CITY OF NEWCASTLE
Community Development Department

Variance Application

This Variance Application provides the information and forms required to apply for a variance from the provisions of the Newcastle Municipal Code (NMC). Your application will be evaluated based on the information you provide, the Newcastle Comprehensive Plan, and pertinent provisions of the Newcastle Municipal Code, including NMC 18.44.040, 18.44.042, and 18.44.045. You may find a copy of the NMC and Comprehensive Plan at Newcastle City Hall, as well as online at www.ci.newcastle.wa.us.

See below for the list of submittal requirements. Incomplete applications will not be reviewed.

SUBMITTAL REQUIREMENTS

A variance application and fee must be filed with the Community Development Department by the owner of the subject property, or by an authorized agent (applicant) of the owner.

The following is required to be submitted at the time of application:

1. **Completed application form** (4 Copies). Mark "N/A" for any questions that do not apply to your variance request.
2. **Applicable fees.**
3. **Vicinity map** (4 Copies). Include legal description of the property and King County Assessor's tax lot number.
4. **A scale drawing of the property** (4 copes). Include the information below:
    a. North arrow;
    b. Graphic scale;
    c. Boundaries, easements, and ownership as set forth in the legal description;
    d. Existing structures and improvements;
    e. Proposed improvements;
    f. Utility plans, if appropriate;
    g. All adjacent streets and right-of-ways; and
    h. Other plans and/or drawings deemed necessary for evaluation of the application.
5. **Terms, conditions, covenants, and agreements under which the subject property is bound, if any** (4 copies).
6. **An environmental checklist** (4 copies) when required by the State Environmental Policy Act (SEPA).
7. **Mailing labels** for all owners of property in an area within 500 feet of the site, as determined by the King County Assessor's Office.

REVIEW PROCESS OVERVIEW

An application fee must accompany the submittal of a **complete** variance application.

The application and accompanying information will be forwarded to the Community Development Department for review and recommendation. Additional information or clarification may be required by the City of Newcastle throughout the variance request review process. All review costs incurred will be forwarded to the applicant for payment.

The Director of Community Development will render a decision on a “minor” variance, as set forth in NMC 18.44.045 and 19.07.030. “Major” variances will be heard and decided by the Hearing Examiner following an open record public hearing per NMC 19.07.030.

CITY OF NEWCASTLE
Community Development Department

Variance Application

SITE & PROJECT DETAILS

1. **Name of property owner:** Puget Sound Energy - Easement Holder

   Address: P.O. Box 97034, EST-03W, Bellevue WA 98009-9734

   Email: bradley.strauch@pse.com **Phone:** 425-456-2556

2. *If the owner of record as shown by the County Assessor's Office is not the applicant, the owner's signed and notarized authorization must accompany this application (See attached Owner/Applicant Agreement form).*

   Applicant Name: Puget Sound Energy

   Address: P.O. Box 97034, EST-03W, Bellevue WA 98009-9734

   Email: bradley.strauch@pse.com **Phone:** 425-456-2556

3. **Legal Description of project site** (or attach separately):

   100-foot wide easement (see easements and assessor maps)

4. **King County Assessor's Parcel Number(s):** See attached list

5. **Site Location** (Approx. Address, Cross Streets, etc.):

   PSE 100-ft easement between Newcastle Way and SE 95th Way in T24N, R05E, Sect. 28 and 30 (see assessors maps)

6. **Zoning:** R4/6, O, LOS **Comprehensive Plan Designation:** Single and multi-family residential

7. **Does the site contain a Critical Area (wetland, steep slope, etc.)? If so, please describe:**

   Yes, see Critical Areas Report

8. **Site Dimensions:** ~100 ft x ~7920 ft **Total Site Area:** ~18 acres

9. **Current Description & Use of Site** *Is the site vacant, developed, etc.*:

   The proposed upgraded transmission lines are located in an existing utility corridor, where existing land uses are predominantly vacant (59%). See Detailed Description.

10. **Current zoning and use of adjacent property…**

    a. To the north: Utility corridor

    b. To the south: Utility corridor

    c. To the east: Utility corridor, residential, vacant

    d. To the west: Utility corridor, residential, vacant

11. **Detailed description of requested variance** (Attach additional sheet if necessary):
    See attached.

12. **Intended use of the site, as pertaining to requested variance:**
    Continued use as a transmission line corridor.

13. **Dimensions and square footage of all proposed buildings or structures:**
    N/A

14. **Height of proposed buildings or structures:** Average pole height: 95 ft; 82 ft with variance

15. **Number of stories proposed:** N/A
    a. Square feet per story: N/A
    b. Basement: N/A

16. **Setback requirements:**
    a. North: N/A
    b. South: N/A
    c. East: N/A
    d. West: N/A

17. **Number of parking stalls required:** N/A **Proposed:** N/A

18. **Square footage of proposed paved areas:** N/A

19. **Percentage of site to be covered by impervious surfaces:** decrease of ~27 sq. ft. *(If the proposal results in more than 1,000 square feet of impervious surface added, a drainage plan is required).*

20. **Percentage of site to be covered by landscaping:** No change %
    a. **Percentage of parking area to be covered by landscaping:** N/A %

21. **Percentage of site to remain undeveloped:** No change %

22. **Source of water:** N/A

23. **Method of sewage disposal:** N/A

24. **Do restrictive covenants apply to this property?** ☐ Yes ☑ No

    If so, please provide the name and address of the homeowner's association or architectural control committee having jurisdiction over restrictive covenants, building, or land use controls:

    Name: _____ Phone: _____

    Address: _____

    _____

VARIANCE CRITERIA

In accordance with Newcastle Municipal Code Section 18.44.040, a variance shall be granted by the City only if the applicant demonstrates that five criteria have been met. Please respond to each of the following questions. Attach additional sheets if necessary.

A. Describe how the variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property.

See attached Energize Eastside Project, Detailed Description.

B. Describe how the variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property.

See attached Energize Eastside Project, Detailed Description.

C. Describe how the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and land use district in which the subject property is located.

See attached Energize Eastside Project, Detailed Description.

D. Describe how the variance is not inconsistent with the City of Newcastle Comprehensive Plan.

See attached Energize Eastside Project, Detailed Description.

E. Describe how the variance is the minimum necessary to grant relief to the applicant.

See attached Energize Eastside Project, Detailed Description.

LIMITATION ON AUTHORITY

In accordance with NMC 18.44.042, the decision maker may not grant a variance to certain provisions of the Newcastle Municipal Code. Please demonstrate compliance by responding to each of the following questions. Attach additional sheets if necessary.

A. Describe how the application does not request a variance from the provisions of NMC 18.08 establishing the allowable uses in each land use district.

The proposed project (Utility facility-Regional) is allowed as a conditional use in all zoning districts per 18.08.060; therefore a variance is not being requested from the provisions of NMC 18.08.

B. Describe how the application does not request a variance from the provisions of Title 19 NMC or any other procedural or administrative provision of the Newcastle Municipal Code.

The proposed project is allowed as a conditional use which is processed as a Type III permit per NMC 19.07.030 following the processes outlined under 19.09 through 19.17. A variance is not being requested per the provisions of NMC Title 19, but rather from the City's interpretation of set-back requirements under NMC 18.12.130.C.

C. Describe how the application does not request a variance from any provision of the Newcastle Municipal Code within the primary approval jurisdiction of another decision maker as established by the Newcastle Municipal Code.

PSE is requesting a variance from NMC 18.12.130.C, which is under the sole authority of the City of Newcastle.

D. Describe how the application does not request a variance from any provision of the Newcastle Municipal Code which, by the terms of that Code, is not subject to variance.

PSE is requesting a variance from NMC 18.12.130.C, wherein the NMC does not preclude application for a variance.

E. Describe how the application does not request a variance from the provisions of Chapter 18.24 NMC, Sensitive Areas.

PSE is not requesting a variance from NMC 18.24. If the variance request is granted, the impacts to critical areas will be reduced.

F. Describe how the application does not request a variance from conditions established during prior permit review or from provisions enacted pursuant to Chapter 18.38 NMC, Property Specific Development Standards.

The proposed project has not undergone prior permit review. Additionally, the project is not subject to NMC 18.38.

OWNER/APPLICANT AGREEMENT

The undersigned is the easement holder of property identified by the King County Assessor's Account Number See list and assessor maps located at a 100-ft wide corridor situated between Newcastle Way and SE 95th Way.

The undersigned hereby give(s) consent and approval to a Variance Application for the property referenced as initiated by _____ acting on behalf of the undersigned.

