Appendix B Exhibits

The following exhibits were included in the November 25, 2014 Staff Report (Exhibit 58).

Exhibit 1. Vicinity Map for The Villages MPD Parcel V28 & 29
   a) Tax assessor maps
   b) Pre-Application Meeting Notes (PLN13-0017), September 16, 2013

Exhibit 2. The Villages MPD – Preliminary Plat Phase 2 Plat C plan set (Cover sheet, Sheets CV1-4, PP1-4, PP5, RS1-4, RD1, UA1, SSWA1-4) June 16, 2014. Previous versions available on request by submittal date: November 8, 2013; December 6, 2013; March 17, 2014; April 21, 2014; May 30, 2014.

Exhibit 3. Application and Submittal Package, November 8, 2013
   a) Submittal cover letter, Colin Lund to Stacey Welsh, November 2013
   b) Master Application Form
   c) Sensitive Area Identification Form
   d) Project Narrative
   e) SEPA Checklist, November 8, 2013
   f) Preliminary Plat Title Report and LLA Title Report
   g) Preliminary Plat Phase 2 – Plat C, Preliminary Drainage Analysis, Triad Associates, November 8, 2013
   h) List of property owners of record within 300 feet of the exterior boundaries of all parcels proposed to be included in the subdivision
   i) Certificates of water and sewer availability: Sections 7.2.1 and 7.3.1 of The Villages Development Agreement
   j) Transfer of development rights: Section 4.9 of The Villages Development Agreement
   k) Preliminary Plat fee and review deposit
   m) American Forest Management letter report on a significant tree inventory, October 28, 2013
   n) External materials board


Exhibit 5. MDNS: A Mitigated Determination of Non-significance for Plat 2C and Adoption of Existing Environmental Document was issued by the City of Black Diamond on June 17, 2014.

Exhibit 6. Public Comment: Karen Walter, Muckleshoot Tribe Fisheries Division (email messages, June 17 and July 1, 2014)

Exhibit 7. Public Comment: Cynthia Wheeler (letter July 1, 2014)

Exhibit 8. Public Comment: Erika Morgan (email and attachment, July 1, 2014)

Exhibit 9. Public Comment: Cindy Proctor (email message with attachments a-k), July 1, 2014
   a) Key Dates and Implementation Points of the Comprehensive School Mitigation Agreement
   b) Findings of Fact, Conclusions of Law and Decision Re: Villages Preliminary Plat 1A, PLN11-0001
c) Comprehensive School Mitigation Agreement, King County Washington recorded document #20110624001156

d) Black Diamond School Sites

e) City of Black Diamond Resolution No. 12-788

f) Final Report and Recommendations to the King County Executive, King County School Siting Task Force, March 31, 2012

g) Verbatim Record of Proceedings Re: Transfer of Territory from Tahoma School District to Enumclaw School District, October 3, 2013

h) K&L Gates, invoices for services

i) Technical Memorandum [DRAFT], from David Sherrard, Parametrix to City of Black Diamond, April 17, 2009

j) Public Notice of extension of public comment period from April 29, 2014 to May 13, 2014, for Environmental Assessment for Resumption of Coal Mining at Pacific Coast Coal Company’s John Henry No. 1 Mine, Office of Surface Mining Reclamation and Enforcement

k) Photocopy of letter from Pacific Coast Coal Company, April 2, 2014

Exhibit 10. Public Comment: Gil Bortleson (letter with attachment, July 2, 2014)

Exhibit 11. Public Comment: Brian A. Borgstadt, PE, Covington Water District, (letter, August 5, 2014)

Exhibit 12. The Villages Master Planned Development Final Environmental Impact Statement, December 2009, prepared for the City of Black Diamond by Parametrix

Exhibit 13. 2012-2013 Pre-Construction Stormwater Monitoring in Rock Creek to Establish the Baseline Phosphorus Load, Tetra Tech, November 2013; Revised January 2014

a) Letter to Colin from Robert Plotnikoff, January 30 noting changes to graphs in January 30 report versus January 10 report [Note: staff included copies of graphs from January 10 report for comparison to graphs in Exhibit 13, January 30 report. A full copy of the January 10, 2014 report is available on request.]

b) Status Update on Stormwater and Groundwater Monitoring Completed to Date in the Rock Creek Drainage, Tetra Tech, May 6, 2014

c) 2012-2013 Pre-Construction Stormwater Monitoring Report, Tetra Tech, November 2013

Exhibit 14. MPD Permit (Ordinance No. 10-946), with Exhibit B, Conclusions of Law and Conditions of Approval

Exhibit 15. The Villages MPD Development Agreement (Ord. 11-970 and amendments, available on request)

