness criteria for cost effectiveness.

7. 4(f)/6(f) Resources: parks, recreation areas, wildlife refuges, historic properties, wild & scenic rivers, scenic byways

- a. Please identify and 4(f) properties within the project limits and the areas of impacts.

King County-owned Sammamish River Trail and City of Woodinville-owned rail corridor ("Woodinville Segment" of Eastside Rail Corridor). See Attachment 8, Project Impacts to Section 4(f) Properties. **Temporary occupancy signed by FHWA 2/5/25**

- b. Please identify any properties within the project limits that used funds from the Land & Water Conservation Fund Act.

None known.

- c. Please list any Wild and Scenic Rivers and Scenic Byways within the project limits.

None are present within the project limits.

8. Agricultural Lands -

- a. Are there agricultural lands within 300 feet of the project limits? ☐ Yes ☒ No If Yes, describe impacts:

- b. Are impacted lands considered to be unique and prime farmland? ☐ Yes ☒ No

If Yes, date of project review by Natural Resource Conservation Service (NRCS): _____

9. Rivers, Streams (continuous or intermittent) or Tidal Waters

- a. Identify all waterbodies within 300 feet of the project limits or that will otherwise be impacted.

The Sammamish River and Little Bear Creek are both within 300 feet of the western terminus of the trail connection portion of the project.

- b. Identify stream crossing structures by type.

The project does not include any stream crossings.

10. Tribal Lands - Identify whether the project will occur within any Tribal lands, including reservation, trust and fee lands. Please do not list usual and accustomed area.

The project does not occur within any tribal lands

11. Water Quality/Stormwater

- a. Will this project's proposed stormwater treatment facility be consistent with the guidelines provided by either WSDOT's HRM, DOE's stormwater management manual for eastern/western Washington or a local agency equivalent manual?

☒ Yes ☐ No

Explain proposed water quality/quantity treatment for the new and any existing pollution generating impervious surface associated with the proposed project. See Attachment 9, Drainage Plan Technical Information Report

- b. Amount of existing pollution generating impervious surface within the project limits: 10,143 square feet (0.27 acre)

- c. Net new pollution generating impervious surface to be created as a result of this project: 1,564 square feet (0.036 acre)

- d. Amount of proposed post-project untreated pollution generating impervious surface: none

12. Previous Environmental Commitments

Describe previous environmental commitments that may affect or be affected by the project - if any.

None have been identified.

13. Environmental Justice - Does the project meet any of the exemptions noted in Appendix L of the CE Documentation Guidebook?

If Yes, please note the exemption and appropriate justification in the space below.

Per EO 14173, which rescinded EO 12898, and WSDOT Local Programs guidance, this section no longer applicable.

If No, attach Appendix M and supporting documentation as required per the decision matrix. This will include at least two demographic information sources and possibly a description of anticipated project impacts.

Please refer to the CE Guidebook for more information.

Part 5 - Biological Assessments and EFH Evaluations

- 1. Do any listed species potentially occur in the project's action area and/or is any designated critical habitat present within the project's action area?** ☒ Yes ☐ No Attach species listings.

Affected ESA Listed Species	2. Will any construction work occur within 0.25 mile of any of the following?	3. Does the project involve blasting, pile driving, concrete sawing, rock-drilling or rock-scaling activity within one mile of any of the following?
Oregon Spotted Frog proposed critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Yellow-billed Cuckoo suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Spotted Owl management areas, designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Marbled Murrelet nest or occupied stand, designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Western Snowy Plover designated critical habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Is the project within 0.25 mile of marine waters? If Yes explain potential effects on Killer Whales and on Marbled Murrelet foraging areas.	☐ Yes ☒ No	☐ Yes ☒ No

Killer Whale designated critical habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Grizzly Bear suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Gray Wolf suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Canada Lynx habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Columbia White-tailed Deer suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Woodland Caribou habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Streaked Horned Lark designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Taylor's Checkerspot designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Mazama Pocket Gopher designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Eulachon designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Rockfish proposed critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
A mature coniferous or mixed forest stand?	☐ Yes ☒ No	☐ Yes ☒ No

