

Appendix B Exhibits

The following exhibits were included in the November 25, 2014 Staff Report (Exhibit 58).

- Exhibit 1. Vicinity Map for The Villages MPD Parcel V28 & 29
 - a) Tax assessor maps
 - b) Pre-Application Meeting Notes (PLN13-0017), September 16, 2013
- Exhibit 2. The Villages MPD – Preliminary Plat Phase 2 Plat C plan set (Cover sheet, Sheets CV1-4, PP1-4, PP5, RS1-4, RD1, UA1, SSWA1-4) June 16, 2014. Previous versions available on request by submittal date: November 8, 2013; December 6, 2013; March 17, 2014; April 21, 2014; May 30, 2014.
- Exhibit 3. Application and Submittal Package, November 8, 2013
 - a) Submittal cover letter, Colin Lund to Stacey Welsh, November 2013
 - b) Master Application Form
 - c) Sensitive Area Identification Form
 - d) Project Narrative
 - e) SEPA Checklist, November 8, 2013
 - f) Preliminary Plat Title Report and LLA Title Report
 - g) Preliminary Plat Phase 2 – Plat C, Preliminary Drainage Analysis, Triad Associates, November 8, 2013
 - h) List of property owners of record within 300 feet of the exterior boundaries of all parcels proposed to be included in the subdivision
 - i) Certificates of water and sewer availability: Sections 7.2.1 and 7.3.1 of The Villages Development Agreement
 - j) Transfer of development rights: Section 4.9 of The Villages Development Agreement
 - k) Preliminary Plat fee and review deposit
 - l) Design Review Committee (DRC) approval letter, dated November 5, 2013 from Colin Lund, Kevin Thomas, and Lauri Moffet-Fehlberg, all of BD Village Partners, LP. Representative Housing Images.
 - m) American Forest Management letter report on a significant tree inventory, October 28, 2013
 - n) External materials board
- Exhibit 4. Letter from Colin Lund to Stacey Welsh, Request for Mitigated Determination of Non-significance, May 12, 2014 (PLN13-0027)
- Exhibit 5. MDNS: A Mitigated Determination of Non-significance for Plat 2C and Adoption of Existing Environmental Document was issued by the City of Black Diamond on June 17, 2014.
- Exhibit 6. Public Comment: Karen Walter, Muckleshoot Tribe Fisheries Division (email messages, June 17 and July 1, 2014)
- Exhibit 7. Public Comment: Cynthia Wheeler (letter July 1, 2014)
- Exhibit 8. Public Comment: Erika Morgan (email and attachment, July 1, 2014)
- Exhibit 9. Public Comment: Cindy Proctor (email message with attachments a-k), July 1, 2014
 - a) Key Dates and Implementation Points of the Comprehensive School Mitigation Agreement
 - b) Findings of Fact, Conclusions of Law and Decision Re: Villages Preliminary Plat 1A, PLN11-0001