Rw PSE 11/9/17

Easement Holder Date

_____

Owner of Record Date

STATE OF WASHINGTON)
) SS.
COUNTY OF KING)

On this 9th day of November, 20 17, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared BRAD STRALUCH To me known as the individual(s) described in and executed the foregoing instrument, and acknowledged to me that they signed and sealed the said instrument, as their free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he(she)(they) was(were) authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year in this certificate above written.

The 9TH day of NOVEMBER, 20 17,

DENISE C. STEENDAHL NOTARY PUBLIC STATE OF WASHINGTON Commission Expires 11-01-2021

Notary Public in and for the State of Washington,

Printed Name: DENISE C. STEENDAHL

My Commission Expires: NOV. 1, 2021

Puget Sound Energy
Energize Eastside Project—City of Newcastle
Detailed Description
Variance Request (NMC 18.44.040)

I. Introduction

Puget Sound Energy, Inc. (PSE) requests a variance to mitigate potential aesthetic impacts related to the Energize Eastside Project (Project). The Project entails replacing two existing 115 kV transmission lines (and associated poles) with new poles that support two 230 kV transmission lines. The upgraded transmission lines would be located in the regional utility corridor that has operated since the late 1920s and early 1930s, and traverses the City of Newcastle ("City" or "Newcastle") in a north-south orientation. Under consent from PSE, Olympic Pipeline Company (OPL) has the right to operate two petroleum pipelines in the joint regional utility corridor.

The City interprets its municipal code[1] as creating a separate regional utility corridor for the OPL pipelines, although they are located entirely within the boundaries of PSE's regional utility corridor. This interpretation[2] requires PSE to have a 5-foot setback measured from the boundary of the OPL easement for the location of the replacement electrical poles. The OPL easement varies in width through the corridor, creating areas where the transmission poles need to be taller, as well as closer to the adjoining residences, than would otherwise be necessary but for the City's 'regional utility corridor within a regional utility corridor' interpretation. In addition to the varying easement width, the location of the pipelines varies within the corridor.

PSE hired a third-party expert to assess AC (alternating current) interaction between the pipelines and the replacement transmission lines. The assessment helped identify optimized pole placement, design, and operational parameters that minimize AC interaction between the two utilities. These parameters have been incorporated into PSE's design for the Project, including PSE's preferred design, which would require a variance.

Without a variance, the pole locations would need to be pushed generally towards the outside of the corridor. In order to accommodate wire "blow-out" or movement (primarily due to wind) and meet required clearance distances from adjacent uses, PSE was required to move the

[1] The staff report that was prepared for the July 5, 2016, Newcastle Council Meeting, provides the City's interpretation of NMC 18.12.130.C. The interpretation states that "…a required setback of five feet for all buildings or structures from utility property or easement lines delineating the boundary of regional utility corridors would apply to the electrical transmission towers…" Additionally, the report states that the OPL easement is a 50-foot easement that is centered within the 100-foot PSE easement. The City interpreted this information in the context of the municipal code for the purpose of regulating electrical transmission towers. The 50-foot OPL easement would be considered as the regional utility corridor and therefore, all electrical transmission towers (considered structures) would be required to be set back 5 feet outside the boundaries of the OPL easement.

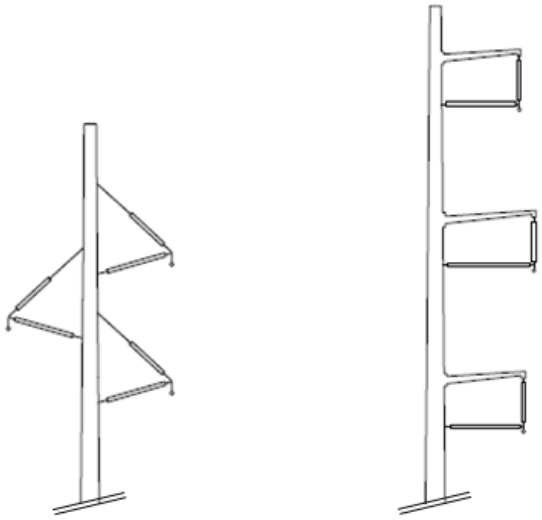
[2] PSE believes the interpretation of NMC 18.12.130C goes beyond the code's plain language.

transmission lines (wires) toward the middle of the corridor and place them all on the same side of the poles. Since this non-variance design stacks the wires all on the same side of the pole, the required separation between the top and bottom wire would be 29 feet as compared to approximately 15 feet for the variance design. Accordingly, without a variance, in order to accommodate the stacked wires, the transmission line pole heights would average 95 feet in the City. The taller and wider, Newcastle-specific configuration was analyzed in the project-level Energize Eastside Phase 2 Draft Environmental Impact Statement (DEIS). The DEIS concluded that there would be significant adverse aesthetic impacts due to the increase in transmission line pole height from the existing proposed configuration to the proposed Newcastle-specific configuration.

If, however, the City grants a variance from the 5-foot easement setback requirement, PSE can move the poles away from residences on either side of the corridor and place the wires on both sides of the poles while still meeting engineering and safety requirements.[3] The alternative wire configuration provides for greater wire separation due to the geometric configuration, thereby reducing the pole heights to an average of around 82-feet (see Figure 1), while still maintaining a safe distance between the poles and the pipelines.

[3] PSE retained Det Norske Veritas (U.S.A.), Inc. (DNV-GL), a national pipeline safety expert, to provide design input for the Energize Eastside project. DNV-GL performed an induced AC (alternating current) interference study to investigate the possibility for AC interference effects between the proposed electrical transmission lines and the two OPLC pipelines. Additionally, OPLC was involved with the development of the study and provided field data. The DNV-GL study provides recommendations related to minimizing AC interaction between the Energize Eastside Project and OPLC pipelines. PSE has incorporated these recommendations during the design of the transmission line project, which also follows the requirement in the National Electric Safety Code (NESC).

Figure 1, Wire Configurations



The alternative pole configuration was considered in the Phase 2 DEIS, which states,

> [p]osition poles and adjust pole height to minimize impacts to the greatest extent possible. In Newcastle, a variance from the setback requirements would allow the poles to be positioned farther away from the houses. This would also allow for shorter poles.

DEIS at Sec. 3.2.6.2. To aid in mitigating aesthetic impacts, PSE respectfully requests a variance from the 5-foot regional utility corridor setback for 10 of the 24 poles in Newcastle.

II. PSE's Project Meets Newcastle's Variance Criteria

As set forth in detail below, PSE's proposal to mitigate aesthetic impacts is a proper basis for the grant of a variance in Newcastle. Under NMC 18.44.040, a variance may be granted if the applicant can demonstrate the following:

NMC 18.44.040.A. *The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property;*

> PSE requests a variance from a set-back requirement from regional utility easement corridor boundaries, to limit potential impacts associated with 1) taller poles and 2) relocating the transmission lines from a generally central location to, in certain places, the outer edges of the utility corridor nearer to adjacent uses. Shorter poles allowed with a variance reduce visual intrusion of the transmission line and poles as well as reduce the vegetation impacts within wetland and stream buffers. PSE's intent in pursuing this

variance is to limit impacts to other properties and land uses in the vicinity of the transmission line corridor.

PSE is the sole provider of electricity in Newcastle and one of only a few utility providers in the city. With this Project, PSE proposes to upgrade existing 115 kV transmission lines in an existing transmission line corridor that is collocated with the OPL pipelines. Today, PSE's existing 115 kV transmission line poles are in many cases located with the 5-foot setback requirement, which is the basis for the variance request. With or without the grant of the variance, PSE will continue to have transmission lines in the existing utility corridor. PSE's variance request does not involve the grant of a special privilege inconsistent with limitations upon uses of other properties in the vicinity. Rather, this variance is consistent with the use of this corridor under the long-standing easement rights PSE has held since the easement was established in the late 1920s and early 1930s, and the variance is solely directed at mitigating potential new impacts to other surrounding properties. PSE requests that transmission pole siting decisions be based on engineering and safety constraints, rather than an arbitrary setback number that lacks a consistent relationship to the location of the OPL pipelines and undermines the use of PSE's existing easement wherein OPL operates under consent.

The proposed upgraded transmission lines are located where existing land uses are predominantly vacant (59%). Non-vacant land uses are mostly comprised of single-family residential uses that are located adjacent to the existing transmission line. Approximately 112 parcels are immediately adjacent to the existing corridor. Unique land uses include Newcastle City Hall, Seattle Revival Center, and May Creek Park (on the Newcastle/Renton border). The Newcastle segment goes through the residential neighborhoods of Del Mar Village, Newport Woods, Eden's Grove, Donegal, and Olympus. A portion of the segment also goes through the Community Business Center – Lake Boren Corridor, and is within the Community Business Center overlay. Del Mar Village is an apartment complex near a commercial center. Donegal and Olympus are single-family residential developments. A government building and a park (May Creek Natural Area) are along the segment.

