



CITY OF BLACK DIAMOND

Physical Address: 24301 Roberts Drive
Mailing Address: PO Box 599
Black Diamond, WA 98010

Phone: (360) 851-4447
Fax: (360) 851-4501
www.blackdiamondwa.gov

NOTICE OF APPLICATION (NOA)

Formal Code Interpretation

NOTICE IS HEREBY GIVEN for the application described below:

Notice of Application Date: 02/01/2024

Comments Due Date: 02/15/2024

The City of Black Diamond has received the following application(s) that may be of interest to you. The application(s) and any related documents are available for public review by contacting the City's project manager.

Owner/ Applicant: Aypa Power Development, LLC (Attn: Andrew Breyer)

Project Name: Battery Energy Storage Systems (BESS) Code Interpretation

Application Number(s): PLN23-0087

Location: City wide within City of Black Diamond jurisdiction

Project Description: Applicant is requesting a formal Code Interpretation (Type 2 decision) confirming a Battery Energy Storage System as a "Utility" use under the City of Black Diamond Municipal Code.

SEPA Compliance: This project was determined to be exempt from SEPA review per Washington Administrative Code (WAC) 197-11-800.

Project Documents: Master Permit Application, Project Narrative.

Other Associated Permit(s): N/A

Requested Approval: Formal Code Interpretation

Applicable Development Regulations: Applications for a Formal Code Interpretation are required to be processed as a Type 2 land use review pursuant to Black Diamond Municipal Code (BDMC) Chapter 18.08.030.

Application Process: Date of Application: 11/21/2023
Complete Application: 12/19/2023
Notice of Application: 02/01/2024
Comment Period Ends: 02/15/2024



Written Comments: *This may be the only opportunity to comment on the environmental impacts of the proposal.* Written comments on this proposal may be submitted to the City of Black Diamond either by 1) e-mail to the staff contact, 2) by mail to the City of Black Diamond, PO Box 599, Black Diamond, WA 98010, or 3) dropping off at City Hall, 24301 Roberts Drive, Black Diamond, WA 98010.

There is a 14-day public comment period with this Notice of Application. You are invited to submit written comments, request a copy of the decision when it becomes available, and be made aware of any appeal rights during the public comment period by contacting the staff contact listed below. **Responses must be received no later than 5:00 pm on February 15, 2024.**

Project Manager/Staff Contact: Mona Davis, Community Development Director, 360-851-4528, mdavis@blackdiamondwa.gov