



CITY OF BLACK DIAMOND

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SEPA Determination of Non-Significance (DNS)

Issue Date: April 17, 2019

Last Day to Comment: May 1, 2019

Name of proposal: Black Diamond 2019 SMP Periodic Review Amendments

Description of proposal: The City proposes to amend its SMP consistent with the requirements under the Shoreline Management Act (SMA) to review, and, if necessary, revise its SMP at least once every eight years. RCW 90.58.080 specifies the deadline for the City to review, amend, and adopt an amended SMP by June 30, 2019. The amendments are intended to ensure consistency between the City's SMP and laws and guidelines that may have changed since the City last updated its SMP in 2014.

- Amendment of the cost threshold for substantial development to \$7,047 to reflect the OFM adjusted figure found in the Ecology SMP Guidelines.
- Amendment of the definition of "development" to clarify that it does not include dismantling or removing structures.
- Adoption of a new section within the SMP to identify rules and conditions associated with exceptions to local review under the SMA.
- Amendment to the exemptions section within the SMP to establish that the retrofit of existing structures for compliance with the Americans with Disabilities Act is exempt from SMP the requirement for a shoreline permit.
- Amendment to the cost threshold for requiring a Substantial Development Permit (SDP) for replacement docks on lakes and rivers to \$22,500 (from \$10,000) and \$11,200 for all other docks constructed in fresh waters.
- Amendment to classify legally established residential structures and appurtenant structures as conforming even if they do not meet dimensional or bulk standards.
- Redevelopment, expansion, and replacement consistent with the SMP would be allowed.

- Amendment to the critical areas guidance for wetlands within the SMP to reflect the use of the 2014 wetlands rating system.

Proponent: City of Black Diamond

Location of proposal: Shoreline areas within 200 feet of the ordinary high water mark of Lake Sawyer within the City of Black Diamond

Lead agency: City of Black Diamond

The lead agency for this proposal has determined that it 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.

Responsible Official: Barbara Kincaid, AICP

Position/Title: Community Development Director / SEPA Official

Date: April 17, 2019

Signature: _____



This Determination of Non-significance (MDNS) is issued under the Washington Administrative Code (WAC) 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance. Only written comments will be accepted and must be submitted by 5:00 pm on **May 1, 2019** to the City's SEPA Official. There is no agency appeal of this DNS. Appeals are governed by RCW 43.21C.075.

Copies of the documents pertaining to this SEPA DNS are available for review at the City website at http://www.ci.blackdiamond.wa.us/public_notices.html or during regular business hours at the address listed above.

You may appeal this determination at the Community Development Department, 24301 Roberts Drive, Black Diamond, by completing the proper appeal form and paying an appeal fee of \$487.00. The appeal must take place prior to the city's final decision. You should be prepared to make specific factual objections.

Contact the Community Development Department at 360.851.4447 (or bkincaid@blackdiamondwa.gov) to provide comments, review project documents, or inquire about the procedures for SEPA appeals.