Lawson Hills Master Planned Development
Final Environmental Impact Statement
City of Black Diamond, Washington

December 2009
Lawson Hills Master Planned Development – Final Environmental Impact Statement

Prepared for

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December 2009
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D  Earth
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G  King County Wastewater Treatment Flow Projections
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I  (Intentionally Omitted)
J  Fiscal
K  Schools
L  Street Maintenance
M  Water
N  Plants and Animals
O  Wetlands
P  Fisheries
Q  GHG, Air Quality
R  CMART Document
## Acronyms and Key Terms

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<tr>
<td>ACOE</td>
<td>United States Army Corps of Engineers</td>
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<tr>
<td>BDMC</td>
<td>Black Diamond Municipal Code</td>
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<td>BDUGAA</td>
<td>Black Diamond Urban Growth Area Agreement</td>
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<td>BMPs</td>
<td>best management practices</td>
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<td>CAT</td>
<td>Climate Action Team</td>
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<td>million gallon</td>
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<td>Master Planned Development</td>
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<td>MTCO2e</td>
<td>metric tons of carbon dioxide</td>
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<td>Mw</td>
<td>Wet Meadow</td>
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Acronyms

N
NAAQS National Ambient Air Quality Standards
NC neighborhood commercial
NMFS National Marine Fisheries Services
NOAA National Oceanic and Atmospheric Administration
NPDES National Pollutant Discharge Elimination System
NRCS Natural Resources Conservation Service
NRHP National Register of Historic Places

P
PAA potential annexation area
Phase II Permit Washington NPDES Phase II Permit
PHS Priority Habitats and Species
PSCAA Puget Sound Clean Air Agency
Pw Open Water

R
R Residential Areas
R4 single family residential
RCW Revised Code of Washington

S
SAO Sensitive Areas Ordinance
SCWSD Soos Creek Water & Sewer District
SDWA Safe Drinking Water Act
SEPA State Environmental Policy Act
sf square feet
SMA Shoreline Management Act

T
town center commercial
TDR Transfer of Development Rights
TWSC Two-Way Stop Control

U
UGA Urban Growth Area
USDA United States Department of Agriculture’s
USFWS United States Fish and Wildlife Service
USGS United States Geologic Service

W
WAC Washington Administrative Code
WDFW Washington State Department of Fish and Wildlife
WHR Washington Historic Register
WRA Water Resources Act
WRIA Water Resource Inventory Area
WSDOT Washington State Department of Transportation
WSFFA Water Supply and Facilities Funding Agreement
Title
Lawson Hills Master Planned Development – Final
Environmental Impact Statement

Description of Proposed Action
BD Lawson Partners has proposed development of the
371-acre Lawson Hills area of the City of Black Diamond,
Washington. The City has received an application from the BD
Lawson Hills Partners for development of Lawson Hills under
the City’s Master Planned Development Ordinance.

Purpose of this EIS
The objective of this Environmental Impact Statement (EIS) is
to identify potential alternatives and associated impacts of the
development of Lawson Hills under the City’s Master Planned
Development Ordinance. This EIS will review significant
adverse impacts and associated mitigation of the proposed
project, as well as three alternative development scenarios.

Alternatives
Four alternatives were analyzed in the EIS:

1) Alternative 1 – (No Action) assumes development will
   occur incrementally over time, and will include only single-
   family dwelling units.

2) Alternative 2 – (MPD Proposal) represents the applicant’s
   proposal under the City’s MPD Ordinance. This alternative
   includes 930 single-family and 320 multi-family units, for a
   total of 1,250 dwelling units and 3,103 new residents.

3) Alternative 3 – (Mitigated MPD Proposal) would also
   follow a master planned approach and would be subject to
   the MPD ordinance requirements. In order to lessen or
   “mitigate” impacts, Alternative 3 includes a greater amount
   of land set aside for open space particularly surrounding
   sensitive areas, provides all school facilities on site, and
   includes less residential and commercial development.
4) Alternative 4 – (Fiscally Balanced MPD) has the same land use acreages as Alternative 2, but with a lower number of total residential units (1,075 units) and resulting population (2,674). This reflects the provision in the City’s MPD Ordinance that MPD proposals have a positive fiscal impact on the City at each stage of development.

Location

The Lawson Hills area generally consists of two subareas, the Main Property and the North Triangle. The “Main Property” is located between the SR 169/Roberts Road intersection to the west and extends into King County to the east. The “North Triangle” is located on the west side of SR 169, approximately one mile north of the SR 169/Roberts Road intersection.

Proponent/Applicant

BD Lawson Partners, LP
10220 NE Points Drive
Suite 120
Kirkland, WA 98033

Proposed Date for Implementation

The Applicant intends to begin construction in 2010 with buildout by 2025.