- c) Comprehensive School Mitigation Agreement, King County Washington recorded document #20110624001156
- d) Black Diamond School Sites
- e) City of Black Diamond Resolution No. 12-788
- f) Final Report and Recommendations to the King County Executive, King County School Siting Task Force, March 31, 2012
- g) Verbatim Record of Proceedings Re: Transfer of Territory from Tahoma School District to Enumclaw School District, October 3, 2013
- h) K&L Gates, invoices for services
- i) Technical Memorandum [DRAFT], from David Sherrard, Parametrix to City of Black Diamond, April 17, 2009
- j) Public Notice of extension of public comment period from April 29, 2014 to May 13, 2014, for Environmental Assessment for Resumption of Coal Mining at Pacific Coast Coal Company's John Henry No. 1 Mine, Office of Surface Mining Reclamation and Enforcement
- k) Photocopy of letter from Pacific Coast Coal Company, April 2, 2014
- Exhibit 10. Public Comment: Gil Bortleson (letter with attachment, July 2, 2014)
- Exhibit 11. Public Comment: Brian A. Borgstadt, PE, Covington Water District, (letter, August 5, 2014)
- Exhibit 12. The Villages Master Planned Development Final Environmental Impact Statement, December 2009, prepared for the City of Black Diamond by Parametrix
- Exhibit 13. 2012-2013 Pre-Construction Stormwater Monitoring in Rock Creek to Establish the Baseline Phosphorus Load, Tetra Tech, November 2013; Revised January 2014
 - a) Letter to Colin from Robert Plotnikoff, January 30 noting changes to graphs in January 30 report versus January 10 report [Note: staff included copies of graphs from January 10 report for comparison to graphs in Exhibit 13, January 30 report. A full copy of the January 10, 2014 report is available on request.]
 - b) Status Update on Stormwater and Groundwater Monitoring Completed to Date in the Rock Creek Drainage, Tetra Tech, May 6, 2014
 - c) 2012-2013 Pre-Construction Stormwater Monitoring Report, Tetra Tech, November 2013
- Exhibit 14. MPD Permit (Ordinance No. 10-946), with Exhibit B, Conclusions of Law and Conditions of Approval
- Exhibit 15. The Villages MPD Development Agreement (Ord. 11-970 and amendments, available on request)
- Exhibit 16. Lot line adjustment request, PLN13-0026, November 8, 2013 [excerpted maps showing existing and proposed lot lines]
 - a) City Reviews and Preliminary Approval Correspondence
 - b) Applicant's Revised Submittal Packet, March 18, 2014
- Exhibit 17. Alternative Road Section Request [woonerf], April 21, 2014
 - a) Road Section Deviation Determination [woonerf], July 25, 2014
- Exhibit 18. Notice of Complete Application, December 3, 2013
 - a) Public Notice of Application, December 6, 2013
- Exhibit 19. Notice of Hearing, July 25, 2014
 - a) Public notice of August 25 hearing postponement, August 18, 2014
- Exhibit 20. Preliminary Drainage Analysis for Preliminary Plat Phase 2 – Plat C, Triad Associates, November 8, 2013

- a) Letter from Dan Ervin, RH2, regarding review of stormwater hydrology , May 12, 2014
 - b) Memorandum from Dan Ervin, RH2, regarding Stormwater Deviation Request, July 17, 2014
 - c) Plat 2C Stormwater Deviation Determination: Alternative Stormwater Zone Delineation, approved August 12, 2014
- Exhibit 21. Road Section Deviation Request, letter from YarrowBay, January 27, 2014
- a) Road Section Deviation Determination Approval, Alternative Rain Garden Widths Configuration, July 25, 2014
- Exhibit 22. Phase 2 Overall Grading Plan: Triad Associates memorandum to Andrew Williamson, November 21, 2013
- a) Overall Grading Plan (reduced plan set), Triad Associates, November 21, 2013
 - b) Response to comments of March 18, 2014, Triad Associates, April 21, 2014
- Exhibit 23. Phase 2 Plat C Geotechnical Report, Golder Associates, December 5, 2013
- a) City Comments on Geotechnical Report, March 24, 2014 and Golder Associates responses, April 2014
- Exhibit 24. Traffic Impact Study, Transpo Group, December 19, 2013
- a) Technical Memorandum from John Perlic, Parametrix, regarding review of Traffic Impact Study and review of Traffic Monitoring Report, February 27, 2014
 - b) Traffic Impact Study - Response to Comments, Transpo Group, March 28, 2013
 - c) Technical Memorandum from John Perlic, Parametrix, regarding review of Transpo Group responses to Parametrix' comments, May 2, 2014
 - d) Technical Memorandum from John Perlic, Parametrix, comparison of Plat 2C proposal to MPD Permit Conditions of Approval, May 19, 2014
- Exhibit 25. Traffic Monitoring Report, Transpo Group, December 2013
- a) Traffic Monitoring Report - Response to Comments, Transpo Group, March 28, 2014
 - b) Technical Memorandum from John Perlic establishing sufficiency of traffic analysis, June 11, 2014
 - c) City Approval of Traffic Monitoring Plan, June 9, 2014
- Exhibit 26. Short-term Construction Noise Mitigation Plan December 20, 2013, revised March 13, 2014
- Exhibit 27. Wetland Buffer Vegetation Management Plan, Wetland Resources, Inc., December 19, 2013; Revised May 6, 2014
- Exhibit 28. Sensitive Area Study, Buffering Averaging Plan & Wildlife Analysis, Wetland Resources, Inc., February 24, 2014, Revised May 6, 2014
- a) Sensitive Area Study, Buffering Averaging Plan & Wildlife Analysis, Wetland Resources, Inc., February 24, 2014
 - b) Sensitive Area Study and Wildlife Analysis, Wetland Resources, Inc. December 24, 2013
 - c) The Villages MPD Phase 2 Plat C-Wetland Review, Perteet, March 31, 2014
 - d) Response to Perteet's Wetland Review, Wetland Resources, Inc. April 28, 2014
 - e) Follow-Up Review for The Villages MPD Phase 2 Plat C – Wetland Review, memorandum from Jason Walker (Perteet) to Stacey Welsh, May 19, 2014
 - f) Response to comments regarding wetland hydroperiod analysis, memorandum from Scott Stoneman and James Johnson, Golder Associates to Colin Lund, May 8, 2014
 - g) Applicant Response to Perteet Wetland Memorandum, June 12, 2014
- Exhibit 29. Detailed Implementation Schedule of Regional Facilities, Triad Associates, Jan. 28, 2014