PSE designed the Project to use the existing transmission line corridor that was established in the late 1920s and early 1930s, which predates the incorporation of Newcastle (1994) and the current uses adjacent to the corridor. The current uses adjacent to the corridor developed over time as areas were annexed into the City and these areas became more dense and populated. The utility corridor has shaped existing adjacent uses. With this variance request, PSE seeks to limit new impacts to those adjacent uses and not to grant special privileges.

NMC 18.44.040.*B. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property;*

PSE's variance request is responsive to special circumstances involving the collocation of PSE's transmission line corridor with OPL's pipelines. The boundary of OPL's easements and the location of the pipeline within the easement varies widely throughout the corridor and is absent from certain segments. Accordingly, Newcastle's 5-foot setback from OPL's easement boundary lacks any relationship to the distance between PSE's proposed transmission line poles and the pipeline, and this 5-foot setback interpretation should be set aside in favor of granting a variance.

Additionally, the variance is necessary because the interpretation of NMC 18.12.130.C as creating a separate regional utility corridor for OPL's pipelines within the PSE regional utility corridor, undermines the full use and enjoyment of the rights PSE holds under their easement. OPL operates under a consent decree with PSE. The undermining of PSE's easement, which predates both the City and the pipelines, creates a special circumstance that restricts PSE's uses of the corridor. To avoid this result and ensure that PSE continues to have the same rights and privileges it currently has, a variance is necessary.

NMC 18.44.040.*C. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and land use district in which the subject property is located;*

PSE's proposed Project serves the public welfare by providing the electrical system upgrades required to power homes and businesses in Newcastle now and into the future. The need for the Energize Eastside Project has been thoroughly analyzed by PSE, the affected cities, and independent electric system planning experts.[4] Every entity that has reviewed project need has confirmed that Project construction is needed to meet short and long-term energy demands in the partner cities. By upgrading this more than 50-year-old system, Newcastle will be better able to meet existing and projected growth, all of which requires a reliable source of power.

By using an existing transmission line corridor, the Project is designed to eliminate any materially detrimental impact with the existing properties and uses in proximity to the subject property. PSE proposes a transmission line upgrade in an existing utility corridor that was established in the late 1920s and early 1930s. The establishment of the transmission line corridor predates the incorporation of Newcastle (1994). The current

[4] In total, five separate studies performed by four separate parties have confirmed the need to address Eastside transmission capacity (20.20.255.E.4; D.3.b & c): Electrical Reliability Study by Exponent, 2012 (City of Bellevue); Eastside Needs Assessment Report by Quanta Services, 2013 (PSE); Supplemental Eastside Needs Assessment Report by Quanta Services, 2015 (PSE); Independent Technical Analysis by Utility Systems Efficiencies, Inc., 2015 (City of Bellevue); and Review Memo by Stantec Consulting Services Inc., 2015 (EIS consultant)

All of these studies are provided as an attachment to the Alternative Siting Analysis.

uses adjacent to the corridor developed over time as areas were annexed into the City and these areas became more dense and populated. The utility corridor is part of the existing character of these areas. By selecting this route through Newcastle, PSE limits new impacts from proposing a transmission line in a new corridor and ensures consistency with the existing uses, which already accommodate proximity to a high voltage transmission line.

PSE has also undertaken aesthetic design work to ensure no materially detrimental impact to adjacent properties and uses. The new poles will be steel monopoles that are generally installed in the same location or in close proximity to the existing poles. In most cases, the number of poles will be reduced from two or three poles to one pole, which reduces visual clutter. The consistency of the proposed transmission lines upgrade with the subject property was confirmed by the Phase 2 DEIS, which found that impacts to land use will "be less-than-significant because [the proposed project] is consistent with city plans, and would not adversely affect existing or future land use patterns." (Phase 2 DEIS at 3.1-42).

PSE will also work with the City to assess pole finishes (e.g., galvanized, Corten [self-weathering], or painted [powder coat]) of the steel monopoles to make them more visually pleasing, thereby limiting aesthetic impacts to adjacent uses. PSE will work with the City and property-owners to identify preferred species of replacement vegetation that enhances adjacent uses to the extent possible.

Without the grant of a variance, the DEIS identifies a significant aesthetic impact where proposed poles were estimated to be around 100 feet tall. PSE's requested modification fully mitigates potential aesthetic impacts by reducing average transmission line pole height 18% (from 100 feet to an average of 82 feet). Additionally, the requested variance allows for a greater separation between the poles and adjacent residences, which limits any potential future impact to permitted development.

NMC 18.44.040.*D. The variance is not inconsistent with city of Newcastle comprehensive plan; and*

As explained in detail in the following table, a grant of a Project variance is consistent with the City of Newcastle's 2035 Comprehensive Plan policies. Specifically, a grant of a variance in this case supports implementation of the following criteria

UT-P8, The City *shall encourage* utility providers to limit disturbance to vegetation within major utility transmission corridors to what is necessary for the safety and maintenance of transmission facilities.

UT-P10, The City *should require* utility providers to design and construct overhead transmission lines in a manner that is environmentally sensitive, safe, and aesthetically compatible with surrounding land uses.

UT-P14, The City *should require* utility providers to minimize visual and other impacts of transmission towers and overhead transmission lines on adjacent land uses through careful siting and design.

UT-P16, The City *should require* new, modified, or replacement transmission structures (such as lattice towers, monopoles, and the like) to be designed to minimize aesthetic impacts appropriate to the immediate surrounding area whenever practical.

The state Growth Management Act's (GMA's) consistency review process ensures that the Project is consistent with the City's Comprehensive Plan. The GMA requires that a local government's development regulations be consistent with its comprehensive plan (*e.g.*, RCW 36.70A.030(3)). A project that is consistent with an earlier programmatic land use decision should not be reevaluated (WAC 365-197-010). In other words, a use allowed by a local government's zoning code presumptively complies with the local government's comprehensive plan.

Here, Newcastle's code specifically provides for the construction of regional utilities through a conditional use permit process. Accordingly, the City has already decided that transmission lines are consistent with Newcastle Comprehensive Plan because such facilities are allowed as a conditional use. The Project's consistency is further reinforced by provisions in the City's comprehensive plan encouraging reliable electrical service and co-location of utilities (*e.g.*, Newcastle 2035 Comprehensive Plan sections ED-G5, UT-P3, UT-P4, UT-P12, UT-P18, and LU-G13 listed below). The City's Comprehensive Plan not only contemplates PSE's use of existing public right-of-way for the proposed Project, but encourages the City to promote this option.

ED-G5, The City *should maintain* public capital facilities infrastructure and regulatory incentives that will foster new business development.

UT-P3, The City *shall promote collocation* of major utility transmission facilities such as high voltage electrical transmission lines and water and natural gas trunk pipe lines within shared utility corridors, to minimize the amount of land allocated for this purpose and the tendency of such corridors to divide neighborhoods.

UT-P4, The City *shall promote collocation* of utility distribution facilities and share trenches in coordination of construction timing to minimize construction related disruption to the public and to reduce the cost of public utility delivery.

UT-12, The City *should encourage* the replacement of outdated equipment with technologically updated or advanced alternatives, providing that the cost of the updated equipment is fiscally reasonable.

UT-18, The City *should work with* utility providers to expand, develop, and retrofit systems to provide reliable service for the citizens of Newcastle.

LU-G13, The City *shall identify* lands useful for public purposes such as utility and transportation corridors, landfills, sewage treatment facilities, storm water management facilities, recreation, schools, and other public uses.

In addition to the foregoing criteria, the following table contains a detailed criteria-by-criteria discussion of how PSE's Project, as modified through this variance, is consistent with Newcastle's 2035Comprehensive Plan.