Lead Agency

City of Black Diamond
P.O. Box 599
24301 Roberts Drive
Black Diamond, WA 98010

Responsible Official

Steve Pilcher
Community Development Department, SEPA Official
P.O. Box 599
24301 Roberts Drive
Black Diamond, WA 98010
spilcher@ci.blackdiamond.wa.us
Permits and Approvals

Master Planned Development Permit
Development Agreement
Planned Action Ordinance

EIS Authors and Principal Contributors

Parametrix, Inc.
1231 Fryar Avenue
Sumner, WA 98390-1516

Date of Final EIS Issuance

December 11, 2009

Draft EIS Public Meeting

September 29, 2009, 7:00 p.m.

Black Diamond City Council Chambers
25510 Lawson Street
Black Diamond WA 98010

Date Final Action is Planned

First Quarter 2010

Type and Timing of Subsequent Environmental Review

Following MPD approval, the City may adopt a Planned Action Ordinance allowing implementing projects within the MPD to be processed as “planned actions,” pursuant to WAC 197-11-172. Alternatively, the City might raise its SEPA thresholds for categorically exempt actions for the MPD project area.

Location of Draft EIS and Technical Appendices

Black Diamond branch, King County Library System
24707 Roberts Drive
Black Diamond, 98010

Black Diamond Community Development Department
24301 Roberts Drive
Black Diamond, WA 98010
On the City’s website:  www.ci.blackdiamond.wa.us

The document is also available for purchase in hard copy ($40.00) or CD ($10) formats, at:

   Community Development Department
   24301 Roberts Drive
   Black Diamond, WA 98010

**Availability of Final EIS**

The FEIS has been distributed to the Department of Ecology, all agencies with jurisdiction, any agency who commented on the Draft EIS, and (though a fee may be charged) to any person requesting a copy. The Final EIS (or a notice that it is available) must also be sent to anyone who had commented or received the Draft EIS [WAC 197-11-460]. Agencies may take action on the proposal seven days after the Final EIS has been issued.

An electronic version of the FEIS has been made available on the City of Black Diamond’s website. Hard copies are available for purchase at the City of Black Diamond, at a reproduction cost of $40.00 per volume. This document will also be available on CD for $10.00.
Foreword

1 What historic land use actions led up to this proposal?

The City of Black Diamond, including the historic downtown, Morganville and various additional properties, was incorporated in 1959; the majority of the Lawson Hills site was part of the City at that time. The City completed its first Comprehensive Plan in 1980. That plan proposed future annexation of lands to the northwest, east, and southwest to the City. Subsequent annexations in 1985 and 1994 added lands to the northwest and southwest to the City.

The City of Black Diamond completed its first Growth Management Act (GMA) Comprehensive Plan in 1996. That same year, the City negotiated a “potential annexation area” (PAA) agreement with King County and nearby property owners that was formalized as the “Black Diamond Urban Growth Area Agreement (BDUGAA). Following execution of the BDUGAA, the City annexed an area around Lake Sawyer and the West Annexation Area to the City in 1998 and 2005, respectively. The South Annexation Area (in the southeast portion of The Villages site), the East Annexation Area (in the east portion of the Lawson Hills site), an area near Kentlake High School, and the Lake 12 Annexation Areas are the remaining PAAAs. The South and East Annexations are currently filed with the King County Boundary Review Board. The South Annexation will be included as part of The Villages, while the East Annexation is part of Lawson Hills.
In 2005, the City adopted Master Planned Development (MPD) Ordinances (Ordinance No. 05-779 and Ordinance No. 05-796). These Ordinances establish the MPD zoning district, and its standards and MPD permit requirements for parcels/groups of parcels that are greater than 80 acres in size.

In 2009, the City took several actions to update planning and environmental policies and procedures, including the Comprehensive Plan, MPD Ordinance, and the Sensitive Areas Ordinance (SAO).

Regulations guiding development of an MPD are incorporated into the Black Diamond Municipal Code (BDMC) Chapter 18.98. In 2009, the City also adopted MPD Framework Design Standards and Guidelines, which are intended to:

...provide guiding principles for the overall design of MPD applications within the City. These guidelines are to be followed in consideration of an MPD at both the initial and subsequent phases of approval. It is anticipated they will be supplemented by additional guidelines and standards that are developed when more specific plans for phased development are proposed.

Those guidelines may be initially drafted by the MPD developer for consideration by the City prior to eventual adoption as part of a development agreement. As such, these guidelines are not intended to address all potential aspects of future development, but to provide an overall framework upon which additional guidelines may be added to in the future.

The statements contained herein are intended to be standards and guidelines, rather than prescriptive rules, and thereby provide an amount of flexibility. Any decision regarding strict application of any guideline contained herein will be made by the City Council as part of its consideration of granting overall MPD approval.

