



CITY OF BLACK DIAMOND

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SEPA DETERMINATION OF NON-SIGNIFICANCE (DNS) AND NOTICE OF PUBLIC HEARING

Date of Issuance: September 27, 2023

Name of Proposal: Potts Pier Shoreline Substantial Development

Description of Proposal: The applicant proposes a new 300-square-foot pier on Lake Sawyer that meets the requirements of the City's Shoreline Master Program.

Application Numbers: PLN23-0033 (Shoreline) and PLN23-0034 (SEPA)

Location of Proposal: 22913 SE 292nd Pl, parcel number 406760-0070 located in a portion of the NW1/4 of Section 3 in Township 21 North, Range 6 East, Willamette Meridian

Owner/Applicant: John and Holly Potts/Danielle Reynolds, Waters & Wood Inc

The lead agency for this proposal has determined that the proposal 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). This decision was made after reviewing a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

☒ This DNS is issued under WAC 197-11-355 using the optional DNS process; there is no further comment period.

Responsible Official: Mona Davis

Position/Title: Community Development Director/SEPA Official, City of Black Diamond

Address: 24301 Roberts Dr, Black Diamond, WA 98010

Phone: (360) 851-4528

Email: mdavis@blackdiamondwa.gov

Date: September 27, 2023

Signature *Mona Davis*

Appeal of DNS: You may appeal this determination by submitting the required fees and City appeal form containing specific factual objections to the Community Development Department, located at 24301 Roberts Drive (PO Box 599), Black Diamond, Washington 98010. The appeal period for this DNS will end on Wednesday, October 11, 2023.

NOTICE IS FURTHER GIVEN that the City's Hearing Examiner will conduct an **OPEN RECORD PUBLIC HEARING** on the Potts Pier Shoreline Substantial Development which will take place on Thursday, October 19, 2023 at 1:30 P.M. online via Zoom. In accordance with BDMC 2.30.090, the staff report will be available at least five working days prior to the scheduled hearing. All decisions or recommendations of the examiner will be rendered within ten working days following the conclusion of all testimony and hearings and closing of the record, unless otherwise provided in the ordinance governing the specific application or appeal, or unless a longer period is mutually agreed to by the applicant or appellant and the examiner. You may request a copy of the decision once made.

Reconsideration: Per BDMC 2.30.120, any party of record may, within seven working days of the date of the examiner's written decision, file with the department a written request for reconsideration based on errors of procedure, errors of law or fact, error in judgment, or the discovery of new evidence which was not reasonably available at the open record public hearing. The filing of a request for reconsideration shall effectively stay the appeal period until the examiner issues his or her decision on the request.

Appeal of Hearing Examiner Decision: Per RCW 90.58.180(1), "Any person aggrieved by the granting, denying, or rescinding of a permit on shorelines of the state pursuant to RCW 90.58.140 may seek review from the shorelines hearings board by filing a petition for review within twenty-one days of the date of filing of the decision as defined in RCW 90.58.140(6)."

Application Process:

- Date of Application: June 20, 2023
- Complete Application: June 29, 2023
- Notice of Application: July 12, 2023
- Notice of Public Hearing: September 27, 2023
- Public Hearing: October 19, 2023 at 1:30 P.M.