



CITY OF BLACK DIAMOND

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State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance (MDNS)

Date of Issuance: August 30, 2023

Lead Agency: City of Black Diamond

Agency Contact: Mona Davis, Community Development Director/SEPA Official, mdavis@blackdiamondwa.gov, (360) 851-4528

Project Name: SR 169 Corridor Improvements

Agency File Number(s): PLN22-0080 (SEPA Environmental Review), PUB21-0064 (Construction/Engineering Plan Review)

Description of Proposal: This application proposes to improve the SR 169 corridor, including improvements within the existing roadway alignment, construction of two roundabouts, new stormwater treatment facilities, new pedestrian facilities, and improvements/realignments to existing utilities. There are six wetlands on/adjacent to the project site, including one Category 2 wetland (Wetland D) and five Category 3 wetlands (Wetlands A, B, C, E, and F). There are two Type F streams on/adjacent to the project site – Ginder Creek and Mud Lake Creek. This proposal includes unavoidable buffer and wetland impacts that can be categorized as temporary buffer impacts, permanent buffer impacts, and a permanent wetland impact. All sensitive area impacts are conditioned to be mitigated through buffer enhancements, buffer additions, and wetland creation through the King County Mitigation Reserves Program.

Currently, this section of SR 169 conveys, or sheet flows, untreated runoff to Lake Sawyer via existing off-site stormwater facilities along Ginder Creek. In the proposed developed condition, stormwater from this section of SR 169 will be conveyed to a detention and treatment facility that meets enhanced water quality and phosphorous treatment standards. Treated runoff will be discharged via flow control structures into Ginder Creek, maintaining the natural discharge area. This proposal also includes relocation of the existing Coal Car Memorial Park to a location above the proposed underground stormwater vault (Parcel 112106-9099) with easier pedestrian access. In its present location, the Coal Car Memorial Park lies between two active roadways without pedestrian facilities, making the park difficult and unsafe to access. The proposal anticipates a 26-month total construction window. To mitigate construction impacts, staged construction will be utilized to maintain traffic flow to the maximum extent feasible to avoid complete shutdown of the roadway. To address public concerns regarding business access during construction, a mitigation measure has been conditioned to assure business access and parking availability are maintained to the maximum extent feasible.

Location of Proposal: The site is located within a portion of Section 11, Township 21 North, Range 6 East, within the city limits of Black Diamond, WA. The project site is located at SR 169 at the intersection with Roberts Drive, Black Diamond Ravensdale Road, and the future Pipeline Road.



Applicant/Proponent: CCD Black Diamond Partners LLC / Oakpointe, 3025 112th Ave NE, Suite 100, Bellevue, WA 98004 (425) 898-2100

The lead agency for this proposal has determined that, with the implementation of the mitigation measures identified below, it will 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).

After review of the completed environmental checklist and associated documents/reports, 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:

1. The Sensitive Area Study & Mitigation Plan, prepared by Wetland Resources and dated June 13, 2023, shall be followed throughout the development of the proposal and subsequent wetland enhancement activities. A copy of this Plan must be retained on-site during all construction activities.
2. Prior to the issuance of a notice to proceed for any construction activities that impact any wetlands for which off-site mitigation credits are required under the Sensitive Area Study & Mitigation Plan, the applicant shall submit written verification to the Master Development Review Team (MDRT) that mitigation credits from the King County Mitigation Reserves Program have been obtained, as detailed in the Sensitive Area Study & Mitigation Plan, prepared by Wetland Resources and dated June 13, 2023.
3. Prior to the issuance of a notice to proceed for any construction activities, the applicant shall submit verification to the Master Development Review Team (MDRT) that Tacoma Public Utilities has reviewed and approved all construction activities within their easement on the project site.
4. Prior to the issuance of a notice to proceed for any construction activities, the applicant shall submit a Traffic Control Plan to the Master Development Review Team (MDRT) demonstrating that during construction activities, all existing access to businesses along the SR169 corridor are maintained to the maximum feasible extent throughout construction. Revisions to the Traffic Control Plan, either at the request of the City or the applicant, may be allowed if the revised Traffic Control Plan will improve access and reduce parking impacts for adjacent businesses. Additionally, no construction parking may occur within existing business parking lots along the SR169 corridor without written property owner authorization and MDRT approval.

This MDNS is issued under WAC 197-11-350. The Lead Agency will not act on this proposal for 14 days from the date of decision. Written comments must be submitted no later than 5:00 pm on September 14, 2023 to the City of Black Diamond Agency Contact.

Signature: Mona Davis

Date: 8-23-2023

Pursuant to WAC 197-11-680(3)(a)(v), there is no administrative appeal provided by the city for this SEPA threshold determination because the City has not provided an administrative hearing or appeal on the underlying government action (which is an unappealable Type 1 decision under the vested code). Any appeal of this decision would be to the superior court under RCW 43.21C.075 and RCW 36.70C and must be filed within 21 days of the agency decision on the underlying governmental action.