Land Use Element	
LU-G3 The City should strive to preserve the existing character, scale, and neighborhood quality as new development occurs.	**Response:** The Energize Eastside Project is designed to be compatible with the existing character and appearance of development in the Project vicinity. The proposed upgraded transmission lines are located in an existing utility corridor, where existing land uses are predominantly vacant (59%). The upgraded transmission lines replace existing poles, but, if this variance is granted, the poles will be approximately 24 ft. on average taller than the existing poles. Non-vacant land uses are mostly composed of single-family residential uses that are located adjacent to the existing transmission lines. Approximately 112 parcels are immediately adjacent to the existing corridor. The Project, as designed, will not change the use of these parcels. Unique land uses include Newcastle City Hall, Seattle Revival Center, and May Creek Park (on the Newcastle/Renton border). The Newcastle segment goes through the residential neighborhoods of Del Mar Village, Newport Woods, Eden's Grove, Donegal, and Olympus. A portion of the segment also goes through the Community Business Center – Lake Boren Corridor, and is within the Community Business Center overlay. Del Mar Village is an apartment complex near a commercial center. Donegal and Olympus are single-family residential developments. A government building and a park (May Creek Natural Area) are along the segment. Again, all of these uses accommodate tall transmission line poles. PSE designed the Project to use the existing transmission line corridor that was established in the late 1920s and early 1930s, which predates the incorporation of Newcastle (1994). The current uses adjacent to the corridor developed over time as areas were annexed into the City and these areas became more dense and populated. The existing utility corridor is part of

	the existing character of these areas. By selecting this route through Newcastle, PSE limits new impacts from a new utility corridor and ensures consistency with the existing uses, which already accommodate a utility corridor.
LU-G6 The City should identify and preserve open space, wildlife habitats, recreational areas, trails, connection of critical areas, natural and scenic resources, as well as shoreline areas	**Response:** By using the existing corridor, PSE prevents new impacts to existing open spaces, wildlife habitats, recreational facilities, and natural and scenic resources that could occur with a new utility corridor and maintains those recreational facilities and open spaces already collocated with the existing utility corridor. As set forth in detail in the associated Critical Areas Report, impacts to wildlife habitat and critical areas are avoided to the extent feasible, and will be fully mitigated through habitat restoration around May Creek. *See Newcastle Critical Areas Report— Puget Sound Energy: Energize Eastside Project* ("CAR") at 26. If the variance is granted, the net impacts and proposed mitigation are summarized as follows. In wetland and stream buffers, permanent impacts (caused by pole placement) will be *reduced* by 10 square feet compared to existing conditions; 21 trees will be removed resulting in 2,859 square feet of vegetation community conversion impacts; and 3,981 square feet of temporary disturbance will occur. Impacts were minimized by utilizing the existing transmission line corridor, limiting disturbance and implementing best management practices (BMPs) when working in critical areas, and installing transmission lines between poles with minimal site disturbance. The majority of wetland/stream critical area impacts, which are exclusively buffer impacts, occur in the May Creek buffer. Project impacts to wetland and stream buffers largely result from vegetation management (*i.e.,* tree removal). Impacts will be mitigated on an areal and functional basis in the May Creek buffer, per the Final Mitigation Plan. Accounting for vegetation conversion impact ratios, required minimum buffer mitigation in the May Creek sub-basin is 1,431 sq. ft. As set forth in detail in PSE's Final Mitigation Plan, PSE proposes enhancing 6,418 square feet of May

	Creek buffer. Buffer enhancement will include installation of native trees (2,282 sq. ft. of shrub mix and 4,136 sq. ft. of mowable herbaceous pollinator mix). In addition to native plantings, buffer enhancement will include creation of habitat snags, hinge-felled trees, and placement of downed woody debris in the May Creek Buffer. These mitigation activities will increase native plant cover, decrease invasive species prevalence, improve native species diversity, and provide food and other habitat resources for wildlife. PSE's buffer enhancement will be maintained and monitored for five years. *See* NMC 18.24.130. Impacts to exiting geological hazards are minimal, and these impacts increase overall under the pole design in the Newcastle-specific configuration. If the variance is granted, a net 16 poles will be removed in erosion hazard areas, while two poles will be added to landslide hazard area buffer and a net one pole will be removed from steep slope area buffer. The larger pole footprint under the Newcastle-specific configuration (non-variance) results in an *additional* permanent fill (poles) of 240 sq. ft. in erosion hazard areas, 25 sq. ft. in landslide hazard area buffers, and 13 sq. ft. in steep slope hazard area buffers. Impacts from construction activities in geologic hazard areas include: minimizing use of large equipment; using standard slope stabilization using best management practices (BMPs), such as seeding, planting, and mulching; leaving roots of trees to be removed; and chipping or scattering tree tops along the slope.
LU-G13. The City shall identify lands useful for public purposes such as utility and transportation corridors, landfills, sewage treatment facilities, storm water management facilities, recreation, schools, and other public uses. (emphasis added).	**Response:** PSE's Project is sited in the existing utility corridor previously designated for transmission line use. As such, it makes use of a transmission corridor recognized by the City. Additionally, the proposed upgrade of PSE's existing 115 kV transmission line to 230 kV in the same corridor is designated in Newcastle's 2035 Comprehensive Plan Utilities Appendix at UT-1 and Figure UT-1.
LU-P1. New development within the City shall comply with adopted zoning and subdivision regulations.	**Response:** In PSE's existing utility corridor, the Project is a permitted use subject to a conditional use permit. As set forth in detail in PSE's Conditional Use Permit application, the

	Alternative Siting Analysis, and CAR (including Final Mitigation Plan), the Project complies with the city's conditional use permit and electrical facilities code.
LU-P36. The City shall consider the impacts of new development on historical resources as part of its environmental review process and require mitigating measures.	**Response:** The DEISs fully analyzed impacts to historical and cultural resources in Newcastle. Phase 1 DEIS at Ch. 13 and Phase 2 DEIS at Ch. 3.7. The DEISs focused analyses in Newcastle on the Newcastle cemetery and the Eastside Transmission System. The now inactive Newcastle Cemetery meets the state law definition of a significant historic resource. It also meets the definition of a protected historic archaeological resource under state law (Chapter 27.53.30(9)). The Newcastle Segment would construct poles approximately 30 feet southwest and 300 feet northwest of the Newcastle Cemetery. If unmarked graves are discovered during Project construction, this would be a significant impact and if disturbance is unavoidable, an excavation permit from the Department of Archaeology and Historic Preservation (DAHP) would be required. The Eastside Transmission System is recommended eligible for listing in the National Register of Historic Places as a historic district. PSE will evaluate this resource during a historic property inventory and request an eligibility determination from DAHP. If determined eligible by DAHP, impacts to contributing elements would be significant if unable to be mitigated. Mitigation measures will be developed by PSE and DAHP that address significant features of the resource. In the experience of the EIS Consultant Team, retention of H-frame structures is not a typical mitigation measure. PSE is working with Newcastle to ensure that appropriate mitigation is in place with respect to each potential historical and archaeological resource.
LU-P41 With City oversight, developers shall be responsible for determining whether there are critical areas on proposed project sites, and for identifying the nature and extent of the critical areas.	**Response:** Wetlands and streams were delineated and classified between March and October 2015. They are documented in the *City of Newcastle Critical Areas Delineation Report: Puget Sound Energy – Energize Eastside Project* Available online at

LU-P42 It shall be the developer's responsibility to demonstrate that any impacts on critical areas will not result in significant risk to public health or safety, public or private property, or the environment *LU-P49 Development in the City shall utilize surface water management in a manner that supports the continued ecological and hydrologic functioning of water resources and avoids significant adverse impacts on water quality and quantity for both the City and nearby jurisdictions.* *LU-P58 Stream crossings for streets, utilities, and other development should be avoided where reasonable alternatives have lesser impacts on habitats. Stream channels should not be placed in culverts unless absolutely necessary for property access. Where no reasonable alternatives are possible, impacts on habitats shall be minimized with compensatory mitigation provided as appropriate.* *LU-P62 The City shall strive for no net loss of wetland functions or values within each drainage basin.* *LU-P64 Development adjacent to wetlands shall be designed such that buffers protect wetland functions and significant adverse impacts to wetlands are prevented.*	http://www.energizeeastsideeis.org/library.html (The Watershed Company 2016). Wetland and stream data were compiled from GPS data and are limited to the study area at the time of the original inventory, which generally consisted of a 100-foot wide corridor defined by an established PSE easement. Delineation study methodology is detailed in the previously-referenced delineation report (The Watershed Company 2016). Wetland and stream classifications were updated in April 2017 based upon Newcastle's updated critical areas ordinance. The findings of the re-classification study are presented in a letter-style report (CAR; Appendix B) and have been incorporated into the body this document where appropriate. As set forth in detail in the CAR, the Project impacts are to stream and wetland buffers, but do not directly impact surface waters. If the variance is granted, in critical areas permanent impacts (caused by pole placement) will be *reduced* by 10 square feet compared to existing conditions; 21 trees will be removed resulting in 2,859 square feet of vegetation community conversion impacts; and 3,981 square feet of temporary disturbance will occur. Impacts were minimized by utilizing the existing transmission line corridor, limiting disturbance and implementing BMPs when working in critical areas, and installing transmission lines between poles with minimal site disturbance. Accounting for conversion impact ratios, required minimum buffer mitigation in the May Creek sub-basin is 1,431 sq. ft. PSE proposes enhancing 6,418 sq. ft. of May Creek buffer, which fully mitigates impacts, ensures no net loss of ecological function, and ensures that critical area impacts from the Project do not result in a significant risk to public health or safety. Additionally, this mitigation is expected to maintain or improve water quality, hydrologic, and habitat functions of May Creek buffer over existing conditions (CAR at 20). Transmission line wires will cross stream MB01 and May Creek, substantially in the same locations as where existing wires cross the streams. No in-water work is proposed in May Creek and no poles, stringing sites, or access routes are proposed in the buffer. By siting the