The Lawson Hills MPD is intended to be developed consistent with the MPD Ordinances, Design Guidelines, the Sensitive Areas Ordinance, and other adopted plans and policies.
2 What is the purpose of this EIS?

This Environmental Impact Statement was prepared in accordance to the State Environmental Policy Act (SEPA) and Washington Administrative Code (WAC) 197-11. SEPA requires an EIS be completed when a proposal is likely to result in significant, adverse environmental impacts. The EIS is used to analyze the proposal, reasonable alternatives, and other methods that may be used to reduce or eliminate the adverse environmental impacts associated with the proposal.

3 How were the alternatives established?

Chapter 197-11-440(5) of the WAC requires that an EIS discuss the proposal and reasonable alternatives, including a “No Action” alternative. “Reasonable alternatives” include actions that could feasibly attain or approximate a proposal’s objectives, but at a lower environmental cost or with decreased levels of environmental degradation.

In this EIS there are four alternatives: Alternative 1, No Action; Alternative 2, the MPD Proposal; Alternative 3, Mitigated MPD Proposal; and Alternative 4, Fiscally-Balanced MPD. A greater level of detail is applied to Alternative 2, since it represents an MPD application that was filed with the City in May 2009. The other alternatives provide a range of development scenarios for discussion and comparison purposes, but none of the other action alternatives represent a specific proposal. Alternative 3 was developed to also comply with the MPD Ordinance, but includes more open space, all on-site school facilities, and clustered development, away from sensitive areas. Alternative 4 was developed as a case study to achieve a positive fiscal performance, as required by the City’s MPD Ordinance.

4 How is this EIS written?

This document has been prepared in a “reader-friendly” format which summarizes a great deal of technical analysis that has been completed for the proposal. It is written in a question-and-answer format, and intended to be read and
understood by anyone, including those without a technical background. For this purpose, much of the technical and scientific data is summarized in the body of the EIS.

5 Where are the technical documents?

The technical reports used to develop the EIS can be found in the Technical Appendices. The Appendices are included on the same CD as the EIS or attached to the back of this document, if you have the hard copy version.

A comprehensive list of Technical Appendices is included in the Table of Contents, and specific appendix call-outs are also included in side bars (like the one to the right) throughout the document.

6 How does this EIS relate to the Master Planned Development applications?

BD Lawson Partners has submitted an MPD application for Lawson Hills. This application is prepared in accordance with BDMC Chapter 18.98. The City’s Master Planned Development Ordinance is a land use regulation establishing the public review, permit process, and standards applying to proposed Master Planned Developments. The City is currently reviewing the applications and will hold public hearings to obtain input prior to making any final decisions on the MPDs.

While the purposes and objectives of MPDs in the ordinance speak to preservation of environmentally critical areas, environmental impacts, and appropriate mitigation; the process through which impacts to – and mitigation for those impacts – the built and natural environment are evaluated is the SEPA process. Therefore, some comments are more appropriately addressed in the MPD process while others – those relating to significant adverse impacts – are more appropriately addressed in this EIS.
7 What are the benefits and disadvantages of deferring implementation of the MPD?

The advantages of deferring all actions on the Lawson Hills proposal include:

▪ Slower conversion of these undeveloped lands to urban uses; and
▪ The environmental impacts associated with the proposed urban-type development, including increased traffic, stormwater runoff, light and glare, noise, and demand for public facilities and services would occur at a slower rate.

The disadvantages of deferring all actions on the Lawson Hills MPD include:

▪ The opportunity to create a mixed-use development with a range of site amenities, including public parks, trails, and an open space system;
▪ The identification and provision of an elementary school site; and
▪ A coordinated approach to providing infrastructure, including roads, stormwater management, and sewer/water service.

8 How were public comments from the Draft EIS addressed?

The Draft EIS was published September 1, 2009, and the public comment period was open through September 30, 2009. Following the public hearing on September 29, 2009, however, the comment period was extended to October 9, 2009, to allow for additional time to receive written comments.

Comments related to a number of different issues. Some are reviewable within the context of SEPA (such as traffic impacts and water supply, for example). Other issues (such as dislike for the proposal or any new development) are outside the purview of SEPA and should be submitted during the MPD approval process.
A total of 139 letters were received, from individuals, agencies, community organizations, tribes, and the proponent. Within these letters, 457 total comments were identified. The comments, and the corresponding responses, are included in the CMART Project Document, which is attached to this EIS as Appendix R. One CMART document which covers both Lawson Hills and The Villages was prepared, because many comments related to both EIS documents.

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<th>Source</th>
<th>Number of Letters</th>
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<tr>
<td>Community Organization</td>
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<td><strong>TOTAL:</strong></td>
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<td><strong>455</strong></td>
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The responses to comments are consistent with the means outlined in WAC 197-11-560.