EXHIBIT 12.c: Mitigated Determination of Non-Significance (issued 11/2/26)

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Planning and Economic Development Department
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MITIGATED DETERMINATION OF NONSIGNFICANCE (DNS)

Project Name:	Pinnacle at Liberty Bay
Site Location:	17505 Sunrise Ridge Ave NE, Poulsbo, WA 98370
File No.:	P-06-20-25-03
Description of Proposal:	Residential subdivision comprising 130 detached single-family lots. Proposed improvements include domestic water, sanitary sewer, public roads, utility services, open space, recreational amenities, pedestrian trails, and stormwater management facilities. The roughly 41-acre site is located north of SR 305 and will be developed in phases. Several types of critical areas are present on the property, including wetlands, streams, and associated buffers. Access is planned from NE Crystallia Court and Sunrise Ridge Avenue NE.
Applicant:	Montebanc Management, LLC | 400 NW Gilman Blvd | Issaquah, WA 98027
Tax Parcel:	232601-4-001-2009; 242601-3-003-2008; 242601-3-018-2001; 242601-3-005-2006; 242601-3-019-2000
Lead Agency:	City of Poulsbo

The City of Poulsbo has determined that the above-described proposal 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. The terms of the mitigation are established in Exhibit A, attached to this decision. This MDNS is issued under WAC 197-11-355, Optional DNS Process. **There is no further comment period.**

Responsible Official: Heather Wright, AICP

Position/Title: Planning and Economic Development Department Director
200 NE Moe Street
Poulsbo, WA 98370
(360) 394-9748

Date: 11/2/26

Signature: Signed by: Heather Wright EAC69A034B784AD...

APPEAL: Any agency or person may appeal this SEPA determination by filing a written appeal and paying a fee to the PED department no later than 4:30 p.m. on Monday, November 16, 2026, in accordance with the procedures set forth in PMC 16.04.250 and Chapter 19.70.

EXHIBIT A

PINNACLE AT LIBERTY BAY PLANNED RESIDENTIAL DEVELOPMENT AND PRELIMINARY SUBDIVISION
PLANNING FILE P-06-20-25-03

SEPA MITIGATIONS

EARTH.

S1. A final geotechnical engineering report shall be prepared and submitted with the grading permit application for City review and approval. The report shall address slope stability, groundwater conditions, erosion potential, engineered fills, retaining walls, and construction sequencing, and shall include recommendations for material specifications, quality control, testing, and management of excavated on-site materials. The report shall include construction sequencing and wet-season construction plans distinguishing between wet- and dry-season activities and identifying measures for controlling and monitoring earthwork. Recommendations shall address measures necessary to prevent slope instability, uncontrolled drainage, erosion, sediment transport, and adverse impacts to adjacent properties and regulated critical areas.

S2. Any proposal for soil amendment to be able to utilize on-site soils with high fines content (>3-5%) shall be reviewed and approved by the City Engineer. Soils used as structural fill for retaining walls and retaining structures requiring building permits as well as any structural fill under building foundations will also require review and approval by the Building Official.

S3. Unless approved otherwise by the City Engineer, all fill on site shall be structural fill and all fill and roadway embankment material shall meet WSDOT specifications per City codes. All site work shall be performed in accordance with WSDOT specifications.

S4. Construction entrances, perimeter sediment controls, and protective fencing for all critical areas, buffers, tree retention areas, and areas designated to remain undisturbed shall be installed and inspected by the City prior to commencement of tree removal, logging, clearing, or grading.

S5. Disturbance of soils shall be limited to approved construction phases. Areas not actively under construction shall be stabilized immediately through approved erosion control best management practices.

S6. Wet-weather grading outside the normal dry season shall require a wet-weather construction plan prepared by the Geotechnical Engineer of Record and the project CESCL identifying additional inspection frequencies, contingency measures, and erosion control BMPs.

S7. Construction activities shall be managed to prevent sediment-laden runoff and other pollutants from adversely affecting adjacent properties, wetlands, streams, and downstream receiving waters. Appropriate erosion, sediment control, and treatment best management practices shall be implemented and maintained throughout construction to ensure that discharges comply with applicable Department of Ecology water quality standards. Additional treatment or corrective measures shall be implemented when monitoring identifies inadequate performance.