	upgrade in the existing corridor, PSE avoids new impacts to new streams. Thus, the proposed Project avoids new stream crossings, maintains existing stream crossings, and enhances habitat adjacent to May Creek where the transmission wires cross.
LU-P57 The City shall participate in implementing the May Creek Action Plan. *LU-P68 Mitigation for impacts on wetland functions shall replace or enhance the lost functions. Mitigation sites shall be located strategically to alleviate habitat fragmentation.* *LU-P69 Mitigation shall contribute to an existing wetland system or restore an area that was historically a wetland. Where restoration or enhancement of an existing degraded wetland system is proposed, it must result in a net increase in the functions of the wetland system.* *LU-P70 The City shall provide flexibility in its wetland mitigation requirements to encourage protection of systems or corridors of connected wetlands.*	**Response:** As set forth in detail in the CAR, PSE proposes to consolidate mitigation for critical area impacts in a 6,418 sq. ft. enhancement project in the May Creek buffer, which will provide an improvement in overall stream and buffer function. This proposal fully mitigates impacts to wetland and stream functions and is consistent with Newcastle's code. By consolidating PSE's proposed mitigation at May Creek, PSE's Project aids in alleviating habitat fragmentation. PSE's proposed mitigation potentially builds on efforts undertaken as part of the May Creek Basin Action Plan, which sought, in part, to protect and enhance fish and wildlife habitat and water quality in the basin (*see* LU-P57).
LU-P71 The City shall require developers to monitor and maintain wetland mitigation until the City determines that the mitigation is successful. Land used for wetland mitigation shall be preserved in perpetuity as open space.	**Response:** PSE's buffer enhancement along May Creek will be maintained and monitored for five years. *See* NMC 18.24.130.
LU-P75 The City shall strive to preserve, replace, or enhance native vegetation that contributes to the City's scenic beauty. The City shall preserve its visual identity as a small town situated in a lush green setting. *LU-P76 The City shall encourage the use, where appropriate, of native plants in new landscaping, erosion control projects, restoration of stream banks, lakes, shorelines, and wetlands.* *LU-P77 The City shall protect existing native plant communities by encouraging management and control of non-native*	**Response:** Selective tree canopy will be removed as part of the transmission line upgrade. Strict federal clearance requirements must be met with the upgrade from a 115 kV transmission corridor to a 230 kV transmission corridor, resulting in additional vegetation management within the existing corridor. PSE is required by federal standards to maintain safe clearances between vegetation and utility lines. These standards are designed to maintain a reliable electric transmission system by using a defensive strategy that minimizes vegetation encroachment into the lines to prevent risks of vegetation-related outages. The upgraded transmission lines will have to comply with PSE's 230 kV vegetation

invasive plants, including aquatic plants.	management standards established to meet the federal standards, which generally require removal of trees located in the wire zone that have a mature height of more than 15 feet. Taller trees within the transmission easement may also be affected depending on tree species, tree health, distance from the wires or poles, and topography. Additionally, the co-located OPL easement is maintained to prevent trees and other woody vegetation from growing and interfering with the pipelines. To mitigate for loss of significant trees (defined per NMC 18.06.598) in the transmission corridor, PSE is proposing mitigation that meets this policy. PSE's mitigation plan for impacts to wetland and stream buffers is detailed in the Critical Areas Report. PSE proposes to consolidate mitigation for wetland and stream buffer impacts in a 6,418 sq. ft. enhancement project in the May Creek buffer. The Project has been designed to avoid direct impacts to wetlands and streams; therefore, no mitigation is needed for aquatic plants. This buffer enhancement includes removing non-native species and planting a mixed vegetation area and a 'mowable' area of herbaceous pollinator mix composed of native species. This vegetation type is known to provide forage for pollinators, stabilize soils, decrease the spread of invasive plants, enhance corridor aesthetics, and improve overall ecosystem health. This proposal fully mitigates impacts to wetland and stream functions and is consistent with Newcastle's code. Mitigation strategies to minimize impacts to geologic hazard areas are detailed in the CAR Appendix C. The requirements of a Sediment and Erosion Control Plan will be addressed in the Project-specific Temporary Erosion and Sediment Control (TESC) Plan and Construction Stormwater Pollution Prevention Plan (CSWPPP). With implementation of these strategies, proposed activities are not expected to impact the geologic hazard areas along the corridor and are consistent with the management activities of the existing corridor. In addition, proposed wetland and stream buffer mitigation activities in the May Creek drainage are expected

	to benefit the associated geologic hazard areas and further mitigate the risk of slope instability in this location. PSE has been meeting with property owners along the existing corridor to discuss tree replacement and will continue to work together to develop property-specific landscaping and tree replacement plans. It is anticipated that a number of trees cannot be replaced onsite due to property owners' preferences. In those cases, replacement trees will need to be planted outside the corridor. One benefit of offsite planting is the option to plant trees with larger mature size than within the utility corridor that will contribute to habitat quality and area aesthetics. Offsite options may include city parks, neighborhood groups/HOAs, and developments within the Spring District. PSE will work with Newcastle to identify other offsite areas that would benefit from these trees.
LU-P81 Land uses permitted in erosion, steep slope, and landslide hazard areas and their buffers shall minimize soil disturbance and maximize retention and replacement of native vegetative cover. *LU-P82 Landslide hazard areas and areas with slopes of 40 percent or greater and their buffers shall not be developed unless the risks and adverse impacts associated with such development can be reduced to a non-significant level.* *LU-P83 Development within landslide hazard areas with slopes less than 40 percent and their buffers shall not decrease slope stability on contiguous properties. Mitigation shall be based on the best available engineering and geological practices in order to eliminate or minimize the risk of landslide damage to public welfare or property or to salmonid habitats.*	**Response:** As explained in detail in the CAR (including Appendix C, Geologic Hazard Report), impacts to geologic hazard areas and associated buffers have been reviewed by GeoEngineers based on PSE's proposed activities. Erosion hazard areas are present throughout the Project area. Steep slope hazard areas are generally concentrated near the May Creek drainage. The May Creek drainage is also the only location of mapped landslide hazard areas in the Project area in Newcastle. Erosion hazard areas are mapped in the majority of the Newcastle corridor, however, most are located within residential developed areas; as such, GeoEngineers focused their review of erosion hazard area impacts in the May Creek drainage. No direct impacts (*i.e.*, pole installation) are proposed in landslide hazard areas or steep slope hazard areas (Table 7). Two existing poles will be removed from steep slope hazard area buffers and two poles are proposed in landslide hazard area buffers. In erosion hazard areas, 16 new poles will replace 32 existing poles. Vegetation management activities will also result in impacts to geologic hazard areas. The larger pole footprint under the Newcastle-specific configuration (non-variance) results in an *additional* permanent fill (poles) of 240 sq. ft. in

	erosion hazard areas, 25 sq. ft. in landslide hazard area buffers, and 13 sq. ft. in steep slope hazard area buffers, compared to the design with the requested variance. GeoEngineers' review of geologic hazard areas included a site visit to evaluate the landslide, steep slope, and erosion hazard areas along the slopes of May Creek within the Project area. No active slope movement or instability was reported based on this site visit. Additionally, the utility corridor was found to be actively maintained as a result of the existing utilities, especially the pipelines (regularly mowed grass, no trees). GeoEngineers determined that PSE's proposed work was not anticipated to impact the geologic hazard areas in the May Creek drainage (provided no tracked or rubber-tired equipment is used to remove trees), especially when compared to the management activities of the existing pipeline ROW. Thus, the project is designed to minimize risks of slope instability that could impact the public or salmonid habitat. Pole replacement activities are proposed in erosion hazard areas and in landslide and steep slope hazard area buffers. For pole replacement activities, the disturbed area will be minimized to the maximum extent practical; thereby maximizing the retention of existing vegetation. Disturbed areas will be stabilized using BMPs that reduce potential impacts including plant replacement, seeding, or hog fuel application in areas of bare soil and scattering chipped wood or tree debris. Soil removed from new pole excavations will be scattered into vegetation and away from landscaped areas. If the work area is wet or has standing water, driving mats will be used under all equipment and all soils excavated for pole installation will be removed from the site for offsite disposal. The requirements of a Sediment and Erosion Control Plan will be addressed in the Project-specific Temporary Erosion and Sediment Control Plan and Construction Stormwater Pollution Prevention Plan. In rare instances, such as geological hazard areas or associated buffers, the old poles may be cut off approximately 1-2 feet below the ground surface and the remaining portion of each pole left in place to avoid further disturbing the slope.

