

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

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

Instructions for applicants:

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

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

Instructions for Lead Agencies:

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

Use of checklist for nonproject proposals:

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

A. Background

1. Name of proposed project, if applicable:

City of Black Diamond 2019 Shoreline Master Program Periodic Review Amendments

2. Name of applicant:

City of Black Diamond

3. Address and phone number of applicant and contact person:

Colin Poff, AICP, Contract Planner, (206) 267-2425, cpoff@ahbl.com

4. Date checklist prepared:

March 5, 2019

5. Agency requesting checklist:

City of Black Diamond

6. Proposed timing or schedule (including phasing, if applicable):

The City plans to adopt the amended Shoreline Master Program in June 2019, with an effective date of June 30, 2019 following acceptance by the Department of Ecology.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not applicable. The proposed action is a nonproject action.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- **Shoreline Analysis Report, prepared by Otak & AHBL, Inc., August 2010**
- **Cumulative Impacts Analysis, prepared by AHBL, Inc., April 2011**
- **Shoreline Restoration Plan, prepared by AHBL, Inc., November 2011**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are no known applications or proposals that are pending approval that would affect the City of Black Diamond's Shoreline Master Program.

10. List any government approvals or permits that will be needed for your proposal, if known.

The City of Black Diamond and the Washington State Department of Ecology must approve the changes to the SMP and adopt the SMP prior to any of the proposed changes becoming effective.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City proposes to amend its SMP consistent with Shoreline Management Act (SMA) requirements to review, and, if necessary, revise its SMP at least once every eight years. RCW 90.58.080 establishes the deadline for the City to review, amend, and adopt an amended SMP as June 30, 2019. The amendments are intended to ensure consistency between the City's SMP and laws and guidelines that may have changed since the City last updated its SMP in 2014.

- **Amendment of the cost threshold for substantial development to \$7,047 to reflect the OFM adjusted figure found in the Ecology SMP Guidelines.**
- **Amendment of the definition of "development" to clarify that it does not include dismantling or removing structures.**
- **Adoption of a new section within the SMP to identify rules and conditions associated with exceptions to local review under the SMA.**
- **Amendment to the exemptions section within the SMP to establish that the retrofit of existing structures for compliance with the Americans with Disabilities Act is exempt from SMP the requirement for a shoreline permit.**
- **Amendment to the cost threshold for requiring a Substantial Development Permit (SDP) for replacement docks on lakes and rivers to \$22,500 (from \$10,000) and \$11,200 for all other docks constructed in fresh waters.**
- **Amendment to classify legally established residential structures and appurtenant structures as conforming even if they do not meet dimensional or bulk standards. Redevelopment, expansion, and replacement consistent with the SMP would be allowed.**
- **Amendment to the critical areas guidance for wetlands within the SMP to reflect the use of the 2014 wetlands rating system.**

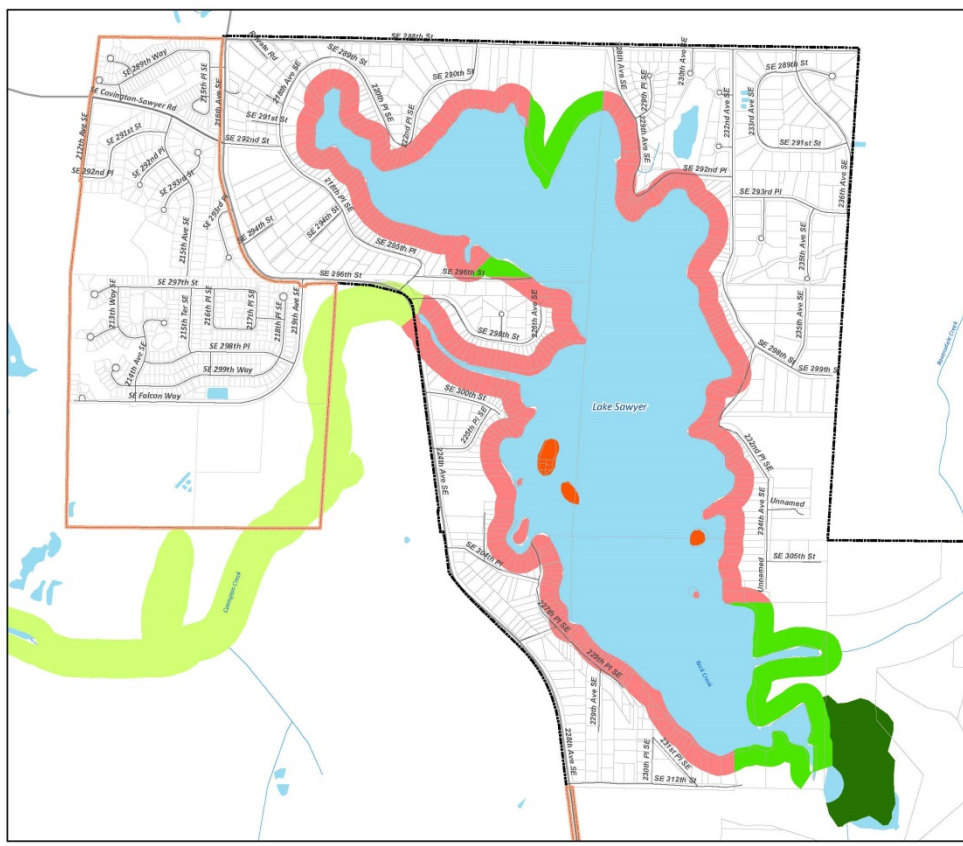
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s).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