S8. A fugitive dust control plan shall be submitted with the grading permit identifying dust suppression measures in addition to watering.

S9. The Geotechnical Engineer of Record shall provide observation and testing during grading operations involving structural fills, roadway construction, retaining wall foundations, utility trenching, and stormwater facility construction. Final grading and retaining wall plans shall be reviewed by the Geotechnical Engineer of Record prior to grading permit approval for consistency with the approved geotechnical reports, addenda, and applicable peer review recommendations.

S10. Final civil construction plans shall identify the location, height, type, reinforcement limits, drainage system, and ownership and maintenance responsibility for all retaining walls. Retaining wall drainage and groundwater interception systems shall be designed to prevent concentrated discharge, erosion, slope instability, and adverse changes to drainage conditions affecting adjacent properties or regulated critical areas. Collected drainage shall be conveyed through the approved stormwater management system or another City-approved drainage system that provides equivalent environmental protection.

S11. Should site conditions differ materially from those described in the approved geotechnical reports, grading within the affected area shall cease until revised recommendations are submitted to and accepted by the City.

AIR.

S12. Exposed soils shall be stabilized as soon as practicable to minimize fugitive dust.

S13. Construction equipment shall be properly maintained, unnecessary idling minimized, and haul trucks transporting soil or aggregate shall be covered or otherwise controlled to prevent dust emissions.

WATER RESOURCES.

S14. All wetlands, streams, buffers, buffer setbacks, and Habitat Management Areas shall be surveyed and clearly delineated in the field with high-visibility fencing prior to construction.

S15. Construction staging, equipment storage, fueling, concrete washout, and stockpiling shall be prohibited within critical areas, buffers, setbacks, and designated tree retention areas.

S16. All future grading, utility, civil, stormwater, roadway, retaining wall, landscape, restoration, and construction plans shall depict the approved wetlands, streams, stream classifications, buffers, buffer averaging areas, mitigation areas, and associated buffer widths consistent with the approved Critical Area Report, Habitat Management Plan, applicable addenda, peer review findings, and Chapter 16.20 PMC.

S17. Any change during final engineering that increases an approved critical area or buffer impact, changes an approved stream or utility crossing, relocates a stormwater discharge within or adjacent to a critical area, or materially alters an approved mitigation or restoration design shall be submitted to the City for additional critical area review prior to approval. Particular attention shall be given to the proposed Stream A utility crossing, Stream D stormwater outfall, and any stream crossing associated with the Baywatch Court NE roadway connection. Revised proposals shall demonstrate that impacts have been avoided and minimized to the extent feasible and that appropriate mitigation is provided for unavoidable impacts. The City may require additional technical analysis or independent peer review at the applicant's expense where necessary to evaluate revised impacts or mitigation.

S18. Final design of roadway and utility crossings of streams and associated buffers shall minimize temporary and permanent disturbance to stream channels, aquatic habitat, riparian vegetation, and associated critical areas. Prior to authorization of ground disturbance associated with these crossings, the applicant shall provide site-specific technical documentation identifying disturbance limits, construction methods, erosion and sediment control measures, restoration, and revegetation requirements. Utilities installed beneath streams shall utilize trenchless installation methods unless an alternative method is specifically approved by the City and applicable permitting agencies. All crossings shall comply with the approved Critical Area Report, Habitat Management Plan, applicable mitigation requirements, and local, state, and federal permits.

S19. Any approved habitat enhancement or restoration planting shall be installed during the first appropriate planting season following disturbance.

S20. Habitat mitigation areas shall be monitored and maintained for a minimum of five years, or longer if required by the approved Habitat Management Plan or City code.

S21. Performance guarantees shall be provided for all required habitat mitigation, enhancement, and monitoring in accordance with Chapter 16.20 PMC.

S22. Any temporary disturbance within approved buffer averaging or mitigation areas shall be restored immediately following construction in accordance with the approved Habitat Management Plan.

GROUNDWATER.

