



# CITY OF BLACK DIAMOND

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

**Date of issuance:** June 7, 2023

**Lead agency:** City of Black Diamond Community Development

**Agency Contact:** Mona Davis, [mdavis@blackdiamondwa.gov](mailto:mdavis@blackdiamondwa.gov), 360-851-4528

**Agency File Number(s):** PLN20-0107 Preliminary Plat / PLN20-0108 SEPA Checklist

**Project Name:** Ten Trails MPD Phase 1 Plat B (Mountain View) Preliminary Plat

**Description of proposal:** Applicant requests Preliminary Plat approval to subdivide two parcels comprising 54.65 acres into 261 lots, which would provide a mix of 233 single-family lots, 25 multi-family lots, and 3 commercial lots. The plat will be constructed in phases. The 233 single-family residential lots will range in size from 1,040 SF to 6,930 SF, with an average lot size of 2,829 SF, providing for a variety of attached and detached units. The three commercial lots will comprise approximately 220,000 SF, with 180,000 SF of retail space and 40,000 SF of office space. A portion of the office space proposes a location for a new city campus. Approximately 3.61 acres of open space will be provided in tracts within the proposed subdivision, which will consist of a neighborhood park, open space trails, and landscape uses. There are no sensitive areas or sensitive area buffers located within the project site.

**Location of proposal:** Adjacent to the west side of Lake Sawyer Road and north of Roberts Drive along the western boundary of the City of Black Diamond; King County Tax Parcels 152106-9005 & 152106-9097; NW ¼ of Section 15, Township 21 N, Range 6E WM

**Applicant(s):** CCD Black Diamond Partners LLC / Oakpointe  
3025 – 112<sup>th</sup> Ave NE, Suite 100, Bellevue, WA 98004

The City of Black Diamond (Lead Agency) has determined that this proposal will not have a probable significant adverse impact on the environment. Pursuant to WAC 197-11-350(3) and WAC 197-11-355(4), the proposal has been clarified, changed, and conditioned to include necessary mitigation measures to avoid, minimize or compensate for probable significant impacts. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c).

This determination is based on the comments received during the Notice of Application comment period (December 16-31, 2020) and the following findings, conclusions, mitigation measures, and permit conditions are required to adequately address potential impacts from this project proposal. All relevant materials related to this file are available to the public by request to the city contact listed above.

**Mitigation Measures:** The following mitigation measures are hereby incorporated into this Mitigated Determination of Non-Significance (MDNS). These conditions are in addition to the mitigation required from development regulations and other conditions resulting from other government approvals.

1. Prior to the commencement of any site disturbance activities, an approved National Pollutant Discharge Elimination System (NPDES) General Stormwater Construction Permit issued by the Washington State Department of Ecology covering the proposed scope of work shall be submitted to the City's Master Development Review Team (MDRT).
2. Prior to the commencement of any site disturbing activities, a Spill Prevention Control and Countermeasures Plan (SPCCP) shall be submitted to, and approved by, the City's MDRT.
3. If any site disturbance activities are planned during the City's Winter Work period (October 1 through March 31), a Winterization Plan pursuant to Black Diamond Engineering Design and Construction Standards Section 2.2.05 shall be submitted to, and approved by, the City's MDRT prior to commencing construction.
4. Prior to commencement of construction, the Noise Mitigation Plan dated July 6, 2020 shall be followed throughout the development of the project.
5. Follow/implement preliminary design recommendations regarding site preparation, site grading, structural fill, new foundation designs, retaining walls, construction, drainage, paving, and infiltration feasibility of the Geotechnical Engineering Report dated April 6, 2023, and prepared by Associated Earth Sciences, Inc.

**Signature:** Mona Davis **Date:** 5-31-2023  
Community Development Director/SEPA Responsible Official

**Public Comment Period:** 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 this decision. Written comments must be submitted no later than 5:00 pm on June 22, 2023 to the City of Black Diamond Community Development Department, 24301 Roberts Drive, Black Diamond, WA 98010.

**SEPA Appeal Period:** There is a 14-day appeal period regarding this agency decision. You may appeal this determination no later than 5:00 pm on June 22, 2023 by completing the proper appeal form and paying the City's appeal fee. You should be prepared to make specific factual objections in your appeal. Contact the Community Development Department at (360) 851-4447 to ask about the procedures for SEPA appeals.