	GeoEngineers has proposed mitigation strategies to minimize impacts to geologic hazard areas in the corridor in their analysis report (CAR Appendix C). With implementation of these strategies, proposed activities are not expected to impact the geologic hazard areas in the May Creek drainage and are consistent with the management activities of the existing corridor. In addition, proposed wetland and stream buffer mitigation project in the May Creek drainage is expected to benefit the associated geologic hazard areas and further mitigate the risk of slope instability in this location.
LU-P84 In areas with severe seismic hazards, special building design and construction measures shall be used to minimize the risk of structural damage, fire, and injury to occupants during a seismic event and to prevent post-seismic collapse.	**Response:** The Project area in Newcastle does not contain coal mine hazard areas, seismic hazard areas, or flood hazard areas.
LU-P85 The City shall strive to maintain habitats that support the greatest diversity of fish and wildlife species consistent with the City's land use objectives. Habitats for species identified as endangered, threatened, or sensitive by the state or federal government shall not be reduced and shall be preserved. Stream and wetland buffer requirements may be increased to protect such habitats. *LU-P89 The City shall protect salmonid habitats by ensuring that land and infrastructure development (transportation, water, sewer, electricity, gas) includes practicable riparian and stream habitat conservation measures developed by the city and service providers, the County, tribes, or state and federal agencies.*	**Response:** The Project area is located in an urban and developed landscape. While the power line corridor is vegetated, vegetation predominantly consists of low-growing grasses, landscape plants and invasive plant species (Himalayan blackberry and reed canarygrass) typical of maintained areas that generally offer moderate habitat value. Two forested patches are present in or near the Project area that are considered to have an increased potential for wildlife use (when compared to other Project areas in Newcastle); these include a forested patch west of Lake Boren and the forested areas of May Creek Park. Even at these locations, existing maintenance activities associated with the corridor, established PSE and OPLC programs and procedures, and the urban landscape setting reduces the likelihood that regulated species will utilize power line corridor areas for breeding. Endangered Species Act (ESA) documentation was undertaken for the south segment of the Project which includes the South Bellevue Segment, Newcastle, and Renton, which addresses federally-listed species. This study concluded that the proposed Project will have no effect on ESA-listed species based upon lack of documented use, lack of suitable habitat, and/or

	avoidance of in-water work. WDFW's Priority Habitat and Species (PHS) data were also reviewed for the Project vicinity (PHS on the Web). Other than salmonid fish use in May Creek, no other PHS features are mapped in or near the power line corridor in Newcastle. According to WDFW's online databases (PHS on the Web and SalmonScape), salmonid species known to occur in May Creek are cutthroat trout, sockeye salmon, Chinook salmon, steelhead, and coho salmon, thereby establishing May Creek as a Fish and Wildlife Habitat Conservation Area (FWHCA). PSE's Project will not directly impact surface waters and, with mitigation, will ensure no net loss of ecological function. The priority species that have the greatest potential to utilize habitat in the corridor are Columbian black-tailed deer and pileated woodpecker. Both of these species were briefly observed (traveling) in the vicinity of the transmission line corridor during field work activities and are relatively common in urban settings. Any disturbance from Project-related activities to these species would be temporary and would not impede the foraging of nearby habitats. PSE also implements an Avian Protection Plan to protect avian wildlife from harmful interactions with their utility equipment. The Plan includes preventing the creation of potentially harmful nests and monitoring known nest sites when construction activities occur in close proximity during the nesting season. Potential Project impacts to birds that could be expected to utilize habitat in the Project area are mitigated through the PSE's bird protection programs and procedures.
LU-P94 Developers shall eliminate or mitigate significant hazards associated with abandoned coal mine workings so the site is safe, using appropriate criteria to evaluate the subsequent use.	**Response:** The Project area in Newcastle does not contain coal mine hazard areas, seismic hazard areas, or flood hazard areas.
Housing Element	

HO-P2 The City shall protect the quality and character of existing single family neighborhoods as described in the Land Use Element.	**Response:** By siting the Project in the existing utility corridor (where residential uses already accommodate a high voltage power line), PSE helps the City to protect the quality and character of existing single family neighborhoods. The Energize Eastside Project is designed to be compatible with the existing character and appearance of development in the Project vicinity. The proposed upgraded transmission lines are located in an existing utility corridor, where existing land uses are predominantly vacant (59%). The upgraded transmission lines replace existing poles and wires, but, if this variance is granted, the poles will be on average approximately 24 ft. taller than the existing poles. Non-vacant land uses are mostly composed of single-family residential uses that are located adjacent to the existing transmission lines. PSE designed the Project to use the existing transmission line corridor that was established in the late 1920s and early 1930s, which predates the incorporation of Newcastle (1994). The current uses adjacent to the corridor developed over time as areas were annexed into the City and these areas became more dense and populated. The existing utility corridor is part of the existing character of these areas. By selecting this route through Newcastle, PSE limits new impacts from a new utility corridor and ensures consistency with the existing uses, which already accommodate a utility corridor.
Park, Trails and Recreation Element	
PTR-G6 The City should create and promote opportunities for private contributions and volunteerism in the acquisition, construction, operation, and maintenance of parks, trails, and recreation facilities. *PTR-G10 The City should preserve open space for the aesthetic enjoyment of Newcastle residents; as a buffer between uses where needed; to protect and preserve critical areas and sites of historical significance; and to provide trails, wildlife corridors, and greenways.*	**Response:** The Project maintains existing collocation of the transmission line with recreational facilities and trails. Also, as set forth in detail in the CAR, PSE proposes to consolidate mitigation for critical area impacts in a 6,418 sq. ft. enhancement project in the May Creek buffer. This proposal fully mitigates impacts to wetland and stream functions and is consistent with Newcastle's code. By consolidating PSE's proposed mitigation at May Creek, PSE's Project aids in alleviating habitat fragmentation. PSE's proposed mitigation potentially builds on efforts undertaken as part of the May Creek Basin Action Plan, which sought, in part to

PTR-P9 The City shall focus on enhancing and retaining the natural qualities of May Creek Park, in addition to expanding the trail and its interpretation elements. *PTR-P12 The City shall ensure that development adjacent to parks, trails, and recreation facilities is designed to minimize impacts on the surrounding parks, trails, and recreation areas and vice versa.*	protect and enhance fish and wildlife habitat and water quality in the basin (*see* LU-P57). PSE will implement the following mitigation, where possible, during the construction phase to minimize impacts to recreational resources: avoiding construction during peak trail usage, providing alternative points of access and detours, 2-week advanced notification of temporary trail closures, and signage of temporary closures along trails or park entrances at least one week in advance of closures.
Economic Development Element	
ED-G1 The City should support economic growth through business retention, expansion, and formation consistent with the Comprehensive Plan vision and the other elements.	**Response:** PSE has prepared two studies that describe the need for the Energize Eastside project: the *Eastside Needs Assessment Report* and the *Supplemental Eastside Needs Assessment Report* (Gentile et al., 2014, 2015). The deficiency in the transmission capacity on the Eastside is based on a number of factors. Key factors include growing population and employment in the Eastside (including significant projected growth in Bellevue), changing power consumption patterns, and changing utility regulations that require a higher standard of reliability. PSE has concluded that the most effective and efficient solution to meet the need objectives is to site a new 230 kV transformer at a central location on the Eastside (Bellevue) that will be fed from the Sammamish substation in Redmond from the north and the Talbot Hill substation in Renton from the south. The upgraded transmission line proposed in Newcastle will facilitate transfer of electricity to this new transformer and subsequently the City. Without adding transmission capacity, a deficiency during peak periods could develop on the Eastside as early as the winter of 2017-2018, with the potential for corrective action plans including load shedding (forced power outages) by the summer of 2018. A lack of reliable power service potentially impacts Newcastle's ability to attract and retain businesses and residents. As such, Project implementation supports the needs of Newcastle's residents and businesses both now and with projected future growth.
Utilities Element	