S23. Development within the Critical Aquifer Recharge Area shall comply with all applicable provisions of Chapter 16.20 PMC and Kitsap Public Health District requirements.

S24. Lots located within municipal wellhead protection areas shall comply with all applicable restrictions identified by the Kitsap Public Health District prior to issuance of building permits.

STORMWATER.

S25. A final Stormwater Drainage Report, Temporary Erosion and Sediment Control (TESC) Plan, and Stormwater Pollution Prevention Plan (SWPPP), consistent with the final project design, shall be submitted with the grading permit application for review and approval by the City Engineer. The final drainage report and

construction plans shall demonstrate compliance with applicable City engineering standards and the Washington State Department of Ecology Stormwater Management Manual for Western Washington and shall remain substantially consistent with the stormwater system evaluated through environmental review. Construction sequencing and temporary stormwater management measures shall address the site's steep topography, fine-grained soils, and seasonal precipitation conditions. Clearing and grading shall be limited to approved construction phases, and disturbed areas not actively under construction shall be stabilized and maintained with appropriate best management practices. The TESC Plan shall distinguish between wet- and dry-season activities and identify monitoring, maintenance, and contingency measures necessary to prevent sediment-laden runoff, uncontrolled drainage, and adverse water quality impacts to adjacent properties and downstream receiving waters. If determined by the City Engineer, additional independent peer review may be required at the applicant's expense where necessary to evaluate material design changes or unresolved environmental impacts.

S26. Construction-related stormwater discharges shall be controlled and treated as necessary to comply with applicable Department of Ecology water quality standards, including turbidity and pH requirements. Given the fine-grained soils present on the site, additional treatment measures shall be provided where conventional sedimentation practices are insufficient to achieve applicable discharge standards. Wetlands, streams, and critical area buffers shall not be used as sediment treatment facilities. Appropriate treatment best management practices shall be implemented and adjusted as necessary to prevent adverse water quality impacts to downstream receiving waters.

S27. Temporary and permanent stormwater facilities shall be installed in accordance with the approved construction sequencing plan and shall be fully functional prior to serving upstream disturbed areas.

S28. Turbid water shall not be discharged from the site and the applicant shall take measures to avoid discharging turbid water. In general, temporary sediment ponds do not allow sufficient time for reduction of turbidity prior to discharge given the soils with high fine content commonly found throughout the city. Using critical area buffers for sediment removal is not allowable. Appropriate treatment BMPs shall be employed as necessary to meet ecology standards for discharge turbidity and PH.

S29. The project shall comply with all recommendations and requirements of the final geotechnical report, drainage report, Temporary Erosion and Sedimentation Control (TESC) plan, fugitive dust control plan, Stormwater Pollution Prevention Plan (SWPPP) and construction sequencing plan to be submitted with the grading permit submittal.

S30. Stormwater facilities shall be protected from sediment accumulation during construction and cleaned as necessary to maintain design performance.

PLANTS/TREE RETENTION.

S31. Prior to clearing or grading, tree protection fencing shall be installed at the approved clearing limits and along designated tree retention areas consistent with the approved Tree Protection Plan and shall remain in place throughout construction.

S32. No grading, trenching, equipment operation, stockpiling, material storage, or other root-disturbing activity shall occur within designated tree protection areas or critical root zones except as specifically approved by the Project Arborist and City.

S33. The Project Arborist shall inspect retained tree stands following establishment of clearing limits and again following completion of rough grading to identify damaged or hazardous trees and recommend measures necessary to maintain the approved tree retention areas and long-term forest health.

S34. If final grading, utility, roadway, stormwater, retaining wall, or other construction design requires disturbance that could affect a designated retention tree or materially reduce an approved tree retention area, the Project Arborist shall evaluate the proposed disturbance and identify additional protection or replacement measures prior to the disturbance.

S35. Soft-surface trail alignments within retained natural areas shall be field adjusted as necessary to minimize impacts to retained trees and critical root zones.

ANIMALS.