- a) Approval of Regional Facilities Implementation Schedule for Phase 2, The Villages & Lawson Hills PMDs, June 13, 2014
- Exhibit 30. Request for Mayoral Approval of Wetland Buffer Averaging Plan ,YarrowBay, May 14, 2014
 - a) Mayoral Approval of Buffer Averaging Request, June 5, 2014
 - b) Letter from YarrowBay to clarify condition #2, June 25, 2014
 - c) Wetland scientist response to YarrowBay letter, July 21, 2014
- Exhibit 31. Technical Memorandum on Construction Traffic Impacts, Triad Associates, April 22, 2014
 - a) Technical Memorandum from John Perlic, Parametrix, regarding review of construction trip impacts, May 19, 2014
 - b) Letter response to comments by Parametrix, Triad Associates, May 22, 2014
- Exhibit 32. Phase 2 Updated Fiscal Impact Analysis for the Villages and Lawson Hills Master Planned Developments, DPFPG, April 28, 2014. (December 2013, first draft, is available on request.)
 - a) Documentation, Explanations, Clarifications, Revisions for Updated Fiscal Analysis, Henderson, Young & Company, March 16, 2014 (initial questions by HY&Co); April 28, 2014 (answers by DPFPG to questions); and May 21, 2014 (HY&Co responses to DPFPG answers)
 - b) “Independent Evaluation of Phase 2 Updated Fiscal Impact Analysis for The Villages and Lawson Hills Master Planned Development”, Henderson, Young & Company, May 26, 2014
 - c) City approval, June 16, 2014
- Exhibit 33. City of Black Diamond Permit Trax Summary, as of November 4, 2014
- Exhibit 34. Email Correspondence between Carol Morris and Megan Nelson (YarrowBay) regarding Welsh Subpoena, August 5 through August 15, 2014
- Exhibit 35. Public Works Report, “Water System Capacity to meet needs of pending subdivisions”, August 9, 2014
- Exhibit 36. Wildlife Corridor Connections Analysis for Wetlands S, T, D4 and E1, Wetland Resources Inc., August 12, 2013
 - a) Memorandum to file, Mark Hoppen, SEPA Responsible Official, September 18, 2013
- Exhibit 37. Letter regarding regional sewer service request for a second point of connection, King County Wastewater Treatment Division, December 16, 2013
- Exhibit 38. The Villages Preliminary Plat Phase 1 Plat A (PLN11-001) Conditions of Approval
- Exhibit 39. Construction Waste Management Plan, Exhibit “J” of The Villages DA, August 2010
- Exhibit 40. MDRT Matrix of Review Comments and Responses, 4th Response Version (most complete)
- Exhibit 41. Triad Associates: Sanitary Sewer Capacity Memorandum, April 9, 2014
- Exhibit 42. Affidavits of Public Notices
- Exhibit 43. Supplemental application materials from YarrowBay, October 8, 2014: Draft Temporary Access and Utility Easement (Draft submitted to the City on October 9, 2014) and Draft Covenant Not to Sue
 - a) Plat 2C site plan with variety of typical building footprints
- Exhibit 44. Temporary Access and Utility Easement, recorded October 31, 2014.
- Exhibit 45. Consulting Engineer’s Certification of Review of Utilities (water, sewer, stormwater) for compliance with City codes and standards, November 19, 2014

- Exhibit 46. Applicant's Confirmation of Tract 906 as a Community Park, email message October 13, 2014
- Exhibit 47. City Utility Letters (sanitary sewer, water supply and capacity), June 16, 2014
- Exhibit 48. Revised Preliminary Plat plan set, November 21, 2014
- Exhibit 49. Revised Cover Sheet CV1 with TDR Phase table.
- Exhibit 50. Public Comment: Kristen Bryant, Email dated July 1, 2014 regarding SEPA Comments related to Plat 2C per June 16, 2014 Notice
- Exhibit 51. Public Comment: Judith Carrier, SEPA Comments related to The Villages Plat 2C dated July 1, 2014
- Exhibit 52. Public Comment: Erika Morgan, Email dated December 6, 2014 Related to the Public Hearing PLN13-0027 Posted November 25, 2014

The following exhibits were entered into the record during the December 11, 2014 hearing.