UT-G1 To ensure that utilities including electricity, natural gas, and telecommunications transmission are available or can be provided to serve the projected population growth within the planning area in a manner which is fiscally and environmentally responsible, justified by projected future demand, aesthetically acceptable to the community and safe for nearby inhabitants. *UT-12,* The City *should encourage* the replacement of outdated equipment with technologically updated or advanced alternatives, providing that the cost of the updated equipment is fiscally reasonable. *UT-P17 The City should require an analysis from utilities that states either the direct benefits to the City of high capacity transmission lines or the necessity of high capacity transmission lines through the City.* *UT-P18 The City should work with utility providers to expand, develop, and retrofit systems to provide reliable service for the citizens of Newcastle.*	**Response:** Forecasts for capacity needs are based upon anticipated growth. In 2012, the City of Bellevue published an Electrical Reliability Study, which was performed by their third-party consultant, Exponent, to ensure that PSE was planning for and providing a reliable power supply to the Eastside. The Exponent study determined that short-term and long-range planning efforts were on target to provide a reliable power supply. Short-term and long-range planning in that study included forecasting the need to upgrade the existing transmission line. In 2015, the City of Bellevue commissioned an independent technical analysis of the need for the proposed Energize Eastside transmission line project. Utility Systems Efficiencies (USE) confirmed that the project is needed to address the reliability of the electric grid on the Eastside. Consistent with this conclusion, PSE determined that it must proceed with the permitting and construction of the Energize Eastside Project as soon as is feasible. In preparation for the construction of the Project, PSE has been in close communication with OPL to ensure coordination during construction and operation of the transmission line upgrade in Newcastle. PSE has also coordinated with other utilities, such as the various telecommunications companies, Seattle Public Utilities, and Sound Transit. Project construction will be done in two sequential phases to ensure continuous power supply at all times. Avoidance, minimization, and potential mitigation measures related to the Project are discussed in detail in the *Phase 2 Draft Environmental Impact Statement* for the Energize Eastside project. Alternative technologies were analyzed in detail in the *Phase 1 Draft Environmental Impact Statement*. PSE proposes mitigation that fully complies with all of Newcastle's code requirements. Mitigation measures include, but are not limited to, revegetation, pole height reduction, and selection of pole finishes that are suitable to the siting context. PSE is also in discussions with Newcastle to coordinate and ensure that any impacts identified during the Partner Cities' State

	Environmental Policy Act review are avoided, minimized, or mitigated to the extent feasible under the law (*i.e.,* any mitigation must be proportionate to identified impacts caused by the proposed project). The proposed transmission lines will be sited in the existing utility corridor and traverses a variety of land uses, but is primarily residential. The corridor predates the incorporation of Newcastle and the existing land use patterns already integrate the utility facilities, keeping the proposed project compatible and consistent with local context and land use patterns. This conclusion is confirmed by the Phase 2 DEIS, which found that impacts to land use will "be less-than-significant because [the proposed project] is consistent with city and subarea plans, and would not adversely affect existing or future land use patterns." DEIS at 3.1-37. Granting of the variance is also important in mitigating potential Project-related aesthetic impacts identified in the DEIS as it would reduce pole height from an average of 95-feet to 82-feet.
UT-P1 The City shall require that the undergrounding of new utility distribution lines, with the exception of high voltage electrical transmission lines.	**Response:** Transmission lines are high voltage lines (typically 115 kV or 230 kV) that carry power between substations. Distribution lines are lower voltage lines (ranging from 2-35 kV) and run from substations to homes and businesses. The Project is a 230 kV, high voltage electrical transmission line, not a distribution line. Therefore, UT-P1 does not apply to the Project.
UT-P3 The City shall promote collocation of major utility transmission facilities such as high voltage electrical transmission lines and water and natural gas trunk pipe lines within shared utility corridors, to minimize the amount of land allocated for this purpose and the tendency of such corridors to divide neighborhoods.	**Response:** PSE's Project will upgrade the two existing parallel high voltage transmission lines with two existing pipelines. Continued collocation of the two utilities will help to limit neighborhood fragmentation and other impacts from siting a new transmission line corridor. Thus, the Project supports the City's policy of promoting collocation to minimize impacts to land use and neighborhoods. In preparation for the construction of the Project, PSE has been in close communication with OPL to ensure coordination during construction and operation of the Project. PSE has also coordinated with other utilities, such as the various telecommunications companies, Seattle Public Utilities, and Sound

	Transit.
UT-P5 The City shall monitor current research efforts to determine whether electrical or magnetic fields pose a potential health danger. The City shall coordinate with other jurisdictions to pursue development of land use regulations consistent with the findings.	**Response:** PSE has conducted studies on potential health effects of the proposed transmission line upgrade, which have been peer reviewed by City of Bellevue consultants through the State Environmental Policy Act (SEPA) review and drafting of an Environmental Impact Statement (EIS) for this project. In particular, the EIS looked at electric and magnetic fields (EMF) and pipeline safety. As outlined in the *Phase 1 Draft Environmental Impact Statement,* no electrical or magnetic field impacts are expected from the Project. Phase 2 DEIS at 1-27 also concluded no adverse impacts are likely from power frequency EMF at the levels of public exposure from the Energize Eastside project. PSE also commissioned an independent analysis on EMF. Power Engineers, *EMF Calculations and Report*, available at http://www.energizeeastsideeis.org/uploads/4/7/3/1/47314045/ee230_emf-calc_rpt_rev-2_03-07-17.pdf (Chapter 9 contains a Newcastle-specific analysis). This analysis found that, following Project completion, EMF would be reduced at the edge of the right-of-way as compared to existing conditions. *See* Power Engineers, *EMF Calculations and Report* at 38.
UT-P6 The City shall promote conservation measures to reduce the need for additional utility distribution facilities in the future. *UT-P18 The City should work with utility providers to expand, develop, and retrofit systems to provide reliable service for the citizens of Newcastle.*	PSE has *led* all northwest utilities in energy conservation since 1979. Its energy efficiency programs have helped PSE customers conserve nearly 5 billion kilowatt-hours of electricity. PSE continues to develop and undertake aggressive conservation programs and the Project relies on the continued implementation of aggressive conservation programs. More information on PSE's conservation planning and accomplishments can be found in PSE's 2016-2017 Biennial Conservation Plan (https://pse.com/aboutpse/Rates/Documents/ees_2016-2017_conservation_planning_docs.pdf) and 2016 Annual Report of Energy Conservation Accomplishments (https://pse.com/aboutpse/Rates/Documents/ees_2016_annual_rpt_energy_conservation_accomplishments.pdf). PSE has prepared two studies that describe the

	need for the Energize Eastside project: the *Eastside Needs Assessment Report* and the *Supplemental Eastside Needs Assessment Report* (Gentile et al., 2014, 2015). The deficiency in the transmission capacity on the Eastside is based on a number of factors. Key factors include growing population and employment in the Eastside (including significant projected growth in Bellevue), changing power consumption patterns, and changing utility regulations that require a higher standard of reliability. PSE has concluded that the most effective and efficient solution to meet the need objectives is to site a new 230 kV transformer at a central location on the Eastside (Bellevue) that will be fed from the Sammamish substation in Redmond from the north and the Talbot Hill substation in Renton from the south. The upgraded transmission line proposed in Newcastle will facilitate transfer of electricity to this new transformer, which subsequently serves the City. Without adding transmission capacity, a deficiency during peak periods could develop on the Eastside as early as the winter of 2017-2018, with the potential for corrective action plans including load shedding (forced power outages) by the summer of 2018. The proposed Project is needed to meet the needs of Newcastle's residents and businesses.
UT-P7 Where found to be safe, the City shall promote recreational use of utility corridors such as trails, sport courts, and similar facilities.	**Response:** PSE's Project will continue to be collocated with recreational uses as it is today.
UT-P8 The City shall encourage utility providers to limit disturbance to vegetation within major utility transmission corridors to what is necessary for the safety and maintenance of transmission facilities. *UT-P9 The City should encourage utility providers to exercise restraint and sensitivity to neighborhood character in planting appropriate varieties and trimming tree limbs around aerial lines.*	**Response:** The proposed transmission line upgrade will have temporary construction impacts on surrounding neighbors as many of the transmission poles are within easements in residential backyards. However, construction impacts will be minimized to the greatest extent feasible through use of existing or historic access routes that were used for initial pole installation and/or continued maintenance activities. As required by state law, utility locates will be performed prior to ground disturbing activities to avoid any potential conflicts. Appropriate temporary erosion control measures will be used during work activities. A safe work area will be