S36. The applicant shall implement measures necessary to avoid and minimize adverse impacts to protected fish and wildlife species and their associated habitats, including impacts resulting from habitat modification or degradation during construction and development. If project activities result in damage or degradation to salmonid habitat or other protected aquatic habitat, the applicant shall immediately notify the City and applicable federal, state, and local resource agencies, implement measures to prevent further impacts, and complete necessary restoration or corrective actions as directed by agencies with jurisdiction. All corrective and restoration measures shall be completed at the applicant's expense.

S37. If damage to fish or wildlife habitat occurs during construction, work shall cease in the affected area until corrective measures acceptable to the City and applicable resource agencies have been implemented.

S38. Critical areas and associated habitat protection measures shall be maintained in accordance with the approved Habitat Management Plan.

GEOLOGIC HAZARDS.

S39. All grading and construction shall comply with the recommendations contained within the approved geotechnical reports and subsequent peer review responses.

S40. Final retaining wall design shall be prepared by a licensed professional engineer based upon site-specific geotechnical recommendations and shall be consistent with the retaining wall locations, drainage, reinforcement limits, ownership, and maintenance responsibilities approved through final civil engineering review.

S41. Permanent slope stabilization, drainage systems, and retaining structures shall be constructed prior to occupancy of lots relying upon those improvements.

S42. The Geotechnical Engineer of Record shall provide written certification that completed grading substantially conforms to the approved geotechnical recommendations prior to final acceptance of public improvements.

AESTHETICS.

S43. Existing vegetation identified for retention shall be protected throughout construction.

S44. Required landscape planting, street trees, restoration planting, and screening vegetation shall be installed prior to final plat approval or in accordance with an approved landscaping bond.

CULTURAL RESOURCES.

S45. Prior to commencement of clearing, grubbing, grading, trenching, utility installation, road construction, or other ground-disturbing activities, the applicant shall complete a professional archaeological survey prepared by a qualified archaeologist and submit the findings to the City for review. The survey shall identify archaeological resources within proposed disturbance areas and recommend appropriate measures to avoid, minimize, or mitigate potential impacts. Any mitigation measures determined necessary through City review, in consultation with the Washington State Department of Archaeology and Historic Preservation and affected Tribes as appropriate, shall be incorporated into applicable construction plans and implemented as specified in the approved mitigation measures.

S46. If archaeological materials or human remains are encountered during construction, all work in the immediate area shall stop, the area shall be secured, and the City, DAHP, and affected Tribes shall be notified immediately. Work may not resume in the affected area until authorized by the City, in consultation with DAHP and affected Tribes. The City may require additional archaeological investigation, monitoring, or other measures based on the discovery.

S47. The approved Inadvertent Discovery Plan shall be maintained on-site throughout construction and incorporated into all construction contract documents.

TRANSPORTATION.

S48. Prior to issuance of the first grading permit, the applicant shall submit a Construction Traffic Control Plan for review and approval by the City Engineer. The plan shall identify construction access locations, approved haul routes, anticipated truck volumes, hours of truck activity, worker parking, traffic control measures, street cleaning, construction sequencing, emergency access, and procedures for responding to construction-

related roadway damage. Unless otherwise approved by the City Engineer, primary construction traffic shall utilize Sunrise Ridge Avenue NE to Johnson Parkway, and SR 305. Construction haul routes shall be established to minimize construction-related traffic, noise, dust, queuing, and safety impacts on surrounding residential neighborhoods and shall be consistent with the City's approved construction traffic restrictions. The plan shall include provisions for monitoring construction-related queuing, traffic operations, and roadway safety impacts. Additional traffic control or operational restrictions may be required by the City Engineer if monitoring identifies adverse impacts not adequately addressed by the approved plan.

S49. If construction requires additional hauling of unsuitable soils, imported structural fill, or other materials that substantially exceeds the construction truck trips evaluated in the Traffic Impact Analysis, the applicant shall submit an updated construction traffic impact assessment identifying potential additional impacts to surrounding roadways and residential neighborhoods. The assessment shall address increased truck volumes, queuing, roadway safety, noise, dust, and other construction-related impacts. Additional mitigation shall be implemented where determined necessary by the City to address adverse impacts associated with the increased construction traffic. The SEPA Responsible Official shall determine whether the revised construction activities require additional environmental review.