4. Will the project involve any in-water work?	☐ Yes ☒ No
5. Will any construction work occur within 300 feet of any perennial or intermittent waterbody that either supports or drains to waterbody supporting listed fish?	☒ Yes ☐ No
6. Will any construction work occur within 300 feet of any wetland, pond or lake that is connected to any permanent or intermittent waterbody?	☒ Yes ☐ No
7. Does the action have the potential to directly or indirectly impact designated critical habitat for salmonids (including adjacent riparian zones)?	☒ Yes ☐ No
8. Will the project discharge treated or untreated stormwater runoff or utilize water from a waterbody that supports or drains into a listed-fish supporting waterbody?	☒ Yes ☐ No
9. Will construction occur outside the existing pavement? If Yes go to 9a.	☒ Yes ☐ No
9a. Will construction activities occurring outside the existing pavement involve clearing, grading, filling or modification of vegetation or tree-cutting?	☒ Yes ☐ No
10. Are there any Federally listed Threatened or Endangered plant species located within the project limits? If Yes, please attach a list of these plant species within the action area.	☐ Yes ☒ No
11. Does a mature coniferous or mixed forest stand occur within 200' of the project site?	☐ Yes ☒ No

Analysis for No Effects Determination – If there are any Yes answers to questions in Part 5, additional analysis is required. Attach additional sheets if needed.

The project area does not include any aquatic habitats. Stormwater discharge produced by the completed project will flow to the existing stormwater treatment facility for the project roadways, which discharges into the Sammamish River, and which ultimately flows to Lake Washington/Puget Sound. Because contaminants such as 6PPD-quinone (in tire dust) in stormwater runoff have recently been found to cause mortality of adult coho salmon, (*Oncorhynchus kisutch*) and other fish species, as part of the NEPA review for the project, a BA was prepared and submitted to USFWS and NMFS to comply with federal requirements to demonstrate compliance with the ESA. Consultation with USFWS was completed on July 9, 2024 and consultation with NMFS was completed on March 7, 2025. Attached 10 contains the Biological Assessment, and documentation from the USFWS and NMFS documentation the completion of the ESA compliance.

Analysis for RRMP ESA 4(d) determination for NMFS – A local agency must be certified by the Regional Road Maintenance Forum to utilize 4(d).

Maintenance Category (check all that apply)

- | | | |
|--|---|---|
| ☐ 1. Roadway Surface | ☐ 6. Stream Crossings | ☐ 11. Emergency Slide/Washout Repair |
| ☐ 2. Enclosed Drainage Systems | ☐ 7. Gravel Shoulders | ☐ 12. Concrete |
| ☐ 3. Cleaning Enclosed Drainage Systems | ☐ 8. Street Surface Cleaning | ☐ 13. Sewer Systems |
| ☐ 4. Open Drainage Systems | ☐ 9. Bridge Maintenance | ☐ 14. Water Systems |
| ☐ 5. Watercourses and Streams | ☐ 10. Snow and Ice Control | ☐ 15. Vegetation |

Describe how the project fits in the RRMP 4(d) Program:

N/A - The City of Woodinville is not a participating agency in the Regional Road Maintenance Program and ESA 4(d) coverage.

Effect Determinations for ESA and EFH

If each of the questions in the preceding section resulted in a "No" response or if any of the questions were checked "Yes," but adequate justification can be provided to support a "no effect" determination, then check "No Effect" below. If this checklist cannot be used for Section 7 compliance (i.e., adequate justification cannot be provided or a "may effect" determination is anticipated), a separate biological assessment document is required.

	NMFS	USFWS	EFH Determination
☐ No Effect			☐ No Adverse Effect
☒ NLTA - Date of Concurrence	<u>n/a</u>	<u>July 9, 2024</u>	☒ Adverse Effect - Date of NMFS concurrence <u>March 7, 2025</u>
☒ LTAA - Date BO Issued	<u>March 7, 2025</u>	<u>n/a</u>	
☐ RRMP 4(d)			☐ Not Applicable

Part 6 - FHWA Comments

Northwest pond turtle

The project is not likely to jeopardize the continued existence of Northwest pond turtle because suitable habitat will not be impacted by the project and there are no known biotic detections of these species in the vicinity of the project. In the event the species become listed prior to project completion the provisional effect determinations for the Northwest pond turtle is No Effect.

Monarch butterfly

The project is not likely to jeopardize the continued existence of Monarch Butterfly because suitable habitat will not be impacted by the project and there are no known biotic detections of this species in the vicinity of the project. In the event the species becomes listed prior to project completion the provisional effect determination for Monarch Butterfly is No Effect.

Suckley's cuckoo bumble bee

The project is not likely to jeopardize the continued existence of Suckley's Cuckoo Bumble Bee because suitable habitat will not be impacted by the project and there are no known biotic detections of this species in the vicinity of the project. In the event the species becomes listed prior to project completion the provisional effect determination for Suckley's Cuckoo Bumble Bee is No Effect.