Exhibit 16. Lot line adjustment request, PLN13-0026, November 8, 2013 [excerpted maps showing existing and proposed lot lines]

a) City Reviews and Preliminary Approval Correspondence

b) Applicant’s Revised Submittal Packet, March 18, 2014

Exhibit 17. Alternative Road Section Request [woonerf], April 21, 2014

a) Road Section Deviation Determination [woonerf], July 25, 2014

Exhibit 18. Notice of Complete Application, December 3, 2013

a) Public Notice of Application, December 6, 2013


a) Public notice of August 25 hearing postponement, August 18, 2014

a) Letter from Dan Ervin, RH2, regarding review of stormwater hydrology, May 12, 2014
b) Memorandum from Dan Ervin, RH2, regarding Stormwater Deviation Request, July 17, 2014
c) Plat 2C Stormwater Deviation Determination: Alternative Stormwater Zone Delineation, approved August 12, 2014

Exhibit 21. Road Section Deviation Request, letter from YarrowBay, January 27, 2014
a) Road Section Deviation Determination Approval, Alternative Rain Garden Widths Configuration, July 25, 2014

Exhibit 22. Phase 2 Overall Grading Plan: Triad Associates memorandum to Andrew Williamson, November 21, 2013
a) Overall Grading Plan (reduced plan set), Triad Associates, November 21, 2013
b) Response to comments of March 18, 2014, Triad Associates, April 21, 2014

Exhibit 23. Phase 2 Plat C Geotechnical Report, Golder Associates, December 5, 2013
a) City Comments on Geotechnical Report, March 24, 2014 and Golder Associates responses, April 2014

a) Technical Memorandum from John Perlic, Parametrix, regarding review of Traffic Impact Study and review of Traffic Monitoring Report, February 27, 2014
c) Technical Memorandum from John Perlic, Parametrix, regarding review of Transpo Group responses to Parametrix’ comments, May 2, 2014
d) Technical Memorandum from John Perlic, Parametrix, comparison of Plat 2C proposal to MPD Permit Conditions of Approval, May 19, 2014

b) Technical Memorandum from John Perlic establishing sufficiency of traffic analysis, June 11, 2014
c) City Approval of Traffic Monitoring Plan, June 9, 2014


b) Sensitive Area Study and Wildlife Analysis, Wetland Resources, Inc. December 24, 2013
c) The Villages MPD Phase 2 Plat C-Wetland Review, Perteet, March 31, 2014
d) Response to Perteet’s Wetland Review, Wetland Resources, Inc. April 28, 2014
e) Follow-Up Review for The Villages MPD Phase 2 Plat C – Wetland Review, memorandum from Jason Walker (Perteet) to Stacey Welsh, May 19, 2014
f) Response to comments regarding wetland hydropериод analysis, memorandum from Scott Stoneman and James Johnson, Golder Associates to Colin Lund, May 8, 2014
g) Applicant Response to Perteet Wetland Memorandum, June 12, 2014

Exhibit 30. Request for Mayoral Approval of Wetland Buffer Averaging Plan, YarrowBay, May 14, 2014
a) Mayoral Approval of Buffer Averaging Request, June 5, 2014
b) Letter from YarrowBay to clarify condition #2, June 25, 2014
c) Wetland scientist response to YarrowBay letter, July 21, 2014
a) Technical Memorandum from John Perlic, Parametrix, regarding review of construction
trip impacts, May 19, 2014
b) Letter response to comments by Parametrix, Triad Associates, May 22, 2014
Exhibit 32. Phase 2 Updated Fiscal Impact Analysis for the Villages and Lawson Hills Master
Planned Developments, DPFG, April 28, 2014. (December 2013, first draft, is available
on request.)
a) Documentation, Explanations, Clarifications, Revisions for Updated Fiscal Analysis,
Henderson, Young & Company, March 16, 2014 (initial questions by HY&Co); April 28,
2014 (answers by DPFG to questions); and May 21, 2014 (HY&Co responses to DPFG
answers)
b) “Independent Evaluation of Phase 2 Updated Fiscal Impact Analysis for The Villages and
Lawson Hills Master Planned Development”, Henderson, Young & Company, May 26,
2014
c) City approval, June 16, 2014
Exhibit 33. City of Black Diamond Permit Trax Summary, as of November 4, 2014
Exhibit 34. Email Correspondence between Carol Morris and Megan Nelson (YarrowBay) regarding
Welsh Subpoena, August 5 through August 15, 2014
Exhibit 35. Public Works Report, “Water System Capacity to meet needs of pending subdivisions”,
August 9, 2014
Exhibit 36. Wildlife Corridor Connections Analysis for Wetlands S, T, D4 and E1, Wetland
Resources Inc., August 12, 2013
a) Memorandum to file, Mark Hoppen, SEPA Responsible Official, September 18, 2013
Exhibit 37. Letter regarding regional sewer service request for a second point of connection, King
County Wastewater Treatment Division, December 16, 2013
Exhibit 38. The Villages Preliminary Plat Phase 1 Plat A (PLN11-001) Conditions of Approval
Exhibit 39. Construction Waste Management Plan, Exhibit “I” of The Villages DA, August 2010
Exhibit 40. MDRT Matrix of Review Comments and Responses, 4th Response Version (most
complete)
Exhibit 41. Triad Associates: Sanitary Sewer Capacity Memorandum, April 9, 2014
Exhibit 42. Affidavits of Public Notices
Exhibit 43. Supplemental application materials from YarrowBay, October 8, 2014: Draft Temporary
Access and Utility Easement (Draft submitted to the City on October 9, 2014) and Draft
Covenant Not to Sue
a) Plat 2C site plan with variety of typical building footprints
Exhibit 44. Temporary Access and Utility Easement, recorded October 31, 2014.
Exhibit 45. Consulting Engineer’s Certification of Review of Utilities (water, sewer, stormwater) for
compliance with City codes and standards, November 19, 2014
Exhibit 46. Applicant’s Confirmation of Tract 906 as a Community Park, email message October 13, 2014
Exhibit 47. City Utility Letters (sanitary sewer, water supply and capacity), June 16, 2014
Exhibit 48. Revised Preliminary Plat plan set, November 21, 2014
Exhibit 49. Revised Cover Sheet CV1 with TDR Phase table.
Exhibit 50. Public Comment: Kristen Bryant, Email dated July 1, 2014 regarding SEPA Comments related to Plat 2C per June 16, 2014 Notice
Exhibit 51. Public Comment: Judith Carrier, SEPA Comments related to The Villages Plat 2C dated July 1, 1014
Exhibit 52. Public Comment: Erika Morgan, Email dated December 6, 2014 Related to the Public Hearing PLN13-0027 Posted November 25, 2014

