



CITY OF BLACK DIAMOND

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SEPA Mitigated Determination of Non-significance (MDNS) File No. PLN18-0013

Project Name: Ten Trails Master Planned Development (MPD) – Phase 2 Plat A Preliminary Plat

Project Description: The applicant is proposing to subdivide 66.5 acres within the Ten Trails MPD into 211 single-family residential lots. Approximately 28.6 acres are designated as tracts for open space, park, sensitive area, and utility uses. There are ten identified wetlands within the boundary of this preliminary plat application. A wetland buffer averaging plan has been submitted in association with the preliminary plat application (application number PLN18-0015), which proposes a net increase in buffer area and no direct impacts to wetlands.

Project Proponent: Oakpointe / CCD Black Diamond Partners LLC

Location: Approximately ½ mile southwest of the intersection of Lake Sawyer Road SE and Roberts Drive, and immediately south of The Villages Phase 1A Plat. Located on King County parcel numbers 152106-9106, 152106-9109, and 22106-9053.

Lead Agency: City of Black Diamond
Responsible Official: Barbara Kincaid
Position/Title: Community Development Director
Phone: 360.886.5700
Address: 24301 Roberts Drive, P.O. Box 599, Black Diamond, WA 98010

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

Date: January 29, 2019

Signature:

This MDNS is issued under WAC 197-11-350. The comment period is 14 calendar days and ends February 12, 2019. Comments and appeals on this MDNS may be submitted by first class mail or delivered to the responsible official at the above lead agency address.

Appeals Notice: Any notice of appeals must be filed in writing, with the required fee and received no later than 5:00 p.m. on February 12, 2019 at the Black Diamond City Hall Office at 24301 Roberts Drive, Black

Diamond, WA 98010. You must make specific factual objections, identifying error or harm suffered, or identify anticipated relief sought and raise specific issues in the statement of appeal. Contact the Community Development Department to ask about procedures for SEPA appeal.

Adoption of Existing Environmental Document:

Title of Document Being Adopted: The Villages Master Planned Development Final Environmental Impact Statement (FEIS).

Agency that prepared the document: City of Black Diamond

Date adopted document was prepared: December 11, 2009

Description of document being adopted: FEIS for a 1, 196-acre master planned mixed use development including 4800 dwelling units; 775,000 sq. ft. of retail, office, light industrial, educational, recreational, and open space uses.

If document being adopted has been challenged (WAC 197-11-630), please describe: Extensive hearings were held on multiple appeals and the adequacy of the FEIS was ultimately upheld.

The FEIS document and related project documents are available at: City of black Diamond Community Development Department, 24301 Roberts Drive, Black Diamond, M-F, 8:30AM-5:00PM.

The FEIS includes the subject property as a component of the Villages Master Planned Development (MPD). The adoption of this document is appropriate and meets the environmental review needs for the current proposals and will accompany the proposal to the decision-maker.

Mitigated Determination of Nonsignificance:

After review of the FEIS adopted above, the completed environmental checklist, the Ten Trails Master Planned Development (MPD) – Phase 2 Plat A Preliminary Plat and supporting materials (application number PLN18-00008), and the Wetland Buffer Averaging Plan (application number PLN18-0015), the lead agency has determined this proposal will not have a probable significant adverse impact on the environment if the mitigation measures set forth below are implemented. Therefore, neither a new environmental impact statement (EIS) or supplemental environmental impact statement (SEIS) is required under RCW 43.21C.030(2)(c) or WAC 197-11-600.

In accordance with WAC 197-11-158, mitigation measures include those required by applicable provision of the Black Diamond Municipal Code, the Comprehensive Plan, City of Black Diamond Engineering Design & Construction standards, conditions of the Villages Master Planned Development (MPD) permit approval in Ordinance No. 10-946, the Villages MPD Development Agreement (DA) approved in Ordinance NO. 11-970, and as imposed by this MDNS.

All of the conditions of approval from the Villages MPD Permit and DA apply to this plat, whether listed or not herein.

Mitigation measures required by Black Diamond Municipal Code & City of Black Diamond Engineering Design & Construction Standards (Exhibit "E" of The Villages MPD Development Agreement):

1. Pursuant to BDMC 19.10.220.D, wetland buffer boundaries adjacent to land within this plat shall be permanently delineated by split-rail fencing and identification signs, as approved by the City.
2. Wetlands and all required wetland buffers shall be defined as separate tracts in the final plat (BDMC 19.10.150.B).
3. Pursuant to the City of Black Diamond Engineering Design & Construction Standards, Section 1.17, a construction management plan shall be developed by the applicant for review and approval by the City.

Mitigation measures required by Ordinance 10-946 (The Villages MPD approval) & Ordinance 11-970 (The Villages MPD Development Agreement):

4. Compliance with the Detailed Implementation Schedule Phase 2 Regional Infrastructure Improvements construction thresholds and improvement details, dated January 28, 2014 and approved on June 13, 2014, is required.
5. Work hours of operation shall be limited to 7:00 a.m. and 7:00 p.m. on weekdays, 9:00 a.m. and 5:00 p.m. on Saturday and shall be prohibited on Sundays and City holidays, subject to emergency construction and repair needs as set forth in BDMC 8.12.040(C).
6. Reduce short term construction noise by employing best management practices such as minimizing construction noise with properly sized and maintained mufflers, engine intake silencers, engine enclosures and turning off equipment when not in use.
7. Locate stationary construction equipment away from sensitive receiving properties or use noise barriers to direct noise away from sensitive receiving properties.
8. Require operators to lift, rather than drag materials.
9. Wherever feasible, use electric models for impact tools such as jackhammers, rock drills and pavement breakers and specify electric pumps whenever pumps are required.
10. Any pile driving that is required shall be minimized in favor of less noisy pile installation methods.
11. Native plants shall be primarily used within the planting palette.
12. Major earth moving, grading and construction during "wet season" shall comply with the Engineering Design and Construction Standards.
13. Cumulative traffic impact analysis shall be conducted in accordance with the MPD permit and DA conditions to ensure construction of improvements commence before the impacted street or intersection falls below applicable level of service standards.

Other mitigation measures:

14. The Sensitive Areas Study, Buffer Averaging Plan and Wildlife Analysis and Wetland Buffer Vegetation Management Plan submitted for the Preliminary Plat 2A Wetland Buffer Averaging Request (application number PLN18-0015) is hereby incorporated into this MDNS and the proponent shall comply with the following conditions to minimize buffer impacts:
 - a. The numeric square footage of buffer reduction/addition areas and locations stated in the Sensitive Areas Report shall supersede areas indicated on civil engineering plans prepared in association with the preliminary plat (PLN18-0008). A reconciled/revise civil plan set shall be provided by the applicant prior to permit issuance.
 - b. Wetland hydrology monitoring means and methods shall be submitted for evaluation and approval prior to permit issuance. Wetland vegetation should be monitored with sample transects post-construction and adaptive management provisions included to ensure substantially similar hydrologic support to the existing site conditions.
 - c. Trails in buffers shall be flagged and demarcated by the applicant for City review prior to any trail section vegetation disturbance to verify the route of least disturbance to native vegetation. The applicant shall submit protocols for trail alignment demarcation, City verification, and construction to minimize vegetation disturbance that is consistent with the provisions of BDMC 19.10.220(B)(3).