	established around each pole removal and installation location and wire stringing, providing space for placing equipment, vehicles, and materials. PSE also complies with all Newcastle codes relating to hours of construction and noise. Project construction and operation of the corridor will require selective tree removal within the corridor to meet federal vegetation management requirements and PSE standards. Consistent with these standards, vegetation in the wire zone must have a mature height of no greater than 15 feet, unless the topographic change is sufficient to allow a 20-foot vertical clearance between the power lines and the mature height of trees under the power lines. PSE has designed the Project to meet these requirements, but is constrained by these requirements in its ability to exercise restraint in trimming tree limbs around lines. PSE is a Tree Line USA award recipient from the National Arbor Day Foundation, which recognizes the best practices in utility arborculture. PSE will work with individual property owners to restore areas impacted during construction to its previous or an improved state compatible with the transmission line and collocated pipelines. PSE will mitigate in-kind as required by applicable regulations when restoration is not possible. All applicable codes and standards will be followed during design and construction, including electrical, stormwater and erosion control, tree protection, and noise. Newcastle residents will be able to choose among a palate of the types of replacement vegetation and trees planted in their yards that are compatible for safe operation of transmission lines and pipelines. PSE's proposed use of the existing utility corridor minimizes impacts on surrounding neighborhoods by preventing new impacts from the siting of a new transmission line. The properties adjacent to the proposed transmission line upgrade already house transmission lines. By locating new poles in proximity to existing pole locations, PSE's proposed line minimizes impacts to surrounding neighborhoods.
UT-P10 The City should require utility providers to design and construct overhead	**Response:** PSE is electing to site the transmission line upgrade in an existing

transmission lines in a manner that is environmentally sensitive, safe, and aesthetically compatible with surrounding land uses. *UT-P14 The City should require utility providers to minimize visual and other impacts of transmission towers and overhead transmission lines on adjacent land uses through careful siting and design.* *UT-P16 The City should require new, modified, or replacement transmission structures (such as lattice towers, monopoles, and the like) to be designed to minimize aesthetic impacts appropriate to the immediate surrounding area whenever practical*	transmission line corridor to limit impacts to adjacent uses. Performance requirements for any integrated transmission system are heavily regulated at both the federal and regional levels. PSE's regulators include FERC, NERC and WECC (the Federal Energy Regulatory Commission, North American Electric Reliability Corporation and Western Electricity Coordinating Council, respectively).[5] The Project incorporates National Electric Safety Code (NESC) 2012 and NERC/ FERC standards designed to minimize risk related to foreseeable hazards. NERC standards mandate that PSE undertake forecasting studies to determine if the system has sufficient capacity to meet expected loads now and in the future. When doing transmission planning studies, contingencies are simulated to determine if PSE's electrical system meets mandatory NERC performance requirements[6] for a given set of forecasted demand levels, generation configurations and levels, and in the event of multiple system component outages. Federal regulations require that PSE proactively engage in appropriate safety and reliability planning. This conservative planning methodology is implemented to prevent large scale, cascading, transmission system blackouts, like those that have occurred in recent history. Large-scale blackouts are costly and can threaten human health, particularly with respect to vulnerable populations. For example, the 2003 Northeast blackout affected 55 million people in the Northeast and Midwest regions of the United States and Canada. PSE is proposing to offset the aesthetic impacts by seeking a variance from Newcastle and through pole design and finish selection based on

[5] NERC is the regulatory authority certified by FERC to develop and enforce reliability standards. NERC monitors and enforces the federal reliability standards and WECC is the regional entity that has authority over transmission in the western region.

[6] The transmission planning standards that were in effect in 2012-2013 were: TPL-001-3, TPL-002-0b 2nd Rev (TPL-002-2b), TPL-003-0b 2nd Rev (TPL-003-2b), and TPL-004-2. TPL-001-3, TPL-002-2b, TPL-003-2b, and TPL-004-2 are being retired as they are replaced in their entirety by TPL-001-4. Enforcement of the new standards began January 1, 2015. Visit the NERC website at http://www.nerc.com/pa/Stand/Reliability Standards/TPL-001-4.pdf for more information.

	neighborhood context, replacing poles as close to existing pole locations as possible, consolidating lines on one pole where feasible, reducing the overall number of poles, and designing poles to the minimum height necessary based on topography, site context, and electrical design standards. Different types of finish are available for the replacement steel poles include naturally weathering (Corten), galvanized, or powder coated. Corten is long-lasting and low maintenance. When the steel is exposed to moisture and air, a rust patina forms. As the structure rusts, it becomes brown in appearance, and over time the patina darkens in color. Once the patina forms on weathering steel, a natural protective layer prevents corrosion. The use of Corten steel poles is very suitable, and often preferred, within forested areas because of their rust brown finish. Galvanized steel is a common choice for transmission poles because of its durability and low maintenance characteristics. The pole is coated with a layer of zinc that prevents the steel from rusting. Initially, the steel can have a shiny finish, but as the zinc weathers it becomes dull in appearance. Galvanizing provides decades of protection for steel from corrosion. It is gray in color and is better suited for areas with minimal backdrop as to better blend in with the skyscape. Powder Coated steel is used less often. It provides an even and durable low maintenance finish, but the process of powder coating steel is labor intensive and expensive. It is usually reserved for specific areas or for design district mitigation purposes. Pole finish will be determined based upon accessibility to the pole, characteristics of the surrounding environment, community preference, and/or environmental restrictions
UT-P19 The City shall require utility providers to mitigate the loss of significant trees from the construction of new or expanded transmission facilities.	**Response:** Selective tree canopy will be removed as part of the substation development and transmission line upgrade. Strict federal clearance requirements must be met with the upgrade from a 115 kV transmission corridor to a

	230 kV transmission corridor, resulting in additional vegetation management within the existing corridor. To mitigate for loss of significant trees (defined per NMC 18.06.598) in the transmission corridor, PSE is proposing mitigation that meets this policy. PSE will work with individual property owners to replace trees on private property. Where individual property owners decline to have new trees planted onsite, PSE will work with Newcastle to place additional trees offsite. PSE is required by federal standards to maintain safe clearances between vegetation and utility lines. These standards are designed to maintain a reliable electric transmission system by using a defensive strategy that minimizes vegetation encroachment into the lines to prevent risks of vegetation-related outages. The upgraded transmission lines will have to comply with PSE's 230 kV vegetation management standards established to meet the federal standards, which generally require removal of trees located in the wire zone that have a mature height of more than 15 feet. Taller trees within the transmission easement may also be affected depending on tree species, tree health, distance from the wires or poles, and topography. Additionally, the co-located OPLC easement is maintained to prevent trees and other large woody vegetation from growing and interfering with the pipelines. PSE has been meeting with property owners along the existing corridor to discuss tree replacement and will continue to work together to develop property-specific landscaping and tree replacement plans. It is anticipated that a number of trees cannot be replaced onsite due to property owners' preferences. In those cases, replacement trees will need to be planted outside the corridor. One benefit of offsite planting is the option to plant trees with larger mature size than within the utility corridor that will contribute to habitat quality and area aesthetics. Offsite options may include city parks, neighborhood groups/HOAs, and developments within the Spring District. PSE will work with Newcastle to identify other offsite areas that would benefit from these trees.

UT-P20 The City shall, where appropriate, require reasonable landscape screening of site-specific above-ground utility facilities in order to diminish visual impacts.	**Response:** Where possible, PSE will work with property owners to provide landscaping to help improve the corridor.

As demonstrated in the foregoing table, with the grant of a variance, the Project was designed to fully comply with Newcastle's Comprehensive Plan

NMC 18.44.040.*E. The variance is the minimum necessary to grant relief to the applicant.*

PSE's Project requires a variance for 10 of the 24 transmission line poles that will be installed in Newcastle as part of the Energize Eastside Project. PSE carefully and repeatedly scrutinized all proposed transmission line pole locations to limit the variance request to the extent feasible. As stated above, PSE's variance request does not expand PSE's existing use nor is it required. PSE is pursuing the variance, however, in response to public comment, as well as the DEIS's environmental analysis indicating, on balance, that shorter poles that are farther away from homes are preferred. The granting of this variance would serve as an important means of mitigating potential impacts in Newcastle.