The following exhibits were entered into the record during the December 11, 2014 hearing.

Exhibit 53. Cindy Wheeler testimony, December 10, 2014
Exhibit 54. Gil Bortleson testimony, December 11, 2014
Exhibit 55. Kristen Bryant testimony, December 11, 2014
Exhibit 56. Erika Morgan testimony, December 11, 2014
Exhibit 57. Robert Taeschner, PhD testimony, December 11, 2014
Exhibit 58. Staff Report, November 25, 2014
Exhibit 59. Resume of Alan Fure, PE
Exhibit 60. Resume of Thomas Matt, PE
Exhibit 61. Resume of James Johnson
Exhibit 62. Resume of Kevin Jones, PE, PTOE
Exhibit 63. Resume of Scott Brainard
Exhibit 64. Resume of Scott Spooner
Exhibit 65. Resume of Harry Gibbons, Jr. PhD
Exhibit 66. Resume of Robert Plotnikoff
Exhibit 67. Resume of Chris Austin
Exhibit 68. Resume of Matt Johnson
Exhibit 69. Villages Preliminary Plat 2C Plat Map
Exhibit 70. The Villages Guide to Preliminary Plat 2C (37 pages), December 11, 2014
Exhibit 71. YarrowBay’s Response to Written Public Comments (112 pages), December 11, 2014
Exhibit 72. Applicant’s Request for Plat 2C Approval with Revisions to Plat Conditions of Approval, December 11, 2014
Exhibit 73. Public Park Proximity Map from YarrowBay for Plat 2C, December 11, 2014
Exhibit 74. Covington Water District Disputed Water Service Area Map, December 11, 2014
Exhibit 75. Wetland Buffer Related Fencing Locations Map, December 11, 2014
Exhibit 76. Bob Edelman testimony, December 11, 2014
Exhibit 77. Gary Davis testimony, December 11, 2014
Exhibit 78. Cindy Prector testimony (816 pages), December 11, 2014
Exhibit 79. Tracy Dummitt testimony, December 11, 2014
Exhibit 80. Jaqueline Taeschner testimony, December 11, 2014
Exhibit 81. Max Beers and Green Valley/Lake Holm Association testimony, December 11, 2014
Exhibit 83. Western Washington Phase II Municipal Stormwater Permit, August 1, 2013, page 29 of 33
Exhibit 84. Letter from Gwynllyn Vukich, December 11, 2014
Exhibit 85. Letter from Carol Lynn Harp, December 11, 2014
Exhibit 86. Save Black Diamond Procedural Comments (37 pages), December 11, 2014
Exhibit 87. Save Black Diamond Substantive Comments (45 pages), December 11, 2014
Exhibit 88. WAC 365-196 sections
Exhibit 89. RCW 58.17 sections
Exhibit 90. Save Black Diamond underlined Black Diamond Municipal Code sections
Exhibit 91. Save Black Diamond comments on Staff Report, December 11, 2014
Exhibit 92. Judith Carrier testimony, December 11, 2014
Exhibit 93. Doug Ostgard testimony, December 11, 2014
Exhibit 94. Letter from Dennis D. Reynolds, December 11, 2014

The following exhibits were entered into the record following the December 11, 2014 hearing.

Exhibit 95. Hearing Examiner Scheduling Order, December 15, 2014
Exhibit 96. Kristen Bryant Email with Attachments (32 pages), December 19, 2014
Exhibit 97. City’s Response to Public Comments, December 22, 2014
Exhibit 98. Applicant’s Reply December 29, 2014
Exhibit 99. City Wetland Rebuttal, January 6, 2015
Exhibit 100. Applicant Wetland Reply, January 9, 2015
Exhibit 101. Kristen Bryant Rebuttal to Exhibits, December 17, 2014