- Exhibit 53. Cindy Wheeler testimony, December 10, 2014
- Exhibit 54. Gil Bortleson testimony, December 11, 2014
- Exhibit 55. Kristen Bryant testimony, December 11, 2014
- Exhibit 56. Erika Morgan testimony, December 11, 2014
- Exhibit 57. Robert Taeschner, PhD testimony, December 11, 2014
- Exhibit 58. Staff Report, November 25, 2014
- Exhibit 59. Resume of Alan Fure, PE
- Exhibit 60. Resume of Thomas Matt, PE
- Exhibit 61. Resume of James Johnson
- Exhibit 62. Resume of Kevin Jones, PE, PTOE
- Exhibit 63. Resume of Scott Brainard
- Exhibit 64. Resume of Scott Spooner
- Exhibit 65. Resume of Harry Gibbons, Jr. PhD
- Exhibit 66. Resume of Robert Plotnikoff
- Exhibit 67. Resume of Chris Austin
- Exhibit 68. Resume of Matt Johnson
- Exhibit 69. Villages Preliminary Plat 2C Plat Map
- Exhibit 70. The Villages Guide to Preliminary Plat 2C (37 pages), December 11, 2014
- Exhibit 71. YarrowBay's Response to Written Public Comments (112 pages), December 11, 2014
- Exhibit 72. Applicant's Request for Plat 2C Approval with Revisions to Plat Conditions of Approval, December 11, 2014
- Exhibit 73. Public Park Proximity Map from YarrowBay for Plat 2C, December 11, 2014
- Exhibit 74. Covington Water District Disputed Water Service Area Map, December 11, 2014
- Exhibit 75. Wetland Buffer Related Fencing Locations Map, December 11, 2014
- Exhibit 76. Bob Edelman testimony, December 11, 2014
- Exhibit 77. Gary Davis testimony, December 11, 2014
- Exhibit 78. Cindy Proctor testimony (816 pages), December 11, 2014
- Exhibit 79. Tracy Dummitt testimony, December 11, 2014
- Exhibit 80. Jaqueline Taeschner testimony, December 11, 2014
- Exhibit 81. Max Beers and Green Valley/Lake Holm Association testimony, December 11, 2014
- Exhibit 82. 2005 Department of Ecology Stormwater Manual for Western Washington, page D-6

- Exhibit 83. Western Washington Phase II Municipal Stormwater Permit, August 1, 2013, page 29 of 33
- Exhibit 84. Letter from Gwynllyn Vukich, December 11, 2014
- Exhibit 85. Letter from Carol Lynn Harp, December 11, 2014
- Exhibit 86. Save Black Diamond Procedural Comments (37 pages), December 11, 2014
- Exhibit 87. Save Black Diamond Substantive Comments (45 pages), December 11, 2014
- Exhibit 88. WAC 365-196 sections
- Exhibit 89. RCW 58.17 sections
- Exhibit 90. Save Black Diamond underlined Black Diamond Municipal Code sections
- Exhibit 91. Save Black Diamond comments on Staff Report, December 11, 2014
- Exhibit 92. Judith Carrier testimony, December 11, 2014
- Exhibit 93. Doug Ostgard testimony, December 11, 2014
- Exhibit 94. Letter from Dennis D. Reynolds, December 11, 2014

The following exhibits were entered into the record following the December 11, 2014 hearing.

- Exhibit 95. Hearing Examiner Scheduling Order, December 15, 2014
- Exhibit 96. Kristen Bryant Email with Attachments (32 pages), December 19, 2014
- Exhibit 97. City's Response to Public Comments, December 22, 2014
- Exhibit 98. Applicant's Reply December 29, 2014
- Exhibit 99. City Wetland Rebuttal, January 6, 2015
- Exhibit 100. Applicant Wetland Reply, January 9, 2015
- Exhibit 101. Kristen Bryant Rebuttal to Exhibits, December 17, 2014