The SMP applies to Lake Sawyer and its associated wetland area (i.e., Frog Lake) and areas within 200 feet of their ordinary high water mark. In addition, a very small segment of Covington Creek downstream of the Lake Sawyer weir and shorelands within 200 feet of Covington Creek are within the City limits of Black Diamond and subject to the Shoreline Master Program. See the map below.



City of Black Diamond

SHORELINE ENVIRONMENT DESIGNATION



- Urban Growth Area (UGA)
- City Limits
- Parcels
- Shoreline Environment Designation**
- Natural
- Urban Conservancy
- King County Conservancy
- Shoreline Residential
- Shoreline Residential-Limited



GIS data source: King County and City of Black Diamond
 Map prepared February 2015
 This map is a geographic representation based on information available. It does not represent survey data. No warranty is made concerning the accuracy, currency, or completeness of data displayed on this map.
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B. Environmental Elements

No discussion of the individual Environmental Elements is required for GMA actions per WAC 197-11-235.3.b.

C. Signature

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

Signature: _____ 

Name of signee: _____ Colin Poff

Position and Agency/Organization: _____ Consulting Planner/City of Black Diamond

Date Submitted: _____ April 4, 2019

D. Supplemental Sheet for Nonproject Actions

(IT IS NOT NECESSARY to use this sheet for project actions)

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

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

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

The 2019 Shoreline Master Program Periodic Review Amendments are not anticipated to increase discharges to water or air, or produce or release toxic or hazardous substances, or create noise impacts. There are no changes in shoreline designations, allowed uses, or development intensity along the City's shorelines resulting from the proposed amendments to the City's SMP.

Individual impacts associated with development proposals will be reviewed and mitigated through project SEPA Environmental Review and adherence with the Shoreline Master Program regulations.

Proposed measures to avoid or reduce such increases are:

No measures are proposed at this time.

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

The adoption of the 2019 Shoreline Master Program Periodic Review Amendments will result in an improvement to the protection of plants, animals, and fish within the City's shoreline jurisdiction as a result of the adoption of updated wetland delineation and assessment standards for critical areas occurring within shorelines designation. The City has no marine shorelines; therefore the proposal will not affect marine life.

Individual development projects could have impacts to plant, animals, fish, or marine life. Any impacts that may result from these projects will be mitigated through the imposition of conditions during the SEPA Environmental Review process and the application of Shoreline Master Program regulations for the specific project.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

No measures are proposed at this time.

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

There are no changes to the City's SMP that would affect energy or natural resources. Therefore, the 2019 Shoreline Master Program Periodic Review Amendments will not have any impact on energy or natural resources that necessitate mitigation measures.

Individual projects could have minimal impacts to energy or natural resources. Any impacts that may result from these projects will be mitigated adequately through the SEPA Environmental Review process and Shoreline Master Program regulations for the specific project.

Proposed measures to protect or conserve energy and natural resources are:

No measures are proposed at this time.

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

The proposed revisions included within the 2019 Shoreline Master Program Periodic Review Amendments include an update to the wetland delineation and assessment standards for wetlands located within shorelines jurisdiction. These standards will result in improved protection to wetland resources beyond what is currently found in Black Diamond's SMP.

If there are any environmentally sensitive areas are located near proposed projects, the appropriate mitigation will occur through the SEPA Environmental Review process and Shoreline Master Program regulations for the proposed improvements.

Proposed measures to protect such resources or to avoid or reduce impacts are:

No measures are proposed at this time.

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

The 2019 Shoreline Master Program Periodic Review Amendments do not modify any permitted or conditionally permitted uses in the SMP and therefore have no effect on land and shoreline uses.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

No impacts are anticipated to transportation or public services and utilities because of the 2019 Shoreline Master Program Periodic Review Amendments. If there are any impacts to transportation or public services and utilities, the appropriate mitigation will occur through the SEPA Environmental Review process and Shoreline Master Program regulations for the proposed improvements.

Proposed measures to reduce or respond to such demand(s) are:

No measures are proposed at this time.

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

The purpose of the 2019 Shoreline Master Program Periodic Review Amendments is to align the City's SMP with state law. The proposed SMP amendments will align with state laws related to the protection of the environment. The amendments do not conflict with local or federal laws or requirements for environmental protection.