S50. To mitigate adverse transportation and access impacts associated with the proposed development's reliance on the Sunrise Ridge Avenue NE corridor, including limited roadway redundancy and the potential for access disruptions, the applicant shall, prior to final plat approval for any phase dependent upon the additional access and roadway redundancy provided by the planned Baywatch Court NE connection (NR-12), construct and obtain City acceptance of the public street connection between the project and Baywatch Court NE, consistent with the City's adopted future street plan designated NR-12, unless an alternative alignment is approved by the City Engineer that provides an equivalent level of public connectivity consistent with PMC 17.80.060, 17.80.050, and IFC Appendix D. The connection shall provide an independent alternative route for ingress and egress and reduce reliance on a single roadway corridor during emergencies, roadway obstructions, or other access disruptions. Final construction drawings, including this connection, shall be submitted for review and approval by the City Engineer and Fire Code Official with the grading permit submittal.

S51. Prior to Grading Permit application, the Traffic Impact Analysis prepared by Heath and Associates shall be updated to evaluate the transportation impacts associated with the required Baywatch Court NE roadway connection (NR-12), including changes in project-generated traffic distribution and potential impacts to surrounding intersections and roadway operations. The updated analysis shall identify any additional adverse traffic operations, queuing, or roadway safety impacts attributable to the revised access configuration and recommend appropriate mitigation where necessary. Mitigation for project-related impacts to WSDOT-operated intersections shall be coordinated with WSDOT.

S52. Prior to final plat approval, the applicant shall provide for a future public street connection to the adjacent southerly property (Parcel No. 252601-2-034-2002), in a location approved by the City Engineer and per PMC 17.80.060. The connection shall preserve the opportunity for future roadway network connectivity and additional access alternatives as surrounding properties develop. The final location and design shall minimize unnecessary grading, vegetation removal, and disturbance to regulated critical areas, and shall be coordinated with the approved grading, stormwater, and critical area protection plans.

S53. Each development phase shall provide the transportation access, emergency access, stormwater facilities, utilities, critical area protection, erosion and sediment control measures, and other infrastructure and environmental mitigation necessary to independently serve and mitigate the impacts of that phase. Environmental protection and mitigation measures shall be implemented in conjunction with the phase generating the associated impacts. Temporary and permanent erosion control, stormwater management, critical area protection, habitat restoration, and other applicable mitigation measures shall be installed and operational as necessary to prevent adverse environmental impacts during each phase of construction. Development shall not rely upon infrastructure or mitigation assigned to a subsequent phase unless the City determines that adequate interim facilities and environmental protection measures are provided.

S54. Temporary pedestrian facilities shall be maintained or clearly detoured throughout construction where existing pedestrian routes are affected.

PUBLIC SERVICES.

S55. To mitigate adverse impacts to emergency response reliability, public safety, and emergency access and egress resulting from the proposed development's reliance on the Sunrise Ridge Avenue NE corridor, the applicant shall provide an independent secondary roadway connection between the subdivision and Baywatch Court NE unless an alternative alignment is approved by the City Engineer that provides an equivalent level of public connectivity consistent with PMC 17.80.060, 17.80.050, and IFC Appendix D. The connection shall provide an alternative emergency access and evacuation route in the event the primary access corridor becomes obstructed or impassable due to roadway incidents, adverse weather, construction activities, utility interruptions, or other disruptions. The connection shall be operational prior to occupancy of residential development dependent upon the additional access and shall be designed to provide reliable emergency apparatus access consistent with the findings of the City's Fire Code Official and Poulsbo Fire Department. Final design, construction, and implementation shall be coordinated with the City's Engineering Department and Fire Code Official.

S56. Emergency vehicle access shall be maintained throughout all phases of construction.

S57. The applicant shall coordinate with emergency service providers regarding temporary street closures or construction activities affecting emergency response.

UTILITIES.

S58. All public utilities shall be constructed in accordance with approved engineering plans and applicable City standards.

S59. Fueling, hazardous material storage, and concrete washout facilities shall utilize spill prevention measures designed to protect groundwater, wetlands, and surface waters throughout construction.